

PLANNING COMMISSION MINUTES
Newberg Public Safety Building - Newberg, Oregon
THURSDAY, APRIL 8, 1999 AT 7 P.M.

Approved at the May 13, 1999 Planning Commission Meeting

I. PLANNING COMMISSION ROLL CALL

Planning Commission Members Present:

Stephen Ashby	Paula Fowler	Steve Hannum, Chair
Matson Haug	Warren Parrish	Lon Wall
Rob Molzahn		

Staff Present:

Barton Brierley, City Planner
Barbara Mingay, Planning Technician
David Beam, Economic Development Coordinator/Planner
Peggy Nicholas, Recording Secretary

II. OPEN MEETING

Chair Hannum opened the meeting at 7:00 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

1. Approval of March 11 and March 25, 1999 Planning Commission Minutes.

Motion #1:	FOWLER/WALL voted to approve the consent calendar items, approving the minutes of the March 11 and March 25, 1999 Planning Commission Meetings.
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Vote on Motion #1:	The Motion carried unanimously.
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IV. COMMUNICATIONS FROM THE FLOOR (five minute maximum per person)

None.

V. QUASI-JUDICIAL PUBLIC HEARINGS

APPLICANT:	Powell Built Homes, Inc./Christopher Thomas	
REQUEST:	Addition of a new garage to a home on Newberg's Historic Inventory	
LOCATION:	800 E. Sheridan	
TAX LOT:	3219AA-1100	
FILE NO.:	H-8-99 (historic review)	RESOLUTION NO.: 99-114
CRITERIA:	Newberg Development Code 10.44.157	

OPEN FOR PUBLIC HEARING.

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

Abstentions/ex-parte contact: **Commissioner Molzahn** said he has worked with Mr. Powell on various real estate projects.

Commissioner Hannum said that he has reviewed the site.

Objections: none

Staff Report and Preliminary Staff Recommendation: **Ms. Barbara Mingay** presented the staff report and that staff recommended adoption of Resolution 99-114, approving the addition of a new garage to a home on Newberg's Historic Inventory.

Proponent: **Roy Powell**, Powell Built Homes, 1709 Villa Road, Newberg, said he reviewed the staff report and it represents what the applicant (Powell Built Homes) is requesting to do.

Opponent: None.

Commissioner Haug questioned the 3.5 score on the historic review sheet. Ms. Mingay said this review sheet was created by a consultant several years ago. She was unsure if there was an error or not.

Commissioner Fowler asked about the "roll-up" garage doors not "fitting" into the historic structure. Mr. Powell said that he would be open to opinions.

Ms. Mingay clarified the scoring as divided between two categories.

Staff Recommendation: Staff recommends adoption.

Hearing Closed.

Commission Deliberation:

Commissioner Haug asked if notice requirements were met. Ms. Mingay said the notices provided at least two weeks notice.

Discussion was held concerning conditional permits and permitted uses.

Commissioner Parrish said he was not going to vote in opposition, but was very concerned about historic houses and the precedents being changed and set due to garage additions. Since allowing changes with carports and garages, we will lose the enchantment and look of the houses.

Commissioner Haug said that item "C" scored high in that classification of aesthetics.

Commissioner Parrish disagreed with the concept of changing the look of the structure and garages/carports. He said he disagrees with the premise that it does not look the same. He asked that the Commission review how the City is allowing similar changes (architectural integrity of the structure).

Commissioner Wall said he is in favor of historic preservation, until there is some clear incentive or reason for placing property on the historic register, he is not inclined to vote against as long as it retains the historic value of the building. There are really no tax advantages and reason for having a historic value. He does not like to see over regulation without being able to give something back to the property owners for complying with the historic preservation ordinance (what is the incentive?).

Commissioner Haug said he believes the proposed change does improve the structure. Part of the value of a historic structure is the visibility and architectural appearance of that era. He would encourage the rehabilitation which will drive the effort for having a historic building.

Motion #2 :	Molzahn/Ashby to approve Resolution 99-114 (historic review), approving the addition of a new garage.
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Vote on Motion #2 :	The motion carried unanimously.
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Ms. Mingay announced the procedure for appeal.

VI. LEGISLATIVE PUBLIC HEARINGS (#2)

Continued from March 25, 1999, Meeting

APPLICANT: City of Newberg

REQUEST: Approval of an ordinance amending the Newberg Comprehensive Plan and Newberg Development Code relating to street standards, as required for compliance with the Transportation Planning Rule.

