



MEETING MINUTES

**CITY OF NEWBERG / YAMHILL COUNTY
NEWBERG URBAN AREA MANAGEMENT COMMISSION
Newberg Senior Center – 101 W. Foothills Dr, Newberg, OR
Wednesday, April 11, 2007, 7:00 PM**

I. ROLL CALL

Sally Dallas
Warren Parrish
(arrived late)

Matson Haug
Michael Sherwood

Leslie Lewis
Robert Soppe

Absent:

Alan Halstead

Staff Present:

Barton Brierley, City of Newberg Planning and Building Director
Elaine Taylor, Associate Planner
Ken Friday, Yamhill County Planning
David King, Recording Secretary

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

MOTION: Soppe/Dallas to approve the NUAMC minutes from January 31, 2007 (Unanimous voice vote) Motion carried.

III. COMMUNICATIONS FROM THE FLOOR (5 minute maximum per person)

Nearly 40 citizens were present at the beginning of the meeting, and they were offered the chance to speak on issues not on the agenda. No additional items were brought forth.

IV. LEGISLATIVE PUBLIC HEARING

APPLICANT: City of Newberg

REQUEST: Recommend approval of Newberg Southeast Land Use and Transportation Plan

LOCATION: Area south of 99W, west of Corral Creek and Renne Roads, north of Wilsonville Rd., and east of Newberg's UGB/URA.

FILE: UGB 05-015

Chair Haug outlined the particular parts of the proceedings to come and asked the people to feel free to address the pertinent issues directly. If someone is not pleased and wants to appeal the issues, they will have the opportunity to do so at LUBA. **Chair Haug** then asked for any abstentions, conflicts of interest/biases, or ex parte contact. None were mentioned, so the proceedings moved to the staff report.

Staff Report:

Barton Brierley made the presentation of the draft of the Newberg SE Land Use and Transportation Plan. A portion of SE Newberg land is being considered for the inclusion in the URA and eventually UGB. But if the land is to be considered for inclusion, then a transportation plan needs to be considered now as well. The hearing on April 25, 2007 will include the plan for land and transportation together.

First a graphic of the plan location was visually presented, using a colored map of the SE portion of Newberg (see P9 of Draft). This plan has been developed via many steps. Three meetings have been held with the neighbors, ODOT has provided traffic analysis modeling, and Lancaster Engineering has helped as well. The city engineering department has generated some costs a, and one previous workshop was made available to NUAMC members.

Barton Brierley stressed that there various options, but no perfect option has presented itself. The goal then is to make choices that lead to the best solution for all the parties involved.

The visual graphics used next presented the various transportation roads that would need to be built. The plan calls for improvements to Corral Creek Rd., Wilsonville Rd, Fernwood Rd. as well as a new north-south collector road to alleviate traffic from Corral Creek/Renne Rds, a new, if not complicated, connection with 99W, and a new collector that would connect with Old Parrott Mt. Rd. Furthermore, a number of pedestrian walkways will be built into the plan (though these were not part of the graphics).

One meeting was held in January 2007 and corrections generated from that meeting have been absorbed into the draft. The draft now presents the following choices to be decided (see DRAFT, P30ff):

There has to be access to Hwy. 99 on the northern end of the land being considered. This issue needs to be considered in two phases—how to connect to 99W prior to a bypass being built, as well as how to connect to the bypass once it is built.

Barton Brierley showed an option of going under the bypass, or going up the hill to the east and connecting to Old Parrett Mt. Rd. All this will require some regulated turn movements at Hwy. 99 until the bypass is built. One option would be to build the underpass/overpasses before the bypass is built but in such a way that it works with the future bypass. A connection of Providence Dr. and a north-south (N/S) collector road via Trails End Rd. is an option. The last option is to simply wait until the bypass is built. There needs to be some decision on a collector road connecting to Old Parrett Mountain Rd.

Barton Brierley then discussed funding options. Regulating turning movements at Corral Creek is the least expensive. Connecting to Providence Dr. was the next doable and financial option. Improving a

road up to Old Parrett Mt Rd. is getting quite expensive but possibly still doable. Building a bypass interchange would be very expensive. Waiting for the bypass to be built has no immediate cost, but it goes against what the Ad Hoc Committee has recommended for adding land into the UGB.

