

REGULAR MEETING OF THE PLANNING COMMISSION
January 20, 1976

The meeting called to order by Roger Gano, Chairman.

Present:

Robert Blodgett	Esther Keltner
John Cach	Sam Sherrill
Fred Casey	Don Tarlow
Roger Gano	Tom Tucker

Staff:

George Layman - City Attorney
Jerry Draggoo - Planning Consultant
Jim Nims - City Engineer
M. C. Gilbert - Finance Officer

Keltner-Blodgett motion to approve minutes of meeting held December 16, 1975 as submitted. Carried.

Public Hearings -

Agenda 3-A-1

Request: Change zone from Low Density Residential (R-1) to Limited Commercial (C-1).

Location: 1815 Portland Road - The North part of Tax lot 3217 DC 4000.

Applicant: Dale V. Boucher.

Staff Report: This parcel of property is zoned C-1, CR and R-1. The zone change to C-1 should be approved to permit the applicant to use all of his property in conformance to the Comprehensive Plan. Access to this property is provided by 40 ft. right of way from Villa Road and a driveway from Highway 99W. City utilities are available to this property.

Proponent - Eldon Johnson stated the zoning of the property is now C-1, R-C, and R-1. That this request if granted would bring it in conformance with the Comprehensive Plan designated use for the area. The adjacent properties are zoned Commercial, and this change would make the property compatible with the adjoining properties. City utilities are available and this zone change would have no adverse effect on City utilities ~~or~~ adjoining properties.

Opponents - None.

Sherrill-Tucker motion to recommend the zone change to C-1, based on the fact that this does bring the zone in conformance with the Comprehensive Plan. There is a public need for more area to construct commercial buildings; There would be no adverse effect on the adjacent residential areas and there would be no adverse effect on City facilities. Motion carried

Agenda 3-A-2

Request: Change zone from Rural Residential(RR) to Low Density Residential (R-1).

Location: Adjacent to Haworth Avenue, North side between Villa Road and Sitka Avenue. Tax lots 3217 CA 1000 and 3217 CA 1100.

Applicants: Tommy Tucker and Dr. Ellis Finch

Staff Report: The zone change should be approved to zone this under City zoning. It is also in conformance with the City's Comprehensive Plan. Sewer is now available to these properties, however waterline extension will be necessary to serve the properties. The front property line of the properties are at the curb line. Villa Road is a 40 foot street. At least a 10 foot frontage on the street fronts should be dedicated to the City for water, gas, telephone and lighting.

Mr. Tucker abstained.

Proponent: Dr. Ellis B. Finch. Dr. Finch requested consideration to the zone change and addition of conditional use to permit him to construct an office on this property. Advised that the type of building he proposes would be compatible with residential dwellings. The change to R-1 would bring it in conformance with the Comprehensive Plan.

Opponents: None.

Cach-Sherrill motion to recommend change to R-1 zone based on the facts; Zone change would conform to the Comprehensive Plan; Impact considered- There would be no adverse traffic pattern, or change of activities different than now used; there is a need for more residential designated areas; and no adverse effect on public facilities. Carried.

Agenda 3-A-3

Request: Zone change from Rural Residential (RR) to Limited Industrial (ML).

Location: Adjacent to and East of Springbrook Street. Adjacent to and South of Southern Pacific railroad. Tax lot 3209 DC 900.

Applicants: Northwest Yearly Meeting of the Friends, Inc.

Staff Report: The applicant requested change to Industrial use when this property was annexed to the City. Industrial classification conforms to the Comprehensive Plan. It appears that there would be no adverse effect on adjacent properties, as industry has long been active in this area. City utilities are available at Springbrook Street. Recommend the zone change to permit beneficial use to the City, as industry will provide more employment.

Proponent: Mr. Frank Cole - The property is now vacant but with the zone change to Industrial the buildings would be used by a garment manufacturer; There is a need for more industrial designated areas; this change would create more employment; there would be no adverse effect on the surrounding area. Industry has long been active across the street. There would be no adverse effect on City facilities as water is available and sewer could be extended to this property.

Mr. Paul Dailey - Stated he would operate a garment manufacturing industry which would provide more employment. It also is a clean type industry.

Opponents - None

City Engineer - Sewer must be extended approximately 500 feet to serve the property. Also storm drainage must be provided for this property.

Tarlow-Tucker motion to recommend the zone change to Limited Industrial ML zone based on the facts; conforms with the Comprehensive Plan; Definite use for industry cited; there is a public need for more industry; adjacent to similar type designated use; no adverse effect on adjacent properties; there is building on the property that can be used immediately. Carried.

Agenda 3-A-4

Request: Zone change from Light Industrial (ML) to Medium Density (R-2).

Location: Adjacent to and North of Southern Pacific RR, from Hoskins Street to Villa Road. Tax lots 3217 BC 800, 3217 BC 900 and 3217 CB 100.

Applicant: George Fox College Foundation.

Staff Report: This area is designated for Low Density Residential use by the Comprehensive Plan. All the areas adjacent to this tract are designated residential. It is now an industrial island; not suitable location for industrial use. Water and sewer lines will have to be extended to serve this area. The change of zone from Industrial to Residential will not have any adverse effect on City utilities or adjacent residential areas.

Proponent - Eldon Johnson - The major portion of this property will be developed into a subdivision. There is a need for more residential housing areas in the City; The zone change will conform to the Comprehensive Plan; Part of this tract is now an industrial island and can't be used as such; the adjacent areas are all residential; City utilities can be extended to serve the properties.

Keltner-Sherrill motion to recommend the zone be changed to Medium Density Residential R-2 zone based on the facts as stated. Carried.

Agenda 3-A-5

Request: Amendment to the zoning ordinance to add a conditional use in Low Density Residential R1 zone: "Professional office for doctors or any comparable use found, after hearing, to be the same or similar thereto in intensity of use, and located within a 1500 ft. radius of the Newberg Community Hospital."

Mr. Tucker abstained.

Mr. Draggoo cited proposed amendment to the text of the Comprehensive Plan to add this type use in residential areas located convenient to the Newberg Hospital.

The City Attorney suggested a change in the wording. Sherrill-Keltner motion to recommend the conditional use amendment to state: "Professional office for doctor or any use found, after hearing, to be the same or similar thereto in intensity of use, and located within a radius of 1500 feet of the Newberg Community Hospital." Carried.

Agenda 3-B-1

Request: Amendment to the Comprehensive Plan to change use from Low Density Residential to Medium Density Residential the South part of this property.

Location: Adjacent to and South of Haworth Avenue. Between Deborah Street and Elliott Street. Tax lot 3217 DD 1500.

Applicant: Sam Whitney

Staff Report: This property is designated for Low Density Residential use by the Comprehensive Plan except for a 2½ acre tract in the Northwest corner which has been designated Medium Density Residential (9-8-75)

The Zoning Ordinance has this area zoned for R-2, Medium Density Residential.

The applicant proposes to dedicate a 60 foot street right of way approximately 550 feet in length with access to Haworth Avenue and a 60 foot right of way approximately 550 in length with access to Deborah Street. His request is to change only the area South of the East-West Street to Medium Density Residential use. The area North to remain as now designated. The property also has a 10 foot right of way to 99W. Sewer and water lines could be extended to this area. As the area is developed, improvement of Haworth Avenue and Deborah Street would be necessary.

Mr. Draggoo stated that his study and report in the past stated that there is enough land available in the City for high density use.

Proponent: Mr. Sam Whitney - Stated that this property is bounded on two sides by commercial properties; that the occupance rate in the City is high and there is a need for more high density housing; this property is located close to the main highway; convenient to commercial areas; within walking distance of the schools. That it would not have any major impact on the schools. Mr. Weldon Cobb questioned Mr. Whitney regarding impact on schools.

Opponents: Mr. Norman Lee presented a petition bearing 75 signatures. Petition states: "As property owners and concerned citizens of the City of Newberg, Oregon, we do hereby petition the Planning Commission of the City of Newberg in regards to the proposed amendments to the Comprehensive Plan. The specific amendment we are opposed to is the one which would change the South portion of Tax lot 3217 DD 1500 from Low Density Residential to Medium Density Residential.

Here are some of the reasons we are opposed to this amendment to the Comprehensive Plan:

1. There should be no zone changes to permit apartment complexes to be constructed except where there is a need and a satisfactory plan submitted that would show exactly what the development would be and how the land would be used. We are referring to a Planned Site Development, which if approved, must be adhered to.
2. The traffic problems on Deborah and Haworth would be intolerable with the present conditions of those streets, if this five acre area was developed into apartments and the flow of traffic would all be routed onto those streets. We have enough of a hazard now, with school buses in the area and children walking to and from school, without adding to the hazard!
3. There is also the very real problem of devaluation of the present homes in the area if this area is allowed by zone changes to become an "Apartment City". This could and quite possibly would result in legal action being taken as most of these home owners purchased their homes with the understanding that the area was Low Density Residential.

We feel that home owners have a right to expect that the governing bodies will do all in their power to prevent a devaluation of their homes; which represent a substantial investment to them.

Planning should be done with the thought in mind as to what is the most beneficial to the citizens as a whole in the City of Newberg. If it is

approached in this spirit, we are sure you have no choice but to deny this requested amendment to the Comprehensive Plan."

Mr. Lee cited past actions of the Planning Commission and the City Council regarding findings of facts for denial of previous application.

Mr. Whitney questioned Mr. Lee regarding value he was placing on his property.

Hearing closed. Mr. Sherrill - it was his understanding that a high density development would put more pressure on the schools, and is there a need for high density residential areas.

Mr. Tarlow questioned how the Commission could make any findings different than made at their previous meeting where request was denied.

Tarlow-Cach motion to deny the request due to the fact there is insufficient public need; there is no sufficient change in area since last request. Carried.

Agenda 3-B-2

Request: To amend the text of the Comprehensive Plan to add "Commercial Land Use Distribution" (6) There exists a functional relationship between the Community Hospital and the medical-dental offices of the Community. Therefore, medical and dental offices in related outpatient health-care services may be permitted to be located in residential areas related to and convenient to the Newberg Community Hospital. Specifically this area should be limited to locations with direct access to Villa Road and within approximately 1500 feet from the hospital. These facilities should harmonize visually with the residential character of the area.

Proponents - Opponents - None.

Tarlow-Sherrill motion to recommend the amendment. Carried.

Agenda 3-C-1

Request: Minor Partitioning - Partition property into two lots - each with 80 foot frontage on Dayton Avenue - Depths average approximately 225 feet.

Location: 808 Dayton Avenue in S.W. $\frac{1}{4}$, Sec. 19, T3S, R2W.

Applicant: Gerald D. Gerke

Staff Report: No adverse effect on City facilities. Sewer line is available at North line of this property. Water lines for S. Dayton Avenue are adequate for domestic use, however not adequate for fire use. The area is now zoned Low Density Residential (County) and designated Medium Density Residential by the Newberg Comprehensive Plan.

Tucker-Sherrill motion to approve the partitioning as per application. Carried.

Agenda 3-C-2

Request: Minor Partitioning - Partition this property into two tax lots; each with 72 foot frontage on Chehalem Street and depth of 75 feet.

Location: 9th and Chehalem Street - Lots 13,14 and 15 of Block 54, of Edwards Addition. Tax lot 3220 CB 7100.

Applicants: Young & Pawelski Homes, Inc.
Staff Report: No adverse effects. Zoning R-2; Comprehensive Plan, Medium Density Residential.
Tucker-Tarlow motion to approve the partitioning as per application.
Carried.

Agenda 3-C-3

Request: Minor Partition - Partition this property into 3 parcels: 97 x 83, 585 x 167 and 250 x 187.
Location: Walker Drive at N. Main Street. Tax lot 3218 AB 300.
Applicant: Mrs. Merle Bentley
The City Attorney stated that the commission did not have jurisdiction on this matter until after it has been annexed into the city.

Agenda 4-A

Request: Annexation of approximately 4 acres.
Location: Walker Drive at N. Main Street. Tax lot 3218 AB 300.
Applicant: Mrs. Merle Bentley.
Staff Report: There is one home located on this property. Sewer is not available to the property at this time. A 4 inch water line owned by Chehalem Valley Water Association serves the property. This is not adequate for fire protection. The applicant has agreed to dedicate additional property frontage on Main Street and Walker Drive for street purposes. Applicant has also requested partitioning of this property into three parcels. The area is designated for Low Density Residential use.
Keltner-Tarlow motion to recommend the annexation. Carried.

Agenda 4-C

Amendment to the Subdivision Ordinance. Mr. Layman advised the commission that the Subdivision Ordinance must be amended to provide for procedures for plat approvals, obtaining input from and coordination with other governmental bodies having jurisdiction over the property. A resolution was then read citing the amendments to the ordinance.
Tucker-Tarlow motion to recommend adoption of the amendments by the Council.
Carried.

Agenda 5-A

Amendments to the Mobile Home Park ordinance. The revision and correction to the proposed amendments to Ordinance number 1499, as approved and recommended by the special committee were read and discussed.
Cach-Sherrill motion to recommend adoption by the Council. Carried.

Agenda 5-B Old Business

Request: Minor Partitioning - To partition off one lot of 2.18 acres - 295 ft. x 412 ft.

Location: 2010 Crestview Avenue - NE 1/4 of Sec. 17, T3S, R2W of WM.
Tax lots 3217-300 and 3217-400.

Applicant: A-Dec, Inc.

Staff Report: Crestview Avenue is a private street owned by the applicant, however they have agreed to dedicate a 60 foot right of way from the East line of their property to the West line of their property for this street. City water and sewer lines are located on this street. Partitioning of this property is requested to provide long term lease agreement to Quality Plastics. Road and utilities easements will be provided Quality Plastics. Water and sewer lines are adequate in this area. A registered survey of the area should be provided the City. This area is all zoned Industrial and designated for Industrial Use by Comprehensive Plan. The City Attorney stated that either a street dedication or utilities easements should be provided the City wherever the City's utilities lines are.

Tarlow-Tucker motion to approve the partitioning on condition that A-Dec provide the City with easements for City utility lines now on Crestview Avenue or dedication of a 60 foot right of way for a street from the East property line to the West property line in addition to easements for all City owned utilities in the A-Dec Industrial park area not in the Crestview Avenue right of way. Carried.

Agenda 6 - Election of new officers

By unanimous vote officers elected were: Chairman - John Cach, Vice Chairman - Roger Gano.

Meeting adjourned.

Location: 2010 Crestview Avenue - NE 1/4 of Sec. 17, T3S, R2W of WM.
Tax lots 3217-300 and 3217-400.

Applicant: A-Dec, Inc.

Staff Report: Crestview Avenue is a private street owned by the applicant, however they have agreed to dedicate a 60 foot right of way from the East line of their property to the West line of their property for this street. City water and sewer lines are located on this street. Partitioning of this property is requested to provide long term lease agreement to Quality Plastics. Road and utilities easements will be provided Quality Plastics. Water and sewer lines are adequate in this area. A registered survey of the area should be provided the City. This area is all zoned Industrial and designated for Industrial Use by Comprehensive Plan. The City Attorney stated that either a street dedication or utilities easements should be provided the City wherever the City's utilities lines are.

Tarlow-Tucker motion to approve the partitioning on condition that A-Dec provide the City with easements for City utility lines now on Crestview Avenue or dedication of a 60 foot right of way for a street from the East property line to the West property line in addition to easements for all City owned utilities in the A-Dec Industrial park area not in the Crestview Avenue right of way. Carried.

Agenda 6 - Election of new officers

By unanimous vote officers elected were: Chairman - John Cach, Vice Chairman - Roger Gano.

Meeting adjourned.

MOBILE HOME PARKS

Ordinance No. 1499, an ordinance regulating Trailers, Mobile Homes, Trailer and Mobile Home Parks and providing for licensing shall be amended as follows:

Section 1 - "DEFINITIONS" shall be amended to read as follows:

Access Way: - an unobstructed way of specified width containing a drive or roadway which provides vehicular access within a mobile home park and connects to a public street.

Awning: - any stationary structure used in conjunction with a mobile home, other than a window awning, for the purpose of providing shelter from the sun and rain and having a roof of supports and not more than one wall or storage cabinet substituting for a wall.

Cabana: - a stationary light weight structure which may be prefabricated or demountable, with two or more walls, used adjacent to and in conjunction with a trailer, to provide additional living space meant to be moved with a trailer.

Carport: - a stationary structure consisting of a roof with its supports and not more than one wall, or storage cabinets substituting for a wall, and used for sheltering a motor vehicle.

Certificate of Sanitation: - a certificate required by the laws of the State of Oregon.

City: - The City of Newberg.

County: - The County of Yamhill.

Driveway: - a minor private way used by vehicles and pedestrians on a mobile home lot or for common access to a small group of lots or common facilities.

Mobile Home: - A manufactured relocatable living unit.

Mobile Home Park: - Class A - an area or tract of land of 8 acres or more used or designated to accomodate two or more mobile homes. Mobile Home Park may also be defined as Trailer Park, as defined.

Mobile Home Park: - Class B - an area or tract of land of 4 acres or more used or designated to accomodate two or more mobile homes, travel trailers, vacation trailers and campers. Mobile Home Park may also be defined as Trailer Park, as defined.

Park or Court: - any area or tract of land used or designed to accomodate two or more mobile homes, travel trailers, vacation trailers and campers.

Patio: - a surfaced outdoor living space designed to supplement the mobile home living area.

Permanent Living Quarters: - use of a mobile home or trailer on one specific site for living quarters for a period in excess of 14 days in any twelve month period.

Person: - any individual, firm, partnership, corporation, company, association, syndicate or other legal entity and including trustees, receiver, assignee or other similar representative thereof.

Private Street: - a private way which affords principal means of access to abutting individual mobile home park lots and accessory buildings.

Property Line: - a line bounding the lot as shown on the accepted plot plan.

Ramada: - a stationary structure having a roof extending over a mobile home or trailer, which may also extend over a patio or parking place for motor vehicles, and used principally for protection from sun and rain.

Skirting: - enclosure for area between floor of trailer or mobile home or structure and the ground.

Stand: - means that part of a space reserved for the placement of a trailer or mobile home.

Trailer Park: - the term trailer park, shall mean any lot or parcel of land upon which one or more trailers or mobile homes, used for dwelling or sleeping purposes, are located, regardless of whether or not a charge is made for such accomodation. The term "Trailer Park" shall also apply to "Mobile Home Park."

Trailer Space: - a plot of ground within a mobile home park or trailer park designed for the accomodation of one mobile home, trailer or camper.

Travel Trailers: - a vehicle or structure equipped with wheels for highway use that is intended for human occupancy, is not being used for permanent residential purposes, and is being used for vacation and recreational purpose. Also apply to "vacation trailer" and "campers".

Section 2 - shall be amended as follows:

Should the laws or regulations of the State of Oregon, regarding the construction and use of mobile home parks and/or trailer parks be more restrictive than any of the provisions of this ordinance, then, and in that event and to that extent, the provisions of the laws of the State of Oregon shall govern, but without prejudice to any other provision or requirement of this ordinance.

Section 3 - shall be amended to read:

No person shall maintain or operate a mobile home park or trailer park within the city limits of the City of Newberg without first obtaining a license from the City. Trailer parks existing at the time of passage of this ordinance shall within 60 days thereafter shall comply with the license fee as stated in Section 3 (a). All such licenses shall be for the remainder of the year in which issued, and all shall expire at the close of the 31st day of December of the year in which issued.

(a) The annual license fee for each mobile home or trailer park shall be \$1.00 for each mobile home space. The minimum charge shall be \$10.00.

- c. Electrical system.
 - d. Road, sidewalk, patio and mobile home stand construction.
 - e. Drainage system.
 - f. Recreation area improvements.
18. Plans and specifications must be stamped and signed by a registered engineer.
19. Plans and specifications must be approved and signed by the City engineer prior to issuing any permit for construction in the mobile home park.

Section 11 - be amended by adding:

h. Each mobile home park space in both class A and B mobile home parks shall be provided with a connection to the City's sewer system. The sewer system and connection plans shall be made according to plans approved by the City Engineer.

- 1. In class A mobile home parks trailers that cannot be connected to an approved sanitary sewer system shall not be permitted to be used for human habitation.
- 2. In class B mobile home parks, City approved public restrooms and shower facilities shall be provided in adequate number and within a reasonable distance from each trailer space.
- 1. Each mobile home park space may be provided with telephone and television service. All telephone and television service within any mobile home park shall be placed in an underground system.

j. Each mobile home park space in both class A and B mobile home parks shall be provided with City water service.

- 1. The water distribution system shall be constructed of materials approved by the City Engineer.
- 2. The water distribution system shall consist of piping capable of supplying 6 gallons per minute at a minimum pressure of 20 pounds per square inch at each mobile home stand.
- 3. Water mains and fire hydrants on the interior of the mobile home park shall be installed by the park developer in size, make and location as required by the City's Chief of Fire and City Engineer.

k. Street lighting shall be installed throughout the mobile home park to adequately illuminate streets, driveways, and walkways for the safe movement of vehicles and pedestrians at night.

1. All street names shall be approved by the Planning Commission. Street name signs shall be erected by the developer and a street number may be assigned to each lot on the City's master street numbering plan.

m. All mobile home parks shall be landscaped in accordance with plans approved by the Planning Commission. Landscaping shall be designed to perform the following functions: screen the park from adjacent properties; reduce noise transmission between the park and adjacent properties; provide an attractive street frontage; provide dust control. Landscaping is required for a minimum of 15 feet depth along all property lines abutting public streets except for the area required for private street openings.

n. All boats, campers, and trailers shall be stored in an area set aside for such storage on the approved plans. This storage area shall be located to avoid conflict with adjoining residential properties, and shall be screened from view from inside and outside the park by a fence, wall, or screen landscaping a minimum of 6 feet high.

o. Plans and specifications of all utilities (water, sewage, drainage, electrical, telephone, gas) "as constructed" shall be supplied the City Engineer on final completion and approval of the mobile home park.

Section 4 - shall be amended by adding:

(a) Size of Mobile Home Parks (or trailer park) - any mobile home park developed shall contain not less than the following areas:

1. Class A Mobile Home Park for Mobile Homes: Eight (8) acres.
2. Class B Mobile Home Park for Travel Trailers: Four (4) acres.

Section 5 - (b-8) shall be amended to read:

All plumbing facilities outside of trailers for occupied trailers and mobile homes situated on private land outside of mobile home parks or trailer parks shall be designed, constructed and maintained in accordance with rules and regulations as set forth in the plumbing code for the City of Newberg.

Section 6 - amend to read as follows:

A. No person shall maintain or operate a mobile home park within the City without first obtaining a license from the City.

B. Before a license is issued to operate a new mobile home park or to enlarge an existing mobile home park the proposed use of the location shall be approved for the mobile home park purpose by the Planning Commission.

C. No building on land within the boundaries of a mobile home park area shall be used for any purpose except for the uses permitted by this ordinance.

D. Application for a license to operate a new mobile home park shall be filed with the City Recorder on forms provided by the City. An enlargement of a mobile home park site or an increase in the number of mobile home park spaces in an existing park shall be subject to the provisions of this ordinance regulating new parks.

E. The application for a license to operate a new mobile home park or to expand an existing park shall be accompanied by 10 copies of the plot plan for the proposed park. The plan shall be drawn on a sheet 18x24 inches in size or a multiple thereof at a scale of one inch equals 100 feet, and shall show the following information:

1. Proposed name of the Mobile Home Park or Trailer Park.
2. Name and address of the applicant.
3. Name and address of the owner.
4. Name and address of the contractor.
5. Name and address of the engineer.
6. Scale and Northpoint of the plan.
7. Vicinity map showing relationship of the mobile home park to adjacent properties.
8. Boundaries and dimensions of the Mobile Home Park.
9. Location and dimensions of Mobile home space.
10. Location of existing and proposed buildings.
11. Location and width of access roads.
12. Location and width of walkways.
13. Location of recreation areas and buildings.
14. Location and type of fencing or screening.
15. Location of telephone service for the park.
16. Enlarged plot plan of a typical mobile home space showing location of the stand, patio, storage space, parking, sidewalk and utility connections.
17. At the time of application for a license for a new mobile home park or the expansion of an existing park the applicant shall submit two copies of the County Health Department's recommendation issued under the authority of the Oregon State Board of Health and further, said applicant shall submit copies of detailed plans for the following:
 - a. New structures.
 - b. Water and sewer systems.

AN ADJOURNED MEETING OF THE PLANNING COMMISSION
March 2, 1976

Meeting called to order by Chairman Cach.

Present: Fred Casey
Roger Gano
Esther Keltner

Sam Sherrill
Don Tarlow

Absent: Bob Blodgett

Tom Tucker

Staff Present: M. C. Gilbert, Finance Officer
George Layman, City Attorney
Rich Leonard, Planning Consultant
James Nims, City Engineer
Arvilla Page, Assistant City Recorder

^{Tarlow}
~~Gano-Tucker~~ motion to approve the minutes of the previous meeting as submitted. Carried.

Public Hearing: Request to vacate 12 ft. alley. Block 29, Edwards Addition $\frac{1}{2}$ Block East-West. Applicant: Buckley & Detrick. The staff report was read offering no objections. No remonstrances have been received. No one wished to speak for or against. Public hearing closed. Gano-Keltner motion to recommend to the Council vacation of the alley as requested. Carried.

Public Hearing: Request for minor partition. Tax lot #3218 AB 300 located at Columbia Drive and N. Main Street. Partition into 3 lots: 97' x 83', 585' x 167' and 250' x 187'. Applicant: Joe Brugato for Mrs. Merle Bentley. The Planning Consultant recommended zoning be changed from Rural Residential to Low Density Residential and that the Street right of way be dedicated before partitioning. The staff report was read. Sewer is not available to the property at this time and water service is not adequate for fire protection. Joe Brugato spoke as the proponent. No one wished to speak in opposition. Keltner-Gano motion to grant the partitioning request on Tax Lot #3218 AC 300 subject to the following conditions (1) County Sanitarian approve the drain fields (2) all residences on the property be connected to sanitary sewer system when it is available and if the property is sold, the same conditions will apply. (3) Street right of way be deeded to the City 30 feet from the center line on N. Main Street and on Columbia Drive (4) Zone change be applied for from Rural Residential to Low Density Residential (Keltner-Gano amendment to motion "zone change application within 30 days". Carried) Motion carried with Casey abstaining. Sherrill-Keltner motion to recommend to the Council that \$150.00 zone change fee be waived on tax lot #3218 AB 300. Carried.

Public Hearing: Conditional use to construct and operate a medical clinic in a residential zone. Applicant: Dr. Ellis B. Finch. Tax lot #3217 CA 1100 adjacent to and North of Haworth Avenue. 190 feet East of Villa Road. The Staff Report was read. A 10 ft. frontage strip should be dedicated to the City for utilities. Dr. Finch stated he was not against deeding the right of way. However, he is only a contract purchaser and thinks the owner would object. The City Engineer stated that gas, power and telephone companies want right of way, not easement. Tarlow-Keltner motion that Conditional use request be granted, limited to Phase II of the plan (Exhibit A) submitted and subject to dedication of a 10 ft strip on Haworth for street purposes. Carried.

Public Hearing: Conditional use. Tax lot #3219 AC 5600 at S. Main at Fifth Street to operate a Boy's Club meeting and recreational facility in a Medium Density Residential zone. Applicant: R. E. Savage for Herbert Hoover Boy's Club. No one wished to speak for or against. The staff report was read. Gano-Keltner motion to grant request for conditional use subject to no alterations to the exterior of the building and activities be confined to the building. Carried.

Preliminary Subdivision Plat: "College Park" Located North of S.P. railroad, between Villa and Hoskins Streets. Tax lot #3217 BC 900, 3217 BC 1000 and 3217 CB 100. Applicant: George Fox College Foundation. Developers; Ron Willcuts and Eldon Johnson. 21.2 acres. 70 lots. Zoned Medium Density Residential. Comprehensive Plan: Medium Density Residential. The Planning Consultant recommended; street lights be 210 feet apart; additional utilities on Aldersgate Lane; end of Hoskins Street at railroad should be vacated to a 10 ft. right of way; better screening of railroad from property; developer pave $\frac{1}{2}$ of Hoskins Street; and name an unnamed street stub. Eldon Johnson described the plan. All building plans will be approved by the developer. There will be a ~~minimum~~ square foot restriction, 2 car garages required. All homes in the \$35,000 to \$55,000 price range. Several duplexes approved by the developer will be built on the lots adjacent to the railroad. Keltner-Tarlow motion to approve the preliminary plat of College Park Subdivision subject to the following conditions: Make changes in utilities as requested on Aldersgate Lane. Name the unnamed street "Park Lane". Hoskins Street adjacent to lot 27 be vacated except for 10 feet for utility right of way. Lighting be spaced 210 feet. The 30 foot buffer strip adjacent to the railroad be subject to the City of Newberg Staff approval. The covenants as (Exhibit C) stated are approved provided a written copy is submitted to the City Recorder. Carried.

Sherrill-Tarlow motion to adjourn. Carried.

Tuesday, 7:00 P.M.

MINUTES

March 16, 1976

REGULAR MEETING

NEWBERG PLANNING COMMISSION

Council Chambers

Newberg, Oregon

The meeting was called to order by Chairman John Cach.

Present: Fred Casey
Esther Keltner
Sam Sherrill

Staff Present:
M. C. Gilbert, Finance Officer
Jim Nims, City Engineer

Small amount of citizens present.

Mr. Nims presented a list of streets suggested for improvement within the City under Federal and Urban System.

Now Present:
Bob Blodgett
Roger Gano

Staff now present:
George Layman, City Attorney
Rich Leonard, Planning Consultant
Arvilla Page, Assistant City Recorder

Approximately twenty five citizens now present.

Minutes of the previous meeting were corrected and approved as corrected.

Agenda: Public Hearing 4-A
Request: Zone change from Rural Residential (R-R) to Low Density
Residential (R-1)
Location: N. E. Corner of Main and Columbia Drive. Tax Lot 3218
AB 300 - 4 acres.

Applicant: Joe Brugato

Staff Report - Minor partitioning of this property into 3 parcels was conditioned upon change of zoning to City - R-1. One home is located on the South portion of the property. A 4 inch water line owned by Chehalem Valley Water Association serves the property. This is not adequate for fire protection. Sanitary Sewer is not available; however, proposed for construction in 1977. Streets in the area are 16 ft. oiled surface. Expanded development in this area would necessitate addition City services in larger water lines, sewer lines and improved roadways.

Proponent - Joe Brugato stated Greenway area is only on corner of one lot which is one acre in size.

Opposition - No one wished to speak. A letter in opposition from I. Bond, 1719 N. Main was read. Hearing closed.

Motion - Gano-Sherrill to approve the zone change request as it conforms with the Comprehensive Plan, R-1 is the closest zoning compatible with County Zoning R-R, it conforms with other use in the area, there is a public need and public need will best be served by granting the zone change. Carried.

Agenda: Public Hearing 4-B
Request: Minor Partition, 2 lots 50 x 100 , 85 x 100.
Location: N.E. Corner - Church at E. Second Street. Tax lot 3220 BA 2600 - North 50 ft. of lots 19 and 20, Hobsons Addition.
Zoning: R-2 - Medium Density Residential
Applicant: Young & Pawelski Homes, Inc.
Staff Report - The property is all of lots 19 and 20 of Block A, Hobsons Addition. The applicant requests partition to 50 ft. frontage on Church Street by 100 ft. depth and 85 ft. frontage on Church by 100 ft. depth. R-2 comparable with Comprehensive Plan designated use. No adverse effect on City utilities. Water, sanitary sewer and improved street.
Proponent - Joe Young on question of sideyard setbacks on present structure assured the Commission that sideyards exceed five feet.
Opposition - No one wished to speak against. No written opposition has been received.
Motion - Keltner-Casey to grant the partition as requested. Carried.

Agenda: Public Hearing 4-C
Request: Minor Partition 2 lots, 100 x 102, 187.8 x 77.6 and Variance for 24.6 access roadway.
Location: 713 N. Main, Tax lot 3218 CA 800, .744 acres
Zoning: R-1, Low Density Residential
Applicant: Carl & Linda Tautfest
Staff Report - Property has 102 ft. frontage on Main Street by depth of 318 feet. Request is for partitioning of rear area of this property to a 100 ft. by 102 ft. parcel with 24.6 ft. frontage on Main Street. Ordinance requires a 28 ft. street frontage; However this does not appear possible if required set back footage is maintained for existing house on front parcel. Commission may grant variance for 3.4 ft from required 28 ft. Water and sanitary sewer available at Main Street. Use is compatible with the Comprehensive Plan.
Proponent - Linda Tautfest stated neighboring property is not available for access to the rear of the property. Also voicing approval was Chas. Wilhelmson, 103 E. Illinois.
Opposition - No one wished to speak against. No written opposition has been received. The variance request was read to the Commission.
Motion - Casey-Keltner to grant the partition request and the variance request subject to the conditions as per the variance request. Carried.

Agenda: Public Hearing 4-D
Request: Minor Partition 2 lots, 70 x 83.7, 70 x 83.7
Location: Dayton Avenue, Blaine Street, Third Street. Tax lot 3219 AC 1100, .27 acres.
Zoning: R-2, Medium Density Residential
Applicant: Fred Powelson
Staff Report - Property has 140 ft. frontage on Blaine Street and 83.7 ft. frontage on Third Street. Applicant requests partitioning of two parcels with 70 ft. frontage each on Blaine St. Existing building to be removed and replaced with single family dwelling on each lot. Water and sanitary sewer serves the property. Also improved street. No adverse effect on City Services.
Proponent - Dick Mursell, 520 Wynooski answered questions on disposition of the building presently on the property.
Opposition - None. No written opposition has been received.
Motion - Sherrill-Gano to grant request subject to demolition of the existing house. Carried.

Agenda: Public Hearing 4-E
 Request: Minor Partition 2 lots, 81 x 117, 200 x 108
 Location: 600 W. Sheridan Street, Tax lot 3219 BA 2300 - .728 acres.
 Zoning: R-1 - Low Density Residential
 Applicant: Vancha & Christian Floch

Staff Report - Property has 281 ft. frontage on West Sheridan Street. West side depth is 116 ft. and East side depth 108 ft. Applicant request partition to 2 lots. The lot with present house, garage and shed to be 200 ft. frontage and additional lot to have 81 ft. frontage. The set back requirements should be considered for this property. The rear portion of the property slopes into a drainage ditch area. Property located on an improved street with sub-standard width right of way. Water and sanitary sewer available. Zoning and lot size compatible with the Comprehensive Plan. No adverse effect on City services.

Proponent - Christian Floch and James Nims, Rt. 2 Box 135 (as private citizen) Present buildings are now less than 20 feet from street right of way. Mr. Floch has already paid for roadway costs and part of sidewalk located on other side of street. Mr. Nims suggested a variance for 16 foot set back or to grant the request with the existing sub-standard street width.

Opposition - None. No written opposition received.

Motion - Gano-Keltner to grant the minor partition as requested. Carried.

Agenda: Public Hearing 4-F
 Request: Minor Partition, 3 lots, 90 x 150, 90 x 150 , 90 x 150.
 Location: W. Sherman Street extended. Tax lot 3219 BA 800 - 1½ acre.
 Zoning: R-1 - Low Density Residential
 Applicant: Floyd R. Merrill

Staff Report - Property has approximately 340 ft. frontage on Sherman Street extended which is a 30 ft. public right of way to the City limits. Approximately 125 feet of this property is outside the City. Request is for three lots; 2 lots with 90 ft. frontage and remaining lot with balance of 160 ft. frontage. The West portion of the third lot slopes into canyon. A 10 ft. strip on front portion of this property should be dedicated to the City for street purposes. Water is available, however sanitary sewer is questionable without pumping. With present residences and added housing proposed with this partitioning, improvements of the street, and possible cul-de-sac should be considered. Use and zone compatible with Comprehensive Plan.

Proponent - Floyd R. Merrill would not object to street dedication to match dedication from property to East.

Opposition - None. No written opposition has been received. The location of a turn-around on West end of street was discussed.

Motion - Gano-Keltner to grant request subject to dedications of street right of way equal to existing right of way on East and the developer establish and dedicate a turn-around on the West end on Sherman Street. (Amendment to motion Gano - Keltner that most westerly lot have a minimum 28 ft. frontage on the turn-around. Amendment carried.) Motion as amended. 4 ayes - Gano Keltner, Blodgett, Cach. Not voting - Sherrill and Casey. Motion Carried.

Bob Blodgett was excused from balance of meeting at 9:50 P.M.

Agenda: Public Hearing 4-G
 Request: Minor Partition, 2 lots, with one lot of 1.1 acres approximately 210 x 240 in size.
 Location: West of Villa Road, North of Southern Pacific RR. Tax lot 3217-2300. 20 acres.
 Zoning: R-1 - Low Density Residential

Applicant: Canyon Development Co. (Paul Mills)

Staff Report - Applicant requests to partition off 1.10 acres adjacent to Villa Road. The area is zoned R-1. The lower portion of this area is designated green belt and Commission should consider a minimum 50 ft. width open space area as condition of partitioning. The applicant has previously dedicated the North 40 feet and the West 10 feet of tax lot 3217-2300 for street purposes. Sanitary Sewer line is available to this property. Water line to serve the portion proposed for partition is inadequate. Roadway serving the area is substandard. Applicant proposes to construct a road along the North side of this 1 acre parcel. This street has not been deeded to the City. Partitioning and zoning compatible with the Comprehensive Plan.

Proponent - Paul Mills showed map with property location and answered questions from the Commission and staff.

Opposition - None. No written opposition has been received.

Motion - Sherrill-Keltner to grant the request with the stipulation that the Greenway line be established at 6 feet above the low water line of the creek. Carried.

