

ORDINANCE NO. 4880

An Ordinance amending the comprehensive plan map from Residential to Commercial and amending the zoning map from an R-4 (Multi-Family Residential) zone to a C-3 PD (General Commercial Planned Development) zone on approximately 0.80 acres of land.

RECITALS

The Planning Commission received an application (CPA 3-07/ZC 8-07) from Mark & Cathy Marshall, dated May 31, 2007, for an amendment to the comprehensive plan map from Residential to Commercial and amending the zoning map from an R-4 (Multi-Family Residential) zone to a C-3 PD (General Commercial Planned Development) zone on approximately 0.80 acres of land. The property is more specifically described as Tax Lots 3400, 3600, and 3601, Section 16CB, T. 4 S., R. 4 W., W.M.

A public hearing was held on July 19, 2007, at 6:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on July 12, 2007, 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 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 Mark & Cathy Marshall.

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 (ZC 8-07) shall not take effect until and unless CPA 3-07 is approved by the City Council.
2. That, to the extent practicable, off-street parking shall be obscured from view from Baker Street by placing it within the eastern portion of the site behind the existing structures, or through the use of landscaping, fencing, or similar means.

3. That signs must be flush against the building and not protrude more than 12 inches from the building face, except that one ground-mount (monument-type) sign not more than five feet in height may be allowed. All signs, if illuminated, must be indirectly illuminated and non-flashing; and no individual sign may exceed thirty-six (36) square feet in size.

Passed by the Council this 28th day of August 2007, by the following votes:

Ayes: Hansen, Hill, May, Menke, Yoder

Nays: _____

Approved this 28th day of August 2007.


MAYOR

Attest:


CITY RECORDER

Approved as to form:

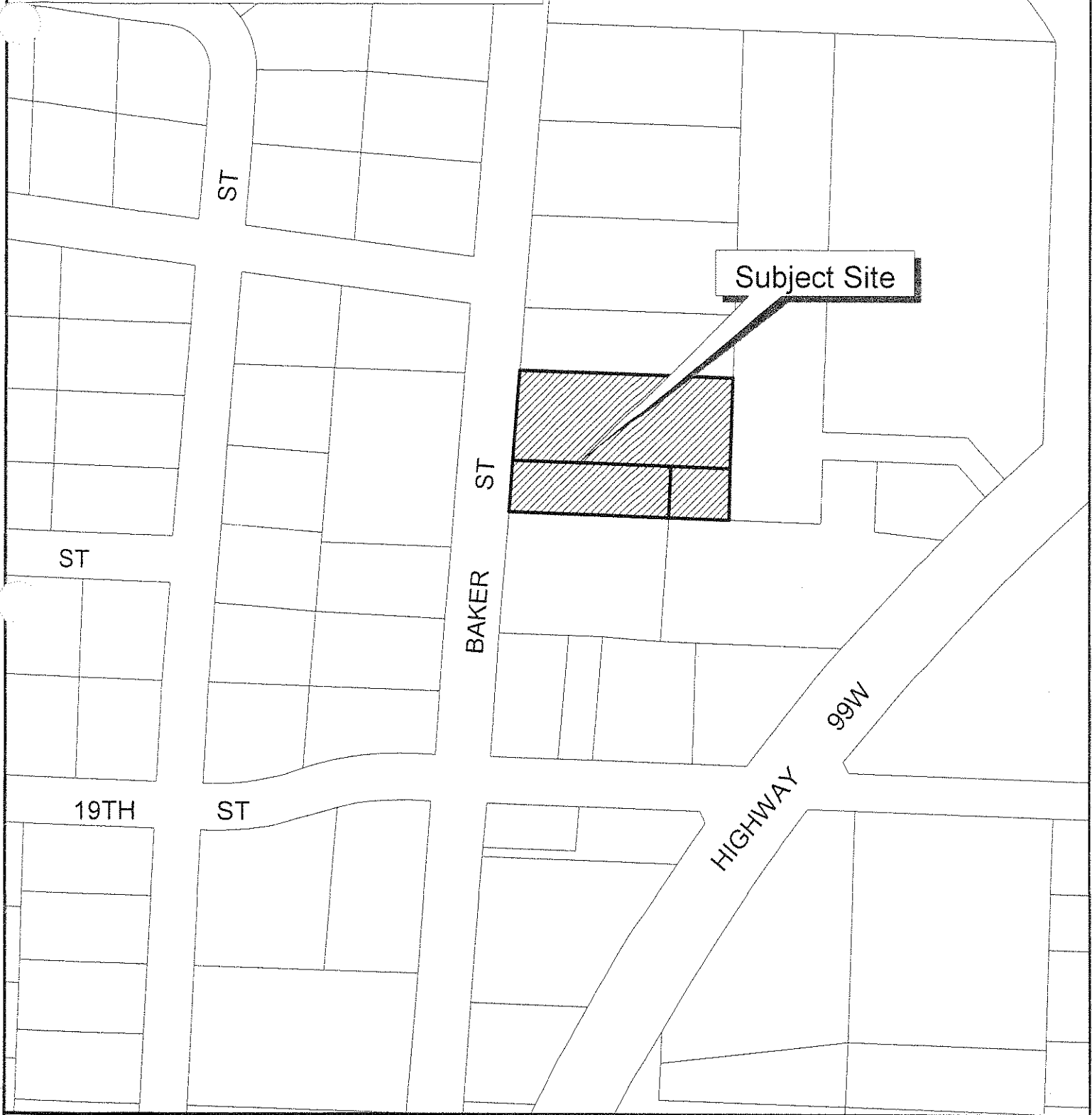

CITY ATTORNEY

EXHIBIT "A"

BEGINNING on the Easterly margin of North Baker Street, North 02°50' East, 10.05 feet and South 89°55' East, 30.04 feet from the Southwest corner of Lot 13, JOPLINGS SUBDIVISION in Yamhill County, Oregon; thence North 02°50' East along the Easterly margin of North Baker Street, 55 feet; thence South 89°55' East 227.5 feet to the East line of land conveyed to J.P. Shuck by Deed recorded July 6, 1945 in Book 129, Page 861, Deed Records; thence South, 55 feet to the Southwest corner of said Shuck tract; thence North 89°55' West, 232.15 feet to the PLACE OF BEGINNING.

EXCEPTING THEREFROM that portion conveyed to Safari Motel & Restaurant, Inc., by Deed recorded February 11, 1974 in Film Volume 98, Page 1194, Deed Records, Yamhill County, Oregon.

Exhibit "A"



Geographic Information System



City of McMinnville
Planning Department
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McMinnville, OR 97128
(503) 434-7311