

ORDINANCE NO. 4674

An Ordinance approving an amendment to the southern portion of the Michelbook Country Club Master Plan (Planned Development Ordinance No. 4156) to permit additional access from Wallace Road and a reconfiguration of proposed lots and the existing golf course. The site is located generally north of Wallace Road and west of NE 11th Street, and is more specifically described as a portion of Tax Lot 1400, Section 17, T. 4 S., R. 4 W., W.M.

RECITALS

The Planning Commission received an application (ZC 8-98) from Michelbook Country Club, dated April 22, 1998 requesting approval to amend the southern portion of the Michelbook Country Club Master Plan (Planned Development Ordinance No. 4156) to permit additional access from Wallace Road and a reconfiguration of proposed lots and the existing golf course. The subject site is located generally north of Wallace Road and west of NE 11th Street, and is more specifically described as a portion of Tax Lot 1400, Section 17, T. 4 S., R. 4 W., W.M.

A public hearing was held on May 21, 1998, at 7:30 p.m. before the McMinville Planning Commission after due notice had been given in the local newspaper on May 16, 1998, 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 zone change review criteria listed in Chapter 17.72.035 of Ordinance No. 3380 based on 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 the 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 Michelbook Country Club.

Section 2. That the property described in Exhibit "A", which is attached hereto and incorporated herein by this reference is hereby rezoned from an R-1 PD to an R-1 PD, amending the adopted Michelbook Country Club Master Plan (Planned Development Ordinance 4156) to permit additional access from Wallace Road, and a

reconfiguration of proposed lots and the existing golf course subject to the following conditions:

1. That the approved amended master 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.

2. That existing trees greater than 9 inches (measured 4.5 feet above grade) shall not be removed without prior review and written approval of the Planning Director. In addition, all trees shall be protected during home construction. A plan for such protection must be submitted with the building permit application and must meet with the approval of the Planning Director. The Director may permit a reduction or require an increase in normally required setbacks to avoid the removal of existing trees. In no case shall the front opening of a garage be less than 18 feet from the back edge of the sidewalk, unless an off-street parking space is provided elsewhere on the site outside of the garage.

Passed by the Council this 14th day of July 1998 by the following votes:

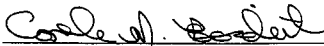
Ayes: Aleman, Hughes, Kirchner, Massey, Payne, Windle

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

Approved this 14th day of July 1998.

  
MAYOR

Attest:

  
RECORDER