



PLANNING COMMISSION MINUTES
July 14, 2005
7:00 p.m. Regular Meeting
Newberg Public Safety Building
401 E. Third Street

TO BE APPROVED AT THE AUGUST 11, 2005 PLANNING COMMISSION MEETING

I. NEW PLANNING COMMISSIONER:

Barton Brierly swore in the new commissioner, Cathy A. Stuhr

II. ROLL CALL:

Present:	Daniel Foster	Louis Larson	Chair Smith
	Cathy Stuhr	Nick Tri	
Absent:	Matson Haug	Devorah Overbay (arrived shortly after roll call)	
Staff Present:	Barton Brierley, Planning and Building Director		
	Steve Olson, Planning Technician		
	David King, Recording Secretary		

III. OPENING:

Chairman Smith began with a quote from an ancient Harriot Martineau who said,
"If a test of civilization be sought, none can be so sure as the condition of that half of society over which the other half has power." Meeting began at 7:00 PM

IV. COMMUNICATION FROM THE FLOOR

Chairman Smith asked for the people who would like to speak to sign in on the blue sheets. There were over 30 citizens present at the beginning of the meeting.

V. CONSENT CALENDAR

Approval of the May 26, 2005 and June 9, 2005 minutes.

Motion #1: Larson/Tri to approve May 26, 2005 and June 9, 2005 Minutes.
Motion carried unanimously

VI. COMMUNICATION FROM THE FLOOR

Chairman Smith asked for the people who would like to speak about items not on the agenda. No one commented.

VII. QUASI-JUDICIAL PUBLIC HEARINGS (complete registration form to give testimony – five minute maximum per person, unless otherwise set by majority motion of the Planning Commission). No new public hearings after 10:00 PM except by majority vote of the Planning Commission.

1. **APPLICANT:** Coyote Homes
 REQUEST: Marie’s Meadow Subdivision, Zone change, and Comprehensive Plan Amendment
 LOCATION: 2418 Crater Ln
 TAX LOT: 3207DC-11400
 FILE NO.: Z-28-05/S-53-05/CPA-26-05 **RESOLUTION NO.:** 2005-193
 CRITERIA: NDC § 151.122(3); NDC § 151.242

Chairman Smith read the criteria required by law that apply for a public hearing.

2. **Staff Report: Presented by Barton Brierley**

Mr. Brierley stated that the applicant has made three requests:

1. Comprehensive Plan Amendment from LDR to LDR-6.6A
2. Zone change from R-1 to R-1-6.6A
3. Tentative plan approval for a 6-lot subdivision.

Mr. Brierley used a PowerPoint presentation to visually show the subdivision and his points of discussion. The Planning Division wants there to be consistency of this subdivision with the adjacent neighborhoods. On three sides, however, there is no similar R-1 development. The Catholic church is on the south and east, and R-1-6.6/A development is on the west. There is one house on the north that is in an R-1 zone, but it does not face Crater Lane.

Chair Smith asked if any commissioners had any questions for the staff.

Commissioner Larson asked if the voter's pamphlet explained the zoning for this subdivision when annexation was a voting issue.

Barton Brierley delivered it did to the best of his knowledge.

Commissioner Larson asked if the annexation process had some R-3 zoning, and if there were going to be apartments built in the area..

Barton Brierley stated that there was some R-2 zoning near Crater Elementary, but it was being built as single family.

Chair Smith asked for the applicant to speak.

Mike Willcuts, representing Coyote Homes, stated his support of the staff report.

Dwayne Brittell, representing the Willcuts brothers, and the Buckleys (landowners), spoke and emphasized the housing goal of providing for a diversity and a ready supply of affordable housing. He also

referred to page 28 and and the energy conservation goal. The zone change and resulting development would provide needed housing and efficient development.

Commissioner Larson asked Mr. Brittell to expound on the diversity of the housing and the affordability.

Chair Smith clarified the question and found that smaller lots will supply homes in the range of \$200,000 and upward.

Chair Smith questioned if the larger lot in the subdivision will be divided in the future.

Mike Willcuts said it will remain as one lot for now, but might be divided sometime in the future.

Commissioner Stuhr asked Mr. Wilcuts to describe the size of the homes to be built. Mike Wilcuts mentioned that the proposed square footage will be ~ 1,400, and perhaps two stories.

Commissioner Overbay questioned Mr. Wilcuts about the lots that will share a driveway and how will parking space be addressed.

Mike Willcuts responded that a 20' pad will be poured in front of the two-car garages with a back up/turn around strip provided on the lots #2 and #3.

Chair Smith asked about the trees that could remain.

Mike Willcuts Many existing trees will be saved except for a cherry tree near the back.

Chair Smith asked for public comment. There was none at this point. Staff added that no certain kind of home has to put on the lots as long as each home meets the code. Staff recommends that the resolution 2005 - 193 be approved.

Commissioner Larson asked what kind of homes will be across the street. With help from Mike Wilcuts and Commissioner Foster, the square footage begins at 1875 and goes up from there.

Commissioner Tri made a motion to adopt the resolution 2005 - 193, and Stuhr seconded. Stuhr did note one typographical error in the resolution.

