

ORDINANCE NO. 4719

An Ordinance approving comprehensive plan amendments from Industrial to Commercial, and from Industrial to Residential on some 14.3 acres of land; corresponding zone changes from a County EF-40 (Exclusive Farm Use - 40-acre minimum) zone and City AH (Agricultural Holding) zone to a C-3 PD (General Commercial Planned Development) zone on the southern 6.7 acres of the site and an R-2 PD (Single-Family Residential Planned Development) zone on the northern 7.6 acres of the site. The site is located south of the South Yamhill River, west of NE Dunn Place, and north of Three Mile Lane Frontage Road.

RECITALS

The Planning Commission received applications (CPA 12-99 / CPA 13-99 / ZC 22-99 / ZC 23-99) from Mike and Kay Full, Dorothy Full, and Mary Bennett, dated September 28, 1999, requesting comprehensive plan map amendments from Industrial to Commercial, and from Industrial to Residential on some 14.3 acres of land; corresponding zone changes from a County EF-40 (Exclusive Farm Use - 40-acre minimum) zone and City AH (Agricultural Holding) zone to a C-3 PD (General Commercial Planned Development) zone on the southern 6.7 acres of the site and an R-2 PD (Single-Family Residential Planned Development) zone on the northern 7.6 acres of the site. The site is located south of the South Yamhill River, west of NE Dunn Place, and north of Three Mile Lane Frontage Road and more specifically described as Tax Lots 1700, 1800, 1900, and 2000, Section 22CD, T. 4 S., R. 4 W., W.M.

A public hearing was held December 16, 1999, at 7:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on December 11, 1999, and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearing, testimony was received, the application materials and a staff report were presented; and

The Planning Commission, being fully informed about said requests, found that said changes conformed to the zone change review criteria listed in Chapter 17.72.035 of Ordinance No. 3380 based on the material submitted by the applicant and the findings of fact and the conclusionary findings for approval contained in the staff report, all of which are on file in the Planning Department, and that the amendments and zone changes are consistent with the Comprehensive Plan; and

The Planning Commission approved said amendments and zone changes and has recommended said changes to the Council, now, therefore,

THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That the Council adopts the findings and conclusions of the Planning Commission, staff report on file in the Planning Department, and the application filed by Mike and Kay Full, Dorothy Full, and Mary Bennett.

Section 2. That the property described in Exhibit "A", which is attached hereto and incorporated herein by this reference, is hereby rezoned from a County EF-40 zone and City AH zone to a C-3 PD (on the southern 6.7 acres of the site) and R-2 PD zone (on the northern 7.6 acres of the site) subject to the following conditions:

1. That the zone change requests shall not take effect until and unless CPA 12-99 and CPA 13-99 are approved by the City Council.
2. That development and use of the site is subject to the provisions of the Three Mile Lane Planned Development Ordinance, as amended. Further, that a detailed Master Plan for the subject site shall be submitted to the McMinnville Planning Commission for review and approval, pursuant to the procedures of McMinnville Zoning Ordinance 17.51, Planned Development Overlay, prior to any development occurring on the commercial area of the site. The plan shall include, at a minimum, proposed land uses and their location(s), building locations, traffic circulation patterns and commercial drive locations, grading and drainage information, location and size of public utilities and services, off-street parking areas, direct pedestrian access, and other information deemed necessary to convey the details of the proposed development plans to the Planning Commission.
3. That detailed plans for the proposed commercial development showing site layout, signage, building elevations, landscaping, parking, and lighting must be submitted to and approved by the Three Mile Lane Design Review Committee prior to the issuance of any building permits for said development. Approval or denial of such plans shall be based on findings that, to the extent possible, the building and site design employs principles that will ensure compatibility with adjacent development, and provide an architectural style appropriate to a "gateway" or entrance to the City of McMinnville. In addition, approval or denial of the exterior building design shall be based on a finding that, to the extent possible, the building design incorporates design and architectural features that would serve to break up the building's horizontal plane and provide visual interest. This may include, but is not limited to, the use of vertical columns, gables, variety of compatible and complimentary building materials, providing openings in the building facade, and landscaping at the building perimeter. Submitted plans should include detail as regard building colors and materials (provide texture and visual relief), building height, planting design, window treatment, vertical and horizontal articulation, massing, voids to solids relationships, and other elements appropriate to ensure that the building and site design complies with the objectives and requirements of this planned development approval.

