

ORDINANCE NO. 4005

An Ordinance rezoning certain property from County zone of AF-10 (Agricultural Forestry 10-acre minimum) to a City of McMinnville zone of R-3 PD (Two-family Residential) planned development on a parcel of land approximately ten-acres in size located at the intersection of Agee and B Streets.

WHEREAS, the Planning Commission received an application for a zone change (ZC 15-78) dated December 29, 1978 on the property described as Lot 13, Fairlawn Subdivision, and also described as Tax Lot 2300, Section 20, T. 4 S., R. 4 W., Willamette Meridian; and

WHEREAS, a public hearing was held on February 8, 1979, at which the matter was continued to March 8, 1979. A public hearing was held on March 12, 1979 at 7:00 p.m. before the Planning Commission, the original meeting scheduled for March 8 having been cancelled because of lack of a quorum. Due notice had been given in the local newspaper on February 26, 1979 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 applicant and surrounding property owners was received and a staff report was presented; and

WHEREAS, the Planning Commission being fully informed about said zone change, and based on the observations and the findings of fact has approved said zone change and has recommended said 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 Wing Louie.

Section 2. That the following described property shall be rezoned from County zone of AF-10 (Agricultural Forestry 10-acre minimum) to a City of McMinnville zone of R-3 PD (Two-family Residential) planned development:

Lot 13, Fairlawn Subdivision in Yamhill County, Oregon

subject to the following conditions:

- (a) Wing Louie will dedicate to the City of McMinnville park area as indicated on the amended January, 1979 James Addition Tentative Plan. This park shall be developed and landscaped by Wing Louie in a style and manner which is designed to be low in maintenance costs. The park style, design characteristics, and specifications shall be approved by the Planning Commission after a recommendation has been received from the Parks and Recreation Director. It is the responsibility of the developer to plant grass and trees during the period of November 1 through March 31. This time period is conducive to park construction and will be more likely to insure the survival of the plants and trees. Failure to plant within this time period shall be grounds to revoke the planned unit development.

- (1) Completion of the park referred to herein includes installation of an underground sprinkler system, installation of asphaltic walkways, and the planting of grass and trees. No building permits will be issued for the subdivision until the completed park is dedicated to the City.

Section 3. That this ordinance shall be subject to the terms and conditions of Ordinance 3823, entitled "Initiative and Referendum," for a period of thirty days.

Passed by the Council this 3 day of April, 1979, by the following votes:

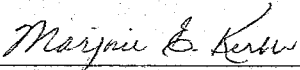
Ayes: Porter, Willoughby, Hamby, Wilson, Springer and Lewis

Nays: _____

Approved by the Mayor this 3 day of April, 1979.


MAYOR

Attest:


RECORDER