

A Regular Meeting
of the Planning Commission

7:30 PM, Thursday

Council Chambers

February 20, 1986

The meeting was called to order by Chairman Roger Veatch.

Members Present:

John Englebrecht	John Lyda
Bryce Fendall	Ken Overton
Kathy Kelso	Arthur Roberts
Jack Kriz	Roger Veatch

Member Absent:

Eldon McIntosh (excused)

Staff Present:

Clay Moorhead, Planning Director
Barb Mingay, Recording Secretary

Citizens Present:

42 Citizens

Motion: Englebrecht-Kelso to approve the minutes of January 16, 1986 and February 13, 1986 Planning Commission meetings. Motion carried unanimously.

Public Hearing: Historic Preservation Ordinance

No abstentions or exparte contact were indicated; none were requested.

Staff Report:

Planning Director Moorhead identified the process which has occurred to date for creation of the Historic Inventory and related documents. He distributed to the audience copies of a document containing the primary and secondary sites listed in the Inventory. He identified LCDC goal requirement 5 which initiated the historic review and accompanying ordinance requirements. Staff further identified that public testimony would be taken at both this and next month's regular Planning Commission meetings. He identified the differences between identification of a site on the Historic Inventory and on a Landmarks list. He pointed out that the ordinance as currently drafted would only cover those sites identified on a Landmarks list as being currently listed on the National Register or eligible for National Register designation. He added that the ordinance was designed to encourage homeowners of sites listed on the Inventory to voluntarily place themselves under the control of the Historic Ordinance. He identified incentives for ordinance compliance, including waiver of

building permit fees, federal and state tax benefits and waiver of some state building code requirements.

Public Testimony:

Proponents:

Lois Rudman, 617 N. Villa Rd., Chair of the Newberg Historic Preservation Commission, identified that the ordinance would greatly benefit Newberg and posterity. The Newberg Historic Preservation Commission was in favor of the proposed ordinance.

Bill Campbell, 911 E. Third, commended the Commission for the good job it has done to date in developing an ordinance. He expressed some concerns relating to the criteria for establishing a Landmark designation, the financial obligation placed upon the city under the assistance provision of the ordinance, definition of the term "significant change", and under Section 8, that the commission should base any decision it makes on findings of fact. He also felt that a checklist should be established for ease in completing the permit process.

Peggy Campbell, 911 E. Third, a member of the North and South side walking tours, identified the pride historic site owners have in their homes. There are many economic benefits for historic site home owners. She indicated her involvement with the establishment of a historic preservation society which would benefit owners interested in reconstruction and preservation activities. She added that some loss of significant sites could occur by having a voluntary ordinance instead of a mandatory one; however, she would recommend that the Commission adopt the proposed ordinance.

Art Stanley, 621 S. Columbia, a member of Chehalem Valley Heritage, commended the Planning staff and Commission for their efforts in historic preservation. He recommended that the Commission adopt the proposed ordinance and added that it would be a supplement to Newberg's upcoming centennial celebration in 1989.

Dave Bauer, owner of Naps grocery store, identified he felt the ordinance would be more appropriate if it did not apply to downtown business properties. He felt the ordinance would cause many problems to downtown business owners trying to upgrade their buildings.

Questions to Proponents:

Mr. Campbell was asked to clarify his concerns regarding criteria for establishing a Landmark. He responded that he felt the intent of the ordinance was directed at only houses currently on the National Register; however, the ordinance does not specifically say that.

Opponents:

Mark Wheeler, 214 N. River, indicated he was neither for or against the ordinance. He asked what the method for voluntary inclusion was and also expressed concern about the method of being removed from the ordinance

jurisdiction at some future date. He asked what options were available to property owners.

Staff identified that coming under the ordinance would be voluntary and that exterior alterations or demolition would then come under the jurisdiction of the Commission. He added that inclusion under the ordinance and its accompanying restrictions would run with the land and all future owners of the site would be required to comply with the ordinance.

