

PLANNING COMMISSION MINUTES

Providence Newberg Hospital - 501 N. Villa Road - Newberg, Oregon

THURSDAY, APRIL 25, 1996

Approved at the May 9, 1996 Planning Commission Meeting

I. PLANNING COMMISSION ROLL CALL

Planning Commission Members Present:

Matson Haug	Steve Hannum	Myrna Miller
Richard Waldren	Jack Kriz, Chair	

ABSENT:	Rick Mills	Jim Harney
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Staff Present:

John Knight, Planning Manager
Janet Yarbrough, Recording Secretary

II. OPEN MEETING

Chair Jack Kriz opened the meeting at 7:05 p.m.

III. QUASI-JUDICIAL PUBLIC HEARING - This item was continued from the April 11, 1996 regularly scheduled meeting. The public testimony portion of the hearing was complete. No new testimony or evidence could be submitted into the record at this hearing.

PUBLIC HEARING (#1)

APPLICANT: George K. Austin, Jr. & Joan D. Austin

REQUEST: Annexation of 21 parcels totalling approximately 250 acres, zone change from county to city zoning, and withdrawal from the Newberg Rural Fire Protection District

LOCATION: N. Newberg area (see map)

TAX LOT: 3208-3601, -3600, -3700, -3800, 3900, -4000, -4100, 4200, -4101, -4300, -4400, -4500, -4600, -4700, -4800; 3208AD-1600, -1700; 3209CD-100, -101, 3209-2900; 3217BA-1200

FILE NO.: ANX-9-96

CRITERIA: Newberg Development Code Section 10.36.050

ZONE: AF10, VLDR1, VLDR2.5 to City R-1, R-1/GH, R-2, R-2/GH, M-2, M-1

RESOLUTION NO.: 96-37

Abstentions/ex-parte contact: All of the commissioners noted that they had received invitations to a function at the site (the information did not include information relating to annexation and would not be considered ex-parte contact). Only **Commissioner Hannum** attended. He said no information regarding the annexation was discussed and that there was no ex-parte contact. **Commissioner Haug** said he saw Sid Friedman and Pati Seitz out of town over the weekend, but they did not discuss the annexation, therefore it would not be considered ex-parte contact.

Objections to Jurisdiction: None

Staff Report: John Knight, Planning Manager, reviewed the procedure and staff findings.

Preliminary Staff Recommendation: Staff recommended approval of resolution 96-37.

Letters: None

Staff Recommendation: The staff recommendation remained the same.

Commission Deliberation:

Commissioner Hannum felt that the owners were asking the commission to take them in good faith on the development issues. He pointed out that the commission had heard testimony emphasizing the favorable development history and good citizenship of the applicants. **Commissioner Hannum** felt that the development of major East-West arterial roads and a new East-West school connection were imperative. He said the commission should treat the property as a whole because of the long range issues this development could entail. **Commissioner Hannum** suggested the approval of the resolution with the restriction or suggestion to City Council that the property would not be developed until these issues were addressed.

Commissioner Waldren recommended approval of the resolution with the restriction that a master plan be submitted to City Council before any development would occur. **Commissioner Haug** asked staff if the Planning Commission could legally require the submission of a master plan. **John Knight, Planning Manager**, said the development would most likely occur with a master plan. He noted that there was nothing in the rules and regulations of the Planning Commission that spoke directly to the issue. His conclusion was that the Planning Commission may not actually be able to require a master plan, but they could suggest the submission of a master plan to the City Council and the applicant. **Commissioner Waldren** asked the Planning Commission to remember the large size of this annexation, which he felt necessitated a master plan. **Commissioner Hannum** said he wanted information regarding the nature of the development, but was not concerned with a detailed plan.

John Knight, Planning Manager, referred to the aerial map to point out the roads in question to the public. **Commissioner Hannum** voiced his concern with the flow of traffic in Newberg due to the shape of city and the lack of multiple ways in and out of the city.

Commissioner Miller directed the commissioners to the four criteria for evaluating the annexation. She noted that costs would be high, particularly for infrastructure. **Commissioner Miller** preferred to proceed with the annexation and then for the applicants to give the city a clear, comprehensive and cohesive development plan.

John Knight, Planning Manager, pointed out that annexation would give the city planning control, especially in dealing with growth management. He said it would be best for the Planning Commission to raise the issue of a master plan, and let the City Council make the final decision.

Commissioner Haug suggested that the Planning Commission make a recommendation to City Council that approval of the annexation require some structure of a master plan, and that such a request was legitimate because of the concerns over this issue. **Chair Kriz** reminded the Commission that they were required to make a recommendation to City Council, which meant the annexation would go before them anyway. **Chair Kriz** also noted that the concerns regarding the development of a subdivision could be addressed when the subdivision was reviewed. **Commissioner Haug** noted that this hearing was the only time to evaluate and encompass the overall development concerns. **Commissioner Hannum** believed the city had the best chance for success if this area were annexed all at once because it would allow the city to be involved. **Commissioner Miller** pointed out that the Planning Commission was

obligated to look at the property as one annexation because that was the way it was proposed to the Commission.

Commissioner Haug suggested asking for an analysis of how the developers and the city would handle all of the different impacts. **Commissioner Waldren** agreed.

John Knight, Planning Manager, said he was concerned with the ability of the existing zoning to meet the future needs of city and that the master plan may not be consistent with the comprehensive plan. He said the requirement of a master plan was premature at this stage because the city could not know what type of land use would ultimately occur on the property.

Commissioner Miller felt that annexation would ease the transition from rural to urban land and give the city some planning control.

Chair Kriz felt that a comprehensive plan policy N.2.B was only necessary if there would be excessive costs and impacts. He felt that the applicant satisfied the four criteria necessary to proceed with annexation and that the Planning Commission could not expect a master plan at this time.

Commissioner Haug asked the record to note that he requested more information, and that would be the reason for his dissent. **John Knight, Planning Manager**, reminded the commissioners that they would only give up the chance for a master plan if they did not annex the property.

Motion #1:	Commissioner Hannum/Miller to adopt resolution 96-7 approving the annexation, with the changes necessary to reflect the fact that there were two meetings over the issue.
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Motion #2:	Commissioner Haug/Hannum to amend the motion to recommend that the City Council encourage the applicant to submit additional information to allow the City Council to reach a decision about the relevant impacts on the surrounding areas.
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Vote on Motion #2:	The motion carried unanimously. (5-0; Absent: 2-Harney, Mills)
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Vote on Amended Motion #1	The motion carried 4-1. (Dissenting: Haug; Absent 2-Harney, Mills)
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IV. ADJOURNMENT

The meeting was adjourned at approximately 8:10 p.m.

Passed by the Planning Commission of the City of Newberg this 9th day of May, 1996.

AYES: 6

NO: 0

ABSTAIN: 0
(list names)

ABSENT: 1
(list names) Waldren

ATTEST:

Janet C. Yarbrough
Planning Commission Recording Secretary Signature

Janet C. Yarbrough 5/10/96
Print Name Date

**INFORMATION RECEIVED INTO THE RECORD
AT THE APRIL 25, 1996 PLANNING COMMISSION 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.**

MISCELLANEOUS HANDOUT DISTRIBUTED TO THE COMMISSIONERS

The April 1996 Community Development overview was distributed to the commissioners. This contained information regarding flood and wind storm damage, utilities and public works, development activity, transportation and other related topics.

MAILING LABELS FROM THE
4/25/96 PLANNING COMMISSION
MEETING FOR THOSE WHO GAVE
PUBLIC TESTIMONY

THE HEARING WAS NOT OPEN
FOR PUBLIC TESTIMONY