Agenda: Public Hearing 5-A

Request: Subdivision Preliminary Plat. 19 lots. "Baker's Orchard."

Location: N. College Street, Tax lots 3218 AD 7200 and 3218 AD 7300. 4.85 acres.

Zoning: R-1, Low Density Residential

Applicant: Commonwealth Properties, Inc.

Staff Report - This subdivision was approved by the Commission July 15, 1976 with the stipulation that 20 feet be dedicated for street along North College Street and sewer facilities be worked on in agreement by the Council. The plan for drainage of the area was not included at that time. Due to recent court decision it was necessary for this subdivision plat to be re-submitted to the various public agencies. The ordinance requires that all streets within the subdivision and adjacent but only partially within the subdivision must be improved to the City's permanent standards. College Street should be considered by the Commission under this provision. Aluminum light poles are recommended. The State Highway Department has approved the Pinehurst Avenue approach. All drainage easements and sanitary sewer line easements must be provided. There are existing buildings on lots 1-18 and 19. The Commission must approve the Public Land provision. The developer requests to pay in lieu of dedication. Payment must be equal to 0.015 times the estimated acreage value of the land for residential purpose. No adverse effect on City facilities.

Proponent - Ernest Platt representing Commonwealth Properties answered questions and stated they will comply with all requirements.

Opposition - No opposition was received.

Motion - Casey-Gano to approve the preliminary plat subject to: light poles being located as on the plat and of a type at the discretion of the developer, dedication of 20 feet for street right of way at North College Street, and payment in lieu of public land dedication. Motion carried. Unanimous.

Agenda: Public Hearing 5-B

Request: Subdivision Preliminary Plat 14 lots. "Brentwood"

Location: Elliott Road at Howorth Avenue. Tax lot 3217 DD 2700. 4.4 acres.

Zoning: R-2, Medium Density Residential. Comprehensive Plat - Low Density Residential.

Applicant: Ron Willcuts

Staff Report - Low Density Residential maximum overall is 8,700 sq. ft. per unit. The average lot size is 8700 sq. ft. 450 lin. feet of new streets are proposed. Sufficient area equal to 30 feet from center line of Haworth Street and 30 feet from center line of Elliott Road should be dedicated. Ordinance requires that all streets within the subdivision and adjacent but only partially within the subdivision must be improved to the City's permanent standards. Elliott Road and Haworth Avenue should be considered by the Commission under this provision. Aluminum light poles are recommended for this subdivision. All improvements in the subdivision should be constructed by the developer as per ordinance. All drainage easements must be provided. The Commission must approve the Public Land provision. The developer requests to pay in lieu of dedication. Payment must be equal to 0.015 time the estimated acreage value of the land for residential purpose. Adequate sanitary sewer and water lines are available at Elliott Road. Additional fire hydrant must be installed.

Proponent - Ron Willcuts answered questions from the Commission and staff.

Opposition - No opposition was received.

Motion - Casey-Sherrill to approve the preliminary plat subject to: Street light on each cul-de-sac with poles of developers choice, one fire hydrant, light at Haworth Avenue if necessary with cost to be shared by developers and City, payment in lieu of public land dedication, dedication for street right of way 30 feet from center line on Haworth and on Elliott with improved street 22 feet on Elliott and 18 feet on Haworth. Motion carried. Unanimous.

Casey-Gano motion to adjourn at 11:00 P.M. Carried.

Tuesday, 7:30 P.M.

MINUTES

April 20, 1976

REGULAR MEETING

NEWBERG PLANNING COMMISSION

Council Chambers

Newberg, Oregon

No quorum of the Commission was present, but some members were expected later. George Fox College was requested to present their plans. Dr. David LeShana stated that Robert E. Meyer Engineering had been selected to develop a comprehensive plan for the college. The same engineering firm worked on the City of Newberg Comprehensive Plan so the two plans are compatible. The College presently has an enrollment of over 500 with 800 to 1000 expected by 1980. The plan is in several phases with the first phase to include a Gymnasium and Sports Center, new chapel and remodeling of the old gym to a Fine Arts Center. Also new classrooms and student housing. Total expenditures for the plan are expected to exceed \$4.5 million. Mr. Don Millage showed slides of the campus and planned buildings. The architect is Bob Cloud.

A quorum was present at 8:35 p.m.

The meeting was called to order by Chairman John Cach.

Present: Roger Gano
Esther Keltner

Don Tarlow
Tom Tucker

Absent: Bob Blodgett
Fred Casey

Sam Sherrill

Staff Present: M. C. Gilbert, City Administrator
George Layman, City Attorney
Rich Leonard, Planning Consultant
Jim Nims, City Engineer
Arvilla Page, Assistant City Recorder
Bob Weisenback, Building Official

Approximately 25 citizens were present.

Agenda: Public Hearing 4-A

Request: Minor Partition, 2 lots 79.5 x 50 ft. each

Location: 111 W. Fourth Street, Tax lots 3219 AC 12500 and 3219 AC 12201

Applicant: Elvin G. Davis

Conformance: Zone - R-2, Comp. Plan - Medium Density

Staff Report: By Rich Leonard. Partition as requested does not allow the required set back from property lines. Only 9 feet between existing buildings.

Proponent: Eldon Johnson representing the owner stated the buildings have existed many years. The property would be upgraded if partitioning is granted. Existing conditions are worse than granting the request.

Legal Opinion: The City Attorney stated he did not believe the Commission could legally grant the request for partitioning as it would create a non-conformance with the set back requirements.

Motion: Tarlow-Keltner to deny the partitioning request. Carried with Chairman voting.

Agenda: Public Hearing 4-B

Request: Minor Partition, 3 lots 70 ft. x 137.6 ft., 70 ft. x 115.48 ft. and 70 ft. x 115.48 ft.

Location: 5th and Harrison, Tax lot 3219 BD 2000

Applicant: Tillie Miller

Conformance: Zone - R-2, Comp. Plan - Medium Density

Staff Report: Fifth Street is a substandard width right of way. An additional 10 ft. of right should be dedicated. Partitioning of the lots as requested will result in three lots: 7,383 sq. ft.; 6,906 sq. ft.; and 9,636 sq. ft. A 10 ft. strip on the West side is shown on the plat submitted making a 4th lot. This should be resubmitted as a sub-division.

Proponent: C. C. Caffall, son-in-law of the applicant, stated the 10 ft. strip was deeded to a son, owner of the neighboring lot, several years ago for driveway purposes.

Legal Opinion: The City Attorney stated he did not believe the 10 ft. strip constituted a 4th lot.

Motion: Tucker-Gano to grant the partitioning requested to 3 lots with 10 ft. strip on West side.

Agenda: Public Hearing 4-C

Request: Minor Partitioning, 3 unequal lots

Location: Fronting on Dayton Avenue, Tax lot 3219 DB 4600

Applicant: Kenneth Weatherly

Conformance: Zone - R-1, Comp. Plan - Medium Density

Staff Report: Utilities are available but sewer lines would need to be extended. Consideration should be given to Greenway area of Hess Creek on the back of the lots.

Proponent: Eldon Johnson representing the owners stated that sewer line is across all 3 lots. No houses would be built closer than 150 ft. to Hess Creek.

Legal Opinion: Mr. Layman stated that since neither the zoning or Comprehensive Plan is affected by the request, the Greenway is of no concern at this time.

Motion: Tucker-Tarlow to grant the partitioning request. Carried with Chairman voting.

Agenda: Public Hearing 4-D

Request: Minor Partitioning, 3 lots

Location: Fronting on Dayton Avenue, Tax lot 3219 DB 4700

Applicant: Fern Lane

Conformance: Zone - R-1, Comp. Plan - Medium Density

Staff Report: Two lots are abutting Dayton Ave. with 75 ft. and 70 ft. frontage. The third lot abuts with 60 ft. frontage. Ordinance requires a 70 ft.

minimum for front building line. On lot 3 a future residence would have to be constructed on back of lot. Extension of sanitary sewer line to serve these lots will be necessary. Easements should be provided for the sewer line.

Motion: Tucker-Gano to grant the request as the conditions are the same as the Weatherly request (Agenda 4-C). Carried with Chair voting.

Agenda: Public Hearing 4-E

Request: Minor Partitioning to 2 lots 51.8 ft x 217 ft. and 100 ft. x 217 ft.

Location: 610 Villa Road, Tax lot 3217 CD 300

Applicant: M. C. Gilbert

Conformance: Zone - R-2, Comp. Plan - Low Density

Staff Report: Smaller lot to be sold with title bearing covenant that only single family dwelling be constructed. Distance from existing building to partitioning line is 35 ft.

Motion: Tarlow-Gano to grant the partitioning request. Carried with Chair voting.

Agenda: Public Hearing 4-F

Request: Conditional Use. Duplex in Low Density Residential (R-1) zone.

Location: West Eighth Street, Tax lot 3219 DB 4500

Applicant: T.M. Birmingham

Conformance: Zone - R-1, Comp. Plan - Medium Density

Staff Report: The applicant does not show contour of land. The plan should show where applicant expects to tap water and sewer lines. There are other duplex's constructed in this general area.

Proponent: Jack Smith, Portland, speaking for the applicant stated the owner planned to live in the duplex unit until a single family residence could be built on the front of the property.

Opponent: Ron Nyman, 102 E. Eighth Street questioned the effect of a duplex adjacent to a greenway area.

Motion: Tarlow-Gano to continue the public hearing to April 29, 1976 at 7:30 p.m. to allow the applicant time to submit additional information. Carried.

No opposition was expressed at any of the above hearings except as noted.

Agenda: Annexation 5-A

Location: North side of Crestview Drive at end of Hoskins Street. Tax lot 3217-2000.

Applicant: Gerald Macken

Zone: County - Rural Residential

Comp. Plan: Low Density Residential

Staff Report: Crestview Drive is a substandard width right of way. Applicant should dedicate right of way 30 ft. from center line of Crestview. Storm drainage problem exists and will be increased when property developed. Water facilities available. Sanitary sewer line will have to be extended. It is within the urban growth area.

Motion: Tucker-Keltner motion to approve and recommend to the Council annexation of Tax lot 3217-2000 with dedication of right of way 30 feet from center line of Crestview Drive. Carried.

Agenda: Annexation 5-B

Location: North of Hwy. 99W - North area of Newall property. Tax lot 3216-100 and part of 3216 CA 1400.

Applicant: Evah H. Newall

Zone: County - Rural Residential

Comp. Plan: Low Density Residential

Staff Report: Applicant requests annexation to be completed so that property can be sold and developed into a subdivision. The area of property that fronts on Hiway 99W will be retained by the applicant, and this parcel has not been requested to be annexed. Recommend that if any building is done on Hadley Street, it be brought up to City standards.

Motion: Gano-Tucker to approve and recommend to the Council, annexation of Tax lot 3216-100 and part of 3216 CA 1400. Carried.

Agenda: Old Business 6-A

Request: Reconsideration of lot partitioning conditions made previously.

Location: 2501 Portland Road

Applicant: Michael M. Watkins, Attorney-at-Law representing Gary Witcher.

The applicant did not feel the request for a 30 ft. from center of Elliott Road was a reasonable request. After discussion with members of the Commission and review of previous public testimony, Mr. Watkins withdrew the request for re-consideration.

Member Fred Casey now present. Don Tarlow requested permission to be excused. Granted.

Agenda: Subdivision 7-A

Name: Springbrook Meadows - Preliminary Plat

Size: 32 lots, 6.73 acres.

Location: Between Deborah Road, Douglas Avenue and Springbrook Way.

Conformance: Zone - CR, Comp. Plan - Medium Density Residential

Type: All Duplex housing.

Staff Report: The intersection of Springbrook Way with Springbrook Road would be significantly impacted by addition of the new housing units; most of which would be utilizing it as their primary access. Two options are suggested; One is improving South end of Springbrook Way to make right angle approach onto Springbrook Street; the other is to close South end of Springbrook Way and extend the South, East-West Street to connect with Springbrook St. Water available on Deborah St. and Springbrook St. Sewer available on Springbrook Street. Developer has provided public land area. Commission should consider either accepting land or cash for small public land areas.

Gene Ginther of Ginther, Sea, Inc. 3800 S.W. Cedar Hills Blvd., Beaverton, OR presented the plan. He stated that they had checked with Yamhill County on the name "Springbrook Meadows" and was told there is no recorded plat called "Springbrook Meadows".

Motion: Tucker-Gano to approve the preliminary plat of 34 lots with money in lieu of public land area. Carried.

Agenda: Willamette River Greenway

Motion: Gano-Keltner to accept the recommendation of the Citizen Involvement Advisory Committee and recommend to the Council their advise on the Greenway Boundary. Carried.

Casey-Tucker motion to adjourn to Thursday, April 29th, 1976, 7:30 P.M.
Carried.

Thursday

MINUTES

April 29, 1976

ADJOURNED MEETING

NEWBERG PLANNING COMMISSION

Council Chambers

Newberg, Oregon

Meeting was called to order by Chairman John Cach. at 8:15 P.M. when a quorum was present.

Present: Fred Casey
Roger Gano

Esther Keltner
Sam Sherrill

Absent: Bob Blodgett, Don Tarlow, Tom Tucker

Staff Present: M. C. Gilbert, City Administrator
George Layman, City Attorney
Jim Nims, City Engineer
Arvilla Page, Asst. City Recorder

Other Agencies: Jim Kesey, Chehalem Park & Recreation District
Dave Weaver, State Highway Department

Agenda: Public Hearing Continued from 4/20/76

Request: Conditional Use, Duplex in Low Density Residential (R-1) zone.

Location: West Eighth Street, Tax Lot 3219 DB 4500

Applicant: T.M. Birmingham

Conformance: Zone - R-1, Comp. Plan - Medium Density

Mrs. Birmingham presented the information requested by the Commission previously on the topography of the lot and planned utility service connections. The City Engineer stated he had inspected the building site and it is outside the flood plain.

Motion: Sherrill - Gano to grant Conditional Use Permit to build a duplex in a Low Density Residential Zone. 4 ayes, 1 nay. Carried.

Agenda: Subdivision

Name: Spring Meadow, Preliminary Plat, Phase I

Size: 117 Lots, 38 acres more or less

Location: North of Hwy 99W, East of Springbrook Street and South of Crestview Drive.

Conformance: Zone - R-1, Comp. Plan - Low Density Residential

Type: Single Family on 7,800 sq. ft. average lot size.

Reports from the County Surveyor and School District were read.

Wynn Stuckey, Engineer, presented plan outlining the sewer system, easements, storm sewer, water system, access via a 60 ft. street from Hwy 99W through the subdivision to Springbrook Street, public land area with 2 access, and a berm along Hwy 99W.

Items discussed were street names, utility easements of 10 ft. on each side of all 50 ft. wide streets, access and visibility of the public land area, completion schedule of the main access street and the name of the Subdivision.

It was tentatively agreed to use the name "Leodale" and Mr. Gregcin would contact the developer of Springbrook Meadows Subdivision to try to resolve the similarity of names conflict.

Motion: Gano - Casey to accept the Preliminary Plat of Leodale Subdivision, Phase I only subject to the following:

1. That prior to the issuance of any building permits for Lots 1 through 12, the developer or builder shall install a minimum 5 foot high berm along the rear portion of the lots and landscape it. (5 feet high as measured from the house site.) The berm shall be heavily planted with conifer trees and shrubs. The landscape plan shall be approved by the City Engineer as part of the submission of the final plat. The berm extending into the subdivision from the 99W entrance shall end at the Northerly extension of the center line of Robert Street (renamed "Bobcat Street").
 2. The final plat shall be revised to incorporate only full lots.
 3. Street names shall be submitted and approved by the City Engineer.
 4. A secondary improved outlet shall be constructed as part of the first phase of development. Robert Street renamed "Bobcat Street" constructed through to Springbrook Street. The street shall be designed to the specifications established by the City.
 5. All streets designated as 50 foot width shall have a 10 foot utilities easement on each side.
 6. A temporary cul-de-sac shall be constructed at the end of each stub street in Phase I.
 7. The public land of 3.44 acres is accepted with a 20 foot access between lots 136 and 137 and widened access (see Item 1) at the South end near the Hwy. 99W entrance.
- Motion carried.

In answer to the request for written findings by legal Counsel for the developers of the subdivision, City Attorney Layman stated that granting the request would set a precedent, it would be an extra burden and expense to the City and he would not advise granting the request.

Gano-Casey motion to adjourn. Carried.

NOTE: CORRECTED NAME OF SUBDIVISIONS.

Spring Meadow - J. Gregcin & Co. - Owner & Developer

Springbrook Acres - Wally Johnson & Gene Ginther - Owners

Tuesday, 7:30 P.M.

MINUTES

May 18, 1976

REGULAR MEETING

NEWBERG PLANNING COMMISSION

Council Chambers

Newberg, Oregon

The meeting was called to order by Chairman John Cach.

Present: Alan Halstead
Esther Keltner

Sam Sherrill
Don Tarlow

Absent: Fred Casey, Bob Blodgett, Tom Tucker

Staff Present:

M. C. Gilbert, City Administrator
George Layman, City Attorney
Rich Leonard, Planning Consultant
Jim Nims, City Engineer
Arvilla Page, Assistant City Recorder
Bob Weisenback, Building Official

Sherrill-Keltner motion to approve the minutes of the previous meeting as submitted. Carried.

A letter from Roger Gano was read in which he resigned from the Planning Commission because of his appointment to the City Council.

Mr. V. G. Anderson addressed the Commission on the problem and plans of School District 29J and cited the need for full cooperation between the school district and the Planning Commission.

Agenda: Public Hearing
Request: Minor Partition from 3 lots to 2 lots
Location: 12 Street at River Street, Tax lot 3220 CC 4100
Applicant: Willie F. and Hilda Watson

Staff Report: Set backs are OK regarding the present dwelling. The request is a simple realignment of existing lot lines. No objections from staff. No others wished to speak as proponents or opponents. No written opposition has been received.

Motion: Keltner-Tarlow to grant the partition as requested. Carried.

Agenda: Public Hearing
Request: Zone Change from Rural Residential to Low Density Residential
Location: Adjacent to and North of Crestview Drive, Tax lot 3217-2000
Applicant: Richard W. Davis
Conformance: Comprehensive Plan is Low Density Residential

Staff Report: The area is 5 acres in size and was annexed to the City last month. The planned use for the property is an 18 lot single family subdivision. Staff has no objection to the zone change.

Proponent: Jose Cruz, 1730 Skyline Blvd., Portland representing the applicant. There is a need for building lots, the area to the West and South is developed as single family residences, it conforms with the Comprehensive Plan and the requested R-1 zoning is the closest to the present RR zoning. City services are available. Also speaking as proponent was Dick Davis of Leisure Resources.

Opponents: Gene Finley, 812 Crestview Drive and Bob Turner, 900 Crestview Drive cited flooding problem at Meridian and Crestview because of inadequate storm sewers in the area and heavy traffic on Crestview. Additional construction in the area would only increase these problems.
Hearing Closed.

Motion: Sherrill-Keltner to recommend to the City Council granting of the zone change from Rural Residential (RR) to Low Density Residential (R-1) as there is a need for more single family lots, it conforms with other use in the area, the public need is best served by granting the zone change, it conforms with all City Ordinances and Charter and it conforms with the Comprehensive Plan. Carried with Tarlow abstaining.

Agenda: Subdivision - Preliminary Plat
Name: Greenbrook
Developer: Leisure Resources, Inc.
Size: 43 lots, 10 acres
Location: Douglas Avenue at Springbrook Way, Tax lot 3216 BC 100
Type: Single Family
Conformance: Zone R-1, Comp. Plan - Low Density Residential

Staff Report: Street right of way and pavement widths meet the requirements of the subdivision ordinance. However, if parking is permitted on any of the streets consideration should be given to increasing the paved portion of the street to 40' to allow for two 20' parking and travel lanes. This would provide additional maneuvering area and reduce the possibility of crossing the centerline when leaving the parking lane. If the paved portion is not increased, consideration be given to allowing parking only on interior streets.

The City Comprehensive Plan presently designates the area west of Greenbrook as a proposed Junior High School. If this is still a viable possibility, then the extension of the street north of Douglas could pose problems for school children from a safety standpoint, and the extension of this street does not appear to be in keeping with your Comprehensive Plan on Page 27 which states that a campus like facility could be developed in this area. A collector type street at this location could prove to have a disrupting influence on this concept. The realignment of Douglas Avenue will solve a traffic problem and make a better intersection.

Planning Consultant recommends that a study should be made to determine if a better design is possible.

Jose Cruz of Parametrix the designer, stated he had followed the subdivision rules on the street locations. He was not aware of street development to the South.

Motion: Tarlow-Sherrill to refer the application back to the developer for redesign. Carried with Halstead abstaining.

Agenda: Subdivision - Preliminary Plat
Name: Jodie Marie
Developer: Lindquist Development Co.
Size: 27 lots; 8.12 acres
Location: Between Hulet Lane and Elliott Road, Tax lot 3217 DB 6100 and 3217 DB 6200
Type: Single Family residence
Conformance: Zone R-2, Comp. Plan Low Density Residential

Staff Report: The design as submitted has developed a number of odd shaped lots. Some are too small, some are large and some would be very difficult to place a house. The cul-de-sac is too long. Marie Avenue is located to force the lots to the South to have 200 feet deep lots. Better access out to the South would be advisable.

The Parks Superintendent states that the subdivision falls below the minimum number of 66 lots that would be required in order to warrant a park. Cash payment should be requested to meet Public Land Requirement.

The Planning Consultant recommends the Commission deny the plat and ask for a better design.

Proponent: Stuart Lindquist, 2932 S.E. Moreland Lane, Portland the developers and C. C. Caffall the property owner.

Opponent: V. G. Anderson, School Board and Ellen Scharff stating that the Elliott Road problem needs to be resolved before more development is allowed in the area.

Motion: Keltner-Halstead to consider revision with exits on Elliott and Haworth. Motion failed.

Motion: Tarlow-Halstead to refer the application back to the developer for redesign with access from Haworth. Carried.

Agenda: Subdivision - Preliminary Plat
Name: Pioneer View
Developer: Leisure Resources, Inc.
Size: 18 lots 5 acres
Location: Crestview Drive at Meridian, Tax lot 3217-2000
Type: Single Family Residence
Conformance: Zone (P.C. Recommendation R-1), Comp. Plan-Low Density Residential.

Staff Report: The cul-de-sac is odd shaped. Recommend create an island with landscaping by the developer to a design approved by the City. A very serious drainage problem is occurring in the vicinity of Crestview Drive and Meridian Street southward to Fircrest. It is suggested and recommended that no subdivision be built in here unless the subdividers will restrain or control the storm water that comes off this subdivision to the point that no additional drain water will be added to our already existing problem. This has not been done in the proposed subdivision. Recommend that this proposal be turned down until such time as the plan for this particular problem is resolved. The intersection of Crestview and Meridian has been under water this year with approximately one foot in the center of the intersection. We cannot tolerate this condition nor do we subscribe to allowing further improvements being built in this area until such time as a plan is arrived at for the relief of the condition that currently exists. It is necessary for all of the topography such as fences, houses, trees, etc. to be shown on the preliminary plat map, and include culverts and field tiles.

Upon approval of plat, cash payment for public land requirement should be made.

Jose Cruz of Parametrix the designer, answered questions on drainage control plans and street design. Opposing the plan were Bob Turner, 900 Crestview Drive, Gene Finley, 812 Crestview Drive, Mrs. Robert Andrews, 904 Crestview Drive, Dennis Manning, 807 Crestview Drive citing flooding problem, hazardous traffic conditions, costs to neighboring property owners for improvement of Crestview and also noted was an error in the exact location of the property in relation to Meridian Street. Also in opposition was a letter from Clayton Byrne, 808 Crestview Drive.

Motion: Sherrill-Keltner that because of drainage and street location problems, the preliminary plat be referred back to the developer for redesign. 2 aye, 2 nay, 1 abstain.

Motion: Halstead-Sherrill to reconsider the previous motion. Carried.

Motion: Sherrill-Keltner to resubmit the motion to refer the preliminary plat back to the developer for redesign. Motion carried with Tarlow abstaining.

Agenda: Subdivision - Preliminary Plat
Name: Spring Meadow, Phase II
Developer: J. Gregcin, Inc.
Size: 83 lots, 23 acres
Location: North of Hwy 99W - North of Newell Subdivision, Tax lots 3216 1400 and 3216 CA 100
Conformance: Zoning - County, Comp. Plan - Low Density Residential

Staff Report: The North-South Street that connects Crestview should not be extended further South. If connected to 99W, it would become a busy arterial. The plat boundaries be adjusted to existing whole lots.

The renaming of streets has not been done as requested by the Planning Commission. Douglas Avenue should be extended on the northerly portion changing the name of Aquarius. In reviewing Phase II it becomes apparent that the number of lots in this particular subdivision will require a stop light at either highway 99 on what is commonly know as Vittoria Way or stop light at 99 and Springbrook Road. Today we have not received any confirmation of the amount of storm water that will be generated by Phase II or Phase I from the engineer. We are concerned that there may be a problem with the water drainage in this specific area and would like to have this area clarified. The extension of Vittoria Street to Springbrook Road is an absolute necessity with the approval of Phase II construction. Phase III should be taken off the map and only the Phase concerning the particular submittal should be submitted on a particular map. The break between Phase II and Phase I is acceptable because Phase I has already accepted, however the break line between Phase III and Phase II is not acceptable because it goes through the portion of lots 172, 73 and 74 respectively.

If the street named Libra Street is to be extended on the North, would recommend that the line between Phase III and Phase I be on the back lot line of lots 156, 157 and break line between Phase III and Phase II be on the back lot line of 172, 173 and 174. Phase III will be constructed ultimately and the street should continue north in the same direction. If Vittoria and

Aquarius Street extended through Phase IV as a requirement of the approval of Phase II it would be recommended that the sewer lines and water lines and utilities lines be placed for construction so that the road will not have to be torn up at a later date. We feel that this is a necessity and should be made a condition of acceptance of the plat. The City should require some type of money set aside for the construction of a traffic signal on 99W. It is felt that a sum of \$5,000. should be an adequate portion for Phases I, II, III, and IV, which should be a condition of Phase II. Zone needs changed from County Rural Residential to R-1 Low Density Residential.

Wynn Stuckey for the developer stated they had received the wrong legal advise on the zone change requirement and were not aware it was needed. Street names have been changed. Aquarius is now Douglas. Bobcat formerly Robert Street is now Aquarius (from Hwy 99W through entire development to Springbrook Street). Laura to be renamed Leo.

Motion: Halstead-Keltner to approve the preliminary plat for Phase II subject to the recommendations in the staff report and zone change to R-1.

Motion Amendment: Tarlow-Sherrill that 1. Street names shall be corrected as follows: "Aquarius Street"- formerly Robert and Bobcat. The most southerly East-West Street extending from Springbrook Street to Vittoria Way. "Madrona Drive" - the next East-West Street North of Aquarius. "Vittoria Way" the next East-West Street North of Madrona extending from Springbrook Street to Highway 99W. "Douglas Avenue" - formerly Aquarius Blvd. The most Northerly East-West Street to be extended from Springbrook Street to Vittoria Way. "Leo Lane" - formerly Laura Lane. "Gemini Lane" change to "Gemini Street" 2. Vittoria Way shall be completed when 118 houses are completed in the Spring Meadow Subdivision. 3. Pay to the City of Newberg the amount of \$5000.00 for the total Spring Meadow Subdivision, for the specific purpose of financing a traffic control light at Highway 99W and Springbrook Street. 4. Submit corrected Preliminary Plat for Phase I and Phase II of Spring Meadow Subdivision. Motion as amended carried.

<u>Agenda:</u>	Subdivision - Preliminary Plat
Name:	Village Park Addition
Developer:	American Village Corporation
Size:	49 lots 14.5 acres
Location:	Between Blaine and College Streets South of Ninth Street. Tax lots 3219 DD 1900, 200, 2100, 2300, 3500, 3100 and 3600.
Compliance:	Zoning R-2-Medium Density Residential Comp. Plan - Medium Density Residential

Staff Report: It would appear on the west half of the street that 10th Street will never be constructed on the north half on their layout because of the fact that an apartment complex currently exists on the northerly portion of this plat. For this reason I would respectfully submit that resubmittal of this plat be made with the full construction of the 10th Street within the subdivision boundaries. Further recommend the vacation of School Street southerly from 10th Street upon approval of the preliminary plat phase. On the left side of the typical street detail it shows the sidewalk directly adjacent to the curb and gutter which is not within the ordinance. The fire hydrant requirement is fulfilled on this plat. The sewer connection leads out to double lot connections which are not in compliance with the ordinance. All street right of ways should have 50 ft. or more.

Lots 9, 10, 11, 12 are located on steep banks of the stream. Only lot 9 has enough land to build a house. Since many lots are only 6,500 square feet I assume that it will be a duplex subdivision. If so, there will be 98 units on the site and generate about 700 trips per day.

The landscape berm has sloped too steep. They are currently shown at 2:1 which is difficult to plant. Also, the spacing recommended on the trees is too far to effectively screen the railroad tracks.

School Street has less than the required right of way and to make it wider would reduce lots 1, 2 and 3. It would be more convenient to the residents living in the cul-de-sac if they could go directly out to College Street. All streets in this subdivision should be improved as required by ordinance.

The subdivision provides a sewage lift station. The developer should pay a minimum charge to cover at least one year service and operation of this station.

Since the Subdivision has within its bounds Park and Open Space lands designated in the Comprehensive Plan; it is recommended 50' on the north side of the creek, expanding to 100' + that fronts College Street, at the southern boundary of the Subdivision be designated as Open Space. Anticipated as a non-developed area, except for a possible future trail linking to Chehalem Creek and Ewing Young Historical Park. The area within the Greenway Boundary, be surveyed for prominent trees to be marked in order that efforts can be made to save them from being removed. There appears to be prominent trees in the area of proposed Andrews Street, that would justify the street to be relocated north of the Greenway Boundary.

The Planning Consultant recommends: that lots 9, 10, 11, 12 be dedicated to the City for Park purposes; that School Street be fully improved from 10th Street to 9th Street; that the west side of College Street be fully improved from the South border of the subdivision to 9th Street; that prior to the issuance of building permits for any homes on lots 1-7 adjacent to the railroad tracks, a landscaped berm shall be constructed 20 feet wide, four feet high with slopes of 2:1 on the back side and 3:1 on the front side. Front side of the berm shall be planted with shrubs and trees to effectively screen the homes from the tracks. Berm and landscape plan shall be approved by the City Engineer. Neither the developer nor an agent for him was present to answer questions or present their plan.

It was noted that a portion of the property is zoned M-L and would require a zone change.

Motion: Sherrill-Tarlow based on the staff report the preliminary plat should be referred back to the developer for redesign. Carried.

Motion: Tarlow-Keltner to adjourn. Carried.

June 22, 1976

NEWBERG PLANNING COMMISSION

Newberg, Oregon

Agenda: Public Hearing
Request: Zone change from County Rural Residential to City Low Density Residential.
Location: Tax Lots 3216-100 and 3216-1400.
 Brutscher DLC #51, Sec. 16, T3S, R2W, W.M.
 22.8 acres
Applicant: J. Gregcin, Inc.
Conformance: Comp. Plan is Low Density Residential

Staff Report: Phase II, Spring Meadow Subdivision Preliminary Plat approval is contingent upon this zone change. The change is for the best interest of the public. All city services are available. There is no adverse effect on the citizens. It is within the urban growth area. It conforms with the Comprehensive Plan. Staff recommends approval. No others wished to speak as proponents or opponents. No written objections have been received.

Motion: Keltner-Sherrill to recommend to the Council approval of the zone change from Rural Residential to Low Density Residential of Tax lots 3216-100 and 3216-1400. Carried.

Agenda: Public Hearing
Request: Comprehensive Plan map amendment from Low Density Residential to Medium Density Residential.
Location: Tax lot 3216-1501. The NW $\frac{1}{4}$ of Sebastian Brutscher DLC #51, T3S, R2W, W.M.
Zoning: R-2, Medium Density Residential
Proposed Use: Subdivision (Phase IV of Spring Meadow)
Applicant: J. Gregcin, Inc.

Staff Report: The use of the area will remain the same but with higher density. Area to the East is now occupied by multi-family units with more planned. There will be no adverse effects on adjacent areas. City services will be made available. Staff recommends.

Proponent: Wynn Stuckey representing J. Gregcin, Inc. There is need for the planned low income for elderly housing. No adverse effect on neighboring property, schools and streets.

Opponent: None. No written objections received.

Motion: Sherrill-Halstead to recommend to the Council approval of the request to amend the Comprehensive Plan map based on (1) use will not be changed, only the density, (2) there is a need in the area for low income housing for the elderly, (3) other medium density areas on the Comprehensive Plan map are either not available or impractical, (4) current approved development is mostly single family and more multi-family will better meet the housing needs, (5) there is other multi-family development nearby, (6) the property is currently zoned medium density, and (7) City services are available. Motion carried. Ayes: 4, Nays: 1.

Agenda: Subdivision - Preliminary
Name: Spring Meadow - Phase IV
Size: 51 lots, 14.5 acres
Developer: J. Gregcin, Inc.
Location: North and East of Intersection of Hwy. 99W and Springbrook Street, Tax lots 3216-1400 and 3216-1501.
Type: Multi-unit and single, one and two bedroom housing units.
Conformance: Comprehensive Plan map change recommended to Council to comply.

Staff Report: This is part of the overall development of Spring Meadow Subdivision. The development plan for this area is incomplete. Douglas Avenue does not align with Douglas Avenue at Springbrook Street as requested by the Commission in approving previous subdivision plats. Also it is

Planning Commission Minutes

only 50 ft. in width and as an arterial the minimum width is 60 ft. A one-way 12 ft. alley is in Block 14. In Block 15 a one-way parking area with 12 ft. access. The ordinance requires 60 ft. right of ways for all dedicated streets except for cul-de-sacs and minor streets. The block numbers are inconsistent and should be revised so there is no duplication. Storm drainage may be a problem. The amount of water generated from the total Springbrook Meadow Subdivision should be clarified. The Commission should require that all utilities be placed for construction prior to paving of roadways. Improvements to be made to Springbrook Street and other streets are not indicated. Public land payment for this phase to be provided.

Wynn Stuckey stated they were unable to align Douglas Street in the planned subdivision with the existing Douglas Street without buying more land on the North side. A revised plat was submitted to the commission. The revision had some substandard lots and the commission suggested re-location of Douglas to intersect with Vittoria and Madrona Streets. Also replatting so that no lots face on Springbrook Street

Motion: Keltner-Halstead. Because of the many changes requested by the Commission and staff; the plat for Spring Meadow Phase IV be referred back to the developer for revision. Sherrill-Keltner motion amendment: Include a special recreation area, realign Douglas Avenue, replat sub-standard lots and lots facing Springbrook Street, and right of way for Springbrook Street to 40 ft. from center line. Amendment carried. Amended motion carried.

The City Attorney stated there is a conflict on lot size requirements between the zoning ordinance and the subdivision ordinance. Mr. Draggoo stated an "application for variance" should be submitted to avoid any legal problem of conflict.

Agenda: Subdivision - Preliminary Plat
Name: Greenbrook
Developer: Leisure Resources, Inc.
Size: 40 lots, 10 acres
Location: Douglas Avenue at Springbrook Way, Tax lot 3216 BC 100.
Type: Single Family
Conformance: Zone R-1, Comp. Plan - Low Density Residential.

Staff Report: The revised plat is satisfactory and staff recommends approval subject to: Lot 38 be revised so that existing home meets all set back provisions. Curb, gutter, sidewalk and paving be installed along north side of unnamed street connecting subdivision with Springbrook Street. Storm sewers constructed to take care of all run-off. Payment for public land be made.

Motion: Sherrill-Keltner to approve the revised plat, with set back requirement met on lot 38; curb, gutter, sidewalk and paving on North side of unnamed street connecting subdivision with Springbrook Street; storm sewers and payment in lieu of public land. Carried with Halstead abstaining.

Agenda: Subdivision - Preliminary Plat
Name: Jodi Marie
Developer: Lindquist Development Co.
Size: 27 lots, 8.12 acres
Location: South of Haworth, East of Elliott, Tax lots 3217 DB 6100
and 3217 DB 6200
Type: Single family residence
Conformance: Zone R-2, Comp. Plan, Low Density Residential.

Staff Report: The plat has been re-designed and has eliminated most of the problems found on the original submitted. Lot lines 17 and 18 do not radius off the center of the cul-de-sac. Jodi Lane does not need to have 60 ft. right of way. The large cul-de-sac at end of Jodi Lane should be designed with a planter in the center to break up the area. Marie Avenue now exits on Haworth Avenue. This will permit traffic to go in either direction, thereby spreading out the traffic in a more uniform manner. Jodi Lane is a blind cul-de-sac. To help indicate that the street is a dead end, it should be changed to Jodi Court. On lot 17 there is a long strip. No designation. The staff recommends approval subject to Jodi Lane be changed to Jodi Court. That curbs, gutters and sidewalks be constructed on Elliott Street and Haworth Avenue where they abut the subdivision. Payment for public lands be made.

The developer agreed to the staff requests and asked for approval of one duplex housing unit on lot 27 which is adjacent to a two story apartment.

Motion: Sherrill-Blodgett to approve the revised preliminary plat with curbs, gutters and sidewalks on Haworth and Elliott; change Jodi Lane to Jodi Court and width of 50 ft.; replat lots 17 and 18 to radius off the center of cul-de-sac; planter in cul-de-sac; payment in lieu of public land and to approve one duplex unit on lot 27. Carried.

