



MEETING MINUTES

(Approved at the August 27, 2003 Meeting)

CITY OF NEWBERG / YAMHILL COUNTY
NEWBERG URBAN AREA MANAGEMENT COMMISSION
NEWBERG PUBLIC SAFETY BUILDING - 401 E. THIRD STREET - NEWBERG
WEDNESDAY, MAY 7, 2003 at 7:00 PM

I. ROLL CALL

Leslie Lewis
Alan Halstead
Sally Dallas

Robert Soppe
Steve Ashby

Matson Haug
Sid Friedman

Absent: None

Staff Present:

Jim Bennett, Newberg City Manager
Barton Brierley, Newberg Planning Division Manager
Barb Mingay, Newberg Planning Technician
Ken Friday, Yamhill County Planning Department
John Gray, Yamhill County Counsel
Peggy Hall, Newberg Recording Secretary

II. OPEN MEETING

Chair Ashby called the meeting to order.

III. CONSENT CALENDAR (items are considered routine and are not discussed unless requested by the commissioners)

1. Approval of October 23, 2002 NUAMC Meeting Minutes

Motion #1:	Halstead/Friedman Committee members to approve the October 23, 2002 meeting minutes.
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Vote on Motion #1:	The Motion carried unanimously.
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IV. COMMUNICATIONS FROM THE FLOOR (five minute maximum per person)

None.

V. LEGISLATIVE PUBLIC HEARING

1. **APPLICANT:** Chehalem Park & Recreation District
REQUEST: Amend Newberg's Urban Growth Boundary to include land for a public golf course. If approved, the applicant has requested "P" and "P/SC" Comprehensive Plan designations.
FILE NO: UGB-7-03/CPA-21-03
LOCATION: South of Fernwood Road, east of Springbrook Road
TAX LOT: 3221-4200, 3222-3500, -3400, -3300
OWNER: Chehalem Park & Recreation District
ZONE: EF-40, EF-20 **RESOLUTION:** 2003-09
PLAN DESIGNATION: AFLH
CRITERIA: Newberg Urban Area Growth Management Agreement, ORS 197, OAR 660, Yamhill County Zoning Ordinance

Chair Ashby read ORS 197.763 into the record.

Chair Ashby said he had a conversation with the attorney for the proponent and discussed the procedures for the hearing.

Staff Report:

Mr. Brierley, City Planner, gave the City staff report. Topics under discussion include:

1. Amend the land needs table to recognize need for golf course
2. Include 181.78 acres within UGB with designation as parks involving an exception to Goal 3 - agricultural lands goal
3. The property is south of Fernwood Road, north of Wilsonville Road, and south of UGB
4. Needs analysis for a golf course
5. UGB criteria
6. Exceptions

Needs: The first part of the request is to show that there is a need for a golf course in the Newberg urban area. It deals with Goal 8 - recreational needs of the community. There is not a quality 18-hole golf course in the area. They looked at the recreational needs for the area, one of highest needs was for a golf course. The Parks District uses a table from the National Recreation for the need for parks (community parks, neighborhood parks, city-wide parks and regional parks with a 200 acre minimum for a service area which could include a golf course. Based on the standards, there would be a need for this type of facility in the area. The need also relates to Goal 9.

Economy, addressing the economic needs of the area: 1) employees of golf course itself; 2) promote tourism and related economic services and spin off other economic activity such as motor inns/motels and restaurants; and 3) many businesses make their decisions based on quality of life. These reasons support the need for a golf course. Regardless of the location, we should recognize the need for a golf course in Newberg.

Where do we put it? The state land use criteria include consideration of this, LCDC goals, NUAMC agreement, Newberg Comprehensive Plan, ORS 197.298, OAR 660, OAR 12 and Goal 14 factors. They are listed in the staff report. The applicant needs to consider available land in the following order:

1. Look at property current in Urban Growth Boundary (UGB). There are some significant issues when using that much land for a golf course. Some of the land is currently designated for commercial, industrial and residential use.
2. Look at properties within the Urban Reserve Areas (URA). When other properties in the UGB have been exhausted, look at these properties. There are no suitable sites in the URA that would accommodate the use. If located in the areas, it would displace housing and economic development for the area. Most of the areas in the URA are highly parcelized lots.
3. Exception areas (lands not designated not farm and forest lands).

4. **Resource Lands.** The applicant did locate other resource lands which would accommodate the use but due to the soil types they were not appropriate.
5. **Goals 5 and 6 - open space and air and land quality.** These goals apply to the site when addressing streams and wetlands within a stream corridor. There is an issue with proposed use and how it will impact water quality. It would be an appropriate condition for a future design application to allow for a water quality management program. This is not necessarily part of the UGB amendment, but it should be considered in the application. The property can be serviced by the City sewer. Domestic water service can be provided off Fernwood Road. The site can be served: the applicant mentioned the possibility of using Otis Springs and irrigation only pipe, or using treated wastewater treatment plant affluent or well water on site.
6. **Goal 12 - Fernwood Road** is a major collector. The current Comprehensive Plan allows for improvements and a signal at the Fernwood Road intersection. These improvements are already in the City's Transportation Plan. The proposal anticipates little or no use of Wilsonville Road. The property does front on Wilsonville Road and that portion would be left as a county road.

STAFF RECOMMENDATION: Staff recommended to approve the request.

Commissioner Friedman referred to a state study showing a need for a golf course in the area. What is the specific area.

Mr. Brierley said it was ODOT's Region 2.

Mr. Friday, Yamhill County Planning Manager: In addition to the City criteria, the applicant must comply with the County Goals and Policies and 5.2.2 of the Yamhill County Transportation Plan requiring transfer of jurisdiction of roadways when the properties are annexed, including portions of Wilsonville Road. The County representatives and City staff have been communicating about this matter.

Commissioner Haug asked about the County Development Code not being present to review.

Mr. Friday said the County NUAMC representatives have it. Discussion was held concerning discovery of criteria. He would like to see that copies of the relevant materials from the County are available to each NUAMC member for future use.

Chair Ashby inquired about the population projections.

Mr. Friday noted HB 2709 requires the Counties coordinate population projections with all cities in the County. They sent a letter to the City of Newberg on some land use applications recently which could be used as a basis for 2025 population projection. He said the City staff is looking at a longer term but have an interim number projection.

Commissioner Haug asked about the other golf courses in the County, number, size, etc. There are consultants that could possibly answer the questions.

