



Agenda Item

June 5, 2019

TO: City Council

FROM: Eric Swenson, Mayor

SUBJECT: **Committee Appointments**

The following appointments are made, subject to the approval of the Council. Please forward any adverse comments to me prior to the Council meeting on Monday, June 10, 2019. No reply is required if you approve of my decision.

Woodburn Public Library Board

Katrina Charfauros
Cynthia Branger Munoz

COUNCIL MEETING MINUTES

MAY 13, 2019

DATE WOODBURN POLICE DEPARTMENT, CITY OF WOODBURN, COUNTY OF MARION, STATE OF OREGON, MAY 13, 2019

CONVENED The meeting convened at 6:51 p.m. with Mayor Swenson presiding.

ROLL CALL

Mayor Swenson	Present
Councilor Carney	Present
Councilor Cornwell	Present
Councilor Schaub	Present
Councilor Morris	Present
Councilor Ellsworth	Present

Staff Present: Assistant City Administrator Row, Assistant City Attorney Granum, Public Works Director Liljequist, Police Chief Ferraris, Community Development Director Kerr, Economic Development Director Johnk, Economic Development Assistant Guerrero, City Recorder Pierson

ANNOUNCEMENTS

The City Council Meeting scheduled for Monday, May 27, has been cancelled in observance of Memorial Day.

City Hall, the Library and the Transit System will be closed Monday, May 27, in observance of Memorial Day. The Aquatic Center will be open from 9:00 a.m. – 5:00 p.m.

Mayor Swenson announced that the June 10, City Council meeting will take place at the high school.

APPOINTMENTS

Carney/Ellsworth... appoint Debbie Cabrales as City Councilor for Ward 1. The motion passed unanimously. City Recorder Pierson provided the Oath of Office to Debbie Cabrales. Councilor Cabrales took her seat with the City Council.

WORK SESSION WITH WOODBURN PLANNING COMMISSION

Transportation System Plan (TSP) - Matt Hughart, with Kittelson and Associates provided an update of the TSP and provided the next steps for the project. He also reviewed the goals of the project and pointed out some of the highlights.

Mayor Swenson called for a five-minute recess.

CONSENT AGENDA

A. Woodburn City Council minutes of April 22, 2019,

B. Building Activity for April 2019.

Ellsworth/Schaub... adopt the Consent Agenda. The motion passed unanimously.

STAFF BRIEFING ON RECOMMENDED LEGISLATIVE CODE AMENDMENTS RELATED TO MULTI-FAMILY HOUSING IN THE COMMERCIAL GENERAL (CG) ZONING DISTRICT (LA 2019-01)

Community Development Director Kerr provided a staff report. He noted that these

COUNCIL MEETING MINUTES

MAY 13, 2019

amendments will be coming to the Planning Commission on May 23 and a recommendation from the Planning Commission will be coming to the City Council on June 10. No action was taken by the City Council.

AWARD OF CONSTRUCTION CONTRACT FOR THE WASTEWATER TREATMENT PLANT DIGESTER CLEANING & MIXER UPGRADE PROJECT (GOAL 5)

Public Works Director Liljequist provided a staff report. **Carney/Ellsworth...** award the construction contract for the Wastewater Treatment Plant (WWTP) Digester Cleaning & Mixer Upgrade Project to the lowest responsible bidder, Stettler Supply Company, in the amount of \$552,200. The motion passed unanimously.

AWARD OF CONSTRUCTION CONTRACT FOR THE 2019 SPRING PAVEMENT MAINTENANCE PROJECT

Public Works Director Liljequist provided a staff report. **Carney/Schaub...** award the construction contract for the 2019 Spring Pavement Maintenance Project to the lowest responsible bidder, Knife River Corporation - Northwest in the amount of \$518,888.45 and authorize an additional \$175,000.00 for this project as a contingency for potential project change orders for additional pavement maintenance activities that add components or phases of work specified in or reasonably implied from the Solicitation Document. The motion passed unanimously.

FUND EXCHANGE AGREEMENT – FIRST STREET IMPROVEMENTS, HARDCASTLE AVENUE REALIGNMENT @ RAILROAD, AND W. HAYES STREET IMPROVEMENTS PROJECTS, MISC. CONTRACTS AND AGREEMENTS NO. 33397, NO. 33398 & NO. 33399 (GOAL 4, 5)

Public Works Director Liljequist provided a staff report. **Carney/Schaub...** authorize the City Administrator to execute three Intergovernmental Agreements between the State of Oregon and the City of Woodburn pertaining to Fund Exchange Agreements for the First Street Improvements Project (MC&A No. 33397), The Hardcastle Avenue Realignment @ Railroad Project (MC&A No. 33398), and the West Hayes Street Improvements Project (MC&A No. 33399). The motion passed unanimously.

INTERGOVERNMENTAL AGREEMENT FOR SCHOOL RESOURCE OFFICERS (GOAL 4, 7)

Police Chief Ferraris provided a staff report. **Carney/Morris...** authorize the City Administrator to sign an agreement with Woodburn School District for School Resource Officer services. The motion passed unanimously.

PLANNING COMMISSION OR ADMINISTRATIVE LAND USE ACTIONS

Call-Up Briefing: Public Arts and Mural Committee Approval of a Mural to be Located at 1750 Park Avenue (Colonia Unidad) (Goal 3)

The City Council declined to call this item up.

COUNCIL MEETING MINUTES

MAY 13, 2019

CITY ADMINISTRATOR'S REPORT

Assistant City Administrator Row reported the following:

- The City Hall project is on schedule and on budget. We are looking at a mid-July completion date and late July to move back to City Hall.
- The Pix Project is moving along. Last week the contractor discovered an underground fuel tank that will need to be removed and testing of the soil would need to be done. A boiler they were unaware of was also found boarded up in the building.
- The Museum project kicked off last week and should be completed this summer.
- The City was officially notified that they received the \$200,000 grant for the historic city hall property.
- The Hardcastle realignment project should begin in early July and finish up in October. The timing really depends on the railroads schedule.
- There is an open house tonight on the housing needs analysis at Success High School. This report will go to the Planning Commission and then to City Council and adopted into the Comprehensive Plan.
- The Police Department will be kicking off their good neighbor program. On June 1, June 8, and June 15, Code Enforcement Officers will be working with residents who may be in violation of certain codes and will answer questions on the various codes.
- The new Pizza Hut is complete and opened last week.

MAYOR SWENSON'S SISTER CITY PROPOSAL (GOAL 3.5)

Mayor Swenson provided information on the Sister City program. He stated that he would bring back more information at a future meeting for the Council to review.

MAYOR AND COUNCIL REPORTS

Mayor Swenson stated that he was shadowed last week by Lincoln, a high school student who will be attending Notre Dame next year. He was asked to introduce the Mexican Consulate at Cinco de Mayo. He added that he went to a presentation on housing along with other Mayor's. He stated that he attended and spoke at the employee lunch and was very impressed with it. He noted that he will be attending a meeting with PGE along with Council President Carney and Councilor Schaub. He also announced that Taste of Woodburn is June 1 and 2.

Councilor Schaub thanked Bill, a resident of Senior Estates, for planting and watering flowers at the Senior Estates Park. She added that other members have volunteered to keep the park nice and she thanks them as well.

Councilor Ellsworth announced that the Relay for Life Do it Best garage sale will take place

COUNCIL MEETING MINUTES

MAY 13, 2019

June 8 in the Do it Best warehouse parking lot.

Councilor Cornwell stated that there is a lot of crime stopping issues she is dealing with in her neighborhood.

Councilor Carney thanked the economic development team for getting that grant.

Mayor Swenson noted that the June 10 meeting will be taking place at Woodburn High School.

ADJOURNMENT

Ellsworth/Morris... meeting be adjourned. The motion passed unanimously.
The meeting adjourned at 9:08 p.m.

APPROVED _____

ERIC SWENSON, MAYOR

ATTEST _____

Heather Pierson, City Recorder
City of Woodburn, Oregon



Agenda Item

June 10, 2019

TO: Honorable Mayor and City Council through City Administrator
THRU: James C. Ferraris, Chief of Police
FROM: Andy Shadrin, Lieutenant
SUBJECT: **Liquor License Application**

RECOMMENDATION:

The Woodburn City Council recommend that the OLCC approve the **Liquor License Application** for J&B Liquidators Inc. (Wheeler Dealer).

BACKGROUND:

Applicant: J&B Liquidators, Inc
862 Cummings Lane N
Keizer, OR 97303
503-390-5756

Point of
Contact: Tina Lottis
862 Cummings Lane N
Keizer, OR 97303
503-390-5756

Business: Wheeler Dealer
1750 Mt. Jefferson Ave.
Woodburn, OR 97071
503-982-5553

Owners: Robert Davis, Patricia Davis, John Lottis, and Tina Lottis

Agenda Item Review: City Administrator ___x___ City Attorney ___x___ Finance ___x___

License Type: **Off-Premises Sales** - Permits beer, wine, and cider sales in factory sealed containers along with beer, wine and cider sales in "growlers" for consumption off the licensed premises.

On April 30, 2019, the Woodburn Police Department received an application for Off-Premises sales liquor license for J & B Liquidators Inc. (Wheeler Dealer). The business currently operates as a discount and overstock/liquidation store that carries a variety of products that include: groceries, gifts, housewares, apparel, home and garden supplies, toys and tools. The business will have the ability to sell beer, wine, cider in factory sealed containers and in "growlers" for consumption off the licensed premises. The business will not have any entertainment, additional seating or other improvements in relation to this license. Wheeler Dealer is located at 1750 Mt. Jefferson Ave., Woodburn, Oregon 97071. The hours of operation are from 8:00 AM to 9:00 PM Sunday through Saturday. The Woodburn Police Department has not received any communication from the public or surrounding businesses in support of or against the proposed change.

DISCUSSION:

The Police Department has completed a background investigation on the subjects listed on the OLCC application. John Lottis, Patricia Davis and Tina Lottis were clear in all database checks with no criminal records.

Robert Davis had two prior arrests from 1980 and 1981. These arrests were not indicated on the OLCC Individual History Form, due to the fact they were not required to be disclosed since they occurred longer than 10 years ago and did not fit the criteria for disclosure. (See questions 14 and 15, of OLCC Individual History Form for additional details)

The arrests were discovered after the Police Department conducted a background check on Robert Davis. The arrests were for DUII (1980) and carrying a concealed knife (1981). The arrests were in Klamath Falls, Oregon and both cases were satisfied with either community service or forfeiture of the weapon.

No other arrest or negative law enforcement contact was noted in Robert Davis' background aside from being a complainant or witness in a series of shoplifts while presumably working at the Albany Albertson's store between 1995 through 1997, as a complainant of a fraud at the Keizer Waremart in 2010, as a witness in a shoplift at the Albany J&B Liquidators in 2016, as a complainant of a

burglary in 2010 and a theft in 2019 at the Woodburn Wheeler Dealer. Since Robert Davis' two arrests over 38 years ago, no other information was discovered during the background check that indicated that Robert Davis had any additional negative law enforcement contact.

FINANCIAL IMPACT:

None

Woodburn Police Department

MONTHLY ARRESTS BY OFFENSES

2019 Year to Date

CHARGE DESCRIPTION	Jan	Feb	Mar	Apr	Total
AGGRAVATED ASSAULT	2	1	1	3	7
ANIMAL CRUELTY	0	0	0	1	1
ANIMAL ORDINANCES	6	1	4	0	11
ARSON	0	2	0	0	2
ASSAULT SIMPLE	10	9	1	9	29
ATTEMPTED MURDER	0	0	0	1	1
BURGLARY - BUSINESS	0	0	1	0	1
BURGLARY - RESIDENCE	1	0	3	0	4
CRIME DAMAGE-NO VANDALISM OR ARSON	2	1	1	4	8
CURFEW	1	0	0	1	2
CUSTODY - MENTAL	9	6	8	5	28
CUSTODY - PROTECTIVE	0	0	0	2	2
DISORDERLY CONDUCT	3	10	3	5	21
DRIVING UNDER INFLUENCE	5	6	8	5	24
DRUG LAW VIOLATIONS	9	6	13	16	44
DWS/REVOKED-MISDEMEANOR	1	1	1	2	5
ELUDE	0	0	2	0	2
ESCAPE FROM YOUR CUSTODY	0	0	2	0	2
FAIL TO DISPLAY OPERATORS LICENSE	1	0	0	0	1
FORCIBLE RAPE	3	0	0	2	5
FORGERY/COUNTERFEITING	2	0	3	1	6
FRAUD - BY DECEPTION/FALSE PRETENSES	1	0	3	0	4
FRAUD - CREDIT CARD/AUTOMATIC TELLER MACHINE	0	0	1	0	1
FRAUD - NOT SUFFICIENT FUNDS CHECK	0	0	0	1	1
FRAUD - WIRE	0	0	0	1	1
FUGITIVE ARREST FOR ANOTHER AGENCY	45	26	37	37	145
FURNISHING	0	0	1	0	1
GARBAGE LITTERING	1	0	0	0	1
HIT AND RUN FELONY	0	0	1	0	1
HIT AND RUN-MISDEMEANOR	6	2	3	5	16
IDENTITY THEFT	2	0	1	0	3
INTIMIDATION /OTHER CRIMINAL THREAT	1	2	1	5	9
KIDNAP - FOR ADDITIONAL CRIMINAL PURPOSE	1	0	0	0	1
MINOR IN POSSESSION	0	0	5	1	6
MOTOR VEHICLE THEFT	1	1	0	0	2
OTHER	7	2	5	4	18
RECKLESS DRIVING	1	4	3	3	11
RECKLESSLY ENDANGERING	2	2	2	0	6
RESTRAINING ORDER VIOLATION	1	1	0	3	5
SEX CRIME - CONTRIBUTE TO SEX DELINQUENCY	1	0	1	0	2
SEX CRIME - EXPOSER	1	0	1	0	2
SEX CRIME - FORCIBLE SODOMY	2	0	0	0	2
SEX CRIME - INCEST	2	0	0	0	2
SEX CRIME - MOLEST (PHYSICAL)	1	0	0	0	1
SEX CRIME - NON-FORCE RAPE	0	0	1	0	1
SEX CRIME - OTHER	1	0	0	0	1
SEX CRIME - SEXUAL ASSAULT WITH AN OBJECT	1	0	0	1	2
STALKER	0	1	1	0	2
STOLEN PROPERTY - RECEIVING,BUYING,POSSESSING	0	1	0	0	1
THEFT - BUILDING	1	0	0	1	2
THEFT - FROM MOTOR VEHICLE	4	1	3	0	8
THEFT - OTHER	5	1	0	2	8
THEFT - PURSE SNATCH	0	1	0	0	1
THEFT - SHOPLIFT	2	8	7	5	22

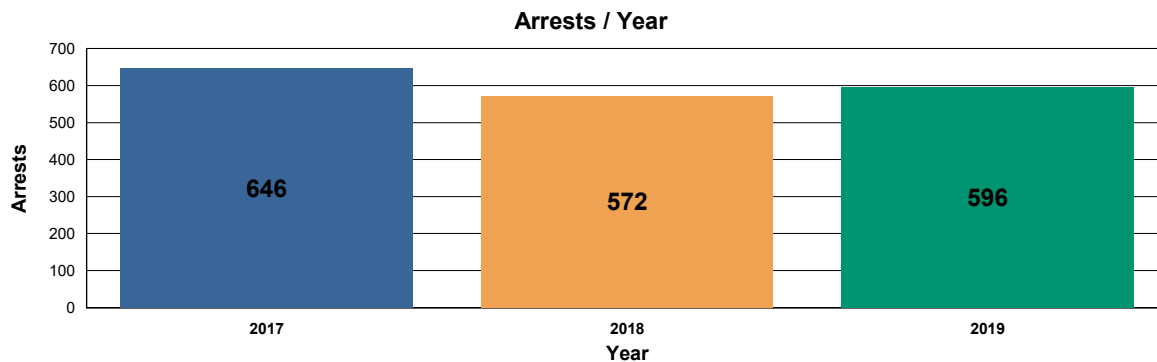
Woodburn Police Department

MONTHLY ARRESTS BY OFFENSES

2019 Year to Date

	Jan	Feb	Mar	Apr	Total
TRAFFIC VIOLATIONS	10	11	8	7	36
TRESPASS	18	3	9	6	36
UNAUTHORIZED ENTRY INTO MOTOR VEHICLE	1	1	2	0	4
VANDALISM	1	0	2	0	3
VEHICLE RECOVERD FOR OTHER AGENCY	1	0	5	1	7
WEAPON - CARRY CONCEALED	1	1	1	1	4
WEAPON - EX FELON IN POSSESSION	1	0	1	1	3
WEAPON - POSSESS ILLEGAL	0	2	1	4	7
WEAPON - SHOOTING IN PROHIBITED AREA	0	1	0	0	1

	Jan	Feb	Mar	Apr	Total
2019 Total	178	115	157	146	596
2018 Total	187	111	138	136	572
2017 Total	135	169	176	166	646



Woodburn Police Department

MONTHLY CRIMINAL OFFENSES

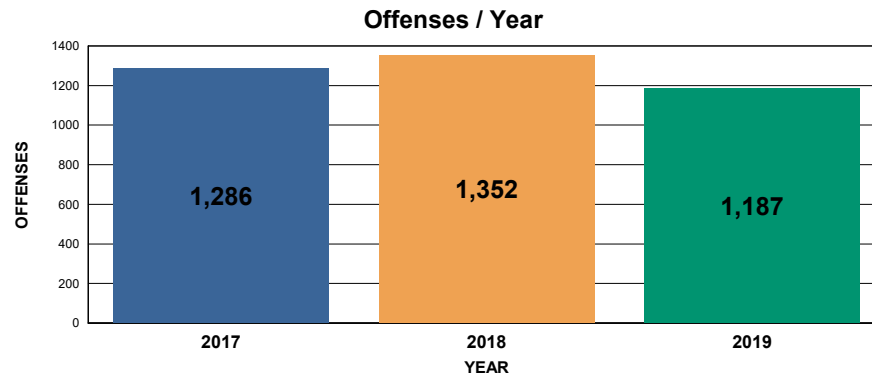
2019 Year to Date

CHARGE DESCRIPTION	Jan	Feb	Mar	Apr	Total
AGGRAVATED ASSAULT	3	4	2	4	13
ANIMAL CRUELTY	0	0	0	1	1
ANIMAL ORDINANCES	3	1	3	0	7
ARSON	1	2	0	0	3
ASSAULT SIMPLE	12	8	7	14	41
ATTEMPTED MURDER	0	0	0	1	1
BURGLARY - BUSINESS	2	1	1	0	4
BURGLARY - OTHER STRUCTURE	2	1	3	1	7
BURGLARY - RESIDENCE	8	2	5	6	21
CRIME DAMAGE-NO VANDALISM OR ARSON	16	14	15	10	55
CRIMINAL MISTREATMENT	1	0	0	0	1
CURFEW	1	0	0	1	2
CUSTODY - MENTAL	10	6	9	5	30
CUSTODY - PROTECTIVE	0	0	0	1	1
DISORDERLY CONDUCT	3	6	5	5	19
DRIVING UNDER INFLUENCE	5	7	8	5	25
DRUG LAW VIOLATIONS	9	7	15	9	40
DWS/REVOKED-MISDEMEANOR	1	1	1	2	5
ELUDE	1	1	1	2	5
ESCAPE FROM YOUR CUSTODY	0	0	2	0	2
EXPLOSIVES	1	0	0	0	1
FAIL TO DISPLAY OPERATORS LICENSE	1	0	0	0	1
FORCIBLE RAPE	2	1	1	3	7
FORGERY/COUNTERFEITING	9	2	7	3	21
FRAUD - BY DECEPTION/FALSE PRETENSES	2	5	6	2	15
FRAUD - CREDIT CARD/AUTOMATIC TELLER MACHINE	3	2	2	2	9
FRAUD - NOT SUFFICIENT FUNDS CHECK	0	0	0	1	1
FRAUD - OF SERVICES/FALSE PRETENSES	1	0	0	0	1
FUGITIVE ARREST FOR ANOTHER AGENCY	27	18	28	26	99
FURNISHING	0	0	1	0	1
GARBAGE LITTERING	1	0	0	0	1
HIT AND RUN FELONY	1	1	1	0	3
HIT AND RUN-MISDEMEANOR	23	8	13	19	63
IDENTITY THEFT	6	5	3	3	17
INTIMIDATION /OTHER CRIMINAL THREAT	1	0	1	6	8
KIDNAP - FOR ADDITIONAL CRIMINAL PURPOSE	1	0	0	0	1
MINOR IN POSSESSION	0	0	2	1	3
MISCELLANEOUS	19	18	25	21	83
MOTOR VEHICLE THEFT	8	6	13	9	36
NON CRIMINAL DOMESTIC DISTURBANCE	20	12	8	12	52
OTHER	6	3	7	5	21
PROPERTY - FOUND LOST MISLAID	3	4	4	2	13
PROPERTY RECOVER FOR OTHER AGENCY	2	2	0	0	4
RECKLESS DRIVING	2	6	3	5	16
RESTRAINING ORDER VIOLATION	2	3	0	3	8
RUNAWAY	0	1	1	3	5
SEX CRIME - EXPOSER	1	0	0	1	2
SEX CRIME - FORCIBLE SODOMY	2	0	0	0	2
SEX CRIME - INCEST	1	0	0	0	1
SEX CRIME - MOLEST (PHYSICAL)	2	1	1	0	4
SEX CRIME - NON-FORCE RAPE	1	0	2	0	3
SEX CRIME - OTHER	1	0	0	0	1
SEX CRIME - SEXUAL ASSAULT WITH AN OBJECT	0	0	1	1	2
STALKER	0	1	1	0	2
STOLEN PROPERTY - RECEIVING,BUYING,POSSESSING	0	1	0	0	1
THEFT - BICYCLE	1	1	0	6	8
THEFT - BUILDING	0	2	5	3	10

