

PLANNING COMMISSION MINUTES
Newberg Public Safety Building - Newberg, Oregon
THURSDAY, MAY 11, 2000, AT 7 P.M.

Approved at the July 13, 2000, Planning Commission Meeting

I. PLANNING COMMISSION ROLL CALL

Planning Commission Members Present:

Matson Haug Warren Parrish
Bart Rierson Lon Wall, Chair
vacant position (Andrews)
absent (Steve Hannum, Rob Molzahn)

Staff Present:

Barton Brierley, City Planner
Barbara Mingay, Planning Technician
Norma Alley, Recording Secretary

II. OPEN MEETING

Chair Wall opened the meeting at 7:01 p.m. He announced the procedure of testimony. Citizens must fill out a public comment registration form to speak at the meeting.

III. COMMUNICATIONS FROM THE FLOOR (five minute maximum per person)

None

IV. QUASI-JUDICIAL PUBLIC HEARINGS

1. **APPLICANT:** Mike Spray
REQUEST: Conditional Use Permit approval for construction of an accessory dwelling unit in an R-1 Zone.
LOCATION: 712 Dayton Avenue
TAX LOT: 3219DB-4603
FILE NO.: CUP-13-00
CRITERIA: 10.30.040, 10.52.222
- RESOLUTION NO.:** 2000-127

OPEN FOR PUBLIC HEARING:

Chair Wall 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:

Barb Mingay presented the staff report and that staff recommended adoption of Resolution No. 2000-127, approving the Conditional Use Permit for construction of an accessory dwelling unit in an R-1 Zone. Staff recommended removal of the condition at the end of the proposal requiring replacement of the sidewalk.

Commissioner Haug asked for clarification on the set up of the house.

Barb Mingay said the area in question the driveway.

Commissioner Haug asked if the proposed area of construction was between the garage and house.

Barb Mingay replied it was.

Commissioner Haug asked if it is the public sidewalk on Dayton Avenue that staff requested not be developed at this time.

Barb Mingay said that is correct.

Commissioner Haug asked what the condition is for bringing the sidewalk up to code.

Barb Mingay said if the sidewalk was replaced to current code it would not match the sidewalk adjacent to it. At this time it will not be replaced.

Proponent:

Mr. Mike Spray, 712 Dayton Ave., Newberg, indicated he was available to answer any questions the Commission may have.

Commissioner Haug asked how much taller the accessory building was as compared to the house.

Mr. Spray said one foot taller.

Commissioner Haug asked if the intention was to match the architectural style.

Mr. Spray said yes.

Opponent:

None

Staff Recommendation: to adopt Resolution No. 2000-127 with the exception of the sidewalk requirement.

Hearing Closed.

Commission Deliberation:

Motion #1 :	Haug/Rierson - to approve Resolution No. 2000-127 with exception of the last condition.
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Vote on Motion #1:	The motion carried (4 yes/2 absent [Hannum/Molzahn]).
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QUASI-JUDICIAL PUBLIC HEARING #2

2. **APPLICANT:** Genesis Newberg, LLC
 REQUEST: Remodel of Avamere Assisted Living Facility for Alzheimer's care and conversion of studios into one bedroom units.
 LOCATION: 730 Foothills Drive
 TAX LOT: 3207DA-105
 FILE NO.: PUD-6-00
 CRITERIA: 10.32.030, 10.28.050(2)

RESOLUTION NO.: 2000-128

Abstentions/ex-parte contact:

Commissioner Haug reported that he visited the site.

Chair Wall reported that he visited the site.

Objections:

None

Staff Report and Preliminary Staff Recommendation: **Barb Mingay** presented the staff report and recommended adoption of Resolution No. 2000-128, approving the remodel of Avamere Assisted Living Facility for Alzheimer's care and conversion of studios into one bedroom units.

Commissioner Haug asked what the visual changes would be from College Street looking in.

Barb Mingay said people would notice it from the right hand side approached from the corner.

Commissioner Haug asked if the applicant was going to put a protection fence on Quail Drive.

Barb Mingay said a small portion of the fence will be on College Street and then lead onto Quail Drive.

Chair Wall asked for clarification on proposed parcels one and two.

Barb Mingay said the designations referred to a future proposed partition of the site.

Commissioner Haug asked if the field between the unit and building two would remain an open field.

Barb Mingay said to date, that is to remain the same.

