

**Woodburn Planning Commission  
Meeting Minutes  
June 08, 2023**

**Convened: The Planning Commission** met at 7:00 p.m. both in person and through a public online/virtual session via Microsoft Teams.

**Roll Call:**

Chair	Piper	Present
Vice-Chair	Ellsworth	Present
Commissioner	Hernandez-Mejia	Present (Late)
Commissioner	Berlin	Present
Commissioner	Corning	Present
Commissioner	Bartel	Present
Commissioner	Lassen	Present

**Staff Present:**

Chris Kerr, Community Development Director  
Dan Handel, Planner  
Bob Shields, City Attorney

**Introduction: Chair Piper** called the meeting to order at 7:00pm and asked **staff** to begin roll-call. **Chair Piper** led everyone through the Pledge of Allegiance.

**Minutes: Chair Piper** brought up the minutes for **June 08, 2023**. He asked if there were comments about the minutes and **Commissioner Corning** asked to have a sentence removed from the minutes on page 2, last paragraph on the bottom of the page. Staff made note to remove the sentence. **Chair Piper** asked for a motion to approve of these minutes as corrected. **Commissioner Corning** motioned to approve of the minutes from **June 08, 2023**, as corrected. **Vice-Chair Ellsworth** seconded. **Chair Piper** said the minutes were moved and seconded as corrected. He called for a vote and the vote was unanimous, therefore the minutes of **June 08, 2023**, were approved.

*Commissioner Hernandez-Mejia joined the Planning Commission Meeting after minutes were approved.*

**Business from the Audience: Chair Piper** asked if there was any business from the audience this evening that is not on the agenda. There were none.

**Communications: Chair Piper** asked if there were any communications and **Community Development Director Chris Kerr** said there were none this evening.

**Public Hearings:**

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

**Chair Piper** began the public hearing by reopening **DR 22-18, MOC 22-02, & VAR 22-16: Boones Crossing Phase 6**. **Director Kerr** stated that he would do a formal introduction. He stated that this a design review for a multi-family residential development of 94 townhouse style dwelling units. The project included a modification of conditions, requesting to remove a required commercial component of the development, as well as one variance to request a drive aisle to encroach into a setback. **Director Kerr** stated for both **Planning Commissioners** and the audience that this is a continuation of the **April 27, 2023**, public hearing. During that time, the **Commission** received testimony, they closed the record at the time and made a tentative decision to deny the application. Then on the following meeting on **May 11, 2023**, the **Commission** voted to reopen the record, based on the letter they received by the applicant, to schedule

the matter for another meeting. This is in reference for the meeting tonight. **Staff** provided a notice to all the people withstanding on the matter, in accordance with the **Planning Commission's** request.

**Director Kerr** then asked if the **Planning Commission** had any ex-parte contacts, site visits, declarations, or potential conflicts of interests. **Chair Piper** then asked the **Commission** if there were any to report, which there were none. **Chair Piper** asked if there were any challenges to the **Planning Commission** this evening and there were none.

**Chair Piper** asked **Director Kerr** to read the public hearing statement.

After **Director Kerr** concluded the public hearing statement, **Chair Piper** wanted to add that this is a continuance of the **April 27** meeting, which means that all testimony that was given that evening is still a part of the record and is still subject to discussion and review by the **Planning Commission** tonight. **Chair Piper** then asked for the staff report.

**Planner Dan Handel** introduced himself to everyone and began talking about the item of tonight's public hearing. **Planner Handel** said that it's a Type III land use decision for all three applications and he stated that the staff report addendum and its attachments are entered into the record. **Planner Handel** began his presentation of **DR 22-18, MOC 22-02, & VAR 22-16: Boones Crossing Phase 6**. After he concluded his presentation, **Planner Handel** asked if the **Planning Commission** had any questions.

**Commissioner Corning** asked if the speed table is like a speed bump. **Planner Handel** stated it's similar, as it would make cars reduce speed and it's less intense than a bump. In terms of actual design and location, **Staff** wants to work with the **Fire Marshal** on what would best serve emergency response, as well as overall safety for the site. **Chair Piper** asked about the removal of the 7 individual parking and if it was included in the conditions of approval and **Planner Handel** said yes. **Chair Piper** asked where it on the conditions of approval and **Planner Handel** said it's Condition 1A. Those spots would be filled with landscaping as that was originally proposed back in April. **Vice-Chair Ellsworth** asked what the electric vehicle parking requirement is. **Planner Handel** explained that because this project is being reviewed as a multifamily development, it's 5% of the minimum parking requirement. **Vice-Chair Ellsworth** mentioned electric vehicle outlets in every house and how that was discussed in the past, to which **Planner Handel** clarified that it was bike racks in every garage.

