



PLANNING COMMISSION MINUTES

July 13, 2006

7:00 p.m. Regular Meeting
Newberg Public Safety Building
401 E. Third Street

APPROVED AT THE JULY 27, 2006 PLANNING COMMISSION MEETING

I. ROLL CALL:

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

Absent: Dan Foster

Staff Present: Steve Olson, Assistant Planner
Harper Kalin, Assistant Planner
Ruth Schlachter, Recording Secretary

II. OPENING: 7:00pm

Chairman Larson moved right into the consent calendar.

III. CONSENT CALENDAR:

Chair Larson brought to the floor the approval of the June 22, 2006 minutes.

Motion #1: Haug/Tri to approve the June 22, 2006 minutes (6 Yes/ 0 No)

IV. COMMUNICATIONS FROM THE FLOOR:

Chair Larson invited the guests (6 present at the beginning of the meeting) to bring up any issues not on the agenda. No one spoke.

V. QUASI-JUDICIAL PUBLIC HEARINGS:

1. APPLICANT:	Roger Nelson	
REQUEST:	Annexation of 3.2 acres, comprehensive plan amendment to Medium Density Residential (MDR), and zoning map amendment to R-2 for a portion of the property	
LOCATION:	Crater Lane & Lynn Drive	
TAX LOT:	3218AB-1800	
FILE NO.:	ANX-06-02/CPA-06-04/ZMA-06-04	RESOLUTION NO.: 2006-219
CRITERIA:	NDC § 151.262, § 151.122	

Harper Kalin presented the staff report:

The request is for annexation of 3.2 acres. There are currently no structures on the site. A small portion of the property is within the Stream Corridor Sub-district. The comprehensive plan designation is LDR, current zone is county VLDR1. The request includes changing the zoning designation of the west side to R-2. The concept development plan Future shows a 16-lot subdivision. Crater Lane will be extended through the parcel. Sewer & water service are available directly to the north of the site. Police & fire have adequate services available to this area. The request is consistent with the Comprehensive Plan for the area. No written testimony was received.

Staff recommends approval of Resolution 2006-219.

Commissioner Stuhr questioned the storm water situation.

Harper Kalin answered that a public storm easement is already established.

Public testimony:

Roger Nelson – applicant, Aurora, OR. Stated that he is present and willing to answer questions.

Leonard Rydell – Civil Engineer for applicant, Pinehurst Dr., Newberg, OR. Leonard prepared the application, completed survey and other prep. work. He is willing to answer any questions.

Mitsi Vondzacher, 315 Columbia Dr., Newberg, OR seller of property to Roger Nelson. Mitsi is a proponent of the proposal, but has concerns about the storm water. The current amount of storm water is already over loading the drainage easement area. Mitsi has lived there 16 yrs and the problems have increased as the development has increased. She has flooding in her basement as a result. The problem seems to be that water can't get across Columbia drive fast enough. The culvert isn't large enough to handle the current amount of water. Mitsi asked what the plan is to correct this problem.

Harper Kalin stated that the staff recommendation stands. When a subdivision is applied for the storm water issued will be addressed at that time.

Commissioner Haug stated that the culvert is under the county jurisdiction and the city may need to take over ownership to correct this storm water drainage problem. (similar to the past culvert issue on Fernwood Rd)

Deliberation:

Commissioner Larson questioned whether this development will come back to planning commission for review before development.

Harper Kalin answered that because the Stream Corridor Sub-district is running through the property, it will return to Planning Commission for review once a subdivision application has been submitted.

Commissioner Stuhr mentioned she appreciated the developer's willingness to develop a little more density which is needed in Newberg.

Commissioner Smith asked whether the property to the east was notified and given the opportunity to also be annexed into the City.

Harper Kalin answered that the owner of that property had applied for annexation as well but withdrew his request. The owner has been notified.

Motion #2: Haug/Smith to approve the resolution 2006-219 (6Yes/0 No)

2.	APPLICANT:	Coyote Homes Inc.	
	REQUEST:	Annexation of a 3.2 acre parcel	
	LOCATION:	1200 S. Springbrook Road (Springbrook Rd & Wilsonville Rd)	
	TAX LOT:	3221-3100	
	FILE NO.:	ANX-06-001	RESOLUTION NO.: 2006-220
	CRITERIA:	NDC § 151.262	

Harper Kalin presented the staff report:

The request is to annex 3.2 acres, titled McKern's Corner. The property is bordered to the north, east & west by Newberg city limits. The comprehensive plan designation is MDR. The current zoning is county AF-10. The concept development plan is a 24 lot condo plat with R2 zoning designation. This is consistent with the comprehensive plan for this area. Sewer, water & storm systems are all closely available to site. The study corridor for the ODOT bypass goes around the property. Right of way dedication is shown on the concept development plan. Final design for the bypass interchange is anticipated by the end of 2007.

Staff recommends adoption of resolution 2006-220 and withdrawal from Newberg rural fire protection district.

Commissioner Haug stated concern about the private road. Since it is not a public street it does not comply with the city ordinances.

Harper Kalin explained that a condominium is considered one tax lot. One tax lot is allowed to have one driveway to serve it. This is considered a drive way, not a private road.

Commissioner Smith asked how safe it would be for Fire standards.

Harper Kalin explained that this will be discussed during the design review phase of the project.

Chair Larson stated that the commissioners are only deliberating the annexation request, not the development concept. The concept is shown as a requirement.

