



September 8, 2023

George Snegirev, P.E.
Avalon Engineering
200 Sweden Circle
Silverton, OR 97381-1885

RE: Status of ANX 23-02, SUB 23-01, & Z[M]C 23-02 "E. Lincoln Road" along the north side of E. Lincoln Rd east of 1651 E. Lincoln Rd (Tax Lot 051W17AB00602; Partition Plat 1995-067 Lot 3)

Dear Mr. Snegirev:

Staff reviewed the degree of completion of the Annexation (ANX), Preliminary Subdivision (SUB), and Zone Map Change (Z[M]C) consolidated application package for the subject property submitted February 14, 2023 and revised and additional materials submitted August 11, 2023 and determined it incomplete as of September 8, 2023.

Section references are to the [Woodburn Development Ordinance \(WDO\)](#).

The re-submittal lacked a narrative and site plans revised accordingly. Submit them.

If considering deviation regarding the westerly north half-street segment along 1651 E. Lincoln Road (Tax Lot 051W17AB00600), there are two means:

1. Administrative: See and address 3.01.03F:

“When the Director determines that a required improvement of a Boundary ... Street would not be feasible, due to physical constraints of properties in the immediate vicinity or an inability to obtain right-of-way dedication from property outside a developer’s control, the developer shall pay fees in-lieu per Section 4.02.12, the Director may approve construction of a partial-width street to the minimum standards set forth above, or a combination of both.”

If wanting the Director to allow staff to administer 3.01.03F, the applicant would need to submit a revised narrative making an explicit request to make use of WDO 3.01.03F, and it would need to come with arguments and any documentation necessary to demonstrate that the proposal qualifies.

Staff knows from County assessor records that the seller of the subject property until October 2021 was the same as the owner of 1651 E. Lincoln Road, Fred & Vassa Ovchinnikov, and this is would be a factor against, “an inability to obtain right-of-way dedication from property outside a developer’s control”. The rebuttable assumption is that the seller and contract purchaser either knew or reasonably should have known City street improvement standards.

Also, regarding that “the developer shall pay fees in-lieu per Section 4.02.12,” an applicant would need to submit a cost estimate stamped by a licensed engineer and pay no later than 4.02.12A.2 the amount plus a percentage (likely based on 4.02.08A) to account for public labor being more expensive than private contracted labor.

2. Variance: The applicant would submit a revised or supplemental [uniform application form](#) page 2 with the box checked for “Variance”, submit the [variance checklist materials](#), pay the variance application fee per the [Planning Division fee schedule](#), and – stressing the checklist fourth check box – submit a revised narrative addressing the variance criteria and factors in 5.03.12B & C, and per 5.03.12C.6, the additional factors in 5.02.04E. The narrative would also need to make explicit the nature of the variance: What’s being varied from? Is it both ROW dedication and improvements or just improvements? What’s the alternative that the applicant wants to vary to? For example, for both ROW dedication and improvement, “ ... variance request regarding the westerly north half-street segment along 1651 E. Lincoln Road (Tax Lot 051W17AB00600) to vary from WDO 3.01.01A & B, 3.01.02A, 3.01.03A, 3.01.03C.1, the part of Figure 3.01A ‘Internal, Boundary, and Connecting Streets’ about ‘260 feet or less’, 3.01.04B, and Figure 3.01D ‘Service Collector’ by instead ... “. In a variance scenario, expect conditioning of fee in-lieu.

Staff recommends against deviation.

F. Street names: Please rename:

<i>Draft Street Name</i>	<i>Revised Street Name</i>
<i>Continental</i>	<i>J... Avenue</i>
<i>...</i>	

Based on revised direction per our phone conversation months ago, rename the proposed “Continental” Street to an avenue beginning with “J”. Submit a narrative and preliminary subdivision plan revised accordingly.

G. Subdivision: Lot numbering: Re-number all lots from the north clockwise – Lot 26 as 1, ... Lot 12 as 15, and Lot 1 as 26.

The re-submittal lacked a preliminary subdivision plan revised accordingly. Submit one.

H. Public Works: See enclosed Public Works Department comments.

Because there were no revised or additional materials addressing these, there was nothing for the Engineering Division to review. If the applicant has questions about what the Public Works comments mean and how to address them, contact Dago Garcia, P.E., City Engineer, (503) 982-5248, dago.garcia@ci.woodburn.or.us.

In closing, please provide to my attention all revised and new materials both in print (2 copies of site plans plotted at site plan size and 1 copy of other documents) and in Adobe PDF files. Acceptable print sizes are letter, ledger, and 24" x 36" plan size. Include a cover letter quoting and addressing each incompleteness item, referencing the plan set and sheet(s) or other document(s) and page number(s) that address each item.

You may email the PDF files if the total attachments remain under 10MB in size. Either a USB thumb drive or use of a file sharing website are also acceptable means to convey electronic files, and staff prefers a file sharing service.

Please contact me at (503) 980-2485 or colin.cortes@ci.woodburn.or.us with questions.

Sincerely,

A handwritten signature in blue ink that reads "Colin Cortes". The signature is written in a cursive, flowing style.

Colin Cortes, AICP, CNU-A
Senior Planner

cc: Sylvester Erofeef, Grace Point Contracting, 375 N. 1st St, Woodburn, OR 97071-4623
Chris Kerr, Community Development Director
Dan Handel, Planner
Cassandra Martinez, Administrative Specialist, Community Development Dept.
Curtis Stultz, Public Works Director
Dago Garcia, P.E., City Engineer

file(s): ANX 23-02, SUB 23-01, & Z[M]C 23-02 "E. Lincoln Road" along the north side of E. Lincoln Rd east of 1651 E. Lincoln Rd (Tax Lot 051W17AB00602; Partition Plat 1995-067 Lot 3); [Accela](#) record no. 971-23-000021-PLNG; Avalon Engineering project number GPC001