

ORDINANCE NO. 3747

On September 17, 1974 the City of McMinnville received a petition entitled PD 74-1 from George A. and Nanette J. Dunn for a Planned Unit Development for property owned on Three-Mile Lane.

WHEREAS, the City of McMinnville through its City Manager gave notice of a public hearing to be held in accordance with City of McMinnville Ordinance No. 3380, in the News-Register on November 8, 1974, which set the time, place, and purpose of the public hearing; and

WHEREAS, the public hearing was conducted on November 21, 1974 at 5:30 p.m. in the Council Chambers at a regular session of the Planning Commission. The Commission received testimony from the owner, Dr. Dunn, and the developer's architect, Mr. Peter Winkler. No citizens appeared to comment upon the proposed PD; and

WHEREAS, after closing the public hearing the Planning Commission discussed the proposed PD and found that the project is within the terms, goals, and objectives of the McMinnville Comprehensive Plan as amended September 3, 1975. The PD also met a need of the community for this type of project and that the project was consistent with the McMinnville zoning ordinance for this area. The Planning Commission then informed the applicant that the basic concept for this PD was approved subject to a resolution of certain engineering problems (street radius, water circulation within the man-made lake and fire hydrant locations). No discussion of the phasing of this development was made.

WHEREAS, on December 19, 1974 at 5:00 p.m., a Continued Hearing pertaining to the Dunn PD was held. The Planning Commission acted to approve the concept of this PD after the close of the public hearing.

WHEREAS, at the Planning Commission meeting of February 27, 1975 Mr. Peter Winkler, representing Dr. and Mrs. Dunn, appeared before the Planning Commission and requested that an additional parcel located in the northwest corner of the Dunn property be included in the original planned unit request. After discussion, Dr. Dunn was advised to file a new PD request because the additional parcel of land was not included in the property description of PD 1974-1.

WHEREAS, additional details concerning PD 1975-1 were discussed at a Planning Commission meeting conducted on March 27, 1975. The Commission directed that a public hearing concerning PD 1975-1 be conducted on April 17, 1975 at 7:30 p.m. Due notice of this public hearing was given in the News-Register on April 4, 1975 in accordance with City of McMinnville Ordinance No. 3380.

WHEREAS, on April 17, 1975 a public hearing was commenced at 7:45 p.m. Mr. Peter Winkler presented the proposed plan for PD 1975-1. No citizens were present to comment upon the proposal. Mr. Winkler informed the Commission that PD 1975-1 was the first stage of the overall development of the Dunn property and in accordance with the McMinnville Comprehensive Plan. After closing the hearing the Planning Commission approved PD 1975-1 and directed it be forwarded to the Council for approval; now, therefore,

THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That the request by Dr. and Mrs. Dunn in the application identified as Planned Development 1975-1, being in consonance with the McMinnville Comprehensive Plan and the zoning ordinance of the City, and also fulfilling a need for residential housing, is hereby approved; and this property, as described in Exhibit "A," is rezoned from Agricultural Holding (AH) to Planned Development-Residential-1 (PD - R-1).

Section 2. That the terms, conditions and physical design of said Planned Development shall be as set forth in Exhibits "B" and "C," which are attached hereto and incorporated by this reference, and these requirements (Exhibits "B" and "C") shall apply to the property described in Exhibit "A."

Passed by the Council this 6 day of May, 1975, by the following

vote:

Ayes: ROUSE, PORTER, TALLEY, LEWIS, BARKER + SAUMALE

Nays: \_\_\_\_\_

Approved by the Mayor this 6 day of May, 1975.

Thomas R. Smith  
MAYOR

Attest:

Margaret E. Kerwin  
RECORDER

EXHIBIT "A"

Beginning at an iron pipe set 3213.0 feet South and 613.3 feet East of the Northwest corner of the I. M. John Donation Land Claim No. 81 in Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon; running thence South 89° 56' West 276.1 feet to the center of the Yamhill River; thence down said river the following courses and distances; North 14° 41' East 174.2 feet; North 37° 25' West 401.0 feet; North 25° 25' West 5.8 feet; thence East 355.0 feet; thence South 31° 30' East 170.0 feet; thence South 16° 06' East 174.0 feet; thence South 174.0 feet; thence West 16.0 feet to the place of beginning, containing 3.39 acres.

