

PLANNING COMMISSION MINUTES

Newberg Public Safety Building - Newberg, Oregon

THURSDAY, APRIL 22, 1999 AT 7 P.M.

Approved at the May 13, 1999 Planning Commission Meeting

I. "PLANNING COMMISSION RULES"

6:30 PRE-MEETING FOR COMMISSIONERS

Chair Hannum opened the discussion at 6:50 p.m.

Commissioner Ashby presented information concerning a draft of Commission rules and guidelines.

Commissioner Haug expressed concerns over issues contained in Robert's Rules of Order which may conflict with the transaction of the Commission's business, the interpretation of the City's ordinances and policies. Discussion was held concerning tabling certain matters contained in the proposal to a date certain rather than tabling the entire proposal indefinitely.

Commissioner Ashby reviewed the quasi-judicial process as it relates to testimony provided (same as staff report responses and inquiries).

Commissioner Wall said that the items presented in the handout were open for discussion. Further discussion was held concerning various impacts or actions of the Commission being professional in making accurate decisions for the City.

Commissioner Haug addressed concerns about time constraints for persons wishing to provide testimony and how it could open up the opportunity for further dialogue.

Commissioner Wall stressed the importance of being consistent. Commissioner Haug noted that it was important to allow people to present their evidence and testimony; and the Commission allowing them to continue or to not continue, which may appear to be unfair. Discussion was held concerning fairness in allowing people to continue.

Commissioner Fowler said that once a person gives testimony, it is more efficient to ask questions at the time the person is at the podium. It would be appropriate to ask questions and allow answers from the citizens at the time they have provided their testimony.

Commissioner Haug questioned the occurrence of substantiative information.

Commissioner Molzahn said it should be left open to allow full disclosure.

Discussion was held concerning the allowance of correspondence and written materials presented prior to the meeting (one week).

Commissioner Ashby then reviewed Commission Deliberations (3.2.5). He clarified "informal considerations" by adoption of a motion of unanimous consent, or if an objection, by majority vote.

Commissioner Haug said he is reluctant to adopt Roberts Rules of Order and if the Commission adopts 3.1 what effect it would have on the Commission in the transaction of its business.

Commissioner Wall stated he felt that the use of Roberts Rules of Order to manipulate the Commission into action was not appropriate. He said that he is concerned about the Commission acting professionally. Discussion was held concerning the balance of the use of the Rules in accordance with the Commission's policies and guidelines and the potential of abuse is possible. Commissioner Wall said he is also concerned about postponement of issues.

Commissioner Ashby stated that it would take a 2/3 vote to pass some issues.

Commissioner Haug asked for clarification concerning testimony and questions that the Commission can ask during the testimony portion of the hearing, without the Commission having to go into deliberation. Ms. Mingay noted that a statement at the bottom of the public comment registration form could be added which references that testimony should be brief and a procedure on providing written testimony. Discussion was held concerning the addition of actions "points of order" to be taken.

Motion #1 :	Molzahn/Wall to approve the draft guidelines as provided by Commissioner Ashby.
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Commissioner Haug addressed the election of officers/chair to the Commission.

Vote on Motion #1 :	The Motion carried unanimously.
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TAPE 1 - SIDE 2:

The work session ended and Chair Hannum opened the regular session of the Commission.

II. ROLL CALL

Planning Commission Members Present:

Stephen Ashby
Matson Haug
Rob Molzahn

Paula Fowler
Warren Parrish

Steve Hannum, Chair
Lon Wall

Staff Present:

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

III. 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.

IV. CONSENT CALENDAR

None.

V. COMMUNICATIONS FROM THE FLOOR

Mr. Mike Wallace, 1532 E. Third Street, Newberg, Oregon, asked how close Newberg is going to monitor its developments already adopted. Mr. Wallace asked about the percentage set aside for parks, in particular Springbrook Oaks (property behind Fred Meyer and out to Fernwood Road). The buildup is to

have a certain percentage of property set aside for open space. In comparison to Fenway Park with the NW Specific Plan, there is supposed to be park space set aside for that specific development to use (retention pond is only located in that area). There appears to not be areas for the public to enjoy.

