

ORDINANCE NO. 4800

An Ordinance amending the comprehensive plan map from Industrial to Commercial and rezoning certain property from an M-2 (General Industrial) zone to a C-3 PD (General Commercial Planned Development) zone. The subject property is located at 714 NE 5th Street, and is more specifically described as Tax Lot 2700, Section 21BD, T. 4 S., R. 4 W., W.M.

RECITALS

The Planning Commission received an application (CPA 1-04/ZC 3-04) from Cascade Pacific Construction, dated March 24, 2004, for an amendment to the comprehensive plan map from Industrial to Commercial and rezoning certain property from an M-2 (General Industrial) zone to a C-3 PD (General Commercial Planned Development) zone. The subject property is located at 714 NE 5th Street, and is more specifically described as Tax Lot 2700, Section 21BD, T. 4 S., R. 4 W., W.M

A public hearing was held on May 20, 2004, at 7:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on May 15, 2004, 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 comprehensive plan and 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 comprehensive plan amendment and zone change are 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 Cascade Pacific Construction.

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

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

1. That this zone change shall not take effect unless and until CPA 1-04 is approved by the City Council.
2. That a detailed plan for the subject site shall be submitted to the McMinnville Planning Department for review and approval, prior to any further development occurring on the site. The plan shall include, at a minimum, building locations, proposed circulation pattern, grading and drainage information, signage, building elevations, landscaping, parking, and lighting.

Submitted plans shall comply with the objectives and requirements of this planned development approval and McMinnville Zoning Ordinance. The applicant may appeal the decision of the Planning Director to the Planning Commission within 15 (fifteen) days of the Planning Director's decision.

3. That landscape plans for the commercial site shall be submitted to the McMinnville Landscape Review Committee for review and approval prior to issuance of permits for any proposed new buildings, additions to existing structures, or construction of off-street parking facilities. At a minimum, 15 (fifteen) percent of the site shall be landscaped with emphasis placed along the 5th Street frontage, along the edges of the parking lot, and at building perimeters.
4. That signs located on the site be subject to review by the Planning Department as to their location and design, and to the following limitations:
 - a. That one monument sign, limited to a height of six feet and total sign face of 48 square feet may be permitted. Monument signs shall be non-illuminated, indirectly illuminated, neon, or may have individually backlit letters, providing that no plastic sign cabinets are allowed.
 - b. All other signs, with the exception of incidental directional signage, must be flush against the buildings and not protrude more than 12 inches from the building face.
5. That all business, storage, or displays shall be conducted wholly within an enclosed building except for off-street parking and loading. Incidental exterior display may be allowed if incorporated into future building design and approved for such use by the Planning Director.
6. Outside lighting must be directed away from the neighboring residential house located to the west, as well as the residence located directly north of the subject property.
7. That the conceptual land use plan submitted by the applicant as part of this land use request, shall in no way be binding on the City.
8. That the developer will be responsible for requesting approval of the Planning Commission for any major change in the details of the approved site plan. Minor changes to the details of the approved 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.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 22nd day of June 2004, by the following votes:

Ayes: Aleman, Hansen, Olson, Springer, Stocks, Windle

Nays: _____

Approved this 22nd day of June 2004.


MAYOR

Attest:


CITY RECORDER

Approved as to form:


CITY ATTORNEY