

CITY OF NEWBERG COUNCIL MINUTES
APRIL 21, 2008
7:00 P.M. MEETING
PUBLIC SAFETY BUILDING TRAINING ROOM

Work Session was held prior to this meeting. A presentation was made from Metro. No decisions were made.

I. CALL MEETING TO ORDER

Mayor Bob Andrews called the meeting to order at 7:00 PM.

II. ROLL CALL

Members

Present:	Mayor Bob Andrews	Mike Boyes	Roger Currier	Bob Larson
	Jeff Palmer	Bart Rierson	Marc Shelton	

Staff

Present:	Daniel J. Danicic, City Manager	Terrence Mahr, City Attorney
	Barton Brierley, Planning and Building Director	Norma I. Alley, City Recorder
	Luke Pelz, Assistant Planner	Jennifer Nelson, Recording Secretary

Others

Present: Derek Duff, Kent Taylor

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

VI. APPOINTMENTS

1. Mayor to administer Oath of Office for Dan Danicic appointed as the City Manager.
2. Consider a motion appointing Derek Duff to the Planning Commission.

MOTION: Currier/Rierson to appoint Derek Duff to the Planning Commission. (Unanimous) Motion carried.
--

IV. CITY MANAGER'S REPORT

Mr. Daniel Danicic, City Manager, requested Council email him if there were items they would like a regular report on.

V. PUBLIC COMMENTS

TIME – 7:10 PM

Mr. Kent Taylor, McMinnville City Manager, congratulated Mr. Danicic stating it was a special tribute to the City he was able to come from inside the ranks.

VII. CONSENT CALENDAR

1. Consider a motion approving a sound permit for Newberg Word of Faith Center for an event to be held on August 12, 2008.
2. Consider a motion approving City Council Minutes for March 17, 2008.

TIME – 7:12 PM

MOTION: Palmer/Larson to approve the Consent Calendar including a sound permit for the Newberg Word of Faith Center for an event to be held on July 12, 2008 and the City Council Minutes for March 17, 2008. (Unanimous) Motion carried.

VIII. PUBLIC HEARING

None.

IX. CONTINUED BUSINESS

Presentation on proposed large scale retail Development Code text amendments.

TIME – 7:13 PM

Mr. Barton Brierley, Planning and Building Director, presented the staff report with assistance from **Mr. Luke Pelz, Assistant Planner** (see official record for full report).

Councilor Currier asked about the time of day for the aerial pictures of the Fred Meyer parking lot and discussed if that would look different based on seasons and the time of day. Staff was unsure but clarified the studies on the facilities average about 705 spaces being used for a facility the size of Fred Meyer.

Councilor Palmer suggested a 125% as a maximum cap to accommodate for holidays and special occasions. He also spoke of run off and if they were impervious lots to consider a number lower than that as a maximum.

Councilor Rierson suggested using pervious parking for overflow parking areas, using the standard surfaces for typical traffic flow and pervious surfaces for less used areas.

Councilor Larson asked what the large scale developments were in Newberg. Staff mentioned BiMart, Fred Meyer, and Springbrook Plaza and possibly the new Wilco building.

The minimum and maximum required parking ranges were discussed, minimum being 3.33 parking spaces for every thousand square feet of floor and 4.16 at the 125% maximum. Multiple buildings exceeding the 50,000 square foot requirement for being considered at the large scale level were also discussed.

Councilor Currier felt there needed to be a list of definitions provided in the code to clarify what is considered a building and the difference between pervious or impervious parking lots to eliminate possible loop holes.

Councilor Shelton asked about the different options for conditional use permits and asked if the developers would be going before a hearing in option A and B or if they were just considered as they met requirements. Staff clarified there was the option to choose to complete the design options required or go to a conditional use hearing.

Discussion followed concerning seating within the plazas including planters as benches, parking lot landscaping being encouraged to be as “green” as possible with raised island planter strips and a higher amount of landscaping required per parking space, bio swales, and pedestrian scale lighting was also discussed.

Councilor Currier expressed safety concerns for the pedestrian scale lighting and the need for three times as many lights to light up an area.

Councilor Palmer stated his favor for pedestrian scale lighting because it requires more standards on light and materials and adds to attractiveness as long as they are maintained.

Mayor Andrews appreciated the use of shatter proof coverings and mentioned the Carlton streetscape using illuminated bollards.

Discussion followed on merchandise display windows and what is considered active space.

