

**PLANNING COMMISSION MINUTES
Newberg Public Library - Newberg, Oregon
THURSDAY, FEBRUARY 8, 1996**

**6:30-7:30 P.M. STUDY SESSION / 7:30-8:00 P.M. SUBDIVISION SESSION /
8:00 P.M. REGULAR SESSION**

Approved at the March 14, 1996 Planning Commission Meeting

I. DINNER SESSION/STUDY SESSION (6:00 - 7:30 p.m.)

Subdivision procedure presentation by staff. A copy of the statute was distributed.

7:00 p.m. Legal issues presentation by Terry Mahr, City Attorney: Mr. Mahr distributed a handout on Ex Parte Contacts, Site Visits, Conflicts of Interest and Bias. He noted that commissioners need to separate the quasi judicial and legislative processes. If they hear or discuss something outside of a public hearing, as a commissioner they must declare it.

John Knight, Planning Division Manager covered the different types of processes in the new development code: Type I Administrative; Type II Limited Land Use Decisions; Type IIa Expedited Land Division; Type III Quasi Judicial; and Type IV Legislative.

II. OPEN MEETING

Chair Kriz opened the meeting at 7:53 p.m., and roll was taken. It was noted that this particular hearing was not a public hearing. Citizens were welcome to attend and listen, but no Public Testimony was taken for the Subdivision portion of the meeting.

A. PLANNING COMMISSION ROLL CALL

B. SUBDIVISION REVIEW

APPLICANT: Brandvold Construction - "Crystal Place"

REQUEST: Subdivision of a 33, 843 square foot parcel into four (4) lots averaging 7,700 square foot to be know as Crystal Place.

LOCATION: 707 N. Elliott

TAX LOT: 3217DC-300

FILE NO: S-5-96

ZONE: R-2

CRITERIA: Newberg Development Code 10.34.030

Abstentions/ex-parte contact: none

Staff Report: **John Knight, Planning Manager**, covered the staff report and noted that no comments were received during the 14 day comment period.

Preliminary Staff Recommendation: Staff noted that it was not a public hearing pursuant to ORS chapter 197, and no public testimony would be taken. During Planning Commission review, consideration should only be given to criteria compliance. Staff recommended that the Planning Commission approve Resolution 96-32, which would allow for development of a four (4) lot subdivision to be known as "Crystal Place."

Commission Deliberation:

Chair Kriz asked for clarification on access. Staff responded the road was 32 feet from curb to curb, which is almost as wide as a public road.

Commissioner Haug asked if it was a private street. **John Knight** responded yes.

Commissioner Haug was concerned about garbage collection. **Barb Mingay** noted that Newberg Garbage Service does not service private roads, but they would provide an area on Elliott Road for garbage cans to be collected.

Commissioner Miller asked about the turn around for emergency vehicles. **Barb Mingay** noted that the Fire Department approved the emergency access.

Commissioner Hannum asked if lot #4 was split. **Barb Mingay** pointed out lot #4 on the map and noted that the easement was not part of the total square footage required.

Chair Kriz asked about sidewalks along Elliott Road. **John Knight** responded that the sidewalk plan would be carried through the same as other sidewalks on Elliott Road where the trees will be planted on the lot side of the sidewalk, not the curb side.

Motion #1:	Commissioners Haug/Waldren to adopt resolution 96-32 subject to the findings and conditions, approving the four (4) lot subdivision.
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Vote on Motion #1:	The motion carried (6-0). (Absent 1: Harney)
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John Knight stated there was a 14 day appeal period.

Chair Kriz called for a five (5) minute break at 8:25 p.m. Reconvened at 8:30 p.m.

III. REGULAR MEETING (8:30 p.m.)

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

1. Approval of December 14, 1995 Planning Commission Minutes.

Commissioner Waldren requested a correction to the minutes on page seven (7) under Commission Deliberation, to read as follows: Commissioner Waldren suggested a condition that the purchaser of all lots within the subdivision be advised that this is a viable airport and that crop dusters may be taking off early in the morning.

Motion #2:	Commissioner Waldren/Mills to approve the December 14, 1995 Planning Commission minutes as amended.
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Vote on Motion #2:	The Motion carried unanimously.
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B. COMMUNICATIONS FROM THE FLOOR (5 minute maximum per person)

1. For items not listed on the agenda: none

C. PUBLIC HEARINGS (none)

D. OLD BUSINESS

1. Public Hearing Process. A draft Public Hearing Process was distributed in the commission packet for review. **John Knight** covered the handout noting the proposed revisions to the current public hearing process. Once the Planning Commission approved the process, it would be forwarded to the City Council for their approval.

