

**WOODBURN PLANNING COMMISSION
PUBLIC HEARING/MEETING MINUTES
October 29, 2020**

CONVENED: The Planning Commission met in a 7 p.m. virtual public meeting session via GoToMeeting, Chair Charlie Piper presiding.

ROLL CALL:

Chair	Piper	Present
Vice-Chair	Bandelow	Present
Commissioner	Guerra	Absent
Commissioner	Corning	Present
Commissioner	Dos Reis	Present
Commissioner	Lassen	Absent
Commissioner	Berlin	Absent

Staff Present:

Chris Kerr, Community Development Director
Dan Handel, Associate Planner
McKenzie Granum, Assistant City Attorney
Dago Garcia, City Engineer

Introduction

Chair Piper opened the meeting at 7:15 pm.

Minutes

None

Business from the Audience

None

Communication

None

Public Hearings

Agenda Item 6a:

CU 2020-02 & VAR 2020-07 “AT&T Cell Tower” at 1414 Commerce Way:

Declaration of *Ex parte* contacts, personal site observations, conflicts of interest, or bias: None.

Associate Planner Handel summarized the proposed project and entered an addendum to the staff report into the record, which included new written testimony received after the October 8, 2020 meeting and a new condition of approval recommended by staff. The applicant was supportive of the updated condition.

The additional written testimony was submitted by Simona Simeonov-Barr (2054 Oak Ridge Drive, Santa Rosa, CA 95404) and Christopher Lee (2054 Oak Ridge Drive, Santa Rosa, CA 95404).

Chair Piper asked for confirmation of care and maintenance responsibilities for the public right of way on Commerce Way.

Sara Springer (583 Battery St., Seattle, WA 98121) presented on behalf of the applicant. Ms. Springer argued that the right of way dedication and street improvement requirements along Commerce Way as well as the Riparian Corridor & Wetland Overlay District (RCWOD) easements would be an overreach by the City and would not survive a nexus or rough proportionality analysis. Ms. Springer also stated that the City’s restrictions on development in the RCWOD already protect the public interest to preserve the wetlands area, and requiring an easement would be a taking of property.

Chair Piper opened the floor to public testimony by proponents of the project: None.

Chair Piper opened the floor to public testimony by opponents of the project:

George Simeonov (1420 Commerce Way, Woodburn, OR 97071) entered his name and address into the record. Mr. Simeonov shared his objection to the project, included concerns that the tower will be able to be seen throughout the city, including Legion Park, and insisted there is a better location for the proposed tower.

Ms. Springer re-emphasized that the applicant meets the standards and allowances set forth by the code.

Chair Piper closed the public hearing.

Vice-Chair Bandelow voiced that the applicant appears to have reduced the impact of the proposed tower as much as possible. Commissioner Corning agreed, and believed it was placed appropriately in the proposed zone and found

the applicant's variance arguments compelling. Commissioner Corning made a motion to approve the application with the conditions outlined by staff in the staff report dated October 8, 2020 and in the addendum dated October 22, 2020. Commissioner Berlin seconded the motion. Chair Piper interjected with a correction to the motion to remove Condition CU-3. The corrected motion passed unanimously.

Business from the Commission:

None

Staff Update:

Director Kerr reminded the Commission that the next meeting is on November 12 and there will be no second meeting in November.

Adjournment

The meeting adjourned at 8:24pm.

APPROVED _____
Charlie Piper, Chair Date

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