

A Regular Meeting
of the Planning Commission
7:30 PM, Thursday
Newberg Public Library

July 16, 1987

The meeting was called to order by Vice-Chairman Jack Kriz.

Members Present:

Bryce Fendall	John Lyda
Kathy Kelso	J. Eldon McIntosh
Jack Kriz	Kathleen Sullivan

Staff Present:

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

Citizens Present:

Approximately 15 Citizens

Motion: McIntosh-Fendall to approve the minutes of the June 18, 1987 Planning Commission meeting. Motion carried unanimously.

Public Hearing A:

Comprehensive Plan Periodic Review

a. Modification of Zoning/Comprehensive Plan land designations

No abstentions, objections to jurisdiction or ex parte contact were indicated.

Associate Planner James Reitz indicated that each site would be presented separately by staff with discussion and recommendation by Planning Commission to follow each site discussion. He recommended that the Commission then table further review of potential amendments to next month's meeting. Final approval of all amendments and referral to City Council would occur at the conclusion of next month's review. He further indicated that no letters had been received and no public agencies had replied to date in response to any of the following 17 locations:

1. 3217DD-1900 - 2811 Portland Road.

Staff Report and Recommendation:

Item 1 is a parcel of land bordered by Portland Road and Deborah Rd. It is occupied by a house in the southwest corner bordering Portland Rd. The rest of the parcel is used for agricultural purposes. The property across Deborah Rd. from this parcel is all in the C-2 zoning district.

Staff recommends that the boundary be shifted, so that this parcel is included in its entirety in the C-2 zoning district.

No proponents or opponents wished to speak.

Commission Deliberation:

The Commission briefly discussed setback requirements in a C-2 zone.

Motion: McIntosh-Sullivan to adopt staff recommendation that the boundary be shifted, so that this parcel is included in its entirety in the C-2 zoning district. Motion carried unanimously.

2. 3217DD-1523 - Pecan Court.

Staff Report and Recommendation:

Item 2 is a vacant piece of land bordering Pecan Ct. It is presently in the C-2 and R-3 zoning districts.

Staff recommends that the boundary be shifted so that the parcel is included entirely in the R-3 zoning district.

No proponents or opponents wished to speak.

Commission Deliberation:

Motion: Sullivan-McIntosh to adopt staff recommendation that the parcel is included entirely in the R-3 zoning district. Motion carried unanimously.

3. 3217DD-2400 - 2515 Portland Road.

Staff Report and Recommendation:

Item 3 is a parcel of land bordering Portland Rd. It is presently occupied by a structure housing Newberg Glass and Radiator, and the Ye Olde Pizza Shoppe. The portion of land in question is, however, vacant. It is presently zoned R-3 and C-2.

Staff recommends that the boundary be shifted so that the parcel is entirely in the C-2 zoning district.

No proponents or opponents wished to speak.

Commission Deliberation:

Motion: Fendall-Kelso to adopt staff recommendation that the boundary be shifted so that the parcel is entirely in the C-2 zoning district. Motion carried unanimously.

4. 3218DD-200 - 715 N. Meridian.

Staff Report and Recommendation:

Item 4 is a parcel of land on N. Meridian. It is presently used for housing, and is currently in the M-2 and R-2 zoning districts.

Staff recommends that the line be shifted so that this parcel of land is included entirely within the R-2 zoning district.

No proponents or opponents wished to speak.

Commission Deliberation:

Motion: Sullivan-Lyda to adopt staff recommendation that the line be shifted so that this parcel of land is included entirely within the R-2 zoning district. Motion carried unanimously.

5. 3218DD-400 - 701 N. Meridian.

Staff Report and Recommendation:

Item 5 is a parcel of land that is bordered by N. Meridian St., Vermillion St., and the Southern Pacific Railroad. The front portion of the property is occupied by a house. The back portion of the property is the portion bisected by the zoning boundary. The property is in the M-2 and R-2 zoning.

