

ORDINANCE NO. 4410

An Ordinance rezoning certain property from a County EF-40 (Exclusive Farm Use--40 acre minimum) zone to an R-1 PD (Single-family Residential Planned Development) zone on a parcel of land approximately 84.4 acres in size located west of Hill Road.

RECITALS:

The Planning Commission received an application from Leo and Marcine Howard for a zone change (ZC 5-87) dated April 21, 1987, for the property described as Tax Lot 2500, Section 19, T. 4 S., R. 4 W., W.M.

A public hearing was held on July 9, 1987, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on June 29, 1987, and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearing, testimony was received, the application materials and a staff report were presented; and

The Planning Commission, being fully informed about said request, found that said change conformed to the review criteria listed in Section 17.72.035 of Ordinance No. 3380, 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 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 Leo and Marcine Howard.

Section 2. That the property described in Exhibit "A", which is attached hereto and incorporated herein by this reference, is hereby rezoned from a County EF-40 (Exclusive Farm Use--40 acre minimum) zone to an R-1 PD (Single-family Residential Planned Development) zone, subject to the following condition:

(a) Before any development of the subject site beyond that which would be allowed by MP 8-87 may take place, a master development plan must be filed with the City. If the three parcels created by MP 8-87 are in separate ownerships when further development is planned, the master plan will be required for only the parcel for which development is planned. Such development plan will be processed under the procedures outlined in Chapter 17.51 of Ordinance No. 3380 and will be treated as an amendment to the planned development.

First Reading - Read and passed by the Council this 28th day of July, 1987, by the following votes:

Aye: Johnstone, Blanchard, Wilson, C. Hanson

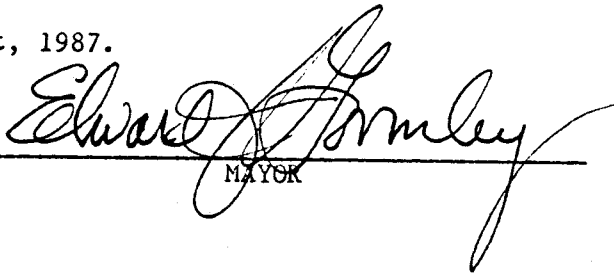
Nay: B. Hansen

Second Reading - Read and passed by the Council this 11th day of August, 1987, by the following votes:

Aye: Johnstone, Wertz, Wilson

Nay: B. Hansen, C. Hanson

Approved this 11th day of August, 1987.


MAYOR

Attest:

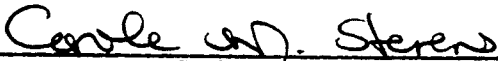

RECORDER

EXHIBIT "A"

ZC 5-87

Parts of the William G. Davis Donation Land Claim No. 45 and 69 in Township 4 South, Ranges 4 and 5 West of the Willamette Meridian, in Yamhill County, Oregon, described as follows:

PARCEL 1: Beginning at a stone in the center of the County road 38.70 chains South and 33.14 chains East from the Northwest corner of Section 19 in Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, said stone marking the southeast corner of the Yamhill County Poor Farm; thence South $0^{\circ}30'$ East along the center of the County Road 21.62 chains to a stone in the center of the road at the Northeast corner of that certain 40 acre tract conveyed to Jesse High and wife by Deed recorded December 13, 1902 in Book 44, Page 47, Deed Records; thence North $89^{\circ}45'$ West along the North line of said Jesse High Land 28.68 chains to a marked stone; thence North $0^{\circ}30'$ West 21.90 chains to a marked stone on the South line of the Yamhill County Poor Farm; thence South $89^{\circ}45'$ East 28.77 chains to the place of beginning. Except that portion of the premises lying in County Road known as Redmond Hill Road No. 436 (formerly Squirrel Hill Road).

PARCEL 2: Beginning at a point 38.70 chains South and 4.37 chains East of the Northwest corner of Section 19 in Township 4 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon; thence South $0^{\circ}30'$ East along the West line of land conveyed to R. Jacobson by Deed recorded October 24, 1906 in Book 49, Page 375 Deed Records, 21.62 chains to a stone and mound at the Southwest corner of said Jacobson tract; thence North $89^{\circ}45'$ West 11.32 chains to the East line of land conveyed to A.J. Nelson by Deed recorded February 26, 1876 in Book "P", Page 48, Deed Records; thence North along the East line of said Nelson tract 21.62 chains to a stone at the Southwest corner of the Yamhill County Poor Farm; thence South $89^{\circ}45'$ East along the South line of said Poor Farm Tract 10.93 chains to the place of beginning, except that portion of the premises lying in the County Road known as Redmond Hill Road No. 436 (formerly Squirrel Hill Road).