

NEWBERG PLANNING COMMISSION MINUTES
January 10, 2019
PUBLIC SAFETY BUILDING (401 E. THIRD STREET)

The meeting was called to order at 7:00 p.m.

ROLL CALL

Members Present: Allyn Edwards
 Jason Dale
 Robert Ficker
 John Wuitschick
 Zach Pelz
 Sharon Capri
 Jeffrey Musall
 Capri Wheaton, Student

Members Absent: None

Staff Present: Doug Rux, Community Development Director
 Keith Leonard, Associate Planner
 Kristin Svcarovich, Engineering

OATH OF OFFICE NEW COMMISSIONERS: City Recorder Ryan, State of Oregon Notary Republic, swore in new Commissioners Sharon Capri and Jeffrey Musall.

ELECTION OF CHAIR AND VICE CHAIR: *If the Planning Commission elects to follow their usual rotation based on seniority then Allyn Edwards is in line for Chair and Jason Dale in in line for Vice Chair.*

Community Development Director Rux explained the process for the selection of the Chair and Vice Chair.

MOTION: PC Ficker/PC Wuitschick moved to elect PC Edwards for Chair. Motion carried (7 Yes/0 No).

MOTION: PC Wuitschick/PC Ficker moved to elect PC Dale for Vice Chair. Motion carried (7 Yes/0 No).

PUBLIC COMMENTS: None

CONSENT CALENDAR

1. Approval of the December 13, 2018 Planning Commission meeting minutes.

MOTION: PC Ficker/PC Pelz moved to approve the December 13, 2018 PC Meeting Minutes. Motion carried (7 Yes/0 No).

QUASI-JUDICIAL PUBLIC HEARING (complete registration form to give testimony - 5-minute maximum per person except for principals, unless otherwise set by majority motion of the Planning Commission).

Edgewater Planned Unit Development (PUD) – Consider an application for a 20 lot PUD subdivision on 3.83 acres located at 112 N Springbrook Road.

APPLICANT: West One Homes – Jason Phillips

FILE NO.: PUD18-0002

ORDER: 2019-001

CRITERIA: Newberg Development Code Section: 15.240.020, 15.240.030, 15.342, 15.405, 15.410, 15.440, 15.505

CALL TO ORDER:

Chair Edwards called the hearing to order at 7:02 p.m.

CALL FOR ABSTENTIONS, BIAS, EX PARTE CONTACT, AND OBJECTIONS TO JURISDICTION: None

LEGAL ANNOUNCEMENT: Read by Student Capri Wheaton.

STAFF REPORT:

The staff report presentation was given by Associate Planner Leonard. This was a request for a Planned Unit Development of a 20 lot single family residential development on N Springbrook Road. The zoning of the property was R-2, medium density, and there was a stream corridor overlay on the property. The original PUD plan had the property lines for lots 9, 10, 11, and 13 extended to the stream corridor and there was a ten foot access easement across Tracts A, B, and C. After working with the Chehalem Parks and Recreation District (CPRD), the applicant submitted a revised plan which adjusted the property lines for lots 9, 10, 11, and 13 so they no longer projected into the stream corridor and adjusted the walls and grading to access Tract B and there would be a 15 foot access easement for Tract A and C that did not cross the stormwater in Tract B. The applicant was proposing a 22 foot lot width at the building setback for lots 7 and 9 and proposed a reduction to 16.2 foot frontage for lots 7 and 9 off the cul-de-sac and 23 foot frontage for lots 13 and 14. They were also asking for an increase to 20 units to be served by the cul-de-sac. With the proposed conditions of approval, staff thought the application met the criteria. He noted CPRD would take over the ownership of Tract C for a possible future pathway. The stormdrain utility would extend into the stream corridor in the form of a rip rap outfall to the west fork of Springbrook Creek. There would need to be periodic access to the stream corridor to maintain the stormdrain. The proposed lots did not encroach on the stream corridor. The PUD process was a two-step process, with approval from the Planning Commission and administrative plat review. The application was compatible with the surrounding uses, public services were available, sufficient usable recreation space had been provided, the proposed buildings, structures, and uses would be arranged, designed, and constructed so that the surrounding area would be taken into consideration, and the conditions of approval would ensure compliance with the code. The applicant met the off-street parking requirements. Staff had reviewed the applicant's proposed limited residential street, water, wastewater, and stormwater systems and determined that they would meet the code per the conditions of approval. Two public comments had been received. One had a concern regarding the new homes interfering with daylight and the other had a concern regarding trees being removed from the stream corridor.

