

A REGULAR MEETING
OF THE PLANNING COMMISSION
MARCH 15, 1990
Newberg Public Library
Newberg, Oregon

Thursday, 7:30 PM

March 15, 1990

Subject to P.C. Approval at 4/19/90 P.C. Meeting

I. ROLL CALL

Present: Ken Bernard
Jack Kriz
Martin McIntosh
Rob Molzahn
Wally Russell
Kathleen Sullivan
Roger Veatch

Staff Present: Dennis Egner, Planning Director
Mike Unger, Associate Planner
Barb Mingay, Recording Secretary

Others Present: Approx. 14 Citizens

II. OPEN MEETING

The meeting was called to order by Chairman Roger Veatch.

Associate Planner Mike Unger was introduced to the Commission.

III. APPROVAL OF MINUTES

Motion: Sullivan-Russell to approve the minutes of the Feb. 21, 1990 Planning Commission meeting. Motion carried unanimously.

IV. S-1-90 - Public Hearing:

Applicant: Pacific Empire Builders, Inc.
Contact: Curt Walker
Request: Preliminary plat approval to subdivide a 5.8 acre parcel into 25 single family lots.
Location: East of an extension of North Main and west of Melody Lane
Tax Lot: 3218AB-100
Zone: R-1 Low Density Residential
Plan
Designation: LDR Low Density Residential; OS Open Space

Chairman Veatch noted that his realty firm had listed this site under its previous ownership. He felt this contact would not affect his judgment on this issue. No other abstentions or ex-parte contact were identified. No objections to jurisdiction were identified.

Staff Report: Planning Director Dennis Egner summarized the staff report, noting that the applicants had withdrawn the Planned Unit Development portion of this request prior to this hearing. He reviewed the Subdivision Ordinance criteria, definition of the Open Space designation, and goals and policies related to the site. He noted surrounding land uses and identified the location of the proposed 25 lot subdivision on a site map. He identified that he had discussed potential wetland designation with the Division of State Lands (DSL) and they stated they do not have jurisdiction over this drainageway. Mr. Egner noted that in a phone conversation with the Army Corp. of Engineers, the Corp. commented that they consider this drainageway to be a minor stream.

Mr. Egner noted that the request was referred to all City departments, the Newberg School District, Chehalem Park & Recreation District, TCI, Portland General Electric, N.W. Natural Gas, and Newberg Garbage Service. He reviewed the referral comments identified within the Staff Report and entered into the record Newberg School District concerns relating to potential classroom crowding and increased student population. In a letter from the Newberg School District it was noted that further development in Newberg would be closely monitored until such time as adequate school structures could be established to house the expected increase in student population.

Mr. Egner then reviewed the Conclusionary Findings relating to this request.

Proponent: Jerry Green, Westec Engineering, 3421 25th Street, Salem, identified this request as a re-application of a previously approved subdivision. He noted that to accommodate the Open Space requirements, a landscaped greenbelt buffer zone was proposed between Main Street and the front of the first row of houses. He commented that a pond was also proposed to be located at the storm drain inlet. He requested that the subdivision be approved by the Planning Commission.

Questions to Proponent: In response to Commission questions, he noted that the creek would be contained in an appropriately sized culvert over which the sidewalk would be constructed. He further noted that the creek was intermittent.

Ms. Dorothy Kreder, an abutting property owner, asked if Main Street was going to be widened and whether Melody Lane would be connected to Main. Staff commented that Melody Lane will be connected to Main Street and that a half street improvement of Main at this site would be required at the time of development.

Proponent: Curt Walker, 1508 Hess Creek Court, project applicant, requested Commission approval of the subdivision. He indicated that probably the most practical way to save the ten foot green strip along N. Main was through deed restrictions.

Proponent: Bill Bailey, 209 Pinehurst Drive indicated that developments like this are needed; however he noted that Main Street is becoming increasingly busier. He requested that the Commission consider improving Main Street to handle the increased traffic load.

Chairman Veatch noted that the Commission could only recommend that the City Council consider upgrading of N. Main Street.

Opponent: Tom Fereda, 513 Melody Lane, commented that he had just purchased a home in this area a week ago and had not been advised by the realty company about this proposed development. He expressed concern about possible water run-off and the extension of Melody Lane as a through-street. He added that he would like to see this property developed to prevent mosquitoes, garbage dumping and other nuisances, but he strongly suggested that all development projects be thoroughly scrutinized throughout the construction phase for compliance with City standards.

