

MINUTES OF THE PLANNING COMMISSION
Newberg Public Library
Thursday, 7:00 PM

Newberg, Oregon
April 8, 1993

Subject to P.C. Approval at 5/13/93 P.C. Meeting

I. PLANNING COMMISSION ROLL CALL

Planning Commission Members Present:

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

Staff Present:

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

Citizens Present: 7

II. OPEN PLANNING COMMISSION MEETING

Chair Russell opened the meeting.

III. APPROVAL OF MINUTES

Motion: Roberts-Worrall to approve the minutes of the March 11, 1993 Planning Commission meeting. Motion carried unanimously.

Chair Russell asked if there were any additions or deletions to the agenda. Commissioner Roberts requested that 5 minutes be allowed for discussion of the site specific development plan. By consensus the Commission added this item to the agenda under Old Business.

IV. PUBLIC HEARING:

APPLICANT: NSP Development
REQUEST: Subdivision of a 4.85± acre parcel into 32 lots with an average size of 5,300 sq. ft.
LOCATION: Approximately 550 ft. west of Everest Road between Second and Third
TAX LOT: 3220-1800 and part of -1700
FILE NO: S-1-93
ZONE: R-2 Medium Density Residential
CRITERIA: Newberg Subdivision Ordinance, Section 24

Planning Director Egner requested that the Planning Commission continue this hearing one month for revision of the site plan by the applicant.

Motion: Post-Weaver to continue the hearing to the May Planning Commission meeting.

Staff indicated that the applicant anticipates redesigning the development based on a recent discussion with City staff. Based on this discussion, staff is requesting that the hearing be continued to the May meeting. Mr. Egner noted that renotification would not be required if the hearing was opened and continued.

Vote on Motion: Motion carried by voice vote.

V. PUBLIC HEARING:

APPLICANT: A Storage Place For Newberg
REQUEST: A conditional use permit to allow a residence to be constructed in the C-2 zone.
LOCATION: 2811 Portland Road
TAX LOT: 3217DD-1900, -1902
FILE NO: CUP-3-93
ZONE: C-2 Community Commercial
CRITERIA: Newberg Zoning Ordinance, Section 638

Planning Commission Chair Russell opened the hearing and asked for abstentions, ex-parte contact or objections to jurisdiction. The following ex-parte contact was identified: Commissioner McCauley indicated this site is on his route to work every day. Commissioner Kriz noted that a neighbor had commented on the mini-storage site. Chair Russell noted that he had welcomed the owner to the community. Commissioner Worrall noted that some individuals have contacted him voicing their opinions. No abstentions were noted. No objections to jurisdiction were noted.

Chair Russell read ORS 197 relating to public hearings into the record.

Staff Report: Mr. Egner reviewed the site on an overhead and reviewed the conditional use permit criteria which must be addressed to approve or deny the application. He discussed the standards relating to the airport overlay zone which also apply to the site. He presented a slide show identifying the site and surrounding sites. He noted that the mini-storage project is outright permitted in the zone; but the residential structure is in the Airport overlay zone, within which residential uses require conditional use permits. He presented an overhead identifying a similar structure at one of the applicant's other sites. He noted that the site will look less industrial with the residence located at the front of the site. He also identified the location of parking and landscaping. He noted that the project meets the criteria for conditional use and the airport overlay zone. He indicated that the preliminary staff recommendation was to approve the use with conditions identified in the staff report.

Commissioner Ring asked about fencing on the project. Mr. Egner reviewed the site fencing proposal, landscaping and sign plan.

Proponent: Jerry Carlson, 22691 SW 54th, Tualatin, one of the owners of the facility, indicated that in some jurisdictions this type of residence would require no additional permit. He noted that by having a residence with on-site managers would provided security for users of the facility. He noted that the house design has been intended to be friendly to the community and to aesthetically blend into the community. He noted that the landscape plan provides for abundant grassy areas to soften the impact of the project. The residence will face 99W and the structure will be built of 2 x 6 construction to reduce the traffic noise impacts. He noted that the facility will have 3 bedrooms and is intended to house a primary resident with room available for a part-time weekend manager and office space. He indicated that most managers they have hired have been mature couples. He indicated that the storage facility will be two-story but will be lower than the top of the house. He noted that the storage buildings would be constructed with split concrete block on the bottom floor and a steel structure on the second floor. He noted that a mansard roof is proposed for the portion of the project along Deborah to break up the roof line. He noted that fencing at this time will be provided between the residence and the storage units. He was asked if the bedrooms could be placed at the rear of the structure. He noted that the design proposal could be altered to redesign the bedroom placement within the structure.