Barton Brierley showed a topographic map depicting the area in relation to the steepness of the land (15% grade in areas) where improvements might be made. This well illustrated the expense that will be involved regardless.

The N/S collector road has three options. One option is presented on P29. It will head north from Wilsonville Rd., connect with Fernwood Rd, and then connect to Corral Creek Rd. further north at some point. One option would have the entire road separate from using any of Corral Creek. The more that Corral Creek Rd. is not used, the greater the expense of building the N/S collector road (up to \$3,000,000).

Under a new transportation plan, Renne and Schaad Rd. traffic issues need to be addressed. Renne Rd. traffic is intended to be absorbed by the new north-south collector. Schaad Rd. traffic could be diverted by installing a barrier to keep traffic from cutting through on Schaad Rd.

It is important to keep in mind either the northern or southern portions of the SE Newberg land can be brought into the UGB. Neither decision has to be made tonight, but transportation decisions tonight could consequently lend themselves more readily to the northern or southern portions of land.

Finally, funding #7 will require about \$20,000,000 to bring this property into the UGB. The majority of the cost will be raised via new development fees.

Barton Brierley wanted to allow for questions, but to keep them brief so that more time could be given to public comment.

Questions for Staff:

Commissioner Soppe questioned whether the east-west road that could connect to Providence Rd. will be able, according to ODOT, to stay in place after the bypass construction. **Barton Brierley** said yes. Soppe then asked about the Corral Creek Rd. improvements, and whether they are necessary if a north/south collector is built to the west, one that avoids using any of Corral Creek Rd. Barton Brierley said maybe—it all depends on the timing.

Commissioner Sherwood re-clarified that the \$20,000,000 total (see DRAFT p. 27, 28) will include all the work done south of Hwy 99W. **Barton Brierley** said yes. He then asked the price of Renne Rd. improvements, and Barton Brierley said \$1,800,000.

Commissioner Parrish apologized for being late and wanted to know if the letters from Yamhill County and from ODOT were already part of the record. **Barton Brierley** said yes. Ken Friday read a letter sent via email from William A Gille, Yamhill County Director of Public Works (see copy entered into the record). It generally states that no funds will be available from the county at this time or at any level.

End of Side A, Tape 1

Public Comment: (Over 50 citizens were now present)

Rod Pelling, 13250 NE Tuscany —P.O. Box 910, in Newberg, is not agreeable to the CP-1 options because a road is planned to run within 30 feet of his villa. He bought the property in 1989 and wants to use it in perpetuity for his family. He wants other options to be considered for CP-1. He also appealed to the concerns about water and sewer in the developing area. He believes that Newberg has painted itself into a corner trying to figure what to do with a city divided by a bypass.

Chair Haug asked Mr. Pelling to show his property on the topographical map.

Commissioner Parish encouraged him to stay and listen to the recent facts about funding, particularly in reference to CP-1.

Commissioner Soppe asked if he knew of any other options to replace CP-1. Mr. Pelling only saw improvement of Corral Creek Rd., though he knows this would not work with him neighbor.

Commissioner Lewis pointed out how she and Mr. Gillie drove the roads in the area of CP-1 to better understand the obstacles in the area. Every option faces the steepness of the mountain.

Michael Robinson, present on behalf on Willamette Builders Group—1120 NW Couch St, Portland, 97208-4128, and they do support the land use and transportation plans. They too know there are no easy options, though the northern area should possibly come first in light of connecting to Highway 99. Elaine Taylor distributed an email from Mr. Robinson that essentially covered the same information.

Grace Schaad, 31525 NE Schaad Rd. in Newberg, she first wanted to acknowledge how many man hours have been spent to bring about this plan. She then alerted the commissioners that the draft has the assumption that the bypass will be built, but if it is not built, then the overall plan calls for modifications.

She then discussed traffic impact: 2,398 households are projected for this area in one document, but 300 fewer households are expected according to P12 in the staff report. If the rounded figure of 2,400 households is multiplied by 2.76 persons/house, then the projected population for this area will 6,624. This will generate 24,000 vehicle trips per day (based on the average of ten trips per day per household). Most of these trips will use Hwy 99W, and it is essential then that a good connection to Hwy 99W be built.

