# PLANNING COMMISSION MINUTES Newberg Public Library - Newberg, Oregon THURSDAY, AUGUST 14, 1997 AT 7 P.M.

# Approved at the September 11, 1997 Planning Commission Meeting

## PLANNING COMMISSION ROLL CALL

**Planning Commission Members Present:** 

Stephen Ashby

Steve Hannum

Lon Wall

Richard Waldren, Chair

**RESOLUTION NO.: 97-78** 

**Planning Commission Members Absent:** 

Myrna Miller

Jack Kriz

Matson Haug

Staff Present:

Barbara Mingay, Planning Technician Susan Napolitano, Recording Secretary

II. **OPEN MEETING** 

> Chair Richard Waldren opened the meeting at 7:05 p.m. He announced the procedure of testimony. Citizens must fill out a public comment registration form to speak at the meeting.

#### III. **CONSENT CALENDAR**

Approval of July 10, 1997 Planning Commission Minutes.

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Commissioners Wall-Hannum voted to approve the consent calendar items. approving the minutes of the July 10, 1997 Planning Commission Meeting with correction to John Knight's title.

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Vote on	Motion #1.	The

The Motion carried unanimously(4-0); Absent-3(Miller, Kriz, Haug)

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

None

#### ٧. **PUBLIC HEARING**

**PUBLIC HEARING (#1)** 

**APPLICANT:** Julie Want, C.P.A.

REQUEST:

Zone change from R-2 to RP

LOCATION:

105 Parkview Drive

TAX LOT:

3220BB-04500

FILE NO:

Z-11-97

**CRITERIA:** 

Newberg Development Code Section 10.20.030

#### OPEN FOR PUBLIC HEARING.

Chair Waldren entered ORS 197, relating to the Public Hearing process into the record, and opened the Public Hearing.

Abstentions/ex-parte contact/conflict of interest: Commissioner Ashby indicated he works in the same field as the applicant; however, he did not feel that review of this application would benefit him in any way financially. **Commissioner Hannum** noted his acquaintance with the applicant. **Commissioner Waldren** indicated he had visited the site as a possible purchase some time ago. After a brief discussion, commissioners concluded that they could review the application impartially.

Objections to jurisdiction: None

**Staff Report: Barbara Mingay, Planning Technician**, reviewed the staff report and indicated that staff was supportive of the proposal.

**Preliminary Staff Recommendation:** The preliminary staff recommendation was made in the absence of public hearing testimony, and may be modified subsequent to the close of the public hearing. At this writing, staff recommended adoption of Planning Commission Resolution 97-78.

## **Proponent:**

Ms. Julie Want P.O. Box 1029 Newberg, OR 97132

**Ms.** Want stated that her current office space is too small due to her expanding business. She has been looking for a larger office space for a year and a half. She assured the committee that the property in question had already undergone commercial upgrades, with adjustments to be made on the kitchen and some of the walls downstairs. Ms. Want said there was already ample parking and that she does not anticipate her business will generate a lot of traffic. She stated that she had spoken with the neighbors and has updated the landscaping. She requested Commission approval of the project, which would allow herself and Mr. Want to move their business to the new location.

Questions to Proponent: Chair Waldren asked the proponent if she knew the extent of the commercial upgrades. Mr. and Mrs. Want, in response to Chair Waldren, stated that all the electrical wiring had been upgraded, the fire systems had been removed, and that there was conduit possibly put in at time of the last renovation. Ms. Want described the improvements including ADA access.

Public Agency reports: None

Letters: None

Proponent/Opponent Rebuttal: None

**Staff Recommendation:** Approval of Resolution 97-78, recommending that City Council approve the zone change.

Hearing Closed.

### **Commission Deliberation:**

**Commissioner Wall** stated that although he is ordinarily not in favor of zone changes, he does not have any objections to this resolution.

Commissioner Hannum stated that it seemed like reasonable use of the property.

Commissioner Ashby agreed that the resolution 97-78 met all criteria.

Motion #2: Wall-Hannum moved to adopt Resolution 97-78, approving the zone change.