Agenda: Subdivision - Preliminary Plat
Name: Pioneer View
Developer: Leisure Resources
Size: 18 lots, 5 acres
Location: Crestview Drive at Hoskins and Meridian Streets, Tax
lot 3217-2000.
Type: Single family residence
Conformance: Zone R-1, Comp. Plan - Low Density Residential

Staff Report: The redesigned plat is recommended by the staff. Meridian Street should not extend northward to Mountainview because it could indirectly act as an arterial. North-South traffic should be encouraged to use College Street. There should, however, be a street connecting Mountainview with Crestview to provide access to the neighborhood north of Crestview. The applicant's plat has this provision. The proposal has lots backing up to Crestview. Since Crestview is not an arterial, there will be lots fronting on this street in other places. The staff recommends subject to condition that curbs, gutters, sidewalks and paving be constructed on north side of Crestview abutting the subdivision; install a 6 ft. solid wood fence along the rear of lots abutting Crestview. Street names be designated on the plat. A one foot street plug be dedicated to the City at the north end of the proposed north-south street. Payment be made for public land. Payment be made in lieu of storm sewer extensions.

Jose Cruz representing the developer agreed to the recommendations of staff.

Motion: Halstead-Keltner to motion to approve the preliminary plat subject to the conditions recommended by the staff. Carried.

Agenda: Annexation
 Size: Approximately 1 acre
 Location: East of and adjacent to Springbrook Street, Tax lot 3221-500.
 Zone: County Rural Residential
 Comp. Plan: Industrial
 Applicant: Donald R. and Peggy Barner

Staff Report: The applicant has City water service, but annexation is needed for connection to the sanitary sewer. Dedication of 20 feet for street right of way should be contingent to the annexation approval. Annexation is recommended for approval.

Motion: Blodgett-Halstead to recommend to the Council approval of the annexation with street dedication 40 feet from center line of Springbrook Street. Ayes: 3 - Blodgett, Halstead, Keltner. Nay: 1, Sherrill. Abstain: 1, Cach. Motion carried.

Mr. Blodgett was excused. No quorum was then present.

The commission discussed the application from Stan Lutgen for zone change from Residential to Commercial on property located behind the A & W Drive-in. The zoning ordinance does not provide any designation zoning for the proposed miniature golf course. The applicant would need to apply for (1) Comprehensive Plan Amendment, (2) zone ordinance amendment, (3) zone change from R-1 to commercial, and (4) conditional use.

Halstead-Keltner motion to adjourn. Carried.

Minutes

Regular Meeting
Newberg Planning Commission

Tuesday, 7:30 P.M.

July 20, 1976

Council Chamber

Newberg, Oregon

The meeting was called to order by Chairman John Cach.

Present: Robert Blodgett	Esther Keltner
Fred Casey	Sam Sherrill
Harold Grobey	Don Tarlow
Alan Halstead	Tom Tucker

Staff Present:

Dale Blanton, City Planner
M.C. Gilbert, City Administrator
George Layman, City Attorney
Rich Leonard, Planning Consultant
Jim Nims, City Engineer
Arvilla Page, Assistant City Recorder
Bob Weisenback, Building Official

Keltner - Blodgett motion to approve the minutes as submitted.
Carried.

Mr. Gilbert introduced Dale Blanton, City Planner.

Public Hearing: Zone Ordinance Test Amendment to add use in General Commercial C-2 Zone "(48) golf courses including Midget." Mr. Blanton presented the staff report recommending this request be changed to an Added Conditional Use in Commercial Zones - golf courses including Miniature or Midget golf course." The proponents described the planned use as a "garden golf" complex with extensive landscaping and designed to attract all age groups. No one wished to speak in opposition. Hearing closed. The City attorney stated changing the request from 'Added Use' to 'Conditional Use' would be within the scope of the advertised public hearing.

Motion: Tarlow - Grobey to recommend to the Council Amendment of the Zoning Ordinance, section 18, subsection A - Conditional Uses Permitted: Commercial Zones C-1, C-2 and C-3 - golf courses including miniature golf courses. Carried.

Public Hearing: Comprehensive Plan Amendment

Request: Change use from Low Density Residential to Commercial

Size: 52 lots, 14.5 acres.

Location: Springbrook Street near 99 W. N $\frac{1}{2}$ DLC #50,
T3X, R2W. Tac lots 3216-1501.

Type: Single Family, Duplex and Apartments

Staff Report: Staff recommends approval with the following conditions:

1. The developer shall dedicate 40 feet from center right-of-way on Springbrook Street.
2. The water line for lots 3, 4, and 5 in block 10 should be moved to Aquarius Blvd.
3. The waterline on Aquarius be 8".
4. That the developer shall contribute \$5,000 for the development of a traffic light at the intersection Springbrook Street and 99 W.
5. A six foot fence for the purpose of sight concerning be constructed along Springbrook Street, prior to the issuance of building permits.
6. (a) The developer enlarge the park to 1.5 acres in order to provide adequate public land to 120 dwellings; or (b) Prior to the issuance of building permits for the apartments complex, an area of open space be designed and approved by the Planning Commission.

Jim Kesey of Chehalem Park and Recreation submitted written findings from the Park Board. The planned park area is too small, the low area would need drain tile, off street parking should be provided.

The developer stated they have tried to comply with the Commissions requests. Public Land, streets and right-of-ways on this phase is close to 40% of the area.

Motion: Tucker - Halstead for a 10 minute recess, motion failed.

The commission discussed each of the staff recommendations and the developer agreed to items 1 thru 5.

The Commission then discussed at length the value that should be placed on the land for purpose of figuring the dollar amount to be paid by the developer in lieu of public land donation.

Motion: Grobey - Sherrill that the commission set a value of \$7,000 per acre and the payment in lieu of public land donation be based on the formula as provided in the Subdivision Ordinance, Section 29, Subsection 1. Carried.

Location: 1531 Portland Road, Tax Lot 3220BA400

Applicant: Stan Lutgen

Zoning: R-1 Low Density Residential

Staff Report: Staff recommends approval as lines are indistinct on the Comprehensive Plan Map and the property is logically commercial. No proponents or opponents wished to speak. No written opposition has been received. Hearing closed.

Motion: Tarlow - Keltner to recommend to the Council clarification of the Comprehensive Plan Map by designating this area as commercial. Carried.

Public Hearing:

Request: Zone Change from Low Density Residential to General Commercial (C-2)

Location: 1531 Portland Road, Tax Lot 3220BA400

Applicant: Stan Lutgen

Conformance: Comprehensive Plan conformance in previous public hearing and recommendation to the Council by this Commission.

Staff Report: Staff recommends approval if applicant changes request to Limited Commercial (C-1) and states the public need.

Proponent: Bob Holder stated the public need would best be served by granting the zone change because the City needs family oriented recreation; other property in the area is zoned commercial; the property is unusable as presently zoned because of undesirable topography and access only through commercial property; city services are available, it conforms with City Charter and Ordinance and the Comprehensive Plan.

No one wished to speak in opposition. No written remonstrance has been received. Hearing Closed.

Motion: Tucker - Keltner to recommend to the Council to grant the zone change from Low Density Residential (R-1) to Limited Commercial (C-1) as the property is nearly surrounded by commercial property and is unusable as residential. Carried.

Agenda: Subdivision - Preliminary Plat

Name: Spring Meadow, Phase IV

Developer: J. Gregcin, Inc.

Motion: Tarlow - Grobey to recommend to the Council approval of the preliminary plat of Spring Meadows - Phase II subject to staff recommendations 1, 2, 3, 4, 5, and 6(a). "Prior to the issuance of building permits for the apartments complex, an area of open space be designed and approved by the Planning Commission. That payment in lieu of public land donation be made based on a value of \$7,600 per acre. Carried.

Tosker - Carry motion to adjourn. Carried.

Tuesday, 7:30 P.M.

August 17, 1976

MINUTES

REGULAR MEETING

NEWBERG PLANNING COMMISSION

Council Chambers

Newberg, Oregon

The meeting was called to order by Chairman John Cach.

Present: Robert Blodgett Esther Keltner
 Fred Casey Sam Sherrill
 Alan Halstead Don Tarlow

Absent: Harold Grobey , Tom Tucker

Staff Present:

Dale Blanton, City Planner
George Layman, City Attorney
Rich Leonard, Planning Consultant
Jim Nims, City Engineer
Arvilla Page, Assistant City Recorder
Bob Weisenback, Building Official

Blodgett - Keltner motion to approve the minutes of the previous meeting as submitted. Carried.

Mr. Al Schalock from the Farmers Home Administration office, McMinnville, addressed the Commission requesting cooperation in dispensing low income housing units. He stated there is a definite need for low income housing in the area with many of their applicants for housing in Yamhill County coming from neighboring counties. The FHA would like to keep their financing at 50% or less of any subdivision.

<u>Public Hearing:</u>	Minor Partitioning
Request:	Partition into two lots 60' x 95' and 90' x 190.8'
Location:	Tax lot 3219 AC 8000 at 209 W. Fifth Street
Applicant:	Young & Pawelski Homes, Inc.
Conformance:	Comp. Plan - Medium Density Residential Zoning - Medium Density Residential (R-2)
Proposed Use:	Two Single family homes.

Staff Report: There is presently a single family dwelling on the lot with access on Fifth Street. The surrounding area is primarily single family housing. The new lot would front on S. Lincoln Street with side yard on Fifth Street. Staff recommends approval of the partitioning with conditions: 1. A right-of-way of 30' from the center line be dedicated to the City on Fifth Street which is presently 40' wide and unimproved. 2. Future building on the site should meet all ordinance requirements and no variances should be approved for development of the property.

No one wished to speak as proponent. No one wished to speak in opposition. No written remonstrance has been received.

Motion: Tarlow - Halstead to approve the minor partition as requested.
Carried.

Public Hearing: Minor Partitioning
Request: Partition into two lots 295.68' x 185' and
 256.94' x 295.68'
Location: Tax lot 3216 BC 800 on Deborah Road
 across from Mable Rush School.
Applicant: Earl Sandager
Conformance: Comp. Plan - Medium Density Residential
 Zoning - Medium Density Residential (R-2)
Proposed Use: Multi-Family Dwellings

Staff Report: The Comprehensive Plan states maximum over all density shall be eight dwelling units per gross acre except on property with access to main arterials when a possible 20 units per acre might be permitted. Deborah Road is not a main arterial. Staff recommends approval with the following conditions:

1. At the time of development, the developer shall improve Deborah Road, where it abuts this tract, to city standards.
2. A maximum density of eight units per gross acre will be permitted on this property.
3. No variances pertaining to lot size or setbacks shall be approved for the purpose of developing this property.

Proponent: Earl Sandager agreed to the requirement to improve Deborah Road with curb and sidewalk. He did not agree with the maximum density of 8 dwelling units per acre, stating the City has permitted higher density under like zoning and Comprehensive Plan designation and similar access. No opponents wished to speak. No written remonstrance has been received. Mr. Sandager requested withdrawal of his application for redesign with possible access to Springbrook Street.

Motion: Tarlow - Keltner to continue the public hearing to September 21, 1976. Carried.

Public Hearing: Variance - Sign Ordinance
Request: Lighted neon to be erected at 804 E. First Street.
Applicant: Ray Hopp
Conflict: Sign is one foot longer than maximum allowed.

Staff Report: The sign existed at the time of the adoption of the sign code. The applicant wants to move it to a new location. No contractual agreement to move the sign was in effect prior to the adoption of the sign code. Exceptional or extraordinary conditions do not apply. The right of the applicant to erect a sign which conforms to the ordinance is not infringed.

The purpose of the ordinance is defeated by granting this variance. If this variance is granted, the precedent is set for allowing any nonconforming sign to be moved at any time. The clause permitting the relocation of nonconforming signs is specifically limited to signs where an agreement for the relocation of said sign existed prior to the adoption of the ordinance, August 5, 1974. Recommendation: none.

Proponent: Ray Hopp stated this is a well made sign in good condition. He has considered hanging the sign vertically, but it would then be only 12 feet above the walk and would not conform to the sign code.

The City Attorney noted there is no provision for the issuance of a variance in the sign code.

Motion: Blodgett - Keltner to deny the request for variance from the sign code.
Carried.

<u>Public Hearing:</u>	Conditional Use Permit
Request:	Miniature Golf course in C-1 Zone
Location:	1531 Portland Road
Zone:	Limited Commercial (C-1)
Applicant:	Stan Lutgen

Staff Report: Recommends approval with the following conditions.

1. The parking area be redesigned to allow for the separation of the two uses, resulting in a more orderly flow of traffic through the area. Said parking should include curbing and markings which delineate parking spaces. The parking area be approved by the Planning and Engineering departments of the City prior to operation of the facility.

2. The hours of operation of the facility shall not create a public nuisance.

Proponent: Bob Holder objected to the parking restrictions as proposed by staff, stating the scale on all the designs submitted is erroneous. He requested continuation of the hearing to enable him to submit redesign drawn to true scale.

Motion: Keltner - Halstead motion to continue the hearing to September 21, 1976.
Carried.

<u>Agenda:</u>	Subdivision - Preliminary Plat
Name:	Hess Creek Park
Developer:	Dale Goldmith
Size:	13 lots on 5.75 acres
Location:	Part of Tax lot 3217 BD 2300 on Villa Road just north of the S.P. Railroad on the East side of the Street.
Type:	Single family.
Conformance:	Comp. Plan - Low Density Residential. Zoning - Low density residential (R-1)

Staff Report: Due to the need for substantial revision, and consideration of alternatives, staff recommends the plat be referred back to the applicant for the following changes:

1. Lot 6, 7, and 8 be redesigned to respect the 184 ' contour line as the rear building line.
2. Hess Drive be changed to Hess Lane so as not to imply a through street.
3. The water line on Villa Road be 8" not 6".
4. The storm and sanitary sewer be redesigned to be in accordance with the recommendations of the City Engineer.
5. The option of a Planned Unit Development be considered as an alternative plan.

Proponent: Dale Goldsmith, developer , stated the 180' elevation line was needed for proper placement of homes on the lots. Reducing the frontage on lots 6, 7, and 8 would make them less desirable, He agreed to the change from "Drive to "Lane," Proponent: Paul Mills, owner, stated he had talked to other property owners and they had indicated willingness to give property for streets to provide access to property East of the planned subdivision. No opponents wished to speak.

Motion: Casey - Tarlow to continue deliberations to September 21, 1976 so the developer can work with staff on differences. Carried.

Sherrill - Tarlow motion to adjourn. Carried.

Tuesday, 7:30 P.M.

MINUTES

September 21, 1976

REGULAR MEETING

NEWBERG PLANNING COMMISSION

Council Chambers

Newberg, Oregon

The meeting was called to order by Chairman John Cach.

Present: Robert Blodgett Alan Halstead
 Fred Casey Esther Keltner
 Harold Grobey Tom Tucker

Absent: Sam Sherrill
 Don Tarlow

Staff Present:

Dale Blanton, City Planner
Jerry Dragoo, Planning Consultant
M.C. Gilbert, City Administrator
George Laymen, City Attorney
Jim Nims, City Engineer
Arvilla Page, Assistant City Recorder
Bob Weisenback, Building Official

Halstead - Keltner motion to approve the minutes of the previous meeting as submitted. Carried.

Casey - Halstead motion to approve agenda items :
 5f - Final Plat - Spring Meadow Stage 1-A.
 5g - Final Plat - Spring Meadow Stage 1-B.
 5h - Final Plat - Pioneer View
 5i - Final Plat - Greenbrook
 5j - Final Plat - Jodi Marie

Carried.

Agenda Item 3. Staff Report. Dale Blanton, City Planner stated there is a need for development of a policy regarding the medium density areas in the Comprehensive Plan. The Commission requested that the planners present specific proposals for amendment.

Public Hearing: Comprehensive Plan Amendment

Request: Change designation of Springbrook Street from minor arterial to major arterial.

Staff Report: Recommend approval due to increased development of the area and higher density use.

Motion: Keltner - Tucker to change the designation of Springbrook Street from Minor Arterial to Commercial-Industrial from the railroad at Springbrook on the north to the intersection with state highway 219 on the South end. The staff to prepare a definition of Commercial-Industrial to add to the 5 definitions now listed in the comprehensive Plan. Change of designation needed because of expected higher use caused by development of subdivisions and industries in the area since the plan was prepared. Motion failed.

Motion: Keltner -Grobey to recommend amendment of the Comprehensive Plan text to include the designation Commercial Industrial street; a street with 80 foot right of way, 2 moving lanes and 2 parking lanes for possible future 4 moving lanes; with curbs, gutters and sidewalks. Carried.

It was the City Attorneys opinion that the action could be challenged as it is not as published. However, the "Commercial-Industrial" designation is less intense than the published "Major Arterial."

Motion: Keltner-Halstead to change the designation of Springbrook Street from the railroad on the North to the intersection with State Highway 219 on the South from "Minor Arterial" to "Commercial-Industrial" 80 foot right-of-way, based on finding of fact there is more commercial industrial and residential development in the area that projected when the Comprehensive Plan was prepared. Carried.

Public Hearing: Variance and Minor Partition.

Request: To use 15 foot dedicated roadway to serve partitioned lots.

Location: East end of Orchard Drive, Tax lot 3217-CA-500.

Applicant: Bob Wehrley

Staff Report: Recommend approval. Suggest 30 foot total dedication for street with a partial cul-de-sac turn around.

Motion: Casey-Halstead to grant the variance and minor partitioning of lots with minimum 7,700 sq. ft; petitioner not to remonstrate against L.J.D; build 30 foot road on the cul-de-sac designed with the assistance of the City Engineer.

Motion Amendment: Casey-Halstead findings of facts; 1. There are special circumstances affecting this property not common to all property in the area. 2. A variance is needed for enjoyment of property right, and a hardship would result if it were denied. 3. Granting a variance would not be detrimental to the public health, safety, or welfare on injurious to other property in the vicinity. Carried. Amended motion Carried.

Public Hearing: Variance and Minor Partition.

Request: To partition into two lots, 95' x 105' and 60' x 105'.

Location: N. College Street at Mission Street,
Tax Lot 3218-DB-2100

Applicant: Elvern Hall

Staff Report: Recommend granting partitioning to two lots 74' x 105' and 81' x 105' to create lots conforming with city standards and to deny the variance as not required.

Mr. Hall stated they plan to build a new home on the partitioned lot and do not want a large yard to maintain. The suggested partitioning would adversely affect the value of the present residence. The requested partitioning seems natural based on present use, and location of trees and shrubs.

Motion: Grobey-Keltner to deny the requested partitioning and variance. Carried.

Public Hearing: Subdivision-Preliminary Plat.

Name: Camelot acres
 Developer: Stiller Brothers
 Size: 7 lots of varying size
 Location: East Ninth Street, West of Blaine Street.
 Tax Lot 3219-DB-2700
 Conformance: Comp. Plan- Medium Density.
 Zoning - Medium Density.
 Type: Duplex and single family.

Staff Report: The number of driveways in such a short distance creates a sight and access problem. In essence 11 units will be using 7 driveways in 340 feet of frontage. The use of a cul-de-sac could alleviate the problem. The county planning staff recommends using 2 cul-de-sacs. It is possible to create a 7 lot subdivision containing 10 units, or and eight lot subdivision with eight units by using a cul-de-sac.

RECOMMENDATION: Refer the plat to the developer to solve the problem of access.

Mr. Stiller stated it was the best plan he could come up with. Mr. Dragoo offered several alternate plans.

Motion: Halstead-Blodgett to refer back to the developer for redesign. Carried.

Agenda: Continued Public Hearing. Minor Partitioning.
Request: To partition into two lots 295.68' x 185' and 295.68' x 256.94'.
Location: Across Deborah Road from Mabel Rush Schools
 Tax Lot 3216-BC-800
Applicant: Earl Sandager
Conformance: Comp. Plan - Medium Density. Zone-Med. Density.

Commission Member Harold Grobey abstaining.

Staff Report: Recommend approval with the condition that at the time of development, the developer of the lot abutting Deborah Road will improve Deborah Road to city standards.

Motion: Casey-Keltner to approve the minor partition subject to the staff recommendation to improve Deborah Road. Carried.

Adenda: Continued Public Hearing - Variance.
Request: A lighted neon sign to be erected on the building at 804 E. First Street.
Applicant: Ray Hopp
Conflict: Sign is one foot longer than maximum allowed.

Staff Report: The sign is an existing non-conforming sign to be moved to a new location. In order to grant the variance, the Commission must find: (A strict application of the ordinance creates a hardship and the variance would not impede the general purpose of the ordinance.) Staff has no recommendation on granting or denying but recommends the Building Board of appeals review the matter pertaining to safety and construction.

Motion: Tucker-Casey that the variance be granted to relocate the sign, based on the approval of the building official that it is structurally and electrically sound. Carried.

Agenda: Continued Public Hearing Conditional Use.
Request: To build and operate a miniature golf course.
Applicant: Stan Lutgen
Location: 1531 Portland Road
Zone: C-1 Limited Commercial

Staff Report: Same as presented at public hearing August 17, 1976.

Proponent: Bob Holder for the applicant, presented aerial photos of the facility and a new drawing. However, the drawing was not to scale as requested. Dave Van Bergen, local businessman spoke in favor of the variance stating that such a facility is needed.

Public hearing continued to October 19, 1976 with the request that the applicant submit a scale drawing.

Agenda: Continued Subdivision Preliminary Plat.
Name: Village Park Addition
Location: S.W. of 10th and College Streets
Size: 40 lots
Type: 39 Duplex lots,
Developer: American Village Corporation
Conformance: Comp. Plan-Medium Density. Zone -
 Medium Density and Limited Industrial.

Staff Report: Due to the expense of constructing 10th street across the railroad tracks, this grade crossing should be avoided. The benefits of such a crossing are minimal. The area can be adequately served by 9th street.

Michelle Court has a substandard cul-de-sac. This will need to be changed with the possibility of eliminating one lot.

A zone change will be necessary if this plat is to be approved. Duplexes are not allowed in a M-L zone.

The property owned by Publishers Paper contains a railroad line which is used on an irregular schedule. There could be adverse effects of both uses on one another. The Berm which is included may provide sight screening, but would not be sufficient as a noise barrier.

Lot 9 in block 3 borders the Park land. Landscaping could provide a separation between public and private land and enhance both properties.

Staff recommends approval of the preliminary plat, based upon the findings of fact, with the following conditions:

1. An applicant initiated zone change from M-L to R-2 is approved.
2. The cul-de-sac be enlarged to a 50' right-of-way with 45' of pavement and 5' for sidewalks. An additional 5' utilities easement should also be included. (The ordinance requires a 60' right-of-way)
3. A landscape plan for the Berm shall be approved by the City Planner prior to the issuance of Building Permits. Covenants should prevent owners or tenants from removing plantings.
4. All streets, unless otherwise stated are to be constructed to city standards.

5. A storm drainage plan shall be approved by the City Engineer prior to construction.
6. Sidewalks shall be constructed prior to the issuance of occupancy permits.
7. School street between 9th and 10th streets shall be improved on a phased basis. Phasing should coincide with the building of interior lots.
8. Man holes shall be relocated to a center-line position.
9. 10th street shall not be extended to the Railroad tracks. Instead, a rounded corner should connect 10th and James streets.
10. The developer shall provide and install the pump station and force main, and in addition will give to the city a sum of money equal to 30% of the initial costs, including installation costs, to be used for maintenance purposes. Has been recommended to the City Council by the Public Works Committee.
11. An additional street light shall be provided at the property line between lots 18 and 19 in Block 4. (End of cul-de-sac.)
12. Lot 9 in block 3 when borders the public park land should be so landscaped as to separate the private and public land.
13. Written dedication of Public land, Lot 10.
14. 10 ft. needed from property owner on N. If not obtainable, developer will deed a 1 ft. reserve, strip on north to prevent development of that property without dedicating additional right-of-way.

Mr. V.G. Anderson from Publishers Paper pointed out that the company railway borders the property and noise is unavoidable.

The developer agreed to the staff recommendations.

Motion: Tucker-Halstead to approve the preliminary plat subject to the 14 recommendation from staff. Carried.

Agenda: Continued Preliminary Plat

Name: Hess Creek Park

Developer: Dale Goldsmith

Size: 13 lots

Location: Part of Tax lot 3217 BD 2300 on Villa Road just north of the S.P. Railroad on the East side of the street.

Type: Single family

Conformance: Comp. Plan - Low Density Residential

Zoning - Low Density Residential

Staff Report: This subdivision is compatible with the original Comprehensive Plan, which used the creek as a buffer between the low density residential area and the industrial area, located East of Hess Creek. The amended Comprehensive Plan calls for medium density residential to the East of Hess Creek, rather than industrial. This change would have allowed the original applicant to build the Planned Unit Development he proposed.

This subdivision plat tends to isolate the property to the East by blocking off access from Villa Road. The only access then available is an undedicated road through the industrial area owned by A-Dec. Crestview Drive, located Northwest of this property, is not planned as a through road, nor is it designated as such by the Comprehensive Plan.

It should be noted that a crossing of Hess Creek at this or any point would be environmentally and economically costly. For this reason, access to the property East of Hess creek may not be feasible.

This plat contains a multi-use easement at the 170' contour line in recognition of the existing greenway policy. A 20' access lane is also provided. So that no building will be done on the slopes of Hess Creek, in close proximity to the greenway, a rear building line as determined by slopes of less than 20% is recommended. No excavation of dirt, or fill should be allowed on slopes greater than 20%.

Staff recommends approval of the preliminary plat with the following conditions:

1. Hess Drive be changes to Hess Lane.
2. The water line on Villa Road be minimum 6".
3. Storm and sanitary sewers shall meet the requirements of the City Engineer.
4. No building shall be permitted on slopes of 20% or greater.
5. No excavation or fill will be permitted on slopes of 20% or greater.
6. The property East of Hess Creek shall not be developed unless adequate access can be provided. (F no provisions can be worked out as to access, A commission initiated zone change to limited industrial may be considered.)
7. The developer shall pay money in lieu of public land dedication as based on the formula provided in the ordinance.

Paul Mills, owner of the property to the East stated he was aware the subdivision would land lock his property at present.

Motion: Tucker-Grobey to approve the preliminary Plat subject to the 7 recommendations from staff. Motion Amendment: Casey-Grobey to add #8 - No public access off Villa Road. South and east of the Buchan property to the property to the east accross Hess Creek. Carried. Amended motion carried.

Halstead-Tucker motion to adjourn.
Carried.

Tuesday, 7:30 P.M.

MINUTES

October 19, 1976

REGULAR MEETING

NEWBERG PLANNING COMMISSION

Council Chambers

Newberg, Oregon

The meeting was called to order by Chairman John Cach.

Present: Robert Blodgett Esther Keltner
 Fred Casey Tom Tucker
 Alan Halstead

Absent: Harold Grobey
 Sam Sherrill

Staff Present:

Dale Blanton, City Planner
M.C. Gilbert, City Administrator
George Layman, City Attorney
Rich Leonard, Planning Advisor
James Nims, City Engineer
Arvilla Page, Assistant City Recorder
Bob Weisenback, Building Official
Approximately 14 Citizens.

The minutes of the previous meeting were approved as submitted.

Motion: Tucker-Halstead to adjourn the meeting at 10 P.M. Carried.

Dale Blanton, City Planner presented the proposed Urban Growth Boundary recommended by the Citizens Advisory Involvement Committee. He recommended that a Public Hearing be scheduled for the next regular meeting. Discussed were the reasons for the boundary, locations, and difficulty of changing the boundary after adoption by the City.

Motion: Keltner-Halstead to schedule a public hearing on the Urban Growth Boundary at the next regular meeting November 16, 1976.
Carried.

Public Hearing: Zone Change from County Zoning to Medium Density Residential (R-2).
Location: Just north of 11th Street and West of Wyooski Street. Tax lots 3220-CD-400, 600, and 700.
Applicant: Michael D. Mahon.
Conformance: Comprehensive Plan is Medium Density Residential.

Staff Report: This property was annexed with County zoning. The requested zoning does not conflict with City zoning, City ordinances on the Comprehensive Plan. Staff recommends approval of the requested zone change.

No one wished to speak for or against the zone change. No written remonstrance have been received. Public Hearing closed.

Motion: Keltner-Tucker to recommend to the Council approval of the request to change Tax lots 3220-CD-400, 600, and 700 from County zoning to Medium Density Residential (R-2). Carried.

Public Hearing: Comprehensive Plan Amendment.
Request: That the north by pass highway not extend west of N. College St.
Applicant: Wynn Stuckey Engineers.

Staff Report: The Comprehensive Plan states "A bypass route around downtown should be actively pursued." A major portion of the traffic in downtown Newberg has destinations elsewhere and should be rerouted around the downtown area. The only part of the bypass route that now exists is Mountainview Drive from Springbrook to Villa Road. Once completed, this arterial would serve as a north bypass for traffic traveling to and from the Yamhill-Newberg Highway and would also provide an east-west arterial for local traffic in the northern part of the community.

The County Comprehensive Plan does not show the northern arterial bypass extending beyond College Street to the west. The applicant has a proposed Planned Unit Development in the area beyond College Street. No implementation plan exists currently for the bypass. If money becomes available in the future, the project may be eligible depending on a number of factors.

Staff recommends denial of the change based on the above findings.

Proponents: Wynn Stuckey representing the Buckley family stated: The County rejected the bypass plan. There has been a reduction in future traffic projections since the Plan was completed. It is unlikely the bypass will be built because of the \$5 million cost and difficulty of agreement by City, County and State. Also speaking as proponent was Ed Wiesehan, Rt 1, Box 418.

Opponent: Maybelle DeMay, 513 S. Edwards Street. Yamhill, Carlton and Chehalem Valley residents should not impose traffic on Newberg and oppose Newberg's bypass plan. Charles Hickman, Route 2, Box 25 stated the entire bypass plan should be eliminated.

A letter from Craig Greenleaf, County Planner stated the bypass route west of College Street was eliminated on the County Plan because of objections from Yamhill, Carlton and Chehalem Valley citizens, and because it was thought that the by-pass would cause premature development pressure. Hearing closed.

Motion: Halstead-Keltner to deny the petition for the Comprehensive Plan change. Motion Amendment, Halstead-Keltner - the petitioner failed to show sufficient public need. Amendment Carried. Motion carried.

Public Hearing: Minor Partition
Request: Divide 11.4 acres into two parcels
 7.4 and 3.8 acres.
Applicant: A-Dec
Zone: Limited Industrial (ML)
Conformance: Comprehensive Plan - Industrial.

Staff Report: The partitioning meets the ordinance requirements.
Staff recommends approval with the following conditions:

1. Future uses shall meet the parking requirements of the zoning ordinance.
2. The 3 hour fire door along the north end of the east wall of tract A shall be sealed off with fire rated construction approved by the building official.
3. All users on these parcels shall be connected to the sanitary sewer system.

Motion: Casey-Halstead to grant the partitioning request with the three conditions recommended by staff. Carried.

Agenda: Continued Minor Partition & Variance
Request: To partition into two lots 95' x 105' and 60' x 105'.
Location: N. College at Mission Street
 Tax lot 3218-DB-2100
Applicant: Elvern Hall

Motion: Tucker-Halstead to reconsider action of the Planning Commission September 21, 1976 on the petition for partitioning and variance by Elvern Hall. Carried.

Motion: Casey-Tucker -the petitioner has shown he meets the requirements for variance as defined in the zoning ordinance and the variance be granted. Carried.

Motion: Casey-Keltner to grant the request to partition tax lot 3218-DB-2100 into two lots 70' x 105' and 85' x 105'. Carried.

Agenda: Continued Public Hearing
Subject: Comprehensive Plan amendment
Request: Change designation of Springbrook Street from Minor Arterial to Commercial/Industrial and add definition.

Staff Report: No recommendation.

Definition - COMMERCIAL/INDUSTRIAL

The purpose of a commercial industrial street is to provide Commercial and Industrial areas with streets which would support truck and automobile traffic. Two driving and two parking lanes are provided. The advantage of a Commercial/Industrial street over a major or minor arterial is the flexibility for future expansion. Direct access could be permitted.

Motion: Blodgett-Casey to approve and recommend to the Council the Comprehensive Plan amendment to change designation of Springbrook Street from the railroad at Springbrook south to its intersection with the St. Paul Highway from Minor Arterial to Commercial/Industrial and to add the definition as prepared by staff of Commercial/Industrial as graphics for Commercial/Industrial are now shown in the Plan. Carried.

Agenda: Continued Hearing
Request: Conditional Use Permit
Applicant: Stan Lutgen

Staff Report: Staff stated that Mr. Lutgens property is divided into two tax lots. If he ever sells one lot, the access to the designed parking would be limited. Staff stated that the two uses had not been effectively separated by this plan.

Mr. Lutgen presented the scale drawing for the miniature golf course as requested by the Commission. There are easements of 50' on Hwy 99W and 20' on Villa to permit access to the rear lot.

Motion: Casey-Halstead to grant the Conditional Use Permit. Carried.

Motion: Casey-Keltner to continue the Preliminary Plat of Camelot Acres to November 16, 1976 as no report has been recieved. Carried.

Motion: Casey-Halstead to adjourn. Carried.

REGULAR MEETING

NEWBERG PLANNING COMMISSION

Council Chambers

Newberg, Oregon

The meeting was called to order by Chairman John Cach.

Present: Robert Blodgett Alan Halstead
 Fred Casey Esther Keltner
 Harold Grobey William Vaughan
 John Cach Arthur Stanley

Absent: Tom Tucker

Staff Present:

Dale Blanton, City Planner
George Layman, City Attorney
James Nims, City Engineer
Arvilla Page, Asst. City Recorder
Bob Weisenback, Building Official

other agencies -

Craig Greenleaf, -Yamhill Planning Director, Gregg Wolfe, -
Yamhill Planning Coordinator

Standing room only attendance by citizens.

Chairman Cach introduced new members of the Commission; William Vaughan and Arthur Stanley.

Motion: Halstead- Keltner to approve the minutes of the previous meeting as submitted. Carried.

Public Hearing: Urban Growth Boundary

Recommendation: Citizens Involvement Advisory Committee.

Staff Report: An urban growth boundary is required by LCDC guidelines. Establishment and change of the boundary will be in cooperation with the County.

The proposed boundary for the Newberg planning area includes the area between North Valley Road and the Willamette River, which can be efficiently served by a gravity flow sewer system, including areas already within the city limits which extend beyond this service area.

The proposed boundary contains approximately 4,200 acres of land. This amounts to approximately 4.3 people per acre based on a year 2000 population projection of 17,784. The ratio of people per acre within the current city limits is 4.1, just slightly lower than that projected for the year 2000. This density is quite low, considering the amount of land within the current city limits which is vacant.

The area contained within the boundary is the most economical to serve with the existing sewer system. Planned additions would enable orderly service to coincide with expected growth pressures. The gravity flow line serve as a simple and definable barrier to services which would

limit the pumping of sewage to the Eastern area of the city extending beyond the gravity flow line.

The carrying capacity of the resources would not be exceeded by this proposed development pattern, based on current trends.

The city of Newberg is built primarily on Class II soil. It is unfortunate that agricultural land and desirable urbanizable land are usually one and the same. The need for urbanizable land based on predicted growth must be balanced with the need for maintaining the Willamette Valley's agricultural base. The boundary will ease development pressures on some farm land, and increase them on others. The proposed boundary is an attempt at economical and orderly expansion to accomodate growth, and to preserve prime agricultural land.

The Urban Growth Boundary is only one element of the planning process. For land use planning to be effective, the goals must be formulated and accepted by the people. The Comprehensive Plan sets up local goals, guidelines and policies for future growth within the boundary. It is only through citizen input that planning can be successful. Without it planning is doomed to failure.

The boundary is not inflexible and can be changed. There may be a time in the future when land becomes scarce within the boundary. This is reason enough to alter the boundary.

The goal includes providing enough land for all needed uses, including housing, employment opportunities and liviability. Criteria for change is the responsibility of the local planning areas. The point at which more urbanizable land is needed can be determined by local jurisdictions.

An Urban Growth Boundary must balance a wide range of seemingly conflicting goals. However, if the balance is properly struck, the future livability of Newberg will be enhanced.

Opponents: Robert McDermott, 2300 Villa Road; Charles Heckman, Rt. 2, Box 25; David Conser, Rt. 1, Box 34A; William Coffield, Rt. 2, Box 41; Arthur Roberts, Rt. 2, Box 61A; Justin Hagglund, Rt. 1, Box 28A-1; Allyn Brown, Rt. 2, Box 40-A; Donna Baxter, Rt. 1, Box 32; Summary of opposition. The boundary includes too much area; too much good farm land; some areas should not be excluded because of the need to pump sewage; Small acreage land owners do not want further development of their land and do not need city services. Richard Denner, attorney representing "1000 Friends of Oregon" presented a summary of their letter to the Commission. Written remonstrance received from Gayle S. Wilhoit, President, East County Home Owners.

Motion: Grobey-Casey to refer the proposed urban growth boundary back to staff and the Citizens Involvement Advisory Committee for revision based on the input received at this hearing. Carried.

Motion: Grobey-Keltner to continue the public hearing on agenda 3C and 3D, Comprehensive Plan Amendment and zone change requested by George Fox College, to the next regular meeting, December 21, 1976. Carried.

Public Hearing: Conditional Use Permit.

Request: To operate a tile plant in an M-1, Light-Industrial zone.

Location: At the south end of Alice Way

Applicant: William B. Heinzman

Staff Report:

Findings: This use is no more intense than other permitted uses, and should be permitted. However consideration should be given to methods of minimizing its impact upon the surrounding area. The same standards which apply to other industrial uses should be applied to meet the aforementioned goal. The Advisory Committee has reaffirmed its support of encouraging development of high standards.

Therefore staff makes the following recommendation:

This conditional use permit application should be approved with the following conditions.

