



**CITY OF NEWBERG / YAMHILL COUNTY
NEWBERG URBAN AREA MANAGEMENT COMMISSION MINUTES
NEWBERG PUBLIC LIBRARY - 503 E. HANCOCK STREET - NEWBERG
THURSDAY, JANUARY 16, 1997
7:30 PM**

APPROVED AT THE MARCH 20, 1997 NUAMC MEETING

I. Convene NUAMC

Roll Call:

Alan Halstead
Roger Currier
Jack Kriz

Ken Hughes
Ted Lopuszynski

Absent: Leslie Lewis, Bill Jackson

Staff Present:

John Knight, City of Newberg Planning Division Manager
Ken Friday, Yamhill County Planning Division
Janet Yarbrough, City of Newberg, Recording Secretary

II. Minutes from November 21, 1996 (attached)

Committee member Roger Currier questioned the legality of convening this committee. John Knight, City of Newberg Planning Division Manager, said he felt the committee had been convened legally. Ken Friday, Yamhill County Planning Division, read a document regarding the appointment and convening of this committee. Committee member Currier said the public should know that the school and park had already hooked up to the water lines, and that the hookup was illegal. He also said that the land parcel in question had been pulled out of a previous annexation.

Motion #1:	Committee members Halstead/Hughes to approve the November 21, 1996, meeting minutes.
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Vote on Motion #1:	The Motion carried unanimously (5-0) (Absent: Lewis, Jackson).
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Chair Kriz called the meeting to order. He reviewed the procedure for public hearing. Individuals wishing to speak (give testimony) must complete a blue "Public Comment Registration Form."

III. PUBLIC HEARING: (continued from the November 21, 1996 meeting)

DOCKET: PA-1-943 (County)
UGB-1-93 (City)

REQUEST: Amendment to the Urban Growth Boundary (UGB) to include an approximately 18 acre parcel within the Newberg UGB. The property is owned by Chehalem Park and Recreation District and is adjacent to Chehalem Valley Middle School and Crater Elementary School. Proposed uses for the site will be recreational in nature.

LOCATION: East of and adjacent to Chehalem Drive approximately one-eighth mile south of its intersection with North Valley Road (Tax lot 3207-1000)

APPLICANT: City of Newberg

ABSTENTIONS / EX PARTE CONTACT: Committee member Alan Halstead said his daughter attends the school located next to the property and would use the proposed park. Committee member Ted Lopuszynski was involved as a County Commissioner in some of the previous proceedings regarding this issue.

STAFF REPORT: Ken Friday, Yamhill County Planning Division, reviewed the requirements of ORS 197. John Knight, City of Newberg Planning Division Manager, covered the City of Newberg staff report. He reviewed the criteria for approval and the application. He recommended approval at this time of Resolution 96-1. Ken Friday, Yamhill County Planning Division, said that County Planning would only recommend approval if the resolution included a clause requiring the City to maintain the road adjacent to the park. John Knight, City of Newberg Planning Division Manager, said this could be addressed later. Committee member Ted Lopuszynski directed the committee to the criteria regarding the maintenance of the road in the staff report. Committee member Ken Hughes asked for clarification on the road in question. Ken Friday said it was the 40 foot right away off Chehalem Road. Ken Friday, Yamhill County Planning Division, said the road should not be under the direction of the County if it services the City. Committee member Roger Currier said he felt that the road should not be placed under the direction of the City. Chair Kriz asked if the issue was relevant to the application for annexation. Ken Friday, Yamhill County Planning Division, said the County wanted the issue to be addressed before the annexation was approved.