**Commissioner Corning** asked about Boones Ferry and is it currently a minor arterial and **Planner Handel** said that is correct. She also asked when the south arterial would be open to Boones Ferry. **Planner Handel** said it would be constructing their half of the south arterial improving as part of this project. These improvements would need to be completed before they can get their building permits. **Commissioner Corning** then asked why Daylily and Dahlia are blocked and why can't they be open to allow people to go into Boones Ferry. **Planner Handel** responded with it being due to the classification of the street, a minor arterial. The development code limits the number of access points onto arterial streets, and it requires a certain amount of distance between driveways. They're meant to handle a high volume of vehicles traveling along them, and to facilitate that in a more efficient way, the development ordinance limits access points. **Commissioner Corning** commented that further north on Settlemier Ave, there is driveway after driveway along the road. **Planner Handel** informed her that those houses were built before these plans and code regulations were in place.

**Chair Piper** asked if there were more questions for **Planner Handel** and there were none. He moved onto testimony by applicant.

**Testimony by 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** thanked the **Planning Commission** for their time tonight and thanked **Planner Handel** for his presentation. **Applicant Emerick** addressed the main concern of how well-thought out the project is and how to access the project. He explained that when designing this project, they looked at designing it with as little traffic as possible, while designing a multifamily project. **Applicant Emerick** explained that one of the aspects to decrease traffic was removing the commercial aspect, which would

increase traffic greatly, as the intake and exit would be onto Iris Street, as that is the only way back out to Boones Ferry Rd and the South Arterial. **Applicant Emerick** explained that they looked at it being a benefit to the neighborhood to slow down and limit traffic for that area. They also decided to move away from the typical 3 story walk-ups and do a more townhouse style which would entail a little bit more ownership for the tenants or new owners for those units. **Applicant Emerick** explained that as developers, they were limited on what they were allowed to do on the site.

**Ms. Stone** thanked the **Planning Commission** for reopening the record and being willing to revisit this project. She also thanked **Planner Handel** for his summary. She stated that the key to understanding the project is to understand that the property is identified as being multi-family and with a commercial component. The property owner/developer decided that it would be a better fit to do the two-story units instead of the three-story walkups. **Ms. Stone** believed that commercial uses aren't the most ideal uses for that neighborhood. In referring to what **Applicant Emerick** said, she stated that the traffic that would've been from that commercial component would also be accessing it from Iris Street. **Ms. Stone** stated that all the traffic from this development would be from those two access points on Iris. By reducing the type of development to strictly residential component reduces the anticipated traffic, that was originally anticipated with the development, when the PUD was first looked at. She also added that it allows the project to spread those units out a little bit and maintained a two-story height, rather than a three-story height. **Ms. Stone** referred what they heard the most about in the previous meeting for Boones Phase 6 was the concern about parking. Even though the project did provide additional parking spaces with a total of 64 spaces over the minimum, recognizing that some units only have two spaces and because the shape of the property and where the streets are, **Ms. Stone** stated that they recognized that parking would be an issue. Therefore, they went back to the design to see if they can add parking and still meet all the standards, including fire access requirements and provide the required open space areas. **Ms. Stone** stated that they submitted a revised landscape drawing, provided by the landscape architect, was able to provide the requirements for landscaping. **Ms. Stone** believed that they have provided a project that is more sensitive to the single-family homes that are living in the same area. **Ms. Stone** commented that they added some additional parking, so they are hopeful that the **Planning Commission** will see the effort that the developer is putting forward to trying to build this out as what was anticipated with the 94 residential units, putting an exceeding amount of parking and quality into these new units.

**Chair Piper** asked if the **Planning Commission** had any questions for the applicant or **Ms. Stone**. Vice-Chair Ellsworth asked how the applicant feels about backing off on those 7 spaces and providing that green space. **Ms. Stone** stated that she sees it as a tradeoff either way and the green space will enhance the project and it'll be a nicer project with that additional green space. She also stated that the developer is happy and is comfortable either way. **Ms. Stone** mentioned that they do have the developer's representative from West Coast Townhomes here tonight along with the civil engineer. **Commissioner Berlin** asked how the developers will mark parking spots to separate resident parking from guest parking. **Applicant Emerick** explained that the guest parking will be marked with "visitor only" and the HOA could mandate it. Before the **Planning Commission** moved onto testimony by proponents, **Chair Piper** assured everyone that he's caught up with this project as he read the minutes and watched the recording of the previous Boones Phase 6 public hearing.

