

ORDINANCE NO. 4192

An Ordinance rezoning certain property from an R-3 (Two-family Residential) zone to an R-4 PD (Multiple-family Residential Planned Development) zone which would allow the construction of two apartment structures (20 units total) on a parcel of land approximately one acre in size located at 2019 McDonald Lane.

RECITALS:

The Planning Commission received an application for a zone change (ZC 2-82) dated March 8, 1982 on the property described as Tax Lot 1800, Section 16BD, T. 4 S., R. 4 W., W. M.; and

A public hearing was held on April 8, 1982 at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on March 29, 1982 and written notice had been mailed to property owners within 300 feet of the selected property; and

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

The Planning Commission, being fully informed about said change, and based on the observations, 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 Donald C. Eastman and James E. Craig.

Section 2. That the property described in Exhibit "A," which is attached hereto and by this reference incorporated herein, shall be rezoned from an existing R-3 (Two-family Residential) zone to an R-4 PD (Multiple-family Residential Planned Development) zone, subject to the following conditions:

- (a) That construction conform to a grading plan that has been submitted to and met the approval of the Director of Public Works. The grading plan shall show that drainage from drain pipes and paved areas shall be directed to McDonald Lane.
- (b) That the density restriction of 20 units per acre proposed by the applicant not be exceeded.
- (c) That the development plan shall be placed on file with the Planning Director and shall become a part of the zone and binding on the owner and developer.

The developer is responsible for requesting permission of the Planning Commission for any major change to 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 by any one of the Commissioners.

- (d) That the planned development be granted for a one-year period. If no construction has been started in that period, the zone change must be brought back before the Commission for review to insure compliance with City goals, policies, and ordinances. If the request is found to be in compliance, a one-year extension of the zone change approval may be granted by the Commission.

Passed by the Council this 4 day of May, 1982 by the following votes:

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

Nays: _____

Approved this 4 day of May, 1982.



MAYOR

Attest:



RECORDER