

A REGULAR MEETING
OF THE PLANNING COMMISSION
Newberg Public Library
Newberg, Oregon

Thursday, 7:30 PM

December 21, 1989

Subject to P.C. Approval at 1/18/90 P.C. Meeting

City Manager Duane Cole introduced Planning Director Dennis Egner to the Commission.

I. ROLL CALL:

Present:	Celine Hall	Rob Molzahn
	Jack Kriz	Mary Post
	Martin McIntosh	Roger Veatch

Staff Present: Duane R. Cole, City Manager
Dennis Egner, Planning Director
Barb Mingay, Recording Secretary

Others Present: Approx. 14 citizens

II. OPEN MEETING

The meeting was called to order by Chairman Roger Veatch, who introduced new Planning Commissioner Martin McIntosh.

III. APPROVAL OF MINUTES

Motion: Hall-Post to approve the minutes of the Sept. 28 and Oct. 10, 1989 Planning Commission meetings. Motion carried with one abstention (McIntosh).

IV. CUP-3-89 - PUBLIC HEARING:

Applicant: Newberg Friends Church/Newberg Human Resources/Virginia Garcia Clinic
Contact: Newberg Human Resources - 307 S. College Street, Newberg OR 97132
Owner: Newberg Friends Church
Request: Approval of a Conditional Use Permit to allow the Virginia Garcia Medical Clinic to operate a medical clinic once a week in a large mobile van in the church parking lot.
Location: 605 E. Third
Tax Lot: 3219AA-13200
File No: CUP-3-89

No abstentions or ex-parte contact were identified. No objections to jurisdiction were requested.

Staff Report: Planning Director Dennis Egner summarized the staff report, highlighting conditional use permit criteria, facts associated with the site, and the location of the proposed clinic.

Proponent: Margie Taylor, NHRC, 2030 McDonald Lane, McMinnville, spoke in support of the clinic. She said the project will provide indigent care and that most individuals currently served are referred to free clinics out of the area. She added that this project will not be a conflict with currently available hospital care and that Newberg Community Hospital has sent a letter of support; the clinic will work together with the Hospital on referrals. She indicated that the clinic has the resources and expertise to break through cultural and economic barriers of the Hispanic community and they also hope to address the growing need for dental services to the indigent. She commented that currently about 6% of their clients are seen at the Cornelius office.

Proponent: Bob Roth, Community Action Agency, 1924 D Street, McMinnville commented that he has seen the van in operation in McMinnville and over 30 individuals have been served at that facility since December 1; most of them have been children.

Proponent: John Lassiter, NW Medical Team staff physician, spoke on behalf of this application. He indicated that no local public funds have been used for the van; funds are provided by a Fred Meyer Foundation grant as well as through contributions, the NW Medical team does not receive funds from its customers, and the service is provided to the working poor and migrants. He added that the van is self-sufficient; it is equipped to operate either on electricity or by using an on-board generator.

Proponent: Dan McCracken, 8380 Warden Hill Road, Dundee, NHRC board member, and General Manager of Barclay Press, commented that this project was very appropriate at this location.

Proponent: John Lyda, 607 Villa Road, Friends Church grounds supervisor, identified this lot as an auxiliary parking lot during Sunday services. He requested that the \$200 application fee for a conditional use permit be waived on this project based on it's humanitarian nature.

Proponent: Maria Laredo, 2745 17th Place, Forest Grove, indicated that the clinic would be seeing patients 6 hours per day, 1 week day per month, and they would also be providing referrals to other facilities as well as transportation when necessary.

Proponent: Bob May, representing CASA, indicated that farm laborers have a need for this specific type of facility.

Questions to Proponents: The noise level of the generator was briefly discussed. The applicants indicated that a doctor and client could hold clearly understood conversations within the unit while the generator was in operation; the unit was designed to be as quiet as possible.

Opponent: Gayland Hultgren, 607 E. Third, owner of an adjacent property, commented he doesn't deny that the unit is valuable to the community, but doesn't feel it should be located at this site. He indicated that part of the lot is already being used by an adjacent attorney as client parking. He added

that the noise would be detrimental to residential living, and the facility's clients would likely arrive in unsightly vehicles. He commented about the pros and cons of having a church and publishing agency in his neighborhood. He also expressed concern about the location of a sewer line which may possibly run under the proposed site to his home; he felt damage to the line could occur because of the additional weight of the mobile unit. He suggested that an alternate location behind Barclay Press would be much more appropriate for the proposed use.

Public Agencies: None except as identified within the Staff Report.

