

PLANNING COMMISSION MINUTES
Newberg Public Safety Building - Newberg, Oregon
THURSDAY, May 13, 1999 AT 7 P.M.

Approved at the June 10, 1999 Planning Commission Meeting

I. PLANNING COMMISSION ROLL CALL

Planning Commission Members Present:

Stephen Ashby Paula Fowler Steve Hannum, Chair
Lon Wall Rob Molzahn (arrived late)

Absent:

Matson Haug Warren Parrish

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 the April 8, 1999 Planning Commission minutes, and approval after corrections to the April 22, 1999 Meeting Minutes.

Commissioner Ashby corrections noted on the April 22, 1999 meeting minutes.

Motion #1:	Fowler/Wall voted to approve the consent calendar items, approving the April 8 and April 22, 1999, minutes of the Planning Commission Meetings.
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Vote on Motion #1:	The Motion carried (4 Yes/3 Absent: Haug, Parrish, Molzahn).
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Duane R. Cole, City Manager, gave the oath of office to Steve Ashby.

IV. COMMUNICATIONS FROM THE FLOOR (five minute maximum per person)
None.

V. QUASI-JUDICIAL PUBLIC HEARINGS

1. **APPLICANT:** Bill's Quality Construction, Inc.; Owner: Vicente Gonzales
REQUEST: Approval of a 625 square foot commercial addition to the Panderia, a Historic Landmark property
LOCATION: 619 E. First Street
TAX LOT: 3219AA-5000
FILE NO.: H-9-99
CRITERIA: NDC 10.44.157

RESOLUTION NO.: 99-116

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: None.

Objections: None.

Staff Report and Preliminary Staff Recommendation: **Ms. Barbara Mingay** presented the staff report and noted that staff recommended adoption of Resolution 99-116. She reviewed page two of the staff report which reflected the criteria. There are six issues listed:

1. Parking lot improvements (striping and ADA access) if intended to be used as a parking lot.
2. Both the old and new portions must meet Oregon Specialty Code access.
3. Sanitary sewer service (old pipe to be replaced).
4. Roof drainage system may be compromised to the adjustments of the renovation.
5. Removal or relocation of air conditioner on wall.
6. Existing gas meter will require relocation.

Staff recommended approval with final conditions and the relocation of the items mentioned and other issues raised in the staff report.

Discussion was held concerning other historic buildings in the area.

Roger Minthorn submitted a letter concerning 619 E. First Street, noting that he does not see a reason to deny the request.

Proponent: Mr. Bill Rohsaker, applicant, discussed parking. The owners do not wish to make the parking part of the use of the building (grading to allow water to run off). The owner will be relocating his Mexican bakery and restaurant business. Mr. Rohsaker said he does not believe the owner was aware that the property was historic in nature.

Opponent: None

Staff Recommendation: **Ms. Mingay** stated it would be an appropriate activity for that location.

Hearing Closed. Chair Hannum

Motion #2 :	Fowler/Wall to adopt Resolution 99-116.
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Commissioner Wall said that often times is it difficult to reason why some buildings are on the historic list, and does not see any objections.

Commissioner Ashby said the application clearly meets the requirements.

Chair Hannum agreed.

Vote on Motion #2 :	The motion carried 4 Yes/3 Absent: Haug Parrish, Molzahn, approving the requested addition to a Historic Landmark property.
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Ms. Mingay announced the procedure for appeal.

2.	APPLICANT: Mike Gougler for Werth Joint Ventures REQUEST: Adoption of the Springbrook Oaks Specific Plan. The plan would create areas for industrial, commercial, office, multiple dwelling, and single family dwelling uses. It includes plans for open space, utilities, transportation, and so forth. It would amend the Newberg Comprehensive Plan, Development Code, Comprehensive Plan map and Zoning map. LOCATION: A tract of land generally located south of Highway 99W, east of Springbrook Road, north of Fernwood Road, and west of the Urban Growth Boundary TAX LOT: 3216-2001 and 3216-2010 FILE NO.: CPA-14/Z-14-99 CRITERIA: NDC 10.20.030	RESOLUTION NO.: 99-117
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Objections: None

Commissioner Molzahn arrived at the meeting at 7:25 p.m.

2. What changes to land use will the proposal bring? The Comprehensive Plan allows for this type of development in the stated area.

Mr. Beam reviewed page 23 of the staff report which reflected the residential land supply and demand. The proposed plan affects the supply. The industrial land supply (page 19 of the staff report) in which they used "actual" use to arrive at the calculations. It is staff's opinion that the City has at least a 20-year supply which will take the City into the next planning period.

