

**Woodburn Planning Commission
Meeting Minutes
April 27, 2023**

Convened: The Planning Commission met at 7:01 p.m. both in person and through a public online/virtual session via Microsoft Teams.

Roll Call:

Chair	Piper	Absent
Vice-Chair	Ellsworth	Present
Commissioner	Hernandez-Mejia	Present
Commissioner	Berlin	Present
Commissioner	Corning	Present
Commissioner	Bartel	Present
Commissioner	Lassen	Absent

Staff Present:

Chris Kerr, Community Development Director
Colin Cortes, Senior Planner
Dan Handel, Planner
McKenzie Granum, Assistant City Attorney

Introduction: Vice-Chair Ellsworth called the meeting to order at 7:01pm and asked **staff** to begin roll-call. **Vice-Chair Ellsworth** led everyone through the Pledge of Allegiance.

Minutes: Vice-Chair Ellsworth brought up the minutes for **April 13, 2023**. She asked for a motion to approve of these minutes. **Commissioner Hernandez-Mejia** motioned to approve of the minutes from **April 13, 2023**. **Commissioner Berlin** seconded. The vote was unanimous and the minutes of **April 13, 2023**, were approved.

Business from the Audience: Vice-Chair Ellsworth asked if there was any business from the audience and there was none.

Communications: Vice-Chair Ellsworth asked if there was any communication from **Staff**. **Community Development Director Chris Kerr** stated that the only communications they had this evening is related to a land-use item that will be discussed this hearing,

Public Hearings:

DR 22-18, MOC 22-02, & VAR 22-16

Vice-Chair Ellsworth opened the public hearing for **DR 22-18, MOC 22-02, & VAR 22-16: Boones Crossing Phase 6**. She stated that it's a Design Review for a multifamily residential development of 94 townhouse-style dwelling units. Modification of Conditions request to remove a required commercial development component as well as a Variance request to allow a drive aisle to encroach within a setback.

Vice-Chair Ellsworth asked the **Commission** if there were any declarations, potential conflicts of interests, *ex-parte* contacts, or site visit and there were none. **Vice-Chair Ellsworth** asked if there were any challenges to the **Commission** and there were none.

Vice-Chair Ellsworth asked for the public hearing statement and **Assistant City Attorney McKenzie Granum** read the statement.

After the statement, **Director Kerr** wanted to address the audience on how they can testify for the land-use items. Those who are attending the meeting in-person would need to fill out the green testimony sheet with their name and address, so those who testify have a legal standing and will receive a copy of a final decision.

Planner Dan Handel presented the staff report for **DR 22-18, MOC 22-02, & VAR 22-16: DR 22-18 Boones Crossing Phase 6**. **Planner Handel** explained that the application before the **Planning Commission** is a Design Review, Modification of Conditions, and a Variance Request application that pertained to the Boones Crossing Subdivision Development that was approved by the Planning Commission a few years ago. **Planner Handel** stated that three land-use application types are Type III and he entered the staff report and its attachments into the record. **Planner Handel** addressed the two packets that the **Planning Commission** received earlier today. One was a staff memo that outlined several recommended changes to the conditions, which he will go over later in the hearing, and he entered the memo into the record. The second item is an email that **Planner Handel** received from a resident named **Michael Robertson**, which was a testimony and **Planner Handel** entered it into the record. He began his presentation. After he concluded his presentation, he asked the **Planning Commission** if they had any questions.

Commissioner Berlin asked if there was no on street parking. **Planner Handel** said that the gray areas on the map are not streets, they just function like streets when driving, but more considered alleyways. He gave examples such as Smith Creek Development and other newer subdivisions that have alleyways that are connected to garages. He continued by saying that each of the dwellings will have their own private driveway and their own garage. **Commissioner Berlin** asked if there will be guest parking and **Planner Handel** mentioned that **Staff** did bring that topic up with the applicant early on as a suggestion, which the applicant opted not to provide them as they already exceeding the minimum parking requirement. **Director Kerr** wanted to add that while it's not part of that approval, there will be on-street parking on Iris Street for the park. **Planner Handel** said that was correct as currently it's on the North and East outer side and the **City Council** is most likely considering putting it on the other side as well.

Commissioner Corning asked if **City Council** is planning to put street parking on both sides of Iris Street, which **Planner Handel** explained that no it would shift from the further side to the nearer side, to allow more street parking. **Planner Handel** explained the layout of the homes and the on-street parking and showed the image of the property to provide a better explanation. **Commissioner Berlin** commented that some people end up using their garages for storage and not for cars, therefore using their driveways and the streets for parking, leading to no additional parking anywhere, which **Planner Handel** agreed. **Commissioner Hernandez-Mejia** asked about Boones Ferry and what is the plan for that area, as she can imagine people parking on Boones Ferry if it's not stated for no parking. **Planner Handel** stated that there is currently no street parking on Boones Ferry and explained what's allowed there. **Commissioner Corning** asked what makes this development a PUD and **Planner Handel** said that was part of that 1997 application. **Commissioner Corning** stated that she can see that the **City** is getting the 3 acres but knows there is a tradeoff, which was the commercial component. **Planner Handel** stated that it was the requirement through this statutory agreement and that's what the applicant's here requesting to remove. It is probably due to market trends, as there is not a high demand for retail areas as there is for housing areas. **Planner Handel** explained about the approval for this phase, was that there were limits placed on what type of commercial uses can be there in that location. The developers were focused on neighborhood commercial use, such as preschools, daycares, family-oriented services, and small business to name a few.

Vice-Chair Ellsworth asked if the developers haven't been allowed to increase the number of units and it's still 94 units, which **Planner Handel** said is correct. She asked about the spacing of the units and **Planner Handel** said they do have a little more space to accommodate the units and he mentioned that the developers are going to pursue a two-story town house style unit, instead a three-story multi-family apartment. **Commissioner Hernandez-Mejia** wanted to clarify the designs of the units, which were three bedrooms, and a one or two car garage and **Planner Handel** said the applicant can confirm the unit configurations.

Testimony by the Applicant: Spencer Emerick, from CBTWO Architects 500 Liberty St., SE Suite 100, Salem, OR 97301. Applicant **Emerick** introduced **Gretchen Stone**, a land-use and interior designer

from the same office. **Applicant Emerick** answered that they are all three-bedroom units and one of the things about the site is that in the beginning stages was that if they did commercial, it would have to be three level walk-up apartments and design. **Applicant Emerick** stated that they didn't think that type of housing style would fit with the single-family homes in the area. So, once they went with townhomes, they had to follow the City's development ordinances with setbacks, parking, drive walks and other factors, it ended up with them not having any room for adding additional parking. **Applicant Emerick** stated that they try to focus on getting much as possibly could, while meeting all the design standards for this project. He addresses the question about additional parking and as an applicant, they felt that the open spaces were going to benefit this community more than adding a few parking spots, as it would be limited to the number that could be added to the site. He asked if the Planning Commission had any other questions for him.

