



MEETING MINUTES

Bend Planning Commission

Monday, 3/9/2026, 5:30 p.m. Regular Meeting

The hybrid meeting started at 5:31 p.m., in-person and online.

The public was invited to watch online at: www.bendoregon.gov/planningcommission

1. Roll Call:

- Margo Clinton – Chair
- Nathan Nelson – Vice Chair
- Bob Gressens
- Suzanne Johannsen
- Erin Ludden
- Katie Schnur
- Scott Winters

Commissioners Present: All Commissioners were present.

Staff Present: Ian Leitheiser, City Attorney; Colin Stephens, Community Development Director; Renee Brooke, Planning Manager; Karen Swenson, Senior Planner; Russel Grayson, Chief Operations Officer.

2. Visitors:

The Chair opened the floor for comments on non-agenda items. Attendees were encouraged to fill out a speaker slip and approach the podium, or raise their hand online, to provide comments.

No public comment was given.

3. Quasi-Judicial Public Hearing:

3.1 PLTEXT20250679: Proposed amendments to Bend Development Code Article XXVIII, Timber Yards Master Planned Development, to remove the east-west local street in the master plan and relocate proposed open space tracts, with accompanying amendments to

the adopted street cross-sections and Timber Yards Phasing Plan and Transportation Mitigation Plan.

Staff: Karen Swenson, Senior Planner, kswenson@bendoregon.gov

Chair Clinton convened the hearing at 5:32 p.m. and asked the Commission if anyone had pre-hearing contacts, bias, prejudice, or personal interest. Commissioner Schnur mentioned that she works for the title company that did the preliminary title report, but that she did not personally work on it. Commissioner Gressens had ex parte contact with the land use chair for Southern Crossing regarding the meeting materials for the project. Commissioner Johannsen regularly walks through the area. The Chair then asked meeting attendees if there was any challenge with respect to Commissioners' bias, prejudgment, or personal interest. No challenges were made.

Planning Manager Brooke explained the quasi-judicial procedural requirements of State law.

Senior Planner Swenson gave her **presentation** on the Timber Yard Master Plan text amendments. The amendments are based on updated land use assumptions, including lower overall density in several phases, four-story buildings with surface parking in place of previously studied taller mixed-use buildings with structured parking, a reduction in retail and office square footage, and optional scenarios that could substitute additional dwelling units for a previously assumed hotel or office plan. The updated transportation analysis identifies roughly one-third fewer vehicle trips, with no new impacts beyond those previously studied.

The changes include removal of the east-west local street through the center of the master plan, Timber Yards Drive, which would be replaced by a non-vehicular, pedestrian-oriented open space corridor. Open space tracts would be relocated while retaining a minimum of approximately 3.4 acres of open space, or about 10 percent of the gross site. Sisemore Street would be extended south to the property line with a permanent turnaround, functioning as a public local street with a 60-foot right-of-way and serving both access and utility needs.

The Transportation Mitigation Plan would be revised to align with the revised development. The requirement to construct southbound Highway 97/Colorado Avenue curb returns and ramps would be removed, and Timber Yards Drive would no longer be constructed as a public street. The Industrial Way/Aune Street intersection would be redesigned as a mini-roundabout to address space constraints near the highway underpass while maintaining truck and emergency access and accommodating a multi-use path on the east leg.

Swenson outlined the applicable approval criteria under BDC 4.5.200 for a major community master plan and the requirement that the text amendment be consistent with

Statewide Planning Goals and relevant Bend Comprehensive Plan policies. The proposed amendments maintain consistency with the Mixed Use Urban plan designation, continue to meet minimum density expectations for the MU zone, preserve required open space, and provide multimodal connections consistent with the Transportation System Plan.

Commissioner Schnur asked if there was a definition of a mini roundabout in the code. Staff explained that a mini-roundabout is not specifically referenced in the Bend Development Code, but it is included within the City's engineering design standards. Mini-roundabouts are used in locations where there are significant site constraints, such as limited space, railroad proximity, or underpass conditions, and where large trucks and emergency vehicles must still be able to turn. The center island in a mini-roundabout is designed to be fully drivable for those vehicles but is not intended for general passenger-vehicle use.

Commissioner Winters asked about the public access easements. Staff clarified that, in this case, the easement replaces an originally proposed open-space tract because the configuration near the hotel could not meet required setbacks, circulation needs, and utility constraints. A public access easement still guarantees pedestrian passage and cannot be removed without City approval, though the responsibility for maintenance generally remains with the property owner.