Land Use and Building -

1. Building permits should be limited to those shown on the plot plan, until urban services are extended to the property.
2. No more than four employees shall engage in manufacturing on this site, unless the County sanitarian approves the additional burden upon the drainfield. This provision will not apply after urban services are extended to the area.
3. The site shall be properly graded so as to ensure proper drainage. A drainage plan shall be approved by the City Engineer.
4. Off street parking shall be safe and dust free.

Access -

1. The road through Meads Trailer Park shall be adequate to support the additional traffic load.
2. The surface shall be dust free, and either oiled or paved.
3. The applicant shall not remonstrate against an L.I.D. in this area.

Screening -

1. Screening shall be installed and approved by city staff within a nine-month time period. Screening should be in areas adjacent to residential uses, and on buildings which can be seen from residential areas. The applicant may appeal to the Planning Commission to resolve any conflict which might arise in this area.

Environmental Standards -

The applicant shall meet or exceed all standards set by D.E.Q., or other agencies which might be involved in environmental protection.

Proponent: Dave Paxton representing the applicant stated the planned tile plant would produce very few waste products. The product is a quality product that is needed; The applicant would maintain the access road to as good or better than its present condition; The site would be landscaped and screened; Truck traffic to the site would be about 10 per week at the present level of operation; The applicant would agree to all the staff recommendations; OSHA has checked for dust from manufacturing at the present location and found no problem; Newberg and County Comprehensive plans show area as industrial:

Opponents: John Stuart, 2000 N. Villa Road; Ed Wagner, Rt. 2, Box 321; Mrs. Charles Heckman, Rt. 2, Box 25; Larry Hartmen, Rt. 2, Box 28A; Larry Hill, 1801 N. Villa Rd; Gary Rascke, Rt. 2, Box 27G; Charles Heckman, Rt. 2, Box 25; Robert McDermott, 2300 N. Villa Rd: Summary of opposition: Adjacent property is zoned residential; The manufacturing operation and trucks would cause dust; The soil is mostly class 2 and 3 suitable for farming; The planned use is not the same or less than other uses allowed; An environmental impact statement should be submitted; Proper notice of the public hearing was not received by adjacent property owners and others.

Written remonstrances received. A petition with 38 signatures. Letters from M.J. McDermott, 2018 Villa Rd. and Gayle S. Wilhoit, President, East County Home Owners.

Motion: Halstead - Casey to approve the Conditional Use Permits with conditions as set forth by staff on Land Use and Building, access and screening. Show of hands. aye 4 - Keltner, Halstead, Grobey, Casey. nay 3 - Cach, Vaughan, Stanley. absent 2 - Tucker and Blodgett. Motion carried.

Agenda: Minor Partitioning
Request: Partition tax lot 3220-BB-5900 into two lots 25' x 160' each for inclusion with adjacent properties.
Location: Between 1318 and 1410 E. Second Street
Applicant: Ronald Peterson, Darlene Peterson and Selma Lawson.

Staff Report: Staff recommends approval with the following conditions:

1. If it is possible, the partitioned parcels shall be added to each of the existing parcels on the assessors records. (This is only possible if no mortgage exists.) If not possible, the following shall apply.
2. No buildings shall be permitted on the partitioned lots, which do not meet setback requirements.
3. Future permit applications shall consider the lots as a single lot.
4. Additional dwelling units shall not be permitted on the partitioned lots.

No one wished to speak in opposition. No written remonstrances have been received. Motion: Grobey-Halstead to grant the minor partitioning request with conditions as recommended by staff. Carried.

Agenda: Minor Partitioning
Request: Partition tax lot 3217-DC-7000 into three lots of 5,560 sq. ft., 42,300 sq. ft. and 18,000 square feet.
Location East of the center line of Sitka extended to Highway 99W.
Applicant: Lloyd Nisly
Zone: C-1 and R-2.

Staff Report: Staff recommends approval of the partitioning with the following conditions.

1. The developer of the undeveloped R-2 parcel shall improve Sitka Avenue where it adjoins the property prior to the issuance of building permits.

2. If the proposed use of this parcel is apartments, they shall have access to 99W prior to issuance of building permits.
3. The developer of the C-1 parcel shall improve Sitka Avenue where it abutts this property prior to issuance of building permits.
4. All road improvements shall meet city standards.
5. All future uses shall conform to the density requirements of the comprehensive plan.

No one wished to speak in opposition. No written remonstrances has been received.

Motion: Casey-Halstead to approve the partitioning with conditions as recommended by staff. Carried.

Agenda: Annexation
Request: Annex tax lots 3218-CA-200, 201, 400 and 500 to the city of Newberg.
Location: West of Main Street, north of Illinois Street.
Applicants: Joe Schneider, Amelia Schneider, Marvin Schneider, Anita Schneider.
Area: Approximately 7.28 acres.

Staff Report: The land use is basically residential, with a Commercial/Industrial use combined. This use would be nonconforming upon annexation. Therefore, it could not be expanded, but could continue as is, unless state or local regulations change.

Staff recommends approval with an additional 10' of right of way from the center line be dedicated to the city where the property abutts Main Street. This would allow for a 60' right of way in the future.

No one wished to speak in opposition. No written remonstrance has been received.

Motion: Casey - Halstead to recommend approval of the annexation to the City Council subject to the conditions recommended by staff and subject to the land being contiguous to the City limits. Carried.

Motion: Halstead- Stanley to reconsider the previous motion to continue public hearings to December 21, 1976 on the applications for Comprehensive Plan Amendment and Zone Change requested by George Fox College and re-open the hearings now. Agenda Items 3C and 3D. Carried unanimously.

Agenda Item: 3C & 3D, Comprehensive Plan Amendment & Zone Change.

Request: To change tax lot #3217-CD-6100, 6200, 6300, 6400, and 6600 from low, to medium density residential.
Applicant: George Fox College
Purpose: To allow construction of additional housing.
Comprehensive Plan: The area is designated low density residential. This designation seemingly conflicts with the policy statement allowing higher densities around George Fox College.

Staff Report: The area is zoned R-1, and is currently the site of a dormitory structure. The surrounding use is predominantly multi-family dwellings. The soil is primarily of the Amity series. However, as the site approaches Hess Creek, the soil is classed as Terrace Escarpment. Building should be prohibited in this area. The site which is planned for development as an additional dormitory wing avoids this problem area.

City water is not available in sufficient quantity at this time to provide adequate fire protection. Access is not adequate at this time to provide for fire access, or an orderly flow of traffic to and from the site.

Staff recommends approval based on the following findings of fact:

1. This use has been permitted in an R-1 zone in the past, as demonstrated by the existing dormitory.
2. The comprehensive plan amendment would bring, stated policy in line with the planning map, thus resolving the existing conflict.
3. There is a demonstrated need for more housing facilities for college students.
4. Provisions are being made to resolve problems of access and fire protection. A staff facilities review was held with the applicant.
5. The college maintains control over parking and vehicular access, and will be able to minimize the effects of traffic upon adjacent uses.

Proponent: Don Millage, George Fox College stated:

Enrollment at the college is increasing each year. This is a continuation of the college plan as one dorm is adjacent to this property. All college housing is presently filled. Enrollment will have to be curtailed if no dorm is built. The college can control traffic and parking. The access by fire equipment has been tested now and found to be adequate.

Opponents: None. No written remonstrances has been received.

Motion: Grobey- Stanley to approve and recommend to the Council the Comprehensive Plan Amendment and the Zone Change based on findings of fact and conditions as presented in the staff report. Carried.

Casey- Keltner motion to adjourn. Carried.

Tuesday, 7:30 P.M

December 21, 1976

MINUTES
REGULAR MEETING
NEWBERG PLANNING COMMISSION

Council Chambers

Newberg, Oregon

The meeting was called to order by Chairman John Cach.

Present:	Robert Blodgett	Alan Halstead
	Fred Casey	Esther Keltner
	Harold Grobey	Tom Tucker

Staff Present:

Dale Blanton - City Planner
M.C. Gilbert - City Administrator
George Layman - City Attorney
James Nims - City Engineer
Arvilla Page - Asst. City Recorder
Bob Weisenback - Building official

Several members reported they did not receive minutes of the previous meeting and approval of the minutes was continued to later.

Mr. Blanton reported the Council action upholding the Planning Commission decision, with additional conditions, on the Heinzman Conditional Use Permit.

Public Hearing: Variance to allow a carport to remain less than the required 20' from the property line.
Applicant: Elvin Syversen
Location: Dayton Avenue between Fourth and Fifth Streets.
Tax Lot #3219-AC-10400

Staff: The carport was constructed without a valid building permit. The carport possibly extends into the public right-of-way. This variance does not meet the four required conditions for a variance and staff recommends denial. The building should be moved and a building permit obtained. Also, a fence built in the street right-of-way should be moved.

Proponent: Elvin Syversen stated he was issued a building permit several years ago and thought it was still valid. He has had the north line of the property surveyed and he plans to move the fence. He does not want to move the carport to the north as suggested by the building official as that area is used as a play area.

No one wished to speak in opposition. No written remonstrance has been received. Hearing closed.

Commission discussed location of property line and location and width of Dayton Avenue.

Motion: Casey-Halstead to continue deliberations until the next regularly scheduled meeting, January 18, 1977, or until the applicant can provide the Commission with a complete survey of the property. Carried.

Agenda: Minor Partitioning
Request: Partition tax lot 3217-2100 into two lots 4.62 and 8.09 acres.
Location: East of intersection of Villa Road and Crestview Drive.
Applicant: A-Dec
Zone: Rural Residential and County Industrial
Comp. Plan: East of Hess Creek=Industrial.
West of Hess Creek= Low Density Residential
Hess Creek= Greenway.

Staff: This parcel was annexed under county zoning which has since been repealed. The repealed zoning would still apply. The western portion contains one dwelling with an additional dwelling started. The eastern portion is vacant. Slope is steep near the creek. Soils are aloha series, Woodburn type C and Wapato silty clay loam. There is an area of terrace escarpment in the drainage way. Wapato silty clay loam and areas of terrace escarpment are not suitable for building sites. City water is available; sewer is not currently available. Staff recommends approval with the following conditions: 1. An additional 10' right-of-way be deeded to the city prior to filing the partitioning. 2. The owner be required to hook-up to sanitary sewer when it is extended to the site. 3. Building permits in areas of unstable soils shall be denied unless it can be shown that special footings would eliminate the problems of erosion.

Motion: Grobey-Halstead to grant the partitioning request with the conditions recommended by staff and authorize staff to inform the applicant by letter of the unstable soil conditions. Carried.

Motion: Keltner-Casey to have staff study areas with Rural Residential County zoning in the City and make recommendations to the Commission for change to City zoning. Carried.

Agenda: Approval of open space for Spring Meadow Elderly Apartment complex.
Location: East of Springbrook Street
Applicant: J. Gregcin

Staff: This area has a number of problems which can be noted.

1. A Water Course or Drainage Ditch exists at the Southwestern corner of the plot plan, but is not shown. The specific method of dealing with this watercourse should be specified.
2. As condition of approval, a sight obscuring fence 6' in height was to be included adjacent to Springbrook Road. This is not shown.
3. The distance from the center line is not shown.
4. Sidewalks along Springbrook Road and Victoria Way are not shown.
5. The radius of the corners is not sufficient for maneuvering fire trucks and should be changed. In addition there is no turn around or egress point if a fire truck gets past the intersection of the two access roads. Fire hydrants are not shown on this plan.
6. Screen plantings should be included where apartments adjoin residential lots.
7. Specific types and sized of plantings should be shown.
8. All designated plantings should be installed within a specified time period (perhaps 6 months) from the time of building permit issuance.

9. All interior sidewalks should be enlarged from 3' to 5' so as to provide enough width for two pedestrians side by side.

Recommendation: That the applicant correct the problems which the staff report indicates and resubmit the plan.

Mr. Stein for the applicant stated this was a preliminary plan to get staff and commission opinions.

Motion: Casey-Halstead to return the plan to the applicant for redesign as indicated by staff and submit a final plan. Carried.

Minutes of previous meeting: Additions and corrections. "Urban Growth Boundary hearing" - additional input by members of the audience that annexation and deannexation policies should be considered for incorporation into the urban growth boundary plan. Page 2 correct spelling "Richard Benner." Motion: Keltner-Casey to approve the minutes as submitted with the additions and corrections. Carried.

Agenda: Preliminary Development Plan and program review,
Buckley's Mountainview Park.
Applicant: Buckley/Brugato
Area: 19.4 acres.
Location: North of Melody Lane on N. College Street.

The proponent was not present.

John Cach as a member of the Citizens Involvement Committee reported they had discussed the north side, East West by-pass and the committee recommends retaining a planned road in the Comprehensive Plan.

Motion: Grobey to refer the plan back to the applicants for redesign with recommendations from staff. Carried.

Fred Casey reported a question raised possible conflict of interest by him on anything before the commission from Joe Brugato. He at one time was employed by Mr. Brugato. He has never had any other business dealing with him. Mr. Casey contacted the Ethics Commission and they stated there was no conflict.

Casey-Blodgett motion to adjourn. Carried.

MINUTES
REGULAR MEETING
NEWBERG PLANNING COMMISSION

Council Chambers

Newberg, Oregon

The meeting was called to order by Chairman John Cach.

Present: Bob Blodgett	Esther Keltner
Fred Casey	Arthur Stanley
Harold Grobey	William Vaughn
Alan Halstead	Tom Tucker

Staff Present:

Dale Blanton, City Planner
M.C. Gilbert, City Administrator
George Layman, City Attorney
Arvilla Page, Asst. City Recorder
Bob Weisenback, Building Official

Nominations for Chairman of Planning Commission for 1977. Keltner nominated Alan Halstead. Blodgett nominated Esther Keltner. Motion - Casey-Halstead to close nominations. Carried. First Ballot - Halstead 4, Keltner 4 (Tucker absent). Second Ballot - Halstead 4, Keltner 3, 1 non-vote, (Tucker now present). Halstead 6, Keltner 3.

Nominations for Vice-Chairman. Grobey and Halstead to nominate John Cach. Tucker-Halstead to close nominations. Carried. Keltner-Tucker to cast unanimous vote for John Cach as Vice-Chairman. Carried. Alan Halstead was seated as chairman.

Cach-Keltner motion to approve the minutes of the previous meeting as printed. Carried.

Cach-Grobey motion that the Planning Commission not have a formal public hearing on agenda #6C. Northern Arterial. Carried.

<u>Public Hearing:</u>	Docket V-1-77. Variance from Parking requirements.
Applicant:	William Smith
Location:	611 E. Hancock
Zoning:	Commercial (C-2)

Staff Report: The property currently contains six unit apartment with six off-street parking stalls. The standard for this use would be nine parking spaces. The applicant wishes to change the use to offices which would require a minimum of twelve parking spaces. Applicant would remove the carport to increase the parking to nine spaces. A minimum access driveway would be 20 feet; the present driveway is 12 feet. The six present parking spaces are tight and require much maneuvering. There is the possibility of damage to neighboring property. The burden of proof is on the applicant to demonstrate meeting requirements for a variance. Staff makes no recommendation.

Proponent - Larry Payne representing applicant and owner Wm Smith. The best use of the property because of its location is as offices rather than apartments. He has not been able to purchase adjoining property. The landscaped area was considered for additional parking, but it is

well established, enhances the property and would only provide 2 additional spaces. Rent on the the apartments would need to be raised to make the property profitable based on its zoning and location.

Opponents: Mrs. Marlin Pegg, 206 N. School, owns the fence adjoining the property. Damage has occurred to the fence, adding more parking spaces would increase the possibility of damage to their fence and other adjoining property.

Dewey Hamm, an occupant of the apartments stated the property is more suitable as apartments. There are very few nice apartments located near the downtown area.

Public hearing closed.

Motion: Blodgett-Cach to deny the variance request based on applicant failed to show (1) Exceptional or extraordinary conditions apply that do not apply to other properties in the same area and zoning; (2) The variance is needed for preservation of a property right substantially the same as others in the same area and zoning.; (3) Granting of the variance would not be detrimental to the purpose of the ordinance nor injurious to other property in the same area and zoning; (4) The variance requested is the minimum variance from the provisions and standards of the ordinance which will alleviate the hardship. Carried.

Continued Public Hearing: Variance from set back requirements.
Applicant: Elvern Syversen
Location: Dayton Avenue between Fourth and Fifth Streets.

Staff Report: Refer to last months report. Staff has inspected the property. Monuments were found and measurements made. The carport is in the public right-of-way 6 feet 2 inches. The applicant is in violation of building permit requirements also. The Planning Commission cannot grant a variance for these reasons.

Proponent: Elvern Syversen agreed the carport was in the right-of-way. The only building permit was for the garage over three years ago. He presented additional survey of the property as requested by the Commission.

Public Hearing Closed.

Motion: Cach-Grobey the variance (1) extraordinary conditions do not exist; (2) The applicant is not being denied use of his property; (3) Granting the variance would be detrimental to the purpose of the ordinances; (4) The variance is not the minimum. Carried.

Motion: Tucker-Cach to postpone Camelot Acres - Preliminary Plat to February 15, 1977 as applicant not present. Carried.

Agenda: Northern Arterial. Referred back to Planning Commission and Citizens Involvement Advisory Committee for further study and recommendation.

Staff Report: The arterial is needed for better police and fire protection. Predicted city growth is to the north, and would require better

East-West access. Better access is also needed to the industrial area. A 64 foot road is the minimum needed.

Slides and a map of the route were presented by the City Planner. The slides showed parts of the proposed arterial now in use as roads and vacant land. No recommendation was made for intersection with the Yamhill-Carlton Highway, but a point near Tangent Road was suggested. The Citizens Involvement Advisory Committee recommend retaining the arterial in the Comprehensive Plan.

Stan Bunn, attorney representing Brugato and Buckley, owners of land adjacent to the proposed arterial, stated that staff did not look at alternatives. The arterial has no support from County, State or citizens. The plan forces property owners to possibly take court action to use their land. There has been a decline in the projected growth of Carlton-Yamhill.

Mr. Bunn did not recommend specific alternates and agreed the opposition to the proposed route is mostly from people directly affected.

Wynn Stuckey, engineer, representing Brugato and Buckley. Newberg does need East-West Streets for traffic circulation. Traffic has not increased in three years on the Yamhill-Carlton Highway. There are possible alternate routes.

Motion: Cach-Stanley, "To accept the staff report, and to recommend to Council the continued support of the Northern Arterial from College Street westerly to join with the Yamhill-Carlton Highway. Also to accept the route selected by staff between College Street and Chehalem Drive as a more definite route for that portion of the extension." Carried.

Public land donation in the Subdivision ordinance from dedication by lot to dedication by dwelling unit.

Motion: Cach-Stanley to recommend to the Council Amendment of the Subdivision Ordinance to change basis for figuring public land dedication from lots to dwelling units with definition: Dwelling Unit = one or more habitable rooms which are occupied or which are intended or designed to be occupied by one family with facilities for living, sleeping, cooking and eating. Carried.

Recommend parking requirements for "Ye Olde Pizza Shoppe" and Crowell Auto Parts located at 2512 Portland Road. Staff recommends 37 spaces. Presently 30 spaces with 4 more available by remarking lot. 15 spaces needed for the Auto Parts Store, with 19 for pizza customers and 3 for employees.

Motion: Grobey-Keltner to establish a minimum of 37 parking spaces for "Ye Olde Pizza Shoppe" and "Crowell Auto Parts." Carried.

Change name of Douglas Street on approved plat of Springmeadow Subdivision to remove conflict with Douglas Avenue. Developer recommend Tamarack Street.

Motion: Blodgett-Grobey to change name from Douglas Street to TAMARACK Street. Carried.

John Cach was reappointed as the Planning Commission member of the Citizens Advisory Committee.

Motion: Casey-Grobey to adjourn. Carried.

MINUTES
REGULAR MEETING
NEWBERG PLANNING COMMISSION

Council Chambers

Newberg, Oregon

The Meeting was called to order by Chairman Alan Halstead.

Roll Call

Present - Robert Blodgett	Esther Keltner
John Cach	Arthur Stanley
Harold Grobey	Tom Tucker

Absent - Fred Casey, William Vaughn

Staff Present: Dale Blanton, City Planner
M. C. Gilbert, City Administrator
George Layman, City Attorney
Arvilla Page, Asst. City Recorder
Leonard Smith, City Engineer
Bob Weisenback, Building Official

Other Agencies: Greg Wolff, Yamhill County Planning Department.

Also Present: Approximately 30 Citizens.

Motion: Cach-Grobey to approve the minutes of the previous special meeting as submitted. Carried.

Motion: Cach-Stanley to move Minor Partitioning applications to the beginning of the agenda. Carried.

Agenda 6A: Minor Partitioning P-6-77
Applicant: Stevahn
Request: To partition to three lots .
Location: West side of Villa, South of Railroad.

Staff Report - Mr. Blanton presented the staff report as presented in the staff memorandum and located the parcel on maps of the area.

Staff Recommendation - Mr. Blanton stated that as presented in the staff memorandum.

Proponent: Earl Sandager representing Stevahn, agreed to staff recommendations.

Opponents: None.

Motion: Grobey-Stanley to grant the partitioning request based on findings as presented by Staff, with conditions as recommended by Staff. Carried.

Agenda 6C: Minor Partitioning P-3-77
Applicant: Swonger
Request: To partition to three lots.
Location: South of Crestview Drive, East of A-Dec Industrial Park.
Tax lot 3217- 3300.

Proponent: Paul Mills of Canyon Development Co. agreed to staff recommendations.

Opponents: None

Motion: Cach-Stanley to grant the request subject to the condition that 10 feet be deeded to the City for street right of way, to be measured from private survey marker CSP3988 on the NW corner of the property. Carried.

Mr. Blanton submitted a proposed ordinance amendment recommendation to the Council that Minor Partitioning be approved or denied by the staff on future applications. The decisions of staff could be appealed to the Planning Commission. Mr. Layman stated this would be in line with the effort to streamline Planning Commission meetings.

Motion: Cach-Grobey to recommend the ordinance amendment to the Council with change Item D "to existing" to "existing after" and City Attorney to redraft Para. 2 dealing with appeal in accordance with State Statute. Carried.

Public Hearing: Conditional Use Permit.

Request: To build a duplex in an R-1 zone.

Location: Lot 6, Block 12 of Spring Meadow Subdivision.

Applicant: J. Gregcin, Inc.

Staff Report: - Mr. Blanton presented the staff report as presented in the staff memorandum and located the parcel on maps of the area.

Staff Recommendation - Mr. Blanton stated that as presented in the staff memorandum.

Proponent: Jan Hockert representing J. Gregcin, Inc.

Opponents: None

Public Hearing Closed.

Motion: Cach-Blodgett to grant the conditional use permit for Lot 6, Block 12 of Spring Meadow Subdivision, based on Findings and Facts as presented by staff. Carried.

Public Hearing: Annexation and Zone Change.

Location: East side of North Main Street, Tax lot 3218 AC 600.

Applicant: Boyer.

Staff Report - Mr. Blanton presented the staff report as presented in the staff memorandum and located the parcel on maps of the area.

Staff Recommendation - Mr. Blanton stated that as presented in the staff memorandum. He recommended the hearing be recessed until the next meeting as adjacent property owners have not been notified as required.

Proponent: Jim Nims, 704 - 148th Avenue, Vancouver, Washington, representing the owner. The property is sewerable with cast iron pipe. It is directly west of Baker's Orchard Subdivision and a similar subdivision is planned.

Opponent: None. Public Hearing on annexation closed.

-5-

Mr. Freimark was questioned on various points by Commission members and Mr. Blanton.

Opponents: Gene Babbit, President of East County Homeowners Organization, stated that based on the facts as presented, he, as president of E.C.H.O., opposes the requests. Charles Heckman, Rt. 2, Box 25, as an individual, stated the request does not meet Goal 3 of State Land Use Guidelines to retain farmable land. Also, traffic would conflict with traffic from the Spring Meadow Subdivision. Public Hearing closed.

Motion: Tucker-Stanley to continue the hearing to the next regular meeting for additional facts. Motion failed.

Motion: Grobey-Cach to deny the annexation, zone change and Comprehensive Plan change, based on findings and facts as presented in the Staff Report. Carried.

Public Hearing: Comprehensive Plan Amendment from Low Density Residential to Industrial.

Location: North Main Street. Tax lot 3218 CA 201, 3218 CA 600 and 3218 CA 200.

Applicant: Schneider.

Staff Report - Mr. Blanton presented the staff report as presented in the staff memorandum and located the parcel on maps of the area.

Staff Recommendation - Mr. Blanton stated that as presented in the staff memorandum. Mr. Blanton also presented to the Commission an aerial photo of the area, a letter in support of the application, signed by five neighbors. Letters in opposition from Craig Greenleaf, Yamhill County Planning Director, Douglas and Jennie Delano and one letter with seven signatures.

Proponent: Herb Swift, P. O. Box 268, representing the applicants. The situation is unique. The applicant holds a franchise for garbage collection with the City. The City controls the rates to be charged for service. It is a 10 year franchise agreement. There is no zone in Newberg for a public utility. Commercial zoning is much too broad. The applicants use of this land has been continuous for 30 years. The property is screened on two sides by Greenway, on one side by Main Street and the fourth side is pasture land. This business is a public utility, controlled by Ordinance 1796. The applicants have not received complaints from neighbors until now. Public Utility zoning would require special rules. The Commission should provide some zone that can be used by this particular utility. None of the designated industrial land is available or it is too small. The owners should be permitted to make improvements to this property and make it a more desirable neighbor. This property is presently encumbered by buildings which are not suitable for residential use. Cost of moving the business would be excessive and would reflect in request for higher garbage service rates. This is not an industry as nothing is manufactured or sold. The service contributes to statewide goals. The service needs to be centrally located. A public utility is not exempt from zoning, but zoning should be tempered. A public utility is forced to serve all within an area on request.

CITY OF NEWBERG

414 EAST FIRST STREET

TELEPHONE 538-9421

NEWBERG, OREGON 97132

April 14, 1977

STAFF MEMORANDUM

TO: PLANNING COMMISSION
FROM: CITY STAFF
SUBJECT: April 19 Planning Commission Meeting

Agenda Item 5A Gregcin Conditional Use For Duplex

Facts

1. Comprehensive Plan designations - Low Density/Medium Density Residential.
2. Zoning and Land Use - The zoning is R-1 and R-2, and the parcel is vacant.
3. Community Facilities - Sewer and Water is available to the site.

Findings

1. This parcel is cut by a zone boundary, with the majority of the parcel being R-2.
2. This site is appropriate for a duplex, with 8160 sq.ft. of area.
3. The corner lot is a better separation for the zone boundary than the middle of a lot.
4. J. Gregcin owns all property within 300', and no adverse impacts will result from this conditional use.

Recommendation -

This conditional use for lot 6, block 12 of Spring Meadow Subdivision be approved based on the above findings.

Agenda 5B Boyer Annexation/Zone Change

Facts

1. The area is within the proposed Urban Growth Boundary.
2. Comprehensive Plan Designation - Low Density Residential.
3. Zoning and Land Use.- This parcel is under County Zoning and is vacant at this time.
4. No objections to the proposal have been received.
5. Water can be available. Sewer may not be available until the Northwest Newberg Interceptor is built. The applicants' engineer says it will be available by extending cast iron lines from Baker's Orchard Subdivision.
6. A Subdivision Preliminary Plat has been filed, for consideration upon annexation.

Findings

1. The proposed zone change is consistent with the Comprehensive Plan.
2. There will be no adverse impacts from the zone change.
3. The proposal is consistent with the public interest, because eventually it would create housing, and an improved transportation network.
4. This proposal is in an area which is equal with other areas which could be used for residential development, and does not involve a use not previously contemplated for this area.

Recommendation-

Based on the above facts and findings the annexation and zone change should be approved and recommended to the City Council.

Agenda Item 5C

J. Gregcin Inc. Variance

Facts

1. The zoning ordinance prohibits using the required front yard, or the side yard of a corner lot for required off-street parking.
2. A duplex will require 4 spaces of off-street parking.
3. The applicant proposes to have the standard varied for the following duplex lots in Spring Meadow:
Block 10, Lot 1, 3, & 4; Block 12, lot 6 & 7; Block 13, lot 9 & 10.
4. One lot (Block 12, lot 6) is proposed for a conditional use.
5. Standards for variances are included in section 64 of Ordinance 1282.

Findings

1. A strict interpretation of the ordinance in the case of a duplex presents a hardship to the developer for the following reasons:
 - a. Shallow lots requiring increased setbacks results in small rear yards.
 - b. Large front yards would be located on a main street, making a rear yard more desirable for family use areas.
2. The applicant proposes to meet the 20 foot setback requirement for the garage, which allows for parking of 4 vehicles off the street.
3. This request is consistent with the standards for variances.
 - a. Duplexes are a unique use, not totally consistent with single-family or multi-family standards. This requirement does not address the special problems of duplex housing.
 - b. Other properties which meet standards for duplexes have not met this standard in the past. Restriction for this case would involve a property right which has been exercised by others.
 - c. The purpose of the ordinance is not violated by this request.
 - d. This is a minimum variance, which would alleviate the hardship.

Recommendation -

This request should be approved as meeting the standards for variances. Block 12, lot 6, should be approved on the condition that a Conditional Use Permit is obtained.

Agenda Item 5D

Freimark Annexation, Plan Amendment/Zone Change

Facts

1. This area is outside the proposed Urban Growth Boundary.
2. Comprehensive Plan Designation - Rural Residential, which states the following: "This density classification represents the least intense residential development. The objective of this type of density is to permit limited housing in an area where normal services are not available and where topography and soil conditions will preclude intense development."

Under Policies, the following applies:

"3. The flatter land should be reserved for agricultural purposes leaving the hilly terrain to view sites and large estate type housing."

3. Zoning and Land Use.
The area is currently zoned AF 10 Agricultural - Forestry 10 acre minimum and is in agricultural use.
4. Physical Profile - Soil is Woodburn type B, a moderately well-drained class II soil. The area is gently sloping towards the east, and is at the foot of the Rex Hills. It lies within the Springbrook Creek drainage basin.
5. Community Facilities - The area could be served with water. Sewer service would require pumping, which is not permitted in the current Comprehensive Plan, except in areas previously committed by the City.

In a comment from the Newberg Police Chief, financial consideration of extending the patrol area east of the City should be considered.

A single access is proposed off of 99W. This would involve the creation of an isolated development with no provision for traffic circulation.

Fire protection for this area is quite a distance from existing services.

6. Other considerations.

The applicant has requested a change to RT-1 for a zone change and a Comprehensive Plan Amendment, in order to construct a Mobile Home Park.

There is no such designation on the Comprehensive Plan.. The zone which the applicant seeks allows for single lot ownership, and not rental spaces.

It is therefore assumed that the applicant seeks a Plan Amendment to Commercial, and a Zone change to C-3, which permits trailer parks. This point must be clarified by the applicant at the hearing.

The Planning Director for Yamhill County has commented upon the proposal, with the following being an excerpt:

"In order to preserve the Urban Growth Boundary concept and to recognize the extensive work and study of the Newberg and County Advisory Committees this annexation should be denied."

Findings

1. Because of its agricultural use, zoning and soil type, this proposed annexation, plan amendment and zone change is not consistent with the Statewide Agricultural Goal.
2. Because of its poor location, this parcel can't be efficiently served with necessary police, fire and sewer services, and is therefore in conflict with the local Comprehensive Plan, the Statewide Urbanization Goal, and Public Facilities Goal.
3. No demonstration which shows why this area, which had not been previously considered for this use, should bear the burden of the proposed use. (Requirement of resolution 73-505 adopted by the City Council as a result of Fasano.)
4. The applicant has not shown that, if a public need exists for mobile homes, this location is better suited than the available area within the growth boundary, including over 50 acres of vacant C-3 land.
5. This area is the "Gateway" to Newberg from the Portland area. Although not all Mobile Home courts are sight problems, this location at the foot of Rex Hill poses some aesthetic problems, which are difficult to overcome.
6. The C.I.A.C. has recommended denial based upon the fact that it cannot be served by gravity sewers, as specified in the current Comprehensive Plan.
7. The proposal is inconsistent with the Comprehensive Plan.

Recommendation

1. That the annexation proposal be recommended for denial, because of the above findings and facts.
2. That the Plan Amendment/Zone Change be denied based upon the above findings and facts.

Agenda Item 5E
Schneider Plan Amendment

Although this item is continued from last month, the staff report is reprinted, with some additions and changes.

Agenda Item 3E
Schneider Comprehensive Plan Amendment (C-1-77)

Facts -

1. Comprehensive Plan designation - Low Density Residential and Greenway. Text pages 22-25, 28-29.
2. Zoning and Land Use - The zoning is currently LDR 9,000, the land is being used, under a grandfather clause, as a garbage truck storage, repair, and drop box storage operation.
3. Physical Profile - The area is gently sloping, with the exception of a drainage way containing steeper slopes. The majority of the property is Aloha soil, with Terrace Escarpment in the drainage way. Lot #600 is moderately wooded on the South and West. Other lots are moderately to lightly wooded on the Western side. This area is proposed as Greenway, for recreational and open space in the Comprehensive Plan.
4. Community Facilities - City Water and Sewer is available to the site. Access is via Main Street.
5. Other information - For the most part, the area concerned is committed to residential development, with the exception of a well drilling operation to the south. A planned unit development located directly across Main Street is in its preliminary stages. A subdivision located 800 feet north plans to extend Pinehurst through to Main Street. The extension of the Northwest Newberg Sewer Interceptor line will further encourage development of the area.

The current use of the property could continue, but no expansion would be allowed. The need for added buildings, or improvements would necessitate finding an alternative location.

The County would allow this use in its Public Works Zone. This would involve a zone change and plan amendment for an area in the county.

Currently, the City of Newberg Comprehensive Plan designates approximately 625 acres for Industrial use, actual Industrial use is approximately 215 acres, leaving 410 in other uses.

Approximately 350 acres is vacant or agricultural in use at this time. (1976 Land Use Inventory.)

Zoning offers slightly less choice. There are approximately 45 acres of vacant land zoned for industry in the City limits.

Tax Lot 3218 CA 600 is in Yamhill County, not the City. The County Planning Department makes the following comments:

"I suggest that the City withhold any further action on this matter until a plan change is also initiated through this office. It should be noted that any decision in this matter on the part of the City affecting tax lot 3218 CA 600 will not be recognized by Yamhill County as a valid plan change to the Yamhill County Comprehensive Plan."

In addition a petition which opposes the change states:

"Due to Newberg's rapid growth and the recent additional innovation of drop boxes, Mr. Schneider's Garbage and Drop Box Franchise has grown commensurate; so that today the surrounding neighborhood, each work-day morning from 5:30 a.m. on into the morning is subjected to the fleet of trucks departing down Main Street heading for their designated pick-up routes..."

"The noise level not only has increased because of the continual drone of trucks picking up drop boxes in the storage area and the repeat performance on their return, but also there is a constant assortment of noises which are the inevitability of a repair shop where metal is continually being shaped... The area that abounds the proposed Industrial Park is made up of old and new homes in which the occupants have invested their life earnings, and it is a known fact that property sale values would be lowered considerably, if such a change in designation of Mr. Schneider's property were allowed."

The letter further elaborates problems perceived by area residents and has 10 signatures.

A letter from another resident poses the following, "I find it hard to accept any of the 44 types of businesses be located next door to my residence," "We feel that this Plan Amendment would be "Spot Zoning" and we feel that this would be unwise because of the deterioration of the present residential values it would cause."

"It is our general consensus that if the applicants plan to expand their business to the doubled size of the property they now occupy, then perhaps they should consider relocating to a more suitable area more conducive to their type of business and less threatening to an already established residential area."

Mr. Schneider's application states, "We desperately need a

zone change to stay here. In the future we will need more buildings for shops and truck parking, tire repair and storage... To relocate a business like ours would almost be impossible."

The attorney for the applicant has stated that to relocate this industry, which operates on a franchise basis would cost the residents in the form of higher garbage rates. However, no evidence supporting this contention has been received. It must be shown that the price of land for this purpose is greater than the value as residential land. It should be shown that this would burden residents of the City beyond the cost to the local area in reduced property values, which also costs City residents in the form of higher taxes. Are the costs of this proposal merely a reflection of garbage rates?

Findings

- ✓ 1. The requested change is not consistent with surrounding uses, and would tend to discourage residential development, if approved as industrial.
- ✓ 2. There are other areas, designated as Industrial by the Comprehensive Plan which have not been fully developed at this time. In addition, the County offers an alternative location, through their planning process.
- ✓ 3. The placement of an Industrial area adjacent to residential uses, is inconsistent with locating Industry in well designed parks offering buffering and good access.
- ✓ 4. As the City expands, Industrial traffic to this site would increase, further conflicting with planned uses. This type of use should be located in an area offering better separation between residential and Industrial traffic.
- ✓ 5. Although a public need exists for solid waste disposal facilities and the connected uses, the need is not best served by this location, in comparison with other possible locations.
6. A task force is exploring the possibility of industrial use in the area between Newberg and Dundee. If a recommendation favoring industry in this area results, further choices will be offered for this use. It appears that this area will not be recommended for development.
- ✓ 7. Although the applicant wishes to reside in close proximity to his business, this would not justify the change. One major problem is that the only dwelling allowed in an industrial zone is for a caretaker or night watchman. In this case, the dwellings would not meet this provision.