Public Agencies: None other than those identified in the Staff Report and the letter from DSL which related to jurisdiction.

Letters: Letter in opposition from Kenneth Light, 300 Mountainview Court. Mr. Light was concerned about the possible destruction of the East Fork of Chehalem Creek and the Open Space requirements overlaying the site.

Proponent Rebuttal: Curt Walker responded to questions relating to the merits of retaining the creek in a drainage ditch as opposed to containing it in a culvert. He indicated that he and Mr. Green had discussed the issue extensively and they felt that a drainage ditch at the front of each lot would cause possible aesthetic as well as safety problems. He also indicated that the proposed pond would be designed with a safe slope and the ability to withstand winter weather conditions.

Opponent Rebuttal: None

Staff Recommendation: The Planning Director recommended that the Planning Commission approve the subdivision preliminary plat based on compliance with the criteria of Section 24, subject to the following conditions:

1. Utility easements with a minimum width of 20 feet shall be provided for all water lines not within the dedicated rights-of-way. These easements shall be centered on the location of the pipe.
2. A 15 foot wide easement shall be provided for the existing sanitary sewer. The easement shall be centered on the sewer line.
3. The number of and location of the fire hydrants shall be approved by the Fire Marshal. The hydrant on Melody Lane should be located on the southeast corner of Melody Lane and North Main Street.
4. The preliminary plat shows a 10 foot S/W easement along the east boundary of Main Street. A detail is needed as to how this easement is going to be used.
5. A non-remonstrance agreement is required for the extension of Main Street From Melody Lane to the north and filed with the deed of Lot 6, Block 1.
6. An easement will be required for the storm sewer as it crosses Lot 6, Block 1.

7. The landscaped pond shown on Lot 6, Block 1, has not been detailed. This pond sits in the center of a major drainage and storm sewer for the City. The proposed landscaping, extent of the pond, maintenance of the pond, and how the pond will operate in the existing storm sewer must be submitted to the City Engineer for approval. A drainage easement for the pond area will be required.
8. The preliminary drawing shows a 10 foot easement to the City of Newberg for street improvements on property outside of the plat area along Main Street. This easement shall be acquired by the owner prior to final approval. The width of 10 feet may not be adequate. The typical section shows that a 12 foot width is required. The easement width shall be consistent with the design of the facility along that location.
9. A plan for landscaping improvements along Main Street must be submitted and approved by the Planning Director. The plan must specifically indicate which existing trees will be preserved. The plan may require that building envelopes be identified for the lots along Main Street. If envelopes are required, they must be shown on the face of the final plat.
10. A one foot wide reserve block is required at the southern extension of Prospect Drive.

Chair Veatch closed the public hearing.

Discussion: Discussion centered on retention of the creek area. Some of the Commissioners felt that alternative platting would allow creek retention. The amount and types of wildlife and site foliage were also discussed. Curt Walker indicated that every effort would be made to retain as many trees on each site as possible. Maintenance of the culvert and pond were also discussed. Mr. Green indicated that the pond would be gently sloped and the bottom would be riprapped to prevent erosion; however, he added that maintenance of the culvert would be under the City's jurisdiction. He also commented that each property owner would be responsible for the maintenance of their portion of the proposed 10 foot greenway area along Main Street. He further commented that the project, if approved, would begin within two months. The Commissioners then reviewed the Newberg School District comments relating to school crowding issues.

Motion: McIntosh-Bernard that the Planning Commission approve the Prospect Park preliminary plat to subdivide a 5.8 acre parcel into 25 single family lots, based on the Staff Report, Conclusionary Findings, Conditions and testimony.

Vote on Motion: Aye--Bernard, McIntosh, Molzahn, Russell, Veatch; Nay--Kriz, Sullivan. Motion carried (5-2).

V. CUP-3-90 - Public Hearing:

Applicant: St. Michael's Episcopal Church/Newberg Human Resources/Virginia Garcia Clinic
Contact: Newberg Human Resources
Owner: St. Michael's Episcopal Church
Request: Operation of Virginia Garcia/N.W. Medical Team van in parking lot one day per week for low-income medical care services
Location: 110 S. Everest Road - Parking Lot
Tax Lot: 3220AB-1400
Zone: R-1 (Low Density Residential)
Plan
Designation: LDR Low Density Residential

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

Staff Report: Planning Director Dennis Egner summarized the staff report and noted the applicable conditional use criteria. He reviewed NHRC's previous application and search for an appropriate site for Virginia Garcia van. He added that this site met conditional use permit criteria.