In this instance Staff is recommending the property remain split by a zoning boundary, but that the boundary be shifted as much as is reasonable to correspond with property lines. This shift will allow the back portion of the property to develop industrially, while preserving the front portion of the property for residential purposes.

No proponents or opponents wished to speak.

Commission Deliberation:

Motion: Fendall-McIntosh to adopt staff recommendation that the property remain split by a zoning boundary, but that the boundary be shifted to the east abutting Tax lots -200 and -300 to correspond with property lines. Motion carried unanimously.

6. 3218DD-700 - 801 N. Vermillion.

Staff Report and Recommendation:

This is a piece of land that fronts Vermillion St. It is presently used for residential purposes. The boundary splits this piece of land into the M-2 and R-2 zoning districts.

Staff is recommending that the boundary be shifted so that this piece of land be included entirely in the R-2 zoning district.

No proponents or opponents wished to speak.

Commission Deliberation:

Motion: Kelso-Lyda to adopt staff recommendation that the boundary be shifted so that this piece of land be included entirely in the R-2 zoning district. Motion carried unanimously.

7. 3219AC-1300 - 306 Dayton Avenue.

Staff Report and Recommendation:

Item 7 is a piece of land that fronts onto Dayton Ave. It is presently in the R-3 and R-1 zoning districts. It is presently occupied by a home.

Staff recommends that the boundary be shifted to include this piece of land entirely within the R-1 zoning district.

No proponents or opponents wished to speak.

Commission Deliberation:

Motion: McIntosh-Kelso to adopt staff recommendation that the boundary be shifted to include this piece of land entirely within the R-1 zoning district. Motion carried unanimously.

8. 3219AC-4800 - 300 E. Fifth.

Staff Report and Recommendation:

Item 8 is a piece of land that fronts onto E. Fifth St. It is presently split into the R-3 and R-1 zoning districts. It is occupied by a single family home, and the boundary actually bisects the home.

Staff recommends that the boundary line be shifted so that this parcel of land is included entirely within the R-1 zoning district.

No proponents or opponents wished to speak.

Commission Deliberation:

Motion: Lyda-Fendall to adopt staff recommendation that the boundary line be shifted so that this parcel of land is included entirely within the R-1 zoning district. Motion carried unanimously.

9. 3219BD-200 - Dairy Queen.

Staff Report and Recommendation:

Item 9 concerns the property occupied by the Dairy Queen. It is presently bisected into the C-2 and R-1 zoning districts.

Staff recommends that this piece of land be included entirely within the C-2 zoning district.

No proponents or opponents wished to speak.

Commission Deliberation:

Motion: Sullivan-Lyda to adopt Staff recommendation that this piece of land be included entirely within the C-2 zoning district. Motion carried unanimously.

11. 3219BD-300 - Newberg Auto Freight.

Staff Report and Recommendation:

Item 11 is a piece of land previously occupied by Newberg Auto Freight. It is in the M-2 and C-2 zoning districts.

Staff recommends that this land be included entirely within the M-2 zoning district.

No proponents or opponents wished to speak.

Commission Deliberation:

Motion: Kelso-Sullivan to adopt staff recommendation that this land be included entirely within the M-2 zoning district. Motion carried unanimously.

10. 3216-1900 - 3716 Portland Road.

Staff Report and Recommendation:

Item 10 is the Newberg Veterinary Clinic. It is located in the M-1 zone because of the large animals treated there. This separation of use is inappropriate. The treatment of large animals should be considered under a conditional use procedure. When the Zoning Ordinance is revamped this will be one of the items included; however, in the meantime, this parcel of land is split into the M-1 and C-2 zoning districts.

Staff recommends that this piece of land be included entirely within the C-2 zoning district.

No proponents or opponents wished to speak.

Commission Deliberation:

Brief discussion occurred regarding the difference between small and large animal clinics and the need to revise this portion of the Zoning Ordinance.

Motion: McIntosh-Fendall to adopt staff recommendation that this piece of land be included entirely within the C-2 zoning district. Motion carried unanimously.

12. 3217CA-1101 - 1819-21 Haworth.

