



MEETING MINUTES

**CITY OF NEWBERG / YAMHILL COUNTY
NEWBERG URBAN AREA MANAGEMENT COMMISSION
Newberg Public Safety Building – 401 E Third St
Thursday, May 31, 2007, 7:00 PM**

I. ROLL CALL Call to order at 7:10 pm

Sally Dallas	Leslie Lewis	Warren Parrish
Michael Sherwood	Mat Haug	Robert Soppe (arrived at 9:30)

Absent:

Alan Halstead

Staff Present:

Barton Brierley, City of Newberg Planning and Building Director
Elaine Taylor, Associate Planner
Ken Friday, Yamhill County Planning
Jessica Nunley, Assistant Planner (Acting Recording Secretary)

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

Barton Brierley had a correction for the minutes on behalf of **Commissioner Soppe** – p8 “would like to exclude” change to “would like to consider excluding the Shepard property”.

MOTION: Commissioner Dallas/Commissioner Sherwood to approve the NUAMC minutes from April 25, 2007 and May 14, 2007 with changes (Unanimous voice vote) Motion carried.

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

Thirty-five 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 (A continuation from April 25, 2007)

APPLICANT:	City of Newberg
REQUEST:	Recommend approval of 2007 URA Expansion
LOCATION:	Various
FILE:	URA-05-010

Chair Haug discussed how this meeting is a continuation of the April 25, 2007 meeting and public testimony is closed. Tonight we are trying to get through deliberation on the URA hearing and time permitting we will also go through the SE Transportation Plan hearing.

Declare Ex parte contact, abstentions, etc:

Commissioner Parrish said that he talked with Terry Mahr and Terry Mahr advised him to make the statement that he has a potential conflict of interest regarding the URA hearing. Terry Mahr talked with the Government Standards and Practices commission and they felt it wasn't a problem. **Commissioner Parrish** is a property owner in the area being discussed.

Commissioner Sherwood serves on executive board of the Chamber of Commerce along with Windrose representative Lynn Wygant. But said it wouldn't affect his vote.

Staff Report:

Elaine Taylor gave a presentation regarding the URA expansion. She reiterated that this is a continuation of the April 25, 2007 meeting and tonight's staff report will especially focus on issues raised at the April 25, 2007 meeting as well as being an overview of the issues. Priorities are to add exception lands to the URA.

The presentation focused on the individual areas that are up for recommendation to be added to the URA. **Elaine Taylor** discussed the issues and staff recommendation for each area in turn. She also presented the proposed URA amendment schedule.

Questions for Staff:

Commissioner Lewis objected to the bullet that said "residential property owners pay fair share of urban facilities and services" on the Benjamin Road slide because those properties are still in the county (even when in the URA), not receiving urban services, and Benjamin Road is a county road.

Commissioner Parrish – p23(3) of the staff report, comment 1. Bypass Funding and Compliance with the TPR – Doesn't really understand what ODOT is saying with this comment. **Barton Brierley** explained that they are distinguishing between hypothetical planning situations as far as the likelihood of the need for planned transportation improvements. State transportation rule says that if it's reasonably likely that the improvement will happen in the next 20 years, you can use it as rationale or part of argument for planning decisions. ODOT is saying that they can't at this point write a letter stating that the bypass is "reasonably likely" to be built in the next 20 years at this point.

Commissioner Parrish – Have the IAMPs been adopted by Newberg and Yamhill County? **Barton Brierley** said that they are not adopted yet, but recommends that URA inclusion of areas near the IAMP regions be contingent on adoption of the IAMPs. **Commissioner Parrish** wanted to know what the appropriate process was, which one needed to be adopted first. **Barton Brierley** said that usually the IAMP would probably go first but in this case a contingency adoption would be fine.

Commissioner Parrish – p5, number 2. (Comment from DLCD regarding inclusion of lower priority lands versus higher priority lands) **Commissioner Parrish** wanted clarification on what the comment and response meant. **Barton Brierley** went over the priorities for including land in the URA (exception areas or nonresource land adjacent or near UGB; resource surrounded by exception areas; marginal land; land designated agriculture or forestry).

