

ORDINANCE NO. 4553

An Ordinance rezoning certain property from a County EF-40 (Exclusive Farm Use--40 acre minimum) zone to a City M-1 PD (Light Industrial Planned Development) zone on approximately 26.4 acres of land located south of the southern extension of Riverside Drive and east of Marsh Lane.

RECITALS:

The Planning Commission received an application (ZC 10-93) from Joan Miller, dated August 10, 1993, for property located south of the southern extension of Riverside Drive and east of Marsh Lane, further described as Tax Lot 2200, Section 22, T. 4 S., R. 4 W., W.M.

A public hearing was held on October 14, 1993, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on August 28, 1993, 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 review criteria listed in Chapter 17.72.035 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 zone change 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 Joan Miller.

Section 2. That the property described in Exhibit "A," which is attached hereto and incorporated herein by this reference, is hereby rezoned from a County EF-40 (Exclusive Farm Use--40 acre minimum) zone to a City M-1 PD (Light Industrial Planned Development) zone, subject to the following conditions:

(a) That development of the subject property is subject to the provisions of McMinnville Ordinance 4135 (Northeast Industrial Area Planned Development Overlay).

(b) That a strip of land 10 feet in width be deeded to the City for right-of-way purposes where the site borders Riverside Drive.

(c) Prior to any development occurring on the subject site, a site master plan must be submitted to and approved by the Planning Commission.

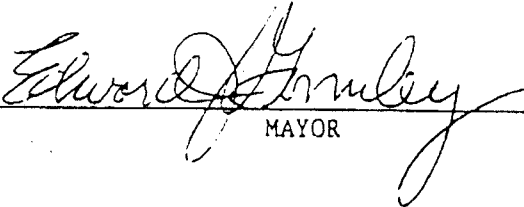
(d) As parcels are developed within the subject site, streets and other utilities must be extended to the boundaries of the developed site. Prior to any development taking place, master engineering of utilities may be required.

Passed by the Council this 9th day of November, 1993, by the following votes:

Ayes: Aleman, Payne, Massey, Olson, Kirchner, Windle

Nays: _____

Approved this 9th day of November, 1993.


MAYOR

Attest:

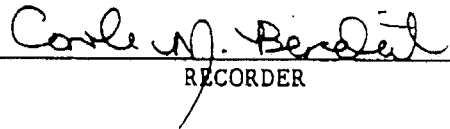

RECORDER

EXHIBIT "A"

Being a tract of land in part of the Vincent Snelling Donation Land Claim, Notification No. 1237, Claim No. 52, Southwest 1/4 Section 15 and Northwest 1/4 Section 22, Township 4 South, Range 4 West, Willamette Meridian, Yamhill County, Oregon and beginning at a point on the South line of Riverside Drive, a 40.0 foot right of way, established in County Road Survey No. 3070-2, Volume J, Page 22, Yamhill County Surveyor Records and deed recorded in Volume 149, Page 588, Deed Records of Yamhill County, Oregon, said beginning point being 15.34 feet northwesterly from the PT of a 10° Curve on said Riverside Drive, said PT being 10 feet South, 17.94 North $89^{\circ}12'$ West, 298.20 feet North $73^{\circ}47'$ West and 30 feet South $16^{\circ}13'$ East of the Initial Point of Riverside Orchards, a duly recorded subdivision, said Initial Point is 1,118.7 feet North and 2,486.2 feet East of the Southwest corner of said Snelling D.L.C., said Beginning Point being the Northwest corner of Lot 4, County Survey C.S. 3048, Volume J, Page 3, Yamhill County Surveyor Records, and the Northwest corner of a tract conveyed to John R. Shideler and Elizabeth M. Shideler, husband and wife, by deed recorded December 18, 1946 in Book 139, Page 538, Deed Records of Yamhill County, Oregon; thence South along the West line of said Shideler tract, a distance of 350 feet, more or less, to the center of the South Yamhill River; thence westerly and southwesterly up said River approximately 1,320.0 feet to the Northeast corner of a tract conveyed to Lee M. Waugaman and wife by deed recorded April 4, 1944 in Book 124, Page 104, Deed Records of Yamhill County, said northeast corner being identified in County Survey C.S. 2995, Volume J, Page 236, Yamhill County Surveyor Records as being 299.5 feet North and 971.0 feet North $84^{\circ}57'$ East from the Southwest corner of said Snelling D.L.C.; thence South $84^{\circ}57'$ West along the North line of said Waugaman tract 971 feet to the Northwest corner thereof and the West line of said Snelling Donation Land Claim; thence North along the West line of said Snelling Donation Land Claim, a distance of 714 feet, more or less, to the South line of Riverside Drive; thence North $84^{\circ}47'$ East along south line of Riverside Drive, a distance of 1,907.4 feet to the P.C. of 10° Curve to the right; thence along the arc of said Curve and C.S. 3048, a distance of 192.18 feet to the Beginning Point of this description.