Vote on Motion #2: The motion carried (4-0 )unanimously. Absent-3 (Miller, Kriz, Haug)

**PUBLIC HEARING** (#2)

APPLICANT: City of Newberg

**REQUEST:** Text amendments to the Newberg Development Code relating to noticing

requirements.

FILE NO.: G-28-97 RESOLUTION NO.: 97-74

**CRITERIA:** Newberg Development Code Section 10.20.030

Abstentions/ex-parte contact: None

Objections: None

**Staff Report:** Barbara Mingay, Planning Technician, reviewed the staff report. She briefly restated last month's discussion on the noticing requirements. She directed the commission to the staff report memorandum. She asked that the committee look over the information relating to noticing in other cities, and direct staff to assess what part(s) of the noticing requirements they liked or disliked.

Proponent: None

Opponent: None

Public Agency reports: None

Letters: None

Proponent/Opponent Rebuttal: None

**Staff Recommendation:** Barbara Mingay, Planning Technician, recommended that the committee look closely at the language of Tigard's and Oregon City's posting requirements. She felt if noticing requirements such as these were adopted that there would be more responsibility put on the applicant.

**Commission Discussion:** A general discussion ensued concerning the additional burden put on the applicant if they were required to post notices as well as hold pre-application meetings. After thoroughly discussing the pros and cons of a pre-meeting requirement, the commission came to the conclusion that future noticing ordinances should not include a pre-meeting requirement.

Motion #3:	<b>Commissioners Hannum-Ashby</b> moved to direct staff to include requirements that the applicant must mail notices to surrounding landowners, post the site, remove the
	notices at the conclusion of the hearing, and provide affidavit's of posting. In
	addition, ordinance language was to include a notation that if the applicant failed to
	comply with noticing requirements, the entire process could be invalidated; and to
	include the sign size and design as identified in Tigard's requirements.

Vote on Motion #3: The motion carried (4-0) unanimously. Absent-3(Miller, Kriz, Haug).

VI. OLD BUSINESS (none)

VII. NEW BUSINESS (none)

### VIII. STAFF AND COMMISSION REPORTS

- Other reports, letters, or correspondence
  - a. Ms. Mingay asked that the commission formally postpone the discussion on land division requirements (File G-25-97) until the next committee meeting on September 11, 1997. The committee discussed Ms. Mingay's recommendation and the consensus was to continue the discussion of File NO: G-25-97 to September 11, 1997.

Motion #4:	Commissioners Hannum-Ashby moved to postpone the discussion of land division
	requirements( File NO: G-25-97) until September 11, 1997.

Vote on Motion #4: The motion carried (4-0) unanimously. Absent-3(Miller, Kriz, Haug)

- b. **Ms. Mingay** updated the Planning Commission as to the current status of the Community Development Office and the Planning Division, including personnel hiring and projects, including the status of Emery Orchards III wetland mitigation process. She indicated that she would continue to follow up on the situation.
- c. Ms. Mingay asked the committee if they had any legal issues they would like addressed when Terry Mahr, Newberg City Attorney speaks to them at the next Planning Commission meeting. The Commissioners identified the following discussion items: 1) Quasi Judicial/Legislative hearing differences and the explanation of Type III and IV hearing actions; 2) The laws pertaining to conflict of interest; and 3) Code violations and penalties.
- Update on Council items: Ms. Mingay reviewed recent Council actions relating to land use.
- 3. Next Planning Commission Meeting, September 11, 1997.

## IX. ADJOURNMENT

The meeting was adjourned at approximately 8:30 p.m.

Passed by the Planning Commission of the City of Newberg this	M_ day	of September,	1997.
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AYES: 4

NO:

ABSTAIN:

ABSENT:

(Haug & Miller)

(Kriz)

ATTEST:

Planning Commission Recording Secretary Signature Print Name

# INFORMATION RECEIVED INTO THE RECORD AT THE AUGUST 14, 1997 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.

No items were submitted into the record

\*LABELS FROM THE 8/14/97
PLANNING COMMISSION MEETING
FROM THOSE WHO GAVE PUBLIC
TESTIMONY

Julie & Walter Want P.O. Box 1029 Newberg, OR 97132 Z-11-97