Commissioner Parrish asked if elevation is an element for services to be provided, how do we explain houses above Chehalem Glenn? **Barton Brierley** said that all houses above Chehalem Glenn are in the

same service area. Lands below the reservoir on Corral Creek can all be served as long as they are lower in elevation than the reservoir. **Commissioner Parrish** asked if we are planning another reservoir at a higher elevation to serve the new areas planning to come in at higher elevations. **Barton Brierley** said we have a master plan to serve all lands now within the URA and are planning one additional reservoir north of the city; also there is the ability to put a new reservoir higher up on Parrett Mt.

Barton Brierley and Elaine Taylor showed each area individually with issues and recommendations and the commissioners deliberated on each one:

Benjamin Rd Area

Ken Friday said that normally the county wouldn't be supportive of agriculture land like the McClure property being brought into the URA, but because of their pending M37 claim, the county does recommend adoption of the McClure property being brought into URA.

Barton Brierley said that staff recommends including the Benjamin Rd area. It has low quality soils in comparison to the remainder of the areas surrounding Newberg.

Commissioner Parrish wanted to know how and why the soil types were established. **Ken Friday** said they were established in the 70s and are 80-90% reliable. Soil types were determined by onsite testing.

Commissioner Sherwood wanted to know if the McClure property falls under the city's IAMP process. **Barton Brierley** said yes, it does.

Commissioner Haug wanted to know what the staff recommendation for the Benjamin Rd area was and to see the bullet points (pros and cons) for the area again.

Barton Brierley said the staff recommendation is to include this area.

Commissioner Parrish wanted to know why the ad hoc committee recommended denial of this property. **Barton Brierley** said it was because of the proximity to the bypass and the agricultural land info. However, staff is recommending inclusion because of the M37 claim, the poor soils, and discussions with the property owners. The soil information alone warrants its inclusion.

Commissioner Lewis – other than the McClures, did any of the other landowners want to be in the URA? **Barton Brierley** said that one other owner did want to be included.

Commissioner Sherwood – how many of the owners were indifferent to being included? **Barton Brierley** said four didn't say one way or another.

Commissioner Haug – what's the purpose of including the properties on the other side of Benjamin Rd? **Barton Brierley** said that if utilities are being extended up Benjamin Rd, it makes sense that all the properties can reasonably be serviced on both sides of the road.

Commissioner Lewis – with what the McClure's want to do, it would be best for them to have city water because they are planning 1-acre parcels. However, she doesn't want to bring them into the URA if the city is going to eventually make them divide into smaller lots when what they want is 1-acre parcels.

Commissioner Lewis is not in favor of bringing any of the other parcels into the URA because they don't want to come in. Also, if we are going to exclude the small parcels that don't want to come in, also exclude the one parcel that does want to come in. Bottom line, only bring in the McClure property if they can do the development that they want and not if the city will make them develop smaller.

Commissioner Parrish wanted clarification for where the different properties were and where the exclusion lands were. **Barton Brierley** illustrated these areas on the map.

Commissioner Dallas – if McClure’s are paying for improvements of Benjamin Rd as part of development, would they only then improve half the road if we exclude the other side of Benjamin Rd? **Commissioner Lewis** said that the county can require improvements for safety under the infrastructure ordinance.

Commissioner Sherwood was still wondering if there are any indifferent property owners or if they have all said that they don’t want in.

Vickie Shepard, Benjamin Rd, - those are my neighbors and they are mostly senior citizens that won’t write letters for various reasons. For the most part, the only one I know that wanted to be included is Svenson.

Commissioner Haug wanted to see the soils map again. My position is that we can assume the McClure property will come in as proposed and we want it to be in the city so that it has services. I think the west side that can be served by those same utilities should also come in. I don’t want to see county development at city density. If these lands are exception lands that should be coming into the city before the good agricultural land, and it’s very serviceable with utilities, it should come in. The people don’t have to develop and can just live adjacent to Oxberg Lake Estates at county densities, but should come into the URA and then develop or not as they see fit.

Commissioner Parrish – if you run city water and sewer along Benjamin Rd, past properties that are not in the URA, those properties are not obligated to connect to city services? **Commissioner Haug** explained that they will not hook up to city services until they come into the city. **Commissioner Lewis** said that there is a danger of those property owners getting swept up in a city annexation and then becoming an island. **Commissioner Lewis** said the point of bringing land into the URA is to get usable land; if these people don’t want to come into the URA, and have no intention of developing at city density, then we shouldn’t bring them in. **Commissioner Lewis** thinks it’s okay to allow for “rural residential” at small lots because people want to live in all sorts of different types of housing.