Opponent: Herb Gueldner, owner of property at 904 Filbert Court, asked what kind of landscaping would be provided abutting his property. Staff noted that a six foot fence faced with Photinia would about Mr. Gueldner's property.

Mr. Russell indicated that opponents should address conditional use permit criteria for the residence and that the project as a whole was discussed under design review at the staff level.

Mr. Gueldner indicated that he was concerned about the storage facility and not the residence. He indicated he did not object to the residence.

Opponent/Proponent Rebuttal: None

Public Agencies: Mr. Egner noted that there was discussion with the Highway Dept. regarding Highway 99 access. He noted that since access has been changed to Deborah, the Highway Dept. has no input.

Letters: None.

Staff Recommendation: Mr. Egner recommended approval of the request subject to conditions identified in the staff report.

Hearing Closed.

Commissioner Discussion:

Commissioner Kriz felt that questions relating to the house, fence and surrounding uses were relevant to the issue and should not be excluded from consideration.

Motion: Post-Kriz to approve the conditional use permit to allow a single-family home as an accessory use to the storage use at 2811 Portland Road subject to the requirement of the Airport Overlay Zone, based on staff report findings, conditions and testimony.

Vote on Motion: Motion carried unanimously by those present.

Mr. Egner noted that the decision was final and there was a 10 day appeal period.

Commissioner Roberts commented that he felt storage units were probably not the most appropriate use for this property and that this area should be more appropriately used for housing which has access to the Portland Road transportation corridor.

Mr. Egner indicated that this project appears to be designed as a very attractive development for the community.

VI. PUBLIC HEARING:

APPLICANT: Michael & Margurite Simpson
REQUEST: Annexation of a .28 acre parcel of land and withdrawal from the Newberg Rural Fire Protection District to allow relocation of the Eighth Street sewage pump station
LOCATION: 808 Dayton Avenue
TAX LOT: part of 3219-900
FILE NO: ANX-1-93
ZONE: R-1 Low Density Residential
CRITERIA: Newberg Annexation Ordinance 2012, Sections 2 and 4

Chair Russell opened the hearing and asked for abstentions, ex-parte contact or objections to jurisdiction. Commissioner Kriz indicated that several of his friends who own property in the area have been in contact with the City relating to right-of-way access. He did not feel this contact would invalidate his review of the request. No additional ex-parte contact was noted. No abstentions or objections to jurisdiction were noted.

Staff Report: Associate Planner King reviewed the criteria for annexation and zone change and identified the proposed use of the site as the new location of the Eighth Street sewage pump station. She reviewed Comprehensive Plan goals and policies applicable to the proposal. She identified the site on a map and presented a slide show relating to the existing and surrounding uses of the site. She noted that the location of the site is appropriate for accessing and servicing the proposed pump station site. She noted that the application meets the comprehensive plan and zone change criteria. She noted that mitigation of impacts on the natural environment would be required with the aid of an environmental impact report. She indicated that the station was proposed to be designed as a 16 x 20 metal shed type building designed to blend in with the rural character of the area.

Proponent: Mike Simpson, 808 Dayton Avenue, reviewed the site location and the location of the balance of his property. He noted that in previous years the Eighth Street pump station at its present location has backed up raw sewage onto his property in the winter time. He noted that the Eighth Street pump station has been shut down numerous times in the winter during excess rain to allow the sewage to flow into Chehalem Creek. He noted that he would like to see the project completed to prevent this problem from continuing. He indicated that the project is being designed in such a way as to provide easy access to the site and provide better environmental protection from sewage to the entire area. He commented that the City staff has been cooperative, allowing them to retain the balance of their property in the County. He felt that the project would benefit them as property owners and would benefit the community as a whole.

Ms. King indicated that the property requires annexation because the pump station is a public utility for an urban use and must be within the UGB. Mr. Egner noted that if the property were not annexed, a conditional use permit through the County would be required. He noted that if the property was in the City, the City would retain more control over the it.

