

PLANNING COMMISSION MINUTES

July 12, 2012

7:00 p.m. Regular Meeting

Newberg Public Safety Building

401 E. Third Street

I. CALL MEETING TO ORDER

Chair Thomas Barnes opened the meeting at 7:00 p.m.

II. ROLL CALL:

Members Present:	Thomas Barnes, Chair	Allyn Edwards	Art Smith
	Lon Wall	Philip Smith	Gary Bliss
	Kale Rogers, Student PC		

Members Absent: Mayor Bob Andrews, Ex-Officio Cathy Stuhr (excused)

Staff Present: Barton Brierley, Planning & Building Director
Steve Olson, Associate Planner
DawnKaren Bevill, Minutes Recorder

III. CONSENT CALENDAR

Approval of the June 14, 2012, Planning Commission Meeting Minutes.

MOTION #1: Philip Smith/Gary Bliss approve the minutes from the Planning Commission Meeting of June 14, 2012, as amended. Motion carried (6 Yes/ 0 No/ 1 Absent [Stuhr])

IV. PUBLIC COMMENTS

No items were brought forward.

IV. QUASI-JUDICIAL PUBLIC HEARING

APPLICANT/OWNER: Chehalem Park and Recreation District

REQUEST: Design review/historic review for a Concept Master Site Development Plan for the full build-out of the site; Variance to reduce off-street parking for the full build-out to 53 spaces; Design review/historic review for remodeling the gymnasium into a ballroom, and construction of a new northern entrance to the ballroom.

LOCATION: 415 E. Sheridan Street

TAX LOTS: 3218DD-15700

FILE NO.: HISD-12-002/DR2-12-010/VAR-12-001

ORDER NO.: 2012-04

CRITERIA: Newberg Development Code sections 15.215.040, 15.220.020, 15.220.050(B), 15.344.030, 15.430.010

Chair Barnes opened the hearing and called for any abstentions, conflicts of interests, or objections to jurisdiction. Commissioner Wall declared he walked by the Chehalem Cultural Center (CCC) two evenings ago to view the parking area during an event. The parking lot was full except for two open spaces. He then walked around the Center and observed the cars parked on the street. Within a block in either direction, he counted 360

vehicles. He then walked four to five blocks away and saw people carrying coolers and chairs to their vehicles. Kale Rogers stated his mother is a volunteer member of the CCC Board, and his water-polo coach works for Chehalem Parks and Recreation, as well. He conferred with Barton Brierley who confirmed with the city attorney's office it is a potential conflict of interest but not an actual conflict of interest, because his mother is not a paid employee, so he can participate. Commissioner Philip Smith stated he walks by the site often. Commissioner Edwards said he viewed the site during the set-up for Tunes on Tuesday two days ago and noticed the overflow parking, parking across from the Masonic Lodge, and all the side streets were parked at capacity. A third of the actual designated parking for the CCC was also already taken. Chair Barnes stated that he drove around the site this afternoon.

Steve Olson presented the staff report accompanied by a PowerPoint presentation (see official meeting packet for full report). The physical improvements being proposed for Phase 2 are for the gymnasium remodel into a ballroom and to build a new lobby entrance on the northern side of the building for the ballroom. Phase 1 was approved in 2008, which created 19 parking spaces and renovated the lobby, ground floor classrooms, and two second floor classrooms. A larger temporary gravel parking area was added later. In 2011, 53 spaces for a permanent parking lot were approved. Future plans are to renovate for a theater and the remaining second floor rooms, as well as proposed courtyard/gardens on the south and west sides of the building. The City Council Resolution No. 2012-2998, declared the areas bound by E. Hancock, N. Blaine, E. Sherman, and N. School Streets be designated the "Cultural District". The City Council accepted the Newberg Cultural District Master Plan dated March 16, 2012, which, has been attached in your packet as Exhibit "A". If this application is approved, it will give formal land use approval to the portion of the master plan surrounding the CCC. Later phases of the Center will require a Type II Design Review/Type I Historic Review. Staff recommends adoption of Order No. 2012-04, which approves the Historic Review/Design Review application HISD-12-002/DR2-010 for a Concept Master Site Development Plan and Phase 2 of the CCC as conditioned, and partially approves the Variance application VAR-12-001 as conditioned.

Commissioner Philip Smith asked if the recommendation approves the work needed for Phase 2 including the parking management plan, but does not approve any parking management plan for Phase 3. Steve Olson explained staff recommends approval for the Concept Site Master Development Plan and ballroom remodel with a parking variance for Phase 2. A significant parking variance for Phase 3 would need to be approved at a later date before the site could be built out.