Commissioner Haug – options are to eliminate all the west side, or allow the one property that does want to come into the URA to come in with the McClure property.

Commissioner Parrish – we need consistency in the process. We need to do for one area what we will do for all the areas and property owners.

Commissioner Haug recommends that everyone who wants to come in should come in.

Commissioner Sherwood is leaning toward bringing all the parcels in because he’s not convinced that they all don’t want to come in.

Commissioner Parrish agrees with **Commissioner Lewis** because he liked her rationale.

Commissioner Lewis wants assurance that the city will let the McClure property come in with 1-acre parcels. **Barton Brierley** said that the development agreement before the City Council specifies 1-acre parcels.

Commissioner Dallas agrees with **Commissioner Lewis** that if they don’t want to come in, don’t force them to come in, especially if they have no plans to develop in the near future.

Commissioner Haug reiterated that this is good land to include in the URA because it is exclusion lands.

Commissioner Lewis – how much total acreage are we looking to add in this process? **Barton Brierley** said that we are looking for 1500 acres. **Commissioner Lewis** – how many acres is the McClure property? **Barton Brierley** said it was 60 acres.

Motion: Commissioner Lewis – Recommend that the McClure property be brought into the URA contingent upon the city allowing the McClure's to develop at 1-acre densities along with the Development Plan already submitted. Second by **Commissioner Parrish**.

Commissioner Dallas has a problem with leaving out the other properties so that we don't have piecemeal development. If we decide based upon who wants to be in and who doesn't, it'll get choppy and we really need continuity for development. **Commissioner Dallas** is not ready to make a decision.

Commissioner Haug suggests a motion to amend the motion.

Motion withdrawn by Commissioners Lewis/Parrish

Putnam Rd Area

Barton Brierley said that staff recommends including all except the most southern piece. Services would be extended up Benjamin Rd so it makes sense to include all the areas.

Commissioner Parrish – p.14, where the staff analysis references the "Austin water system", what is the Austin water system and why is the southern parcel being excluded from consideration? **Barton Brierley** said that it would be difficult to serve that southern property with sewer. **Commissioner Parrish** then asked for clarification on what the Austin water system was. **Barton Brierley** said that it is the city water system for the Springbrook area and was just referenced as the Austin water system in the staff report.

Commissioner Lewis doesn't want to bring in any of these parcels.

Commissioner Parrish doesn't want to bring any of them in either because they don't want to be in.

Commissioner Dallas is having the same challenge where they don't want to come in but they are contiguous so she is undecided.

Commissioner Sherwood wants to bring them in.

Commissioner Haug wants to bring them in because they are contiguous and good candidates for urbanization.

Commissioner Lewis – are those people with 2-acre parcels really going to develop?

Commissioner Haug said that in the future it is likely that these parcels will develop.

Commissioner Lewis said that it is virtually impossible to buy 2-5 acre parcels in Yamhill County right now so chances are that there will be continually high demand for this size lot and lifestyle and since these already exist, why disrupt them?

The Commissioners decided to go on to the next area without making a decision on this area at this time.

Springbrook Rd North

Commissioner Parrish – do you have any public comment for this area? **Barton Brierley** – two in favor, two opposed.

Commissioner Parrish is concerned that they couldn't be served by water and sewer. **Barton Brierley** said he's confident that they could be served.

Commissioner Haug is in favor of bringing the land in because they are exception lands and are serviceable. The ad hoc committee recommended the land be brought in and he supports that decision.

Commissioner Sherwood thinks it should come in.

Commissioner Dallas is remembering what **Commissioner Soppe** asked, "if not you, then where?" She is in favor of bringing them in because of that reason.

Commissioner Parrish affirmed that he'd agree with bringing them in.

Commissioner Lewis is not in favor of bringing them in because she doesn't think that parcels in the URA should be adjacent to lands that are not coming in. It turns into a situation like the Oxberg Lake Estates area.

Commissioner Sherwood said that the ad hoc committee worked for a long time to find compromises and areas to bring in and he respects that work. It's hard to bring any properties in, but it needs to be done.

Commissioner Lewis doesn't want to bring people in that don't want to come in. There are people that want to come in and are in the URA and the city hasn't made any provisions to serve those areas (in the north).

