

ORDINANCE NO. 4434

An Ordinance rezoning certain property from a County AF-20 (Agricultural/Forestry District) zone to a City M-2 PD (General Industrial Planned Development) zone on a parcel of land approximately 8.1 acres in size located south of Three Mile Lane, and declaring an emergency.

RECITALS:

The Planning Commission received an application from Evergreen Aviation Ground Logistics Enterprises for a zone change (ZC 6-88) dated August 16, 1988, for the property described as Tax Lots 300 and 400, Section 26, T. 4 S., R. 4 W., W.M.; and

A public hearing was held on August 23, 1988, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on August 17, 1988, 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 Section 17.72.035 of Ordinance No. 3380, based upon 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 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 Evergreen Aviation Ground Logistics Enterprises.

Section 2. That the property described in Exhibit "A", which is attached hereto and incorporated herein by this reference, is hereby rezoned from a County AF-20 (Agricultural/Forestry) zone to an M-2 PD (General Industrial Planned Development) zone, subject to the following conditions:

(a) That a 60 foot wide, more or less, strip of land adjacent to Highway 18 be deeded to the state for right-of-way prior to final occupancy of the site. The exact width of said strip of land will be determined by the Oregon Department of Transportation and shall correspond with that right-of-way actually needed for the improvement of Highway 18.

(b) That a storm drainage plan must be submitted to and approved by the City.

(c) That a transportation plan which provides a frontage road or similar interior circulation pattern which will connect the properties adjoining the subject site on the east and the west be submitted to and approved by the City. The owners shall be required to implement such plan at such time as the Planning Director determines that it is necessary to service properties located to the west of the subject site.

(d) That no direct vehicular access is allowed from the subject site onto Three Mile Lane (Highway 18) except that the current use of the property (a house and a cabinet makers shop) may continue to use their present accessways. Once the house and shop are removed from the site or the uses of the structures change the present accessways onto Highway 18 must be closed.

Section 3. An emergency is hereby declared to exist and this ordinance shall be in full force and effect 15 days hereafter provided no appeal of the Planning Commission decision is made. In the event an appeal is filed in a timely manner, this ordinance shall be null and void.

Passed by the Council this 23rd day of August, 1988, by the following votes:

Ayes: R. Johnstone, G. Wertz, B. Wilson, C. Hanson, B. Blanchard

Nays: _____

Approved this 23rd day of August, 1988.



MAYOR

Attest:



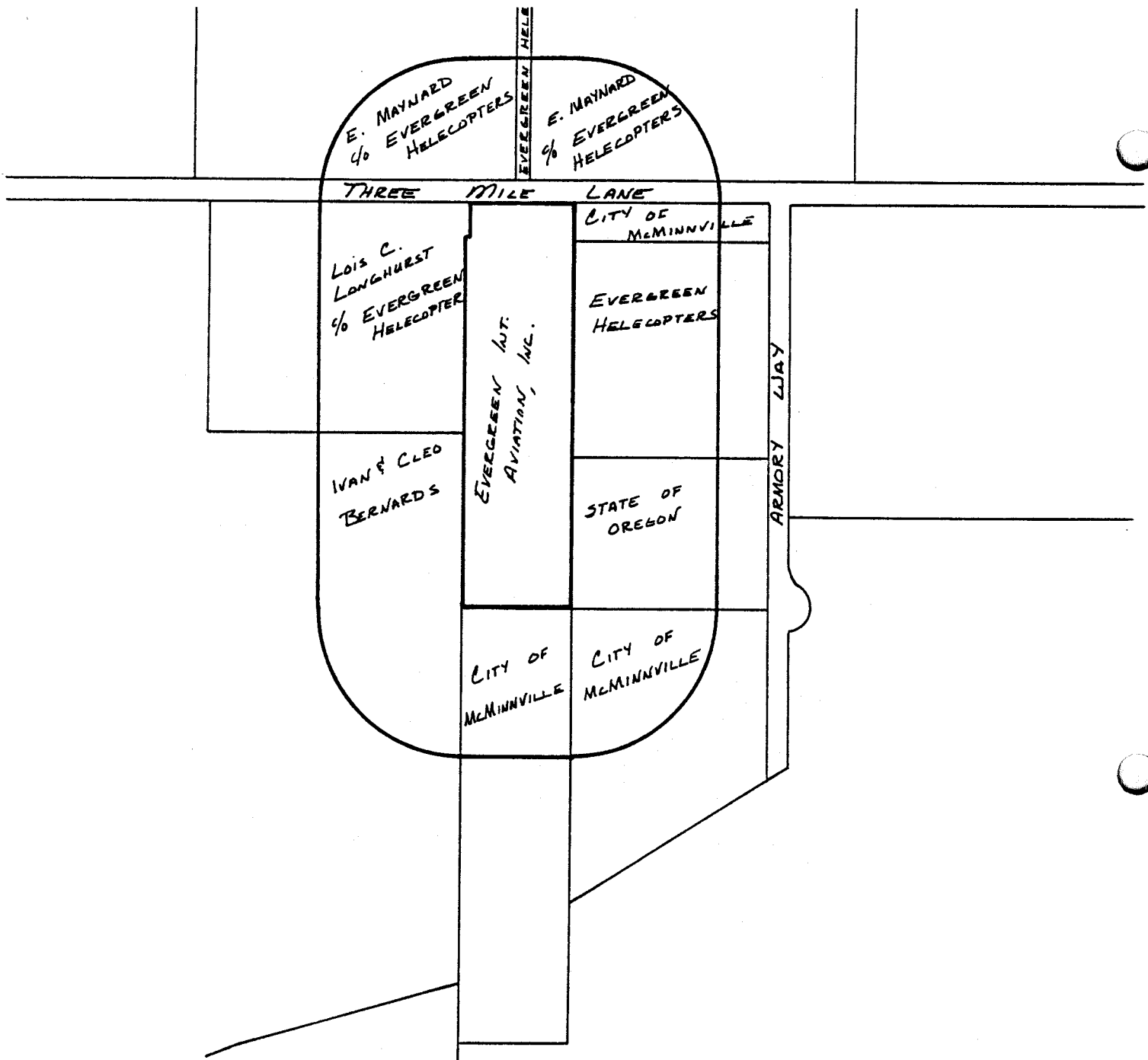
RECORDER

EXHIBIT "A"

ZC 6-88

A tract of land in Section 26, Township 4 South, Range 4, West, Willamette Meridian, Yamhill County, Oregon and being more particularly described as follows:

Beginning at the Northwest corner of the John White Donation Land Claim, Notification No. 1227, Claim No. 82, said point of beginning being now marked by a 1-inch x 2 1/2-inch iron bar in the center of Oregon State Highway No. 18, Three Mile Lane now there, and running thence South along the West line of said Donation Land Claim, a distance of 18 Chains to the North line of the tract of land conveyed from John Grossen, et. ux. to F.A. Newbill, et. ux. in Book 64, Page 638, Deed Records of Yamhill County, Oregon; thence North 89°45' East, parallel with the North line of said D.L.C., a distance of 4.54 chains to the West line of a tract of land described from W.S. Houck and Sophia R. Houck to H.A. Garlock and Gertrude A. Garlock and recorded in Volume E, Page 401, Record of Bonds and Contracts for Yamhill County, Oregon; thence North along the West line of said Garlock tract, a distance of 18.45 chains, more or less, to the North line of said State Highway and the present City Limits line; thence South 89°45' West, a distance of 4.51 chains; thence South 30 feet to the place of beginning.



ZONE CHANGE REQUEST

Change from County
 AF-20 zone, to City
 M-2 PD zone. ZC 6-88

Scale: 1"=400'
 Date: Sept. 1988



Applicant: Evergreen Int. Aviation, Inc.
 3850 Three Mile Lane
 McMinnville, Or. 97128

Approved by: Planning Commission
 Date:

Approved by: City Council
 Date:

Ord. No; 4434

Attested to by: _____