She also pointed out that the projected growth of households will only be served adequately with a new bypass. Nevertheless, even if the bypass is fully planned and funded, it could be another twenty years before it is developed. Therefore she agrees with the option of restricting such growth in this area until an adequate transportation is decided.

Commissioner Soppe agreed with the letter that no development will be done until IAMPs are adopted—does she agree? What other places are there for Newberg to grow? She said that conversation will be had in a couple of weeks at the URA meeting.

Lewis Schaad, 31655 NE Schaad Rd., in Newberg, has attended most of the meetings and has observations for tonight's meeting. On page 26 he disagrees with the stated road connecting with the future high school property. He also disagrees with figure #2, that Alternative 7 can have zero traffic counts on

Fernwood Rd. Furthermore, CP-1 and CP-2 are not realistic alternatives for accessing Hwy99W. There are better sight distances at Veritas Rd. and 99W. In conclusion, he too agrees with option five as the best choice—restrict the UGB amendments until the bypass is built.

Commissioner Soppe asked if he too knew of a better area for Newberg to grow. Mr. Schaad said he did not at this point have a better place for Newberg to grow.

Terry Cole with ODOT Region 2, 455 Airport Rd. SE, Salem 97301, made himself available for any questions. **Chair Haug** asked him to summarize his previous letter for the sake of those in the audience who had not read it. Mr. Cole summarized the letter by saying that there are ODOT concerns involved with all the future growth of Newberg in light of the bypass. There is also concern about funding early by-pass interchanges, and that CP-1 is not a viable interim option. The best option before the built bypass is to connect Trail's End to Providence Dr.

Commissioner Parrish questioned the likelihood of the bypass for the purposes of UGB expansion. Mr. Cole explained that the bypass could not be considered a planned facility and that it was likewise city policy.

Commissioner Sherwood asked whether, if development went ahead for this area, ODOT would have to look at the interchange design again and modify it. Terry Cole responded that the facts always lead back to the Providence Rd. option. ODOT is still nine months behind on being able to discuss the funding of the bypass.

Commissioner Soppe appreciated the clarification, and also wanted to know the IAMP timing. Terry Cole said Spring of 2008 is likely for adoption. Then Mr. Soppe asked if the east-west road connecting to Providence Dr. could be left in place after the bypass construction. Terry Cole said yes.

Mr. Soppe then asked about a N/S road connecting to 99W. If there was no bypass in the future, what does ODOT forecast for this area? Terry Cole said there will be way too much traffic on 99W alone, assuming normal growth for Newberg, let alone connecting this new area to 99W.

Lastly, Mr. Soppe asked about CP-1 alternative. Terry Cole said that ODOT never accept any funding responsibility for CP-1, and they recommend that there could be many problems pursuing it.

Chair Haug wondered if a full interchange with the bypass or 99W and this SE portion of Newberg has ever been entertained by ODOT? Terry Cole said a full service interchange for this area has not been considered—the impact will be tremendous. The alternatives are using Providence Dr. or perhaps construction of a large roundabout.

Commissioner Soppe asked if a E/W connector road to Providence Dr. would eliminate a under/over pass with the bypass. Terry Cole said possibly so.

End of Side B, Tape 1

Mike Gougler, 4720 Masters Dr., in Newberg, would like NUAMC to come up with a land use/transportation plan independent of the bypass. IAMPs are dependent on acceptable plans for interchanges. Since the bypass is not likely to be done for the next 20 years, this implies that growth has to take place separate of the bypass construction.

He suggests that all the land south of 99W and north of the river be planned for growth by the city. He suggested creation of a part of Newberg. He questions how the city can do its own land use planning separate from the bypass. And he also questions how subordinate to ODOT is the land in inventory for UGB. Why can't Newberg make its own plans for it and then have ODOT comply once the bypass is ready to be built.

Commissioner Soppe appreciates the forward thinking plans for growth separate from the bypass, but the bypass plans can't be totally ignored. He then asked if the connection of a N/S with 99W is the preeminent need. Soppe then wondered if a future interchange could be retained even when the bypass is built. Gougler believes if Newberg is forward now with its land use, then ODOT in the future will have to comply and accommodate Newberg's growth and needs at the time of the bypass being built in the future.