Public Testimony:

Letters:

Mr. Brierley said there were three letters from citizens. They all appear to be opponents to the applications and he read them in their entirety into the record.

Mr. John Bridges, 515 E. First Street, Newberg, stated the consultants will be addressing the needs analysis. When they talk about complying with the state wide planning goals and the county comprehensive plans, there is an overlapping analysis. Goal 3 requires the government to preserve and maintain farm land. Goal 8 is a recreational needs goal and requires the local jurisdiction to provide what will be demanded in the future. Goal 5 is the natural and cultural needs, open space and wet lands and habitat goal. The application is a comprehensive plan change that will be protecting wild life habitat and wetland areas. How do we approach that kind

of question where there is an application which creates a conflict with the Goals? Discussion was held concerning exceptions rules. The general rules is that the design of the goals would allow a reasonable degree of flexibility. Local government is required to give goals equal weight in an application. For good reasons, we may choose to advance one goal, but must consider the other goals. There is a process for taking in agricultural land. When looking at specific rule, we need to keep in mind the general rules. The City has some flexibility. We need to recognize the City's right to advance one goal over another if it is right to do in the community at that time.

Goal 8 - Recreation Needs Goal. This is CPRD's shining light. Goal 8 tells what local communities need to do to provide for recreational needs. They need to evaluate and project future demands. There are a set of approximately 11 issues requiring an inventory, inventory of opportunity (what exists), coordination among stakeholders and to the degree necessary, use of the property for multiple activities; and as to planning at the local level, pay attention to the state's comprehensive outdoor recreation plan.

Tape 1 - Side 2

Mr. Bridges reviewed the Goal 8 Planning Guidelines. He asked the Commission to look at the guiding light of Goal 8 during the presentation.

Mr. Randy Lytle, 308 Pinehurst, Newberg, registered engineer and project manager for many projects, including Orenco Station, Fairview Village, etc. Mr. Lytle reviewed the location of the property. The UGB amendment would allow for a subsequent application for annexation and zone change to a community facilities zone designation.

Needs: Land resources. The City has less than 20% of the requirement for recreational needs. With the subject property it would be brought up to 60%. It would suit the needs of the City and the region. This project has been designated in the County Plan to be suited for a golf course. CPRD has been evaluating a golf course since 1992. Their 1996 Park Master Plan indicates that one golf course would be needed by 1995 and two golf courses by 2010. The Oregon Recreational plan has been adopted, some of the benefits are:

- provide community with largest open space
- scenic and nature trails
- local regional golf teams
- tourist
- protect stream corridors and buffers
- community garden
- buffer for rural and urban areas (transition zone from recreation to farmland)
- attractive scenic view
- social economic interests and socializing

Mr. Don Loving, CPRD, 125 S. Elliott Road, Newberg, served 12 years on the Board of Directors of CPRD, graduate of U of O. His first day as a citizen of Newberg, he attended a CPRD Board Meeting that night. From there, he has been elected to three terms on the Board. Very early on the Board, they talked about the possibility of a golf course. He identified the need for a golf course. In November 1992, Don Clements, went to Las Vegas on public/private financing of golf courses. It is not just a wild hair that the board has just thought of, it has been from 1992-1994 with further investigations, and formation of a golf course committee. Around 1995, the Board formalized the golf course as a project need. They did several internal site analysis. He talked with the Austins about their property and with another property owner in Dundee. Around 1997, the Fernwood property started looking like it may have some possibilities. In 1998, the CPRD purchased the property for a golf course and full recreational center. Between 1998 and the purchase, they have done everything to proceed. With the rates, they have financial people that are willing to invest. They have done feasibility studies, site analysis, etc. They have worked with the local neighbors and other people in the area. He wanted to point out key elements:

- public course - they were asked if CPRD would construct a semi-private course. They are a public agency.
- to be affordable - two tier system within the CPRD boundaries
- It is going to be a great preservation of the land - property is right next to a booming housing development. The prior owners said they were concerned about the preservation.

- The board has had a vision. They had a future vision for a swimming pool in the 1960's. They are trying to meet the goals, recreation needs.

He urged the Commission to approve the application.

Mr. Bill Robinson, PO Box 2709, Florence, Oregon 97439, golf course architect for the past 40 years. The OGA golf course in Woodburn and the Prineville municipal course received the first environmental award. He reviewed the proposal, an 18-hole regulation with five sets of T's to that will accommodate every adult golfer and children being introduced to the game. There is an elaborate practice facility to be used as a children's golf course to introduce kids to the game. It will be built under USGA specifications. The course is planned to have appropriate watering needs. There is approximately 100 acres of mowed turf and new trees would be planted. Discussion was held concerning other potential sites. This subject site has good quality land which is better to build. Discussion was held concerning the land being very easy to work on and should give them a golf course with lower usage fees. As far as Goal 3, when England was at war with Germany, there was a huge shortage of food. The first place to grow food was the golf course which later provided food. The golf course will not be trashed for agriculture, the grass clippings and decay will produce feet of top soil. It will create an upscale golf course at a very affordable fee for the users. A good golf course is a great attraction for the community.

Mr. Steve Farrini, 610 SW Alder Street, Suite 515, Portland, Oregon 97205, was hired to complete an alternative sites analysis, and an economic and market feasibility study.

Mr. Farrini identified the sites, looking at Urban Reserve Areas and margin lands. They wanted to minimize how they configured the 175 acre property criteria. In addition to that, he did a report based on the sites zoned for a golf course. They did an amended report which related to the difficulty and the costs in developing the sites. Discussion was held concerning greens fees.

Mr. Farrini reviewed the alternative sites (Schaad and Austin properties).

1. Alternative Site 1 - too small (need 175) this is only 125 acres. Discussion was held concerning purchase price and how it relates to green fees. The property would have to be re-zoned, 2/3 of 122 acres was zoned residential. Newberg does not have sufficient residential land.
2. Alternative Site 2 - Austin property. It is compromised of 11 different properties, well served by utilities and appropriate topography for a golf course. The property is valued at \$13.9 million and would require \$175 per round of green fees. There are safety issues. There is an arterial and county collector street intersecting with adjacent properties. The area is not properly zoned, with some commercial and some residential.
3. Alternative Site 3 - Site located outside UGB. This site is 232 acres, and not URA designated for residential development. The most apparent problem is the slopes. There is 10-feet of elevation changes some significantly higher than 12%. The property is not adjacent to the UGB. It is not served by City services.
4. Alternative 4 - along the river is not designated for residential area. Also, 15% of the property is too steep to develop a golf course. It is in the path of the Dundee/Newberg bypass. There is a conflict where the bypass is selected to go. In addition, this area has already been designated for Riverfront Master Plan.
5. Alternative 5 - Schaad property need (assemble 10 properties). This is adjacent to the city limits. There are slope issues which reduce the buildable acreage to 130. This is also affected by the bypass. It is also not well served by public utilities.

