

ORDINANCE NO. 4458

An Ordinance amending planned development Ordinance No. 4277 to allow 14 mobile home spaces in lieu of a previously approved 44-unit apartment complex on approximately 4.3 acres.

RECITALS:

The Planning Commission received an application (ZC 3-89) from Rick Malone dated June 13, 1989, for an amendment to an existing planned development overlay which would allow 14 mobile spaces in lieu of a previously approved 44-unit apartment complex on approximately 4.3 acres of land located adjacent to the Southwest Mobile Terrace mobile home park and behind the Bi-Mart Store for the property described as Tax Lot 601, Section 29 BD, T. 4 S., R. 4 W., W.M.

A public hearing was held on July 13, 1988, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on July 3, 1989, 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 Rick Malone.

Section 2. That Ordinance No. 4277, Section 2 be amended to read as follows:

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

(a) That a street connection be provided between the proposed park street and the terminus of East Street. Said street connection may be limited in use to that of an emergency accessway and barricaded in such a way to prevent through traffic, provided that the type and installation of the barricade(s) meet with the approval of the Fire Chief and the Planning Director. The actual width of the accessway must gain the

approval of the Planning Director. The cost of purchasing and maintained any barricades shall be borne entirely by the property owner. The City reserves the right to call for a hearing on the question of whether or not any barricades should be removed in the future. The decision of the Planning Commission on such matter shall be final.

(b) That the parkland shown on the development plan shall be deeded to the City prior to any construction permits being issued for the park. Such action shall satisfy the requirements of Ordinance 4282 for the mobile home park.

(c) That an easement granting public access across the park street to the deeded parkland shall be granted to the City.

(d) That the brush pile located in the floodplain shall be removed at the expense of the developer.

(e) That utility easements meeting the requirements and needs of the City Engineering Department and the Water and Light Department be provided.

(f) That nothing in these conditions may be construed to require lesser standards than those required by the McMinnville Mobile Home Development Ordinance and that all requirements of that ordinance be met.

(g) That the site plan submitted with the application be approved in concept only. Some deviation from the approved plan may be allowed at the time of the mobile home park application without having to change the planned development approval."

Passed by the Council this 8th day of August, 1989, by the following votes:

Ayes: Hansen, Johnstone, Blanchard, Wilson, Hanson-Whitehead

Nays: _____

Approved this 8th day of August, 1989.

Carroll H. Whitehead
COUNCIL PRESIDENT

Attest:

Carroll M. Stevens
RECORDER