

ORDINANCE NO. 3826

An Ordinance rezoning certain property from existing Yamhill County Zone of AF-20 to a City of McMinnville Zone of R-1 PD (Single-family Residential Planned Development Zone).

WHEREAS, the Planning Commission received an application for a zone change and Planned Unit Development on the property located on the north side of Three-Mile Lane approximately one-fifth mile east of Norton Lane (Tax Lot No. 4200, Section 22, T 4 S R4W) on July 29, 1976; and

WHEREAS, a public hearing was held on the 16th day of September, 1976, at 7:25 p.m. before the Planning Commission after due notice had been given in the local newspaper on September 3, 1976 and written notice had been mailed to property owners within 300 feet of the affected property; and

WHEREAS, at said public hearing the testimony of the applicants and surrounding property owners was received and a staff report was presented; and

WHEREAS, the Planning Commission being fully informed about said Planned Unit Development, found that a need existed for said single-family housing development based upon the material submitted by the applicant and the conclusions contained in the staff report, all of which are on file in the Planning Department; and that said zone change would be consistent with the comprehensive plan; and

WHEREAS, the Planning Commission approved said plan subject to the conditions set forth in the Planning Commission minutes being met in full and have recommended said zone change to the Council; now, therefore,

THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That the Council adopts the findings and conclusions of the Planning Commission and the staff report on file in the Planning Department.

Section 2. That the following described property shall be rezoned from existing Yamhill County Zone of AF-20 to City of McMinnville Zone of R-1 PD (Single-family Residential Planned Development):

Part of the Isaiah M. Johns Donation Land Claim No. 81 in Township 4 South, Range 4 West of the Willamette Meridian, in Yamhill County, Oregon, described as follows: Beginning at a point in the center of Secondary State Highway No. 152, 32.35 chains West from the North East corner of said Claim, thence West along the center of said Highway 633.16 feet to a point 397.1 feet West of the South West corner of land conveyed to James G. Campbell by Deed recorded December 6, 1927 in Book 98, Page 69, Deed Records; thence North 1583 feet to the North line of said Campbell tract in the center of the Yamhill River; thence North 29° East 108 feet to a point in the center of the Yamhill River at angle corner of said Campbell tract; thence North 79° East along said River 6.21 chains to the Northeasterly line of said Johns Claim; thence South 51°

*Setbacks in  
the ordinance  
inferior to the  
plot*

East along the Claim line 2.83 chains to the North West corner of land conveyed to Nels Chris Jacobson by Deed recorded September 20, 1907 in Book 52, Page 20, Deed Records; thence South along the West line of said Jacobson tract 22.11 chains to the place of beginning.

SUBJECT TO the rights of the public in and to that portion of the premises lying in roads or highways or within the boundary of the Yamhill River.-----

subject to the following conditions:

(a) Conceptual approval of a sixty-nine unit residential PD as proposed on the submitted plot plan and as amended.

(b) A sixty-foot stub street dedicated in the location of Lot 7, Block 1, to allow a future east-west tie when lands east of this site develop.

(c) Rear yard setbacks shall be a minimum of twenty feet for all principal structures on the outside perimeter of the parcel. Rear yard setbacks on interior lots shall be a minimum of five feet.

(d) The park shall be improved and dedicated to the City prior to occupancy of Phase III and its improvement plans approved by the Planning Commission.

(e) Review and approval of improvement plans for the 120-foot setback area adjacent to Three-Mile Lane by the staff prior to approval of a final plat for any or all portions of this development.

(f) The existing single-family residence shall be shown on the final survey and shall meet the setbacks described on the approved plan, as amended, if it remains within the subdivision.

(g) The developer shall be encouraged to retain as much native vegetation as possible along the exterior property lines, thereby buffering the adjacent parcels.

(h) This planned unit development is approved for a four-year period of time, commencing with its enactment by the Council. If no building permits are issued for any portion of the development within this period of time, this approval becomes void.

(i) Development of this planned unit development is limited to the plot plan now on file in the Planning Department. Minor adjustments to the plan may be processed without a plan amendment.

Passed by the Council this 5 day of October, 1976, by the following vote:

Ayes: KANSE, DALRY, LEWIS, PARKER & FAX

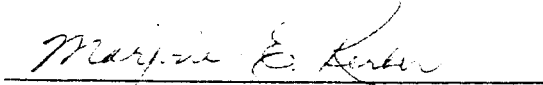
Nays: \_\_\_\_\_

*ORD 3826*

Approved by the Mayor this 5 day of October, 1976.

  
MAYOR

Attest:

  
RECORDER