PLANNING COMMISSION MINUTES
Newberg Public Safety Building - Newberg, Oregon
THURSDAY, May 9, 2002 AT 7 P.M.

Approved at the June 13, 2002 Planning Commission Meeting

I. Swearing in of newly appointed Planning Commissioners (two):
1. Dennis Schmitz
2. Richard Van Noord

PLANNING COMMISSION ROLL CALL

Planning Commission Members Present:
Louis Larson, Chair — Bart Rierson — Nick Tri
Dennis Schmitz — Richard Van Noord

Absent Commissioners:
Lon Wall — Matson Haug

Staff Present:
Jim Bennett, City Manager
Barton Brierley, City Planner
Peggy Hall, Recording Secretary

II. OPEN MEETING
Chair Larson opened the meeting at 7:05 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 April 11, 2002, Planning Commission Minutes.

Motion #1:	**Rierson/Tri** voted to approve the consent calendar items, approving the minutes of the Planning Commission Meeting.

Vote on Motion #1:	The Motion carried (5 Yes/2 Absent [Wall/Haug]).

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

V. QUASI-JUDICIAL PUBLIC HEARINGS

1. **APPLICANT:** Dana White/Providence Health Systems
REQUEST: Annexation of approximately 37 acres. The parcels are within Newberg's Urban Growth Boundary
LOCATION: 4100 and 4300 Portland Road
TAX LOT: 3216-1903 and 3216DA-2000
FILE NO.: ANX-27-01 **RESOLUTION NO.:** 2002-154
CRITERIA: NDC 10.36.030; 10.20.030
ZONE: County VLDR 2.5 (5 acres), County EF-40 (32.2 acres) to City of

Newberg I and I/SC
PLAN DESIGNATION: PQ and PQ/SC
OPEN FOR PUBLIC HEARING:

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

Mr. Barton Brierley explained the procedure for disclosing abstentions, ex parte contacts or conflicts of interest. The attorney for the application (Mr. John Bridges) has represented a few members of the Planning Commission.

Mr. Rierson said that Mr. Bridges has represented him and it would not have an impact on his decision.

Chair Larson said that he is a member of the Oak Knoll Subdivision and he has been associated with Mr. Bridges.

Abstentions/ex-parte contact: None.

Objections: None.

Staff Report and Preliminary Staff Recommendation: Mr. Barton Brierley presented the staff report and staff recommended adoption of Resolution #2002-154, approving the annexation of approximately 37 acres. Mr. Brierley reviewed the location and surrounding property of the project. The Mustard Seed property is also being purchased by Providence Newberg Hospital to construct a new hospital for the community (property is not subject to the annexation application). The Yost and Pheasant Ridge property have gone through an Urban Growth Boundary amendment through Yamhill County. The next step is to apply for annexation of the property. The Yost property actually extends further outside the Urban Reserve Area. Mr. Brierley reviewed the specific criteria for annexation:

1. The site must be within the UGB.

2. The site must be contiguous to existing city limits.

3. The use for the site complies with the Comprehensive Plan and Map:
   - Public, quasi-public, and the applicant requested an institutional zoning designation.
   - A portion of the stream corridor designation of the property limits development and protects the stream.

4. Transportation Plan compliance. The current plan includes a bypass around Newberg. There is a process going on to define the exact location and it is likely that through this process through the next year or two, there may be a slight variation. In order to comply with the Comprehensive Plan, it is necessary to plan for the bypass route. Mr. Brierley reviewed the study routes (southern route goes through the property). One of the recommended conditions, a limited use overlay on the study area for the southern bypass would limit permanent structures. Once the bypass study is completed, the limited use would shrink to what is the ultimate alignment of the bypass that is required. The northern bypass would go away at that time.

5. Adequate level of urban services available within three (3) years of the annexation (water, sewer, etc.) The applicant has demonstrated that criterion has been met. The water service can be extended from existing mains on Hwy 99W.

