

ORDINANCE NO. 4743

An Ordinance rezoning certain property from a C-2 (Travel Commercial) zone to a C-3 PD (General Commercial Planned Development) zone to permit retail and office use on two parcels of land totaling approximately 0.73 acres in size.

RECITALS

The Planning Commission received an application (ZC 7-00) from Gary Lisk and Charles Laughlin, dated November 29, 2000, for a zone change from a C-2 (Travel Commercial) zone to a C-3 PD (General Commercial Planned Development) zone to permit retail and office use on two parcels of land totaling approximately 0.73 acres in size. The property is more specifically described as Tax Lots 1301 and 1302, Section 22CC, T. 4 S., R. 4 W., W.M.

A public hearing was held on January 18, 2001, at 7:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on January 11, 2001, 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 Gary Lisk and Charles Laughlin.

Section 2. That the property described in Exhibit "A", is hereby rezoned from a C-2 (Travel Commercial) zone to a C-3 PD (General Commercial Planned Development) zone subject to the following conditions:

1. That prior to the use of the subject properties for commercial purposes the applicant(s) shall submit final site plan(s), to include, at a minimum landscape plans, building elevations, parking plans and signing for the review and approval of the Three Mile Lane Design Review Committee. Final development plans shall conform with the following minimum provisions:

- a. That off-street parking spaces will be provided as required by the McMinnville Zoning Ordinance.
 - b. That proposed off-street parking areas include required disabled person and bicycle parking spaces.
 - c. That signs located within the subject site shall conform to the provisions of McMinnville Ordinance No. 4572 (5)(A).
 - d. That all outside storage of business supplies and materials shall be screened from public view by a solid vegetative screen, solid wooden fence, cyclone fence with slats, or similar vision obstructing device.
 - e. That proof of legal vehicular access to the subject site exists, or that contiguous ownership of land exists between the subject site and the Three Mile Lane Frontage Road.
2. That final development plans for the subject site, once approved by the Three Mile Lane Design Review Committee, shall be placed on file with the Planning Department and become a part of the zone and binding on the owner and developer.

The developers will be responsible for requesting permission of the Three Mile Lane Design Review Committee for any major change of the details of the adopted site plan. Minor changes to the details of the adopted site 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 Three Mile Lane Design Review Committee.

3. That prior to the use of the subject properties for commercial purposes, the applicant(s) shall submit detailed landscape and irrigation plans for review and approval by the McMinnville Landscape Review Committee and the Three Mile Lane Design Review Committee. Landscaping coverage shall equal a minimum of fourteen percent of the gross site area for each of the subject properties, and shall include to the extent possible emphasis at the site's building perimeters, the site's driveways, and adjacent to the Three Mile Lane Frontage Road.
4. 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.
5. That future improvements to the unimproved section of the parking area of the western parcel will require that the applicant prepare and submit to the City Engineer for review and approval a drainage plan for the subject property.

Passed by the Council this 27th day of February, 2001, by the following votes:

Ayes Aleman, Hansen, Olson, Payne, Rabe, Windle

Nays: _____

Approved this 27th day of February 2001.



MAYOR

Approved as to form:



CITY ATTORNEY