

PLANNING COMMISSION MINUTES

June 14, 2007

7:00 p.m. Regular Meeting

Newberg Public Safety Building

401 E. Third Street

TO BE APPROVED AT THE JULY 10, 2007 PLANNING COMMISSION MEETING

I. ROLL CALL:

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| Present: | Devorah Overbay (Chair) | Daniel Foster | Matson Haug |
| | Lon Wall | Nick Tri | Cathy Stuhr |

Student Planning
Commissioner: Benjamin Shelton

Absent: Phil Smith

Staff Present: Barton Brierley, Planning and Building Director
Jessica Nunley, Assistant Planner
Luke Pelz, Assistant Planner
Jennifer Nelson, Recording Secretary

Others
Present: Dan Schutter, John Arnold, Marcia Mikesh

II. OPENING:

Chair Devorah Overbay called the meeting to order at 7:05 PM, noting to all members to be considerate to the substitute recorder when making motions and voting.

III. CONSENT CALENDAR:

Approval of May 3, 2007 Planning Commission Meeting Minutes.

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| Motion #1: Haug/Stuhr to approve the Minutes from May 3, 2007. (6 Yes/1 Absent [Smith]) |
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IV. COMMUNICATION FROM THE FLOOR:

Chair Overbay invited the guests to bring forth any new topics for the agenda. Nothing was brought forth to be added to the agenda.

V. QUASI-JUDICIAL PUBLIC HEARINGS:

Chair Overbay asked for any commissioners who needed to abstain or declare any previous involvement with the development. There were no abstentions.

- RESOLUTION NO.: 2007-236

Staff Report:

Commissioner Lon Wall asked staff for clarification on items two and nine of the slideshow, concerning various awnings to be taken down and/or replaced with similar.

Commissioner Wall asked if number two not being replaced was a violation of the rules.

Commissioner Wall also asked about the grain hopper.

Commissioner Wall asked about the removal of the small grain hopper shed in item number five and if it was not supposed to have been done.

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Public Testimony:

John Arnold, Property Manager, 303 N. Main Street, stated his intention is not to destroy or ruin the historical significance, but to make it more attractive and return it to what it looked like in its old glory days. He said the mill has taken tremendous abuse and no maintenance has been done. His first priority is to take care of the outside so it is not the eyesore it has been. He said he bought it because it is beautiful and it needed someone to love it. He added there were big beams and no real rot so he just wants to make it nice looking for now and he will worry about what to do with the rest later. He added he and his family have several buildings around town that are all old and they are trying to restore them and he just wants the mill to be what it was.

Commissioner Cathy Stuhr referred to the city recommendation concerning the railing and asked if these conditions were agreeable.

Mr. Arnold stated he was not trying to make it difficult, he just thought something artistic would be clever if it was able to be keeping to the theme of the mill and that we are open for suggestions.

Commissioner Stuhr asked about the old equipment found there and if there might be a way to restore it and make it available to the public.

Mr. Arnold replied the equipment was mostly a shell, worn out from the inside out from so much grain passing through the beam and there is not much left. He will try to do what he can, but there is not a lot of hope.

Commissioner Wall asked about the other buildings he mentioned he owned and restored.

Mr. Arnold stated he did not have any others in downtown Newberg, but he owned a mini-mall in Beaverton and thirteen other properties in Gateway, most of which are from the 1950's and he has been restoring and remodeling every one.

Commissioner Matson Haug asked when the property was last used as a mill.

Mr. Arnold replied it was closed in 1997 and they have been cleaning for three months.

Marcia Mikesch, Architect for property, 301 Pinehurst Drive, stated this was a multistage project and there are a series of applications to be made, mostly structural improvements that may affect the outside. She added there were some previous uses not mentioned, such as use as retail space until a few months ago and the ground floor of mill as a warehouse. She stated the elevator building was built in 1891 and the other three in the early part of the 20th century. She discussed the grain hopper on south side, the 3rd story window being broken, holes, steel struts being rusted through, the awning blocking the windows, and the siding needing repair. She mentioned the rails today are required for forty-two inches, where as most from the time period were less than thirty-six inches and the styles were much further apart, so any kind of rail design will not be exactly historical. She also spoke of the sidewalk along south side as a new requirement which she had been previously told was not required and maybe this application was not the place for that requirement. She thought it would be more appropriate when the permit was required to pave the parking lot. She said the same goes for the landscaping; they have given a proposal, but are not submitting it with this application. She argued tearing up pavement on the side that is actively being used as a loading dock to put in landscaping

would be inappropriate as this was an industrial site. She did not feel it would be historically appropriate either and included it would also change the current use of the building.

Mr. Pelz responded that the landscaping plan submitted after the type I application's conditions of approval is fine.

Chair Overbay clarified the conditions of approval would be satisfied by what was submitted as the landscaping plan.

Close Public Hearing

Commissioner's Deliberation:

Discussion followed concerning the city requirements for sidewalk improvements along the frontage if property owners were doing more than \$5,000 in property improvements, if the owner feels this is impractical they may appeal to the Planning Commission. Also discussed was the idea of what period in time to take a building back to if things were added that are not original, but become historical in their own right. It was noted that some of the items being removed were added and therefore the improvements requested were taking the property further back in history.

Commissioner Wall asked if there was any ability to waive the landscaping part of the development code requiring 15% for historical structures because it is his belief that landscaping would not be historically appropriate for this complex.

Barton Brierley, Planning and Building Director, replied whenever we do a design review for an existing structure, some judgment is involved. Not everyone can immediately come up to current codes. Typically, we try to get a remodel to comply with current codes as much as feasible in relation to the scope of work done. We felt the scope of landscaping was proportional to scope of work done here. He said it was a matter to discuss if it is felt the landscaping is not retaining and preserving the historical character.

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| Motion #2: Haug/Tri to adopt Resolution 2007-236 with conditions of approval. |
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Commissioner Haug stated his concern with the sidewalk issue seeing Newberg's biggest problem as a lack of sidewalks and he cannot justify waiving a requirement everyone else has had to do. For strollers and wheelchairs to get around sidewalks are really important to people who live here.

Student Commissioner Benjamin Shelton argued the applicants want a sidewalk; it is just matter of wanting to bring it in more at the end of the completion of construction.

Commissioner Daniel Foster agreed he also heard the applicant say that they are hoping to do it but not at this time.

Discussion determined staff and applicant were okay with the details coming later, it is not a condition of approval for the sidewalks to be done now, and it just has to be done prior to occupancy.

Commission Stuhr stated she saw no problems with taking down the number two awning and none with the rail as long as they adhered to the city's request to find one with a theme that sticks to the

nature of the historical essence of the building. She likes the creativity of the decorative railing, but thought it may be better as an inside thing because she is worried about setting a precedence. She is also not concerned with the removal of the hopper since it was not original. She concluded there is a lot of mixing of the old and new and in the end it needs to look nice.

Commissioner Wall discussed the hopper and it being hard to say when it was put in but it is his belief it was there in the early 1960's. He said this property is important to both the county and the city and he did not think another structure held as much significance other than the original college building. He added this is a really old complex and it is a miracle it is still standing so he wants to follow the criteria closely to keep looking historic. He also did not want the building to become a caricature of it's original self either. He wondered if when the actual work gets started if the commission will see this again and have any input on it.

Mr. Brierley replied it may not be seen again by this commission, it depends on what is proposed; additional exterior modifications, zone changes, and use changes would come back, but otherwise it will not.

Motion #3: Wall/ to amend Resolution 2007-236 to exclude the landscaping requirement on the complex, as it is not historically appropriate. Motion fails for lack of a second.

Commissioner Haug argued a little bit of landscaping would help the appearance, a lot may be detrimental, but some would be appropriate.

Commissioner Wall responded the applicant did say there was a conflict of not being able to use a section if landscaping was required.

Mr. Pelz replied staff is flexible concerning the area of the loading dock.

Commissioner Haug stated his belief there should be a time frame established for sidewalks to be put in.

Chair Overbay there is no timeline at this point other than to be in place prior to occupancy.

Commissioner Haug replied he was comfortable with that.

Vote #2: (6 Yes/1 Absent [Smith]) Motion carried.

Chair Overbay called for a five minute break at 8:15 PM and reconvened at 8:20 PM.

