

# JUNCTION CITY PLANNING COMMISSION

## AGENDA ITEM SUMMARY



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### Motion Clarification: O'Reilly Auto Parts, Inc. Extension Request

File: DEV-13-02/VAR-13-02

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Meeting Date: February 12, 2014  
Department: Planning  
[www.junctioncityoregon.gov](http://www.junctioncityoregon.gov)

Agenda Item Number: 5c  
Staff Contact: Tere Andrews  
Contact Telephone Number: 541-998-2153

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#### ISSUE STATEMENT

- Staff is requesting clarification on the motion to approve an extension request for O'Reilly Auto Parts (DEV-13-02/VAR-13-02). The second on the motion was not captured during the meeting or on the audio recording.

#### BACKGROUND

- At the July 22, 2014 Planning Commission meeting, the Commission voted to approve a Variance/Development Review request from O'Reilly Auto Parts.
- At the January 21, 2014 Planning Commission meeting, the Commission heard a request from O'Reilly Auto Parts for an extension on the Development Review and Variance.
- A motion was made to approve the extension request, however the second was not captured.

#### RELATED POLICIES

##### OREGON ATTORNEY GENERAL'S PUBLIC MEETING MANUAL

The Oregon Attorney General's public meeting manual, page 134, section 6 states "All official actions by governing bodies must be taken by public vote."

##### PLANNING COMMISSION BY-LAWS

Section 10 of the Planning Commission By-Laws states "Except as otherwise provided by the chair, Robert's Rules of Order shall apply to the procedures of all commission meetings. However, the commission has an obligation to be as clear and simple in its procedures as possible, and therefore should avoid the finer points of parliamentary rules, which may only obscure the issues."

##### ROBERTS RULES OF ORDER

Roberts Rules of Order require a motion be seconded (Part I, Section 2 & 5)

**2. What Precedes Debate.** Before any subject is open to debate it is necessary, first, that a motion be made by a member who has obtained the floor; second, that it be seconded (with certain exceptions)... immediately pending question.

**5. Seconding Motions.** As a general rule, with the exceptions given below, every motion should be seconded.

**Exceptions. The following do not require a second:<sup>1</sup>**

<i>Question of Privilege, to raise a</i>	<u>19</u>
<i>Questions of Order</i>	<u>21</u>
<i>Objection to the Consideration of a Question</i>	<u>23</u>
<i>Call for Orders of the Day</i>	<u>20</u>
<i>Call for Division of the Question (under certain circumstances)</i>	<u>24</u>
<i>Call for Division of the Assembly (in voting)</i>	<u>25</u>
<i>Call up Motion to Reconsider</i>	<u>36</u>
<i>Filling Blanks</i>	<u>33</u>
<i>Nominations</i>	<u>33</u>
<i>Leave to Withdraw a Motion</i>	<u>27</u>
<i>Inquiries of any kind</i>	<u>27</u>

#### **PLANNING COMMISSION OPTIONS**

1. Restate, second and vote on the motion to approve the extension request
2. Review the item and provide feedback to Staff.

#### **PLANNING STAFF RECOMMENDATION**

Staff recommends that the Planning Commission restate, second and vote to approve the extension request.

#### **SUGGESTED MOTION**

“I move that the Planning Commission approve the extension request from O’Reilly Auto Parts for their Development approval and Variance approval file Numbers DEV-13-02 and VAR-13-02, respectively to July 21, 2015.”

#### **ATTACHMENT**

1. Copy of O’Reilly Extension Request Letter



**P.O. Box 1156 • 233 S. Patterson  
Springfield, MO 65801  
Phone (417)-862-3333  
www.oreillyauto.com**

January 2, 2014

City of Junction City  
680 Greenwood  
Junction city, OR 97448

Re: O'Reilly Auto Parts  
Ivy and W. 4<sup>th</sup> Avenue  
Junction City, OR

To Whom It May Concern:

Please accept this letter as our formal request for an extension of the Development Review Approval (DEV-13-02) and Variance Approval (V13-02), for a period of one year, from July 22, 2013 to July 22, 2014. O'Reilly Automotive Stores, Inc. has been unable to begin construction of this project but anticipates that construction will begin sometime late in 2014. No material changes of surrounding land uses or designation have occurred since the time of approval. We ask that you grant us this extension and appreciate your assistance with this matter.

Please feel free to contact our office if you have any further questions.

Sincerely,

A handwritten signature in black ink is written over a rectangular redacted box. The signature appears to be 'Scott Kraus'.

Scott Kraus  
VP of Real Estate Expansion

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Copy to: Mr. Steve Peterie, O'Reilly Auto Parts

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