6. Roads for adequate design standards and for projected uses:

- Access to Hwy 99W - signalized intersection at Hwy 99W for access.
- Continued access from the south.
- Klimek Lane access might be cut off and an access would be developed to the back to not restrict access.
- The Transportation Plan does provide for a bypass and a traffic study has been prepared for the area. The Traffic Study says that by 2015, the community will need the bypass to meet the levels of service on Hwy 99W whether the hospital is built or not. During the UGB phase, how to count the bypass when considering the trip generation studies. LCDC noted that if the applicant was able to show that the changed site would not incur more trips under the current zoning, they would not have any objection. The applicant has submitted information that with the development of the current Mustard Seed site, it is designated as commercial, they found that if they do a hospital on the entire site, the hospital would generate less trips than a grocery store and gas station. There are two conditions proposed in the annexation to address this:
    - Limit the amount of trips from the site (750 in P.M. peak hour).
    - If annexed, they apply for and diligently pursue a zone change for the Mustard Seed property to change to an institutional zone designation similar to the other property.

7. Availability of police, fire, park and school facilities. Park facilities are not really impacted because of the additional population as is the school requirement. The police and fire will not be funded for additional personnel, but it is definitely an advantage to emergency services.

Mr. Brierley indicated that staff recommended approval with the conditions as noted in the staff report.

Chair Larson addressed the limited use corridor criterion shrinking but would be later available for future development. The entire site is 37 acres and with the bypass and stream corridor, they are pushing the amount of land that is available. If more land becomes available for development, could that remaining land be developed?

Mr. Brierley said that it could, but it would be limited with the amount due to “capping” the area once the bypass is defined.

Chair Larson discussed loss of revenue for police and fire services which is already a factor due to the existing hospital operation. Discussion was held concerning limited emergency services.

Commissioner Rierson commented on the manner in which property was designated as historic.

Mr. Brierley said the application would address the matter. Discussion was held concerning specific land use designation (institutional) for the hospital when it may not be developed, what would happen to accommodate the institutional designation for future development (excluding retail from the site). Discussion was held concerning parking lot run-off and a plan for storm water treatment. Mr. Brierley said it would be a requirement to do storm water treatment which would be addressed by the applicant.

Chair Larson said if the hospital sells the property to another party, how would it be restricted for future development?

Proponent: Mr. John Bridges, 515 E. First Street, Newberg, Oregon, presented the background and reviewed the criteria for the annexation.

- Mr. Mark Meinert, Chief Executive Office (Yamhill Service Area), will describe the history of the hospital in Newberg, Sisters of Providence in the Northwest, and the plans for the hospital.

- Mr. Lancaster has been active in doing traffic engineering studies in Oregon and Washington specifically for medical centers.

- Larry Anderson, former city engineer, will discuss utility needs and availability for Newberg.

Mr. Bridges said the criteria is whether urban services are available for the site or if they can be obtained within the next three (3) years. There are policy issues which are vast in Urban Growth Boundary (UGB) amendments. Much of the application is aimed at UGB application and some of the submissions by the Friends of Yamhill County, DLCD and ODOT, have been resolved through working together. Mr. Bridges said that they approve the conditions as drafted by City staff.

Mr. Mark Meinert, community resident for 27 years, reviewed the Hospital's vision and noted that the current facility is antiquated. The Hospital's history includes: building the state's first hospital in 1875, provided $78 million in the various communities, they are proud of the commitment to the communities they serve, and they are the fourth largest employer in the surrounding area. The last new hospital in the system was built 27 years ago. In addition, they are one of the cornerstones of the livability in any of the areas (police, fire, education, healthcare). With the proposal, Newberg has the opportunity to strengthen its livability. The components to success is to place the facility on Hwy 99W. It is critical to get patients to the facility quickly. Mr. Meinert reviewed the visions for the full build-out, 25-30 years out, that will be easily accessible and the gateway to Newberg. The hospital will be located in the center and the medical offices around and adjacent to the medical center. Phase II will include a medical center, parking, community health, conference center, and a mental health holding room. The most important of all, this site is sized for expandability well into the 21st century. Mr. Meinert reviewed the overlay zone location and future connectivity with the Springbrook Oaks development.

