

ORDINANCE NO. 4466

An Ordinance rezoning certain property from a County EF-40 (Exclusive Farm Use--40 acre minimum) zone to a City M-1 PD (Light Industrial Planned Development) zone on approximately 3.46 acres of land.

RECITALS:

The Planning Commission received an application (ZC 8-89) from Ellen Miller dated November 27, 1989 for a zone change on property located at the northeast corner of Riverside Drive and Lafayette Avenue, and further described as Tax Lot 2200 and 2403, Section 15, T. 4 S., R. 4 W., W.M.

A public hearing was held on January 11, 1990, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on January 1, 1990 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 Chapter 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 Ellen Miller.

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 EF-40 (Exclusive Farm Use--40 acre minimum) zone to a City M-1 PD (Light Industrial Planned Development) zone, subject to the following conditions:

(a) That any new use of the subject site, or a portion thereof, will require submission of development plans to be reviewed and approved by the Planning Commission.

(b) That a strip of land 10 feet in width be deeded to the City for right-of-way purposes where the site borders Riverside Drive.

Passed by the Council this 13th day of February, 1990, by the following votes:

Ayes: Hansen, Johnstone, Brecht, Blanchard, Wilson

Nays: _____

Approved this 13th day of February, 1990.

Edward J. Hornley
MAYOR

Attest:

Coolidge Sterens
RECORDER

EXHIBIT "A"

Being a part of the William T. Newby Donation Land Claim No. 53 in the Southeast 1/4 Section 16, Township 4 South, Range 4 West, Willamette Meridian, Yamhill County, Oregon and being a remaining portion of Film Volume 81, Page 1289, Deed Records of Yamhill County, Oregon and abutting Lafayette Avenue and Riverside Drive and being more particularly described as follows:

Beginning at an iron rod on the East line of Lafayette Avenue (sometimes called West Side Pacific Highway) said iron rod being located at the Southwest corner of Film Volume 1, Page 427, Deed Records of Yamhill County, Oregon and said iron rod having been set by County Survey C.S.P-7129, Volume U, Page 459, Yamhill County Surveyor's Records; thence South $38^{\circ}03'$ West along the East line of Lafayette Avenue, to the intersection of the extension of the North line of Riverside Drive, a 40-foot roadway, a distance of 727.41 feet; thence South $88^{\circ}38'$ East along the extension of the North line of said Riverside Drive, a distance of 437.05 feet to the Southwest corner of that tract conveyed in Film Volume 233, Page 1017, Deed Records of Yamhill County, Oregon; thence North $01^{\circ}22'$ East, a distance of 274.84 feet to a railroad spike set by C.S.P-9278, Volume W, Page 608, Yamhill County Surveyor's Records; thence North $37^{\circ}55'20''$ East, a distance of 245.90 feet to an iron rod by said C.S.P-9278 on the South line of Film Volume 1, Page 427; thence along the South line of said tract North $51^{\circ}57'$ West, a distance of 185.77 feet to the Place of Beginning of the description, EXCEPTING THEREFROM that portion lying within the roadway at the intersection of Lafayette Avenue and Riverside Drive and containing 3.4 acres, more or less.