

PLANNING COMMISSION MINUTES
Newberg Public Safety Building - Newberg, Oregon
THURSDAY, August 12, 1999 AT 7 P.M.

Approved at the October 14, 1999 Planning Commission Meeting

I. PLANNING COMMISSION ROLL CALL

Planning Commission Members Present:

Bob Andrews Stephen Ashby Steve Hannum, Chair
Warren Parrish Rob Molzahn

Absent: Matson Haug Lon Wall

Staff Present:

Duane R. Cole, City Manager
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 July 8, 1999, Planning Commission Minutes.

Commissioner Parrish reviewed a few changes to the minutes. The changes were reviewed by the Commission and duly noted by Recording Secretary Peggy Nicholas.

Motion #1 :	Molzahn/Parrish to approve the minutes as corrected.
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Vote on Motion #1 :	The motion carried (5 Yes/2 Absent).
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IV. COMMUNICATIONS FROM THE FLOOR (five minute maximum per person)

None.

V. QUASI-JUDICIAL PUBLIC HEARINGS

1. **APPLICANT:** City of Newberg
REQUEST: Design review approval and historic review to renovate and repair City Hall
LOCATION: 410 & 414 E. First Street
TAX LOT: 3219AB-8600, 8700
FILE NO: DR-126/H-10-99
CRITERIA: NDC10.44.257 and 10.30.040 **RESOLUTION NO.:** 99-119

Chair Hannum opened the meeting at 7:00 p.m.. He announced the procedure for testimony. Citizens must fill out a public registration form to speak at the meeting.

Chair Hannum entered ORS 197 relating to the Public hearing process into the record and opened the public hearing.

OPEN FOR PUBLIC HEARING:

Mr. Beam reviewed the staff report. He said the City Hall building is not adequate to house the administrative offices of the City. The purpose of the remodel is to house all City offices to be more user friendly, efficient and clean. Mr. Beam reviewed the various changes to be made to the structure, indicating that the basement floor would be altered to allow for three floors. Mr. Beam then addressed the landscaping revisions which included street trees, etc. The proposed addition to the original structure would be a stand alone structure although it would appear to be connected. The louvers in some of the window areas will be dark colored (metal). There are no accommodations for trash enclosures for the building, nor is there going to be onsite parking. City employees and visitors would park in the Second Street parking lot. At the top of the new building, the HVAC vents would not be seen from the street.

Commissioner Parrish inquired about the HVAC vents. Discussion was held concerning a greater chance of seeing the HVAC vents from First Street. Commissioner Parrish reviewed the criteria from SERA architects about the large garage door area which was originally used for the fire department. Commissioner Parrish asked for clarification of the new addition having a "new" brick appearance. Mr. Skip Stanaway (architect) reviewed the color differences in the two bricks (breaking up the flush appearance of the brick). Commissioner Parrish said he is quite pleased with the project and thanked Duane Cole for the proposal. Commissioner Parrish discussed the separation of the two buildings for the purpose of identification and is structurally designed to meet code. By keeping the buildings apart, they can move freely (seismic joints) in order for the buildings to move independently in the event of an earthquake.

Commissioner Parrish inquired about the parking facility on Second Street and spaces to be provided for City Hall business only (there are only a few spaces in front).

Commissioner Ashby asked what types of windows were to be provided. Mr. Stanaway provided an explanation of how the window profiles are designed to match the originals. The new windows will be double hung to match the look of the old windows.

Commissioned Molzahn inquired about the lower floor being dropped (2-3 feet) to allow for more floor space.

Chair Hannum asked how they intended to characterize the major features and feel of the building. Mr. Stanaway said it is a very classic design (base, middle and top structure). The ornamentation which occurs on the building at the top and the expression of the different corners, is a classic design. Chair Hannum inquired how the features of the old building is carrying over into the new addition. Mr. Stanaway reviewed the relationship with the bricks and colors, matching the design of the building (3 floors) and the design is a simplified version of the original building. Chair Hannum said he does not see the flow rising from the north elevation. He said the horizontal lines appear not to be banding. The expression of the vertical window is actually a representation of what is going on inside the building.

Commissioner Andrews discussed the public parking being located on the side of Howard Street and whether or not the intended uses of the renovated structure may necessitate additional parking spaces.

