

ORDINANCE NO. 4739-A

An Ordinance amending the comprehensive plan map from residential to commercial and rezoning certain property from an R-4 (Multi-Family Residential) zone to a C-3 PD (General Commercial Planned Development) zone to permit professional office use on three parcels of land totaling approximately .36 acres in size.

RECITALS

The Planning Commission received an application (CPA 2-00/ZC 6-00) from Yamhill County, dated August 9, 2000, for an amendment to the comprehensive plan map and a zone change from an R-4 (Multi-Family Residential) zone to a C-3 PD (General Commercial Planned Development) zone to permit professional office use on three parcels of land totaling approximately .36 acres in size. The property is more specifically described as Tax Lots 14700, 16100, and 16200, Section 21BB, T. 4 S., R. 4 W., W.M.

A public hearing was held on October 19, 2000, at 7:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on October 12, 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 plan amendment and zone change and has recommended said changes 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 Yamhill County.

Section 2. That the comprehensive plan map designation for the property described in Exhibit "A", is hereby amended from residential to commercial.

Section 3. That the property described in Exhibit "A", is hereby rezoned from an R-4 (Multi-Family Residential) zone to a C-3 PD (General Commercial Planned Development) zone subject to the following conditions:

1. That the zone change request shall not take effect until and unless CPA 2-00 is approved by the City Council.
2. That allowed uses for the subject properties be limited to government offices, not to include sex or drug offender treatment facilities.

modifications required to the residences to comply with applicable building codes and permit their use for office purposes. All required modifications shall be completed prior to the structures' use for office purposes. As an alternative, and if determined to be acceptable by the Planning Director, the applicant may adjust the location of common property lines (subject to approval of a boundary line adjustment), or covenant with the City to hold applicable parcels as a single unit. The City Attorney shall review and approve a proposed covenant prior to its recording. Copies of the recorded forms or agreement shall be provided to the City prior to use of the subject properties for office purposes.

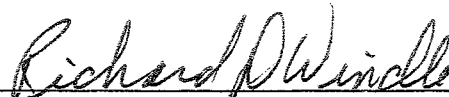
4. That prior to use of the existing structures the applicant shall submit a site plan which illustrates a minimum of 13 additional off-street parking spaces within the parking area located between Ford and Galloway Streets, and 6<sup>th</sup> and 7<sup>th</sup> Streets. The parking area north of the existing Annex building shall include the placement of a minimum of one van-accessible disabled person parking space, with access aisle, sign, and direct access to the sidewalk along the south side of 7<sup>th</sup> Street. One bicycle parking space at the 707 NE Ford Street property, and two bicycle parking spaces at the 626/636 NE 7<sup>th</sup> Street properties shall also be provided by the applicant. The required off-street parking spaces, disabled person parking, and bicycle parking shall be provided prior to use of the structures for office purposes.
5. That signage for the subject properties shall be limited to a maximum of one wooden monument-type sign per property, each no more than three feet in height, with total sign sizes not to exceed six square feet. The signs, if illuminated, must be indirectly illuminated and non-flashing.
6. That prior to the use of the subject properties for office purposes, the applicant shall submit a detailed landscape and irrigation plan for review and approval by the McMinnville Landscape Review Committee. Landscaping coverage shall equal a minimum of 14 percent of the gross site area for each of the subject properties. All deciduous trees, including required street trees within the applicable planting strips along both Ford and 7<sup>th</sup> Streets 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 under ground utilities, above-ground utility vaults, transformers, light poles, and hydrants.

Passed by the Council this 28th day of November, 2000, by the following votes:

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

Nays: \_\_\_\_\_

Approved this 28th day of November 2000.



MAYOR



Approved as to form:



CITY ATTORNEY