OPPONENT:

Pat Haight
501 E. Illinois #12
Newberg, OR 97132

Pat Haight stated her special interest regarding the school property. As a former member of the Planning Commission, she recalled that the school district didn't show up for the original Planning Commission meeting to present their plan for development. Ms. Haight felt the school should have been required to act like a developer and present their plans. She questioned why the City was the applicant instead of the Chehalem Parks and Recreation District. She pointed out the potential liability if the City were to be responsible for the maintenance of the road to the park. Ms. Haight said she had several legal questions regarding the application. She felt the Chehalem Park and Recreation District was bailing out the school because the school didn't have room for a playground. She also said the irrigation system was illegally connected, and the water bill was being paid by people in the City. Ms. Haight referred to a City ordinance regarding unlawful extensions, and claimed that the Chehalem Park and Recreation District was in violation because they never applied for a water use permit. She also stated there was no water meter at the City limits, which was illegal. Ms. Haight told the committee she had tried to file a complaint against Terry Mahr, City of Newberg Attorney, and Duane Cole, City of Newberg City Manager, but Mr. Mahr wouldn't allow the complaint to be filed for one-time exception to law. She referred to a letter from Bob Tardiff, City of Newberg Police Chief, which said he made the decision on his own to allow the extension without the approval of City Council. Ms. Haight felt approval would encourage growth of this area while bailing out the Chehalem Park and Recreation District.

PROPONENT:

Mark Martin, Chehalem Park and Recreation District
1802 Haworth Avenue
Newberg, OR 97132

Mr. Martin spoke in response to Pat Haight. He apologized that the director and superintendent of the Chehalem Park and Recreation District were absent from the meeting due to illnesses. Mr. Martin stated that Don Clements nor Chehalem Park and Recreation were aware of water hookups. Mr. Martin also said that as a programmer for the Chehalem Park and Recreation District, he knows there is a lack of space for youth activities as well as the general public. This is included in the staff report. He stated the goal of his department and the application was to provide opportunities for residents to use safe facilities. Mr. Martin felt the issues regarding broken ordinances should not affect this application.

QUESTIONS TO OPPONENTS: Committee member Ken Hughes asked when Pat Haight had visited the site. Ms. Haight said it was a couple months ago. Committee member Ken Hughes also asked if Ms. Haight had copies of the letters and documents she had referred to in her testimony. She said she could provide the copies later. Committee member Roger Currier asked the committee to remind Pat Haight of Mark Martin's testimony since she had left the room during his testimony.

OPPONENT REBUTTAL: Ms. Haight said she is not opposed to the goals of the

Chehalem Park and Recreation District. She said that the process is wrong, and that NUAMC should look at what has happened regarding this area. She felt there was a potential lawsuit there unless the responsibility of the City was defined before the area is annexed.

QUESTIONS TO STAFF: none

QUESTIONS FROM AUDIENCE: none

PUBLIC TESTIMONY PORTION OF THE HEARING CLOSED.

LETTERS/PUBLIC AGENCIES: none

STAFF RECOMMENDATION: John Knight, City of Newberg Planning Division Manager, directed the committee to the resolution in the staff report, should the committee move to accept the application. Ken Friday, Yamhill County Planning Division, reiterated the County's position regarding the maintenance of the road. He felt this should be dealt with in the annexation, because under existing agreement the road stays under the direction of the county. Committee member Ted Lopuszynski said that the County had recently adopted a road management plan, and this committee needed to address the plan. Chair Kriz asked John Knight, City of Newberg Planning Division Manager, to review the application. He reviewed the application, reminding the committee that it was an application to amend the Urban Growth Boundary, and that the annexation would go before the Newberg City Council at a later date.

COMMISSION DELIBERATION: Committee member Alan Halstead said this committee could not deal with the legality of the water connections. He also felt the minutes from meetings back in 1993 and 1994 support that this is not an attempt to bailout the Chehalem Park and Recreation District. Committee member Ted Lopuszynski stated that he agreed, but that the committee needed to decide what to include in the resolution and whether or not to amend the Urban Growth Boundary.