8. This change is also involved in changing the Greenway to industrial. This change is in violation of goal #3 of Community Facilities Goals on page 19 of the Comprehensive Plan. It states "The Creeks and Ravines Should Remain for use as Open Space and Recreation Activities."
- ✓ 9. Goal II of Statewide Planning Goals addresses Public Facilities. In this case, the location of this public facility should conform to the local plan, coordinated with other elements. Changing this use would involve adding suitable residential land in its place somewhere else. In addition the change would involve reducing industrial land in another location.
- ✓ 10. The City currently has four separate areas designated as industrial on the North, East, South and along the railroad tracks. If the area to the West towards Dundee, is included, the City would be nearly ringed with industrial land. This site would further surround the current city. The extra expense of urban services for industrial uses, in so many divergent locations places an undue burden on city residents who pay for these facilities.
- ✓ 11. The change to industrial on the plan map carries with it several possible zones. Each offers a number of enumerated uses, more intense than the area will warrant, based upon current facilities planning, and development patterns.
- ✓ 12. The proposed use would impact the surrounding area in the form of lower property values.
- ✓ 13. The City lacks jurisdiction for tax lot 3218 CA 600.
- ✓ 14. Moving this use at this point in time would be less costly to the operation than in the future. The price of this land for residential purposes may be more than the value for Industrial, resulting in enough surplus to cover moving costs. The applicant must show that the costs involved outweigh other considerations.
- ✓ 15. According to resolution 73-505 and the Fasano Court Case, the applicant must show why the area in question should bear the burden of a previously unanticipated use. At this point he has not.
- ✓ 16. Since the garbage service is an exclusive franchise, the possibility exists for a change to an alternative proposal. If this happens, the land could be used for a number of alternative industries. There is no assurance that this franchise will continue forever. The future of this area may be determined by this decision.
- ✓ 17. Pre-existence is not justification for a plan amendment, according to the criteria outlined in "Fasano".
- ✓ 18. The zone change, which would probably follow this plan amendment would create a spot zone, with 3 isolated residences between the industrial area and Main Street.

- ✓ 19. The threat of higher garbage rates must be weighed against lost property taxes for residences. In addition the cost would be spread throughout the community rather than in an isolated area. Those who live outside the City would help pay the cost of this Public Utility, in a suitable location.

Recommendation - Based upon the above findings and facts, staff recommends:

1. No action be taken on tax lot 3218 CA 600 until an application is filed with Yamhill County, who maintains jurisdiction for this parcel.
- 2A. Action be delayed for the remainder until the above situation is resolved.
- 2B. The application for the remainder be denied based on the above findings and facts.

*Note: Since this plan amendment is from the lowest to highest use classification, the applicant carries a substantial burden of proof. He must present facts and findings which address points 1 - 19 above.

1. All the above points are addressed in the application. The applicant is a local business and the property is located in a suitable location. The applicant is a local business and the property is located in a suitable location.

Agenda Item 6A
Stevahn Partitioning (P-6-77)

Facts

1. Plan Designation - Low Density - Residential.
2. Zoning and Land Use - The area is zoned R-1, and a dwelling exists on parcel #1.
3. Physical Profile - The land slopes thwoard the easement which is shown on the map. Soil is Aloha, Terrace Escarpment and Wapato silty clay loam. Only Aloha soils pose no problems for residences. Building sites may be limited because of soils. Portions of parcel #3 flood periodically, however, the parcel does contain enough land which is buildable.
4. Community Facilities - Water and Sewer are available to the site. Access is from Villa Road, a substandard street. At the time of application for driveway permits, some problems with vision clearance will need to be solved. However, this need not affect the partitioning.

Findings

1. This partitioning is consistent with City policy and standards, with the exception of Villa Road.
2. Parcels conform with the minimum established in the zoning ordinance.

Recommendation -

Staff recommends approval, with the following conditions:

1. An additional 10' of right-of-way along Villa Road shall be deeded to the City for all areas abutting this parcel.
2. The applicant agrees that he and future owners of these parcels will support a Local Improvements District for the Improvement of Villa Road.

Agenda Item 6B
Mills Partitioning (P-4-77)

(To be presented at meeting.)

Agenda Item 6C
Swonger Partitioning (P-3-77)

Facts

1. Comprehensive Plan - Low Density Residential.
2. Zoning and Land Use - This land is currently zoned Rural Residential, and contains no dwellings.
3. Physical Profile - Soils are Aloha series, posing no problems for residential construction.
4. Community Facilities - The only major problem in this area is with streets. A street is planned west of this property. A 30' dedication running the length of the property adjacent to this parcel has been promised by the School District.

Findings

1. This application is consistent with City policies and plans, with the exception of the Easement.

Recommendation -

This partitioning should be approved with the following conditions:

1. The additional 10' right-of-way shown along Crestview Drive shall be deeded to the City.
2. The 30' Easement area shall be deeded to the City for future roadway purposes.
3. The owners of parcels 1 and 3 shall agree to support a Local Improvements District for eventual street construction.
4. Although the easement area is dedicated for street purposes, the owners of tax lot 3217-3301, and 3302, shall be able to use the area for access, until such time as the roadway is constructed.

Agenda Item 6D

Goldsmith Partitioning (P-7-77)

Facts

1. Comprehensive Plan Designation - Medium Density Residential.
2. Zoning and Land Use - The area is zoned R-1, with a single-family dwelling shown on lot #1.
3. Physical Profile - The lot slopes quite steeply to the west. A fairly steep drainage swail lies at the north end of lot #1. The 30' area of lot #2 is not useable, without substantial fill material.
4. Community Facilities - Currently, Wynooski Street is substandard. The proposed sewer easement should meet requirements of the City engineer.

Findings

1. This partitioning meets minimum standards, if added right-of-way is obtained.
2. Partitioning in no way assures building permits for unsuitable soils.

Recommendation -

Staff Recommends approval of this partitioning with the following conditions:

1. The proposed property along Wynooski Street be deeded to the City.
2. The sewer easement meets the requirements of the City Engineer.
3. Owners agree to support a Local Improvements District for the improvement of Wynooski Street.

Agenda Item 7A

Boulevard Park Subdivision

Facts

1. Comprehensive Plan Designation - A change from low to medium Density was approved February 3, 1976 with conditions. This application appears to conform with the intent of all conditions of the change. Due to size, constraints, the right-of-way proposed to Haworth is reduced to 50'.

2. Zoning and Land Use - The area is zoned R-2. A dwelling is located in Block 2, lot 6 or 7. For purposes of evaluation, and because the plat is not properly labeled, the northern block will be Block 1 and the southern block, Block 2.
3. Physical Profile - The site slopes gently to the southwest. The contour intervals are not labeled, indicating slope. A natural drainage way appears to exist on the western side of this property.
Surrounding buildings and land use are not indicated, and would aid in evaluating this request.
4. Community Facilities - Water and Sewer are available.
5. Plat Deficiencies:
 - a. No tie to City coordinate system.
 - b. Contour lines not labeled.
 - c. No bench mark.
 - d. Existing use of property and structures to remain. (Was shown on previous version.)
 - e. Zoning on, and adjacent to the tract.
 - f. No street names.
 - g. No Block Numbers.
 - h. No vicinity map showing existing conditions, and unsubdivided land ownerships adjacent to the proposed subdivision.
 - i. Location of watercourses and areas subject to flooding.
 - j. Proposed deed restrictions.
6. Non-conformance with standards.
 - a. Not all lots conform to minimum Subdivision Ordinance lot sizes. (7700 sq.ft.)
 - b. Lot 2, 12 & 19 in block 2 do not meet minimum of 75' for corner lots.
 - c. Right-of-ways for North-South Streets are not minimum, but within the commissions power to approve.
 - d. Not all lot dimensions are labeled. It is not apparent that all lots conform with City standards for the R-2 zone.
 - e. No drainage plan is shown. According to the City Engineer, "Drainage appears to be a problem with this layout. Storm sewers would probably be required in the approximate location of the sanitary sewer lines shown. If this is necessary, larger easements should be included. The developer or his engineer should address this problem prior to approval."
 - f. The fire access lane poses a unique problem. The State Highway Department states, "We would require, however, that the developer obtain a permit from this office before constructing the fire access land which connects to U.S. 99 W."
The existence of this paved roadway may encourage undesirable traffic through the area, on a narrow roadway. This through traffic is undesirable. At the same time, it appears that the lane would provide needed additional fire protection.

g. The right-of-way for both cul-de-sac turn arounds is substandard.

7. General Comments.

When the plan amendment was approved, the following conditions were attached.

1. Deed restrictions limiting to two story residential buildings, the 3 acres marked "A". (Apartments located here on this plan.)
2. Deed Restrictions limiting to four-plex residential building the area marked "B" (Block 2 located here on this plan.)
3. Deed restrictions for Low Density use in area marked "C" (Block 1.)
4. Right-of-ways 60 feet in width be dedicated to the city as indicated. (East-West street to Deborah, North-South street to Haworth.)

The City Attorney should determine whether this plan meets the conditions of the original Plan Amendment.

The School District had the following comments, "My concern for the increased traffic problems in this area of the City, however, continues to grow. Deborah and Haworth certainly are not adequate streets to handle the flow of traffic which presently exists. The addition of Boulevard Park would merely add to the congestion."

From a planning standpoint, this use of the land is not objectionable. It appears that the slightly higher density is justifiable because of the proximity to Highway 99W. The major problem lies in the fact that Deborah Road is not adequate, nor is signalization of the intersection with 99W eminent. Improvement and signalization are desirable, but beyond the control of the applicant.

The addition of the roadway north to Haworth will help ventilate traffic from the existing apartments. Access to the apartments should be shown on the plan with location of apartments, buildings and parking areas. This would aid in determining the impact of the proposed road upon parking and setback requirements.

Recommendation -

The following should be provided by the subdivider.

1. Location of buildings and parking for existing apartments.
2. Structures to remain.
3. Watercourse and contour interval.
4. Deed Restrictions meeting requirement of the Plan Amendment.

If approval is to be given, the following conditions are recommended:

General

1. The conditions of the original plan amendment shall be met. A legal determination as to reducing the requirement for 60' of street right-of-way may be needed.

2. All lots shall meet the minimum requirements of the zoning ordinance on the final plat.
3. Acceptance of the preliminary plat shall in no way approve the layout of any of the proposed improvements.
4. All improvements shall be approved by the City Engineer.

Engineering

1. Water line on Haworth shall be 8" in diameter.
2. An acceptable drainage plan shall be submitted to and approved by the City Engineer.
3. Utility easements shall be placed on the Final Plat in locations as required by the City Engineer.

Planning

1. Street names shall be approved by the Planning Commission on the Final Plat.
2. The fire access lane shall only be open to emergency vehicles only, and be subject to a permit being issued by the State Highway Department.
3. The roadway connecting Haworth shall not:
 - a. Cause the required parking for the existing apartments to fall below any minimum standard set forth in the zoning ordinance.
 - b. Create a non-conforming structure.
4. Corner lots shall have a 15' setback from either street, and said setback shall be recorded in deed restrictions.
5. The minimum lot width for corner lots shall be 65', rather than the 75' required in the subdivision ordinance.
6. The subdivider shall provide money in lieu of land (for public lands requirements) as based upon the formula in the subdivision ordinance.

SCALE 1" = 30'

AGENDA ITEM 5A
Greggin Conditional
Use Permit

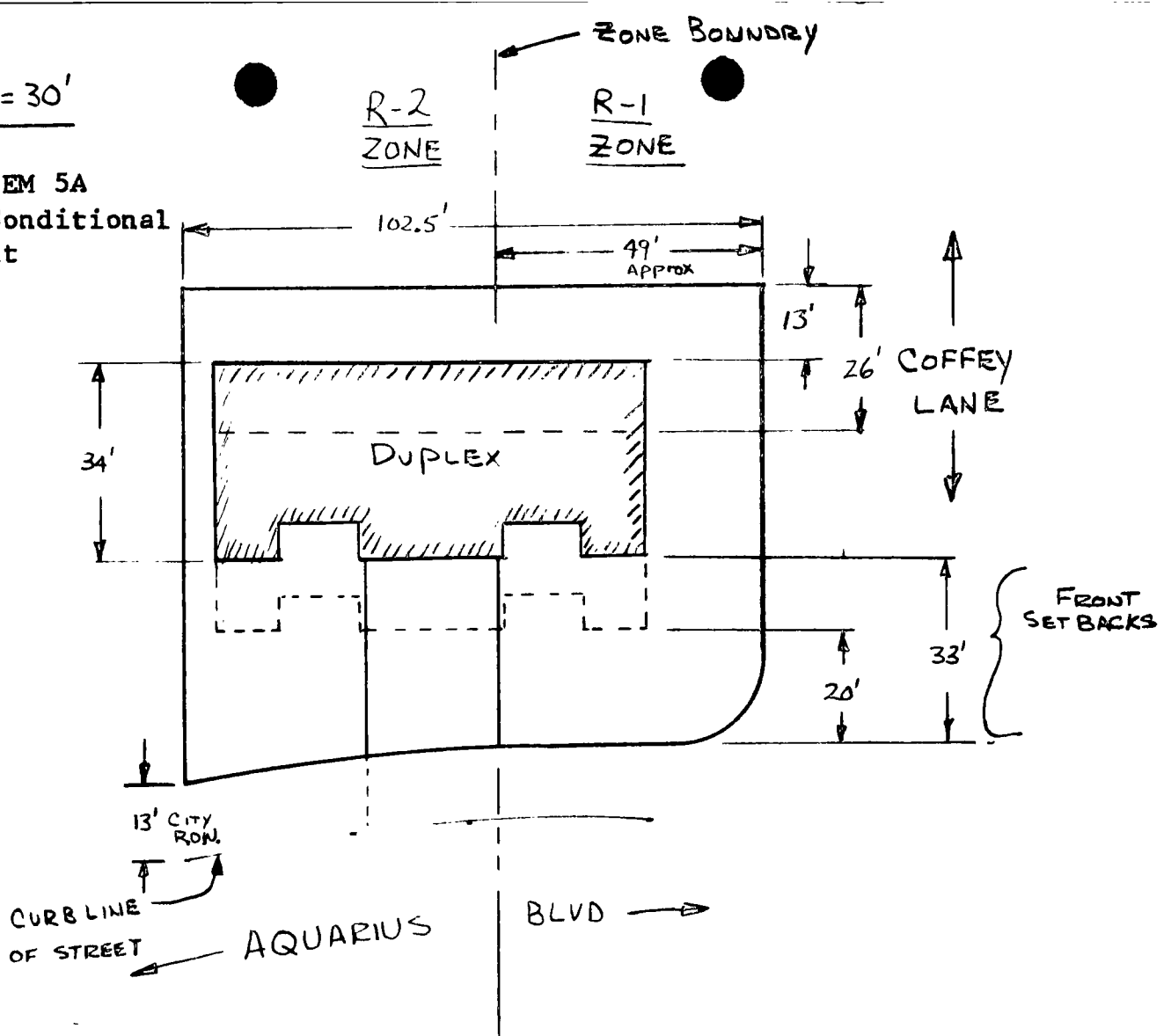


EXHIBIT A SHOWING PROPOSED
LOT USE AND EXAMPLE
OF SET BACKS USING 20'
AND ORDINANCE 33'.

DAN HOCKERT
4/1/77

SCALE 1" = 30'

AGENDA ITEM 5A
Greggin Conditional
Use Permit

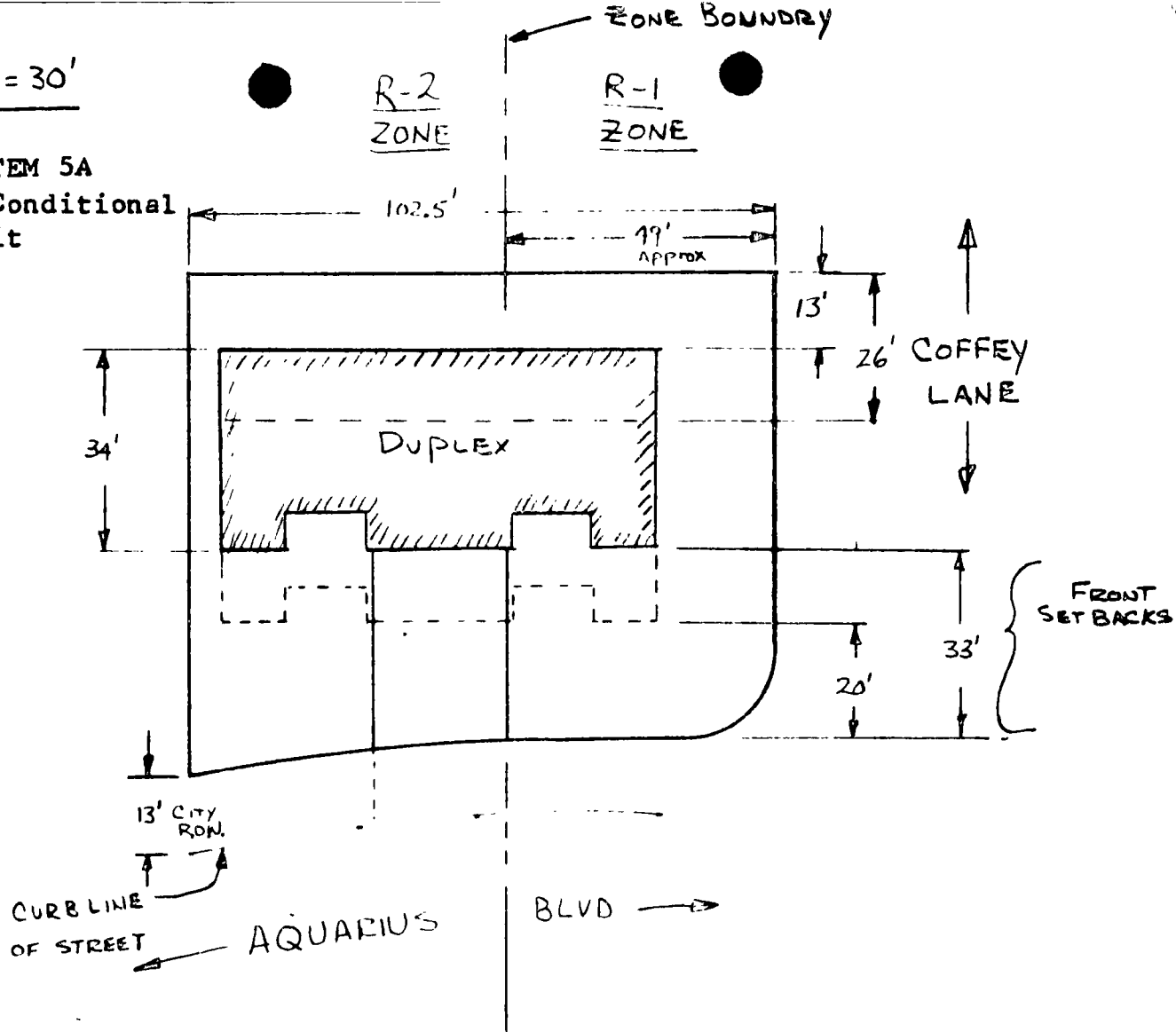
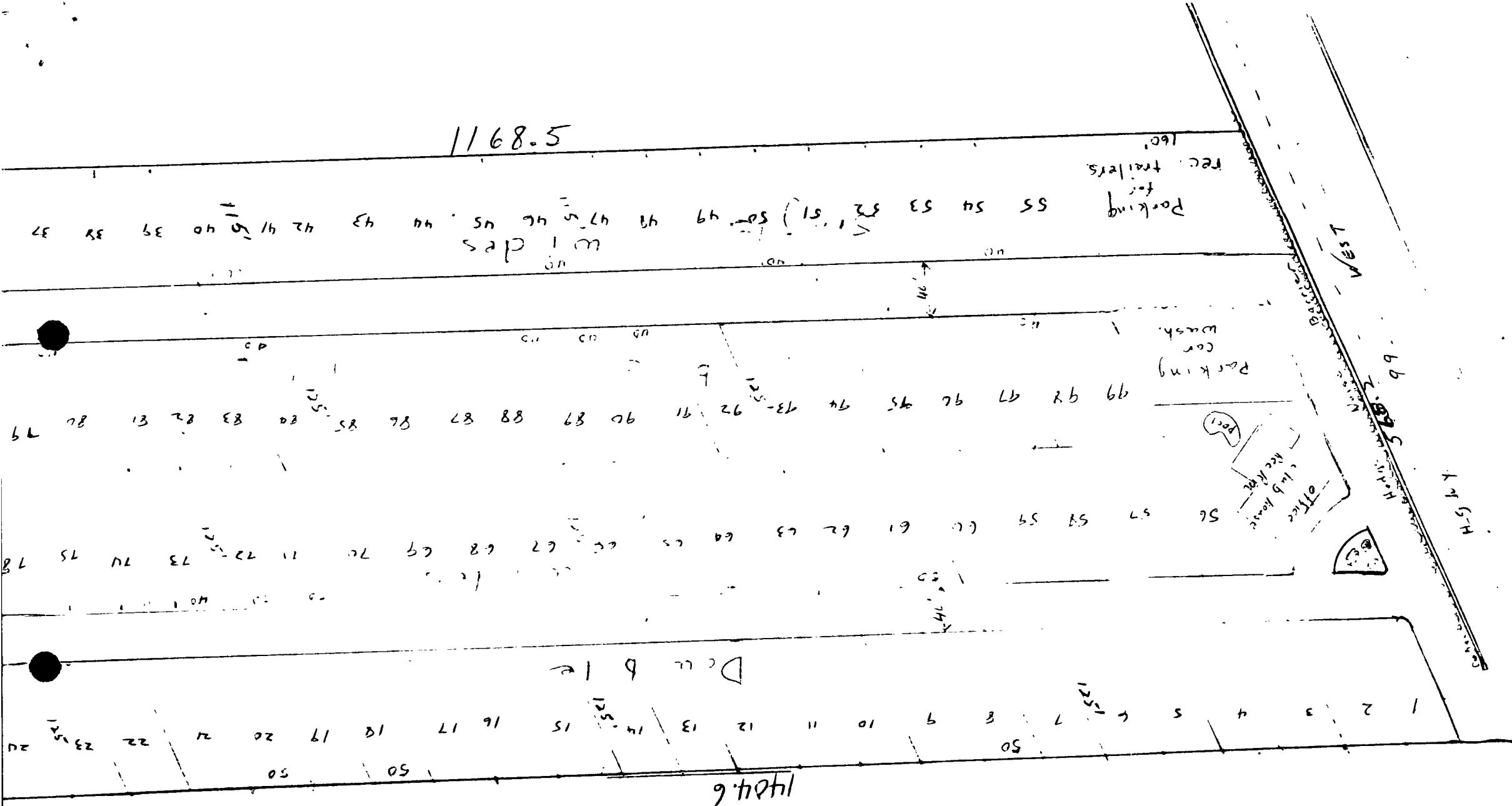


EXHIBIT A SHOWING PROPOSED
LOT USE AND EXAMPLE
OF SET BACKS USING 20'
AND ORDINANCE 33'.

DAN HOCKERT
4/1/77

an Sewer
 approx. location
 of Spring Head
 sub-Div

Agenda Item
 5D



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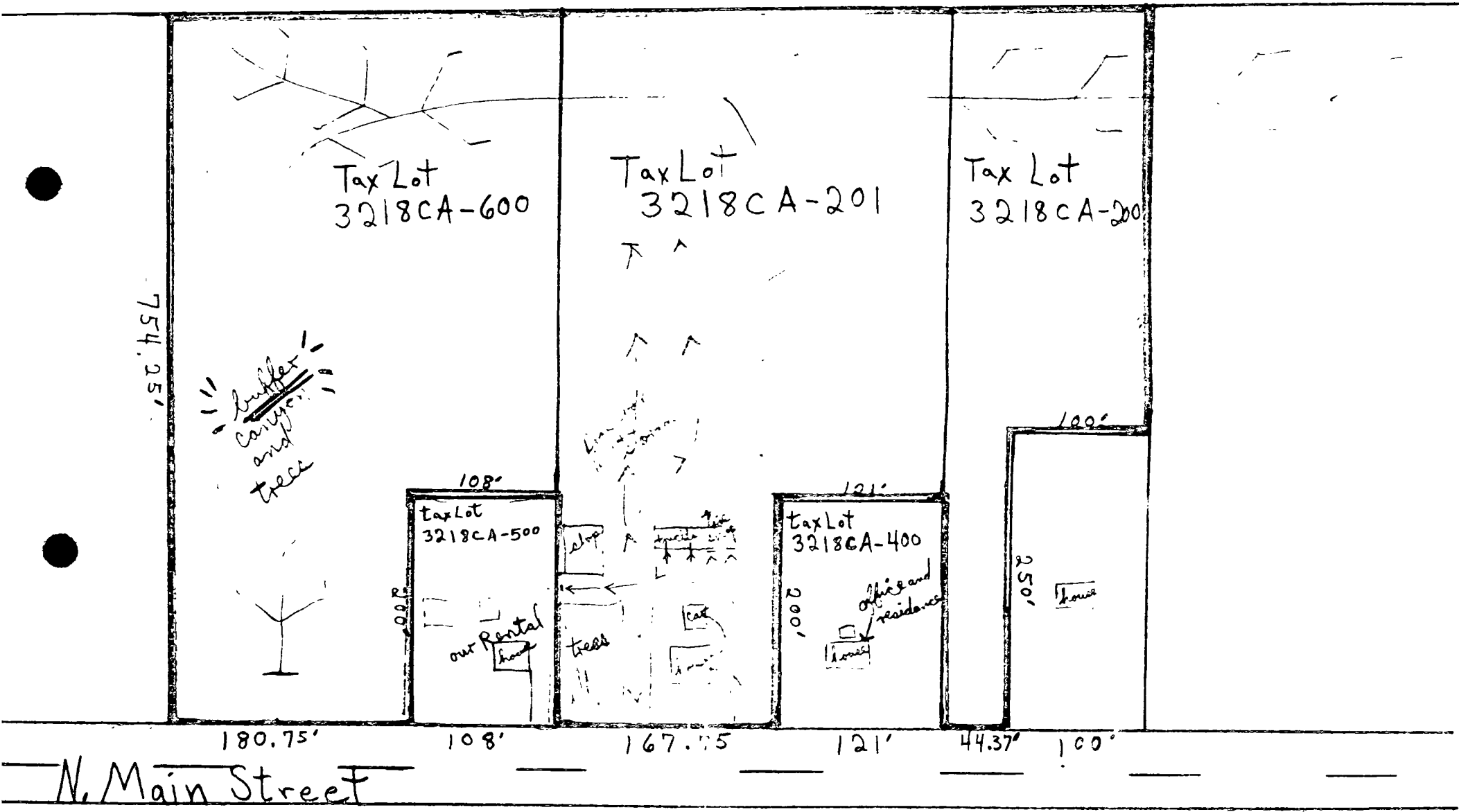
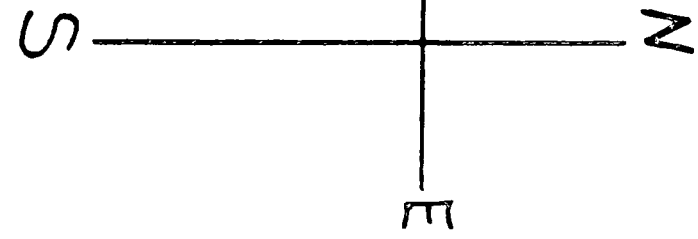
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AGENDA ITEM 5E
Schneider Plan Amendment



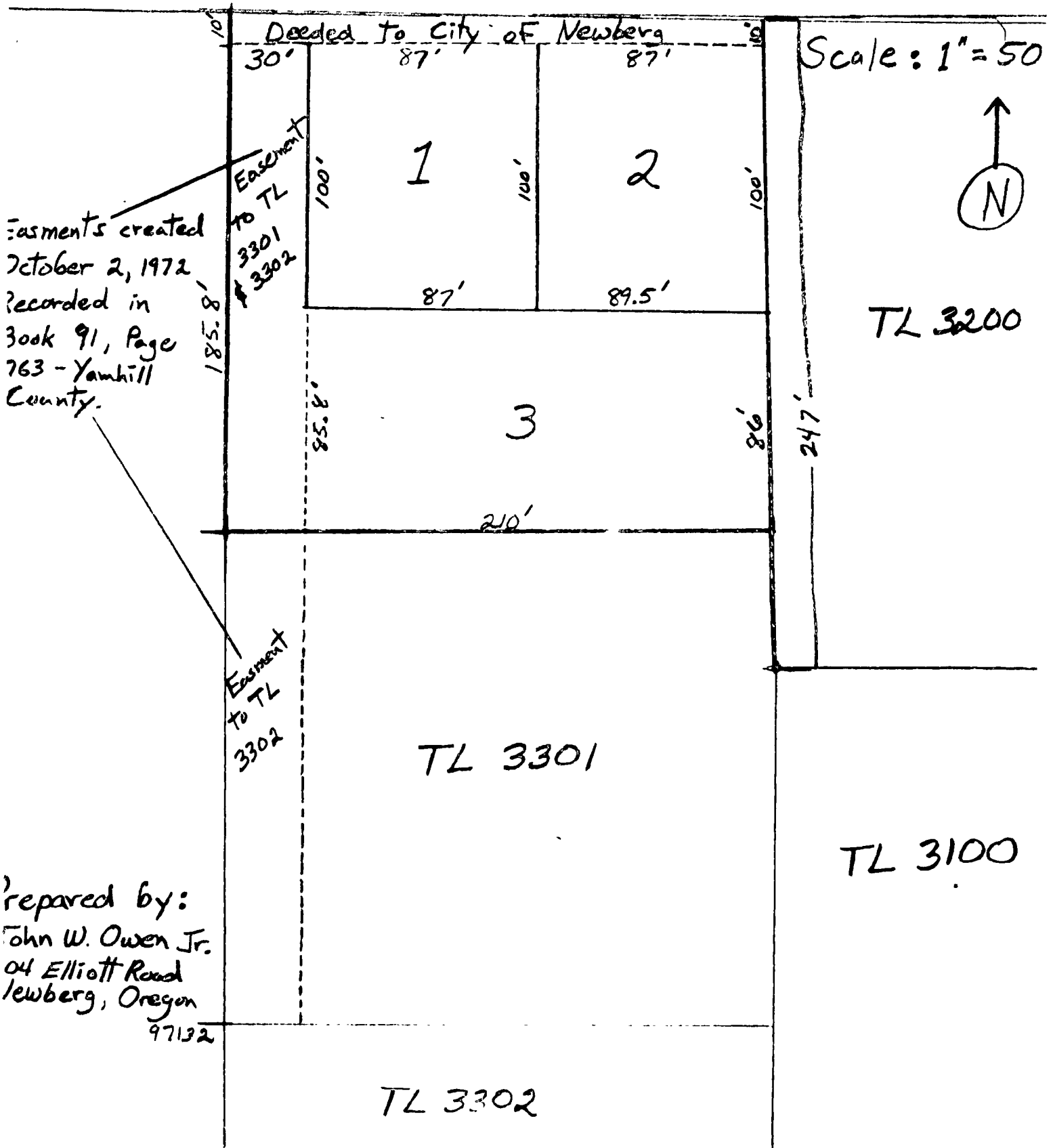
Proposed Partition of Tax Lot 3217-3300

For Jack B. Swonger & Darlene M. Swonger

Agenda Item
6C Swonger Part.

1007 Elliott Road
Newberg, Oregon 97132

Crestview Drive



AVE

Existing Apartments

WATERLIN

DEBORAH ROAD

237.16

77,000⁰
APPROX

29
APIS

18

213.21

Boulevard Park
Subdivision
Agenda Item 7A

15 ASPHALT EASEMENT

EXISTING 8" SEWER

994

Tuesday, 7:30 P.M.

January 17, 1978

MINUTES
REGULAR MEETING
NEWBERG PLANNING COMMISSION

Council Chambers

Newberg, Oregon

The meeting was called to order by Chairman Halstead.

Present: Bob Blodgett Charley Hindman
 John Cach Arthur Stanley
 Maybelle DeMay Bob Youngman
 Hal Grobey

Absent: Esther Keltner

Staff Present:

Dale Blanton, City Planner
Terry Mahr, City Attorney
Arvilla Page, Asst. City Recorder
Leonard Smith, City Engineer
Bob Weisenback, Building Official

New Commission members Charley Hindman and Bob Youngman were introduced.

Motion: Cach-Stanley to approve the minutes of the previous meeting as submitted. Carried.

Motion: Cach-Stanley to defer discussion items on the agenda until after the public hearings. Carried.

Public Hearing: Zoning Ordinance Text Amendment
Applicant: Planning Commission
Request: Exempt 50' wide streets with improvements to City standards from supplemental setbacks in Sec. 51 of Ordinance 1282.

Staff Report: Mr. Blanton presented the staff report as presented in the staff memorandum.

Staff Recommendation: Mr. Blanton stated that as presented in the staff memorandum.

No proponents or opponents wished to be heard. No written remonstrance has been received. Public hearing closed.

Motion: Cach-Grobey to recommend the ordinance amendment to the City Council for approval. Carried.

Public Hearing: Variance from parking requirement.
Applicant: Smith, Monroe & Gray Engineers
Request: To have parking requirements for Newberg Plaza Shopping Center addition reduced from 1 space per 125 sq. ft. of floor area to 1 space per 250 sq. ft.

Motion: Cach-Hindman to approve and recommend to the Council the Comprehensive Plan Amendment with findings of facts as presented in the staff memorandum with finding for approval 1 through 5 in the staff memorandum and with the following conditions:

1. Approval is based on findings for approval 1 through 5 above and the applicants evidence submitted to the City.
2. This approval is contingent upon the forming of a Local Improvement District and an acceptance of a bid for the improvement of Hulet Lane from Highway 99W to the current improved street north of the proposed change by the Newberg City Council.
3. If condition No. 2 is not met within one year, this approval shall be invalid. Carried.

Discussion Item: Newberg-Dundee Task Force Report. The report was presented to the Commission by Greg Wolf of the Yamhill County Planning Department.

Mr. Blanton stated the report was prepared with Newberg being represented by Alan Halstead and Jean Harris. He recommended approval of the report.

Motion: Grobey-Stanley to approve the report and send a letter to the County Planning Commission expressing support and appreciation for their efforts in preparing the document. Carried.

Public Hearing: Comprehensive Plan Amendment and Zone Change
Applicant: Spada, Lamppost, Racette
Request: To change the zone designation from R-1, Low Density Residential to C-3, Roadside Commercial; and change the Plan Designation for a portion from Industrial to Commercial.
Location: South of Highway 99W just east of the intersection with Elliott Road.

Staff Report: Mr. Blanton presented the staff report as presented in the staff memorandum and located the parcel on maps of the area.

Staff Recommendation: Mr. Blanton stated that as presented in the staff memorandum.

Proponent: Wynn Stuckey, Engineer, representing the applicants, stated most of the industrial designated land is south of the property. He has been contacted by several potential users of 13 to 15 acres of the property. Other C-3 zoned parcels are small except the parcel on the N. E. corner of Highway 99W and Springbrook which is 10 acres. The developers of that parcel expect to begin development soon. Needs for C-3 property are not best met with small parcels. Larger parcels are needed to attract

Annexation Recommendations

Mr. Blanton stated there are two islands within the City boundaries. Tax lots 3217 DD 2100 and 3218 DB 2400 located on the north side of Highway 99W between Elliott Road and Deborah Road and on North Main north of Illinois Street respectively.

Motion: Youngman-Grobey to recommend to the Council initiation of proceedin to annex tax lot 3217 DD 2100. Carried.

Motion: Grobey-Youngman to recommend to the Council initiation of proceedings to annex tax lot 3218 DB 2400. Carried.

Final Plat: Village Park Subdivision

Motion: Grobey-Stanley to approve final plat subject to conditions being met. Carried.

Motion: Grobey-Blodgett to adjourn. Carried.

MINUTES
NEWBERG PLANNING COMMISSION
WORK SESSION

January 31, 1978

6:30 P.M.

J's Restaurant

Present: Alan Halstead
Bob Blodgett
John Cach
Charley Hindman

Hal Grobey
Maybelle DeMay
Bob Youngman

Absent: Arthur Stanley
Esther Keltner

Staff Present:
Dale Blanton, City Planner
Terry Mahr, City Attorney

The Staff handed out copies of the Inventory of Natural and Cultural Resources and a copy of the Draft Comprehensive Plan. The hearing schedule was discussed.

Staff handed out material on procedure, court cases and requirements for findings. The material was discussed. (A copy is attached to the minutes on file with the City recorder)

The question was raised as to what recourse the Commission has when the Council decides an issue overturning the Commission. One possible solution discussed was a meeting with the Council. If this doesn't work, one option was resignation.

Some discussion of conflicts of interest took place. It was suggested that if a conflict exists a member should note it for the record. If a member does not feel he can vote, or has an interest in the matter, he should remove himself from the Commission until the item is concluded.

Members felt that the handout on findings should be made available to applicants so they are aware of the legal requirements that bind the Commission in its actions.

The meeting was then adjourned.

Location: South of Hwy. 99W, east of Everest Road

Staff Report: Mr. Blanton presented the staff report as presented in the staff memorandum and presented map of the proposed parking.

Staff Recommendation: Mr. Blanton stated that as presented in the staff memorandum.

Proponent: Ron Bernard representing the applicant, stated the present parking is seldom fully used. Because of the type of store in the complex, one parking space for each 223 sq. ft. of floor area would be adequate.

No other proponents or opponents wished to be heard. No written remonstrance has been received. Public Hearing closed.

The Commission members questioned Mr. Bernard extensively.

Motion: Cach-Stanley to grant the variance requested with staff findings of facts 5a, 5b, and 5c in the Staff Report and with the condition that if overflow parking results, additional parking spaces will be developed within one year upon written notice by the City Planner. Carried.

Public Hearing: Comprehensive Plan Amendment

Applicant: Eldon Johnson

Request: To change the plan designation of tax lot 3217 DC 6400 from Low Density Residential to Medium Density Residential

Location: West side of Hulet Lane, approximately 300 feet north of Highway 99W.