**Testimony by Proponents:** **Chair Piper** asked if there is any testimony by proponents, those in favor of the project. There were none and he moved onto testimony by opponent.

**Chair Piper** asked for testimony by opponents, those who are against the project. There were a few who wanted to testify.

**Testimony by Opponents:** **Michael Robertson, 1426 Iris St., Woodburn, OR 97071.** **Mr. Robertson** started off with a comment about his travel route and described that the street behind his has one side of the street that people can park on and one side they can't park on. He stated that both sides of the street have parking on them while all the houses have two driveways. He commented on the idea of removing the commercial property, so they wouldn't have to build three-story units as he stated that it was comment he heard a few minutes ago. He claimed that statement sounded like a threat. His last comment for the evening was about the development designs as apartments. If those were changed to condominiums, do the site

plans and plan regulations change. **Planner Handel** answered that condominiums are reviewed to state law so they would be processed through Marion County for a condominium plat. **Mr. Robertson** asked if the site plan would change, and **Planner Handel** said no. **Mr. Robertson** asked if street's widths and everything else would remain the same and **Planner Handel** said correct.

**Hal Lokken, 1355 Autumn BLVD, Woodburn, OR 97071.** **Mr. Lokken** started off stating that he was at the last meeting. One of his concerns was when people turn off from Boones Ferry Road into Iris Street. People are speeding from Boones Ferry Road into Iris Street and there's a tree nearby blocking visibility. **Mr. Lokken** has a walker and can't run out of the way and cars don't see him until they are turning off. It's blocked off now. Another of his concerns is when the mail person is delivering mail and must park on the side of the street. He sees this about 3 to 4 times a day where someone coming from W Iris Street and coming off Boones Ferry and meet where the mail vehicle is and swerve around it. There have been too many close calls of near collisions. **Mr. Lokken** addressed the concern of the different construction vehicles coming in and parking on Iris St. or Autumn Blvd and claiming it'll be a nightmare. **Mr. Lokken** expressed that no one can give them a definitive answer on whether the new development is going to be managed or privately owned and is worried about parking from the new development. **Mr. Lokken** expressed the grievances on some neighbors who are thinking about selling their home because they don't like how Woodburn is changing development wise. He listed a few places that he believed that are worst off currently, due to the new developments like Amazon. He complained about the semi-trucks driving down residential and saying no one is doing anything to enforce them to not be travelling down those areas, even though there are signs saying, "No Trucks."

**Larry & Jonnetta Chambers, 1488 Iris St., Woodburn, OR 97071.** **Mr. Chambers** wanted to know if this development is going to be for homeowners or renters, as he claimed that it will be the dictating factor of the environment and will affect the neighborhood around the new development. **Mr. Chambers** also expressed concern about the street on Iris and the potential of double parking occurring for people who are using the park and causing cars to not have enough space to drive in and out safely. It causes vision clearance issues when cars are parking on both sides of the streets. **Mr. Chambers** then talked about the traffic impact analysis, and he pointed out how misleading it is, as some data isn't considered, like specific traffic factors or the fact that the study was done on workdays and not weekends. **Mr. Chambers** stated that he hasn't heard of anything about widening the streets and making Iris Street easier to drive down on.

**Chair Piper** asked if there was anyone else who wished to testify in opposition of the project. There were none and he moved onto rebuttal by the applicant.

**Rebuttal by the Applicant:** **Ms. Stone** wanted to clarify that this is designed as a multifamily project, and these are a town house style design. **Ms. Stone** stated that if at some point in the future, the developer to decided to convert the property to condominiums, it's design in such a way they could. She stated that the design that is proposed is the design that will be built and to clarify the maintenance as a multifamily development would be maintain by the property owner or the group whose maintaining it on the behalf of the property owner. **Ms. Stone** stated that if the developer wanted to make the property into condos, then the HOA will be the ones to maintain it as a multifamily development. In related to the parking, **Ms. Stone's** understanding is that the city would have the parking would be on one side of the street; as it would just be moving from East side that is developed of single-family homes, to the opposite side of the street where the park property is located. **Ms. Stone** asked **Planner Handel** if that was correct, and he responded with that street parking is currently allowed on only one side for all those streets in the Boones Crossing Subdivision. **Planner Handel** stated that on Iris Street, street parking is currently along the house side.

