

# PLANNING COMMISSION MINUTES

December 10, 2009

7 p.m. Regular Meeting

Newberg Public Safety Building

401 E. Third Street

TO BE APPROVED AT THE JAN. 14, 2010 PLANNING COMMISSION MEETING

## I. ROLL CALL:

Present: Lon Wall, Chair                      Derek Duff                      Thomas Barnes  
             Nick Tri, Vice Chair                Matson Haug                Philip Smith  
             Cathy Stuhr                              Amanda Golson, student PC

Staff Present: David Beam, Economic Development Planner  
                  Steve Olson, Associate Planner  
                  Jessica Nunley, Assistant Planner  
                  Dawn Karen Bevill, Recording Secretary

Others Present: Sid Friedman              Lee Does                      Saj Jivanjee                      Ken Wegler  
                     Robert & Dorothy Roholt              Maryann Tack                      Craig Markham

## II. OPEN MEETING:

Chair Wall opened the meeting at 7:00 p.m. and asked for roll call.

## III. CONSENT CALENDAR:

Chair Wall entertained a motion to accept the minutes of the November 12, 2009 meeting.

**MOTION #1: Haug/Duff** to approve the minutes from the Planning Commission Meeting of November 12, 2009. (7Yes/ 0 No/) Motion carried.

## IV. COMMUNICATIONS FROM THE FLOOR:

Chair Wall offered an opportunity for non-agenda items to be brought forth. No topics were brought forward.

## V. LEGISLATIVE PUBLIC HEARING:

**APPLICANT:** City of Newberg

**REQUEST:** Consider revisions to Newberg's Economic Opportunities Analysis (EOA). The EOA revisions include updated buildable land inventories for commercial and industrial land, updated demographic and economic statistics, updated information regarding Newberg's economic development strategy, and updates to the Comprehensive Plan land need and supply tables.

**FILE NO.:** CPTA4-09-001

**RESOLUTION NO.:** 2009-275

**CRITERIA:** Newberg Development Code §151.122(B)

**Opening of the Hearing:**

Chair Wall opened the public hearing and asked the Commissioners for any abstentions, conflicts of interest, and objections to jurisdiction. None were brought forward. Jessica Nunley, Assistant Planner, presented the staff report and revised Economic Opportunities Analysis (EOA) (see official meeting packet for full report). David Beam, Economic Development Planner, referred to the PowerPoint and spoke in regard to implementing the EOA. Mr. Beam has been with the City for over 10 years and knows many businesses have wanted to locate here but have not been able to because Newberg was unable to supply property of the appropriate size or with suitable characteristics. In order to have a balanced community, these have to be offered.

Commissioner Haug believes it is important to deliberate on the pros and cons. He referred to page 40 of the meeting packet in regard to comparative advantages and stated the attractive rural setting listed in that section is not near what it was years ago. Newberg no longer has a small town quality of life or proximity to the metro Portland area because Newberg has no mass transit into surrounding areas. He challenges the findings on these advantages. Mr. Haug asked staff what specific businesses were not able to locate in Newberg. Also, he asked if staff has put out an honest effort to unify the diverse parcel owners between Newberg and Dundee so that area would be easier to develop. Jessica Nunley replied the Economic Opportunities Analysis includes site suitability criteria and the area between Newberg and Dundee does not meet those criteria for industrial development. Access is limited and serviceability of utilities is an issue. David Beam stated one good example of a business unable to expand in Newberg was a medical device startup company that developed a heart medical device. They ran out of space because they needed to expand to begin production.

**Public Testimony:**

Chair Wall opened the public testimony portion of the hearing and asked those testifying to limit their comments to five minutes.

**Undecided:**

Saj Jivanjee is an architect and urban planner. He was disappointed after reading the Comprehensive Plan since he has seen this same plan tried in other cities. He believes the City is missing opportunities. He believes many issues are not addressed and old principles are being used. Why destroy land that has been around for thousands of years for more development? The key is to protect the natural resources in Newberg. Commissioner Haug stated the Comprehensive Plan is a guide for the implementation for the City Ordinances on Planning and Development. What are the priority needs for land development in Newberg that would differ from the existing or proposed wording in this plan? Mr. Jivanjee replied the priority is a design process; natural resources are left alone, which leaves the remaining balance of land for development. Commissioner Haug stated it was the developers and homeowners who wanted development and prevented putting in appropriate widths on stream corridors, as an example. Mr. Jivanjee stated the price for a piece of land can be affected by the zoning. Natural resources need to be protected before rezoning, or the land will be considered too valuable to be left undeveloped. Commissioner Stuhr stated the State Land Use Planning Goals compartmentalize the issues and try to protect natural resources while allowing development. The plans and analysis have been done but seem to fall apart where they all come together and you truly judge the pros and cons of trading the growth of the City for natural resources. Commissioner Smith understands Mr. Jivanjee is saying Newberg should start from scratch and determine ahead of time what the land uses are and what is sacred so development wouldn't overcome them. He then asked for examples. Mr. Jivanjee replied one top priority was not giving up lands with good agricultural soil. Assuming that is not enough, in his opinion, perhaps you

would also protect land that has scenic views, is agriculturally useful, has vegetative corridors, or has significant forests. There needs to be an overall policy to protect lands.

