

PUBLIC HEARING NOTICE



NOTICE IS HEREBY GIVEN that the McMinnville City Council will hold a public hearing on the 25th day of April, 2017, at the hour of 7:00 p.m. at the McMinnville Civic Hall Building at 200 NE Second Street in the City of McMinnville, Oregon, to take testimony and evidence on the following matter:

APPEAL OF PLANNING COMMISSION DECISION – BAKER CREEK DEVELOPMENT LLC

DOCKET NUMBER: AP 1-17

Baker Creek Development, LLC, is appealing the February 16, 2017, decision of the McMinnville Planning Commission denying Baker Creek Development, LLC's requested zone change from EF- 80 (Exclusive Farm Use – 80-Acre Minimum) to R-1 PD (Single-Family Residential Planned Development) on approximately 13.6 acres of land, a zone change from R-1 to R-1 PD on approximately 9.4 acres of land, and to amend Planned Development Ordinance No. 4626 to encompass an additional 23 acres of land and to allow variation in lot sizes and setback requirements to include: a reduction in the front yard setback for certain lots from 20 to 15 feet; a reduction in the side yard setback for certain lots from 10 feet to either 5 feet or 3 feet; and, a reduction in the exterior side yard setback for certain lots from 20 feet to 15 feet. In addition, Baker Creek Development, LLC is appealing the Planning Commission's de-facto denial of a tentative phased subdivision plan on approximately 40 acres of land for development of 213 single-family homes and one multiple-family development due to the denial of the two zone changes. The subject site is located south of Baker Creek Road and east of Hill Road and is more specifically described as Tax Lots 200, 203, and 205, Section 18, T. 4 S., R. 4 W., W.M.

Persons are hereby invited to attend the McMinnville City Council hearing to observe the proceedings, to register any statements in person, by attorney, or by mail to assist the McMinnville City Council in making a decision.

The City Council's decision on the above public hearing item must be based on findings that a specific set of criteria have been or have not been met. Testimony and evidence at the public hearing must be directed toward those criteria, which are generally as follows:

1. The goals and policies of the McMinnville Comprehensive Plan.
2. The requirements of McMinnville Ordinance No. 3380 (the Zoning Ordinance) with particular emphasis on Section 17.03.020 (Purpose), Chapter 17.12 (R-1 Single-Family Residential Zone), Chapter 17.51 (Planned Development Overlay), Chapter 17.53 (Land Division Standards), Chapter 17.72 (Applications and Review Process), and Chapter 17.74 (Review Criteria).
3. The requirements of McMinnville Planned Development Ordinance No. 4626.

The referenced zoning ordinance criteria is available for review in the Planning Department's portion of the city's website located at: www.mcminnvilleoregon.gov.

Failure to raise an issue in person or by letter prior to the close of the public hearing with sufficient specificity precludes appeal to the Land Use Board of Appeals (LUBA) on that issue.

The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the City Council to respond to the issue precludes an action for damages in circuit court.

The decision-making criteria, application, and records concerning this matter are available in the McMinnville Planning Department office at 231 NE 5th Street, McMinnville, Oregon, during working hours, and is available for review in the Planning Department's portion of the city's website located at: www.mcminnvilleoregon.gov.

For additional information contact Ron Pomeroy, Principal Planner, at the above address, or phone (503) 434-7311.

The meeting site is accessible to handicapped individuals. Assistance with communications (visual, hearing) must be requested 24 hours in advance by contacting the City Manager (503) 434-7405 – 1-800-735-1232 for voice, or TDY 1-800-735-2900.



Heather Richards
Planning Director

(Map of area on back)