

ORDINANCE NO. 3899

An Ordinance rezoning certain property from existing City of McMinnville R-1 (Single-family Residential) to R-4 PD (Multiple-family Residential) Planned Development (ZC 3-77).

WHEREAS, an application was filed with the City of McMinnville by Frances S. Temple to rezone certain real premises, and in connection therewith Resolution of Intent to Rezone No. 1977-21 was passed by the Council and approved by the Mayor on June 28, 1977 whereby the real premises hereinafter described would be rezoned from R-1 (Single-family Residential) to R-4 (Multiple-family Residential) upon the performance of certain conditions; and

WHEREAS, in accordance with Resolution of Intent to Rezone No. 1977-21 a public hearing was held on the 19th day of January, 1978 at 7:00 p.m. before the Planning Commission after due notice had been given in the local newspaper on January 6, 1978 and written notice had been mailed to property owners within 300 feet of the affected property; and

WHEREAS, at said public hearing testimony from the applicant and area residents was received and considered by the Planning Commission. After hearing said testimony and receiving the staff recommendations, a full and complete discussion of the planned development was held.

WHEREAS, this matter was approved by the Planning Commission and was recommended to the Council for adoption subject to certain conditions being met, all of which are listed below:

(a) The property shall be developed as a Planned Unit Development in accordance with the terms of the McMinnville Zoning Ordinance No. 3380.

(b) A detailed development plan shall be submitted for review and approval by the Planning Commission at a public hearing.

(c) Approval of the plan must be obtained within one year from the passage of the Resolution or the intent to rezone shall be rendered null and void.

(d) In the event said conditions are complied with the Council does affirm its intention to rezone said premises, and this Resolution shall constitute a binding commitment on the part of 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 and the staff report on file in the Planning Department.

Section 2. That the following described property shall be rezoned from R-1 (Single-family Residential) to R-4 PD (Multiple-family Residential) Planned Development:

A parcel of land in the North quarter of Section 16, Township 4 South, Range 4 West, Willamette Meridian, Yamhill County, Oregon, the boundary of which is described as follows:

Beginning at the intersection of the South right-of-way line of 27th Street with the East right-of-way line of McDonald Lane, which point is S. 0°04'20" E. 30.002 feet and S. 89°26'00" E. 30.002 feet from a monument at the intersection of the centerlines of said 27th Street and McDonald Lane; thence S. 89°26'00" E., along said South right-of-way line, 788.820 feet; thence S. 0°04'20" E. 250.016 feet; thence N. 89°26'00" W. 788.820 feet; thence N. 0°04'20" W. 250.016 feet to the point of beginning. Containing 4.5271 acres of land more or less.

subject to the following conditions:

- (a) Storm drainage system be redesigned to meet specifications of City Engineer.
- (b) Driving aisles in parking lots be increased to a width of 26'.
- (c) Entry from west parking lot onto McDonald Lane be constructed to be perpendicular with McDonald.
- (d) Parking lot serving Building No. 1 be redesigned in a manner so as to permit parking functions to take place on one side of structure. (See Attachment "A.")
- (e) Dumpster location be provided for units 5 and 6.
- (f) That the plot plan as filed with the Planning Department shall be the basis for this project and is incorporated herein by this reference.
- (g) After the landscaping is reviewed by the Landscaping Committee it shall be returned to the Planning Commission for final approval.
- (h) At such time as the sixty units designated for occupancy by elderly residents is converted to any other use for regular apartment dwellings, the parking provided shall be increased to meet the standards set in the zoning ordinance.

Section 3. That this ordinance shall be subject to the terms and conditions of Ordinance No. 3823, entitled Initiative and Referendum, for a period of thirty days.

Passed by the Council this 7 day of February, 1978, by the following votes:

Ayes: Willoughby, Hamby, Fax, Daley and Lewis

Nays: _____

Approved by the Mayor this 7 day of February, 1978.


MAYOR

Attest:

