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| Council Chambers<br>7:30 PM, Thursday | A Regular Meeting<br>of the Planning Commission | July 18, 1985<br>Newberg, Oregon |

Members Present:

John Englebrecht
Kathy Kelso
Jack Kriz
Eldon McIntosh
John Lyda
Ken Overton
Arthur Roberts
Roger Veatch

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: McIntosh-Englebrecht to approve the May 16, 1985 Planning Commission minutes. Motion carried unanimously.

Requests from the Floor:
Jane Parisi-Mosher, 109 N. Meridian, former member of the Planning Commission and member of the Committee for a Better Newberg, spoke to the Commission regarding their support for the Redevelopment Plan, especially in light of the Planning Commission's recommendation of the Redevelopment Plan to the City Council at it's inception. She added that the issue comes before the Voters September 17, 1985. She requested that the Commission consider creating a resolution or write letters to the Editor, taking a strong stand supporting redevelopment.

Commissioner McIntosh indicated that he served as a member of the City Council during the Redevelopment Plan adoption process and remembered hearing only one negative statement during the hearings at that time. He felt strongly in favor of the plan both then and now.

Public Hearing A:

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| Applicant: | A-Dec, Inc. |
| Request: | Approval of an annexation and a zone change from a county zone to a City of Newberg M-1 (Limited Industrial) or M-2 (Light Industrial) zoning district, together with a withdrawal from the Newberg Rural Fire Protection District on a 29.46 acre tract of land. |
| Tax Lot: | 3209-2690 and 3217-100 |
| Location: | South of Mountainview Drive between Springbrook Road and Aspen Way, Newberg, Oregon. |
| File No: | ANX-2/Z-3-85 |

Chairman Veatch requested any abstentions, ex-parte contact or objections to jurisdiction. Ken Overton abstained from both public hearing A and B deliberations due personal contact with parties involved in both hearings. Arthur Roberts indicated that he is a title holder of property currently under a contract purchase which is located adjacent to the proposed annexation site. He did not feel this would interfere with his judgement in the hearing and did not abstain. No requests for abstentions or objections to jurisdiction occurred.

Staff Report: Planning Director Moorhead pointed out the site on a map and entered the Staff Report into the record, highlighting various findings. He also distributed Section 4 of the Annexation Ordinance pretaining to criteria for evaluation of the request, and this was also made a part of the record.

Proponent: Ken Bernard, 11160 SW Second, Dundee, property manager for Adec, indicated he concurred with the Staff Report. He indicated the site was currently in the research and development planning stages as the site of Adec corporate offices.

Opponents: None.

Public Agencies: The Engineering Department submitted a memo indicating that sewer and water are available to the site, that a half-street improvement would be required along Mountainview Drive and Aspen Way or a non-remonstrance could be signed for creation of an LID in the future.

No other public agencies commented.

Staff Recommendation: Staff recommends that the Planning Commission approve and recommend to the City Council approval of an annexation and a zone change from a county zone to a City of Newberg M-1 (Limited Industrial) zoning district, together with a withdrawal from the Newberg Rural Fire Protection District on a 29.46 acre tract of land, subject to the following conditions:

1. The applicant shall dedicate an additional 10 feet of right-of-way along any bordering public road which is of a sub-standard width. The dedication shall be made to the City of Newberg.

2. The applicant shall sign a statement of non-remonstrance indicating that the owners of the subject property will not object and shall participate in the establishment of a local improvement district if any is created for improvements of public roads and services adjoining the subject property.

3. If a survey does not already exist of the subject property, then one shall be made by an Oregon Registered Land Surveyor and submitted to the Planning Department for review.

Hearing Closed.

A general discussion followed during which comments were made as to the added amount of traffic on Mountainview Drive, Aspen Way, and Crestview. Staff identified Mountainview Drive as a major collector road and also indicated that Crestview acts as a collector also. Staff also indicated that the owners of the property which would become an island were sent a special notice, and no comments have been received from them as of this hearing. In response to questions from the Commission, he commented that the "island" property would not be cutoff from road access by the annexation and the property was also identified in the comprehensive plan as industrial.

Motion: Englebrecht-McIntosh to approve and recommend to the City Council approval of an annexation and a zone change from a county zone to a City of Newberg M-1 (Limited Industrial) zoning district, together with a withdrawal from the Newberg Rural Fire Protection District on a 29.46 acre tract of land, based on Staff report findings 1-13 and subject to conditions 1-3 of the staff recommendation.
Motion carried. (1 Abstention - Overton, 1 Absent - Fendall).

Staff indicated that the annexation would be heard before the City Council at their August 5, 1985 meeting.

Public Hearing B:

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| Applicant: | Redevco Co./Future Investments |
| Request: | Appeal of a Planning Director decision for approval of variance to the front yard setback to allow for Donald Harr to locate a sign within the front 15 ft. yard area. |
| Location: | 2201, 2203, 2205, 2207A, 2207B, and 2207C Portland Road |
| Tax Lot No: | 3217DC-1100 |
| File No: | Appeal-1-85 (Refer to V-2-85 Planning Dept. File) |

Chairman Veatch requested any abstentions, ex-parte contact or objections to jurisdiction. Ken Overton abstained from public hearing B deliberations due personal contact with parties involved. Chairman Veatch abstained due to conflict of interest and turned the gavel over to Vice-Chairman Kriz. No additional abstentions were requested and no objections to jurisdiction were indicated.

Planning Director Moorhead presented the staff report and described the history of the variance and appeal. He indicated that he would not be making a staff recommendation; however, he distributed findings for both approval and denial of the variance for the Commission to review.

