

ORDINANCE NO. 4735

An Ordinance rezoning certain property from a County VLDR 2.5 (Very Low Density Residential – 2.5-acre minimum) zone to a City M-1 PD (Light Industrial Planned Development) zone on one acre of land located south of Riverside Drive and east of the Willamette-Pacific rail line.

RECITALS

The Planning Commission received an application (ZC 2-00) from Bob Grant Construction, dated June 5, 2000, for a zone change from a County VLDR 2.5 (Very Low Density Residential – 2.5-acre minimum) zone to a City M-1 PD (Light Industrial Planned Development) zone on one acre of land located south of Riverside Drive and east of the Willamette-Pacific rail line. The property is more specifically described as Tax Lot 700, Section 14, T. 4 S., R. 4 W., W.M.

A public hearing was held on July 20, 2000, at 7:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on July 15, 2000, 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 request, found that said change 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 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 zone change is consistent with the Comprehensive Plan; and

The Planning Commission approved said zone change and has recommended said change to the Council; and 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 Bob Grant Construction.

Section 2. That the property described in Exhibit "A", is hereby rezoned from a County VLDR 2.5 (Very Low Density Residential – 2.5-acre minimum) zone to a City M-1 PD (Light Industrial Planned Development) zone subject to the following conditions:

1. That the applicant submit to the McMinnville Landscape Review Committee for review and approval a detailed landscape and irrigation plan prior to issuance of any building permits for the proposed facility. Landscaping coverage shall equal a minimum of seven percent of the gross site area and shall be emphasized at the Riverside Drive entryway (subject to clear vision area requirements), and along the perimeter of the proposed office building. In addition, the landscape plan shall illustrate a combination of existing and proposed street trees along Riverside Drive, to be located approximately every 30 feet (minus the width of the driveway frontage). All trees shall have a two-inch minimum caliper, exhibit size and growing characteristics appropriate for a particular planting area, and be spaced as appropriate for the selected species, and as may be required for the location of underground utilities, above-ground utility vaults, transformers, light poles, and hydrants.
2. That existing trees greater than nine inches in diameter at breast height (DBH) shall not be removed without prior review and written approval of the Planning Director. In addition, all trees to remain within the subject site shall be protected during construction. The Director may permit a reduction or require an increase in normally required setbacks to avoid the removal of existing mature trees.
3. That the property owner sign a waiver of remonstrance against assessment for the future improvement of Riverside Drive. The City shall prepare said waiver.
4. That the applicant secure permit(s) as may be required from Yamhill County for access onto Riverside Drive.
5. That the applicant extend water service to the subject site in accordance with McMinnville Water and Light requirements, including any necessary easements.
6. That a detailed sanitary sewage collection plan which incorporates the requirements of the City's Collection System Facilities Plan must be submitted to, and approved by, the City Engineering Department. Sanitary sewer easements needed to comply with the approved plan must be reflected on the final plat, and shall be a minimum of 20 feet in width.
7. Required fire hydrants will be in working order prior to the issuance of building construction permits.

Passed by the Council this 22nd day of August, 2000, by the following votes:

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

Nays: _____

Approved this 22nd day of August 2000.



MAYOR

Approved as to form:



CITY ATTORNEY

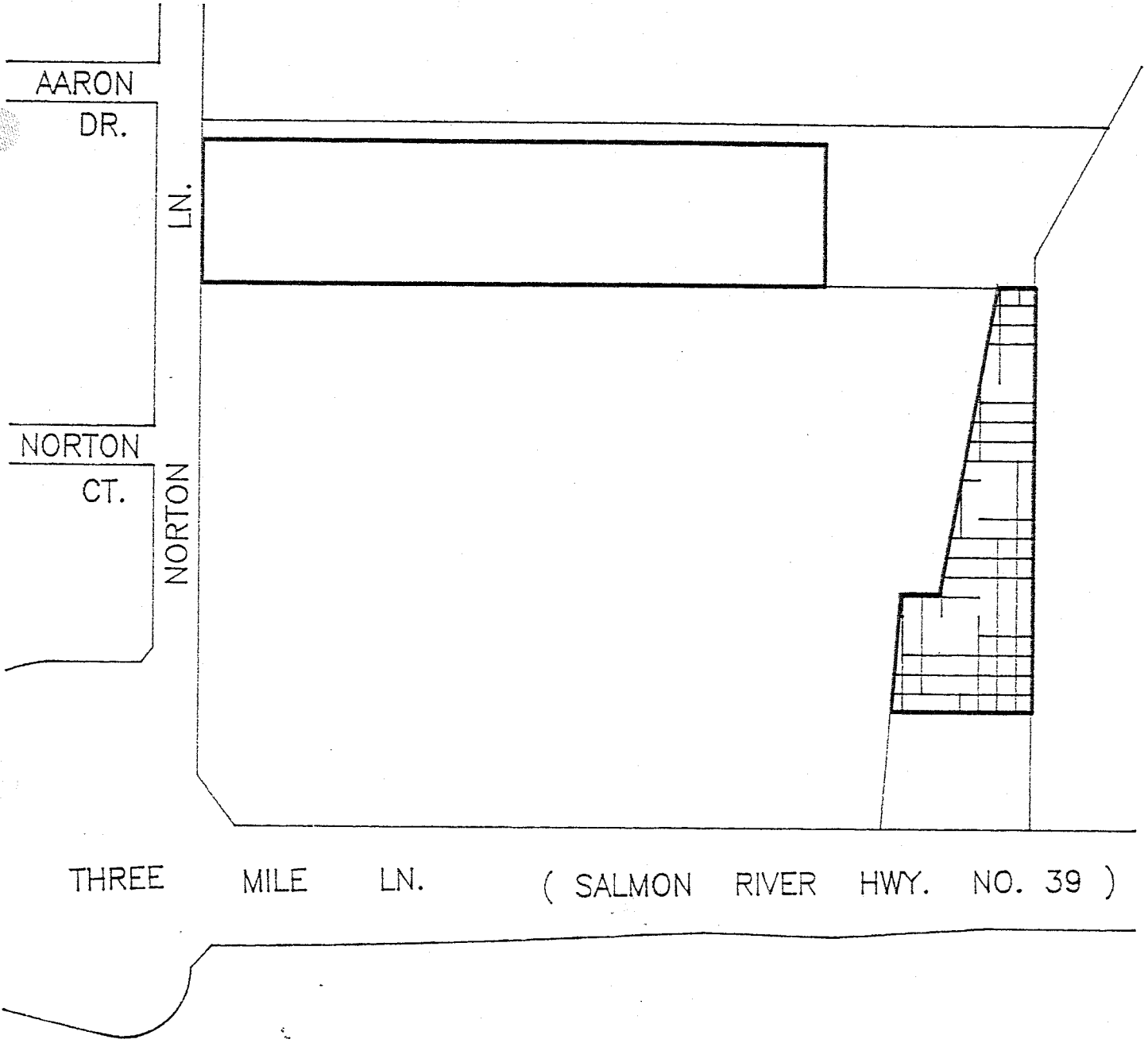


EXHIBIT "B"



Scale: 1" = 200'