

**PLANNING COMMISSION MINUTES**  
**November 18, 2004**  
**7 p.m. Special Meeting**  
**Newberg Public Safety Building**  
**401 E. Third Street**

SUBJECT TO APPROVAL AT THE DECEMBER 9, 2004 PLANNING COMMISSION MEETING

**I. ROLL CALL**

Commissioners: Dwayne Brittell Philip Smith, Vice-Chair  
Louis Larson Matson Haug  
Richard Van Noord Dennis Schmitz

Absent: Nick Tri

Staff: Barton Brierley Steve Olson

**II. OPEN MEETING**

Chair Van Noord opened the meeting at 7:00 PM.

**III. CONSENT CALENDAR**

Commissioner Haug - Questioned the process for approving consent items.

Discussion of the agenda for the evening and the process for approving the minutes from the previous meeting and the revised resolution.

Commissioner Smith moved to adopt the minutes. Commissioner Haug seconded the motion.  
Chair Van Noord and Commissioner Tri pointed out corrections to be made to the minutes.

**MOTION: Haug/Smith.** To amend the minutes from the November 10, 2004 meeting with the corrections noted. 6 Y/O  
N.

Discussion of Resolution 2004-188 and the conditions of approval.  
Commissioner Smith excused himself from the discussion and vote, due to bias regarding the applicant.

**MOTION: Smith/Brittell** to adopt resolution 2004-188.

Discussion:

Commissioner Haug did not want to affect the decision made at the previous meeting, since he was not present to hear the testimony and deliberation. He was satisfied with Commissioner Brittell's discussion.

Commissioner Brittell - Where are the Park findings in the staff report? The chief change in the findings was the removal of the park area.

Discussion of the Park findings.

Discussion of the landscaping on the site, and the park-like nature of a portion of the lot. The required landscaping will be within the stream corridor, and the street trees. There was concern about minimizing the impact to the existing nice trees on site, and discussion about how to change the wording to save these trees.

Barton Brierley suggested changing Condition 1b to read " Submit a detailed planting plan for the adopted stream corridor area as shown on Exhibit B for review and approval. Show the existing trees on the site. Include at least two 2-inch plus caliper trees. Also, submit a plan to preserve the existing trees within and to the west of the stream corridor. With proper vegetation, the plan might meet stream corridor requirements."

Commissioner Haug - this is an example of how Measure 37 often does not apply. This change in land use enhances the value of the property.

**MOTION: Brittell/Haug.** To adopt the resolution amended to include the language recommended by Mr. Brierley. 5Y/1  
Abstention (Smith).

#### IV. ITEMS FROM STAFF

##### Barton Brierley -

1. Update on Council items

Discussion of potential Stanton Furniture site and rezone from R-P/SP to M-1/SP:

Has the memorandum gone to the City Council?

Barton Brierley - yes.

Commissioner Brittell - Would like City Council to review the zone change to M-1. Thinks a change of that magnitude should have had a Type III process. Has the City Council taken any action regarding the zone change?

Barton Brierley - No, the City Council has not placed a discussion of the zone change on the agenda.

Commissioner Larson - Should we make a resolution requesting a hearing?

Commissioner Haug - I want public transparency on zone changes.

Commissioner Brittell - Should there be a re-application to consider the change? 60 people showed up at City Council about this issue.

Commissioner Larson - We have heard from the people at the Oaks. They have asked the City Council to rescind the decision. The City has made no effort.

Barton Brierley - The memorandum has gone to City Council stating your concerns.

Commissioner Haug - We've pushed the City Council.

The applicant has accepted the change as the final decision, and put resources into the site consideration.

Commissioner Schmitz - Is the zone change decision final?

Barton Brierley - It is.

Discussion of whether the residential neighbors have standing under Measure 37 to request the zone change back to R-P. The consensus was that they did not, since the zone change did not apply to their own property.

Commissioner Larson - Should we make a motion to put the zone change issue on the City Council agenda?

Commissioner Brittell - The owner is Mr. Werth. Not sure whether the property is worth more as M-1 or R-P, from a Measure 37 perspective. All testimony (from the neighbors?) is that their property values have depreciated because of the decision.

Commissioner Larson - Do we want to put it on the agenda for City Council?

Commissioner Brittell - Not sure. This conversation will be in the minutes, and reflects our concerns and that we want the City Council to confront this issue.

Commissioner Larson - This issue will not go away on its own. The minutes should be adequate.

Discussion of new Planning Commission appointments. Chair Van Noord and Commissioner Schmitz were not applying to be reappointed. The new Chair will be elected after the new members join the Commission.

2. Other reports, letters, or correspondence

None

3. Next Planning Commission Meeting: **THURSDAY** December 9, 2004

Item on the agenda review TSP

4. Planning Commission dinner: December 15, 2004, time and place t.b.d. Current and incoming Planning Commissioners are invited.

Barton Brierley amended the minutes with the approved corrections. Chair Van Noord signed the minutes and the resolution.

#### V. ADJOURN

Chair Van Noord adjourned meeting at 8 p.m.


Approved by the Planning Commission this 9 th day of December, 2004.

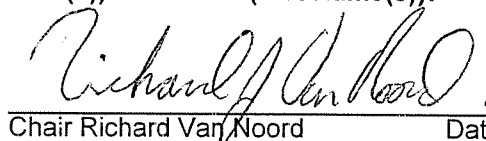
AYES: 6

NO: 0

ABSENT:  
(List Name(s)):

ABSTAIN:  
(List Name(s)):

  
Planning Recording Secretary

 12.9-04  
Chair Richard Van Noord Date