

ORDINANCE NO. 4464

An Ordinance amending the City of McMinnville Comprehensive Plan Map from an existing residential designation to a commercial designation and rezoning certain property from an R-1 (Single-family Residential) zone to C-3 PD (General Commercial Planned Development) zone.

RECITALS:

The Planning Commission received an application (CPA 2-89/ZC 6-89) from McMinnville Lodge No. 1283, B.P.O. Elks dated October 9, 1989, for a plan map amendment and a zone change on approximately 9.1 acres of land located north of Baker Creek Road, and described as Tax Lot 1300, Section 17, T. 4 S., R. 4 W., W.M.

A public hearing was held on November 9, 1989, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on October 30, 1989, 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 requirements of the McMinnville Comprehensive Plan, the Zoning Ordinance review criteria listed in Chapter 17.72 of Ordinance 3380, and the planned development review criteria listed in Chapter 17.51 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 planned development is consistent with the Comprehensive Plan; and

The Planning Commission approved said plan map amendment and zone change and has recommended said change to Council;

At the City Council meeting on December 12, 1989, the matter was discussed and considered, and the Common Council called for a public hearing to be held on January 9, 1990 at 8:00 p.m. in the Council Chambers adjacent to City Hall; 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 McMinnville Lodge No. 1283, B.P.O. Elks.

Section 2. That the Comprehensive Plan Map shall be amended from a residential designation to a commercial designation for the property described in Exhibit "A" which is attached hereto and by this reference incorporated herein.

Section 3. That the property described in Exhibit "A" shall be rezoned from an existing R-1 (Single-family Residential) zone to a C-3 PD (General Commercial Planned Development) zone subject to the following conditions:

(a) That the zone is approved for the McMinnville Elks Lodge and their accessory uses only. Any change of use or additional use not relating to the Elks must be processed as an amendment to the planned development.

(b) That the plan submitted with the application is approved in concept and that the uses shown on the plan are specifically approved. Deviation from the conceptual plan is permitted except that the lodge, when constructed, must be located generally in the area shown on the plan.

(c) That the Elks Lodge shall pay its front foot share of the improvement costs of Baker Creek Road at such time as the improvement is commenced.

(d) That the recreational vehicle hookups shall not be used commercially. The use of the hookups shall be limited to that of the Elks members, their guests, and the guests of other organizations that have been granted permission to use the park facilities for a special event. All 64 hookups may be used in conjunction with a special event which is being conducted simultaneously at the park facilities. No more than 20 spaces may be used by the Elks or their guests at a given time for stays longer than two days in duration.

Passed by the Council this 9th day of January, 1990, by the following votes:

Ayes: Hansen, Brecht, Wilson, and Whitehead

Nays: _____

Approved this 9th day of January, 1990.

Attest:

Clifton Ross
CLERK PRO TEM

Carl W. Whitehead
COUNCIL PRESIDENT

EXHIBIT "A"

Being a part of Section 17, Township 4 South, Range 4 West, Willamette Meridian, Yamhill County, Oregon and being more particularly described as follows:

Beginning at the Northwest corner of said Section 17; thence South $0^{\circ}08'$ East 1450.29 feet along the Westerly line of said Section 17 to the Northerly right of way line of Baker Creek Road; thence South $84^{\circ}16'23''$ East 96.50 feet along the Northerly right of way line of said Baker Creek Road; thence North $0^{\circ}08'$ West 575.00 feet parallel with the Westerly line of said Section 17; thence North $89^{\circ}52'$ East 385.00 feet; thence North $0^{\circ}08'$ West 210.00 feet; thence South $87^{\circ}56'22''$ East 22.51 feet to the City Limits Line; thence North $23^{\circ}29'08''$ West 733.15 feet along said City Limits Line to the Northerly line of said Section 17; thence North $89^{\circ}20'43''$ West 212.90 feet along the Northerly line of said Section 17 to the Northwest corner of said Section 17 being the point of beginning. Containing 9.11 acres, more or less.