

MINUTES OF THE PLANNING COMMISSION

**Newberg Public Library
Thursday, 7:00 PM**

**Newberg, Oregon
February 18, 1993**

Subject to P.C. Approval at 3/11/93 P.C. Meeting

I. OPEN MEETING

Chair Russell opened the meeting.

II. ROLL CALL

Planning Commission Members Present:

Jack Kriz
Michael McCauley
Mary Post
Carol Ring
Steve Roberts
Wally Russell
Donald Thomas
Robert Weaver
Roger Worrall

Staff Present:

Dennis Egner, Planning Director
Sara King, Associate Planner
Barb Mingay, Recording Secretary

Citizens Present: 21

Chair reviewed the agenda and asked if there were any additions or corrections necessary. None were identified.

III. APPROVAL OF MINUTES

Motion: Thomas-Roberts to approve minutes of the January 21, 1993 meeting. Motion carried unanimously.

Chair Russell reviewed the testimony process for public hearings.

Planning Commission Minutes
February 18, 1993
Page 2

IV. PUBLIC HEARING

APPLICANT:	CB Investments, Richard Brown and Kenneth Coe
REQUEST:	Conditional use permit to allow development of a 50 space mobile home park
LOCATION:	East of Everest Street and south of 3rd Street
TAX LOT:	3220-1200
FILE NO:	CUP-1-93
ZONE:	R-3 High Density Residential
CRITERIA:	Newberg Zoning Ordinance, Section 638

Chair Russell asked for abstentions, ex-parte contact or objections. Chair Russell abstained from the hearing based on a possible conflict of interest. No other abstentions, ex-parte contact or objections were indicated. Vice-chair Kriz assumed the Chair.

Staff Report: Planning Director Egner reviewed conditional use permit criteria and identified the location of the site using slides and graphics. He reviewed referrals from the Engineering and Fire Departments. He revised staff report recommendations relating to site access location and street widths which would allow parking only on one side of the street loop system as presented by the applicant. He added that the Fire Department has agreed that Everest Court can be retained without being redesigned as a through street and still be serviced by the Fire Department. He reviewed a revised condition relating to street improvements, indicating that a non-remonstrance for street improvements could be signed by the applicants in lieu of immediate street construction. He indicated that the criterion for a conditional use permit have been met by this application.

Questions from the Commissioners:

Commissioner Roberts asked for clarification of Everest Road as opposed to Everest Street. Mr. Egner indicated that there was no difference. Commissioner Roberts also asked about the recommendation for parking to be restricted to one side of the street only. He asked who would enforce that regulation. Mr. Egner indicated that the site was entirely under private control and enforcement would be subject to the developer.

Commissioner Worrall asked if the streets were public, whether a cul-de-sac radius would be required. Mr. Egner indicated that typically only private streets were allowed this kind of access arrangement.

Commissioner Thomas asked if all sites would be required to have on site parking. Mr. Egner indicated that 2 parking spaces would be provided on each site.

Proponent: John DeYoung, 2459 SE TV Highway, Hillsboro, representing CB Investments, indicated he was assisting Mr. Brown and Mr. Coe with the development. He noted that the applicants have met with City staff to review the conditions as revised and they were willing to comply.

Planning Commission Minutes

February 18, 1993

Page 3

Proponent: Marc Willcuts, Coldwell Banker, on behalf of the owners of the property, addressed the need for this type of housing. He noted that with the increase in single family costs, this is one of the only types of facilities available for low cost housing.

Opponent: None

Public Agencies/Letters: None.

Staff Recommendation: Mr. Egner indicated that the staff would recommend approval based on the revised conditions A-G.

Hearing Closed.

Commissioner Roberts questioned the ability of the City to police the parking limitation. He was concerned about the ability to protect the site from fire and police problems. Mr. Egner indicated that including the parking limitation through the CUP process would allow the City to control the parking. This could be dealt with through the violation enforcement process.

Commissioner Roberts asked why Everest Road was not being required to be improved to a full street width. Mr. Egner noted that City policy currently requires that property owners abutting each portion of the street pay for their fair share of street improvements.

Commissioner Roberts felt that the Everest Road improvement should be required to be full and waive the Third Street improvement to none, or to only a half-street improvement. Mr. Egner noted that the developer instigating the change is responsible for the frontage abutting his site. Mr. Egner reviewed the pattern of development on the west side of Everest.

Proponent: Mr. DeYoung indicated that the applicant did not have the right-of-way on the west side of Everest Rd. in order to enable them to develop Everest to a full width improvement.

Commissioner Weaver felt that an evergreen buffer would be more aesthetically pleasing for the community than a site obscuring fence. Mr. Egner reviewed the applicant's fencing proposal and indicated that it was similar to that provided at Ridgeview Village.