Commissioner Haug asked if there were any changes on the corner of Burlington Drive.

Barb Mingay said no.

Proponent:

Mr. Doug Campbell, Avamere Development, PO Box 6059, Portland, Oregon, 97201, said they are proposing an Alzheimer wing. The rooms are reduced in the proposal from 12 to 11 studios on this floor. There will be an entrance in the back for the courtyard, which Avamere believed to be a great improvement. In terms of use, the new facility would provide a different level of care. The difference would be, a few more care givers, special programs, and activities to deal with dementia. It would be a care facility where residents could leave the facility when they want, but they must be accompanied by

staff or family members. The residences would have their own room, bathroom, and living space. More common space and a small dining area would be provided. When the remodel is completed you would not notice many differences.

Commissioner Parrish asked for clarification and definitions on the internal security measures.

Mr. Peter Sucher, Director of Operations for Avamere, said the interior would have an electrical keypad with a code to release the lock.

Commissioner Parrish asked on how many doors.

Mr. Sucher said three, and all would have the security pad.

Commissioner Parrish asked if the selection of fences were considered professional security fencing.

Mr. Sucher said yes.

Commissioner Rierson asked how people would get out in case of a fire.

Mr. Sucher said the staff ratio is based on safety for fire evacuation. Meaning, when the fire alarm goes off, staff could escort the residences out easily. The codes are automatically disabled when the fire alarm goes off.

Commissioner Parrish asked what is the ratio.

Mr. Sucher said 1:6.

Chair Wall asked why the commercial area is vacant.

Mr. Campbell said there has been discussion on a potential child care center in the commercial area.

Chair Wall asked if the owners were concerned that it is vacant.

Mr. Campbell said yes. We deal with it at every meeting. We are also looking at a coffee shop or a deli and expect it to fill up in the next three to six months.

Commissioner Haug asked how many other units like this the owners have.

Mr. Sucher said this is currently our third. The other two are under assisted living design.

Commissioner Parrish asked which style of fencing has been chosen.

Mr. Campbell said the Norfolk with lattice accent at six feet.

Commissioner Haug asked if they were using that style anywhere else.

Mr. Sucher said they used the same fencing materials but used Norfolk 1 at another facility.

Mr. Mike McLaughlin, Intern Architect, 8825 NW. Wood, Portland, Oregon, 97231, gave the report on the exterior design. He showed the Commission what the building would look like on the exterior.

Commissioner Rierson asked if there would be any patients from the other areas moving into this facility and if the residences not in this facility were free to go into this wing.

Mr. Sucher said they will have to be escorted and use the escort access code number.

Chair Wall asked how many other facilities were like this in Newberg.

Mr. Sucher said Chehalem Care Center has an Alzheimer facility with different licensing requirements.

Barb Mingay asked if the external door was locked from the outside.

Mr. McLaughlin said yes.

Opponent:

None

Staff Recommendation: Staff recommended to approve Resolution No. 2000-128.

Hearing Closed.

Commission Deliberation:

Motion #2:	Haug/Rierson - to approve Resolution No. 2000-128.
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Commissioner Parrish said he did not have trouble with the concept, but had concerns that the Commission ensure internal and external security.

Motion #3:	Parrish - to amend Resolution No. 2000-128 conditions of approval to add item six, to include a security system having a keypad on all doors for the first floor of the building, and to add item seven, to state the exterior fence in the courtyard be eight (8) feet tall and of professional security construction. Failed for lack of second.
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Commissioner Rierson said he did not share the same concern.

Motion #4:	Haug/Rierson - change the conditions of approval previously proposed to require a minimum of a six foot tall fence.
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Motion #5:	Rierson - to re-open the hearing to obtain fence information from applicant.
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Vote on Motion #5:	The motion carried. (4 yes/2 absent [Hannum/Molzahn]).
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Mr. Sucher said when the residents are in the court yard they are monitored by staff, and there is a full time activities staff to keep the residents busy.

Chair Wall asked if there was any objection to raise the fence to eight (8) feet.

Mr. Sucher said he thought it would take away from the neighborhood. The neighbors use a six (6) foot fence so this would be uniform. The state has tight guidelines and if they had found six (6) feet inadequate they would have made changes previously. An eight (8) foot fence might make the residents feel closed in.

Commissioner Rierson said an eight (8) foot fence might be more of a prison environment rather than a home environment.

Chair Wall closed the hearing.