Mr. Barton Brierley said the Plan provided for space in the "Gail" property which was sold to the Chehalem Park & Recreation District (CPRD). The park has not been developed at this time. The Gail property will be developed later. The other park is in Oak Knoll Phase 10 and that portion of the property will also be conveyed to the CPRD.

Mr. Wallace asked about Fenway Park and why that development was not required to provide the open space as planned.

Commissioner Haug reviewed the areas of open space outlined on the NW Newberg Specific Plan.

Commissioner Wall said the Commission did discuss the issues. As a Planning Commission it is his responsibility that if someone makes a promise to the City, that the Commission follows through to make sure they do what they are supposed to do.

Commissioner Molzahn said that the Specific Plan dealt with 13-15 property owners. The new NW Specific Plan deals with one developer and one plan which has specific rules.

Discussion was held concerning the area of the Specific Plan (College over to Main) which covers the "Austin" property. Fenway Park is on the southwest boundary of the NW Specific Plan (east side of College).

VI. ROUNDTABLE DISCUSSIONS

1. "Density and Growth"

Mr. Barton Brierley said the result of the Commission's prior discussion noted the following projected results:

1. Provide information on current state requirements.
2. Determine general policy direction on density.
3. Determine what next steps the Planning Commission would like to take including what products the Commission would like to develop.

Mr. Brierley reviewed the following:

1. Definitions of Growth and Density.

Mr. Brierley reviewed the City of Newberg Population Projections. He also reviewed the City's current growth policy as defined in the Comprehensive Plan (the population number ...27,000 plus by the year 2010"). He asked that the Commission wait for the growth portion of the discussion and just talk about the density issues at this time.

Housing Types. Single family, multi-family and mobile homes for the range 1970-1998.

Housing Types Built. Single family homes went down during the period, mobile home parks went up, and multi-family units were a little over 30%.

concerning the Council taking a more active role. Mr. Morrison talked about open space and the image the City projects. If the City continues to develop with high density, we will get those people that want to live in high density environments. Mr. Morrison further discussed the City's Comprehensive Plan and its goals. Mr. Morrison explained what affordable housing is in keeping the family structure together as a unit.

Commissioner Haug discussed the City's vision and what hard choices need to be made.

Mr. Morrison said the decisions the Commission and Council make, will have an impact upon the community for some time. Discussion was held concerning frequent joint meetings to be scheduled with the Council.

Discussion was held concerning developing policies, working with the community and the Council changing the Comprehensive Plan and the direction the City is to grow.

Mr. Brierley reviewed overheads and handouts concerning housing needs - economic models:

R-1 zones (32.94%)
R-2 zones (31.29%)
R-3 zones (35.77%)

Medium range cost of a home is about \$130,000. The big issue with R-2 is for a single family home on a 5 - 6,000 square foot home lot (not allowed in an R-1 zone).

Discussion was held concerning the marketability of large lots with large homes and up zoning (from R-2 to R-3) and they can make more money than from lower densities.

Mr. Roger Grahn said that as a builder, he reviewed the costs of building a home:

Lot	\$	50,000
Closing Costs		2,000
Real Estate Commission (assume \$150,000) at 5%		8,000
Permit fees - variable (Sherwood is \$11,000)		11,000
Financing		<u>7,000</u>
Total	\$	78,000

Mr. Brierley reviewed the results of the quiz.

Commissioner Haug discussed how design standards improve livability.

TAPE 3 - SIDE 1:

Discussion was held concerning street trees enhancing the livability of the City.

Mr. Brierley presented information concerning the "Next Steps - Products desired":

- Develop amendments to the Comprehensive Plan policies
- Develop Code Amendments
 1. Split the R-3 zone into an R-3 and R-4 zone
 2. Minimum densities in residential zones

3. Other?

- Zone changes
 - 1. New R-3
 - 2. Other?
- "Conditional" zone changes

Chair Hannum said it appears the City is proceeding with the guidelines set out in the Comprehensive Plan as directed.

Commissioner Haug discussed density, up zoning requests and quasi-judicial decisions and what is acceptable to the community.

