

**COUNCIL BILL NO. 3154**

**ORDINANCE NO. 2591**

**AN ORDINANCE DESIGNATING ZONING TO APPROXIMATELY 8.62 ACRES OF TERRITORY AT 2145 MOLALLA RD NE LOCATED ALONG THE NORTH SIDE OF OREGON HWY 211 EAST OF JUNE WAY, MARION COUNTY, OREGON AS COMMERCIAL GENERAL (CG) ZONING DISTRICT**

**WHEREAS**, the subject property is owned by Ivanov Investment Group, LLC, of which the registered agent is Kiril Ivanov, and is legally described in Exhibit "A" and mapped in Exhibit "B", which are affixed hereto and by this reference incorporated herein; and

**WHEREAS**, the subject property is composed of Marion County Tax Lot 051W09B000900; and

**WHEREAS**, consistent with Oregon Revised Statutes (ORS) 222.111(2) the owner of real property in the territory to be annexed initiated by petition a proposal for annexation, a copy of the petition being on file with the City Recorder (ANX 2019-01); and

**WHEREAS**, because the subject property is already within the Woodburn Urban Growth Boundary (UGB), it has an existing Comprehensive Plan map land use designation of Commercial; and

**WHEREAS**, the landowner as applicant requested that, consistent with Woodburn Development Ordinance (WDO) 5.04.01 E., the City designate the annexed territory as Commercial General (CG), which is one of two zoning districts that are consistent with the Comprehensive Plan per its Policy Table 1; and

**WHEREAS**, this zoning designation is contingent upon annexation of the subject property to the City of Woodburn, for which the applicant has petitioned and filed the petition with the City Recorder; and

**WHEREAS**, the applicant intends to develop the territory into the Woodburn Eastside Apartments; and


**WHEREAS**, on October 22, 2020 the Woodburn Planning Commission considered the annexation application and, after a duly advertised public hearing, recommended approval of the annexation; and

**WHEREAS**, on both January 25 & March 8, 2021, the Woodburn City Council held public hearings, reviewed the record, heard all public testimony presented on said application, and upon deliberation concluded that the proposed annexation meets the applicable approval criteria under City of Woodburn Development Ordinance (WDO) 5.04.01C.; and

**WHEREAS**, the City Council agenda item cover staff memo of January 25 mentioned that zoning designation follows annexation and that a CG district zoning designation conforms to the Comprehensive Plan land use map designation; **NOW, THEREFORE**,


**THE CITY OF WOODBURN ORDAINS AS FOLLOWS:**

**Section 1.** Upon the effective date of the annexation enacted by Ordinance 2590 being considered contemporaneously with this request, the Woodburn Zoning Map is amended designating the zoning on the subject property described in Exhibit "A" and mapped in Exhibit "B" as Commercial General (CG).

Approved as to form:  5/24/2021  
City Attorney Date

Approved:   
Eric Swenson, Mayor

Passed by the Council May 24, 2021  
Submitted to the Mayor May 24, 2021  
Approved by the Mayor May 26, 2021  
Filed in the Office of the Recorder May 27, 2021

ATTEST:   
Heather Pierson, City Recorder  
City of Woodburn, Oregon

## Exhibit "A"

Commencing at a 1 1/4" Iron Pipe located at the Northeast corner of Lot 12, Woodburn Fruit Farms as recorded in Volume 2, Page 20, Book of Town Plats in Section 9, Township 5 South, Range 1 West, Willamette Meridian, Marion County, Oregon; thence North 88°26'13" West 3476.87 feet to the Northwest corner of Lot 5 of said plat and the True Point of Beginning; thence North 88°14'55" West 434.93 feet to the Northeast corner of Lot 3, of said plat, thence along the east line of said lot South 01°38'28" West 695.84 feet; thence South 88°04'13" East 151.24 feet; thence South 01°55'20" West 267.42 feet to the North Right of Way line of Molalla Road; thence South 28°17'54" West 102.47 feet to the South Right of Way line of Molalla Road (Woodburn-Estacada Highway Northeast) Oregon Highway 211; thence along said Right of Way line the following 2 calls, South 85°55'26" East 239.94 feet; South 87°34'21" East 92.24 feet; thence North 01°35'20" East 1066.22 feet to the True Point of Beginning and containing 9.41 acres more or less.

EXHIBIT B