Staff Report and Recommendation:

Item 12 is a piece of land located across from Chehalem Park and Recreation District offices. It is presently occupied by doctors' offices. It is located in the R-1 zoning district.

Due to its existing use, staff recommends that the zoning district be changed on this parcel from R-1 to R-P.

No proponents wished to speak.

Opponent: Linda Miller, resident of Sitka Street, expressed her concern at the continued expansion of business into the residential neighborhood and to the excessive amount of traffic on Haworth and Sitka.

Cross-exam of Opponent: Dr. Finch, owner of 3217CA-1101 asked Ms. Miller where the traffic was coming from. He questioned that his business was causing the additional traffic load.

Opponent Rebuttal: She indicated that buses and shopping center customers made up a great deal of the traffic.

Proponent Rebuttal: Dr. Finch indicated that he felt most of the traffic comes from Springbrook Plaza, BiMart, etc.

Opponent Rebuttal: Shirley Cooper, 1011 Sitka indicated that both she and Ms. Miller were concerned about the continuing encroachment of commercial property into the R-1 neighborhoods, therefore causing a greater amount of traffic problems.

Commission Deliberation:

Motion: Fendall-McIntosh to adopt staff recommendation that the zoning district be changed on this parcel from R-1 to R-P. Motion carried unanimously.

13. 3217DC-1025 thru -1035 and -1042 thru 1063 - Oak Hollow Subdivision.

Commissioner Fendall stepped down from his position on the Commission as he has a financial interest in this property.

Staff Report and Recommendation:

Item 13 concerns the Oak Hollow Subdivision. It has parcels split by zoning boundaries. Additionally, even though the development will consist of single family homes, part of the subdivision is in the C-2 zoning district. This land is presently unoccupied; however, construction of single family homes will begin soon.

Staff is recommending an R-2PD zoning designation for the entire development to reflect its use and its density.

No proponents or opponents wished to speak.

Commission Deliberation:

Motion: McIntosh-Lyda to adopt staff recommendation that an R-2PD zoning designation be placed on the entire development to reflect its use and its density. Motion carried with one abstention (Fendall).

Commissioner Fendall returned to his position on the Commission.

14. 3217DD-2501 - 704 Elliott Rd.

Staff Report and Recommendation:

Item 14 is an apartment complex on Elliott Rd. It is presently in the C-2 zoning district.

Staff recommends that this parcel be re-designated to reflect its present usage, and, therefore, should be in the R-2 zoning district.

No proponents or opponents wished to speak.

Commission Deliberation:

Some concern was expressed regarding the saleability of this parcel with the new zoning designation. Staff indicated that under the proposed R-2 zoning, reconstruction of the existing apartments if a fire loss occurred would only be permitted under a conditional use permit. Apartments are permitted outright in an R-3 zone.

Motion: McIntosh- to re-designate this parcel as R-2 with consideration for future conversion to R-3. Motion failed due to lack of second.

Motion: Sullivan-Fendall to recommend that this parcel be re-designated R-3 to reflect its present usage. Motion carried unanimously.

15. 3218DB-3200, -3201, -3300, -3400, -3600 - NW Corner of Deskins & Illinois.

Staff Report and Recommendation:

Item 15 is a proposal to rezone five parcels from R-2 to C-1. The property in question is presently occupied by apartments and small homes. One of the adjoining property owners suggested this change. Converting these properties to a neighborhood commercial designation will serve to connect "spot" zones that are already commercial, i.e. the animal hospital on Deskins, and Everybody's Market at the corner of Deskins and Illinois. Conversion of these properties will also provide somewhat more land for neighborhood commercial activities.

Staff does not offer any recommendation at this time.

Proponent: Fred LaBonte, 1514 E. 7th, comptroller for Allen Fruit Co, and acting as representative for Isabella Allen, owner of 3218DB-3200 and -3700, indicated he was not opposed to the proposal if it did not preclude extending the existing use of Ms. Allen's property for apartments.

