

## PLANNING COMMISSION MINUTES

April 27, 2006

7:00 p.m. Regular Meeting

Newberg Public Library

503 E. Hancock Street

*APPROVED AT THE MAY 11, 2006 PLANNING COMMISSION MEETING*

### I. ROLL CALL:

Present:	Matson Haug	Chair Larson	Devorah Overbay
	Phil Smith	Nick Tri	Cathy Stuhr

Absent: Daniel Foster

Staff Present: Barton Brierley, Planning and Building Director  
David Beam, Economic Development Coordinator  
David King, Recording Secretary

### II. OPENING:

**Chairman Larson** began the meeting at 7:05 PM and moved right into the consent calendar.

### III. CONSENT CALENDAR:

**Chair Larson** brought to the floor the approval of the April 13, 2006 minutes.

<b>Motion #1: Tri/Haug</b> to approve the April 13, 2006 minutes (5 Yes/ 0 No, Stuhr Abstain)
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### IV. COMMUNICATIONS FROM THE FLOOR:

**Chair Larson** invited the guests (11 present at the beginning of the meeting) to bring up any issues not on the agenda. No one spoke. Barton Brierley reminded everyone that the Library will be closing, and they should not wander around the building.

**Chair Larson** then read the details involved with legislative public hearings and asked the audience members if they understood the requirements. No one had any questions.

### V. LEGISLATIVE PUBLIC HEARINGS:

1.	<b>APPLICANT:</b>	Newberg City Council on behalf of Newberg School District	
	<b>REQUEST:</b>	Modification of sign code to allow additional freestanding signs at schools	
	<b>FILE NO.:</b>	DCA-06-001	<b>RESOLUTION NO.: 2006-208</b>

**Chair Larson** invited any commissioners to abstain or to reveal conflict(s) of interest. Mr. Smith works at GFU and Mrs. Stuhr's business leases land from the school district. Other commissioners did not believe that either commissioner had to abstain.

**Barton Brierley** presented the staff report. He summarized the previous discussion that was brought before the Planning Commission on March. The school district is asking for an additional reader board signs to complement the current freestanding signs at several school properties. The purpose is to announce more information to the families and students. Such a modification to the sign code could also be applied to other city entities if such groups meet certain criteria.

**Mr. Brierley** used PowerPoint visuals and shared the previous Option A. (see Agenda Packet pages P15 – P26). At the previous meeting the details of this option were to be further investigated. The changes that a revised code would allow were visually demonstrated by showing an aerial photo of the Chehalem Middle School/Crater Elementary property. This aerial photo is not in the packet. The revised changes to GFU and the hospital were also shown visually (see P24, P25).

The Agenda Packet also includes Option B. The slightly different aspect to this option is that an additional sign is allowed for each 40,000 square foot building, "provided that the sign is within 250 feet of that building."

Option C allows for additional signs based solely upon the amount of street frontage. This proposed criterion makes option C the simplest of the options. The average school property has ~ 700 feet of street frontage; therefore they once again could add an additional sign with this option. This option alleviates having to measure square footage of buildings, and the simpler language makes it very easy to defend. This option also allows entities to have an addition sign even if the property doesn't have buildings of large square footage, i.e., ball fields, the golf course, etc.

In summary, all the options meet the overall objective of the sign code and are recommended by the staff.

#### **Public Testimony:**

No audience member was present to address the issue, nor was there any written testimony.

#### **Questions from Staff:**

**Commissioner Stuhr** asked if a business could apply for additional signage. Mr. Brierley said yes only if the business was operating in a residential zone, institutional zone, or the community-facilities zone. She also believed that that option B had some convoluted language.

**Commissioner Haug** asked for the objectives of the sign order to be presented visually again. Mr. Haug then asked about staff's concern for clutter and if it should be an objective to the sign order.

**Mr. Brierley** responded that generally the sign order does avoid clutter by limiting the number of signs in general.

#### **Deliberation:**

**Commissioner Smith** proposed to accept option C, and Haug seconded the motion. Other commissioners agreed with comment. **Commissioner Haug** added that he appreciates the excellent work of the staff and **Commissioner Stuhr** noted that a date needed to be changed on the resolution on P19.

**Motion #2: Smith /Haug** to approve resolution 2006-208 with Option C as presented (6Yes/0 No)

**Motion #2: Smith /Haug** to approve resolution 2006-208 (6Yes/0 No)

This resolution is scheduled to be brought before City Council on June 5, 2006.

2. **APPLICANT:** J.T. Smith Companies  
**REQUEST:** Amend Comprehensive Plan Policies to allow UGB amendments near the North Side Road  
**FILE NO.:** DCA-06-003 **RESOLUTION NO.:** 2006-210

**Chair Larson** invited any commissioners to abstain or to reveal conflict(s) of interest. Nothing was mentioned.

**Barton Brierley** presented the staff report. The city does not approve UGB amendments in interchange overlay districts until the interchange management plans are adopted. However, there is one exception that might be brought into affect with the Urban Reserve Area C, north of Highway 99W, across from Providence Hospital (see Agenda Packet pages P27 – P60). The proposal for this evening is to allow UGB amendments in the URA Area C prior to adoption of the interchange area management plans (see P30).

The staff recommends that the commissioners adopt the proposal. ODOT has already agreed to the change, and this would also facilitate the expansion of the UGB.

**Public Testimony:**

Michael Robinson, 1120 NW Couch St, Portland, land use attorney for Mr. J. T. Smith. He summarized meeting with Mr. Brierley a year ago. He appreciates the staff recommending the proposal and expressed his recommendation as well.