TAPE 1 - SIDE 2:

Duane Cole said there is parking around the VFW building and that City employees will not be allowed to park around the building facility, there is a 10 minute parking limit in front of the building. While there is a concern for downtown parking, the Hancock Street Project will be addressing parking in the downtown core area. C-3 zoning does not require that provisions be made for parking. Discussion was held concerning the availability of parking.

Commissioner Molzahn addressed his concerns for elevator access. He also noted issues relating to the over-all look of the buildings. Mr. Stanaway addressed in-fill and that they would be using any brick that can be found to match as closely as possible.

Ms. Pat Haight asked how the project was going to be funded. Ms. Haight also inquired about the elevator and handicap access.

Proponent: None.

Opponent: None.

Motion #2 :	Ashby/Parrish to approve the Resolution.
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Commissioner Parrish said that he is in favor of the project, but wished to clarify the parking issue in the C-3 zone. Ms. Mingay said there is no requirement for parking in a C-3 zone. She recommended that Commissioner Parrish contact the Traffic Safety Commission to address his concerns.

Chair Hannum said that the Commission is a design review board, not an architect, to determine whether the new addition is in conformity with the old building.

Commissioner Ashby also questioned whether or not the remodel of the new building is consistent with the historic similarity of the old structure.

Chair Hannum said that the corners are weak and the middle section does not look in conformity with the look of the older building. Mr. Stanaway said the existing building is basically a look of columns. Chair Hannum said that he is not in agreement with the choice of the look as proposed. He noted that the City Council also reviewed and expressed views in what direction they believed the City was going.

Vote on Motion #2:	The motion carried (4 Yes/1 No [Hannum]/2 Absent).
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Motion #3:	Andrews/Molzahn to convey to the Traffic Safety Commission the Commission's concerns about parking plans.
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Vote on Motion #3:	The motion carried (5 Yes/2 Absent).
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Mr. Beam stated that the decision of the Planning Commission is final. All appeals must be filed within 14 days of the hearing.

Chair Hannum called for a break at 8:10 p.m. The meeting reconvened at 8:20 p.m.

QUASI-JUDICIAL PUBLIC HEARING #2

2. **APPLICANT:** Second Street Community Church
 REQUEST: Modification of a conditional use permit application and design review approval for construction of the Armory Annex. The structure will be approximately 3,000 sq. ft. in size.
 LOCATION: 620 N. Morton
 TAX LOT: 3218DC-4300
 FILE NO: CUP-12/DR-127-99
 CRITERIA: NDC 10.30.040 and 10.28.050 **RESOLUTION NO.:** 99-121

Abstentions/ex-parte contact: None.

Objections: None.

Staff Report and Preliminary Staff Recommendation: Ms. Barbara Mingay presented the staff report and recommended adoption. CPRD has requested that both actions be heard at the same time by the Planning Commission.

Proponent: Mr. Jim McMaster, from CPRD, was in the audience to answer any questions which arose.

Opponent: Ms. Pat Haight, 501 E. Illinois, #12, Newberg, Oregon, presented testimony concerning municipalities owning parks and the organization of a park and recreation district. Ms. Haight read from a document involving the City's creation of a park and recreation district. Ms. Haight said that she opposes a church being constructed on public property. The street is already a busy street. She recommended that the Commission consider adjourning the discussion and allow more testimony.

Mr. Jim McMaster, CPRD, said that CPRD is also concerned with the separation of church and state. He said that the process is in compliance with the laws. The Church uses the building on Sundays and pays rent. The owner of the building is CPRD.

Commissioner Parrish asked who was paying for the proposed building? Mr. McMaster said Second Street Church is paying for it. Discussion was held concerning the rental of the facility which is not allowing access by the public. Mr. McMaster reviewed the rental practices of CPRD on their properties. Commissioner Parrish expressed concerns involving parking and on-site circulation (page V-2-19) providing for 98 parking spaces. Discussion was held concerning the letter from Mr. McMaster which relates to not creating a parking congestion situation along Morton Street or the surrounding area. Mr. McMaster said that sometimes the Armory is used for large functions.

Commissioner Ashby asked whether or not CPRD has received complaints from surrounding neighbors concerning noise, loitering, smoking, etc. Mr. McMaster said that all in all, the neighborhood has been very supporting.

Commissioner Molzahn asked about the CPRD's long range plan in offering more space than what the City does not already have.

Chair Hannum said that essentially, the Church is sort of paying their lease payments, the Church is building the structure in advance of leasing the property.

