

ORDINANCE NO. 4953

An Ordinance rezoning certain property from a County EF-80 (Exclusive Farm Use – 80-Acre Minimum) zone to a City R-4 PD (Multi-Family Residential, Planned Development) zone on a 22.26-acre parcel of land.

RECITALS

The Planning Department received an application (ZC 2-12/S 1-12) from Alan Ruden Incorporated, dated February 9, 2012, for a zone change from a County EF-80 (Exclusive Farm Use – 80-acre minimum) zone to a City R-4 PD (Multi-Family Residential, Planned Development) zone on a 22.26-acre parcel of land to accommodate future residential development. Concurrent with this zone change request was an application for a tentative subdivision plan to provide for the construction of 21 single-family homes. The subject site is located north of NE Grandhaven Street and east of NE Hembree Street, and is more specifically described as Tax Lot 2100, Section 9, T. 4 S., R. 4 W., W.M.

A public hearing was held on March 15, 2012, at 6:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on March 7, 2012, 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 17.74.020 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 Alan Ruden Incorporated.

Section 2. That the property described in Exhibit "A," is hereby rezoned from a County EF-80 (Exclusive Farm Use – 80-acre minimum) zone to a City R-4 PD (Multiple Family Residential, Planned Development) zone, subject to the following conditions:

1. That minimum setback requirements for properties within the Phase One development are as follows:
 - a) Front yard - 10-feet
 - b) Side yard – A zero foot side-yard property line setback for garage construction only for Lots 2, 4-7, 9, 11, 12, 14, and 16-20. All other development shall provide a minimum six-foot side yard setback.
 - c) Exterior side yard – 15 feet
 - d) Rear yard – 20 feet

2. That the average lot size for single-family lots within the subject site (22.36-acre property) shall be 5,000 square feet.
3. That final development plans as approved by the Planning Commission as part of this zone change shall be placed on file with the Planning Department and become a part of the zone and binding on the owner and developer. The developer will be responsible for requesting permission of the Planning Commission for any major change of the details of the adopted site 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.

Passed by the Council this 8th day of May 2012, by the following votes:

Ayes: Hill, Jeffries, Menke, Yoder

Nays: _____

Abstain: Ruden

Approved this 8th day of May 2012.



MAYOR

Attest:



CITY RECORDER

Approved as to form:

CITY ATTORNEY

Vicinity Map



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