Commissioner Johannsen sought clarification regarding the timing of construction for the roundabout adjacent to Phase A, noting that earlier materials appeared to indicate it would not be built until later phases. Swenson clarified that under the revised proposal, the roundabouts will be constructed in the first phase of development, regardless of which lettered phase proceeds first.

Johannsen asked how the continued operations of Hooker Creek affect transportation improvements. Swenson stated that Hooker Creek may remain in operation for 10 to 15 years, and because their trucks will still need access, the mini-roundabout at Industrial Way and Aune Street must be constructed as part of the first phase.

Commissioner Ludden raised concerns about improvements previously tied to Phase A, noting that the revised phasing appears to shift those obligations to other phases. Swenson explained that the updated proposal no longer relies on the alphabetical phase labels. Instead, all improvements are required with the first phase of construction, ensuring the entire connection is completed upfront.

Johannsen asked about references to private streets in the materials. Director Stephens explained that while private streets are no longer permitted in typical development, they are still allowed within master plan areas under current code. Swenson noted that Sisemore Street, previously planned as partially private, will now be a public street because it extends to the southern boundary. Staff also clarified the status of Scalehouse Court, which is currently a private street. If dedicated to the City, it must be reconstructed to local public



street standards; if it remains private, public access easements must be recorded to ensure continued public use and emergency access.

The applicant team, including Dave Eadie of Kennedy Wilson and Joey Shearer of AKS Engineering, gave their presentation on the proposed amendments. Eadie provided some background, explaining that the 2023 master plan envisioned a six-story, mixed-use building with structured parking and significant ground-floor commercial space, but that volatile construction costs and market conditions led them to pause that project. The revised strategy focuses on four-story residential buildings with surface parking, while retaining the previously approved six-story mixed-use entitlement for Phase A as a future option. The scope of this amendment is narrow and does not change allowed uses, maximum building height, or the underlying master plan design standards, but instead adjusts circulation, open space placement, phasing, and transportation mitigations to match a more feasible buildout program.

Shearer discussed the conceptual open space network and bicycle and pedestrian plan, including the central linear open space corridor that would replace Timber Yards Drive. The urban plaza functions as a western gateway, with bike and pedestrian connection through the master plan tying into existing and planned multi-use paths on Bond Street, Industrial Way, and nearby low-stress cycling routes.

Commissioner Johannsen expressed concerns about the new street configuration, specifically regarding safety, mobility, and preexisting traffic congestion in this area. Joe Bessman of Transight Consulting, the applicant's transportation engineer, explained that the primary transportation benefit the project can provide is the new east-west Industrial Way collector connection, which will relieve pressure on the existing system. The project will also provide an additional route to 3rd Street and around the congested interchange area. While the project will add trips to the new Industrial Way segment, it will still operate well below its capacity and below traffic volumes currently carried by Colorado and Arizona avenues.

Johannsen raised concerns about whether the proposed transportation changes and the shift from a six-story to a four-story development concept should be considered new deviations. Shearer responded that the transportation mitigation plan in a master plan is a custom element built from project-specific traffic analysis and coordination with City engineers, not a deviation from a fixed baseline standard in the code. The amendment does not reduce or alter the underlying entitlements granted by the existing master plan. The project could still build a six-story building as previously approved, but the updated transportation analysis and mitigation table are calibrated to the reduced four-story program. If the applicant sought to return to six-story buildings, they would need to amend the transportation mitigation plan to account for the higher trip generation.

Planning Manager Brooke pointed to language in the proposed Transportation Mitigation Plan specifying that each phase of development must submit a "trip debit letter" tracking how many vehicle trips have been used relative to the assumptions in the traffic impact



analysis. If the trips associated with a phase would exceed the analyzed levels, additional transportation review is required.

Johannsen asked for clarification on utility infrastructure. Brian Wilkinson, the Civil Engineer for the project, explained that sanitary sewer flows from the project will be directed to the City's 2nd Street line, which has capacity. This will also help relieve existing capacity constraints at the Old Mill pump station by conveying flows to that system.

Johannsen expressed concern about continued reliance on the City's 2016 Housing Needs Analysis, stating frustration that development approvals are still based on outdated data despite significant changes in Bend's housing conditions and ongoing affordability challenges.

