

ORDINANCE NO. 4139

An Ordinance rezoning certain property from existing County zone of EF-40 (Exclusive Farm Use--40-acre Minimum Lot Size) to a City zone of M-2 PD (General Industrial Planned Development) on a parcel of land approximately 71.79 acres in size which is located north of the south leg of Riverside Drive.

RECITALS:

The Planning Commission received an application for a zone change and planned unit development, Docket No. ZC 17-80, from Gene Miller, Ralph Miller, Donald L. Miller, and Ellen A. Miller dated September 9, 1980, on the property described as Tax Lots 3200 and 3300, and portions of Tax Lots 2400 and 2501, Section 15, T. 4 S., R. 4 W., W. M.; and

A public hearing was held on December 11, 1980 at 7:00 p.m. before the Planning Commission after due notice had been given in the local newspaper on December 1, 1980, and written notice had been mailed to property owners within 300 feet of the affected property; no testimony was received at that time and the matter was continued to the January 8, 1981 meeting at which time it was indefinitely tabled; subsequent thereto the Planning Commission called for resumption of the public hearing process, and due notice was given in the local newspaper on March 30, 1981, and written notice mailed to property owners within 300 feet advertising said public hearing to occur on April 9, 1981 at the hour of 7:00 p.m.; and

The hearing was held on April 9, 1981, at 7:00 p.m. before the Planning Commission; 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 zone change, and based on the observations and the findings of fact and the conclusionary findings for approval contained in the staff report has approved said zone change 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 Gene Miller et al.

Section 2. That the property described in Exhibit "A," which is attached hereto and by this reference incorporated herein, shall be rezoned from existing County zone of EF-40 (Exclusive Farm Use--40-acre Minimum Lot Size) to a City zone of M-2 PD (General Industrial Planned Development), subject to the following conditions:

- (a) That the industrial park is approved conceptually only. A more detailed park design, showing the infrastructure of the facilities, including the interior road network, and the lotting pattern must be approved, at least conceptually, prior to any specific site plans being approved.
- (b) Specific site developments within the conceptually approved industrial park are subject to the requirements of Ordinance

4135, the conditions in this approval, all other applicable ordinances and codes, and must be approved individually by the Commission.

- (c) Before any building permits are issued for the subject site, a two-inch thick asphalt overlay must be placed over that portion of Riverside Drive between Lafayette Avenue and the entrance road to the subject site. The responsibility of the overlay falls solely with MIP.
- (d) Before any development is allowed, the City must develop a strategy for the improvement to industrial standards of both the affected portions of Riverside Drive and the projected Orchard Avenue extension. Uses locating in the industrial park will be required to share in the improvement costs.
- (e) A specific berming plan, showing elevations and landscaping, must be approved by the Commission prior to any building permits being issued. Berms of at least ten feet in height will be required along the eastern property line of the southern thirty-five acre block.
- (f) The following additional limitations shall apply to developments within the proposed industrial park:
 - (1) Development plans for any proposed use in the northeast industrial area must first be approved by the Planning Commission. The following areas must be addressed by the Commission prior to approval of the 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 nearby residential areas. Landscaping, earthen berms, desirable building design and siting, and/or other methods may be required to lessen noise. DEQ standards will be used by the City as a guideline. Special attention shall be given to the protection of Riverside residential area.
 - b. Circulation pattern. The City will examine the proposed circulation pattern of any proposed development to insure that it facilitates a functional circulation pattern for the entire northeast industrial 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.

- (2) Outside storage located within fifty feet of the eastern property line of the subject site shall not exceed ten feet in height.
- (3) All outside lighting shall be directed away from residential zones.
- (4) No development which is not a permitted use in the light industrial or limited light industrial zone shall be allowed to locate within 500 feet of any residentially designated area or any area in residential use.

Passed by the Council this 5 day of May, 1981, by the following votes:

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

Nays: _____

Approved this 5 day of May, 1981.


MAYOR

Attest:


RECORDER