

MINUTES OF THE NEWBERG URBAN AREA MANAGEMENT COMMISSION
Newberg Public Library
March 15, 1994

Newberg OR 97132
7:00 PM

Subject to NUAMC approval at the April 5, 1994 meeting

Chair Kriz called the meeting to order.

I. ROLL CALL

Roger Currier
Don Halbrook
Alan Halstead
Jack Kriz
Leslie Lewis
Debbie Owens

Staff Present:

Greg Scoles, Community Development Director
Rob Hallyburton, Yamhill County Planning Dept.
Barb Mingay, Staff Secretary

Citizens Present: 8

Motion: Halbrook-Halstead to approve minutes of January 25, 1994 meeting. Motion carried by voice vote.

ORS 197 relating to the public hearing process was entered into the record by Development Director Scoles.

II. PUBLIC HEARING

Docket:	PA-1-943 (County) UGB-1-93 (City)
Request:	Amend the Newberg Urban Growth Boundary to include Tax Lot 3207-1000, to accommodate new school and recreational facilities (on remand from the Board of County Commissioners and the City Council)
Location:	East of and adjacent to Chehalem Drive approximately one-eighth mile south of the intersection of North Valley Road
Applicant:	City of Newberg

Chair Kriz asked if there were any abstentions or ex-parte contact. No abstentions were indicated. No ex-parte contact or objection to jurisdiction were indicated.

Staff Report: Mr. Scoles presented the staff report, reviewing the history of this proposal. He noted that NUAMC had recommended denial of the original application which included this site. He noted that Newberg City Council ultimately approved the initial application but excluded this site and remanded it back to NUAMC for further consideration. He reviewed the statewide goals, Comprehensive Plan map and text amendment criteria and some of the applicable Comprehensive Plan goals and policies. He noted that the property is one tax lot owned by the Park District and proposed for development as a park facility. He noted that the Comprehensive Plan map designation would be PQ Public-Quasi-Public. He noted that the Comprehensive Plan indicates the UGB currently has a deficit of 40 acres of park land. He noted that the application complies with the statewide goals and amendment criteria based on the need for additional park land. He noted that the park is proposed to develop in conjunction with the adjacent school development already within the City. He indicated that the staff recommendation was for approval.

Proponent: Babe Nicklous, representing Chehalem Park and Rec. Dist, indicated the Park District supported the project. He offered to answer any questions.

Opponent: Michael Doss, attorney representing Mr. & Mrs. William Roth, an adjoining landowner, distributed written testimony to the Commission. He identified Mr. Roth's property as containing approximately 62 acres to the west of Chehalem Drive. He requested that the Commission keep the record open as per ORS for 7 days. He reviewed UGB amendment criteria including goals 2 and 14. He indicated that Mr. Roth's land is all in farmland and most of the land in the general vicinity is being used for farmland. He felt there was not an exception proven to the criteria requiring compatibility of the proposed urban uses with nearby agricultural activities. He felt that the agricultural uses such as spraying, fertilizing and other items relating to farming would have a potential negative impact on the site. He noted that the farming existed prior to the potential park. He added that traffic impacts have not been adequately addressed either, especially relating to parking and ingress/egress from the site. He felt that the staff report did not adequately address air quality impacts, traffic impacts, garbage, noise, parking facilities, sewer provisions, storm drainage and provision for water to the site. He noted that a culvert currently exists on the west side of Chehalem adjacent to the Roth's property and it frequently floods. He expressed concern about the runoff created from the site and how it would impact his client's property. He felt that information relating to provision of water to the site was inadequate. He expressed concern about the potential water quality. He questioned how the sewerage would be handled from the site. He then indicated that the City has not included this site in the City's Goal 11 process. LUBA has expressly rejected a very similar exception to Goal 11 in another community. Goal 11 addresses provision of urban services to an area outside the UGB. He felt the staff report did not have adequate information. He indicated that Mr. Roth is in opposition to the request.

Questions to Staff: Commissioner Currier asked Mr. Scoles how much of Chehalem Drive will be under City jurisdiction with the annexation of the land in the area. Mr. Scoles indicated that this is

not an annexation or a development plan hearing. It is a UGB amendment on the parcel owned by the Park District. It does not include Chehalem Drive right-of-way.

Mr. Currier asked who would make the improvements required to upgrade Chehalem Drive. Mr. Scoles indicated that either the City or County could make improvements to the area within their jurisdiction. He noted that improvement or waiver of remonstrance would be required of the developer as part of the development plan for the area.

Commissioner Owens asked Mr. Scoles if the concerns of the opponent would be addressed through a development application. Mr. Scoles indicated that was correct and that this application is for a UGB amendment only as a potential park site. Upon annexation, a development proposal will likely come and it will be required to fit the designation "P". He noted that if annexed, the site would be required to have City sewer and City water. He noted that an annexation request is not currently pending on the site.

Mr. Currier asked about the storm drainage on the site. He noted that this area was proposed to drain into the N. Main system at previous Council discussions. Mr. Scoles noted that any development proposal for this site would be required to contain a grading and drainage plan which will have to show how the site will be drained to an approved system. Mr. Scoles noted that the current drainage pattern would continue until such a development plan were implemented. He added that the School District engineers are proposing to develop retention basins on the school site. A development plan has not yet been presented for the park site.