Proponent: Robert Jacob, representing Redevco Co./Future Investments, indicated that due to the lack of a sign ordinance, the City must rely on building setback requirements to place signs properly. He indicated that the proposed sign was one of the largest such signs in Newberg. He questioned whether thought had been given to redesign of the sign location and dimensions so as not to require obtaining a variance, still comply with Newberg requirements and still allow for adequate signage for businesses. He commented that the applicant needed to meet all five variance criteria to have the variance approved. He distributed three photographs (labeled Exhibits 1, 2 and 3) which indicated the site with a blacked out area representing the proposed sign.

Questions to Proponent: The proponent was asked to redescribe the dimensions of the proposed sign. He indicated the sign appeared to begin 7 feet from the ground and was 10 feet in width. He was asked about the accuracy of the blacked out area on the photos. He commented that the area was measured and was accurate within about one foot.

Opponent: Robert Landon, N.W. Neon Sign Co., Rt. 1, Box 45, Sheridan, representing Dr. Harr, indicated that signage is very important to businesses. Several tenants have had a hardship over the last three years due to lack of a sign. The proposed sign was planned for location near the site of a sign removed three years ago. He indicated that the sign was designed to be aesthetically pleasing while still allowing adequate space for all tenants. He indicated the problem of sign blockage was discussed and it did not appear to be a problem to any of the existing adjacent signs. He added that safety was also a consideration. The sign was designed so as not to obstruct maneuverability in the parking area.

Opponent: Donald Harr, applicant for variance, distributed pictures (Exhibit O-1 and O-2) which indicated the old location of the sign which had been removed three years ago, and a picture of the parking lot currently.

Questions to Opponent: Robert Jacob questioned Mr. Landon regarding some other type of sign construction to fit the needs of Dr. Harr. Mr. Landon responded that many factors were involved in designing a sign. Mr. Jacob questioned whether the sign company had developed the sign to the customers exact specifications or whether the company had presented a design. Mr. Landon responded that Dr. Harr had some specific general ideas but that some modifications to them were made by the sign company. Mr. Jacob asked whether the same size sign in height but with different dimensions could be created. Mr. Landon responded that some other type of sign could be created structurally but not to the clients general specifications. Mr. Jacob questioned whether any other solutions had been submitted except the current one which required a variance. Mr. Landon indicated that the client had a design in mind and no other sign was presented. Mr. Landon questioned whether the sign could be made smaller in dimension and still retain the character of the sign. Mr. Landon indicated that a specific amount of space is required for reader board letters and due to the size of the plaza, adequate advertising was needed to establish the businesses. Mr. Jacob questioned Mr. Landon whether other shopping centers were reviewed as to their sign usage. Mr. Landon indicated he could not comment on other shopping center sites. Mr. Jacob questioned how the company pay schedule for signs was set up. Mr. Landon indicated the fee was based upon the approximate square footage and type of sign.

Commissioner Englebrecht questioned the height of the old sign. Staff responded that the previous sign appeared to have been 3-4 feet smaller than the proposed sign.

Commissioner Kelso questioned the method of lighting the sign. Mr. Landon responded that the sign was proposed to be internally illuminated.

Commissioner Kriz questioned where the property line was.

Staff indicated that on-site measurements had been taken and that the accuracy of the measurements on the diagram (included with the staff report) were within 0 - 2 feet of correct. No survey of the property was available.

Dr. Harr commented that the sign company has suggested moving the sign back 2 feet and installing bumper guards, as a concession to the concerns of Redevco.

Commissioner Kriz asked whether any consideration had been given to relocating the parking spaces. Staff indicated that it may be difficult to find a design which could provide more space.

Public Agencies: Staff entered the Engineering Department memorandum into the record. The memo supported the Engineering Department comments in the staff report. No other public agencies commented.

Proponent Rebuttal: Mr. Jacob indicated that the variance applicants had presented no other solutions for signage which would comply with the current City regulations. He stated that all findings for denial had been met where only one is required. He indicated that none of the five variance criteria had been met by the applicants.

Opponent Rebuttal: Dr. Harr indicated that the City had approved the sign size without indicating it was too large. He felt that moving the sign closer to the building would provide a maneuvering hazard and that adjoining property owners had concurred that the sign would not block their signs. He felt that the Planning Commission should support the Planning Directors decision.

Staff Recommendation: None

Hearing Closed.

After a general discussion regarding the sign location and blocking problem, the concensus was that further review should occur.

Motion: Englebrecht-Kelso to continue this discussion to the next regular Planning Commission, August 15, to allow the Commission further time to deliberate on the matter. Motion carried - 1 Nay (McIntosh), 2 Abstentions (Overton, Veatch), 1 Absent (Fendall).

Staff identified the options available to Planning Commission in deciding upon this matter. No further testimony would be allowed at the next meeting on the hearing.

Motion: Englebrecht-Kriz to allow new testimony at the next hearing of the appeal. Motion carried, 1 Nay (Roberts).

Chairman Veatch resumed the chair.

Motion: McIntosh-Roberts to recommend to City Council that the sign ordinance study be reactivated. Motion carried unanimously.

Public Hearing C, Continued:

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| 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 proponents or opponents wished to speak.

Staff Report: Planning Director Moorhead indicated that he had requested additional information from City Consultant Art Shew. He requested continuance until that information was available.

Motion: Overton-Roberts to continue the hearing to the next regular Planning Commission meeting. Motion carried unanimously.

Old Business. None.

New Business. Commissioner Kelso asked the Commission to consider adoption of a historic preservation ordinance. General discussion followed regarding the need for preserving historic homes in the Newberg area. The Commission requested that a historic preservation ordinance discussion be placed on the Planning Commission agenda for August.

The Commission briefly discussed the redevelopment plan approval which took place several years ago. The Commission requested that the subject be placed on the August agenda.

Motion: Roberts-Veatch to adjourn. Carried unanimously.