Commissioner Berlin asked how would guest parking be accommodated. **Applicant Emerick** stated that the site is maxed out and there are maybe two to three locations of open space that is required by the **City**. They would have to have a variance to go away from that and provide parking there, which **Applicant Emerick** stated is an agreeable option if the **City** preferred it, but it would only be adding 4 to 6 spots in those locations. The **Planning Commission** discussed amongst themselves about that scenario, giving some insight to what might work or not. They asked **Applicant Emerick** if there was a way to make room on the property and he said they have follow development standards, which limits what they can do on the property, as the property has an interesting shape to begin with. **Commissioner Berlin** asked about the townhouses and **Ms. Stone** offered to answer her question. **Ms. Stone** explained that the other issue with the site was that they have limited access; therefore, they were allowed two driveways to get into the site and both are off Iris Street. Ms. Stone added that they were trying to get the site to layout circulation, fire access and providing parking. She stated that they are providing more parking that is required, as she stated that in Woodburn, the minimum parking requirement is two spaces per unit. In multi-family, it's two spaces and 50% needed to be covered. **Ms. Stone** stated that ideally, all of these units would have two-car garages, but it's doesn't work due to spacing. She stated that the idea is to have two garages in areas that would work and there's ample space in the driveway to allow additional parking there. With one car garages, she said that there's a space behind the driveway. **Ms. Stone** stated that even if they lost a few units, they wouldn't gain much parking, due to the configuration of the site. She stated that parking spaces require certain aspects and it wouldn't work due to configuration of the site. **Commissioner Berlin** asked another question about parking and **Ms. Stone** explained that they did the most they could with the circumstances given and that they are following the multi-family agreement of the PUD. **Commissioner Hernandez-Mejia** commented on the designs and how they look nice, however her concern remains about the parking. She knows that they met the requirements, it's just that parking has become a main issue throughout town.

Ms. Stone agreed that parking is an issue, but unfortunately, they are constrained by the many factors that are required from the development ordinance and the property size being a factor. Even if they did try to factor parking, they would end up meeting the minimum requirement due to the factors mentioned earlier. **Commissioner Berlin** asked if there was a density minimum and **Ms. Stone** stated that she doesn't recall if there was, however, they did take two acres out that was earmarked for commercial to offset that. **Commissioner Corning** asked about the commercial element and if it was required, how would they receive rental or sales if the building was sold or are the developers better off using the two acres as unit space. **Ms. Stone** stated that the reality is that commercial building wasn't as desirable as housing. **Commissioner Corning** asked about the PUD and **Ms. Stone** stated that she can't speak to the PUD, as the two acres that was part of commercial use were from the original PUD. **Commissioner Corning** stated that the tradeoff is the **City** allow certain density of building for public benefit and asked **Planner Handel** that the commercial component was a public component. **Planner Handel** stated that as part of the original PUD, the commercial element was likely included because the original developer saw benefit of having it there, but it being a single-family residential zone, commercial uses aren't typically allowed there. **Commissioner Corning** stated it's because of a PUD and **Planner Handel** said correct, but because of the agreement the commercial zone wouldn't be seen as a public benefit, but the **City** is granting it in order to get something beneficial to the public.

Commissioner Bartel stated that she needed someone to clarify where parking is on the site map. **Ms. Stone** stated that the development has been designed to have garages and a driveway, and their

requirement is to have 2 spaces, and they provide more than enough. **Commissioner Bartel** asked about the plan to prevent people from parking in areas they shouldn't like alleyways or wrong way on-street parking. **Ms. Stone** stated that they would put up signs and if anyone did, then towing would occur. **Commissioner Berlin** asked if the garages were accessible from the front of the unit and **Ms. Stone** stated that they are accessed from the drive aisle and an entryway into the unit from the garage. **Ms. Stone** pulled up the site plan of the garages and explained more to the **Planning Commission**.

Testimony of Proponents: Vice-Chair Ellsworth asked if there was anyone in the audience, both online and in-person, if anyone had a testimony in-favor of the project who would like to speak. There was none.

Testimony of Opponents: Vice-Chair Ellsworth moved on to testimony from opponents, those who wish to speak against the project. She stated that she will call up testifiers who wrote on the green sheets one at a time to say their testimony. **Director Kerr** reminded the audience attending the meeting that if there was anyone who didn't fill out a form and wished to speak tonight in this segment, they should do so now. **Commissioner Bartel** mentioned that there was a gentleman named **Gilberto Villanueva**, who was online and wished to testify. **Vice-Chair Ellsworth** gave **Mr. Villanueva** a chance to speak either for or against the project.

1. Online testifier: Gilberto Villanueva, 1596 Iris St., Woodburn, OR 97071. **Mr. Villanueva** stated that he is in opposition to this project. He stated that he has been living in Woodburn for many years and he mentioned he used to live near Walmart. **Mr. Villanueva** stated that his old neighborhood was nice and quiet, until Lennar and DR Horton came in and did development outside of Harvard Drive. He said that the area became a hassle and safety became a concern, as giant trucks were moving in and out of the neighborhood with a lot of foot traffic from the construction site. **Mr. Villanueva** stated that he has two kids, and they couldn't run outside freely as they used to, due to the safety concerns of these large vehicles are passing the neighborhood to get to the construction site. **Mr. Villanueva** stated that he doesn't believe that the land in front of Iris shouldn't be a multifamily development, but rather something else. He does state that he is in favor of the park. **Mr. Villanueva** stated in his opinion that the land should be developed into something of value and bring something for the City of Woodburn, like another high school or a school. He continued that other development projects in Woodburn are going to bring more people into the city, so they shouldn't need to build something that would bring more people in, as there are plenty of those types of projects. **Mr. Villanueva** final comment is that he understands that population will grow regardless, but the city should focus on developing other important things like a school to help with education.

2. Online testifiers: Larry & Jonnetta Chambers, 1488 Iris St., Woodburn, OR 97071. **Mrs. Chambers** stated that they both oppose this land-use project. **Mrs. Chambers** stated that their reasons as to why they oppose are like **Mr. Villanueva's** reasons he opposed. She stated that the width of the roads where she lives is narrow and cars can barely get by each other. **Mrs. Chambers** stated that if the development were to be added, more traffic would also be added to the area, along with traffic from the park, it'd be a nightmare for those residents who live in the area already. **Mrs. Chambers** stated that it would become a safety issue and the project is not a good design. She's also concerned about the devalue of the neighborhood and is concerned about unnecessary chaos based on this project's limited design.

