

ORDINANCE NO. 4765

An Ordinance rezoning certain property from a County EF-40 (Exclusive Farm Use 40-acre minimum) zone to a City R-2 PD (Single-Family Residential Planned Development) zone, and an R-4 PD (Multi-Family Residential Planned Development) zone on a parcel of land totaling 17.39 acres in size.

RECITALS

The Planning Commission received an application (ZC 2-02) from Reuben Johnson, Karen Bernards, and Becky Tompkins, dated March 14, 2002, for a zone change from a County EF-40 (Exclusive Farm Use 40-acre minimum) zone to a City R-2 PD (Single-Family Residential Planned Development) zone, and an R-4 PD (Multi-Family Residential Planned Development) zone on a parcel of land approximately 17.39 acres in size. The property is more specifically described as Tax Lot 1700, Section 10C, T. 4 S., R. 4 W., W.M.

A public hearing was held on April 18, 2002, at 7:30 p.m. before the McMinnville Planning Commission, after due notice had been given in the local newspaper on April 9, 2002, 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; 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 Reuben Johnson, Karen Bernards, and Becky Tompkins.

Section 2. That the property described in Exhibit "A", is hereby rezoned from a County EF-40 (Exclusive Farm Use - 40-acre minimum) zone to a City R-2 PD (Single-Family Residential Planned Development) zone, and an R-4 PD (Multi-Family Residential Planned Development) zone, subject to the following conditions:

1. That the Bixler Addition subdivision plan, or as may be revised by conditions of approval of this development, be placed on file with the Planning Department and

that it become a part of the zone, and binding on the property owner and developer.

That the developer is responsible for requesting approval 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 Planning Director. It shall be the Planning Director's decision as to what constitutes a major or minor change. An appeal of 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.

2. That the average single-family lot size within the Bixler subdivision shall be a minimum of 7,000 square feet.
3. That development of the R-4 lot shall be limited to multi-family use consistent with the applicable requirements of McMinnville Planned Development Ordinance No. 4226 and the McMinnville Zoning Ordinance.

Passed by the Council this 28th day of May, 2002, by the following votes:

Ayes: Aleman, Hansen, Olson, Payne, Rabe, Windle

Nays: \_\_\_\_\_

Approved this 28th day of May 2002.

  
MAYOR

Approved as to form:

  
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CITY ATTORNEY