

ORDINANCE NO. 4200

An Ordinance amending Ordinance 4048 (Baker Street Square Shopping Center Planned Unit Development) by deleting the provisions prohibiting a driveway cut onto Twelfth Street.

RECITALS:

The Planning Commission received an application dated April 13, 1982 from the City of McMinnville for an amendment to an existing planned unit development (ZC 16-79) to require the opening of a driveway cut onto Twelfth Street from Baker Street Square located at the northeast corner of U. S. Highway 99W and Twelfth Street; and

A public hearing was held on May 13, 1982 at 7:30 p.m. before the Planning Commission (ZC 3-82) after due notice had been given in the local newspaper on May 3, 1982, and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearing the testimony of the applicant and surrounding property owners was received and a staff report was presented. After a full and complete discussion of the issues presented by this application, the Planning Commission voted five to four to recommend to the Council that the planned unit development be allowed according to the following terms: (1) Per the schematic design in staff Option 2; (2) That the City would not be responsible for financing the cut; (3) That right turn only signs be placed at the exit; and (4) That a divider to facilitate a right hand turn only be placed at the exit; and

Inasmuch as this driveway cut had been opposed at the time the original planned unit development was approved, the Council decided to conduct their own hearing on the matter. The time of 8:15 p.m., July 6, 1982 was set to hold this public hearing before the Council.

At the public hearing held on July 6, 1982 at the hour of 8:15 p.m., the Council received testimony from the adjoining property owners and neighborhood residents and from supporters of the Planning Commission recommendation. Two members of the Council abstained because of a conflict of interest in regard to this matter. One did not vote because he was not present during the hearing. The question was called for and the Council voted by a two to one vote to amend the planned unit development to allow a driveway cut from the shopping center onto Twelfth Street; now, therefore,

THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

Section 1. The Council adopts the findings and conclusions of the Planning Commission and the staff report on file in the Planning Department (said report having originated at the time the original planned unit development was adopted) and the application filed by the City of McMinnville.

Section 2. That Ordinance 4048 is amended by deleting the prohibition against a driveway cut from the shopping center onto Twelfth Street [item (f) of Section 2, Ordinance 4048], and by allowing a driveway cut from the Center

onto Twelfth Street. (The planned unit development plan map shall be amended as required.)

Passed by the Council this 27 day of July, 1982, by the following vote:

Ayes: Gale and Wilson

Nays: Allen

Abstain: Gormley and Macy

Second reading - Read and passed by the Council this 3 day of August, 1982, by the following vote:

Ayes: Gale, Wilson and Springer

Nays: Allen

Abstain: Gormley and Macy

Approved this 3 day of August, 1982.

  
MAYOR

Attest:

  
RECORDER