

PLANNING COMMISSION MINUTES
Newberg Public Safety Building - Newberg, Oregon
THURSDAY, SEPTEMBER 13, 2001 AT 7 P.M.

Approved at the October 11, 2001 Planning Commission Meeting

I. PLANNING COMMISSION ROLL CALL

Planning Commission Members Present:

Steve Hannum	Matson Haug	Louis Larson
Warren Parrish	Bart Rierson, Chair	Vacant position (formerly Molzahn)

Absent: Lon Wall

Staff Present:

Barton Brierley, City Planner
David Beam, Economic Development Coordinator/Planner
Peggy Hall, Recording Secretary

II. OPEN MEETING

Chair Rierson 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 August 9, 2001, Planning Commission Minutes.

The Commission noted changes to pages 1 and 4 as referenced:

- Page 1: Commissioner Haug was absent at the meeting. He was listed as being present.
- Page 4: Commissioner Parrish was "elected" to the School Board, not nominated.

Recording Secretary Peggy Hall noted the corrections for the record.

Motion #1:	Haug/Larson voted to approve the consent calendar items, approving the minutes of the Planning Commission Meeting.
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Vote on Motion #1:	The Motion carried (5 Yes/1 Absent [Wall]/1 Vacant).
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IV. COMMUNICATIONS FROM THE FLOOR (five minute maximum per person)

None.

V. LEGISLATIVE PUBLIC HEARINGS

Commissioner Parrish noted that he talked with City Attorney Terrence D. Mahr who advised him that he could participate in the discussion and vote because Commissioner Parrish's position on the Newberg School District is a non-compensated position and no financial conflict of interest exists.

Continued from the August 9, 2001 Meeting. Chair Rierson read required statements contained in ORS 197 into the record.

1.	APPLICANT: City of Newberg	
	REQUEST: Adopt Newberg Riverfront Master Plan	
	FILE NO.: GR-20-99	RESOLUTION NO.: 2001-144
	CRITERIA: Newberg Development Code 10.20.030	

Jack Kriz, 9455 NE Glen Hollow, Newberg, Oregon, reviewed his letter previously sent to the Commission. He said the Commission needed to re-emphasize the importance of the riverfront as a natural resource. He said it was important to provide design standards in connection with the bypass. The bypass located in other locations other than the riverfront would probably impact residential and agricultural lands, etc. Mr. Kriz emphasized the importance of the riverfront to be foremost and supportive language should be added to accommodate the bypass issues. His letter also addressed policy issues. He said he buys off on the plan's proposed uses for the riverfront, it would be more valuable than what it is presently being done. Other riverfronts have been successfully developed. He addressed natural resources, air and surface qualities which should be considered in finalizing the riverfront area. He noted, however, that the existing language does not provide sufficient flexibility in accommodating many aspects of the development. Mr. Kriz addressed the concerns of LCDC involving the design standards and the esplanade concept. The esplanade has some extensive costs attached to it which may be prohibitive to the development.

Mr. Kriz said that ODOT has also considered the northern bypass route due to fish habitat and other related issues on the proposed southern route. The riverfront plan has to be compatible with ODOT's plans for the bypass.

Commissioner Parrish thanked Mr. Kriz for his thoroughness. Commissioner Parrish discussed building height limitations and its appeal to the surrounding area. Discussion was held concerning exceptions to the development plan. Mr. Kriz noted that additional language could be added to better define public benefit, not just building structures. Mr. Kriz said there needs to be a "wrap" of these conditions to promote a better aesthetic development. Discussion was held concerning the esplanade concept and how the layout of the development would be in connection with such esplanade activity (pedestrian and bicycle traffic). Discussion was held concerning various options involving parking, restaurant outside seating, park property designations, and public space.

Chair Rierson and **Jack Kriz** addressed bypass issues involving below grade access or at-grade pedestrian access (similar to PSU and Hwy 405 in downtown Portland). Further discussion was held concerning Blaine, River, and College Streets being vehicular, pedestrian and bicycle routes giving more connectivity to the city. Mr. Kriz said that he believed security issues could possibly be met involving the access through the Renne School property.

