

ORDINANCE NO. 4147

An Ordinance rezoning certain property from existing City of McMinnville R-1 (Single-family Residential) zone to an R-2 PD (Single-family Residential Planned Development) zone on a parcel of land approximately 2.84 acres in size located north of Wallace Road.

RECITALS:

The Planning Commission received an application for a zone change and planned unit development, Docket No. ZC 2-81, from Tom Collins and Bill Nourse dated February 11, 1981 on the property described as Tax Lots 500, 800, 900, Section 20 BA, T. 4 S., R. 4 W., W.M.; and

A public hearing was held on the 21st day of May, 1981, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on May 11, 1981 and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearing the testimony of the applicants and surrounding property owners was received and a staff report was presented; and

The Planning Commission being fully informed about said zone change, and based on the observations and the findings of fact and the conclusionary findings for approval contained in the staff report, has 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 Tom Collins and Bill Nourse.

Section 2. That the property described in Exhibit "A," which is attached hereto and by this reference incorporated herein, shall be rezoned from existing City of McMinnville R-1 (Single-family Residential) zone to an R-2 PD (Single-family Residential Planned Development) zone, subject to the following conditions:

- (a) That a document creating a homeowners association and detailing the requirements and duties thereof be prepared, submitted to, and approved by the City Attorney.
- (b) That an agreement, satisfactory to the Fire Chief and the Police Chief, be entered into between the property owners and the City to insure that the City has police powers on the private street.
- (c) That a tentative plan of the Brookview Planned Development shall be placed on file with the Planning Director and shall become a part of the zone and binding on the owner(s) and developer(s).

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 City 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.

Passed by the Council this 2 day of June, 1981, by the following votes:

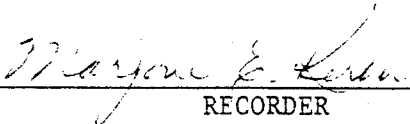
Ayes: Gormley, Gale, Macv, Allen, Wilson and Springer

Nays: _____

Approved this 2 day of June, 1981.


MAYOR

Attest:


RECORDER