Commissioner Edwards stated the original plan shows 100 parking spaces and has now been reduced to 77 spaces. He asked if an increase in daily trips has been taken into consideration regarding the parking spaces. Mr. Olson answered the traffic study was based on the full build out of the site, and not on the current state of improvements. Staff does not know how the parking management plan will work at this point, and that is the reason they are recommending a partial parking variance at this time. Commissioner Edwards asked if angled on-street parking would add more spaces. Barton Brierley, Planning and Building Director, stated it was looked at carefully and the Cultural District Master Plan did not include angled or perpendicular on-street parking near the CCC.

Commissioner Bliss stated the 1998 Traffic Study considered two access points to the parking lot on Sherman and Blaine Streets, but now there is only one access being considered. He asked if the level of service will change at the two intersections with only one access to the parking lot on Sherman Street. Mr. Olson answered there is access to the existing parking lot on Sherman and on W. Blaine Street, as well. The gravel parking would be accessed through the existing parking lot only.

Chair Barnes asked if Sheridan Street will be blocked off. Mr. Brierley stated the adopted master plan has it continuing as a through street, although it will be possible to block it off for some events.

Commissioner Edwards asked when the chart, on page 20, was drawn up and is it relevant today. Mr. Olson replied the standards are taken directly out of the current code, and those standards have not been changed over the past 10 years. Mr. Brierley stated the ancestry of those standards date back to the 1960's–1970's. Commissioner Bliss stated this is a burden on a neighborhood and if the Cultural Center is utilized as anticipated, the parking needs to be addressed right now. Mr. Olson stated the City compares other city codes and parking studies to gain a sense of what to expect. For some events aimed at adults, such as wine tasting, there may be more cars per capita. Events aimed at children may have fewer cars per capita.

TIME – 8:15 PM

Chair Barnes opened the public testimony starting with proponents:

Don Clements, Chehalem Park and Recreation District (CPRD) Superintendent, referred to a Staff Report, dated August 12, 1999, and stated the reason the CPRD chose to rezone in 1999 was because institutional zoning was allowed for in the Comprehensive Plan and seemed the best fit for the use. The neighborhood said at that time to cut down on the parking instead of taking their playground or open space, so CPRD tried to do their best in accommodating those requests. The use in this application is believed to have less detrimental effect on the adjoining neighborhood area than a school would have. The CPRD building could be approved out-right as a community center use in the Institutional zone. They are trying to do their best for the community and have done all they can to provide information to the neighbors. He has observed the parking at the events held at the CCC and CPRD has tried to encourage parking in other areas.

Commissioner Bliss supports the CCC, but this body has a code to follow and in reading the code and the plan proposal, there is a conflict as he does not see a ballroom being a commercial use and allowing 50% reduction in an institutional zone for commercial use. Mr. Clements stated the institutional zoning was the best they could ask for in August, 1999. He understands it can be viewed as non-commercial, but the CCC is very much a business; it needs income to survive, receiving only 30% of its budget from tax dollars.

Commissioner Bliss asked if Mr. Clements knows where the Intergovernmental Agreement (IGA) presently stands. Mr. Clements replied there is a rough draft of the IGA that will eventually go to the governing bodies for approval. Commissioner Bliss asked in light of the Intergovernmental Agreement not being in place, would Mr. Clements consider a condition limiting the occupancy to match the available on-site parking. Mr. Clements assured the Planning Commission that if there is a limitation on occupancy based on parking, it will in essence, cut the Cultural Center's throat, hampering them and perhaps the Library, as well. The implementation of a parking plan will not be easy but he wants to see the best solution. As an example, if there is a large event valet parking could be made available for elderly and handicapped patrons. He is unsure if it would be used, but it could be offered as an option. A permit parking program in the neighborhood could also be considered.

Commissioner Wall asked what the IGA will consist of and how will decisions be enforced. Mr. Clements stated once approved by the board, an annual meeting will be held and representatives from the City, neighbors, and businesses will be needed to help make the decisions. Commissioner Wall asked if it will be an advisory or authoritative body. Mr. Clements assumes it will be a combination, although he is unsure of the legal issues.

Mr. Rick Lee, Chehalem Center Association Board (CCAB) member, stated the CCAB operates the Cultural Center and raises funds to help see this project through to completion. He is also the Chairman of the Building Committee, has served on the Development Committee, and is a CCAB past president. The central grand ballroom will be a tremendous addition to the community. The new north entry will be enhanced by an outdoor plaza and the west end of the ballroom will open into a garden to add beauty to the Blaine Street side of the property. Completing this phase is essential for financial viability of the Cultural Center, as ballroom rentals for weddings and events will also raise money in support of Phase 3. They are proud of the \$4 million that has been

raised privately from local sources. Further discussions will be needed to resolve specific design elements and parking, and the conditions included in the staff recommendation are very reasonable. Finally, Dave and Mary Martin Miller have been long standing supporters of the Cultural Center and their comments have been seriously considered, although he does not agree with all of their proposals. Traffic studies cost a lot of money, which the Cultural Center does not have and those who have made donations do not want to see their monies spent on parking surveys.

