

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

Approved at the January 10, 2002 Planning Commission Meeting

I. OATH OF NEW PLANNING COMMISSIONER

1. Oath of Nick Tri

Commission member Nick Tri was not in attendance and the oath of office was not performed.

II. PLANNING COMMISSION ROLL CALL

Planning Commission Members Present:

Steve Hannum Matson Haug
Louis Larson Warren Parrish
Lon Wall, Vice Chair

Absent: Bart Rierson, Chair
 Nick Tri

Staff Present:

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

III. OPEN MEETING

Vice Chair Wall 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.

Mr. Brierley said that Mr. Nick Tri had a death in the family and would not be attending. Chair Rierson is out ill.

IV. CONSENT CALENDAR(items are considered routine and are not discussed unless requested by the commissioners)

1. Approval of November 8, 2001 Planning Commission Meeting Minutes

Motion #1:	Haug/Hannum to approve the consent calendar items, approving the minutes of the November 8, 2001, Planning Commission Meeting.
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Vote on Motion #1:	The Motion carried (5 Yes/2 Absent [Rierson/Tri]).
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V. COMMUNICATIONS FROM THE FLOOR

1. For items not listed on the agenda

None.

VI. LEGISLATIVE PUBLIC HEARINGS

OPEN FOR PUBLIC HEARING:

Vice Chair Wall entered ORS 197, relating to the Public Hearing process into the record, and opened the Public Hearing.

1. **APPLICANT:** City of Newberg
REQUEST: Review and comment on Proposed Newberg Urban Renewal Plan
FILE NO.: G-59-00 **RESOLUTION NO.:** 2001-147

Mr. John Bridges, Chairman of the Urban Renewal District Committee, provided background information concerning the process that was taken to bring the urban renewal district into its present state. Mr. Bridges said the Task Force began in June, 2001 and was organized by City Council to make recommendations whether the City should have an urban renewal district, what the boundaries were, and how it was to be governed. The Task Force included a wide range of members from the City of Newberg, Newberg School District, George Fox University, Louis Larson (Planning Commission member), Dean Werth (representing a business owner) and John Bridges a business owner of First Street. They participated in seven meetings, two of which were public meetings.

Mr. Charles Kupper, the City's consultant, met with the City Council at mid-process and provided a progress report. Mr. Frankenberger from the Newberg School District will discuss the boundaries, and why the Task Force chose the boundaries during the presentation. Mr. Sam Farmer from George Fox University will be discussing the projects, what the original project costs were and how the City Council helped the Task Force redefine the project list and costs. Mr. Charles Kupper will talk about financial considerations. Mr. Bridges noted that it was important to hear from Mr. Kupper because urban renewal districts are dramatically different today than before Ballot Measure 50 and how they impact taxing authorities. Mr. Bridges will close with final comments. The Task Force is requesting that the Commission support the Plan and urge the City Council to do so.

Vice Chair Wall called for objections to jurisdiction and abstentions. There were none noted.

Mr. Paul Frankenberger, Newberg School District, reviewed the boundaries. A residential section originally proposed within the district was to be eliminated because they felt it would be better to enhance the business area of the county. The source of funding for the Urban Renewal District is due to future improvement values that are to be made within the district. Such increased tax revenues would generate greater funding for future projects. Discussion was held concerning tying improvements to the riverfront area from the downtown.

Commissioner Haug asked about the elimination of some of the residential areas due to the minimal benefit.

Commissioner Larson stated that some people had shown an interest that there would be a mix of residential and business areas located together (close proximity to work, etc.). Discussion was held concerning increased valuation and how tax collections would be a source for future funding for improvement projects. The School District would not be harmed financially by the plan under its current funding mechanisms.

Commissioner Parrish asked about the Werth property, the property located across from it, and how it was tied into the urban renewal district in order to increase the assessed valuation for the entire district. He questioned how can the Task Force could go ahead and label it as part of the district if that area is currently undeveloped.

Mr. Bridges said the property values will be capped on the properties inside the district. The taxing bodies would continue to get the same tax revenues they are currently receiving every year while the plan is in place. Any future increases in value would be placed into the urban renewal funding mechanism. The renewal district would never generate sufficient funds for properties through already developed areas like downtown. By including some undeveloped and underdeveloped properties enough property taxes would go to the urban renewal district for improvements.

