

ORDINANCE NO. 4756

An Ordinance rezoning certain property from a County EF-80 (Exclusive Farm Use – 80-acre minimum) zone to a City R-1 PD (Single Family Residential Planned Development) zone on a parcel of land approximately 12 acres in size.

RECITALS

The Planning Commission received an application (ZC 6-01) from the McMinnville School District #40, dated November 16, 2001, for a zone change from a County EF 80 (Exclusive Farm Use- 80-acre minimum) zone to a City R-1 PD (Single Family Residential Planned Development) zone on a parcel of land approximately 12 acres in size. The property is more specifically described as a portion of Tax Lot 300, Section 18, T. 4 S., R. 4 W., W.M.

A public hearing was held on December 20, 2001, at 7:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on December 11, 2001, 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; and 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 McMinnville School District #40.

Section 2. That the property described in Exhibit "A", is hereby rezoned from a County EF-80 (Exclusive Farm Use – 80-acre minimum) zone

to a City R-1 PD (Single Family Residential Planned Development) zone subject to the following conditions:

1. That a detailed master plan for the subject site shall be submitted to the McMinnville Planning Commission for review and approval as part of the required conditional use permit, and prior to any development occurring on the site. The plan shall include, at a minimum, proposed land uses and their location(s), building locations, proposed circulation patten, proposed open and recreational spaces, grading and drainage information, landscaping, location and size of public utilities and services, and other information deemed necessary to convey the details of the proposed development plans to the Planning Commission.
2. The Master Plan shall be coordinated with adjacent property owners, to the extent possible, and shall include a formal Traffic Impact Analysis (TIS), prepared by a professional transportation planner or traffic engineer. Approval or denial of such plans shall be based on findings that, to the extent possible, the building(s) and site design employ principles that will ensure compatibility with adjacent development, including the provision of a comprehensive transportation system which provides coordinated access opportunities and necessary easements to adjacent parcels of land, and is sensitive to existing environmental conditions.
3. That the residentially zoned land shall be limited to a public elementary school and ancillary uses, subject to an approved conditional use permit.
4. That the illustrative plan submitted by the applicant as part of this land use request shall in no way be binding on the City.
5. That partitioning of the subject site from the parent parcel, as indicated on the submitted illustrative plan, may be permitted by the City prior to submittal and approval of a master plan for the subject site. No other partitioning shall be permitted until such time that such a plan has been approved.
6. The master plan, as may be approved by the Planning Commission as part of the conditional use permit approval, shall be placed on file with the Planning Department and become a part of the zone and binding on the owner and developer.

The developer will be responsible for requesting approval of the Planning Commission for any major change in the details of the adopted site 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.

7. That approval of direct vehicular access from Hill Road may be considered if it can be demonstrated through the findings of a traffic impact study, prepared by a professional transportation engineer, that allowing such access can be done in a manner that will maintain or enhance safe traveling conditions to vehicles and pedestrians within the Hill Road corridor and subject site. Such determinations shall be made by the Planning Commission as part of the Conditional Use Permit review. The City Engineer shall review the TIS and provide a recommendation to the Planning Commission for their consideration.

Passed by the Council this 22nd day of January, 2002, by the following votes:

Ayes: Aleman, Hansen, Olson, Payne, Windle

Nays: _____

Approved this 22nd day of January 2002.



COUNCIL PRESIDENT

Approved as to form:



CITY ATTORNEY