Chair Rierson addressed security issues and whether the access could be done successfully.

Mr. Kriz said that there must be some enclosure around public facilities, including school property and athletic fields.

Commissioner Haug addressed the Development Code and Comprehensive Plan dealing with open

spaces which encouraged that the school and park space be an enlarged and con-joined space. Discussion was held concerning amending the Development Code and Comprehensive Plan which would better define and separate the concepts contained in the Code and Plan.

Mr. Kriz felt that the Chehalem Valley Middle School and Senior Center joined together proved that the joint facilities concept worked.

Commissioner Hannum noted how the Harborside development along the downtown Portland/Willamette River esplanade has worked. Mr. Kriz said that the Newberg riverfront does not meet the same economic viability that the Harborside development contains. He said he does not believe Newberg can viably support that type of development. Mr. Kriz noted that in the San Francisco bay area near ferry docks, they have a road that goes into where the ferry is located which contains some businesses and access points perpendicular to the riverfront.

Opponents:

Paul Frankenger, Director of Plant Services, Newberg School District, 25125 Skyline Road, Amity, said that the BOORA Architect letter which was attached to his letter should be added to the record, apparently it was not attached (enclosure #1). Mr. Frankenger said the letter from BOORA Architects identified some additional language revisions. The Newberg School District is opposed to the riverfront's plans proposed pedestrian path through the school site. Discussion was held concerning security issues, child custody and non-custodial parent issues, illegal access onto Newberg School District property, etc. He said the Renne site is too small. A middle school should be at least 38 acres and the current site is less than that. Mr. Frankenger addressed the jointly used facilities (kitchen, play areas, parking, etc.). Without joint facilities due to the proposed paths, there would be long term increased costs to the District regarding personnel and maintenance. He noted that if the property was divided, it may be that the portion that was left would be too small. They would be giving up developed streets on both sides, baseball field, track and losing a community asset. Discussion was held concerning funding for another school location. Mr. Frankenger hoped that the Commission again review the information presented and not allow the proposed path to go through the school site.

Chair Rierson addressed the School District property being made available for access to and from the downtown/riverfront areas (playground areas, pedestrian walkways, etc.). Further discussion was held concerning accessibility and not restricting the property after school hours and on the weekends. Mr. Frankenger said that if the property was divided, it would make the property unusable.

Commissioner Haug said that what is lacking in the argument in the materials were maps which would illustrate the arguments made. He does not see a clear illustration of the property lines and how they intersect and over-lap and do not provide for alternative solutions. The problems are not appropriately documented by the School District in a clear diagram so it can be illustrated to the City Council. He said he understood the School District's argument but it needs to be strengthened in order to resolve the problems outlined. He asked Mr. Frankenger to bring forth some illustrations and documentation in order to provide alternatives. Mr. Frankenger said the District does not have a site plan because it would incur considerable costs through the employment of professionals such as architects. Commissioner Haug asked that the School District work with the City in providing more viable solutions and be proactive with solutions.

Mr. Frankenger said it cannot be resolved because the riverfront project essentially divides the School District property. Discussion was held concerning Meridian Street and Blaine Street access alternatives.

Tape 1 - Side 2:

Commissioner Parrish addressed connectivity and how the College Street route does not work for the School District and that the City should consider alternative routes (Meridian and Blaine Streets). Mr. Frankenberger said the School District was concerned about a pedestrian walkway through the School property.

Doug Corder, School District Board member, 413 S. Willamette, Newberg, Oregon, said the riverfront plan was developed by the City and that the School District was not asked to participate in its development. The School District is already planning to provide portable units at Edwards. Mr. Corder addressed the concept of other areas in the city where it was not appropriate to allow walk-ways through private property (i.e., Adec, some City buildings, etc.). Discussion was held concerning College Street, connectivity to the City Library, City Hall, the downtown core area and the riverfront. Mr. Corder said the School District has reduced its budget by \$1.5 million. Mr. Corder said the School District was not involved in the planning decisions of the riverfront project. Mr. Corder said that the Renne school property was a viable, valuable piece of the School District's property and plans for expansion.

