

ORDINANCE NO. 4421

An Ordinance amending planned development Ordinance No. 4040 by adopting a new master plan and by reducing the acreage allotted for commercial, multiple-family residential, and common-wall residential use while increasing the allotment for detached single-family residences within the Westvale Planned Development.

RECITALS:

The Planning Commission received an application from Ray Kauer for an amendment to the Westvale Planned Development (ZC 1-88) dated February 9, 1988, for the property described as Tax Lots 100 and 4100, Section 19 DB, and Tax Lot 3100, Section 19 DC, T. 4 S. R. 4 W., W.M., and including the entire 75-acre Westvale Planned Development site; and

A public hearing was held on March 10, 1988, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on March 2, 1988, 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 planned development review criteria listed in Chapter 17.51 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 planned development amendment is consistent with the Comprehensive Plan; and

The Planning Commission approved said planned development amendment 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 Ray Kauer.

Section 2. That Ordinance No. 4040, Section 2(b) be amended to read as follows:

(b) That the Westvale Revised Master Plan (January 1988) be placed on file with the Planning Director and shall become a part of the zone and binding on the owner or 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.

Section 3. That the following conditions shall apply in addition to those listed in Ordinance Nos. 4040 and 4340 to the development of the Westvale Planned Development:

(a) That as part of the subdivision improvements to Westvale First Addition, a six-foot high masonry wall be constructed along the western property line of Lots 1 through 6, Block 1, and Lots 1 and 2, Block 3, and along the northern property line of Lot 3, Block 3 where it abuts the commercial acreage. Design and materials for such wall must meet with the approval of the Planning Director. A five-foot maintenance easement shall be provided along the side of the wall facing the commercial area.

(b) That the number of multiple-family units allowed to be constructed on Block 4 be limited to 40.

First Reading - read and passed by the Council this 12th day of April, 1988, by the following votes:

Ayes: Johnstone, Wertz, Blanchard, Wilson, C. Hansen

Nays B. Hansen

Second Reading - read and passed by the Council this 26th day of April, 1988, by the following votes:

Aye: Johnstone, Wilson, C. Hansen

Nay: B. Hansen

Approved this 26th day of April, 1988, by the Council President in the absence of the Mayor.

Attest:

Carol W. Hansen
COUNCIL PRESIDENT

Carol M. Stevens
RECORDER