

ORDINANCE NO. 4681

An Ordinance rezoning a parcel of land some 6.11 acres in size from a County EF-40 (Exclusive Farm Use - 40 Acre Minimum) zone to an R-4 PD (Multiple-Family Residential Planned Development) zone to permit the development of a mixed use housing project. The parcel is located north of Three Mile Lane, south of the South Yamhill River, and immediately east of the Parkland Village assisted living facility, and is more specifically identified as Tax Lot 1200, Section 23, T. 4 S., R. 4 W., W.M.

RECITALS

The Planning Commission received an application (ZC 13-98) from Three Mile Lane Development, LLC on behalf of Marvin Worden dated June 12, 1998 requesting approval to rezone some 6.11 acres of land from a County EF-40 (Exclusive Farm Use - 40 Acre Minimum) zone to an R-4 PD (Multi-Family Residential Planned Development) zone to permit the development of a mixed use housing project. The subject site is located north of Three Mile Lane, south of the South Yamhill River, and immediately east of the Parkland Village assisted living facility, and is more specifically identified as Tax Lot 1200, Section 23, T. 4 S., R. 4 W., W.M.

A public hearing was held on July 23, 1998, at 7:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on July 18, 1998, 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 zone change review criteria listed in Chapter 17.72.035 of Ordinance No. 3380 based on 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 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 Three Mile Lane Development, LLC.

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-4 PD (Multi-Family Residential Planned Development) zone subject to the following conditions:

1. That final development plans as approved by the Three Mile Lane Design Review Committee 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.

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 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.

2. That off-street parking for all phases of the proposed development shall be provided as required by Section 17.60.060 of the McMinnville Zoning Ordinance. Submitted site plans shall be modified as necessary to satisfy this requirement.
3. That landscape plans be submitted to and approved by the McMinnville Landscape Review Committee and the Three Mile Lane Design Review Committee. A minimum of 25 percent of the site must be landscaped with emphasis placed at the entry, and along the frontage road. Parking lots shall be broken up by landscaping, and usable open space shall be provided within the development. Required trees shall be a minimum of two inch caliper, measured at a height of 4.5 feet above grade at time of planting.
4. That detailed plans showing site layout, building elevations, signage, parking, and lighting must be submitted to and approved by the McMinnville Three Mile Lane Design Review Committee before any development of the subject site may take place. To the extent possible, the site and building design should be compatible with surrounding development and shall: be nonlinear in design; incorporate broken rooflines and facades; provide for the easterly extension of the Three Mile Lane frontage road to serve properties east of the site. The applicant may appeal the decision of the Three Mile Lane Design Review committee to the Planning Commission if notice of intent to appeal is filed in the Planning Department office within fifteen (15) days of the Committee's decision.
5. That a detailed storm drainage plan which incorporates the requirements of the City's Storm Drainage Master Plan must be submitted to, and approved by, the City Engineering Department. Any and all utility easements needed to comply with the approved plan must be recorded prior to permit issuance.
6. That the applicant secure from the Oregon Department of Transportation (ODOT) a permit for access to Highway 18, pursuant to OAR 734-50.

Evidence of such permit shall be required prior to release of any permits for this project.

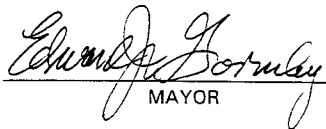
7. That improvements to the Highway 18 frontage, as required by ODOT and City of McMinnville, be done at the applicant's expense and be finalized prior to occupancy. This shall include, at a minimum, dedication to the City of the frontage road north of, and generally parallel to, Highway 18.
8. That signs located on the site shall be subject to the requirements of McMinnville Ordinance No. 4572(C).
9. That plans for the proposed wall along the southern portion of the site be submitted to the Three Mile Lane Design Review Committee for review and approval prior to its construction.
10. That utilities shall be extended to the property boundaries by the applicant as may be required by the City Engineer or McMinnville Water and Light. The applicant shall also provide utility easements as necessary to complete the required frontage road improvement plans, landscaping, and public sidewalk.
11. That a revised design for the proposed frontage road that more closely reflects the alignment and design contained in the Highway 18 Corridor Refinement Plan (increase centerline radii) shall be submitted to the City Engineer for review and approval. Modifications to the site plan may be granted by the Planning Director to accommodate the proposed redesign.
12. That the requested zone change not take effect until and unless ANX 4-98 is approved by the voters.

Passed by the Council this 25th day of August 1998, by the following votes:

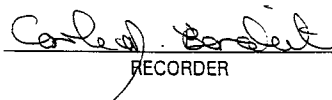
Ayes: Aleman, Hughes, Kirchner, Massey, Payne, Windle

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

Approved this 25th day of August 1998.

