

A Regular Meeting
of the Planning Commission
Newberg Public Library

7:30 PM, Thursday
Subject to P.C. Approval at 7/20/89 P.C. Meeting

June 15, 1989

Members Present:

Scott Bernard	Mary Post
Celine Hall	Kathleen Sullivan
Rob Molzahn	Roger Veatch

Members Absent:

Bryce Fendall	Jack Kriz
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Staff Present:

Terry Mahr, City Attorney/Manager Pro-Tem
James Reitz, Associate Planner

Citizens Present: 15 citizens

The meeting was called to order by Chairman Roger Veatch with a quorum present.

Motion: Molzahn/Bernard to approve minutes of April 27, 1989 Planning Commission meeting. Motion carried unanimously.

Requests from the floor: None

Public Hearing, Continued:

APPLICANT: Newberg Internal Medicine/Marcena Inc.
REQUEST: A conditional use permit to allow construction of a medical clinic.
LOCATION: 611 N. Sitka
TAX LOT: A portion of Yamhill County Tax Lot No. 3217CD-4400 and 3217DC 7100
FILE NO: CUP-2-89

Chairman Roger Veatch opened the public hearing. He then abstained from consideration of this matter and removed himself as chair, since he had a financial interest in the sale of the property to be considered.

Motion: Veatch/Hall to appoint Kathleen Sullivan as Vice-Chairman for the public hearing in the absence of Vice-Chairman Jack Kriz. Motion carried.

No other abstentions or ex-parte contact were indicated. No objections to jurisdiction were raised.

Staff Report: Associate Planner James Reitz introduced the Staff Report, highlighting typical conditional use permits conditions. Mr. Reitz pointed out that with the established R-3 district on this parcel, it could be developed into 29 apartment units; 2-3 stories; and 1 or more buildings.

Rob Molzahn asked the Associate Planner if there was any indication of a need for additional apartment units. Mr. Reitz stated that testimony regarding this question was expected later in the hearing.

Proponent: Norman Harper, Attorney at Law, office located at 500 N. Sitka and residing at 1805 Laurel Dr., stated that he was a landowner near the subject property as well as agent for the proponents. He stated that he had furnished to the Planning Department photographs of the site as well as a copy of the Newberg Community Hospital strategic plan dated March, 1989. In addition, petitions of several residents of the area approving of the construction of a medical clinic were submitted.

Proponent: Rory Antis, 24495 NE Hwy 240, Newberg, employee of R.A. Gray & Co. Const., Tigard, explained that R.A. Gray & Co. had been retained by the applicants to build a medical facility in Newberg. He stated that several locations had been considered, but that the subject property was the site which would best meet the needs for a medical clinic. He also stated that the proposed building would blend in well with the surrounding buildings.

Kathleen Sullivan asked whether future building expansion could result in the parking exceeding Newberg's parking requirements. Associate Planner Reitz said that expansion would require additional parking, but that the total parking coverage could not exceed 30% of the lot.

Proponent: Kenneth Andrews, Vice-President of R.A. Gray & Co. Const., and residing at 19373 NE Calkins Ln, Newberg, stated that he worked together with Mr. Antis and that his emphasis was on the actual construction of the buildings. He pointed out that their company has constructed several medical/dental buildings. He supported Mr. Antis' position that the proposed site was ideal for the building and would conform to the surrounding neighborhood.

Proponent: Kathy Oriat, 217 S. 3rd, Carlton, office manager for Newberg Internal Medicine, informed the Commission that she had taken a count of charge slips for the past four months in order to identify the number of patients seen by the physicians. She stated that a typical family practice physician sees between 25-50 patients per day, the four physicians practicing internal medicine see a total of 22 per day. Ms. Oriat explained that the physician's practice involved an emphasis on hospital consultations, so there would not be a great deal of traffic involved with the addition of a clinic to the area.

Proponent: Dr. Greg Skipper, 20600 NE Kings Grade Rd., Newberg, founder of Newberg Internal Medicine, related a history of the practice beginning in January of 1980 and specializing in internal medicine and cardiology. Dr. Skipper pointed out that the physicians involved in Newberg Internal Medicine offer a group practice and operate a rotating continual coverage of their patients. He described the various specialties of each physician and stated that they would like to add one additional physician. Dr. Skipper pointed out that Newberg Internal Medicine is presently leasing office space from Dr. David Abbott, but they are cramped for space in this facility. He stated that they did not want to be real estate developers, they only wanted to meet their needs for the practice. He believes that with the nature of their practices, there would not be a traffic problem to the hospital and back.