Subject property:

- 181 acres
- Meets the city's criteria for amending the UGB
- Has water and sewer, non-potable water close
- Good topography
- It is the best suited property which meets local and state development requirements
- It only had two negative aspects. It is outside the City limits
- All the properties have high value soils

Mr. Robin Brady, 610 SW Alder St., Suite 515, Portland, Oregon 97205, Newberg, addressed the economic feasibility and reasons to support include:

- Based on natural trends, golf is on the upswing
- Because of the location in Newberg, they will pull from a large market area
- Limited number of competitive golf courses (McMinnville - Bayou Golf Course, Dundee - Riverwood, only a 9 hole golf course, the Tukwila Course in Woodburn is closer in style. Most of the competing golf courses are older, executive 3 hole courses.
- Langdon Farms is a different course. They are not a competitor. There are a handful of high quality courses. Discussion was held concerning not over-charging greens fees
- There are not any planned golf courses. Land is a premium and there is not much competition.
- They project financial success after the third year (break-even preliminary assumptions)
- The course will generate about 45,000 rounds (similar to Red Tail and Tukwila)
- \$39.00 green fees on weekend and \$30 during the week
- Construction cost estimates

They believe that they have used reliable input for the model and provide cash flow for other public recreation activities.

Mr. Larry Anderson Consulting, 112 N. Springbrook Road, Newberg, reviewed the location of the pump station availability. There is not a great demand for the current service and will use about 1% of the pump station. They can get sewer to the remote restroom on the south end or put in a sanitary septic system. They would need to pump it up to the club house. The storm drain is nothing less of an impact than is turf. The run-off will be slight with no need for the City to upgrade. The real issue is water. The City can use water resources now going to waste. They will be using the treated effluent from the treatment plant. With the zoning and no housing, the level two (2) waste water now dumped into the Willamette River, will be used for this property and is an economical way to use the existing water resources. Otis Springs was closed down 10-12 years ago because of problems with surface water getting into the well and contamination of water. It produces a sufficient resource with a very low impact to the City's system. The City will earn revenue that would otherwise be wasted.

Chair Ashby called for a recess at 8:42 p.m. The meeting reconvened at 8:44 p.m.

Commissioner Haug addressed guarantee of conditions. How will we know we will get the trails, walking areas, etc.

Mr. Bridges such requirements would be in the form of an annexation agreement, etc. The site makes it the right place to allow all levels of ability to access the property. Discussion was held concerning the affluent from the wastewater treatment plant. Who would provide the source of this and get it pumped to the area. Discussion was held concerning the City's revenue source.

Commissioner Haug said there are a lot of recreation centers, swimming facilities, and racquet ball courts. Would it accommodate a relocation of the swimming pool and recreation center.

Mr. Bridges said the 181 acres is needed for the golf course because of limitations due to the stream corridor.

Mr. Don Loving said that at some point in time, the clubhouse facility would have an extensive dining and banquet facilities.

Commissioner Haug addressed the Audobon program, a golf program where they can be certified for not over-fertilizing and not creating a problem for the birds in the area.

Mr. Bridges said it is the essential two components (national program) staff has also said they want to see in the annexation agreement.

- Building of the course criteria and process by which they will build a course to be a national accredited course; and
- Separate program for running the course.

Commissioner Halstead asked Mr. Farrini if the bypass route impacts this property?

Mr. Bridges said it does not. The CPRD owned the property and ODOT developed a route that avoids the property.

Councilor Soppe reviewed the following:

1. Otis Springs: The City quit using it because of ground water contamination, suitable for irrigation and does not need to be treated.

Mr. Bridges reviewed the irrigation process. There is a long pipe line from Otis Springs that does not exist now. There is a capture facility which will need to be upgraded. Discussion was held concerning affluent service. There is some industrial property in the immediate area that may need potable water.

2. Alternative Sites:

- Appendix D in the report #2. 25,000 lineal feet to non-potable source not far from city limits? 5,000 feet from sewer. Mr. Anderson said it would be the long distance down to the treatment plant. How many feet is the property (north to south; ½ mile - 2500 feet). There is sewer not far from it. Mr. Anderson said it is near the Chehalem Drive pump station.

3. Transportation:

- Traffic study, Appendix 5, page 15. Todd Mobley is available. Discussion occurred about traffic in peak hours from the site and traffic dumping out onto Fernwood Road. Traffic generated by the golf course: #2 has about 18 cars leaving the site and #4 has about 10 cars leaving the site (28 per hour during peak hour). Councilor Soppe said that he is unclear how it related to the 45,000 rounds of golf per year? Mr. Mobley said on page 11, trips exiting is 28. The IT manual notes how many rounds it will have. It is based on a number of trips per hole.

Discussion was held with that there will be around 300 rounds of golf a day. Most people will be traveling in a group with T-times about every 9 minutes. There are about 6.5 rounds in an hour, with T-times from 7:00 a.m. with summer hours until 5:00 p.m. or later (twilight).

4. 45,000 trip generation - discussion of rounds of fair share (Appendix 7 - page 11). Actual rounds for the courses. The totals for courses don't come out the same. Discussion was held concerning the percentage of actual and fair share users. Same number of golfers having the same number of rounds. Mr. Farrini explained that at the bottom of page, exhibit 11 has all the golf courses. There may be other golf courses which will share in the service.
5. Number of acres for parks needed (P-51). According to Table 4-9, in 2000 we needed 100 acres of parks. In 2003 minimal park needs are 389. Mr. Brierley said there was a need for a regional park such as a golf course. Mr. Brierley was asked how did that need get added by staff? Mr. Brierley said it is a proposed amendment to the table to include the regional park need. The application has indicated a need for a golf course. Mr. Brierley said there were several requests, one of which is to amend the table to show the additional need. Mr. Brierley said it is based on the positive impact of the facility and the Newberg urban area (economic impacts, positive recreation impacts)

Mr. Bridges said the level of service concept comes from National Recreation Parks Association. The City came to the CPRD and wanted input for future parks and needs. CPRD went to the national standards and parks for this size and type of community. Since that time, the application was adjusted to reflect what the recommendations were:

- 2.5 acres for neighborhood parks for 1,000 people served
- 2 neighborhood parks for 1,000 people served

The regional park was not included in the Comprehensive Plan 20 years ago. They have asked for an updated community parks.