Mr. David Beam said that the majority of the projects are focused in the downtown area, but there are some projects in other areas of the district, such as the extension of Hayes Street to the Springbrook Oaks area (such as the Springbrook Oaks development).

Commissioner Haug - The district would only be collecting the amount of property taxes generated from the new development. Discussion was held concerning what urban renewal funds could pay for. It does not allow payment for "people" type services (fire, police), but the urban renewal district could generate funds for the City which would spur residential development and increase property taxes outside the district. Mr. Beam said that the areas of Springbrook Oaks within the district considered Commercial, Industrial, need fewer people services than residential areas. Discussion was held concerning costs associated with increased development.

Mr. Bridges said the residential property to the northwest was eliminated because of downtown continuity reasons:

- The district cannot contain more than 25% of the "in-city" property. They saw a benefit in reducing it now so that more could later be added as things change to take advantage of opportunities if we wanted. The funding is now at about 16% of the City. The area was eliminated because it was bisected by Hwy. 99W and the railroad tracks.

Vice Chair Wall said that there are Oregon statutes which forms the foundation for the urban renewal district but asked how long it had been on the books? Mr. Kupper said that it has been since the early 1960's. Being that he read the word "grant" and "private" in a number of places in the plan, he was concerned about equal treatment under the law. Discussion was held concerning some people receiving grants due to their location in the district where others located outside the district would not have such rights. Mr. Bridges said that Mr. Kupper will review that during his presentation.

Mr. Sam Farmer, 2300 Alder Lane, Newberg, Task Force Committee member:

- **Project Cost:** Originally incorporated more land which was about estimated a worth of \$25M and after meeting with the City Council, it was determined a little high. The proposed/revised plan is around \$15M.
- **Project Description:** They are general to allow flexibility in implementing the plan. The projects resulted from a number of different sources, public meetings, planning areas over the past years, future fairs, which incorporate a number of things: rehabilitation/beautification of the downtown area, infrastructure repair (water and sewer systems). The City has several projects on the books which hopefully will be covered by the budget, but if not, they could be partially covered by the urban renewal funds. Other improvements such as telecommunications, high tech operations, Second Street parking lot development/repair.

Commissioner Parrish asked about the Butler property redevelopment project which was designated as

part of the blighted area and questioned why the building was being torn down. Discussion was held concerning demolishing certain areas of the property which has environmental issues. Mr. Brierley said there are extensive hazardous chemicals on the property. Some of the buildings are poorly constructed as reported by the Building Inspector. Mr. Brierley said a lot of the contamination is under the building and clean-up costs are high. Discussion was held concerning art work and signage around the City in the approximate projected amount of \$100,000.

Mr. Beam said the numbers associated with the projects are estimates only. The projects have to be within the urban renewal area.

Mr. Bridges said that part of the goal is infusing funds inside the district. That it will free up additional funds for future projects within the City's general fund. Discussion was held concerning the money estimated to be received through the urban renewal district. Mr. Bridges reviewed artist renderings concerning possible changes to some areas in the City to make them more pedestrian friendly. Mr. Bridges reviewed McMinnville's Third Street being acclaimed throughout the State for its downtown development. Mr. Bridges said that we could make Hancock and First Street two lanes of travel, diagonal parking, etc. The key thing is that we cannot do the project with urban renewal funds unless it is described in the plan.

Mr. Charles Kupper talked about tax increment financing and urban renewal districts.

- Private Grants/Court cases. Mr. Kupper said that he has not heard of any case based on illegal use of urban renewal funds but the urban renewal agency needs to be careful on this very issue. The agency will put money into public elements - general public parking use, etc.
- Do those inside the urban renewal area receive some benefits that properties outside don't? Yes. Once the development occurs, the funds received would be used for future projects.

Vice Chair Wall said that a property outside the district would perceive an owner inside the district would receive benefit of paid public improvements rather than being paid by the property owners.

- Impact on police and fire. Charles Kupper said he does not know what the benchmarks are for the increased use of city services for fire/police etc. Discussion was held concerning the creation of new developments. The north Macadam urban renewal development in Portland has received a great amount of growth in residential and commercial development. The construction of N. Macadam would not have any impact on the City's services.

Tape 1 - Side 2: 7:48 p.m.

