

**NEWBERG PLANNING COMMISSION MINUTES**  
**March 10, 2016, 7:00 PM**  
**PUBLIC SAFETY BUILDING (401 E. THIRD STREET)**

Chair Allyn Edwards called the meeting to order at 7:00 p.m.

Chair Edwards welcomed new Planning Commissioner Ron Wolfe.

**ROLL CALL**

Members Present:	Allyn Edwards, Chair	Jason Dale
	Philip Smith	Luis Saavedra, Student
	Cathy Stuhr	Patrick Johnson
	Ron Wolfe	

Members Absent: Gary Bliss

Staff Present: Doug Rux, Community Development Director  
Bobbie Morgan, Planning Secretary  
Jessica Pelz, Associate Planner

**PUBLIC COMMENTS:**

None

**CONSENT CALENDAR:**

Approval of the February 11, 2016 Planning Commission Meeting Minutes

**MOTION: PC Philip Smith/PC Patrick Johnson** moved to approve the February 11, 2016, Planning Commission Minutes. Motion carried (6 Yes/ 0 No).

**QUASI-JUDICIAL PUBLIC HEARING:**

**1. REQUEST: Annexation of 2.29 acres of property into Newberg city limits.**

**APPLICANT:** J. William Rourke, Jr. & Myrlene J. Rourke **LOCATION:** Directly north of the current Newberg city limits on the east side of College Street/Highway 219, 4016 N. College Street **TAX LOT:** 3208-2900 **FILE NO.:** ANX-14-002 **RESOLUTION NO.:** 2016-316 **CRITERIA:** Newberg Development Code Sections 15.250.030 & 15.250.030

Chair Allyn Edwards opened the public hearing at 7:02 p.m. and read the quasi-judicial hearing statement.

**Call for Abstentions, Bias, Ex Parte Contact, and Objections to Jurisdiction:**

PC Philip Smith was sitting by Bill Rourke at a baseball game and he mentioned he would be coming to the Planning Commission to discuss an annexation. That was as far as the conversation went.

PC Patrick Johnson said the water pump station mentioned in the staff report served his house.

**Staff Report:** Associate Planner Jessica Pelz gave a PowerPoint presentation. This was a request to annex 2.29 acres into Newberg and change the zoning from Yamhill County low density residential one acre minimum to Newberg R-1. The Comprehensive Plan designation was low density residential which was consistent with the R-1 zoning. It was located 4016 N College Street directly north of Newberg city limits on the east side of College Street/Highway 219. She explained the subject site and gave a summary of the criteria. The property was in the

UGB and was contiguous to Newberg city limits along the southern boundary. Staff recommended adding a condition for the applicant to revise the legal description of the property to include the area to the center line of the right-of-way. This would provide continuity of the city limits so if the properties across the right-of-way wanted to annex they were contiguous. The proposal complied with the Comprehensive Plan designation and an adequate level of services was available within three years. Staff asked the applicant to review the pump station to see what upgrades might be necessary to serve this future development and North Valley Friends Church and Veritas School. The applicant hired AKS Engineering to do an analysis and determined what upgrades were needed and a cost estimate. After reviewing it, staff was confident that service could be made available. There was a sewer line that ran across the property that had adequate capacity. Future development of the property would require right-of-way dedication along Highway 219 and College Street and would require street improvements. Police, fire, parks, and school services were available. The proposal was consistent with the Comprehensive Plan, Development Code, and Transportation Planning Rule. Currently there was a single family residence on the property. Staff recommended approval of the resolution.

### **Public Testimony:**

#### **Proponents:**

Bill Rourke, applicant, had lived in Newberg for 51 years and built the house that was currently on the property. At that time there were many fields and orchards that separated the property from the City, but he knew the City would be expanding in his direction. A subdivision went in contiguous to his property and he moved to a retirement community in 2010. In 2014 he began the process of applying for annexation and hoped to use the resources from the property to supplement his retirement income. He was working with a local developer to develop the site. The property was in the Urban Growth Boundary and contiguous with the City on the southern border. Also in 2014 he granted an easement across the property for water and sewer to North Valley Friends Church and Veritas School. Because part of the site was at a 300 foot elevation, the pump station needed to be utilized to supply the water. AKS Engineering was hired to evaluate the pump station and in the report it described the upgrades needed to supply water to his development. The application met all of the requirements in the Code and he requested the Commission recommend approval to the Council. He would like to put the annexation on the November ballot.

#### **Opponents and Undecided:**

None

### **Staff Summary of written testimony:**

AP Jessica Pelz read written testimony that had been recently received. It was from Robert Soppe who thought one of the criteria had not been met, availability of police, fire, parks, and schools. He thought the staff report was incomplete and the Commission needed more information before making the decision on this application.

