

ORDINANCE NO. 4626

An Ordinance amending the City of McMinnville Comprehensive Plan Map from an existing commercial designation to a residential designation and rezoning certain property from a C-3 PD (General Commercial Planned Development) zone to an R-1 PD (Single-Family Residential Planned Development) zone on 1.2 acres of land, and a zone change from an R-1 (Single-Family Residential) zone to an R-1 PD (Single-Family Residential Planned Development) zone on approximately 21.8 acres of land located south of Baker Creek Road and east of Hill Road.

RECITALS:

The Planning Commission received an application from Don Jones for a comprehensive plan map amendment and zone change (CPA 1-96/ZC 1-96), dated April 9, 1996, for the property described as a portion of Tax Lot 200, Section 18, T. 4 S., R. 4 W., W.M.

A public hearing was held on May 9, 1996, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on May 4, 1996, 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 requests, found that said changes 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 plan map amendment and the zone change are consistent with the Comprehensive Plan; and

The Planning Commission approved said plan map amendment and zone change and has recommended said changes to Council;

The City Council called for a public hearing and set the hour of 7:30 p.m., July 9, 1996, to consider the application, and the matter came on for hearing as scheduled; and

New testimony was received as was the entire record of the previous Planning Commission hearing on the matter, and the Council found that based on the testimony received, the findings of fact, the conclusionary findings for approval, and the previous record received, the Planning Commission had made the correct decision and that that decision should be sustained; 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 Don Jones.

Section 2. That the Comprehensive Plan Map shall be amended from a commercial designation to a residential designation for the property described in Exhibit "A" which is attached hereto and by this reference incorporated herein.

Section 3. That the property described in Exhibit "B" is hereby rezoned from a C-3 PD (General Commercial Planned Development) zone to an R-1 PD (Single-Family Residential Planned Development) zone and the property described in Exhibit "C" is hereby zoned from an R-1 (Single-Family Residential) zone to an R-1 PD (Single-Family Residential Planned Development) zone, subject to the following conditions:

1. That the conceptual plan for that portion of the subject site not included in the tentative subdivision plan shall not be binding on the City.
2. That site plans and building elevations for the proposed multi-family units must be submitted to and approved by the Planning Director prior to the issuance of any building permits for said units. The multiple-family project(s) must be nonlinear in design and parking lots must be broken up by landscaping. In addition, useable open space shall be provided within the development, and streetside landscaping shall be emphasized.
3. That the minimum interior side yard setback shall be 7.5 feet.
4. That duplexes shall be allowed on corner lots 134, 136, and 140 with a minimum lot size of 8,000 square feet.
5. That the exterior side yard setback for lots 68, 69, 96, 108, 109, 120, 134, 136, and 140 shall be a minimum of 15 feet.
6. That VJ-2 Company dedicate to the City of McMinnville the parkland as designated on the tentative plan for Shadden Claim, First Addition. VJ-2 Company shall submit to the City for review and approval a detailed design plan for the development of the proposed parkland. At a minimum the park design plan shall include grading, drainage, lighting and irrigation system information, proposed landscaping, and path location and construction details. The improvement and maintenance of the parkland shall be the responsibility of VJ-2 Company and their successors in interest in the Shadden Claim development. VJ-2 Company shall enter into an agreement with the City of McMinnville setting out the terms and provisions of the improvement and maintenance responsibilities for the parkland. Said agreement shall be prepared by the City Attorney. The City shall

also be authorized to improve and maintain the parkland if VJ-2 Company or its successors in interest fail to do so and to levy a lien against each and every lot within this subdivision for said costs and to record these liens in the City's Docket of Liens.

7. That the applicant shall initiate with the City a process which will result in the designation of a minimum of a net 10 acres of land on the north side of Baker Creek Road in close proximity to its intersection with Hill Road for commercial purposes. The process shall include the application of a planned development overlay which restricts the property from use for residential purposes.

Read and passed by the Council this 9th day of July 1996 by the following votes:


Ayes: Hughes, Kirchner, Massey, Payne, Tomcho, Windle

Nays: \_\_\_\_\_

Approved this 9th day of July 1996.

  
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MAYOR

Attest:

  
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RECORDER