Staff Report: Mr. Blanton presented the staff report as presented in the staff memorandum and located the parcel on maps of the area.

Proponent: Eldon Johnson stated his agreement that the street is inadequate and he would agree to the restriction on building until the street is improved. He has submitted findings to the staff. (See staff report)

No other proponents or opponents wished to be heard. No written remonstrance has been received. Public hearing closed.

Staff Recommendation: Mr. Blanton stated that as presented in the staff memorandum.

Motion: Cach-Hindman to approve and recommend to the Council the Comprehensive Plan Amendment with findings of facts as presented in the staff memorandum with finding for approval 1 through 5 in the staff memorandum and with the following conditions:

1. Approval is based on findings for approval 1 through 5 above and the applicants evidence submitted to the City.
2. This approval is contingent upon the forming of a Local Improvement District and an acceptance of a bid for the improvement of Hulet Lane from Highway 99W to the current improved street north of the proposed change by the Newberg City Council.
3. If condition No. 2 is not met within one year, this approval shall be invalid. Carried.

Discussion Item: Newberg-Dundee Task Force Report. The report was presented to the Commission by Greg Wolf of the Yamhill County Planning Department.

Mr. Blanton stated the report was prepared with Newberg being represented by Alan Halstead and Jean Harris. He recommended approval of the report.

Motion: Grobey-Stanley to approve the report and send a letter to the County Planning Commission expressing support and appreciation for their efforts in preparing the document. Carried.

Public Hearing: Comprehensive Plan Amendment and Zone Change
Applicant: Spada, Lamppost, Racette
Request: To change the zone designation from R-1, Low Density Residential to C-3, Roadside Commercial; and change the Plan Designation for a portion from Industrial to Commercial.
Location: South of Highway 99W just east of the intersection with Elliott Road.

Staff Report: Mr. Blanton presented the staff report as presented in the staff memorandum and located the parcel on maps of the area.

Staff Recommendation: Mr. Blanton stated that as presented in the staff memorandum.

Proponent: Wynn Stuckey, Engineer, representing the applicants, stated most of the industrial designated land is south of the property. He has been contacted by several potential users of 13 to 15 acres of the property. Other C-3 zoned parcels are small except the parcel on the N. E. corner of Highway 99W and Springbrook which is 10 acres. The developers of that parcel expect to begin development soon. Needs for C-3 property are not best met with small parcels. Larger parcels are needed to attract

Annexation Recommendations

Mr. Blanton stated there are two islands within the City boundaries. Tax lots 3217 DD 2100 and 3218 DB 2400 located on the north side of Highway 99W between Elliott Road and Deborah Road and on North Main north of Illinois Street respectively.

Motion: Youngman-Grobey to recommend to the Council initiation of proceedin to annex tax lot 3217 DD 2100. Carried.

Motion: Grobey-Youngman to recommend to the Council initiation of proceedings to annex tax lot 3218 DB 2400. Carried.

Final Plat: Village Park Subdivision

Motion: Grobey-Stanley to approve final plat subject to conditions being met. Carried.

Motion: Grobey-Blodgett to adjourn. Carried.

Tuesday, 7:30 P.M.

February 21, 1978

MINUTES
REGULAR MEETING
NEWBERG PLANNING COMMISSION

Council Chambers

Newberg, Oregon

The meeting was called to order by Chairman Halstead.

Present:	Robert Blodget	Charley Hindman
	John Cach	Esther Keltner
	Maybelle DeMay	Bob Youngman
	Hal Grobey	

Absent: Arthur Stanley

Staff Present:

Dale Blanton, City Planner
Terry Mahr, City Attorney
Arvilla Page, Asst. City Recorder
Leonard Smith, City Engineer
Bob Weisenback, Building Official

Also present were approximately 34 citizens.

Motion: Cach-Grobey to approve the minutes of the previous two meetings as presented. Carried.

Public Hearing: Zoning Ordinance Text Amendment

Request: Allowance of a solid waste collection facility (not a landfill) when under franchise by the City, as a Conditional Use in an R-1 Zone.

Applicant: Initiated for hearing by the Planning Commission.

Staff Report: Mr. Blanton presented the staff report as presented in the staff memorandum. Mr. Mahr presented the proposed wording and additional wording suggested by the attorney representing the owner of the property most directly affected by the proposed amendment.

Proponent: Robert Swift, Attorney, representing Newberg Garbage Service. The proposed amendment most affects his client. Any future franchise holder wishing to use another piece of property in similar zoning would need to apply for a Conditional Use Permit. No actual recycling is planned. Only temporary storage of recyclable materials until full loads are gathered.

Motion: Hindman-DeMay to recommend approval of the Plan Amendment and Zone Change to the Council with findings of fact as presented in the Staff Memorandum and Conditions recommended by Staff in the Staff Memorandum. Carried.

Public Hearing: Final Development Plan & Program and Zone Change
Request: Approval of the final plan and program for Mountainview Park and change of zone to Planned Unit Development establishing the final plan as the zoning on the property.

Location: North of Parkway Subdivision and West of Green Valley Drive

Applicant: Buckley/Brugato

Charley Hindman reported conflicting interest and removed himself from the Commission for the balance of the agenda.

Alan Halstead reported ex parte contact but stated he would participate.

Staff Report: Mr. Blanton presented the staff report as presented in the staff memorandum and located the parcel on maps of the area.

Proponent: Glen Ling of Ling, Green & Associates, 1879 N. W. 9th, Corvallis, OR submitted and read a letter with findings of fact, statement of plans, etc. Proposed are 96 living units and one 4,000 sq. ft. commercial building located on the southwest corner of North College and Mountainview Drive.

Opponents: A petition against the Commercial property and construction of two story units signed by 65 area residents and property owners.

Ed Wiesehan, Rt. 1, Box 418, representing the petition signers. Commercial property is not compatible with the area. Convenience shopping areas are higher on item prices and create traffic problems. This location is not economically sound. Buffers are only verbally promised. There is concern that the design will have an adverse effect on residences on Melody Lane. The storm drain plan will not prevent adverse effect on Parkway Subdivision. It probably will not affect property values. Two story units on Southern part of the plan will block view of mountains of some Parkway residents.

Nina Waters, Rt. 1, Box 414, stated there are already a great number of duplexes in Newberg.

Subdivisions

Mountainview Park Preliminary Plat

Location: West of Green Valley Drive

Applicant: Buckley/Brugato

Staff Report: Mr. Blanton presented the staff report as presented in the Staff Memorandum.

Staff Recommendation: Mr. Blanton stated that as presented in the Staff Memorandum.

Motion: Grobey-Cach to approve the preliminary plan as submitted with condition that it is subject to Council approval of the final Plan and Program of the Planned Unit Development, based on findings of fact as presented in the Staff Report. Carried.

Barclay Farms Preliminary Plat

Location: Northwest of Green Valley Subdivision

Applicant: Lutz Development

Staff Report: Mr. Blanton presented the staff report as presented in the Staff Memorandum and located the parcel on maps of the area.

Staff Recommendation: Mr. Blanton stated that as presented in the Staff Memorandum noting deficiencies and problems in the plat submitted.

Eldon Edwards, Lutz Development, answered questions of the Commission and agreed the plat needed further work.

Motion: Grobey-Youngman to return the preliminary plat to the developer for additional work. Carried.

Flightway Industrial Park Preliminary Plat

Location: Northwest of intersection of East Second and St. Paul Highway

Applicants: Willcuts & Walker

Staff Report: Mr. Blanton presented the staff report as presented in the Staff Memorandum and located the parcel on maps of the area.

lib
Tuesday, 7:30 P.M.

March 21, 1978

MINUTES
REGULAR MEETING
NEWBERG PLANNING COMMISSION

Council Chambers

Newberg, Oregon

The meeting was called to order by Chairman Halstead.

Present: John Cach
Maybelle DeMay
Hal Grobey

Charley Hindman
Esther Keltner
Bob Youngman

Absent: Bob Blodgett

Arthur Stanley (excused)

Staff Present: Dale Blanton, City Planner
Terry Mahr, City Attorney
Arvilla Page, Asst. City Recorder
Bob Weisenback, Building Official

Motion: Cach - DeMay to approve the minutes of the previous meeting as presented. Carried

Public Hearing: Variance from parking requirements

Request: To allow off-street parking within a front yard setback for a duplex.

Location: Boulevard Park Subdivision
Block 2, lots 3 through 9.

Applicant: Gary Reid.

Staff Report - Mr. Blanton presented the staff report as presented in the staff memorandum

Staff Recommendation - Mr. Blanton stated that as presented in the staff memorandum.

Proponent: Gary Reid, 9340 Bradley Place, Beaverton stated the variance is needed because of the unique shape of the lots and the topography. The lots are all on the cul-de-sac Filbert Court. Single family units on the lots would not be practical as the lots are a buffer between commercial and single family property.

No other proponents or opponents wished to be heard. No written remonstrance has been received. Public hearing closed.

Motion: Cach - Grobey to grant the variance requested based on findings of facts stated in the Staff Report and findings for approval a, b, c and d of the Staff Report. Carried.

No proponents or opponents wished to be heard. No written remonstrance has been received. Public hearing closed.

Motion: Cach - Grobey to grant the variance requested based on staff findings, 1 through 3. Carried.

Public Hearing: Annexation

Location: Tax lot 3219 CA 100, south side of 5th Street
approx. 135 ft. west of Harrison Street.

Application: Larry Martin

Charley Hindman removed himself from the Commission.

Staff Report - Mr. Blanton presented the staff report as presented in the staff memorandum.

Staff Recommendation - Mr. Blanton stated that as presented in the staff memorandum.

Proponent: Charley Hindman, 203 S. River representing the applicant stated the applicant agrees to the conditions requested by Staff. The plan is to partition the property for an additional residence. All City services are available.

No other proponents or opponents wished to be heard. No written remonstrance has been received. Public hearing closed.

Motion: Grobey - Keltner to recommend the annexation to the City Council with finding of facts as presented in the Staff Report. Grobey - Keltner to amend the notion include the condition that and additional 10 feet of right of way will be deeded to the City along 5th Street.

Amendment carried. Amended motion carried.

Public Hearing. Zone change

Request: From R-2 to C-R

Location: North Meridian Street Between Hancock
and Sheridan Streets

Applicant: Glen Bates

Staff Report. Mr. Blanton presented the staff report as presented in the staff memorandum.

Proponent: Glen Bates, 403 N. College, state there is commercial activity on neighboring property. It is desirable to maintain commercial near the downtown core instead of along Highway 99 W

Mr. Blanton asked Mr. Bates to address the state wide goals. Mr. Bates stated the location near the downtown area would reduce the need of motor vehicles. The business would enhance the downtown economy. The Newberg population is ahead of projection and the additional population will require more services of the type planned. It would attract people that are diverse from the present trend. The traffic impact would be small compared to other developments now in progress on N. Meridian.

Opponents: Andy Anderson, 211 N. Center Street, stated the area is basically residential. No need has been demonstrated for additional commercial area. The area is shown commercial in the Comprehensive Plan, but the Plan is for 20 years. There are other commercial areas that can be developed.

Jeff Pearson, 215 N. Center Street stated no one in the immediate neighborhood would benefit from the zone change. The traffic pattern would endanger children in the residential area. Sheridan would need to be widened. Old established neighborhoods have a right to exist. Commercial on Sheridan will drive out present residents. The area will probably be commercial 15 years from now. Public hearing closed.

Staff Recommendation: Mr. Blanton recommended delay of the request so that the applicant could address the availability of other commercial property, the concerns of the opponents and the impact of the change on the area.

Motion: Cach - Grobey to deny the zone change based on the testimony of the opponents as not needed at this time. Motion Amendment: Grobey - Keltner the applicant has not demonstrated need. Amendment carried. Motion carried. May 2 DeMay, Youngman.

Motion: Grobey - Hindman to revise the balance of the agenda. Carried.

Subdivisions: Binkley - Pilkenton: Preliminary Plat,
Location: East side of Villa Road south of Carol Ann Subdivision.
Size: 15 lots
Type: Single family.

Staff Report - Mr. Blanton presented the staff report as presented in the staff memorandum and located the parcel on maps of the area.
Staff Recommendation - Mr. Blanton stated that as presented in the staff memorandum.

Tom Tucker, 1717 Villa Road representing the developers stated the area was annexed by City action. The land cannot be used for livestock and is unsuitable for other farm use.

Motion: Cach - Grobey that the City initiate action to change the zoning from Rural Residential and Commercial-Residential to City R-1 on these two parcels. Carried.

Motion: Cach - Hindman to approve the preliminary plat with Staff conditions 1,2, and 3 and with staff findings 1 through 3. Carried. May 1 - DeMay.

Motion: Cach - Keltner to grant the variance from lot depth requirements for Lot 1, Carried.

Motion: Cach - Youngman to delete the words Zoning Ordinance from finding # 1. Carried.

Motion: Cach - Grobey that approval of the preliminary plat be conditional upon granting of the zone change. Carried.

Barclay Farms Subdivision Preliminary Plat.

Location: West of N. College and north of Parkway Subdivision
Size: 69 lots
Type: Single Family
Developer: Lutz Development

Staff Report: Mr. Blanton stated this is continued from the February meeting and the facts are the same, but that revisions warrant approval at this time.

Eldon Edwards representing Lutz Development stated the streets have been realigned as requested.

Motion: Keltner - DeMay to approve the preliminary plat subject to the naming of all streets and cul-de-sacs with conditions: Easements as required by the City Engineer, all improvements are approved by the City Engineer, a 1 foot plug be deeded to the city at the end of the thru street and the unnamed street on the north. The plan is consistant with the Comprehensive Plan, consistant with State wide goals and guidelines and is inside the urban growth boundry. Carried.

Flightway Industrial Park Preliminary Plat. Continued from February.

Mr. Blanton recommended continuing until a Council decision on the location of streets. Various street locations were discussed and the impact of the flight path on the property.

Motion: Cach - Grobey to continue to April 18, 1978. Carried.

New Business.

Street Vacation. Publishers Paper Co.

Request: Vacate Chehalem Street and Willamette Street south of 12th Street and vacate alley in Block 14 of City Park addition to the City of Newberg.

Andy Anderson. Publishers Paper, stated all surrounding property is owned by Publishers. The streets are unimproved. The County Assessor has approved consolidation of the lots. The City's sewer easements will be protected. He presented letters from P.G.E. and Northwest Natural Gas stating they were not opposed.

Motion: Youngman - Keltner to recommend the street and alley vacation to the Council. Motion Amendment: Cach - Grobey contingent upon General Telephone removing facilities, if any, at no cost to the City. Amendment carried.
Amended Motion carried.

Dale Blanton, City Planner, reported 4 preliminary plats have gone beyond the 6 month time limit. He asked the Commission to indicate whether changes should be made in the ordinance allowing a longer time period.

The City Attorney offered 4 options.

Motion: Cach - Youngman to let the ordinance requirements stand.
Carried.

Motion: Hindman - Grobey to adjourn. Carried.

Tuesday 7:30 P.M.

April 18, 1978

MINUTES
REGULAR MEETING
NEWBERG PLANNING COMMISSION

Council Chambers

Newberg, Oregon

The meeting was called to order by Chairman Alan Halstead.

Present: Bob Blodgett Esther Keltner
 John Cach Arthur Stanley
 Hal Grobey Bob Youngman
 Charley Hindman

Staff Present: Dale Blanton, City Planner
 Arvilla Page, Assistant City Recorder
 John Raineri, Acting Superintendent of Public Works
 Bob Weisenback, Building Official

Motion: Youngman-Cach to approve the minutes of the previous meeting as transmitted. Carried.

New Business:

Final Plat - Mountainview Park Subdivision.

Staff Report: Mr. Blanton stated the only changes from the previously approved plat are:

1. The commercial lot has been changed to 2 duplex lots.
2. The cul-de-sac nearest Melody Lane has been swung to the North.

Charley Hindman disclosed a conflict of interest and stated he would not vote.

Motion: Youngman-Keltner to accept the final plat for Mountainview Subdivision subject to the City Councils approval of the Subdivision agreement. Carried.

Sidewalk Requirement Exemption

Applicant - Joe Brugato

Location - North side of Highway 99 W at Deborah.

Staff Report: Mr. Blanton stated there is an existing walk way constructed by the state Highway Department which is of asphalt. City ordinance requires sidewalks to be concrete. The applicant wants an exemption from constructing the concrete sidewalk until the neighboring property to the east is developed. If a certificate of exemption is given, it should require that the present walk way be maintained and a concrete walk way be constructed when the adjacent property is developed. A copy of the certificate would be attached to the County deed records.

Mr. Blanton recommended approval of a temporary certificate of noncompliance with conditions for maintainance and ultimate construction.

Motion: Grobey-Keltner to deny the requested exemption. 5 aye, 2 nay (Youngman, Halstead), 1 abstain (Hindman). Motion carried.

Public Hearing: Annexation/Zone Change

Applicant: Hubert Slegers

Location: South side of Highway 99W across from Spring Meadow
Subdivision

Staff Report: Mr. Blanton presented the staff report as presented in the Staff Memorandum.

Staff Recommendation: Mr. Blanton stated that as presented in the Staff Memorandum.

Proponent: Wynn Stuckey, consulting engineer representing the applicant stated he had little to add. He stated the Public Need requirement as stated in the application and made a part of the staff report.

No other proponents or opponents wished to be heard. No written remonstrance has been received. Public hearing closed.

Motion: Cach-Grobey to deny approval of the annexation request because:

1. Need to annex has not been demonstrated
2. Just because the request is consistant with the Comprehensive Plan does not imply need to annex.

Aye 6, Nay 2 (Youngman-Hindman) Motion Carried.

Public Hearing: Annexation

Applicant: Carl Kreder

Location: Lynn Drive and Crater Lane

Staff Report: Mr. Blanton presented the staff report as presented in the staff memorandum and located the parcel on maps of the area.

Proponent: Carl Kreder, the applicant, stated he is not planning to develop the property at present and agrees to the condition recommended by staff.

Opponents: Victor Gerth, 1907 N. Main Street. Stated he is opposed to additional development in the area as it will have an adverse effect on the present residents. Michael Darnell, 2007 N. Main Street, stated he purchased his property in July, 1977 and was not informed of the new sewer line to serve the area. He is against rapid growth of the area. Also received in opposition was a letter from Billie Lauer, 118 Lynn Drive.

No other proponents or opponents. No rebuttal.

Staff Recommendations: Mr. Blanton stated that as presented in the staff memorandum.

Public hearing closed.

Motion: Youngman-Stanley to recommend approval of the annexation to the Council with staff recommendation and finding of facts A through D. Aye 3, Nay 5.
Motion failed.

Motion: Cach-Grobey to deny approval of the annexation because:

1. Public need has not been shown
2. Consistency with the Comprehensive Plan does not require annexation.

Aye 5, Nay 3 (Hindman, Keltner, Youngman). Motion Carried.

Public Hearing: Annexation
Applicant: City Council
Location: 2805 Portland Road, Ivan's Tavern.

Staff Report: Mr. Blanton presented the staff report as presented in the staff memorandum and located the parcel on maps of the area.

No proponents or opponents wished to be heard. No written remonstrance has been received.

Staff Recommendation: Mr. Blanton stated that as presented in the staff memorandum.
Public Hearing closed.

Motion: Grobey-Cach to recommend approval of the annexation to the Council based on staff findings A through D. Carried.

Public Hearing: Annexation
Applicant: City Council
Location: Wilhelmsen property, east side of Main St., north of Illinois St.

Staff Report: Mr. Blanton presented the staff report as presented in the staff memorandum and located the parcel on maps of the area.

Proponent: No one wished to be heard.

Opponent: Cliff Wilhelmson. Three brothers own the property. They have a home on adjacent property to the south which is in the city. This property was omitted from previous annexations because the city did not want to be responsible for the fill. He has farm animals on the property and wishes to keep it rural. There is no public need for this property to be annexed. Mrs. Calvin Reed, 1202 N. Main stated she is against the annexation. The property is well kept in its present use. Storm water collecting in the swale is caused by projects within the city.

No others wished to speak. No written remonstrance has been received.

Staff Recommendation: Mr. Blanton stated that as presented in the staff memorandum.

Public Hearing closed.

Motion: Cach-Hindman to recommend the annexation to the City Council with finding of fact in the Staff Report A through D. Carried. (2 nay, Grobey-Halstead).

Public Hearing: Variance from sideyard setback requirement.
Applicant: Wayne Minor
Location: Sheridan Street west of Morton

Staff Report: Mr. Blanton presented the staff report as presented in the staff memorandum.

Proponent: Sally Minor, 510 W. Sheridan Street, stated work was stopped as soon as they were notified. She asked that the variance be granted and they be allowed to construct a fire wall for the outer wall of the carport. It is not possible to place a carport or garage on any other part of the property. Mr. Minor presented letters from neighbors across the street and behind the property stating they had no objections.

Staff Recommendations: Mr. Blanton stated that as presented in the staff memorandum.

Public Hearing closed.

Motion: Grobey-Keltner to deny the request as the proponent presented no evidence to support the variance. Motion failed.

Motion: Cach-Stanley to reopen the public hearing. Carried.

Motion: Cach-Stanley to continue the public hearing to May 16, 1978 to allow the applicant time to prepare a scale drawing of the property with the variance requested and to address the four points needed for a variance. Carried.

Subdivisions

Carol Ann - Resubmitted Preliminary Plat

Staff Report: Mr. Blanton presented the staff report as presented in the staff memorandum.

John Summers, engineer for Lindquist Development, stated staff has approved engineering drawing and the property is staked. The developer has agreed to the conditions staff has recommended on lots 24, 25 & 26.

Motion: Cach-Grobey to accept the Preliminary Plat for Carol Ann Subdivision with staff findings 1 and 2. Finding 2-C to be changed to read "The roadway may be reduced for the access road because of unusual topographic conditions which limit access to Villa Road." and with conditions of staff 1 through 4. Carried.

Old Business

Road location analysis of 'Airpark Street'.

Mr. Blanton presented the location as designed by staff maintaining 90° intersections as much as possible and using existing sewer easement and street right of ways. He also stated an 80' right of way would not be required. 60' or 64' would be adequate.

Ron Willcuts, owner-developer of the property on the south, stated the design of the street combined with the 100' flight path restrictions on his property would ruin the property for development.

Wynn Stuckey, representing owners of the property on the north, presented a street location map similar to the staff map. He stated the owners have conceded on the street location on the north side of their property and would oppose any change in the location on the south side.

Motion: Grobey-Hindman to refer to the Public Works Committee for final proposal.

Motion Amendment #1: Youngman-Keltner to recommend the plan presented by Mr. Stuckey.

Motion Amendment #2: Grobey-Cach because the plan maintains 90° intersections, roadways align with sewer easements, the road connects between 99W and East Second, should be 60' right of way.

Motion amendment #1 - carried. Motion amendment #2 carried. Amended motion - Carried.

Mr. Stuckey stated for the record that his clients have made considerable sacrifices on the north and should not be expected to sacrifice to the south.

Motion: Youngman-Cach at 10:30 p.m. to continue the agenda. Carried.

Motion: Grobey-Keltner to continue Flightway Industrial Park Subdivision to next meeting May 16, 1978. Carried.

Discussion Items

Plan Amendment/Zone Change request by Publishers Paper through the County.

Motion: Hindman-Grobey to recommend the County delay action on the request until Newberg adopts its new Comprehensive Plan. Carried.

Conformance of City and County Comprehensive Plans

Motion: Grobey-Hindman that Mr. Blanton inform the County their date of 5/31/78 is unrealistic. The City will adopt the new Comprehensive Plan approximately August, 1978 and will at that time ask the County to adopt the City's Comprehensive Plan within its Urban Growth Boundry as a part of the County Comprehensive Plan. Carried.

Motion: Blodgett-Hindman to adjourn. Carried.

MINUTES

PLAN WORK SESSION WITH THE CITY COUNCIL, PLANNING COMMISSION AND CIAC

Date: April 26, 1978

Time: 7:30 p.m.

Present: Elvern Hall, Mayor
Maurice Chandler, CC
Hal Grobey, PC
Arthur Stanley, PC
John Cach, PC, CIAC
Alan Halstead, PC,
George Alexander, CIAC
Allen Blodgett, CIAC
Curt Loewen, CIAC
Herman Hughes, CIAC

The meeting was called to order by Vice-Chairman Halstead. Elvern Hall, Mayor of Newberg, then arrived and was given the chair.

An additional meeting on Tuesday, May 30 was approved to complete the review of work session items.

Discussion on the April 26 plan work session items for review was then opened.

Item #9, Residential Uses, p. 8 was approved as recommended by staff.

Item #8, Residential Uses, p. 7 was approved as recommended, though there was some discussion about planning more high density areas than are needed and the possibility of setting a precedent for additional changes to higher density uses.

Item #7, Urban Growth Boundary, p. 22 was approved as recommended after discussion of responsibility for pump ownership and maintenance.

Staff recommendations on Items #1, #2, #3, and #4, Residential Uses, were approved as presented.

Item #5, Residential Uses, Recommendations A and B were approved. In addition, Policy #4 (HOUSING, Mix, p. 7 in the Plan) was amended to read "Modular and mobile home units should be recognized as sources of low cost housing."

Item #6, Residential Uses, p. 5 was approved as recommended.

Meeting participants decided to deny the change requested in Item #7, Residential Uses, ruling that the 10-acre strip between Second and Third Streets be left as Low Density Residential. It was indicated that there is already too much land planned for higher density uses and that further medium or high density uses in the area might encourage the Airpark to move elsewhere.

Item #1, Parks and Open Space, p. 9 was approved as recommended.

Item #2, Parks and Open Space, p. 11 was approved as recommended with the additional stipulation that the percentage of the public land fund reserved for parks shall not be zero.

The recommendation for Item #3, Parks and Open Space, p. 12 was approved with the deletion of the second sentence.

Recommendations for Items #4, #5, #6, #7, and #8, Parks and Open Space Uses and #1 and #2 for Willamette River Greenway were approved as stated.

Item #6, Urban Growth Boundary, p. 21 was then discussed. A motion was made and seconded to de-annex the area. Legal implications of doing so however, were questioned and the item was referred back to staff for further examination.

Item #3, Park and Open Space Uses, was approved as recommended.

Recommendations for Items #1, #2, #3, #4, and #5, Urban Growth Boundary, pp. 17, 18, 19, 20 were adopted. Staff indicated that a joint hearing with the City Council and the County would be required.

The meeting was adjourned.

Tuesday, 7:30 P.M.

May 16, 1978

Minutes
Regular Meeting
Newberg Planning Commission

Council Chamber

Newberg, Oregon

Meeting called to order by Vice-Chairman Esther Keltner.

Present: Bob Blodgett Arthur Stanley
 John Cach Bob Youngman
 Hal Grobey

Absent: Maybelle DeMay (excused)
 Alan Halstead (excused)
 Charley Hindman

Staff Present: Dale Blanton, City Planner
 Terry Mahr, City Attorney
 Arvilla Page, Asst. City Recorder
 John Raineri, Acting Supt. of Public Works
 Bob Weisenback, Building Official

Motion: Grobey-Stanley to approve the minutes of the previous meeting as presented. Carried.

Public Hearing: Zone Change
 R-R and CR to R-1
Applicant: Planning Commission
Location: East side of Villa Road
 approximately 150' north of Orchard Drive

Staff report - Mr. Blanton presented the staff report as presented in the staff memorandum and located the parcel on maps of the area.

No proponents or opponents wished to be heard. No written remonstrance has been received.

Staff Recommendation - Mr. Blanton stated that as presented in the staff memorandum.

Public Hearing closed.

Motion: Grobey-Stanley to recommend to the council granting of the zone change based on staff finding of facts and with staff recommendations as stated in the staff memorandum. Carried.

Public Hearing: Zone Change/Plan Amendment
Request: R-2 to C-1 Zone Low density residential to commercial plan
Applicant: Jerry Young
Location: Adjacent to Kentucky Fried Chicken Restaurant on Portland Road.

Bob Youngman disclosed he works with Earl Sandager who is representing the applicant. He stated he has had no contact or discussion with anyone on the request and would partake in the discussion and voting.

Staff Report - Mr. Blanton presented the staff report as presented in the staff memorandum and located the parcel on maps of the area.

Proponent: Mr. Earl Sandager, Rt. 1, Box 48-B, Newberg, representing the applicant, stated they would like the zone line to coordinate with the property line, all properties surrounding the parcel are zoned commercial, therefore this is not an addition to strip commercial development. The purchaser has been looking for suitable property for a year. They have investigated all properties along Portland Road. There are no suitable properties on the market in the core area. The property does not abut the property of Larry Rickert who has written a letter in opposition.

Opponents: No one wished to be heard. A letter from Larry Rickert, 1902 Laurel Drive was noted and made a part of the record.

Staff Recommendation - Mr. Blanton stated that as presented in the staff memorandum.

Public Hearing closed.

Motion: Cach-Grobey to recommend to the Council to grant the Plan Amendment and zone change requests with staff finding of facts 1 through 5 and with staff conditions 1 and 2. Carried.

Public Hearing: Variance.- Sideyard.
Request: Reduce sideyard setback to 3.5'
Applicant: W.H. Southwood
Location: 12th Street east of Chehalem Street.

Staff Report - Mr. Blanton presented the staff report as presented in the staff memorandum and located the parcel on maps of the area.

Proponent: William Southwood, Rt.2, Box 119B, stated he had purchased the house last fall from Publishers and it was to be moved in 90 days. He has been looking since for a suitable location. This location would be an easy move straight down 12th Street. The house is a better house than neighboring houses and would not be detrimental to the neighborhood. It is not feasible to cut the house down in size or to turn it on the lot.

No other proponents or opponents wished to be heard. No written remonstrance has been received.

Mr. Blanton stated that staff would not make a recommendation.

Public Hearing closed.

Mr. Southwood was questioned by several members of the Commission on the four criteria for granting a zoning variance.

Motion: Youngman-Stanley to approve the variance to reduce the side-yard setback.

Motion Amendment: Youngman-Stanley the applicant is attempting to improve his situation, works in the area. He has been unable to find other lots. He is attempting to sustain similar residential land use. The granting of the variance would not be materially detrimental to the purpose of the ordinance or other property in the vicinity. The request is the minimum required, motion amendment carried. Amended motion failed. 2 aye, 3 nay.

Motion: Grobey-Cach that the request for variance be denied as the four conditions required have not been met. Carried.

Continued Public Hearing: Sideyard Variance

Applicant: Wayne Minor

Location: Sheridan Street west of Morton.

Mr. Blanton presented a revised staff report which is in the staff memorandum of May 12, 1978.

Mr. Youngman stated he had had ex parte contact with the applicant to advise her whom to see for assistance with her application.

Proponent: Sarah Minor, 510 W. Sheridan, stated the carport would never be anything else. A letter from Ralph Burkett, 504 W. Sheridan stating no opposition to the request was noted and made a part of the record.

No other proponents or opponents wished to be heard.

Staff Recommendation - Mr. Blanton stated that as presented in the staff memorandum which is to deny the request as the house already violates two other setback requirements.

Motion: Cach-Groby to deny the requested variance as there are no findings of the four conditions for granting. Carried.

Preliminary Plat - Continued hearing. Flightway Industrial Park.

Developer: Ron Willcuts

Location: Intersection of Hwy 219 and E. Second Street.

Staff Report - Mr. Blanton presented the staff report as presented in the staff memorandum and located the parcel on maps of the area.

Eldon Edwards, 71 S.W. Oak, Portland, representing the developer, stated agreement with all of the staff conditions but would like to add to condition no. 6 the words "or approval of the Planning Commission".

Motion: Cach-Groby to approve the preliminary plat of Flightway Industrial Park with staff conditions 1 through 9; Condition no. 6 to have added " or approval of the Planning Commission". Approval is based on staff recommendations 1, 2 and 3 in the staff memorandum. Carried.

Discussion Items

Request for ordinance amendment to allow concrete tile manufacturing

as an outright use in an M-1 zone. Referred from the Council. Petitioner - Dave Paxton.

Staff Report - Mr. Blanton presented the staff report as presented in the staff memorandum.

Mr. Mahr gave a brief history of the property stating the Conditional Use previously granted is now being reviewed by the Court. Adding this as an outright use would make the court case moot. Mr. Mahr noted for the record receipt of a letter from Charles Heckman objecting to the manner in which the Council was petitioned.

Present and stating their objections to the petition were Wayne Stuart, 2000 N. Villa Road and Charles Heckman, Routh 2, Box 25, who is also a member of the Yamhill County Planning Commission. Mr. Heckman stated he was present to represent East County Homeowners Organization. The Commission members discussed each of the four options offered in the staff report. After determining the progress of the zoning ordinance revision which is hoped to be completed by October, the following motion was made: Cach-Grobey the Commission to study and propose revisions of all use lists in the current ordinance. Carried.

Motion 10:15 P.M.: Grobey-Youngman to continue the agenda.

Discussion Item: Request for ordinance amendment to allow mini-storage as a conditional use in a C-3 zone. Petitioner: Staff.

Mr. Blanton stated mini warehouses are not a listed use in any zone. They have been classed as warehouses previously which they may or may not be. Staff has been aware of this problem. Other cities are undecided how they should be classified. The City now has an application for these units in a C-3 zone. Staff recommends they be allowed only as a Conditional Use.

Motion: Grobey-Cach to set June 20 as the date to hold public hearing to amend the zoning ordinance to allow mini storage as a conditional use in a C-3 zone. Carried.

Mr. Blanton reported to the Commission action taken by the Council reversing and/or confirming Planning Commission recommendations and decisions.

Motion: Grobey-Stanley that the Planning Commission draft a letter to the City Council giving their endorsement and full support to the Citizens Involvement Advisory Committee's policy on the Urban Growth Boundary and pumped sewage. Carried.

The Commission reviewed the Steen Realty apartments in Spring Meadows and the parking requirements, but took no action.

Motion: Cach-Stanley to set a time limit of 5 minutes each for proponents and/or opponents in public hearings with the right of the Commission to extend for 2 addition periods for a maximum of 15 minutes. Carried.

Motion: Cach-Youngman to adjourn. Carried.

MINUTES

PLAN WORK SESSION
WITH THE
CITY COUNCIL, PLANNING COMMISSION AND CIAC

Date: Tuesday, May 23, 1978

Time: 7:30 p.m.

Present: Elvern Hall, Mayor
Maurice Chandler, CC
Hal Grobey, PC
Alan Halstead, PC
Bob Youngman, PC
Bob Blodgett, PC
John Cach, PC, CIAC
George Alexander, CIAC
Andy Anderson, CIAC

Staff Present: Bob Weisenback
Dale Blanton
Terry Mahr
Jere Jackson
Linda Wildman

Others Present: Ken Bernard
Ron Gleason

The meeting was called to order by Mayor Hall. A motion was made, seconded and carried to approve the minutes of the April 26 plan work session as submitted. Discussion on the May 23 plan work session then proceeded as follows:

Commercial Uses -

Item #1: There was a discussion of clustered commercial development and downtown commercial development. Staff clarified the intent of Policy #3 (The Economy, Commercial Areas, p.6). A motion was made and carried to leave Policy #3 in the Plan.

Item #2: Mr. Blanton explained County Planning Staff comments on the commercial area at the southeast corner of 99W and Springbrook. County staff had indicated that the City may want to be more specific in the Plan about the timing of development there, the types of activities to be located in the area, and traffic considerations. Mr. Blanton suggested the possibility of timing commercial development with signalization. A motion was made and carried to leave the Plan as proposed.

Item #3: There was discussion of the high and medium density residential area near North College Street and the planned Mountainview Drive extension. It was indicated that services will be adequate in the area and that there will be a natural demand for higher density residential uses near major transportation facilities. Staff indicated that the Plan looks to the future when low density residential uses will be incompatible with the intersection.

A motion was made and carried to retain the Plan as proposed.

Item #4: A motion was made and carried to retain the commercial area at North College and the planned Mountainview Drive extension. The additional paragraph requiring the provision of adequate traffic facilities before development was also approved as recommended.

Industrial Uses -

Item #1: It was moved and seconded that the Industrial Lands Task Force report be incorporated into the Comprehensive Plan as part of the Inventory report. Staff summarized key provisions of the Task Force report, including the finding that there is an adequate amount of industrial land provided in the Plan but that the key problem is availability of services.

A discussion of the Task Force findings and recommendations followed: Mr. Bernard from A-Dec commented that most industries want property with services immediately available and generally will go elsewhere if such sites are not available.

Mr. Gleason, a resident in the triangle to the south of 219 in the southeast corner of the UGB, was then given an opportunity to speak. He indicated that there are 5 relatively new homes in the area, indicating that owners would not be able to rebuild or expand homes if their properties are zoned industrial. He suggested that it would be difficult to resell the small parcels. Discussion followed and a motion was made and carried to exclude Tax Lots:

3221 - 2300
2400
2500
3228 - 1400
1500

from the lands recommended for industrial use in the Task Force report.

Staff then read the recommendations of the Industrial Lands Task Force report.

Discussion followed about the recommendation including Bill Page's industrial operation north of Mountainview Drive as industrial land. A motion was made and seconded to remove reference to this property in the recommendations. The motion failed by one vote.

The Industrial Land Task Force report was then adopted as part of the Comprehensive Plan.

A motion was made and carried to include recommendation #2 in the Task Force report as Policy #4 (The Economy, Industrial Areas, p.5). This specifically provides for a review of industrial lands at least every three years.

- Item #2: A motion was made and seconded to adopt staff recommendations. It was indicated that once A-Dec fills up and a need for additional industrial land could be shown, industrial use for the area could eventually be approved. In the meantime, designation as low density residential land is probably appropriate.