Commissioner Parrish asked Mr. Gougler if SDCs are truly needed. Mr. Gougler had something to do with slight improvements to Fernwood Rd., and yet true transportation plans for this area need to fully improve all aspects to the roads. How are new roads to be built? Mr. Gougler says this supports his argument. Developers will develop neighborhoods and roads as long as the developer is able to sell the land adjacent to the roads. This is why he doesn't want land in this area kept from being developed for the hope of some future bypass.

He then explained that he did fully develop Fernwood Rd, but it was only to county standards on the south edge of the road.

Chair Huag wanted to take one more speaker and then have a break.

Lee Does, 10730 NE Renne Rd., in Newberg, was surprised that CP-1 is still being considered as an option. If for no other reason, a road builder would never propose a road up such a steep incline. He also added that plans should assume that there will not be a bypass, and therefore a transportation plan still needs to deal with the new traffic of any new development. It needs to be known that new families in Newberg will very likely be commuting to the Portland area, and the transportation plan will be crucial in handling such traffic needs. He too votes for option five until some guaranteed funding for a bypass in place, but without a bypass, there are no clear transportation plans that will deal adequately with the future traffic needs of this area.

Commissioner Soppe again asked an option five advocate where Newberg growth could take place. Mr. Does did not have a solution at this point.

*** A five minute break. ***

Chet Fryjoff, 29501 NE Owls Lane, in Newberg, wanted to address the same issue as last time. He again wanted the other developments in the area—across on Benjamin Rd. and the Austin Development—need to be considered as well. There are too many homes projected throughout the area to proceed without a supportive and sufficient transportation plan.

Herb Schaffner, 32400 NE Old Parrett Mt. Rd., in Newberg, he too has a home in the path of a proposed road. He proposed a transportation plan that directs the traffic towards town where the services are present.

Commissioner Soppe wanted to know if there any other areas in Newberg to develop. Mr. Schaffner said to let the development happen to the west.

Cathy Stuhr, 31000 NE Fernwood Rd., in Newberg, is concerned that the Newberg SE Land Use and Transportation Plan is not a true land use plan but merely has land use modeling for the sake of the overarching transportation plan. She encouraged NUAMC to take “land use” out of the report title.

The report references an organized group that is going to develop the land. Why is that in the report? All the residents have a vested interest in the development of this land and not just the developer(s).

In respect to the bypass, the plan does not need to be contingent on the bypass construction. It is not ODOT’s rightful position to hold the city of Newberg hostage when it comes to the city’s development of its own land.

Chair Haug asked her to repeat her statement about the pre-bypass interim. She said that she meant for that a sound transportation plan should be developed apart from the bypass. Mr. Haug asked, in light of Mrs. Stuhr’s involvement with the Ad Hoc Committee, what she recommends for the transportation problem. She said that the transportation plan could work if the whole area was brought into the URA and then all of it into the UGB at the same time.

Commissioner Lewis questioned staff if the April 25th meeting is to look at all the URA land issues for Newberg and not just this parcel. Barton Brierley said this is true.

Commissioner Parrish wondered if the transportation plan (and infrastructure) should take place before development. Mrs. Stuhr commented that the developer has to be able to sell the land adjacent to the roads that he builds.

Parrish asked staff if a developer has to be part of an LID. . .

End of Side A, Tape 2

. . . **Barton Brierley** said that city council could enforce an LID over the objections of current residents.

Commissioner Soppe asked if an LID can happen outside of the city limits. Barton Brierley said yes with county approval, but it would be unusual.

Greg Sholz, 31139 NE Corral Creek Rd., in Newberg, pointed out that the report does not adequately address the time it takes to enter Hwy 99W from Corral Creek Rd. Veritas Lane is not very useful currently. He too is against the CP-1 alternative, in light of his new home built two years ago, and a natural flow seasonal creek that had improvements made to it lately.

Commissioner Soppe asked if Mr. Sholz thought that Veritas Lane could be improved enough to handle future traffic. Mr. Sholz would like to see the intersection improved, but he does not assume that it could not handle increased traffic flow if it is improved correctly.