  
\_\_\_\_\_  
MAYOR

Attest:

  
\_\_\_\_\_  
RECORDER

# FIRCREST VILLAGE

## SITE PLAN

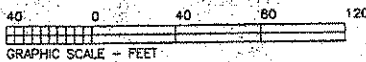
McMINNVILLE, OREGON



OWNER/DEVELOPER: LINBACKER DEVELOPMENT  
CONTACT: RAY KULBACK  
735 N. ADAMS  
McMINNVILLE, OREGON 97128  
(503) 434-4399

SCALE: 1" = 40' JUNE 10, 1999

ENGINEER: LING & ASSOCIATES ENGINEERING  
833 NW BUCHANAN AVENUE  
CORVALLIS, OREGON 97330  
(541) 754-7200



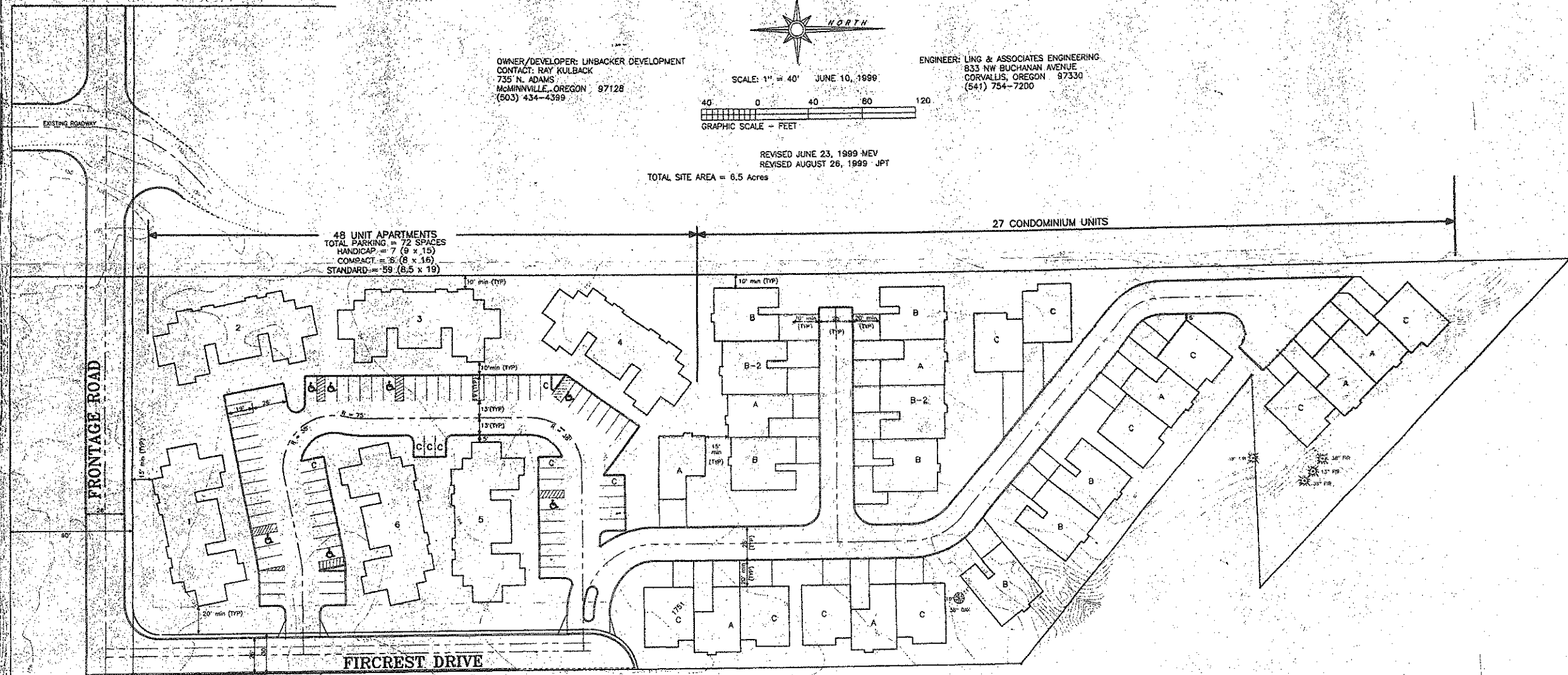
REVISED JUNE 23, 1999 MEV  
REVISED AUGUST 26, 1999 JPT  
TOTAL SITE AREA = 6.5 Acres

THREE MILE LANE HWY 18

FRONTAGE ROAD

48 UNIT APARTMENTS  
TOTAL PARKING = 72 SPACES  
HANDICAP = 7 (8 x 15)  
COMPACT = 5 (8 x 16)  
STANDARD = 59 (8.5 x 19)

27 CONDOMINIUM UNITS



FIRCREST DRIVE