

PLANNING COMMISSION MINUTES

October 13, 2005

7:00 p.m. Regular Meeting

Newberg Public Safety Building

401 E. Third Street

TO BE APPROVED AT THE NOVEMBER 10, 2005 PLANNING COMMISSION MEETING

I. ROLL CALL:

Present: Matson Haug Chair Smith
Cathy Stuhr Nick Tri

Absent: Daniel Foster Louis Larson Devorah Overbay

Staff Present: Barton Brierley, Planning and Building Director
Elaine Taylor, Assistant Planner
David King, Recording Secretary

II. OPENING:

Chairman Smith began with a quote from the distinguished Will Rogers: "*You know everybody is ignorant, only on different subjects.*" Meeting began at 7:03 PM with nineteen citizens in attendance at the beginning.

III. CONSENT CALENDAR

Approval of the September 8, 2005 minutes from last Planning Commission meeting.

Motion #1: Tri/Haug to approve September 8, 2005 minutes. Motion carried unanimously.

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 four sheets filled out already (eleven by the end of the evening).

V. LEGISLATIVE PUBLIC HEARINGS

Chairman Smith asked if any commissioners needed to abstain. Cathy Stuhr mentioned her home property could cause a future conflict of interest, but there was no abstention needed this evening.

1. **APPLICANT:** City of Newberg
REQUEST: Adopt new industrial zoning standards and comprehensive plan policies
FILE NO.: G-115-05, G-117-05 **RESOLUTION NO.:** 2005-196

2. **Staff Report: Presented by Elaine Taylor**

Elaine Taylor gave a Powerpoint presentation on the proposed Industrial Zoning changes (a continuation from previous meeting). Her presentation began with summary of material presented at the September meeting. The goal of the proposal is to make a more efficient use of the industrial land base in Newberg.

The presentation showed the major differences between the current code and the proposed code. Some of Elaine Taylor's summary is in the chart called COMPARISON: Existing Indust. Zoning vs. Proposed Revision.

Chair Smith alerted the citizens that the Planning Commission continued this item from the September meeting to allow greater public input..

Commissioner Haug asked for a recap of the information that led to the staff report conclusions for the benefit of the citizens present. Elaine Taylor verbally highlighted the information involved with all seven points of the Interoffice Memorandum (see pages P154 - 157 in the Agenda packet). Haug also pointed out that the need for an additional zoning tool is related to land available in the SE part of town.

Elaine Taylor said the proposed zoning changes would affect Hazelden Springbrook. She has tried to contact their office, but has not been able to reach them.

Chair Smith sought clarity on which option of R2005-196, especially in relation to Type II applications, is being recommended. Elaine Taylor said that the proposal as not changed since the last meeting except for some very minor changes.

Public Comment:

Bob Larson, a resident of Newberg, would like the record (page 2 of COMPARISON chart) to reflect that the skating rink category should also include bowling alleys, even though it most likely will need to be in a commercial zone and not an industrial zone.

Jarrett Rose, a resident of Tigard, owns property in Newberg. He wanted to know if a vote would take place tonight. Upon hearing that there could be a vote, he stated that he found himself a step behind for deliberation. Mr. Rose also questioned the presentation of "more efficient use." He wanted to know what brought on the change of zoning. He also questioned Elaine Taylor's presentation about daycare being available, but then not seeing any discussed in his handout. This concerned him that other discrepancies might be present that he has not observed in the handout.

Chair Smith appreciated Mr. Rose's concerns and good questions. Smith promised a response to Mr. Rose's questions. The deliberations being done this evening is for the sake of passing on an informed recommendation to City Council.

Commissioner Haug answered that the need for a change of zoning was a built-in process of review being undertaken by the Planning Department and the Planning Commission. The process has involved many meetings and workshops to allow and acquire public input.

Jarrett Rose, a resident of Tigard, also added that a Newberg bowling center could work on an industrial zoned piece of land.

Ed Bartholomy, a resident of Aloha, owns property near Sportsman's Airpark, including Gold's Gym. He too believes there has been little forewarning of the citizen process of input. Mr. Bartholomy added that his tenants did not receive written notice of the Industrial Zoning Revisions. He even asked that the planning commissioners delay the deliberation and vote tonight until more citizen input is gained, even written comments.

Staff gave a detailed report of who was contacted and how such companies/land owners were contacted.

End of Side A, Tape 1

Questions for staff:

Chair Smith worked systematically through the questions brought on by the citizen input. He first emphasized that current businesses will be able to maintain their businesses. The new M-4 zoning is being created for the *future* land use needs of Newberg. A business that could possibly be affected by the changes is Hazelden Springbrook.