Tape 1 - Side 2:

Mr. Tom Lancaster, engineer, said the plan shows two accesses off Hwy 99W, one for emergency and one for the main entrance with a four-way intersection. The Hospital has agreed to pay their fair share of the costs for the intersection. They worked with ODOT, Kittleson & Associates, QRS (environmental impact studies) and City staff. There is enough capacity on Hwy 99W to meet the need. The northern arterial and southern bypass have some impact. They looked at alternative scenarios with surrounding commercial development. From the standpoint of traffic, what the City wants is a medical center due to the restriction of traffic impacting the area.

Mr. Larry Anderson, 112 N. Springbrook Road, Newberg, described the water, sewer and storm sewer services to the area. There is currently an existing a 12" water main at the corner of the property which will be extended through the property to the south. The City has plans for a 24" water main to the proposed reservoir for 2003. When the system is in, the property will be surrounded by the City's biggest water mains available. There are water rights with wells and water rights in the creek. They would be designing an irrigation system for extensive landscaping areas during the summer months and would not be contributing to the City's high peaks. The Hospital will be a good and steady water customer but will not be the cause of the problems. The sanitary sewer system pump station has been constructed on Fernwood Road which includes the property from a loan from OED repaid with development fees which will go toward the construction of the pump station. There is other sewer availability at Springbrook Oaks and Brutscher Street. They will be building parking lots and storm water drainage facilities (large water planting swells). Discussion was held concerning storm water detention ponds that would be a wet pond rather than dry. The goal for the design system is that when it reaches the creek, it would be somewhat pre-treated. The City's planning and the Hospital's planning is coming together over a decade of good planning.

Ms. Marita Trunk, 1306 N. Harmony Lane, Newberg, Oregon, said she is concerned about the need to annex the entire section along with the main section and change the zoning. If limiting what can be built and an overlay for a bypass, why should we annex it now and why not wait until it is better decided. It is a wetlands area and with all the parking structure and storm sewer, why not build a parking structure that would be less of an impact of more parking lots.

Mr. John Bridges said that one of the proposals is to design the hospital and the grounds in conjunction with a program to create high efficiency (energy efficient). The details are part of the design review process. Why 35 acres vs. 21 acres? We don't know where the overlay for the bypass will go. One of the other issues is historic designation. Discussion was held concerning the design review process and allocation of property in certain areas. The whole facility is not going to be used for "not for profit" purposes. All the medical office buildings will be taxed with appropriate taxing. Mr. Bridges reviewed the mental health holding facility.
Commissioner Rierson asked if the historic designation did not exclude the Hospital from developing but there are some limited concessions.

Mr. Brierley said that the request to keep the historic site was amended to place the historic designation on the site, not any of the buildings. When it goes through design site review, those questions will be addressed.

Commissioner Rierson addressed the traffic at the Villa Road site (current hospital location).

Mr. Bridges said the City does have some control what the Hospital does with the historic designation. Ms. Dunn has shown the family tree for the Brutscher's in the area and are active with the Hospital in what to do. The Brutscher family wants the elevation to stay (high knoll) where the original house of Mr. Brutscher was located.

Commissioner Schmitz talked about the hospital not being taxed but the medical center will be taxable. Office space will be leased out to the doctors (makes good transportation sense). In terms of taxing, unless the facility is used for hospital and hospital related services, it is not a "not for profit" facility. Discussion was held concerning a mental health holding facility (for a limited period of time).

