

ORDINANCE NO. 4744

An Ordinance amending Section 2 (g) of McMinnville Planned Development Ordinance No. 4524 to allow the removal of the Maulding residence located within the Heather Manor manufactured home park.

RECITALS

The Planning Commission received an application (~~25-2-00~~ ²⁰⁵⁻⁰⁰) from Les Toth, dated July 7, 2000, for a zone change to amend Section 2 (g) of McMinnville Planned Development Ordinance No. 4524 to allow the removal of the historic Maulding residence located within the Heather Manor manufactured home park. The property is more specifically described as Tax Lot 2000, Section 9, T. 4 S., R. 4 W., W.M.

A public hearing was held on August 17, 2000, at 7:30 p.m. and was continued to September 21, 2000, at 7:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on August 12, 2000, 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 zone change review criteria listed in Chapter 17.72.035 of Ordinance No. 3380 based on 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 the Council.

Subsequently, the City Council called for a public hearing. In accordance with City ordinances, the public hearing was scheduled for November 28, 2000, at 7:30 p.m. in the McMinnville School District Board Room. Notice of said hearing was given by written notice to affected property owners and to the general public by legal notice in the local newspaper; and

On November 28, 2000, the McMinnville City Council opened the public hearing and continued it to December 12, 2000 at 7:30 p.m. at the request of the applicant's attorney. The public hearing was subsequently continued to the March 13, 2001 City Council meeting. The City Council conducted the scheduled hearing at the time and date specified above in accordance with the standards adopted in City of McMinnville Ordinance No. 3682. The testimony of the proponents and opponents was received and, in addition, the record generated by the McMinnville Planning Commission, supplemental staff reports, supplemental reports from other agencies and additional exhibits were duly incorporated into the record and were considered by the Council; and 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 Les Toth.

Section 2. That Section 2 (g) of McMinnville Planned Development Ordinance No. 4524 is amended to read as follows:

"(g) That the mature trees on within the site as well as the historic single-family residence located on Space 24 as shown on the approved Heather Manor manufactured home park plan be preserved."

Passed by the Council this 13th day of March 2001, by the following votes:

Ayes: Aleman, Hansen, Olson, Payne, Windle

Nays: _____

Approved this 13th day of March 2001.



COUNCIL PRESIDENT

Approved as to form:



CITY ATTORNEY