

ORDINANCE NO. 4103

An Ordinance approving the detailed provisions of an R-4 planned development, as required by Ordinance 4059.

RECITALS:

On January 3, 1978 the City Council adopted a Resolution of Intent to rezone the property located at the northwest corner of McDonald Lane and 19 Street, described as Tax Lot 2000, Section 16BD, T. 4 S., R. 4 W., Willamette Meridian (Docket No. ZC 11-80). Included in the resolution was the requirement that the conditions of the resolution had to be met within two years or the resolution would expire. When it became apparent last fall that the two-year period was about to expire, the applicants asked for and received from the City Council a zone change to R-4 planned development (Ordinance 4059); and

The applicant filed the necessary documents and plans to meet the requirements set forth in Ordinance 4059 in July, 1980. This matter came on for hearing before the Planning Commission on July 17, 1980, at 7:00 p.m., in the Council Chambers in the City of McMinnville, Oregon, after due notice had been given in the local newspaper; and

After consideration of the plan as submitted, the Planning Commission voted to deny the requested change. The applicant, in an attempt to resolve the differences between himself and the Planning Commission, came before the Planning Commission on August 14, 1980, after appropriate public notice having been given, at which time the revised plan was reviewed and the change was again denied; and

The applicant, on or about August 25, 1980 filed an appeal with the City of McMinnville Recorder for the matter to be reconsidered by the Common Council; and

The hearing on the appeal was conducted on September 23, 1980, and at that time testimony of the appellant and adjoining property owners was received and considered by the Council. After a full and complete consideration of all aspects of the appeal, the Council voted to reverse the decision of the Planning Commission and to approve the detailed planned unit development as submitted by the applicant. In addition, the Council also voted to instruct the Planning Commission to conduct appropriate proceedings to address the question of density on the remaining portion of the applicant's property which continues to be subject to an R-4 Planned development, as adopted by Ordinance 4059; now, therefore,

THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That the submitted, detailed implementation plan for that portion of the property described on the applicant's map is hereby approved. This approval meets the requirements set forth in Ordinance 4059 and is based upon the findings of fact submitted by the applicant and the McMinnville Planning staff. (A map detailing the proposed development is on file in the Planning Department and is binding upon the applicant.)

Passed by the Council this 7 day of October, 1980, by the following votes:


Ayes: Smith, Gale, Allen, Springer, Wilson and Hamby

Nays: _____

Approved this 7 day of October, 1980.


MAYOR

Attest:


RECORDER