

ORDINANCE NO. 4474

An Ordinance amending planned development Ordinance No. 4107 (Tall Oaks) by adopting a new site plan for the Tall Oaks Fourth Addition and by amending the terms and conditions of Section 2.

RECITALS:

The Planning Commission received an application (ZC 2-90) from Wade Miller dated May 10, 1990, for an amendment to an existing planned development overlay which would allow for the adoption of a new site plan and change the conditions of approval for that portion of the Tall Oaks development located adjacent to and west of Tall Oaks Third Addition Subdivision, adjacent to and east of the Jandina First Addition Subdivision, and at the western terminus of Fellows Street where it crosses Tall Oaks Third Addition. The subject property is described as Tax Lot 100, Section 29, T. 4 S., R. 4 W., W.M.

A public hearing was held on July 12, 1990, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on July 3, 1990, 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 said change conformed to the review criteria listed in Chapter 17.72.035 of Ordinance No. 3380 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 Wade Miller.

Section 2. That the terms and conditions of Section 2(b) of McMinnville Ordinance 4107 be supplanted with the following:

- (b) That Block 24 be limited to a maximum of 80 multiple-family units. That Lots 1 through 5, Block 23 be limited to a maximum of 3 units (triplex) each.

Section 3. That paragraph one of Section 2(c) of McMinnville Ordinance 4107 be amended to read:

- (c) That the tentative plan for Tall Oaks Fourth Addition be placed on file with the Planning Department and that it become a part of the

zone and binding on the owners and developers. The tentative plan for Tall Oaks Fourth Addition approved in 1990 shall replace any previously approved tentative plan for that area covered by the 1990 plan.

Section 4. That the terms and conditions of Section 2(d) of McMinnville Ordinance 4107 be supplanted with the following:

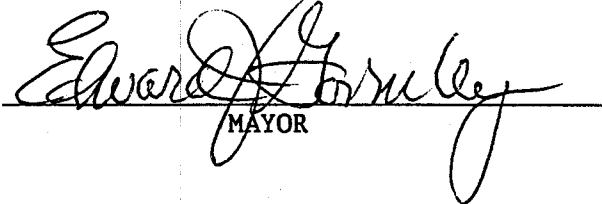
- (d) That the "Walkway and utility access" shown on the tentative plan between Lot 13, Block 22 and Lot 5, Block 23 be expanded to 30 feet in width, be made a tract rather than a piece of right-of-way, and that the corners of the adjacent lots be squared. After the Fourth Addition is platted, the tract must be deeded to the McMinnville School District for their use in servicing the so-called Tall Oaks Grade School site. It will be the developers responsibility to construct sidewalk along Fellows Street adjacent to the tract as part of the subdivision improvement.

Passed by the Council this 14th day of August, 1990, by the following votes:

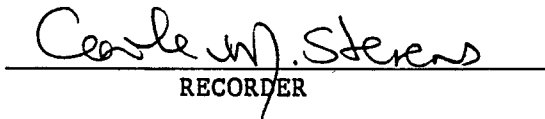
Ayes: Hansen, Johnstone, Windle, Wilson, Whitehead

Nays: _____

Approved this 14th day of August, 1990.


MAYOR

Attest:


RECORDER