

ORDINANCE NO. 4494

An Ordinance rezoning certain property from a County EF-40 (Exclusive Farm Use - 40-acre minimum) zone to an R-3 PD (Two-family Residential Planned Development) zone to allow the placement of manufactured homes on 80 individual lots and the placement of conventional "stick-built" single-family homes on another 6 lots on property located south of the Michelbook Golf Course and west of the Arrowood Subdivision.

RECITALS:

The Planning Commission received an application from Howard and Margaret Aster, Albert and Mary Vossler, and Johannes and Eola Vossler for a zone change (ZC 2-91) dated April 9, 1991, for property located south of the Michelbook Golf Course and west of the Arrowood Subdivision, further described as Tax Lots 402 and a portion of 400, Sections 18 and 19, T. 4 S., R. 4 W., W.M.

A public hearing was held on May 9, 1991, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on April 30, 1991, 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 Chapter 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 Howard and Margaret Aster, Albert and Mary Vossler, and Johannes and Eola Vossler.

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-3 PD (Two-family Residential Planned Development) zone, subject to the following conditions:

- (a) That the density of the proposed subdivision not exceed six units per acre.

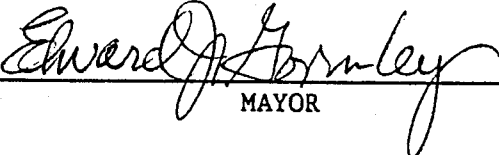
- (b) That manufactured homes and "stick-built" homes shall be allowed within the proposed subdivision as follows: "Stick-built" homes shall occupy Lots 1 - 6, Block One, and manufactured homes shall occupy the remaining lots in the Cypress Point Subdivision.
- (c) That only Class A mobile homes as defined in Section 03.010 of the McMinnville Mobile Home Development Ordinance (No. 4420) be allowed in the subdivision.
- (d) That the Cypress Point Tentative Plan be placed on file with the Planning Department and that it become a part of the zone and binding on the property owner and developer.

Passed by the Council this 11th day of June 1991, by the following votes:

Ayes: Aleman, Windle, Hansen, Massey, Johnstone

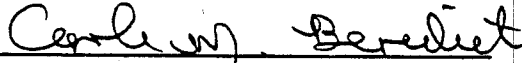
Nays: _____

Approved this 11th day of June 1991.



MAYOR

Attest:



RECORDER

EXHIBIT "A"

Being a part of a tract of land in the Southeast 1/4 of Section 18 and the Northeast 1/4 Section 19, part of the Solomon Beary D.L.C. No. 54, Township 4 South, Range 4 West, Willamette Meridian, Yamhill County, Oregon and being a part of those certain tracts described in Volume 176, Page 503, Film Volume 250, Page 1279 and Film Volume 206, Page 651, Deed Records of Yamhill County, Oregon and being more particularly described as follows:

Beginning at a point 2.50 chains South $89^{\circ}39'$ West and 27.10 chains North from the Northwest corner of the S.F. Stagg D.L.C. No. 55, Township 4 South, Range 4 West, Willamette Meridian, Yamhill County, Oregon; thence South $89^{\circ}39'$ West, a distance of 475.5 feet; thence North 676.5 feet, more or less, to the North line of said Beary D.L.C., being also the Section Line between Sections 18 and 19; thence South $89^{\circ}28'$ East, along the North line of said Beary D.L.C. and said Section Line, a distance of 164.6 feet to angle point as located in C.S. 2219, Volume G, Page 85, Yamhill County Surveyor Records and being angle point in Volume 176, Page 503, Deed Records of Yamhill County; thence North $1^{\circ}21'$ East, a distance of 8.60 chains to the present City Limits; thence South $63^{\circ}54'$ East, a distance of 11.246 chains; thence southerly, along a line toward a point 3.01 chains easterly of the Northwest corner of said Stagg D.L.C., a distance of 1,203.5 feet; thence South $89^{\circ}39'$ West, leaving present City Limits, a distance of 363.66 feet to West Line of tract as shown in C.S. 2219; thence North, a distance of 292.8 feet to the Place of Beginning of this description and containing 27.7 acres, more or less.