Woodburn Police Department

MONTHLY CRIMINAL OFFENSES 2019 Year to Date

	Jan	Feb	Mar	Apr	Total
THEFT - COIN OP MACHINE	0	1	0	1	2
THEFT - FROM MOTOR VEHICLE	25	18	27	8	78
THEFT - MOTOR VEHICLE PARTS/ACCESSORIES	2	2	1	1	6
THEFT - OTHER	14	7	16	24	61
THEFT - PICKPOCKET	1	1	1	0	3
THEFT - PURSE SNATCH	1	1	0	0	2
THEFT - SHOPLIFT	12	14	22	21	69
TRAFFIC VIOLATIONS	11	6	11	8	36
TRESPASS	8	6	10	8	32
UNAUTHORIZED ENTRY INTO MOTOR VEHICLE	3	0	2	1	6
VANDALISM	16	8	13	12	49
VEHICLE RECOVERD FOR OTHER AGENCY	5	3	5	3	16
WEAPON - CARRY CONCEALED	1	1	1	1	4
WEAPON - EX FELON IN POSSESSION	1	0	1	1	3
WEAPON - POSSESS ILLEGAL	1	0	1	4	6
WEAPON - SHOOTING IN PROHIBITED AREA	1	3	1	0	5
	Jan	Feb	Mar	Apr	Total
2019 Total	330	235	325	297	1,187
2018 Total	409	284	317	342	1,352
2017 Total	322	292	355	317	1,286



Woodburn Police Department

ORDINANCE VIOLATIONS

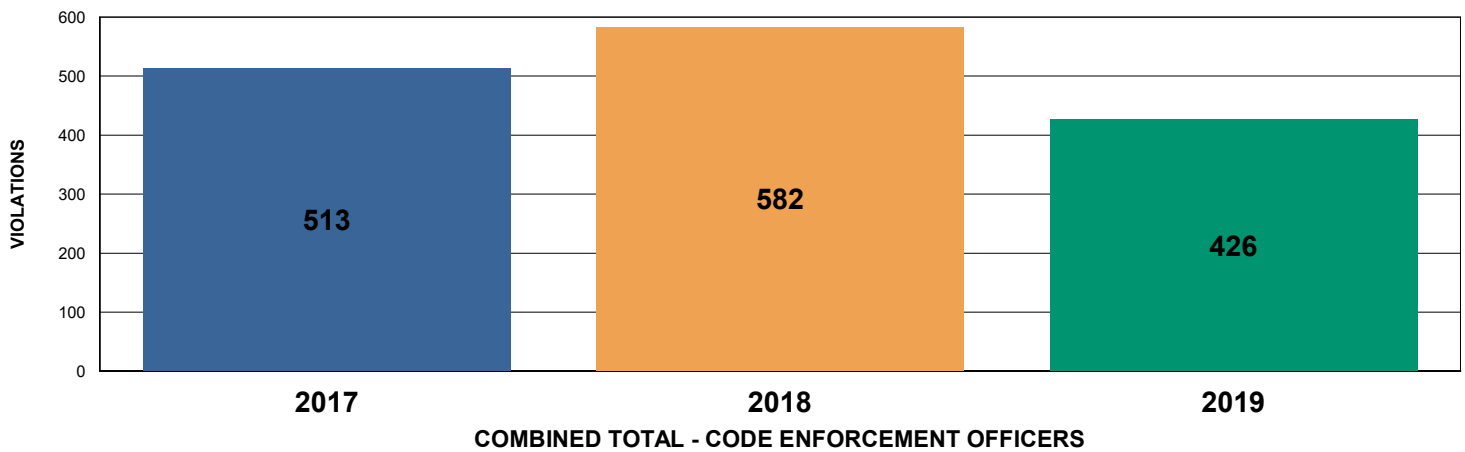
2019 Year to Date

5/14/2019

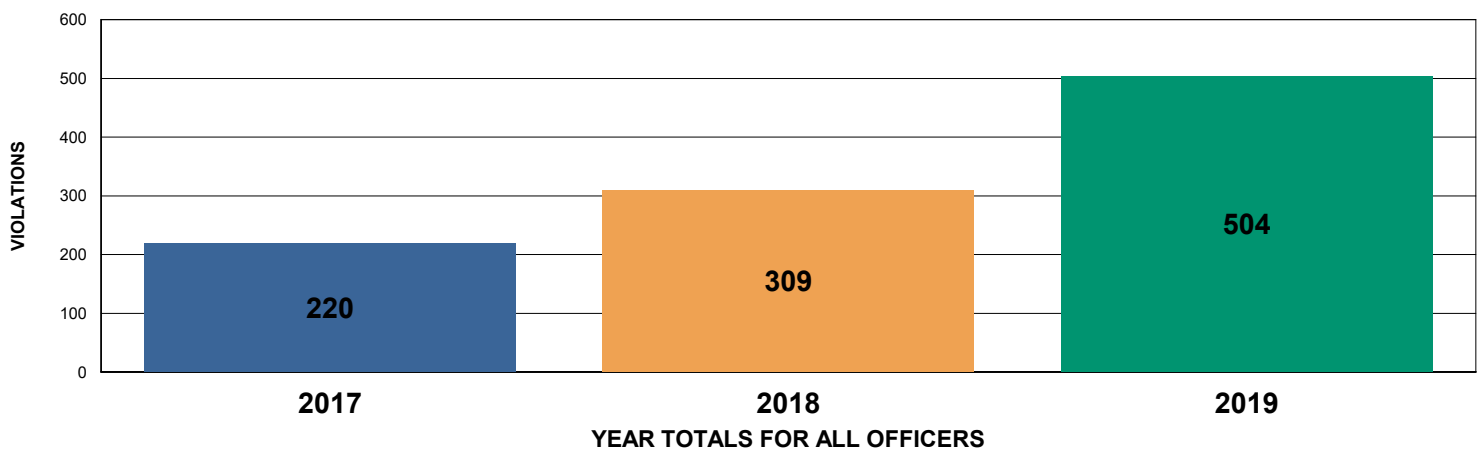
Ordinance Discription	Jan	Feb	Mar	Apr	Total
Animal Complaint	38	29	44	36	147
Ordinance - Abate/Nuisances	0	1	0	0	1
Ordinance - Abandoned Vehicles	66	39	50	34	189
Ordinance - Abate Graffiti	2	0	1	0	3
Ordinance - Land Use Violations	1	0	2	1	4
Ordinance - Oth Violation	34	30	51	45	160
2019 Total	141	99	148	116	504

2018 Total	176	133	156	182	647
2017 Total	94	126	176	177	573

Ordinance Violations / Code Enforcement Officers



Ordinance Violations / Year



CITY OF WOODBURN

Economic and Development Services Department

MEMORANDUM

270 Montgomery Street

Woodburn, Oregon 97071

(503) 982-5246

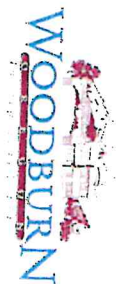
Date: June 3, 2019

To: Chris Kerr, Community Development Director

From: Ted Cuno, Building Division 

Subject: Building Activity for May 2019

	2017		2018		2019	
	No.	Dollar Amount	No.	Dollar Amount	No.	Dollar Amount
Single-Family Residential	1	\$199,727	0	\$0	3	\$709,852
Multi-Family Residential	0	\$0	0	\$0	0	\$0
Assisted Living Facilities	0	\$0	0	\$0	0	\$0
Residential Adds & Alts	7	\$80,516	4	\$77,982	4	\$86,127
Industrial	3	\$21,500	1	\$1,375,970	0	\$0
Commercial	13	\$1,776,064	13	\$3,879,253	9	\$6,445,135
Signs and Fences	0	\$0	1	\$3,150	0	\$0
Manufactured Homes	0	\$0	0	\$0	0	\$0
TOTALS	24	\$2,077,807	19	\$5,340,886	16	\$7,241,114
Fiscal Year to Date (July 1 – June 30)		\$19,039,434		\$48,565,952		\$37,059,047



Permits Issued

WOODBURN BUILDING DEPARTMENT

270 Montgomery Street
Woodburn, OR 97071
503-982-5246
FAX: 503-980-2496

www.ci.woodburn.or.us

5/1/2019 through 5/31/2019

Record Types Selected: -All-

Includes all valuations

building.dept@ci.woodburn.or.us

Commercial Alarm or Suppression Systems

971-19-000101-FIRE

Issued: 5/8/19

Address: 105 ARNEY RD, WOODBURN, OR 97071

Owner: MASTER DEVELOPMENT LLC 38.860%

Licensed Prof:

Fees: \$1,687.77

Parcel: 052W12BC06600

Valuation:

\$53,375.00

Category of Construction: Commercial

Type of Work: New

Work Description: New Fire Sprinkler System in new building

971-19-000166-FIRE

Issued: 5/9/19

Address: 270 MONTGOMERY ST, WOODBURN, OR 97071

Owner: CITY OF WOODBURN

Licensed Prof:

Fees: \$506.57

Parcel: 051W18BA06400

Valuation:

\$18,600.00

Category of Construction: Commercial

Type of Work: Alteration

Work Description: Fire alarm install in remodeled Woodburn City Hall building.

971-19-000182-FIRE

Issued: 5/20/19

Address: 1605 E LINCOLN ST, WOODBURN, OR 97071

Owner: BERKEY,ERIK L

Licensed Prof:

Fees: \$516.06

Parcel: 051W17BA00200

Valuation:

\$9,083.79

Category of Construction: Commercial

Type of Work: Replacement

Work Description: Emergency FA Panel Replace Quick Start FACP with IO. Add cellular communicator. The existing field devices will not be replaced.

Commercial Alarm or Suppression Systems

3 permits issued

\$2,710.40

\$81,058.79

Permits Issued:

Commercial Mechanical

971-19-000146-MECH			
Address:	1001 ARNEY RD NE, STE# 800, WOODBURN, OR 97071	Issued:	5/1/19
Owner:	WOODBURN PREMIUM OUTLETS LLC		
Licensed Prof:			
Category of Construction:	Commercial	Type of Work:	Replacement
Work Description:	Remove and Replace RTU with like for like unit. (New unit same or less weight than original)		
971-19-000151-MECH			
Address:	1605 E LINCOLN ST, WOODBURN, OR 97071	Issued:	5/1/19
Owner:	BERKEY,ERIK L		
Licensed Prof:			
Category of Construction:	Commercial	Type of Work:	Alteration
Work Description:	Installing a Furnace gas		
971-19-000153-MECH			
Address:	985 EVERGREEN RD, WOODBURN, OR 97071	Issued:	5/1/19
Owner:	PARADIS & PARADIS LLC		
Licensed Prof:			
Category of Construction:	Commercial	Type of Work:	Replacement
Work Description:	A/C Replacement		
971-19-000168-MECH			
Address:	893 N PACIFIC HWY, WOODBURN, OR 97071	Issued:	5/9/19
Owner:	SEJ ASSET MANAGEMENT & INVESTMENT CO		
Licensed Prof:			
Category of Construction:	Commercial	Type of Work:	New
Work Description:	REMOVE EXISTING 6' REFRIGERATED CASE AND INSTALL NEW 6 FT CASE AND INSTALL NEW REMOTE ROOF TOP CONDENSING UNIT.		
971-19-000172-MECH			
Address:	225 S PACIFIC HWY, WOODBURN, OR 97071	Issued:	5/10/19
Owner:	CROSS ROADS PROPERTY MANAGEMENT LLC		
Licensed Prof:			
Category of Construction:	Commercial	Type of Work:	Addition
Work Description:	Installing a gas furnace and a air conditioner		

971-19-000146-MECH			
Address:	1001 ARNEY RD NE, STE# 800, WOODBURN, OR 97071	Issued:	5/1/19
Owner:	WOODBURN PREMIUM OUTLETS LLC		
Licensed Prof:			
Category of Construction:	Commercial	Type of Work:	Replacement
Work Description:	Remove and Replace RTU with like for like unit. (New unit same or less weight than original)		
971-19-000151-MECH			
Address:	1605 E LINCOLN ST, WOODBURN, OR 97071	Issued:	5/1/19
Owner:	BERKEY,ERIK L		
Licensed Prof:			
Category of Construction:	Commercial	Type of Work:	Alteration
Work Description:	Installing a Furnace gas		
971-19-000153-MECH			
Address:	985 EVERGREEN RD, WOODBURN, OR 97071	Issued:	5/1/19
Owner:	PARADIS & PARADIS LLC		
Licensed Prof:			
Category of Construction:	Commercial	Type of Work:	Replacement
Work Description:	A/C Replacement		
971-19-000168-MECH			
Address:	893 N PACIFIC HWY, WOODBURN, OR 97071	Issued:	5/9/19
Owner:	SEJ ASSET MANAGEMENT & INVESTMENT CO		
Licensed Prof:			
Category of Construction:	Commercial	Type of Work:	New
Work Description:	REMOVE EXISTING 6' REFRIGERATED CASE AND INSTALL NEW 6 FT CASE AND INSTALL NEW REMOTE ROOF TOP CONDENSING UNIT.		
971-19-000172-MECH			
Address:	225 S PACIFIC HWY, WOODBURN, OR 97071	Issued:	5/10/19
Owner:	CROSS ROADS PROPERTY MANAGEMENT LLC		
Licensed Prof:			
Category of Construction:	Commercial	Type of Work:	Addition
Work Description:	Installing a gas furnace and a air conditioner		

971-19-000146-MECH			
Address:	1001 ARNEY RD NE, STE# 800, WOODBURN, OR 97071	Issued:	5/1/19
Owner:	WOODBURN PREMIUM OUTLETS LLC		
Licensed Prof:			
Category of Construction:	Commercial	Type of Work:	Replacement
Work Description:	Remove and Replace RTU with like for like unit. (New unit same or less weight than original)		
971-19-000151-MECH			
Address:	1605 E LINCOLN ST, WOODBURN, OR 97071	Issued:	5/1/19
Owner:	BERKEY,ERIK L		
Licensed Prof:			
Category of Construction:	Commercial	Type of Work:	Alteration
Work Description:	Installing a Furnace gas		
971-19-000153-MECH			
Address:	985 EVERGREEN RD, WOODBURN, OR 97071	Issued:	5/1/19
Owner:	PARADIS & PARADIS LLC		
Licensed Prof:			
Category of Construction:	Commercial	Type of Work:	Replacement
Work Description:	A/C Replacement		
971-19-000168-MECH			
Address:	893 N PACIFIC HWY, WOODBURN, OR 97071	Issued:	5/9/19
Owner:	SEJ ASSET MANAGEMENT & INVESTMENT CO		
Licensed Prof:			
Category of Construction:	Commercial	Type of Work:	New
Work Description:	REMOVE EXISTING 6' REFRIGERATED CASE AND INSTALL NEW 6 FT CASE AND INSTALL NEW REMOTE ROOF TOP CONDENSING UNIT.		
971-19-000172-MECH			
Address:	225 S PACIFIC HWY, WOODBURN, OR 97071	Issued:	5/10/19
Owner:	CROSS ROADS PROPERTY MANAGEMENT LLC		
Licensed Prof:			
Category of Construction:	Commercial	Type of Work:	Addition
Work Description:	Installing a gas furnace and a air conditioner		

971-19-000146-MECH			
Address:	1001 ARNEY RD NE, STE# 800, WOODBURN, OR 97071	Issued:	5/1/19
Owner:	WOODBURN PREMIUM OUTLETS LLC		
Licensed Prof:			
Category of Construction:	Commercial	Type of Work:	Replacement
Work Description:	Remove and Replace RTU with like for like unit. (New unit same or less weight than original)		
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Owner:	BERKEY,ERIK L		
Licensed Prof:			
Category of Construction:	Commercial	Type of Work:	Alteration
Work Description:	Installing a Furnace gas		
971-19-000153-MECH			
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Licensed Prof:			
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Work Description:	A/C Replacement		
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Licensed Prof:			
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Licensed Prof:			
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Work Description:	Installing a Furnace gas		
971-19-000153-MECH			
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Owner:	PARADIS & PARADIS LLC		
Licensed Prof:			
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Work Description:	A/C Replacement		
971-19-000168-MECH			
Address:	893 N PACIFIC HWY, WOODBURN, OR 97071	Issued:	5/9/19
Owner:	SEJ ASSET MANAGEMENT & INVESTMENT CO		
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Work Description:	Installing a gas furnace and a air conditioner		

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Owner:	BERKEY,ERIK L		
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Category of Construction:	Commercial	Type of Work:	Alteration
Work Description:	Installing a Furnace gas		
971-19-000153-MECH			
Address:	985 EVERGREEN RD, WOODBURN, OR 97071	Issued:	5/1/19
Owner:	PARADIS & PARADIS LLC		
Licensed Prof:			
Category of Construction:	Commercial	Type of Work:	Replacement
Work Description:	A/C Replacement		
971-19-000168-MECH			
Address:	893 N PACIFIC HWY, WOODBURN, OR 97071	Issued:	5/9/19
Owner:	SEJ ASSET MANAGEMENT & INVESTMENT CO		
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Licensed Prof:			
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Work Description:	A/C Replacement		
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971-19-000153-MECH			
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Licensed Prof:			
Category of Construction:	Commercial	Type of Work:	Replacement
Work Description:	A/C Replacement		
971-19-000168-MECH			
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Licensed Prof:			
Category of Construction:	Commercial	Type of Work:	New
Work Description:	REMOVE EXISTING 6' REFRIGERATED CASE AND INSTALL NEW 6 FT CASE AND INSTALL NEW REMOTE ROOF TOP CONDENSING UNIT.		
971-19-000172-MECH			
Address:	225 S PACIFIC HWY, WOODBURN, OR 97071	Issued:	5/10/19
Owner:	CROSS ROADS PROPERTY MANAGEMENT LLC		
Licensed Prof:			
Category of Construction:	Commercial	Type of Work:	Addition
Work Description:	Installing a gas furnace and a air conditioner		

971-19-000146-MECH			
Address:	1001 ARNEY RD NE, STE# 800, WOODBURN, OR 97071	Issued:	5

Permits Issued:

Commercial Mechanical

5 permits issued

\$1,763.00

Page 3 of 10
\$40,394.00

6/3/19

Permits Issued:

Commercial Structural

971-19-000104-STR

Address: 2784 PROGRESS WAY, WOODBURN, OR 97071 **Issued:** 5/7/19

Owner: BURLINGHAM TRUST INC

Licensed Prof:

Category of Construction: Commercial

Work Description:

T-Mobile is proposing to modify their existing tower equipment by removing (3) Panel antenna (3) TMA (1) OVP, (1) Hybrid Cable and installing (3) Panel antenna, (3) TMA, (1) Hybrid Cable and (3) RRU. Inside the fenced compound TMO will remove and replace (1) cabinet and ancillary equipment. A landscape hedge and fence slats are being proposed to bring the existing site up to LU Code.

971-19-000105-STR

Address: 1740 PARK AVE, UNIT# #13, WOODBURN, OR 97071 **Issued:** 5/8/19

Owner: FM PROPERTIES LLC

Licensed Prof:

Category of Construction: Commercial

Work Description:

Structural
Re-build Flat roof over entry.

On units 13,14,19 and 20.

971-19-000133-STR

Address: 450 PARR RD NE, WOODBURN, OR 97071

Owner: WOODBURN SCHOOL DIST #103

Licensed Prof: CORP INC

Category of Construction: Commercial

Work Description:

Spoke with oregon state building codes division, epermits division
Jerod Broadfoot 541-240-1256

Issued: 5/29/19

Fees: \$106,141.80

Parcel: 052W13 00500

Valuation:

\$6,210,899.00

Type of Work: Addition

This project includes a two-story addition to the existing building, with minimal site work. The addition will consist of (4) new science classrooms, (6) new traditional classrooms, new extended learning spaces on each floor, and supporting elements such as restrooms, prep/storage space, and a new stair. The existing media center will be renovated to relocate the work room/storage and provide visual connection to the new addition. The existing Maker Space is being renovated, including a new overhead door to exterior, casework, equipment, and finishes.

Issued: 5/9/19

Fees:

\$945.10

Valuation:

\$35,000.00

Parcel: 052W12BC06600

Address: 105 ARNEY RD, WOODBURN, OR 97071

Owner: MASTER DEVELOPMENT LLC 38.860%

Licensed Prof: MCINTYRE CONSTRUCTION INC

Category of Construction: Commercial

Work Description:

Due to Vehicle accident:

Remove all CMU and replace with new CMU on existing foundation.

Replace gate posts, replace gates, replace two front bollards.

Existing foundation to remain

Type of Work: Repair

Permits Issued:

Commercial Structural

971-19-000174-STR

Issued: 5/30/19

Address: 1755 MT HOOD AVE NE, SPC# 130/FITNES, WOODBURN, OR 97071

Fees: \$2,202.99

Valuation:

\$85,000.00

Owner: ARGO WOODBURN LLC

Licensed Profi: Western Construction Services

Type of Work: Alteration

Category of Construction: Commercial

Work Description: Revise restrooms add lockers, remove walls, add walls, reconfigure space.

971-19-000177-STR

Issued: 5/22/19

Address: 1585 N PACIFIC HWY, WOODBURN, OR 97071

Fees: \$535.12

Valuation:

\$15,000.00

Owner: KOA ADVENTURES LLC 66%

Licensed Profi:

Category of Construction: Commercial

Type of Work: Replacement

Work Description: REMOVAL AND REPLACEMENT OF WALK-UP ATM

Commercial Structural

6 permits issued

\$110,619.89

\$6,364,077.70

Permits Issued:

Residential 1 & 2 Fam Dwelling (New Only) Limited

971-19-000063-DWL

Issued: 5/10/19

Address: 1335 SUNFLOWER ST, WOODBURN, OR 97071

Fees: \$19,016.77

Valuation:

\$190,626.60

Owner: DAVIS,CLAUD

Licensed Prof:

Category of Construction: Single Family Dwelling

Work Description: New house 1320 sq. ft.

Type of Work: New

971-19-000073-DWL

Issued: 5/10/19

Address: 1273 DAYLILY ST, WOODBURN, OR 97071

Fees: \$18,878.71

Valuation:

\$177,768.40

Owner: DAVIS,CLAUD

Licensed Prof:

Category of Construction: Single Family Dwelling

Work Description: New house 1320 Sq Ft.

Type of Work: New

971-19-000161-DWL

Issued: 5/16/19

Address: 1225 BROWN ST, WOODBURN, OR 97071

Fees: \$25,218.93

Valuation:

\$341,457.79

Owner: NORTH WEST WILLAMETTE

Licensed Prof:

Category of Construction: Single Family Dwelling

Work Description: new const.