Mr. Mike Gougler expanded on how he sees the project developing. He too provided a background of the Werth property ownership. The father owned the property since 1950's. The plan did not designate zoning "lines", which were to be followed by a zoning effort. The family had two choices to develop:

1. They could have gone with map and did partitions. They could have partitioned with a developer.
2. Do a planned urban development (lay out roads, etc.) in great detail (which is recorded). Staff suggested that a specific plan be formed to design a master plan for the area. A steering committee was formed with originally 14 members (one being removed), with a remaining 13 body. The public was given opportunity for input over about seven (7) months. Only one member from the community came to express his concerns. Anyone could have been involved. The desire was to try and create something that would not only encourage controlled residential development, but would also encourage a development which would allow the creation of jobs. The desire was not to eliminate acreage for industrial purposes. "Professional residential" allows assisted living facilities, hospitals, and professional buildings which are not in an industrial type area. Discussion was held concerning alternatives in relocating the hospital. Ancillary development would be supported by such relocation. Mr. Gougler stated that Brutscher Street was named after the City's first postmaster. Developments west of Brutscher would be best for residential, to the east would be light industrial and commercial. One of the things that the Committee constantly asked of the owners and developer was if there was a "market" there and is it do-able? Mr. Gougler said they feel comfortable, but there are no guarantees. The Werths have already gifted 26 acres of the stream corridor to CPRD by way of an easement. The CPRD has also requested additional land for the creation of another park in the form of a golf course. The maximum number of homes in the R-1 district will be reduced. Mr. Gougler provided a map of the zones.

Mr. Gougler reviewed the Hayes Street extension that goes through the property. Discussions have been held with PGE concerning this roadway. He also reviewed the types of zoning for the project, and addressed the acreage figure noted on the handout.

Commissioner Wall asked about the M-1 designation being located anywhere else on the property (toward Springbrook Road). Mr. Gougler said they viewed the western area most suitable for residential due to easy access to the north for existing services and it was more convenient to both the existing and soon to be developed offsite utilities to service the area.

Commissioner Wall noted that there would have to be unique marketability for the property; it would make more sense to make it more attractive to a prospective owner for its intended use. Mr. Gougler said that most users would be generally larger users for the property, who are capable in paying for the services.

Commissioner Molzahn asked how big the EFTC parcel was. Mr. Gougler noted it was 12 acres. They originally asked for 20 acres.

Commissioner Ashby discussed the annual consumption rate and how it compared to the Comprehensive Plan estimate (projected 64 acres).

Mr. Barton Brierley reviewed the various periods in which the Comprehensive Plan had projected the usage. **Mr. Beam** said the Comprehensive Plan estimate was projected in 1989. **Mr. Brierley** said it is a difference in the type of industrial use that has occurred. He also noted typical 1979 uses: paper plants, auto repair, etc., and things that don't take up the same type of land mass.

Proponents: Mr. Mike Wallace, 1532 E. Third Street, Newberg, said he was on the steering committee. They discussed the City's benefit in making the area a more livable place (make Newberg #1 in the project). Protecting the stream corridors and natural resources was very important. They worked with the developer and the owner to make sure the City and the surrounding properties would be best served. He approves the project.

Mr. Bill Rosacker, he said it is a good example of seeing how the process works and feels the project should be approved.

Christina Morez, nothing to add.

Carl Mars, 11220 NE Fettig Lane, Newberg, (south side of Fernwood), said from what he has seen at the meeting, he is quite pleased, and is reserving the right to speak in the future, if needed. He is interested to see how the project is being developed. He would like to see the project and process continue.

Opponent: Garrin Ingrahm, owner of two tax lots on the northeast corner of the plan (where the proposed road goes up from the M-1 zoning to the east). He picked the 10 acre parcel out because of isolation and secrecy. He only owns 4 acres of the 27 acres. He only got word of it about a week ago. He did not receive prior notification. The plan is a great plan, but he is not in the URA, not in the City limits, nor the UGB. If the road has to come through the middle of his property, he will have to make different plans. He has two tax lots with one house.

Mr. David Beam said the road to the northern area is only stated in the area for the specific plan and will be working with the surrounding property owners.

Mr. Don Clements, Superintendent of CPRD who also was a Committee member, was looking at the residential requirements and sometimes the open space and stream corridors are not considered. It is the intention of CPRD to protect the stream corridor. They are looking into the future beyond the 20 years. They also recommend approval.

Commissioner Wall asked if it was CPRD's official position that they supported the project.

Mr. Clements replied yes.

Chairman Hannum closed the public hearing and reviewed the procedure to follow for future actions.

Hearing Closed.

Commission Deliberation:

TAPE 2: -

Commissioner Wall asked about the City's previous intent of changes in the Comprehensive Plan.

Chair Hannum said it was not clear concerning access (off Springbrook Road out of the C-2 zone area).

Discussion was held concerning the traffic impact study.

Chairman Hannum inquired about the access to the Fred Meyer parking area. Mr. Beam noted that median were projected to prevent traffic congestion off of the Fred Meyer parking area. He also asked when Fernwood Road would be developed, will it require a bridge crossing at Springbrook Creek or a culvert due to the larger amount of water at that location.

Mr. Beam said he is not sure at this point, and that further investigation and input is being requested to determine this.

Mr. Brierley said that replacing a culvert may be developed (more fish friendly on the east fork). The west fork is more challenging because of the depth.

