

RESOLUTION NO. 3178

A RESOLUTION DECLARING THE CITY COUNCIL'S INTENT TO CHANGE THE BEND ZONING MAP TO REMOVE 2.4 ACRES FROM THE BEND CENTRAL DISTRICT AND TO AMEND THE BEND DEVELOPMENT CODE TO REFLECT SUCH REMOVAL AND RESTRICT AUTOMOBILE-DEPENDENT USES AT A SPECIFIC SITE WITHIN THE DISTRICT.

Findings:

- A. The applicant, Les Schwab Tire Centers, submitted a Type III application to amend the Development Code and Zoning Map to remove a 2.4-acre area of land bounded by 3rd Street, Clay Avenue, 4th Street and Burnside Avenue ("Subject Property") from the Bend Central District ("BCD"), and to restrict automobile-dependent uses on a specified site within the BCD.
- B. After a public hearing on August 26, 2019, the Planning Commission recommended denial of the application.
- C. The City Council held a public hearing on September 18, 2019, and heard testimony from the applicant and the public. The written record was left open, and was closed on October 9, 2019. The Council deliberated during their regular meeting on October 16, 2019, and reached an initial determination that the application met the criteria set forth in Bend Development Code 4.6.300 and should be approved.
- D. The Council finds that the public health and welfare and convenience will best be served by the proposed change of the zone by the adoption of an Intent to Rezone.
- E. The City Council hereby resolves that a Resolution of Intent to Rezone pursuant to Section 4.6.400 of the Bend Development Code be enacted to accomplish the removal of the Subject Property from the Bend Central District, and to amend the Bend Development Code to restrict automobile-dependent uses at the applicant's current property, 105 NE Franklin Avenue ("Existing Site"). Council further adopts and incorporates these findings and the findings in the attached Exhibit B.
- F. Because this Resolution is a binding commitment when the specified conditions are met, this Resolution is the final, appealable decision of the City.

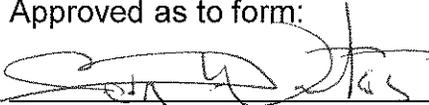
Based on these findings,

THE CITY COUNCIL OF THE CITY OF BEND RESOLVES AS FOLLOWS:

Section 1. The City Council of the City of Bend hereby declares its intent to amend the Bend Development Code to (1) change the zoning of the Subject Property to remove the Subject property from the Bend Central District, and (2) restrict auto-dependent uses on the existing site within the BCD, as set forth in the attached Exhibit A.

Section 2. This approval is based on the applicant's submitted application information and attachments, written and oral testimony in the record, the testimony received at the public

Approved as to form:



Mary Alice Winters, City Attorney