### **Opponents:**

Maryann Tack has lived in Newberg since 1992, is a chiropractor, and has a degree in education. She is concerned with the loss of farmland and how it will affect the area in the future.

Dorothy Roholt addressed the Economic Analysis Plan and the Southeast Industrial Park. She believes the plan is moving along too quickly and is not what the citizens expect to see within the community. Mrs. Roholt is also concerned with statements referring to the advantages to economic development in this area. In reading the plan, there are tables that indicate wages and education levels that are not accurate as to what is spoken to in the text. Page 15 in the original document regarding the workforce and highly skilled jobs, alludes to a workforce that prefers work in the industrial field which she does not believe is true. Some of the tables in the plan fail to show the great potential in the healthcare industry in Newberg, which already has land. She believes this plan is rather rushed and not put together professionally. There are too many inconsistent facts and unprofessional wording. Also, the whole idea of developing flat land is an easy way to rush and fix the problem. Commissioner Stuhr asked for her thoughts on target industries and clusters as an approach. Mrs. Roholt replied regions tend to develop their own clusters and are known by the clusters that succeed. The wine industry is working well and could be developed further. Healthcare could also be a target cluster. Commissioner Stuhr pointed out the information in the plan was obtained from many different resources, which may be the reason why the tables classify industries differently. Commissioner Smith stated the plan does discuss the healthcare industry as one of four primary clusters, and does show that healthcare has available land for future growth. Industrial land is the problem and is needed for employers who offer industrial jobs. He urged Mrs. Roholt to consider the possibility that this plan has not been rushed into and has been done as a thorough job under State guidelines for protection of agricultural land.

Robert Roholt is an environmental engineer. He submitted written testimony to the City today. Newberg has doubled since 1989; the uncontrolled growth is a concern. Mr. and Mrs. Roholt have attended many meetings, but the concept that bigger is better is not true. There is a major transportation problem in this area and Newberg will have even more if large industry comes in. Chair Wall stated he has fought against rapid growth in Newberg but at the same time cities such as Tualatin, Sherwood, Hillsboro, and Gresham have all had faster rates of growth. The Ad Hoc Committee that was appointed by the Mayor came up with moderate numbers for Newberg's growth and this is the commercial part of that program. There has to be compromise. There is currently 12% unemployment in Oregon and Newberg's is worse than the State's average. He wants to be sure citizens in town have jobs.

Commissioner Haug stated the presentation emphasizes the pros and cons and those have to constantly be reviewed and discussed. This plan is suggesting the only way to get adequate job growth is with large parcels and the argument he has heard tonight is there are other places to look to help with job growth. Regarding increased traffic, one reason is because Newberg has no mass transit or light rail and transportation issues have a lot to do with that.

Lee Does stated the growth in Sherwood and Tualatin is not to be envied. Mr. Does and his wife moved here six years ago. He works in Tualatin for a company that employs 50 people and makes million-dollar equipment. He urged the Planning Commission to be careful about bringing in large employers. People who live here may not necessarily be hired in the new industries when they come in. Mr. Does and his wife specifically chose Newberg for small town life and they like what they currently see when they look

out their windows. If you have to put a price on an eagle or a sunset, no one will pay it. If SP Newsprint closes tomorrow, how will someone be able to move in there if you're already selling shovel ready property? Mr. Does is against the tenor of the Economic Opportunities Analysis as it appears. It is a turnkey approach. Local businesses are struggling and there is nothing to be gained right now by promoting shovel ready properties while companies are laying off employees by the hundreds. He does not see a great economic turnaround for another decade. Newberg should seek to invest in key and targeted industries listed in the Economic Opportunities Analysis. Mr. Does pointed out the Economic Opportunities Analysis fails to quote the latest data but figures from 2004. Why push for more land when the economy is in recession? Newberg has untapped potential for tourism; what is lacking is marketing. Mr. Does also submitted written testimony.

Chair Wall recessed the meeting at 9:05 p.m. for a five-minute break.

