

ORDINANCE NO. 3842

An Ordinance rezoning certain property from existing Yamhill County Zone of LDR-9000 (Low Density Residential) to R-2 PD (Single-family Residential Planned Development Zone) to allow the development of a 20-lot residential subdivision.

WHEREAS, the Planning Commission received an application for a zone change and Planned Unit Development, Docket No. ZC 18-76, on 5.25 acres located east of Baker Street Extended and west of North Evans Street; also being west of 26 Court (Tax Lot No. 4416 BB, Section 16, T 4 S, R 4 W) on December 30, 1976; and

WHEREAS, a public hearing was held on the 20th day of January, 1977, at 7:30 p.m. before the Planning Commission after due notice had been given to the local newspaper on January 10, 1977 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 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 request 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 Planning Commission's "Findings of Fact" are hereby adopted and the following additional findings are entered:

(a) This property was recently annexed to the City but continued to carry a County zoning designation. The requested rezoning will bring the property under the jurisdiction of the City Zoning Ordinance and its proposed use will be consistent with the McMinnville Comprehensive Plan.

(b) City water is available from an existing line in North Evans Street. Service is available immediately upon extension of the line to the site. Sanitary and storm sewers are adjacent to the site with an eight-inch sanitary sewer line and a ten-inch storm sewer line in North Evans Street. The west half of the site lies low enough to require a pump station to be installed to service this portion of the property.

(c) The surrounding area is undergoing residential development at a rapid pace. Rob's Orchard, which lies east of the subject site, is typical of the lots and projected housing types for North Orchard. Rob's Orchard is a mixture of small, single-family homes and duplex sites. At this time the subdivision is almost totally occupied, indicating a ready market.

(d) The City will benefit from this development, as it will allow development of 27 Street which has been designated an East/West Collector from

U. S. 99W to Baker Street Extended. The need to provide new home sites for a growing population is a continuous process. The location of this site is suitable for residential development and will complement with minimal effect, the new development on the adjacent parcels.

Section 2. That the zone on the following described property be amended from County Zone of LDR-9000 (Low-Density Residential) to R-2 PD (Single-family Residential Planned Development):

A part of Lot 7 of Jopling's Subdivision in the John G. Baker Donation Land Claim No. 48, Township 4 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at the Northeast corner of Lot 8 of said Jopling's Sub-division; thence northerly along the East line of said Lot 7, said East line of Lot 7 also being the center line of North Evans Street, to the Northeast corner of Lot 7; thence westerly along the North line of Lot 7, 402.10 feet, more or less, to the northeast corner of those tracts conveyed to Victor H. Banke and Ruth C. Banke, husband and wife by Deed recorded December 29, 1950 in Book 160, Pages 220 - 222, Deed Records of Yamhill County, Oregon; thence southerly along Banke's East line 200 feet to the southeast corner of said Banke parcels; thence westerly along Banke's South line 134.96 feet to the west line of Lot 7 of said Jopling's Subdivision, said West line also being the centerline of Market Road 21, also known as Baker Street extended; thence Southerly along the West line of Lot 7 to the southwest corner of Lot 7; thence easterly along the South line of Lot 7 to the place of beginning.

Section 3. That the following conditions are attached to said planned development:

- (a) Conceptual approval of the development located north of 27 Street as presented on the applicant's plan. Conceptual approval of the redesigned lots located south of 27 Street as presented by the staff.
- (b) Development of a 50' stub street with a 36' improvement and a 18' radii extending approximately 80' south of 27 Street as illustrated on the redesigned plan.
- (c) Approval of lots 1, 6, and 8, Block 1, and 3, 5, 10 and 11, Block 2, as potential duplex sites.
- (d) All existing structures to remain within the plat must comply with setback requirements of the R-2 zoning district.
- (e) The developer shall retain as much native vegetation as possible within the development.

Passed by the Council this 1 day of February, 1977, by the following vote:

Ayes: WILCOUGHBY, HAMBY, FAX, DALEY & LEWIS

Nays: _____

Approved by the Mayor this 1 day of February, 1977.

Norman R. Scott
MAYOR

Attest:

Marjorie E. Kerner
RECORDER