Community Wall said he agrees with Commissioner Haug, but does not agree having to vote in favor of increasing density.

Commissioner Molzahn noted that with new development and the opportunity to determine where the zoning would be, we should have rules which form it to the way it was designed to be. He said he would like to see a continued discussion of the matter and further review the City's Comprehensive Plan.

Chair Hannum said with up zoning, the City could consider reducing the "sweetness" in providing for up zoning and not agree so much in giving more density when it is not absolutely necessary. There may be some costs associated with up zoning (trade off for them to do other things).

Commissioner Wall said he has in the past voted for projects which would not otherwise have an impact on the surrounding area.

Commissioner Haug said that with the creation of development agreements, there would be some vehicle to enforce their intentions.

Discussion was held concerning placing conditions on a zone change. Mr. Brierley said there could possibly be a way of providing for tools to handle these.

Commissioner Haug asked about the riverfront development. Mr. David Beam said the City is applying for a grant to review the riverfront area and the use of commercial, residential and recreational facilities. The time frame for completion is around early fall. Commissioner Haug said it would be a good idea to appoint a Planning Commission member to the Riverfront Development Committee in order to provide input to the Commission.

Mr. Brierley said that from the discussion, it appears that the Commission wants to have a work shop on conditional zone changes.

Commissioner Molzahn said there was some discussion of doing another zone splitting R-3 to R-3/R-4 and there appears to be a need between R-2 (5,000 square foot lots) and the R-3 (higher density apartments). Right now, the only way would be through PUD or variance type action (which would give higher density). A 12-13 unit per acre zone would be open discussion. R-3 provides for up to 21 units but the issue is that R-3 land is not available.

Commissioner Ashby said he would like to see the Comprehensive Plan amendments. He would like to see more explicitly expressed in the Comprehensive Plan on where we are going (maintain density or

Dwelling Units Approved by City Zone Density (C-1/R-3/R-2/R-1).

Oregon State Requirements: (ORS 197.296) (Periodic Review):

Mr. Brierley reviewed the pro's and con's of housing density and policies as contained in the staff packet. He also referenced urban design (residential area policies), and noted that the policies should be directed by certain factors.

Commissioner Haug questioned the amount of density and the information provided by staff, only being on density. He said it is not growth or density, but on livability.

Mr. Brierley said he would prefer that the discussion contain comments from the floor and questions from the Planning Commission.

Roger Grahn, 23287 LaSalle, Sherwood, Oregon 97140, said that he would like to hear from the Commission and staff on their discussion. Mr. Grahn said that he is a builder and developer and property owner in Newberg. He has strong views on density and livability. He is opponent to Washington County/Gresham density (light rail corridor). They are aimed at lower income people (with no interest or equity in these places - \$-0- down). Any downturn in the economy - they could be easily foreclosed. He is opposed to this type of develop. He has property which he may be asking for a higher density from 10-15 or so. If the City gets involved in real high density, livability and traffic will be of concern. He is opposed to narrow streets. The issue comes down to "no parking" and how to tell a homeowner that he cannot park on the street. The economics referred to, density does help defray costs. In looking at high density in some lots, he urged the Commission to keep in mind the livability. Mr. Grahn addressed Yamhill County's restriction on farm land. Portland controls the state's vote, when they are packing more people into the metro area with higher density developments.

Tape 2 - Side 1:

Mr. Grahn continued with his belief that he would like to see three houses on a parcel of land rather than multiple apartments. The City has to accommodate its own growth. The density in Portland will have serious adverse effects on livability.

Mr. Michael Wallace, 1532 E. Third Street, Newberg, urged the Commission to keep a close eye on what is happening and make sure that we do not stack people up to just get them in the City. Leave them enough open spaces that livability is not encumbered and it is a great place to live, and he doesn't want to see the City lose that (chance is at hand and could happen).

Commissioner Haug asked Mr. Wallace what he feels makes Newberg a great place to live. Mr. Wallace said that the people are friendly, a good park system, the school system issues are getting straightened out; we are finding that people like to live here because we all get along. With the density issues looming, we have the potential of bringing Newberg down or up and it is up to us.

