

ORDINANCE NO. 4412

An Ordinance amending planned development Ordinance No. 4147 in order to allow detached single-family lots where common-wall lots had been previously approved on approximately 2.84 acres located north of Wallace Road.

RECITALS:

The Planning Commission received an application from Chester Gibson for a zone change (ZC 4-87) dated May 12, 1987, for the property described as Tax Lots 500, 800, and 900 Section 20 BA, T. 4 S., R. 4 W., W.M.

A public hearing was held on July 9, 1987, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on June 29, 1987, 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 review criteria listed in Section 17.72.035 of Ordinance No. 3380 based upon 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 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 Chester Gibson.

Section 2. That Section 2 of Ordinance No. 4147 be amended by supplanting the provisions of subsections (a), (b), and (c) with the following:

- (a) That "no parking" signs meeting City specifications be installed at the owner's expense along the private drive with the exception of one side of the throat of the private drive where parking will be permitted.
- (b) That an agreement satisfactory to the Fire Chief and Police Chief be entered into between the property owners and the City to ensure that the City has police powers on the private drive.
- (c) That the tentative plan for Brookview be placed on file with the Planning Department and shall 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 28th day of July, 1987, by the following votes:

Aye: B. Hansen, Johnstone, Blanchard, Wilson, C. Hanson

Nay: _____

Approved this 28th day of July, 1987.

Attest:


MAYOR

RECORDER