



## PLANNING COMMISSION MINUTES

October 9, 2008

7:00 p.m. Regular Meeting

Newberg Public Safety Building

401 E. Third Street

*TO BE APPROVED AT THE NOVEMBER 13, 2008 PLANNING COMMISSION MEETING*

### I. ROLL CALL:

Present: Thomas Barnes                      Derek Duff                      Matson Haug  
            Phil Smith                              Cathy Stuhr, Chair              Nick Tri  
            Lon Wall

Staff Present: Barton Brierley, Planning Director  
                  Steve Olson, Associate Planner  
                  David King, Recording Secretary

### II. OPENING:

**Barton Brierley** gave a brief description of the proper usage of the new sound system, including the microphones in front of the commissioners. **Chair Stuhr** opened the meeting at 7:00 PM by asking for the roll call.

### III. CONSENT CALENDAR:

**Motion #1: Tri/Barnes** motioned to approve the minutes from the Planning Commission meeting of September 11, 2008 (7 Yes/0 No).

### IV. COMMUNICATIONS FROM THE FLOOR:

**Chair Stuhr** invited the six citizens to propose other items for the agenda. No one offered a new item of business.

### V. QUASI-JUDICIAL PUBLIC HEARINGS:

- APPLICANT:** Total Concept Development LLC  
**REQUEST:** Zoning map amendment from M-1 (Limited Industrial) to M-2 (Light Industrial)  
**LOCATION:** 2401 E. Hancock Street  
**TAX LOT:** 3220AB-202  
**FILE NO.:** ZMA-08-002                      **RESOLUTION NO.:** 2008-257  
**CRITERIA:** § 151.122

**Chair Stuhr** read from ORS 197.763. She then explained the order of procedure for the meeting. She also asked for abstentions, biases, and/or ex parte contacts, and added that she knows the owners from their many years operating the Farmgro store. No one believed this previous contact was reason to withdraw her participation.

Staff Report:

**Steve Olson** introduced the proposed zone change from M-1 (Limited Industrial) to M-2 (Light Industrial) by Total Concept Development LLC. The project site is also known as the Nilles Industrial Park. The location was then shown via the new, dual projection system.

The applicant has already been through the Type II Design review process for this site. They have obtained building permits and are in the process of constructing three buildings that total 27,000 sq. ft. and may contain up to 15 tenants. The design standards for the M-1 zone and M-2 zone are the same, so the buildings would not become non-conforming if the zone was changed. According to the Comprehensive Plan, the adjacent area is described as MIX (Mixed Use), allowing for a wide range of commercial and light industrial uses. Action Equipment also has a site to the east in the Mixed Use area and went through a similar zone change from C-2 (Community Commercial) to M-2 (Light Industrial) a few years ago.

The criteria that apply are that the zone change be consistent with the goals and policies of the Comprehensive Plan, that public facilities and services be available to support the proposed change, and that the change comply with the State Transportation Planning Rule. The proposal meets the criteria because the zone change is consistent with the Mixed Use comprehensive plan designation, there will be no net loss of industrial land, the light industrial uses will be compatible with surrounding uses, and public facilities and services are already available in the area. The zone change is not expected to either increase or decrease the amount of traffic generated by the site, so the zone change does not have a significant effect on transportation facilities and therefore complies with the State Transportation Planning Rule. The site did not generate enough trips during the pm peak to require a traffic study during the design review phase.

Staff recommends approval of the zone change.

**Commissioner Wall** wondered if staff knew why the property was originally zoned M-1. Staff did not know.

**Commissioner Smith** asked about the parking spaces in front of bay doors. **Steve Olson** said the issue was one noted during the Design Review and was worked out before permits were issued. The site requires one parking space per 500 sq. ft of general industrial uses.

Public Testimony:

Rich Nilles, the applicant, is for a zone change simply to accommodate more potential lease customers.

**Commissioner Wall** wanted to know where the potential conflict would exist if the zoning is left M-1. Rich Nilles shared how two potential tenants would not be allowed in M-1 but would be allowed in M-2. He also promised that they are not considering any restaurants or a messy, untidy mechanic's garage.

**Commissioner Smith** asked about access from Portland Rd. (Hwy. 99W). Rich Nilles said there is an access easement to Portland Road, but traffic pressure was taken off of Portland Road by moving the primary access to Hancock Street. Mr. Smith wondered if trucks could then go straight through the property without having to turn around. Rich Nilles said they could, but the largest trucks will probably be the size of DHL and UPS trucks.

Floyd Crouch, owner of Coyote Construction Co., was available for questions and mentioned that he hopes to be finished with construction by December 2008. No questions were asked of him.