Commissioner Haug said he would like to have the Commission concentrate on the following to improve livability:

1. Need to emphasize and work toward implementing mixed use commercial centers with surrounding residential lands (does not require the use of an automobile).
2. Need to expand UGB. Newberg should establish a law that it will not expand its UGB into the most valuable farm land (near Crater School). Why not expand over at the other side of town? Don't get into the highest quality forest and farmland. Learn how to accommodate the costs that will follow.

3. Need waterfront enhancements for the water front districts. Other cities are making good progress on their waterfront areas.
4. Need to emphasize job/housing ratio.
5. Try to provide higher wage jobs.
6. Raise bar on urban design (R-1 zoning priorities).
7. If we are going to have density increases (up zoning) make it a win-win situation with development agreements.

Mr. Brierley said that the current standard requirement is for six dwelling units per acre.

Commissioner Molzahn said that people tend to believe they are getting more for their money. There is some pressure to get "urban" (contradictory forces). Discussion was held concerning the average wages and cost of housing and other alternatives to use the farmland for the larger homes rather than the smaller ones built within the City.

Commissioner Wall discussed the definition of "affordable housing" which is used by everyone. To most people, "affordable" is half of what people have to pay. Discussion was held concerning low income property owners. As far as density is concerned in situations where single family houses are located in an area, the City appears to encourage "quads" or duplexes to mix the use. His personal opinion is to try to control growth in some instances. He does not like the idea of increasing density as a matter of City policy which sets out where and how people are to live. Understanding the substantial feeling in the community about controlling growth, preventing sprawl, and the 20-year buildable land in the UGB, he is more inclined to go with increased density because of the 20-year UGB plan which may get worse. The 20-year supply issue is that the City will define its own reality. The City will decide how much the community will grow over the next 20 years. He is inclined to support higher density due to these reasons.

Chair Hannum asked Commissioner Molzahn how he felt as a realtor about the Council raising the SDC charges and whether or not it was his feeling that if they raise the cost of new houses, we would automatically raise the value of the surrounding existing houses. It appears that consequently, all the things they are doing for making growth pay for itself, has a net effect of raising property values on existing houses. Commissioner Molzahn said Commissioner Hannum's statement was a fair assessment. Just because certain land is flat, it does not necessarily mean that it is good "farmland" and should not be developed. Discussion was held concerning "prime farm and agricultural land."

Commissioner Wall said the State has definitions according to soil type.

Commissioner Haug said the Werth property appears to be good farm land. Outcome of the Commission members noted that the Werth property is not good farm land.

Commissioner Ashby discussed the creation of the Urban Growth Boundary (UGB).

Commissioner Wall discussed the City of San Jose and how it changed from a great deal of agriculture, now it is considered silicon valley and they did not have careful land use planning ("gold rush" mentality).

Commissioner Molzahn said he feels there could be a mixed use with a large parcel of land, or provide for more dense use (apartment type settings and "openness").

Commissioner Haug discussed rejection of density. He said that in the past five years, the City has tried to provide for affordable housing and provide for alternatives such as mobile home parks, changing the profile to the south end of town, and trying to accommodate smaller lots (higher density). Until federal or state funding is available, the City will need to provide for adequate funding to guarantee a livable community.

Commissioner Wall discussed affordable housing being subsidized with the government. Actually, the way the City has its density structured is not bad.

Commissioner Haug said the Commission or other group should take another look on where the City should grow (merge to Dundee and make our own metro area?). We need to step back and ask how we plan to continue to grow.

Mr. Roger Grahn discussed the Austin property and how it was annexed into the City.

Commissioner Ashby said he received information from the City Manager. One of the solutions was to remove the Austin property from the total amount of buildable land.

Mr. Wallace asked if the UGB expands to farmland areas. Mr. Brierley said there is property that is suitable for farming inside the UGB, but not actually designated as such.

Commissioner Haug discussed how the property owners of Oxberg Estates don't want to be inside the City limits. There are serviceability issues surrounding the property. If we are going to have growth, we must provide for livability, have the rules in place, and determine how we are going to pay for the cost.