The provisions of Chapter 17.51 of the McMinnville Zoning Ordinance may be used to place conditions on any development and to determine whether or not specific uses are permissible. The applicant may appeal the decision of the Three Mile Lane Design Review Committee to the Planning Commission if

notice of intent to appeal is filed in the Planning Department office within fifteen (15) days of the Committee's decision.

4. That final development plans for the commercial area include landscape plans to be submitted to and approved by the McMinnville Landscape Review Committee and Three Mile Lane Design Review Committee. A minimum of 14 percent of the site must be landscaped. A solid wood fence, arborvitae hedge, or some similar type of planted visual screen shall be required along the commercial site's western property line as applicable to screen the existing single-family residence. Such landscaping screening shall also exist along the proposed commercial area's northern property line, and landscaping emphasis shall exist along the site's eastern and southern property lines, adjacent to NE Dunn Place, and the Three Mile Lane frontage road, with particular emphasis at the intersection(s) of any future commercial driveways. These streets, and any future street(s) shall be planted with required street trees. In addition, landscape islands are required to be located throughout proposed off-street parking areas.

Street trees within a curbside planting strip along street frontages are required to have a two-inch minimum caliper, exhibit size and growing characteristics appropriate for the particular planting strip, and be spaced as appropriate for the selected species and as may be required for the location of above ground utility vaults, transformers, light poles, and hydrants. All street trees shall be of good quality and shall conform to American Standard for Nursery Stock (ANSI Z60.1). The Planning Director reserves the right to reject any plant material which does not meet this standard.

5. That prior to development of the site the applicant shall submit a detailed utility plan for review and approval by the City Engineer, McMinnville Water & Light, and other agencies as appropriate. At a minimum, plans for the provision of storm drainage, sanitary sewer service, and public water shall be detailed within the submitted plan.
6. That no building shall exceed the height of 35 feet.
7. That if outside lighting is to be provided, it must be directed down and away from residential areas and public streets.
8. That signs located on the site shall be subject to the requirements of McMinnville Ordinance No. 4572 (A).
9. That all business, storage, or displays shall be conducted wholly within an enclosed building; except for off-street parking and loading.
10. That drive-up restaurants; automobile, boat, trailer, or truck rental sales or service; building materials supply stores; recreational vehicle parks; storage garage or mini-warehouse buildings; gasoline stations; and, automobile service stations are prohibited from locating on the subject site.


11. That if restrictive covenants are proposed for the development they must meet with the approval of the Planning Director.
12. That an approved Master Plan for the commercial area, as approved by the Planning Commission, shall be placed on file with the Planning Department and become a part of the zone and binding on the owner and developer. The developer will be responsible for requesting permission of the Planning Commission for any major change of the details of the final development plans. Minor changes to the details of the adopted plan may be approved by the City Planning Director. It shall be the Planning Director's decision as to what constitutes a major or minor change. An appeal from a ruling by him may be made only to the Commission. Review of the Planning Director's decision by the Planning Commission may be initiated at the request of any one of the commissioners.
13. That required right-of-way dedication and improvements to the NE Dunn Place road frontage, and required improvements to the Three Mile Lane frontage road (as may be required by the City Engineer), shall be done at the developer's expense and be finalized prior to release of any occupancy permits. Prior to the division of any lands within the subject site, plans for the improvement of any and all streets shall be submitted to the City Engineer for review and approval prior to their construction.

Adopted by the Council this 25th day of January 2000 by the following votes:

Ayes: Aleman, Hughes, Kirchner, Payne, Rabe, Windle

Nays: _____

Approved this 25th day of January 2000.