**Chair Stuhr** asked staff for late correspondence. There was none.

**Steve Olson** reiterated the staff recommendation.

**Commissioner Haug** moved to adopt. **Tri** seconded.

Deliberation:

**Commissioner Wall** double checked that fire code issues were covered at the Design Review stage. Steve Olson said this was so. Wall appreciates that someone is willing to make a go of it with a new development at times like these.

<b>Motion #2: Haug/Tri</b> to approve Resolution 2008-257 (7 Yes/0 No).
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**Barton Brierley** said that this issue goes to the City Council meeting on November 3, 2008.

2. **APPLICANT:** Chehalem Park & Recreation District  
**REQUEST:** Historic landmark modification/design review for Phase One of the Chehalem Cultural Center  
**LOCATION:** 415 E. Sheridan Street (previously Central School)  
**TAX LOT:** 3218DD-15700  
**FILE NO.:** HISM-08-002/DR2-08-023    **RES. NO.:** 2008-258  
**CRITERIA:** § 151.194, 151.492, 151.526.6

**Chair Stuhr** asked if any of the remaining citizens wanted to hear ORS 197.763 again. No one needed to hear it again. She also asked for abstentions, biases, and/or exparte contacts and no commissioners mentioned anything.

Staff Report:

Better color copies of the site map were handed out to commissioners.

**Steve Olson**, after showing the location and surrounding area, explained that in recent years the old Central School building has received seismic retrofit work with new entry, roof, and windows installed. The applicant is now proposing Phase I improvements to create ground floor art studios and meeting rooms, that will let Chehalem Park and Recreation District begin using the facility and bringing the public into the building. Future Phase II improvements, which will convert the gymnasium to a ballroom/meeting room and renovate the second floor theater, will require the addition of many parking spaces.

**Steve Olson** took the commissioners on a tour of sorts of the site via pictures he took walking around the building. The relevant criteria are the historic landmark modification criteria and the type II design review criteria. The proposed exterior changes are to enlarge the SE entry vestibule, add a kiln room and mechanical enclosure to the north side of the building, and add a brick trash enclosure. The existing building is a fairly modern style with clean lines, large windows, and little detailing. The proposed changes preserve the historic character of the building because the changes are relatively minor, low profile, and have a clean, simple design. The addition is also clearly differentiated from the original structure and does not add fake historic features. The overall project is compatible with nearby structures because of the modest size of the addition, the use of buffering landscaping near the addition and the trash enclosure, and because the applicant supplied photometric data showing that the lights would meet the light trespass standard. The applicant will be required to add 19 parking spaces for Phase One, and will rebuild the parking area and add many new spaces in Phase Two. Traffic study data dates back 10-12 years, and was accepted because the surrounding conditions had not substantially changed. The study showed that the facility even at full build out was not expected to have a significant impact on nearby intersections during the PM peak hour. No intersection improvements were recommended or required. Most of the Civic Corridor standards are not really applicable to the proposed improvements, but the Civic Corridor sign standards do apply.

The proposed sign over the entry meets the C-3 zone standards but does not meet the Civic Corridor requirements. The sign design will need to be revised and resubmitted for review and approval.

Staff recommendation is to approve resolution 2008-258, with the following key conditions: Improve sidewalks and ramps, add bike parking, add 8 parking spaces so that there are at least 19 spaces off-street, ensure the trash enclosure meets the Newberg Garbage Service design dimensions, revise the entrance sign design and submit for approval, resolve visitor sign issue, submit a landscaping plan for trash enclosure, etc. (see P87ff).

**Steve Olson** addressed the late correspondence, which was forwarded to the commissioners separate from the Agenda Packet. The key issue mentioned in the letter is the need for additional parking.

**Commissioner Haug** questioned how timing of the Phase Two parking improvements is to be understood for tonight's deliberation. **Steve Olson** said that eleven planned spaces, plus an additional eight parking spots requested by the city are part of Phase I discussion tonight, while the bulk of parking (90 spaces) is to be covered under the future phase II

**Commissioner Barnes** asked about the trash enclosure materials, as one drawing note says metal and one says brick. **Steve Olson** explained the brick is for three sides, and the corrugated metal is for the doors on the front.

Public Testimony:

Sid Scott, a representative for CPRD, and a proponent, is excited for the project moving forward. One new issue is that many more than six bike parking spots will be provided.

**Chair Stuhr** asked about the existing fencing and what Mr. Scott thought of its removal. Sid Scott responded that the fence removal is part of phase II. It doesn't serve a security purpose right now, plus it doesn't send the right message for a cultural center that wants to welcome people.

**Commissioner Haug** asked about the landscaping proposed around the trash enclosure. Sid Scott said that the Tunes on Tuesday performances have led them to rethink the enclosure. They would like to provide power, a back drop for future performances, and even a useful performance area next to the enclosure area.