Chief Operations Officer Grayson clarified that the City is legally bound to apply the adopted 2016 Housing Needs Analysis and Comprehensive Plan to current applications. While the City is actively in the process of developing a new housing needs analysis and growth framework to guide the next 20 years, those future standards cannot be retroactively applied to applications already under review.

Johannsen asked about the row of trees along Scalehouse Loop and whether they could be preserved. Shearer explained that the trees were originally planted as industrial screening, noting that the project team does not yet know how many trees can be retained due to conflicts with the planned utility corridor.

Commissioner Gressens asked for clarification regarding the proposal to remove the Highway 97/Colorado Avenue curb return and related improvements. Bessman explained that the original concept addressed the existing sweeping curb radii, which lengthens pedestrian crossings by pushing pedestrians farther back from the intersection. The project does not significantly direct pedestrian travel to the interchange due to improved connections via Sisemore to the west and Aune to the east.

Commissioner Winters asked about a draft code provision requiring dedication of a public access easement prior to occupancy of the first building in Lot B, including language indicating the connection would be "gated at Bond Street." Shearer explained that the gate concept was intended primarily to preserve emergency access for fire and emergency vehicles while maintaining pedestrian connectivity, with the expectation that vehicular access could be managed using removable bollards.

Winters questioned why the pedestrian connection was designated as a public access easement rather than open space. Shearer explained that the location is a constrained pinch point where the width falls below the 20-foot minimum required to qualify as open space under the master plan. The pedestrian access is still provided and guaranteed through prior approvals, but was designated as an easement rather than an open space tract due to width



limitations, setback and fire-access constraints, and the need to maintain vehicle and emergency access.

Winters observed that the draft development code did not include specific affordable housing requirements and asked if an affordability commitment referenced elsewhere would be reflected in the application materials. Eadie indicated a willingness to consider affordable housing components if the City is able to partner through tax relief or other financial tools, noting that the cost of the significant infrastructure required for Timber Yards makes it difficult to deliver income-restricted units without public support.

Commissioner Ludden asked at what point traffic impacts warrant roadway capacity improvements, such as additional lanes, rather than measures like crosswalk striping. She expressed concern about existing congestion, on-street parking conflicts, limited visibility, and safety issues in the area, particularly given recent development and anticipated growth. Bessman explained that development analysis must conform to the City's Transportation System Plan, which does not contemplate adding travel lanes on these streets, requiring mitigation to focus on efficiency and connectivity rather than widening. As a result, the proposed Industrial Way connection is intended to provide an alternative east-west route instead of increasing lane capacity elsewhere.

Chair Clinton opened the public testimony portion of the hearing. No public comment was made.

The applicant was offered an opportunity to provide rebuttal to the public testimony.

During this portion of the meeting, Commissioner Gressens asked about the likelihood of affordable housing being delivered within the project. Shearer responded that any affordable housing component would depend on eligibility for public assistance, most notably the site-specific tax increment financing (TIF) program administered through the Bend Urban Renewal Agency. City Attorney Leitheiser clarified that the TIF program has its own application and eligibility process and that there are multiple potential mechanisms for supporting affordable housing, including qualified rental programs, but that no specific affordability requirement is embedded in the current application.

Commissioner Johannsen asked whether the specific phasing sequence was effectively irrelevant given that the project will proceed according to whichever applications are submitted. Planning Manager Brooke clarified that the key transportation mitigation language appears in the draft updated development code mitigation table (page 21 of 27) and emphasized that the trigger for the major "out-of-the-gate" improvements is "prior to occupancy of the first building in any lot." The mitigation table is intentionally structured to function regardless of which lot or phase develops first, with some items tied to lot-specific impacts and others required upfront to ensure the overall network is in place.

Senior Planner Swenson identified an inconsistency in the draft language and stated that references to "Phase 1A and/or B" should be revised to instead read "with the first phase," so the trigger clearly applies regardless of which lot initiates development.

Chair Clinton closed the public hearing at 7:12 p.m. and the Commissioners deliberated.

The Commissioners expressed overall support for the proposed Timber Yards Master Plan Text Amendment.

Vice Chair Nelson acknowledged that the amendment appears compliant with applicable state planning goals, the comprehensive plan, and the approval criteria, and that there was no reasonable basis within the quasi-judicial framework to reject the application on compliance grounds.

