

A Regular Meeting
of the Planning Commission

7:30 PM, Thursday

Council Chambers

March 20, 1986

The meeting was called to order by Chairman Roger Veatch.

Members Present:

John Englebrecht	John Lyda
Bryce Fendall	Ken Overton
Kathy Kelso	Roger Veatch

Member Absent:

Jack Kriz (excused)
Arthur Roberts (excused)
Eldon McIntosh

Staff Present:

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

Citizens Present:

14 Citizens

Motion: Overton-Fendall to approve the minutes of February 20, 1986 and March 13, 1986 Planning Commission meetings, and to include verbatim the opening comments of Commissioner Kelso at the March 13, 1986 meeting. Motion carried unanimously.

Due to the amount of audience interest in Hearing B, the agenda order was revised.

Public Hearing B: Historic Preservation Ordinance

Chairman Veatch highlighted those areas which the Commission discussed at their March 13 meeting. He identified possible new wording which would address the concerns of the audience at the February 20 hearing.

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

Staff Report:

The Planning Director had no additional staff report at this time.

Proponents:

Jean Harris, 3305 Vittoria Way, #21, indicated she was a long time advocate of historic preservation and felt that the current ordinance is not strong enough. She felt that the Inventoried homes should be required to be under the control of the ordinance mandatorily, with a provision for hearings allowing for demolition or remodeling based upon economic information.

Lois Rudman, 617 N. Villa Road, Chairman of the Newberg Historic Preservation committee, stated that the Committee supported the draft ordinance. She identified the goals and scope of the Committee. She pointed out the difference between the Committee and the Historic Landmark Commission.

Kathy Anderson, 1117 N. Meridian, presented a brief slide show of architectural details which exist on some of the older homes in Newberg. She felt the voluntary ordinance does not adequately protect sites currently on the Inventory. She indicated she would be willing to place her home under the jurisdiction of the ordinance.

Questions to Proponents:

Kathy Anderson was asked if she felt the ordinance encouraged preservation. She felt that it did.

Opponents:

Fred Capell, attorney, Rt. 1, Box 67, questioned whether the ordinance was really only a blueprint for a mandatory program. He felt that people who really care about preservation will voluntarily preserve their home without being obligated by an ordinance. He felt that Section 5 as currently written required mandatory compliance as opposed to a voluntary program. The ordinance should be revised to make the program voluntary and the program should have some method available for withdrawal from its requirements.

He indicated that the best solution would be to abandon the entire ordinance and allow the community to work with volunteer groups educating and assisting those persons interested in preserving their historic homes.

Herb Swift, attorney, 210 S. College, agreed with Mr. Capell regarding opposition to Section 5 as currently written. He added that he would be more supportive of the ordinance if compliance were voluntary. He expressed concern regarding the impairment of the ability to use the site as security when the historic designation is placed on the property.

Jack Nulsen, attorney, 717 E. Sheridan, concurred with the preceding opponents about their concern with Section 5. He distributed a revised wordage to the Commission for their use in revising Section 5 to identify the ordinance as a voluntary program. He indicated he would not object to the ordinance if it were voluntary. He suggested that a fund be started to

be used for the purpose of preservation incentives, assistance to property owners for repair, possible purchase of sites, etc.

Questions to Opponents:

Mr. Nulsen was asked by Commissioner Englebrecht what his feelings were about including a 120 day waiting period before demolition could occur. He responded that he would be opposed to time delays which would cause undue economic restrictions to the property owner. He was also asked if he felt his house had historic significance. He indicated that it probably did. He added that the Council should establish funds that would cause historic site owners to submit to the ordinance based on its economic feasibility to the property owner. He felt that mandatory inclusion under the historic ordinance would decrease his property value. Mr. Nulsen responded to additional questions regarding the economics of maintaining an older home with or without a preservation ordinance.

Staff indicated that as the proposed ordinance is now drafted, there is only a 45 day waiting period on demolition permits, not 120 days.

Public Agencies/Letters:

No public agencies responded.