Commissioner Deliberation:

Chair Smith is pleased with the incremental increase that this brings to a higher density.

Commissioner Foster asked what ramifications there would have been for the Catholic Church if they could have had the same zoning change from R-1. Barton Brierley stated that a few more lots could be developed by St. Peters if they had used the same zone change.

Commissioner Larson observes that there is a lack of consistency with the price of homes across Crater Lane. There was also the concerns with the traffic on and access to Crater Lane.

Commissioner Overbay expressed concern for the change from R-1 zoning. She also expressed a hesitation due to the density difference with the surrounding homes. Change takes place, but she doesn't want the previous home owners to be dissappointed with the change of zoning.

Chair Smith pointed out that the same size lots are on the west side of Crater Lane with larger homes that present a more crowded perspective. Marie's Meadow Subdivision probably won't present a crowded feel.

Commissioner Foster commented that this subdivision would very likely add to the value to the city, especially for first time homebuyers being able to afford smaller homes.

Barton Brierley spoke about other potential subdivisions in the area. The Marie's Meadow Subdivision does not set a precedent for zone changes. There are a couple of other lots that may ask for a similar zone change some time in the future; those would be evaluated on their own merits.

Vote on Resolution 2005-193: (6 Yes/0 No)
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3.	APPLICANT:	City of Newberg	
	REQUEST:	Crestview Mountain View Connection Appeal	
	LOCATION:	Crestview Dr & Mountainview Dr	
	TAX LOT:	3217-100, 3209-2690, 3216BB-400	
	FILE NO.:	G-113-05	RESOLUTION NO.: 2005-194
	CRITERIA:	NDC § 151.700 (B)	

Chairman Smith asked if anyone in the audience needed him to read the criteria required by law that apply for a public hearing. Since it was read before Resolution No.: 2005-193, no one requested that it be read again.

Chair Smith asked Barton Brierley to present the staff report

Barton Brierley used a PowerPoint presentation to show the transportaion plan and its effects on Crestview and Mountainview roads. A previously approved plan from 1999 has been proposed for revision because of an industrial building currently located close to the railroad track is going to be demolished. If the Planning Commissioner does not approve of the revised alignment, then the previously approved alignment plan would be in effect.

The benefits of the revised plan are the reduction of two substandard railroad crossings reduced to one standardized crossing. This revised plan also reduces travel time for people traveling through the area, provides a roundabout (which avoids signal maintenance costs), and improves safety. Currently there are three smaller roundabouts in Newberg. The proposed roundabout will have an outside diameter of 200 feet. For comparision, the Brutscher & Hayes roundabout has 130 ft. outside diameter.

There are nine criteria that need to meet for local road realignment. The major ones summarized by staff are:

1. Cost efficiency and right-of-ways. The realignment plan does not have to pay for the demolition of an existing building, making this a viable alternative now.
2. Efficiency of one route compared to another. This revised plan reduces travel time by reducing

stop signs.

3. Safety enhancements--improved rail crossing, through traffic avoids residential streets.
4. Neighborhood compatiability--after working with the adjacent neighbors, the revised plan moves the traffic away from the existing neighborhood on Crestview.
5. Alternative mode enhancements--the new plan will have sidewalks that don't currently exist.
6. The cost of the revised plan is nearly the same as the previous plan.

Chair Smith asked if any commissioners had questions for staff.

Commissioner Foster asked if a certain portion of Mountainview (the portion west of Zimri to Aspen Way) would be removed. Staff answered that it would be removed.

Terry Mahr offered his opinion about the appeal process and applicable criteria. The question is how the revised plan should be considered in light of the previous plan already approved. The Newberg/Dundee Bypass should not figure in the Planning Commission deliberation since it is going through its own appeal process. Public testimony presented tonight will be crucial if the issue is appealed to the City Council. Any appeal to the Council will be on the record.

Commissioner Overbay asked if the roundabout will be a single lane with an additional bike lane. Barton Brierley said yes to both issues. Where will the land come from for the roundabout--what land will be sacrificed?

Barton Brierley used the PowerPoint map to show that some of the land comes from industrial zoned land northeast of the proposed roundabout site, and that three homes would be demolished to provide for the roundabout. Overbay also asked if truck traffic would still be using Crestview in the future. Brierley said very limited traffic expected west of Springbrook.

Commissioner Foster asked how the roundabout would affect the utilities in the area. Barton Brierley had the city engineer, Paul Chiu, come forth and answer that some utilities would be relocated, new storm drains will be installed, and a new water line would be installed with the new connector road. This last project is planned to save money so in the future the city doesn't need to dig up a road to install the water line.

Chair Smith asked how many industrial acres were on the map under the letters D-R-A-F-T. Barton Brierley thought it was about 15 acres.

Commissioner Foster asked where the R-1 zoning was located on the map. Barton Brierley showed that it was south of Crestview. Commissioner Foster also asked how the National Guard would respond to the realignment plan. There was also concern for the speed of the connector road. Paul Chiu said that it would posted at 35 mph. Brierley didn't anticipate a change.