Commissioner Philip Smith asked if the CCC can require those who want to rent out the ballroom to charge less for tickets to those who can prove they walked a few blocks or charge less if they park in another parking lot. Mr. Lee replied that is an option.

Opponents:

Mr. Dave Miller stated that although he is listed as the primary opponent, essentially that is not what he is. His major concern is the IGA and wants to find solutions. When the City Council was voting on the Cultural District plan, he made a very strong case for why this project needs to be slowed down. A program needs to be in place regarding parking. He asked what impacts Tunes on Tuesday and the Camellia Festival will cause on the surrounding area regarding noise, alcohol, and parking, since there are many homes that have minimal or no off-street parking. He had volunteered the night of the City Council meeting to be on the Intergovernmental Agreement Committee as a stakeholder but never received any response. The procedures have to be in place in order for this to work for all involved. Notification to the neighbors has not been up-to-date. The traffic study in 1998 showed the population in Newberg at approximately 14,000 and now there is 50% more. Many areas have been developed. Traffic heading in the direction of Main Street travels through the neighborhoods and that has not been taken into consideration. The parking ideas Mr. Clements has put into place have much merit, but more discussion is needed.

Commissioner Wall stated the Planning Commission is looking at the approval of Phase 2. Regardless of what happens, off-street parking problems will occur. He asked Mr. Miller how he envisions the Intergovernmental Agreement working for the citizens. Mr. Miller answered he is unsure and believes it will take some time to figure out. Someone will need to manage and enforce it. Perhaps permit parking is an answer and/or encouraging car-pooling for events. The process should be slowed down in order for all parties to come to the table.

Mrs. Mary Martin Miller said she is a neighbor and volunteer at the Cultural Center. The Center has also been her dream and she wants to see it succeed. She has been a long-time volunteer working on development of the Center, but as a neighbor who lives there, she is concerned about the livability of the neighborhood. She understands this will be a complicated process and that this is a great site. For the record, she and Mr. Miller have asked many times to be included in the process, but have not been. She and her husband have a petition of 93 names and a letter she submitted to the neighbors, which she would like to bring and submit into record. She requested that the record be kept open for seven days. The noise and parking issues are not fully understood by those who do not live in the neighborhood. The CPRD has looked at how these issues can be resolved which they appreciate, but again, this is a livability issue. Parking has not been adequately studied and she does not understand why a traffic impact study cannot be done now. She would like to participate in the IGA process.

Ms. Leigh Wellikoff testified she lives two blocks from the Cultural Center. She has not attended all the CPRD meetings, but has attended most of them. In those meetings, the primary concern brought forward repeatedly by the neighbors was in regard to parking. She had four cars in front of her home during Tunes on Tuesday. A neighborhood advisory committee was mentioned in March of this year and she would like to be a part of it, although no information has been sent out regarding the start of that group. This process needs to be slowed down in order to brainstorm and solve these problems.

Undecided:

Mr. Robert Soppe stated he has known and worked with Don Clements for a number of years and respects him and the CPRD very much. The plan can't be approved based on trust, however. He has discussed the parking plan and IGA with Mr. Clements and has made specific suggestions to him. He is optimistic the parking can be worked out as he is a fan of the Cultural Center and District. Mr. Soppe expressed concern on Page 15, Item 1, stating, "...it is more difficult to determine whether the existing parking and the parking management plan will be adequate during large events." He asked if staff cannot determine if the parking is adequate then how can the Planning Commission. He continued to testify it also states, "The Development Code requires substantially more off-street parking at full build out of the CCC." Staff has acknowledged they cannot determine if what is proposed is adequate, yet they recommend approval of the application. On page 21, it states, "The Development Code allows the base parking requirement to be reduced if the operating hours of the joint uses do not substantially overlap." Mr. Soppe stated he sees no guarantee events will not overlap and asked if non-overlapping hours will be a requirement and if not, can it meet the standard. Mr. Soppe said he finds it very important to challenge the "experts" when it is contrary to common sense. For example, on page 20, the ballroom needs 80 parking spaces. Mr. Soppe asked if there is a way 80 parking spaces cannot exceed 40 trips in a peak hour. Also, page 168 under the Trip Generation Data it says the CCC is a recreation center similar to a typical YMCA, which he does not agree with. Page 214 says, "Activities within the Ballroom would occur generally on Friday and/or Saturday night not on a week day." He said staff commented that it would be evenings and weekends, although most weddings I have attended have taken place in the afternoon. Mr. Soppe noted the staff report states "70% of the Assemble Hall Theater seats were occupied, further activities did not occur every week day." He asked is there any regulation that enforces that. Mr. Soppe said he is optimistic the rooms will be filled on a regular basis. He stated there are no regulations for the "50% of the Public Assembly Rooms and 50% of the School were occupied" as stated in the staff report. Mr. Soppe has several problems with the code that allows for a 50% reduction parking requirement. First of all, it talks about a commercial establishment, but he cannot identify the commercial establishment. Secondly, it must be within 200 feet of a commercial parking lot but he could not find in the data where the 200 foot measurement is located. Mr. Soppe then referred to Criteria "A" in the variance that states, "Strict or literal interpretation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of this code." The code states one goal is to minimize traffic congestion and to provide for adequate off-street parking. His comments about parking all relate to that exact objective. He recommended following the City Council's lead and require a parking plan to be adopted by Council before any development occurs and require Phase 3 be a Type III approval.