Commissioner Lewis asked about the previous NUAMC decision on the original application which included a residential area and this site. She asked for an update. Mr. Scoles indicated that the decision on the balance of the property involved in the original application was appealed to LUBA. The appeal is currently under mediation with the appellant and applicants.

Mr. Doss asked for confirmation about leaving the record open for 7 days. Staff indicated that once the request was made, it was required to be left open.

Question from audience: Mary Graff, 204 Foothills Drive, asked how the expansion would impact the neighborhoods to the east of the project area within the current city limits. Mr. Scoles indicated that impact should be discussed by the Commission. He noted that impacts on abutting land uses appear to be minimal given the topography of the site; however, the level of impact would depend upon the development level that the Park District wished to pursue.

Mr. Currier asked Mr. Nicklous if development on this site was anticipated for day and night use or for day use only. Mr. Nicklous noted that it was possible the area would be in use until 10:00 pm during the summer months. He noted that part of the intent to develop adjacent to the school site was to utilize the school parking for park patrons use during non-school hours.

Mr. Currier asked Mr. Nicklous to address noise issues from the site. He asked how that would be handled. Mr. Nicklous indicated that he did not have sufficient information relating to that portion of the development to comment; however, cooperation with neighbors was anticipated in order to prevent any negative impacts on surrounding areas.

Commissioner Halstead asked where the School District access was proposed to be. Mr. Scoles noted that the plan indicated the extension of Foothills Dr. to Chehalem, and that Main Street and Crater Lane were intended to connect with Foothills. He noted that the proposed school parking would be near the middle of the school site with access from 219 and Chehalem Drive via Foothills, Crater and Main Streets.

Commissioner Kriz asked what the transportation classification was for Foothills and Chehalem Dr. Mr. Scoles indicated that Foothills is currently a local street. Mr. Hallyburton, Yamhill County Planning Department, indicated that Chehalem Dr. is a collector.

Letters/Public Agencies: None other than noted in the staff report.

Proponent Rebuttal: None

Staff Recommendation: Mr. Scoles indicated that City staff recommends approval of the request. Mr. Hallyburton indicated that the property currently carries an AF10 designation in the County and parks are an approved use in the AF10 zone. Mr. Hallyburton concurred with Mr. Scoles recommendation.

Motion: Halstead-Halbrook to close the hearing to oral testimony and leave the hearing open for 7 days for written testimony. Motion carried by voice vote.

Motion: Halstead-Halbrook to direct staff to provide comments relating to those from Mr. Roth's attorney and any additional comments received within the next 7 days for the next NUAMC meeting to be scheduled April 5. Motion carried.

OLD BUSINESS:

Docket:	PA-3-93 (County GR-3-93 (City)
Request:	Amend the City of Newberg and Yamhill County Comprehensive Plan maps to implement the Northwest Newberg Specific Plan
Location:	Between North College Street and the Newberg city limits
Applicant:	City of Newberg

Commission Deliberation:

Mr. Scoles highlighted the issues resulting in NUAMC's request for staff to present a final document for adoption. He reviewed a map highlighting the proposed plan area and the Commercial alternative. He indicated that staff recommends approval and forwarding of the document to City Council and County Board of Commissioners. He noted that NUAMC is reviewing the proposed Comprehensive Plan Map and Text amendments.

Mr. Currier asked Mr. Scoles to identify the alternative transportation outlets to accommodate the specific plan. He expressed concern that the potential 600 homes would generate 1500 -1800 trips per day onto N. College and no other access appeared to be available. He felt that without a plan for the Austin property adjacent to the site, the transportation facilities in the area would be inadequate. Mr. Scoles indicated that the specific plan was intended to identify a way that multiple properties could develop jointly. He noted that the actual number of units possible under the existing Comprehensive Plan is generally not being increased. In the original plan, a collector was identified running south through the Austin property; however, the collector would not necessarily be built unless the property were developed.

Mr. Currier asked if the plan would speed up the development process. Mr. Scoles indicated that the plan was an illustrative plan. He indicated that the roads would not necessarily develop at one time. He noted that there would be even less residential density if the commercial area develops as proposed. He noted that the roads will not necessarily occur if the land remains undeveloped, but the plan illustrates where they should go when the site does develop.

Mr. Currier indicated that there needs to be more through-roads in the community. Mr. Scoles felt that this plan would promote rather than prohibit that kind of traffic planning. Mr. Scoles added that the original plan included the Austin property and NUAMC concurred with excluding that site. He noted that including or excluding that site will not necessarily effect the creation of a street connection to Mountainview.

Mr. Halbrook questioned the standards relating to where residential sidewalk and driveway entries were required to be placed. Mr. Scoles indicated that was at the request of the property owners who developed the plan.

Mr. Halbrook also asked why the commercial development was being required to front Foothills. Mr. Scoles indicated that these issues were more restrictive than current zoning and the owners helped develop the standards specific to this development.

Mr. Halbrook did not feel that the restrictions on the commercial area would be beneficial to promotion of the site for development.

Motion: Halstead-Owens to recommend to the Yamhill County Board of Commissioners and Newberg City Council adoption of the NW Newberg Specific Plan based on the staff report and findings. **Vote on Motion:** Aye: Owens, Halbrook, Halstead, Lewis, Kriz; Nay: Currier. Motion carried (5-1).

Motion: Halstead-Halbrook to adjourn. Motion carried by voice vote.

There being no further business, the meeting adjourned at 8:10 pm.