

ORDINANCE NO. 4248

An Ordinance rezoning certain property from a County EF-40 (exclusive farm use, 40-acre minimum) zone to a City M-L PD (limited light industrial planned development) zone on a parcel of land approximately 38.37 acres in size located south of Three Mile Lane.

RECITALS:

The Planning Commission received an application for a zone change (ZC 2-83) dated February 11, 1983, on the property described as a portion of Tax Lot 200, Section 27, T. 4 S., R. 4 W., W.M.

A public hearing was held on April 14, 1983, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on April 4, 1983, and written notice had been mailed to property owners within 300 feet of the affected property; and

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

The Planning Commission being fully informed about said request found that a need existed for said change 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 reports on file in the Planning Department, and the application filed by John H. and Lois E. Otting.

Section 2. That the property described in Exhibit "A," which is attached hereto and incorporated herein by this reference, shall be rezoned from existing Yamhill County EF-40 zone to a City M-L PD (limited light industrial planned development) zone, subject to the following conditions:

1. That development plans for any proposed use be approved by the Planning Commission in accordance with Section 17.36.060 of the zoning ordinance.
2. That development plans include a plan for a transportation system that:
 - a. Limits access to Three Mile Lane to one entrance directly across from Kingwood Drive. (This may require coordination with the adjoining property owner.)
 - b. Provides a frontage road or similar interior circulation pattern which will connect to adjoining properties.
 - c. Allows use of the frontage road as a bikeway.

3. That as a condition of this zone change, right-of-way dedication will be required for the following:

- a. The provision of a frontage road or similar interior circulation system along Highway 18;
- b. The extension of Kingwood Drive to the south along the eastern boundary of the property.

Such dedications will be required at any time in the future after plans for the improvements are approved by the City. Failure of the property owners to dedicate the requested property within a reasonable time after it is requested will void the zone change and the property will revert to its previous zone.

- 4. That the storm drainage plan be submitted to and approved by the City as a part of the development plan approval process.
- 5. That a 40-foot wide strip of land adjacent to Highway 18 be dedicated to the State for right-of-way prior to the development plan approval. The 40 feet of right-of-way will provide a total right-of-way of 100 feet which, according to preliminary plans, should provide enough land area for the widening of Highway 18.

Passed by the Council this 3 day of May, 1983, by the following votes:

Ayes: Macy, Elliott, Gale, Gormley, Wilson and Allen

Nays: _____

Approved this 3 day of May, 1983.

Jerry Allen
COUNCIL PRESIDENT

Attest:

Marjorie E. Kerwin
RECORDER

ANX 2-82

Beginning 30 feet South $0^{\circ}39'$ West from the Initial Point of Riverside Garden Tracts, a subdivision of record in Yamhill County and also being County Survey C.S. 2012, Volume F, Page 191, Yamhill County Surveyor Records, said Beginning also being 30 feet South $0^{\circ}39'$ West and 2,301.42 feet West of the Northeast corner of the Isaiah M. Johns D.L.C. No. 81, in Section 27, Township 4 South, Range 4 West, Willamette Meridian, Yamhill County, Oregon, said Beginning also being on the South line of Oregon State Highway No. 18 (a 60-foot right of way); thence South $0^{\circ}39'$ West, along the East line of Riverside Garden Tracts, as platted, a distance of 1,200.08 feet; thence West, parallel with and 1,200 feet from the South line of said State Highway, a distance of 1,406.07 feet to the West line of Lot 2 of County Survey C.S. 2519, Volume H, Page 73, Yamhill County Surveyor Records; thence North $00^{\circ}29'$ East along the West line of said Lot 2, a distance of 1,260.04 feet to the North line of said State Highway; thence East along the North line of said State Highway, a distance of 1,409.73 feet; thence South $0^{\circ}39'$ West, a distance of 60 feet to the Place of Beginning and containing 40.72 acres, more or less.

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