

ORDINANCE NO. 4164

An Ordinance rezoning certain property from an R-1 (Single-family Residential) zone to an R-4 PD (Multiple-family Residential Planned Development) zone which would allow the construction of eighteen condominium units on a parcel of land approximately 3.68 acres in size located west of the northerly terminus of Pacific Street.

RECITALS:

The Planning Commission received an application for a zone change (ZC 9-81) dated July 17, 1981 on the property described as Tax Lots 900 and 1002, Section 21DD, T. 4 S., R. 4 W., W. M.; and

A public hearing was held on August 20, 1981 at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on August 10, 1981 and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearing the testimony of the applicant and of surrounding property owners was received, and a staff report was presented; and

The Planning Commission being fully informed about said zone change, and based on the observations, the findings of fact, and the conclusionary findings for approval contained in the staff report, 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 E. Merle Springer.

Section 2. That the property described in Exhibit "A," which is attached hereto and by this reference incorporated herein, shall be rezoned from an existing R-1 (Single-family Residential) zone to an R-4 PD (Multiple-family Residential Planned Development) zone, subject to the following conditions:

- (a) That emergency vehicle access only shall be allowed from the driveway that enters the McMinnville spur from the west side of the property. The design and specifications for this access way must be approved by the Fire Chief. Barriers or some other means of insuring that this access way is used for no other purposes except emergency vehicle access must be approved by the Fire Chief and Planning Director and installed by the developer.
- (b) That parking be allowed on one side of the street only. The developer shall be responsible for placing "No Parking" signs on the other side of the street.
- (c) That an agreement, satisfactory to the Fire Chief and the Police Chief, be entered into between the property owners and the City to insure that the City has police powers on the private street.

- (d) That a minor land partition be submitted to and approved by the City legally separating Tax Lot 1002 from Tax Lot 1000, or that a common boundary line adjustment between Tax Lot 900 and Tax Lot 1000, which would make Tax Lot 1002 a part of the same lot as Tax Lot 900, be accomplished to the satisfaction of the Planning Director prior to any building permits being issued for the project.
- (e) That the development plan of Quail Ridge planned development shall be placed on file with the Planning Director and shall become a part of the zone and binding on the owner(s) and developer(s).

The developer is responsible for requesting permission of the Planning Commission for any major changes to 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 by any one of the Commissioners.

Section 3. That inasmuch as the fifteen-day appeal period from the McMinnville Planning Commission will not expire until September 4, 1981, the thirty-day period as established by the charter shall not commence until September 5, 1981, and any appeals received prior to that date shall be valid.

Passed by the Council this 1 day of September, 1981, by the following votes:


Ayes: Gormley, Gale, Macy, Allen, Wilson

Abstained: Springer

Approved this 1 day of September, 1981.


MAYOR

Attest:


RECORDER