A ten minute break was inserted at this point in the meeting.

Public Testimony:

Dick Petrone, representing the Oxberg Lake Estates homeowners, indicated that the TSP plan and the revised plan were not the same. He was also concerned that between the time of the two meetings in May, two different roundabout plans were presented. He was frustrated that the plans keep getting revised.

The plan seems to be evolving, and therefore, it is difficult and frustrating staying on top of the issue in order to comment and address their concerns.

Commissioner Overbay asked Mr. Petrone for his impression of the livability of the plan as presented in the realignment plan. He responded it is hard to say until the plan is finalized.

Commissioner Foster clarified that Mr. Petrone was not against a bike lane or foot traffic. Mr. Petrone agreed.

John Trudel, Vice President of Oxberg Lake Estates Homeowners, also believes that the plans are evolving with new details. He also mentioned that the eastern portion of Crestview is a county road, not a city street, as clearly established by long-standing legal agreements. The neighborhood landowners are concerned that the gravel road will become a paved city arterial. They are very concerned for the proposed roundabout with its mixed vehicle use. Two letters from Mr. Trudel were added to the record.

Commissioner Foster summarized Mr. Trudel's main concern about the roundabout is having so much traffic of various sorts all in one place.

John Trudel responded that the roundabout changes the width of Crestview to the east; the gravel road that leads to Oxberg Lake Estates. He stressed that their neighborhood is not part of the city but of the county.

Chair Smith asked if Mr. Trudel's concerns were limited only to the eastern portion of the roundabout.

Mr. Trudel responded that yes, they live to the east, but that he was very supportive of a better arterial to move the traffic in and out of the industrial area west and north of the roundabout. They favor the county's recommendation to find a better solution.

Keith Wingfield, a resident of Oxberg Lake Estates, read his comments about drinking water safety (his printed comments were added to the record). Two major concerns were: 1) Construction projects often negatively affect the underlying aquifer, especially the ability to recharge with clean, uncontaminated water, 2) He also mentioned that certain state guidelines apply to their drinking water protection zone that must be observed. Mr. Wingfield sent a letter to the Planning Commission with an enclosed map of the area with the location of the neighborhood well on the map. Copies of this letter and map were passed out during his comments.

Chair Smith asked where the homeowners acquire their water, and how possible impact from the revised plan compares to the first plan.

Keith Wingfield answered that they own a neighborhood water system with one well, between 200 - 250 feet deep. The Drinking Water Protection Zone is more impacted by the revised plan than the plan approved in 1999. Mr. Wingfield would like the transportation realignment to be postponed until the full impact on the neighborhood water well can be better understood.

Commissioner Foster asked Mr. Wingfield where on his map the roundabout will be located. Mr. Wingfield then explained the concentric circles on his submitted map that show how long the water takes to

enter the aquifer depending on their distance from the well. Collection ponds will be needed with the realignment plan in order to assure that the aquifer is sufficiently replenished.

Commissioner Stuhr wondered if the city is already required to apply clean water standards. Paul Chiu said that the City was planning to let as much water percolate through the ground, but the project does include new storm drains that might divert some of the water that is currently going into the ground.

Pat Trudel, resident of Oxberg Lake Estates, expressed that her concerns had been covered and that no comment was necessary from her.

Bobbie Barnett, resident of Oxberg Lake Estates, expressed that her concerns had been covered and that no comment was necessary from her.

Paul Thornton, resident of Oxberg Lake Estates, was concerned that trucks would use east Crestview to connect to Highway 99.

Chair Smith asked if Mr. Thornton was aware of the TSP plan for Crestview. Mr. Thornton was concerned that discussions about the roundabout don't allow for their future concerns.

Thomas Guilbert, representing John Trudel, encouraged the committee to reconsider using the old plan, and don't rush to implement the realignment plan just because certain railroad traffic crossing money is available. He entered written comments as well.

Stan Kern, resident of Oxberg Lake Estates, expressed his concern about Crestview Drive (the portion to the east). He referenced a letter from the Board of County Commissioners. He quoted from the letter in order to show the County Commissioners' opposition to the plan that would affect the Oxberg Lake Estates water supply and traffic flow through their neighborhood.

Thomas Lusell, resident of Oxberg Lake Estates, pointed out the same people/homeowners will be affected under both plans. He also questioned if travel time will be improved in light of the connecting road being longer than the current traffic system.

Dwayne Brittell, citizen and local architect, was impressed with the presentation so far. Mr. Brittell questioned Barton Brierley on whether the state has approved the use of a roundabout. Mr. Brierley was not certain, but Chair Smith clarified that the question as asked in order to think ahead for the rerouting of Highway 219. Mr. Brittell did not believe that the resolution should be approved until more is understood.

Chair Smith asked for comments from staff, which include Terry Mahr if necessary.

Barton Brierley noted several people had requested the ability to provide additional written testimony. He suggested that written comments could be given to the Planning office in the next seven days. If so approved, then the committee could forego the reading of the public comments added to the record this evening.

Barton Brierley's summary comments included that this is a planning level decision, not an engineering plan of great detail. He also recommended that the Planning Commission accept the resolution.