Ed Bartholomy, a resident of Aloha, was still curious if a current business, like Gold's Gym, could grow and expand under the proposed changes. Elaine Taylor said that it could under a legal non-conforming use. This is still a major concern to Mr. Bartholomy because of the difficulty with financing and non-conforming use status. He also questioned if anyone has considered Measure 37's impact on all this. He is very supportive of various uses of land being made available in Newberg.

Barton Brierley summarized the genesis of the proposed changing. In economic development the challenge is getting industries/companies to come to Newberg. The Planning and Building Department wants to be better align types of businesses with the land that is available. **Barton Brierley** also pointed out that as a legislative public hearing, the public comment can be extended, but the commissioners are not required to do so.

Chair Smith allowed more public comment:

Rick Olson, as a resident of Newberg and an owner of M-2 property, would also like more time to be informed and would even attend a workshop.

Commissioner Stuhr questioned whether notice was received back in May, 2005. Mr. Olson replied he had not received such notice(s).

Commissioner Deliberation:

Commissioner Haug wanted (1) not to rush the whole process, (2) to clarify that the revisions are not meant to take away from business opportunities, and (3) to know the status of Hazelden Springbrook for better deliberation.

Commissioner Stuhr believed that other landowners/business owners could still be in the dark.

Commissioner Tri also expressed concern for the Hazelden Springbrook issue, and for more public testimony.

Chair Smith summarized that the commissioners were willing to leave public testimony open until the November 10, 2005 meeting.

Commissioner Haug suggested that some deliberation still take place tonight for the sake of clarity.

Care Taker Residence:

Commissioner Haug didn't want to see potential hazards involved. Barton Brierley said that a conditional use permit (with periodic review) would limit the use of a care taker residence the way the Planning Commission thought best.

Child Care Facilities:

Commissioner Haug wanted to know what was planned for M-2 and M-3 zoning. Staff reported child care services will be allowed in M-1 and M-4 with a conditional use permit.

Hazelden Springbrook:

The Planning Division has received no response locally or at corporate headquarters. **Commissioner Haug** suggested letting them know that there are deadlines that the Planning Commission is facing and very much needs a prompt response.

Truck Stops and Fueling Stations:

Chair Smith spoke of the earlier conclusion that simple truck stops/ fueling stations would not be practical. It was then proposed that M-4 zoning simply not include large truck fueling stations and overnight parking.

Barton Brierley was asked how Gold's Gym in Newberg is zoned. He said it is M-2.

Commissioner Stuhr asked what specific language makes such property an M-2 designated piece of land. It came about through workshops and hearings, wanting industrial areas conducive to traffic. Some discussion followed on how much traffic is too much traffic for light industrial, and what to do with growing businesses that increase the traffic flow.

Chair Smith pointed out that a traffic flow chart related to business square footage (i.e., day trip books) was very helpful for setting an objective standard. Such an objective standard would help keep Planning Division and Planning Commission decisions uniform.

Chair Smith indicated that they would continue the hearing to November 10 to allow additional public input.

***** A ten minute break was taken at this point.

- APPLICANT:** City of Newberg
REQUEST: Amend the Newberg Comprehensive Plan to adopt new population projections and land needs estimates
FILE NO.: CPTA-05-01 **RESOLUTION NO.:** 2005-197

Barton Brierley summarized the staff report. This project started a year ago to update the comprehensive plan for Newberg's future population growth and land needs. Newberg's current population and projected growth were shown via his laptop presentation. The actual consultant and method of the projected population figures were explained. The Ad Hoc Committee used the various figures and scenarios to propose recommendations for the years 2025 and 2040. Other issues discussed with visual aides included: facts and figures from the Ad Hoc committee, densities of home sights, residential land needs, commercial land needs, industrial land needs, institutional land needs, and total land needs.

End of side B, Tape 1

Questions for staff:

Chair Smith asked if private institutions had been consulted for their input, such as George Fox University. According to Barton Brierley they had been, as well as other private institutions.

Public Testimony:

Clair Hertz, a resident of Newberg, and a representative of the Newberg School district. She reported the need for a future elementary school, a middle school, and a new high school site. The new high school might be needed by 2020. Enrollment has been flat over the last couple of years, but 3% growth occurred this fall, even in the elementary grades. A new elementary and middle school could be needed in 2011. Improved test scores and school ratings have been encouraging people to move to Newberg for the school system.

Karl Maerz, a resident of Newberg, was pleased with the work of the Ad Hoc committee, and came to state his support for the work of the committee.

Mark Martin, a resident of Newberg, and a recreation representative of CPRD. He supports the proposed changes and would like to discuss moving a piece of property on Wilsonville Rd. from the 2040 plan to the 2025 plan. This proposed piece of property involves the land that would become an additional nine hole golf course.