Type of Work: New

Residential 1 & 2 Fam Dwelling (New Only) Limited

3 permits issued

\$63,114.41

\$709,852.79

Permits Issued:

Residential Mechanical

971-19-000165-MECH		Issued: 5/1/19		
Address:	483 MONTGOMERY ST, WOODBURN, OR 97071		Fees:	\$100.80
Owner:	TREVINO,JOSE K III		Parcel:	051W18BA06200
Licensed Prof:			Valuation:	\$4,840.00
Category of Construction:	Single Family Dwelling	Type of Work:	Replacement	
Work Description:	Run Gas Line and Install Heat N Glo Supreme I30 Gas Insert			
971-19-000170-MECH		Issued: 5/3/19		
Address:	3066 REED AVE, WOODBURN, OR 97071		Fees:	\$100.80
Owner:	HUYNH,PHUNG DUC		Parcel:	052W13BA08100
Licensed Prof:			Valuation:	\$4,780.00
Category of Construction:	Single Family Dwelling	Type of Work:	Alteration	
Work Description:	Add air conditioner.			
971-19-000173-MECH		Issued: 5/9/19		
Address:	1999 JANSEN WAY, SPC# #25, WOODBURN, OR 97071		Fees:	\$100.80
Owner:	LAWSON,CLINT		Parcel:	051W06CC00100
Licensed Prof:			Valuation:	\$0.00
Category of Construction:	Manufactured Dwelling	Type of Work:	New	
Work Description:	Install Heat Pump			
971-19-000175-MECH		Issued: 5/10/19		
Address:	452 PAULUS CT, WOODBURN, OR 97071		Fees:	\$100.80
Owner:	AVILA,JASON		Parcel:	051W18DA10400
Licensed Prof:			Valuation:	\$4,485.00
Category of Construction:	Single Family Dwelling	Type of Work:	Alteration	
Work Description:	Install air conditioner			
971-19-000176-MECH		Issued: 5/10/19		
Address:	640 JOYCE ST, WOODBURN, OR 97071		Fees:	\$100.80
Owner:	WALKER,ROBERT L		Parcel:	051W17BC04900
Licensed Prof:			Valuation:	\$0.00
Category of Construction:	Single Family Dwelling	Type of Work:	New	
Work Description:	install ac			

Permits Issued:

Residential Mechanical

971-19-000178-MECH		Issued: 5/14/19		
Address:	612 N CASCADE DR, SPC# #65, WOODBURN, OR 97071		Fees:	\$100.80
Owner:	WESTERN SAGE MANAGEMENT INC		Parcel:	052W12DD00500
Licensed Prof:			Valuation:	\$740.00
Category of Construction:	Manufactured Dwelling			
Work Description:	Replace bathroom fan.	Type of Work:	Alteration	
971-19-000179-MECH		Issued: 5/16/19		
Address:	1275 ELANA DR, WOODBURN, OR 97071		Fees:	\$100.80
Owner:	VASQUEZ,BRENDA KAY		Parcel:	051W18CB11200
Licensed Prof:			Valuation:	\$3,863.00
Category of Construction:	Single Family Dwelling			
Work Description:	Replace air conditioner.	Type of Work:	Alteration	
971-19-000180-MECH		Issued: 5/16/19		
Address:	2179 HEATHER WAY, WOODBURN, OR 97071		Fees:	\$100.80
Owner:	HARTLEY,MICHAEL		Parcel:	051W06CC01700
Licensed Prof:			Valuation:	\$3,300.00
Category of Construction:	Single Family Dwelling			
Work Description:	replace gas furnace	Type of Work:	Replacement	
971-19-000181-MECH		Issued: 5/17/19		
Address:	765 S PACIFIC HWY, SPC# #20, WOODBURN, OR 97071		Fees:	\$100.80
Owner:	SERRANO,FRANK		Parcel:	051W19A 02300
Licensed Prof:			Valuation:	\$0.00
Category of Construction:	Manufactured Dwelling			
Work Description:	Install Heat PUMP	Type of Work:	New	
971-19-000183-MECH		Issued: 5/21/19		
Address:	841 STARK ST, WOODBURN, OR 97071		Fees:	\$100.80
Owner:	ILYIN,JOHN		Parcel:	051W18AC09000
Licensed Prof:			Valuation:	\$3,785.00
Category of Construction:	Single Family Dwelling			
Work Description:	Installation of a gas furnace	Type of Work:	Alteration	

Permits Issued:

Residential Mechanical

971-19-000186-MECH

Address: 2802 CREIGHTON ST, WOODBURN, OR 97071 **Issued:** 5/23/19

Owner: BRATTON,DERICK J

Licensed Prof:

Category of Construction: Single Family Dwelling

Work Description: INSTALL HEAT PUMP

Type of Work: Alteration

Fees: \$100.80 **Valuation:** \$0.00

Parcel: 052W12CD00900

971-19-000187-MECH

Address: 1403 COUNTRY CLUB CIR, WOODBURN, OR 97071 **Issued:** 5/24/19

Owner: SMITH,JAMES G

Licensed Prof:

Category of Construction: Single Family Dwelling

Work Description: 25 Ft gas line to range

Type of Work: New

Fees: \$100.80 **Valuation:** \$825.00

Parcel: 051W07BB21500

971-19-000188-MECH

Address: 998 W HAYES ST, WOODBURN, OR 97071 **Issued:** 5/29/19

Owner: BOERSMA,PHILLIP

Licensed Prof:

Category of Construction: Single Family Dwelling

Work Description: New gas furnace and extend gas line

Type of Work: Replacement

Fees: \$100.80 **Valuation:** \$8,700.00

Parcel: 051W07CC08300

971-19-000189-MECH

Address: 1607 NEWPORT WAY, WOODBURN, OR 97071 **Issued:** 5/30/19

Owner: DIXIE L HILTON LT

Licensed Prof:

Category of Construction: Single Family Dwelling

Work Description: install gas furnace and air conditioner

Type of Work: Addition

Fees: \$100.80 **Valuation:** \$0.00

Parcel: 051W06CC03800

Residential Mechanical

14 permits issued

\$1,411.20

\$35,318.00

Permits Issued:

Residential Structural

971-19-000108-STR

Issued: 5/13/19

Address: 480 PARADISE ST, WOODBURN, OR 97071

Owner: TIMOTHY CHARLES MCALPIN LT

Licensed Prof:

Category of Construction: Single Family Dwelling

Work Description: Add an additional 10' in length to existing 10 x 16'9 patio cover.

Type of Work: Addition

Fees: \$267.09

Parcel: 052W13BC00100

Valuation:

\$9,087.00

971-19-000158-STR

Issued: 5/7/19

Address: 1781 SALLAL RD, WOODBURN, OR 97071

Owner: MANCINI, DAVID P

Licensed Prof:

Category of Construction: Single Family Dwelling

Work Description: Adding 144sqft master bedroom/bathroom addition to house

Type of Work: Addition

Fees: \$1,032.22

Parcel: 052W12AA12800

Valuation:

\$39,265.00

971-19-000164-STR

Issued: 5/9/19

Address: 1061 WILLOW AVE, WOODBURN, OR 97071

Owner: BURLESON, EDWARD J

Licensed Prof: CASE Forensics

Category of Construction: Manufactured Dwelling

Work Description: Tree impact damage to rear wall and roof of existing 1-family, 1-story manufactured residence. Additional damage to rear porch roof. Replace damaged trusses with rafters. Replace wall and porch roof in like kind. No changes to site, footprint, utilities, energy, or usage.

Type of Work: Repair

Fees: \$540.29

Parcel: 052W11AA00100

Valuation:

\$30,000.00

971-19-000169-STR

Issued: 5/9/19

Address: 762 TUKWILA DR, WOODBURN, OR 97071

Owner: RAMOS, DANIEL

Licensed Prof:

Category of Construction: Other

Work Description:

3.1 kw DC PHOTOVOLTAIC SOLAR ARRAY ROOF TYPE: Comp Shingle MODULES: (10) Jinko Solar Eagle JKM 310M-60L INVERTER(S): Enphase IQ7-60-2-US,---- RACKING: Unirac Sunframe Microtrail

Type of Work: Alteration

Fees: \$336.00

Parcel: 051W07AB06900

Valuation:

\$7,775.00

Residential Structural

4 permits issued

\$2,175.60

\$86,127.00

35 permits issued

\$181,794.50

\$7,316,828.28



Agenda Item

June 10, 2019

TO: Honorable Mayor and City Council through City Administrator

FROM: Chris Kerr, Community Development Director

SUBJECT: **Legislative Amendments related to multiple-family dwellings in the Commercial General ("CG") Zoning District (LA 2019-01)**

RECOMMENDATION:

The Council must first receive public testimony and close the public hearing.

Staff then recommends that Council, by motion, tentatively approve the proposed legislative amendment to Table 2.03C of the Woodburn Development Ordinance (as recommended by the Planning Commission) and direct staff to prepare the necessary ordinance.

BACKGROUND:

Due to a recent increase in interest from multiple-family developers pursuing projects in the CG District, staff reviewed the specifics of how/when the City modified the Woodburn Development Ordinance (WDO) to allow this use. As part of a major re-write of the WDO in 2013, multiple-family dwelling units became allowable as a *permitted use* in the CG Zoning District; previously, they had been prohibited outright in the district. A review of the 2013 record indicated that there was no analyses or deliberation by the Council related to the implications of this critical policy decision.

After raising these concerns to the Council on April 8, 2019, Resolution 2131 was adopted initiating this legislative process to review and consider amendments to address the issue of multiple-family dwellings in the CG Zoning District. On May 13th, staff briefed the Council on the issue and developed the recommendation included in this report.

Attached is the complete staff report with attachments that was prepared for the May 23, 2019 Planning Commission Meeting. It includes a survey of how other similar cities address this zoning issue.

Prior to the Commission hearing, staff received a significant number of phone calls and emails. This was due to the extensive "Measure 56" notices (+350 letters) that

Agenda Item Review: City Administrator ___x___ City Attorney ___x___ Finance ___x___

were mailed. The majority of these were general inquiries about the legislative proposal that were easily addressed by staff.

Four people testified at the Commission hearing; a key concern being what impact this legislative change would have on an existing multiple-family building (Panor 360 Condominium) if it ever had to be rebuilt due to a catastrophic event. Staff discussed the non-conforming standards of the WDO and clarified that multi-family uses would still be permissible, but they would be subject to the Conditional Use approval standards (as well as any other building code or fire/life safety requirements).

After closing the hearing and deliberating, the Planning Commission, by unanimous vote recommended that the Council adopt the amendment as proposed by staff.

All written testimony received is attached to this report. The Panor 360 Condominium Board President submitted a petition from its residents objecting to the amendment. Additionally, the Fair Housing Council of Oregon ("FHC") and Housing Lands Advocates ("HLC") jointly provided a letter requesting additional findings related to Statewide Goal 10 Housing and ORS 197.175(2)(a).

FINANCIAL IMPACT:

No direct impacts. However, modifying the WDO to ensure that development occurs consistent with the City's long-range growth plans (Comprehensive Plan) allows for greater predictability, balance and efficiency for providing public services; thus reducing those costs over the long term.

ATTACHMENTS:

1. Planning Commission Staff Report
 101. Strikethrough and Underlined Amending Text
 102. Analysis & Findings
 103. Council resolution No. 2131
 104. Survey of select cities regulations for multi-family in commercial zones
 105. Zoning Map
2. Written testimony received
3. Zoning Map



Staff Report

To: Planning Commission

From: Chris Kerr, Community Development Director *C.K.*

Meeting Date: May 23, 2019 (Prepared May 14, 2019)

Item: Legislative Amendments related to multiple-family dwellings in the Commercial General (CG) Zoning District (LA 2019-01)

Table of Contents

EXECUTIVE SUMMARY	2
DISCUSSION	2
RECOMMENDATION	4
ACTIONS	5
ATTACHMENT LIST	5

Executive Summary

On April 8, 2019 the City Council approved Resolution No. 2131 initiating this legislative process to review and consider amendments to address the issue of multiple-family dwellings in the Commercial General (“CG”) Zoning District. On May 13th, Staff briefed the Council on the issue and developed the recommendation included in this report.

As part of a major re-write of the Woodburn Development Ordinance (WDO) in 2013, multiple-family dwelling units became allowable as a *permitted use* in the CG Zoning District; previously, they had been prohibited in the district. Due to a recent increase in interest from multiple-family developers pursuing projects in the CG District, Staff reviewed the specifics of how the City adopted the amendment. A review of the 2013 record indicated that there was no analyses, deliberation or findings related to the implications of this critical policy decision.

Discussion

At the heart of the issue is the fact that the WDO now allows multiple-family housing to be constructed in the CG Zoning District as a *permitted use*. A permitted use under the code is a use that is allowed outright, subject only to objective standards of the WDO. There is no discretion for decision makers to consider the appropriateness or compatibility of the use or apply impact-based site specific conditions for such developments. Examples of typical permitted uses would be retail sales in the CG District or multiple-family housing in the Medium Density Residential District.

Using commercial land for multiple-family residential purposes has significant long and short term ramifications. Some cities prohibit multiple-family dwellings in their commercial districts entirely. However, it is not unusual for communities to allow multiple-family housing to be allowed in certain commercial districts or through specific development requirements and conditions (typically as part of a mixed use development). Approving these developments usually includes a more detailed review process such as a *Conditional Use* (“CU”) review. A CU review allows for greater scrutiny of a project. For example, the WDO allows schools in residentially zoned areas; however, due to the incongruous nature of the activities that can occur with this use, they are subject to a CU approval. This permits schools to be built in residential districts, but allows the Planning Commission to consider applicable Comprehensive Plan Policies and to apply reasonable conditions of approval to mitigate any adverse impacts.

The principal purpose of zoning property is to provide for a basic level of predictability regarding future development. While land use regulations and the Zoning Map are not static and can and should be modified to address changing conditions, it is imperative that communities be able to reliably forecast and plan for growth over time. The City has completed numerous analyses and made distinct findings related meeting its to housing, employment and

retail needs. The expected uses on property in the city serve as the basis for decision making at all levels of government. Decisions about fees, taxes, levels of service, infrastructure, transportation, employment, parks, schools, police and fire are all predicated on the type of development (e.g. residential, commercial, office, institutional, multiple-family) that will occur in the future. This predictability is also a fundamental market signal for private sector investments as well.

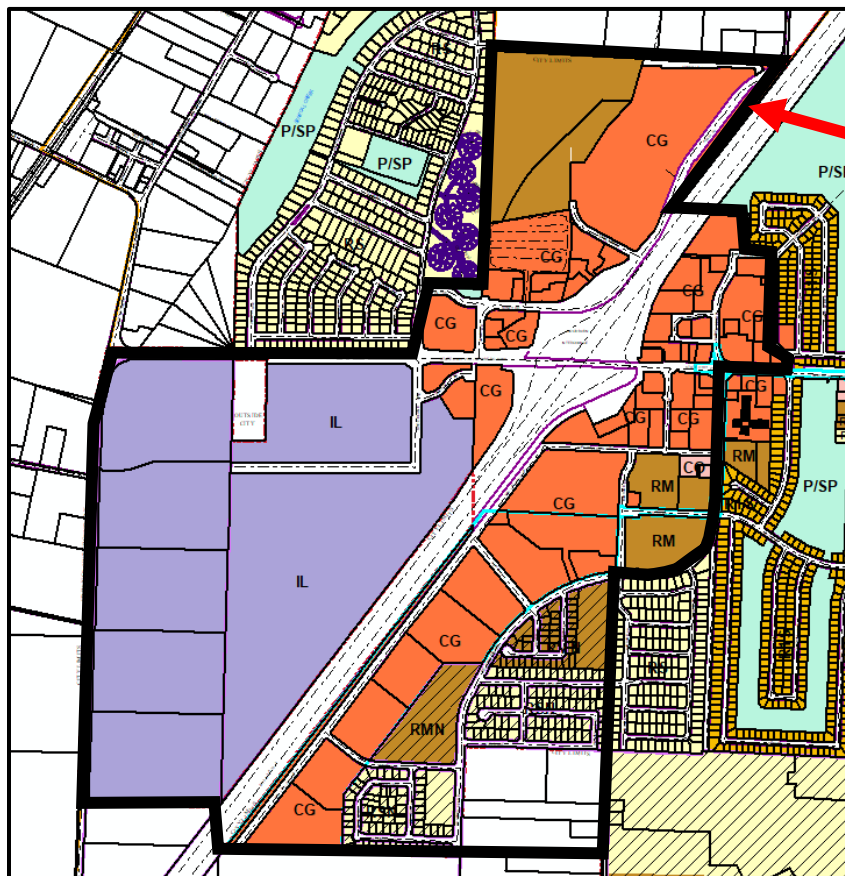
All of the City's long-range population and planning documents assume that property zoned CG would be utilized and developed predominantly for commercial uses, not multiple-family dwellings. Property zoned CG is expected to develop over time in a manner that will meet the community's retail and employment needs. If it is used for housing instead of commercial, that need will not be met.

One way to regulate alternative uses in a zoning district is to apply an overlay to a Zoning District. The WDO includes overlay districts that serve to apply specific development standards to specific geographic areas. An example of this is the Gateway Commercial General Overlay District which applies to a portion of the CG District east of downtown. This area is still zoned CG, but also has additional Gateway Overlay District standards. A stated purpose of the Gateway Commercial General Overlay District is to allow for multiple-family housing only on these specific CG properties.



Figure 2.05A Gateway Commercial General Overlay District

Another overlay district in the City is the Interchange Management Area (“IMA”) Overlay District. One of the stated purposes of this Overlay District is to ensure that highway interchange capacity is to ensure that “needed industrial, commercial and residential lands within the IMA are protected from incompatible development generating excessive vehicle trips.” (WDO 2.05.02A)



Black line represents approximate IMA boundary, per WDO Figure 2.05B.

Interchange Management Area Overlay District

The City processes modifications to the Comprehensive Plan and/or WDO pursuant to the legislative hearing processes found in WDO Section 4.01.10, which requires a public hearing and recommendation from the Planning Commission followed by a public hearing and ordinance adoption by the Council. Staff has already noticed the Council hearing for June 10, 2019.

Recommendation

Staff recommends adoption of the amending text found in Attachment 101 that would serve to accomplish the following:

1. **Require Conditional Use approval for multiple-family dwellings in the CG District.**
2. **Prohibit multiple-family dwellings in the area of the CG District within the IMA Overlay.**

(This would still allow multiple-family dwellings as ‘permitted uses’ in the Gateway Commercial Overlay)

Staff believes making this amendment to the WDO would serve two vital purposes: (1) allow for a mixture of residential and commercial uses while provided reasonable regulations and oversight on multiple-family housing development in the CG District; and (2) preserve and protect critical commercial lands within the IMA overlay predominantly for commercial uses.

Actions

Pursuant to WDO 4.01.10, the role of the Planning Commission is to make a recommendation to the City Council on all legislative amendments. Staff will forward the Commission’s recommendation and any pertinent discussion from the hearing to the City Council for its consideration.

Attachment List

- 101. Strikethrough and Underlined Amending Text
- 102. Analyses & Findings
- 103. Council Resolution No. 2131
- 104. Survey of Select Cities regulations for multiple-family development in commercial zones
- 105. Zoning Map

Uses Allowed in Commercial Zones

Table 2.03C

Use		Zone				
Accessory Uses (A) Conditional Uses (CU) Permitted Uses (P) Special Permitted Uses (S) Specific Conditional Uses (SCU)		DDC	CG	CO	MUV	NNC
E	Residential					
1	Attached single-family (row houses) dwellings	P	P ²		P	P
2	Child care facility, group home, and nursing home	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸
3	One dwelling unit, in conjunction with a commercial use	P	P	P	P	P
4	Multiple-family dwellings	P	P CU ⁹	CU	P	P
<ol style="list-style-type: none"> 1. Not allowed in the Gateway Overlay District 2. Only allowed in the Gateway Overlay District 3. Allowed outright if not within 200 feet of residentially zoned properties 4. Within a building, no outdoor storage or repair 5. All outdoor storage and display shall be enclosed by a seven foot masonry wall. 6. Existing uses are allowed as a permitted use, new uses are not allowed in the MUV 7. Drive-throughs are not allowed 8. Child care facility for 13 or more children, group home for six or more persons <u>9. Except allowed as a permitted use in the Gateway Overlay District and prohibited in the Interchange Management Area Overlay District</u> 						

Analyses & Findings

Legislative Amendment Provisions

4.01 Decision-Making Procedures

4.01.02E. Type V Decisions (Legislative): Type V decisions involve legislative actions where the City Council enacts or amends the City's land use regulations, comprehensive plan, Official Zoning Map or some component of these documents. Type V decisions may only be initiated by the City Council. The Planning Commission holds an initial public hearing on the proposal before making a recommendation to the City Council. The City Council then holds a final public hearing and renders a decision. Public notice is provided for all public hearings (Section 4.01.14). The City Council's decision is the City's final decision and is appealable to LUBA within 21 days after it becomes final.

This legislative amendment was initiated by the City Council on April 8, 2019 via Resolution 2131. The Planning Commission held a public hearing on May 23, 2019 prior to making a formal recommendation to the City Council on this matter.

✓ The provisions are met.

Comprehensive Plan Policies, OAR's & Statewide Planning Goals

Staff identifies below applicable comprehensive or "comp" plan policies and Statewide Planning Goals to guide Commission deliberation.

Comprehensive Plan Policies

Staff cites relevant comp plan provisions below:

B-2. Woodburn shall coordinate with affected state agencies regarding proposed comprehensive plan and land use regulation amendments, as required by state law.

All state, county and regional entities were notified pursuant to state law.

D-1.3 Development should promote, through the use of moderate density standards and creative design, a feeling of openness and spaciousness with sufficient landscaped area and open space to create a pleasant living environment. Higher density areas should be located near jobs, shopping and/or potential transit services.

The proposed amendment allows multi-family apartments (high-density) to be built near jobs, shopping opportunities and transit services. The CUP process allows for a review to ensure that that spaciousness, openness, and sufficient landscaped areas will be provided.

D-1.10 High density residential areas should be located to minimize the possible deleterious effects on any adjacent low density residential development. When high density and low density areas abut, density should decrease in those high density areas immediately adjacent to low density residential land. Whenever possible, buffering should be practiced by such means as landscaping, sight-obscuring fences and hedges, and increased setbacks. This policy does not apply in Nodal Development areas.

The CUP process allows for conditions to be applied to consider site conditions and to address possible deleterious effects on any adjacent low density development. The CUP process allows consideration of the practices, such as buffering, landscaping, sight-obscuring fences, etc.

F. Commercial Land Development and Employment

Commercial Land Designations

There are basically five major commercial areas in Woodburn, and they should serve the City for the foreseeable future.

....