3. Testifier from Audience: Sydni Vandal Avila, 1447 Sunflower St., Woodburn, OR 97071. **Ms. Avila** stated that her street is just above Iris St. and her testimony will be against the project. She stated that while she disagreed with the multi-family style homes in this area, she does like the town home style. However, the parking in the area is the major issue, as the older parts of the neighborhood where people can park on both sides of the street, only one car can barely drive down the road. **Ms. Avila** gave more examples of parking being an issue in the current development area where her neighbors and herself live in. Examples range from people parking in areas they shouldn't, blocking driveways, and on the wrong side of the street. She stated that it's a major issue, as there is nowhere for cars to park. **Ms. Avila** stated that she agreed with **Mrs. Chambers** talking about the unnecessary chaos that those kinds of things can bring. **Ms. Avila** stated that she supported the idea of a park. She suggested that for the commercial piece of the property could be used as a childcare facility, as a lot of the families in the neighborhood have young children and need access to childcare. **Ms. Avila** final statement was about Woodburn's growing need for more commercial areas and if the commercial piece was removed, it would hinder the chance for the

commercial piece to be made into something practical, especially if the areas around it would be multi-family.

4. Testifier from Audience: Michael Mansur, 1472 Iris St., Woodburn, OR 97071. Mr. Mansur stated that he opposed this project. Mr. Mauser had a few questions about the **Planning Commission**, as he is new to the area. First, he asked if **Planner Handel** is here representing **City Staff** and **Planner Handel** said yes. Mr. Mansur asked to be shown the map for the different phases of the Boones Crossing PUD, which the PUD was approved by the City Council of 1999, and asked when these portions of the phases were started at that time. Mr. Mauser clarified that he is looking more at when the agreement was confirmed to make Phase 6 into high density/multi-housing and what phases were being built at that time. **Planner Handel** stated that none of them were built at the time and that the 94 multifamily units were part of the original development. Mr. Mansur asked a hypothetical question about whether the people who lived in the area at the time could express their opinion on this development but couldn't, as their development was nowhere near the PUD, which **Planner Handel** said presumably as this as in the 90's and he wasn't here during that time. Mr. Mansur then moved on to ask when the community would have a hearing on this matter, because part of his concern is that some of these decisions were made about this PUD by people who live nowhere near this location. He stated that he wished that someone would have informed him what was going to be developed nearby or at least the realtors or builders should have disclosed that information to homeowners who are purchasing the homes near the PUD. Mr. Mansur also brought up the parking situation like the other testifiers before him and stated that the development should consider additional parking, as there isn't room to park on the properties.

Assistant City Attorney Granum asked **Planner Handel** to go back to the history slide of the presentation and she offered to answer some of the history related questions. **Assistant City Attorney Granum** stated that the 1999 approval didn't have six phases, it only had four initial phases. She stated that the reason why the 4 phases became 6, was when different developers brought and broke up the development into smaller segments. **Assistant City Attorney Granum** then talked about Phases 1 & 2 being the initial phases, as they were built out of the early 2000's. She continued stating that the recession happened and there were no other phases being built, which led into 2013, where there were interests from developers for Phases 3, 4, 5, which were the remaining single-family phases at that point.

Assistant City Attorney Granum stated that there were questions about whether the development was still vested to permit those phases to continue and there were questions related to the park property that was supposed to be guaranteed, as well as additional infrastructure that was needed, including storm and sewer. These items needed to be answered before the **City** would permit additional phases to be built and that approval for those additional resolutions were completed in 2016. **Assistant City Attorney Granum** stated that there were two opportunities for public hearings in 2016, where there were residents who came to those meetings that are from Phases 1 & 2 who were living in the development at the time. That development was approved, leading to the other phases being built out after 2016. **Assistant City Attorney Granum** said that Phase 3 occurred about 2017-2018 were stated and later the construction of Phases 4 & 5. She said the 2016 approval never changed in the multifamily component moving ahead. When the 2016 approval occurred, it basically reaffirmed that multifamily was going to happen with the guarantee of the 94 units and part of that was tied to that dedication to the park land. She stated when the dedication of the park land happened, the vestiture of the units occurred at that time.

Commissioner Corning asked about the park land being related to the other phases or just one phase. **Assistant City Attorney Granum** stated that it was related to the other phases, as the other phases couldn't get built unless the park land was dedicated, but the park land was owned by Phase 6's owner. The Phase 6 owner wanted to ensure that they could also move ahead and develop their multi-family that they were promised by the **City** back in the 90's and didn't want to dedicate their park land. **Assistant City Attorney Granum** said it was a little chicken before the egg, as they dedicated the park land upfront so Phases 3,4,5 could get built, with the understanding that they would always be able to come back and build the multi-family component.

Commissioner Berlin commented on that the law changed to allowing multi-family in single family residential areas and **Commissioner Hernandez-Mejia** said that the term is call mixed housing or middle

housing. **Assistant City Attorney Granum** stated that the middle housing legislation that came down from the state 2 years ago didn't necessarily change this development because the initial approval back in 1999 always considered that this would be multi-family. They even went back to the initial findings and examined the findings to annex the property into the City. **Assistant City Attorney Granum** stated that the **City** wanted to see a different mix of different types of housing within all of the phases of development, such as smaller lots and townhouses. It unfortunately took this long for someone to bring a proposal with townhouses.

5. Testifier from Audience: Michael Robertson, 1426 Iris St., Woodburn, OR 97071. **Mr. Robertson** stated that he is against the project and agreed with the other testifiers. His one question is why no exit is there directly onto Boones Ferry Road for this property. As he explained that everything is coming out from Iris St and doesn't understand why a 94-unit development doesn't have an exit onto Boones Ferry Road.

Vice-Chair Ellsworth asked **Planner Handel** to answer **Mr. Robertson's** question. As **Planner Handel** was pulling up a map, **Mr. Robertson's** asked about what happens if there is a fire, and the fire department would have to maneuver through the alleyways to get to the location of the fire. **Planner Handel** explained that Boones Ferry Road is considered a minor arterial street and the street to the South of that is going to be arterial street, in which the **City** is planning that southern arterial to connect between 99E and Butteville Road. **Planner Handel** explained that both of those arterial streets are limited to access points, as they will function as a higher volume street. He stated that eventually that the intersection of Boones Ferry and the southern road beside it would have a traffic light once it's been built out. **Mr. Robertson** stated most of the residents, if not a third of them, from that development are still going to come out from Iris and Autumn Street. He went on to provide examples of non-normal examples like delivery people and visitors causing more traffic in those areas. **Mr. Robertson** stated that it doesn't make sense to him.

Mr. Mansur had a follow-up question and went back up to speak. He stated that he doesn't understand the logic of not connecting the residential street into the arterial road, located southern from Boones Ferry Road. He also states the same mindset for Boones Ferry as well. **Planner Handel** asked if he was referring to the little stubs near those roads and **Mr. Mansur** said yes. **Planner Handel** explained that there is a certain minimum distance between intersections that must be maintained, as these are public works civil engineering standards. This is more for safety reasons and since these both are arterial streets; access points are limited.