Questions of Dr. Skipper were asked by the P.C. members regarding the addition of doctors and if more adjoining space would be required for expansion. He stated that any expansion in the future would be for the possibility of adding more medical procedures and equipment and that the addition of more physicians would be similar in practice with the current physicians.

Proponent: Marc Willcuts, Associate Broker with Coldwell Banker/Roger Veatch and Assoc., representing Marcena Inc., informed the Commission that this property had been on the market for three years and that most concerns of the neighboring property owners was regarding a 2-3 story apartment building. Mr. Willcuts believes that a medical clinic on this site would provide opportunity for a buffer between the commercial zone and the residential zone. He stated there had been plans for an apartment building on this site in the past as well as estimates of rents and vacancy factors of units in the area and it was determined that it was not feasible to construct more apartments at this time.

Proponent: Roger Veatch, 2404 Willow Dr., Newberg, owner of Coldwell Banker/Roger Veatch and Assoc., indicated that he believed this property to be proper for the proposed use. He stated that other available properties are not suitable for a medical clinic and use of this particular site for a medical clinic made good planning sense.

Proponent: Fred Casey, owner of Fred Casey Real Estate, located at 2414 Portland Rd., Newberg and residing at 1701 N. Hoskins, Newberg, informed the Commission that he was involved with Coldwell Banker/Roger Veatch and Assoc. in the sale of this property. Mr. Casey stated that in his years of experience, doctors like to locate as close as possible to the hospital. He concurred with Roger Veatch that there were few sites available that were suitable for the construction of a medical clinic. Mr. Casey added he believed that the orderly growth of the community was good for the City as a whole and recommended approval of the conditional use permit.

Proponent: Norman Harper emphasized to the Commission that there was good fire protection available with the nearby location of a fire hydrant as well as better police protection from the street. He believes that in keeping with the hospital's long-range planning goals, all nearby building sites should be reserved for medical expansion.

Cross-examination of Proponents: None

Opponent: Thane W. Tienson, Attorney at Law, Mitchell, Lang & Smith, 1001 S.W. Main, Portland. Mr. Tienson informed the Commission that he represents a citizen's committee, the Committee for Fair Planning Decisions. An Opponent's Memorandum was submitted to the Commission for their consideration, calling for the denial of the application for the conditional use permit. Beyond the Memorandum, Mr. Tienson asked that the Commission delay a decision on the conditional use permit until the Council has adopted the Newberg Community Hospital's strategic growth plan. Mr. Tienson stressed that although a projected amount of use regarding number of patients seen per day had been submitted by the applicant, the most intensive use of the facilities must be looked at for traffic impact. He suggested that the Planning Department of the City may need to perform their own traffic study on the impact to the residential area. He added that the future need for residential parcels should be taken into consideration.

Opponent: Kristina Brothers, 1904 Oak Dr., Newberg, stated that although she is not opposed to a medical clinic, she is very concerned about the increase in traffic and the threat to the safety of the children playing in the neighborhood as well as the encroachment of the commercial zone on the residential area.

Opponent: Linda Miller, 1009 Sitka, Newberg, informed the Commission that she believes that Sitka has become a bypass of Hwy 99W and is getting more and more back-up traffic as people try to avoid the stoplight located on Villa Rd. She stated that trucks on the street and the high school traffic problem was extremely serious. She was frustrated to think that a serious accident might happen before something was done.

Opponent: Dr. David F. Abbott, 500 Villa Rd., Newberg, pointed out on a map the traffic route to the hospital from the proposed building site. He stated that he had nothing to gain from opposing the conditional use permit, but felt that the traffic impact was a detriment to the community as well as not being in the best interest of the hospital.

Opponent: Shirley Cooper, 1011 Sitka, Newberg, directed attention to the applicants estimate of 22 patients seen per day, but stated that this was not the total traffic impact since there would be staff trips and delivery persons in addition to the patient traffic. Ms. Cooper observed that the applicants are seeking to add another physician which would increase traffic more. She stated that as residents, they were being denied "quiet ownership" of their property and believed that the North side of the City was being overdeveloped to the detriment of the existing residents.

