

MINUTES OF THE PLANNING COMMISSION
Newberg Public Library
Newberg, Oregon

Thursday, 7:00 PM

July 16, 1992

Approved at 8/20/92 P.C. Meeting

I. OPEN MEETING

Chair Russell opened the meeting.

II. ROLL CALL

Planning Commission Members Present:

Jack Kriz
Mike McCauley
Mary Post-7:05
Carol Ring
Steve Roberts
Wally Russell
Elaine Smith
Don Thomas
Roger Worrall

Staff Present:

Dennis Egner, Planning Director
Sara King, Associate Planner
Barb Mingay, Recording Secretary

CAP Members Present: None

Citizens Present: 7

III. APPROVAL OF MINUTES

Commissioner Elaine Smith asked that the June 18th minutes be revised to indicate she was absent.

Motion: Russell-Thomas to approve corrected June 18 Planning Commission Minutes.
Motion carried.

Commissioner Don Thomas asked that the June 28th minutes be revised to indicate he was present.

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Motion: Thomas-Smith to approve corrected June 28 Planning Commission Minutes.
Motion carried.

IV. PUBLIC HEARING:

APPLICANT: George Fox College/City of Newberg
REQUEST: Amendment to the Comprehensive Plan, Zoning Ordinance and Zoning Map to establish an Institutional Overlay Zone for the Master Plan area of George Fox College
ZONING: R-2, R-3, R-P, C-2 to I (George Fox College Institutional Overlay Zone)
LOCATION: See Staff Report
TAX LOT: 3217CA-2800; 3217CA-3000 through 3217CA-4002; 3217CC-100; 3217CC-700 through 3217CC-1000; 3217CC-1700 through 3217CC-3600; 3217CD-4500 through 3217CD-4701; 3217CD-6100 through 3217CD-6400; 3217CD-6600; 3217CD-6700; 3220BB-100 through 3220BB-700; 3220BB-1700 through 3220BB-2400; 3220BB-2600 through 3220BB-3200
FILE NO: Z-1-92
CRITERIA: Newberg Zoning Ordinance 1968, Section 600; Ordinance 1967, Section 4

Chair Russell indicated to the audience that this application has been withdrawn. DE noted that renotification for a revised proposal will occur prior to a new hearing.

V. PUBLIC HEARING:

APPLICANT: Christopher Cooper
OWNER: George and Gwendolyn Nicklous
REQUEST: Replat of 5 lots in the Wildwood Addition Subdivision to create a 10 lot subdivision known as Rivers Landing
ZONING: R-2 Medium Density Residential
LOCATION: 12th and 13th west of River
TAX LOT: 3220CC-5320, -5321, -5322, -5330, and -5331
FILE NO: S-4-92
CRITERIA: Newberg Subdivision Ordinance 2294, Section 24

No objections to jurisdiction occurred; no abstentions or ex-parte contact were indicated.

Chair Russell read ORS 197 requirements for public hearings into the record.

Staff Report: Associate Planner King reviewed the subdivision criteria. She presented overhead maps of the site together with slides showing the existing uses of the site and surrounding areas.

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Planning Director Egner noted that Wildwood Addition lots 3, 4, 12 and 13 were previously approved as duplex lots. He noted that lot 14 was large enough to accommodate 4-5 units.

Ms. King noted that the covenants and restricts which apply to the Wildwood Subdivision as it exists now do not apply to the lots proposed for replat. She indicated that the old fir trees adjacent to River Street will be required to be retained and improvements, curb cuts and construction must not cause damage to the trees. She indicated that the proposed replat meets the subdivision criteria.

Staff Recommendation: Approve the subdivision subject to the following conditions:

1. A contractor who is prequalified by the City Public Works Department must construct the utility services to each of the lots.
2. A one year maintenance bond for 100% of the cost of the utility services will be required.
3. New sidewalks must be constructed and existing sidewalks must be repaired at the time of construction.
4. Any easements necessary to provide a storm sewer system to lot 1 must be noted on final plat.
5. All trees in the River Street right-of-way must be left undisturbed. Mature trees which exist in front yards (20 feet from front property line) shall be left undisturbed. Said trees shall be protected during construction or home installation.