Mr. Moorhead identified that, if the Planning Commission approved a C-1 designation on the properties, dwellings would not be included as either outright permitted or a conditional use under the existing Zoning Ordinance. Staff recommended that the Planning Commission consider revision of the Zoning Ordinance to include dwellings as a conditional use under the C-1 zoning designation.

Proponent: Bob Holveck, 18220 NE Chehalem Drive, indicated his desire that Tax Lots -2900 and -2901 be included in the change to a C-1 zoning district. He owns one property and has spoken with the owner of the other. The owner indicated to him that she was not opposed to the change.

Audience Question: Margaret Baisch, 707 N. Deskins, asked what impact this would have on her taxes.

Mr. Moorhead indicated it might have an effect; however, confirmation would have to be obtained from the County Assessor's office.

Ms. Baisch indicated she would not be in favor of the proposal if it would raise her taxes.

Mr. Moorhead indicated that Planning Commissioners had the option of including both -2900 and -2901 in their decision on this item. Notice requirements will occur prior to City Council consideration of these sites. In addition, he recommended that the Planning Commission also review the C-1 Conditional Use Permit list to include residential uses. He indicated that PUD's are allowed under C-1 but the process is more cumbersome.

Deliberation:

It was the consensus of the Commission that it was premature to revise zoning on Tax Lots 3218DB-3200 thru -3600.

Motion: McIntosh-Fendall to retain the existing zoning on Tax Lots 3218DB-3200 thru -3600 and to notify the owners of Tax Lots 3218DB-2900 and -2901 that they will be considered for rezoning to C-1 at the next Planning Commission meeting. Motion carried unanimously.

16. 3220AB-1700 - East Second (Colonial Village).

Staff Report and Recommendation:

Item 16 concerns the Colonial Village apartment complex on E. Second. The apartment complex is in two zoning districts, C-2 and R-3. The bulk of the complex is in the R-3 zoning district.

Staff recommends that the property be designated R-3, as is the rest of Colonial Village.

No proponents or opponents wished to speak.

Commission Deliberation:

Motion: Lyda-Kelso to adopt staff recommendation that the property be designated R-3. Motion carried unanimously.

17. 3220AB-2100 - East Second/St. Paul Hwy.

Staff Report and Recommendation:

Item 17 is a vacant parcel of land presently zoned R-3. Due to its location near St. Paul Hwy., the airstrip, and industry, it is unlikely that this parcel will ever be developed for residential purposes.

Planning Director Moorhead indicated that this site has been reviewed by the Planning Commission in the past for possible re-zoning to commercial. He indicated that the Planning Commission is charged with selecting the best zone for the site. Staff recommends that the designation of this parcel be changed to M-2.

No proponents or opponents wished to speak.

Commission Deliberation:

Owner of the site Lee Anderson was questioned as to his desire for zoning on the site. He indicated that he felt it would benefit both the City and himself if it were re-zoned.

Concern was expressed as to the use of the site for a restaurant (an outright permitted use in an M-1 zone), as well as the potential spot zoning that would occur; however, the consensus of the Commission was that R-3 was not an appropriate zone for the site.

Motion: Sullivan to recommend that Tax Lot 3220AB-2100 be zoned M-2 and that the owner of Tax Lot 3220AB-2000 be notified that it would be reviewed at next month's meeting for conversion to M-1. Motion failed for lack of a second.

Motion: McIntosh-Fendall to recommend that Tax Lot 3220AB-2100 be rezoned M-2. Motion carried with one abstention (Sullivan).

Staff pointed out several other locations subject to possible revision of zoning. He indicated they would be reviewed at next month's Planning Commission meeting.

New Business:

David Abbott requested that his three sites in Newall Addition be considered for revision from Residential on the Comprehensive Plan to a Commercial designation. He commented that the sites were noisy and not conducive to residential housing, in addition to having a lack of water accessibility.

Old Business:

Planning Director Moorhead indicated that the Comprehensive Plan revisions as distributed several meetings ago, will be on next month's Planning Commission agenda.

Motion: McIntosh-Fendall to adjourn to next month's Planning Commission meeting. Motion carried unanimously.