

June

ORDINANCE NO. 4029

An Ordinance rezoning certain property from existing City of McMinnville zone of M-2 (General Industrial) to M-2 (General Industrial) planned unit development overlay on several parcels of land totaling 18.07+ acres in size, located north of Cleveland Avenue and east of Davis Street and the Southern Pacific Railroad right-of-way.

WHEREAS, the Planning Commission received an application for a zone change (ZC 2-79) dated February 23, 1979, on the properties described as Tax Lots 200, 300, 301, 302, 400, 500, 600, 700, 800, 900, 1000, 1100, 1200 of Section 28BA, T. 4 S., R. 4 W., W. M., and Tax Lots 7700, 7900, and 8000 of Section 21CD, T. 4 S., R. 4 W., W. M., and Tax Lot 5000 of Section 28, T. 4 S., R. 4 W., W. M.; and

WHEREAS, a public hearing was held on June 14, 1979, at 7:00 p.m. before the Planning Commission, after due notice had been given in the local newspaper on June 4, 1979, and written notice had been mailed to property owners within 300 feet of the affected properties; 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, approved said zone change to an M-2 (General Industrial) planned unit development overlay, 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 Joe W. Dancer on behalf of the City of McMinnville.

Section 2. That the property described in Exhibit "A," which is attached hereto and by this reference incorporated herein, shall be rezoned from existing City of McMinnville zone of M-2 (General Industrial) to M-2 (General Industrial) planned unit development overlay, with the following areas of concern to be addressed before approval of final development plans:

- (a) Noise Generation. The City will examine the potential noise generation of proposed developments and the potential impact of the noise on surrounding residential areas. Landscaping, earthen berms, desirable building design and siting, limitations on operation hours or work locations, and/or other methods may be required to lessen noise.
- (b) Traffic Generation. The City will examine the location of access points and the amount of traffic generated by proposed developments for impacts on surrounding areas. The Commission and Council must determine that adequate streets exist or will be developed to handle expected traffic and that the proposed activity will not adversely impact residential streets in the area.
- (c) Air and Water Pollution. The City will examine potential air and water pollution impacts of developments and may place restrictions

beyond State DEQ standards where deemed necessary.

- (d) Appearance. The City may require that the site be visually screened from neighboring residential areas through earthen berms, landscaping and/or other screening methods. This screening may fulfill portions of the required landscaping for the development.

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 3rd day of July, 1979, by the following votes:

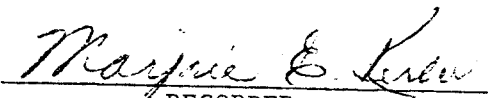
Ayes: Willoughby, Hamby, Springer, Wilson and Porter

Abstain: Allen

Approved by the Mayor this 3rd day of July, 1979.


MAYOR

Attest:


RECORDER

Second reading read and passed by the Council this 7th day of August 1979, by the following votes:

Ayes: Willoughby, Hamby, Springer and Wilson

Abstain: Allen

Approved by the Mayor this 7th day of August, 1979.


MAYOR

Attest:

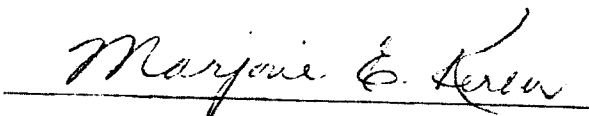

RECORDER

EXHIBIT "A"

Being a part of the Samuel Cozine D.L.C. No. 56, Sections 21 and 28, Township 4 South, Range 4 West, Willamette Meridian, Yamhill County, Oregon and being more particularly described as follows:

Beginning at the Northwest corner of Lot 14, Block 4, Village Mill 2nd Addition, said corner being on the South line of Block 4, Mrs. P.W. Chandler's 2nd Addition to the City of McMinnville; thence, following the boundaries of Village Mill 2nd Addition and Village Mill Addition, South $0^{\circ}14'34''$ West 476.097 feet, South $89^{\circ}47'41''$ East 49.978 feet, South $0^{\circ}14'33''$ West 99.978 feet, South $89^{\circ}48'27''$ West 86.900 feet, South $0^{\circ}04'01''$ East 505.650 feet, North $89^{\circ}59'28''$ East 380.425 feet to the West line of Villard Street; thence leaving said boundaries South $0^{\circ}24'00''$ West, along the west line of Villard Street, to the North line of Cleveland Avenue (60 foot wide right of way); thence westerly along the North line of Cleveland Avenue to the East line of Davis Street; thence northerly along the East line of Davis Street to the center line of Chandler Avenue; thence easterly along Chandler Avenue centerline to the west line of the Southern Pacific Transportation Company Right of Way; thence northeasterly along the Southern Pacific right of way to its intersection with the westerly prolongation of the South line of Mrs. P.W. Chandler's 2nd Addition; thence southeasterly along the prolongation of and the South line of Mrs. P.W. Chandler's 2nd Addition to the place of beginning.