Commissioner Overbay questioned about the comments which were received from Mart Storm.

Harper Kalin referred to pages 119 & 120 - Mark Storm's request to be noticed on anything related to this project. That was his entire comment. He was given public information regarding this meeting.

Public testimony:

Jeff Caines - land use planner, SR Design, Beaverton, OR representing Coyote Homes. Stated the request is only asking for annexation at this time. Not zoning or comprehensive plan change. The

applicant contacted ODOT early on in the process to allow for right of way for bypass corridor which is still in the planning stages. There have been many meetings with ODOT regarding the right of way on the corner of this property. A general layout of the property is provided with utilities running through the property. Fire safety is always an important issue & will be discussed during design phase. The ODOT map shown is one design plan, that is not the only plan. It is one of many.

Commissioner Smith asked if adjustments can be made to the development plan if necessary to coordinate with ODOT plans.

Jeff Caines answered yes, adjustments can be made.

Mike Willcuts, 11700 NE Sunny Acres Ln, Newberg, OR stated that the original drawing had the Wilsonville Road corner going around the property. Now the corner is expanding to allow 35 mile/hour traffic. Changes have already been made. ODOT is discussing this corner with them. Negotiations are still being made.

Harper Kalin stated that the proposed infrastructure improvements to the intersection of Springbrook Road and Wilsonville Road by ODOT are for safety reasons and have funding for completion. The future realignment of the same road to intersect the subject property is one option that ODOT is considering for long term improvements associated with the Bypass, which is currently in the design phase without a definite funding mechanism or exact timeline for construction.

Deliberation:

Chair Larson questioned whether this development will come back to planning commission during the design review stage.

Harper Kalin answered that if requested by a citizen, then it will come before Planning Commission again. Otherwise, under the current code the project would not come before Planning Commission for either a subdivision or design review.

Commissioner Haug requested an addition to the agenda to discuss private street ordinance.

Commissioner Stuhr stated she was in favor of the application.

Commissioner Overbay stated approval of design and appreciation of the higher density.

Commissioner Haug stated dissatisfaction of the concept of 24 homes on one street with only one entrance/exit.

Motion #3: Overbay/Stuhr to adopt the resolution 220 (6 Yes/0 No).

Commissioner Smith stated that because of the size of this project he would like to see it come before the Planning Commission again during the design review phase.

Discussion was held regarding the process (what triggers a public hearing) and about the private street ordinance language.

After discussion staff was asked to draft a resolution for the Planning Commission to send to Council regarding permission for staff to spend time developing certain code changes:

- Public hearing process should be altered so any application requesting 5 or more homes will need to come before the Planning Commission.
- Street Design flexibility should be addressed.
- The private street ordinance language 'lots' should be changed to 'dwellings' which will trigger the use of a street instead of a driveway for any development with more than two dwellings.

Chair Larson stated the Commissioners would like to move forward at the next meeting with a resolution from staff to take before city council.

Commissioner Stuhr expressed that these issues might be worth a workshop. Including fire, police, developers, staff, and public to discuss density, livability, street widths, & flexibility. Include developers in this discussion as well.

More discussion was held regarding what to ask from staff and what time frame to request it in.

Chair Larson stated that the culvert across Columbia Dr. is another issue which should be addressed tonight.

Commissioner Stuhr noted that the staff stated 'utilities are available.' What about the capacity of those utilities? The storm water drainage is currently over capacity.

Commissioner Tri stated that two governmental units are involved.

Discussion was held regarding the over capacity culvert drainage system at Columbia Drive, downstream from the Nelson site. The problem that needs to be fixed is in the county, but in an area that will probably come into the city eventually.

Commissioner Haug stated a question for Barton Brierley: What are our options & alternatives to solve this? Haug requested that this issue be added to the NUAMC agenda for the August 23rd meeting.

Discussion was held regarding the parks & recreation district and how it is separated from the City's control.

Commissioner Haug added to the resolution a requirement for new development regarding where parks will be located.

Revised resolution request: staff should draft a resolution for Planning Commission to send to City Council requesting permission for staff to spend time developing certain code changes:

- Revised criteria for when subdivisions and developments require a Type III process with a public hearing before the Planning Commission. One request is that any application requesting 5 or more homes will need to come before the Planning Commission.
- Street Design flexibility should be addressed.

- The private street ordinance language 'lots' should be changed to 'dwellings' which will trigger the use of a street instead of a driveway for any development with more than two dwellings.
- Develop livability standards that should be incorporated into subdivision review.
- Develop parks standards, such as size and location of nearby parks, that should be incorporated into subdivision review.

VII. ITEMS FROM STAFF:

1. Next Planning Commission (Special) Meeting: July 27, 2006.
2. August 10 2006 Regular Planning Commission Meeting.
3. September 14, 2006 Regular Planning Commission Meeting.

VIII. ITEMS FROM COMMISSIONERS:

Commissioner Overbay requested an update at the next meeting regarding pedestrian access at Fred Meyer, and the status of the McKern house.

Commissioners Stuhr and Overbay stated that some of the issues discussed tonight point out the need for the Livability Workshop coming up in October.

IX. ADJOURN:

Chair Larson adjourned the meeting at 9:13 p.m.

Approved by the Planning Commission this 27th day of April, 2006.

AYES:

6


NO:

0

ABSENT: 1
(List Name(s))

FOSTER

ABSTAIN: 0
(List Names(s))


Planning Recording Secretary

 8-10-06
Planning Commission Chair Date