

**Woodburn Planning Commission
Meeting Minutes
February 09, 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
Commissioner	Berlin	Present
Commissioner	Corning	Present
Commissioner	Bartel	Present
Commissioner	Lassen	Present

Staff Present:

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

Introduction: Chair Piper called the meeting to order at 7:05pm and asked **staff** to begin roll-call. **Chair Piper** led everyone through the Pledge of Allegiance.

Minutes: Chair Piper brought up the minutes for **January 26, 2023**. He asked for a motion to approve of these minutes. **Vice-Chair Ellsworth** motioned to approve of the minutes from **January 26, 2023**. **Commissioner Hernandez-Mejia** seconded. The vote was unanimous and the minutes of **January 26, 2023**, were approved.

Business from the Audience: None.

Communications: Community Development Director Chris Kerr stated the only communications were related to the public hearings on the agenda.

Public Hearings:

ANX 22-03, PP 22-02, SUB 22-04, VAR 22-07, ZMC 22-03: Brighton Pointe Subdivision

Chair Piper opened the public hearing for **ANX 22-03, PP 22-02, SUB 22-04, VAR 22-07, ZMC 22-03: Brighton Pointe Subdivision**. He explained that it's a Type IV application, therefore the Commission would only be giving a recommendation to the City Council. **Chair Piper** explained that the property is approximately 38 acres and the applicant requested an Annexation, Phasing Plan, Subdivision, Variances, and Zoning Map Change generally located at 8708 Parr Road.

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

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

After the statement, **Planner Dan Handel** began the staff report with a presentation on **ANX 22-03, PP 22-02, SUB 22-04, VAR 22-07, ZMC 22-03: Brighton Pointe Annexation/Subdivision**. **Planner Handel** stated that this was a continued item from the previous **Planning Commission** meeting of January 12,

2023. **Planner Handel** reiterated the role of the Planning Commission for this application package and entered the staff report, its attachments, and three additional documents (a letter of support from Specht Development, a staff memo supplementing the staff report by with additional information regarding three of the variance requests, and a second staff memo outlining several recommended modifications to conditions of approval) into the record. After concluding the presentation, he asked the **Planning Commission** if they have any questions for him or the applicant.

Commissioner Corning asked if 8708 Parr Road NE was a farm and would it be part of the proposed projects property. **Planner Handel** responded with that 8708 Parr Road is currently a farm and farmhouse. He said the property was involved in a previous hearing for the subdivision for the adjacent property and the homeowner testified for that previous hearing. **Commissioner Bartel** commented that that property is for sale and **Planner Handel** added that the property applied for an annexation application, and it will be presented to the **Planning Commission** sometime in the future. **Commissioner Corning** asked about the overlay district and whether or not the property is labeled as an overlay zoning district and **Planner Handel** responded with a yes. She followed up with a question about how this process happens and **Planner Handel** explained the history of overlay district, and due to the land being annexed in, it took on the same zoning requirements as its neighboring properties. **Commissioner Corning** asked about the commercial zoning component and **Planner Handel** stated that there will be one nodal commercial area north of the subject property on the other side of Parr Road.

Commissioner Berlin asked if the main point was to make the house bigger on each lot by making the perimeter smaller in comparison. **Planner Handel** explained the variance request and that the sizes of each lot will be different depending on what zone they are in. He said that the question will be answered by the applicant when they do their presentation later tonight. **Commissioner Berlin** asked about potential lot increases and **Planner Handel** responded that due to challenges with density requirements for the nodal overlays, as the applicant is just barely meeting the minimal requirements in the RSN area. He mentioned that this was one of the issues that they went back and forth on in the beginning, as they were reviewing the project. **Commissioner Berlin** commented how all the houses look so alike and she isn't a fan of the outer appearances of the houses.

Commissioner Bartel expressed her concerns about the **Planning Commission** making a recommendation for approval for a project that has some incomplete or no plans to handle some of the important issues, like traffic. **Planner Handel** compared the issue to a chicken-and-egg situation – the City needs to perform long-range planning for growth and related traffic impacts, but also needs to be able to fund improvements identified by these planning efforts. There are currently no identified projects in the City Transportation System Plan for those intersections. **Commissioner Bartel** commented on the Amazon project and asked if they had to provide plans for their project for traffic improvements. **Planner Handel** stated that all developers are required to either provide a traffic impact analysis report or a brief memo, depending on the number of trips they are generating and the impacts of the site. **Planner Handel** stated that the conditions recommended by staff represent proportionate share contributions, the greatest amount the City can require, to mitigate the identified traffic impacts that the project will be contributing to. These contributions will go towards a transportation study of this area of the City in order to determine what the best solutions are for each of these intersections.

Commissioner Corning asked what the estimated timeline for these studies is to provide results. **Director Kerr** explained the process of conducting a traffic impact analysis and how the proportionate share contributions were determined. **Director Kerr** explained to the **Planning Commission** that developers also pay System Development Charges (SDCs), in addition to the proportionate share contributions, to help fund the capital improvement program.