Commissioner Edwards asked Mr. Soppe if he could come up with a solution for the problem if he was on the IGA panel. Mr. Soppe replied, yes, he believes he has already in his emails with Mr. Clements.

Commissioner Wall asked how he envisions a working entity. Mr. Soppe sees it as the government entities and citizens coming together with a solution to take to the City Council for approval.

Kale Rogers asked what his solution would be to reduce the 50% reduction. Mr. Soppe answered he argued at public meetings that a reasonable parking plan is the solution, if the people involved are willing to make use of it.

Proponents:

Mr. Mike Ragsdale, CCC Board member and CPRD Board member, testified he agrees with Mr. Soppe, except regarding the IGA. The IGA is an agreement between the two property owners involved in the Cultural District, the City of Newberg and CPRD, which will address much more than parking. If the Cultural District is

successful, a solution for parking during large events will need to be addressed. There are many parking lots in the area with parking stalls downtown totaling 1,100 between Main and Meridian Streets. People need to use the other parking lots and spaces available. The shuttle system has been tried, but was not successful. He urged taking the staff recommendation and approving it, requiring them on Phase 3 to have in place an approved IGA that includes a very definitive parking management plan dealing with these solutions. He recommends an open meeting for all to attend.

Commissioner Edwards asked if anyone has taken the lead role. Mr. Ragsdale stated no, but the CPRD and CCC have a parking management requirement. A concierge was assigned in a pilot program to inform people during the Camellia Festival on other available parking areas. The city manager will take the lead on the IGA.

Commissioner Bliss asked when he believes the IGA will come into fruition. Mr. Ragsdale believes it will happen soon and recommend it happens with haste. Commissioner Bliss asked the timeline for the build out completion of the ballroom. Mr. Ragsdale is unsure as all the money has not been raised. Hopefully, it will begin in the fall of this year and will take approximately six months to build. They do have approval from the Fire Marshal to hold a major fundraiser in the unfinished ballroom in September, 2012.

Chair Barnes closed the public testimony at 9:46 p.m.

Mr. Alden Kasiewicz, Scott/Edwards Architecture, stated the five key elements of the code and whether the proposal meets the code is the issue tonight. They are not proposing using the 50% reduction, but plan on using the provision that states events do not overlap, which will provide 77 parking spaces on site for Phase 2. He supports staff's recommendations and the other elements can be addressed during the time between Phase 2 and Phase 3.

MOTION #2: Philip Smith/Art Smith to keep the record open for seven days for written comments. If no other comments are received, deliberate at a special meeting or at the August 9, 2012, Planning Commission Meeting. Lon Wall moved to amend the motion to specify the August 9 meeting; Philip Smith accepted that as a friendly amendment. Motion carried (6 Yes/ 0 No/ 1 Absent [Stuhr]).

V. ITEMS FROM STAFF

TIME – 10:03 PM

Update on Council items

The UGB has been continued to the August 6, 2012, meeting. The hearing regarding the batch annexation had no testimony and was approved by City Council and will be placed on the November ballot.

The next Planning Commission Meetings are scheduled for Thursday, July 19, 2012, regarding updates to the Transportation System Plan, as well as the regularly scheduled meeting on August 9, 2012.

VII. ITEMS FROM COMMISSIONERS:

Chair Barnes stated the Traffic Safety Commission would like a joint meeting with the Planning Commission at a time determined by staff.

Kale Rogers announced the August 9, 2012, Planning Commission meeting will be his last meeting as he is leaving for college.

VIII. ADJOURN

Chair Barnes adjourned the meeting at 10:10 p.m.

Approved by the Planning Commission on this 9th day of August, 2012.

AYES: 7 NO: 0

ABSENT: 0 ABSTAIN: 0

Dawn Karen Bevil
Planning Recording Secretary

Thomas O'Brien
Planning Commission Chair