

A Regular Meeting
of the Planning Commission

7:30 PM, Thursday

Newberg Carnegie Library

August 21, 1986

The meeting was called to order by Chairman Roger Veatch.

Members Present:

John Englebrecht	John Lyda
Bryce Fendall	Ken Overton
Kathy Kelso	Kathleen Sullivan
Jack Kriz	Roger Veatch

Staff Present:

Clay Moorhead, Planning Director
James Reitz, Associate Planner
Barb Mingay, Recording Secretary

Citizens Present:

11 citizens

Motion: Fendall-Sullivan to approve the minutes of the July 17 Planning Commission meeting. Motion carried unanimously.

Due to audience interest, the order of public hearings was revised.

Public Hearing D:

Applicant: Yvonne Everly
Request: A conditional use permit to allow the property located at 502 E. Fifth to be used as a bed and breakfast facility. In addition, the applicant is requesting a variance to allow on street parking rather than off-street parking as is currently required.
Location: 502 E. Fifth
Tax Lot: 3219AD-11600
File No: CUP-2/V-5-86

John Lyda abstained from the hearing due to personal association with the applicant. Kathy Kelso identified that she had been a neighbor of the applicant's but felt it would not influence her decision. No other abstentions, conflict of interest or exparte contact were identified. None were requested.

Staff Report: Planning Director Moorhead presented the Staff Report, highlighting various findings, identifying the conditional use permit and variance criteria and pointing out the location of the proposed site.

Proponent: Yvonne Everly, 502 E. Fifth, applicant, identified her desire for supplemental income, interest in meeting new people and belief in the Bed and Breakfast philosophy which she feels will increase business in

Newberg. She added that there was a definite need for additional accommodations in the Newberg area.

Proponent: Janet Ker, Director of the Newberg Chamber of Commerce, stated that she felt personally, as well as in the position of Chamber Director, that the Bed and Breakfast concept should be supported in Newberg, especially as it relates to the current development of a growing wine industry. She felt that there was a very evident need for additional overnight spaces and that referrals from the Chamber would more than fill up any Bed and Breakfast facilities developed in the area. She feels that the Bed and Breakfast ordinance should be revised if necessary, to more easily accommodate creation of additional such facilities.

No opponents wished to speak.

Letters, Public Agencies:

The Yamhill County Planning Department indicated they had no objections to the facility. A petition of support was presented with the application which was signed by property owners in the neighborhood of the proposed site.

Staff Recommendation:

Staff recommends the approval of the variance and of the conditional use permit, based on the Staff Report findings and conditions 1-8.

Hearing Closed.

The consensus of the Commission was that Bed and Breakfast concept should be supported. It was also noted that there appeared to be adequate on-street parking in the neighborhood and one - two additional vehicles would not appear to pose an additional burden to the street parking. Some concern was expressed as to the need for an increase in water rates with just one bedroom. Staff was requested to look into the matter with their recommendation being that the fees remain at the residential rate if possible.

Motion: Englebrecht-Kelso to approve the request for a conditional use permit to allow the establishment of a bed and breakfast facility with one to two guest rooms on Tax Lot 3219AD-11600, commonly known as 502 E. Fifth Street and the requested variance to the required off-street parking spaces, based on Staff Report findings 1-12 and with the following conditions:

1. The sidewalk on E. Fifth Street in front of the house must be repaired or replaced.
2. The facility must pass all health, fire and life safety inspections.
3. The structure must maintain the characteristics of a single-family residence.
4. The establishment must be applicant occupied. This permit is issued for 502 E. Fifth and to Yvonne Everly as the applicant. Any change in the location or name of the applicant shall void this permit.

5. The identification sign, if any is used, shall be no larger than six square feet in face area, be constructed wholly of wood, and shall be indirectly or non-illuminated.
6. The duration of each guest's stay shall be no more than seven consecutive days and no more than fifteen days within a thirty day period.
7. It shall be noted that upon approval of this application for a Bed and Breakfast, the property will be billed for sewer and water at a higher commercial rate.
8. No more than five travelers or transients may use the guest rooms at any one time.

Vote on Motion: Motion carried unanimously.

Commissioner Lyda returned to the platform. Commissioner McIntosh now present.

Public Hearing E:

Applicant: Debra Browning/Phillip McKay
Request: A conditional use permit to allow the property located at 709 E. Sheridan to be used as a bed and breakfast facility. In addition, the applicant is requesting a variance to the number of rooms allowed for such a facility. This request, if approved, would allow for the creation of a bed and breakfast facility providing four guest sleeping rooms rather than two rooms as defined in the bed and breakfast section of the Zoning Ordinance.
Location: 709 E. Sheridan (commonly known as the Bump House)
Tax Lot No: 3218DD-14400
File No: CUP-3/V-3-86

Commissioners Kelso and Englebrecht identified themselves as residing near the proposed Bed and Breakfast site. Commissioner Veatch stated that one of his real estate sales staff had sold the McKay's their home. None of the Commissioners felt they would be unduly influenced by their knowledge. No abstentions, exparte contact or objections to jurisdictions occurred.