Mr. Meinert said that within the greater Newberg area, mental health facilities are limited. They have relationships with other areas after assessment. The challenge is really reimbursement. The vision is not significantly for anything other than outpatient services (psychiatrists, etc.). On physician development, they are committed to go out and find specialists to come to the facility. Mr. Meinert defined demographic growth for the service area. Mr. Bridges reviewed the impact on having our loved ones staying within the community to obtain health care.

Commissioner Rierson addressed a portion of the property not being annexed.

Ms. Trunk said that her place would be left as an island and not annexed into the City. Discussion was held concerning the wetland and overlay zoning. Ms. trunk said the designation of the property to institutional from wetlands. Why not leave it as it is? The total acreage is 46 acres. The Hospital's need is more than 21 acres. How much is involved in the stream corridor area?

Mr. Brierley reviewed the area for further clarification.

Chair Larson addressed in-patient care and the market share analysis.

Mr. Meinert addressed the table on page 4. The patients treated were from the 97132 zip code. They did not hospitalize anyone from the 97070 zip code (Wilsonville). These are not necessarily in the city limits. Page 7, table 4, showed in-patient admissions, with a 35 bed hospital and 5300 patient days, admissions were probably 2/5 of that. Then a 45 bed facility in 2015 with 14,000 patient days with only an increase by 10 beds? Mr. Meinert said that his short answer is that as they look at the growth in population and the ability to treat patients, the occupancy would be 75%, even though only 10 beds growth, some are now out-of-service and they are not truly a 35 bed facility. Page 8 - surgery operating room. Currently have two (2), and in 2015 they would have six (6). With a bed increase of only 10 beds, how does that work? Mr. Meinert said that they have built in a plan for increased beds if needed.

Commissioner Tri asked if the 45 beds included recovery.

Mr. Meinert said it would be separate. In the new facility, they would also increase the operating and emergency rooms.

Chair Larson said it appears that the different phases could change upon demand.

Mr. Meinert said that it could absolutely. It is hard to predict, so they must have flexibility and with the location on Hwy 99W, it will be able to do so. What happens if the southern bypass does not happen? Mr. Meinert said that it means they have additional opportunities for development.

Mr. Bridges said that as it relates to transportation, the City would have to amend the transportation system plan. The Transportation Planning Rule requires them to determine the need and if there is, they need to find a way to cure the capacity. There is money in STIP which will be spent on land.

Tape 2 - Side 1:

Discussion was held concerning the facility having a conference center to provide educational services to the community. Mr. Bridges said that the existing Hospital conference center is being used constantly.

Commissioner Schmitz asked Mr. Anderson about the water rights in the pond.

Mr. Anderson said they would have to go through a water change of use from municipal to irrigation. The water rights can be sold or transferred for many uses. Water rights are hard to come by.

Chair Larson closed the public hearing at 8:44 p.m. The meeting reconvened at 8:55 p.m.

Discussion was held concerning the application having the services available now or within three (3) years from annexation. The pump station on Fernwood Road is available, the water is there.

Mr. Brierley said that City staff recommended annexation subject to the annexation agreement with conditions as stated by staff.

Commission Deliberation:

Motion #2:	**Rierson/Tri** to adopt the staff's findings and approve the annexation.

Commissioner Rierson said he sees no downside to the annexation request.

Commissioner Tri addressed police and fire services and the signalizing of the intersections which are important for the facility. All steps have been taken care of and the issues addressed.

Commissioner Van Noord concurred with Commissioners Tri and Rierson. The proposal and criteria have been met. The community shall benefit greatly.

Commissioner Schmitz also concurred with the comments but asked for clarifications on the time lines for the water and sewer services.

Mr. Brierley said the water line would be within the year and the reservoir next summer. Water lines will be extended as developed. Discussion was held concerning the obstacle of getting the pipeline being development driven. It is a do-able project and with easements, the extensions will be made. Discussion was held concerning the cost estimates for water and sewer services and extensions to be borne by the hospital or the cost sharing and/or reimbursement for costs.