Commissioner Parrish concurs with **Commissioner Lewis'** frustration but thinks that there needs to be compromise and we are going to have to bring some land in and agrees with the ad hoc committee.

Motion: Commissioner Haug/Commissioner Sherwood to include this area. Motion passed 3/2 (Haug, Sherwood, Dallas for/Lewis, Parrish against)

North Hills, NE Corner

Barton Brierley – there is a challenge with providing water to this area. We'd have to build at least another reservoir, maybe two. Not sure if there is enough land to justify the expense of building another reservoir.

Ken Friday – what is the legal theory that M37 would come into this? **Barton Brierley** said that owners can claim M37 because of change of value of property if it is excluded from the URA. Realtors consistently indicate that adding land to the URA has the effect of increasing the value of the property.

Ken Friday – in the report, the city says that no water service is planned or reasonable above 450 ft. Why wouldn't we take it out of the URA? Properties in the URA are under restrictions and are still subject to M37 claims. It doesn't make sense to keep these areas in the URA. I recommend that you take out these 12 northern tax lots and replace them with others that would make more sense.

Commissioner Parrish – p.15 "However, since it was adopted, removing this area now could be highly problematic." (The area was brought into the URA in 1995). I need to be convinced of that, otherwise I'll have to go with **Ken Friday**. **Barton Brierley** said that the State would probably question the decision to take it out.

Greg Winterowd – It's very difficult because on the one side, water service is a definite concern; on the other, high priority lands need to come in. By applying consistent logic, you'd bring in the serviceable parcels and leave out other parcels such as this (in agreement with **Commissioner Haug's** earlier point).

Commissioner Parrish – if we leave it in, the property owners could appeal it and take it to LUBA. He is going to go with **Ken Friday** and vote to not bring it in.

Commissioner Dallas – Also thinks that serviceable properties are important and that seems to be the consistent logic that we are applying to other areas.

Commissioner Lewis – We are basing everything on the 20-year UGB that is state law. We don't have to do a URA; that is the city's choice. If we don't come up with the right amount of acreage, the city can revise and just not have as many years set aside in the URA.

Commissioner Sherwood agrees with **Ken Friday** to take those tax lots out.

Commissioner Haug thinks it's a mistake to leave those properties in because they aren't serviceable. Let's take them out.

Ken Friday recommends taking out the entire tax lots and not just removing land along topographic lines.

Commissioner Lewis agrees with county staff.

Motion: Commissioner Haug/Commissioner Parrish: To take out those tax lots that have any portion lying above 460 ft elevation, using Ken Friday's map of the tax lots. Motion passed 5-0.

Mangis 10.3 Acre Property

Barton Brierley said staff recommends treating the property as on unit (along with the 80+acre parcel). There appeared to be consensus at the previous meeting to include this property.

Motion: Commissioner Dallas/Commissioner Lewis To include the Mangis 10.3 Acre property into the URA. Motion passed 5-0.

Commissioner Parrish asked for clarification of a few of the bullets as he was absent from the last meeting.

Honey Lane Area

Commissioner Parrish wants to know how many acres are included and what the water situation is. **Barton Brierley** said that the water system is hit and miss; some areas are connected to the city water system. Some wells are poor quality and some are fine. **Ken Friday** said that Aspen Estates had severe water problems as identified by the state. **Barton Brierley** said that there was mixed reaction at the neighborhood meeting. Many of the people that were opposed to coming in are closer to Honey Lane, while many who are in favor are further out.

Commissioner Dallas wanted to know if this area is potentially serviceable by city water? **Barton Brierley** said yes, we think so.

Commissioner Haug – what is the status of the Aspen Estates? **Barton Brierley** said that we have a development agreement with them to annex at a later point. They are on City water due to the water hardship. **Commissioner Haug** used Aspen Estates as an example of county development that is too close to the city but adjacent and not using urban services.

Ken Friday said that the county doesn't have any objections to this area coming in. As a follow up to a question at the last meeting, he found minutes from a December 21, 1992 meeting that recommended that the cities (Newberg and Dundee) have a buffer between the two, but instead of being formally adopted, seems to be just a gentlemen's agreement that would be respected. He suggests coming back to this area, but has no objections to bringing it in.