2. **APPLICANT:** Hazelden Springbrook
 REQUEST: Comprehensive Plan change from IND (Industrial) to PQ (Public-Quasi Public) and Zoning Map change from M-2 (Light Industrial District) to I (Institutional)
 LOCATION: 2013 Alice Way
 TAX LOT: 3217BA-01300
 FILE NO.: CPA-07-003/ZMA-07-002 **RESOLUTION NO.:** 2007-237
 CRITERIA: NDC § 151.122 (3)

Staff Report:

Jessica Nunley, Assistant Planner, presented the staff report utilizing various slide maps and graphs to show the area of proposed zone changes. The request is for a Comprehensive Plan change from Industrial to Public-Quasi Public and a Zoning Map change from M-2 (Light Industrial) to I (Institutional). The reason is that they are looking at possible expansion of the facility, which is being looked at by engineering for local improvements. The amendment criterion for the proposed change is consistent and it maintains the land use planning goal. She discussed the needs and supply for buildable and institutional acreage. Staff recommends the adoption of Resolution 2007-237 requesting city council approval.

Commissioner Stuhr referred to page 189 of the report, indicating an error in the resolution number written as 2006-237, which should be changed to 2007-237; changing the 6 to a 7 for accuracy.

No public testimony.

Close Public Hearing.

Motion #4: Stuhr/Haug to adopt Resolution 2007-237 changing the Comprehensive plan from IND (Industrial) to PQ (Public- Quasi Public) and the Zoning Map from M-2 (Light Industrial District) to I (Institutional).

Vote #4: (6 Yes/1 Absent [Smith]) Motion carried.

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| 3. APPLICANT: | George Fox University | |
| REQUEST: | Historic review to add a second story addition above the existing garage of the Jesse Edwards House | |
| LOCATION: | 402 S College St | |
| TAX LOT: | 3219AD-04400 | |
| FILE NO.: | HISM-07-002 | RESOLUTION NO.: 2007-238 |
| CRITERIA: | NDC § 151.492 | |

Staff Report:

Ms. Nunley presented the staff report utilizing various slide pictures and artist renderings, showing the area of proposed additions. The request is to add a second story above the existing garage on the historic home of one of Newberg's founding fathers, Jesse Edwards. The existing home contains stick style architecture and vertical trim boards of the early Victorian period. This is a historic home and is listed on the National Historic Register. The Type I design review criteria are met, but staff is proposing the applicant incorporate more of the trim boards and vertical trim than initially proposed on the east side of the garage addition to match the house. The garage itself is new, being built in the late 1990's, so it is not considered historic. They are in compliance with the Zoning District and staff recommends approval allowing with conditions vertical trim over rear of garage and with the windows as well as adding decorative brackets to match rest of the house.

Questions for Staff:

Commissioner Foster asked when the garage was added since it is not a part of the original house.

Ms. Nunley replied she believed it was added in 1997.

Commissioner Stuhr asked if they were adding two bedrooms and a bath.

Mr. Brierley added they will need building and plumbing permits like any other house as well.

Dan Schutter, representing George Fox University, 2216 Thorne Street, stated the applicant agrees with approving the application except for the conditions placed by the Planning staff, for reasons of being above and beyond the code requirements. They are appealing the two conditions for additional trim boards and brackets mainly due to expense. For sixteen brackets, it would be \$5,000 in custom work. He also added the design review done in 1998 and 1999 did not require those brackets and the criteria has not changed since then. He also felt the staff did not give any reasons for the conditions. He said he was not sure what the original garage or associated buildings looked like, but he has a photo of what the previous garage looked like and it did not have any trim boards and brackets. He added he went around town and found several examples of Victorian style houses with brackets and garages, but the garages did not have any brackets in these cases. He argued that with this architectural style here or with any other, the garages or associated buildings were not as ornate as the houses. The conditions proposed will make the garage similar to house, which he does not think is keeping within the nature of the style. He also stated the garage is not included on the national register and it does not detract from the main historic feature, which is the main house itself. He also pointed out the windows would not align properly with the brackets and will not work with the intended bathroom. It was his hope the commission would approve the addition, but he appealed the conditions placed by the planning staff and asked for them to be removed.

Commissioner Stuhr asked what the purpose of the additional two bedrooms and bathroom was.

Mr. Schutter replied the current tenants have three teenage children and need more space since there are really only three actual bedrooms in the main house.

Commissioner Haug asked him to repeat the argument for the costs of the trim boards and the difficulty in adding them.