Discussion was held concerning need for this type of regional park for this particular area. Mr. Bridges said it depends upon how to define a region and a park. Mr. Bridges said he would expect to see 200 acres.

Chair Ashby inquired about one golfer playing one round of golf to make up the 45,000 rounds. Discussion was held concerning the trip generation per day 24 hour total. Mr. Mobley said it was an average drawn on samples of other sites and would entail about 234,000 trips and 5.1 trips per round of golf. 45,000 rounds is the projection of what they plan to do. The number of rounds calculated on a 365 day basis is not consistent.

- Alternative site analysis study and materials referencing the Schaad application deficit. Mr. Bridges said it is a planning window and residential needs window. Discussion was held concerning the Crater Lane annexation area. The application showed it would use up all the UGB land for residential purposes. They use that evidence to justify bringing the property in. The Crater Lane application, approved by the City and the County, showed that they had a need that exceeds the 20 year supply in the UGB and the URA.

Tape 2 - Side 2

Discussion was held concerning other location options. The URA property was not big enough for a golf course. Was there a study done on the minimum number of sites needed to acquire the property. The map shows the URA area is significantly parceled. Why does the applicant justify the number of five, rather than six or seven? As a consulting group, they selected more or less arbitrary figure. It is more difficult to put together a large land purchase if there are many different properties involved. One hold out stops the project. It was noted that sometimes the power of eminent domain an option for opposition. Mr. Clements said that he does not feel that CPRD has ever done it. Mr. Bridges reviewed the economic problems that would violate Goal 8 objectives.

Commissioner Friedman:

1. Addressing Mr. Loving concerning private park ownership. Where was the potential site of that request? Mr. Loving noted there was not a site in mind, they had been talking with some land owners. CPRD was not interested in a semi-private course.
2. Who owns alternative site #3 by the river, 195 acres? Mr. Farrini said they did not have ownership and they contacted the Yamhill County tax assessor. Mr. Bridges said he does not know.
3. Riverfront Master Plan for pedestrian and green way to the river. Given the stated intentions of having walking and pedestrian connections, it is an odd issue to raise as a problem with the site. Why would this be not appropriate where it is identified in the golf course site. Mr. Bridges said that his recollection is that the plan has walking trails intermixed throughout the whole plan area. A golf course with walking and interpretive trails would have restrictions as it crossed over the property. The golf course would have exterior trails and not throughout. Discussion was held concerning Dundee's Urban Growth Boundary?
4. Traffic - to Todd Mobley. When he looked at the various intersections and the potential access routes, it appears that people coming from the southwest metro area (Sherwood area, etc.) would travel west to Brutscher or Springbrook Road to access Hwy. 99W. What about Corral Creek Road and Hwy. 99W? Mr. Farrini said they did analyze the route. In terms of the operation of the intersection, left turns from Corral Creek Road would cause some concern. Mr. Friedman said a number of people have died at Veritas Lane and Corral Creek Road with left turns.
5. Analysis of Sunday p.m. peak - most facilities weekday peak hour is where the adjacent streets are mostly congested. With Hwy. 99W, the most critical times is Saturday and Sunday p.m. peak times which coincides with the highest peak times for golf courses. Have they done specific p.m. peaks? The Sunday p.m. play by 2-3:00 p.m. He is owner of Florence Sand Dunes. He said there is some Sunday a.m. play.

6. Commissioner Friedman addressed the long term preservation for the land "forever" and will there be a conservation easement to prohibit future development. Mr. Bridges said that there is already a conservation easement along Springbrook Creek and taking it south. They are talking about connecting to the Willamette green way. Mr. Clements said there cannot be housing on the property. Mr. Friedman said he was addressing the future of the entire property and the continued availability, and not developed for anything other than for agriculture. Mr. Bridges said CF zoning designation prohibits residential designation. Mr. Friedman said the requirement with a zone change application before the use can be changed is different than the land will be protected forever. Mr. Bridges said that CPRD uses the property for parks and keeps it as parks. CPRD protects its park land. Mr. Clements said if it can be legally done, CPRD will do the protection.

Commissioner Leslie Lewis asked about LCDC which recognizes the shortfall of the land in the UGB. She is concerned about their point that they should be revisiting the URA analysis and they should be doing that as a more comprehensive solution than requesting an Urban Growth Boundary expansion.

Mr. Brierley said that one of the issues in the letter (pg. 86) was addressing the core issues, and the other addressing the Schaad and Lewis & Clark application. There is a difference with bringing land in for residential (Schaad) versus CPRD recreation property. To bring land outside the URA into the UGB for residential use, would be difficult to do when there is a big URA that is planned for residential use. The statutes specifically say that you can do this with a particular type of use that cannot be accommodated in URA lands. There is a particular type of use, golf course and regional park that cannot be accommodated in URA and it is appropriate to bring in other properties.

Commissioner Lewis said she did not believe the applicant addressed the LCDC's concerns.

Commissioner Haug asked about Corral Creek and Hwy. 99W being a problem. How reasonable would it be to provide an intersection study there and we can see what kind of impact it would have. People will be trying to use that intersection as a "short cut". Mr. Bridges said there are standards of what they need to study for land use purposes. There is a threshold impact level. They would not affect a use of that intersection that exceeds the threshold to prepare such a study. The City directs the traffic study. Even if they did the study, what they would find is that the golf course does not cause an impact to make such a study and change the plans. Mr. Bridges said that there is a planned improvement in the County's TSP and the rest of us have to rely upon that. The County's TSP calls for closing Corral Creek at Hwy. 99W with only Veritas to remain open. The reason is that Corral Creek is a worse intersection because it has Rex Hill Winery across from it providing for alternative direction. ODOT determines which roads to close.

Commissioner Haug said that some of the golfers will go that way and there will be an increase in traffic. He is worried about the intersection. As a suggested conditional of approval would be that the intersection be analyzed. Discussion was held concerning the desire to save lives.