Commissioner Haug said he was comfortable with the six (6) foot height.

Commissioner Parrish said he would be comfortable with the six (6) feet.

Vote on Motion #4:	The motion carried (4 yes/2 absent [Hannum/Molzahn])
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Chair Wall said did not have any objections to a living facility there but was concerned that this application might be subject to changes down the road.

Vote on Motion #2:	The motion carried (4 yes/2 absent [Hannum/Molzahn]).
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Chair Wall called for a break at 8:23 p.m. The meeting reconvened at 8:27 p.m.

V. TOPIC: MISCELLANEOUS CODE AMENDMENTS (G-53-99)

1. Limited Use Overlay/Development Agreements
2. Lighting

Commissioner Parrish recommended to discuss these when more members of the Commission were present.

Chair Wall announced that this is a preliminary recommendation and the Commission is not deciding anything.

Mr. Roger Grahn, 23287 LaSalle, Sherwood, Oregon, 97140, asked what the intentions were of the Commission.

Commissioner Parrish said in the past there have been occasions where the Commission made approvals on applications that had issues we could not be specific on due to the way the Development Code is worded. This would give the developer and the Commission the chance to be specific with the application.

Mr. Grahn said he was more concerned with the development agreement.

Commissioner Haug said the development agreement would be used as a tool for someone who would like to come up with a zoning that is not specific to their application. They could propose an alternate use for that parcel. The intent is to give flexibility to the Commission.

Chair Wall said the development agreement benefits the applicant as well as the Commission. It must be applied for and has limitations.

Mr. Grahn asked what vehicle for flexible variance procedures would be used.

Barton Brierley said this would be used more on zone changes.

Mr. Grahn asked if it would be used for projects where the City was participating financially.

Barton Brierley said it could be.

Chair Wall said the intent is for it to apply to small zone changes.

Commissioner Parrish asked staff to look into the Mike McBride application as to why he did not follow his agreement.

Commissioner Haug asked if the Council modified the proposal.

Motion #6:	Haug/Rierson - for staff to include lighting and limited use overlays into the initiation Resolution for code changes.
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Vote on Motion #6:	The motion carried (4 yes/2 absent [Hannum/Molzahn]).
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Commissioner Parrish exited the meeting.

Barton Brierley said staff would look into the McBride application. At the hearing Council adopted the zone change only. This may be a difficult problem to resolve.

Barb Mingay said the application Mr. McBride submitted is not issued yet.

Barton Brierley said he thought this is a case of a person not fully understanding the process.

VI. ITEMS FROM STAFF

1. Update on Council items

Barton Brierley said SP Newsprint is proposing a major retooling of their plant. They came to the Council asking for general support for bonds.

Commissioner Haug asked if there would be more employment opportunities.

Barton Brierley said they did not indicate that.

Barton Brierley said the asphalt plant was the next issue Council dealt with. Council held one Public Hearing in April and moved to continue the hearing on Monday, May 15, 2000. Also, Monday night they would consider an appointment to the Planning Commission, considering an appeal of a sign violation and decide on applying for a grant to build a road between Villa Road and College Street.

2. Other reports, letters, or correspondence

Barton Brierley said we have been working with the owner of the Loren Berg property. He is moving onto Portland Road. Staff is trying to make the building a public beneficial use. Each year the City recognizes one outstanding employee with the George Layman Award. He announced that Barb Mingay was the recipient this year.

Barb Mingay announced that there will be four houses moved through town on Saturday and Oak Knoll 10, Phase 1 has been approved.

3. Next Planning Commission Meeting: June 8, 2000.

VII. ITEMS FROM COMMISSIONERS

VIII. ADJOURNMENT

The meeting was adjourned at approximately 8:27 p.m.

Passed by the Planning Commission of the City of Newberg this 13th day of July, 2000.

AYES: 5

NO:

ABSTAIN:
(list names)

ABSENT:
(list names)

Rob Molzahn 2
Warren Parrish

ATTEST:

Norma I. Alley
Planning Commission Recording Secretary Signature

Norma I. Alley
Print Name

July 13, 2000
Date

**INFORMATION RECEIVED INTO THE RECORD
AT THE MAY 11, 2000, 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 5/11/00
PLANNING COMMISSION MEETING
FROM THOSE WHO GAVE PUBLIC
TESTIMONY/REGISTRATION CARD

Mr. Peter Sucher, PUD-6-00
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