Mr. Robertson interjected and reinstated the information that was just presented, sounding upset about the civil engineering rule that was just explained. **Commissioner Hernandez-Mejia** commented that she can see that they are close to another entry on all these sites, that an accident can happen because there are two-exits onto a bigger road.

Mr. Mansur tried to interject but **Vice-Chair Ellsworth** stepped in and reminded **Mr. Mansur** and the audience that the **Planning Commission** is taking testimony at this time and are not having a dialogue at this point. At some point, the **Planning Commission** would deliberate and ask questions to **Staff**, but this is not the time for the audience to debate with **Staff**. **Vice-Chair Ellsworth** stated that she would be happy to take notes for any additional questions to ask **Staff** but would do so after all who signed up to testified have said their piece.

Mr. Robertson stated that he disputed the fact that there can't be access from this development. He continued about potential routes they could do and what are the laws or rules for this type of development for access points.

6. Testifier from Audience: Rudy Perez D., 1456 Iris St., Woodburn, OR 97071. **Vice-Chair Ellsworth** called Mr. Rudy Perez to testify, but he seemed to have left the public hearing, and she moved on to the next testifier.

7. Testifier from Audience: Kathryn Pettit, 1410 Iris St., Woodburn, OR 97071. **Ms. Pettit** stated where her home is located and that she might be one of the first residents in that area. She commented about the increased traffic that has been coming into and out from Iris St. and how there wasn't many in the past. She

claimed that since the development of the phase, the area has become a mess as trucks hauling trash and dirt were spilling onto the road in front of her house and not cleaning up. **Ms. Pettit** continued her grievances about losing her view of the sunset as the development is going to put in two stories of houses in the big field where she can see the sun. She moved on to the fact that there are people speeding with music turned onto full blast, citing that she knows the **City** can't monitor that and it's not their fault.

Ms. Pettit proclaimed that if the **City** puts that division in, it would make her life a "living hell." **Ms. Pettit** stated that she's 70 years old and thought that her home will be where she lived until the day, she moves into a nursing home or died. She's extremely concerned that she would need to move due to the noise and that she has two pets who like to play outside and are afraid for their safety due to speeding drivers. **Ms. Pettit** then went back to the issue of speeding. She claimed that people are coming from Boones Ferry Road at 70 miles an hour and race down Iris St. **Ms. Pettit** proclaimed that it's not fair as she's been living peacefully for the long time up until this point. She claimed that the multi-family homes are going to depreciate her home. **Ms. Pettit** reinstated about the trouble with parking like the other testifies before her. **Ms. Pettit** expressed that she feels like she's being forced out.

8. Testifier from Audience: Dorothy Lokken, 1355 Autumn BLVD, Woodburn, OR 97071. Ms. Lokken stated that she no longer wishes to testify but did provide written testimony.

Vice-Chair Ellsworth asked if there was anyone else who wanted to testify in opposition. **Mr. Mansur** stated that he had a follow-up question or rephrase what he asked earlier. **Mr. Mansur** asked if it's possible that the developer, in this case, is attempting to maximize the profits from the density of housing that the expense of parking and driving access. He claimed that he can see ways for the road to be done in a way that doesn't cause conflict.

Vice-Chair Ellsworth asked if there was anyone else to testify, which there was none. She moved onto the rebuttal by applicant.

Rebuttal by the Applicant: Jamie Van Agtmael, LEI Engineering & Surveying of Oregon, 2564 19th Street, SE Salem, OR 97302. Mr. Agtmael stated they are the civil engineers of the project. He will be addressing the items that were brought up during the testimonies and will provide some clarity. **Mr. Agtmael** stated that they worked closely with the **City** and the different departments to make sure that these units would meet standards and the development code. He stated that they looked at the components for the apartment units, such as a three-story walk up, to the units and configurations that were more like the subdivisions, where there were dead end streets towards Boones and the southern arterial. **Mr. Agtmael** mentioned the fire chief did express some concerns over access as he also mentioned that this concern also was brought up with the other subdivisions and how some of those work with those fire gates and the back and forth. **Mr. Agtmael** then talked about the access way or additional intersections along Boones Ferry or the South Arterial, he stated that to his understanding that those are not allowed. He mentioned that the original PUD had only had two allowable entrances to the entire site of this property. **Mr. Agtmael** stated that together with the Woodburn Development Code and Public Work's standards, they could not add any form of access along the stub sections.

Mr. Agtmael moved on to the situation with parking, which he understands the concerns. He stated that they worked with the architects as best they could to fit in with the garage and driveway spaces. **Mr. Agtmael** believed that the only way to accommodate slightly more parking would be some guest pockets, which the planners help provide some examples from other subdivisions like Smith Creek. **Mr. Agtmael** stated that he worked on the design and layout of this, but he doesn't know where to put them and if they do put them, they would have to get substantially under the open space requirements. Commissioner Corning asked him to explain open space requirements and **Mr. Agtmael** said it's the percent of green space, which 30% of this project must be landscaping and open space. **Mr. Agtmael** stated that if they are currently at 30% and if they wanted to add pocket space for additional guest parking, they would have to be directed to do that as they wouldn't be meeting a requirement if they went on and did it themselves.

Commissioner Corning asked **Mr. Agtmael** why there are blocked exits on Dahlia, Daylily, and Sunflower Street. **Mr. Agtmael** stated that the reason why they are like that is because of the classification of the

street and the distance between intersections. It also is a way to provide fire access and exits, and that's why they have the fire gates with the locks on them. He said that it's the way to mitigate health and safety concerns. **Commissioner Corning** asked if that was the reason why traffic has moved down to their phase in subdivision and **Mr. Agtmael** said correct. He followed up with that they are required to have their access off Iris Street. **Vice-Chair Ellsworth** asked if the fire department or fire marshal reviewed the plan and does it meet the safety standards or are there removable ways to get through. She's concerned about how they will move all the way to the bottom of the street, in case of a fire. **Planner Handel** responded by stating that the fire marshal had reviewed these plans and given his approval. **Planner Handel** stated that details will get finalized through building permits, but overall, the site plan and how emergency trucks navigate the site meets the fire marshal's requirements. **Director Kerr** followed up by stating that the stubs are turn-arounds for the fire truck, which those stubs exist in the other phases.

Commissioner Corning asked if it would be dangerous to pull out of Boones Ferry and **Director Kerr** said yes. **Commissioner Berlin** asked about possibly changing the speed limit from 55 to 25 and extending that 25 limit further down. **Director Kerr** stated that the **City** would love to change speed limits on these roadways, but unfortunately as of right now, the road in question is not in the **City's** jurisdiction. He said that the **City** would need to get jurisdiction and go through speed studies that require approval by ODOT. **Director Kerr** commented that he would like to see some areas go through a speed change. **Vice-Chair Ellsworth** asked the question that **Mr. Mansur** had asked – is the consideration of the 94 units is to maximize your profits, which she gave **Mr. Agtmael** the choice to not answer. **Mr. Agtmael** stated that the 94 units was stated in the approval, and he thinks that the configurations of townhomes limit the developments potential of this property, as it would be tighter than the configuration of three-story walk-up apartments. **Mr. Agtmael** admitted that he can't think of a good way to answer it without a market analysis. **Mr. Agtmael** felt that this development was crafted to be next to a single family residential, instead of just apartments.

