

ORDINANCE NO. 4697

An Ordinance rezoning certain property from a County EF-80 (Exclusive Farm Use - 80-acre minimum) zone to a City R-3 PD (Two-Family Residential Planned Development) zone to allow for future residential development on a parcel of land totaling 9.4 acres located south of Wallace Road, and west of Monterey Drive.

RECITALS

The Planning Commission received an application (ZC 6-99) from Alan Ruden dated February 2, 1999, requesting approval to rezone said land from a County EF-80 (Exclusive Farm Use - 80-acre minimum) zone to a City R-3 PD (Two-Family Residential Planned Development) zone to permit the development of a residential subdivision. The subject site consists of a parcel of land totaling approximately 9.4 acres in size located south of Wallace Road, and west of Monterey Drive, and is more specifically described as Tax Lot 400, Section 19, T. 4 S., R. 4 W., W.M.

A public hearing was held on March 18, 1999, at 7:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on March 13, 1999, 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. 3880 based on the material submitted by the applicant and the 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 Alan Ruden.

Section 2. That the property described in Exhibit "A", which is attached hereto and incorporated herein by the reference, is hereby rezoned from a County EF-80 (Exclusive Farm Use - 80-acre minimum) zone to a City R-3 PD (Two-Family Residential Planned Development) zone subject to the following conditions:

1. That the portion of the subject property located within the BPA easement and required by the bikeway, identified as Tract "A" on the applicant's tentative plan, be dedicated to the City of McMinnville.

2. That the Mountain View subdivision tentative plan (or as may be revised by conditions for approval of this development), 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 approval 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 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.

3. That the average lot size within the Mountain View subdivision shall be a minimum of 6,000 square feet.

Passed by the Council this 27th day of April 1999, by the following votes:

Ayes: Aleman, Hughes, Kirchner, Payne, Windle

Nays: _____

Approved this 27th day of April 1999.



COUNCIL PRESIDENT

Attest:



RECORDER PRO TEM