Commissioner Thomas asked if Everest Street was adequate to handle the traffic generated from this site. Mr. Egner noted that the transportation plan currently being reviewed indicated that Everest was adequate to provide for possible traffic generation and that there would not be a light required at the 219/Everest intersection.

Commissioner McCauley asked about the ingress/egress to site 1. Mr. Egner noted that the entrance area was 38-40 ft. wide and would be adequate for accessing site 1.

Planning Commission Minutes

February 18, 1993

Page 4

Commissioner Worrall asked how the community could be provided with information about private streets and that conditions relating to those streets were enforceable only by the homeowners residing on them. Mr. Egner indicated that typically mobile home subdivisions contained private streets. He indicated that the entire development was under one ownership with leases for each site and separate ownership of only each housing unit. He noted that parking restrictions could be identified in the lease agreement.

Commissioner Weaver asked about the types of families expected to live in the park, i.e. adults only, families, etc. Mr. Egner noted that the applicant had not indicated any specific group or type.

Commissioner Ring questioned the lack of storm sewer to the site. Mr. Egner indicated that as a condition of approval, the applicant would need to work with adjoining owners for construction of storm sewer lines.

Commissioner Kriz asked about development of street connections to be developed in surrounding areas as they abut this site. Mr. Egner noted that alignment of streets to the west would not conflict with the entrance to the proposed site. Commissioner Kriz asked about a typical site layout including parking area, decking, storage, etc. Mr. Egner distributed a plot showing a typical site layout.

Commissioner Worrall asked what the current vacancy rate was for rentals. He felt that there was a very high need for low income rentals.

Commissioner Post asked why a wooden fence was provided on only two sides. Mr. Egner noted that the Commission had the ability to revise the conditions.

Commissioner McCauley asked where the nearest public park was to the site. Mr. Egner indicated that Hoover Park was fairly close.

Commissioner Kriz asked what the typical mobile unit length could be. Commissioner Thomas indicated that units could be up to 60 ft. long.

Mr. Egner noted that the units would be installed according to state requirements and setbacks off the private drive. City setbacks would be required to be met on Everest and Third. He noted that street tree planting would be required in the park strip along the street frontages through the design review process, together with living ground cover such as ivy or grass.

Motion: Post -Roberts to approve a conditional use permit to allow the development of an approximately 50 lot mobile home park on TL 3220-1200 based on revised staff report findings, staff report conditions A-G, and testimony. **Vote on Motion:** Aye--Kriz, McCauley, Post, Ring, Roberts, Thomas, Weaver, Worrall; Nay--None; Abstain--Russell.
Motion carried (8-0).

Planning Commission Minutes
February 18, 1993
Page 5

Mr. Egner indicated that this decision was final subject to appeal and he reviewed appeal process.

Chair Russell resumed the chair.

V. PUBLIC HEARING:

APPLICANT:	Brian Carleton for Friendsview Manor
REQUEST:	Conditional use permit to allow a six dwelling unit expansion of Friendsview Village.
LOCATION:	1013 Cherry Street
TAX LOT:	3217CB-500
FILE NO:	CUP-2-93/PUD-1-93
ZONE:	R-2 Medium Density Residential
CRITERIA:	Newberg Zoning Ordinance, Section 638

Chair Russell asked for abstentions, ex-parte contact or objections. None were indicated.

Staff Report: Associate Planner King noted that the PUD was found to be unnecessary and the request is only for a CUP. She identified the site using graphics and slides and reviewed the history of development. She indicated that the expansion is proposed to occur in two phases, which will include an RV parking pad and six units. The applicant has also proposed an 8 ft. fence along the north property line adjacent to the railroad right-of-way to act as a sound and dust buffer. She commented that preliminary findings conclude that the criteria for a CUP are satisfied. She noted that sidewalks would be required to connect Friendsview Village to the Friendsview Manor as a condition of approval. She recommended approval based on staff report findings and conditions.

Questions from the Commissioners:

Commissioner Kriz asked about ownership of the units. Mr. Egner noted that there was no title transfer involved in the ownership of the units. He commented that the units are under the ownership of Friendsview Manor.

Commissioner Worrall asked about the width of the entrance/exit from the site. He expressed concern about the need to place parking restrictions on the site.

Proponent: Jay Baker, 6450 SW Alice Way, Beaverton 97005, manager of Friendsview Manor, indicated that all conditions attached to the staff report were acceptable.

Proponent: Brian Carlton, 921 SW Morrison #418, Portland, indicated he was the architect for the project. He noted that all the existing tall trees on the site would be retained. He noted that an evergreen hedge is proposed as a buffer between adjoining property owners. The fence adjacent to the railroad right-of-way was for the protection of the property from gravel,

Planning Commission Minutes
February 18, 1993
Page 6

etc. occurring adjacent to the railroad. He noted that the openness of the campus was beneficial to the community.