Opponent: Fedor Manka, 310 Villa Rd., Newberg, pointed out to the Commission that there were other properties correctly zoned available for the construction of a medical clinic. Mr. Manka provided to the Commission information from a clinic similar to the practice of the applicants, who see approximately 60 patients per day with a staff of 11, and who make 4-6 trips each day from the office. Mr. Manka emphasized that there was no guarantee of the number of patients seen once the building was completed. He believed that the construction of apartments would result in less traffic impact on the residential neighborhood.

Public Agencies: None

Letters:

In Favor: Craig S. Banning, owner of J's Restaurant
Griffith C. Steinke, attorney at law, representing The First Step, child care center

In Opposition: Linda Miller, 1009 Sitka Ave., Newberg
Shirley Cooper, 1011 Sitka Ave., Newberg

Proponent Rebuttal: Norman Harper stated that he disagreed with the claim that the traffic was continually increasing since he lives in the neighborhood and has not noticed the congestion that has been reported. He stated that Hwy 99W to Villa Rd. is the most direct and logical route to the hospital and believes

that this will be the direction of the majority of the traffic from the clinic, not through the residential area.

Proponent Rebuttal: Roger Veatch reported that if the highest intensive use was considered, only 8 trips per week would be added. He added that the Northside traffic on all main roads are a problem at this time. Mr. Veatch disclosed to the Commission that the property had been considered for apartment buildings, but was rejected because of the proximity to the highway and possible threat to the safety of resident's children playing outside.

Proponent Rebuttal: Fred Casey stated that traffic can be heavy on all roads to the North, but the majority of traffic will be on the main roads, not cutting back and forth across residential streets. He observed that progress does require some inconvenience.

Proponent Rebuttal: Dr. Greg Skipper informed the Commission that he was one of two doctors on the long-range planning committee for the hospital and that the document regarding the strategic growth for the hospital was not near completion and the applicants cannot wait for this completion.

Opponent Rebuttal: Thane W. Tienson stated that people will not contend with the traffic problems on Hwy 99W, but will use the residential areas. He believes that the traffic statement has been understated and that the construction of a medical clinic on this site will change incrementally the liveability of the neighborhood.

Opponent Rebuttal: Fedor Manka showed a map to the Commission and explained the traffic route through the residential area from the clinic to the hospital.

Opponent Rebuttal: Shirley Cooper commented that many trucks do use the streets in the residential area coming down Haworth to Sitka to J's Restaurant. She stated that the traffic problems are a matter of record with the police department.

Opponent Rebuttal: Kristina Brothers pointed out to the Commission that she had circulated the submitted petition on her own time, not as an employee of Dr. Abbott. She stated that she would not mind an apartment building and feels the impact on the neighborhood would be less.

Cross-Examination: Mary Post asked Thane Tienson if he represented all of the people who were listed on the petition he submitted. He stated that he was representing all of the people, but that he was retained by Dr. Abbott.

Staff Recommendation: Associate Planner James Reitz emphasized the criteria for making the decision for the conditional use permit and stated if size of the facility was a question, that the Commission had the authority to limit the size. James Reitz informed the Commission that he would recommend approval of the conditional use permit with the conditions as listed in the Staff Report.

Hearing Closed.

Planning Commission discussion followed relating to the traffic issues raised. Major concern was expressed for relief of the long-term traffic problems of

Highway 99W. It was voiced that after inspecting the proposed site, a medical clinic would be more fitting than a apartment complex.

Staff was asked whether a change in use could be made after the approval and completion of the medical clinic. The Associate Planner answered that there could be a change in intensity, but not in use. Mr. Reitz added that hours of operation could be limited by the Commission.

Motion: Bernard/Post to approve the conditional use permit with staff conditions 1-7 with findings and an additional condition to limit the building size to 7,000 sq. feet. Roll Call: Aye: 5, Nay: 0, Abstain: 1, Absent: Fendall, Kriz. Motion carried unanimously.

Associate Planner James Reitz informed the citizens that the decision of the Planning Commission was final unless appealed to the City Council. Notice of appeal must be submitted within ten days. He also informed the public of a meeting in the near future regarding the City's traffic issues.

Chairman Roger Veatch resumed the Chair and continued the meeting.

Old Business: Staff was asked to update the Commission on the Springbrook Inn. James Reitz stated that the findings should be submitted on June 20 to the Planning Department and to the City Council on July 3.

New Business: Discussion was held regarding a possible date for the Planning Commission meeting to consider traffic issues. July 6, 1989, was tentatively set for this meeting if the traffic engineer is available as well as a meeting room at George Fox College.

There being no further business, the meeting was adjourned.