Letters in Support:

Newberg Friends Church, by Richard Eichenberger, Trustee
Newberg Human Resources Center, by Margie Taylor, Executive Director
Virginia Garcia Memorial Health Center, by Jim Zaleski, Executive Director
Newberg Community Hospital, by Mark W. Meinert, Administrator
Community Action Agency of Yamhill County, Inc., by Carolyn Landis, Executive Director

Letters in Opposition: None

Proponent Rebuttal: John Lyda agreed with the opponent that the attorneys had been given permission to use the parking lot for customer parking. He added that the site proposed by the opponent is infrequently empty. He indicated that the applicants had not been successful in an attempt to contact Mr. Hultgren regarding this proposal. Further comments related to the placement of the van on the site so as to divert noise from Mr. Hultgren's property.

Bob May indicated that it was desirable to have the van located in close proximity to Newberg Human Resources Center.

It was pointed out that the Friends Church is among the few willing to provide space at no cost to the clinic.

Dick Sartwell, pastor of Newberg Friends, indicated that the parking lot behind Barclay Press is already very full on a regular basis.

Opponent Rebuttal: Mr. Hultgren reiterated that the parking was limited on this site and that the noise created by the generator would be unsuitable.

Staff Recommendation: The Planning Director recommended that the conditional use permit be granted subject to the conditions identified within the Staff Report and with the additional condition that a parking lot layout diagram be submitted to the Planning Department prior to operation of the facility.

Chairman Veatch closed the public hearing.

Commissioner McIntosh supported the use, but at a different location.

Commissioner Molzahn questioned whether the parking lot would be able to hold the weight of the proposed vehicle. Planning Director Egner indicated that no information was available to address this concern.

John Lyda commented that the parking lot was paved. Dan McCracken indicated that NHRC had investigated several city lots, as well as the NHRC site and found no lots suitable for the use.

Commissioner McIntosh indicated that the hospital lot or another site in that area might be more appropriate for this use.

Concern was expressed relating to the noise produced by the generator on the unit. It was noted that the proposed site has no electrical hook-up and the generator would have to run full-time during the facility's proposed open hours. A supporter in the audience commented that at a previous location the cost of installing an electrical service (pole and box) was approximately \$800.00.

Conditional use permit approval for a shorter time period was suggested, thus giving the applicants an opportunity to locate a more suitable location and still open the clinic temporarily.

Rosa Hill, 601 E. Third, a neighbor, indicated that she is home nearly 80% of the time and has no concerns relating to the noise of a generator running. She also indicated that initially it was suggested that the clinic use her home as a source for electrical power; however, her home is old and could not support any additional electrical requirements. She added that low income people need the social and medical services this unit would provide.

Various other sites were proposed and discussed by the Commission, including the property south of the Hospital Thrift Store, the City lot north of the Hospital Thrift Store, NHRC site, and the Hospital site.

Bob May indicated that the location of the unit would be more effective if it was located near NHRC.

The applicants then requested that a temporary CUP approval of 60-90 days be granted, thus allowing them an opportunity to locate another site, or present additional information for this site.

Motion: McIntosh- to deny the conditional use permit request at this location. Motion failed for lack of a second.

After a brief discussion as to the appropriateness of the proposed site, a second motion was made.

Motion: Kriz-McIntosh to deny the conditional use permit request at this location. Vote on Motion: Aye--Kriz, Hall, McIntosh, Molzahn, Post; Nay--Veatch. Motion carried (5-1).

Motion: Kriz-McIntosh to recommend that the City Council waive the application fee, and to further recommend that the City review any options the City may provide in alternative site selection. Motion carried unanimously.

V. NEW BUSINESS:

Item A. Building supply sales facility within the C-2 zone

Planning Director Egner reviewed the Staff Report and suggested that the Commission should consider reviewing this request at the January Planning Commission meeting. The Commission concurred.

Item B. Planning Commission direction regarding access easements

The consensus of the Commission was to use common sense while interpreting the existing language. Review of the proposed new development code will further address this issue.

Item C. Periodic Review update/Planning Department project schedule

Planning Director Egner briefly discussed the proposed Planning Department schedule. Chairman Veatch requested that the Planning Commission also be provided with copies of any material sent to the Council relating to a proposed Newberg Urban Management Agreement.

Item D. Other New Business

The non-conforming use of Barclay Press was briefly discussed.

VI. OLD BUSINESS:

Item A. Discussion relating to Zoning Ordinance Amendment which authorized some light and limited industrial uses within the C-2 and C-3 zones

The Commission recommended review of this proposal at the January Planning Commission meeting.

VII. ADJOURN:

There being no other business, the meeting was adjourned.