Mr. Bridges said there was a plan to fix the situation but it would be a heavy burden to have CPRD fix the problem. Mr. Bridges said that they would request the users to use common sense and be alert to an already existing problem.

Councilor Soppe asked about issues raised on traffic on Wilsonville Road (Appendix 5, pages 14-15). Intersection No. 1 - with five roads going into the intersection. He is assuming that the road going upward is Springbrook Road.

Mr. Bridges said it is Hwy. 219. What about the traffic going from Fernwood to Springbrook. Mr. Bridges said that #1 intersection of Wilsonville Road and Hwy 219, people going to the site would turn left on Springbrook Road to Fernwood.

Councilor Soppe asked how many trips are expected to come west on Wilsonville and North on Springbrook and how many would leave in the afternoon?

Mr. Mobley said that it would be less than 5%. A portion of that would be those traveling to and from Wilsonville Road. The bulk of it would come from Springbrook Road. If coming up Wilsonville Road, right on Corral Creek and left on Fernwood to get the site. How many cars at peak times east of Corral Creek Road? Mr. Mobley said it would be a nominal amount, less than 5%. Discussion was held concerning traffic from Wilsonville not being a significant contribution to the peak hour trips.

Mr. Bridges said that it is just as likely to have trips coming to the site off Wilsonville Road and there will be some trips that would be lost because of the golf course and not go to the Wilsonville course.

Ms. Paula Radich, Newberg School District, 714 E. Sixth Street, Newberg, The board of Directors have not taken an official position on the location of the golf course. She believes that the golf course would be a good asset. The golf course holds benefits for the students. There is not a playable facility currently available for the students. A playable course in the community, despite the location, would reserve class time and dollars to support funding. A local course could be a viable source of funding.

Mr. Stan Baratto, PO Box 2709, Florence, OR 97439, he was the President of the Oregon Golf Association during the time of the construction of the Tukwila Golf Course in Hillsboro. He feels there would be about 40,000 rounds. The impact on Woodburn for 40,000 - 45,000 rounds is just under \$2 million. Of those 40,000 rounds, at least 98% travel to get to Woodburn. It is hard to measure the economic impact.

Mr. Michael Sherwood, 11725 NE Lauren Lane, Newberg, is a partner of RedTail Golf in Beaverton. He said the biggest value a public golf course is the socio-economic position it holds. The community benefits and it gives them an activity, teaches social skills and offers a place to socialize and have events, wedding receptions, etc. At Red tail, they have class reunions, receptions, and many Chamber of Commerce meetings there. It offers up a lot to the community and it also strengthens it. Newberg is a gateway to the wineries. It would promote a lot of tourism.

Ms. Ann Dolan, Newberg Area Chamber of Commerce, 115 N. Washington, Newberg, supports CPRD's application on the ground that it is a good economic decision. The Economic Development Committee of the Chamber of Commerce discussed what amenities are needed to help boost the tax base. The golf course is an important attraction as well, as the new hospital, development of the Central School and the Riverfront. It is the package that sells. The golf course will help tax wise and an attraction to have travelers stay over night and visit the wineries. The owner of Rex Hill Winery said he is anxious to get the golf course to entertain visitors. The final point is that yesterday she visited DR Horton's subdivision south of Astor House selling from \$195,000-\$240,000 and the Marketing Director asked for information, in particular the golf course. The golf course will sell his houses. He has sold 14 houses in the development. She cannot emphasize the value of the golf course in the area and urged the Commission to support the golf course.

Mr. Mike Gougler, MJG Development, 5241 Windsor Terrace, West Linn, Oregon 97068, is the developer of the property north of the golf course proposed site. What is required to create a stabile economic base? He does not play golf. The problem he has is that they have been trying to market their industrial property for a number of years. Every month he receives a request for information on 88 acres of the property. The Governor is asking for a survey of the industrial property. He has selected a group to take testimony for information. The problem is that they have property and it has every range of power, small and large, fiber optic and water. It is hard to get to. How far is it from I-5? The other problem is that we are asked if we have rail service? How close to the airport? It is prime property and they have tried to market it to any number of people. A golf course is nothing more than a business. It is designed to provide a service which will generate money and interest. He built, managed and ran golf courses. It was not just an economic benefit to receive green fees. It allowed outside funds to be brought into the community. There is opportunity for some economic growth. Why else would they come to Newberg without an industry? The golf course is much better than saying just another business. The golf course will serve a populous greater than those who want to play golf. On the Werth property, there is 100 acres in rye grass seed. It is sold to golf courses in Japan and Palm Springs. The farmer made less than \$200 in 2002 and less than \$200 net profit in 2001 because of rye grass seed. The two other crops are fir trees and filberts. Fir trees takes three generations to

harvest, and with filberts they generate about \$500-700 per year per acre. The premium filbert requires a special herbicide which is more toxic than what would be placed on a golf course. A golf course should generate \$1500 per acre per year. It makes sense to strengthen the economic base with the golf course.

Mr. Warren Parrish, 30450 NE Wilsonville Road, Newberg, he said that the most important things to look at down the road: 1) How many are golfers? 2) He talked with Don Clements about the golf course years ago. He told Don Clements that he will not oppose a golf course. He said he is opposed to some aspect of the golf course. He thanked Mr. Bridges for doing his job. He lives on Wilsonville Road. In 1861, there was the Parrish Donation Land Claim. His great-great grandfather divided it into three sections. His grandfather got the lower third. You can do all the traffic studies you want, but Wilsonville Road is a killer. Two deaths from his driveway in two years. Last summer a 16 year old died. People are going to use Wilsonville Road. They are going to make a right turn off of Renne Road to Corral Creek Road. Whether you approve it or not, maybe conditionally think that people are going to use the road. It is not going to be 3-4%. Also, the point made by Commissioner Haug on Corral Creek is right on the money. People are going to come and use Renne or Corral Creek to Hwy. 99W. We are talking about public safety. He does not want to see people die. Please consider transportation. Ms. Lewis said it would be within five years for the Wilsonville Road/Hwy 219 road repair. It is the County's responsibility. He lives across from the site. He is a golfer. This would be neat. He does not have a problem with the concept.

