

ORDINANCE NO. 4520

An Ordinance amending planned development Ordinance No. 3891 by supplanting the terms and provisions of subsections 2(a) and 2(d), and of Section 3, and repealing subsection 2(e).

RECITALS

The Planning Commission received an application (ZC 6-92) from C.C. Meisel Company, Inc. dated May 13, 1992 for an amendment to an existing planned development overlay which affects property located on the north side of Riverside Drive, west of and adjacent to Royal Pacific Industries, which is further described as Tax Lot 1003, Section 10, T. 4 S., R. 4 W., W.M.

A public hearing was held on June 11, 1992, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on June 3, 1992, 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 Planned Development review criteria listed in Chapter 17.51 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 planned development amendment 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 C.C. Meisel Company, Inc.

Section 2. That Ordinance No. 3891 be amended by supplanting the terms and provisions of Section 2, subsection (a) with the following terms and provisions:

"a. That all industrial activity take place in an enclosed building except that outside storage of equipment and supplies associated with the sand and gravel operation shall be allowed."

Section 3. That Ordinance No. 3891 be amended by supplanting the terms and provisions of Section 2, subsection (d) with the following terms and provisions:

"d. That the applicant take appropriate steps to minimize the travel of trucks and other vehicular equipment owned by the business on that portion of Riverside Drive located east of the subject property."

Section 4. That subsection 2(e) of Ordinance No. 3891 is hereby repealed in its entirety.

Section 5. That the property description laid out in Section 3 of Ordinance No. 3891 is supplanted by the property description laid out in Exhibit "A" to this ordinance which is attached hereto and incorporated herein.

Passed by the Council this 14th day of July, 1992, by the following votes:

Ayes: Aleman, Windle, Dell, Massey, Hansen

Nays: _____

Approved this 14th day of July, 1992.


MAYOR

Attest:

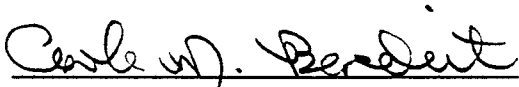

RECORDER

EXHIBIT A

A tract of land in the Southeast 1/4 of Section 10 and the Southwest 1/4 of Section 11, Township 4 South, Range 4 West, Willamette Meridian, Yamhill County, Oregon and being a part of the Joseph R. Young Donation Land Claim No. 68 and being a part of that certain tract in Film Volume 114, Page 0878, Deed Records of Yamhill County, Oregon and being more particularly described as follows:

Beginning at the Southeast corner of said Section 10 and running thence North 89°42' West (Bearing from County Survey C.S.P-6287, Volume T, Page 617, Yamhill County Surveyor Records), a distance of 324 feet, more or less, to the East line of that certain tract conveyed in Film Volume 153, Page 529, Deed Records of Yamhill County, Oregon; thence northerly along the East line of said tract and its extension to the North Yamhill River Flood Plain elevation of 113 feet, as established by the Federal Emergency Management Agency, 1981, based on National Geodetic Vertical Datum of 1929 (NGVD); thence following said line and its meandering to the West line of that certain tract conveyed in Film Volume 96, Page 192, Deed Records of Yamhill County, Oregon; thence South 4°35' West to the North line of said Survey; thence following said Survey North 53°52'30" West, a distance of 349.65 feet; North 71°25'30" West, a distance of 330.92 feet to the Northeast corner of County Survey C.S.P-6597, Volume T, Page 927, Yamhill County Surveyor Records; thence South 00°14'30" West, a distance of 370.24 feet; thence North 76°30' West, a distance of 119.10 feet to the Place of Beginning of this description.

EXCEPTING THEREFROM that certain tract conveyed to the City of McMinnville for street right of way in Film Volume 130, Page 1663, Deed Records of Yamhill County, Oregon.