Mr. Schutter replied the trim boards would not align with the upper floor if placed in relation to the house. He added they would also have to remove the siding because you cannot just place the trim over top of the siding, for weatherproofing reasons and possible bug infestations.

Commissioner Haug asked what the problem would be with just adding the trim to the top part of the addition.

Mr. Schutter stated it was not consistent with the original house and it would be a kind of fabrication of something that wants to look like the main house.

Commissioner Wall asked who would see this view of house.

Mr. Schutter stated only the neighbors in their backyard.

Ms. Nunley offered to clarify why they asked for the conditions they did. Code section A2 discusses incorporating typical design elements in characteristic style, they felt this addition would be creating

an extension of the house, rather than just being a garage and it should therefore carry the same elements over from the main house.

Chair Overbay asked how staff negotiated the statement that new construction shall be differentiated from the old as well as being consistent with it.

Ms. Nunley replied it was interpretive and difficult to interpret meeting both criteria; however, staff would be amenable to having the conditions applied from top of the garage up through the addition.

Mr. Brierley added the fact that it is separated visually from the main house and also gives clarity to what is new and old.

Student Commissioner Shelton stated it does not seem contrary in the front, but to have it also on the back when it is only viewed by the neighbors seems to be unnecessary for the amount of money.

Discussion continued concerning what is included on the national historic register versus the Newberg historic register. It was concluded that it was not the individual buildings, but the site itself.

Close Public Hearing.

Motion #5: Foster/Tri to adopt Resolution 2007-238 including only the first condition of approval of HISM-07-002 to submit building permit applications for the addition; removing the entire second condition to use vertical trim boards over the siding in the rear of the garage addition to match the rest of the house (in line with the windows as seen in the main house) and extending vertical trim boards upwards from the windows with decorative brackets under the eaves on the garage addition to match the trim boards and brackets extending upwards from the other windows in the front of the house; and removing the third condition to use decorative brackets under the corner eaves of the new addition to match the rest of the house.

Commissioner's Deliberation:

Commissioner Wall stated it would be a fair compromise to insist on the brackets and trim for everything visible in order to have a literal historical presentation on the front, but not on the back portion.

Commissioner Stuhr said the applicant made a strong point about the difference between the garage and main house considering the garage is not to be as ornate. A proposed compromise would be to have the vertical trim upwards above each window to carry over the major theme of the house, but the brackets would be excluded because they are too ornate.

Commissioner Wall argued that with the addition it is no longer just a garage and as an extension of the main house it should start to mimic the main house.

Commissioner Nick Tri agreed with Commissioner Stuhr that it is still functioning as a garage on the bottom and should therefore carry the theme of a garage.

Commissioner Haug stated this was tough because it is such an important house for the community. He said he was sympathetic to Commissioner Wall's argument for the front looking consistent, he felt

the addition including bedrooms is obviously making it a part of the main house, and he would rather see the front of the addition match the front of the house and was not as concerned with the back. He thought the commission should stick to staff's recommendations on the front only.

Commissioner Foster referred back to what the applicant said in regards to the vertical trim boards and brackets not meeting and he felt they would look silly and not truly match the rest of the house. He said it was hard to tell based on the pictures staff provided but he liked what the applicant proposed in the doctored photograph of the intended look.

Chair Overbay asked Commissioner Foster if he would sell this house as having an addition over the garage or part of the house.

Mr. Schutter added the addition would be accessible from a stairway that you would have to go outside of the main house to access. The garage cannot be accessed from the main house.

Commissioner Foster answered he would then sell it as an addition over the garage not as a part of the main house.

Student Commissioner Shelton expressed concern there would be too many vertical linear lines and the goal is to honor the style without overdoing it. He did not know if the window trim should be included.

Commissioner Wall argued the only real reason the applicant made was it was expensive and he felt that a compromise would be fair and some cost should be on the applicant in order to preserve the fact this is a historic home. He stated he respected what staff thought as appropriate and did not feel the conditions should be completely thrown out.

Discussion continued among the commissioners concerning the pictures and visualizing where the trim boards and brackets are proposed to go. Debates over what should and should not be included based on whether to mimic historic style or if the requests were going overboard, and whether the addition should or should not look like the rest of the house or just that it belonged with the main house.

Motion #6: Haug/Stuhr to amend the original motion to also include the second condition, keeping the garage the same but the addition to match the house with vertical trim upwards from the windows on the second story. The amendment only removes the third condition to use decorative brackets under the corner eaves of the new addition to match the rest of the house.