Chuck Green, a traffic engineer from Otak, 808 SW 3rd Ave Suite 800, Portland, OR 97204. Mr. Green is the City's traffic consultant. He explained that the projects that the SDCs are collected for are going towards intersection improvements. The proposed improvements are concepts with an estimated cost, they are not fully designed at this point.

Vice-Chair Ellsworth asked about the sidewalk improvements throughout the subdivision and if the front setback variance will impact the sidewalk. **Planner Handel** said the street improvements will match the standard development requirements for local streets, the setback variance request will not impact the sidewalks. **Commissioners** asked questions about the garages and driveways that **Planner Handel** answered. **Vice-Chair Ellsworth** also asked about neighboring properties that would remain outside of City limits.

Testimony by the Applicant: Dana Krawczuk, Land-Use Attorney from Stoel Rives LLP, 7600 SW. 9th Ave. Suite 3000 Portland, OR 97205. **Applicant Krawczuk** is here on the behalf of Lennar Northwest LLC. She introduced **Roseanne Johnson** from Lennar Northwest, **Michael Anders** from Lennar Northwest, **Roy Hankins & Jennifer Arnold** with Emerio Design LLC for planning or engineering questions, and lastly **Jennifer Danziger** from Lancaster Mobley for any traffic questions. **Applicant Krawczuk** stated that she's grateful for the cooperation with Woodburn staff and everyone's hard work that contributed for the project. She stated that the reason why they asked for a continuance was in order to work out any transportation conditions.

Applicant Krawczuk briefly addressed the question that **Commissioner Bartel** asked about the traffic improvements. **Applicant Krawczuk** stated the project is contributing money towards a transportation study of the Evergreen Road area to determine what improvements to make, and the SDC fees that this project will be paying would help provide the funding for those improvements. **Applicant Krawczuk** mentioned the need for housing and Lennar Northwest is happy to help provide it for the City and she hopes to gain their recommendation for approval. **Applicant Krawczuk** then began her presentation. She showed the site plan and explained the different zones and lot types. The houses are all market rate and attached townhouse lots are more affordable than the detached lots. **Applicant Krawczuk** talked about the different access points, road structure and how parking would look. She then discussed the green areas throughout the site, such as the park for the neighborhood, wetland preservations, stormwater areas and the buffer around the church, which they provided landscaping as the buffer. **Applicant Krawczuk** showed what the park would look like with the types of play structures and the fence that would be placed would be a small wooden fence. She pointed out that they are making an offsite connection the schools in the area from the park for easy travel.

Roseanne Johnson, from Lennar Northwest LLC, 11807 NE 99th St. Suite 1170, Vancouver, WA 98682. **Ms. Johnson** explained the architecture design of the townhomes Lennar and those would be located on the yellow and purple lots on the site map. She explained that some of the townhomes would be either one or two car garages with parking pads. **Ms. Johnson** answered the off-street parking question and responded with explaining the two car duplexes that have two car pads that can help preserve the spacing and withhold homeowners from using off-street parking. **Ms. Johnson** brought in more visuals of the townhomes that Lennar is building for the **Planning Commission** and concluded by asking if there are any questions.

Applicant Krawczuk wanted to add information about annexations. She stated that state law does provide cities the authority of annexing in islands of territory, which doesn't require consent. **Applicant Krawczuk** stated that this can be used as a tool to provide services to the community living in those areas.

Testimony of Proponents: None.

Testimony of Opponents: None.

Chair Piper closed the public hearing and moved to the deliberation. **Commissioner Corning** made a comment about the setbacks. She visited Smith Creek Development and stated that the small front lawns are a problem. **Commissioner Berlin** commented that while she agreed with **Commissioner Corning's** comment, she also brought up the point that some homeowners prefer the small lawn, as they might not have time to take care of their lawn and a smaller one is easy to maintain. **Commissioner Hernandez-Mejia** followed up with stating that having a bigger backyard is more ideal than having a bigger front lawn. **Chair Piper** believe that the variances that are requested are in line with the residential zone of medium-density and the philosophy of increased density. He then talked about the traffic issue, which the **Planning**

Commission always get into discussions over, due to the fact that Woodburn needs improvement in general. **Chair Piper** also discussed the required funding that would be needed and the involvement of both the County and the State. **Chair Piper** discussed the Amazon project and how they paid for all of the traffic improvements and how they essentially improved the roads in the area.

Commissioner Corning asked to revisit the variances and wanted to discuss the WDO guidelines. The Planning Commission took time to discuss them. **Planner Handel** pulled up the list of variances and explained each one of them to the **Planning Commission** and pointed out where each variance will take effect on the project. **Director Kerr** explained more about the variances and the different zones with the development and each zone's correlation with the WDO. The **Planning Commission** discussed more of the variances and the project as a whole. **Applicant Krawczuk** added that they applied for this land-use application back in April 2022, before the code change in June 2022. Therefore, they are qualified to follow the old code's standards. **Applicant Krawczuk** stated that once the new nodal medium density code was available, they saw a better development opportunity and followed the new code, to develop that specific zone in their project's development. She expressed her opinion on the hardships of the development.