The third large area of commercial development in the City is the I-5 Interchange. This contains one small shopping center, a large retail use (Wal-Mart), a developing outlet mall, and other highway related uses. In general, commercial uses on the west side of the freeway should be limited to highway related interchange type uses, while on the east side, a more general commercial nature should be encouraged. There are approximately 60 acres available for development located southwest of Evergreen Road. This land should be developed as a large integrated shopping center when Woodburn's population justifies it. Access control in the I-5 interchange area is extremely important, because traffic congestion is the limiting factor for growth west of the freeway.

The proposed amendments serve to protect this commercial area, which is recognized as a critical location in the City, from being developed as multi-family residential. This Policy encourages general commercial and highway related interchange uses at this location. The Policy specifies that this area be developed as a "large integrated shopping center" and this code amendment furthers that objective.

F-1.8 Ensure that existing commercial sites are used efficiently. Consider the potential for redevelopment of existing commercial sites and modifications to zoning regulations that intensify development to attract new investment.

The proposed amendment is specifically designed to meet this policy by ensuring that existing commercial sites (such as those in the IMA District) are used efficiently. Without this amendment they could be developed as residential uses, causing a deficiency in meeting the city's retail needs.

F-1.10 The Downtown Gateway sub-district of the CG zoning district is an area which extends eastward from Highway 99E towards downtown. Special use provisions within the sub-district shall allow multi-family residential development either as a stand-alone use or as part of a vertical mixed use project. The intent of allowing multi-family residential development in this area is to provide more consumers living within an area of commercial development and to provide 24-hour a day life into the eastern entrance to the downtown.

F-1.11 The Highway 99E commercial corridor south of Lincoln should be redeveloped over time with more intense mixed use development. The Mixed Use Village Overlay (MUVO) designates an area that is intended to promote efficient use of land and urban services; create a mixture of land uses that encourages employment and housing options in close proximity to one another; restrict land extensive commercial, storage, and industrial uses; and encourage pedestrian-oriented development.

Both of these Policies recognize that allowing a mixture of residential and commercial uses in some areas of the city are appropriate and desirable. The Comprehensive Plan and WDO were both amended to include residential uses in two commercial areas - the "Gateway" and Mixed Use Village" Districts. The City determined that these were the appropriate areas for mixed use in the City and designed architectural standards for each of them and adopted them into the WDO. The proposed code amendments retains these provisions and does not effect these Districts.

G-1.25 Woodburn has identified two areas for mixed-use development – Downtown Woodburn and the Nodal Development District along Parr Road. The UGB Justification Report includes specific estimates of the number of new housing units and commercial jobs that can be accommodated in these overlay districts.

This policy specifically notes the two commercial districts in the City that are intended to be used for both commercial and residential uses. It also states that the City's long-range planning allocated a certain number of houses in these commercial areas. Tellingly, it does not include the general CG District. The proposed code change will rectify this planning oversight and result in more accurate commercial data and housing estimates.

H-6.4 Woodburn should provide for a complementary mix of land uses and transportation systems by providing for mixed use development in the Downtown Development and Conservation (DDC) District, the Mixed Use Village (MUV), and the Nodal Development Overlay (NDO) districts.

As in the previous policy, this is another example of the city actively pursuing and identifying a mixture of uses in specific commercial areas. These are identified as the DDC, MUV and NDO Districts. Notably, the CG district is not included. This code amendment will make the WDO consistent with these Policies of the Plan.

Statewide Planning Goals

Of the 19 goals, staff cites relevant ones below.

Goal 1 Citizen Involvement [Oregon Administrative Rules 660-015-0000(1)]

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

All required notices were provided per the City's WDO, consistent with the acknowledged comprehensive plan. Including all specific required mailings, newspaper ads, and hearing procedures.

Also, Ballot Measure 56 requires cities to provide an additional notice to affected property owners when there is a change that "limits or prohibits land uses previously allowed in the affected zone". This expanded notice was provided and resulted in over 350 notices being mailed to the public.

The amendments will result in greater opportunities for public scrutiny by requiring a conditional use review by the Planning Commission for all multi-family developments in the CG District.

Goal 14 Urbanization [OAR 660-015-0000(14)]

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

The proposal does not interfere with the City meeting this goal, the City having undergone comp plan periodic review leading to the 2015 adoption of the urban growth boundary (UGB) expansion that the Department of Land Conservation and Development (DLCD) acknowledged. These amendments will help to ensure optimum use of the city's commercial lands, as well as providing a level of flexibility to accommodate the market and create opportunities for mixed use developments.

Oregon Administrative Rules:

660-008-0015 Clear and Objective Approval Standards Required

(1) Except as provided in section (2) of this rule, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of needed housing on buildable land. The standards, conditions and procedures may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay

The proposal preserves the existing clear and objective standards for all identified needed housing on buildable lands in the City.

✓ The legislative provisions are met. Staff recommends approval of the proposal.

COUNCIL BILL NO. 3096**RESOLUTION NO. 2131****A RESOLUTION INITIATING CONSIDERATION OF LEGISLATIVE AMENDMENTS TO THE WOODBURN DEVELOPMENT ORDINANCE AND THE WOODBURN COMPREHENSIVE PLAN**

WHEREAS, the Woodburn Development Ordinance (the WDO) establishes development standards and requirements that must be consistent with State law and the Woodburn Comprehensive Plan; and

WHEREAS, frequent amendments to the WDO are required to comply with State law, ensure consistency with the Woodburn Comprehensive Plan and to address community issues; and

WHEREAS, on August 12, 2013, the City Council adopted Ordinance 2509 (a 240 page document) that was an overall revision of the then existing WDO; and

WHEREAS, part of Ordinance 2509 expanded residential uses permitted in commercial zones; and

WHEREAS, the record indicates that the Planning staff report and the City Council's deliberations did not address the policy or legal implications of expanding the residential uses permitted in commercial zones; and

WHEREAS, because this WDO modification occurred with errors in the Planning process, issues are created regarding public involvement and adequate notice; and

WHEREAS, the City Council believes that the above-mentioned deficiencies can and should be remedied by the City's land use process; and

WHEREAS, Section 4.01.09 of the WDO allows for the City Council to initiate the consideration of any potential legislative amendments to the WDO by resolution;
NOW, THEREFORE,

THE CITY OF WOODBURN RESOLVES AS FOLLOWS:

Section 1. Pursuant to Section 4.01.09 of the WDO, the City Council initiates for consideration legislative amendments to the Comprehensive Plan and WDO as they relate to residential uses allowable in commercial zones and directs staff to expedite this process.

Approved as to form:



4/8/2019

City Attorney

Date

Approved: _____

~~XXXXX, Mayor~~

Robert Carney, Council President

April 8, 2019

April 8, 2019

April 8, 2019

Passed by the Council
Submitted to the Mayor
Approved by the Mayor

Filed in the Office of the Recorder

April 9, 2019

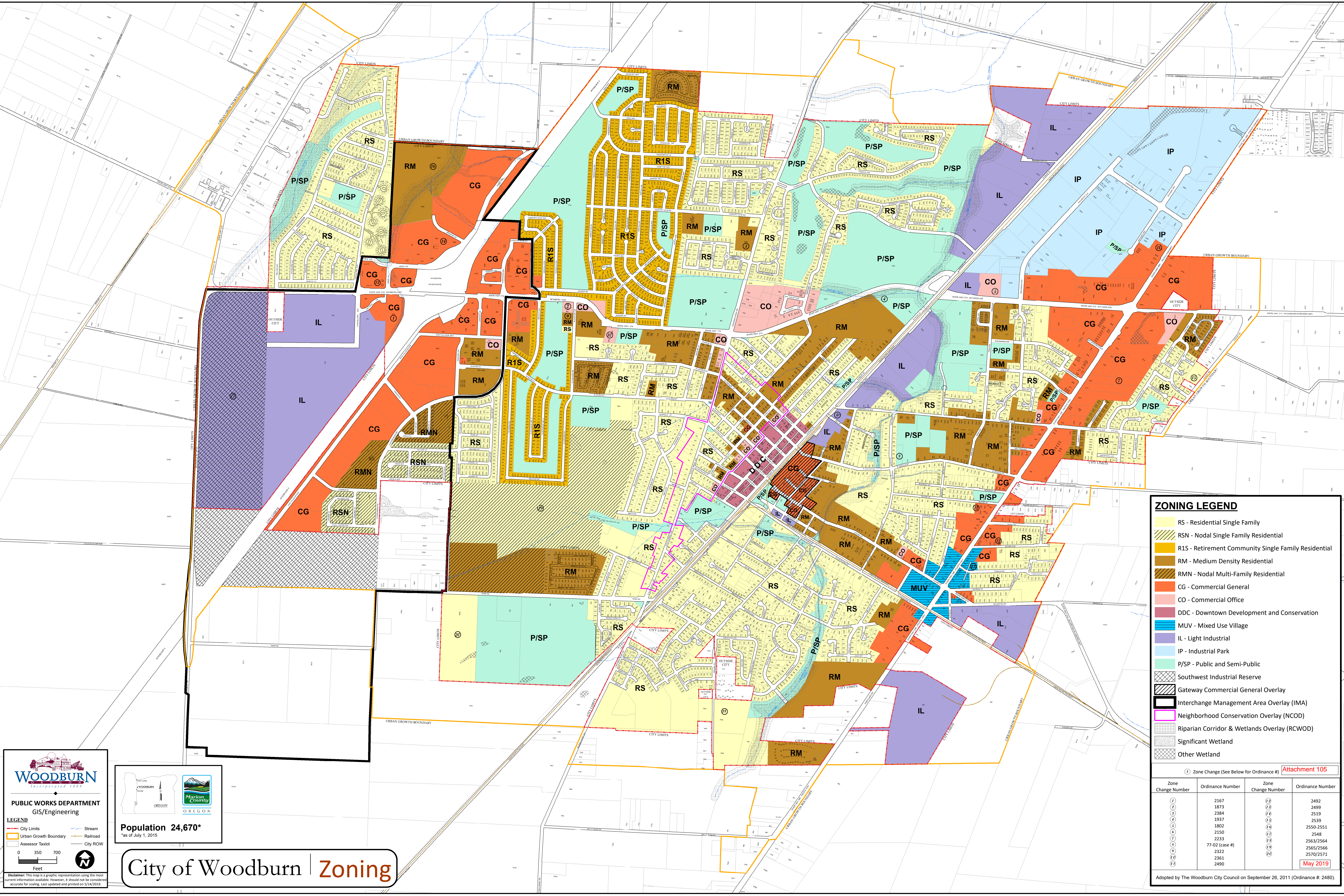
ATTEST: _____




Heather Pierson, City Recorder
City of Woodburn, Oregon

City	Zone	Provisions for Multifamily Development	Additional Notes
Woodburn	CG - Commercial General	Permitted.	Up to 32 units/net acre.
	CO - Commercial Office	Conditional Use.	
	Gateway Commercial Overlay District	Permitted.	
Salem	CR - Retail Commercial	Conditional Use.	No density limits specified.
	CG - General Commercial	Conditional Use.	No density limits specified.
	Pine Street Mixed-Use Overlay Zone	Permitted if within a mixed-use development; Conditional Use if purely residential.	Minimum density of 20 units/acre for single-use multifamily development (not mixed use).
Newberg	C-1 - Neighborhood Commercial	Prohibited.	
	C-2 - Community Commercial	Conditional Use.	The permitted density shall be stated on the conditional use permit.
Keizer	CG - Commercial General	Prohibited.	
	CR - Commercial Retail	Prohibited.	
McMinnville	C-3 General Commercial	Permitted, subject to provisions of the R-4 Multiple-Family Residential zone. If developer wants to build at higher density than what is permitted outright, it becomes a Conditional Use.	In R-4 zone: 1,500 sq ft minimum for units with 2 or fewer bedrooms; 1750 sq ft minimum for each unit with 3 bedrooms. Additional 500 sq ft required for each bedroom in excess of three.
Canby	C-C Convenience Commercial	Prohibited.	No land in town carries this zoning designation. The City is considering eliminating the zone.
	C-2 Highway Commercial	Permitted only within mixed use development.	No density limits specified.
Wilsonville	PDC - Planned Development Commercial (4.131.01A.5.)	Permitted only if part of a vertical mixed-use development.	The majority of the total ground floor area must be commercial.

West Linn	NC - Neighborhood Commercial	Prohibited.	
	GC - General Commercial	Permitted only if part of a vertical mixed-use development.	Dwellings may also occupy a portion of the ground floor in the Willamette Falls Drive Commercial Design District (pursuant to CDC 58.050).
Molalla	C-2 General Commercial	Permitted.	No density limits specified.
Eugene	C-1 Neighborhood Commercial	Permitted only if the ground floor of the development is commercial/non-residential uses.	No density limits specified.
	C-2 Community Commercial	Permitted.	No density limits specified.
	C-3 Major Commercial	Permitted.	No density limits specified.
Tualatin	CN - Neighborhood Commercial	Prohibited.	
	CG - General Commercial	Prohibited.	
Silverton	GC - General Commercial	Permitted only above ground floor commercial.	
	DCF - Downtown Commercial Fringe	Permitted only above ground floor commercial.	





WOODBURN
Incorporated 1889

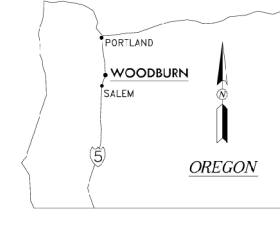
PUBLIC WORKS DEPARTMENT
GIS/Engineering

LEGEND


- City Limits
- Urban Growth Boundary
- Assessor Taxlot
- Stream
- Railroad
- City ROW

0 350 700 Feet

Disclaimer: This map is a graphic representation using the most current information available. However, it should not be considered accurate for scaling. Last updated and printed on 5/14/2019.



Population 24,670*
*as of July 1, 2015



Marion County
OREGON

City of Woodburn | Zoning

ZONING LEGEND

- RS - Residential Single Family
- RSN - Nodal Single Family Residential
- R1S - Retirement Community Single Family Residential
- RM - Medium Density Residential
- RMN - Nodal Multi-Family Residential
- CG - Commercial General
- CO - Commercial Office
- DDC - Downtown Development and Conservation
- MUV - Mixed Use Village
- IL - Light Industrial
- IP - Industrial Park
- P/SP - Public and Semi-Public
- Southwest Industrial Reserve
- Gateway Commercial General Overlay
- Interchange Management Area Overlay (IMA)
- Neighborhood Conservation Overlay (NCOD)
- Riparian Corridor & Wetlands Overlay (RCWOD)
- Significant Wetland
- Other Wetland

Zone Change (See Below for Ordinance #) **Attachment 105**

Zone Change Number	Ordinance Number	Zone Change Number	Ordinance Number
(1)	2167	(2)	2492
(2)	1873	(3)	2499
(3)	2384	(4)	2519
(4)	1937	(5)	2539
(5)	1802	(6)	2550-2551
(6)	2150	(7)	2548
(7)	2233	(8)	2563/2564
(8)	77-02 (case #)	(9)	2565/2566
(9)	2322	(10)	2570/2571
(10)	2361		
(11)	2490		

May 2019

Adopted by The Woodburn City Council on September 26, 2011 (Ordinance #: 2480).

Panor 360 Condominiums
950 Evergreen Road
Woodburn, Oregon 97071

May 21, 2019

Mr. Chris Kerr
Community Development Director
970 N. Cascade Drive, Suite 110
Woodburn, Oregon 97071

Re: LA 2019-01

Dear Mr. Kerr:

Panor 360 Condominiums Homeowners have received and reviewed the City of Woodburn's **Notice of Land Use Public Hearing and the Staff Report File # LA 2019-01**, which was forwarded from the Community Development Director, Chris Kerr.

Panor 360 is a 90-unit condominium which provides 90-120 seniors, aged fifty-five (55) plus, with reasonable priced housing. Most of the residents are well above the age of fifty-five and many are in their 90's. This building has been here since the early 70's. Panor 360 Condominiums are currently zoned Commercial General (CG) permitted use and would be rebuilt if destroyed by fire, earthquake, etc.. The building would be rebuilt to codes and laws that are in effect at the time of the loss.

The City of Woodburn is asking the Planning Commission and City Council to change the current zoning for Panor from Commercial General (CG), permitted use, to CU, conditional use.

Removing the permitted use status and adding a required conditional use approval could add so many requirements that it either be too costly or impossible to rebuild. Thus, the aging owners would be put out of their homes. If seniors are forced out of their homes, some might say that this would be discrimination against the aging. In addition, if the project is not rebuilt on the same exact location, the insurance company is only required to pay the lesser amount of actual cash value or policy amount and may not be enough to re-build.

The City of Woodburn is also asking the Planning Commission and City Council to make a change to the property just adjacent to this property, totally prohibiting multi-family dwellings. This proximity may influence their requirements on rebuilding Panor 360 condominium.

Therefore, Panor 360 Condominium strongly objects to changing the zoning for 950 Evergreen Road from CG to CU.

Sincerely,



Larry Williams, President
Panor 360 Condominium Board of Directors

Cc: City Mayor, City Council, Planning Commission

RECEIVED

MAY 21 2019

COMMUNITY DEVELOPMENT
DEPARTMENT

**PETITION TO Object to proposed change in zoning from CG to CU 950 Evergreen Rd.,
Woodburn, OR 97071**

5/22/19

Subject of Petition: Objection to proposed zoning change from CG to CU CASE FILE LA-2019-01

We, the undersigned : Property owners Panor 360 Condominium, 950 Evergreen Rd., Woodburn,
Oregon 97071

Principal Petitioner	Contact Address	Signature
Panor 360 Condominium	950 Evergreen Road, Woodburn, OR 97071	<i>[Signature]</i> President Panor 360 Board of OR

Name	Phone Number	Address	Signature
Elaine McEann	971-772-4215	950 Evergreen Rd.	<i>[Signature]</i>
DONALD WADSWORTH	971-570-2251	950 Evergreen Rd.	<i>[Signature]</i>
ROXIE PARKS	503-902-0209	11 APT 315	<i>[Signature]</i>
James DeLoye	714 742 9017	950 Evergreen #314	<i>[Signature]</i>
Judy Scott	503-502-2202	950 Evergreen #307	<i>[Signature]</i>
FRAN HIGGINS	503-982-8272	950 EVERGREEN #313	<i>[Signature]</i>
Kathleen Kuka	503 981 1463	950 Evergreen Apt 310	<i>[Signature]</i>
Alice Bennett	503-504-3507	950 Evergreen Rd #329	<i>[Signature]</i>
Rollin Bennett	503-504-3507	950 Evergreen Rd #329	<i>[Signature]</i>
Barbara Penza	503-442-5607	950 Evergreen Rd #304	<i>[Signature]</i>
Kannelore Currie	503-980-3439	950 " " 11317	<i>[Signature]</i>
Bob CURRIE	971-444-2420	950 EVERGREEN Rd Apt 317	<i>[Signature]</i>
Shanna Sallegre	503 920 487	950 Evergreen Rd	<i>[Signature]</i>
Sharon Finnestad	503-991-6330	950 Evergreen Rd	<i>[Signature]</i>
RAWLEIGH MARSH	503 982 3992	950 EVERGREEN #320	<i>[Signature]</i>

1 of 5

5/22/19
LA 2019-01

Name	Phone Number	Address	Signature
R. M. PERSOLS	503-577-6504	#224 950 EVERGREEN	R. M. Persols
Maureen O'Rourke	503-981-1715	#215 950 EVERGREEN	Maureen O'Rourke
Carolyn L. Arnold	760-989-1849	206 950 EVERGREEN	Carolyn L. Arnold
Jean E. Britton	971-600-5579	950 Evergreen Rd #212	Jean E. Britton
Sandra K. Nichols	503-981-9114	#202 950 EVERGREEN RD.	Sandra K. Nichols
Virginia Langer	503-981-6641	203 950 EVERGREEN	Virginia Langer
Shirley L. Langer	503-919-0022	950 Evergreen Rd #205	Shirley L. Langer
DUANE STAAT	503-981-3821	950 Evergreen Rd #219	Duane Staat
Marilyn Staat	503-981-3821	#222 950 Evergreen Rd.	Marilyn Staat
Marie A. Johnson	623 256 7254	#222 950 Evergreen Rd.	Marie A. Johnson
Shirley W. Johnson	623 547 7011	950 Evergreen Rd #222	Shirley W. Johnson
Linda K. Mabee	503-351-9973	950 Evergreen Rd #219	Linda K. Mabee
Norm D. Mabee	971-216-1881	950 EVERGREEN #219	Norm D. Mabee
Beth Heer	503 678-5305	950 Evergreen #220	Beth D. Heer
Lura M. Namee	503 982-4038	950 EVERGREEN #221	Lura M. Namee
L. Verne M. Namee	503 982-4038	950 EVERGREEN #221	L. Verne M. Namee
Ratricia E. Langer	503 982-9885	950 EVERGREEN #221	Ratricia E. Langer
Mary L. Lobe	503-709-0545	219 950 Evergreen #218	Mary L. Lobe
Debra Jennison	971-444-2973	950 Evergreen #228	Debra Jennison
Vivien Anderson	503-902-0535	950 Evergreen #208	Vivien Anderson
Cassie Jones	503-984-4199	950 Evergreen #213	Cassie Jones
Patrick Clancy	503 949-7933	950 Evergreen Rd 322	Patrick Clancy

2015

5/22/19
LA 2019-01

Name	Phone Number	Address	Signature
Roselyn Williams	971-444-3933	950 Evergreen Rd #102	Roselyn Williams
LARRY WILLIAMS	971-444-3932	950 EVERGREEN #102	Larry Williams
JOHN BOORE	503-982-9546	950 EVERGREEN #103	John Boore #108
WILLIAM R. BRONFELD	503-982-9546	950 EVERGREEN #103	William R. Bronfeld
Victor Mann	503-984-9994	950 Evergreen R #106	Victor Mann
Karen Bartling	503-981-1615	950 Evergreen Rd #107	Karen Bartling
David Sanderson	503-357-2401	950 Evergreen R	David Sanderson
Grace S. Burr	503-989-0585	950 Evergreen APT. 113	Grace Burr #116
KORJ MAY	503 982-3065	950 Evergreen #114	Korj May
Esther Crossley	503-982-8866	950 Evergreen Rd 119	Esther Crossley
MARIE FARIA	503 902 0879	950 EVERGREEN	Marie Faria
MELVIN FARIA	503-902-0879	950 EVERGREEN	Melvin Faria
Marietta Davis	503 649-8902	950 Evergreen Rd #122	Marietta A. Davis
Alta June Howland	503-341-6644	950 Evergreen RD #125	Alta June Howland
JAMES E. HOWLAND	503 341 6644	950 EVERGREEN RD #125	James E. Howland
Elise TITLE	503 409 5984	950 Evergreen Rd #112	Elise Title
CONNIE WEIBEL	503-981-3355	950 EVERGREEN #118	Connie Weibel
CHRISTINE MORAN	503-989-2025	950 Evergreen Rd #106	Christine Moran
Steve Maley	509 945 3572	950 Evergreen Rd #129	Steve Maley
Lee Ann Maley	503 567 0170	950 Evergreen Rd #129	Lee Ann Maley
Judith McDonald	503-451-9949	950 Evergreen #124	Judith McDonald
Robert A Woodman	503 559-7783	950 Evergreen #117	Robert A Woodman
Mary Woodman	503-393-4745	950 Evergreen #117	Mary Woodman
David E. Feltz	503-984-1237	"	David E. Feltz
Deanna Buser	503 329-4301	950 Evergreen Rd #109	Deanna Buser
ALBERT WELLMAN	503 982-4178	950 EVERGREEN #105	Albert Wellman

30/5

5/22/19
LA 2019-01

Name	Phone Number	Address	Signature
Nancy J Ferguson	503 750-2204	950 Evergreen Rd #323	Nancy J Ferguson
Marvin R Swinson	971 409 4547	950 Evergreen Rd #321	Marvin R Swinson
Alice M. Bender	503-981-0711	950 Evergreen #312	Alice M. Bender
Vincent Thompson	541 680 4700	250 Evergreen #318	Vincent Thompson
Starlene Deloye	714-661-8103	950 Evergreen #314	Starlene Deloye
Marva Justice	503-551-3004	950 Evergreen #328	Marva Justice
Alice M. Bender	503-981-0711	950 Evergreen #323	Alice M. Bender
Alice M. Bender	503-981-0711	950 Evergreen #325	Alice M. Bender

All petitions should be forwarded to : Chris Kerr, Community Development Director, 970 North Cascade Drive, Suite 110, Woodburn, Oregon 97071

40/5

5/23/19
LA-2019-01

[illegible]

Authorization

5/22/19
LA 3019-01

From: patrick clancy pclncy54@hotmail.com
To: patrick clancy pclncy54@hotmail.com
Date: Wednesday, May 22, 9:28 AM

Jan Reedy owner of unit #322, Panor 360 authorize By proxy to sign petition to stay as is,
commercial General condition.

