

A Regular Meeting
of the Planning Commission

7:30 PM, Thursday

Newberg City Council Chambers

November 20, 1986

The meeting was called to order by Chairman Roger Veatch.

Members Present:

John Englebrecht	
John Lyda	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:

Gene Faltus, Smurfit Newsprint Co.

Motion: Kelso-Englebrecht to approve the minutes of the October 16 Planning Commission meeting with corrected meeting date of October 16 and correction to attendance to indicate John Englebrecht present and Roger Veatch absent. Motion carried unanimously.

Public Hearing A:

Applicant:	Smurfit Newsprint Co.
Request:	A portion of Twelfth Street from the easterly right-of-way line of Willamette Street up through the easterly right-of-way line of Pacific Street, and that Columbia and Pacific Streets be vacated from their intersection with Twelfth Street, north approximately 1/2 block.
Location:	Between 11th & 12th and Willamette & Pacific Streets
Tax Lot:	N/A
File No:	VAC-2-86

John Englebrecht abstained as he is employed by Smurfit Newsprint Company, who is the applicant, and he stepped down from the platform. No other abstentions, objections to jurisdiction or exparte contact were noted.

Staff Report: Planning Director Moorhead presented the Staff Report, and identified the area proposed for vacation on a map. He pointed out that the properties abutting the south side of the streets proposed for vacation were all under the ownership of Smurfit Newsprint Co. He commented that various public and private agencies had identified utility services in the streets and had requested easements to be retained over the rights-of-way of the vacated streets.

Proponent: Gene Faltus, Project Engineer for Smurfit Newsprint Co., identified that part of the company's plans were to install a weight scale on a portion of the property abutting the vacated streets together with upgrading of the recycling facility. In addition, a proposed large construction project will soon be developed in the area. The vacation of the streets would enable the company to secure the area with fencing and improve the landscaping of the site. A map indicating the proposed fencing and development of the area was distributed to the Commission.

Mr. Moorhead stated that any development within the area would have to comply with zoning restrictions. The placement of a weight scale would have to be reviewed to determine whether it could be permitted outright. Mr. Moorhead further commented that those lands owned by Smurfit to the north of Twelfth Street are zoned R-2 (Medium Density Residential) and recommended to the applicants that a zone change to an industrial designation would be necessary prior to utilizing it for such purposes.

Proponent: John Englebrecht, Project Engineer for Smurfit Newsprint Co., identified that Eleventh Street is currently a truck route and that Pacific Street is not currently being maintained by the City. Vandalism is a major problem in this area with theft and litter disposal frequently occurring. He indicated that truck traffic would be increasing due to the new construction soon to occur at Smurfit. He indicated that Smurfit would be doing extensive landscaping and road improvement in the area at the time of the new construction. He indicated that the company would not object to the requirement for retaining of an easement over all the vacated land, subject to an option for removal of a portion of the easement through petitioning of the City Council. He commented that the primary use of the vacated property would be for upgrading and maintenance of the property to better control security and vandalism.

No opponents wished to speak.

No letters were received and no public agencies responded other than those identified in the staff report.

Staff Recommendation: Staff recommended approval of the vacation, subject to retaining an easement over all of the vacated street with the provision that the applicant could apply to City Council for removal of portions of the easement as needed.

Hearing Closed.

Motion: Overton-Sullivan to recommend to City Council approval of the request for vacation of a portion of Twelfth Street from the easterly right-of-way line of Willamette Street up through the easterly right-of-way line of Pacific Street, and that Columbia and Pacific Streets be vacated from their intersection with Twelfth Street, north approximately 1/2 block, based on Staff Report findings and the condition that a utility access, maintenance and improvement easement be retained over the entire area subject to the vacation, and allowing the applicants to petition the Council at a later date to remove all or a portion of this easement if conditions and circumstances warrant such a change. Motion carried unanimously.

John Englebrecht returned to the platform.

Public Hearing B:

Applicant: City of Newberg
Request: Discussion regarding possible amendments to the C-2
(Community Commercial) zoning district to permit light
industrial uses.
File No: G-11-86 and G-11-85

Staff Report: Planning Director Moorhead reviewed Alternative A provisions and recommended that Alternative A be approved but that caution should be used to see how well it will function for Newberg. If approved by Planning Commission, the amendment would then be reviewed by a subcommittee of the City Council and then by the full Council.

The consensus of the Commission was that Alternative A provisions appeared to be workable and appropriate for Koll type projects.

The Commission discussed Alternative B extensively. It was suggested that staff further revise item 3. with regards to weight limitations to be made more realistic. Concern was also expressed regarding the terms "hazard or offensive". The Commission indicated their concern with the impact industrial uses would have on the older, downtown core area. and with the increased traffic and congestion that would be created.

Staff identified that Alternative B as currently written would be authorized through staff approval and that occupancy permits would be issued only at such time as the applicant met certain community standards, which are as yet undetermined.

Staff suggested that an inventory of those vacant C-3 buildings currently available in the core area might assist the Planning Commission in their consideration of this alternative. An inventory will be presented at the December Planning Commission meeting. The Commission added that it would be beneficial to have the input of the Newberg Downtown Association (NDA) and they requested that a representative of NDA attend the December 18 Planning Commission meeting to present NDA's ideas on this issue. In addition, it was recommended that a sunset clause be added to the proposed ordinance amendments to allow for timely review and/or modification of the alternatives.

Motion: Kriz-Kelso to continue the hearing to the December 18 Planning Commission meeting. Motion carried unanimously.

Old Business: Ms. Kelso requested an update on the conditions attached to the variance for Mr. & Mrs. Heintz and Carson Construction. Planning Director Moorhead indicated that the CCR violation was not enforceable by the City but that the property owners concerned appeared to be satisfied after attending the variance hearing. He further advised the Commission as to the status of Carson Construction and that the landscape conditions were currently in the process of completion.

Mr. Englebrecht requested an update on the status of the bed and breakfast applicants. Mr. Moorhead advised that Ms. Browning had not established her

bed and breakfast to date but that Ms. Everly now has a one-bedroom bed and breakfast operating.

New Business: None

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