Staff Recommendation: Ms. Mingay said the process is scheduled as a design review and conditions of approval contain restrictions on parking. Staff recommend approval.

Ms. Haight requested a seven (7) day extension for written material.

Hearing Closed.

Commission Deliberation:

Commissioner Parrish said that he thought a seven (7) day extension is common practice, but was unclear. He said he does not have a problem with the application on both requests. He has some reservations on some of the findings on questionable issues which may set a precedent. By approving the conditional modification, the Planning Commission is essentially agreeing to the concept. Commissioner Parrish said that he is not in agreement, and also addressed the traffic study outlined in the staff report. He questioned the report reflecting the 40 trips for peak hours. He also expressed concerns over parking restrictions and who would enforce the process of shuttle bussing people from one location to another. He further noted that he does promote participation, but questions the viability of the process.

Mr. David Beam reviewed the peak hour/trip traffic study. Ms. Mingay said that the Code quotes the standard 40 - standard typical day (the rate is in the Code). The same rate is quoted in the City Hall project.

Ms. Barbara Mingay referenced Code Section 10.28.050(2).

Commissioner Andrews said that he is sensitive to the memo from Cindy Bolek concerning crime prevention and other issues. Ms. Mingay said that the conditions of approval address landscaping and lighting. Commissioner Andrews addressed conditions of approval and other public uses of the facility which creates the same type of parking conditions which are extended to all uses, not just for the Second Street Community Church. Any and all lessees must comply with the requirement for parking in the area. The Traffic Safety Commission could review parking restrictions. Discussion was held concerning adding a new facility for public use which will create traffic concerns in the area. Commissioner Andrews noted in the sublease that the Church will in turn, lease back the property to CPRD. Who's property is it? What financial arrangements have been made?

Commissioner Molzahn said that he is not sure whether the issues raised by Commissioner Andrews concerning lease arrangements are a concern for the Planning Commission. The issue before the Commission is whether it meets the use and design review criteria. He too has a concern for traffic. The parties are attempting to iron out the issues. The Traffic Safety Commission can also address the traffic.

Commissioner Parrish said he disagreed with Commissioner Molzahn's statements. Discussion was held concerning the standard being the same for all uses. He does not believe that the use will be limited to one day a week (solely for the purpose of church services, meetings and church activities). He said he feels that the Commission should be concerned about the specific use.

Commissioner Ashby reviewed the sublease contained in the staff report which defines the uses of the property and CPRD's discretion in allowing other uses for the property. He also supports the proposal with the expansion of all lessees, rather than singling out one user.

Chair Hannum noted that the proposal would not normally come before the Commission, they would not have anything to do with the proposed changes. The question is that the current conditional use permit is not working and that the Commission should modify the proposal to reflect there is a problem with the parking issue.

Commissioner Parrish discussed accurate traffic impact studies. He said the sublease (Exhibit "F") is not complete as presented. Discussion was held concerning the enforcement of parking restrictions and traffic in the area. Commissioner Parrish asked whether or not a staff member from CPRD or the Church would be providing enforcement action. Ms. Mingay said there are several ways to request that the Traffic

Commissioner Andrews said the modification would be adding a new structure. He suggested that all users which require an over-flow parking arrangement (not necessarily directed to the Church) should be treated the same.

Discussion was held concerning provisions for additional written testimony allowed to be submitted within seven (7) days and whether or not the comment period should be left open. Discussion was held concerning a motion to reconsider at a later time based upon allowing information to be presented within the seven (7) day period.

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CPRD is looking at 8-9 phases over a period of 3-4 years. The first phase would be to upgrade the wings and enclose the building in which repairs would need to be made. The building use itself has changed very little from the conditional use which was approved some time ago. The Commission has already reviewed the building and site. He said that on behalf of CPRD, they appreciate the City's ongoing support.

Opponent: Jim Morrison, 717 E. Sheridan Street, Newberg, said he is against the Institutional Designation. This is a public property improvement project, not a private one such as George Fox University. The institutional zoning requirements are not as strict as other areas. The Central School facility is on the historic register and any remodeling must meet the requirements. Discussion was held concerning Type 2 decisions being made by staff.