Proponent: Margie Taylor, 2830 McDonald Lane, McMinnville, Director of NHRC, presented statistics documenting the need for a medical van in Newberg. She added that site selection criteria included 1) having a central location; 2) provision of a patient overflow area; and 3) restroom facilities. She commented that this site met all the criteria. She indicated that the medical van has been very successful in each community it has served and she requested that the Planning Commission approve the conditional use permit.

Proponent: Bob May, representing CASA of Oregon, indicated that St. Michael's Church had been very helpful in the search for an appropriate location for the medical van. He encouraged the Planning Commission to approve the request.

Proponent: Mrs. Lawrence J. Abney, 35720 NE Wild Horse Mountain Road, Sherwood, represented St. Michael's. She commented that the church would like to help and that the need for this type of facility is great. She encouraged the Commission's support.

Opponents: None

Public Agencies: No additional public agency comments were received in addition to those expressed in the Staff Report.

Letters: None

Staff Recommendation: Staff recommended approval of the request with the following conditions:

- A. A minimum of six off-street parking spaces shall be reserved for patients and staff.

- B. This permit shall be issued only to the Virginia Garcia Clinic for 110 S. Everest Road. Any change in location or sponsorship shall void the permit.
- C. This permit is valid for operation of the clinic one week day per week, between the hours of 8 AM and 5 PM.
- D. One portable, free-standing sign shall be permitted. The sign shall be located so as not to block any public way or interfere with vision clearance. The sign shall not be lighted, and shall only be erected on the day the clinic is present. No other signs are authorized.
- E. The van for the mobile clinic shall be parked to provide a minimum 25 ft. wide setback to any property line.

Chairman Veatch closed the public hearing.

The Commission briefly discussed the issue of paving the parking area and agreed that the use did not create a need for a paved surface.

Motion: Molzahn-McIntosh that the Planning Commission approve the Conditional Use Permit for operation of the Virginia Garcia/N.W. Medical Team van in the parking lot located at 110 S. Everest Road, based on the Staff Report, Conclusionary Findings, Conditions and testimony.

Vote on Motion: Aye--Bernard, Kriz, McIntosh, Molzahn, Russell, Sullivan, Veatch; Nay--None. Motion carried unanimously by those present.

The 10 day appeal process was then noted.

Chair Veatch called a 10 minute recess after which the meeting reconvened.

VI. OLD BUSINESS:

Item A. Discussion of issues related to the Urban Growth Management Agreement

Planning Director Egner reviewed the current Urban Growth Management Agreement, noting that the most recent draft agreement from the County identifies an urban reserve area outside the City. The Commissioners discussed the advantages and disadvantages of such an area and where it could be located. The desirability of 1-5 acre parcels for housing development was also extensively discussed. Mr. Egner pointed out that no zoning designation currently exists within the City to allow for this type of large lot housing development. He indicated that it is less efficient to provide service to large lot developments than more dense developments. The exceptions lands surrounding the City were also discussed. The Commission reached no consensus regarding the proposed urban reserve area. Commissioners agreed that the City should have decision authority on land use actions within the Urban Growth Boundary. In addition, Commissioners requested that the final draft be provided to them prior to the Council hearing on the subject.

Item B. Periodic Review update

Planning Director Egner briefly reviewed the status of periodic review projects. He noted that review of the Historic Inventory sites might have to occur and asked for a volunteer to serve on this Committee. Jack Kriz volunteered. Manufactured housing requirements as they relate to periodic review were noted. Mr. Egner noted that additional land needs to be provided for siting manufactured housing within the City at various locations. The Commissioners concurred that they would select some sites for review at next month's Planning Commission meeting.

Item C. Council update

Mr. Egner indicated that the Council Legislative Committee's revision of the City Hearing Procedure has been postponed. He reviewed the up-coming Council agenda items.

VII. NEW BUSINESS: None

VIII. ADJOURNMENT: There being no further business, the meeting was adjourned.