

Council Chambers
7:30 PM, Thursday

A Regular Meeting
of the Planning Commission

April 18, 1985
Newberg, Oregon

Members Present:

John Englebrecht
Kathy Kelso
Jack Kriz

John Lyda
Ken Overton
Arthur Roberts
Roger Veatch

Members Absent:

Eldon McIntosh

Staff Present:

Clay Moorhead, Planning Director
Rick Faus, City Attorney
Barb Mingay, Recording Secretary

Citizens Present:

6 Citizens

The meeting of the Newberg Planning Commission was called to order by Chairman Roger Veatch.

Motion: Englebrecht-Lyda to approve the March 21, 1985 Planning Commission minutes. Motion carried unanimously.

Public Hearing A:

Applicant:	International Church of the Four Square Gospel and Pam Kimberly
Request:	A Planned Unit Development in order to restrict the types of uses permitted on the property and to identify certain site requirements for development of the property; together with a request for a Comprehensive Plan Amendment from LDR (Low Density Residential) to COMM (Commercial) together with a Zone Change from R-1 (Low Density Residential) to C-2 (Community Commercial) on a 4.83 acre tract of land.
Tax Lot:	3216CA-2190
Location:	3777 Portland Road
File No:	C-1/Z-1-85

John Lyda indicated he had received a letter in opposition and presented it to the Planning Director for inclusion in the hearing. He did not feel it would interfere with any decision he might make. No abstentions, conflicts of interest, or exparte contact were indicated.

Staff Report: Planning Director Moorhead reviewed with the Commission the two previous hearings on this matter. He pointed out that at this time only two opponents to the project have come forward; Fred Casey and Judith Nemer, both neighbors of the proposed project site. He presented the staff report dated March 15, 1985 and highlighted conditions included the previous staff report. He reviewed the modifications that the applicant proposed to the four conditions. The applicant has requested deletion of condition four as that condition would only duplicate the standard requirements of the City for all developments currently constructed in Newberg at this time. Mr. Moorhead indicated that, after on-site review and additional consultation with the applicant, he was able to identify the areas of natural landscaping and existing fencing. He pointed out on a map those areas requiring additional screening. He indicated that the staff recommendation would be to approve the applicant's request for a Comprehensive Plan Amendment, Zone Change with a Planned Unit Development overlay based on Staff Report 1 findings and applicant's conditions 1-3.

Proponent: David Abbott, Rt. 2, Box 266, Newberg, partner in the project, indicated he was in favor of the Planning Director's recommendation and finds it acceptable.

Proponent: Steve Bragg, a registered architect and Newberg resident, indicated this type of complex is currently not available in Newberg and the proposed project would fill a need.

Proponent: Gloria Brothers, representing some of the original site owners, feels the project was being well done and supported it.

Proponent: Pam Kimberly, partner in project and owner of Unicorn's Garden, asked for the Planning Commission support in a project that would benefit the whole community. She thanked the Commission for their efforts thus far.

Proponent: Darrel May, Rt. 4, Box 365, Newberg, a registered landscape architect, indicated he is currently working on the project and would like to see it completed.

Questions to Proponent:

Arthur Roberts asked for clarification of "high quality" in the applicant's requested conditions and for a more specific definition of condition 1.c. Pam Kimberly responded that a high quality restaurant was one which prepared or originated food on the premises, one step up from fast food. David Abbott responded that other types of uses that could complement a restaurant and motel could include things such as a weight room, athletic room, etc. His response regarding financing the project having a PUD overlay was that the proposed conditions did not appear to be so restrictive as to cause a problem with project financing.

Staff commented that staff site review would further address the appropriate locations for additional screening and landscaping.

Commissioner Kelso asked how extensive the architectural changes to the existing house would be. Pam Kimberly responded that the basic house would not be changed. The commercial kitchen would be located in the garage structure. In addition, construction of a solarium for additional seating space, would be designed as tastefully as possible, so as not to detract from the house.

No opponents wished to speak.

No public agencies responded.

The letter received by Commissioner Lyda was entered into the record at this time. It indicated that Clay & Susan Woolen, 340 Hadley Road, were opponents of the project. They indicated their property values and quality of life would be adversely affected if the project were approved.

Proponent Rebuttal:

David Abbott indicated that the Woolen's were the only opponents to the project from Newall Addition Subdivision, and that the Hadley Water Association was very much in favor of the project. He felt that ample opportunities had been presented both publicly and privately for those individuals who had concerns about the project.

Staff Recommendation: Staff recommends approval of the Plan Amendment, Zone Change and PUD overlay, based on February Staff Report findings and Conditions 1-3 as proposed by the applicant.

Public Hearing closed.

Commissioner Roberts expressed concern that the Commission was basing their decision on the statement that the house was "historic" and should therefore be allowed to be rezoned. He indicated that basing a land use decision on that point alone did not seem sufficient cause for approval of a zone change request.

A number of Commissioners responded they felt that other factors were presented at the first public hearing, in addition to the historic character of the house, which did indicate sufficient cause to recommend approval of the request.

The number of potential units was also discussed. Concerns regarding building height were expressed. Staff commented that building height was limited to a maximum of 30 feet within 50 feet of the residential zones, but the remainder of the site had no height limitations. The physical limitations caused by the parking, lot coverage and landscape requirements would restrict the number of units allowed.

Motion: Englebrecht-Overton to approve the request for a Planned Unit Development in order to restrict the types of uses permitted on the property and to identify certain site requirements for development of the property; together with a request for a Comprehensive Plan Amendment from LDR (Low Density Residential) to COMM (Commercial) together with a Zone Change from R-1 (Low Density Residential) to C-2 (Community

Commercial) on a 4.83 acre tract of land, based on Staff Report Findings dated February 14, 1985 and applicants conditions 1-3 as listed in Staff Report dated April 12, 1985. This approval also incorporates the request identified as Public Hearing B on the Planning Commission Agenda of April 18, 1985. Vote on Motion: Aye - Englebrecht, Kelso, Kriz, Overton, Veatch; Nay - Lyda, Roberts. Motion carried (5-2).

Staff indicated that Public Hearing A and B would be heard before the City Council, May 6, 1985, and that new and additional testimony could be presented in written form at that time.

Public Hearing B, Continuation

Applicant: International Church of the Four Square Gospel and Pam Kimberly
Request: A request for a Comprehensive Plan Amendment from LDR (Low Density Residential) to COMM (Commercial) together with a Zone Change from R-1 (Low Density Residential) to C-2 (Community Commercial) on a 4.83 acre tract of land.
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Location: 3777 Portland Road
File No: C-1/Z-1-85

(This hearing was dispensed with through the motion to approve the request as previously stated.)

Public Hearing C:

Applicant: City of Newberg
Request: Discussion regarding possible amendments to the C-2 (Community Commercial) zone to permit mixed use developments which integrate commercial and very light industrial uses.
File No: G-11-85

No abstentions, conflicts of interest, or exparte contact were indicated.

Staff Report: Staff requested that a continuance of this hearing be granted to allow for adequate staff time to do a quality investigation of the subject and development of a presentation to the Commission.

Motion: Roberts-Kriz to continue the public hearing to the May 16, 1985 Planning Commission hearing. Motion carried unanimously.

Old Business. None.

New Business. Due to the resignation of Jean Harris, Vice-Chair of the Planning Commission, an election was required to fill that position.

Motion: Roberts-Englebrecht to nominate Jack Kriz for the position of Vice-Chair. Motion carried unanimously.

Jack Kriz was appointed as Vice-Chair.

Motion: Kelso-Overton to adjourn. Motion carried unanimously.