Authorize Patrick Clancy.

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Chris Kerr

From: The Mistry Family Oregon <mistry_family@hotmail.com>
Sent: Thursday, May 23, 2019 11:09 AM
To: Chris Kerr
Subject: Re: Information on Land use public hearing

Hello Chris,

As we discussed on the phone today, I own two properties in the CG zones which would be affected by the proposed zoning amendment.

1025 N Pacific Highway

1031 William's Ave

I would like to state my initial objection to the proposed amendment since I had considered using the second property acquisition with an intent to develop into additional motel units being adjacent to the first property or build multifamily property.

I have paid a higher price for this because of the zoning and would not be fair to be subjected to downgrading the value by limiting the possible uses or levy new regulations or encumbrances.

Appreciate your help and understanding my situation. Please present this to council meeting today. I cannot attend in person tonight but intend to on June 10th

Regards
Ashish Mistry

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From: The Mistry Family Oregon
Sent: Wednesday, May 22, 2019 4:24:35 PM
To: Chris Kerr
Subject: Re: Information on Land use public hearing

Thanks I'll check this out and let's discuss further tomorrow morning

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From: Chris Kerr <Chris.Kerr@ci.woodburn.or.us>
Sent: Wednesday, May 22, 2019 4:03:18 PM
To: The Mistry Family Oregon
Subject: Re: Information on Land use public hearing

the agenda and staff report that describes the proposal in great detail is found on the city's website under agendas for the meeting. Here.

<https://www.woodburn-or.gov/dev-planning/page/planning-commission>

I'm not at my desk the rest of the afternoon but I will be in first thing tomorrow morning.

On May 22, 2019 3:33 PM, The Mistry Family Oregon <mistry_family@hotmail.com> wrote:
Hello Chris,

My name is Ashish Mistry and I am property owner in woodburn on 99E. I wanted information about the hearing scheduled tomorrow evening at 7p.m.

How will the proposed change affect my property? Can you please send the copy of the proposed amendment? Appreciate your help,

I had left you vm re this as well and you also spoke with my wife Rita Mistry about this

Regards

Ashish Mistry

5039709489

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May 23, 2019

City of Woodburn Planning Commission
270 Montgomery St.
Woodburn, OR 97071

Re: Legislative Amendments related to multiple-family dwellings in the Commercial General (CG) Zoning District (LA 2019-01)

Dear Commissioners:

This letter is submitted jointly by Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO). Both HLA and FHCO are non-profit organizations that advocate for land use policies and practices that ensure an adequate and appropriate supply of affordable housing for all Oregonians. FHCO's interests relate to a jurisdiction's obligation to affirmatively further fair housing. Please include these comments in the record for the above-referenced proposed amendment.

As you know, all amendments to the City's Comprehensive Plan and Zoning map must comply with the Statewide Planning Goals. ORS 197.175(2)(a). When a decision is made affecting the residential land supply, the City must refer to its Housing Needs Analysis (HNA) and Buildable Land Inventory (BLI) in order to show that an adequate number of needed housing units (both housing type and affordability level) will be supported by the residential land supply after enactment of the proposed change.

The staff report in regards to City Council approved Resolution No. 2131 recommends requiring Conditional Use approval for multi-family dwellings in the CG district, and prohibiting multi-family dwellings within areas covered by both the CG district and the Interchange Management Area (IMA) Overlay. However, the report does not include findings for Statewide Goal 10, describing the effects on housing supply that will result from these amendments. Goal 10 findings must demonstrate that the proposed multi-family restrictions/development regulations



do not leave the City with less than adequate residential land supplies in the types, locations, and affordability ranges affected. *See Mulford v. Town of Lakeview*, 36 Or LUBA 715, 731 (1999) (rezoning residential land for industrial uses); *Gresham v. Fairview*, 3 Or LUBA 219 (same); see also, *Home Builders Assn. of Lane Cty. v. City of Eugene*, 41 Or LUBA 370, 422 (2002) (subjecting Goal 10 inventories to tree and waterway protection zones of indefinite quantities and locations). Further, because the purpose of the proposal is to further restrict the development of additional housing units, the report should reference the City's HNA to demonstrate those additional housing units are not needed. Only with a complete analysis showing any gain/loss in needed housing as compared to the BLI can housing advocates and planners understand whether the City is achieving its goals through the proposed amendments. Notably, the resolution initiating the review states that in 2013, when the City authorized multi-family development as a permitted use it did not consider policy or legal implications of the decision. We ask that the City not repeat that mistake again here as it focuses on commercial aspects of the property instead of meeting housing needs.

HLA and FHCO urge the Commission to defer adoption of the proposed amendments and subdivision plan until Goal 10 findings can be made, and the proposal evaluated under the HNA and BLI. Thank you for your consideration. Please provide written notice of your decision to, FHCO, c/o Louise Dix, at 1221 SW Yamhill Street, #305, Portland, OR 97205 and HLA, c/o Jennifer Bragar, at 121 SW Morrison Street, Suite 1850, Portland, OR 97204. Please feel free to email Louise Dix at ldix@fhco.org or reach her by phone at (541) 951-0667.

Thank you for your consideration.

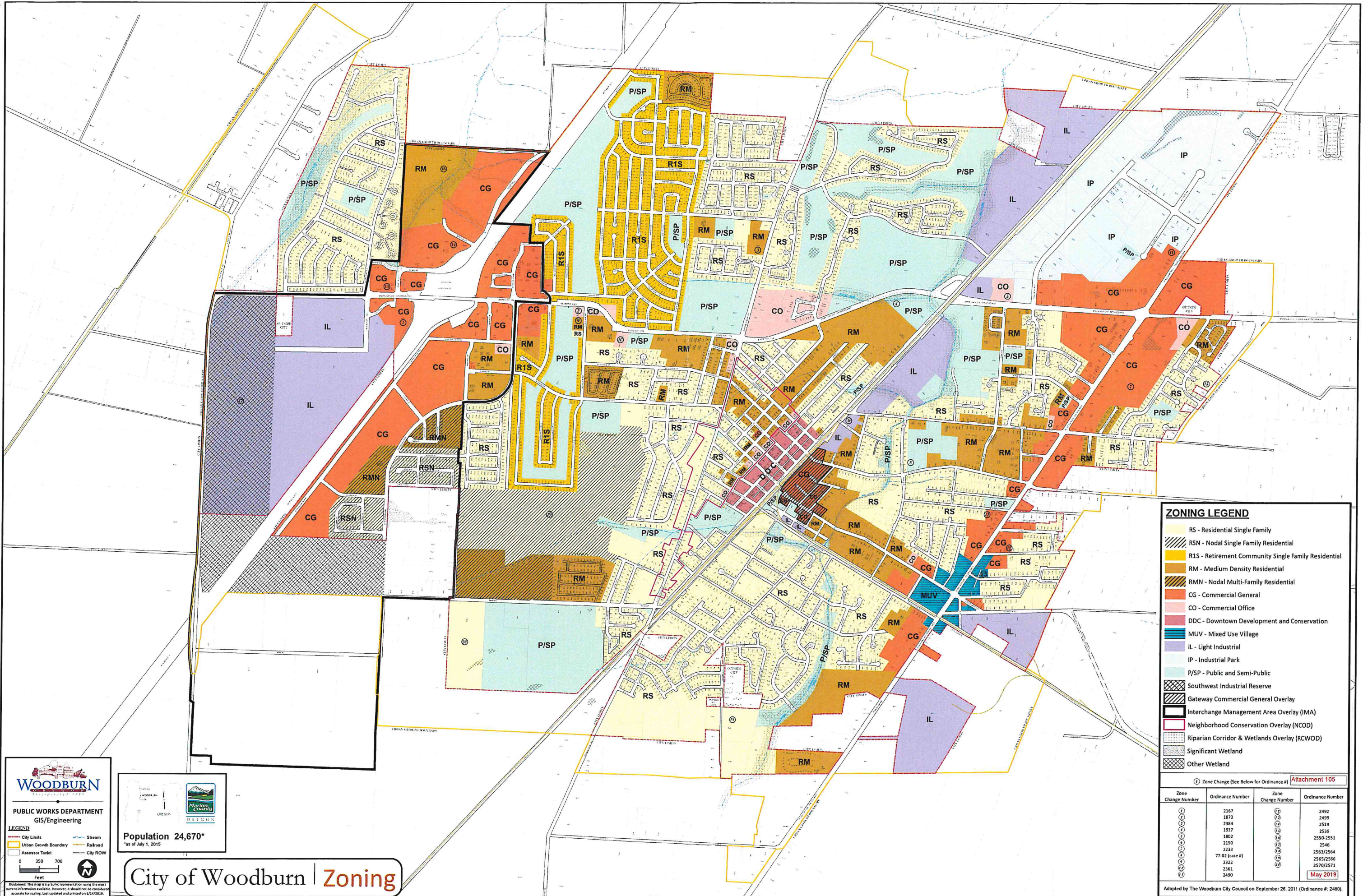
A handwritten signature in cursive script that reads "Louise Dix".


Louise Dix
AFFH Specialist
Fair Housing Council of Oregon

A handwritten signature in cursive script that reads "Jennifer Bragar".

Jennifer Bragar
President
Housing Land Advocates

cc: Kevin Young (kevin.young@state.or.us)





WOODBURN
Incorporated 1989


PUBLIC WORKS DEPARTMENT
GIS/Engineering

LEGEND

- City Limits
- Urban Growth Boundary
- Assessor Taxlot
- City ROW
- Stream
- Railroad

0 350 700 Feet

Disclaimer: This map is a graphic representation using the most current information available. However, it should not be considered accurate for scaling. Last updated and printed on 5/14/2019.



Population 24,670*
*as of July 1, 2015

City of Woodburn | Zoning

ZONING LEGEND

- RS - Residential Single Family
- RSN - Nodal Single Family Residential
- R1S - Retirement Community Single Family Residential
- RM - Medium Density Residential
- RMN - Nodal Multi-Family Residential
- CG - Commercial General
- CO - Commercial Office
- DDC - Downtown Development and Conservation
- MUV - Mixed Use Village
- IL - Light Industrial
- IP - Industrial Park
- P/SP - Public and Semi-Public
- Southwest Industrial Reserve
- Gateway Commercial General Overlay
- Interchange Management Area Overlay (IMA)
- Neighborhood Conservation Overlay (NCOD)
- Riparian Corridor & Wetlands Overlay (RCWOD)
- Significant Wetland
- Other Wetland

Zone Change (See Below for Ordinance #) **Attachment 105**

Zone Change Number	Ordinance Number	Zone Change Number	Ordinance Number
1	2167	12	2492
2	1873	13	2499
3	2384	14	2519
4	1937	15	2539
5	1802	16	2550-2551
6	2150	17	2548
7	2233	18	2563/2564
8	77-02 (case #)	19	2565/2566
9	2322	20	2570/2571
10	2361		
11	2490		

May 2019

Adopted by The Woodburn City Council on September 26, 2011 (Ordinance #: 2480).

June 10, 2019

TO: Honorable Mayor and Council through City Administrator

FROM: Sandra Montoya, Finance Director

SUBJECT: **FY 2018-2019 SUPPLEMENTAL BUDGET REQUEST #4 FOR CLOSURE OF MUSEUM ENDOWMENT FUND**

RECOMMENDATION:

Adopt the resolution authorizing up to \$860 transfer from contingency to materials and services, and subsequent closure of the fund.

BACKGROUND:

Every year, after Council budget adoption, circumstances arise that were either unforeseen, unquantifiable, or discovered as errors. Oregon Budget Law, ORS 294.471(1) provides for changes to adopted budgets through a transfer resolution or supplemental budget process that notices the proposed changes. Transfers in excess of 15 percent of any fund's total expenditures, or supplemental budget changes in excess of 10 percent of any fund's total expenditures, require a public hearing to accept public testimony on the item under consideration.

A public hearing was required for this supplemental budget. Like the adopted budget, supplemental budget requests must be balanced; in other words, net revenue and net expense for the request must be equal. This can be accomplished by budgeting additional revenue or by reducing another expenditure category (such as contingencies).

DISCUSSION:

The independent auditors recommended a periodic review and closure of funds and accounts with little to no activity. The Museum Endowment Fund, with less than \$400 of expenditure activity each year, was identified as a candidate for closure. Future Museum activities will be budgeted in the Community Service Fund. The fund has not been budgeted in FY 2019-20.

FINANCIAL IMPACT:

If the resolution is approved, the following changes will be made:

Agenda Item Review: City Administrator ___x___ City Attorney ___x___ Finance ___x___

SUMMARY OF PROPOSED BUDGET CHANGES							
AMOUNTS SHOWN ARE REVISED TOTALS IN THOSE FUNDS BEING MODIFIED							
Museum Endowment Fund 691							
Resource	Original	Change	Revised	Requirement	Original	Change	Revised
1				Materials & Services	-	860	860
2				Contingency	860	(860)	-
Revised Total Fund Resources			-	Revised Total Fund Requirements			860
Comments: Transfer of Contingency balance to Materials & Services							

COUNCIL BILL NO. 3097

RESOLUTION NO. 2132

A RESOLUTION APPROVING TRANSFERS OF FY 2018-2019 APPROPRIATIONS AND APPROVING A SUPPLEMENTAL BUDGET

WHEREAS, ORS 294.463(1) permits "transfers of appropriations" within any fund "when authorized by official resolution or ordinance of the governing body"; and

WHEREAS, ORS 294.463(2) limits "transfers of general operating contingency appropriations to no more than fifteen (15) percent of the total appropriations of the fund" unless adopted pursuant to a supplemental budget; and

WHEREAS, transfers made pursuant to any of the above must state the need for the transfer, the purpose for the authorized expenditure, and the amount of the appropriation transferred; and

WHEREAS, ORS 294.471(1)(a) permits supplemental budgets when "an occurrence of condition which had not been ascertained at the time of the preparation of a budget for the current year or current budget period which requires a change in financial planning"; and

WHEREAS, ORS 294.473 requires the governing body to hold a public hearing on the supplemental budget when the estimated expenditures contained in the supplemental budget for fiscal year or budget period differ by ten (10) percent or more of any one of the individual funds contained in the regular budget for that fiscal year; and

WHEREAS, the transfers contained herein are made pursuant to ORS 294.463; and

WHEREAS, the supplemental budget contained herein is made pursuant to ORS 294.471; and

WHEREAS, a public hearing was held June 10, 2019 on the supplemental budget changes, **NOW, THEREFORE**,

THE CITY OF WOODBURN RESOLVES AS FOLLOWS:

Section 1. That pursuant to the applicable ORS provisions cited above, the City Council hereby approves the transfers of appropriations and supplemental budget for FY 2018-19 in the amounts shown below for the purposes of closing out the fund due to low activity.



Agenda Item

June 10, 2019

TO: Honorable Mayor and City Council through City Administrator
FROM: Sandra Montoya, Finance Director
SUBJECT: **Fiscal Year (FY) 2019-20 City Budget Adoption (Goals 1-12)**

RECOMMENDATION:

Conduct a public hearing to consider the budget as approved by the Budget Committee, and upon completion of the hearing, approve the resolution adopting the budget and capital improvements plan, making appropriations, and declaring and categorizing taxes for FY 2019-20.

BACKGROUND:

The Budget Committee of the City of Woodburn met and approved the budget of \$97,486,350 on April 27, 2019. On May 29, 2019, the *Woodburn Independent* published the financial summary of the Budget Committee's approved budget and a notice of the budget hearing before the City Council, in accordance with Oregon Local Budget Law (ORS 294.438).

Attachment 1 is a list of corrections made to the budget document since approval by the Budget Committee.

DISCUSSION:

Under Oregon Local Budget Law (ORS 294.456) the City Council may modify the Budget Committee's approved budget by an amount not to exceed \$5,000 or 10 percent of a fund's expenditures, whichever is greater, without publishing a notice of a second budget hearing. The Finance Department proposes adoption of the budget as approved by the Budget Committee with updates and corrections shown on **Attachment 1** on the subsequent page.

FINANCIAL IMPACT:

The resolution adopts the FY 2019-20 annual budget of \$97,486,350.

Agenda Item Review: City Administrator __X__ City Attorney __X__ Finance __X__

Attachment 1
City of Woodburn Budget Committee Approved Budget
June 10, 2019
Approved Budget Updates

Following the Budget Committee's FY 2019-20 budget approval, the following corrections have been made to the budget document:

- Any identified issues with spelling, grammar, and formatting have been updated throughout the document, including condensing where possible.
- Page 9: Sentence inserted to specify that the budget is balanced as required by state law.
- Page 12: Second bullet corrected to show General Fund contingency level at 18.4 percent, before the addition of \$1.0 million Shortfall Management Reserve (SMR) and a \$345,000 Reserve for Facilities.
- Page 12: Deleted the last two bullets as the information is shown elsewhere in the document.
- Page 43: Replaced map with a more readable version.
- Page 48: Corrected FTE count in FY 2018-19.
- Page 55: Corrected Performance Measurement header.
- Page 81: Removed prior year note regarding PERS Reserves moved to the newly created PERS Reserve Fund.
- Page 82-83: Removed summary table to condense the Transit pages.
- Prior page 103: Removed summary table and photo from Sewer pages.
- Page 108-109: Combined sentences and removed blank lines to condense General Cap Construction pages.
- Page 110-111: Reformatted to condense Street & Storm Cap Const Fund.
- Page 118-119: Corrected Building Inspection Fund part-time building inspector from 0.25 to 0.5, and updated graph to improve legibility.
- Pages 228-238: Updated Chart of Accounts to reflect active line items.

COUNCIL BILL NO. 3098

RESOLUTION NO. 2133

A RESOLUTION ADOPTING THE FISCAL YEAR (FY) 2019-20 BUDGET; MAKING BUDGET APPROPRIATIONS; AND CATEGORIZING TAXES

WHEREAS, the City Administrator, as Budget Officer for the City of Woodburn, Oregon, prepared and submitted the FY 2019-20 budget to the Budget Committee at its April 27, 2019 meeting; and

WHEREAS, the April 27, 2019 Budget Committee meeting was noticed by publication in the *Woodburn Independent* newspaper on April 17, 2019; and

WHEREAS, a public hearing was held at the April 27, 2019 Budget Committee meeting after which time the budget was approved; and

WHEREAS, the Notice of Budget Hearing and Financial Summary were published in the *Woodburn Independent* newspaper on May 29, 2019 as required by ORS 294.438; and

WHEREAS, a second public hearing was held before the City Council at its meeting on June 10, 2019; and **NOW, THEREFORE**

THE CITY OF WOODBURN RESOLVES AS FOLLOWS:

Section 1. The City Council adopts the budget for FY 2019-20 in the sum of \$97,486,350. A copy of the budget document is now on file at temporary City Hall, 970 N Cascade Drive, Woodburn, Oregon.

Section 2. The City Council imposes the taxes provided for in the adopted budget at a permanent rate of \$6.0534 per \$1,000 of assessed value for operations, and in the aggregate amount of \$594,030 for public safety general obligation (GO) bonds. These taxes are hereby imposed and categorized for tax year 2019-20 based upon assessed value of all taxable property within the City.