Jack Nulsen, 717 E. Sheridan, an inventory site owner, commented that if the ordinance were applied on a mandatory basis, there would be a serious diminishment of property value. He felt there would be an economic disadvantage to the property owner. He felt that Section 5 which relates to designation of historic sites should be clarified to mean only those sites currently on the National Register. In addition, he felt that the ordinance should include a provision for withdrawal of sites from the ordinance. He commented that the term "reasonable" should be defined. He felt that the process for either inclusion or appeal should have a similar fee structure. Currently only the appeal portion of the ordinance has a fee attached. In addition, he felt that an investigation into the City's actual expense for administering the ordinance should be reviewed.

Jim Misner, 2901 E. Second, commented that during the late 60's and 70's historic designation was in vogue; however, the current economy has changed this trend. He also felt that the City expense for administration of the ordinance would be high. He felt that the ordinance interferes with the citizen's basic right to control his own property. He commented that preservation groups would be in a better position to assist people in rehabilitating their homes without creating another governmental agency.

Fran Yackey, downtown business owner, expressed concern over Section 5, specifically in the area of clarifying which sites would be mandatorily included under the ordinance.

Herb Swift, 210 S. College, expressed concern regarding Section 5. He identified that if Section 5 requirements were clarified, the ordinance would be more acceptable. He also identified that public notice should also be provided to the applicant under the notice requirement section. He added that, under Section 6, it would be more appropriate to have the control of appropriate material at the resource center under the jurisdiction of a historic group rather than the head librarian.

Fred Capell, Rt. 1, Box 67, Newberg, objected to LCDC's requirements which could in the future require mandatory compliance instead of the currently proposed voluntary program. He stressed that pride of ownership and involvement in educational programs on a voluntary basis should be encouraged, with no governmental involvement at all.

Vic Snyder, 110 S. Main, concurred with Mr. Nulsen's comments fully.

Nancy Luty, 200 N. River, objected to the City Council or Historic Commission interfering with any decision they might make about their own home.

Questions to Opponents:

A question was asked regarding Mr. Nulsen's comment about the ordinance requirement that the site must meet the "standards" for inclusion under the National Register, as opposed to meeting the "requirements" under the National Register. A second question pertained to whether there was anything in the ordinance which did relate to historic preservation. These questions were directed to Mr. Nulsen for the record; however he was no longer present to respond.

Public Agencies/Letters:

No public agencies responded.

The following letters were then read into the record:

1. Hoover-Minthorn House-Phoebe Dierdorff, Chairman - requesting further update information as it becomes available.
2. First Federal Savings & Loan-Vincent Mekkers, President - concerned about criteria for judging historical significance, restoration feasibility, and financial impact due to restrictive property use dictated by the proposed ordinance.
3. Thomas Bowen - opposed to ordinance.
4. Nancy Luty - requesting continuance of hearing to next month to allow for further review

Proponent Rebuttal:

Donna McDaniel, owner of a designated site on Roberts Lane, encouraged the Commission. She commented that in another jurisdiction she has been through the historic review process on a site as an applicant and it has worked well. She also felt that volunteers would be able to provide much support and that she was willing to submit her home for coverage under this ordinance.

Peggy Campbell commented that economic advantages can occur from AN historic designation and that she has many realty clients interested in historic homes.

Cathy Anderson, 1117 N. Meridian, commented that they had purchased property in Newberg based on its quality and structure and the historic character of the town. She felt that there should be a willingness to contribute to the maintenance of a quality community.

Opponent Rebuttal:

Donnie Laas, Newberg Honda, expressed concern about any possible financial limitations a lender might make on loans if a house has a historic designation placed on it. He would like the lending institutions to clarify their position on this matter.

Herb Swift questioned the ability of this ordinance to encumber property which currently holds a mortgage. He asked whether the ordinance would

have any effect on Newberg real property as security either for old or new loans.

Staff Recommendation:

Staff recommends that the hearing be continued to the next regularly scheduled Planning Commission meeting March 20.

A brief question and answer session followed.

Motion: Roberts-Englebrecht to adjourn the hearing to the March 20, 1986 Planning Commission meeting to take place at 7:30 PM in the City Council Chambers. Motion carried.

There being no old or new business, the meeting was adjourned.