Mr. Baker noted that the existing fencing would be continued along the length of the site.

Opponent: None.

Public Agencies: None other than those included in the staff report.

Letters: Mr. & Mrs. Macy - Spaulding Oaks - in support of the project.

Staff Recommendation: Staff recommended approval of the CUP subject to Staff Report conditions A-E.

Hearing Closed.

Commissioner Worrall felt the proposal was well thought out. He asked about the density requirements that indicate that the overall density of the Manor units contains 9.0 units per gross residential acre with the new units; however, if the density of the units on the Friendsview Village tax lot were only considered, the R-2 density is met.

Motion: Worrall-Post to approve a conditional use permit to allow expansion of Friendsview Village, based on staff report findings, staff report conditions A-E, and testimony. **Motion carried unanimously.**

Ms. King noted that this decision is final subject to appeal. She reviewed the appeal process.

VI. PUBLIC HEARING:

APPLICANT:	NSP Development
REQUEST:	Comprehensive Plan Amendment/Zone Change from R-2 MDR (Medium Density Residential) to R-3 HDR (High Density Residential)
LOCATION:	E. Second between Elliott and Everest
TAX LOT:	3220-1700, part of -1800
FILE NO:	CPA-2/Z-3-92
ZONE:	R-2 Medium Density Residential
HEARING DATE:	February 18, 1993 - Planning Commission March 1, 1993 - City Council
CRITERIA:	Ordinance 1967, Section 4 and Newberg Zoning Ordinance, Sections 600-606

Chair Russell asked for abstentions, ex-parte contact or objections. None were indicated.

Planning Commission Minutes
February 18, 1993
Page 7

Staff Report: Planning Director Egner reviewed the zone change/comprehensive plan amendment criteria. He identified the site using slides and graphics. He reviewed the staff report findings, including density calculations addressing R-2 and R-3 buildout calculations. He reviewed Engineering Dept. comments relating to the benefit of having this site develop under a single development, thus allowing use of a single sewerage pumping system. He reviewed school capacity concerns and ODOT concerns relating to the need to control or close Second Street access to 219. He reviewed graphics relating to possible street patterns if Second Street access to 219 is closed. He noted that in order to attach development conditions, the zone change should include a PD overlay. He reviewed DSL comments relating to fill permit requirements upon development. He also reviewed an ODOT, Aeronautics Division letter relating to protection of the integrity of the existing airport. He noted that the criteria for a zone change and comprehensive plan amendment have all been met.

Questions from the Commissioners:

Commissioner Worrall asked what the next step was in the development process. Mr. Egner indicated that the site plan review process was a City staff review and if the wetland area were to be disturbed, the Division of State Lands would review the project.

Commissioner Worrall asked if the area was on Newberg's inventoried open space. Mr. Egner noted that it was a national inventoried site but not on the City's inventory.

Commissioner Kriz asked if the property will come back before the Planning Commission for their review. Mr. Egner indicated that if an apartment complex were to be placed on the site, it would not be reviewed by the Planning Commission; however, if it were subdivided, it would.

Commissioner Worrall expressed concern relating to the wetlands on the site. He was concerned about the City's responsibility for protecting the wetlands.

Mr. Egner indicated that City policies require coordination of wetland concerns through DSL. Mr. Egner noted that findings could be made to also emphasize the need for natural storm drainage through that site.

Proponent: Mart Storm, NSP Development, 441 SW Maple, Dundee, indicated that the intent for development was to develop 1-2 bedroom apartments on the site, with outdoor recreation facilities, renting for under \$500 per month to provide affordable housing for lower income individuals. He noted that exiting from the site would be toward the light at 99W and Villa. He indicated that the drainage ditch on the site was a sharp ditch used for drainage and did not hold standing water. He noted that appropriate DSL permits would be obtained as needed. He felt that proper placement of the units on the site may preclude the need for a pump sewer system; however, a private pump system could be installed as needed. He expressed concern about how the cost for closing the Second Street/Highway 219 intersection would be apportioned to this site through the non-remonstrance process.

Planning Commission Minutes
February 18, 1993
Page 8

Commissioner Roberts asked about limitations in the development density on the airport side of the property. Mr. Storm indicated that he has no specific design at this time and is working with an apartment developer to develop the site to its best advantage.

Opponent: Art Brownrigg, 308 S. Airpark Way, indicated he was not very pleased with the request for upzoning to R-3. He indicated that the roadway intersection was very hazardous with numerous accidents. He cited several aircraft accidents which have occurred in the general area. He noted that Sam Whitney uses a turboprop crop duster leaving the airport around 4:00 am every morning during crop dusting season. He indicated that the area was very noisy and could adversely impact the development.

