

ORDINANCE NO. 4284

An Ordinance rezoning certain property from an existing AH PD (agricultural holding planned development) zone to an R-2 PD (single-family residential planned development) zone on a parcel of land approximately four acres in size located north of West Second Street.

RECITALS:

The Planning Commission received an application for a zone change (ZC 1-84) dated March 13, 1984 on the property described as a portion of Tax Lot 1303, Section 19, T. 4 S., R. 4 W., W. M.; and

A public hearing was held on April 12, 1984, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on April 2, 1984, and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearing the testimony of the applicant and surrounding property owners was received, and a staff report was presented; and

The Planning Commission being fully informed about said request, found that a need existed for said change based upon the material submitted by the applicant and findings of fact and the conclusionary findings for approval contained in the staff report, all of which are on file in the Planning Department, and that the zone change is consistent with the Comprehensive Plan; and

The Planning Commission 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 reports on file in the Planning Department, and the application filed by Mark Novak, Pastor of the New Covenant Church, on behalf of Raymond D. Kauer.

Section 2. That the property described in Exhibit "A," which is attached hereto and incorporated herein by this reference, shall be rezoned from existing AH PD (agricultural holding planned development) zone to an R-2 PD (single-family residential planned development) zone, subject to the following conditions:

- (a) That a parcel of land west of Hill Road and within the Cozine-West Second sewer system be substituted for the subject parcel as a sewer trade-off area. A copy of the deed restriction prohibiting development on the parcel used for the trade-off area must be approved by the City Engineering and Planning Departments.
- (b) That the developer is responsible for requesting permission of the Planning Commission for any major change of the details of the adopted site plan. Minor changes to the details of the adopted site plan may be approved by the City Planning Director. It shall be the Planning Director's decision as to what constitutes a major or minor change. An appeal from a ruling by him

may be made only to the Commission. Review of the Planning Director's decision by the Planning Commission may be initiated at the request of any one of the Commissioners.

Passed by the Council this 1 day of May, 1984 by the following votes:

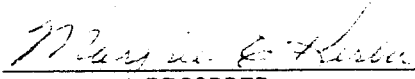
Ayes: Macy, Hanson, Gale, Gormley and Wilson

Nays: _____

Approved this 1 day of May, 1984.


MAYOR

Attest:


RECORDER

ZC 1-84

Being a part of the Solomon Beary D.L.C. No. 54, North 1/2 Section 19, Township 4 South, Range 4 West, Willamette Meridian, Yamhill County, Oregon, being a part of that certain tract of land conveyed by Film Volume 121, Pages 1208 to 1211, Deed Records of Yamhill County, Oregon, and as located by a Boundary Survey County Survey C.S.P.-7633, Volume U, Page 963, Yamhill County Surveyor Records and being a part of Lot 1, County Survey C.S. 2219, Volume C, Page 85, Yamhill County Surveyor Records and being more particularly described as follows:

Beginning at an 5/8-inch iron rod set by C.S.P.-7633, 2,025.41 feet South 89°39' West and 30 feet North 0°00'37" West from the Northwest corner of S.F. Stagg D.L.C. No. 55 and being on the East line of said Lot 1; thence South 89°39' West (Basis of Bearings - C.S.P.-7633) along the North line of West 2nd Street (a 60 foot wide, City of McMinnville street), a distance of 260.0 feet; thence North 0°00'37" West, parallel with the East line of Lot 1, a distance of 670.0 feet; thence North 89°39' East, parallel with the North line of West 2nd Street, a distance of 260.0 feet to the East line of Lot 1; thence South 0°00'37" East, along the East line of Lot 1, a distance of 670 feet to the Place of Beginning.