The following letters were then read into the record:

1. Don & Norma Bauer - felt that the present draft was redundant as the National and State registers currently provide protection for National Register Sites. Felt the ordinance should cover those homes currently unprotected.
2. Grace Krohn, - was opposed to any action to include her property in the National Register and felt the ordinance should be voluntary.
3. Mr. & Mrs. Vic Snyder - requested that their properties be removed from any historic property list.
4. Fran Yackey - felt the ordinance should be voluntary and any changes to it should be subject to a vote of the people.
5. Phoebe Deerdorf - Chairman, Minthorn House - indicated that the Colonial Dames approve and support the proposed ordinance.

Proponent Rebuttal:

Lois Rudman commented that her experience with purchase and sale of several historic homes has been very positive. She felt that the historic home market will be a positive one in Newberg.

No Opponent Rebuttal.

Staff Recommendation:

Staff proposed that language revisions be approved by the Planning Commission as follows:

Section 5: To read "...site or object is currently listed in the National Register of Historic Places of the United States of America. Upon application by the property owner(s)..."

City Attorney Faus pointed out that the wording for this section was taken from the State definition for inclusion under a tax incentive program. for Historic Register Sites.

Section 6: First sentence to read "**A preservation resource center shall be established...**".

Last sentence to read "...tax incentive information and related documentary materials **may be placed within the center.**"

Section 7: Item 1. to read "The Planning Department **or the Commission** shall provide **reasonable** assistance in holding public workshops..."

Section 8: Item 2. last sentence to read "The decision of the Commission shall include **and be based upon** findings of fact."

Section 8: Item 3(a) deleted in its entirety.

Section 9: To read:

1. The building is less than 50 years old; **and/or**
2. **The building is not a designated Landmark; and/or**
3. The **Landmark** has been damaged beyond reasonable repair through fire, flood, wind or other Acts of God, vandalism, **or neglect.**

Section 12: Second sentence to read "**Plans**, elevations, materials, textures, and other information deemed necessary..."

Staff recommends that the Planning Commission approve the ordinance with the above mentioned changes and refer the matter to the Newberg City Council.

The hearing was closed.

Motion: Englebrecht-Overton to continue the discussion of the hearing to the next regularly scheduled Planning Commission meeting, April 17, 1986. Motion carried unanimously.

Public Hearing A:

Applicant:	E. Noyes
Request:	Request to change the current comprehensive plan designation of Proposed Park (PP) to a designation of Low Density Residential (LDR) which is compatible with the current R-1 (Low Density Residential) zoning designation on the property. The property is approximately 8.92 acres in size and is located east of Springbrook Road and north of Spring Meadow Subdivision, in the City of Newberg.
Location:	1906 Springbrook Road
Tax Lot:	3216BB-300
File No:	C-1-86

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

Staff Report: Planning Director Moorhead identified the site on a map and presented the staff report. He commented that a letter from the Park Board was included in the Staff Report which indicated that the Park District refused first option to buy the property and has no interest in the site in the future. He added that the City Council has created a resolution which provides the means for removing the Proposed Park designation. It specifies that the Park District or the City has first option to buy the property, and if refused, the property owner can request that the Proposed Park designation be removed.

Proponent: Stu and Jean Harris, 3305 Vittoria Way, #21, identified themselves as neighbors who were not opposed to the request. They suggested that the City property in the triangle of Springbrook Road and Springbrook Way be considered in the future as a possible park site. He commented that approximately 90 letters were mailed informing surrounding property owners of the proposed request.

There were no other proponents or opponents.

No letters have been received; a referral comment from the City Manager regarding careful consideration of the requested action was entered into the record.

Staff Recommendation:

Staff recommended that the Planning Commission approve and recommend to City Council the request.

Hearing closed.

After brief deliberation the Commission made a motion.

Motion: Overton-Lyda to recommend to City Council that the Council approve the request to change the current comprehensive plan designation of Proposed Park (PP) to a designation of Low Density Residential (LDR) which is compatible with the current R-1 (Low Density Residential) zoning designation on the property, based upon the Staff Report findings. Motion carried unanimously.

Old Business: None

New Business: None

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