- Should be changed EF20 to AF40? It is a working farm (filberts south portion).
- Do we really need to take the whole property? Maybe do a multi-purpose on the 171 acres and maybe they can do something else other than golf? Maybe tennis and racquet ball too. When Oliver and Helen talked about it Oliver was on CPRD Board. They donated the property to be used as a park for the future children.
- Stay off Wilsonville Road, if used as an alternative, do something.
- "In Perpetuity" as defined by Websters is an endless existence for duration. Even if the zone was changed, the use could not be changed.

Mr. Clements said that with federal funds "in perpetuity" would be allowed if the law allows it. There is a need for a golf course.

Mr. Parrish said there is a pond on the property that could be used as an additional benefit. What about a buffer off Wilsonville Road, it seems there is a little liability off Wilsonville Road.

- Water at Otis Springs. Glad that it can be used for something.

If we are going to do it, do it right, look out for public's interest. He is not going to oppose but would hope that his statements are considered. Another issue is the water. Don't get into the water tank which was designed for Springbrook Oaks.

Ms. Marilyn Reeves, President of Friends of Yamhill County, 22250 Boulder Crest Lane, Amity, OR 97439, they met last night and addressed the applicant's "need". The members support CPRD, but it is not a matter of "needs or wants"?

- Recreational needs change - the skateboard park would never have been envisioned 15 years ago. What kind of recreation do we need? She hoped the guiding lights did not say golf course. They say recreation whatever they define it to be. Discussion was held concerning diversity. As far as Yamhill County and the Comprehensive Plan and recreational needs, there is no mention of golf courses in the Comprehensive Plan of Yamhill County. Discussion was held concerning the highest and best use of the property. Sherwood is voting on the issue whether they should pursue corporate planning on a golf course until time for annexation. She believed that not too long ago, Newberg Residents were asked about a golf course and it was rejected. We need to truly have the people behind the idea and know the difference between wants and needs. The proposal to bring it into the UGB is not in accord with state land use laws and criteria. You don't get an exception for a recreation zone if all zones are equal? There is no exception with Goal 3 recreation. This land is the best of the best in the state with 80% class 1 and class 2 soils. There will have to be an exception to Goal 14 urban goal. It is not just changing the configuration of the land. It is building a club house. These are facilities which belong in the UGB. They must meet the 7 goal factors of Goal 14. Class 1 soil is the highest priority and 80% of the land is highest priority. The application must meet the requirements of the

state land use goals. There is not a good case for eliminating alternative sites. What about the Dundee area? Is this the case where we bought the property first and then decide how other alternative sites are handled.

Ms. Reeves said that when we look at the criteria to be addressed before approval, look at what we say in the Yamhill County zoning ordinance. New golf courses are not allowed on a tract identified as high value land. It is still high value (Class 1 and 2). Golf courses are Conditional Use Permits in Yamhill County. The property is a large block (3 blocks with the stream corridor going through it). You cannot maintain agricultural property when it is parceled out. The Commission must think that if this is the land that we want to put into the UGB, make it a golf course and meet all stated requirements and criteria. She urged that they not make a hasty decision. They need to discuss the step process in which annexation will come down the line. She is not sure if that is the best way to handle it. Two years ago, there was a proposal to NUAMC. Willamette Land Use Development 28 acre parcel on Springbrook Road in the URA requested to annex and re-zone the site. She supported denial. Reason for denial was that Newberg's available buildable land is shrinking. The City will need to expand the UGB. There are traffic problems on Hwy. 219 and a bypass. There is not an established route for a bypass (nothing official). Is there a difference between homes and a golf course. There is a proposal 194 homes (Schaad and Lewis & Clark University) which was later withdrawn. At that time, the City of Newberg recommended denial with findings which are similar for denial of bringing the property into the UGB. There was another proposal to put into the URA. Newberg is at a point to determine what is available land in the City. There should be some periodic review. Ms. Reeves addressed the need and requested that the Commission review the exceptions to Goal 3 and 14.

Mr. Donald Alexander, 1112 N. Klimek Lane, Newberg, agreed with Ms. Reeves' statements by a multiple of ten. Newberg is demonstrating a huge appetite for agricultural land. The population of Newberg is around 18,000 people. On 181 acres, we could feed 128 people per acre. This is prime farm ground. The golf course will only grow grass, we don't eat grass. The organic farm in Newberg is gone. This farm is a working farm and should not be destroyed for any reason. Someday the residents of Newberg will go to the stores and there will not be any food, because the land has been destroyed.

Mr. Brierley read the letters from:

- Susan and James Ruggles, 15500 SW Dusty Drive, McMinnville, Oregon 97128-8500. They are opposed to the application.
- Patricia Farrell, 20485 NE Dopp Road, Newberg. Email from Rmark@juno.com - objects to the application.
- Winsell J. and Kate B. Smith, 23205 NE Hyland Drive, Newberg, oppose the application.
- Ms. Reeves written testimony as she summarized.

Chair Ashby called for a break at 10:55 p.m. to 11:00 p.m.

Mr. Loving said prior to 1994-95 there was a combined bond levy to include a golf course, bowling alley, enhancements to the swimming pool and Central School. The whole concept of alternate sites has been discussed since 1992. They looked in Dundee and at one time, and they looked at all conceivable sites. The property is not for sale or they could not afford.

Commissioner Haug addressed what was provided as alternative sites and they only showed the Newberg boundary area. Since 1992, there has been substantial work by the Board to find locations. There must be some record in discussions that would demonstrate the different areas which were evaluated. Is there anything that can satisfy documenting the need.

Mr. Clements said it was discussed at Board meetings and during the process. Some of the discussion was held concerning the minutes of the meeting. To maintain confidentiality proposed property purchases are not discussed except for executive session. Mr. Haug said on Appendix 9, CPRD recognition of the golf course. Discussion was held concerning a portion of the property that was surrounded by special designation by CPRD on the Comprehensive Plan Map.

Mr. Clements said they talked with Floyd Ayler and offered more for their property and he was not interested. They went to the Austins and could they combine. They wanted a semi-private course and the land was higher than CPRD could spend. Austin's agreed they would support theirs. CPRD looked at different sites. The County said they have valuable farm land. Mr. Clements said they must bring it inside the City.

Mr. Loving said they got a great deal from the Mansfields and the Getmans.

Commissioner Lewis talked about the possibilities of and in the City of Dundee. It is inside the city limits, and have they looked at the property. Mr. Clements said main objective is that there are major issues. The primary problem with the property was the area floods. They want an affordable golf course. They have been offered more than what they paid for the property. What they are doing is good for the community. They have invested a lot of time and money. Oregon does have a good land system. They have a specific mission.