	<u>General Government</u>	<u>Excluded from Limitation</u>
Permanent Rate Limit	\$6.0534/\$1,000	-
GO Bond Levy	-	\$594,030

Section 3. FY 2019-20 budgets are appropriated at the fund levels shown:

Organization	Operating*	Transfers	Debt	Contingency	Total	Reserves	Total
Administration	1,389,700				1,389,700		
Economic Development	170,290				170,290		
Police	8,078,740				8,078,740		
Community Services	3,606,040				3,606,040		
Planning	496,460				496,460		
Engineering	290,420				290,420		
Non-Departmental	339,100	408,290	575,000		1,322,390		
General Fund				3,761,890	3,761,890	1,355,000	
Total General Fund	14,370,750	408,290	575,000	3,761,890	19,115,930	1,355,000	20,470,930
Transit	1,061,550	6,510		166,940	1,235,000		1,235,000
Building	1,503,480	6,480		1,322,040	2,832,000		2,832,000
Asset Forfeiture	15,000				15,000		15,000
Housing Rehab	20,350			357,480	377,830		377,830
Street	2,787,780	2,095,750		1,000,000	5,883,530	458,950	6,342,480
GO Debt Service			570,200		570,200		570,200
General Cap Const	2,466,020				2,466,020		2,466,020
Special Assessment				21,720	21,720		21,720
Street/Storm Cap Const	5,275,000				5,275,000		5,275,000
Parks SDC						929,350	929,350
Street SDC		1,500,000			1,500,000	2,843,230	4,343,230
Storm SDC		140,000			140,000	546,580	686,580
Sewer Cap Const	7,830,500				7,830,500	7,314,870	15,145,370
Water Cap Const	2,786,360				2,786,360		2,786,360
Water	2,720,490	65,850	1,624,950	128,780	4,540,070	1,964,930	6,505,000
Sewer	4,383,060	1,046,200	4,469,000	798,660	10,696,920	6,937,080	17,634,000
Water SDC		902,500			902,500	854,700	1,757,200
Sewer SDC		2,107,410			2,107,410		2,107,410
Information Technology	1,104,720	4,840		193,440	1,303,000	170,000	1,473,000
Insurance	868,340	690		547,970	1,417,000		1,417,000
Equipment Replacement	977,040				977,040		977,040
PERS Reserve	2,089,710				2,089,710		2,089,710
Lavelle Black Trust	20,000			8,920	28,920		28,920
TOTAL	50,280,150	8,284,520	7,239,150	8,307,840	74,111,660	23,374,690	97,486,350

*Operating Budget: Personnel, Materials and Services, and Capital Outlay

Approved as to Form: _____
City Attorney _____ Date _____

APPROVED: _____
Eric Swenson, Mayor

Passed by the Council _____
Submitted to the Mayor _____
Approved by the Mayor _____
Filed in the Office of the Recorder _____

ATTEST: _____
Heather Pierson, City Recorder
City of Woodburn, Oregon



Agenda Item

June 10, 2019

TO: Mayor and City Council through City Administrator
FROM: Sandra Montoya, Finance Director
SUBJECT: **Fiscal Year 2019-20 Resolution Regarding State Revenue Sharing**

RECOMMENDATION:

Conduct a public hearing to receive comment on the possible uses/distributions of state revenue sharing funds and adopt a resolution declaring the City's eligibility and election to receive these funds.

BACKGROUND:

In order for the City of Woodburn to receive a share of state revenues apportioned and distributed to Oregon cities during fiscal year (FY) 2019-20, the City Council must enact an ordinance or resolution certifying:

1. Eligibility to receive state shared revenue per ORS 221.760; and
2. Elect to receive state shared revenue per ORS 221.770.

The ordinance or resolution must be filed with the Oregon Department of Administrative Services no later than July 31. Notice of the hearing was published on May 29, 2019 in the *Woodburn Independent*.

DISCUSSION:

Upon completion of the public hearing, consider adopting a resolution to receive state shared revenue; \$317,500 in the FY 2019-20 Approved Budget.

FINANCIAL IMPACT:

The resolution declares the City's eligibility and qualification to receive state shared revenue, budgeted at \$317,500 in the FY 2019-20 Approved Budget.

Agenda Item Review: City Administrator ☒ City Attorney ☒ Finance ☒

COUNCIL BILL NO. 3099

RESOLUTION NO. 2134

A RESOLUTION DECLARING THE CITY OF WOODBURN'S ELIGIBILITY AND ELECTION TO RECEIVE STATE REVENUE SHARING

WHEREAS, the City of Woodburn desires to receive a share of state revenues apportioned and distributed to the cities of the state during Fiscal Year 2019-2020 as provided in ORS 221.760 and ORS 221.770; and

WHEREAS, ORS 221.760 provides as follows:

The officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

- (1) Police Protection
- (2) Fire protection
- (3) Street construction, maintenance and lighting
- (4) Sanitary sewer
- (5) Storm sewers
- (6) Planning, zoning and subdivision control
- (7) One or more utility services

WHEREAS, ORS 221.770(1)(a) requires that any city electing to receive a distribution must enact an ordinance or resolution expressing that election and file the same with the Oregon Department of Administrative Services no later than July 31; and

WHEREAS, ORS 221.770(1)(b) requires that any city electing to receive a distribution must hold at least one public hearing at which citizens have the opportunity to provide written or oral comment on the possible uses of the distributions; **NOW, THEREFORE**

THE CITY OF WOODBURN RESOLVES AS FOLLOWS:

Section 1. That the City Council of the City of Woodburn hereby certifies that it provides the following four or more municipal services enumerated in Section 1, ORS 221.760:

Police protection
Street construction, maintenance and lighting
Sanitary sewer
Storm sewers
Planning, zoning and subdivision control
One or more utility services

Section 2. The City of Woodburn hereby elects to receive distributions of state revenues during FY 2019-2020 pursuant to ORS 221.770(1)(a).

Section 3. The City Council hereby certifies that it conducted a public hearing, after giving public notice, on June 10, 2019 and called for written and oral comment on the possible uses of the distributions and that the hearing complied with ORS 221.770(1)(b) and (c).

Section 4. The City Recorder is directed to certify compliance with the public hearing requirements and file this resolution with the Oregon Department of Administrative Services by July 31, 2019.

Approved as to Form: _____
City Attorney Date

APPROVED: _____
Eric Swenson, Mayor

Passed by the Council _____
Submitted to the Mayor _____
Approved by the Mayor _____
Filed in the Office of the Recorder _____

ATTEST: _____
Heather Pierson, City Recorder
City of Woodburn, Oregon



Agenda Item

June 10, 2019

TO: Honorable Mayor and City Council

FROM: Scott Derickson, City Administrator

SUBJECT: **Resolution Approving a Change in Control for Woodburn Ambulance Service Franchise.**

RECOMMENDATION:

Adopt the resolution.

BACKGROUND:

Woodburn Ambulance Service, Inc. ("Woodburn Ambulance") currently holds a Franchise to operate an ambulance service within the boundaries of the City of Woodburn (granted by Ordinance 2494). On June 3, 2019, the City received notice that the shareholders of Woodburn Ambulance have agreed to sell their shares in the corporation to Metro West Ambulance Service, Inc. ("Metro West") and are formally requesting approval for this change in control and assignment of its Franchise. Section 18 of Woodburn Ambulance's Franchise requires that the City approve any proposed change in interest of the franchisee or assignment of the franchise via resolution.

DISCUSSION:

In its June 3rd request letter (see attached), Woodburn Ambulance sets out detailed information about the structure of its change in control transaction as well as reasonable assurances regarding expected continuity of service for the Franchise moving forward. The Woodburn Ambulance entity itself will continue to exist, just under new ownership. Shawn Baird, the current Vice President of Woodburn Ambulance will also stay on after the sale as an employee in a general management role. Additionally, as set out in its letter, the transfer "will not result in any interruption of ambulance service for the Woodburn service area. All employees and equipment will remain with Woodburn Ambulance following the sale."

In Woodburn Ambulance's request letter, information has also been provided regarding the business and operational experience of acquiring company Metro West. Metro West is one of the largest privately-owned ambulance

Agenda Item Review: City Administrator ___x___ City Attorney ___x___ Finance ___x___

service companies incorporated and operating in Oregon and is based out of Hillsboro. The company is owned by J.D. Fuiten, who also owns six additional local ambulance companies that service smaller communities in Oregon and along the west coast.

Since there is no reasonable basis to deny the change in control request, staff recommends adoption of the resolution approving the assignment of the Ambulance Service Franchise.

FINANCIAL IMPACT:

None.

Attachments

June 3, 2019 Letter from Woodburn Ambulance Services, Inc.

June 3, 2019

Page 1

June 3, 2019

City of Woodburn
City Council
270 Montgomery Street
Woodburn, OR 97071

Re: Request to Approve Assignment of Ambulance Service Franchise

Dear Woodburn City Council:

First and foremost, thank you for time and commitment in making sure the City of Woodburn's ambulance needs are adequately served. Woodburn Ambulance Service, Inc. ("**Woodburn Ambulance**") respectfully requests that the City Council approve the assignment of its franchise to Metro West Ambulance Service, Inc. ("**Metro West**"). Below we have provided the information the City Council may need in order to evaluate the request.

1. **Structure of Transaction** - The shareholders of Woodburn Ambulance have agreed to sell their shares in the corporation to Metro West. Woodburn Ambulance will continue to exist, but under new ownership. Following the sale, Shawn Baird will remain as an employee in a general management role for Woodburn Ambulance.

Metro West has provided additional information about its business and experience, which I have enclosed for your reference.

2. **Closing Date** – The anticipated closing date for the sale is June 17, 2019.
3. **Continuation of Services** - The transfer will not result in any interruption of ambulance service for the Woodburn service area. All employees and equipment will remain with Woodburn Ambulance following the sale.

Metro West is an ambulance service company based in Hillsboro, Oregon, and owned by J.D. Fuiten. J.D. Fuiten also owns Medix Ambulance (located in Warrenton and Ilwaco serving the northern Oregon coast and southwest Washington), Bay Cities Ambulance (located in Bay Cities serving the Coos Counties, southern Oregon coast), Pacific West Ambulance (located in Lincoln City and Newport serving the central Oregon coast), Mid Valley Ambulance (located in Springfield serving the Springfield-Eugene region), Umpqua Valley Ambulance (located in Roseburg serving the Roseburg region), and Del Norte Ambulance (located in Crescent City serving the northern California coast). Therefore, the buyer of the shares of Woodburn Ambulance has significant experience serving smaller communities in Oregon with ambulance services. Furthermore, Metro West has significant current emergency operations (as previously noted) and can provide additional resources to the city of Woodburn in the event that such resources are required.

June 3, 2019

Page 2

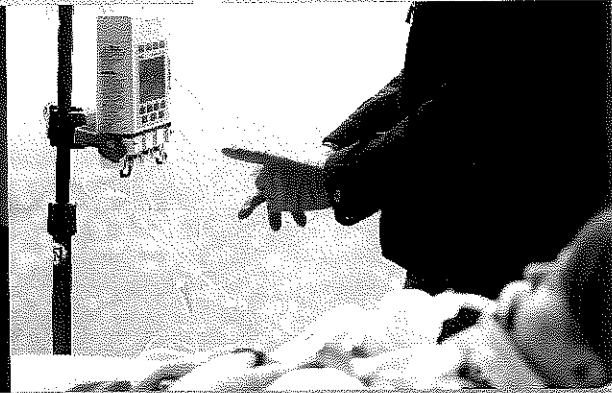
4. **Licensing** - The ambulance service license currently in effect will remain in effect as it is held by Woodburn Ambulance. The Oregon Health Authority (EMS and Trauma Systems division) and Marion County Health Department will be notified of the change in control upon closing set for June 17, 2019, in compliance with OAR 333-250-0380(10).
5. **Mutual Aid Agreements** - The Mutual Aid Agreements will remain in effect since the Woodburn Ambulance entity providing the ambulance service is not changing.
6. **Marion County Approval** - The Marion County Legal Counsel and Ambulance Service Plan Administrator have been notified of the plan to transfer ownership of Woodburn Ambulance. We are currently waiting to receive further guidance from the County regarding the procedure for transfer of the ambulance franchise, including but not limited to, a list of all the required documentations the County needs to evaluate the transfer, the process for approval, how the service area (ASA 4) will be transferred, and all relevant disclosures that the County needs to process the transfer to Metro West.
7. **Insurance and Bond** - All insurance and performance bond will remain with Woodburn Ambulance and in effect through their scheduled term, and will be renewed or the coverage amended to meet the regulatory compliance in effect upon any expiration.

In sum, the transfer and sale to Metro West will not result in the interruption of service. Woodburn Ambulance is confident that the residents of Woodburn will be well served by Metro West. As such, Woodburn Ambulance respectfully requests that the Woodburn City Council approve the assignment of the franchise to Metro West.

Sincerely,
Woodburn Ambulance Service, Inc.

By: 
Shawn Baird

Its: _____ Vice President



Transitions of Care: The need for appropriate medical transportation.

Not all patients are the same. How to choose the right mode of medical transportation for your patient.



Critical Care Ground Transportation - Mobile Intensive Care Unit

When your critical patients need to be transported to a higher level of care; for specialized care; or within your own health system. Choose a service that can offer the care your patient requires with the level of provider and medical equipment necessary to care for them. The Metro West Ambulance CCT team consists of a Critical Care RN, Critical Care Paramedic and EMT in our MICU Mobile Intensive Care Unit. Choose this service for when your patient is on a ventilator (we carry LTV 1200);

multiple IV medications or blood products; is a high risk OB patient; is on a TPA drip; has a chest tube or an advanced airway in place; is a STEMI patient; respiratory failure patient; has a Ventricular Assist Device, Impella Device or Intra-Aortic balloon Pump; needs cardiac monitoring and more. This is the highest level of care available.

Advanced Life Support Ambulance

When your patient needs airway monitoring or suctioning during transportation; if they are intubated and on a simple ventilator or being bagged; if they need IV Maintenance or IV medication drips; if they require cardiac ECG monitoring including 12-leads; if they are medicated and needs monitoring; if they are seizure prone; if their medical status requires advanced life support care then this option would be your choice! Also consider for emergency transfers to a higher level of care such as a trauma transfer, a STEMI, Stroke transfer or a high risk OB if CCT not available or time doesn't allow. For non-emergency transports and for all discharges from the hospital, you will need to make sure to complete a Physician Certification Statement documenting reasons why patient must go by ambulance. These units are always staffed with either a two Paramedic team or a Paramedic and EMT team.

Basic Life Support Ambulance

When your patient needs non-emergency ambulance transport or is being discharged from the hospital and does not require ALS, this would be your choice. These units are staffed with Paramedic/EMT teams or 2 EMTs. Definition of Bed-Confined: "Medicare covers ambulance services only if they are furnished to a beneficiary whose medical condition is such that other means of transportation would be contraindicated. For non-emergency transportation, the following criteria must be met so that ambulance transportation is medically necessary: (1) the beneficiary is unable to get up from bed without assistance, (2) the beneficiary is unable to ambulate, and (3) the beneficiary is unable to sit in a chair or wheelchair." All the above conditions must be met for a patient to be considered "bed confined."

Wheelchair Transportation

When your patient needs wheelchair transportation whether being discharged to a long term care community, going home or to a doctors appointment this would be your choice. These patients must be able to sit up in a wheelchair safely, should be able to assist in their transfer. These units are staffed with an EMT. Patients are escorted & checked in at their destination.

Secure Transport

When your patient/client needs secure transportation for their involuntary care, custody and treatment for a mental disorder. For adult and adolescent; for patients at flight risk; for patients also needing mechanical restraining during secure transport. Staffed by trained EMS personnel.

All transportation options can meet bariatric needs, please request.

Please call Metro West Ambulance to schedule transportation.

503-648-6656 Oregon 360-693-7233 Vancouver

Mobile Integrated Health - Emerging Partnerships Between Case Management & Emergency Medical Services



The evolution of EMS and out-of-hospital care has included the development of a new practitioner, commonly termed Community Paramedic, and a new practice paradigm, commonly termed Community Paramedicine (CP), when it's organized by EMS, or Mobile Integrated Healthcare (MIH) when it's organized and administratively or clinically integrated with other healthcare entities.

Case managers can utilize the skills & knowledge of EMS providers to help reduce patient readmission rates, increase patient utilization of outpatient services, help mitigate patient situations & reduce needed services.

What is exactly is Mobile Integrated Health and why is it important to case management?

- Mobile Integrated Health is a new concept of partnered care that has developed rapidly across the nation in the last few years fueled by the Affordable Care Act. It is a patient-centered, innovative delivery model offering on-demand, needs-based care and preventive services, delivered by Paramedics to patients referred by case managers. Care is delivered right in the patient's home or in a mobile environment. It is an innovative approach designed to keep patients from falling through the cracks created sometimes by fragmented and disjointed care.
- Many successful models partner Case Managers who refer patients to MIH with the goal of mitigating patient situations, reducing needed services & filling the gap for patients who would benefit. The partnership of Case Management and MIH works to manage chronically ill populations. These populations may include high-risk elderly patients; high emergency medical service (EMS) & emergency department (ED) services utilizers; homeless populations and high hospital readmission rates. A historical lack of post-acute transitional care services and the inability of patients to receive timely follow-up with their primary care physician outside of traditional business hours has led to a significant gap in the quality and access to care—Case Management and Mobile Integrated Health work together to ensure patients continue to receive follow up care needed.
- MIH works successfully for patients who don't qualify for Home Health. Case Management may refer MIH even to those patients who are receiving Home Health for high risk patients.
- MIH is able to assess patients that are homeless & in difficult living situations. Case Managers can use the skill set and experience of Paramedics to help this patient population to receive the follow up care needed.
- MIH is able to assess patients in their own home or living situation to identify barriers to health, condition medication & medical equipment & medical condition education, socioeconomic needs.
- As MIH is not funded by traditional Medicare, partnerships involving case managers and MIH may be funded by internal agency or hospital funding, grant funding for start-up costs, hospice or home health or case management agencies and MIH partnerships, Medicaid authorized funds and commercial payers.

Local Successes

- Local health systems have shown through independent study of data that high risk patients enrolled with MIH have significantly reduced readmission rates; were more likely to utilize outpatient services including primary care.



Onsite First Aid Service

Metro MedCALL (MMC) is a service offered by Metro West Ambulance. We are a company dedicated to offering innovative approaches-solutions-to counter the effects of escalating costs for medical care for individuals and the employer they work for. Since 2013 Metro MedCALL has been providing 24/7- 365 days a year work site First Aid intervention for occupational injury and illness. Our onsite First Aid services bring experienced medical technicians to your workplace delivering exceptional care and quality treatment. If a higher level of medical attention is needed your employee will be professionally transported to and from preferred medical providers.

Metro MedCALL's First Aid intervention program provides clear advantages in controlling your company's overall health care costs associated with on the job injuries:

- ✓ Avoiding costly and timely emergency room visits
- ✓ Avoiding unnecessary clinic visits
- ✓ Decreasing workers compensation claims by more than 67%
- ✓ Reducing worker lost time
- ✓ Stopping supervisor lost time from production oversight
- ✓ Eliminating liability by preventing do-it-yourself transportation



Onsite Substance Abuse Testing

Metro MedCALL offers the latest in substance abuse testing technology. We provide 24/7 onsite drug and alcohol screening for post-accident; reasonable suspicion; return-to-work and random testing.

Implementing an effective drug screen program generally improves workplace morale and increases overall efficiency, which reduces employee absenteeism and turnover. Combined with fewer workers compensation incidents, employers can experience a reduction in overall administrative costs.

Rapid Result drug screening is the preferred method of testing for employers. Testing is performed with an accurate, reliable FDA-approved device. Negative results are obtained in less than eight minutes. This technology is especially effective when immediate results are needed for post-accident situations, reasonable suspicion or random testing. Inconclusive results are confirmed through laboratory testing.

EBAT-Evidential Breath Alcohol Test breathalyzer is designed expressly for workplace breath alcohol testing. These testers have the fastest response and recovery times in the industry and more full-proof than any other instrument. This device is DOT approved for evidential breath testing.

DOT and Non-DOT Collections can be performed for traditional laboratory testing.

Oral Saliva drug screening provides immediate negative results much like the Rapid Result test. Confirmation results for inconclusive tests may take 48-72 hours.

Metro MedCALL technicians are trained and certified under DOT mandated testing requirements for both drug screening and breath alcohol testing
Professional collection and chain of custody procedures
Adulteration/dilution testing performed on all drug screen results



At Metro West Ambulance, we believe that every patient is entitled to the best care at all times no matter what their level of need.

Our Secure Transport can meet your patients needs.



- Highly trained, secure escort crew members who are also licensed as Oregon Emergency Medical Technicians, cross-trained to perform as 911 emergency responders and have specialized training specific to caring for patients needing this level of service.
- Care geared toward both behavioral and medical needs using compassionate interactions, patient approach and transportation services.
- We are able to transport patients both locally and out of the area.
- **Two** patient-friendly vehicles that ensure the safe and secure transfer of patients within our care (including bariatric patients). Our vehicles are specifically chosen because of their suitability for the transfer of patients requiring this high level of care, safety and security while ensuring that their privacy and dignity are maintained.
- We have specific protocols and policies regarding custody, client/patient rights and restraint procedures.



Available 24/7

Call our Communications Center to schedule
503-648-6656

For more information regarding Secure Transport, Contact Jan Lee, Metro West Ambulance Hospital Liaison at 503-648-6658 ext. 156 or at

COUNCIL BILL NO. 3100

RESOLUTION NO. 2135

A RESOLUTION APPROVING OF THE SALE OF THE CONTROLLING INTEREST IN WOODBURN AMBULANCE SERVICE, INC. AND ASSIGNMENT OF ITS NON-EXCLUSIVE AMBULANCE FRANCHISE TO METRO WEST AMBULANCE SERVICE, INC.; AND SETTING AN EFFECTIVE DATE

WHEREAS, On September 24, 2012, the Council passed Ordinance 2494, granting a non-exclusive Franchise to Woodburn Ambulance Service, Inc. ("Woodburn Ambulance") to operate an ambulance service within the corporate boundaries of the City of the Woodburn; and

WHEREAS, Section 18 of the Franchise provides that Woodburn Ambulance shall not sell, assign, dispose of or transfer in any manner whatsoever any interest in this Franchise, nor the controlling company of Woodburn Ambulance, without prior approval by the City expressed by resolution of its City Council; and

WHEREAS, the Shareholders of Woodburn Ambulance desire to sell their shares in the corporation to Metro West Ambulance Service, Inc. ("Metro West"), subject to, among other conditions, any required approval of the City; and

WHEREAS, on June 3, 2019, Woodburn Ambulance sent a letter to the Council requesting the Council approve an assignment of its Franchise to Metro West as part of its change in control transaction; and

WHEREAS, Metro West has provided sufficient information to confirm that it has the technical qualifications, insurance and bonding, and character to continue Woodburn Ambulance's services uninterrupted and as required by the Franchise within the Woodburn service area; and

WHEREAS, the change in control of Woodburn Ambulance is not anticipated to affect its Oregon Health Authority licensing, the mutual aid agreements it has in place, or the Marion County service area designated for Woodburn Ambulance; and

WHEREAS, the City's approval of the change in control of Woodburn Ambulance and its consent to the assignment of the Franchise will serve the best interest of the City and its citizens; **NOW THEREFORE**,

THE CITY OF WOODBURN RESOLVES AS FOLLOWS:

Section 1. The City Council hereby approves of- and consents to the change in control of Woodburn Ambulance and the assignment of the Franchise from Woodburn Ambulance Service, Inc. to Metro West Ambulance Service, Inc. contingent upon Metro West's completion of the following conditions no later than thirty (30) days after the date of this Resolution:

EXHIBIT A

ACCEPTANCE OF FRANCHISE

WHEREAS, On September 24, 2012, the Council passed Ordinance 2494, granting a non-exclusive Franchise to Woodburn Ambulance Service, Inc. ("Woodburn Ambulance") to operate an ambulance service within the corporate boundaries of the City; and

WHEREAS, subject to the conditions of Ordinance 2494, The City Council passed Resolution _____, approving of- and consenting to a change in control of Woodburn Ambulance and the assignment of the Franchise from Woodburn Ambulance Service, Inc. to Metro West Ambulance Service, Inc.;

NOW THEREFORE, the undersigned, Metro West Ambulance Service, Inc., the assignee of the Franchise hereby does for itself and its successors and assigned unconditionally accepts the terms, conditions, and provisions of Ordinance 2494 and agrees to be bound thereby and comply therewith.

