

ORDINANCE NO. 4323

An Ordinance amending Ordinance 4059 by adopting a new site plan, by removing the 11-unit per acre density limitation, and by decreasing the parking requirements.

RECITALS:

The Planning Commission received an application (ZC 7-85) dated February 15, 1985 from Shelter Resources for an amendment to an existing planned development (Ordinance 4059) which, if approved, would remove the 11-unit per acre density limitation on, approve new site plans for, and decrease the parking requirements on property located at the northeast corner of the intersection of 19th and Hembree Streets, further described as Tax Lot 2000, Section 16BD, T. 4 S., R. 4 W., W.M.

A public hearing was held on March 14, 1985, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on March 4, 1985 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 surrounding property owners was received, and a staff report was presented; and

The Planning Commission, being fully informed about said amendment to the existing planned development overlay, and based on the observations, the findings of fact, and the conclusionary findings, has approved said amendment 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 Shelter Resources, Inc.

Section 2. That Ordinance No. 4059 (as amended), Section 1, be amended by deleting the following sentence:

"That the western one-half of the property be allowed to develop to a maximum of eleven units per acre."

Section 3. That Ordinance No. 4059 (as amended) be amended by adding the following sections:

"Section 3. That the parking requirement reduction for the western 1.4 acres of the subject site to one parking space per unit is hereby approved for the project subject to the stipulation that if at any time in the future the project is not limited solely to elderly residents (except the manager) the parking requirements as specified in the zoning ordinance must be met. This is a nonvariable requirement and must be complied with even if it requires the removal of structures.

Section 4. The site plan submitted with the application (ZC 7-85) for the western 1.4 acres of the site is hereby approved. Permits for construction in a planned development shall be issued only on the basis of the

approved plan. The approved site plan 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 is responsible for requesting permission 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 City 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 2 day of April, 1985, by the following votes:

Ayes: Bernt Hansen, Johnstone, Wertz, Blanchard, Wilson & Carole Hanson

Nays: _____

Approved this 2 day of April, 1985.


MAYOR

Attest:


RECORDER