Councilor Rierson expressed concerns for this being an attempt to exclude certain large scale retail developments. He also mentioned advertising and window artists and how too many requirements can defeat the purpose of having the windows.

Mayor Andrews stated that large businesses are becoming less rigid and more willing to work with what local communities wish to see in their design elements.

Councilor Palmer thought maybe the 50% active space is too high and suggested reducing the active space to 25%.

Discussion followed as to the different examples of window displays that could occur and whether or not some paintings or designs should or should not obscure the merchandise.

Councilor Rierson warned too many limitations could be infringing on first amendments rights and open the City up to a challenge.

Discussion followed on dedication of public streets and vacancy agreements. There was not a high concern for vacancy agreements due to the lack of available space in Newberg for large scale development and the improbability of requiring financial contributions from a bankrupt business; however it was felt this should be included somewhere in the overall code concerning maintenance of vacant buildings and should not be limited to large scale development. Green design concepts were also discussed and the idea of requiring green design for all development not just for projects requiring conditional use permits. It was suggested to offer credits as incentive for green design.

Councilor Rierson supported the requirement of economic impact analysis to protect smaller businesses and provide appropriate wages and benefits to working families.

Councilor Currier supported the idea but wondered if this would be a feasible requirement at the expense of any retailer over 30,000 square feet.

Terrence Mahr, City Attorney, clarified this with an example of a developer asking the City to participate in some sort of impact trading, like a property tax break. When the City is asked to do something like this, an impact study could be required as a tool for the City to determine if giving them a break would be a benefit in the long run.

Discussion followed about conditional use permit process and design requirements for both residential and commercial properties. Staff felt there was a good sense of Council preferences and felt confident to go ahead with the Planning Commission hearing in June.

X. NEW BUSINESS

1. Consider a motion approving **Resolution No. 2008-2778** supporting a grant application to the State of Oregon to fund bicycle and pedestrian improvements on College Street.

TIME – 9:20 PM

Mr. Brierley presented the staff report (see official record for full report).

Councilor Larson asked why there was not a sidewalk on both sides of the street or primarily on the west side since there are more homes there. Staff answered the money could go farther on the east side because there is already more sidewalk to connect to.

Discussion followed on which side of the street the sidewalk should be built.

Mr. Danicic suggested modifying the application to be based on design review for one side or the other.

Councilor Palmer expressed his excitement for pedestrian and bicycle accessibility on a major highway. He also pointed out a correction to the railroad name from Pacific to Portland and Western.

MOTION: Palmer/Currier to adopt **Resolution No. 2008-2778** supporting a grant application to the State of Oregon to fund bicycle and pedestrian improvements on College Street; changing the language in recital 3 to “on one side of the highway” instead of the east side allowing staff to do the work to determine the best side and changing Pacific Railroad to Portland and Western Railroad. (Unanimous) Motion carried.

2. Consider a motion approving **Resolution No. 2008-2780** establishing a fee for processing Measure 49 claims.

TIME – 9:34 PM

Mr. Brierley presented the staff report changing the fee to \$1,500 from \$1,000 for processing Measure 49 claims (see official record for full report).

MOTION: Larson/Shelton to adopt **Resolution No. 2008-2780** establishing a fee for processing Measure 49 claims. (Unanimous) Motion carried.

XI. COUNCIL BUSINESS

TIME – 9:36 PM

Councilor Shelton asked if the Chehalem Mountain corridor was protected land.

Mayor Andrews replied it was not technically but Metro is working on creating a green space between Newberg and Sherwood. A brief discussion followed.

Councilor Currier when the improvements were going to be made to the building on Meridian Street and First Street. He asked if there was time limit to the permit for when the work had to be completed. Staff offered to look into it.

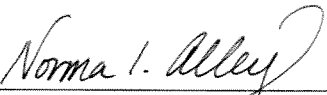
XII. EXECUTIVE SESSION

None.

XIII. ADJOURNMENT

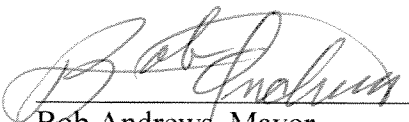
MOTION: Larson/Palmer to adjourn at 9:54 PM (Unanimous) Motion carried.

ADOPTED by the Newberg City Council this 19th day of May, 2008.



Norma I. Alley, City Recorder

ATTEST by the Mayor this 22nd day of May, 2008.



Bob Andrews, Mayor