IN WITNESS WHEREOF, Metro West Ambulance Service, Inc. has cause this instrument to be executed by its officer as below subscribed this _____ day of _____, 2019.

METRO WEST AMBULANCE SERVICE, INC.

Printed Name: _____
Title: _____

Received by the City of Woodburn this _____ day of _____, 2019.

CITY OF WOODBURN

Heather Pierson
City Recorder



June 10, 2019

TO: Honorable Mayor and City Council
FROM: Jamie Johnk, Economic Development Director
SUBJECT: **2019 Oregon Main Street Revitalization Grant Historic City Hall - 550 N. First Street (Goals 1, 2, 4, 5)**

RECOMMENDATION:

It is recommended that the City Council approve the Oregon Main Street Revitalization grant for \$200,000 for the Historic City Hall Building Redevelopment Project and authorize the City Administrator to sign the Grant Agreement.

BACKGROUND:

Built in 1914, the building served as the original Woodburn City Hall and housed city offices, police, jail and the firehouse from 1914 to 1977. Designed by Salem architect George M. Post, who also designed Salem's Carnegie Library in 1912, this building is a great representation of Renaissance Palazzo architecture. The historic City Hall building is one of only three properties in Woodburn listed on the National Register of Historic Places.

The historic City Hall building served the community for more than six decades as a public building and is a testament to the community's history. The property has changed ownership multiple times since its decommissioning, as a public building in 1977 and has remained predominantly vacant for the last forty plus years.

Anthony Young (property owner) purchased the property in foreclosure in late 2017. Since that time, Mr. Young has been working with the City, architects and contractors on a redevelopment plan that would serve the needs of the Woodburn community and create an adaptive reuse opportunity for the property with commercial and multi-family housing.

To preserve and restore the historic City Hall building provides a tremendous opportunity for the community. Incorporating commercial businesses into the redevelopment will help to grow the local economy and create needed jobs and multi-family housing will provide alternative housing options for area residents.

Working with a committed property owner such as Mr. Young ensures the preservation of this historic property.

Agenda Item Review: City Administrator ☒ City Attorney ☒ Finance ☒

DISCUSSION:

The plans for the Historic City Hall Building Redevelopment Project includes adaptive reuse of the first and second floors as multi-residential housing with residential and commercial in the basement level and commercial in the former firehouse. The redevelopment plans reflects 10-12 residential units with studio and one-bedroom layouts. All units would be developed to the standards in the city development code but would retain structural features of the building (where possible) such as high ceilings, original wood floors, original windows, and use of original woodwork and doors.

The commercial redevelopment plans reflect an opportunity for a restaurant in the former firehouse and possibly a portion of the basement, however additional commercial uses would be considered for the redevelopment and reuse of the building. The firehouse interior would retain the high ceilings and characteristics of its former use. The jail cells remain in the basement and could be an interesting attribute to a commercial business.

The City will enter into an agreement with the property owner of the historic building to ensure commitment and compliance to the terms and conditions of the Oregon Main Street grant award.

FINANCIAL IMPACT:

Funding sources for the Historic City Hall Redevelopment Project include as follows:

- Oregon Main Street Revitalization Funds \$200,000 (*committed*)
- Property Owner Funds \$535,300 (*secured*)
 - Personal \$ 50,000
 - Financing/Investor \$485,300
- Woodburn Urban Renewal Grant Funds \$100,000 (*request pending*)
 - 2019 FY \$ 50,000
 - 2020 FY \$ 50,000

Total Project Funding Sources \$835,300



Oregon

Kate Brown, Governor

Parks and Recreation Department

State Historic Preservation Office

725 Summer St NE Ste C

Salem, OR 97301-1266

Phone (503) 986-0690

Fax (503) 986-0793

www.oregonheritage.org



May 22, 2019

Jamie Johnk
City of Woodburn
270 Montgomery Street
Woodburn, OR 97071

Dear Jamie:

Congratulations! Your application for a 2019 Oregon Main Street Revitalization has been funded for the amount and purpose listed below.

Grant Amount: \$200,000

Grant No.: MSR-19-30

Start Date: 5/15/2019

End Date: 4/30/2022

Summary: Complete renovation of the historic city hall in Woodburn to include apartments and retail space.

Enclosed are two copies of your grant agreement. Carefully review the scope of work and requirements for each category to be sure they are summarized correctly. Have the authorized person sign both copies and return both copies to us. The signed agreements must be returned to our office within 30 days; if not returned in that period, it will be assumed that you are not accepting the grant award. We will return a signed copy and grant reporting information at that time.

I am looking forward to working with you. Please let me know if you have any questions, and, again, congratulations and best wishes for a successful project.

Sincerely,

Kuri Gill
Grant and Outreach Coordinator
(503) 986-0685
Kuri.Gill@oregon.gov

Enclosures



Grant Agreement

2019 Oregon Main Street Revitalization (MSR-19-30)

This Agreement is made and entered into, by and between, the State of Oregon, acting by and through Oregon Parks and Recreation Department (OPRD), Heritage Programs, hereinafter referred to as the “State” and:

**City of Woodburn
270 Montgomery St
Woodburn, OR 97071**

or designated representative, hereinafter referred to as the “Grantee.”

1. **GENERAL PURPOSE:** The general purpose of this agreement is: to undertake the heritage-related project as detailed in Attachment A.
2. **AGREEMENT PERIOD:** The effective date of this Agreement is the date on which it is fully executed by both parties. Unless otherwise terminated or extended, the Project shall be completed on 4/30/2022. If project is completed before the designated completion date, this Agreement shall expire on the date final reimbursement payment is made by OPRD to Grantee.
3. **GRANT FUNDS:** The State agrees to pay the Grantee a maximum reimbursement amount of \$200,000, for costs authorized under this agreement.
4. **AGREEMENT DOCUMENTS: Included as Part of this Agreement are:**
 - Attachment A: Scope of Work
 - Attachment B: Standard Terms and Conditions – Historic Preservation Fund Grants
 - Attachment C: Grant Application

In the event of a conflict between two or more of the documents comprising this Agreement, the language in the document with the highest precedence shall control. The precedence of each of the documents is as follows, listed from highest precedence to lowest precedence: this Agreement without Attachments; Attachment A; Attachment B; Attachment C.

Contact Information: A change in the contact information for either party is effective upon providing notice to the other party:

Grantee Administrator	Grantee Billing Contact	OPRD Contact
Jamie Johnk	Jamie Johnk	Kuri Gill
City of Woodburn	City of Woodburn	Grant and Outreach Coordinator
270 Montgomery Street	270 Montgomery Street	Oregon Heritage
Woodburn, OR 97071	Woodburn, OR 97071	Oregon Parks & Recreation Dept
503-980-6319	503-980-6319	725 Summer St NE, Suite C
jamie.johnk@ci.woodburn.or.us	jamie.johnk@ci.woodburn.or.us	Salem, OR 97301
		(503) 986-0685
		Kuri.Gill@oregon.gov

5. SIGNATURES:

In witness thereof: the parties hereto have caused this Agreement to be properly executed by their authorized representatives as of the last date hereinafter written.

GRANTEE:

Signature, Authorized Representative

Date

Name and Title of Signer (Type or Print)

STATE:

Christine Curran, Deputy State Historic Preservation Officer
OPRD Heritage Programs

Date

Attachment A -- Scope of Work

2019 Oregon Main Street Revitalization (MSR-19-30)

Grantee: City of Woodburn

Grant Amount: \$200,000 **Match Amount:** \$635,300 **Estimated Overmatch:** \$0

Project Summary: Complete renovation of the historic city hall in Woodburn to include apartments and retail space.

The grant funds and matching local contributions will be used to accomplish the work items detailed in the Budget and Work Description sections that follow. OPRD Heritage Programs staff must approve any changes to this Scope of Work.

PROPOSED BUDGET

1 · Development - Main Street

Contractor	\$835,300	
Total		\$835,300
Total Project Budget		\$835,300

WORK DESCRIPTION

1 · Development - Main Street \$835,300

Products:

Complete renovation of the historic city hall in Woodburn to include apartments and retail space.

- Clean brick
- Repair windows
- Repair roof
- Paint trim and accents
- Install HVAC system
- Complete ADA upgrades
- Upgrade electrical and plumbing
- Install drywall and paint interior
- Install cabinets, counters and floor
- Complete interior finish work

Standards and Provisions:

Project Standards:

- Properties must within the main street district approved by the Oregon Main Street Network.
- Prior to starting the rehabilitation project, the grant recipient must submit a work plan for the project to the SHPO and receive written approval of that work plan. This should include current photos, historic photos and basic drawings, plus a description of materials and methods to be used. If the work plan is the same as was proposed in the application, an email request to approve that plan is sufficient.
- The approved work plan should be used for requesting bids from contractors. Approved procedures for selecting a contractor must be followed, including obtaining at least three bids if the work is over \$10,000. The grant recipient must submit to the OPRD copies of all contracts with contractors for completing the work described in the work plan.
- The work plan and the actual work must conform to the Secretary of the Interior's

"Standards for Rehabilitation" (1990 revised version). Work that does not meet these standards is ineligible for reimbursement.

- Work plans and contracting processes must be approved by the property owner.
- A project sign must be displayed in a prominent location at each project site while project work is in progress. The sign must identify the project and SHPO grant support. "This project is funded in part by a matching grant from the Oregon State Historic Preservation Office, Oregon Heritage."
- Before, during and after pictures are required for reimbursement. Digital images of 300dpi or higher are required.

Attachment B
Standard Terms and Conditions – Oregon Main Street Revitalization Grants

1. **Authority:** ORS 390.262 and OAR 736-056-0050 authorize Oregon Parks and Recreation Department to expend funds for building projects in communities participating in the Oregon Main Street Network throughout Oregon.
2. **Work Plan Approval:** Prior to commencing the project described in Attachment A, Grantee shall receive approval on a final work plan from the State.
3. **Amendments:** This Agreement may be amended only by a written amendment to the Agreement, executed by the parties.
4. **Compliance with Law:** Grantee shall comply with all federal, state and local laws, regulations, executive orders and ordinances applicable to the Agreement or to implementation of the Project, including without limitation, OAR chapter 736, Division 56.
5. **Compliance with Workers Compensation Laws:** All employers, including Grantee, that employ subject workers who provide services in the State of Oregon shall comply with ORS.656.017 and provide the required Worker's Compensation coverage, unless such employers are exempt under ORS 656.126. Employer's liability insurance with coverage limits of not less than \$500,000 must be included.
6. **Statement of Support:** All publicity, visual or oral, for this project shall be accompanied by the following statement: *"This project is supported in part by a grant from the State Historic Preservation Office, Oregon Parks and Recreation Department."* A sign to that effect, provided by the State, may be required on the project site as well.
7. **Progress Reports:** Grantee shall submit Progress Reports with each Reimbursement Request or, at a minimum, at **six month intervals**, starting from the effective date of the Agreement. Progress Reports shall be submitted using OPRD's online grant management system accessible at oprdrgrants.org.
8. **Fiscal Year-End Request for Reimbursement:** Grantee must submit a Progress Report and a Reimbursement Request to OPRD for all Project expenses, if any, accrued up to **June 30**, of each fiscal year. The Fiscal Year-End Reimbursement Request must be submitted to OPRD by **July 31**.
9. **Matching Funds:** The Grantee shall contribute matching funds or the equivalent in labor, materials, or services, which are shown as eligible match in the rules, policies and guidelines for the Preserving Oregon Grant Program. Volunteer labor used as a match requires a log with the name of volunteer, date volunteered, hours worked, at and rate used for match to be eligible.
10. **Grant Payments:** Grant funds are awarded by State on a reimbursement basis and only for the Project described in Attachment A, Project Overview. OPRD shall pay Grantee upon OPRD's approval of Grantee's invoices submitted to OPRD for completed services and deliverables, but only after OPRD has determined that Grantee has completed, and OPRD has accepted, the invoiced services. Advance payments may be provided under conditions outlined in the grant guidelines, located on the OPRD website. In addition to the reimbursement requested upon completion of the Project, Grantee may request a mid-Project reimbursement for costs accrued to date.
11. **Invoices and Payments:** Invoices submitted for payment must include OPRD's grant agreement number. Grantee shall submit invoices requesting payment to OPRD's Contract Administrator for approval or as may be otherwise designated through written notice.
12. **Final Request for Reimbursement:** Grantee must submit a Final Progress Report, a Final Reimbursement Request, a completed Grant Impact and Evaluation Form (located in the Grant Guidelines), and five to ten digital pictures of the completed project site to OPRD within 45 days of the Project Completion Date.
13. **Indemnity Clause:** **The Grantee shall defend, save, and hold harmless State and, its officers, agents, employees and members, from all claims, suits or actions of whatever nature resulting from or arising out of the activities of the Grantee or its contractors, agents or employees under this Agreement.**
14. **Records Administration:** The Grantee shall maintain all records necessary to properly account for the payments made to the Grantee for costs authorized by this Agreement. These records shall be retained by the Grantee for at least six years after the contract terminates, or until all audits initiated within the four years, have been completed, whichever is later. The Grantee agrees to allow State auditors, and State Agency Staff, access to all the records related to this Agreement, for audit and inspection, and monitoring of services. Such access

will be during normal business hours, or by appointment. Grantee shall ensure that each of its subgrantees and subcontractors complies with these requirements.

15. **Tax Obligations:** Grantee will be responsible for any federal or state taxes applicable to payments under this Agreement.
16. **Contribution:** If any third party makes any claim or brings any action, suit or proceeding alleging a tort as now or hereafter defined in ORS 30.260 ("Third Party Claim") against a party (the "Notified Party") with respect to which the other party ("Other Party") may have liability, the Notified Party must promptly notify the Other Party in writing of the Third Party Claim and deliver to the Other Party a copy of the claim, process, and all legal pleadings with respect to the Third Party Claim. Either party is entitled to participate in the defense of a Third Party Claim, and to defend a Third Party Claim with counsel of its own choosing. Receipt by the Other Party of the notice and copies required in this paragraph and meaningful opportunity for the Other Party to participate in the investigation, defense and settlement of the Third Party Claim with counsel of its own choosing are conditions precedent to the Other Party's liability with respect to the Third Party Claim.

With respect to a Third Party Claim for which the State is jointly liable with the Grantee (or would be if joined in the Third Party Claim), the State shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by the Grantee in such proportion as is appropriate to reflect the relative fault of the State on the one hand and of the Grantee on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of the State on the one hand and of the Grantee on the other hand shall be determined by reference to, among other things, the parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. The State's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law if the State had sole liability in the proceeding.

With respect to a Third Party Claim for which the Grantee is jointly liable with the State (or would be if joined in the Third Party Claim), the Grantee shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by the State in such proportion as is appropriate to reflect the relative fault of the Grantee on the one hand and of the State on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of the Grantee on the one hand and of the State on the other hand shall be determined by reference to, among other things, the parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. The Grantee's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law if it had sole liability in the proceeding.

Grantee shall take all reasonable steps to cause its contractor(s) that are not units of local government as defined in ORS 190.003, if any, to indemnify, defend, save and hold harmless the State of Oregon and its officers, employees and agents ("Indemnatee") from and against any and all claims, actions, liabilities, damages, losses, or expenses (including attorneys' fees) arising from a tort (as now or hereafter defined in ORS 30.260) caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of Grantee's contractor or any of the officers, agents, employees or subcontractors of the contractor ("Claims"). It is the specific intention of the parties that the Indemnatee shall, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of the Indemnatee, be indemnified by the contractor from and against any and all Claims.

17. **Governing Law:** The laws of the State of Oregon (without giving effect to its conflicts of law principles) govern all matters arising out of or relating to this Agreement, including, without limitation, its validity, interpretation, construction, performance, and enforcement. Any party bringing a legal action or proceeding against any other party arising out of or relating to this Agreement shall bring the legal action or proceeding in the Circuit Court of the State of Oregon for Marion County. Each party hereby consents to the exclusive jurisdiction of such court, waives any objection to venue, and waives any claim that such forum is an inconvenient forum. In no event shall this section be construed as a waiver by the State of Oregon of any form of defense or immunity, whether sovereign immunity, governmental immunity, immunity based on the eleventh amendment to the Constitution of the United States or otherwise, from any claim or from the jurisdiction of any court.

18. **Repayment:** In the event that the Grantee spends grant funds in any way prohibited by state or federal law, or for any purpose other than the completion of the project, the Grantee shall reimburse the State for all such unlawfully or improperly expended funds. Such payment shall be made within 15 days of demand by the State.
19. **Condition for Disbursement:** Disbursement of grant funds by OPRD is contingent upon OPRD having received sufficient funding, appropriations, limitations, allotments, or other expenditure authority sufficient to allow OPRD, in the exercise of its reasonable administrative discretion, to make the disbursement and upon Grantee's compliance with the terms of this Agreement.
20. **No Third Party Beneficiaries.** OPRD and Grantee are the only parties to this Agreement and are the only parties entitled to enforce its terms. Nothing in this Agreement gives, is intended to give, or shall be construed to give or provide any benefit or right, whether directly or indirectly, to a third person unless such a third person is individually identified herein and expressly described as intended beneficiary of the terms of this Agreement, or given specific authority under the Agreement.
21. **Termination:** This contract may be terminated by mutual consent of both parties, or by either party upon a 30-day notice in writing, delivered by certified mail or in person to the other party's contact identified in the Agreement. On termination of this contract, all accounts and payments will be processed according to the financial arrangements set forth herein for approved services rendered to date of termination. Full credit shall be allowed for reimbursable expenses and the non-cancelable obligations properly incurred up to the effective date of the termination.
22. **Entire Agreement:** This Agreement constitutes the entire Agreement between the parties. No waiver, consent, modification or change of terms of this Agreement shall bind either party unless in writing and signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, Agreements, or representations, oral or written, not specified herein regarding this Agreement. The Grantee, by signature of its authorized representative on the Agreement, acknowledges that the Grantee has read this Agreement, understands it, and agrees to be bound by its terms and conditions."
23. **Notices:** Except as otherwise expressly provided in this Agreement, any communications between the parties hereto or notices to be given hereunder shall be given in writing by personal delivery, facsimile, email, or mailing the same, postage prepaid, to Grantee contact or State contact at the address or number set forth in this Agreement, or to such other addresses or numbers as either party may hereinafter indicate. Any communication or notice delivered by facsimile shall be deemed to be given when receipt of the transmission is generated by the transmitting machine, and to be effective against State, such facsimile transmission must be confirmed by telephone notice to State Contact. Any communication by email shall be deemed to be given when the recipient of the email acknowledges receipt of the email. Any communication or notice mailed shall be deemed to be given when received, or five days after mailing.
24. **Counterparts:** This agreement may be executed in two or more counterparts (by facsimile or otherwise), each of which is an original and all of which together are deemed one agreement binding on all parties, notwithstanding that all parties are not signatories to the same counterpart.
25. **Severability:** If any term or provision of this agreement is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if this Agreement did not contain the particular term or provision held to be invalid.

WOODBURN HISTORIC CITY HALL REDEVELOPMENT PROJECT (MSR)

Application #5475 - Grant Application Summary

Manage

Edit 

Project Information

Project Name

WOODBURN HISTORIC CITY HALL REDEVELOPMENT PROJECT

Brief Project Description

The Project includes redevelopment and adaptive reuse of the property as multi-family residential and commercial. Redevelopment will establish an economic use for the building ensuring its preservation and future viability.

Project Start Date

07/01/2019

Project End Date

06/30/2020

Site Name

550 N FIRST STREET

Site City/Town/Area

WOODBURN

Site County

Marion

Site Description

Built in 1914, the 12,485 square foot building served as the Woodburn City Hall, jail, and firehouse 1914 to 1977. This historic City Hall building is one of only three properties in Woodburn listed on the National Register of Historic Places. Designed by Salem architect George M. Post, who also designed the Salem's Carnegie Library in 1912, this building is a great representation of Renaissance Palazzo architecture.

There have been limited alterations to the exterior of the building since construction with the original character and distinctive design features remain in-tact (arch transoms and lintels, cornices, parapet, curvilinear accents, etc.). The only exterior modification to the original building design was the revision to the firehouse portals, creating a single opening, bricking in the arches, and the installation of an overhead door.

Constructed as the original Woodburn City Hall, the interior of the building as offices on the first and second floors, renovated over the years however the two Mosler vaults remain along with most of the original molding, doors, and radiators, and the jail cells in the basement. Access to the difference floors was gained by a broad staircase as you enter through the building front doors. The hallway of the main-level provides a sky-lighted stairwell leading to the basement and the second floor.

The property has changed ownership multiple times since its decommissioning as a public building in 1977 however the property has remained predominantly vacant for the last forty plus years.