Commissioner Worrall asked about the mitigation of environmental impacts and how they would be controlled. Ms. King indicated that the City Engineering office has proposed to avoid impacting the hydro-dynamics of the stream. Mr. Egner noted that the design review standards currently employed by the City are still fairly new and no new public facilities have been developed since the standards were developed.

Mike Simpson indicated that he and his wife are going to be very pro-active during the development of this project.

Opponent: None

Proponent/Opponent Rebuttal: None

Public Agencies/Letters: None other than identified in the staff report.

Staff Recommendation: Ms. King recommended approval of the annexation/zone change subject to staff report findings and conditions relating to design review for the project.

Hearing Closed.

Commissioner Discussion:

Commissioner Kriz expressed concern about allowing a structure in the GH zone. Mr. Egner commented that his interpretation of the definition relating to filing and grading would include a public utility.

Commissioner Roberts felt that the intention of the ordinance was to allow crossing of open space with public utilities, but not to allow structures.

Commissioner Kriz expressed concern about the gerrymandering of the city limits line and whether this should continue.

Motion: Roberts-Post that the Planning Commission recommend to the City Council approval of the requested annexation/zone change and withdrawal from the Newberg Rural Fire Protection District based on staff report findings, conditions and testimony relating to the protection of the health, safety and betterment of the community.

Discussion of Motion:

Mr. Egner noted that some additional statements could be included in the ordinance relating to the public need and benefit to the community. The commission concurred.

Staff presented the following statement to include in the ordinance:

Whereas, the Planning Commission found that the annexation will result in an irregular city boundary; however, it will allow development of a necessary pump station which will correct an extreme environmental hazard and benefit the health and safety of the community.

Vote on Motion: Motion carried unanimously by those present.

A 5 minute recess was called.

VII. OLD BUSINESS

A. Open Space/General Hazard

Commissioner Worrall presented a position paper from the open space/general hazard subcommittee. He noted that their intention was to define open space separately from general hazard. He introduced the subcommittee members.

Subcommittee member Ken Lite noted that although most of the committee members had somewhat different views on open space, there was a general consensus relating to the development of the new ordinance with only a few exceptions. He noted that the general purpose statement has not been changed; however, the balance of the ordinance had been reviewed and revised.

Commissioner Worrall reviewed item 566.1 relating to identifying a distance measurement from an identifiable source for use as a starting point from which to identify open space requirements. He reviewed the subcommittee draft elements relating to visual breaks in the landscape, drainageways, floodplains, parks, etc. He presented the draft to the Planning Commission for review. He noted that several sections have been highlighted for further review and discussion by the Planning Commission.

Sub-committee members were identified as Ken Lite, Sid Friedman, Tim Journey, Don Halbrook, Mike McCauley, and Roger Worrall.

Ken Lite noted that the 100 ft. distance identified in section 566.1 was intended to define approximately what was currently protected in the existing GH area.

Mr. Egner noted that a public hearing would be required for a text amendment such as this.

Commissioner Worrall suggested that a work session be scheduled under Old Business at the next Planning Commission meeting.

Motion: Weaver-Post to accept the report for Planning Commission consideration. Motion carried by voice vote.

B. Site Specific Development Plan

Commissioner Roberts indicated that OTAK has been requested to present three alternatives for the site: traditional development, mixed lot sizes, and neo-traditional development. He noted that once the project is approved by the Planning Commission and City Council, it should be considered as final and no further public input should occur.

Mr. Egner noted that the next several meetings are key to the progress of the project and the Planning Commission members were encouraged to attend.

VIII. NEW BUSINESS

A. Water Master Plan

Mr. Egner noted that the water master plan has been withdrawn from Planning Commission consideration and DLCD has been notified of the plan withdrawal. He indicated that numerous changes are required and the current plan is premature. He noted that the plan will likely be presented to the Commission in a few months.

B. Other

Mr. Egner noted that a neighborhood transportation plan meeting may be held in the future and concerns identified at the Planning Commission meeting in March will be further reviewed.

Commissioner Worrall noted that he felt many of the people attending the transportation meeting felt that some decision should be made and the project should proceed, not continually delayed.

IX. COMMUNICATIONS FROM THE FLOOR

None.

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Mr. Egner noted that Saturday, April 24 there is a leadership forum relating to METRO planning and service provision and Planning Commissioners are welcome to attend.

X. ADJOURN

Motion: Worrall-Roberts to adjourn. Motion carried unanimously.

There being no further business, the meeting was adjourned at 9:45 pm.