Opponent: Pat Haight, Newberg resident, indicated that the airport was an asset to the community and would like to see Sportsman Airpark maintained and protected. She felt that there was a need for apartment complexes and low cost housing in Newberg; however, she expressed concern about the potential for increased crime in the area because of the increased density created by the mobile home development and the existing apartments already in the area.

Public Agencies/Letters: Division of State Lands and Oregon Transportation Department, Aeronautics Division letters, in addition to those included in the staff report.

Proponent Rebuttal: Mart Storm noted that there are virtually no sites available for apartment construction in the City today. He noted that the parcels either have service problems or are in the process of being developed. He noted that the crashes indicated by Mr. Brownrigg all occurred in the airport flightpath and that Mr. Brownrigg lives closer to the airport than the proposed site is.

Staff Recommendation: Staff recommended that the project be approved by the Planning Commission and forwarded for approval to the City Council with a PD overlay together with conditions A-D.

Hearing Closed.

Chair Russell noted that the deliberation should focus on the zone change/comprehensive plan amendment request and not any potential development.

Commissioner Roberts asked if a condition could be placed on the zone change to require that any development be brought to the Planning Commission for approval. Mr. Egner noted that the Commission could require that a PUD be placed on the project or require that site review could occur at the Commission level.

Commissioner Worrall asked for clarification of the location of the drainageway. Mr. Egner reviewed a map showing the drainageway location.

Planning Commission Minutes
February 18, 1993
Page 9

Commissioner Kriz asked for clarification of the PD overlay requirements. Mr. Egner reviewed the PD requirements.

Commissioners Ring and McCauley expressed concern about the appropriateness of the site.

Commissioner Roberts indicated that the development of the site for apartments was potentially beneficial and that the serviceability of the property could benefit from having the site owned by a single owner.

Commissioner Worrall indicated that placing conditions on the development for further review by the Planning Commission was appropriate.

Commissioner Ring expressed concern about the siting of so many high density developments near the airport.

Commissioner Kriz discussed timing for the closing of Second Street.

Commissioners extensively discussed the closing of Second Street and the timely revision of Second Street access to another area of 219.

Commissioner Weaver indicated that there would likely be changes to the 219/Second Street access even if the zone change were not granted.

Commissioners revised conditions A-D as follows:

C. Add the following sentence.

Assessment shall be based on projected traffic at the new intersection and shall be tied to a percentage of trips generated by the new apartment complex.

E. The Planning Commission will provide final site review approval.

Motion: Worrall-Thomas to recommend to City Council approval of the Comprehensive Plan Amendment from MDR to HDR and a zone change from R-2 Medium Density Residential to R-3 PD High Density Residential Planned Unit Development on TL 3220-1700 and pt. of 3220-1800 based on staff report findings, revised staff report conditions A-E, and testimony. **Vote on Motion:** Aye--Post, Roberts, Thomas, Weaver, Worrall, Russell; Nay--Kriz, McCauley, Ring. Motion carried (6-3).

VII. OLD BUSINESS

A. Request for extension of subdivision preliminary approval - The Meadows Subdivision (formerly Stuart Estates Subdivision)

Planning Commission Minutes
February 18, 1993
Page 10

Mr. Egner reviewed the request for extension by the applicant and indicated that the subdivider is now diligently working to complete final plat approval for phase I. He distributed a letter in support by John Owen of Century 21.

Motion: Thomas-Post to grant a one year extension for The Meadows Subdivision to complete final plat approval.

Commissioners reviewed a print of the final plat.

Vote on Motion: Motion carried unanimously.

B. General Hazard Overlay Update

Commissioner Worrall indicated that the meeting dates have changed to Wednesday nights from 7-9 and that the group will be putting together straw-man wording for the ordinance update. The group is working toward presentation at the April Planning Commission meeting.

C. School Capacity Issues

Mr. Egner indicated that he would be consulting with the Community Development Committee relating to this issue.

D. Specific Development Plan Update

Mr. Egner indicated that the first steering committee meeting is scheduled for next Thursday night at 7 pm at the Newberg Community Hospital, meeting rooms 1 and 2.

E. Urban Reserve Area Update

Mr. Egner indicated that Mary Dorman, project consultant, will be meeting with Council on March 1, and neighborhood meetings will occur on March 9 and 15.

VIII. NEW BUSINESS

Mr. Egner reviewed the March agenda.

Commissioner Roberts recommendation that testimony be limited to 5 minutes and that no one should be allowed to transfer their testimony time to anyone else. Chair Russell indicated he would verify with the City Attorney how flexible the testimony procedure may be.

Mr. Egner distributed a memo from the City Manager relating to a recent Newberg Graphic editorial and he reviewed the inconsistencies in the editorial.

Planning Commission Minutes
February 18, 1993
Page 11

IX. COMMUNICATIONS FROM THE FLOOR

None

X. ADJOURN

There being no further business, the meeting was adjourned at 11:00 pm.