



Notice of Land Use Decision City Council Denial of US Market Gas Station

File Numbers: CU 21- 02, DR 21- 10, EXCP 21- 05, & PP 21- 01 (“US Market Gas Station”)

Date of Decision: August 8, 2022

Applicant: Ronald " Ron" James Ped, Ronald James Ped Architect, PC

Landowner: Lal Din Sidhu (" Don" Sidhu), Woodburn Petroleum LLC

Location of Subject Property: 2540 & 2600 Newberg Hwy(OR Hwy 214); Tax Lots 052W12DB03700 & 3600

Summary of Decision: DENIAL

Procedural History:

Woodburn Planning Commission June 9, 2022: Approved with conditions.

Appeal: Type III decisions rendered by the Planning Commission are appealable to the City Council. The City Council' s decision is the City' s final decision. The last date to appeal the Planning Commission' s decision for consolidated applications for the US Market applications was June 27, 2022. The Woodburn Fast Sery Inc. and LB Group, LLC, represented by David J. Petersen of Tonkon Torp, LLC, timely appealed by submitting a Notice of Intent to Appeal, dated June 21, 2022, which included each of the elements required by WDO 4.02. 01. 8. 2., including a statement of the grounds for the appeal.

The City Council held a public hearing on the appeal at its regularly scheduled meeting on July 25, 2022. Following the testimony and closure of the record, a motion was made to (i) Overturn the Planning Commission' s Decision; (ii) Tentatively Deny the Consolidated Applications and direct Staff to return with a final decision at the next Council meeting. The motion was seconded. A vote was taken and the City Council voted 4-0 in support of the motion overturning the Planning Commission decision and denying the applications.

On August 8, 2022, the City Council approved the Final Decision document.

The final decision and its attachments are available in Adobe PDF via the City Projects webpage at www.woodburn-or.gov/projects.

Additionally, a copy of the final decision and the entire file is available for inspection at no cost and a copy can be provided at a reasonable cost at Woodburn City Hall, Community Development Dept., 270

Montgomery Street, Woodburn, OR 97071. (Note that due to coronavirus precaution the building remains closed to the public except by appointment.)

The decision of the Woodburn City Council is final unless appealed to the Oregon Land Use Board of Appeals (LUBA). To appeal this decision, file a written Notice of Intent to Appeal with LUBA within 21 days per Oregon Administrative Rules (OAR) 661-010. If you have any questions or need additional information regarding appeal, visit the LUBA webpage at www.oregon.gov/luba or call (503) 373-1265.

If you have questions about other than how to appeal, contact Colin Cortes, AICP, CNU-A, Senior Planner, at (503) 980-2485 or colin.cortes@ci.woodburn.or.us.