Staff Report: Director Moorhead reviewed the staff report, highlighting the parking requirements and the referrals received from various City departments. He identified the location of the proposed project.

Proponent: Debra Browning, 7320 SW 69th Avenue, Portland, applicant, commented that she planned to move into the house, living in a basement apartment. She distributed some pictures of the exterior and interior of the home. She commented that she would be willing to enlarge the on-site parking as needed; however, she would prefer to wait until the Bed and Breakfast is running to do so. She is willing to comply with sidewalk repairs requested. She added that she would like to maintain the Victorian style of the home, enhancing its decor with antiques.

Proponent: Janet Ker, Newberg Chamber of Commerce Director, reiterated her stand on Bed and Breakfast establishments, adding that the preservation of Newberg's heritage should be encouraged. She again expressed concern

regarding the requirements for commercial water rates, adding that this type of facility was the key to Newberg's future.

Questions to Proponent: Debra Browning responded to questions regarding the number of bedrooms requested by commenting that the garage could be converted to a bedroom as could a finished attic area of the house. She was going to reside on-site, and would run the establishment with the assistance of her mother, who would be inn keeper during the day while she was at work. She commented that she would like to eventually hire a night manager. She stated that all state and county sanitarian requirements would be complied with and that the kitchen area would meet required standards with the installation of adequate dishwashing facilities.

Director Moorhead stated that the Fire and Building Departments would establish the occupancy limitations for the site. The Bed and Breakfast Ordinance currently requires that the site be applicant occupied. Any change in this requirement would have to be made by amendment to the ordinance.

Opponent: Charles Dalton, 708 E. Sheridan, a neighbor to the proposed facility, expressed his concern about the excessive noise and inadequate parking in the area. He commented that the parking problem was already severe and would only be increased with approval of this application. He was also concerned about the fire protection necessary for the facility, and the compatibility of required fire apparatus with the architectural design of the building. He indicated that egress from the driveway was also very hazardous.

Mr. Moorhead asked Mr. Dalton if restricted parking on Sheridan St. would help with his on-street parking concerns. Mr. Dalton still indicated he was extremely concerned about the parking and traffic congestion problems in the area.

Public Agencies, Letters: Yamhill County Planning Department replied that they have no objection to the project. Jack Nulsen, a neighbor to the project, sent a letter of support.

Proponent Rebuttal: Ms. Browning commented that the rooms would normally only house 2 people each; she does not desire a noisy atmosphere. There would not normally be small children staying at the facility. She would have limited smoking areas, the specific location to be determined later.

Opponent Rebuttal:

Mr. Dalton indicated his biggest concern remained with the parking problems and additional traffic.

Staff Recommendation:

Planning Director Moorhead voiced his concern regarding the parking situation. He recommended that an expansion of the parking lot be made to enable vehicles to egress onto College in a head-first manner. This additional condition would need to be completed prior to start up of the facility. Staff recommends approval of the project based upon the staff report findings and conditions.

Hearing Closed.

There were concerns voiced regarding the parking and egress of vehicles for the facility. Additional concerns were voiced regarding the enlargement of the proposed facility from 2-4 bedrooms. Ms. Browning commented that it would not be financially realistic for her to have only two bedrooms in use and she would withdraw the application if that were the requirement. If she were required to make additional parking available, she requested that a fourth room be approved, to be made available at a later date.

Staff pointed out that another option could be to allow three bedrooms with the condition that the parking would need to be improved as a condition of the fourth bedroom being allowed.

Considerable discussion centered around the parking issue with the consensus of the Commission being that egress onto College Street should be head-out only.

Motion: Sullivan-Kriz to approve the application for a conditional use permit and variance to allow the property located at 709 E. Sheridan to be used as a 4 bedroom bed and breakfast facility based on Staff Report findings and subject to the following conditions:

1. The sunken sidewalk on Sheridan Street in front of the house must be replaced.
2. It is recommended to the Traffic Safety Committee and City Council that on-street parking on the north side of Sheridan Street be prohibited along the entire length of the block.
3. The facility must pass all health, fire and life safety inspections.
4. The structure must maintain the characteristics of a single-family residence.
5. The establishment must be applicant occupied. This permit is issued for 709 E. Sheridan and to Debra Browning as applicant. Any change in the location or name of the applicants shall void this permit.
6. A minimum of five off-street parking spaces must be provided for the facility. The parking improvement shall conform to city standards and shall be constructed prior to receiving an occupancy permit on the bed and breakfast.
7. The identification sign, if any is used, shall be no larger than six square feet in face area, be constructed wholly of wood, and shall be indirectly or non-illuminated.
8. The duration of each guest's stay shall be no more than seven consecutive days and no more than fifteen days within a thirty day period.
9. The facility shall be provided with a permanent fire escape subject to approval by the Design Review Committee and the Fire Marshals approval or a portable fire escape system from the upper floor in a manner acceptable to the Newberg Fire Department.
10. It shall be noted that upon approval of this application for a Bed and Breakfast, the property will be billed for sewer and water at a higher commercial rate.
11. Egress onto College Street from the parking area shall be head-out only.