**Commissioner Haug** asked about the parking. Sid Scott said that the additional spots for Phase I parking still will require people to walk along the east side by the Rotary playground to enter in the front.

Alden Kasiewicz, also a representative of CPRD, wanted to clarify an issue. Based on peak usage of proposed Phase I facilities, a total of 37 parking spots would be required. But with a public parking lot nearby, only 50% of the number are needed (19). This is why an additional eight spots were required by the city to add to the proposed eleven.

**Commissioner Haug** asked for his comments on the sign. Alden Kasiewicz said that bronze letters complement the red brick of the building. The spot for the sign required certain details, but they are happy to work with the city to make it work with the code requirements.

Lisa Rogers, representing the Cultural Center, has worked with CPRD for over four years to know how best to serve the community. They are very excited about moving forward with the project.

**Commissioner Smith** wondered if the art department at GFU has had discussions with the cultural center people about space needed for art classes and displays.

Close Public Testimony:

**Steve Olson** reiterated the staff recommendation to approve Resolution 2008-258 as conditioned.

Deliberation:

**Commissioner Wall** proposed approval, and **Commissioner Haug** seconded the motion.

**Commissioner Haug** said the sign rules are fairly new, and perhaps not well tested yet, and therefore maybe even limited for this situation.

**Commissioner Smith** understands that Haug's preference requires certain procedures to be followed through and a change of code, and instead would recommend the motion be approved and let designers and staff work out the sign details.

**Chair Stuhr** asked for clarity from Barton Brierley. He said that approval could be passed tonight and then a code amendment requested in the future. Or, one interpretation could be that an average of various signs on the same building could bring the lower point signs into compliance thanks to the average of them all. **Commissioner Haug** added that averaging signs seems too much like finding loopholes and is not how we should interpret the sign code. Instead, a temporary sign should be allowed until Phase II.

**Commissioner Wall** wondered what a private entity would be asked to do in the civic corridor, and wanted to hold all applicants to the same standard. He also noted that the original work done for signs is coming back to bite the commissioners with a case of micro-management overkill. A temporary sign is an option.

**Commissioner Smith** agrees with Haug but wants to follow the procedures by approving the recommendation as is, and let staff's final review of the revised sign oversee the issue.

<b>Motion #3: Wall/Haug</b> to approve Resolution 2008-258 (7 Yes/0 No).
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## VI. ITEMS FROM STAFF:

**Barton Brierley** reported that the City Council has extended the deadline for the removal of nonconforming signs by a year. The industrial use of a lot on Alice Way has one year to clear up the property. There is also a training session November 18 where three commissioners will attend.

The next Planning Commission meeting is scheduled for November 13, 2008.

Traditionally the Planning Department has sponsored a dinner during the holidays. Suggested dates were discussed. Wednesday December 3 is the tentative date.

**VII. ITEMS FROM COMMISSIONERS:**

**Commissioner Haug** reported on the NUAMC meeting and the SE Transportation plan. Three or four more meetings are going to be scheduled to rework the entire transportation plan.

**Commissioner Haug** also asked about any new student representative. No one has applied yet, although the position has been advertised. **Barton Brierley** added that the terms of Smith and Stuhr come open at the end of the year.

**Commissioner Smith** updated the Planning Commissioners on the Affordable Housing Task Force. The major issues have involved land use rules, though the different members (bankers, developers, etc.) have had very diverse opinions of land use issues. He also addressed a question about the current financial ills by saying that the work of the task force is still relevant because it is focused on long range solutions. A final presentation of their findings is perhaps next spring or summer.

**Chair Stuhr** asked about KFC landscaping. **Barton Brierley** said the widening of the highway decreased the size of their planter strip and then it became neglected. He believes a non-conforming sign on the property might be the leverage needed to get landscaping up to code.

**Commissioner Haug** asked if the sign ordinance limits the number of political signs in one's yard. **Barton Brierley** believes it is three.

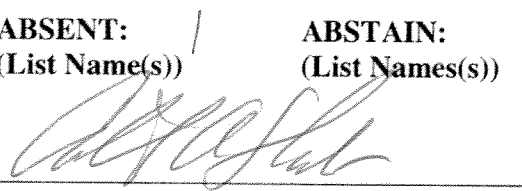
**VIII. ADJOURN:**

**Chair Stuhr** adjourned the meeting at 8:56 p.m.

**Approved by the Planning Commission this 13th day of November, 2008.**

**AYES:** 6      **NO:** 0      **ABSENT:** 1      **ABSTAIN:** 0  
(List Name(s))      (List Name(s))

  
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Planning Recording Secretary

  
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Chair, Planning Commission