Commissioner Lewis – This area is different because multiple people want to come in. The parcels look larger and the larger parcels seem to want to be the ones that come in. She thinks that the larger parcels have more potential for development. She is in favor of bringing this area in.

Commissioner Parrish – yes

Commissioner Dallas – yes

Commissioner Sherwood – yes

Commissioner Haug – should staff look to see if there is more land in this area that we should bring in? **Commissioner Lewis** said yes, we should look at that area because it's been a long time since it has been considered. There are a lot of larger parcels where people might want to come in.

Motion: Commissioner Dallas/Commissioner Sherwood to include the Honey Lane area in the URA. Motion passed 5-0.

West First Street Area

Barton Brierley – this is a leftover area between the city limits and the stream corridor. The northern part is where the conference center is located and we don't expect much more development there. The southern part has potential for development. Recommend including these areas, not because there's a lot of land, but more because we can head off future sewer problems and allow them to hook up.

Commissioner Parrish wanted clarification on the exact location of the parcels. (The area located just before the canyon where First St becomes Sunnycrest Rd).

Commissioner Sherwood – was there a letter from the owner of Windrose? **Barton Brierley** said yes and that they didn't want to be included because they wanted to remain on their septic system and not be forced to hook up to city sewer. There was no objection from the lower property.

Commissioner Sherwood clarified that our main reason for bringing them in is to allow for future septic hook up. **Barton Brierley** said that he anticipates that sewer problems could happen and he'd rather head them off and help them out.

Commissioner Dallas spoke with Lynn Wygant (owner of Windrose) and said that Lynn is not adamantly opposed to coming into the URA now that she understands that she wouldn't be forced to hook up to city sewer.

Commissioner Lewis understands **Barton Brierley's** rationale to help them with sewer but is wondering if there is any other hardship provision similar to the water hardship provision that would help them instead of going this route. It seems unnecessary to include this land because it's not likely to be further developed and will only help the numbers without any real benefit to the buildable lands inventory. However, she is okay with it because the property owner is not adamantly opposed anymore.

Commissioner Parrish said it reminds him of the Springbrook Rd issues. If it's not buildable, why bring it in? **Commissioner Haug** said it serves no purpose to stay rural and does no harm to bring it in.

Commissioner Dallas – Are there more properties to the north included in this chunk? **Barton Brierley** said that those other properties are included in another area referred to as the Canyon Lane Area. **Commissioner Dallas** said she will agree to bring it in.

Commissioner Sherwood is not opposed to bringing it in.

Commissioner Haug – we’ve been looking at this for a while and I’d say yes to bring this one in.

Commissioner Lewis/Commissioner Sherwood to bring the W First St area into the URA based in part on Commissioner Dallas’ representation that the lady from Windrose is not adamantly opposed to coming in. Passed 5-0

(Commissioner Soppe arrived)

Southwest Area

Barton Brierley – ultimately we recommended not including this area because of sewer issues. It would be expensive to serve and very little yield would come out of it. Also, not including this area would respect the buffer between Newberg and Dundee.

Commissioner Haug went through the pro and con bullets on the slide presentation.

Commissioner Lewis questioned the capacity of the existing sewer treatment plant. **Barton Brierley** said capacity isn’t an issue because we’ll have to expand eventually anyway. **Elaine Taylor** said there is the possibility of the need for a second plant if the southwest area is brought in due to topography. If Dundee ever wanted to combine sewer, a new plant in this southwest area may be needed.

Commissioner Soppe – was there anything that came up tonight in support of bringing this area in? **Barton Brierley** said that we’ve had a lot of discussion tonight about including various lands based on owner opposition. There would probably be a lot of opposition in this area too.

Commissioner Haug – what kind of zoning would this be? **Barton Brierley** said there’s a lot of small lot development already there in that area. There’s not a lot of opportunity for multi-family or commercial in the area, so it would probably be R-1 type development.

Commissioner Haug – what’s the possibility that the county will continue to allow higher density development in this area? **Ken Friday** said that the services are not there to support more high density development. There is a new state rule to upzone properties. Really can’t justify going up to VLDR-1 (Oxberg Lake Estates), the only way is to get an exception to Goal 14 or with M37. In the same way that it is difficult to get a zone change from farm to residential except with M37. It’s not that easy to rezone properties, and most developers aren’t going to be looking for 5-acre lots to divide so it’s not likely to become more developed. **Ken Friday** thinks that this area should be looked at to bring in since they’d be likely to develop to city densities. He thought that it might make more sense for Dundee to someday serve this area based on topography. Otherwise, this area is a good candidate to bring in.

