

ORDINANCE NO. 4348A

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-4 (Multiple-family Residential) zone to a C-3 (General Commercial) zone on several parcels of land totalling approximately 0.96 acre in size which are located east of and across Ford Street from the Yamhill County Courthouse.

RECITALS:

The Planning Commission received an application for a comprehensive plan map amendment and zone change (CPA 4-85/ZC 13-85) dated July 10, 1985, for the property described as Tax Lots 100, 300, 400, 500, 600, and 700, Section 21 BC, T. 4 S., R. 4 W., W.M.

A public hearing was held on October 10, 1985, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on September 30, 1985, 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 a need existed for said change 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 amendment to the comprehensive plan map and the zone change are consistent with the Comprehensive Plan; and

The Planning Commission approved said amendment to the comprehensive plan map and the zone change and has recommended said changes 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 Yamhill County.

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", which is attached hereto and incorporated herein by this reference, is hereby rezoned from an existing R-4 (Multiple-family Residential) zone to a C-3 PD (General Commercial Planned Development) zone, subject to the following provision:

That the uses permitted on the site are as follows:

a. Permitted buildings and uses.

The following uses and their accessory uses are permitted on the subject site:

- (1) All uses and functions of the County government including day care facilities and group care homes but not including a jail.
- (2) Private office: All professional, administrative, and business offices, provided that a retail sales are not allowed except for those sales incidental to the principal occupation.

b. Conditional uses permitted.

The following use may be permitted subject to the provisions of Chapter 17.66 of McMinnville Zoning Ordinance No. 3380:

- (1) Jail

Section 4. That the rezoning of the property property described in Exhibit "A" is further conditioned as follows:

- a. That the exterior of the structures which are located on the site and which are listed on the McMinnville Historic Inventory of 1984 shall not be altered in any way without first gaining the approval of the Planning Commission or Planning Director. Minor alterations may be approved by the Planning Director. Major alterations may be approved only by the Planning Commission. It shall be the Planning Director's decision as to what constitutes a major or minor alteration. An appeal from a ruling by him may be made only to the Planning Commission.

Passed by the Council this 5 day of November, 1985, by the following votes:

Ayes: Bernt Hansen, Johnstone, Wertz, Blanchard, Wilson and Carole Hanson

Nays: _____

Approved this 5 day of November, 1985.


MAYOR

Attest:


RECORDER

EXHIBIT "A"

Beginning at the Southwest corner of Block 5 of Toney's Addition to the City of McMinnville, Yamhill County, Oregon, thence North 200 feet to the Northwest corner of said Block 5 said point also being on the south line of 6th Street; thence East along the South line of 6th Street 239 feet to the West line of Galloway Street; thence South along the West line of Galloway Street $57 \frac{2}{3}$ feet; thence West 89 feet; thence South $66 \frac{2}{3}$ feet; thence East 89 feet to the West line of Galloway Street; thence South along the West line of Galloway $75 \frac{2}{3}$ feet to the North line of 5th Street; thence West along said North line 239 feet to the Place of Beginning.