Chair Clinton emphasized that the site is currently underutilized and that redevelopment would provide needed housing in a highly walkable location with access to nearby commercial services and employment areas.

Commissioner Winters acknowledged a sense of loss about the reduced intensity and urban character compared to the original master plan concept, commenting that the revised plan may deliver a more typical residential product with less commercial activity than previously anticipated.

Commissioners expressed hope that affordable housing could be included if feasible and encouraged the inclusion of a hotel and as much retail and office space as practicable to achieve a more complete mixed-use outcome over time, noting that market conditions and future phases could still allow for more vertical mixed-use in the future.

Commissioner Johannsen revisited broader concerns raised during the hearing, including frustration with continued reliance on the 2016 Housing Needs Analysis and general skepticism about master plans based on past experiences where conceptual plans differed from later site plan outcomes.

Commissioner Ludden discussed the tension between accommodating growth and maintaining community character, including concerns about traffic, parking, and congestion in the area, while also recognizing that concentrating housing in a central, walkable location can reduce auto dependence compared to peripheral growth.

Commissioner Johannsen made a motion to recommend that the City Council adopt an ordinance to amend the Bend Development Code Chapter 2.7, Special Plan Districts, Refinement Plans, Area Plans, and Master Plans to amend the Timber Yards Master Plan Development as proposed by the applicant, as modified by staff, with the draft findings provided.

During discussion of the motion, Johannsen suggested clarification to ensure the transportation mitigation trigger language was accurate. Planning Manager Brooke restated that the applicable mitigation requirement regarding widening Sisemore Street pavement and related improvements would be triggered "prior to occupancy of the 100th unit in the



first phase, or 38 p.m. peak trips on any lot.” The motion was seconded by Vice Chair Nelson, and the motion passed unanimously.

Commissioner Johannsen was nominated to bring the recommendation of the Commission to the City Council on April 15th.

4. Approval of Minutes:

The Planning Commission approved the January 12 and February 9, 2026 Meeting Minutes.

5. Communications:

5.1. Reports from Planning Commissioners

Commissioners Winters, Gressens, and Ludden reported attending the Advisory Body Summit and expressed strong support for the City’s proposed “committee of committees” approach as part of the upcoming Growth Plan effort. Vice Chair Nelson stated his enthusiasm for the direction of the effort and interest in participating as the process continues to be defined.

Commissioner Gressens reported attending a City Council Work Session on wildfire mitigation, where Council unanimously supported fast-tracking adoption of the state’s home hardening standards for new construction. Additional reports from Gressens included attendance at the Summit West Neighborhood District meeting and representing the Planning Commission at a City Council hearing for the Tree Code Amendments, which received strong Council support.

5.2. Report from Planning Manager

Renee Brooke, Planning Manager, reported that City Council will hold a work session on March 11 to discuss Juniper tree preservation. The session will be led by the City’s Urban Forester, Ian Gray, along with a subject matter expert. The Southeast Bend Area Neighborhood District Roundtable will be held later that week, featuring Growth Plan updates, an overview of development activity, and opportunities for public discussion with City Council and staff. The March 23 Planning Commission meeting has been canceled due to lack of agenda items. Staff plans to begin providing regular updates on administrative land use decisions to the Planning Commission. Brooke also summarized the recent passage of House Bill 4037, which limits affordable housing developed under state allowances to no more than 20 percent of commercially zoned land within master-planned developments unless a master plan amendment is approved, noting the bill was strongly supported by City staff and Council and will take effect later this year.

5.3. Report from Community Development Director

Colin Stephens, Community Development Director, reported that City Council recently held a work session on wildfire resiliency and directed staff to move forward with adoption of the state's R327 residential home hardening standards. He explained that adoption will occur through an amendment to the building code, not the land use code, and therefore will not come before the Planning Commission. A public hearing before City Council is scheduled for April 1, with adoption anticipated to follow either on an expedited or standard timeline. The standards will apply to new residential construction, but not to multifamily or other development regulated under the commercial building code. The Director also noted that staff received direction to begin work on defensible space regulations, which will require a longer process involving locally developed standards for vegetation, fencing, and related elements, potentially informed by forthcoming state guidance, and will be brought back to Council at a later date.

5.4. Report from City Attorney

Ian Leitheiser, City Attorney, had nothing to report.

The meeting was adjourned at 7:46 p.m.

Minutes submitted by Maggie St. Onge



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