Commissioner Lewis referenced the levy that did not pass. Does CPRD have any other surveys (future focus) to review? Discussion was held concerning 77% being in support of the golf course. There were questions on Central School, etc. Mr. Clements said he would make available the survey.

Councilor Soppe

- Class of soils - can we have low class soils and suitable land for golf courses? Yes. Discussion was held concerning development on good soil. If the property was re-sold, how much would they get for it? Mr. Clements said the Hospital paid \$386,000 an acre. They were offered \$3.8 million. They refused it. He said that \$100,000 +/- an acre would not be hard to get - dependent upon a buyer. Discussion was held concerning financing without new tax revenues. It would be paid for by the course itself.

Mr. Bridges reviewed the discussion about Dundee. Give a priority to meeting recreational needs of high density areas. If we talk about wanting to conserve energy, it makes sense that they are connected. It is fair to say that Newberg will experience greater growth than Dundee. It makes better sense to place the golf course in Newberg than Dundee. They do address Goal 14 in the exception process. They could make an exception in Goal 8, build inside the city and spend \$15 million on the project. The need is there and they want to take exception with Goal 8. The statute clearly states that the goals have to be applied equally which requires some balance. He agreed that in a residential application, they could not talk about economics. They obtained from the Department of Agriculture a listing of the high value farm land in Yamhill County. It is not high value and "not high value" property. The reality is that in the Willamette Valley there is an abundance of high value property. When calculating 180 acres in comparison to all high valley farm land in the county, it is less than 1/10 of 1%. If 128 people can be fed by an acre, there is a tremendous amount of farmland. We are taking a negligible component of that.
Hearing Closed.

Mr. Brierley said the testimony regarding the need and whether the property fulfills the need. He encouraged the requested amendment to recognize the need. The proposal does meet the goals and standards. It does not meet Goal 3, without the exception, and the criteria for the exception has been met.

Mr. Friday said that having a golf course of this type would be a benefit for both Newberg and Yamhill County. I would really like to support this application. Certainly, based on the information, the NUAMC members may feel that there is more than enough information to demonstrate compliance with the criteria and may forward this application on. He voiced some concern that, in his view, the criteria has not yet been met.

As has been stated several times tonight, the site is predominantly Class I and II high value farmland. These are the highest soil types and as such it takes the highest level of justification to take this property into the Urban Growth Boundary. As Mr. Bridges said, some of this justification is a balancing act of the various goals and policies, however, with the alternative site analysis, the reasons to accept or reject various sites has been fairly well litigated.

Also, due to the size of this amendment, this request must be forwarded onto the Department of Land Conservation and Development and the Director must look at it and has some options as to how to deal with the request. By its very nature, this request will receive a higher level of scrutiny. That scrutiny will be from people who do not have the same familiarity of the local area as those who are evaluating the request locally.

He would like to see a real solid set of findings, especially in relation to the alternative sites analysis. The information submitted is a good start, but there would need to be additional justification in order to address the criteria.

He is concerned about these gaps in the application which are noted in the County staff report. It would be nice to send this application on and just direct the applicant to address them. Unfortunately, he has to give a recommendation based on what is in the record. Therefore, based on the record, he recommended denial of the request. He has concerns with the criteria not being met. The site is dominated Class 1 and 2 soils. These soil types are the lowest priority for taking into the UGB. There is some balancing act. There is well developed case law concerning alternative sites. Due to the size of the amendment, it must be forwarded on to DLCD and they have options on how to deal with the proposal and the Director can send it back or approve it. He thinks it will be scrutinized by the agency and there needs a high level of findings. He does not feel the applicant has satisfied the alternative site finding. He recommended denial of the request.

Commissioner Friedman asked if he agreed that the County's Comprehensive Map said that it is in compliance (developed in 1974 which notes the bypass).

Mr. Friday said the map should be somewhat of a guide, but there is almost 30 years of case law, administrative law and statute that should be a guide to the Map. In the analysis on Class 1 and 2 soils, the applicant excluded those lands in the stream corridor. Mr. Friday said there is no prohibition on people farming the property. Discussion was held concerning the existing County ordinances and golf courses. Can regional parks be sited under Yamhill County Zoning Ordinance as conditional use? Golf courses are permitted in EFU land. There are non-high value soils in the CPRD area. Under the County ordinance, if this amendment is to be approved, is there anything that would prevent a golf course on the site without annexation to the City once the Goal 3 exception is granted? Mr. Friday said they would apply the City designation. He would say no, not unless they change the zone. They would be applying a parks designation which allows golf courses.

Councilor Soppe addressed zoning issues that a golf course cannot go on high value soils.

Commissioner Haug said the alternative site analysis would likely be remanded on appeal.

Mr. Friday said he would recommend denial because the findings are not totally there. There are good things there that would hold up, but because of that, they need to explain more thoroughly about the high value soils. Do you feel the alternative site analysis is on the weak side?

Mr. Brierley said the City initially found quite a few weaknesses. They felt there were quite a few things to address. Also, when they wrote the staff findings, their document is not just a mirror of the applicant's submittal to address the criteria.

Commissioner Lewis asked for clarification of Mr. Friday's comments about the applicant not having sufficient findings without further work.

Discussion was held concerning what happens next. Mr. Friday said it would go to the City Council for approval, then to the County Commission and then a joint meeting may need to be held.

Chair Ashby discussed the scrutiny of the state.

Mr. Friday said there is not enough track record from 1999. Discussion was held concerning what DLCD could do.

Tape 3 - Side 1

Discussion was held concerning the applicants providing more information to the City Council and the County Commission. Mr. Gray said that following the public hearing the NUAMC will forward findings to the County Commission and the City Council. The County requires a public hearing as well as the City.

Commissioner Friedman said it is a recommendation to the County Commission and the City Council. It will still go to the Board of Commissioners and the City Council to submit additional evidence and argument.

Commissioner Haug asked about public safety. It is clear that the City did not require the applicant to do intersection studies. It may not warrant the applicant to incur the cost. We need to determine what will resolve the traffic problem and in what time frame. He is asking staff to help review the intersections in the packet.

Mr. Brierley said you can ask the applicant to expand the traffic study and address those intersections and how they plan to be dealt with. Discussion was held concerning a County transportation plan in place. It would be helpful to know what the choices are. We should have copies of the respective plans.