Commissioner Corning asked if each of these units are for sale or for rent. **Mr. Agtmael** answered that at this time it hasn't been decided, as these are being designed to be multi-family development, of which it's not lotted, but it has the potential to be condos, but at would have to be determined in the future as he and his team haven't been directed by the client to do so. **Commissioner Hernandez- Mejia** asked about the max density of 94 and that was set after the commercial area was removed for the PUD. **Planner Handel** stated that this included the commercial component, which was part of the 1999 approval. **Commissioner Hernandez- Mejia** commented that removing that component allowed them to spread out more and there would have always been a 94-unit approval regardless and **Planner Handel** said correct. **Vice-Chair Ellsworth** asked **Staff** about the bike mounts in the garage, as to her is a bizarre thing to throw in these garages. **Planner Handel** stated about the topic of traffic and the mounts are essential to encourage alternative modes of transportation. **Vice-Chair Ellsworth** asked if there was a bike line on Boones Ferry Road and **Planner Handel** said only in the **City** portion. **Mr. Agtmael** stated that they will be adding bike lanes in this development.

Commissioner Hernandez- Mejia asked a question for **Staff** about once they can reduce the speed limit on Boones Ferry, would it be possible to open the closed-up fire lines and would that be something to consider in the future. **Director Kerr** responded that the approval for this had some parameters, and he explained the reasons why it's being tied to Iris Street and not going out to the southern arterial street. **Director Kerr** explained the reason why the **City** doesn't want to add more driveways unless it's necessary, as they don't want to have the quickest roads to become full of traffic. He gave some examples of how the street can improve their flow of traffic like adding lights, signs, and among other items. **Director Kerr** stated that the way to make that safe and efficient is to minimize the driveways and send people to many designated roads as the **City** can and hence why Iris Street was designed for. The **Planning Commission** and **Staff** discussed more of Iris Street. There was feedback from the audience area, from one of the developers and **Vice-Chair Ellsworth** told her that if she wanted to testify, she would need to come to the microphone. **Commissioner Bartel** expressed concerns of Iris Streets spacing and how difficult it must be for larger vehicles like garbage trucks to travel along the streets with limited spacing due to street parking. **Ms. Stone** came back to the microphone and did a final clarification about parking for the **Planning Commission**.

COMMISSIONER ELLSWORTH

Okay, hearing none, I'm going to close the hearing and we will deliberate. Okay.

COMMISSIONER CORNING

Well, it seems like design flaws to me. I mean, with all the testimony about Iris Street, I'm it, people can't park there, there's going to be new houses going in across the street,

COMMISSIONER HERNANDEZ-MEJIA

I would rephrase that as more of the limitations that they have or not, obviously, to their advantage and working this out. Because I do appreciate that they've gone with a townhouse model versus, you know, an apartment complex that that is good, they are meeting the parking requirements, although we understand the need for parking in all of this, you know, and it, at least hearing with the history and, and being that it was all kind of pushed down just to that last project, you know, it's not their fault that that those were the conditions and those were the requirements set down all the way to there. And we also know what the needs are for housing, at the same time, I do like that, that bottom road is gonna get built. And so that'll help loosen up a bit of the traffic that just goes here. Because at the moment, if you look at the design, this is closed, but that'll end up opening—

COMMISSIONER CORNING

I think, what Dan was saying that's going to be a more

COMMISSIONER ELLSWORTH

They'll never open.

COMMISSIONER CORNING

Didn't you say, Dan, that was going to be a higher traffic Street, the one that goes to the south in this property—

COMMISSIONER HERNANDEZ-MEJIA

But what I'm saying is, people from these streets are going to have access now to Boones Ferry on this additional side here. But in trying to fix some of the parking issues, and especially for those that do have parties has three bedrooms, it's a family unit, you're going to have some sort of birthday party visitors. And I'm trying to think on a solution. You know, again, given that they weren't given a 94 max density to be able to work. And this was before they added that commercial space. Right. So one of the things I'm thinking right now is, why not why not remove some of the park space then to allow (inaudible).

COMMISSIONER CORNING

The city can't? I don't know how to pick up a work that is no longer plus it was part of an enormous agreement it involved six phases.

COMMISSIONER ELLSWORTH

I actually remember the six phases I was around when they were doing that, at least in the 2016 range. And it was considered a unit development in a large development. And yes, if at first it

was the whole unit development, and then it got parceled off. But the folks in unit one in order for it to go forward. And I might have the exact pieces wrong. But the people in unit one had to build the lift station for everybody. That was their part. The people in unit two had to put the road in for everybody that was their part. And then as a pieced about the very last piece was well, when they thought, they were going to do it all as one planned unit, there was the bottom corner was going to be commercial, but that was thinking, Oh, we'd have a deli, a corner grocery store, maybe a laundromat or something. And we'll dedicate a park. If you look at the whole unit, that park is actually in the middle of the whole unit. And so, this development there, and it was always going to be multifamily down in that, that little triangle. But the very last piece of it. Like you said, they've got this stuck with all the leftovers, it finally got to, but it's not. That's how it was (inaudible) in the beginning, way back when this is not new. I know that some folks have said, well, I bought my house. Nobody ever asked that we haven't had another. But it's out there. It's on the records. It's on the books, it's been part of the plan development. And by so what we're really asking is, are we going to agree with leaving out the commercial part? Well, it made sense when they planned it 20 or 30 years ago, but it doesn't really make sense right now. And by allowing them to take that out, we do have more green space, more, more access, large, slightly larger places. We've got more green space, we've got playground, the city's got a nice park out of it. And granted I understand all of the concerns about the parking and the on street and if you think about it, you know 1996 People had smaller vehicles. I live on an old street in town and I, if we've got an SUV on the left and SUV on the right one of us has to pull over so that the cars can go down. It's an unfortunate part of what we do that we're trying to look at today figure out what they meant to do 30 years ago and then based on what we do today there the people 30 years from now gonna go what the hell? What the heck were they thinking?

COMMISSIONER BARTEL

How much of this development is planned for low income housing?

COMMISSIONER ELLSWORTH

I don't know that it's low income housing. I don't think so. It's probably market and but Woodburn we suffer with not having enough people or not not having enough housing. The housing market has changed. The the legislation has changed the middle housing. And all of these are, you know, right now, our governor is really focused on making sure there's enough housing and make make sure there's enough diverse housing. And yeah, I'm happy that this is not an apartment complex. These townhomes, it looks like they've put a lot of thought into making them an attractive part. I don't think it's going to be, it's going to detract because it looks like they are using good architectural structure

COMMISSIONER CORNING

It looks beautiful—

COMMISSIONER ELLSWORTH

It looks beautiful. And I think it will be a beautiful addition, I get the parking, I get the traffic. Every time we have any kind of new planned unit in front of us, parking, traffic, I wish the people who were developing could solve our parking and our traffic problems.