The motion was amended to delete the words "A-Dec's long standing promise not to expand north of Mountainview Drive and" was approved. Final wording of the recommendation was "Considering the Plan's provision of adequate industrial land, this area should remain in low density residential use".

- Item #3: This item was already covered by recommendations approved in the draft.

- Item #4: A motion was made and approved to adopt staff recommendations to retain the area in question as industrial land.

QUASI-PUBLIC -

- Item #1: A motion was made and carried to adopt staff recommendations on changing the title of the Quasi-Public classification to Public/Quasi-Public.

- Item #2: Staff recommendations on the revised calculations of Public/Quasi-Public land use needs were approved.

Item #3: A motion was made and carried to discuss the airport clear zone issue at the following meeting.

Item #4: The need to include the future City Hall and fire station on the Plan map was discussed, as was the procedure for adding these items. A motion was made and carried stating the following: "A Comprehensive plan amendment to designate the civic center site shall be heard in conjunction with a review of the consultant's report on site selection".

CHURCHES -

Item #1: The staff recommendation to delete churches from the Plan map was approved.

TRANSPORTATION -

Item #1: A motion was made and carried to adopt staff recommendations to retain Mountainview Drive as a planned arterial.

Item #2: The issue of the Southern By-Pass Highway was discussed. A note from the City Administrator was read stating that the feasibility of the By-Pass is negligible according to state officials. Mr. Cach indicated that the reason the By-Pass is not included in the Plan is that it won't happen for at least 20 years.

Staff recommendations to leave the Plan as proposed and to coordinate this item with the County were approved.

Item #3: Staff recommendations on transportation planning were likewise approved.

Item #4: Discussion was held on parking policies and options for downtown. Staff indicated that while Policy #1 (Economy, Commercial Area, p.6) states that adequate parking facilities will be provided in the core area, parking exemptions in portions of downtown would still be permitted.

A motion was made and carried to adopt staff recommendations with the words "parking ordinance" changed to "zoning ordinance".

MIXED USE -

Item #1: A motion was made and approved to adopt staff recommendations to use Alternative I as the Mixed Use definition.

The meeting was then adjourned.

Tuesday 7:30 P.M.

June 20, 1978

Minutes
Regular Meeting
Newberg Planning Commission

Council Chambers

Newberg, Oregon

Meeting called to order by Chairman Alan Halstead.

Present: Maybelle DeMay Esther Keltner
 Hal Grobey Bob Youngman
 Charley Hindman

Absent: Bob Blodgett (excused)
 John Cach (excused)
 Arthur Stanley (excused)

Staff Present: Dale Blanton, City Planner
 Terry Mahr, City Attorney
 Arvilla Page, Assistant City Recorder
 John Raineri, Acting Superintendent of Public Works
 Bob Weisenback, Building Official

Motion: Keltner-Youngman to approve the minutes of the previous meeting as presented. Carried.

Public Hearing: Zone Change
Request: C-3 and R-1 oo all C-3
Location: Tax Lot 3220-AB-200; 2502 Portland Road
Applicant: Oregon Motor Club

Ex parte contact disclosed by Commission members Cach, Halstead, Hindman and Grobey wherein they were present at a Council meeting where fees for this application were considered. The City Attorney stated the ex parte contact would not affect the matter before the commission.

Staff Report: Mr. Blanton stated that as presented in the staff memorandum which includes a map of the area.

Proponent: Jack Nulsen, President of Oregon Motor Club, 813 E. First St. Newberg. The 30 ft. street dedication has been done by the previous property owner. An L.I.D. petition has been signed for improvement of E. Hancock Street at the south end of the property. The property is designated commercial in the Comprehensive Plan. Plans are to partition the property. An offer has been received for a real estate office on the north 350'. Law offices, other offices and mini-warehouses would occupy the interior of the lot. A 28' strip on the west side would be retained for a private roadway. The mini-warehouse area would include a fenced area to store RV's, boats, etc. There is presently no such storage available nearby and all the mini-warehouses are rented so there is a need for this commercial use. The property North and East are commercial, South is industrial. The property to the West is occupied by an older residence on the front portion. The rear is vacant. The City's Comprehensive Plan meets the Statewide goals and the request agrees with the Comprehensive Plan.

No other proponents or opponents wished to be heard. No written remonstrance has been received.

Staff Recommendation: To approve based on the following finding of facts:

1. Public need exists for more commercial land.
2. Need is best served by this parcel because of its designation as commercial on the Comprehensive Plan map.
3. The original zoning failed to recognize parcel lines as zone boundaries. The parcel can be better developed if the zone recognizes property lines.
4. The proposed change agrees with the Comprehensive Plan and meets State wide goals.
5. Access will be combined after the partitioning.
6. Offices are needed outside the core area to provide needed parking.

Staff also recommends the condition that access on Hwy. 99W be combined.

Public Hearing Closed.

Motion: Grobey-Keltner to approve and recommend to the Council the requested zone change with findings of fact by staff and with conditions:

1. Combined access on 99W and;
2. Landscape screening of the mini-warehouses be approved by the City Planner. Carried.

Public Hearing: Zoning Ordinance Text Amendment

Applicant: Planning Commission

Request: Make mini-storage warehouses a conditionally permitted use in a C-3 zone.

Staff Report- Mr. Blanton presented the staff report as presented in the staff memorandum.

Proponent: Jack Nulsen 727 E. Sheridan. There is very little traffic at mini-warehouses. They have become a commercial type business. They are not warehouses but storage. Most are being built of metal and must be 5 feet from the property line to meet fire code. They require quite a bit of land because of the turn around requirements. Requirements for large areas of landscaping would hinder development.

Proponent: Joe Brugato, 2111 Portland Road. There is a large and growing need for mini-storage units. Planned unit developments and apartments will create need for this type storage.

Opponent: Dave Paxton, 812 Green Valley Drive. There is legitimate need for this commercial use. It could be defined clearly and made an outright use in a commercial zone. A conditional use requires review and unknown obstacles to development. Standards should be set but not case by case.

No others wished to be heard. No written remonstrance has been received.

Staff Recommendation: Approve.

Public Hearing closed.

Commission members discussed the need for definition of mini-warehouses and open storage lots. Mr. Blanton stated an ordinance setting standards for every use would be many pages long.

A motion by Grobey-Hindman to reopen the Public Hearing Carried.
A second motion by Grobey-Hindman to continue the Public Hearing at the July meeting failed for the lack of majority. The Chair then closed the Public Hearing again.

Motion: Grobey-Youngman to recommend to the City Council amendment of the zoning ordinance to allow as a conditional use in a C-3 zone mini-warehouses based on findings of fact as presented in the staff memorandum. Carried.

Public Hearing: Subdivision Ordinance Revision
Applicant: City Council

Staff Report: Mr. Blanton stated the proposed ordinance speaks for itself. Staff recommends approval of the ordinance.

Joe Brugato, 2111 Portland Road questioned the section prohibiting negotiating for sale on a preliminary plat. He felt it was more restrictive than state law. Mr. Blanton stated that section is a direct quote from ORS.

No others wished to be heard. No written remonstrance has been received.

Public Hearing Closed.

Motion: Grobey-DeMay to postpone discussion and recommendation to the July 18 meeting and hold a work session in the interim to study the proposed ordinance. Carried.

Public Hearing: Comprehensive Plan Revision

Jere Jackson, Chehalem Park & Recreation District asked the Planning Commission to consider testimony before the Council where the Park district would like to have 75% of public land monies designated for Parks. The District would accept land instead of money if the land was designated "Park."

No others wished to be heard.

Public Hearing Closed.

Motion: Youngman-Grobey to recommend to the City Council the Comprehensive Plan as revised. Carried. Aye 4-DeMay, Grobey, Hindman, Youngman.
Nay 1-Halstead. Abstain 1-Keltner.

Public Hearing: Zoning Ordinance Text Amendment

Applicant: City Council

Request: Make, "Manufacturing and sale of precast concrete products requiring no raw materials processing on site" a permitted use in an M-L or M-1 zone.

Mr. Hindman stated a conflict of interest and removed himself from the commission.

Staff Report: Mr. Blanton presented the staff report as presented in the staff memorandum.

Motion: Grobey-Keltner to impose a 5 minute time limit on each speaker. Carried.

Proponent: Dave Paxton, 817 E. First Street. One of the owners of Valley Concrete Products a manufacturer of concrete drain tile one foot long and pier blocks. There is no runoff from the manufacturing process. All materials to be used are kept in metal bins. Newberg needs more industry and is not getting new industry.

Proponent: Jack Nulsen. This is not a large manufacturing business but very small. A look at other uses allowed as outright use in this zone shows more intense industry with more noise and other adverse potential. This should be an outright use.

Opponent: John Stuart, 2000 Villa Road. Why is the proponent objecting to size limitations if the product is small. The conditions placed on the C.U.P. of January, 1976 have not been met. Screening has not been provided.

Opponent: Charles Heckman, Rt. 2, Box 25 representing East County Home-owners (Mr. Heckman presented a letter from the President of E.C.H.O. granting Mr. Heckman authority to speak in their behalf.) This matter was brought before the County in 1974 and rejected. The property was annexed to the City and the zone changed to M-1. A conditional use permit was granted which has been ruled defective. Many conditions were attached to the C.U.P. A constant stream of water now seeps into Hess Creek. Screening is not adequate. The requirements of the zone are more strict than the C.U.P. Mr. Paxton petitioned the Council twice in 30 days. This is not land use planning. This is a political request and ECHO requests denial.

Cross Exam: Paxton of Heckman: Q. Do you contend there should be no precast industry in Newberg?

A. Zoning ordinance allows it in heavy industrial zoning.

Nulsen of Heckman: Q. Do you object to any of the permitted uses in this zone?

A. Yes.

Q. Is not ECHO a politically oriented group?

A. Yes. Any group is.

Rebuttal: Proponent Dave Paxton. There is one other precast concrete manufacturing in Newberg. The Comprehensive Plan notes it is not always possible to get clean, green industry but all types should be encouraged. A C.U.P. leaves the status of a business unclear. Manufacture of concrete tile is certainly not more intense use than a railroad switching yard which is allowed.

Proponent Jack Nulsen. ECHO has apposed any growth or change in this area.

Opponent Charles Heckman. ECHO has not always fought growth. They have taken a position only on those the organization felt were detrimental.

Staff Recommendation: Mr. Blanton stated the staff recommends Conditional Use Permit in M-1 zone. The City attorney read the uses permitted outright in M-L and M-1 zoning.

Public Hearing Closed.

Commission members discussed the need for size definition of the products.

Motion: Youngman-Grobey to direct staff to prepare a definition of manufacture and sale of precast concrete products requiring no on site raw material preparation toward designation as permit or conditional use in an M-L or M-1 zone.

Motion:Amemdment: Grobey-Keltner to set one month time.

Amendment Carried.

Amended Motion Carried.

Motion: Grobey-DeMay to reopen the public hearing.
Carried.

Motion: Grobey-Keltner to continue the public hearing to the July 18, 1978 meeting. Carried.

Subdivision Final Plats.

- 5-A Dogwood Terrace
- 5-B Terrace Lane
- 5-C Carol Ann
- 5-D Rinkes
- 5-E Hess Creek Estates

Staff Report: Mr. Blanton stated the City has no engineer at present to approve the plats. The County will not do it. The City will have to appoint an engineer to check the plats. He recommends approval of the final plats with the condition that each plat be approved by the City Planner, the designated engineer and meets ORS requirements.

Motion: DeMay-Grobey to approve agenda Items 5-a thru 5-e based upon the following conditions.

1. All plats must meet the approval of the City Planner.
2. All plats must be consistent with the technical plat check requirements of the Oregon Revised Statutes. Carried.

Motion: Grobey-Youngman at 11:00 p.m. to continue the agenda. Carried.

The Commission discussed annexation of Hwy 99W East of Springbrook Street, the properties adjoining the highway and what effect the annexation would have on the properties. The Commission made no recommendations.

Mr. Blanton reported action taken by the City Council on matters that had appeared before the Commission. The Council has stated that conditions should not be placed on zone changes and removed conditions recommended by the Commission on the Abbey's Pizza zone change. Mrs. DeMay stated she felt the Planner and Planning Commission should propose conditions. The City attorney stated this is a changing area. Some cities place conditions on zone changes and some do not allow conditions.

Motion: Hindman-Keltner to adjourn. Carried.

Wednesday 7:00 P.M.

July 5, 1978

MINUTES
WORK SESSION
NEWBERG PLANNING COMMISSION

Council Chambers

Newberg, Oregon

Present: John Cach
Esther Keltner
Bob Blodgett
Charlie Hindman

Bob Youngman
Alan Halstead
Hal Grobey

Absent: Art Stanley
Maybelle DeMay

Staff Present: Dale Blanton, City Planner
Terry Mahr, City Attorney
John Raineri, Acting Supt. of Public Works

A draft version of a Subdivision ordinance developed by the Planning Staff and C.I.A.C. was reviewed and revised.

The revised version will be considered at the July 18 regular meeting.

file
Tuesday, 7:30 P.M.

July 18, 1978

A Regular Meeting
of the Planning Commission

Council Chambers

Newberg, Oregon

The meeting was called to order by Chairman Alan Halstead.

Present: Bob Blodgett Hal Grobey
 John Cach Esther Keltner
 Maybelle DeMay Bob Youngman

Absent: Charley Hindman (excused)
 Art Stanley (excused)

Staff Present:
 Dale Blanton, City Planner
 Becky Manning, Recording Secretary
 Arvilla Page, Asst. City Recorder

Motion: Keltner-Grobey to approve the minutes of the regular June meeting as printed. Carried.

Motion: Cach-Keltner to approve the minutes of the July 5 work session. Carried.

Public Hearing: Zoning Ordinance Text Amendment
Applicant: City Council
Request: Make, "Manufacturing and sale of precast concrete products requiring no raw material processing on site" a permitted use in an M-L or M-1 zone.

Motion: Grobey-Youngman to continue the hearing with testimony to be restricted to new evidence only. Carried.

Staff Report - Mr. Blanton presented the staff report as presented in the staff memorandum adding a 300 lb. weight limit.

Proponent: Dave Paxton, 812 Green Valley Drive. The staff's recommendation of a 300 lb. size limit would exclude one manufacturer currently located here. Valley Concrete Products has nothing that large at present but is considering manufacture of planter boxes that would weigh more than 300 lbs. The size limit suggested is small. The planter boxes could be up to 6 feet long and weigh 1500 lbs. a weight limit is a good criteria. Washing and screening of product components should also be excluded as the prepared products can be purchased.

Opponent: John Stuart, 2000 Villa Road. There have been complaints about noise and lack of screening at Valley Concrete Products contrary to what Mr. Paxton stated.

Opponent: Charles Heckman, East County Homeowners Organization, questioned the City Planner. Q. Have other manufacturers contacted the City? A. No. Q. Does not a small product impact as much as a large? A. Possibly.

Mr. Heckman stated this affects only the proponent and only one firm benefits, therefore the visual impact of that firm is germane. This is a violation of the Comprehensive Plan. Since it only affects one firm, this is a quasi-judicial not legislative proceeding. At a previous meeting a City Council member was lobbying and E.C.H.O. was at a disadvantage because a council member has more opportunity for input than E.C.H.O.

Staff Recommendation: Mr. Blanton recommended adoption of the two amendments as presented in the Staff Memorandum with a weight limit of 300 lbs. and with findings relative to No. 1 and No. 2 in the Staff Memorandum being made. Staff would have no objection to a restriction of washing and screening product components.

Public Hearing Closed.

Mr. Grobey stated 300 lbs. would be 2 cubic feet of concrete and is very restrictive. A limit of 1,500 lbs. would not be out of line.

Motion: Cach-Grobey to recommend to the Council amendment of the zoning ordinance text: Section 31A. To add as a conditional use in the M-1 zone "Manufacture and sale of concrete products (i.e. pipe, tile, block, etc.) with the following findings: 1. Because Newberg is pursuing both light and heavy industry and is not given the authority to carte blanche zoning and uses. Pursuit requires siting considerations with regard to access, buffering and landscaping and we should consider on a condition basis. 2. As a weight limitation is not a clear line of demarcation between M-L and M-1. Carried. (1-Nay, Youngman).

Public Hearing: Variance from setback requirements.

Applicant: Northwest Yearly Meeting - Friends Church

Request: To permit frontyard setback of 9 ft. (15 ft. required) and sideyard setback of 0 ft. (5 ft. required).

Staff Report - Mr. Blanton presented the staff report as presented in the staff memorandum and located the parcel on maps of the area.

Proponent: Frank Cole, Chairman of the Board of Trustees Northwest Yearly Meeting - Barclay Press, stated the printing shop was very small to begin with and has grown. The plant has been added to but the offices have not. Barclay Press prints material for church groups and does not solicit or accept commercial work. They have received a letter (copy for records) from R.E. Sullivan, P.G.E. stating no objection to the 0 ft. sideyard. The architect could find no alternative on the present site.

Proponent: Harlow Ankeny, asst. manager of Barclay Press stated the problem in rearranging the present building would be moving heavy presses and changing power supply locations.

Mr. Blanton asked the proponents about the kind of traffic, volume of production, and previous expansion. Proponents replied that traffic and visual impact would be no greater than on block to the west with city facilities, production is 12,000 copies per month of church papers, quarterly lesson books and limited other book printing. Building was constructed 1959 and expanded in 1969. It is entirely owned by a non profit organization but is not tax exempt.

Opponent: Gayland Hultgren, 607 E. Third Street, stated it is a pleasant building now. Parking on Third Street is difficult and sometimes impossible because of the narrowness of the street. Addition to the front of the building may make future widening of the street impossible. The addition will put the main entrance on Third Street and will be detrimental.

Rebuttal: Mr. Cole, agreed the street is narrow, but the addition will not add to traffic on Third Street. Users of the building will be encouraged to use the entrance from the parking lot and park in the lot.

Staff Recommendation: Mr. Blanton recommended granting the variance request based on findings submitted by the applicant and included in the Staff Memorandum. He also recommended requiring a sign at the Third Street entrance that parking is available at the rear.

Public Hearing Closed.

Motion: Youngman-DeMay to approve the requested variance based on findings submitted by the applicant and with staff's recommended conditions; plus the church submit to the City a letter defining the permitted and accessory uses on the property. Carried. (2 Nay - Cach, Grobey).

Public Hearing: Subdivision Ordinance
Applicant: City Council

Staff Report: Mr. Blanton stated a work session was held on the revised ordinance July 5, 1978. Staff recommends adoption.

No proponents or opponents wished to speak. No written remonstrance has been received.

Public Hearing Closed.

Motion: Cach-Keltner to recommend to the City Council adoption of the Subdivision ordinance as amended. Carried.

Discussion Items.

Petitions to amend the U.G.B.

Mr. Blanton stated several petitions have been received to amend the U.G.B. in the Newberg-Dundee Task Force area and East of Springmeadow Subdivision. A public hearing before the Council on the Comprehensive Plan is scheduled for August 7, 1978. The Council referred the petitions to the Planning Commission for recommendation. It is a discussion item only and no testimony should be taken. Petitioners may be heard at the Council's public hearing. The County has tabled the zoning in the Newberg-Dundee area. After much discussion among the members of the Commission the following motion was made: Grobey-Cach to recommend to the City Council to adopt the proposed Comprehensive Plan and U.G.B. as scheduled. Carried.

Zoning Ordinance - Mr. Blanton stated a draft is now ready for study and suggested a subcommittee of the Commission. Commission members felt all members needed to study the draft and a work session was scheduled for 7:00 P.M., Thursday, July 27.

School District - Building Plans - Mr. Blanton reported as much as he knew of the District's plans. Chairman Halstead will write to Dr. Post inviting him to attend Planning Commission meetings and report on the District's plans.

Motion: Grobey-Keltner to adjourn. Carried.

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Thursday, 7:00 P.M.

July 27, 1978

A Work Session
of the Planning Commission

Council Chambers

Newberg, Oregon

The meeting was called to order by Chairman, Alan Halstead.

Present: Bob Blodgett
John Cach
Maybelle DeMay
Esther Keltner

Hal Grobey
Charley Hindman
Art Stanley
Bob Youngman

Sections .250 through .326 of a Draft Zoning Ordinance were discussed and revised.

A second work session was scheduled for August 3, 1978 at 7:00 P.M.

Adjournment.

WORK SESSION
PLANNING COMMISSION
August 3, 1978

Staff: Dale Blanton, City Planner
Terry Mahr, City Attorney

Present: Esther Keltner Art Stanley
 John Cach Maybelle DeMay
 Hal Grobey

Absent: Alan Halstead Bob Youngman
 Charley Hindman Bob Blodgett

The meeting was called to order by Vice-Chairman Keltner.

Sections .336 through .914 of the draft zoning ordinance were reviewed and revised.

No further work sessions are to be scheduled until after the public hearing on August 15th.

Adjournment.

Tuesday, 7:30 P.M.

August 15, 1978

A Regular Meeting
of the Planning Commission

Council Chambers

Newberg, Oregon

The meeting was called to order by Chairman Alan Halstead.

Roll Call:

Present:	Bob Blodgett	Charley Hindman
	John Cach	Art Stanley
	Maybelle DeMay	Bob Youngman
	Hal Grobey	

Absent: Esther Keltner (excused)

Staff Present: Dale Blanton, City Planner
Terry Mahr, City Attorney
Becky Manning, Recording Secretary

Motion: DeMay-Stanley to approve minutes of the regular July meeting as printed and also of the previous work sessions. Carried.

Public Hearing: Annexation
Applicant: Charles Atkinson
Location: Crater Lane, Tax Lot #3207-2700

Mr. Charley Hindman abstained because of employee relationship with the proponent.

Staff Report: Mr. Blanton presented the staff report as presented in the staff memorandum.

Proponent: Joe Brugato, 2911 Portland Road representing applicant Charles Atkinson. He stated that the need exists in the Urban Growth Boundary for land to be developed. Said property is located near land which is in the progress now of being developed. Said property is logically located for expansion to Mountainview Drive. Sewer lines have been installed, 8 inch water line will be installed in the Buckley Mountainview Park. North of the city in which property is located is the intended growth area for the future.

Mr. Brugato stated an agreement with the condition set forth by the staff in which "additional street right-of-way shall be deeded to the city to make up a 30' half width for Crater Lane". This deed shall be subject to approval of the City Attorney and City Administrator.

Publications: Publication from the County was noted and copy of said publication is in the Staff memorandum.

No other proponents or opponents wished to be heard. No written remonstrances has been received.

Public Hearing closed.

Mr. Hal Grobey asked for better definition of location of area in question.

Mr. Blanton pointed out the parcel on the map, stating that the city limits were bordering the parcel on the north and the east.

Motion: Cach-Grobey to recommend to the City Council approval of the annexation submitted by Charles Atkinson with the findings recommended by the staff and the condition as stated in the staff memorandum.
6 - Aye, 1 - abstain (Hindman), 1 - absent (Keltner). Carried.

Public Hearing: Proposed Zoning Ordinance
Applicant: City Council
Request: Preparation of a zoning ordinance to replace ordinance 1282

Staff Report: Mr. Blanton presented the staff report as presented in the staff memorandum.

Testimonies:

Joe Brugato, 2911 Portland Road, has not read the proposed ordinance but from talking with Mr. Blanton he is in favor of having less government involvement and more citizen involvement. Strongly in favor of "streamlining and cost saving".

Mr. Blanton commented on fees charged on such matters as annexations, ordinance amendments and variances. There is a method which can be used called adjustment to approve a variance - the variance cannot be approved by the staff alone but with an adjustment a percentage of the variance will be permitted by staff. Mr. Blanton also commented on delays. He stated this city has one of the fastest processing procedures for such matters as annexations and variances.

Sally Reed, 1202 N. Main, in favor of an ordinance which would include "streamlining". She would not like to see the ceasing of public notices. Also stated was the fact that the public notices are hard to understand because of the legal terms and political jargon.

Motion: Cach-DeMay to continue Public Hearing to next regular Planning Commission meeting on September 19. Carried.

Work session on ordinance will be August 24th at 7:00 P.M.

Discussion Items:

Church Street vacation request.

Staff Report: Mr. Blanton presented staff report as presented in staff memorandum and located parcel on the map.

Discussion was then given about the idea of reselling of land dedicated to the City back to the former owner.

Motion: Grobey-Cach motion to recommend the vacation of Church Street and for the council to consider the revaluation of the land for resale subject to approval for easements for all existing and future utilities. Carried.

Petition to amend U.G.B. (Friemark, Gueldner, Spangler)

Mr. Mahr gave a report as to what has been done so far. The petitions

will be considered with the adoption of the Comprehensive Plan since the U.G.B. is part of the Comprehensive Plan. There has been discussion on a joint management agreement with the County on the Urban Growth Boundary.

New Business:

Parking requirement for media center.

Staff report: Mr. Blanton presented staff report as presented in staff memorandum.

Recommendation: Staff recommends acceptance of the area designated for parking as adequate for the need at this time.

Motion: Cach-Grobey to set parking requirement to four parking spaces as per ordinance for said video center. Carried.

Chairman Halstead suggested in the future a better representation from the College should be shown when they make a request of the City.

Mr. Blanton stated a letter would be written to inform George Fox College that representation will be needed for future requests to the Planning Commission

Mr. Blanton introduced Becky Manning as the new recording secretary.

The commission then sang "Happy Birthday" to Mr. Blanton, City Planner.

DeMay-Cach motion to adjourn. Carried.

Tuesday, 7:30 P.M.

September 19, 1978

A Regular Meeting
of the Planning Commission

Council Chambers

Newberg, Oregon

The meeting was called to order by Chairman Alan Halstead.

Roll Call:

Present:	Bob Blodgett	Art Stanley
	John Cach	Bob Youngman
	Maybelle DeMay	

Absent: Hal Grobey (excused)
Charley Hindman
Esther Keltner (excused)

Staff Present:

Dale Blanton, City Planner
Terry Mahr, City Attorney
Becky Manning, Recording Secretary

Also Present: M. C. Gilbert, City Administrator
Bob Weisenback, Building Official
6 citizens

Motion: Cach-Stanley to approve minutes of the regular August meeting as printed and also work session on August 23, 1978. Carried.

Motion: Cach-DeMay to approve minutes of September 7, 1978 work session. Carried.

Dr. Gerald Post, Superintendent of Public Schools, in Newberg School District gave a presentation as to future plans of the School District.

Mr. Post went over questions which had been presented to him by Mr. Blanton, City Planner. .

1. Impact of Growth in Newberg on the Schools? Mabel Rush has a shortage of 2 classrooms but this will be alleviated when the new Administration office is completed. At this time Central School could handle 40 more homes, Edwards School could handle 80 more homes. There is noted a major number of children between the ages of 5 and 8. Ewing Young and Dundee Schools are not overcrowded at this time. The Junior High and Senior High are also okay.

Growth impact is figured on a system called "Capacity Figuring" - 25 students per classroom for elementary schools and 30 students per classroom for Junior High and High School.

There are less students this year than the "Capacity Figure" had estimated. The major growth is shown in the Kindergarten and at the 2nd grade level. The outlook is good till the year 1980. By next September there will be 3 more classrooms at both Mabel Rush and Ewing Young.

By moving the 9th grade to the High School will give the Elementary School 10 more classrooms. A middle school would contain grades 6-7-8. Elementary

would be Kindergarten to 5th grade and High School would be 9th - 12th.

By 1980 there would be a need to move the 9th grade out of the High School, this should be possible at that time.

2. Progress of the Building Program. Mr. Post stated that progress is moving but not as fast as they would like.

Remodeling at the Jr. High and High School was not completed before school started but it is going along okay.

The new Administration unit which consists of 7 premade modules, simplewood frame construction, should be complete by the first part of December.

The new additional classrooms at Ewing Young were help up due to drainage and sewer problems, an additional \$10,000 was needed to install proper drain field. The completion date now is set for September 1979.

The school bonds which the district had for sale have been sold.

3. Traffic Problems in Relation to new Buildings and their Impacts.

There are 2 major projects in the future:

A. New Junior High - located to the north of Mabel Rush and south of Adec. The School District will be asking for a L.I.D. by early next Spring to construct a road to the building site.

There has been noted a right angle turn in the designated road to slow down the traffic as to not create any traffic problems. This location will also cut the number of buses going to Renne and the southern part of town (residential area.)

B. New Administration Building - There will be no more people traveling to this building than there are at the present time. This will also give 13 more parking spaces for the workers, and will allow more spaces for parents who come to the school. It will make one more driveway.

4. Progress in Locating a New Grade School Site. There has not been much luck in locating a site suitable for the building of a new school. What is needed is a 10-12 acre parcel.

Their first choice for site location would be the north of town and west of North College St. The second choice would be in the Sunncrest area.

The School District would like the City to encourage large subdivisions.

They are trying to make the Schools energy efficient. They have prepared a list of projects of priority. But at this time there are alot of maintenance projects which need attention first. There is a need for Federal help to complete the proposed projects.

Discussion from Commission:

The preparations and plans for the New Jr. High are more intensive than for the Administration Building. More time and effort will be put into the project to make it more energy efficient.

Students starting this year number 3,396, which is only 10 more than last year. The expected growth did not occur. The growth which occurred was in the Kindergarten class which totaled 250 students compared to 180 last year.

There has been some discussion within the School Board to change the boundary lines for the Mabel Rush District.

Land acquisition was discussed, there is a broad range of land which could be used in this area and there is no one special piece which the School District wants.

The hazards of walking (for students) along Deborah Road and Elliott Road was discussed. Mr. Post stated the School District cannot participate in the formation of sidewalks because of lack of ownership of land along these roads. A L.I.D. would have to be established to improve the pathways along these roads.

With the construction of the new administration building, pathways have been included in their plans along Deborah Road.

General discussion of previous matters concluded Mr. Post's presentation.

Five minutes recess.

Mr. Halstead then reopened the meeting.

Public Hearing: Variance

Applicant: Sturdevant, Mike and Peggy

Request: To allow 26.64' frontage instead of 28' required for flag lot.

Location: Tax lot 3219 AC 7600

Staff Report: Mr. Blanton presented staff report as presented in staff memorandum.

Proponent: Dale Twenge, 1229 Pennington Drive, representing applicant, presented findings and facts concerning lots in question.

Mr. Cach question the reason for retaining the 50' frontage on parcel 1. Mr. Blanton noted the present Ordinance stated the need because there is a building on the parcel.

Opponents: Alfred Littau, 409 W. 5th, homeowner across from property in question. He stated that if parcel developed into multiple housing it would increase traffic and also increase noise.

No other proponents or opponents wished to be heard. No written remonstrance has been received.

Staff recommendation: Staff recommends approval of the variance based upon the conclusionary findings and facts as stated in staff memorandum.

Public Hearing Closed.

Motion: Cach-Stanley motion to approve variance as per conclusionary findings and facts as presented in staff memorandum. Carried.

Public Hearing: Annexation

Applicant: Sherraden, Ken and Gertrude

Location: Crater Lane Tax Lot No. 3218AB500

Request: Annexation to the City of Newberg of approximately 3.75 acres located on Crater Lane.

Staff Report: Mr. Blanton presented staff report as presented in staff memorandum and located parcel on map of the area.

Proponent: Ken Sherraden, Rt. 1, Box 246, Dayton. Had submitted a letter to the Planning Commission as presented in the staff memorandum. Applicant stated he has given City sewer easement and will have to pay for the sewer line. The parcel is located in the proposed Urban Growth Boundary. They propose to subdivide the parcel in the future. The land is difficult to farm due to the fact it is mostly orchard. There is housing on both sides "Playground and farming don't mix". Water and sewer are both nearby.

No other proponents or opponents wished to be heard no written remonstrance was received.

Staff Recommendation: Staff recommends favorable recommendation be made to the City Council for annexation with findings and condition as presented in the staff memorandum.

Public Hearing closed.

Motion: Cach-DeMay motion to recommend annexation to the City Council with findings and condition as presented in Staff memorandum.

Old Business:

Sections of the Draft Zoning Ordinance were reviewed and revised.

Motion: Cach-Youngman motion to continue Public Hearing on Draft Zoning Ordinance to the next Planning Commission meeting October 17. Carried.

New Business:

Street Renaming - Airpark Street change to Elliott Road. - Mr. Blanton located street on map and Commission discussed location of street.

Motion: Cach-Stanley motion to initiate the renaming of Airpark Street to Elliott Road. Carried.

Street Renaming: Grant Street south of 9th Street change to Charles Street (French's Addition). Mr. Blanton located street on map and Commission discussed location of street.

Motion: Stanley-Cach motion to initiate the renaming of Grant Street south of 9th Street to Charles Street. Carried.

Discussion items:

Recent Council Actions: The Council have had 2 work sessions on the new Comprehensive Plan. They have made alot changes. Major changes in Housing and Urban Design sections.

Concerning the new Subdivision Ordinance, the Council has taken no action. Mr. Blanton is working on a summary of the ordinance for the Council.

It was the concensus of the Commission that a few members of the Council did not fully understand the relationship of Density as conceived in the Comp. Plan.

Motion: Stanley-Cach motion to adjourn. Carried.

Tuesday, 7:30 P.M.

October 17, 1978

A Regular Meeting
of the Planning Commission

Council Chambers

City Hall

The meeting was called to order by Chairman Halstead.

Roll Call:

Present:	Bob Blodgett	Charlie Hindman
	John Cach	Esther Keltner
	Maybelle DeMay	Art Stanley
	Hal Grobey	Bob Youngman

Staff Present:

Dale Blanton, City Planner
Terry Mahr, City Attorney
Becky Manning, Recording Secretary

Also Present: Approximately 30 Citizens

Motion: Grobey-Cach to approve minutes of regular September meeting as mailed. Carried.

Mr. Blanton gave explanation of the differences between the two public hearings in which a zone change and a conditional use permit were requested by applicant Marvin Schneider representing Newberg Suburban Garbage Service.

City Attorney read portion of Ordinance on Conditional Use Permit which applied to the request.

Public Hearing: Zone Change - VLDR - 9000 to R-1
Applicant: Schneider
Location: Tax Lot 3218 CA 201 and 600.
North Main Street

Staff report: Mr. Blanton presented staff report as presented in the staff memorandum.

Proponent: Marvin Schneider, 1119 N. Main, representing Newberg Garbage Service. Expressed the need for the zone change to be able to expand in future. Agreed with findings and facts stated in Staff memorandum.

Opponent: William Mountain, 501 E. Illinois, requested the date of annexation of area in question. - 1977 was annexation date. Opponent stated he thought the zone was going to be changed to industrial and property was going to become a sanitary landfill. He was then informed the meaning of the requested zone change. He then had no further comments.

No other proponents or opponents wished to be heard; no written remonstrance has been received.

Staff recommendation: Staff recommends approval of this change based upon the conclusionary findings and facts indicated in the staff memorandum.

Public Hearing closed.

Motion: Keltner-Cach motion to recommend approval to Council of zone change from VLDR-9000 to R-1 of the tax lot 3218 CA 201 and 600 with findings for approval as presented in staff memorandum. Carried.

Public Hearing: Conditional Use Permit

Applicant: Schneider

Request: To allow solid waste collection facility in a R-1 zone.

Location: Tax lot 3218 CA 201 and 600
North Main Street

Staff report: Mr. Blanton presented report as presented in staff memorandum. ~~Emphasized~~ ^{sited} the fact that the request is not for a sanitary landfill site.

Proponent: Marvin Schneider, 1119 N. Main, representing Newberg Garbage Service. Their hauling and storage procedures in the future are not any different than what they are conducting now. They are planning on enlarging their storage of trucks and recyclable material drop boxes in the future, therefore the need for the zone change. Proponent suggested a change of section C in "Landscaping and Screening Condition" stated in the staff memorandum. Instead of the suggested "arborvitae 3' in height on 30" centers" replace this with 600 fir tree seedlings planted in 3 or 4 staggered rows which in the future would be tall enough to hide the storage buildings, trucks and drop boxes.

Question to Proponent?

Warren Kline, 121 W. Illinois, what is defined as recyclable waste and will there be a smell?

Proponent's Answer - The only recyclable waste material that the Garbage Service will pick up are glass bottles, which must have labels and lids removed and be washed; newspapers; cans. They must definitely be clean or they will not be accepted therefore there will be no smell. They will be stored within drop boxes and taken to recycling center within a short time.

Question?

Mrs. Payne, 305 W. Illinois, if there is any sewage going into Chehalem Creek which abuts her property and the property in question?

Answer: Mr. Blanton explained that the sewer line is encased in pipe therefore no sewage would be transmitted through the Creek. There is no sewage coming from the solid waste collection facility.

No other proponents or opponents wished to be heard and no remonstrance has been received.

Staff recommendation: Staff recommends approval based on the conclusionary findings and facts as presented in staff memorandum including recommended conditions. Said approval shall be subject to the Council approval of the zone change to R-1.

Public Hearing closed.

Section C of "Landscaping and Screening Condition" was discussed by the commission.

Motion: Cach-Youngman - motion to grant conditional use permit based upon findings and facts as presented in staff memorandum with conditions and recommendations 1 through 5 delete 5-C, have D be C, mandate conditions, change wording of condition C of Landscaping and Screening to include words "such as" ^{preceding} the word "arborvitae". Carried.

Public Hearing: Plan Amendment/Zone Change
Applicant: Veneer Services
Request: Change plan designation from Low Density Residential to Commercial and zoning from R-2 to C-1.
Location: Corner of Elliott Road and 99W

Staff report: Mr. Blanton presented staff report as presented in staff memorandum.

Proponent: Eldon Johnson, representing Veneer Services, the business is a lumber wholesale brokerage firm. Is located in a very good solid residence. Mr. Johnson commented on recommendations in staff memorandum, stated no objection to needed right-of-way. No need for access to 99W in the future. No remonstrance against LID when needed in future. Most business transactions are done by phone therefore there will not be an excess of traffic.