Student Commissioner Shelton raised concerns about the available space between the window and roof for the vertical trim and brackets.

Commissioner Wall felt the commission was attempting to micro design the project and suggested we leave the details to be worked out by staff now that they understand all of the concerns expressed.

Commissioner Stuhr said it was not about trusting staff but since it was quasi judicial the commission needs to decide what we want, do we want trim and brackets or no brackets.

Motion #6 was withdrawn.

Motion #7: Wall/Haug to amend the original motion to keep the conditions of approval as they are to require a consistent design for the front view of the structure from the garage existing line and upwards with the design of the main house according to staff discretion.

Chair Overbay stated we still have no consensus as to what we want.

Motion #8: Wall/Haug to amend the amendment #7 to instruct staff to include both vertical trim and brackets.

Commissioner Stuhr argued there should be some practicality to the brackets and not to use any brackets that are not practical.

Chair Overbay asked what is difference between what we are recommending and what the applicant is saying.

Commissioner Haug replied that the second floor is to more closely match the second floor of main building.

Vote #8: (2 Yes [Wall, Haug]/4 No [Stuhr, Overbay, Foster, Tri]/1 Absent [Smith]) Motion failed.

Motion #7 was withdrawn.

Motion #9: Stuhr/Haug to amend the original motion #5 to adopt condition #2 except for the first sentence requiring to use vertical trim boards over the siding of the rear of the garage addition to match the rest of the house (in line with the windows as seen in the main house.) Also, striking "In addition" from the second sentence.

Vote #9: (6 Yes/1 Absent) Motion carried.

Vote #5: (6 Yes/1 Absent) Motion carried.

Mr. Brierley added the applicant has 14 days to appeal to city council.

VI. ITEMS FROM STAFF:

1. Update on Council items

Mr. Brierley announced council was working on reviewing the plan for pedestrian/bike/ADA in the community. It went well although there are a lot more improvements than we have money to build, but council is pleased with the plan for improvement. He said he appreciates Chair Overbay's work on the project. It will be considered on June 18th along with the budget. Future meetings are on June 28th with a special meeting for another historic review. There is also a workshop on the housing affordability and density plan on Thursday two weeks from tonight, on June 28th as well.

Commissioner Foster said he will not be able to attend.

Chair Overbay did not believe she would be able to make it either.

Mr. Brierley continued announcing that on July 10th and 12th we will be holding a hearing on the Springbrook Road master plan, owned by Austin family, there is copy of the draft plan that everyone will need to review, so you have a month to look at it. Plan for July 10th to be the applicant's presentation and questioning and then on the July 12th will be the public testimony and deliberation. There is also July 26th to complete deliberations to give them plenty of time.

Commissioner Tri stated July 26th is the first night of fashion festival.

Commissioner Wall stated he would not be here as he will be in Detroit.

Commissioner Haug asked how NUAMC was coming along.

Mr. Brierley said there were two big issues: the URA amendment to create a 1500 acre area and the Transportation Plan for the southeast area of Wilsonville Road. Recommendations were made on more research on the southwest area; some recommendations were made to the Transportation Plan and to continue deliberations on July 11th.

Chair Overbay announced she will not be here for July.

Commission Foster stated he would just miss June 28th.

Chair Overbay asked the commission to accept by unanimous vote to have Commissioner Stuhr act as Chair in her absence on June 28th.

2. Other reports, correspondence

None.

3. Next Planning Commission Meetings: July 10, 2007; July 12, 2007; July 26, 2007

VIII. ITEMS FROM COMMISSIONERS:

None.

IX. ADJOURN:

Chair Smith adjourned the meeting at 10:02 p.m.

Approved by the Planning Commission this 10th day of July, 2007.

AYES:

NO:

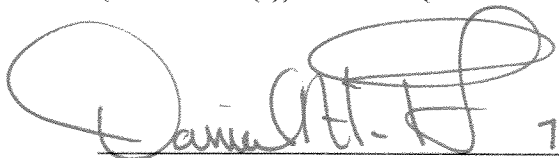
ABSENT:

(List Name(s))

ABSENT:

(List Names(s))


7/10/07
Planning Recording Secretary


7/10/07
Planning Commission Chair Date