



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

AMENDED NOTICE OF ADOPTED AMENDMENT

September 7, 2007



TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of McMinnville Plan Amendment
DLCD File Number 001-07

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: September 19, 2007

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Jason Locke, DLCD Regional Representative
Bob Cortright, DLCD Transportation & Growth Management Coordinator
Doug Montgomery, City of McMinnville

<paa> ya/



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Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Jason Locke, DLCD Regional Representative
Ron Pomeroy, City of McMinnville

<paa> ya/

FORM 2

D L C D NOTICE OF ADOPTION DEPT OF

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 – Division 18

AUG 30 2007

(See reverse side for submittal requirements)

**LAND CONSERVATION
AND DEVELOPMENT**

Jurisdiction: City of McMinnville Local File No.: CPA 1-07/ZC 5-07
(If no number, use none)

Date of Adoption: August 14, 2007 Date Mailed: August 28, 2007
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: May 3, 2007

- Comprehensive Plan Text Amendment Comprehensive Plan Map Amendment
 Land Use Regulation Amendment Zoning Map Amendment
 New Land Use Regulation Other: _____
(Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."
On August 14, 2007, the McMinnville City Council voted to approve the requested redesignation of
some 0.6 acres of land from "Residential" to "Commercial" on its comprehensive plan map, and to
rezone this same property from R-2 (Single-Family Residential) to C-3 PD (General Commercial, .
Planned Development).

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write
"Same." If you did not give notice for the proposed amendment, write "N/A."
Same.

Plan Map Changed from: Residential to Commercial

Zone Map Changed from: R-2 (Single-Family Residential) to C-3PD (Gen. Commercial, Planned Develop.

Location: 1945 NE Baker St. Acres Involved: 0.6

Specify Density: Previous: _____ New: _____

Applicable Statewide Planning Goals: _____

Was an Exception Adopted? Yes: _____ No: X

DLCD File No.: 001-07 (16081)

ORDINANCE NO. 4876

An Ordinance amending the comprehensive plan map from Residential to Commercial and rezoning certain property from an R-2 (Single-Family Residential) zone to an O-R (Office Residential) zone on an approximately 26,000 square foot parcel of land.

RECITALS

The Planning Commission received an application (CPA 1-07/ZC 5-07) from Jeff & Katrina Thomas, dated April 12, 2007, for an amendment to the comprehensive plan map from Residential to Commercial and rezoning certain property from an R-2 (Single-Family Residential) zone to an O-R (Office Residential) zone on an approximately 26,000 square foot parcel of land. The property is more specifically described as Tax Lot 800, Section 17DA, T. 4 S., R. 4 W., W.M.

A public hearing was held on June 21, 2007, at 6:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on June 14, 2007, 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 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 zone change is 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 Jeff & Katrina Thomas.

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

Section 3. That the property described in Exhibit "A", is hereby rezoned from an R-2 (Single-Family Residential) zone to an O-R (Office-Residential) zone subject to the following conditions:

1. That the zone change request shall not take effect until, and unless, CPA 1-07 is approved by the City Council.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 14th day of August 2007, by the following votes:

Ayes: Hansen, Hill, May, Menke, Olson, Yoder

Nays: _____

Approved this 14th day of August 2007.


MAYOR

Attest:


CITY RECORDER

Approved as to form:

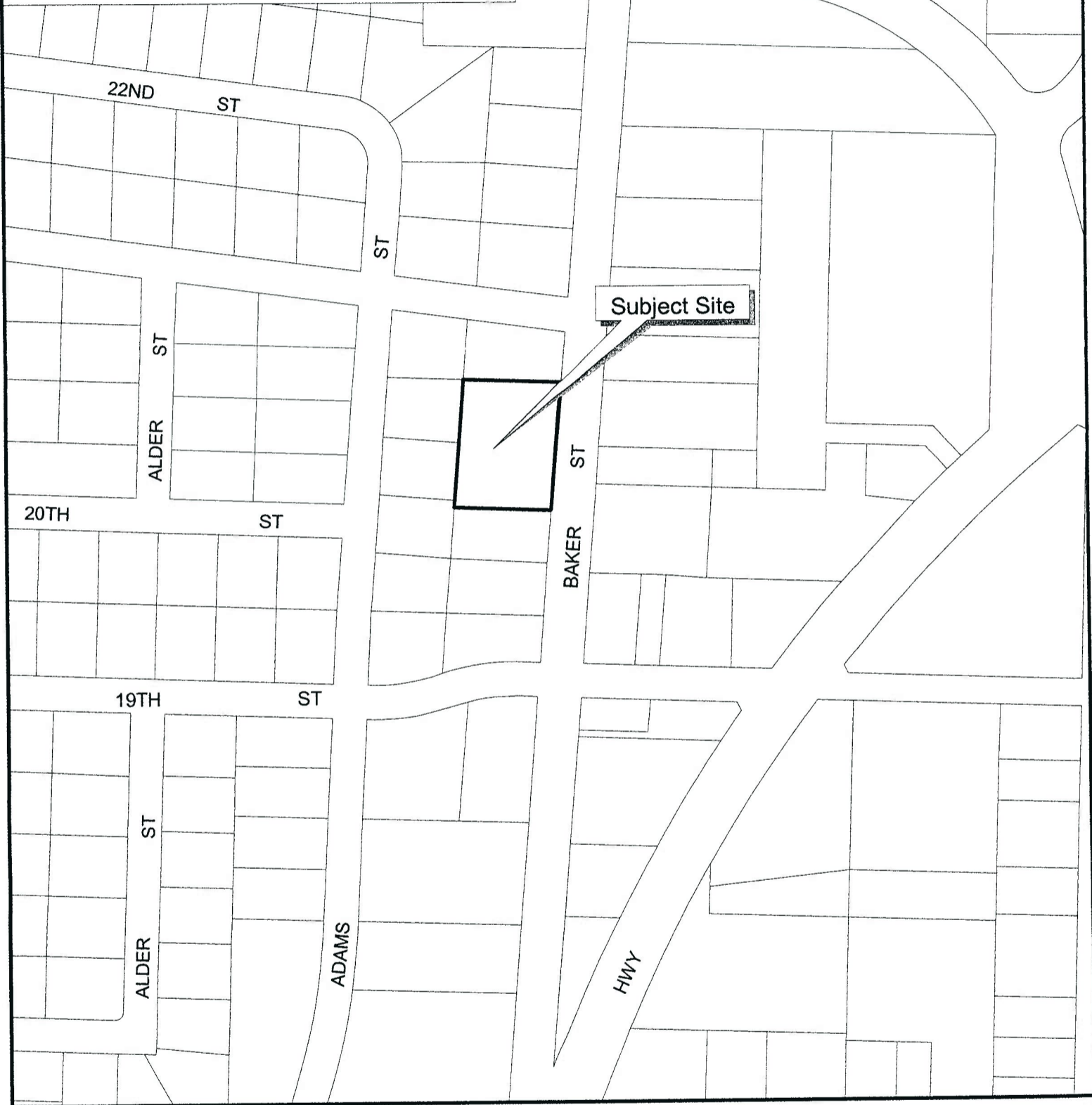

CITY ATTORNEY

EXHIBIT "A"

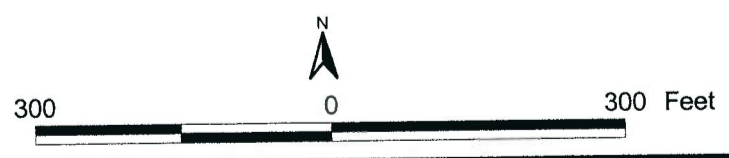
A tract of land in the East one-half of the John G Baker Donation Land Claim, also in the Northeast quarter of Section 17, Township 4 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, described as follows, to-wit:

Beginning at the Southeast corner of Lot 1, Block 6, RE-PLAT OF BAKER CREEK PARK ADDITION; thence South $02^{\circ}50'$ West along the West lint of Baker Street, a distance of 190 feet; thence North $89^{\circ}49'$ West 140 feet to a point on the East line of Block 6, RE-PLAT OF BAKER CREEK PARK ADDITION; thence North $02^{\circ}50'$ East along the East line of Block 6, a distance of 190 feet to the Southwest corner of Lot 1, Block 6 of said Addition; thence South $89^{\circ}49'$ East along the South line of Lot 1, Block 6 of said Addition, a distance of 140 feet to the place of beginning.

Exhibit "A"



Geographic Information System



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311