COMMISSIONER BARTEL

Well, there's no reason for them to if we keep approving everything they put in front of us even though this comes up every single time. We already know it's a problem, why are we going to allow it to continue to be a problem?

COMMISSIONER ELLSWORTH

Well, I understand Woodburn has some of the strictest per unit parking rules.

COMMISSIONER BERLIN

But the reality is the cars are here. So there has to be parking and, you know, trying to eliminate private transportation and gear people towards public transportation. It works in the city, it doesn't really work here.

COMMISSIONER ELLSWORTH

Right.

COMMISSIONER BERLIN

So, you know, to me, it looks like a little maze. And eliminating some of the units to me would be beneficial as far as acceptance and then having a parking space and just an overall better thing. I like the look of the units, but it's too dense.

COMMISSIONER BARTEL

There's zero guest parking, why isn't that an issue? Because people want to visit unless we're gonna just tell people, you could buy these or move into these as long as you don't know anybody outside your home. And people are going to come they are going to park. And so what are we going to do call the tow trucks and the police all the time. It's a problem that is never going to be solved if we don't at least consider it.

COMMISSIONER ELLSWORTH

My solution is tell the city to turn that park into a parking lot. I mean, I to be frank, I don't know why we don't have a little more why we don't give up some of the green space for parking. But because I also wasn't going to play at the park. If they can't park there.

COMMISSIONER CORNING

It wouldn't be enough to help giving up all the green space, it still wouldn't be enough to help. You have to have a bigger green space. I mean, you know, fewer, fewer buildings, or—

(Inaudible)

COMMISSIONER HERNANDEZ-MEJIA

I mean, so here would be part of the question if they can build an apartment complex, but that can include enough parking with some visitor spots, is that going to be then what you prefer?

COMMISSIONER BERLIN

I like the two story—

COMMISSIONER CORNING

but they don't usually. They don't usually include enough for visitor spots with apartment buildings. That's been one of our problems.

COMMISSIONER HERNANDEZ-MEJIA

That's where I say it also comes back to us where they met the parking requirements which, again, it's a mix because they've met our requirements.

COMMISSIONER CORNING

They have I know.

COMMISSIONER ELLSWORTH

And yeah, they've met the requirements—

COMMISSIONER HERNANDEZ-MEJIA

Two per housing because there's a one garage and one on outside. I don't agree with it either. I don't like it, especially that there the majority of the units are one car garage with one space outside.

COMMISSIONER ELLSWORTH

But if it was an apartment complex, they wouldn't have one garage per unit.

COMMISSIONER HERNANDEZ-MEJIA

No.

COMMISSIONER ELLSWORTH

They would have a parking a parking lot with some carport spaces. Like it or not. They meet the parking requirements. I don't believe we can say no, because we don't like the parking when they've met that parking requirement. If there

COMMISSIONER CORNING

Can City Council say no because of that? Because, that's what's happen before.

COMMISSIONER ELLSWORTH

That's that's actually that's a valid question.

COMMISSIONER BERLIN

I mean, the City has had some what (inaudible) I mean, you know, otherwise, what's the point?

COMMISSIONER ELLSWORTH

What's the point of having an ordinance if we don't follow it to?

COMMISSIONER BERLIN

Yeah.

COMMISSIONER ELLSWORTH

But that I'm just going to step out a little bit and say that whatever our decision is, anyone that doesn't like our decision is welcome to go to the City Council and voice their displeasure at City Council. Whatever our decision is that is how that is the process. Am I not, am I correct?

COMMUNITY DEVELOPMENT DIRECTOR KERR

That's correct. Again, I sort of stated at the beginning, this is more for the folks listening and the folks in the crowd, this body makes the actual land use decision because it will be called type three decision. So, you're the decision maker. Once this decision is made, a final decision will be rendered will be written up and be signed by the Chair or the Vice Chair. And notice of that decision will be sent to everybody who submitted testimony. Here, it gives you a standings, what I talked about at the beginning of the meeting, and there is an opportunity to appeal this decision, then the appeal body for Planning Commission decisions is ultimately the City Council. That's the ultimate appeal body here at the City. So, all that's accurate. And if you have questions about it, you can get a hold of Dan or I, we can steer everybody in into what those requirements are. If I don't mind, I because I heard a couple of comments back and forth. And again, it's Commission can deliberate it as you like. But the question, the specific question about the parking issue, certainly understood, I think Dan mentioned the fact that this was a staff concern, initially, we had a lot of discussions with the applicant about it when they came in. But I want to be clear, we have standards. And the requirements of the law are that applicants meet our code standards, our code standards are two spaces, two spaces per dwelling in it. And they're meeting that code standards. So, I'm not speaking anything else about the application. But I do not believe you would be justified to deny somebody an application, because they're meeting a code requirement that we have, even if you don't like that code requirement. If you don't like that code requirements, the City's job to change it or consider it and whatever that might entail. I think you all know that this is more for the public's benefit. So that they understand it.

COMMISSIONER ELLSWORTH

Right.

COMMISSIONER CORNING

Couldn't we ask that it be reconsidered?

COMMUNITY DEVELOPMENT DIRECTOR KERR

Oh, absolutely. Right. That's, you know, we've looked at parking a couple times just in the past three years. And there's different options, we can talk about that separate from this specific quasi judicial item. You know, whether or not the city wants to consider changing their parking requirements for apartments, let's say, you consider guest parking and those items, but I don't want that to muddy this. That is not a criteria that this could be denied for because they clearly meet that standard.

COMMISSIONER ELLSWORTH

We could we could deny it because we say no, we want the commercial. That would be

COMMUNITY DEVELOPMENT DIRECTOR KERR

I'm just speaking about that parking issue. I guess maybe I'll leave it. That's my very strong advice that you not deny something because it clearly meets the code.

COMMISSIONER ELLSWORTH

Clearly.

UNKNOWN SPEAKER

(Inaudible)

COMMISSIONER BARTEL

I'm not sure about it, the configuration of the development itself and the way the streets run, it doesn't quite seem safe, but I'm not sure how to quantify that. I feel like you know, people are going to go faster or whatever. But how, how do they decide how wide the street needs to be? How tight the corners can be? And I know we've already talked a lot about the getting in and out of the development itself. So, we don't have to go over that again. But I do have some concerns about the narrow streets and the way it's set up is that are their regulations and that they that they are meeting because of that and can you tell me a little bit more about that.