Commissioner Parrish discussed the amendments to the riverfront plan dealing with connectivity and the College Street access. Discussion was held concerning whether or not the School District staff members were notified of the changes.

Commissioner Haug said he took exception to the comments made by the Commission members and the School District in working out solutions to the problems. Commissioner Haug said that it is important that there is a working relationship with City staff and the School District to arrive at an appropriate solution. Mr. Corder said that the School District was not included in the riverfront development process.

Commissioner Wall arrived at the meeting at 8:00 p.m.

Mr. Barton Brierley said City staff notified the School District staff and has kept them abreast of what was being proposed and they had representatives at each of the public forums. City staff sends out notices to the School District in most developments, if not all developments. City staff talked with the School personnel about the issues that were raised at the public forums. There has been a lot of communication back and forth. It appears that not all the School Board members were aware of the conversations from the beginning of the process to today, but it may be a communication issue with the School District.

Chair Rierson said he was in attendance at the public workshops to develop the plan which addressed the connectivity issue. The School Board members have been in contact with the City and have expressed concerns about the division of the property. Chair Rierson said that security at the schools must be paramount. He would like to see a compromise with the City and the School District.

Commissioner Parrish asked which City staff members talked with the School District concerning the amendments. Mr. Brierley said he talked with Paul Frankenberger.

Barton Brierley said that Mr. Frankenberger expressed the same concerns and the City is willing to work together. Discussion was held concerning alternative designs which would resolve the School District's concerns.

Chair Rierson said that the connectivity to the riverfront is through the school site. He does not see an ideal connectivity proposal at this time.

Linda Ploof, 1201 E. First Street, Newberg, a recess duty person for the School District, said the safety and security of the playground/school property areas were a major concern. She said she was from a

military background and that safety issues are a concern to her. She felt the division of the school site would be a major disaster and that there was already a problem with the existing path. She felt there should be an alternative route around the school site instead of through it.

Dr. Paula Radich, Newberg School District, 1401 N. Springbrook Road, Newberg, said she was disturbed with the conversations of the evening and noted the following:

- Site adequacy is not sufficient and it was unfair to the taxpayers to make the site not viable for a school site and force the School District to relocate;
- Concern that the District was not willing to work with the City in alternative routes (such as Blaine or Meridian). Her concern is that no option has been presented with the exception of the bisection of the school district property. Blaine Street includes some School District property. She requested that the site not be bisected. Discussion was held concerning the early morning and after school programs and that Edwards School was a neighborhood school.

Dr. Radich said that the School District will work with the City in arriving at alternative routes.

Chair Rierson addressed the connectivity of the facilities already using Blaine and River Streets, but the riverfront development itself requires a supplemental route.

Commissioner Parrish said that what concerned him was that the School District property was public property as opposed to private property ownership. Would the City place a path through private property?

Dr. Radich said she has not heard any options but the School District is not willing to bisect the property down College Street. She said the riverfront master plan was a good idea, but felt the City and the School District needed to arrive at a mutual understanding and provide alternatives.

Discussion was held concerning not continuing deliberation at this time. **Chair Rierson** said that he would save his comments for the Commission deliberation.

Commissioner Wall said Chair Rierson could state his comments if he so desired. Chair Rierson said he would reserve his comments to the deliberation period.

Commissioner Hannum said that in looking at the existing infrastructure with Blaine, College and River Streets being the connectors to the riverfront, with no other options to the north. However, in looking downtown there are a wide range of streets; River, Center, Meridian, and College Streets, etc. Maybe what should be considered in public access to the riverfront, should be in terms of a reverse delta, and think about access to the riverfront, whereby we encourage people to come in a wide range of fingerlings and eventually south of the Edwards site and begin to flow off into three paths. Instead of putting together the idea of three connections to the north, there are a wide range of options to the south which would then close around the island of Edwards school to get into the three access points of the riverfront area. He said that consequently, as we think about access via bicycles and walking, you pay attention to the environment that we may develop.