AP Jessica Pelz clarified the City used to do a calculation for the level of public safety and annexed properties. She thought it was too simplistic to say single family homes would generate revenue for more police officers. That was an equity based analysis where multi-family might not generate revenue, and did that mean it should not be brought into the City. A more appropriate place for the analysis was at the Urban Growth Boundary level looking out 20 years. The City had stopped doing those kinds of findings and did a more simple finding that there was police and fire services.

Community Development Director Doug Rux agreed that the analysis was better for the Urban Growth Boundary process where you look at whether it was a positive or a negative to the General Fund and other taxing districts. If it was a negative, the land use pattern could be reanalyzed to balance it out. He explained the different values for the type of land and assessed value vs. real market value. Schools only received a portion of their funding from property taxes. Staff had talked with the School District about future growth and possible need for additional facilities, but the School District said they had enough capacity to accommodate what was anticipated in the next

five years. The City sent out notices to all the organizations to get their feedback. If the organizations did not comment, staff took that as there was no issue. If there was a concern, it would be in the staff report.

PC Philip Smith said the Planning Commission's decisions did have an effect on the City's budget, but it was getting the right balance in the larger picture not looking at a single piece. AP Jessica Pelz responded the decision was when property was placed in the Urban Growth Boundary for what was needed.

PC Patrick Johnson asked if this was like calculating an ROI for each annexation? CDD Doug Rux responded yes, but it did not give the full picture. It was only a snapshot of one development at a point in time.

PC Patrick Johnson said they were a community and there needed to be a balance of housing options and fiscal impact. It was a regularity across the state when the fire, police, or schools had no comment.

**Close of public testimony:** Chair Allyn Edwards closed testimony at 7:33PM

**Final comments from staff:**

AP Jessica Pelz said staff recommended the Planning Commission adopt the resolution.

**Deliberation of commission:**

<b>MOTION: PC Cathy Stuhr/PC Jason Dale</b> moved to approve Resolution No. 2016-316.
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PC Philip Smith thought this was an easy decision.

PC Cathy Stuhr said since PC Ron Wolfe had not been sworn in, could he vote on this issue? CDD Doug Rux said it was not a requirement that PC Ron Wolfe be sworn in.

PC Patrick Johnson had a concern regarding speeding that was occurring after Foothills Drive over the hill. He was concerned about the access to this parcel at the point where there was speeding.

Motion carried (6 Yes/ 0 No).
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**ITEMS FROM STAFF:**

1. Update on Council items

CDD Doug Rux gave an update on Council items including the Agreement of Understanding for the Bypass, Intergovernmental Agreement between the City and Tualatin Valley Fire and Rescue, approval of the water rates and stormwater rates and remand to the CRRC for the sewer rates, and revised materials for the Bypass/Wilsonville Road realignment.

AP Jessica Pelz gave an update on the Urban Growth Boundary amendment process where a community vision, buildable lands inventory, new study boundary area, and action plan would be done.

CDD Doug Rux said the next community visioning workshop for the Newberg Downtown Improvement Plan would be held on March 15. The historic grant RFP to do additional survey work in the downtown area would soon be awarded. The Economic Development Strategy process was almost complete.

PC Cathy Stuhr asked for an update on the bill regarding voter approved annexations. CDD Doug Rux said the bill was passed and that if there was a City Charter provision for annexations requiring a vote, it was no longer required. Staff would be meeting with legal counsel to get further guidance. It was a provision in the Newberg's Charter to require voter annexations.

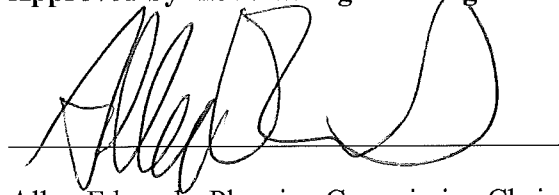
2. Other reports, letters or correspondence: none
3. Next Planning Commission meeting: April 14, 2016

**ITEMS FROM COMMISSIONERS:**

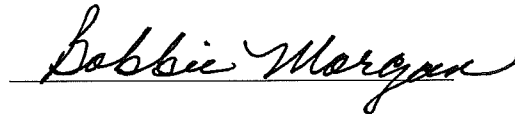
None

Chair Allyn Edwards adjourned the meeting at 7:49 p.m.

Approved by the Newberg Planning Commission this 14 day of April, 2016.

A handwritten signature in black ink, appearing to read 'Allyn Edwards', written over a horizontal line.

Allyn Edwards, Planning Commission Chair

A handwritten signature in black ink, appearing to read 'Bobbie Morgan', written over a horizontal line.

Bobbie Morgan, Planning Secretary