

ORDINANCE NO. 4156

An Ordinance rezoning certain property from an R-1 (Single-family Residential) zone to an R-1 PD (Single-family Residential Planned Development) zone on several parcels of land totalling approximately 195 acres and generally described as the Michelbook Country Club.

RECITALS:

The Planning Commission received an application for a zone change (ZC 6-81) dated May 1, 1981 on the property described as Tax Lots 1400, 1500, and 1800, Section 17, T. 4 S., R. 4 W., W. M.

A public hearing was held on June 18, 1981 at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on May 8, 1981 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 of surrounding property owners in favor and in opposition to the requested change was received; a staff report was presented; and

The Planning Commission being fully informed about said zone change, and based on the observations, the findings of fact, and the conclusionary findings for approval contained in the staff report, 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 Mitchell & Nelson Associates.

Section 2. That the property described in Exhibit "A," which is attached hereto and by this reference incorporated herein, shall be rezoned from existing R-1 (Single-family Residential) zone to an R-1 PD (Single-family Residential Planned Development) zone, subject to the following conditions:

- (a) That the plan submitted with the application be approved in concept only. Some deviation from the approved plan shall be allowed at the time of subdivision without having to change the planned development approval. Major changes to the approved plan must be approved by the Commission at a public meeting.
- (b) That the proposed 24-foot wide (22-foot wide on cul-de-sacs) paving width private streets with stabilized three and eight foot turf shoulders are approved, as are the proposed drainage swales.
- (c) That a document creating a homeowners association and detailing the requirements and duties thereof be prepared, submitted to and approved by the Commission prior to any subdivision being approved for the property.

- (d) That an agreement, satisfactory to the fire chief and police chief, be entered into between the property owners and the City to insure that police and fire protection is provided to the development.
- (e) That any deed restrictions proposed for the development be submitted to and approved by the Commission prior to any subdivision being approved for the property.
- (f) That the design of and the specifications for the proposed fire access way located on the north side at the 18th fairway be approved by the fire chief prior to any subdivision being approved for the property.
- (g) That setback requirements for individual lots will be set at the time of subdivision. Variable setbacks are hereby approved for the project where it is found that they are reasonable.

Passed by the Council this 7 day of July, 1981, by the following votes:

Ayes: Gormley, Gale, Macy, Allen, Wilson and Springer

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

Approved this 7 day of July, 1981.

  
MAYOR

Attest:

  
RECORDER