Ranee Smith, 32300 NE Old Parrett Mt. Rd., in Newberg, would like it known in the public record that she did not receive notice of this meeting (see accompanying copy of an email that alerted staff to this

fact). She also is aware that other neighbors did not receive notice. Furthermore, her property is between CP-1 alternatives A and B.

Even though much has been discussed about Old Parrett Mt. Rd. connecting with 99W, it has been skipped over that any proposed E/W road that goes up to connect with Old Parrett Mt. Rd. will need the development of another intersection as well. She also noted that ODOT said a transportation plan will also require an environmental impact assessment, and such related costs have not been mentioned. She also wanted it known on page 41 county-rural collector road is not a proper designation for CP-1.

Commissioner Soppe asked Ms. Smith what was the city's answer for her not receiving notice. Her response was that it was an oversight. Mr. Soppe also pointed out that it was NUAMC who asked staff to provide all options, even CP-1.

Chair Haug pointed out tonight's meeting will make no decisions, especially in light of residents perhaps not being fully informed of the meeting.

Joe Schiewe, 4386 SW Macadem Ave., Ste. 305, Portland 97239, he was the project manager for The Greens. He wanted to share a few issues, but began with the question of when would be the earliest time this TSI plan could be accepted? (No one on the commission or staff answered it at this time)

His comments centered on the importance of the construction of a E/W connector to Providence Dr. He also threw in his support for NS-1 alternate B.

Commissioner Soppe reminded him that ODOT has scrubbed the notion of a frontage road. He also reconfirmed that Mr. Schiewe's thoughts about intersections

Mr. Schiewe pointed out the number of traffic trips coming out of the hospital is too high in the DRAFT. Mr. Soppe then asked why Mr. favored alternate B for NS-1 instead of A. Mr. Schiewe mentioned the sight distances make the big difference.

Commissioner Sherwood asked about his thoughts on Crestview Dr. extending down and connecting to 99W. That is an intersection that will cause more congestion.

Saj Jivanjee, 32230 Old Parrett Mt. Rd., in Newberg, brought the commissioners several questions. Where can he get a schedule of future decision meetings? He has no interest in being elitist, but his property is worth over \$2,000,000 and he doesn't want to see the value diminished by a CP-1 collector road coming through it.

Do the commissioners, who represent the citizens, override any and all decisions by ODOT? And if so, how important is public input in their decisions? Furthermore, he thinks the term UGB is an oxymoron. He believes that any cost benefit analysis on the cost of the city growing needs to remember the livability that is part of Newberg.

He believes that alternatives A & B are red herrings diverting the commissioners from the addressing the underlying assumptions. Has it already been decided what the UGB will be? What is the study area? He doesn't want to see Newberg growing just to keep up with the development programs in Washington

County. He suggests that the commissioners take their time, involve the community, look at ALL the issues, and do something really beneficial for Newberg.

Robert Roholt, 31150 NE Schaad Rd, in Newberg, he agrees that UGB land is necessary, but so is the transportation plan. Why is the city pushing to get this land into the UGB? Is it because this is easy land to develop? Why squeeze people into the area and rush them in right now? He is opposed to all of this at this time.

Julie Fugate, 14500 Richard Lane, in Newberg, she spoke on behalf of herself and also for two property owners on Fernwood Rd. that she represents. She disagrees that growth should happen somewhere else. Traffic issues will exist where ever the growth takes place in Newberg. She would like to see the next generation be able to afford housing in this community. She expressed her support NS-1, alternate C because it minimizes the impact of the traffic on Corral Creek Rd. . . .

End of Side B, Tape 2

. . . . She does not support CP-1.

Thomas K. Schaad, 610 SW Alder Dr., in Dundee, suggests that the commissioners sit back and wait for ODOT to make a move.

Commissioner Soppe reconfirmed that traffic will be a major issue for such development regardless of the bypass. Mr. Soppe also made it clear that the city does not have the option of shelving the issue for five or ten years, even though Mr. Schaad would like to see that happen.

Closed Public Testimony

Summary of Public Testimony:	17 submitted Public Comment Reg. Forms
	17 gave public testimony
	4 listed as PROPONENT
	8 listed as OPPONENT
	4 listed UNDECIDED (and 1 of these submitted written testimony)
	1 declared no position on the form

Chair Haug was concerned about the lack of noticing for all the interested parties. He suggested that more noticing be done, and would prefer to postpone deliberation to the next meeting to allow for due process.