Vote on Motion: Motion carried unanimously.

Planning Director Moorhead indicated that there is a 10 day appeal period prior to this recommendation becoming final.

Public Hearing F:

Applicant: David and Wilbur Bauer - Naps IGA
Request: Vacation of an alley running north and south, and east and west, on the eastern border of tax lot No. 3219AB-10600, to allow for construction of a new 25,000 sq. ft. store and new parking lot. The alley runs through the existing east parking lot of Naps IGA.
Location: East of Naps IGA between First and Second Streets
Tax Lot: 3219AB-10600
File No: VAC-1-86

No abstentions, exparte contact or conflict of interest were identified.

Staff Report: Planning Director Moorhead presented the staff report and pointed out the site on a map. He identified the reason the request was being made was for a proposed future store on the site.

Proponent: Dave Bauer, co-owner of Nap's IGA identified that the request was being made in order to allow for construction of a new 25,000 square foot store at the site. He identified that the plans included purchasing of London's store also. The new building would be abutting Western Auto.

No opponents wished to speak.

No public agency comments other than those in the Staff Report or letters had been received.

Staff Recommendation: Staff recommends approval of the proposed vacation.

Motion: Overton-Fendall to recommend to City Council that they approve the request for vacation of an alley running north and south, and east and west, on the eastern border of tax lot No. 3219AB-10600, based on Staff Report Findings and the following conditions:

1. That an easement at least 12 feet in width be provided through Yamhill County Tax Lot No. 3219AB-10000.
2. That portion of the City sanitary sewer line extending into the Naps property must be abandoned as a public sewer line. The owner of the subject property identified as 3219AB-10600 shall be responsible for any construction required through the Newberg Engineering Department in order to close this sewer system, including installing a new manhole if deemed necessary.
3. The property owner shall provide General Telephone of the NW with a utility easement and two 4" PVC direct buried conduits with the route to be determined by General Telephone. The two 4" PVC direct buried conduits will serve as an avenue to reroute telephone facilities which now exist over and under property now owned by Nap's IGA.

Vote on the Motion: Motion carried unanimously

Old Business: David Abbott introduced his partner Pam Kimberly. She spoke on behalf of their project (see file C-1/Z-1-85) on Highway 99W. She indicated that the project had not been abandoned; however, due to delays in financing, no action was anticipated until May, 1987 or possibly earlier. She pointed out that in order to properly maintain the property prior to construction of a motel complex, the residence needed to be lived in. Some difficulty in renting the site due to its location prompted a reduction in rent and an equitable arrangement had been worked out with the current occupant. The occupancy of the home and buildings helped to defray taxes, alleviate vandalism and benefits Newberg's economy. She requested that the current use of the attached building be allowed to remain until May, 1987, or earlier, depending on start up date for hotel construction.

After brief discussion as to the reaction of the surrounding neighbors, the following motion was made.

Motion: Kriz-Fendall to direct Planning Staff to address a letter to the surrounding property owners, identifying the current status of the property, progress of the development, and the resolution of the current situation prior to May, 1987. Motion carried unanimously.

A 5 minute recess was called.

Commissioner McIntosh was excused from the meeting.

Public Hearing A, Continued:

Applicant: City of Newberg
Request: Review of draft regulations to establish standards for the placement of billboards within the City of Newberg
File No: G-8-86

Planning Director Moorhead identified the two alternatives previously discussed and recommended Alternative 2.

No proponents or opponents wished to speak. No additional letters were received.

The Commission briefly discussed a possible sign ordinance and requested staff to bring back information regarding the sign survey done by the Chamber of Commerce.

After a brief discussion as to the maximum size requirement of the proposed ordinance, discussion as to appropriate wording relating to flashing signs and deletion of one condition pertaining to cutouts on signs, the following motion was made.

Motion: Kriz-Sullivan to recommend that City Council approve Alternative 2 with the following changes:

DEFINITION: FREE STANDING SIGN: A sign "or advertisement" erected on a free-standing frame, mast, or pole, and not attached.....or business.

4. The area of any sign face shall not exceed one square foot of face area for each lineal foot of street frontage, "...not to exceed 100 sq. ft."

5. Deleted.
7. No free-standing sign shall have lights which "cause a distraction to motorists".

After some discussion regarding the differences between a sign ordinance and a billboard ordinance, and concerns relating to the reduction of sign size from 150 to 100 sq. ft., the question was called for.

Vote on the Motion: Aye-Kelso, Kriz, Lyda, Sullivan. Nay-Fendall, Overton, Veatch. Abstain-Englebrecht. Motion carried 4-3, 1 abstention, 1 absent.

Public Hearings B and C will be continued to the next regularly scheduled Planning Commission meeting by consensus of the Commission, due to the lateness of the hour.

New Business: None

Motion: Kriz-Sullivan to adjourn. Motion carried unanimously.