

**WOODBURN PLANNING COMMISSION WORKSHOP/MEETING
MINUTES**

September 27, 2012

CONVENED: The Planning Commission met in a public meeting session at 7 p.m. in the City Hall Council Chambers, with Chair Ellen Bandelow presiding.

ROLL CALL:

Chair	Bandelow	Present
Vice-Chair	Piper	Present
Commissioner	Corning	Present
Commissioner	Grigorieff	Present
Commissioner	Lima	Present
Commissioner	Ellsworth	Present
Commissioner		Vacant

Staff Present: Jim Hendryx, Economic & Development Services Director
 Jon Stuart, Assistant City Attorney
 Don Dolenc, Associate Planner
 Vicki Musser, Recording Secretary

Chair Bandelow opened the workshop/meeting at 7 pm, and Commissioner Ellsworth led the Commissioners in the flag salute.

Minutes

The September 13, 2012 minutes were unanimously approved.

Business from the Audience

There was none.

Communication

There was none.

Items for Action

The Final Order for McDonalds (VAR 2012-04) was not listed on the agenda, and Economic and Development Services Director Jim Hendryx noted that the Commission would need to take action on the order this evening.

Public Hearing

The public hearing opened with VAR 2012-05, 1300 N. Second Street, regarding Nuevo Amanecer. The applicant requested a variance to substitute a 6' composite wood fence for a 6'7" architectural wall required by the Woodburn Development Ordinance (WDO). The WDO requires a concrete block wall wherever multifamily development abuts single-family dwellings or where parking is located within a required setback. The

applicant observed that the wall would be very close to single-family dwellings, and that the foundation of the wall could impact the roots of mature trees. Therefore, they want to build a composite wood and plastic fence that would not be disruptive to tree roots, and which might be more aesthetically pleasing to their neighbors. The composite would last much longer than a fence comprised solely of wood. The Planning Division recommended approval, subject to conditions listed on page 7 of the Staff Report.

Applicant: Emily Breidenbach, 24 Mosier Creek Place, Mosier: Ms. Breidenbach brought a sample of the composite wood fence material for the Planning Commission to examine. At one point, the required block wall would be less than 7 feet from a house on an abutting property. This could be considered intrusive, so the applicants wish to be good neighbors by building an attractive fence and using appropriate landscaping. Significant trees grow near the places where walls are required, and might be damaged by a concrete block wall's foundations. Ms. Breidenbach noted that although they would save approximately \$60,000 on building a composite fence, they would still be required to spend all the allotted money on the overall project.

Speaking on Behalf of the Project:

Brent Weidling, 1425 N. Front St, Woodburn: Mr. Weidling stated that he owns one of the properties that abut 1300 N. Second St. He voiced concern over an invasion of his privacy as Nuevo Amanecer is built and inhabited. Ms. Breidenbach has assured him that additional shrubberies will be planted to help increase privacy. Mr. Weidling requested that the PC approve the change from block wall to composite fencing, although he requested that the fence be 7' feet high, rather than the planned 6' fence.

Speaking in Opposition:

Angelica Torralba, 1266 N. 2nd Street: Ms. Torralba, who does not speak English, asked for 7 days to study the information and submit a formal written statement. Chair Bandelow suggested holding the hearing over until Oct. 11th.

Assistant City Attorney Jon Stuart said that this could be brought about by a vote from the Commissioners. He stated that the Commission could vote to either continue the public hearing to a date certain, or close the public portion of the hearing and leave the record open for a minimum of 7 days for additional evidence or documents. Emily stated that she was willing to provide a Spanish-speaking person to aid Angelica in understanding the variance request.

Commissioner Piper voiced an objection to the composite fence, after looking at the pictures of the trees shown along the boundaries of Nuevo Amanecer. He felt that the trees involved seemed to have hit their maturity. He was also concerned about approving a fence that might eventually sag or decline without ongoing maintenance. He is in favor of a brick wall, which would last much longer.

The Planning Commission voted unanimously to continue the public hearing to the next Planning Commission meeting on Thursday, October 11th.

The Commission then turned their attention to VAR 2012-06, 2720 Newberg Highway, West Coast Bank. The applicant is requesting a variance to exceed the maximum number of off-street parking spaces allowed, and to reduce the landscaping in the yards abutting Newberg Highway and Evergreen Road. The applicant ultimately intends to develop a 1,989 sq. ft. bank. All properties abutting 2720 Newberg Highway are zoned CG. When Highway 214 is expanded, the present building will be demolished. West Coast Bank wants to put a building in the northeast corner of the property. Some of the present landscaping is actually outside of the property boundaries. It is possible that ODOT will require that the shared access point on Newberg Highway be moved farther to the east. The applicant requests that the Planning Commission approve a variance for both additional parking (2 parking spaces), as well as to reduce the amount of landscaping required. Presently, 674 Plant Units (PU's) are required. The applicant proposes 189 PU's in their landscaping plan, which would require a 72% reduction in the required PU's.

