

ORDINANCE NO. 4386

An Ordinance rezoning certain property from an AH PD (Agricultural Holding Planned Development) zone to an R-4 PD (Multiple-family Residential Planned Development) zone and an amendment to an existing R-4 PD on a parcel of land approximately 6.66 acres in size located north of West Second Street, east of Hill Road.

RECITALS:

The Planning Commission received an application for a zone change (ZC 9-86) dated July 14, 1986, for the property described as Tax Lots 1303 and 1304, Section 19, T. 4 S., R. 4 W., W.M.

A public hearing was held on August 14, 1986, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on August 4, 1986, 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 a need existed for said change based upon 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 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 Ray Kauer, Barry House, and Jerry Allen.

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

(a) That a parcel of land west of Hill Road and within the Cozine/West Second sewer system be substituted for the subject parcel as a sewer trade-off area. A copy of the deed restriction prohibiting development on the parcel used for the trade-off area must be approved by the City Engineering and Planning Departments.

(b) That the development plan shall be placed on file with the Planning Director and shall be come 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 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.

(c) That an emergency access way, meeting with the approval of the Fire Chief, be provided to the northern portion of the site.

Section 3. That Section 3(h) of Ordinance No. 4082 is hereby amended by adopting the development plan submitted with the ZC 9-86 application as the official development plan for that property described in Exhibit "B" which is attached hereto and incorporated herein by this reference, subject to the following condition:

(a) That the development plan shall be placed on file with the Planning Director and shall be come 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 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 9th day of September, 1986, by the following votes:

Aye: Bernt Hansen, Johnstone, Wertz, Wilson, Carole Hanson

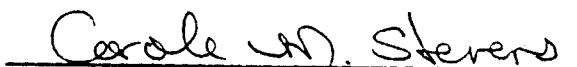
Nay: _____

Approved this 9th day of September, 1986.



MAYOR

Attest:



RECORDER