

ORDINANCE NO. 4937

An Ordinance amending Section 2 of Planned Development Overlay Ordinance No. 4884 to permit commercial uses beyond the current limitation of medical and professional office use on lands east of the Comfort Inn and Suites Hotel, subject to certain design and occupancy requirements.

RECITALS

The Planning Commission received an application (ZC 2-11) from Penny Lane LLC, dated February 14, 2011, requesting that Planned Development Ordinance No. 4884 be amended to expand the uses permitted on the site. Currently, only a medical or professional office is permitted. The subject site is approximately 0.26 acres in size and is located east of the Comfort Inn and Suites Hotel, and southwest of the intersection of Norton Lane and Stratus Avenue, and is further described as Tax Lot 403, Section 27, T. 4 S., R. W., W.M.

A public hearing was held on March 17, 2011, at 6:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on March 9, 2011, and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearing, the application materials and a staff report were presented and testimony was received; and

The Planning Commission, being fully informed about said request, found that said changes conformed to the planned development amendment review criteria listed in Chapter 17.74.070 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 amendment is consistent with the Comprehensive Plan; and

The Planning Commission approved said planned development amendment and has recommended said change to Council; 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 Penny Lane LLC.

Section 2. That the application is approved subject to the following conditions:

A. That Ordinance No.4884 be amended to read as follows (new language is indicated through **bold, underlined text**, while deleted language is denoted by strikethrough text):

1. That all applicable requirements of McMinnville Planned Development Ordinance No. 4667 shall remain in effect.
2. That the applicant shall submit for review and approval by the Three Mile Lane Design Review Committee, detailed plans showing building location, design and elevations, and pedestrian and off-street parking improvements. It is strongly recommended that the any proposed building is be placed parallel to the existing parking lot so that public street-side landscaping opportunities are maximized. Signage, landscaping, parking and lighting must also be included in the plan submitted for review. ~~Approval of the building design will be contingent on the extent to which the same architectural details have been applied to the proposed medical facility as have been applied to the existing medical buildings located south of the subject site. Additionally, as the preliminary design concept proposes that the main building entrance will face west toward the Comfort Inn Hotel; The~~ portion of the building facing Norton Lane must present an attractive, pedestrian friendly scaled façade (e.g., use of windows; architectural detailing). The building's linear shape shall also be enhanced through vertical articulation or use of other architectural materials or design.
3. That the applicant shall submit for review and approval by the McMinnville Landscape Review Committee, a detailed landscape and irrigation plan. As per Ordinance 4667, a minimum of 14 (fourteen) percent of the site must be landscaped with emphasis placed at the street frontages. At a minimum, landscaping will be required around the building's perimeter with emphasis along the Norton Lane and Stratus Avenue frontages and within the parking lot.
- ~~4. That prior to the issuance of building permits for the proposed medical building, the applicant shall provide a copy of a shared parking and maintenance agreement between all parties involved. At a minimum, the agreement shall provide for the sharing of six spaces and assigning to them maintenance responsibilities.~~
4. That those uses listed in the C-3 zone are allowed, with the following exceptions:
 - a) Any business with a drive-up service window,
 - b) Storage or mini-warehouse
 - c) Recreational Vehicle park
 - d) Any auto related business including auto sales, repair, and storage
5. That all business activity shall be conducted within an enclosed building except for the following:
 - a) Off-street parking and loading

- b) Temporary display and temporary sales of merchandise, providing it is under cover of a projecting roof and does not interfere with pedestrian or automobile circulation
- c) Outside storage of non-retail goods, provided it is screened from visibility beyond property lines.

6. ~~5-~~That the applicant shall work with Western Oregon Waste ((503) 434-5549) to assess appropriate size and location of the trash enclosure, the location and screening of which shall be approved by both WOW and the Planning Director.

~~6. That the subject site is limited to professional office or medical office use only.~~

Passed by the Council this 10th day of May 2011, by the following votes:

Ayes: Hill, Jeffries, May, Menke

Abstain: Ruden, Yoder

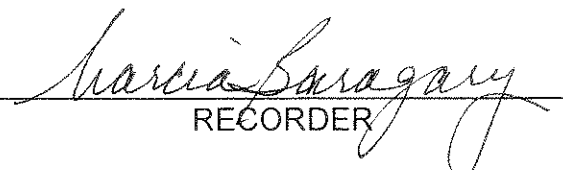
Nays: _____

Approved this 10th day of May 2011.



MAYOR

Attest:



RECORDER

Approved as to form:



CITY ATTORNEY



Northeast Perspective

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JUN 17 2011
COMMUNITY DEVELOPMENT
DEPARTMENT



Northwest Perspective

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