

ORDINANCE NO. 4813

An Ordinance approving an amendment to McMinnville Planned Development Ordinance No. 4430 to allow the development of approximately two acres of land within the Heather Glen Subdivision for single-family residential use.

RECITALS

The Planning Commission received an application (ZC 5-04) from Eric Meurer, dated May 6, 2004, seeking approval to amend McMinnville Planned Development Ordinance No. 4430 to allow the development of approximately two acres of land within the Heather Glen Subdivision for single-family residential use. The subject property is located east of Shirley Ann Drive and west of Goucher Street, and is more specifically described as a portion of Tax Lot 3100, Section 29BC, T. 4 S., R. 4 W., W.M.

A public hearing was held on June 22, 2004, at 7:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on June 10, 2004, 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 amendment is consistent with the Comprehensive Plan; and

The Planning Commission approved said amendment 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 Eric Meurer.

Section 2. That McMinnville Planned Development Ordinance No. 4430 is amended, by adding the following:

1. That McMinnville Planned Development Ordinance No. 4430 be modified to allow the approximately two acres of land that is the subject of this request to be developed for single-family residential purposes.
2. That the Heather Meadow Subdivision tentative plan (or such plan as may be revised by conditions for approval of this development), be placed on file with the

Planning Department and that it becomes 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 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.

3. That the average lot size within the development shall be a minimum of 7,000 square feet.

Passed by the Council this 10th day of August, 2004, by the following votes:

Ayes: Aleman, Hansen, Olson, Springer, Stocks

Nays: _____

Approved this 10th day of August 2004.


MAYOR

Attest:


CITY RECORDER

Approved as to form:


CITY ATTORNEY