Mr. Kupper said the urban renewal agency has an impact on the City over time and the City would have to make choices in services while the plan is in place.

Mr. Haug said that he attended a public meeting two months ago about how somewhere down the road the City government would have to make choices due to less tax revenues received. Discussion was held concerning the magnitude of the choices, the decisions and impacts to be made 5-10 years down the road.

Commissioner Parrish said that in regard to fiscal impacts, the proposed funding mechanism is tax increment financing involving revenues foregone to the agency. Mr. Kupper said that Ballot Measure 50 changed things. The urban renewal agency only affects the growth in values. The agency will receive a certain amount of revenue. Prior to Measure 50, funds were created by increasing the taxes. What happens now, because we have fixed rates, is that it is no longer the levy (tax) based system we had. The taxing bodies would forego that portion of the funds going to the district. "Foregone" assumes that the City would have received the funds except that the urban renewal district would now receive such

increases. Discussion was held concerning the total cost, tax revenues expected to receive, completion/term, maximum indebtedness and impact on taxing bodies.

- **Estimated Project Cost and Revenue Sources.** Mr. Kupper said that Table 4 reviews the various projects and estimated inflated costs. Discussion was held concerning the annual rate of inflation for realistic purposes.
- **Anticipated Start & Finish Dates of Project Activities.** Plan to be completed by the year 2019-20.
- **Estimated Expenditures and Year of Debt Retirement.** It is estimated that the project will produce approximately \$28.7 million in tax increment receipts to 2019-20.
- **Impact of Tax Increment Financing.** Discussion was held concerning impacts on City finances. It assumes that every dollar will happen if the City does no improvements (without lifting a finger). Secondly, when you look at the numbers, they are intimidating. Keep in mind that the impact happens over a period of 18 years. This is all 2001 dollars. Discounted, the numbers would come way down.
- **Financial Feasibility of Plan.** The payback period, once the plan has ended, will generate approximately \$257M as new tax increments. Lost revenue would be recovered by the City within an 8-9 year period.

Commissioner Parrish inquired about guarantees concerning the \$257M new value development projections. Mr. Kupper said that there were no guarantees.

Commissioner Haug asked how often residential properties were assessed. Discussion was held concerning increased valuations and how the City can gain from economic health of the community. Mr. Kupper said that no one has made an attempt to quantify comments on guarantees as it relates to increased values on properties. The values outside the urban renewal area are to the City's general fund. Discussion was held concerning the mechanics of allocating the funds appropriately as development proceeds (both within and outside the urban renewal area). Mr. Bridges said that it could happen when the zone changes or development occurs. Mr. Frankenberger said that the economic pressures would be when the property is held for some time and the valuation goes up (more valuable and as they sell, the assessed value will change).

Mr. Kupper addressed the calculations and tax increment revenues. The City of Newberg's current rate is \$4.38 per \$1,000 assessed. With the urban renewal agency, the City would receive three (3) times that amount. Mr. Brierley said that the City planning staff presented the plan to the County Commissioners, and that Commissioner Leslie Lewis is a Task Force member. Mr. Beam said that copies of the plan were sent out by certified mail to all taxing authorities.

Mr. Bridges discussed the dollars lost and revenues to be gained over the life of the plan. The City would receive additional money to benefit the improvement of the urban renewal area. The \$17M does not include the \$9M the School District would be receiving. Discussion was held concerning the present day values in relation to the proposed \$15M proposal. Property values increase more readily as improvements are done. Mr. Bridges said the City is concerned about providing for the police/fire services. If we do not infuse some revitalization in the downtown area, we are not getting the development in other areas through the increased tax values.

Mr. Kupper said that there are some cities who have recreated a second urban renewal plans/districts (approximately 70). In the past year he has done a second urban renewal plan for the City of Klamath Falls and various other districts within the City of Portland. Oregon City has two urban renewal plans. Discussion was held concerning cities' comfort zones in starting urban renewal plans.

Staff Recommendation: Mr. Beam reviewed some corrections contained in the staff report:

- Page 59 - acreage within the boundary should be 653.2
- Table 3 - Size of different kinds of uses within the district. The Springbrook Oaks development have been recalculated. Discussion was held concerning the redevelopable land (bare land or properties with improvements with less value than what the property is valued - about 40%).

Mr. Beam said that staff recommended that the Commission adopt Resolution #2001-147, approving the Urban Renewal District/Agency.