Proponent: Terrie Tremaine, Century 21, representing the seller/developer of the property, indicated she was willing to respond to any questions or comments that might clarify any concerns.

Opponent: Charles Dalton, 1009 E. 12th, owner of property located across from proposed lots 2 and 3, indicated he was concerned about the development doubling the parking impacts on the street. He noted that there is little space for on-site parking now. Cars will be parked on both sides of the street and additional parking will cause difficulty for emergency access. The site is now being used for boat parking from Rogers Landing. He was concerned about safety and the impacts of an additional 20 more vehicles. He noted that parking is especially difficult during parties, holidays, and events at the river. He expressed concern about violence related to parking difficulties.

Opponent: Jim Rose, 1208 S. Meridian, expressed concern about the construction and development in the area now. He noted that the development has been piecemeal. He asked whether the developer would install the sewer lines and sidewalks all at one time. He felt they should be put in at one time. He asked who would pay for the sidewalk improvements required.

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Planning Director Egner noted that sidewalks are required at the time of development. Generally, final occupancy is not granted until the improvements are completed.

Mr. Rose asked if the zoning would continue to be R-2 zoning. He reviewed a letter from Terri Tremaine which has indicated that no new or used mobile homes would be allowed. He asked if this was correct.

Ms. King indicated that the developer could exclude mobile homes or manufactured homes through CCR's placed on the subdivision.

Ms. Tremaine indicated that the owner would attempt to have only one builder develop the sites.

Mr. Rose asked what the minimum house size would be.

Planning Director Egner indicated that a manufactured home must be a multi-sectional unit with a 3:12 roof pitch. He indicated that the mobile home subdivision as it currently exists can site single wide mobile homes. This proposed replat would allow manufactured homes or stick built homes under the ordinance. He indicated that there is no minimum structure size beyond that.

Mr. Rose indicated he has a single wide and has added a garage to the structure to make it more compatible with the neighborhood.

Opponent: Nancy Lesser, 1301 S. River, owner of property across from the site, indicated she lives in a conventional home and she has been very disappointed in the mobile home court as it has developed. She felt it was not appropriate to allow installation of 25 year old wreck types of units in this area. She wanted to know if there were any teeth in the proposed development standards for the site. She indicated that her property taxes have risen but her home value has not.

Opponent: Alice Hanson, 1211 Meridian, would like to know what approval of this would do to the tax rate for those living in mobile homes in the subdivision now.

Opponent: Mr. Dalton asked what impacts the proposed south bypass would have on the proposed development.

Chair Russell indicated there was no specific information relating to development of a bypass.

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Planning Director Egner addressed the parking issue, noting that each single family home would be required to have 2 off-street parking spaces per lot. He indicated that the existing five lots currently could allow 13 total units as an outright permitted use. He added that replatting it to 10 units reduces the number of units available under existing zoning. He indicated that sidewalks would be required to be constructed by the builder prior to occupancy. He indicated that taxes were not a part of the criteria that the Planning Commission could consider relating to approval or denial of the replat. He referred the citizen to the Appraiser's office for clarification of the tax issue. He noted that values are generally based on sales of similar homes in the general area. He noted that the streets currently satisfy city standards in the existing subdivision.

Mr. Dalton asked about the proposed lot 1 which faces River Street. He was concerned that the site would not be large enough to accommodate an 1800 sq.ft. home as indicated by Ms. Tremaine. He noted that even with on site parking, there would be a limited amount of space for parking. He asked where RV's and visitors park? He noted there appears to be no plans for additional parking.

Chair Russell indicated that the proposal appears to meet the criteria of the ordinance.

Mrs. Hanson asked who enforced the regulations relating to installation of these units. Mr. Egner indicated that the Planning and Building Departments review the siting prior to issuance of final occupancy

Mr. Rose asked how long building permits were valid.