Motion #3:	Wall/Fowler to continue the discussion to the June 10, 1999, meeting and to leave the public record open.
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Vote on Motion #3:	The motion carried (5 Yes/2 Absent).
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Chair Hannum called for a break at 8:40 p.m. The meeting reconvened at 8:50 p.m.

VII. LEGISLATIVE PUBLIC HEARINGS

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|-------------------|--|-------------------------------|
| APPLICANT: | City of Newberg | |
| REQUEST: | Amendments to the Newberg Comprehensive Plan and the Newberg Development Code relating to street standards | |
| LOCATION: | City Wide | |
| FILE NO.: | GR-4-95 | RESOLUTION NO.: 99-115 |
| CRITERIA: | NDC 10.20.030 | |
| TOPIC: | Parking standards for downtown residential | |

Objections, ex parte contacts, conflicts of interest: None.

Staff Report: **Mr. Brierley** said the Commission previously addressed amendments which would allow dwelling units on the ground floor of buildings in the C-3 zone, as long as they are not in the store front area. The current code restricts them in the upper floors. The code requires one parking space for each dwelling unit in the downtown core area. **Mr. Brierley** reviewed the concerns addressed by the Commission and testimony provided by **Mr. Jules Drabkin**. **Mr. Brierley** stated that 19 sites have residential units, six (6) have units on the second floor and seven (7) sites could be converted to residential. He reviewed the surveys that were taken and the effects of street sweeping and other restrictions. The Second Street public parking facility is restricted to two hour parking during day hours (business hours).

Ms. Mingay said the C-2 designation is between Hancock and Main Streets (bounded by Second and Hancock Streets). It does not go north beyond Hancock or South on Second Streets). Discussion was held concerning C-2 requirements (two parking spaces per dwelling unit). **Ms. Mingay** further clarified the C-2/C-3 requirements and which ones were conditional.

Commissioner Ashby asked for clarification of the two-hour/15-minute parking designations. Second and Hancock Streets have mixed parking restrictions. He also asked where the residents of the downtown units would park and what the process to convert certain parking areas would be?

Mr. Brierley said the City's Traffic Safety Commission would be contacted and make a recommendation to the staff and City Council.

Mr. Brierley said that it is important to maintain the livability and revitalization of the downtown core area. There are ADA requirements for multi-family units, four or more units in one structure, and they must have a disabled adaptable unit in the complex, accessible to a person in a wheelchair; for upstairs units, a lift or elevator. A lot of the parking would be done after business hours. He recommended that the Commission adopt the text amendment as proposed.

Public Testimony:

Jules Drabkin addressed limiting parking for future residents. Mr. Drabkin said that as a property owner, to put an elevator into an older building is expensive and difficult due to historic reasons, to name a few. To add to what Mr. Brierley said, the safety issue, if he had not had residential people next door who had reported the fire, damage could have been more. He is in favor of the changes.

Letters: None.

Hearing Closed.

Motion #2 :	Ashby/Molzahn to adopt Resolution based upon the staff report and testimony.
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Commissioner Ashby said he was initially concerned about the parking restrictions in the business area. Staff has amended and addressed the concerns.

Commissioner Wall said he is concerned about the commercial district with restricted parking. He cannot give a good argument to vote against it, but there is a lack of business community members represented at the meeting.

Vote on Motion #2 :	The motion carried (5-2 absent: Haug & Parrish).
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Mr. Brierley said it would go to the City Council on June 7, 1999.

VII. ITEMS FROM STAFF

1. Update on Council items

Mr. Brierley reviewed the upcoming City Council meeting. The Council denied the request that the Commission reviewed Subdivisions (10 and over).

2. Other reports, letters, or correspondence
3. Next Planning Commission Meeting:

Mr. Brierley said the Sign Citizen Advisory Ad Hoc Committee news release will be out to solicit members.

The next meeting is June 10, 1999, and the hearing on Springbrook Oaks will continue to that meeting.

VIII. ITEMS FROM COMMISSIONERS

Commissioner Fowler said she has accepted a position for a different agency in Lake Havasu, Arizona. As a result, she has submitted her resignation from her City positions. Tonight will be her last meeting.

Chairman Hannum said he also will not be in town for the June 10, 1999 meeting.

Discussion was held concerning a vice-chair to be appointed to chair the June 10, 1999 meeting and to select a person at the meeting.

IX. ADJOURNMENT

The meeting was adjourned at approximately 9:28 p.m.

Passed by the Planning Commission of the City of Newberg this 10th day of June, 1999.

AYES: 3 NO: 0 ABSTAIN: 0 ABSENT: 2 (Hannum/
(list names) Molzahn
VACANT: 1

ATTEST:

Peggy R. Nicholas
Planning Commission Recording Secretary Signature

Peggy R. Nicholas
Print Name Date

**INFORMATION RECEIVED INTO THE RECORD
AT THE MAY 13, 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 # N/A

Mr. Brierley distributed a news release soliciting members for a Sign Citizen Advisory Ad Hoc Committee.

A handout was distributed to commissioners on file CPA-14/Z-14-99 regarding "Conceptual Use - Circulation Map"

LABELS FROM THE 5/13/99
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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