Beginning at the Southeast corner of that 3.39 acre tract conveyed by Henry Lee Fletcher to the City of McMinnville and recorded in Volume 94, Page 412, Yamhill County Deed Records; thence North 0° 09' East 543.5 feet; thence West 521.59 feet to the center of the Yamhill River; thence up the river, South 25° 55' East 64.26 feet to the Northwest corner of said former City tract; thence East 355.0 feet along the North line of said tract to the Northeast corner thereof; thence following the East line of said tract as follows; thence South 31° 30' East 170.0 feet; thence South 16° 06' East 174.0 feet; thence South 174.0 feet to the point of beginning, containing 1.07 acre.

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EXHIBIT "B"

BEND-O-RIVER PLANNED UNIT DEVELOPMENT

Phase One

1. Requirements:

Upon approval of this proposal for a planned unit development, a preliminary and final plat will be submitted to the City Engineer's office. The plat shall be incorporated herein by this reference, subject to any conditions or qualifications set out in this document.

2. Zoning:

The area encompassed by this planned unit development as reflected on the attached plan shall be rezoned as follows:

Lots 1 and 2	Duplex
Lot 3	Physician's office and home presently existing
Lots 4 and 5	Single-family residential with 10' front yard setback and 7½' side yard setback and 20' rear yard setback and height of 35' measured on front-yard building wall.
Lot 6	Single-family residential
Lot 7	Single-family residential with 10' front yard setback and 10' side yard setback and 10' rear yard setback
Lots 8, 9, 10	Single-family residential
Lots 11, 12, 13, 14, 15	Single-family residential

3. Access:

- A) Right-of-way for access shall be deeded to the City of McMinnville for public access to proposed lots in accordance with details shown on the preliminary and final plat. This is to be a 50' -0" right-of-way with a 5' -0" utility easement on each side within proposed development.
- B) Dunn Lane which connects the proposed development with Three-Mile Lane shall be increased from a 16' wide, two lane access to a 22', two lane access road with no on-street parking.

Option: Future improvement of Dunn Lane will be as indicated on the attached plan. This would be two 16' wide, one-way lanes with a planting strip down the center and a pedestrian and bicycle path along the side closest the property line to the west. If this option is exercised at a later date because of future expansion, the necessary right-of-way would be deeded to the City to meet requirements as set by the City Engineer.

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4. Off-street parking:

- A) Single-family residence: a minimum of two parking spaces per dwelling unit shall be provided within this proposed development.
- B) Two-family residence: a minimum of two parking spaces per dwelling unit shall be provided.
- C) Lot 3: Physician's office and home. Off-street parking will be provided to meet City requirements. The proposed development shall not remove any of the present parking facilities.

5. On-street parking: On-street parking shall be provided as indicated on the attached plan. (See Exhibit "C.")

6. Sidewalks:

- A) Sidewalks shall be provided within the proposed development as indicated on the attached plan. (See Exhibit "C.")
- B) Future expansion of Dunn Lane will include a pedestrian and bicycle path.

7. Landscaping:

- A) Public right-of-ways: The existing trees alongside Dunn Lane shall be retained and new street trees will be planted as shown on the attached plan and subject to type and/or varieties to be specified by the City.
- B) Private lots - private owners would be encouraged to landscape their yards.

8. Utilities:

- A) City sewer and water service - City sewer service shall be available to each residence within the proposed development. Water supply shall be provided from City of McMinnville sources.
- B) Electrical and telephone service - underground electrical service shall be provided within the development. The present above ground service along Dunn Lane will be retained during Phase One of Bend-O-River.

9. Street Lighting: Overhead street lighting shall be provided, subject to City of McMinnville Water and Light Department requirements. Individual homeowners will be required to provide adequate lighting for their private entrances.