Chair Larson said he supported the project and agreed with the statements made.

Vote on Motion #2:	The motion carried (5 Yes/2 Absent [Wall/Haug]

Mr. Brierley said the matter would be referred to the City Council at a future meeting, possibly June 3, 2002.

VI. ITEMS FROM STAFF

1. Update on Council items

Mr. Brierley announced the new City Manager James Bennett. The Council has changed the Council Districts. Each Councilor elected must live in one of the six (6) certain districts which are re-aligned after the new census information was received. They adopted a plan for the new districts (option 3). The plan for the riverfront area has been adopted by the City Council. The next City Council meeting on May 20 will include the annexation for the Crater Lane properties and the proposal for North Valley Friends Church facility expansion near Bell Road (outside the UGB), but will develop through a conditional use permit. The City Council is doing a recommendation concerning the development. Discussion was held concerning annexing the property into the City. It would only come before the Planning Commission if they applied for annexation. The project involves extension of sewer, water, and street improvements. The northern bypass, if chosen, would go right through the property.

2. Other reports, letters, or correspondence

3. Next Planning Commission Meeting: June 13, 2002

Mr. Brierley said there are no hearings scheduled for the June 13 meeting, and that he would like to schedule a training session to discuss basic land use training (session from 6:00 - 9:00 p.m.). Mr. Brierley said he would plan for the work session and dinner would be provided.

4. Citizen Involvement Memo

Mr. Brierley addressed the following:

- Notices up at City Hall, the Public Safety Building and the Library, but to add a notice at Fred Meyer. Fred Meyer has agreed to place a notice on the board. Discussion was held concerning using the bulletin board at the post office.

- Increase the use of the newspaper. He talked with Gary Allen and he would take press releases and place them in the paper.

- Improving the posted notices on site similar to real estate agencies (placement of flyer boxes). The cost by a company to do this is around $28 per placement which could be added to the application fees. Further discussion would be held concerning the content of the notices.

Discussion was held concerning contacting the News Register (McMinnville) paper.

VII. ITEMS FROM COMMISSIONERS

Chair Larson discussed refreshments for the meetings.

Discussion was held concerning visibility for the Planning Commission meetings and requested that the new Commission members offer input for how to deal with providing more noticing for the meetings. Discussion was held concerning the appeal procedure in land use matters. Further discussion was held concerning the gas station expansion at Fred Meyer has filed the appeal documents but has asked for an extension of the time to submit their application for appeal to the Council. Mr. Brierley reviewed the basics for the new Commission members on the Fred Meyer application.

Commissioner Rierson reviewed the additional information contained in the new Fred Meyer application.

Commissioner Richard Van Noord said it is the first Planning Commission meeting he attended. He was raised in Michigan. He worked as a retirement planner and owned a restaurant (Market Café) at Pike's Market in Seattle. Seattle has a preservation authority with certain restrictions (privately owned). He has two children. He studied mechanical engineering and works at OHSU. His wife's family lives in Salem. He would drive through the Newberg area regularly. He wanted to serve on the Planning Commission to fulfill his goals for development planning. He sees a lot of real involvement and are encouraged to do so.

Commissioner Dennis Schmitz started Tigard Electric with his father. They moved on a small farm and they moved their business to Newberg. They raised his children here.

Commissioner Nick Tri said he and his wife Kathy Tri (Finance Director) have lived in the City for over ~~14~~ 12 years. He worked for the University in Eugene. He assisted in senior citizen housing and cancer patients. When they moved to the City, they were involved in his children's school and activities. He has an antique business.

Commissioner Rierson said his wife worked at the Yamhill School District while they lived in Beaverton. They moved to Newberg and raised their family. They lived on the south side of town (near the Baker Rock property). He became involved in the land use process.

Tape 2 - Side 2:

Chair Larson said that he traveled quite a bit and decided to become interested in the City's Finance and Budget Committee. He was appointed to the Planning Commission. They did some traveling prior to settling down in Newberg.