Al Benkendorf, a resident of Portland, representing the Schaad family and Pacific Lifestyle Homes. He wanted to encourage the Planning Commission to adopt the Ad Hoc committee work, and he desired to address the residential land needs. A discrepancy of 1,000 units seem to exist, and his explanation is summarized in the two page letter dated October 13, 2005, subject title: Population Forecast.

Commissioner Haug responded that such a discrepancy in proposed buildable units was very disconcerting.

Mr. Benkendorf believed the total would be low and wanted the council to expand the figures from the Ad Hoc proposal.

Warren Parrish, a resident of Newberg, wanted the commissioners to understand the transportation load on Hwy 99. A true transformation of Hwy. 99 from Tigard to Newberg is necessary, according to Mr. Parrish. Newberg won't attract new industry, let alone reach its population growth figures, without a better transportation plan. The recent bottleneck of traffic due to an accident on I-5 shows the problems.

Grace Schaad, a resident of Portland, wanted it clarified that Al Benkendorf only represents Roger and Sandy Schaad. Mr. Benkendorf does not represent Grace, her brother, or any of the immediate family.

Barton Brierley responded to the discrepancy of residential figures brought up by Al Benkendorf. At any given point in time, Newberg has 50 - 150 lots platted for development, and such lots do not count as land available for development. The discrepancy might be due to the fact that a 1,000 lots were committed for development at the time of the figures of the Ad Hoc committee. Some of these homes in process will actually be counted among the homes that fulfill the 2025 plan.

Chair Smith reiterated that certain density is required by the new proposals, but wondered if the homes in process will actually be built to the new density figures.

Barton Brierley responded that homes will be counted accordingly.

Commissioner Haug was still uncertain why such a large discrepancy exists.

Al Benkendorf stepped back up to clarify his point. The Ad Hoc committee report said that 6,700 new housing units are needed for the 2025 plan, but the next page in the report says that only 5,700 need to be built because 1,000 were in process in 2004 but not all of them have been built in 2005.

Chair Smith wanted to revisit the importance of the planning department holding developers to the higher densities or all the other proposed growth figures will be off target. **Commissioner Haug** added that he didn't think that the infrastructure exists to hold everyone to the higher density goals.

Commissioner Stuhr believed that the housing market and developers will be able to bring about the proposed densities. **Commissioner Haug** didn't believe that such densities will enhance the Newberg community, let alone be willing to pay for the infrastructure upgrades.

End of Side A, Tape 2

Chair Smith encourages that the planning department build in an assessment measurement tool of densities.

Barton Brierley responded that the current LDR density targets are not supported by the current planning code. He does think that the code keeps developers from meeting the targets. MDR proposed density targets are very doable with a greater number of apartments in Newberg. What truly drives the housing market, according to Mr. Brierley, is the level of income. Greater numbers of MDR units will allow a greater range of income levels to afford some sort of housing in Newberg. This is not always the kind of development that developers want to build.

Commissioner Stuhr recounted some of the public interaction that the Ad Hoc committee members encountered. Sam Farmer was invited to the podium to speak to the same issue. He believes that the MDR issue could best be solved by making it attractive to the developers. The developers need to have an incentive to build MDR or Newberg will continue to loose such families to Lafayette, Dayton, and McMinnville.

Commissioner Haug wasn't sure how such future density goals could be achieved in Newberg without the infrastructure of Portland-like transportation, short commute to work, etc.

Commissioner Tri motioned to adopt 2005-197 and **Commissioner Stuhr** seconded the motion.

Vote on resolution 2005-197: (4 yes/0 no). Motion passed

VI. ITEMS FROM STAFF:

Barton Brierley invited everyone to Community Night. The benefit of the event on October 18th is that 18 workshops will be presented (see brochure)

There will be a neighborhood meeting on November 1, 2005 for the east Newberg community.

The next meeting is scheduled for October 27, 2005, which will cover review processes, maintenance planter strips, comprehensive plan policies, etc.

Other meetings to note: November 10 and December 8.

Chair Smith was interested to know when the city council meeting would require planning commissioners reapply.

Some discussion ensued concerning the details of up-coming workshops.

VII. ITEMS FROM COMMISSIONERS:

Commissioner Stuhr wondered why Coyote Joe's gets to have so many signs visible on the property. Barton Brierley responded that the Planning Division is aware of various sign violations and is underway in addressing the issues.

VIII. ADJOURN:

Chair Smith adjourned the meeting at 10:18 p.m.

Approved by the Planning Commission this 10 day of November, 2005.

AYES: 7


NO: 0

ABSENT: 0
(List Name(s))

ABSTAIN: 0
(List Name(s))



Planning Recording Secretary

 10 NOV. 05

Planning Commission Chair Date