LOCATION: City wide

FILE NO: GR-4-95

CRITERIA: NDC 10.20.030

RESOLUTION NO.: 97-83

Mr. Barton Brierley introduced the background, history and issues relating to the amendments. He noted that he received a letter (which he read) from Jules Drabkin, which contained a request for an amendment to the Development Code. The letter referenced the C-3 Central Business District (page 26, section 14). Mr. Drabkin's letter noted the allowance of residential use on the first floor, that the City also strike the parking requirement so that there would no longer be a requirement of one parking space for each dwelling unit. The purpose for doing this change was to provide housing in the downtown core area. People can walk downtown instead of driving (part of the transportation planning rule). Delete the sentence requiring parking. The Commission can take action, defer it to another meeting, or decline. Staff believes it is a good idea and recommend "that the parking requirement be reviewed by the Community Development Director."

Commissioner Parrish asked what percentage is involved with "no parking" designations. Mr. Brierley replied about 50%. Sometimes there is parking available on other available lots.

Commissioner Wall asked if there were spots downtown that were not residential, but could be more than 5-10 in a group. Mr. Brierley said there are some buildings which may contain eight or so.

Commissioner Parrish talked about parking availability on Hancock and other streets during certain hours. Discussion was held concerning posting parking allowances during certain times of the day. Mr. Brierley said it is difficult to restrict parking, but that informal agreements occur between the occupants of the buildings and the customers that frequent area businesses. Many businesses are closed after 7:00 p.m. There doesn't appear to be a problem with parking after certain hours.

Commissioner Haug referenced the density limit of C-3 zones (no limitation on dwelling units). Discussion was held concerning what would happen if a hotel or multiple unit apartment complex is built in the C-3 area.

Staff Recommendation: **Ms. Mingay** recommended that the commission adopt the amendments as proposed.

Public Testimony: **Mr. Jules Drabkin** said he has a six-unit complex that has been populated by a variety of people (fall into general category of relative inexpensive housing for a variety of reasons). Many times he will have students from GFU (with spouses), and people that work for the post office on short

term basis, etc. The apartments allow people to walk and commute to where they need to go without the use of a vehicle. Generally, parking is only used at night. He agrees with the discretionary review by the Community Development Director. People will use parking spaces in a close proximity to their apartments.

Further discussion was held concerning Mr. Drabkin's building on First Street which has six units.

Letters: One letter received from Jules Drabkin.

Hearing Closed.

Commission Deliberation:

Commissioner Haug said he is concerned about a conditional use requirement (community evaluation on the impact). He would like to see the City parking lot get more use.

Commissioner Wall said that in this case, there may be some points on this may not be a good idea. He would prefer to see the Code be as it is (City would have ability to say yes or no). If residential activity would increase, he would like to see the parking spaces reserved for business customers.

Chair Hannum asked what the perimeter of the downtown core area was. Ms. Mingay stated that it is River Street to Main Street, and the north half of the south side of Second Street to the south half of the north side of Hancock Street.

Commissioner Molzahn discussed the number of parking spaces for each unit (predating certain eras). New construction would be required to maintain two parking spaces for each dwelling unit. On existing, the requirement should not be so strict.

Commissioner Ashby discussed consequences of residential units in commercial districts (lack of parking for a retail business is basically a "kiss of death"). This could cause potential customers to go elsewhere and not utilize downtown. He is in favor of expanding residential uses in commercial zones. Discussion was held concerning restricted parking during certain times of the day.

Commissioner Fowler suggested pulling this section out and see how it needs to be handled in the future.

Commissioner Wall discussed the Oregon Hotel in McMinnville having insufficient parking (it is located in the downtown core area of McMinnville). The Code requires so many parking spaces per dwelling units. If it is eliminated, the particular tenants of the apartments need to have parking spaces (need still exists). That is the real issue.

Commissioner Haug on 6.1-26 is to strike the last sentence of 10.40.364. Discussion was held concerning a variance procedure which is always available. Commissioner Haug said the Downtown Redevelopment Committee could assist property owners and tenants in working out issues which may arise.

Commissioner Parrish agreed with Commissioner Fowler's idea to set aside this particular issue dealing with control over First Street.

Commissioner Wall said that if the Commission would like to look at future date, could staff provide pertinent information and background and consider the proposal down the road. Discussion was held to adopt the Resolution excluding Section 10.40.364 until a later time to review in more depth.

Motion #3 :	Fowler/Parrish to adopt Resolution No. 97-83 with the exception to the changes to Section 10.40.364
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Vote on Motion #3 :	The motion carried (7-0).
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Commissioner Haug asked staff when the Commission could look at revisiting Section 10.40.364. Mr. Brierley said it could be the second meeting in May 1999, or another time. Commissioners Hannum and Haug advised they would not be available at the second meeting in May. Mr. Brierley said he would check with the calendar and the Commission for future openings (May 13).

