

ORDINANCE NO. 4018

An Ordinance rezoning certain property from existing City of McMinnville zone of R-4 (Multi-family Residential) designation to a C-3 PD (General Commercial) designation on a parcel of land approximately 31,000 square feet in size located on Ford Street between Sixth and Seventh Streets.

WHEREAS, the Planning Commission received an application for a zone change (ZC 9-79) from Colin Armstrong, Chairman, Yamhill County Board of Commissioners, dated April 20, 1979 on the property described as Lots 3, 4, 5, 6, 7, and 8, Block 4, Toneys Addition; and

WHEREAS, a public hearing was held on the 10th day of May, 1979, at 7:00 p.m., before the Planning Commission after due notice had been given in the local newspaper on April 30, 1979 and written notice had been mailed to property owners within 300 feet of the affected property; and

WHEREAS, at said public hearing the testimony of the applicant and testimony from various surrounding citizens opposed to the request was received, and a staff report was presented, whereupon the Commission continued the hearing to May 17, 1979 in order that the applicant might answer some questions posed by the Commission; and

WHEREAS, the hearing having been continued to May 17, 1979 and the Planning Commission being fully informed about said zone change, and based on the observations and the findings of fact has approved said zone change and has recommended said change to the 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 Yamhill County.

Section 2. That the following-described property shall be rezoned from existing City of McMinnville zone of R-4 (Multi-family Residential) designation to a C-3 PD (General Commercial) designation, subject to the following conditions:

(a) An agreement shall be executed by Yamhill County wherein said County agrees to replace those parking spots eliminated by the new structure at another site which would be equally beneficial for courthouse parking; or in the alternative, to pay a sum of money equal to the cost of the same number of spots which would be constructed in a multi-storied parking structure funded in part by an EDA grant. The value of these alternative spots shall be computed by determining the average costs of a parking slot in the new structure. These additional parking spaces or payment in funds in lieu thereof shall be made not later than July 1, 1981. (The property owner shall provide parking as required by the zoning ordinance for the structure being erected, in addition to the spaces referred to in this subsection.)

(b) The structure to be erected on this property shall not be used for residential purposes or the housing of rehabilitation clients.

(c) The property owner shall provide a fence to screen the structure, to be erected from the adjoining residential property. This fence and screening shall be reviewed and approved by the City of McMinnville Planning Director.

Section 3. That the property to be rezoned is described as follows:

Lots numbered three (3), four (4), five (5), six (6), seven (7), and eight (8) in Block four (4) in Toney's Addition to the City of McMinnville in Yamhill County, Oregon

Section 4. That this ordinance shall be subject to the terms and conditions of Ordinance 3823, entitled "Initiative and Referendum," for a period of thirty days.

Passed by the Council this 5 day of June, 1979, by the following votes:

Ayes: Hamby, Allen, Springer, Wilson and Porter

Abstain: Willoughby

Approved by the Mayor this 5 day of June, 1979.

  
MAYOR

Attest:

  
RECORDER