

**WOODBURN PLANNING COMMISSION
PUBLIC HEARING/MEETING MINUTES
October 8, 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	Present
Commissioner	Corning	Present
Commissioner	Dos Reis	Present
Commissioner	Lassen	Present
Commissioner	Berlin	Present

Staff Present:

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

Introduction

Chair Piper opened the meeting at 7:00 pm.

Minutes

September 10, 2020: Vice-Chair Bandelow motioned to approve the minutes and Commissioner Berlin seconded. The minutes are approved unanimously.

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 acknowledged that the item originally was scheduled for the September 10 Planning Commission hearing and was voted to be removed from the agenda by the Commission after new testimony was received prior to the hearing. Through the new testimony, staff determined that the Street Exception application originally turned in with the application was not the correct application type for the request. The appropriate application is a Variance, which was subsequently turned in by the applicant. Staff sent out new public notices for the item to include the Variance application.

Associate Planner Handel shared that testimony was received concerning procedural issues relating to notice requirements for this item. Staff reviewed the noticing process for this hearing and determined that staff used the correct noticing procedure.

Associate Planner Handel presented the staff report.

Applicant's Presentation: Sara Springer of Busch Law Firm, LLC presented on behalf of the applicant. Ms. Springer reiterated that the applicant and property owner are aware of the riparian corridor and the importance and need of the Mill Creek area and the trail system. Ms. Springer states that the tower will require a single monthly visit for maintenance. The applicant understands that the owner's intent is to develop the rest of the property at some point in the future.

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

Chair Piper opens 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 process for building and maintaining the gravel road leading to the project site. Mr. Simeonov shared his concerns about the impact the project's proposed use will have on the gravel road and the maintenance of the road, as well as concerns about the visual impact to the city and its residents. Mr. Simeonov believed the tower is proposed in the wrong place and would be better placed in the industrial area near Progress Way.

Land Use Attorney and representative of the Simeonov's, Carrie Richter (Bateman Seidel Miner Blomgren Chellis & Gram, P.C.), testified that the

applicant has other options for placing the proposed tower, as well options for mitigating the visual impact and an obligation to mitigate the impact that the project's vehicles would have on the gravel road. Ms. Richter urged the Planning Commission to deny the application, but before a decision is made, Ms. Richter requested a continuance of the hearing in order to review and respond to the new evidence submitted by the applicant.

Commissioner Corning made a motion to continue the hearing until October 29, 2020 pursuant to the provisions of the Woodburn Development Ordinance, allowing testimony to be presented in writing prior to that date, as well as the day of. Commissioner Lassen seconded the motion. The motion passed unanimously.

Agenda Item 6b:

VAR 2020-06 "Driftwood Mobile Home Park" at 612 Cascade Drive:

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

Associate Planner Handel presented the staff report.

Associate Planner Handel and Director Kerr clarified that the Variance application was not for a single space on the property, but for the entire site. Chair Piper asked for confirmation that the Fire District was aware of the requested Variance. Director Kerr explained that the State building and fire code allows a 5-foot minimum setback and fire separation inside parks, and while the Woodburn Development Ordinance calls for a greater minimum setback, the requested Variance meets the state's minimum code requirements for Manufactured Dwellings.

Applicant's Presentation: Property manager, Maureena Hilton (612 N. Cascade Dr., Woodburn, OR 97071) testified that an approval of the Variance application will allow an efficient way for the park to provide housing to low income seniors, replace homes in the future, and allow a vacant space to be filled. A denial of the variance application would not allow manufactured dwellings to be updated or replaced in the park in the future.

Chair Piper opened the floor to public testimony by proponents of the project.

Property owner, Michael Huarte (4729 Garfield St, La Mesa, CA 91941) stated that they are happy to fulfill the condition of approval recommended by staff.

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

Written testimony from Maxine Fitzgerald (612 Cascade Drive #7, Woodburn, OR 97071) was entered into the record. Ms. Fitzgerald did not support the Variance due to concerns about damage to the arborvitae and believed the requested

home is too large for the space. Ms. Fitzgerald would like to see the arborvitae removed.

Chair Piper closed the public hearing.

Commissioner Corning made a motion to approve the application with the conditions outlined by staff in the staff report. Commissioner Berlin seconded the motion. The motion passed unanimously.

Business from the Commission:

None

Staff Update:

Director Kerr conducted a quorum check for upcoming Planning Commission meetings on October 22 and 29.

Adjournment

The meeting adjourned at 9:08pm.

APPROVED _____
Ellen Bandelow, Vice-Chair Date

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