

ORDINANCE NO. 4492

An Ordinance rezoning certain property from an R-2 (Single-family Residential) zone to an R-3 PD (Two-family Residential Planned Development) zone to allow the placement of manufactured homes on individual lots at the southwest corner of Agee and Apperson Streets.

RECITALS:

The Planning Commission received an application from Leonard Johnson for a zone change (ZC 1-91) dated March 7, 1991, for property located at the southwest corner of Agee and Apperson Streets, further described as Tax Lot 1700, Section 20 CB, T. 4 S., R. 4 W., W.M.

A public hearing was held on April 11, 1991, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on April 2, 1991, 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 Chapter 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 Leonard Johnson.

Section 2. That the property described as Lot No. 4 Fair-Lawn Subdivision, a duly recorded plat in Cabinet A, Slide 46, Yamhill County Clerk's Office, is hereby rezoned from an R-2 (Single-family Residential) zone to an R-3 PD (Two-family Residential Planned Development) zone to allow the placement of manufactured homes on individual lots, subject to the following conditions:

- (a) That the Sandalwood Tentative Plan be placed on file with the Planning Department and that it become a part of the zone and binding on the property 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.

- (b) That the property owner initiate with the City Council a local improvement district for the improvement of Apperson Street where it borders the subject site prior to the occupancy of any lots in phase one of the development.
- (c) That only Class A mobile homes as defined in Section 03.010 of the McMinnville Mobile Home Development Ordinance (No. 4420) will be allowed in the subdivision.

Passed by the Council this 14th day of May 1991, by the following votes:

Ayes: Aleman, Windle, Hansen, Massey, Johnstone

Nays: _____

Approved this 14th day of May 1991.

Edward J. Grumbley
MAYOR

Attest:

Carleen Berdick
RECORDER