Motion #2:	Committee members Halstead/Lopuszynski to amend Resolution 96-1 to reflect the January 16, 1997 meeting regarding this issue.
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Vote on Motion #2:	The motion carried unanimously (5-0) (Absent: Lewis, Jackson).
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Motion #3:	Committee members Lopuszynski/Hughes to amend Resolution 96-1 to include a phrase that the staff of the City of Newberg and Yamhill County Planning Divisions meet to address the issue of road management and jurisdiction.
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Vote on Motion #3:	The motion carried (4-1) (NAY: Currier) (Absent: Lewis, Jackson).
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Motion #4:	Committee members to adopt Resolution 96-1 as amended.
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Vote on Motion #4:	The Motion carried (4-1) (NAY: Currier) (Absent: Lewis, Jackson).
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IV. OLD BUSINESS

1. Urban Reserve Area presentation regarding completion of the URA Project (mapping and alternative land use strategies).

John Knight, City of Newberg Planning Division Manager, reviewed the project history. He turned the time over to Al Benkendorf, consultant for the project, to explain and review the project. Mr. Benkendorf said the project had two targets. The first target was the priority plan involving which areas to bring in to the Urban Reserve Area; the second target dealt with the management and responsibility of the City and County as those areas become part of the City. Mr. Benkendorf distributed to commissioners a copy of his findings which include estimates of land use needs, population and growth, as well as alternative plans. He reviewed the contents of the packet.

Committee member Roger Currier asked if this information included the 125 acres of golf course that was previously brought to the Newberg City Council as a land use need. The staff said this was not included. Committee member Ken Hughes asked for clarification regarding the inclusion of wetlands in the estimates. John Knight, City of Newberg Planning Division Manager, said that non-buildable areas had been better identified but the existing Urban Growth plan had not been amended. Those areas could be dealt with in this plan. Committee member Alan Halstead asked what a sixteen dwelling unit per acre would look like. Mr. Benkendorf replied that it was a standard garden apartment. Committee member Roger Currier asked if this was still considered medium density. Staff replied yes. The committee asked for examples of medium density areas. Staff noted there were not very many in Newberg. John Knight, City of Newberg Planning Division Manager, said the committee needed to address the issue of density decisions. Chair Kriz asked what the process was for the entire project. Staff said NUAMC would eventually develop criteria and go to a public hearing phase. There would be public workshops as well. Right now the committee needed to look at utility and transportation impacts of various levels of population in those areas. Committee member Ken Hughes asked if they would use the existing power stations or have to get a new substation. John Knight, City of Newberg Planning Division Manager, said they were looking at carrying capacity, not specific sites. Committee member Ken Hughes questioned the accuracy of the population figures. Committee

member Roger Currier informed the committee that he was trying to push a transportation ordinance and a water capacity ordinance before the Newberg City Council. Chair Kriz asked when plan designation would happen. John Knight, City of Newberg Planning Division Manager, said this was new ground, and planning for the URA had not been done. Chair Kriz asked if this plan assumed any additional neighborhood commercial. Mr. Benkendorf said the City should look in existing areas. John Knight, City of Newberg Planning Division Manager, said they should look at neighborhood commercial as convenience to avoid the potential strip commercial developments. Committee member Roger Currier commented that staff needed to consider the proposed bypass because of what could be deleted out of residential and commercial lands, leading to an increase in the amount of non-buildable land.

There was some discussion as to when the project would end. Chair Kriz wanted to make sure there would be time to address additional issues. A meeting was tentatively scheduled for 7 p.m. on Tuesday, March 11, 1997. Ken Friday, Yamhill County Planning Division, mentioned that the Technical Advisory committee had been meeting to address some of the issues.

V. NEW BUSINESS (none)

VI. ADJOURNMENT

The meeting was adjourned at approximately 9 p.m.

Passed by the Newberg Urban Area Management Commission this _____ day of _____, 1997.

AYES:

NO:

ABSTAIN:
(list names)

ABSENT:

ATTEST:

Recording Secretary Signature

Print Name

Attached

*I believe
you have
the original
signature
in your
minutes.*

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V. NEW BUSINESS (none)

VI. ADJOURNMENT

The meeting was adjourned at approximately 9 p.m.

March 11th day of April, 1997.

AYES: 6

NO: 0

ABSTAIN: 0
(list names)

ABSENT: 1
Lewis

ATTEST:

Janet Yarbrough
Recording Secretary Signature

Janet Yarbrough 4/11/97
Print Name Date