TIME - 9:10 PM

**Continuation of Opponent's Testimony:**

Sid Friedman testified on behalf of 1000 Friends of Oregon and Friends of Yamhill County. These organizations support Newberg's efforts to plan for the future and to strengthen the local economy and it's evident that considerable work has gone into the analysis. However, they do have a number of concerns. The draft overestimates the amount of employment land Newberg will need and underestimates the capacity of available land within the existing urban growth boundary to accommodate those needs. A more compact urban growth boundary would reduce pressure on farmland and rural lands outside the current urban growth boundary, reducing the cost of infrastructure beyond the fringe of existing development, and would also reduce transportation costs for Newberg residents who work and shop in Newberg and protect the local food shed. The City should plan to use land more efficiently in the future than it has in the past. Newberg based its calculations regarding how much new land is needed for new industrial development based on 9 ½ jobs per acre because it found it consistent with existing industrial development in Newberg. Salem and McMinnville used a denser jobs per acre figure. This is especially important since Newberg plans to accommodate a lot of its need for new industrial land on prime farmland, which already supports Yamhill County's leading industry, agriculture. Once land is committed to urbanization people disinvest in farming. The same amount of industrial building that Newberg is planning can be sited on less land than what is planned for in the Southeast Industrial Area. The employment projections are based on outdated, pre-recession forecasts and should be updated based on current long-range employment forecasts for the State of Oregon. The Economic Opportunities Analysis labels the South Industrial Area as a special opportunity because it's a nearby expanse of large, flat farmland; however, this land is prime farmland, zoned for exclusive farm use, and is not within the urban growth boundary or the urban reserve area. The organizations he represents do not characterize prime farmland as a special opportunity or comparative advantage. Mr. Friedman also submitted written testimony.

Ken Wegler submitted written testimony as late correspondence. Mr. Wegler was born in Newberg and has ancestry in Newberg dating back to 1848. He is concerned with the Economic Opportunities Analysis due to finding an error on the PDF file page 22 that shows FMC Food Tech as employing 109 employees. FMC sold out two years ago to PPM which merged with a company from England last year. This mistake makes him question the rest of the analysis. Mr. Wegler then referred to a report dated November 30, 2009 from the Chehalem Chamber of Commerce that stated money was allocated for Phase I of the bypass. When looking at the Economic Opportunities Analysis, which he read in detail, it fails to mention the wildlife around Newberg or how it would be protected from development. Mr.

Wegler also informed the Planning Commission that Suntron, which employs approximately 192 people, announced they will be closing in Newberg which will make available a large space for another employer. Mr. Wegler submitted written testimony and a map.

Craig Markham worked for the Oregon Department of Transportation. He submitted written testimony on the comment form. He noted himself as a proponent, opponent, and undecided. Mr. Markham also submitted aerial photographs of southeast Newberg for the record. Mr. Markham has lived here for 20 years and agrees with the prior testimony he has heard this evening. His hope is to have the quality of Newberg improved rather than the quantity. He is concerned with the bypass and is afraid for the community and integrity of Newberg. From his experience, he has seen growth explode when large highways are developed in an area.

Chair Wall closed public testimony at 9:45 PM.

Chair Wall asked for final comments from staff. Jessica Nunley pointed out the timeline in the Economic Opportunities Analysis is 20 – 30 years out. It is important to keep in mind that Newberg is planning for the future and implementation of the goals and strategies for the citizens of Newberg. Staff has heard repeatedly from citizens the value of live here, work here, shop here. In order to implement that value, planners need to prepare for a complete community that provides those things. Otherwise, Newberg runs the risk of becoming a bedroom community. In addition, as Newberg looks to the future of problems associated with not providing local jobs, traffic congestion and commuting will add pollution. Newberg would like to provide more highly skilled industrial jobs. The statistics in the Economic Opportunities Analysis are based on current census data, and data from the Oregon Employment Department. As seen in recent meetings, Newberg is not promoting smoke stack type industries but to provide a more professional industry that looks nice and is functional. The transportation network will have to be reviewed when the UGB expansion is considered. There is a State Transportation Rule that requires a look at transportation flow, impacts, and mitigation. Ms. Nunley also pointed out this is an Economic Opportunities Analysis; this is not the urban growth boundary findings. The South Industrial Area does appear to be the best place for growth, but will be required by the state to do a location analysis at the urban growth boundary stage to find the best area to meet the industrial land need.

Ms. Nunley stated Section 4, letter B on page 74 of the Comprehensive Plan Amendments needs to be removed; the resolution has been updated to reflect this.

Commissioner Smith asked if the City does move forward and the land is approved for development, what is the earliest a company could build a factory. David Beam said that if Newberg is able to satisfy the State regarding the need for this land, he believes the building process couldn't begin until 2013.

Jessica Nunley stated staff has received late correspondence for the Planning Commission regarding this topic. Two letters were received tonight; one is dated December 9, 2009, and was received today; the other was received on December 8, 2009.

