

ORDINANCE NO. 4442

An Ordinance amending planned development Ordinance No. 4059 to allow a 24-unit senior citizens apartment complex with a reduced off-street parking requirement to be constructed north of 19th Street, and repealing Ordinance Nos. 4119 and 4323.

RECITALS:

The Planning Commission received an application (ZC 10-88) from Shelter Resources, Inc., dated November 8, 1988, for an amendment to an existing planned development overlay to allow a 24-unit senior citizens apartment complex to be constructed with a reduced off-street parking requirement on the property described as a portion of Tax Lot 2000, Section 16 BD, T. 4 S., R. 4 W., W.M.; and

A public hearing was held on December 8, 1988, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on November 28, 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 Shelter Resources, Inc.

Section 2. That Ordinance Nos. 4119 and 4323 be repealed.

Section 3. That Ordinance No. 4059 be amended by having the following provisions become a part thereof:

- (a) That the parking requirement reduction for the center 1.59 acres (as described in the ZC 10-88 application) of the parent parcel 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, as defined by Farmers Home Administration, (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.

- (b) The site plan submitted with the application for the center 1.59 acres of the parent parcel 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.

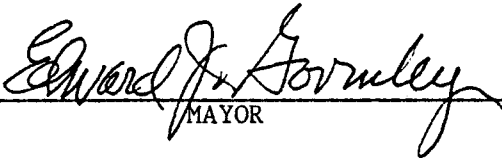
The developer is responsible for requesting permission of the Planning Commission for any major change of the details of the adopted plan. Minor changes to the details of the adopted plan may be approved by the City Planning Director. It shall be the Planning Director's decision as to what constitutes 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 10th day of January, 1989, by the following votes:


Ayes: B. Hansen, Johnstone, Brecht, Wilson, C. Hanson

Nays: _____

Approved this 10th day of January, 1989.


MAYOR

Attest:


RECORDER