

ORDINANCE NO. 4913

An Ordinance amending the comprehensive plan map designation on three parcels of land from Industrial to Commercial, and rezoning said properties from an M-1 (Light Industrial) zone to a C-3 PD (General Commercial Planned Development) zone.

RECITALS

The Planning Commission received an application (CPA 3-08/ZC 5-08) from Granary District Properties, dated December 16, 2008, to amend the comprehensive plan map designation on three parcels of land totaling one acre in size from Industrial to Commercial and rezoning said property from an M-1 (Light Industrial) zone to a C-3 PD (General Commercial Planned Development) zone to allow for future mixed use development. The subject properties are located at 750 NE Alpine Avenue and 925 NE 7<sup>th</sup> Avenue, and are more specifically described as Tax Lots 3900, 3901, and 4000, Section 21BA, T. 4 S., R. 4 W., W.M.

A public hearing was held on February 19, 2009, at 6:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on February 12, 2009, 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 comprehensive plan and zone change review criteria listed in Chapter 17.72.035 of Ordinance No. 3380 based on 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 plan amendment and zone change are consistent with the Comprehensive Plan; and

The Planning Commission approved said plan amendment and zone change and has recommended said changes to the Council; and 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 the City of McMinnville.

Section 2. That the comprehensive plan map designation for the property described in Exhibit "A," is hereby amended from Industrial to Commercial.

Section 3. That the property described in Exhibit "A," is hereby rezoned from an M-1 (Light Industrial) zone to a C-3 PD (General Commercial Planned Development) zone subject to the following conditions:

1. That development and use of the subject site shall be subject to the conditions listed in Planned Development Ordinance No. 4792, a copy of which is attached.

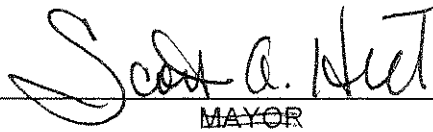
2. That the City Engineer may require that improvements to the site be constructed by the applicant as necessary to mitigate increases in traffic generation due to changes in occupancy within the subject site. Such improvements may include, but are not limited to, construction of utilities and public sidewalks, and the relocation or reconstruction of driveway(s).
3. That direct vehicular access from or to Lafayette Avenue shall be prohibited.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 24<sup>th</sup> day of March, 2009, by the following votes:

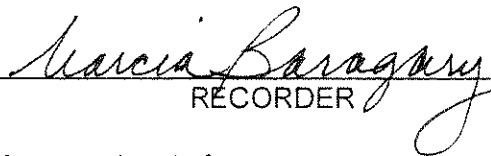
Ayes: Hill, Jeffries, Menke, Yoder

Nays: \_\_\_\_\_

Approved this 24<sup>th</sup> day of March 2009.

  
\_\_\_\_\_  
MAYOR  
COUNCIL PRESIDENT

Attest:

  
\_\_\_\_\_  
RECORDER

Approved as to form:

  
\_\_\_\_\_  
CITY ATTORNEY

Exhibit "A"

Parts of Lots 1 and 2 of Block 2, OAK PARK ADDITION to the City of McMinnville, which is more particularly described as follows:

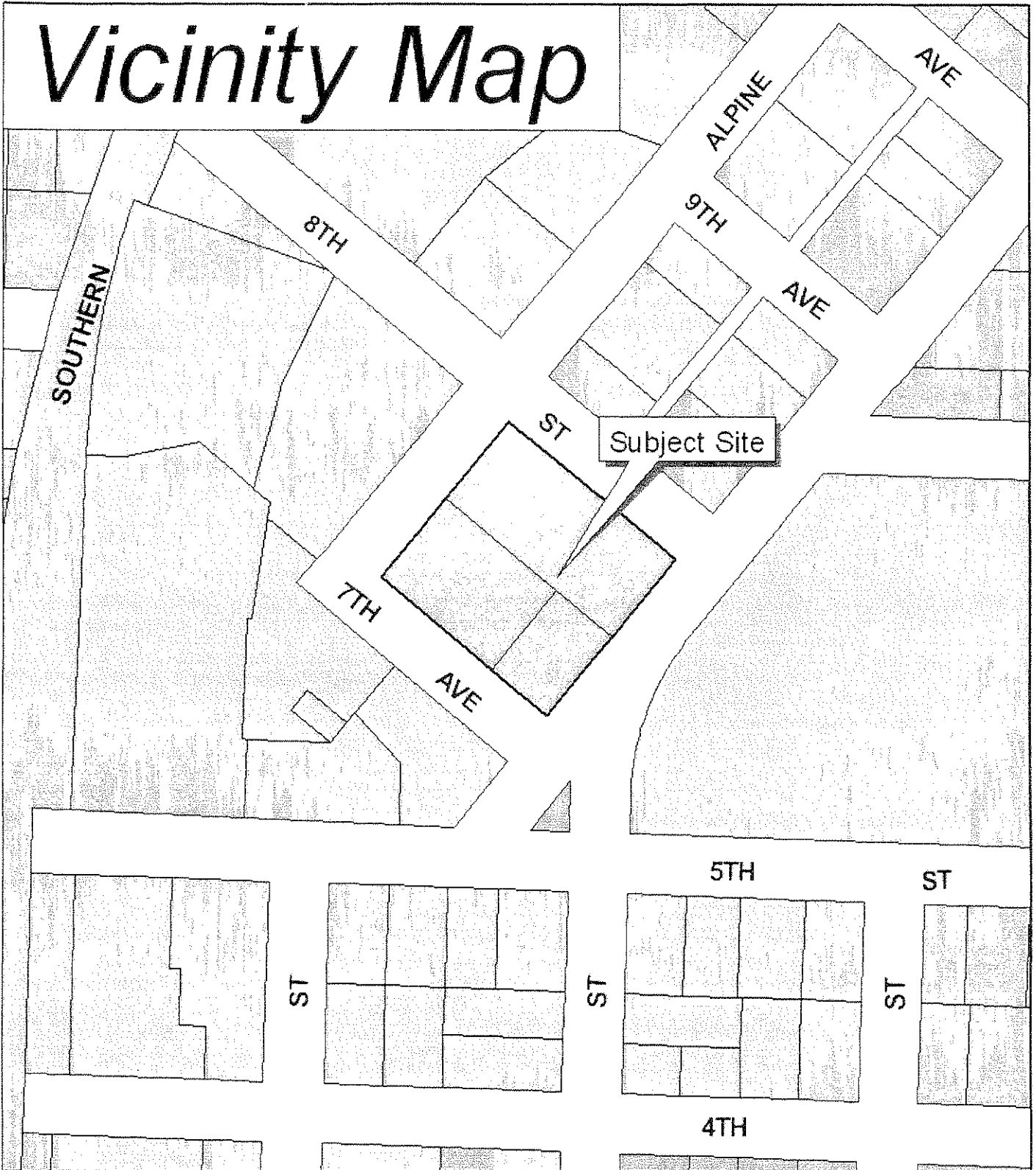
Beginning at the Southeasterly corner of said Lot 1; thence North 37 deg. 58 min. 38 sec. East 100.00 feet to the Northeasterly corner of said Lot 2; thence North 52 deg. 02 min. 21 sec. West 72.56 feet along the North line of said Lot 2 to an iron rod; thence South 37 deg. 58 min. 38 sec. West 100.00 feet to the Southerly line of said Lot 1; thence South 52 deg. 02 min. 21 sec. East 72.56 feet to the point of beginning.

Parcel 8: Lots 3, 4, 5, and 6, Block 2, OAK PARK ADDITION, in the City of McMinnville, County of Yamhill, State of Oregon. TOGETHER WITH those portion of a vacated alleyway inuring thereto by reason of Vacating Ordinance No. 3701, recorded June 13, 1974 in Film Volume 100, Page 1265, Deed and Mortgage Records.

Parcel 7: Part of Block 2, OAK PARK ADDITION to the City of McMinnville, Yamhill County, Oregon, being more particularly described as follows:

BEGINNING at the Southeasterly corner of Lot 1 in said Block 2; thence North 37°58'38" East 100.00 feet to the Northeasterly corner of Lot 2 in said Block 2; thence North 52°02'21" West 72.56 feet along the North line of said Lot 2 to an iron rod, said iron rod being at the Northwesterly corner of that certain tract of land described in Option to Purchase Real Property, recorded January 20, 1995 as Instrument No. 199500740 Deed and Mortgage Records and being the True Point of Beginning of the tract herein described; thence continuing North 52°02'21" West along the Northerly line of Lots 2 and 7, Block 2 of OAK PARK ADDITION 142.32 feet to an iron rod at the Northwesterly corner of said Lot 7; thence South 37°58'38" West 100.00 feet to an iron rod at the Southwesterly corner of Lot 8 in said Block 2, OAK PARK ADDITION; thence South 52°02'21" East, a distance of 142.32 feet to an iron rod at the Southwesterly corner of that certain tract described in Option to Purchase Real Property, recorded January 20, 1995, as Instrument No. 199500740, Deed and Mortgage Records; thence North 37°58'38" East 100 feet to the True Point of Beginning.

# Vicinity Map



CITY OF McMinnville  
Planning Department  
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