John Bridges, 515 East 1<sup>st</sup> St., Newberg, attorney representing the land owners of three of the four parcels in Urban Reserve Area C. He summarized how the URA land was never meant to be undeveloped. Developing the land now will actually help the city by building a frontage road through the parcels, and it will disconnect Benjamin Road from Portland Road (Hwy. 99). He also mentioned that some medium and high residential construction will occur on in the parcels, which benefits the long range plans of Newberg's growth.

**Final comments from staff:**



With agreement to move forward this evening, **Chair Larson** asked for possible abstentions or conflict(s) of interest. None were mentioned.

#### **Staff Report:**

**David Beam** summarized the April 13, 2006 discussion. Copies of all the research ordinances were sent to commissioners. Mr. Beam then briefly explained the supplemental information included in the Agenda Packet (see pages P61 – P101), showing how the questions by the Commission from the April 13<sup>th</sup> meeting have been addressed.

**Commissioner Haug** wanted an explanation of the conditional use on page P68 regarding gates on private streets. Commissioner Haug wanted why staff recommended that the conditional use would be a Type II procedure rather than the standard Type III.

End of Side A, Tape 1

**Barton Brierley** explained that there was a typographical error—it should be written as a Type III process.

**Commissioner Smith** asked about permitting commercial passenger and cargo planes. Since the runway was not going to be lengthened, wouldn't it be unlikely to that the airport would develop any significant levels of business like these?

**David Beam** concurred.

#### **Public Testimony:**

**Michael Robinson**, 1120 NW Couch St, Portland, land use attorney for Mr. J. T. Smith. He appreciates the earnestness of the commissioners, but would like to keep the public hearing process moving. His client would like to see their annexation on the ballot in the fall. If the policy implications of a gated street/private streets keep the issue from moving forward, then Mr. Robinson and his client are willing to take that wording out of the amendment, and simply construct a public road.

Mr. Robinson also mentioned their plans for residential density transfer plans, and wanted to ensure that he understood the code language on P98. He also complimented the staff for the work on the airport plan.

**Commissioner Smith** asked Mr. Robinson for clarity on keeping a gate and a private road out of the wording. Mr. Smith didn't understand how the private road could be removed as well.

**Mr. Robinson** responded that the private road only works with a gate. If the gate is removed, then there would be no need for a private road.

**Commissioner Overbay** wondered how removing the gate would still allow for planes and cars to safely operate on the same roads.

**Mr. Robinson** suggested that the hangers that are separated from the residences be kept on a private, gated street and the houses on a public street.

**Jeff Smith**, 4386 Macadem Ave, Portland. He has worked long and hard on this plan. He owns a plane and believes that this is a valuable plan.

**Commissioner Smith** asked Mr. Robinson about the density transfer— issue: low density on the large lots on the east side of the creek will be made up for on the west side.

**Mr. Robinson agreed.**

**Final Comments from Staff:**

**Barton Brierley** suggested that the commissioners' deliberation be compartmentalized. Leave the gated, private drive issue alone for now and consider the overall plan.

**David Beam** stated that he disagreed with Mr. Jeff Smith that cars and planes can share the same public roads an AR zone.

**Barton Brierley** reminded the commissioners that their task is to recommend to the council if the general proposal should go be approved.

**Commissioner Haug** pointed out that the gates could be located where shared private roads/taxiways meet the public streets.

**Deliberation:**

**Commissioner Smith** proposed that gates be placed where shared private roads/taxiways meet the public streets.

**Mr. Robinson** suggested that the wording "private streets that function as taxi ways" be inserted into the motion.

**Commissioner Smith** stated that he appreciated the process so far, and has been pleased with the various people involved in bringing about something beneficial for the community. Other commissioners were very much in agreement.

**David Beam** wanted the proposed amendment regarding gates and streets apply to both AR and AI land.

It was decided to amend 151.149.28, and all similar places, that private streets that function as taxiways that operate in AR and AI, are allowed and may have gates as approved by the fire marshal. This language can be revised as staff sees fit.

**Motion #4: Smith/Overbay** to approve amendment to resolution 2006-2611 (6Yes/0 No)

**Motion #5: Haug/Tri** to approve resolution 2006-2611 (6Yes/0 No)

**VI. ITEMS FROM STAFF:**

1. Commissioner Smith is the new alternate for Commissioner Haug for NAUMC
2. The May 15, 2006 City Council meeting will hear the zone change on Springbrook for Spring Road.
3. Fred Meyer has given Mr. Brierley a drawing of their proposed sidewalk.
4. May 11, 2006 is the Joint meeting with City Council.

## VII. ITEMS FROM COMMISSIONERS:

**Commissioner Stuhr** had lingering thoughts from the previous meeting. She believes that since the public and staff are required to address specific criteria on issues before the commission, the commission should as a general rule, direct lines of questioning to the same specific criteria. She recognized the need/desire to address issues raised by the public outside of the specific criteria but felt it would be more effective and efficient for the commissioners to: a) strive to address and frame questions as they relate to specific criteria, b) let other commissioners and public know when questions are going to address issues outside the criteria, and c) keep questions that are outside of criteria to a minimum.

**Commissioner Haug** agreed, and encouraged each commissioner to hold the other commissioners accountable to the criteria. There is a conference for the commissioners to attend that trains commissioners in various helpful of meeting protocol. These conferences are sponsored by Anderson Associates.

**Commissioner Haug** also complimented the staff on their good work.

## VIII. ADJOURN:

**Chair Larson** adjourned the meeting at 9:15 p.m.


**Approved by the Planning Commission this 11th day of May, 2006.**

AYES: 7

NO: 0

ABSENT: 0  
(List Name(s))

ABSTAIN: 0  
(List Names(s))

  
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Planning Recording Secretary

   
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Planning Commission Chair      Date