

ORDINANCE NO. 4051

An Ordinance rezoning certain property from existing County zone of VLDR-2 1/2 (Very Low-density Residential--2 1/2 acre minimum) to a City zone of M-1 (Light Industrial) planned development on a parcel of land approximately 3.36 acres in size located off Riverside Drive.

WHEREAS, the Planning Commission received an application for a zone change (ZC 20-79) dated August 24, 1979, on the property described as a portion of Tax Lot 1000, Section 10, T. 4 S., R. 4 W., Willamette Meridian; and

WHEREAS, a public hearing was held on October 11, 1979, at 7:00 p.m. before the Planning Commission after due notice had been given in the local newspaper on October 1, 1979, and written notice had been mailed to property owners within 300 feet of the affected property; and

WHEREAS, at said public hearing the testimony of the applicant and surrounding property owners was received and a staff report was presented; and

WHEREAS, the Planning Commission being fully informed about said zone change, and based on the observations and the findings of fact has approved said zone change and has recommended said change to the 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 Donald W. Sullivan.

Section 2. That the property described in Exhibit "A," which is attached hereto and by this reference incorporated herein, shall be rezoned from existing County VLDR-2 1/2 (Very Low-density Residential--2 1/2 acre minimum) zone to a City zone of M-1 (Light Industrial) planned development, subject to the following conditions:

- (a) That prior to any development of the property, 21 copies of the proposed development plan be submitted to the Planning Department. The Planning Department will in turn forward copies with a recommendation to the McMinnville Planning Commission. The Commission must then approve the proposed development plans at a public meeting before said development may take place.
- (b) That once the development plan is approved by the Commission, it shall be placed on file with the Planning Department and become a part of the zone and binding on the owner and developer.

The developer will be responsible for requesting permission of the Planning Commission 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 Commission. Review of the Planning Director's decision by the Planning Commission may be initiated at the request of any one of the commissioners.

Section 3. That this ordinance shall be subject to the terms and conditions of Ordinance 3823, entitled "Initiative and Referendum," for a period of thirty days.

Passed by the Council this 6 day of November, 1979, by the following votes:

Ayes: Willoughby, Hamby, Allen, Wilson and Porter

Nays: \_\_\_\_\_

Approved this 6 day of November, 1979.

*Herbert R. Scott*  
MAYOR

Attest:

*Marjorie E. Kester*  
RECORDER

EXHIBIT A

Being a part of the Joseph R. Young Donation Land Claim No. 68 in Section 10, Township 4 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, more particularly described as follows:

Beginning at a point that is 462.48 feet West of the Southeast corner of Section 10, Township 4 South, Range 4 West, which point is also the Southwest corner of Parcel 1 of the Don Sullivan Tract described in Deed recorded August 31, 1976 in Film Volume 114, Page 878, Deed and Mortgage Records; thence North  $0^{\circ}42'20''$  West along the West line extended of Parcel 1 of the Sullivan Tract to the North Yamhill River; thence Southwesterly along the North Yamhill River to the Northeast corner of that tract of land conveyed to Harvey W. Shultz and Marie A. Shultz, husband and wife, in Deed recorded February 9, 1972 in Film Volume 88, Page 227, Deed and Mortgage Records; thence South along the East line of the Shultz Tract 4.04 chains to a point on the South line of Section 10; thence East along the South line of Section 10 to the place of beginning.