

ORDINANCE NO. 3836

An Ordinance rezoning certain property from existing County Zone VLDR - 2 1/2 (Very Low Density Residential, 2 1/2 acre lot size) to City Zone of M-1 PD (Light Industrial Planned Development).

WHEREAS, the Planning Commission received an application for a zone change and planned unit development on the property located on Riverside Drive (Tax Lot No. 4414-1000) on October 15, 1976; and

WHEREAS, a public hearing was held on the 18th day of November, 1976, at 7:10 p.m., before the Planning Commission after due notice had been given in the local newspaper on November 5, 1976 and written notice had been mailed to property owners within 300 feet of the affected property; and

WHEREAS, said public hearing was continued before the Planning Commission on the 16th day of December, 1976, at 7:10 p.m. after due notice had been given in the local newspaper on December 6, 1976; and

WHEREAS, at the original and continued publichearings, 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 concerning the requested Planned Unit Development, Docket No. ZC 15-76, recommended that said change be performed based upon the following findings of facts:

1. That the building of a new Neonex plant will result in increased employment opportunities for local residents by increasing the Neonex work staff from sixty people to approximately 120. An additional benefit will occur to the local community by an increase in tax base by approximately the cost of the structure involved.

2. That testimony of the applicant established that alternative lands properly zoned, having access to rail, and located within the City of McMinnville do not presently exist on the market. Neonex stated that they required a site located with railroad frontage and one that would be located in an industrial zone. Although additional properties are indicated on the McMinnville Comprehensive Plan for industrial development with rail frontage, none are currently available, according to the testimony received.

3. That a review of the McMinnville Comprehensive Plan Map indicated that the proposed site was suitable for potential industrial development and that at such time as utilities were available it should be so developed. The McMinnville Comprehensive Plan at Page 16 stated that a street system for the safe and efficient movement of persons and goods should be constructed to meet present and future needs. According to testimony received from the City Manager, Riverside Drive would be improved to industrial standards not later than November 1, 1977 and that said improvement would be completed with the participation of Yamhill County.

4. The Planning Commission found that a planned unit development for this location, with attention to site planning and enclosing the activities would serve as a needed buffer to separate Cascade Steel Rolling Mill from the adjacent, lesser intensive land uses. This buffering would occur by the

construction of an approximately fifty-foot high building and the installation of fencing, berms, and landscaping; and

WHEREAS, the Planning Commission having made the above findings, recommends the zone change subject to the conditions set forth in the Planning Commission minutes being met in full and those conditions being a part of the planned unit development zone change ordinance passed by 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 and the staff report on file in the Planning Department.

Section 2. That the following described property shall be rezoned from County Zone VLDR - 2 1/2 (Very Low Density Residential, 2 1/2 acre lot sizes) to City Zone of M-1 PD (Light Industrial Planned Development):

Being a part of the Joseph R. Young D.L.C. No. 68 in Section 14, Township 4 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, said part being more particularly described as follows:

Beginning at an iron pipe on the West line of Section 14 which is 393.24 feet South from a stone at the Northwest corner of said Section 14; thence South along the Section line between Sections 14 and 15, 704.86 feet to the Northerly margin of the Southern Pacific Railroad right-of-way; thence following County Survey CS 3032, Volume I, Page 268, County Survey Records, northeasterly along the Northerly margin of said right-of-way, the center line of which is on a 2° curve, on a long chord of which bears North 65° 57' East 216.2 feet to an iron pipe; thence continuing along the northerly margin of said right-of-way, on a long chord North 60° 44' E 370.4 feet to the Southwest corner of Lot No. 1 of said County Survey No. 3032; thence North 674.4 to the Northwest corner of Lot No. 1; thence North 76° 30' West along the Southerly margin of County Road, 332.5 feet; thence South 316.15 feet; thence West 197.40 feet to the place of beginning.

subject to the following conditions:

(a) Yamhill County shall surrender jurisdiction over Riverside Drive to the City of McMinnville as per a letter of August 12, 1976, wherein the County agreed to participate in at least one-half of the estimated costs of improving the roadway to meet industrial standards.

(b) That the M-1 PD (Light Industrial Planned Development) is conceptually approved as illustrated on the submitted plot plan on file in the City Planner's office.

(c) That review and approval of a detailed site development plan shall be submitted by Neonex and approved by the Planning Commission. Items of specific attention shall include, but are not limited to:

(1) Landscaping to include a visual buffer along the property lines to the east and south.

(2) Erection of a sight-obscuring fence around the outside storage area.

(3) Access for the facility to be onto Riverside Drive.

(4) A building permit may be issued prior to the improvement of Riverside Drive, but no occupancy permit or manufacturing may occur until the roadway has been improved in accordance with the standards established by the City Council. The Council shall make special provisions to allow the owner to occupy and commence production if the City fails to complete the road improvement by November 1, 1977.

(5) A surface drainage plan shall be reviewed and approved by the City Engineer at the time a building permit is issued.

Passed by the Council this 28 day of December, 1976, by the following vote:

Ayes: CHASE DALEY LEWIS BARKER + FAX

Nays: _____

Approved by the Mayor this 28 day of December, 1976.

Thomas R. Lentz
MAYOR

Attest:

Madison E. Kirtner
RECORDER