Commissioner Soppe – could we be looking at the question of Dundee bringing this land in instead of Newberg?

Ken Friday – yes

Barton Brierley – outside of our ¼ mile line buffer outside the UGB, yes.

Commissioner Soppe – My first concern was can we defend not putting this into the URA? We have several grounds to do that – services, lack of development potential. With no good argument to include it, we should exclude it.

Commissioner Haug – The density of homes in that area could be expanded to that area over time. He thinks we should have workshops in these neighborhoods and get the people’s opinion. Because it has already been relatively urbanized, it’s a good fit to come into the city.

Commissioner Sherwood agrees with **Commissioner Haug** but wants time to look at the document and work out the legal issues. Thinks it would be a good fit to bring in.

Commissioner Dallas thinks it needs more study but could be a good area to bring in.

Commissioner Parrish wants to continue the issue.

Commissioner Lewis is contesting the idea that 2 acre parcels are urbanized because she regularly buys a pig from a man who farms in that area and raises pigs and cattle. **Commissioner Lewis** thinks that if we try to bring in the people right off Dayton Rd, we'd have a lot of opposition. Those parcels are built with large homes and are very unlikely to ever change and redevelop their property. **Commissioner Lewis** thinks we should look at areas west and south of Honey Lane.

Discussion was held regarding other areas that should be studied.

Commissioner Soppe – **Commissioner Lewis** makes a good point that the area to the north should be studied. The areas should be segmented into blocks for study so that we can see how they fit together.

Commissioner Soppe – we could just run the numbers and see how it fits with redevelopability and serviceability. We could also send a letter to try to get a response from the owners; with a bunch of no answers, it's not worth a meeting. If we received mixed responses, then we could have a meeting and educate the owners.

Motion that staff look at the five major sections in the southwest area: Dayton Ave. to 99W, north of 99W to the creek, Sunnycrest Road area, Honey Lane area, and Dillon to Larkins. Have staff come back with numbers and analysis of serviceability, development potential, and responses of general preferences from the owners. Voice vote (passed unanimously).

Wilsonville Road Southeast

Commissioner Parrish has to recuse himself during this discussion and vote. Since the public testimony is closed, he could comment on the history of the property and things like that without voting but it's a committee decision.

Commissioner Soppe wanted clarification on the conflict and what was decided about the public testimony at the last meeting relative to this parcel.

Commissioner Haug said that if we decide to have public testimony on this issue, **Commissioner Parrish** could testify then, but now he should not.

(Commissioner Parrish waited outside the room for the discussion on this area)

Barton Brierley said that the ad hoc committee recommended that this property be included in the URA. The soils information makes it a mixed bag because we've tried to exclude class 1 soils from the URA. Because there is a large portion of class 1 soil, we decided to recommend against including this area.

Commissioner Soppe – Is there anything to stop us from including the property to the east and the upper half of the property to avoid the class 1 soils? It would mean dividing a property, but it's a large parcel.

Barton Brierley – yes, we could do that.

Commissioner Haug – would the area with poorer soils be contiguous to any other large parcels to the south? Answer is found on Map 3.

Commissioner Lewis referenced a letter from John Jensen on St Paul Hwy that said he wants to be included in the URA. (It was decided through discussion that his parcel is part of a different area that will be discussed shortly). She likes the idea of taking the parcel to the east with the class 2, 4, 6 soils and then taking the top half of the parcel to the west with the class 4 and 2 soils.

Commissioner Dallas – That seems reasonable because it preserves the good farmland and still meets their request to be included.

Commissioner Sherwood is in concurrence.

Commissioner Haug is in agreement and wants to hear public testimony on this area.

Commissioner Soppe thinks we should consider both full parcels but is biased toward the inclusion of the east and north parts.

Commissioner Haug wants to exclude the class 1 soils.

Commissioner Sherwood agrees with **Commissioner Haug**.

Discussion about whether to include all three parcels and then try to exclude the class 1 soils, or whether to divide them into sections for consideration.

Motion to consider including all three parcels in the Wilsonville Rd Southeast area and for staff to carefully consider some options to divide the class 1 soils out. Voice vote, passed unanimously.