PLANNER HANDEL

So again, our fire marshal has reviewed these overall layout plans as have our Public Works staff. Our third-party traffic consultant has also taken on a review of the project. There's a lot of fire code standards. This is the Oregon statewide fire code. There's also traffic engineering, civil engineering principles that go into intersection spacing and the curvature of an intersection. There's all these elements beyond our local development ordinance that govern the design of these factors. Does that help answer the question? (inaudible)

COMMISSIONER BARTEL

I think it does. So, thank you.

COMMISSIONER ELLSWORTH

So, are these different than actual streets? You've called them drive something.

PLANNER HANDEL

Yeah, they look like streets, but they are not public streets, like iris or Boones Ferry or the south arterial.

COMMISSIONER ELLSWORTH

So, they have to meet a different criteria, or they're not held to the same?

PLANNER HANDEL

That's correct. They are. They're, they're considered drive aisles in our development ordinance. So, they, they have a minimum width, they have to provide 26 feet comes from the fire code. That is, it allows for I believe it's a, like a loading prep area for one truck and then a second truck

to be able to pass by it is what it was described to me. So that's where that minimum width comes from.

COMMISSIONER CORNING

How did it compare to the Smith Creek alleys

PLANNER HANDEL

They're actually wider than those Smith Creek alleys. Those are 20 feet.

COMMISSIONER CORNING

The ones where they drive into their garages (inaudible)—

PLANNER HANDEL

That's right. These are 26 feet wide.

COMMISSIONER ELLSWORTH

Any other deliberation?

COMMISSIONER CORNING

I'm just wondering if you have an option to send it back? Rethinking.

COMMISSIONER ELLSWORTH

(Inaudible) it says it clearly in my notes. So, we can move to approve. We can move to approve with modifications, we can move to deny, per stated and we have to state the reason that we denied it. And that's it, so we can approve as presented, approve with modifications or deny. But we need to state the criteria under which we're denying.

PLANNER HANDEL

I brought up on the screen a recommended motion that includes the changes in that memo I entered into the record.

COMMISSIONER HERNANDEZ-MEJIA

Well, here's the thing, though, if you're denied because of the commercial aspect that does not remove the parking requirements

COMMISSIONER CORNING

is my chance to think—

COMMISSIONER ELLSWORTH

They can still have 94, they can have more need for parking, because now you've got some kind of business there that's going to need some parking.

COMMISSIONER CORNING

Well, I move we deny the application based on the requested modification of conditions.

COMMISSIONER BERLIN

I second.

COMMISSIONER ELLSWORTH

Okay, we've had a motion in a second. All those in favor, Aye?

COMMISSIONER CORNING

Aye.

COMMISSIONER BERLIN

Aye.

COMMISSIONER BARTEL

Aye.

COMMISSIONER ELLSWORTH

All those opposed, which is you're opposing the motion to deny, say nay, nay. And I think we have at least one—

COMMISSIONER HERNANDEZ-MEJIA

I'll go ahead and say nay I just because they do meet the requirements.

COMMUNITY DEVELOPMENT DIRECTOR KERR

Just so I can clarify and I apologize. That was three to two vote in favor of the motion to deny, is that correct?

COMMISSIONER ELLSWORTH

I would ask, I'm going to actually ask you to do a roll call vote for me. So, because I couldn't tell exactly what was what.

COMMUNITY DEVELOPMENT DIRECTOR KERR

Commissioner Bartell.

COMMISSIONER BARTEL

I vote with the way the motion was stated. Sorry.

COMMUNITY DEVELOPMENT DIRECTOR KERR

I just wanted to repeat it. So, everyone understand, forgive me.

COMMISSIONER BARTEL

Okay sure, so I said aye meaning I vote to deny it. I deny the denial because of the items that were requested.

COMMUNITY DEVELOPMENT DIRECTOR KERR

It was a motion and seconded to deny based on the specifically on the modification of conditions related to commercial is that correct? Commissioner Corning?

COMMISSIONER CORNING

Yes.

COMMUNITY DEVELOPMENT DIRECTOR KERR

Commissioner Berlin?

COMMISSIONER BERLIN

I'm going to deny it.

COMMUNITY DEVELOPMENT DIRECTOR KERR

So, you would vote aye in favor of the motion.

COMMISSIONER BARTEL

Yes

COMMUNITY DEVELOPMENT DIRECTOR KERR

Thank you. Commissioner Hernandez-Mejia

COMMISSIONER HERNANDEZ-MEJIA

Nay

COMMUNITY DEVELOPMENT DIRECTOR KERR

Vice Chair Ellsworth

COMMISSIONER ELLSWORTH

Nay

COMMISSIONER CORNING

Aye

COMMUNITY DEVELOPMENT DIRECTOR KERR

Commissioner Corning All right. We got three to two. I just wanted to confirm that for denial.

COMMISSIONER ELLSWORTH

Okay. So I believe we have denied the application as presented. (Gaveled)

COMMUNITY DEVELOPMENT DIRECTOR KERR

That's correct.

Unknown

Can I just say one thing? Is it okay?

COMMISSIONER ELLSWORTH

Yeah go ahead.

Unknown

I don't understand why there's so much talk about whether it's a condo or townhouse, or a three story apartment complex. Where, I in all the paperwork I've seen I'm under the impression that it's going to be townhouses. But when they get up here and say, well, we could have

COMMISSIONER ELLSWORTH

yes

Unknown

turned him into apartments three story

COMMISSIONER BERLIN

instead of this,

Unknown

right. But when the lady was up here talking, she was saying that they found no benefit in doing that, that it wouldn't create more parking, or it wouldn't create anything. So that's why they're going with the townhouse. And as a homeowner that affects all of us, because a multifamily three story apartment complex can bring all kinds of people in to the

COMMISSIONER BERLIN

well you can't (inaudible)

Unknown

No, but I can say something about it, lowering my value of my home.

COMMISSIONER HERNANDEZ-MEJIA

Everybody looks for the bottom line, whether it's homeowner, renting, and the original

COMMISSIONER ELLSWORTH

Realtor.

Unknown

But the other reasons though, too, it's just not working.

COMMISSIONER ELLSWORTH

Okay I'm gonna bring us back for just a couple minutes. As chairs prerogative, you can continue to speaking but I am going to take a five minute break

COMMUNITY DEVELOPMENT DIRECTOR KERR

before you officially did that. And I was just looking for the Assistant City's attorney assistance. If you didn't mind, I would, I would prefer to actually come back maybe at at our next scheduled

meeting to bring a final decision back so that we could review it before I actually asked the Vice Chair to sign it. I wanted to make sure that I had I could assemble the correct findings. I review them with the commissioners so that you could review them for a vote. We don't always do that. But we sometimes do

COMMISSIONER ELLSWORTH

So are we moving to continue this hearing?

ASSISTANT CITY ATTORNEY GRANUM

No. All we're requesting is that you make a motion that the actual written decision returns at the next meeting for review before it's signed by the Chair.