Chair Hannum expressed concerns over additional needs for services with no means of moving people, providing services in the existing infrastructure (roads/access). When doing expansion or thinking about growth, we should deal with traffic and how to service the development.

Commissioner Molzahn addressed the Urban Reserve Area (URA) process. Ms. Mingay noted that the State mandated that seven or eight areas (Newberg was named as one) develop Urban Reserves.

Commissioner Fowler said she is concerned with the City's lack of vision and direction (riverfront and downtown development). Until there is a more clearer direction, it is difficult to provide alternatives.

TAPE 2 - SIDE 2:

Commissioner Fowler suggested that unless Newberg stands up and takes control over its growth, it will be bowled over. The Council needs to set the standards.

Commissioner Haug said the Commission is not limited by waiting for the Council to adopt issues.

Commissioner Fowler said she would like to see a downtown area that is pedestrian friendly without large trucks passing through. She would like to see more parks and a better river front area; allow the community to expand and go forward. The Commission should work with the Council toward its goals.

Mr. Grahn shared the process that the cities of Tualatin and Wilsonville have in relation to their tax base stability. Discussion was held concerning the strength of the Council promoting economic growth.

Mr. Brierley provided a handout entitled "Density Choices".

Jim Morrison, 717 E. Sheridan Street, Newberg, agreed with Commissioner Fowler's comments concerning the Council taking a more active role. Mr. Morrison talked about open space and the image the City projects. If the City continues to develop with high density, we will get those people that want to live in high density environments. Mr. Morrison further discussed the City's Comprehensive Plan and its goals. Mr. Morrison explained what affordable housing is in keeping the family structure together as a unit.

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Commissioner Ashby said he would like to see the Comprehensive Plan amendments. He would like to see more explicitly expressed in the Comprehensive Plan on where we are going (maintain density or grow?). He would like to see densities preserved in the neighborhoods and also preserve the character of Newberg.

Commissioner Haug talked about mixed use. He believes we could do more to develop ordinance language which would encourage and provide for mixed use growth.

Ms. Mingay said the Code provides the language, but there is a problem due to the lack of adequate land.

Mr. Brierley reviewed possible amendments to Comprehensive Plan amendments. Additional discussion was held concerning periodic review.

Ms. Mingay provided copies of Comprehensive Plan Maps.

VII. ITEMS FROM STAFF

1. Update on Council items

On May 5, the Council will consider the Type II Subdivision review (certain subdivisions to come to the Planning Commission). Discussion was held concerning persons interested in the sign code ad hoc committee.

2. Joint City Council/Planning Commission Meeting April 26, 1999

The joint meeting will discuss work programs and related issues the Commission is reviewing, such as growth and density. Mr. Brierley said he will not be in attendance.

3. Next Planning Commission Meeting: May 13, 1999

VIII. ITEMS FROM COMMISSIONERS

Discussion was held concerning meeting twice a month. Mr. Brierley said the Commission could meet twice in May and once in June, July and August. Commissioner Haug said he will also be gone the first meeting in May 1999. Discussion was held concerning going back to one meeting a month and holding an additional meeting, if needed.

Chair Hannum said will not be in attendance the end of May and first of June meeting.

IX. ADJOURN

The meeting was adjourned at approximately 11:00 p.m.

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

AYES: 4

NO:

ABSTAIN:
(list names)

ABSENT: 3 (Haley, Parrish, Molzahn)

ATTEST:

Peggy R. Nicholas
Planning Commission Recording Secretary Signature

Peggy R. Nicholas 5/13-99
Print Name Date

LABELS FROM THE 4/22/99
PLANNING COMMISSION MEETING
FROM THOSE WHO GAVE PUBLIC
TESTIMONY/REGISTRATION CARD

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

THANK YOU PEG

Growth/Density:

Jim Morrison
717 E. Sheridan Street
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Growth/Density:

Roger Grahn
23287 LaSalle
Sherwood, Oregon 97140

Growth/Density:

Michael Wallace
1532 E. Third Street
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