Southeast Area

Discussion about whether to add the Jensen property to the study area.

Commissioner Soppe wanted clarification about the M37 claim in the area. Barton Brierley pointed out that the Gaibler property is several lots further north.

Commissioner Haug thinks we should continue this and open it up for discussion and public input and analysis of the property.

Motion to add the Jensen property to the study area and have the same analysis and consideration as the Parrish area. Voice vote, passed unanimously.

Barton Brierley – the ad hoc committee recommended that the city should grow to the southeast and wanted the area to be a part of a complete community. There is a mixed bag of soil types. The area has some transportation issues that are being worked out with the SE Transportation Plan. Staff recommends approval of this area into the URA.

Commissioner Soppe verified that there was no new public testimony on the item.

Commissioner Parrish has great concerns about who is going to pay for the roads and until he gets answers on that he is not comfortable with the southeast area coming into the URA.

Commissioner Soppe – is it possible to solve the transportation plan issues in that area? He thinks that someday the issues can be resolved. The other areas do not have transportation plans either and he is sensitive to the issues in that area. There are not any other places to dump more traffic from development that would be any better. We've said we won't include this area until we have a resolution on the SE Transportation Plan, so what should we do with this tonight?

Barton Brierley said that he recommends adoption of this area contingent upon adoption of the SE Transportation Plan.

Commissioner Sherwood asked if there is a grant for study here. He's comfortable with bringing this property in with the contingency that we solve the transportation problem.

Barton Brierley said we have a grant to study other areas that may come in. That information won't be available until after the URA is decided on.

Commissioner Haug also is in agreement that he'll bring it in contingent with the transportation plan being passed.

Commissioner Lewis was initially uncomfortable with this area because of the transportation plan. However, she thinks that the transportation plan is beginning to gel and could make this area feasible. She is concerned about the funding of the roads; Yamhill County doesn't have the money to contribute. Connectivity will be really important. She has concerns about this area because it's all farmland, but she is feeling better because we'll be looking at more exception lands elsewhere to balance it out. The ad hoc committee recommended this area highly and most people in this area want to come in. She would be willing to bring it in with the transportation plan contingency.

Commissioner Dallas would be willing to bring it in contingent upon the transportation plan being adopted.

Commissioner Soppe wants to highlight that if we don't add these acres then we have to add them somewhere else and have similar transportation problems. The timing is important, and he is comfortable with bringing it in contingent with the transportation plan being adopted.

Motion Commissioner Soppe/Commissioner Sherwood that we approve this area being brought in contingent upon the SE Transportation being adopted. Motion passed 6-0.

Discussion was held about going back to the areas that they passed over earlier.

Commissioner Lewis had concerns about whether people wanted to comment on the SE Transportation Plan and were here hoping to testify. Discussion was held regarding whether the public comment should be reopened for the SE Transportation Plan now, or let people know that written comment was still open at this point.

Motion: Commissioner Soppe/Commissioner Lewis that staff contact all people from last two SE Transportation plan meetings and tell them that it is likely that oral testimony will be reopened at the June 11, 2007 meeting. Voice vote, passed unanimously.

Benjamin Rd Area (part two)

Barton Brierley reiterated the discussion and recommendations regarding the Benjamin Rd area. The area meets the criteria for inclusion based on the poor soil types alone. One property owner along with the McClure property wanted to be included. **Barton Brierley** also said that because utilities would be extended along Benjamin Rd, it made sense for properties on both sides to be included.

Commissioner Sherwood said he still wasn't satisfied that all those other properties didn't want to come in too.

Commissioner Soppe had questions about the defensibility of excluding certain properties. **Barton Brierley** said that he'd have to make an argument that utilities would only go into the McClure property and not be extended along the road to serve the other parcels. **Commissioner Lewis** said he should use the argument that the parcels are small and unlikely to be developed.

Commissioner Lewis – her main reason for not including parcels west of Benjamin Rd is that they are small parcels with homes on them and the likelihood is that they will be hard to develop into urban standards because the people there have no interest. The whole point of bringing lands into the URA is to bring in lands that can be developed. These people don't want to be in the URA so it's not likely to address the buildable lands issue. The reason she said no to the one landowner that wants to come in is that if we didn't bring in the other parcels around it then it would essentially be a peninsula surrounded by parcels that don't want to come in, and we're not including the Oxberg area.