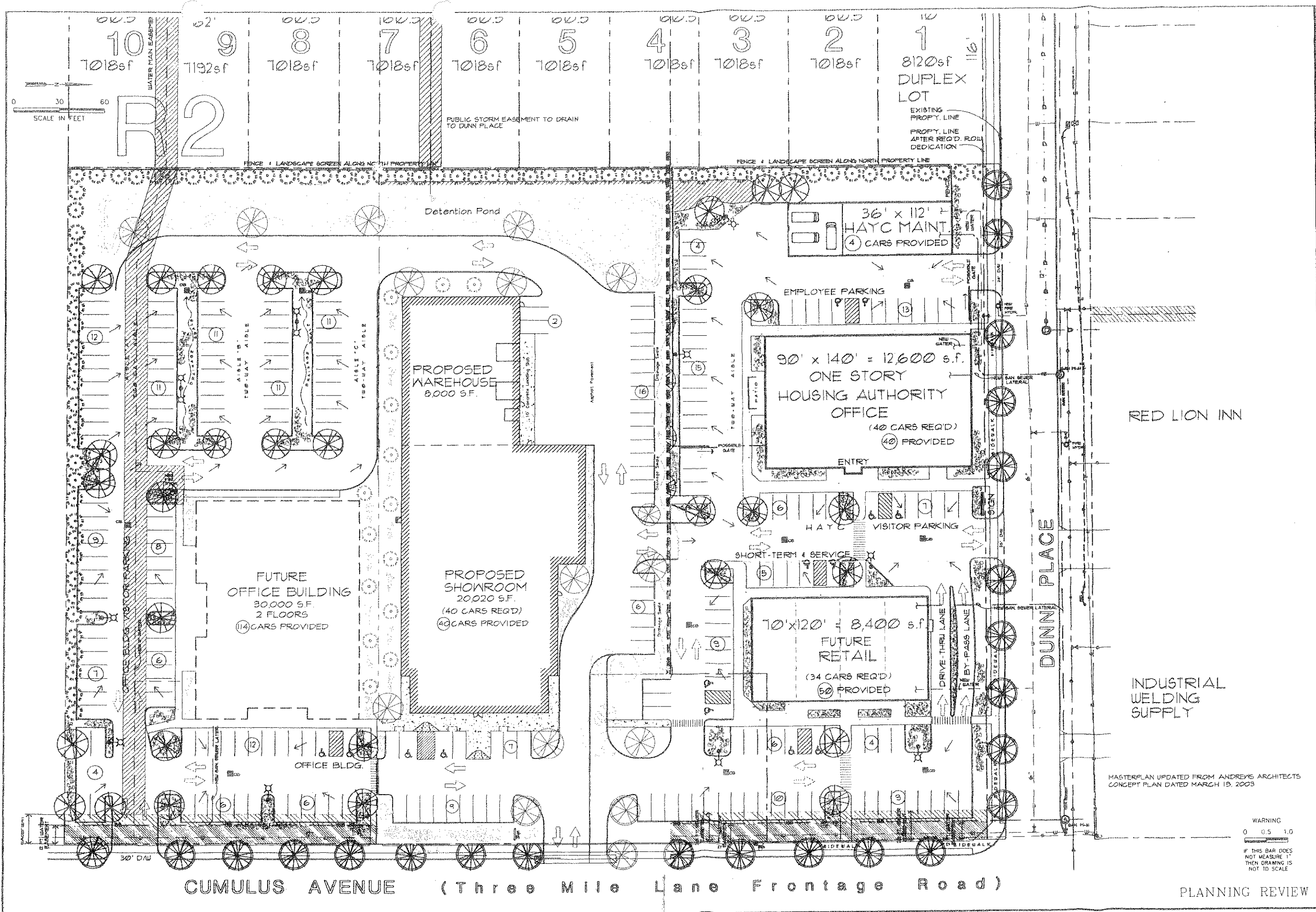


 MAYOR

Attest:



 RECORDER PRO TEM



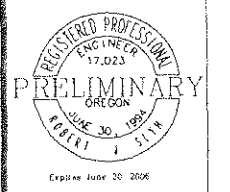
CUMULUS AVENUE (Three Mile Lane Frontage Road)

PLANNING REVIEW

MASTERPLAN UPDATED FROM ANDREWS ARCHITECTS
CONCEPT PLAN DATED MARCH 13, 2003

WARNING
0 0.5 1.0
IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO SCALE

Willamette
Engineering and Earth Sciences
Dallas, Oregon 97338
P.O. Box 1139
503 1623-0304



FURNITURE OUTLET
THREE MILE LANE
TAX LOT 1900
McMinnville, Oregon - Yamhill County

REV.	DATE	BY
PROJECT NO.	2005-PJ07	
DATE	5-10-05	
DESIGNED	G. HAFFNER	
ENGINEER	R. SLYH	
CHECKED		
SHEET TITLE	MASTER PLAN	
SHEET NUMBER	C-6	

RED LION INN

INDUSTRIAL WELDING SUPPLY

DUNN PLACE