Site Acreage

0.23

Latitude

45.14408841335885

Longitude

-122.85552242777783

Contact Information

Applicant
City of Woodburn

Applicant Federal Tax Id
93-6002282

Applicant DUNS Number

Project Contact
Jamie Johnk

Address
Jamie Johnk
270 Montgomery Street
Woodburn, OR 97071
jamie.johnk@ci.woodburn.or.us
5039806319

Reimbursement Contact
Jamie Johnk

Financial Information

Requested Amount
\$200,000.00

Match Amount
\$635,300.00

Total Project Cost
\$835,300.00

Grant %
23.943493355680594 %

Match %
76.05650664431941 %

Project Budget Worksheet

Project Budget Worksheet

\$0.00

Project Budget Worksheet

Engineering and Design	\$25,000.00
HVAC System	\$16,000.00
Construction	\$717,000.00
GC Project Manager	\$50,000.00
Appliances	\$27,300.00

Source of Funding Worksheet

Engineering and Design (Property Owner)	\$25,000.00
HVAC System (Property Owner)	\$11,634.00
Construction (Property Owner)	\$521,366.00
GC Project Manager (Property Owner)	\$50,000.00
Appliances (Property Owner)	\$27,300.00

Total Project Cost
\$835,300.00

Total Match from Sponsor
\$635,300.00

Grant Funds Requested
\$200,000.00

Supplemental Information

GENERAL INFORMATION

In which Oregon Main Street tier is the organization enrolled?
Exploring

Check all that apply.
The property is listed in the National Register of Historic Places or contributing to a National Register historic district.

Is the project located in an urban or rural area? Select one of the two options.
The project is located entirely outside the acknowledged Portland Metropolitan Area Regional Urban Growth Boundary and the acknowledged urban growth boundaries of cities with population of 30,000 or more.

Community Need for Revitalization and Economic Development

Describe the community need.
Woodburn is a culturally diverse community located amongst farms and fields of rural Marion County. With its rural proximity to agricultural producers and farms, Woodburn has become a desired location for immigrants and transitory farm workers. Woodburn's population is 25,780 (per U.S. Census data) and is comprised of more than 56% Hispanic or Latino as well as a sizeable Russian and Ukrainian community. Woodburn's multi-cultural community provides numerous opportunities to celebrate and learn from a diverse population, however many of our residents work in area fields and farms, earning lowers wages and residing in subsidized housing. Poverty levels in the

Woodburn area are higher than the state (13.2%) or federal (12.3%) average at 23.7% and the community's per capita income levels are significantly lower at \$18,839 in contrast to the state average of \$30,410 and the federal average of \$31,177.

Like many towns around the state Woodburn residents embrace their history and take great pride in their community's identity and their historic downtown. The Woodburn community remains dedicated to its history by preserving significant buildings and maintaining the values and cultures represented through our past. The historic building served as the Woodburn City Hall for more than six decades and has served as a testament to the community's story. The historic City Hall building is one of only three properties in Woodburn listed on the National Register of Historic Places.

The property has changed ownership multiple times since its decommissioning, as a public building in 1977 however, has remained predominantly vacant for the last forty plus years. Anthony Young (property owner) purchased the property in foreclosure in late 2017. Since that time, Mr. Young has been working with the City, architects and contractors on a redevelopment plan that would serve the needs of the Woodburn community and create an adaptive reuse opportunity for the property with commercial and multi-family housing.

Available housing is a huge issue for communities throughout Oregon and Woodburn is no exception. Alternative housing options are limited in the area. There are plans for single-family housing development in Woodburn however home ownership is not attainable for all residents and vacant multi-family living units are even more of a challenge.

To preserve and restore the historic City Hall building provides a tremendous opportunity for the community. Incorporating commercial businesses into the redevelopment will help to grow the local economy and create needed jobs and multi-family housing will provide alternative housing options for area residents.

Describe the needs and goals addressed in your downtown plan.

The plans for the Historic City Hall Building Redevelopment Project includes adaptive reuse of the first and second floors as multi-residential housing with residential and commercial in the basement level and commercial in the former firehouse. The redevelopment plans reflects 10-12 residential units with studio and one-bedroom layouts. All units would be developed to the standards in the city development code but would retain structural features of the building (where possible) such as high ceilings, original wood floors, original windows, and use of original woodwork and doors.

The commercial redevelopment plans reflect an opportunity for a restaurant in the former firehouse and possibly a portion of the basement, however additional commercial uses would be considered for the redevelopment and reuse of the building. The firehouse interior would retain the high ceilings and characteristics of its former use. The jail cells remain in the basement and could be an interesting attribute to a commercial business.

The redevelopment concepts for the historic City Hall building addresses needs of the Woodburn community by incorporating alternative housing options for area residents. Additionally, the plans for commercial space in the building offers business development opportunities, which will bring more shoppers and visitors to downtown and contribute to the economic vitality and livability in the Woodburn area.

The building exterior would retain the historic characteristics and would have limited (if any) change. The plans identify the need to clean the brick in an attempt to remove the graffiti and areas vandalized. The goal is to clean and seal the original brick to protect it from continued vandalism. The property owner will work closely with the City and subject matter experts to determine the best method for remediating the graffiti. Broken glass will be replaced and frames repaired in order to preserve the original windows on the building and there are some roof and flashing repairs, and accent painting to be completed. ADA improvements may be required; however, the property owner will work with the City to determine the best method to incorporate said improvements without altering the historic integrity of the building. Most importantly, redevelopment and reuse of the building will provide a means of preservation of the structure and prevents the risk of losing this significant property due to vacancy or potential neglect.

The building is listed on the National Register, work completed and materials used will follow the Secretary of the Interior's Standards for Rehabilitation when applicable.

Provide information for the following measures of need.

1. Percentage of families below federal poverty rate in the city, town or urban neighborhood where the designated downtown district is located.

18.1%

2. Percentage of individuals below federal poverty rate in the city, town, or urban neighborhood where the designated downtown district is located.

23.7%

3. Area median income in the city, town or urban neighborhood where the designated downtown district is located.

\$47,042

4. Percentage of renters in the city, town or urban neighborhood where the designated downtown district is located.

38%

Will the project address any of the poverty measures discussed in the community need for revitalization? If so, how?

The redevelopment of the historic City Hall building will provide alternative housing options for Woodburn residents and make additional living units available in the community. Creating additional commercial space for business also provides opportunities for employment to area residents as well as to promote increased visits to the downtown supporting existing businesses and new business.

VACANCY RATE

What is the vacancy rate on the block, and in the Main Street District? Number of vacant buildings compared to occupied buildings.

Downtown Woodburn has five vacant building in the Main Street district. Of the five vacant buildings, two has owner and/or unresolved code compliant and repair issues, two have planned businesses under construction, and the last is the historic City Hall building.

On the city block from Front Street to First Street there are ten buildings; seven occupied and three vacant, one of which is the City Hall building. One of the properties has building plans underway for two business occupants. Adjacent to the City Hall building is a vacant gas station (Centro Market) whose property owner has a number of unresolved code and environmental issues, including underground storage tanks creating a challenge for prospective tenants or redevelopment.

Will the project address vacancy rates? If so, how?

Time for this redevelopment project is opportune. In March 2019, the City will begin construction the First Street Improvements Project, which will run adjacent to the historic City Hall building. The \$4.2 million Project includes a complete streetscape redevelopment, water/sewer/storm upgrades, new lighting, signage, trees, benches, and other amenities. In addition, the City invested in removing the underground storage tanks and completed site remediation at the vacant gas station adjacent to the historic City Hall.

The redevelopment of the historic City Hall building will provide alternative housing options for Woodburn residents and make additional living units available in the community. Creating additional commercial space for business also provides opportunities for employment to area residents as well as to promote increased visits to the downtown supporting existing businesses and new business. The increased visitors to the downtown will promote new business opportunities to fill any vacancies that arise and to support the existing and planned businesses in the community.

Respond to all needs below that this project will address. Awarded projects don't necessarily have to address all needs.

1.a. Need for new jobs and/or job retention. Explain the need and provide evidence for it. Consider job rates, type of desired jobs, disparity in downtown versus other areas of town, etc.

Woodburn's downtown revitalization and Main Street efforts strive to implement programs where job retention and creation are a primary focus through trainings and outreach to current and prospective businesses. Predominant jobs in downtown are family and Latino owned retail and food service businesses. The City has recognized the need to provide multi-lingual program information and services to businesses serving our community. In so, we have developed program materials in English and Spanish as well as to provide one-on-one services designed to aide businesses at starting, growing, or improving their businesses, including creating employment opportunities.

1.b. Will this project create new jobs or retain current jobs? If so, how many and how? Consider both during the project and after it is completed.

The project will provide job opportunities during redevelopment, with numerous construction contractors and trades professionals working on site. In addition, the plan reflects commercial/ restaurant development in a portion of the building. This commercial redevelopment provides a location for a new or expanding business as well as employment opportunities.

2.a. Need for new or retention of a viable business in your downtown district. Explain the need and provide evidence for it. Consider business type, open hours, market analysis, etc.

Small business is the driving force in a downtown economy and it is critical for Woodburn to have a business retention and recruitment plan to assist with the technical services and resources they may need to be successful. Downtown businesses help to increase the number of local jobs, preserve the integrity and economic vitality of the core community and increase consumer confidence, and diversify the local

economy.

2.b. Will the project create or retain a viable business in your downtown district? How will it achieve this?

In addition to creating alternative housing options for the community, the redevelopment of the historic City Hall building will provide additional commercial space for a new or expanding business. Having locations for additional businesses provides opportunities for employment as well as to promote increased visits to downtown. Increased visitors to the downtown will promote new business opportunities, fill any vacancies that arise, and support the existing and planned businesses in the community.

3.a. Need for rehabilitation of properties. Explain the ratio of buildings in good repair to those in disrepair on the block of the project.

Communities with historic downtowns understand the need to preserve and restore its buildings and structures. Preservation and restoration plays a cultural role for Main Street communities. Historic buildings tell the story of our past and reminds a community of the paths taken.

In downtown Woodburn, there are a number of historic properties in varying condition. Some of which have been altered removing those historic characteristics that made them unique, others have been fully restored, and again other properties that have been lost to disrepair. In the project area a few of the buildings have been renovated, some have only seen façade improvements, one in the process of redevelopment, and one having numerous constraints. Although the historic City Hall building sat vacant for most of the last four decades, this monument to Renaissance Palazzo architecture, remains in Woodburn's Main Street district and now has a property owner ready to preserve and invest in the restoration.

3.b. Will the project increase the ratio of rehabilitated properties on the block? How?

The redevelopment of the historic City Hall building will significantly increase the ratio of rehabilitated properties within the block and in the entire downtown. The building has a large presence in downtown Woodburn and represents a significant part of the city's historic past. In addition, the adaptive reuse of the building will serve as a model for other property owners in Woodburn and other downtowns throughout the state and may influence additional building improvements.

4.a. Need for pedestrian traffic. Explain the need and provide evidence for it. Possible evidence of need is tracking pedestrian activity at various times of day and various days of week and sharing goals for traffic.

N/A

4.b. Will the project improve pedestrian traffic? In what way? Possible evidence of need is tracking pedestrian activity at various times of day and various days of week.

N/A

5.a. Need for use of second floor spaces. Explain the need and provide evidence for it.

The plans for the Historic City Hall Building Redevelopment Project includes adaptive reuse of the first and second floors as multi-residential housing with residential and commercial in the basement level and commercial in the former firehouse. The redevelopment plans reflects 10-12 residential units with studio and one-bedroom layouts.

5.b. Will the project address the need of second floor building use? How?

Use of the upper floors of the property will provide alternative housing options for Woodburn residents.

6.a. Need for housing. Consider community housing needs and rates, housing type (low-income, multi-family, density), number of units available, customers for downtown businesses, etc.)

Housing is a huge issue for Woodburn. There are plans for housing developments around the community, primarily for single-family homes. Home ownership is not attainable for all residents and there are few options available as available multi-family living units are even more of a challenge to locate in the area. There are a few building in downtown that have second-story apartments, some of which are in need of significant updates. To date, there are no additional plans for multi-family housing in the downtown area.

6.b. Will the project address the need for housing? How?

The plans for the Historic City Hall Building Redevelopment Project includes adaptive reuse of the first and second floors as multi-residential housing with residential and commercial in the basement level and commercial in the former firehouse. The redevelopment plans reflects 10-12 residential units with studio and one-bedroom layouts. All units would be developed to the standards in the city development code but would retain structural features of the building (where possible) such as high ceilings, original wood floors, original windows, and use of original woodwork and doors.

The redevelopment concepts for the historic City Hall building addresses needs of the Woodburn community by incorporating alternative housing options for area residents. In addition, increasing the number of living units in the downtown area will help to support and promote the businesses in the downtown area.

7.a. Need for lodging. Explain the need and provide evidence for it. Consider number of units available tourism studies, demand, nearby attractions, etc.

N/A

7.b. Will the project address the need for lodging? How?

N/A

8.a. Need for increased rent rate on the block of the project. Explain the rent rate and why it should be increased.

N/A

8.b. Will the project increase rent on the block? How? By what amount?

N/A

9.a. Need for increased property value for the properties on the block of the project. Share property values and explain the need.

Increasing the property values is not the focus of this redevelopment project; however, property values will increase as a direct result of the investment made in the property. The current assessed valuation of the property is \$197,970; however with the proposed redevelopment, use and investment, there would be a substantial increase in the assessed valuation of the property.

9.b. Will the project increase property values on the block? How? By what amount?

It would be difficult to project the increase in property values on the block however; investment in the redevelopment of the historic City Hall building would generate additional value for this property and potentially encourage additional investment in the properties in the downtown area.

10.a. Need to be welcoming to all. Explain the current downtown population and the need to serve that population and the population in the rest of the community. Consider longevity of business owners, affordability, demographics, minority and women owned businesses, etc.

Woodburn is a culturally diverse community in rural Marion County with 56% Hispanic or Latino residents and a sizeable Russian and Ukrainian community. Downtown businesses are predominately small, family-owned business with the majority owned by and serving the Latino community. Downtown is also home to numerous restaurants serving delicacies and food from the different culinary regions of Mexico with people coming from all over the region to visit and eat at Woodburn's restaurants.

The community strives to be welcoming and engaging to all people visiting downtown Woodburn. Business owners are friendly and ready to serve anyone shopping for specialty items, food, or gifts. The City through its Main Street efforts regularly hosts activities and events in downtown Woodburn in order to draw people into the area and enjoy the community's diverse cultures.

10.b. Will the project make your downtown welcoming to all? How? Who will be included?

This project will add to the value and attraction of Main Street by bringing housing to the downtown as well as commercial business opportunities. Redevelopment of the historic City Hall building will also provide needed improvements along First Street and, along with the First Street Improvements Project, will create a more welcoming, friendly, viable downtown for residents and visitors to enjoy.

Downtown Plan and Goals

Relate this project and its potential impact to a downtown plan or specific goals for your organization. Be sure to discuss why this project is a priority based on your plan or goals.

The City of Woodburn has completed a Downtown Revitalization Plan, an Economic Development Strategy, and a Tourism Development Plan, all of which identify the historic City Hall building as an important redevelopment opportunity and significant asset to downtown Woodburn. For many years, city and community leaders have envisioned the reuse of the property as housing, offices, hotel, retail, etc. and continues to keep the opportunity for redevelopment top of mind. The City's Urban Renewal Program has provided consultation and services to the numerous property owners over the years. The property owner (Anthony Young) has been working with city staff and has presented this redevelopment plan for consideration. Once funding is received from the Oregon Main Street Revitalization Grant program, the Woodburn's Urban Renewal Program will confirm its commitment of funds to the project.

The value of investment in this project has a significant impact to downtown Woodburn. From the redevelopment and preservation of a historic building to creating housing and business opportunities, increasing property values to creating an overall feeling of economic prosperity and sense of community.

Need for the Project on the Property

Describe need in terms of the condition of the property, the historical significance of the property, the value of the property to the community.

Built in 1914, the building served as the original Woodburn City Hall and housed city offices, police. Jail and the firehouse from 1914 to 1977. Designed by Salem architect George M. Post, who also designed the Salem's Carnegie Library in 1912, this building is a great representation of Renaissance Palazzo architecture. The historic City Hall building is one of only three properties in Woodburn listed on the National Register of Historic Places.

The Woodburn community remains dedicated to its historic downtown and preserving significant buildings and maintaining the values and cultures represented through our past. The historic City Hall building served the community for more than six decades as a public building and is a testament to the community's history.

The property has changed ownership multiple times since it's decommissioning, as a public building in 1977 and has remained predominantly vacant for the last forty plus years. Anthony Young (property owner) purchased the property in foreclosure in late 2017. Since that time, Mr. Young has been working with the City, architects and contractors on a redevelopment plan that would serve the needs of the Woodburn community and create an adaptive reuse opportunity for the property with commercial and multi-family housing.

To preserve and restore the historic City Hall building provides a tremendous opportunity for the community. Incorporating commercial businesses into the redevelopment will help to grow the local economy and create needed jobs and multi-family housing will provide alternative housing options for area residents.

Working with a committed property owner such as Mr. Young ensures the preservation of this historic property.

Value of Project on the Property

Describe how the project will address the needs of the property.

The Historic City Hall Building Redevelopment Project includes adaptive reuse of the first and second floors as multi-residential housing with residential and commercial in the basement level and commercial in the former firehouse. The redevelopment plans reflects 10-12 residential units with studio and one-bedroom layouts. All units would be developed to the standards in the city development code but would retain structural features of the building (where possible) such as high ceilings, original wood floors, original windows, and use of original woodwork and doors.

The commercial redevelopment plans reflect an opportunity for a restaurant in the former firehouse and possibly a portion of the basement, however additional commercial uses would be considered for the redevelopment and reuse of the building. The firehouse interior would retain the high ceilings and characteristics of its former use. The jail cells remain in the basement and could be an interesting attribute to a commercial business.

The redevelopment concepts for the historic City Hall building addresses needs of the Woodburn community by incorporating alternative housing options for area residents. Additionally, the plans for commercial space in the building offers business development opportunities, which will bring more shoppers and visitors to downtown and contribute to the economic vitality and livability in the Woodburn area.

The building exterior would retain the historic characteristics and would have limited (if any) change. The plans identify the need to clean the brick in an attempt to remove the graffiti and areas vandalized. The goal is to clean and seal the original brick to protect it from continued vandalism. The property owner will work closely with the City and subject matter experts to determine the best method for remediating the graffiti. Broken glass will be replaced and frames repaired in order to preserve the original windows on the building and there are some roof and flashing repairs, and accent painting to be completed. ADA improvements may be required; however, the property owner will work with the City to determine the best method to incorporate said improvements without altering the historic integrity of the building.

Most importantly, redevelopment and reuse of the building will provide a means of preservation of the structure and prevents the risk of losing this significant property due to vacancy or potential neglect.

The building is listed on the National Register, work completed and materials used will follow the Secretary of the Interior's Standards for

Rehabilitation when applicable.

Project Timeline

List your major benchmarks or tasks and approximate dates they will be completed.

The projected timeline with key benchmarks follows:

- Project Start Date: July 1, 2019
- Demolition: July 1, 2019 - July 12, 2019
 - Framing: July 15, 2019 – August 2, 2019
 - Rough-In Electrical and Plumbing: August 5, 2019 – August 23, 2019
 - Insulation: August 26, 2019 – August 30, 2019
 - Drywall: September 2, 2019 - September 27, 2019
 - Paint: September 30, 2019 – October 4, 2019
 - Finish Carpentry: October 7, 2019 - October 25, 2019
 - Cabinets and Countertops: October 28, 2019 - November 8, 2019
 - Finish Plumbing: November 11, 2019 – November 29, 2019
 - Finish Electrical: December 2, 2019 - December 20, 2019
 - Floor Covering, Window Treatment, Ceilings: December 23, 2019 – January 10, 2020
 - Final / Punch List: January 13, 2020 - January 24, 2020
 - Project Completion: June 30, 2020

Project Detail

Describe the work that will be completed, how the work will be completed, materials that will be used and who will do it and their qualifications, i.e. general contractor, sub-contractors, architects, skilled volunteers, etc. Also explain how the work will follow the Secretary of the Interior's Standards for Rehabilitation.

The property owner has engaged DGS General Construction, Inc. to serve as the general contractor for this project. Together they have developed a timeline for each task to be completed.

The redevelopment of the property will be completed in accordance to the city development standards as well as the Secretary of the Interiors Standards for Rehabilitation, when applicable. The reuse of original materials and structural features of the building will be incorporated in the redevelopment where possible, such as high ceilings, original wood floors, original windows, and use of original woodwork and doors. The commercial redevelopment plans for the firehouse interior would retain the high ceilings and characteristics of its former use. The jail cells remain in the basement and would be incorporated to the design of the space whether residential or commercial use.

The building exterior would retain the historic characteristics and would have limited change. The scope of work includes cleaning the brick and removing graffiti then coating it with an approved sealant. The original windows would remain with replacement of the broken glass and repairs to the frames. Additional improvements will include repairs to the roof and flashing repairs, accent painting, and necessary ADA improvements.

Please note – resumes for the property owner and DGS General Construction Inc. is attached to the application.

Ability to Complete the Project

Describe your organization's history and past successes related to this project, any partnerships on this project, volunteer or community support for this project, and any other evidence of your ability to complete the project. Explain your capacity to work with project leaders in designated local communities or downtown areas.

The City of Woodburn and designated staff has a long record of receiving and efficiently managing community projects and program. Said project include the Woodburn Museum and Bungalow Theater Project (funded in part by Oregon Main Street Revitalization Grant), First Street Improvements Project, management of the Urban Renewal Building Improvements Grant Program and numerous facade projects, as well as multiple economic development, tourism, and Main Street related projects, programs, and outreach. These projects and programs have all had impact on the downtown area and have received tremendous support from community groups, residents and businesses.

The City will works closely with the property owner on this project to ensure that standards of redevelopment and preservation are maintained.

Use of Grant Funds

Specifically explain what parts of the project the grant will fund.

Oregon Main Street Revitalization Grant funds will be applied directly to the construction costs of the redevelopment project as detailed herein.

Budget Narrative

Provide detailed budget information. ? Amount of private investment in this project – provide the amount ? Explain the source of private investment in this project – provide all sources of the investment ? Explain matching sources of funds - grant status, in-kind investments, estimates, etc.

Funding sources for the Historic City Hall Redevelopment Project include as follows:

• Oregon Main Street Revitalization Funds	\$200,000
• Property Owner Funds	\$535,300
Personal	\$ 50,000
Financing/Investor	\$485,300
• Woodburn Urban Renewal Grant Funds	\$100,000
2019 FY	\$ 50,000
2020 FY	\$ 50,000
Total Project Funding Sources	\$835,300

Applicant Certification

I certify that I am fully qualified to represent **City of Woodburn** for this grant request. To the best of my knowledge, the organization and the proposed grant project qualify for this grant program, and all of the information in this application is true and accurate.

Jamie Johnk, 03/08/2019

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