Terrie Tremaine was asked what kind of time frame was anticipated for project completion. She indicated that the owner desired expediting the development as affordable housing with homes in the \$40,000 range and lots in the \$20,000 range. She has no specific sales prices available but knows there is a lack of housing in Newberg.

An audience member asked about restrictions limiting parking of RV's on streets in the subdivision. Staff indicated that it was likely the CCR's of the subdivision limited street parking.

Mr. Rose indicated that he understood RV's could be parked on individual sites if they were 20 ft. off the street.

Letters/Public Agencies: Letter in opposition - Raymond M. Whited; Public Agencies as noted in staff report.

Proponent Rebuttal: None

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Planning Director Egner felt that the proposed improvement requirement should be when Mountainview Drive was improved.

Chair Russell felt that the intent of the Planning Commission in imposing the condition was to allow better access to the future school site.

Applicant: Curt Walker, 29500 NE Benjamin Road, project developer, indicated he had not had an opportunity to discuss condition 10 as it was imposed after the hearing was closed to testimony. He was concerned that a pedestrian walkway between two pie-shaped lots does not make very desirable lots for either the developer or future owners of the affected sites. Security and trash accumulation problems also occur with this type of requirement. He noted that when Mountainview is developed access to the north will be provided; however, there is still no affirmation that the school will be developed. He felt the pedestrian walkway was detrimental to the reason for a cul-de-sac, that being privacy and security. He requested that the condition be removed from the approval of the subdivision.

Questions to Proponent:

Commissioner Worrall asked Mr. Walker to clarify his request. Mr. Walker indicated he would like the condition removed.

Mr. Egner indicated that if the Commission deleted the condition, notice would be mailed to adjoining property owners with the revised approval. He indicated that considerable discussion has occurred in the past relating to interconnection of developments and placing the condition on this subdivision occurred as a result of those discussions.

Commissioners briefly discussed the merits of the accessway.

Commissioner Worrall felt that the question was whether the access should be required immediately or removed entirely.

Commissioner Roberts felt the question was whether or not the Commission desired a closed access to a cul-de-sac. He felt the Commission should make a commitment to one option or the other.

Mr. Egner felt that requiring this kind of condition should be decided on a case-by-case basis. He gave examples of various approved cul-de-sacs and the impacts with or without pedestrian access.

Commissioner Post expressed concern about the privacy which would be lost in the cul-de-sac environment.

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Mr. Egner indicated that notice would be mailed to those who testified and who abut the site.

VII. PUBLIC HEARING:
REQUEST:

Discuss and adopt ordinances relating to the following issues to comply with DLCD's response to the City of Newberg Periodic Review Order:

- A. Manufactured Housing
- B. Residential Facilities
- C. Farmworker Housing
- D. Public Facilities Planning
- E. Siting Streets In Resource Areas
- F. Historic Preservation - July 23, 1992 P.C. Meeting

Staff Report A: Associate Planner King indicated that an additional 67 acres of land was required to comply with LCDC requirements for the manufactured home land inventory. She reviewed a map identifying Option 1 (Brown hatched area on map) and Option 2 (Green hatched area on map). She reviewed the staff report, highlighting Table IV-8 revisions, Housing Needs Table Text changes, and changes to the development standards design features.

Commissioner Worrall asked if the shaded area noted on the map was undeveloped. Mr. Egner indicated that some of the land was already developed.

Commissioner Worrall was concerned about imposing manufactured housing on existing R-1 neighborhoods. He commented that another option was to only allow expansion of manufactured housing into areas not in the City limits.

Commissioner Russell indicated that this report was an attempt to include revisions voiced by Planning Commissioners at the last meeting.

Mr. Egner indicated that the housing demand was mixed in the Option 1 areas.

Chair Russell asked if there were specific standards relating to manufactured housing. Mr. Egner noted that anything built today is basically a manufactured home.

Ms. King reviewed the map designations and the options.

Commissioners discussed development standards and why they only apply to the R-1 MI areas.

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Chair Russell polled the Commissioners relating to choosing the area outside the City limits. Several Commissioners did not feel this area should be expanded into.