Commissioner Parrish maintains his earlier position on the issue. We made a trial agreement with the state to do a URA several years ago but it's not mandated. Therefore, we should listen to the people who want to be in and the people who don't.

Commissioner Sherwood reiterated that he hasn't heard definitively from the eight people that don't want in, only from the one that does want in.

Commissioner Haug wants to bring the whole area in. If it's true that the people who live in those properties are elderly, then their descendents will probably want to develop it someday. We have limited exception areas so we should take advantage of it. He thinks that this land will be developable in the long term.

Commissioner Soppe – is the McClure issue coming before Council quasi-judicial or legislative? **Barton Brierley** said it was legislative. **Commissioner Soppe** – Can you verify that the city is not under mandate to have a 10-30 year URA? **Barton Brierley** clarified that we are not under mandate. **Commissioner Soppe** – so we could either scrap the whole thing or else do it all by the rules. **Barton Brierley** – Yes. Because we have a small UGB, the UGB plus the URA is really around a 30 year supply.

Commissioner Soppe wanted clarification about what Commissioner Lewis said about these parcels being similar to Oxberg because aren't these parcels larger than those in Oxberg? **Commissioner Lewis** clarified that she meant that if those parcels weren't included they wouldn't be islands because they'd be adjacent to Oxberg.

Discussion was held regarding whether parcels around 2 acre parcels in size should really be included in the URA.

Commissioner Soppe said that it seems like the only good argument for not including this is because it's not really that redevelopable for various reasons, including **Commissioner Lewis'** financial argument and also who among the property owners really wants to be in or out. He agrees that the McClure property should be brought in, but is unsure about the properties west of Benjamin Rd without knowing if they testified one way or the other.

Commissioner Lewis thinks that the city should call all those owners and ask them if they want to be in or out.

Commissioner Soppe wants to know the values of the houses and properties, and also to know whether the owners want to be in or out.

Motion: **Commissioner Soppe/Commissioner Haug** to continue the issue of this area to the next meeting on June 11, 2007 and for staff to come back with information about the values of the houses and properties in that area, and with a survey of the owners west of Benjamin Rd. Voice vote, passed unanimously

Commissioner Parrish wants to make sure that the number of lots we're talking about is for sure. Is it six or eight?

Motion Commissioner Lewis/Commissioner Haug to recommend including the McClure property into the URA with the condition that the northern section of the property be zoned to not allow more than 37 one acre lots and comply with the preliminary concept plan..

Commissioner Soppe wants to know why we'd put requirements on the development plan. **Commissioner Lewis** reiterated that she wants the McClure's to be able to develop their property to the density that they want. She doesn't want the city to be able to rezone the property for smaller lots. **Commissioner Soppe** was wondering if she wanted that to be in perpetuity. **Commissioner Lewis** said that once it's developed, it's basically set, so she wouldn't mandate that.

Barton Brierley clarified that the McClure property would be included with only the concept plan as shown in the development plan. **Commissioner Soppe** clarified that there was room for variance and change within the plans (e.g. lot line adjustments) and **Commissioner Lewis** affirmed that.

Commissioner Parrish – assuming Benjamin Rd doesn't get improved, what is the plan for transportation? **Barton Brierley** said that their concept plan shows all access to Benjamin Rd and no new access to Hwy 99.

Chuck McClure suggested acceptance of the McClure property and their preliminary concept plan.

(Wording of the motion was changed slightly to reflect that the McClure property will be built with 37 one acre lots in accordance with their preliminary concept plan).

Vote on McClure property motion Passed 6-0

V. ITEMS FROM STAFF:

No items.

VI. ITEMS FROM COMMISSIONERS

No items.

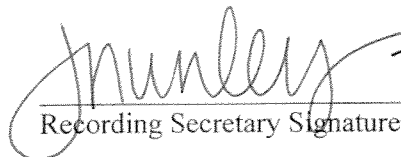
VII. ADJOURN

Chair Commissioner Haug adjourned the meeting at 11:37 PM.

Passed by the Newberg Urban Area Management Commission this 11th day of June, 2007.

AYES: 6 NO: 0 ABSTAIN: 0 ABSENT: 1 (Parrish)
(list names)

ATTEST:

 7/17/07
Recording Secretary Signature

Matson Haug 7-12-07
Print Name Date