Commissioner Soppe questioned staff for the details of the lack of noticing. Staff said that they did notice every one they were legally required to, but people who attended the previous workshop were not noticed. He also said that NUAMC is an advisory committee, and that there are two other opportunities for people to give input, with the City Council and County Commissioners.

Commissioner Parrish stated that there is no need to rush and he wants to see further people noticed. He also thought that the next meeting (at which he will be absent) might require certain comments tonight in reference to the transportation plan, depending on the agenda for that meeting.

Barton Brierley let it be known that on April 25 the agenda will be to hear public testimony on the URA. The May 14 meeting would be the date this meeting is extended to, if that option is needed.

Commissioner Sherwood was concerned that everyone who is being affected by the options and proposals has not been contacted.

Commissioner Dallas would also like to see more people noticed.

Commissioner Lewis was very content to postpone deliberation until the May meeting.

MOTION: Lewis/Parrish to postpone deliberation of this meeting while giving more time to notice people affected by the deliberation.

Commissioner Soppe wondered if deliberation on CP-1 could be deliberated tonight.

Chair Haug wanted to hear the commissioner's opinions of CP-1.

Commissioner Lewis believes that CP-1 would not be easy to build, will negatively affect too many homes, and the costs are likely to be high with no known funding source.

Commissioner Parrish likes being able to help the citizens who are affected by such decisions. He fully supports dropping the option.

Chair Haug added that he is uncomfortable making decisions without all the possible public input, especially from people involved closely with the details.

Commissioner Soppe knows that topography is a huge deterrent, costs are high, and no public comments have been in support of it. Throwing out CP-1 does require another viable alternative for getting traffic onto 99W. All this brings extra pressure to develop an east-west road.

Commissioner Dallas said the economics, the environmental impact, and the affects to livability do not make

Commissioner Sherwood lives on Parrott Mt. and clearly knows that it is not a viable alternative. Even if it was approved, where exactly would it be placed.

Commissioner Soppe wondered if staff was against throwing out this option.

Barton Brierley said it was only brought up as a result of the IAMP process, but now that it has been considered, he is not for it.

MOTION: Lewis/Soppe to eliminate CP-1, alternatives A and B (6 Yes/0 No, 1 absent).

Chair Haug then asked for discussion on postponing further deliberation. He would like to see staff develop a time line. He also wanted to hear from the commissioners on anything else staff might need to do before the next meeting.

Commissioner Lewis asked staff if a legislative process requires a time line. **Barton Brierley** replied that there is no timeline requirement, but there is no benefit in dragging it out either.

Commissioner Parrish asked for clarity on whether other land areas being brought into the UGB will also require the same amount of discussion of transportation plans. Barton Brierley said no, and this is only required here because of the Ad Hoc Committee's request.

Commissioner Dallas would like to see the whole area down to the new high school brought in as one single unit to develop.

Commissioner Soppe asked staff whether the adoption of the URA depends upon the adoption of the IAMP and LIDs. Barton Brierley said that LIDs were more related to the UGB.

Chair Haug asked staff to present any other alternatives to the North/South intersection with 99W.

Commissioner Lewis asked if the bypass was not built, would there then be room for an extra lane on the southern side going up Rex Hill. Terry Cole responded that there is a probability. She then asked staff to consider the possibilities.

Commissioner Parrish asked how the medium lane could be creatively used.

Many questions were asked of Mr. Cole by citizens.

MOTION: Parrish/Lewis to postpone deliberation of this meeting until May 14, 2007 (6 Yes/0 No, 1 absent).
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V. ITEMS FROM STAFF:

Nothing was mentioned.

VI. ITEMS FROM COMMISSIONERS

Nothing was brought up.

VII. ADJOURN

Chair Haug adjourned the meeting at 11:03 PM.

Passed by the Newberg Urban Area Management Commission this 14th day of May, 2007.

AYES: 4 NO: 0 ABSTAIN: 0 ABSENT: 4
(list names)

ATTEST:



Recording Secretary Signature

DAVID B. KING, JR. 14 MAY 07
Print Name Date