COMMUNITY DEVELOPMENT DIRECTOR KERR

That's all, we would look for a motion in a second for us to take that action. Is that is that understood?

COMMISSIONER CORNING

So you want me to make a motion?

COMMUNITY DEVELOPMENT DIRECTOR KERR

If you would?

COMMISSIONER CORNING

Yes. I moved there being an order written for review of the

COMMUNITY DEVELOPMENT DIRECTOR KERR

next meeting

COMMISSIONER CORNING

Planning Commission at the next meeting.

COMMISSIONER ELLSWORTH

Can we have a motion and a second? All in favor? Aye.

ALL

Aye.

COMMISSIONER ELLSWORTH

Any opposed?

COMMUNITY DEVELOPMENT DIRECTOR KERR

Thank you. I appreciate it.

COMMISSIONER ELLSWORTH

Hearing none motion carries. We are now in recess for five minutes.

At this time, the Planning Commission entered a recess for 5 minutes around 9:10-9:15pm, before reconvening for the second public hearing around 9:20pm.

ANX 22-05 & ZMC 22-05

Vice-Chair Ellsworth opened the hearing of **ANX 22-05 & ZMC 22-05: Butteville / Parr Road Annexation**. She stated that it's for an annexation of public right-of-way generally located at the intersection of Butteville Rd. and Parr Rd. and assignment of Southwest Industrial Reserve (SWIR) zoning district designation.

Vice-Chair Ellsworth asked the **Commission** if there were any declarations, potential conflicts of interests, *ex-parte* contacts, or site visits and there were none. **Vice-Chair Ellsworth** asked if there were any challenges to the **Commission** and there were none.

Vice-Chair Ellsworth asked for the public hearing statement and **Assistant City Attorney Granum** read the statement.

After the statement, **Director Kerr** presented the staff report for **ANX 22-05 & ZMC 22-05: Butteville / Parr Road Annexation**. He stated that this is a Type IV land-use application for both annexation and zoning map change and the **Planning Commission** is only recommending for approval. **Director Kerr** entered the staff report and its attachments to the record. He began the presentation. Afterwards, he asked if the Planning Commission had any questions for him.

Vice-Chair Ellsworth asked would the **City** own the overpass and **Director Kerr** said no and he explained that there still is an agreement with ODOT, as the only thing the **City** gets is the location of what's getting annexed in but ODOT still has control and the **City** would still need permission. **Commissioner Bartel** asked that the **City** couldn't turn I-5 into a toll lane to bring in more money for the **City**. This was a joke and the rest of the **Planning Commission** started to laugh. **Vice-Chair Ellsworth** asked for any other questions and there were none. She moved to testimony by the applicant and the **City** has a representative, as the **City** is the applicant.

Testimony by the Applicant: Renata Wakeley, Director of Special Projects for the City of Woodburn, 270 Montgomery St., Woodburn, OR 97071. Applicant Wakeley stated that she has attended some of the Planning Commission Meetings and one of the projects she's working on is the Urban Reserve Area UGB Expansion, of which **Commissioner Corning** is part of that committee. She mentioned that this project is tied into that as well and she's been working with **Director Kerr** and **Staff** in putting the application together. **Vice-Chair Ellsworth** asked if anyone had questions for **Applicant Wakeley**, which there were none.

Vice-Chair Ellsworth asked if there was anyone from the audience who wished to testify in favor of the project.

Testimony of Proponents: Greg Blaser, 8097 Parr Road, Gervais, OR 97026. **Mr. Blaser** stated that his property adjoins right alongside the overpass. He stated that he witnessed some accidents, one being extremely serious, at the Parr Road and Butteville intersection. He believes that the **City** would handle that area much better than the County, as he described it as the County has no interest in that area, as he tried to get them involved multiple times, as the County won't even replace the guard rails. **Mr. Blaser** stated that he would be for it as the **City** would better manage the area and make sure it's safe, while providing positive growth. He talked about the very bad accident he witnessed of a car coming from Parr Road colliding with the guard rail.

Testimony of Opponents: Vice-Chair Ellsworth asked if anyone wanted to speak in opposition, which there were none and there is no need for rebuttal.

Vice-Chair Ellsworth closed the public hearing and moved to the deliberation. **Commissioner Corning** stated that she thinks it's a great idea. **Commissioner Hernandez-Mejia** stated that the project made sense and **Commissioner Bartel** also believed it's great.

Vice-Chair Ellsworth entertained a motion. **Commissioner Corning** moved that the **Planning Commission** recommend **ANX 22-05 & ZMC 22-05: Butteville / Parr Road Intersection and Annexation**, for **City Council** for approval. **Commissioner Hernandez-Mejia** seconded. **Vice-Chair Ellsworth** stated that they have a motion and seconded. **Vice-Chair Ellsworth** asked all of those in favor and the vote was unanimous and **ANX 22-05 & ZMC 22-05: Butteville / Parr Road Intersection and Annexation** was recommended to **City Council**.

LA 21-03

Vice-Chair Ellsworth stated that the time was 9:40pm in the evening and recommended that they continue the workshop to another date. **Commissioner Corning** moved that the **Planning Commission** continue the **LA 21-03: Legislative Amendment Tree Workshop** to another meeting. Both **Commissioner Hernandez-Mejia** and **Commissioner Berlin** seconded. **Vice-Chair Ellsworth** stated that they have a motion and seconded. **Vice-Chair Ellsworth** asked all of those in favor and the vote was unanimous and the **LA 21-03: Legislative Amendment Tree Workshop** was continued to a different meeting date.

Business from the Commission: **Vice-Chair Ellsworth** asked if there was any business from the commission, which there was none. She moved to updates from **Staff**.

Staff Update: **Director Kerr** stated that the next meeting on May 11th, 2023, **Staff** will bring some findings for the **Planning Commission** to review. It's atypical for them to do it, but the **City Council** does these all the time. **Director Kerr** explained that the findings are based on the testimonies and the discussion from the **Planning Commission** for denial as they would review them and give their formal approval at the meeting.

The other item is readdressing the **LA 21-03: Legislative Amendment Tree Workshop** being continued, and that **Staff** would need to address it in the agenda for the next meeting, as notices have been sent out that the next meeting is a public hearing for said legislative amendment. **Assistant City Attorney Granum** stated that they would need to simply address it in the agenda as a workshop and not a public hearing, but they might have an audience at the next meeting.

Adjournment: **Vice-Chair Ellsworth** entertained a motion to adjourn. Both **Commissioner Berlin** and **Commissioner Hernandez-Mejia** seconded. **Vice-Chair Ellsworth** stated that it's been moved and seconded. She asked for all in favor and the vote was unanimous. The meeting was adjourned around 9:50pm.

Approved _____
Lisa Ellsworth
Vice-Chair of Planning Commission
City of Woodburn, Oregon
Date _____

Attest _____
Chris Kerr, AICP
Community Development Director
City of Woodburn, Oregon
Date _____