PC Pelz asked about the lot frontages for lots 13 and 14. AP Leonard explained that was a shared driveway that was not part of the public street.

PUBLIC TESTIMONY

Applicant:

Josh Wells, Westech Engineering, stated the applicant agreed with the staff report. They did not plan to cut down any trees in the stream corridor and that property would be dedicated to CPRD. There was also a comment regarding privacy between lots 7, 8, and 9 and the property to the north. The applicant was proposing to build a fence on that side of the property to help screen and buffer the development. There was a comment about the home on lot 8 being able to look down into the neighbor's backyard and the applicant was willing to turn the bedroom windows to the east or west so they would not be looking down into the backyard.

Jason Phillips, West One Homes, said in the letter it stated the concern was on lot 7, but he thought it was actually lot 8. It would be simple to move the windows on the back of the house to the sides.

Mr. Wells said the access driveway would be 23 feet wide.

PC Pelz said the grade from the east end of Tract A where the future pathway would be looked steep. Would there be stairs going down or would there be a way to grade it for ADA access. Mr. Wells responded that would be up to CPRD.

City Engineer Svicarovich said the City did not know what the future transition would be. Staff wanted to make sure the walkway condition was met as far as width of the easement and it was up to CPRD to make the connection.

Mr. Wells said CPRD had other access points to the stream for the trail system.

Proponents: None

Opponents and Undecided:

Aaron Prince, Newberg resident, referred to his letter submitted in the packet. His concern was privacy. The original PUD plan was more to his liking than what was being proposed. They had a home that went down a slope and some of the new homes were large and their windows faced his property. He was also concerned about the water run off especially since they were below the property.

Rebuttal: Mr. Wells explained each lot would stub to the storm drain lateral and the water would then enter the storm drain treatment facility and go out to the creek. The contours of the land ran north and south and the flow of the water ran east and would not impact the neighboring properties.

CLOSE OF PUBLIC TESTIMONY:

Chair Edwards closed the public hearing at 7:33 p.m.

CDD Rux suggested adding findings for the windows on lot 8 to be put on the east or west side of the house and the fence to be put in on the northern property line.

FINAL COMMENTS FROM STAFF AND RECOMMENDATION:

AP Leonard recommended approval of the application.

PLANNING COMMISSION DELIBERATION AND ACTION:

PC Pelz did not think the windows and fence should be added to the findings because each home was planned to be the same distance from one another as the home was to the neighboring property. This was the nature of urban living. He thought they should rely on the commitment made by the applicant and not set a precedent that would obligate the Commission to do the same in the future.

PC Wuitschick asked about the size of the cul-de-sac and the curbs for emergency vehicle access. Engineer Svicarovich said TVF&R had reviewed the application and it did meet their standards.

MOTION: PC Dale/PC Ficker moved to approve PUD 18-0002. Motion carried (7 Yes/0 No).

ITEMS FROM STAFF

1. Update on Council items given by CDD Rux including the adoption of a new legal description of the City limits. He explained the plan to issue iPads for Planning Commission meetings.

PC Pelz requested 11 x 17 plans still be printed for the Commission.

2. Anticipated schedule of Planning Commission activities was reviewed by CDD Rux.
3. Next Planning Commission meeting: February 14, 2019

VI. ITEMS FROM COMMISSIONERS

PC Musall asked about retention of documents. CDD Rux responded all of the packet materials could be recycled as all of the official copies were kept at the City.

Chair Edwards welcomed the new Planning Commissioners and encouraged them to ask questions of staff.

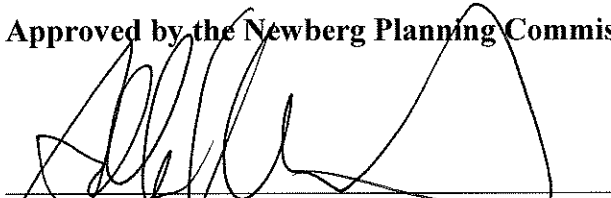
Commissioners Capri, Musall, Pelz, and student Wheaton introduced themselves and gave their background.

CDD Rux commented on the Design Star program at the middle school.

II. ADJOURNMENT

Chair Edwards adjourned the meeting at 7:55 p.m.

Approved by the Newberg Planning Commission this February 14, 2019.


Chair Edwards, Planning Commission Chair
Bobbie Morgan, Office Assistant II