Commissioner Parrish addressed closing public testimony. Discussion was held concerning leaving the public testimony portion open for the evening and state intentions for acceptance at a future time and how the Commission should not enter into formal deliberation until the public hearing was closed.

Jack Kriz said that it was unfortunate that the School District property and the riverfront access issue could not be resolved and that he too was worried about security. He agreed with the comments that perhaps the two bodies (City and School District) can work together, provide a map and plan for the new school site with

solutions to the playground, athletic fields and joint facilities. He said the viability of the College Street path (pedestrian access) was unclear. He agreed with Dr. Radich in that a working session was in order between the School District and lay out what the School District needed in relation to the riverfront plan. He was not convinced that the work sessions would be successful. Further discussion was held concerning open field access on the school property. Additional discussion was held concerning on-site/on-street parking. Howard Street was developing as an activity area (Library, Memorial Park, etc.) which could be a strong connection to the City. He said that it was true that the school hours were more than 8:00 a.m. to 3:30 p.m. The school hours will be increased due to before and after school hour programs.

Commissioner Wall asked Mr. Kriz if he understood why the path was an issue at all? Why can't people go around the school? Mr. Kriz said that the vision was that the riverfront should not be an isolated area. Like with the Old Fashioned Festival going from Memorial Park to the location where the carnival rides were, where people view the fireworks. Discussion was held concerning the level of difficulty to get to the location.

Commissioner Wall asked if the riverfront development was so important that the bisecting of the School District property was required?

Mr. Kriz said that in his approach, it was not that important, but was explorable.

Commissioner Parrish said that he sees the problem was a lack of respect. Discussion was held concerning private vs. public ownership and the ability of the City to divide property (intrusion on property without the consent of the property owners). Commissioner Parrish said that if it was turned around, the City would not allow it. Discussion was held concerning safety concerns rather than development growth for the City.

Tape 2 - Side 1:

Commissioner Parrish addressed undue hardship for the children and the School District if the School District property was bisected.

Mr. Kriz said that the issue has become a big point and that the School District and the City should try and resolve the issue. Mr. Kriz said there are alternatives that could be worked out.

Commissioner Parrish said he had to leave the meeting.

Mr. Paul Frankenberger addressed his comments and questioned whether not having a path through the school site would be a burden to the City's vision for the riverfront development.

Motion #2:	Wall/Haug to close public testimony for the evening but to continue the hearing at the October 11, 2001 Planning Commission meeting.
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Vote on Motion #2:	The motion carried (5 Yes/1 Absent [Parrish]/1 Vacant).
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Commissioner Haug asked staff to provide maps and alternatives based on the information presented. Mr. Brierley said that staff can develop general concept mapping. Commissioner Haug asked for an alternative proposal which would exclude the proposed route and come up with other choices.

Commissioner Wall said that he does not want to make assumptions which may or may not be correct. For the point of reference, was it staff's opinion that this route was of importance to the riverfront project?

Mr. Brierley said it was the riverfront master plan that was of importance. Discussion was held concerning working with the School District and arriving at mutual considerations. Mr. Brierley said the language proposed as an amendment (**Exhibit A - pg 22 of the packet**) was what staff recommended as alternative language. Discussion was held concerning conceptual and future plans and whether or not the pedestrian/bicycle path is necessary to go through the School District property.

Commissioner Larson addressed attempts to resolve the problems at the meeting. The School District represents the citizens of the City. He addressed whether the pathway should be through a proposed school project (not right now on the drawing board), and that the riverfront area was also far down the road. Discussion was held concerning working with the School District to arrive at conceptual plans which would help the City get through the problems and provide recommendations outside the Commission hearing process and then come back to the Commission with possible alternatives.

Chair Rierson said that the School District bisection appeared to be the main bone of contention relating to the riverfront plan. Everyone thinks that as a whole, the riverfront plan was a good idea but will be about ten years out. At the same time, it was important to have a plan, because without a plan, it sometimes does not come to fruition.

Commissioner Larson said that the matter should be reserved for future deliberation and discussion.