Opponent: Ms. Kelli Highley, 619 S. River Street, Newberg, reviewed the April 7, 1997, City Council meeting minutes which reviewed the expansion of the institutional designation to allow for community centers. She said that CPRD does not want to have to renew the conditional use permit every year. Ms. Highley reviewed the parking standards and landscaping restrictions which the project would have to provide. Ms. Highley asked if the parking conforms with the overlay, and other things that do not conform with the requirements. Who is going to pay for the \$2750 in uncollected funds/fees? It should be paid regardless of whether or not the matter is approved. Ms. Mingay noted that application fees have been paid.

Discussion was held concerning an Institutional District and Institutional Overlay. Ms. Mingay said the application is for a change of zone only. Discussion was held concerning the standards: Historic Review, Design Review, Type 1 and 2 decisions, anything changing the exterior of the historic structure. The Commission would receive the application for Type 2 approval, and any setback or expansions would require a hearing before the Commission.

Commissioner Parrish reviewed the findings that community centers are designated as outright permitted uses. Ms. Mingay reviewed the definition of community center and that the findings support the use of a community center in an Institutional Zone.

Kathy Kelso, 300 E. Sherman Street, Newberg, asked for clarification of Institutional District and Institutional Overlay. Ms. Mingay reviewed the various uses outlined in the Development Code (sections 10.40.414-418). Ms. Kelso said she lives a block away from the project. She said as a neighborhood, they came to a consensus and addressed many issues, such as parking. As the need for the center became more compatible for the neighborhood, it would be developed. She would like to see what was originally planned for the property be consistent. She cautioned the Planning Commission to be watchful.

Mr. Dwayne Brittell discussed the site and what is planned and what is considered public and private.

TAPE 3 - SIDE 1:

Commissioner Parrish reviewed the wide range of uses and the definition of community center.

Commissioner Ashby reviewed Section 10.50.105 (4) site design standards for Institutional Zones. Ms. Mingay reviewed the standards in relation to historic remodeling guidelines. Discussion was held concerning setbacks (25 feet) which would not allow the buildings be built right up to the cyclone fence.

Staff Recommendation: Ms. Mingay said that following the Commission's discussion and public input, staff recommend approval and referral of the project to the City Council.

Hearing Closed.

Commission Deliberation:

Motion #6:	Ashby/Molzahn to approve the project based on the findings.
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Commissioner Parrish said that he is in favor of the project with hopes that the community center be kept within the future needs goals.

Commissioner Molzahn echoed that the R-2 zone also allows similar uses as the Institutional District. He too would be in favor of the project. Discussion was held concerning the Hancock/Hwy 99W project and the availability of parking. Mr. Beam stated that property across from the library is being considered for additional parking.

Vote on Motion #6:	The motion carried (5 Yes/2 Absent).
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Ms. Mingay noted that the matter would be heard at the City Council meeting on September 7, 1999.

VII. LEGISLATIVE PUBLIC HEARINGS

None.

VII. ITEMS FROM STAFF

1. Update on Council items.

Ms. Mingay reviewed the Council items.

2. Other reports, letters, or correspondence.

Ms. Mingay reviewed the standing rules of the Planning Commission and the upcoming "Planners Training Session" scheduled for August 20, 1999. Ms. Mingay also noted the changes to the Planning Commission roster.

3. Next Planning Commission Meeting:

Discussion was held concerning a request to cancel the September, 1999 meeting.

Motion #7:	Andrews/Molzahn to cancel the September meeting.
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Vote on Motion #3:	The motion carried (5 Yes/2 Absent).
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VIII. ITEMS FROM COMMISSIONERS

None.

IX. ADJOURNMENT

The meeting was adjourned at approximately 10:30 p.m.

Passed by the Planning Commission of the City of Newberg this 14th day of October, 1999.

AYES: 5 yes NO: 0 ABSTAIN: 1 (list names) Haug ABSENT: 1 Ashby

ATTEST:

Barton Brierley Planning Commission Recording Secretary Signature Barton Brierley Print Name 10-15-99 Date

**INFORMATION RECEIVED INTO THE RECORD
AT THE AUGUST 12, 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 #

None

LABELS FROM THE 8/12/99
PLANNING COMMISSION MEETING
FROM THOSE WHO GAVE PUBLIC
TESTIMONY/REGISTRATION CARD

Z-15-99
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Newberg, Oregon 97132

Z-15-99
Kelli Highley
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Z-15-99
Pat Haight
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Z-15-99
Jim Morrison
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