Commissioner Ashby asked about the design guidelines (use of the word "shall") not being an actual requirement (6-1-33). Mr. Brierley said that it could be changed to "may" or "shall." PUD's are discretionary anyway.

Motion #4 to amend Motion #3 :	Ashby/Parrish changing the word "shall" to the word "may" in the design guidelines definition.
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Commissioner Ashby noted that it would lessen the ambiguity. Further discussion was held concerning the definition and provisions of guidelines (provides flexibility) and the word "may" appears to be too weak.

Commissioner Fowler said the language provides "for example" and the word "shall" being in context with the flow of the sentence. Discussion was held concerning removing the words "For Example" to better clarify the intent.

Commissioner Haug said that the tone to reach for would reflect the following: "Developers are expected to use these guidelines, for example: Density approved maybe based..." And recommended changes.

Discussion was held concerning the purpose of the example. Mr. Brierley said it was to apply guidelines to PUD's. Discussion was held concerning removing the section beginning "For example..."

Motion #5:	Haug to amend Ashby amendment "Developer's may use guidelines that Developers are expected..., And the Density approved..... "may" be based.
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Vote on Motion #5 :	The motion failed for a lack of second.
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Commissioner Ashby said the example and changes make it more discretionary.

1. Strike the changes to paragraph 10.40.364; and
2. Modify introduction from "shall" to "may" as referenced.

Vote on Motion #4 amending Motion #3 :	The motion carried.
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Motion #5:	To continue hearing to May 13, 1999.
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Vote on Motion #5:	The motion carried unanimously.
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VII. ITEMS FROM STAFF

1. Update on Council items

Mr. Brierley reviewed the Waterbury annexation issue which was postponed by the Council on April 5. Discussion was held concerning appeals and referring the matter to the Planning Commission. The Pratt property annexation was approved which will be placed before the voters (pump station issues and require that in the voters' pamphlet that a LID is a possibility). The Council also approved the Comprehensive Plan amendment to the NW Newberg Specific Plan. The Council will consider the Type II subdivision approval (over 10 lots would come to the Commission) and also the Waterbury annexation.

Discussion was held concerning affordable housing on April 14 presented by the Yamhill County Affordable Housing Coalition.

2. Next Planning Commission Meeting: April 22, 1999

Discuss growth and density.

MOTION #6	Haug/Wall moved to have the meeting at 6:30 instead of 6:00 p.m.
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Mr. Brierley noted the joint Council/Commission meeting on April 26 (Commission priorities to the Council) to endorse these priorities. They will discuss the growth and density policy round table discussion (process and what is expected to be expressed).

Commissioner Haug asked that the Commission review the priorities again on the April 22 meeting to identify actions to address the priorities. Discussion was held concerning not revisiting the entire priority list with the Council on the 26th. Mr. Brierley said he will give a clearer explanation of the priority.

VIII. ITEMS FROM COMMISSIONERS

Commissioner Fowler asked about a student liaison; Stephanie McIntosh. Discussion was held concerning a student representative, having two representatives, and having a representative from the student newspaper. Discussion was also held concerning the student liaison being a non-voting member. The purpose of the liaison would be to promote participation among the youth in the community.

Community Parrish discussed the level of responsibility of high school students. Discussion was held concerning placing an individual in the active involvement of the Commission's issues. The Commission will discuss their intent at the joint meeting of the Council/Commission on the 26th of April.

Mr. Brierley discussed the oath of office for the Planning Commission members at the joint Council/Commission meeting.

Commissioner Molzahn, a new Planning Commissioner, provided personal background information: He has been a broker in real estate since 1994, has a wife and two girls, and has been in the community for several years. The Commission members also provided their own background in return.

IX. ADJOURNMENT

The meeting was adjourned at approximately 9:00 p.m.

Passed by the Planning Commission of the City of Newberg this 13 day of May, 1999.

AYES:

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NO:

ABSTAIN:
(list names)

ABSENT:

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(Haug, Parrish, Molzahn)

ATTEST:

Peggy R. Nicholas
Planning Commission Recording Secretary Signature

Peggy R. Nicholas
Print Name Date

**INFORMATION RECEIVED INTO THE RECORD
AT THE APRIL 8, 1999 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.**

PROJECT FILE # GR-4-95
Letter from Jules Drabkin

LABELS FROM THE 4/8/99
PLANNING COMMISSION MEETING
FROM THOSE WHO GAVE PUBLIC
TESTIMONY/REGISTRATION CARD

***Be sure to add file number by
name*** on each label

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