Commissioner Haug addressed transportation issues and the comments made by Mr. Kriz on how it pertains to the bypass. Commissioner Haug said that in the Development Code, the City needs to be explicit in requiring restrictions for the riverfront bypass area which could require a below grade southern bypass route providing for sufficient access and other pedestrian/bicycle crossing; and further guaranteeing the viability of the riverfront area. Discussion was held concerning placing mandatory requirements which protects the surrounding property and property owners.

Commissioner Wall made the following general comment: he has become more and more uneasy about what was going on within the City of Newberg. He referenced the building of alternative transportation routes, not necessarily a bypass. He discussed downtown redevelopment and riverfront master plans and the urban redevelopment plan. He said there was nothing wrong with these concepts or visions, but he questioned whose visions were they? Commissioner Wall also asked why the City should not step back and take a breath and view what impacts each of these projects will have on the City, individually and collectively. He questioned why these projects were coming forth in an attempt to remake the entire community as quickly as possible and that he could not understand the urgency. He said he originally supported the downtown plan and things have been going on with public hearings and what has transpired. He was concerned and worried about the fact that all of a sudden, there was an incredible energy to remake this entire community and where it was coming from. The devil was in the details.

Commissioner Haug said that on the riverfront project, he asked Commissioner Wall if he would support language to strengthen the Development Code which would attempt to guarantee that any future southern bypass and would not destroy the riverfront project.

Commissioner Wall said that ordinarily, it made perfect sense, but in viewing the current bypass debate, it will make it virtually impossible to develop the bypass at the southern route in his opinion. Discussion was held concerning development of an underground route.

Discussion was held concerning creating in the Code, working rules and ordinances to help guarantee that we can preserve and enhance the riverfront area. If protections are not placed when the bypass goes

through, it could eliminate the project's viability. Discussion was held concerning the two uses (bypass and riverfront) may not be compatible and that unless restrictions are instituted, the riverfront project will not work. The Commission should deliberate and provide findings of fact that unless there is below grade access, the riverfront will not work.

Commissioner Wall said that he heard that it was important that adequate grade level access was provided. Commissioner Wall said that if unrealistic restrictions are placed, it could cause problems for the riverfront area as well as the bypass. Discussion was held concerning making the vision of the riverfront to have easy accessibility and capture the vision of what would work.

Discussion was held concerning requiring below grade requirements and routing traffic down Second Street. Commissioner Wall said if we do not look at the ramification of all projects, we will create more problems than we will solve. He said that if, after going through all the changes, there will be a southern route of some sort, the trucks will be going through somewhere.

Commissioner Haug addressed the proposed riverfront development in terms of usability, livability, and viability of the project. Discussion was held concerning evaluating and accessibility and developing the property for the benefit of the community with the construction of a below grade southern route in the form of ordinance language. Discussion was held concerning at-grade routes vs. below grade access and the impact on the business community.

Commissioner Larson stated that he agreed that the City was attempting to do too much: downtown redevelopment, urban development and the riverfront master plan. He said we are going to have a riverfront plan, but he would like to see that we get along and move ahead with it. We need to realize that we cannot do all the projects scheduled to be done within the same time frame. He said the City has the downtown plan, the riverfront plan, the urban renewal district and the bypass. Commissioner Larson said that he has heard that the City has been talking about a bypass since 1939 and felt that the City needed to get away from the illusion of the bypass.

Tape 2 - Side 2:

Commissioner Larson discussed what Newberg wanted to attract: new business, recreational and economic viability. Newberg does not have anything to attract legitimate business. In terms of eye appearance, on any route, the City was not particularly attractive at all. He said we should concentrate on enhancement and the promotion of the City, its streets and surrounding areas. His vision was to do small things and the big things would become easier to do. For the schools to expand and get the funding that was needed, they need to get the consensus of the citizens. Discussion was held on what was important which comes down to the basic thing: do we feel better about the City, services, and the beautification of the City (tree program). He said that these types of things were easy things to do. His vision was that if the City did the simple things first, we can see and appreciate them which would make the larger things appear to be done easier.

Commissioner Haug said that he has addressed the tree program with the City Council on numerous occasions and the livability of the city.