**Commissioner Corning** wondered if there would be fewer street parking spaces if it were to move onto the other side, as the diagram made the other side longer. **Director Kerr** commented that there are no driveways along the park and the park is going to be nothing but parking. **Planner Handel** stated that it would be 20 parking spaces along the park frontage and potentially another 15 along the rest of the street. **Commissioner Corning** asked if it's true that the width of Iris Street is 20 feet, as the testimony claimed it to be. **Planner Handel** stated that the width of Iris Street is 50 feet. **Jamie Van Agtmael, LEI Engineering & Survey of Oregon 2564 19<sup>th</sup> Street SE Salem, OR 97302.** **Mr. Agtmael** is the civil engineer and land surveyor of the project and he stated that from curb to curb it's 28 feet. **Mr. Agtmael** stated that even with

parking on one side, there should be more than adequate room to pass both ways, as they are just moving the parking from one side of the street to the other. He stated that **Planner Handel** is correct when it comes to the amount of street parking that would be allowed.

**Eugene Labunsky, West Coast Home Solutions, 25030 SW Parkway Ave #110, Wilsonville, OR 97070.** **Mr. Labunsky** is the developer and commented that he has built in the City of Woodburn before, and he even grew up in Woodburn. He felt like the project wasn't suited well for a traditional 3-story multifamily setting because it would be surrounded in a residential environment and farmland. Therefore, **Mr. Labunsky** and his team went and designed a project that would fit the neighborhood, such as each unit will have its own garage whereas a multifamily unit wouldn't. They also felt like a three-story multifamily development would stick out in this community, as it would be taller than the surrounding houses and look off. **Mr. Labunsky** explained that the commercial component didn't make any sense, as there is no need for it in the location this project's property. **Mr. Labunsky** commented that they added more parking than what was required of code and address everything that was brought up as a concern from the last meeting and tonight.

**Chair Piper** asked if there was any additional comment from the applicant's team. **Ms. Stone** wanted to say that the traffic report analysis (TIA) that **Mr. Chambers** reference on during his testimony, that the scope that was examined was determined by the city's traffic engineer and revisions were made based on information that they felt that needed to be added to it. **Ms. Stone** mentioned that it has been reviewed since then and been determined that its accurate and met the criteria. She stated that her team aren't the ones who've done that TIA report and that the engineer who did would be the one to answer those concerns directly. **Ms. Stone** wanted to apologies if their development team made it feel like they were threatening to change the project from two-story to three-story. The comment was made to illustrate the fact that a three-story building would be allowed, and that **Mr. Labunsky** felt that it was important to try to be sensitive to the single-family development that is already existing in the area.

**Commissioner Corning** had a question. She asked whether these units will be rental properties or condominiums. **Mr. Labunsky** stated that he doesn't know for sure now, as he is seeing how the economy is, but more likely he said that it will be a condominium as some point. Even if it becomes rental property, **Mr. Labunsky** stated that he and his team take pride for all the projects that own, and they have full on maintenance crews that maintain the landscaping. He also mentioned that they strictly enforce parking, such as if cars are there for two days or longer, the car gets towed. **Mr. Labunsky** stated that whether it's a rental or condominium with an HOA to enforce the rules, it will be maintained in a proper fashion. **Mr. Agtmael** wanted to say one final thing. He mentioned that during the last meeting about this project, they heard all the concerns the audience had, and took what was said into consideration. He mentioned that one of the things they fixed was parking and included more different ways to allow more parking. **Mr. Agtmael** commented that this project is helping reduce the traffic concerns on Iris Street. While there are additional units being added, but with the South arterial being connected, he believes that will serve well to the community. **Mr. Agtmael** mentioned that the intersection of Iris and Boones should see less traffic than it is right now, just by having the South arterial being connected, being widen out with the turn lane and having the ability to use that as well.

**Chair Piper** closed the public hearing and moved onto the deliberation. **Commissioner Corning** commented on liking the addition and she appreciated that the developers are making more parking. She commented on liking the change **Planner Handel** did for the project, which was adding the additional 12 parking. **Commissioner Berlin** commented on the look of the townhomes. **Commissioner Corning** stated that she appreciated the option of the three-story apartment complex compared to a condo-looking structure with garages and the improved use of the property. **Vice-Chair Ellsworth** remembered when the planned unit development was being worked on by the city council and by the city attorney and how this is the last piece left to complete from an entire planned unit development. She commented that the open green space the developer gave to the city to make it a park, which she liked and appreciated the developer making the project aesthetically pleasing.