Mr. Brierley said that it may be necessary to attach conditions which would require them to be part of the fix. Not exactly require them to straighten out Wilsonville Road, but they could fix a corner, add turn lanes, site distance to intersections, etc. It may make the application more neutral.

Mr. Friday said that he will talk with the Public Works Director concerning Wilsonville Road. Discussion was held concerning the additional 20 trips per day on the road. They need to do improvements to the road, but we would not require them to do a whole lot of the improvements. It has to be a proportional fix. The County recognizes a problem, but we need to equitably resolve the issues.

Mr. Haug said he was proposing that what goes to the County Commission and the City Council should be a plan of what is going to happen to those intersections so they will have a better idea of the problem and the time line of how and when it will be fixed.

Commissioner Halstead said Wilsonville Road is in the STIP for 3-5 years (2005-2006). There is a date that something will happen. What about Renne Road and Corral Creek, what are the plans? There is nothing planned. There are not funds in the budget to accommodate any of the scheduled changes. They do not have a plan for that particular intersection. It would be nice to see what the plans are for the respective areas.

Commissioner Halstead said that he probably agreed with the statements made by Mr. Friday. There are issues that need to be addressed. Overall it is a good proposal - 96% there, and will support it with reservations and would like to see a few questions answered before they come up again.

Motion #2:	Haug/Halstead to approve the Resolution.
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Commissioner Friedman addressed expansion in UGB and URA areas. In the past few years, the current ad hoc process of the amendments in the Newberg area is breaking down as seen with the amendment on Springbrook Road and north of Wilsonville Road (Schaad application). The decision on when and where to extend the UGB. It should be something that the City decides after careful thought and review in relation to needs and growth management. This is a quasi-judicial proceeding and the burden of proof requires that all criteria have been met. They have an obligation to not approve an application that does not meet the criteria. A recommendation for denial will not harm the applicant. The applicant can go forward to keep up the arguments before the City Council and County Board of Commissioners. He is not convinced that the applicant has demonstrated the legal criteria both with the needs analysis, but especially with the alternative site analysis.

Commissioner Haug said it is an economical decision. It is an opportunity to revitalize the community and attract new business. It is going to enhance the livability of the community with minimum impact of new homes going in that particular area. In Wilsonville, they have a seasonal creek which has won many awards. It is a chance to enhance the stream corridor and offer non-golf residential activities including the walking paths and the interpretative centers. The clubhouse will serve as a facility and meeting area. These factors outweigh the loss of the farmland property. The applicant is spending enough money on consultants. The balance is on the side of approval.

Ms. Dallas said she is going with Mr. Haug's comments concerning generation of economic and tourism benefits for the community. The applicant needs to increase and better support the weaknesses. She would like it approved and it would be a huge benefit to the community. She would like to see a golf course rather than houses.

Councilor Soppe said he liked the project, but there are some short comings that need to be resolved. Discussion was held concerning the cost and the alternate site rather than the soils. There is some transportation issues that need to be straightened out. They need a clearer argument of why it is needed in the area and the City. He would like to the issues resolved, but cannot vote in favor.

Commissioner Haug said the agricultural use will roll over if houses are built. If the property was sold by CPRD, they could generate funds but it would ruin the farm land. People would not buy the property unless they planned to develop it.

Chair Ashby agreed with Mr. Bridges' point of balancing the high quality agricultural land of which there is an abundance, and recreational land which is scarce. He agrees that the alternative analysis is weak, and whether they meet the test. The project will be beneficial and provide recreational and economic improvement in the community and enhancement of livability.

Commissioner Lewis said she liked the project. Although not a golfer, her parents were, and she understands that it is something that a lot of people like. The plan is very well done and the clubhouse suited for many activities. The difficult thing is that on the Yamhill County Board of Commissioners, she has been on rural planning, she said it is a high bar to take exception to Goal 3 with the high value farm property. Most of the low value farm land is going to be on the hills and grape land. She is not sure the applicant has not raised the bar. They will probably find some resistance with DLCD. It is not uncommon to have land use issues such as this be remanded. She said the remand is likely and takes a lot of time and effort. The applicant would be very wise to beef up their analysis and there is nothing in the application concerning verbal testimony concerning sites in Dundee. There are sizable properties in Dundee that are in the City limits that are not currently developed property (Edwards property). The applicant did give comment about conversations that were held but she would like to see more written form. She said she disagrees with Mr. Soppe that property worth that amount would be better developed as a golf course rather than housing. She is concerned about the number of trips on Wilsonville Road relative to the amount of the road already in existence. It is a heavily traveled road. There are some concerns about the access points and would like to see the applicant provide more information on future intersections improvements. The applicant should come with more information about the public's survey on the golf course. She said this is in the best interest of the City of Newberg that could benefit the facility. She would like to see a lot stronger case than the applicant has provided. She reserved the right to vote for the motion.

Commissioner Halstead called for the question.

Vote on Motion #2:	The motion carried (5 Yes/2 No [Soppe/Friedman])
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Mr. Brierley said the matter is before the City Council at the June 16th City Council meeting. The next NUAMC meeting is July 9, 2003.

VI. ITEMS FROM STAFF

1. Next scheduled meeting: July 9, 2003, Lewis & Clark/Schaad Comprehensive Plan Map Amendment to expand the Urban Reserve Area

VII. ADJOURNMENT

The meeting was adjourned at approximately 12:30 a.m.

Passed by the Newberg Urban Area Management Commission this 27th day of Aug., 2003.

AYES:

4

NO:

ABSTAIN:
(list names)

ABSENT:

Dallas
Friedman
Haug

ATTEST:

Peggy Hall
Recording Secretary Signature

Peggy Hall 8-27-03
Print Name Date

**INFORMATION RECEIVED INTO THE RECORD
AT THE MAY 7, 2003 NUAMC MEETING.**

**THIS INFORMATION IS ON FILE AT THE COMMUNITY DEVELOPMENT OFFICE
ATTACHED TO THE MINUTES OF THE MEETING AND IN THE PROJECT FILE IT
PERTAINS TO.**

PROJECT FILE #

None

**LABELS FROM THE 5/7/03
NUAMC MEETING FROM
THOSE WHO GAVE PUBLIC
STIMONY/**

REGISTRATION CARD
*Be sure to add file number by
name on each label*

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