Commissioner Worrall felt the economy would drive the placement of the units and that the intent was for the Commission to only provide the opportunity for manufactured housing.

Chair Russell concurred that the economy and market factors would limit the development. He felt that the Option 1 was the less risky choice.

Commissioners discussed the various locations of existing manufactured housing sites in the City.

Mr. Egner noted that few manufactured homes have been sited on infill lots.

Motion: Roberts-Thomas to recommend the MI Overlay, Option 1 (brown striped area on official map) including conditions, implementing measures and standards to the City Council for approval.

Discussion on Motion: Commissioner Kriz felt the development standards should be excluded from the motion.

Vote on Motion: Aye-Post, Roberts, Thomas; Nay-Kriz, McCauley, Ring, Smith, Worrall, Russell. Motion failed (6-3).

Motion: McCauley-Worrall to recommend the MI Overlay, Option 2 (green striped area on official map) including conditions, implementing measures and development standards to the City Council for approval.

Discussion on motion:

Commissioner Kriz felt that more definition should be required of the development standards if they are to be included, and they are too restrictive to be included.

Commissioner Worrall felt the standards were adequately defined and should not have specific detail.

Commissioner Kriz discussed possible designs which could not comply with the development standards as proposed.

Mr. Egner indicated that language could be included which would require any variance of the requirements to come before the design review committee.

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Vote on Motion: Aye-McCauley, Post, Ring, Worrall; Nay-Kriz, Roberts, Smith, Thomas, Russell. Motion failed (5-4).

Motion: Thomas-Roberts to recommend the MI Overlay, Option 1 (brown striped area on official map) including conditions and implementing measures with the exception of Section 468.1 to the City Council for approval.

Discussion of motion:

Commissioner Worrall did not feel that those individuals residing in the existing R-1 zones would appreciate a manufactured home installed next door.

Commissioner Kriz felt that any criteria could be applied to either stick built or manufactured homes and, on the other hand, some stick built homes could essentially not meet the criteria. He felt that Section 468(2) effectively controls the development.

Vote on Motion: Aye-Roberts, Thomas, Russell; Nay-Kriz, McCauley, Post, Ring, Smith, Worrall. Motion failed (5-3).

Motion: Roberts-Thomas to adjourn. Motion failed by voice vote.

Commissioners discussed removing design conditions.

Commissioner Thomas felt this would too greatly impact a prime residential area.

Commissioner McCauley felt development would be dictated by the market.

Commissioner Worrall felt there is a moral obligation to the community to play by the existing rules for the R-1 zone and the City should stick with their obligation to the existing owners.

Motion: McCauley-Roberts to recommend the MI Overlay Option 2 (Green striped area on official map) including conditions and implementing measures with the exception of Section 468.1 to the City Council for approval.

Vote on Motion: Aye-McCauley, Post, Ring, Worrall; Nay-Kriz, Roberts, Smith, Thomas, Russell. Motion failed (4-5).

Mr. Egner suggested there were other areas including the R-1 portion of the Werth property that could be considered.

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Commissioners further discussed the concept of modular and manufactured homes and the public perception of such units.

Commissioner Worrall felt the area that is unbuilt should be selected for manufactured housing placement.

Commissioners extensively discussed implementation of standards and expansion of manufactured housing uses anywhere in the residential community.

Motion: Smith-Worrall to direct staff to investigate the R-1 portion of the Werth property as an option and to provide notice to the owner.

Vote on Motion: Aye-Post, Ring, Smith, Worrall; Nay-Kriz, Thomas, Russell; Abstain-McCauley, Roberts. Motion carried (4-3, 2 abstentions).

VIII. OLD BUSINESS

Commissioners discussed the anticipated agenda for the next special planning commission relating to historic preservation. Commissioners asked for a master map of the inventoried sites.

Staff clarified the previous motions relating to historic preservation.

IX. NEW BUSINESS

None.

X. ADJOURN

There being no further business, the meeting was adjourned at 10:10 pm.