Mr. Beam said that the City sent out notices to every property owner. The City received one letter recently from a property owner addressing the northern arterial which does not affect the urban renewal area. Discussion was held concerning having the City Council read the letter rather than the Commission.

Vice Chair Wall called for a break at 8:25 p.m. The meeting reconvened at 8:38 p.m.

Motion #2:	Haug/Hannum to adopt the urban renewal plan as amended (Resolution No. 2001-147).
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Commissioner Larson (Task Force member) provide input on his opinion and recommendation. Commissioner Larson said that the Task Force members were diligent, possessed diverse opinions and moved quite thoroughly through the plan. The Task Force was concerned about the impact on City services. The plan rolls the dice. The economy is not absolute and we don't know what will happen. Commissioner Larson said that the urban renewal plan is not a transportation plan. Commissioner Larson addressed the reality of the urban renewal project and the Council appointing an advisory committee to provide input and hold public hearings. In summation, he liked being part of the process. He does not agree with everything and neither did the other Task Force members. This a blueprint for the foundation of doing something for the downtown area. We can sit here and put projects on a list, but it is a way of improving the downtown area. He urged the Commission to recommend approval to the City Council.

Commissioner Parrish said that the majority of the developable acreage is located in the Springbrook Oaks development and if the southern bypass goes through, it would eliminate a portion of the property. Mr. Larson said that the Task Force reviewed the southern bypass and how it related to the commercial portion of the Werth property which would be used as a funding source for the urban renewal plan.

Commissioner Haug said he is in favor of it.

Vice Chair Wall said "the devil is in the details". It is an ambitious and risky plan, it is a gamble and is not specific. If the ultimate goal of the plan was something that was laudable and not controversial, he would see taking the risk. He said that the ultimate goal is not urban renewal. It seems to be more of a method to institutionalize the process and that there has been a loud minority support for a number of years to institutionalize the system and promote rapid growth. Commissioner Wall said it plays too many games with the numbers, too optimistic. It is too discretionary. It will handle the Council a wide level of discretionary power. Discussion was held concerning "grants" and other sources of private funding creating a strategic improvement district. The City Council could use money to entice a company to locate into the urban renewal district which the City Council would not otherwise have the authority to do so. Commissioner Wall said if it were more specific and the numbers were nailed down, it may be different.

Tape 2 - Side 1:

Commissioner Parrish asked for clarification about whether the Providence Health System property was located within the urban renewal district. Mr. Brierley said the urban renewal district stopped at the City limits. He said that specific property would not be taxable.

Commissioner Hannum said the City would be putting a lot of faith into the City Council for the next 17 years for a significant amount of money which can be used in a fairly wide range of activities.

Commissioner Haug said the proposal is a good start. Some cities are doing second urban renewal districts. Discussion was held concerning trusting the Council and the City staff to promote the City's economic/job growth. This is an opportunity to move forward. If we participate along the way, we can keep an eye on it and help direct the way it goes.

Commissioner Parrish asked about the City's foregone funds which would fund the urban renewal program but not necessarily reduce the City's budget. As development occurs, the urban renewal agency would receive the increased value of the developed property. Discussion was held concerning grants and the leverage of funds from outside sources. If the development is such where infrastructure and services are needed, the overall economic growth would be more than to compensate the shortfalls. The money the City should normally receive in property taxes would not decrease, but the improved property valuations would help pay for infrastructure and public improvements.

Commissioner Wall asked about supporting something without a concrete plan. Discussion was held concerning having faith in the creation of projects and taking care of the projects proposed. Commissioner Haug addressed the flexibility of the plan to allow for changes and growth. Discussion was held concerning everyone being able to participate in the process.

Commissioner Parrish questioned Commissioner Haug's comments concerning the City's budget and how funds are appropriated.

Commissioner Larson called for the question.

Vote on Motion #2:	The motion carried (3 Yes [Hannum/Haug/Larson]/2 No [Wall/Parrish]/2 Absent [Rierson/Tri]).
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Mr. Brierley said the matter would be referred to the City Council at the December 17, 2001 meeting.

