

ORDINANCE NO. 3905

An Ordinance rezoning certain property from existing Yamhill County zone of VLDR 2 1/2 (Very Low-density Residential) to a City of McMinnville zone of R-2 (Single-family Residential).

WHEREAS, the Planning Commission received an application for a zone change (ZC I-78) on a parcel of land ten acres in size located west of Fleishauer Lane, extending to the platted right-of-way of Goucher Street and between the platted rights-of-way of "A" and "B" Streets, further described as Tax Lots 3600 and 3700, Section 20 CA, T.4.S., R.4.W., on December 15, 1977; and

WHEREAS, a public hearing was held on February 9, 1978, at 7:00 p.m., before the Planning Commission after due notice had been given in the local newspaper on January 30, 1978 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 was received and a staff report was presented; and

WHEREAS, the Planning Commission being fully informed about said zone change, found that a need existed for single-family housing based upon the material submitted by the applicants, the findings and 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 zone change and has 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, staff report on file in the Planning Department, and the application filed by Ron Stover and T. A. Gunness.

Section 2. That the following described property shall be rezoned from Yamhill County zone of VLDR 2 1/2 (Very Low-density Residential) to City of McMinnville zone of R-2 (Single-family Residential):

Beginning at the S. E. corner of Lot 1 Fairlawn Subdivision, S. F. Stagg D.L.C. No. 55, Section 20, Township 4 South, Range 4 West, Willamette Meridian, Yamhill County, Oregon, said S. E. corner being the N. W. corner of the intersection of "A" Street and Fleishauer Lane as originally platted; thence southerly along the West line of Fleishauer Lane (East line of Lot 6) to the northwest corner of the intersection of "B" Street and Fleishauer Lane; thence westerly along the N. line of "B" Street (South line of Lot 6) to the Northeast corner of the intersection of "B" Street and Goucher Street; thence northerly along the East line of Goucher Street (West line of Lot 6) to the Southeast corner of the intersection of "A" Street and Goucher Street; thence easterly along the South line of "A" Street (North line of Lot 6) to the West line of the East one-half of Lot 6; thence northerly to the North line of "A" Street, being the Southwest corner of Slusher-Davis Addition, East one-half of Lot 1 Fairlawn Subdivision; thence easterly along the North line of "A" Street to the place of beginning.

Section 3. That this ordinance shall be subject to the terms and conditions of Ordinance No. 3823, entitled Initiative and Referendum, for a period of thirty days.

Passed by the Council this 7 day of March, 1978, by the following votes:

Ayes: Porter, Willoughby, Hamby, and Fax

Nays: _____

Approved by the Mayor this 7 day of March, 1978.

NORMAN R. SCOTT

MAYOR

Attest:

MARJORIE E. KERBER

RECORDER

FINDINGS OF FACT AND DECISION
CITY OF McMinnville Planning Commission
McMinnville, Oregon
February 9, 1978

Docket ZC 1-78

Application was made by Mr. Thomas Guinness and Mr. Ron Stover for a zone change from a County designation of VLDR -2½ (Very Low Density Residential 2½ acre minimum) to a City classification of R-2 (Single-family residential) on a parcel of land 10 acres in size located in the City of McMinnville, Yamhill County, Oregon, described as :

Tax Lot 3600 and 3700, Section 20 CA, T.4.S., R.4.W.

Evidence was received, a public hearing was held, and deliberation was held before the Planning Commission on February 9, 1978, at which were present: Chairman Patton, and commissioners Bill Blevins, Jerry Allen, Tom Bates, Al Hansen, and Ed Gormley.

The Commission thereupon made the following FINDINGS OF FACT:

1. The applicant is requesting a zone change from a County designation of "VLDR 2½" (Very Low Density Residential 2½ acre minimum) to a City classification of R-2 (Single-family Residential) on a parcel of land ten acres in size.
2. The area is designated "Residential" on the City of McMinnville comprehensive plan map.
3. The 10 acre parcel was annexed to the City by the City Council in December, 1977.
4. Soils on the properties are primarily Woodburn Silt Loam, with a class II agricultural capability.
5. Water facilities are available to the area from a 12" line extending along West Second street. A new sewer trunk line is scheduled for construction this summer which would extend just South of this parcel and would service the subject site and new development in that area south of West Second and West of Cozine Creek within the City.
6. Primary access into the parcel is from Fleishauer Lane which is a light County Road having a 50 foot right of way width.
7. The applicant has submitted two letters in support of his request which are included with his application.
8. Goals from the Comprehensive Plan, City of McMinnville, 1971 applicable to this request are:
Housing
 - (1) Encourage residential development on suitable soils and in areas served by municipal sewer and water systems.
 - (2) Promote a variety of housing types and densities and encourage the placement of higher density areas adjacent to arterials and close to employment and shopping areas.

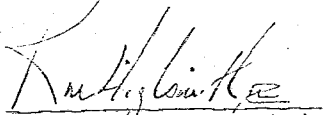
Public Facilities

- (1) Utilize the provision of sewer and water utility services as a development guide.
 - (2) Encourage development in area where municipal sewer and water services have been or can be easily provided.
9. The following Statewide Planning Goals are applicable to this request:
- (1) Goal 10 - Housing - To provide for the housing needs of the state.
 - (2) Goal 11 - Public Facilities and Services - To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.
 - (3) Goal 14 - Urbanization - To provide for an orderly and efficient transition from rural to urban land use.
10. The subject site is already designated Residential on the comprehensive plan map. At several recent hearings, the Planning Commission has heard considerable testimony concerning the need for additional housing and building sites within the City. To meet housing needs in the community, lands currently designated for residential use on the plan map should be developed before committing other less suitable areas to residential development.
11. The proposed request is in compliance with Goal 14 of the Statewide Goals and Guidelines in that development of this area before other areas farther away from the central core of the city encourages a compact form of development and an orderly and efficient transition from rural to urban land use.
12. The requested change is in conformance with the goals in the comprehensive plan regarding encouraging development where municipal sewer and water services have been or can be most easily provided, and Goal 11 of the Statewide Goals and Guidelines regarding development of a timely, orderly and efficient arrangement of public facilities. The new sewer line to be constructed this summer will serve this property and adjoining areas and permit more intensive development of land in close proximity to the center of the city before expanding further outward.
13. The staff feels that the remaining Statewide Goals and Guidelines applicable to this request have been adequately addressed by the applicant in the material submitted in support of his application.

DECISION

That it be recommended to the McMinnville City Council that the application of Mr. Thomas Gunness and Mr. Ron Stover for a zone change from a county designation of VLDR 2½ (Very Low Density Residential 2½ acre minimum) to a city classification of R-2 (Single-family residential) on Tax Lots 3600 and 3700, Section 20 CA, T.4.S., R.4.W. be approved.

Chairman, Planning Commission


Secretary, Planning Commission