**Vice-Chair Ellsworth** commented that she appreciated that the developer went out of their way to add the improvements and changes to the project, to address the concerns of the community and make a quality

project. **Vice-Chair Ellsworth** addressed the commercial component and stated that the reason why it was considered in that area was not for childcare, but for a laundry mat or deli for the tenants for apartments if the developers made apartment complex instead. **Vice-Chair Ellsworth** commented that since these units will be town house style, they will already come with the necessary utilities built into the homes like laundry units and other higher quality goods. She said times have changed and the need for commercial component in this development is not necessary anymore as it would've been years ago. **Vice-Chair Ellsworth** commented on that people asked what's the difference between a three-story apartment complexes and town homes and she gave the apartments on Pacific Hwy as an example of three-story apartment complexes. She added that regardless of the design or who owns it, it's still meant to be a multifamily and gave a definition of what multifamily is. **Vice-Chair Ellsworth** commented that she liked that their giving back about 7 spaces to green space. **Vice-Chair Ellsworth** expressed that traffic is one of the main concerns for any project that comes into Woodburn, but it's a factor that will always be existing. She commented on that this development looks so much better than what was originally thought of when it was first presented. She addressed concerned homeowners that it's a well-thought-out project and she knows that it's not the answer they wanted, but this property was agreed to be developed on regardless. Overall, **Vice-Chair Ellsworth** said that this is a quality project and is glad its design had changed, otherwise if it kept its original design from long ago, it probably won't have worked.

**Commissioner Hernandez-Mejia** stated that she seconded what **Vice-Chair Ellsworth** said. **Commissioner Hernandez-Mejia** added that the commercial component would cause more traffic in the area, especially if the commercial component was kept and turned into a daycare and other families in Woodburn would want to use it. As **Vice-Chair Ellsworth** mentioned earlier, **Commissioner Hernandez-Mejia** appreciated the intent that the developer made to make this project a high-quality development and to benefit the community. She said that traffic is always a concern and that she appreciates the effort the developer had made to try to limit traffic, as it's difficult to limit traffic when Woodburn is a mix between rural and modern development with people needing to use cars. **Commissioner Hernandez-Mejia** thanked to those who expressed their concern, as it helps developers create development that benefit the communities.

**Vice-Chair Ellsworth** hopes that if the development were to change into condominiums that it could be used as a steppingstone for future homeowners when they are ready to buy. **Chair Piper** had a few comments. One, that he likes the project. He then commented on the parking and that this development offers not only a parking place, but a garage as well. **Chair Piper** addressed the traffic concern and like most commissioners, he agreed that it will be an issue no matter what, mostly likely it's an enforcement issue involved. **Chair Piper** stated that the current problems that exist along Iris Street at this time, are problems of the making of the people who live there at this time. The development is still months away from breaking ground. His advice is for people to talk to their neighbors and find ways to resolve the issue. **Chair Piper** commented that in the 15 years of being here, the one thing he learned is that the traffic engineers know what they are talking about. He said he sometimes wonder how they come up with the data and he realizes that the traffic engineers are right and gave an example of 5<sup>th</sup> Street. **Chair Piper** concluded the deliberation.

**Chair Piper** entertained a motion. **Commissioner Corning** said she has a motion but first asked **Planner Handel** if she needs to mention the amendment to remove the parking spaces. **Planner Handel** said that it's already been incorporated in the recommend conditions. **Commissioner Corning** moved that the **Planning Commission** approve the application of **Boones Crossing Phase 6: DR 22-18, MOC 22-02, & VAR 22-16**, subject to the conditions of staff report and final decision be prepared for the signature of the chair. **Commissioner Hernandez-Mejia** seconded the motion. **Chair Piper** said the motion had been moved and seconded. He asked for all of those in favor and the vote was unanimous and **Boones Crossing Phase 6: DR 22-18, MOC 22-02, & VAR 22-16** was approved.

*The **Planning Commission** and **Staff** took a 24-minute recess to celebrate **Chair Piper's** retirement from the **Planning Commission**. The **Planning Commission** resumed with the work session around 8:38pm.*

**Commission Work Session: City Attorney Shields** facilitated a training work session on the role of a planning commissioner and some example scenarios that commissioners might find themselves in. The

session was presented in the form of a four-act play, featuring **Executive Legal Assistant Bravo, Planner Handel, Community Development Director Kerr, and City Attorney Shields.**

**Business from the Commission:** Chair Piper asked if there were any business from the **Commission** there were none.

**Staff Updates:** Chair Piper asked if there were staff updates and there were none.

**Adjournment:** The **Planning Commission** meeting was adjourned at 9:22pm.

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

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