

ORDINANCE NO. 3928

An Ordinance rezoning certain property from existing City of McMinnville AH (Agricultural Holding) to R-1 PD zone (Single-family Residential Planned Development).

WHEREAS, the Planning Commission received an application for a zone change and planned unit development, Docket No. ZC 13-77, from Glenn C. Ling, agent for Dr. George Dunn, on a parcel of land approximately 15.5 acres in size located on Three Mile Lane and lying between Norton Lane and Dunn Place, further described as Tax Lots 100 and 1600, Section 22 CD, T. 4 S., R. 4 W., on December 23, 1977; and

WHEREAS, a public hearing was held on the 13th day of April, 1978, at 7:00 p.m. before the Planning Commission after due notice had been given in the local newspaper on April 3, 1978 and written notice had been mailed to property owners within 300 feet of the affected property; and

WHEREAS, at said public hearing the matter was considered by the Planning Commission, and was continued until the next meeting; at the Planning Commission meeting of April 20 the matter was again continued; and at the Planning Commission meeting of May 18, 1978 the testimony of the applicant 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 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 Glenn C. Ling, agent for Dr. George Dunn.

Section 2. That the following described property shall be rezoned from existing City of McMinnville AH (Agricultural Holding) to R-1 PD zone (Single-family Residential Planned Development), subject to the following conditions:

(a) Before the commercial structures are begun a detailed plot plan must be submitted to and approved by the Planning Commission.

(b) A left-turn lane will be required on Three Mile Lane at the planned development juncture with Norton Lane at such time as thirty units are completed for the subdivision.

(c) The applicant must furnish a letter from Kerry J. Dayton, Assistant District Engineer, Oregon State Highway Division, elaborating upon their

recommendation regarding the left-turn refuge, i.e., whether it would need to be installed at the time thirty residences within the subject request were completed or when thirty units within Bend O River Second Addition together with Bend O River First Addition are completed.

(d) The commercial structures are approved solely for use as a medical treatment facility in conjunction with a chiropractic or medical practice or service provided on site or in the immediate vicinity and do not solely depend upon or generate highway traffic. Any change in use must be processed as a plan amendment.

(e) Landscaping for the commercial site shall be installed at least to the standards specified in the landscaping ordinance.

Section 3. All adjustments of the planned unit development as regards the layout of the lots and configuration of the streets shall be adjusted in accordance with the subsections above and meet with the approval of the Planning Director.

Section 4. That the description of the property to be rezoned is shown in Exhibit "A" which is attached hereto and by this reference incorporated herein.

Section 5. 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.

First Reading - Read and passed by the Council this 6th day of June, 1978, by the following votes:

Ayes: Porter, Fax, Daley and Lewis

Nays: Willoughby

Second Reading - Read and passed by the Council this 27 day of June, 1978, by the following votes:

Ayes: Fax, Daley and Lewis

Nays: Willoughby and Hamby

Approved by the Mayor this 27th day of June, 1978.

  
MAYOR

Attest:

  
RECORDER

EXHIBIT "A"

Beginning at the Initial Point of Bend-O-River Village, a subdivision of record in Yamhill County that is located in the I. M. Johns Donation Land Claim and the Nehemiah Martin Donation Land Claim No. 83, Section 22, Township 4 South, Range 4 West, Willamette Meridian; thence S 89°59'37" E 361.63 feet to a 5/8 inch iron rod on the west right-of-way line of County Road No. 120, known as Norton Lane (60 foot right-of-way); thence S 0°10'14" W, along said west right-of-way line, 1550.35 feet to a 5/8 inch iron rod on the north right-of-way of Three Mile Lane (60 foot right-of-way); thence S 89°59'54" W, along said north right-of-way line, 486.07 feet to a point on the east right-of-way line of Dunn Place (60 foot right-of-way); thence along the easterly boundary line of said subdivision the following courses and distances: N 0°09'00" E 853.66 feet; thence N 19°37'15" E 75.00 feet; thence S 89°59'43" E 100.00 feet; thence N 0°09'00" E 625.79 feet to the point of beginning.

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