Commissioner Haug asked that staff review Jack Kriz' recommendations as outlined in his letter and capture them in proposed plan language and then present them to the Commission as choices. He said that these recommendations could help strengthening design standards, etc. and augment what we already have. Mr. Brierley said staff would be working with the School District and Mr. Kriz.

Chair Rierson appreciated the comments made about the augmentation of the projects and comments suggested by the Commissioners.

Commissioner Wall said we seem to have the energy, the resolve, the direction, etc. to do all these grand plans, but yet the City can't fund firemen in the substation, no money for the senior bus serves and no funds to keep the Library open. He did not see how we can come up with grand plans without being able to fund and take care of the things we should be taking care of.

Commissioner Haug said he would like to see a list of things that could be done to improve the City for the interim. He felt there were fundamental problems which need to be corrected before proceeding with other projects.

Commissioner Larson said he observed problems of other communities and offered recommendations in how the City could improve the City's viability and provide for visual growth. He further discussed the City's livability and partnership with the School District as a vital aspect of the success of the community. He said that the simple things got done and the voters saw some progress. Discussion was held concerning the proposed funding for the purchase of the property for the asphalt plant last year, which was defeated at an earlier election.

VII. ITEMS FROM STAFF

1. Update on Council items. Mr. Brierley presented the following update:

- The Council considered the proposal for interim streets with limitations and decided to deny the amendment. The Council considered the fact that the existing Code had adequate safeguards and they did not want to give a veto power to a neighbor on a particular development. They felt that the decision making power and resolution should be through regular city processes. Mr. Brierley said that it was staff's recommendation to City Council to concur with the Planning Commission. Discussion was held concerning requiring setback distances.
- Kevin Walling, Planning Department intern introduced himself. He said that he worked with the Planning Department of the City of Tigard dealing with annexations. He graduated from law school last year and most recently worked as a lobbyist with the State legislature.

Commissioner Haug asked what his interests were as a lobbyist. Mr. Walling said it was special districts involving the endangered species acts and special laws relating to municipal water permits.

Mr. Brierley said Mr. Walling has been doing research for the Planning Department.

- The appeal on the Mustard Seed application and the historic designation of the site to the City Council.
 - On September 18, 2001, a public transportation task force meeting was scheduled for the Armory building to talk about a list of projects they would like to move forward to help resolve the transportation issues of the community. Commissioner Haug addressed follow-up meetings on the transportation task force and neighborhood meetings.
 - On Wednesday, September 19, 2001, a public meeting on the proposed urban renewal district, at 7:00 p.m. and the Commission was encouraged to attend.
2. Other reports, letters, or correspondence
3. Next Planning Commission Meeting: October 11, 2001

VIII. ITEMS FROM COMMISSIONERS

Commissioner Wall asked about the Newberg Graphic article relating to the Mustard Seed Farm and how the article portrayed that the applicant was concerned that there was not going to be any historic preservation on the site. Discussion was held concerning how the article also represented that the Planning Commission wanted to remove the historic preservation of the property. Discussion was held concerning the letter to the editor written by John Bridges. Commissioner Wall said that he will attend the City Council hearing and state the intention of the Planning Commission. Discussion was held concerning appointing Lon Wall to represent the Commission and state the Commission's position at the City Council meeting. The City Council hearing will be a record hearing and no new testimony will be presented.

IX. ADJOURNMENT

The meeting was adjourned at approximately 10:07 p.m.

Passed by the Planning Commission of the City of Newberg this 11th day of October, 2001.

AYES: 6

NO: 0

ABSTAIN: 0
(list names)

ABSENT: 0

Uncont
1
(Molzahn)

ATTEST:

Peggy Hall
Planning Commission Recording Secretary Signature

Peggy Hall 10-11-01
Print Name Date

**INFORMATION RECEIVED INTO THE RECORD
AT THE SEPTEMBER 13, 2001 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 9/13/01
PLANNING COMMISSION
MEETING FROM THOSE WHO
GAVE PUBLIC TESTIMONY/
REGISTRATION CARD

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

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