VII. QUASI-JUDICIAL PUBLIC HEARINGS

- APPLICANT:** Powell Built Homes for Jeff Lane and Randall Matthiesen
REQUEST: Modification to public street standards for the purpose of ingress and egress to 3-4 industrial lots.
LOCATION: 131 and 141 N. Elliott
TAX LOT: 3220AD-1100 and -1200
FILE NO: CUP-14-01 **RESOLUTION NO.:** 2001-148
CRITERIA: Newberg Development Code Section 10.30.040

Vice Chair Wall read the required statement into the record ORS 197.763.

Abstentions/ex-parte contact: Commissioner Parrish had visited the site. He noted a gravel road that lead back from Elliott to the parcels off the St. Paul Hwy.

Commissioner Haug drives by the site daily and observed the gravel pad, and some sort of development had occurred on the property.

Objections: None.

Staff Report and Preliminary Staff Recommendation: Ms. Mingay defined the location of the property and presented the staff report. Staff recommended adoption of Resolution No. 2001-148, approving the modification to public street standards for the purpose of ingress and egress to 3-4 industrial lots. Under current code development on the two existing parcels would create two (2) driveways adjacent to each other on the same point of the street. The applicant discussed with staff an allowance for a single driveway access.

Commissioner Haug addressed concerns about the road ending where two lots join. The public road would not go any further than the proposed development. Ms. Mingay said the various departments within the City expressed concern about substandard width and depth (similar to a private drive). The City street sweeper may not be able to service the street because of the sweeper's turn around radius, curb installation, public utilities are to be in the public right-of-ways. The standards could be reduced or mitigated as identified in the findings. The proposed public access road is within an existing industrial park which is mostly developed with small industrial/commercial businesses.

Discussion was held concerning an easement and the dedication of a portion of the property. The applicant has requested a zero foot setback. The City is suggesting a 10 foot average set back. The applicant has requested a 24 foot street width with no parking on either side. Ms. Mingay reviewed the conditions of approval.

Commissioner Parrish inquired about the standard T-design for the City turn around (shown on page 94). Ms. Mingay said the Fire and Engineering Departments did not have a problem with the T-design.

Commissioner Wall expressed concern about reducing public street standards.

Ms. Mingay reviewed access issues to the site.

PROPONENT:

Mr. Leroy Powell, Powell Built Homes, represented the two owners of the property. The gravel was placed on small animal hospital site before it started raining in order to provide construction access to the site. The gravel is on the doctor's property and not Mr. Lane's.

Commissioner Haug asked Mr. Powell about staff's recommendations for conditions of approval.

Mr. Powell said they asked for a common driveway for the four (4) pieces of property because the Code encourages the combination of two driveways. He said that he and staff came up with a recommendation for a modified public street. The changes proposed in the staff report are more than what he would like: public utilities rather than private utilities; drainage on Elliott (another storm sewer). Now it is up to the point that the owner will not do the public street.

Commissioner Wall asked why the 2" asphalt road was proposed rather than one meeting City Code.

Mr. Powell said that it deals with cost. Once it is changed to public street classification, it brings in so many other requirements. Discussion was held concerning upping the proposed design to meet the required standards.

Commissioner Larson reviewed the applicant's requests and staff requirements. If the staff recommendation is approved, the applicant would not accept it. Discussion was held concerning installation of public sewer services.

Tape 2 - Side 2: 9:35 p.m.

Commissioner Wall said it appears that the City has a number of standards for public streets. He noted the applicants concerns with the increased standards proposed by staff. Those are cost issues.

Mr. Powell said that the owner of the property was making a reasonable compromise for a public street (deed the land to the proposed criteria) with limited changes. Discussion was held concerning private street drainage. It is not the ideal. The applicant does not want a City street, it brings in a lot of unnecessary requirements and cuts down a lot of the square footage.

Commissioner Hannum asked about the difference between a deed of dedication of right-of-way and an easement. If right-of-way is dedicated, the property no longer belongs to the property owner and now belongs to the City. With an easement, the property belongs to the property owner but is available to the City for use.

Commissioner Parrish addressed road width issues within the City (requiring no parking on both sides).

Mr. Powell said he is aware of enforcement of private streets. Mr. Powell said that staff can handle the problems if there are guidelines. A City street (60 foot right-of-way) will not work on this site. The reason the Planning Commission is involved is due to past decisions, and the Commission does not want to repeat those problems (Dairy Queen property for example). Discussion was held concerning private streets. He also addressed the amount of changes required of his client (the owner of the property). If a City street is required, the people to the north, who he does not represent, may be affected by the public street (imposing a 20 foot setback when they develop the property).