The Planning Division recommended approval for the landscaping variance.

The parking variance is requesting additional 4 to 6 parking spaces beyond what is allowed by the WDO. The Planning Division recommends approval of this variance as well.

Applicant: Maureen Flanagan, 6566 Apollo Road, West Linn, OR 97068: Ms Flanagan told the Commission that eventually West Linn branch of West Coast Bank will probably relocate to the property at 2720 Newberg Highway. There would be four employees, so 7 parking spots are definitely not enough. Construction on the new building would begin in the spring of 2013.

Lynne Johnson, 366 State Street, Salem, OR 97301: Ms. Johnson wants to make sure that compact spaces are considered in the parking variance. At least 7 of the proposed spaces are compact spaces, as well as 1 ADA stall. Don Dolenc, Associate Planner, noted the language in the notice that was mailed to everyone is sufficient. The compact space provisions needs to be noted in the Final Order.

Speaking against the project: Kye Kim, 0841 SW Gaine St. #431, Portland 97239: Ms. Kim owns Dairy Queen next door. Dairy Queen has a total of 26 parking lot spaces. She is concerned about losing 10 parking spaces in the future, due to the widening of the highway. Dairy Queen would be sharing an entrance with West Coast Bank, which might be moved farther down an easement on the Dairy Queen property. If the variance is approved, Ms. Kim stated that she would lose further parking spacing to the entrance. She also has concerns about sharing a driveway.

Chair Bandelow clarified with Ms. Kim that she is not against the variance; she just wants to keep her parking spaces.

West Coast Bank applicant Maureen Flanagan stated that they would not encroach on Ms. Kim's property, but would be using the open shared space along the property line for vehicular access only.

Don Dolenc, Associate Planner, stated that ODOT, who controls access to 214, may require that the entrance shift farther to the east, and that this is out of local control. Chair Bandelow and Commissioner Lima also stated that decisions about the entranceway are under ODOT's sole control.

Assistant City Attorney Stuart suggested that the Commission offer to continue the hearing to the next meeting, so Ms. Kim could have her questions answered, provide any additional testimony, and have her attorney present at the hearing. Ms. Kim concurred. The Planning Commission voted unanimously to hold the hearing over until the next regularly scheduled Planning Commission meeting on Thursday, October 11th.

Final Order, VAR 2012-04, 1542 Mt. Hood Ave, McDonalds: Commissioner Lima made a motion to accept the Final Order for VAR 2012-04; Commissioner Corning seconded the motion, and it was passed unanimously.

Workshop

The last Planning Commission workshop on the Woodburn Development Ordinance (WDO) was held in July. The Planning Commission has been going over sections of the WDO to simplify and clarify the ordinance. Discussion continued regarding the Commercial and Industrial Zones.

The Commission reached a consensus to accept the Commercial and Industrial charts as presented.

Items for Action

The City Council called up SUB 2012-01, VAR 2012-02, EXCP 2012-01, Kalugin Estates Subdivision, (located south of Hardcastle Avenue, between Dunn Court and Orchard Lane), at their recent meeting on September 24, 2012. Commissioner Piper attended the meeting, and was able to tell the Planning Commission that the City Council's biggest concern was the sheer number of variances being requested. They felt that the requests were too far afield from Woodburn Development Ordinance (WDO) regulations. Commissioner Piper felt that if the CC denies a project based on the number of variances, similar instruction needs to be given to the Planning Commission. The vote was 3 for and 3 against, with the Mayor breaking the tie in favor of approval for the Kalugin Estates subdivision.

The next Planning Commission meeting is scheduled for Thursday, October 11th.

Director Hendryx spoke about the new Urban Renewal Design Services program, which provides property owners in the downtown with code information and architectural design services, with the owners making the final choices as to what best suits their establishment.

The next meeting will be held on Thursday, October 11th. A quorum is needed, since there will be 3 land use decisions.

Adjournment

Commissioner Lima made a motion that the meeting be adjourned, and Commissioner Ellsworth seconded it. The meeting was adjourned at 8:49.

APPROVED 
Ellen Bandelow, Vice-Chair

10.11.12
Date

ATTEST 
James N.P. Hendryx
Economic & Development Services Director
City of Woodburn, Oregon

10/11/12
Date