Commissioner Corning asked about the alleyways and **Applicant Krawczuk** explained that the alleyways needed to follow a percentage of 75% and they couldn't achieve that with the different connections that they needed to do. Therefore, only certain areas have alleyways.

Michael Anders from Lennar Northwest LLC, 11807 NE 99th St. Suite 1170, Vancouver, WA 98682. **Mr. Anders** wanted to add some information, in terms of the yard. He explained that the reason they are seeking a variance is because of the townhomes and how it would allow them to provide a variety of homes for the community. Due to some of the conditions, not every section of the development will get yard, but with this variance, it would allow other homes to have decent size yards. **Mr. Anders** added that they provided a park area for residents who don't have the big yards, to provide more area to play. He concluded with explaining that they took the feedback from the homeowners from Smith Creek into consideration when building the land plan for this project and thanking staff for their hard work.

The **Planning Commission** talked among themselves about the variances and the housing situation in Woodburn.

Assistant City Attorney Granum read the staff recommendation to the **Planning Commission** to use to motion their recommendation to **City Council**.

Chair Piper entertained a motion. **Commissioner Corning** motioned that the **Planning Commission** recommend that **City Council** approve the **Brighton Pointe Subdivision application package (ANX 22-03, PP 22-02, SUB 22-04, VAR 22-07, ZMC 22-03)** with conditions outlined in the staff report, except as modified by the staff memo dated February 9, 2023. **Commissioner Bartel** seconded. **Chair Piper** said that the motion was made and seconded. He asked for all those in favor with a roll call vote and the vote was unanimous and **ANX 22-03, PP 22-02, SUB 22-04, VAR 22-07, ZMC 22-03: Brighton Pointe Annexation/Subdivision** was recommended to **City Council** for approval.

ANX 22-04 & ZMC 22-04

Chair Piper opened the public hearing for **ANX 22-04 & ZMC 22-04: 2115 Molalla Rd Annexation**. He explained that it's a Type IV application, therefore they would only be giving a recommendation to the city council. **Chair Piper** explained that the applicant is requesting an annexation & zoning map change and no specific development is proposed at this time.

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

Chair Piper asked for the public hearing statement and **Assistant City Attorney Granum** read the statement.

After the statement, **Planner Handel** presented the staff report for **ANX 22-04 & ZMC 22-04: 2115 Molalla Rd Annexation**. **Planner Handel** explained the role of the Planning Commission and entered the staff report and its attachments into the record. He gave a summary of the property location and its history and noted it would become part of the Commercial General zone if annexed. **Planner Handel** explained the other projects that are happening in the area near the property; he stated that there is no proposed development at the time and traffic impacts would be reviewed once future development is proposed.

After **Planner Handel** concluded his presentation, **Chair Piper** asked if anyone had questions, which there were none.

Testimony by the Applicant: Daisy Goebel, from AKS Engineering & Forestry, 3700 River Rd N Suite 1, Keizer, OR 97303. **Applicant Goebel** stated she is happy to answer any questions the **Planning Commission** had. She gave some background to the site's location, along with some maps to illustrate the location. **Applicant Goebel** talked about frontage improvements in-progress and showed some imagery of what is being improved. **Applicant Goebel** concluded her presentation and asked the **Planning Commission** if they have any questions. There were no further questions.

Testimony of Proponents: None.

Testimony of Opponents: None.

Chair Piper closed the public hearing and moved to the deliberation. **The Planning Commission** had no further questions or comments to present.

Chair Piper entertained a motion. **Commissioner Corning** moved that the **Planning Commission** to recommend that City Council approve of **ANX 22-04 & ZMC 22-04: 2115 Molalla Rd Annexation**. **Commissioner Berlin** seconded. **Chair Piper** said that it has been motioned and seconded. He asked for all those in favor and the vote was unanimous and **ANX 22-04 & ZMC 22-04: 2115 Molalla Rd Annexation** was recommended to City Council for approval.

Business from the Commission: Vice-chair Ellsworth asked about the order of public hearings on an agenda, which **Director Kerr** answered.

Staff Update: Director Kerr stated that the **Planning Commission** will have lots of items to review in the upcoming months. On February 23, there will be a multi-family development on Hardcastle Ave. **Director Kerr** suggested that they could also have a Q&A session with staff on February 23, as there is only one agenda item. **Director Kerr** then talked about a training opportunity for Planning Commissioners as a chance to learn more about Planning Commissions and their roles. Lastly, **Director Kerr** discussed his desire to have another tree code workshop session and to move that legislative item forward.

Adjournment: Chair Piper entertained a motion to adjourn. **Vice-Chair Ellsworth** motioned to adjourn, and **Commissioner Berlin** seconded. The vote was unanimous, and the meeting was adjourned at 9:30pm.

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