Ms. Mingay said the adjacent property owners were notified.

Discussion was held concerning curbing, slope and designs for water storm drainage. Discussion was held concerning the asphalt depth requirement. Additional comments were made concerning typical parking lot lighting and how remonstrances were received. Mr. Powell said they would pay for their own parking lot lighting. Discussion was held concerning storm water drainage (valley gutter) across the asphalt. Mr. Powell provided a sketch drawing on the formation of sidewalks and curbs for commercial developments.

Commissioner Hannum said the problem with the normal street access is that a sewer connection would have to be installed at each corner. Within the City, there is normally a catch basin. In addition, since multiple tax lots tie into domestic sewer, will the sewer have to be extended to the City street? Mr. Powell said the lines are in the ground and on the property. Mr. Powell said that they would have to install a public sewer.

Commissioner Haug asked Mr. Powell if he would object to a 5 foot front yard setback. Mr. Powell agreed.

STAFF RECOMMENDATION:

Ms. Mingay said that staff recommended approval of Resolution No. 2001-148. Mr. Powell agreed there are some things they are willing to do. The standards need to be higher than what Mr. Powell has requested.

HEARING CLOSED:

Commissioner Parrish said that north of the two lots, what would the property owners have to do? Ms. Mingay said that if it was a public street, they would have access to it. Six lots would be able to access the substandard street. The applicant would be allowed four (4) accesses, the adjacent property owners would have two (2) accesses. Discussion was held concerning access control strips. Ms. Mingay said that if there was even just an inch between the street right-of-way and the adjoining property, there would not be a requirement for a 20 foot setback. Under the conditions of approval, Commissioner Parrish asked about Condition #10 not allowing parking with appropriate signage. Ms. Mingay said that the language is not different than what is regularly required by the Fire Department, preferably "no outlet" sign could be installed.

Commissioner Hannum asked what the rules were regarding sewer taps. If there is a sewer tap to tax lot 1100, could that line be extended back to tax lot 1200 (a new lot that has been created) and serve four lots rather than two?

Ms. Mingay said that a public street does not contain private sewer lines.

Mr. Brierley said if there were four lots the lines would have to be extended to Elliott Street.

Vice Chair Wall called for a break at 10:00 p.m. The meeting reconvened at 10:05 p.m.

Commissioner Haug said we can either have two private drives or a public street. The City cannot allow a single private driveway to serve the lots. He recommended a public street with modification of the requirements as recommended by staff or have two public driveways which would go through design review. Discussion was held concerning health and safety code standards, lack of maintenance of private streets and lighting problems.

Commissioner Parrish empathizes with the cost factor, but public safety is a concern. He addressed concerns involving lack of enforcement for "no parking" on either side. Commissioner Parrish said that signs do not work.

Discussion was held concerning the conditions of approval and the choices before the Commission which provide for lessening of standards for public streets. Commissioner Wall said that he did not agree with some of the standards, but they were the standards nevertheless. The private driveways would be a minimum of 20 feet wide on each parcel (two directional with 5 feet of landscaping in between).

Mr. Brierley said we need at least 20 feet emergency vehicle access. Discussion was held concerning approving the staff's recommendation.

Commissioner Larson said if the applicant installs a private drive, they could develop the property on both sides. With a private drive, they are not restricted to setbacks. The private drive would make their property more flexible. The public street classification would make the property less flexible with the exception of the street itself. Is there any place else similar to this situation?

Ms. Mingay said there are existing properties along Hwy. 99W which have existing private accesses which do not meet current code. Discussion was held concerning separate standards for a driveway, not requiring curbs and sidewalks. The new facilities are required to be ADA accessible with a sidewalk or pathway which is three-foot wide from Elliott to the building. They could share an access way to serve all the sites over one sidewalk.

Motion #3:	Haug/Hannum moved to adopt Resolution No. 2001-148 with conditions of approval as recommended by staff.
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Commissioner Haug reviewed each staff recommended standard and the commissioners made the following recommendations:

- Right of Way dedication - okay - no change
- 10 foot average set back right-of-way: staff recommendation is okay.
- 24 foot paved street

Discussion was held concerning allowing parking on one side. Mr. Brierley said that the standard is allowing parking on one side with 28 feet for emergency vehicle access.