Mr. Brierley said that Commissioners Wall and Haug have been long established Planning Commission members.

Mr. Brierley said he grew up in Salt Lake City. He went to Oregon State University. His first planning job was in Grants Pass for eight (8) years. He has been with the City for about four (4) years. There are three planners: David Beam, Barbara Mingay and Barton Brierley.

Mr. Brierley passed around the current Planning Commission roster for any changes or amendments.

VII. ADJOURNMENT

The meeting was adjourned at approximately 9:48 p.m.

Passed by the Planning Commission of the City of Newberg this 13 day of June, 2002.

AYES: 7 NO: 0 ABSTAIN: 0 ABSENT:
(list names)

ATTEST:

Planning Commission Recording Secretary Signature — Print Name: Barton Brierley — Date: 6-13-2

INFORMATION RECEIVED INTO THE RECORD
AT THE MAY 9, 2002 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 5/9/02
PLANNING COMMISSION MEETING
FROM THOSE WHO GAVE PUBLIC
TESTIMONY/ REGISTRATION CARD

Be sure to add file number by name
on each label

ANX-27-01
John Bridges(Brown Tarlow/Bridges)
515 E. First Street
Newberg, Oregon 97132

ANX-27-01
Tom R. Lancaster, PE
800 NW 6th, Union Station, #206
Portland, Oregon 97209

ANX-27-01
Anderson Engineering
112 N. Springbrook Road
Newberg, Oregon 97132

ANX-27-01
Mark Meinert/Providence Hospital
501 Villa Road
Newberg, Oregon 97132

ANX-27-01
Marita Trunk
PO Box 1078
Newberg, Oregon 97132

City Attorney
(503) 537-1206

City Manager
(503) 538-9421

City of Newberg

414 East First Street
PO Box 970
Newberg, Oregon 97132

OATH OF OFFICE

PLANNING COMMISSION MEMBER
3-year term
DENNIS SCHMITZ

TERM: 05/06/02 - 12/31/04

*I, **Dennis Schmitz**, do solemnly swear that I will faithfully exercise my duties as Planning Commission Member of the City of Newberg and faithfully perform the duties that may be assigned to me by the City Council, City Charter, the Ordinances or Resolutions of the City of Newberg, and the general laws of the State of Oregon, so help me God.*

Dennis Schmitz

*Subscribed and sworn to before me this **9th** day of **May, 2002**.*

OFFICIAL SEAL
PEGGY R HALL
NOTARY PUBLIC-OREGON
COMMISSION NO. 339219
MY COMMISSION EXPIRES NOV 21, 2004

Peggy R. Hall
Notary Public for Oregon
My Commission Expires: 11/21/04

ATTEST:

Barton Brierley, City Planner
City of Newberg

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City Attorney
(503) 537-1206

City Manager
(503) 538-9421

City of Newberg

414 East First Street
PO Box 970
Newberg, Oregon 97132

OATH OF OFFICE

PLANNING COMMISSION MEMBER
3-year term
RICHARD VAN NOORD

TERM: 05/06/02 - 12/31/04

*I, **Richard Van Noord**, do solemnly swear that I will faithfully exercise my duties as Planning Commission Member of the City of Newberg and faithfully perform the duties that may be assigned to me by the City Council, City Charter, the Ordinances or Resolutions of the City of Newberg, and the general laws of the State of Oregon, so help me God.*

Richard Van Noord

*Subscribed and sworn to before me this **9th** day of **May, 2002**.*

OFFICIAL SEAL
PEGGY R HALL
NOTARY PUBLIC-OREGON
COMMISSION NO. 339219
MY COMMISSION EXPIRES NOV 21, 2004

Peggy R. Hall
Notary Public for Oregon
My Commission Expires: 11/21/04

ATTEST:

Barton Brierley, City Planner
City of Newberg

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