

ORDINANCE NO. 4593

An Ordinance rezoning approximately 18.3 acres of land from an R-1 (Single-Family Residential) zone to an R-1 PD (Single-Family Residential Planned Development) zone. The site is located south of Baker Creek Road adjacent to and west of the Michelbook 4th Addition subdivision and is described as a portion of Tax Lot 200, Section 18, T. 4 S., R. 4 W., W.M.

RECITALS

The Planning Commission received an application (ZC 6-95) from VJ2 Development Company and Michaelbook Farms, dated April 8, 1995 for a zone change from an R-1 (Single-Family Residential) zone to an R-1 PD (Single-Family Residential Planned Development) zone on approximately 18.3 acres of land located south of Baker Creek Road adjacent to and west of the Michelbook 4th Addition subdivision and is described as a portion of Tax Lot 200, Section 18, T. 4 S., R. 4 W., W.M.

A public hearing was held on May 25, 1995, at 7:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on May 20, 1995, 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 planned development review criteria listed in Chapter 17.51 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 planned development amendment is consistent with the Comprehensive Plan; and

The Planning Commission approved said planned development amendment 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 the City of McMinnville.

Section 2. That the property described in Exhibit "A", which is attached hereto and incorporated herein by this reference, is hereby rezoned from an 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 conceptual plan for that portion of the subject site not included in the tentative subdivision plan shall not be binding on the City.

- (b) That the interior side yard setback for lots 36 - 68 shall be 7.5 feet.
- (c) That duplexes shall be allowed on corner lots 36, 56, 57, and 68 with a minimum lot size of 8,000 square feet.
- (d) That the exterior side yard setback for lots 62 and 63 shall be a minimum of 15 feet.

Passed by the Council this 27th day of June 1995, by the following votes:

Ayes: Kirchner, Payne, Tomcho Windle

Nays: _____

Approved this 27th day of June, 1995.


MAYOR

Attest:

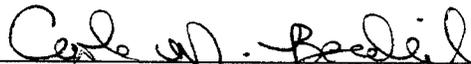

RECORDER

EXHIBIT "A"

A tract of land in the East 1/2 of Section 18, Township 4 South, Range 4 West, Willamette Meridian, City of McMinnville, Yamhill County, Oregon and being more particularly described as follows;

Beginning at the Southeast corner of that tract of land described in instrument recorded on March 31, 1977 in Film Volume 119, Page 217, Deed Records for Yamhill County, Oregon which point is South, 2593.80 feet from the Northeast corner of said Section 18; thence South along said Section line a distance of 300.0 feet; thence West parallel with the south line of said tract described in Film Volume 119, Page 217, a distance of 2518.56 to the Center of a County Road (Hill Road); thence North along the centerline of said County Road a distance of 300.0 feet to the Southwest corner of said tract described in Film Volume 119, Page 217; thence East along the south line of said tract a distance of 2518.56 feet to the point of beginning.

The above described tract contains 17.35 acres, more or less.