Chair Kriz commented on Type III and IV item #4 regarding rules for commenting. Staff and commissioners discussed if the Chair or staff should call out names for giving testimony.

Commissioners proposed to reverse items #5 and #6 on the quasi-judicial process, Type III, and to change the reference of the form from "blue cards" to "registration cards."

2. Testimony handout. A draft "Rules for giving testimony at Planning Commission Meetings" was distributed in the commission packet for review.

Commissioner Haug suggested that the first statement on this handout should be: "Testimony must be directed to the criteria relevant to the application."

Commissioner Mills suggested to move the "Public Hearings" paragraph after the "When may I speak section."

Motion #3:	Commissioners Hannum/Haug to forward the "Public Hearing Process" and the "When may I speak brochure", to the City Council with amendments, for their approval and adoption.
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Vote on Motion #3:	The Motion carried unanimously.
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E. NEW BUSINESS

1. Policy Development Procedure. Staff provided a presentation on policy development. It is critical to choose projects that can be completed in a reasonable amount of time and important that there is public support.

2. Project Prioritizing for 1996. An updated Work Plan and Project Prioritizing List was distributed in the commission packet. The list provided status on the projects of 1995: noting completed projects; work in progress; and projects that have not yet been started. Also, 1996 suggested priorities were listed in no particular order as primary or secondary priorities. **John Knight** noted that the new development code addressed areas on many of the projects listed.

Commissioner Haug suggested a work group be formed to begin researching and discussing the Downtown Street Plan, even though it is a secondary priority.

Commissioner Haug volunteered to be involved with the Trail Master Plan.

Commissioner Waldren volunteered to be involved with the College Overlay Zone.

Commissioners discussed prioritizing the list and suggested changing the list into first, second, and third priorities as follows:

1996 FIRST PRIORITIES

Street, Roadway, and Street Tree Standards
Residential Needs Analysis Project

1996 SECOND PRIORITIES

College Overlay Zone
Downtown Development Plan

1996 THIRD PRIORITIES

Trail Master Plan
Sign Ordinance

OTHER PRIORITIES FOR FUTURE CONSIDERATION:

Street Tree and/or Tree Preservation Ordinance, Park/Trail/Recreation Master Plan, Natural Resources Inventory, Riverfront Plan, Design Guidelines, Parkland Dedication Ordinance.

Vote:

Commissioners unanimously agreed on the re-prioritized list.

3. Commission discussion on Ethics and Responsibilities. A handout was distributed in the commission packet.

F. STAFF AND COMMISSION REPORTS

1. Update on Council items.

The City Council directed the Stream Corridor project back to staff for modifications, then for staff to present to the Planning Commission in March for a decision to review at a public hearing in April, or to forward it back to City Council.

The RDF Plant (Schneider, file CUP-2-95) was approved.

2. Other reports, letters, or correspondence. The following informational handouts were distributed in the commission packet: 1. Regional Roundup; 2. Planning Commission Meetings - Other Cities; 3. The Forest on Main Street; 4. DLCD sample agenda; and 5. Institutional Regulatory Issues.

Chair Kriz noted a correction on the discussion paper regarding the college overlay zone: the meeting was February 8, 1996.

John Knight noted resolution 95-28 had a technical correction, and a copy was distributed to commissioners for their information.

3. Next Planning Commission Meeting, March 14, 1996.

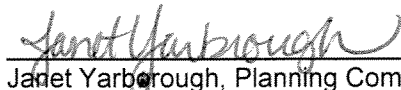
Roll call for meeting: Commissioner Haug will be absent.

G. ADJOURNMENT

The meeting was adjourned at approximately 10:05 p.m.

Passed by the Planning Commission of the City of Newberg this 14th day of March, 1996.

ATTEST:



Janet Yarbrough, Planning Commission Recording Secretary

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**INFORMATION RECEIVED INTO THE RECORD
AT THE FEBRUARY 8, 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.**

INFORMATION ONLY - DISTRIBUTED TO COMMISSIONERS

Planning Commission Presentation handout from Terry Mahr, City Attorney on Ex Parte Contacts, Site Visits, Conflicts of Interest and Bias.

Labels for those who gave testimony at
the 3/14/96 Planning Commission Mtg.

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