

ORDINANCE NO. 4322

An Ordinance amending planned development overlay Ordinance No. 4035 (Hoffman Addition) by adopting a new site plan and by supplanting the terms and provisions of Section 2:

RECITALS:

The Planning Commission received an application (ZC 4-85) dated January 22, 1985 from Leo and Dorothy Leathers for an amendment to an existing planned development (Ordinance 4035) so that a subdivision could be developed on approximately six acres of property located north of 27th Street and east of Newby Street; and

A public hearing was held on March 14, 1985 at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on March 14, 1985, 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 amendment to the existing planned development overlay, and based on the observations, the findings of fact, and the conclusionary findings, has approved said amendment 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 Leo and Dorothy Leathers.

Section 2. That Ordinance No. 4035 be amended by supplanting the terms and provisions of Section 2 with the following terms and provisions:

"Section 2. That the property described in Exhibit "A", which is attached hereto and by this reference incorporated herein, shall be rezoned from existing County LDR 12000 (Low-density Residential - 12,000 square foot minimum) zone to a City zone of R-3 PD (Two-family Residential Planned Development), subject to the following condition:

That the Hoffman Addition tentative plan (ZC 4-85/S 1085) be placed on file with the Planning Department and that it become a part of the zone and binding on the owner and developer.

The developer is responsible for requesting permission of the Planning Commission for any major change of the details of the adopted plan. Minor changes to the details of the adopted 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 2 day of April, 1985, by the following votes:

Ayes: Bernt Hansen, Johnstone, Wertz, Blanchard, Wilson & Carole Hanson

Nays: _____

Approved this 2 day of April, 1985.

Edward J. Humley
MAYOR

Attest:

Margaret E. Kenner
RECORDER

HOFFMAN ADDITION

EXHIBIT "A"

A tract of land in Sections 9 and 16, Township 4 South, Range 4 West, Willamette Meridian, Yamhill County, City of McMinnville, Oregon. Said tract also being a portion of the James T. Hembree Donation Land Claim, Notification No. 1215, Claim No. 46 and being more particularly described as follows:

Beginning at a point on the north line of 27th Street, said point being 30.00 feet North 01°05'00" East, 1493.3 feet North 88°55'00" West along the centerline of said 27th Street and 965.6 feet North of the southeast corner of James T. Hembree Donation Land Claim; thence North 00°01'00" East, 45.00 feet; thence along the arc of a 280.00 foot radius curve to the right a distance of 62.36 feet (long chord bears North 06°23'50" East, 62.23 feet); thence South 88°55'00" East, 73.14 feet; thence North 00°01'00" East, 20.00 feet; thence South 88°55'00" East, 117.00 feet; thence North 00°01'00" East, 130.00 feet; thence South 88°55'00" East, 5.00 feet; thence North 00°01'00" East, 764.90 feet; thence West 332.00 feet; thence South 00°01'00" West, 895.60 feet; thence South 88°55'00" East, 80 feet; thence South 00°01'00", 120.00 feet to the north line of said 27th Street; thence along said north line, South 88°55'00" East, 50.00 feet to Point of Beginning of this description.

The above described tract contains 6.98 acres of land, more or less.