TIME – 10:05 PM

**Deliberation:**

**MOTION #2: Haug/Smith** moved to review the 4 additional written testimonies/late correspondence and then continue deliberation. (7 Yes/ 0 No) Motion carried.

Jessica Nunley and David Beam passed out the late correspondence for the commissioners to read.

TIME – 10:14 PM

Commissioner Smith asked staff about Sid Friedman's letter and the point he made in calculating the land needed for industrial growth. The letter said the Economic Opportunities Analysis does not make appropriate estimates of the use of current land that we have. One example is the land we all presume A-DEC will expand into, which is already available and zoned for industry. This vacant land will be used by one of Newberg's existing industrial users, which is part of one of our targeted clusters. In similar ways, Mr. Friedman states in his letter that the numbers are flawed as well as the acres needed because the report is not adequately calculating the number of industrial jobs that can be created on land that Newberg already has. David Beam replied there are three kinds of lands: green fields, existing facilities, and lands to be redeveloped. As seen on the map Jessica Nunley showed during the PowerPoint presentation, there is very little green field available to develop on and most of it has already been targeted for other uses. The vacancy rate for the existing facilities is extremely low, of course now with Suntron vacating there will be a big piece to fill. Redevelopment of lands is not economically feasible at this time due to the facilities being in good shape. Commissioner Smith asked if the calculations in the Economic Opportunities Analysis account for a certain percentage of these jobs being absorbed by the expansion onto the two sections of land; one near the airport and the other in the Springbrook area? Mr. Beam replied yes, they are calculated in as part of the job growth.

Chair Wall entertained a motion for Resolution 2009-275.

**MOTION #3: Tri/Smith** moved to approve Resolution 2009-275. No vote was taken on the motion.

#### **Discussion:**

Commissioner Haug stated the EOA is a document with momentum. The objections heard this evening are primarily due to the usage of the green fields in the southeast industrial area. He will not deny there are strong arguments in favor of this resolution, but arguments have been heard tonight regarding insufficient effort was put into analyzing the economical alternatives of small acreage and expansion of existing business clusters. Also, large employers and complexes will not resolve existing employment problems for the current residents. Another point more in line with analysis of alternatives was marketing of existing resources and business clusters, such as tourism. Another argument made was Newberg is in an economic downturn and adoption should be delayed since there is no urgency for it. Also, the news of Suntron closing will open up another area for operation of a business. Commissioner Haug thinks this resolution should be delayed until that analysis is completed and staff returns with information on the points he's mentioned.

**MOTION #4: Haug/Thomas** moved to amend the motion that adopts Resolution 2009-275; delaying the vote on adoption until after the alternative analysis is done for the Southeast Industrial Plan and further analysis by staff on the economic alternatives for smaller acreage for industrial development with expansion of business clusters. No vote was taken on the motion.

**MOTION #5: Smith/Tri** moved to table the discussion on Resolution 2009-275 until the January 14, 2010 Planning Commission Meeting. (7 Yes/ 0 No) Motion carried.

TIME – 10:35 PM

**VI. NUAMC POSITION RECOMMENDATION:**

Mayor Andrews has requested that the Planning Commission make a recommendation on which commissioner should be appointed to Newberg Urban Area Management Committee. Commissioner Haug has been reappointed to the Planning Commission and will serve on the NUAMC committee unless another Planning Commissioner is interested.

**MOTION #6: Haug/Smith** moved to recommend Commissioner Lon Wall for the Newberg Urban Area Management Committee position; Commissioner Thomas Barnes as the Alternate. (7 Yes/ 0 No) Motion carried.

**MOTION #7: Haug/Stuhr** moved to continue Resolution 2009-273 until the January 14, 2010 Planning Commission Meeting. (7 Yes/ 0 No) Motion carried.

**MOTION #8: Haug Stuhr** moved to continue Resolution 2009-274 until the January 14, 2010 Planning Commission Meeting. (7 Yes/ 0 No) Motion carried.

**VIII. ITEMS FROM STAFF:**

Update on Council items: Steve Olson stated the Animal Shelter Annexation will be going to City Council on December 21, 2009.

The Holiday Dinner will take place on December 14, 6:30 p.m. at the Yamhill Grill.

Other reports, letters, or correspondence: None.

The next Planning Commission Meeting is scheduled for January 14, 2010

**IX. ITEMS FROM COMMISSIONERS:** None.

**X. ADJOURN:**

Chair Wall adjourned the meeting at 10:52 p.m.

Approved by the Planning Commission this 14<sup>th</sup> day of January, 2010.

AYES:

6

NO:

2

ABSENT:

1

(List Name(s)) (Tri)

ABSTAIN:

2

(List Name(s))

  
Planning Recording Secretary

  
Planning Commission Chair