Motion #4:	Haug/Larson to amend the motion to allow 28 foot paved width with parking on one side only. Condition of Approval #10; providing for appropriate signage.
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Commissioner Hannum said he would vote against it, because if parking was allowed on the south side, it would be a primary use to the adjoining property owners. As suggested, any building is probably going to front the driveway to the west. He suggested that a 24 foot width with no parking on either side be considered. Any parking would hinder the business owner in allowing anyone to park there. The business owner could not enforce the "no parking" requirement.

Tape 3 - Side 1:

Vote on Motion #4:	The motion carried (5 Yes/2 absent [Rierson/Tri]) .
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Commissioner Haug continued review of each item:

- 2" asphalt addition on an 8" base - approved.
- Extruded curb gutter - approved.
- 5 foot wide curb, one side only - approved
- Commercial drive with 15 feet - curb radius at the intersection - approved.

Discussion was held concerning emergency vehicles such as fire trucks being able to turn around and also providing for the City street sweeper to service the street.

- 25 ft. Alum/fiberglass mast arm street lights

Commissioner Parrish asked for street light alternatives.

Mr. Brierley said that it is a standard street requirement. It is a new street as opposed to an existing street. Discussion was held concerning setting precedents with specific conditions.

- Fire Dept. Standard "T" - approved by the Fire Department.

Commissioner Larson questioned the fire and police department documentation not contained in the staff report.

Vote on Motion #3:	Approving the motion as amended, the motion carried (5 Yes/2Absent [Rierson/Tri]).
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Ms. Mingay said the decision is final. The Applicant has 14 days to appeal the matter to the City Council.

VIII. ITEMS FROM STAFF

- 1. Update on Council items

Mr. Brierley said the City Council held a presentation from the Transportation Task Force recommending a City street utility fee. The Council accepted the McLeod annexation for the May, 2002 ballot. The Council approved a grant application for funding for commercial and industrial land needs analysis. The Council reappointed Commissioners Hannum and Parrish to the Planning Commission for a period of three years. At the Monday, December 17th meeting, the Council will again hear the urban renewal plan.

The Commission's meeting on January 10th will hear a conditional use permit for the Coffee Roaster. Commissioner Haug said he will be out of town. Mr. Brierley said the Commission will consider a sign review proposal. The Commission is to appoint new officers at the end of the first meeting. Discussion was held concerning making the appointments at the beginning of the meeting.

Ms. Mingay said the Commission as well as the Council turned down the Fred Meyer fueling station proposal. The applicant later withdrew their previously filed appeal.

- 2. Other reports, letters, or correspondence - none
- 3. Next Planning Commission Meeting: January 10, 2002

IX. ITEMS FROM COMMISSIONERS

Commissioner Larson said at the Fred Meyer property, there is a new land use sign for adding onto the west side for the building for an expanded garden area. It is currently at staff review level and there are design review problems involving the closure of the access on the west end of the Fred Meyer lot.

Commissioner Larson said that there is a residence on Ivy Drive where a paving roller has been parked by a developer. He called the police department and nothing has been done.

Commissioner Parrish addressed requesting documentation from all city departments on their recommendations to the Planning staff.

X. ADJOURNMENT

The meeting was adjourned at approximately 10:45 p.m.

Passed by the Planning Commission of the City of Newberg this 10th day of January, 2002.

AYES: 5

NO: 0

ABSTAIN:
(list names)

ABSENT: Haug
Parrish

ATTEST:

Peggy R. Hall
Planning Commission Recording Secretary Signature

Peggy R. Hall 1-10-02
Print Name Date

**INFORMATION RECEIVED INTO THE RECORD
AT THE DECEMBER 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 #

GR-59-01 - Artists drawings provided by Jeff Bridges and Charles Kupper.

LABELS FROM THE 12/13/01
PLANNING COMMISSION MEETING
FROM THOSE WHO GAVE PUBLIC
TESTIMONY/ REGISTRATION

G-59-00
John Bridges
515 E. First Street
Newberg, Oregon 97132

CUP-14-01
Leroy Powell - Powell Built Homes
PO Box 1030
Newberg, OR 97132

Be sure to add file number by name
on each label

G-59-00
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