No other proponents or opponents wished to be heard, no written remonstrance has been received.

Staff recommendation: Staff recommends approval based upon the conclusionary findings and facts and conditions as contained in the staff memorandum.

Public hearing closed.

Motion: Cach-Blodgett motion to recommend to Council plan amendment and zone change with findings and recommended conditions as presented in staff memorandum. Carried.

Amendment to Motion: Cach-Stanley delete the words "An" and "15'" in condition #1 so that it will read "Additional right of way shall be deeded to the City adjacent to Elliott Road in order to provide a 30' half-width. This deed shall be subject to approval of the City Attorney and City Administrator." Carried.

Amended motion: Cach-Youngman motion to recommend to Council plan amendment and zone change with findings and conditions as presented in the staff memorandum including the amended condition. Carried.

Public Hearing: Annexation
Applicant: Holveck
Location: West side of N. College, just north of Alvern Park Subdivision
Request: Annexation of approximately 18.88 acres to the City of Newberg

Mr. Charlie Hindman abstained.

Staff report: Mr. Blanton presented staff report as presented in staff memorandum with findings.

Proponent: Mr. Bob Holveck, Rt. 1, Box 133 owner of property, stated water and sewer service is nearby. Property taxes have increased owner feels the need to sell property but needs the annexation to sell.

Proponent: Joe Brugato, 2911 Portland Road, representing the owner, discussed the concern of sewer access, he had figured the present sewer line to approximately 1,000 feet from said property. Concerning infilling, Mountainview Drive will be infilling in the future. He also stated that North Main St. which is nearby has had 4 annexations recently. He felt that there is a need for this urbanizable land.

Mr. Blanton located the parcel in question of the map.

Opponent: George Piper, Rt. 1, Box 29, he pointed out the fact that LCDC had stated that there should be no "leap frogging" in which if this property was annexed that this would be happening. He was worried about the affect on surrounding properties if a sewer line would have to be extended to this parcel. He discussed tax assessments and the advantage of placing large parcels into farm deferrment to receive a reduction on your taxes.

Opponent: Ralph Hodges, Rt. 1, Box 28 - stated he has seen neglect of the property in question and concerned about future neglect.

Proponent Rebuttal: Mr. Holveck stated he has farmed the land. Concerning the filbert orchard, he had offered them to his neighbors to harvest and no one wanted them.

Staff recommendation: Staff make no recommendation on this application but if approved, with conditions as presented in staff memorandum.

Public hearing closed.

Motion: Grobey-Stanley motion to deny annexation based on findings for denial as presented in staff memorandum.

Motion Amendment: Cach-Grobey motion to amend findings for denial to read "1. The annexation of this parcel is premature because services are not currently available to the site and are not in the current 20 year public facilities service plan. The annexation would further extend a city boundary along an arterial street without infilling to the east. 2. No need for additional land of this type has been demonstrated." Carried.

Amended motion: Cach-Grobey motion to deny annexation based on amended findings for denial as stated in staff memorandum. Carried. Nay - 1 - Halstead, 1 - Abstain - Hindman, 7 - Aye, Blodgett, Cach, DeMay, Grobey, Keltner, Stanley, Youngman.

Motion: Youngman-Grobey motion to have 5 minute recess. Carried.

Chairman Halstead called meeting back to order.

Public Hearing: Annexation

Applicant: Atteberry/Lindquist

Location: Crestview Drive - Tax Lot 3216-300,800

Staff Report: Mr. Blanton presented staff report as presented in staff memorandum.

Proponent: Stu Lindquist, 702 SE Powell, Portland stated his presentation was included in the staff memorandum and had nothing to add.

No other proponents or opponents wished to be heard.

A letter of opposition was received from Mr. & Mrs. Terence L. Mayfield.

Staff Recommendations: Staff recommends that a favorable recommendation be made to the city council with findings and condition as presented in staff memorandum.

Public hearing closed.

Motion: Cach-Grobey to recommend to the City Council the approval of the annexation with the findings and condition as presented Staff memorandum. 6 - Aye, Boldgett, Cach, Grobey, Halstead, Keltner, Stanley; 3 - Nay, DeMay, Hindman, Youngman. Carried.

Public Hearing: Zoning Ordinance

Motion: Youngman-Grobey motion to continue zoning ordinance public hearing to November 21, 1978. Carried.

New Business: Recommendation on street vacation in connection with the Airpark L.I.D.

Motion: Cach-DeMay motion to recommend to the City Council street vacation of street in conjunction with Airpark L.I.D. as supported by documents and map submitted by Planner. Carried.

Discussion on Council actions. The Comprehensive Plan was discussed as to what has been done by the Council. Planning Commission members should see the plan after it is adopted. The big question is over the Urban Growth Boundary.

Yamhill County is currently processing an exception to the Agricultural Lands Goal for various areas of the County, including the Newberg-Dundee Task Force area.

Motion: DeMay-Hindman - motion to adjourn. Carried.

Tuesday, 7:30 P.M.

November 21, 1978

A Regular Meeting
of the Planning Commission

Council Chambers

Newberg, Oregon

The meeting was called to order by Chairman Halstead.

Roll Call:

Present:	Bob Blodgett	Charlie Hindman
	John Cach	Art Stanley
	Maybelle DeMay	Bob Youngman
	Hal Grobey	

Absent: Esther Keltner - excused

Staff Present:

Dale Blanton, City Planner
Ernst Heister, City Engineer
Becky Manning, Recording Secretary
Nancy Mills, Engineering & Planning Secretary
Robert Weisenback, Building Official

Also present: 14 Citizens

Motion: Cach-Hindman to approve minutes of previous meetings. Carried.

Mr. Blanton introduced Mr. Ernst Heister the new City Engineer to the Commission.

Chairman Halstead stated that Mr. Dale Blanton, the City Planner was leaving and commended him on his work which he has done.

Public Hearing: Conditional Use Permit
Applicant: Steffey
Request: To allow additional to a house creating a second living unit, to house aging and disabled parents.
Location: 1005 Crestview Drive

Staff Report: Mr. Blanton presented staff report as presented in staff memorandum.

Proponent: Dan Steffey, 1005 Crestview Drive, stated the area to be added would be around 400-500 sq. ft., had nothing to add to statements presented in staff memorandum. Had no objection to condition presented in staff memorandum.

No other proponents or opponents wished to be heard, no written remonstrance has been received.

Staff recommendation: Mr. Blanton, presented staff recommendation with findings and condition as presented in staff memorandum for approval.

Public hearing closed.

Motion: Cach-Blodgett motion to grant Conditional Use Permit application with staff findings and condition as presented in staff memorandum.

Discussion among commission about the end results when Mr. Steffey sells the house, how will enforcement be done to not have as duplex or apartment.

Roll Call, 6 - Aye, 1- opposed, DeMay, 1 - absent, Keltner. Carried.

Motion: Youngman-Grobey to have Attorney prepare a record of the condition which states "this approval shall automatically terminate upon the vacation of the dwelling by the family members being housed. No future occupants may use the addition as a duplex or rental unit" attached to the deed and placed on file. Carried.

Public Hearing: Proposed Zoning Ordinance
Applicant: City Council

Staff Report: Mr. Blanton presented staff report as presented in staff memorandum.

No proponents or opponents wished to be heard, no written remonstrance has been received.

Staff recommendation: Staff recommends approval of the text as submitted to the Council for adoption. The map of zones should be approved and submitted following final decisions on the Comprehensive Plan.

Public hearing closed.

Mr. Grobey commended and thanked Mr. Blanton for his work on this project.

Motion: Cach-Stanley recommend draft zoning ordinance to Council for approval. 8 - Aye, 0 - Nay, 1 - Absent, Keltner. Carried.

Subdivisions and Planned Unit Developments:

Jeffrey Park Subdivision

Location: East side of College St. just north of Green Valley Subdivision

Staff Report: Mr. Blanton presented staff report as presented in staff memorandum.

Proponent: Johnnie Summers, 840 5th Ave. Drive, Hillsboro, representing Stu Lindquist Development Company. Had nothing to add to what was presented in staff memorandum. Wanted suggestions for renaming of North Meridian Street and Jeffrey Place. Mr. Summers suggested Jeffrey Place to be changed to Zoe Court.

Opponent: Mrs. Margaret LeMaster, 800 Green Valley Drive, has lived there 10 years, most of the lots in Green Valley are 200 or more feet deep. She had question as to if there would be a public hearing held - answer - no. She stated that there is a definite need for an access road in back of the lots on Green Valley. She stated that she had met with some of the residents in Green Valley and they agree that there is a need for an access road yet they were unwilling to give up any of their backyards. She discussed the size of the lots in the proposed subdivision, the lots are proposed at 70' wide and would not be aligned with the 80' lots in Green Valley. Did not like this at all. The suggestion of an alley was discussed.

Rebuttal: Johnnie Summers, to line up the lots they would lose one lot which is valued at \$15,000 to \$17,000. He doesn't like the idea of having an alley between the two subdivisions. This would cause many problems, including, policing, vandalism and would create a public right of way.

Opponent: Yvonne Grow, 901 Green Valley Drive, stated she agrees that an access road is needed but stated she knows of no way of getting to the back of their properties.

Motion: Cach-Grobey motion to delay action to the next regular planning commission meeting to allow time for the existing neighborhood on Green Valley Drive to meet with the Developer to work out problems and consider a re-plat and allow developer to show cause for lot line irregularities. 6 - aye, 2 - nay, Cach, Hindman, 1 - absent - Keltner. Carried.

Newberg Professional Center P.U.D.

Location: Villa Road, across from Hospital

Mr. Halstead abstained from discussion and voting due to future investment.

Staff Report: Mr. Blanton presented staff report as presented in staff memorandum. Added the development could be done as condominiums, pointed out that a P.U.D. does not require a Public Hearing until final plan presented.

Motion: Grobey-Hindman motion to recess to look over plan for proposed P.U.D.

Chairman Halstead called meeting back to order.

Proponent: Glen Ling, 1879 SW 9th St., Corvallis, representing Ling, Green, & Associates, Engineers & Land Surveyors, who represent Dr. Abbott. Wanted to place on record document submitted dated October 18, 1978 which is located in staff memorandum. The development would 1. make additional space for doctors. 2. relate commercial buildings to private ownership each business space would be owned privately, There is going to be approximately 21,917 sq. ft. of usable office space. This project can be done effectively on the 2.16 acres. The traffic flow would have little impact on Villa Road, the entrance is 50 feet from hospital emergency entrance. Of the 90 parking spaces $\frac{1}{2}$ of them would be for employees. There are 18 lots total, 1 - pharmacy, 1 - Dr. Abbott's facility; 7 lots are 1300 - 3900 square feet. North of the P.U.D. is Dr. Pearson's office, northeast - residential, east - vacant, south - Abbey's, Shaw's and other businesses, zoned commercial. Physical separation - 50 to 60 ft. from residential area. The final plan will have covenants which will cover the type of offices to be located in this development.

Staff recommendation: Staff recommends the following: 1. Make a finding that the site contains adequate area for the contemplated Planned Unit Development. 2. Adopt, in principle, the preliminary plan and program.

Motion: Hindman-Stanley - recommend approval and in principle, the preliminary plan and program as presented in staff memorandum. 1 - abstain Halstead, 1 - absent, Keltner, 7 - aye. Carried.

New Business:

Meridian Park Subdivision - Plat to have been checked and returned but has not been returned.

Motion: Cach-Blodgett recommend approval of plat subject to approval of the City Engineer. Carried. Hindman - abstain.

Motion: Grobey-Cach to ask City Engineer to expedite the business of Consulting Engineer as applies to Meridian Park Subdivision specifically. Carried. Hindman - abstain.

Flightway Industrial Park

Motion: Cach-Stanley to approve final plat with conditions: 1. continue necessary street vacation; 2. correct signature approvals block from planning director to planning chairman on the final plans. Carried.

Mr Youngman suggested need for stopping the turnover of City Employees.

Motion: Cach-Grobey to adjourn. Carried.

Tuesday, 7:30 P.M.

A Regular Meeting
of the Planning Commission

December 19, 1978

Council Chambers

Newberg, Oregon

The meeting was called to order by Chairman Halstead.

Roll Call:	Bob Blodgett	Charley Hindman
Present:	John Cach	Esther Keltner
	Hal Grobey	Bob Youngman
Absent:	Maybelle DeMay	Arthur Stanley

Staff Present:

M. C. Gilbert, City Administrator
Ernst Heister, City Engineer
Terry Mahr, City Attorney
Becky Manning, Recording Secretary
Bob Weisenback, Building Official

Also Present: Approximately 25 citizens.

Due to conflicts with many items on the agenda Mr. Hindman removed himself from the Commission meeting and would not participate in any discussions or decisions.

Motion: Cach-Grobey to approve minutes of the previous meeting. Carried.

Public Hearing: Annexation

Applicants: Lyle D. & Florence M. Lookabill

Location: Rt. 2, Box 32, Newberg, Oregon
East of Springbrook Road and adjacent to west of County
Road 54

Tax Lot # 3209-2700

Staff Report: Mr. Heister presented staff report as presented in staff memorandum.

Proponent: William Keys, Room 1025, Yeon Building, Portland, an attorney representing Stuart Lindquist, pointed out the submission of a written report as presented in staff memorandum. He had no additional information to add.

Mr. Cach questioned the proponent on the need for this annexation at this time.

Proponent: Mr. Keys stated that there has been done an inventory on land usable for building a residential area - for the projected population growth. Some of the land could be used for industrial land use - this parcel would provide a area for 10 acres or more for industrial use.

He pointed out the fact that public facilities and services are being put in now in the surrounding areas and this would make it a good time to annex.

Most of the surrounding areas are already annexed. He feels a mixed use such as industrial and residential is favorable for this parcel. But they are not asking for a zone change at this time.

He stressed the fact that the northern area is located near the railroad line so it would be the most appropriate location for an industrial site. The southern area is near the current and proposed residential areas. He was not sure the exact estimate of how much would be residential or industrial.

No other proponents or opponents wished to be heard, no written remonstrance has been received.

Public hearing closed.

Staff recommendation: Mr. Heister presented staff recommendation with findings as presented in staff memorandum.

Mr. Youngman inquired about status of Rinkes subdivision - was told it is in process now.

Mr. Grobey inquired as to what the Proposed Comprehensive Plan shows for the zoning of the parcel in question: 70% industrial, 10% Greenway, and 20% residential.

*See correction
1-17-79
minutes.* { Motion: Cach-Grobey to deny annexation due the following: (1) no facts have been given by applicant to prove the 30% vacancy factor of industrial land sites; (2) it has not been shown specifically that surrounding area has been annexed at this time; (3) with the applicant holding onto the land until a need arises does not show the need for immediate annexation; (4) even though access to public facilities and services will be available this does not show reason to annex at this time.

Mr. Gilbert stated that there is a definite need at this time for a 5 acre plot for heavy industrial use.

Mr. Cach stated he did not feel that the parcel should be cut up into smaller parcels for industry,

Mr. Grobey stressed the fact that the applicants are looking at the proposed Comprehensive Plan which has not been adopted at this time.

Vote on motion for denial of annexation, 4 - Aye, 2 - Nay. Carried.
Annexation request denied.

Public hearing on the annexation before the City Council will be January 2, 1979.

Public Hearing: Zone Change
Applicant: Joe Brugato
Request: Change zoning from AF-10 to R-1
Location: North portion of Newberg, west of Mountainview Drive
and Hwy 219 (N. College St.)
Tax Lot #3207-2700

Staff Report: Mr. Heister presented staff report as presented in staff memorandum.

Proponent: Paul Green, of Ling, Green & Associates representing Joe Brugato, presented and submitted facts for record on zone change.

Mr. Mahr read facts submitted.

No other proponents or opponents wished to be heard, no written remonstrance has been received.

Public hearing closed.

Staff Recommendation: Mr. Heister presented staff recommendation with findings and conditions as presented in staff memorandum.

Motion: Keltner-Blodgett motion to recommend to the City Council zone change from AF-10 to R-1 of tax lot #3207-2700 with findings and conditions as presented in staff memorandum. Carried.

Maybelle DeMay now present.

Public Hearing: Variance

Applicants: Stiller, David L. & Turner, Carita Ann

Request: Vaiance from 28' to 20' frontage

Location: SE $\frac{1}{4}$ of Sec. 19, T3S, R2W, W.M., Newberg
(on Charles St. south of the intersection of Ninth St.)

Tax lot #3219 DB 2900

Staff report: Mr. Mahr presented staff report as presented in staff memorandum.

Proponent: Mr. Frank Stiller, Rt. 2, Box 161, Carlton has a lot on which he was going to build a 12-plex but due to the fact that he could not receive a loan he has decided to build 2 4-plexes and sell them. They could be owner-occupant units. Therefore it would reduce the density. The stub for the storm drain is there, the sewer is there. He feels this way it would be easier to sell and obtain a loan.

Mr. Grobey inquired if Mr. Stiller was aware of the requirements for a variance request.

Applicant felt he had met all requirements that were required of him.

Mr. Youngman suggested he meet with staff and find out for sure the requirements he must meet.

No other proponents or opponents wished to be heard, no written remonstrance has been received.

Public hearing closed.

Motion: Grobey-Cach to take agenda item 5-C (partitioning) and place with agenda item 4-C (variance). Carried.

Staff recommendation: Staff recommends that this variance and the request for partitioning be held in abeyance pending submittal of plans clarifying dimensions and feasibility of the sewer service.

Motion: Youngman-Keltner to continue this variance request to January 16, 1979.

Motion Amendment: Grobey-Cach to reopen public hearing so as to accept new findings. Carried.

Amended motion: Cach-Grobey to continue public hearing on variance request by applicant on January 16, 1979. Carried.

Non-Hearing Items:

Jeffrey Park Subdivision (continued from 11/21/78)

Proponent: William Keys, Room 1025 Yeon Building, representing Stuart Lindquist. A meeting had been held with the existing neighborhood residents of Green Valley Subdivision. They have made the following compromises according to the requests of the residents: (1) to build a board on board six foot fence between the two subdivisions (2) grant a 10 foot easement on the easterly most lot #12 to allow residents to go behind their lots. It was not agreed that the lot lines would be changed from 70' lots to 80' lots.

Proponent: Johnnie Summers, 840 NE 15th, Hillsboro, verified the decisions that were made at the meeting. Street name changes were done at last months meeting.

Opponent: Margaret LeMaster, 800 Green Valley Drive, representing existing residents of Green Valley Drive Subdivision. They did get most of the neighborhood together to meet with Mr. Lingquist. Submitted in the staff memorandum are copies of a memo sent to the Planning Commission and a letter sent to Mr. Stuart Lindquist.

The neighborhood asked for easement of 12 to 15 foot and got 10 foot. They asked for 80' lot lines and got 6 foot fence. She stated the easement was of no use to them - not acceptable. Did not want a fence - not acceptable. She does not feel that the developer has a valid argument for unaligned lot lines. She does not feel that the adjacent lot owners are being considered at all in the planning of this subdivision.

Mr. Keys was asked reason for 70' lots instead of 80' - he stated that this would make less lots, a loss of \$15,000. When they purchased the parcel and divided it into lots they did what was required by the City to make a plot plan for a subdivision.

Mr. Mahr explained what is required by the City's ordinance of the developer for planning a subdivision - the developer in question has met all the requirements.

Motion: Cach-Grobey to accept plot plan of Jeffrey Park Subdivision with name changes. Keltner - abstained. Carried.

Name Change on Mountainview Park II Subdivision

Proponent: Paul Green, of Ling, Green & Associates, presented the proposed plot plan of the 30 lots. Have changed Mountainview Drive position to meet request of the ex-City Engineer and have made Main St. meet recommendation of staff.

Motion: Cach-Grobey to accept name change of Mountainview Park II to Marita Park and accept preliminary plat with conditions: (1) delete Track A from dedication, south side lots 1, 2, 3, 4, 6 of Block 2; (2) lot 1 of Block 1; (3) north property line of lot 1, Block 3; (4) 1' no access easement. Carried.

Motion: Cach-Keltner to add condition that an additional street right of way shall be deeded to the City to make up a 30' east half width for Crater Lane. This deed shall be subject to approval of the City Attorney and City Administrator. Carried.

Motion: Youngman-Grobey to recess for 5 minutes. Carried.

Meeting called back to order by Chairman Halstead.

Buckley's Mountainview Park (Ordinance No. Section 44-P, Changes to Final Development Plan & Program)

Letter from Brugato received 12/4/78, included in staff memorandum. Recommendation requested by City Administrator.

Mr. Mahr read letter submitted by Brugato.

Paul Green of Ling, Green & Associates presented a map showing lots in question. Pointed out the fact that sewer service is available to both units of the duplexes.

Motion: Cach-Grobey recommend approval by the City Administrator to grant zero lot lines for lots 13 through 16, and lots 19 through 25, Block one; and lots 25 through 34, Block three. Carried.

New Business:

Dennis Day, Rt. 1, Box 318A, has decided to change the Fun Center located at Hancock and North Main St. into an Ice Cream Parlor. He would have to extend the building 10' in the front & back. There is a need for additional parking. Has asked the Building Official to suggest a plan for additional parking. Had plan of proposal to submit to the commission.

Motion: Cach-DeMay move to set parking spaces at 10 for 1,000 sq. ft. for ice cream parlor. Carried.

Mr. Weisenback brought in a proposed building permit application from Schmidt Excavating, 116 E. Fifth St. He wants to build a personal storage garage to store equipment.

Commission suggest denial for building permit due to the fact that the building would be used to store equipment which is being used for commercial use and it is being used in a non-conforming use.

Recommendation on Publishers Paper request for 12th St. Vacation

Chairman Halstead read a letter submitted to the Planning Commission by Spaulding Paper for request to vacate a portion of 12th St.

Motion: Cach-Grobey to recommend to City Council to grant vacation of portion of 12th St. from Pacific St. east approximately 152 ft. to the City Boundry. Carried.

Street Renaming: Fieldstone Court to Pioneer Lane and Pioneer St. to N. Center St.

Motion: Cach-Grobey to recommend to the Council to grant the requested street name changes. Carried.

Presentation of Award: Mr. Mahr recited a short speech then presented Mr. Hal Grobey with a plaque.

Motion: Blodgett-Cach motion to adjourn. Carried.

The meeting was called to order by Chairman John Cach.

Roll Call: John Cach Jane Parisi-Mosher
Jack Kriz Frank Bowlby
John Poet Art Stanley
Bob Youngman Jean Harris

Absent: Jim Tumbleson

Staff Present:
Clay Moorhead, Planning Director
Barb Mingay, Recording Secretary

Also Present: Approx. 20 Citizens

Motion: Harris-Poet to approve minutes as mailed. Motion carried unanimously by those present.

Motion: Bowlby-Stanley to elect John Cach Planning Commission Chairman for 1982 term. Motion carried unanimously.

Motion: Youngman-Poet to elect Jack Kriz as Planning Commission Vice-Chairman for 1982 term. Motion carried unanimously.

Site Review Ordinance:

A slide presentation was given by Planning Director Clay Moorhead relating to conditions in our area which might be affected by a site review ordinance.

Proponent: Lucille Adams, 1404 Hoskins, a citizen of Newberg, supported the ordinance stating that low cost is not everything to the consumer and citizens have a responsibility to posterity. She recommends the Planning Commission support what the CIAC has presented for approval.

Proponent: Joe Young, 1817 Carol Ave, a resident of Newberg expressed concerns over inclusion of single family but felt the City had an obligation to the people of the community to control multi-family, business and commercial projects. He felt the ordinance as a whole was satisfactory with a few possible changes in the area of turn-around time to give the builder time to complete requirements in an economical and sound fashion.

Proponent: Daryl May, Rt. 4, Box 365, a registered landscape architect, area resident and charter member of Wilsonville design review board indicated he felt the proposal was well stated. It requires a uniform level of design and has the same basic concept which is found in design review ordinances throughout the Portland Metropolitan area.

Questions to Proponents:

Mr. Young responded to a question regarding turn-around time and response to board denial by indicating that decision making should be carried out in a timely manner due to the expense of delays.

Mr. Youngman asked Mrs. Adams how this ordinance would affect existing problems? She indicated it would be better to act now than later to avoid problems in the future.

Mr. Youngman asked Mr. Young what the cost to the public would be if this ordinance were enacted. Mr. Young indicated that landscaping will cost money

but the citizens of the community will eventually pay for problems which would arise without the ordinance.

Mr. Poet questioned Mr. Young if he was comfortable with the composition of the committee and quorum procedure, especially as it relates to the 24 hour special meeting requirements. Mr. Young indicated that the City was charged to operate in the most efficient and best manner for the benefit of the citizens of Newberg and the Council could be required by the community to correct problems which develop. He felt that problems which arise were not insurmountable.

Staff responded that it was the intent of the ordinance to not hold up projects but to use the least time possible to enact the ordinance policies.

Mr. Nulsen asked Mr. May what average landscape architect's fees were and Mr. May responded that a general average would be \$30/hr. and the cost for a plan to be completed to meet most design review board requirements would be approximately \$1.00 per square foot (\$400-500 approximate price for a duplex) However, the fees vary greatly.

Staff indicated that the ordinance does not require the services of a landscape architect be used for satisfying review board requirements. An individual can do his own plans. Mr. Moorhead further indicated that a review board could require applicant's to modify their plans but could not require them to hire a landscape architect to complete plans.

Mike Warren, 1900 Carol Avenue, asked staff how much of the proposed ordinance deals with landscaping. Staff indicated that 15% of the project needed to be landscaped under the ordinance. Mr. Warren further questioned what the basic intent of the ordinance was and staff responded that the intent of the ordinance was to promote originality, function, safety and natural beauty. Mr. Warren asked if there were any projects currently in Newberg which comply already to the proposed ordinance. Mr. Moorhead indicated there were a number of developers already doing so on their own. He indicated some of the reasons for doing so were a pride of community, to establish a more attractive business climate and to draw additional customers.

Mr. Warren asked if the ordinance could save the developers some money in some cases and Mr. Moorhead indicated it could, siting the garbage dumpster problem currently existing at a new structure site recently built in Newberg.

Opponent: Jack Nulsen, 717 E. Sheridan, a local attorney indicated that the areas of social need and economic impact should be explored when deciding on adoption of this ordinance.

A 3 minute recess was called due to a fire alarm. Meeting was reconvened.

Mr. Nulsen further questioned what this ordinance would do to individual rights. He felt the cost would be great to a consuming public which already was overburdened by existing requirements. He felt that even by hiring a professional there would be no guarantee that plans would be approved and that the board could delay individual plans indefinitely.

Opponent: Fred Casey, 1701 N. Hoskins, a local realtor and builder, suggested that the Commission look at a smaller figure for landscape requirements than 15%. He asked if we really need design review and should government get more deeply involved. He felt most business people know what looks good to attract clients, stating that people won't come to an unattractive business. He would recommend that duplexes be eliminated from design review. He felt LCDC goals say to conserve land and further suggests that landscape requirement be cut to 7½% at most.

Opponent: Charlie Hindman, 203 S. River, a local realtor, indicated that it is necessary to have rules and regulations when people live together but questioned the necessity of restricting private rights to benefit public welfare. He further questioned the need for this ordinance in addition to existing ordinances usable for the same purpose, whether the sacrifice the land owner makes would be out of proportion to the value gained. He further questioned whether the rules were clear and definite in the ordinance.

Opponent: Herb Gilnor, Rt. 4, Box 302B, Newberg, a property owner in Newberg, indicated that the more restrictive Newberg gets, the less likely we will be to get new developments coming to Newberg. He further was opposed to the 15% landscape requirement and recommended the commission modify the ordinance.

Questions to Opponents:

Ms. Parisi-Mosher asked Mr. Nulsen where he fits personal responsibility and responsibility to the community in with individual rights. He indicated that there are presently state laws and ordinances concerning minimum standards. He indicated most people would like to see all buildings built first class; however, there has to be some second class construction to provide for a place for the poor and young families to live. Mr. Cach asked Mr. Nulsen if the change makers rights were paramount to the rights of the local citizens. Mr. Nulsen indicated there should be a proper balance of rights and this ordinance appears to raise the minimum standards we have set. Mr. Cach further asked if a commission should be appointed to protect the minimum standards or not and Mr. Nulsen responded he preferred the rights of the individual.

Arthur Roberts, 2514 Roberts Lane, asked Mr. Nulsen if he thought good designs were cost effective and Mr. Nulsen responded he did. Mr. Roberts further asked if Mr. Nulsen felt long range values for the community would be enhanced or reduced by this proposal and Mr. Nulsen indicated values would be enhanced down the line a few years. Mr. Roberts concluded questioning by asking if Mr. Nulsen felt it was often the case that good design was more cost effective in the short term and could a person be helped by this review. Mr. Nulsen responded no. Mr. Kriz asked Mr. Nulsen if he would be more satisfied with an elected board of design review and Mr. Nelson indicated he would feel more comfortable with an elected board but that did not change his basic opinion about the entire ordinance. Mr. Kriz gave some examples of some large and small projects and contested the argument that a professional was required to build a small project but there appeared to be a need, as seen in the slide presentation, for some professional assistance in larger projects.

Mr. Cach asked Mr. Hindman if he believes this ordinance protects the rights of society. Mr. Hindman indicated it generally did but questioned whether it protects more than it takes away rights of the individual. Mr. Poet asked Mr. Hindman if the business community, on its own, would set the same standards this ordinance is trying to set, through competition and Mr. Hindman responded that it would. Ms. Parisi-Mosher asked Mr. Hindman if two identical structures were built, one under this code and one under the minimum requirements, would the builder be making a financial sacrifice on the one built under this code. Mr. Hindman indicated that the builder would be making a sacrifice and the minimum standards were sufficient. Additional requirements would cost more. Mr. Hindman indicated that a home built without use of a design review ordinance could be better built and a better buy due to market demands for good quality structures.

Mr. Cach asked Mr. Gilnor if Newberg's rights are protected at the expense of new development, would Newberg benefit or improve. Mr. Gilnor indicated that Newberg should not be over-restrictive but should not throw out all regulations. He feels that we need to make Newberg attractive to industry. He further stated that Newberg has less to offer than other areas and has a disadvantage over other areas.

No public agencies responded.

Letters received:

Bruce Brightling, 601 W. First, a proponent, recommended to include a review time limit and a check list for the builder to verify completion of steps.

Marvin Schneider, 1119 N. Main, a proponent, particularly concerned regarding controls placed on garbage container placement.

Proponent Rebuttal:

Mr. Roberts reiterated concerns over society's rights as opposed to individual rights. Mr. Young further discussed landscape percentage and possible change to that minimum. Mr. Warren indicated that City government must uphold rights of the citizens of the whole community. Ms. Adams indicated she preferred seeing aesthetically pleasing properties in the community.

Opponent Rebuttal:

Mr. Casey indicated that the Uniform Building Code dealt with the functions that this board would deal with and questioned whether builders needed to pay for the innovative site developments sought after by this ordinance. Mr. Nulsen again indicated his concern over rights issue.

Staff Recommendation: Staff indicated that the Portland Homebuilders representative had concluded that this ordinance was not unusual or uncommon in the Metropolitan area. Staff further stated there was a need for this review process and recommended that the Planning Commission adopt the proposed design review ordinance as presented by the Citizen Involvement Advisory Commission and recommend the ordinance to Council for adoption.

Hearing Closed.

Motion: Bowlby-Youngman to continue discussion of the proposed design review ordinance to February 18, 1982 Planning Commission meeting. Motion carried unanimously.

Commissioner Parisi-Mosher was excused.

Public Hearing: VAC-1-82

Applicant: John Coleman/Initiated by Newberg City Council

Request: Vacation of the entire alley located on Block 51 of Edwards Addition Subdivision, off Columbia Street between 8th and 9th Streets, Newberg, Oregon

Tax Lot: adjacent to 3220CA-2800, -2900, -3000, & -3100

Staff Report: The Planning Director presented the staff report as presented in the Staff Memorandum dated 21 January 1982.

No abstentions were requested or given.

No proponent wished to speak.

Opponent: Russell Sprunger, 1411 E. 9th, T.L. 3220CA-2600, indicated he desires a minimum 10 ft. easement for rear yard access. He indicated no opposition to the vacation if easement were granted.

The Commission questioned Mr. Sprunger as to need for easement.

Public Agencies: None

Letters: Russell Sprunger, 1411 E. 9th, not opposed if an easement were granted.

Applicant questioned staff as to effect of easement on usability of his property. Staff indicated easement would be included in total property square footage requirement for building purposes.

Staff Recommendation: Staff recommended approval of the vacation with the condition that an easement for utility purposes be granted over the entire right-of-way of the alley and an additional easement be granted over the entire right-of-way of alley abutting tax lots -2800, -2900, -3000, -2700 and -2600 for access purposes.

Motion: Poet-Young to accept staff recommendation with the following conditions: 1. A utility easement over the entire right-of-way of the alley be granted and 2. A 12 foot easement, running a distance of 150 feet east from Columbia Street, be granted for access purposes and to recommend the vacation to Council. Motion carried unanimously by those present.

It was MSC to continue this meeting to conclusion of agenda items.

Public Hearing: Proposed Amendment to Section 552 and 554 of the Newberg Zoning Ordinance entitled "Flood Hazard Sub-district."

Motion: Poet-Stanley to accept staff report as mailed. Motion carried unanimously.

The commissioners having had adequate opportunity to review the mailed documents and there being no opponent or proponent wishing to speak, the hearing was closed.

Motion: Youngman-Poet to recommend to Council adoption of the proposed flood hazard sub-district ordinance based on findings 1-4 as stated in the staff report. Motion carried unanimously.

Old Business: None

New Business: Bob Youngman tendered his resignation from Planning Commission effective as soon as the site review ordinance hearing is concluded.

It was MSC to adjourn.

The meeting was called to order by Chairman John Cach.

Roll	John Cach	Jane Parisi-Mosher
Call:	Jack Kriz	Frank Bowlby
	John Poet	Jim Tumbleson
	Bob Youngman	Jean Harris
Excused:	Art Stanley	

Staff Present:
Clay Moorhead, Planning Director
Barb Mingay, Recording Secretary

Also Present: 3 Citizens

Motion: Poet-Tumbleson to approve minutes as mailed. Motion carried unanimously by those present.

Public Hearing: Site Review Ordinance, Continued.

As public testimony was concluded at the preceding public hearing, the Commission began to discuss the ordinance and typographical errors were noted for correction. Several members discussed the board make-up, especially the "member at large" position currently untitled in the ordinance, and a potential limitation of board members to Newberg residents.

Motion: Youngman-Poet to discontinue discussion on Design Review and to recommend to Council no further consideration of this matter by the Council or administrative staff. Vote: Aye: Youngman, Poet, Bowlby, Tumbleson. Nay: Kriz, Cach, Harris, Parisi-Mosher. Absent: Stanley (4-4 vote which causes motion to fail).

Discussion relating to the design review ordinance was continued.

Motion: Poet-Youngman to recommend to Council that the Council take proper legal action to present the Design Review Ordinance to the people of Newberg at the next city election for a vote of the people.

Staff indicated that the people of the City would be the ones required to place any item on the ballot as a referendum or initiative petition. The City Administrative staff cannot do so.

The Commission further discussed passing this ordinance on to the Council for referral to the public.

The proponents of the motion withdrew the motion and the second.

Motion: Tumbleson-Youngman to recommend the Planning Commission take no further action on this draft of the Design Review Ordinance.

Staff commented that the Planning Commission has the responsibility of considering all planning related matters for recommendation to the Council. He further stated the Comprehensive Plan requirements relating to creation of a Design Review Ordinance.

Vote on the Motion: Aye: Youngman, Poet, Bowlby, Tumbleson. Nay: Kriz, Cach, Harris, Parisi-Mosher. Absent: Stanley (4-4 vote which causes motion to fail).

At this time the Commission decided to continue a page by page discussion of the ordinance for correction of copy or revision.

Motion: Parisi-Mosher, to add to Section 614-3C, Action by the Board, the following: ...Applications must be submitted in conformance to Section 618 of this Ordinance. The Board shall base their decisions upon the criteria and standards found within Sections 620 and 622 of this ordinance. Any conditions attached to the approval of a site plan shall not be used to reduce plan densities, unreasonably increase development costs or exclude needed housing types. Motion carried unanimously.

Staff was asked if the Comprehensive Plan indicated who should control the design review board. Staff indicated the Comprehensive Plan stated that design review should be performed at a staff level. "Staff" was originally intended to be City staff. Commissioners further discussed board make-up with the general consensus that a seven member board should be responsible for board action with staff support. Turn-around time and board make-up was again discussed.

Motion: Poet-Youngman to change the composition of the board to the Planning Director, City Engineer/Public Works Director, Building Official and one Planning Commission member to be appointed by Council, this action being taken in the interest of time and consistency.

Amendment to Motion: Poet-Youngman to add a member of the City Council to be appointed by the Mayor and the selection of the Planning Commissioner be by the Planning Commission Chairman, thereby creating a board comprised of 5 people. Amendment to Motion carried unanimously.

Vote on Main Motion: Aye: Youngman, Poet, Tumbleson. Nay: Kriz, Cach, Harris, Parisi-Mosher, Bowlby. Motion failed 5-3.

Motion: Bowlby- to add 1 additional planning commissioner and one Council member to existing list of design review board members to create a 9 member committee. Motion died for lack of a second.

Motion: Parisi-Mosher/Tumbleson to add to Section 612-3, subsection "i" to read as follows: "i. Encourage a clear, orderly, consistent and expedient design review process." Motion carried unanimously.

Motion: Kriz/Parisi-Mosher to amend Section 612-3B(e) to read..."Stabilize and improve property values and prevent blighted areas. Motion carried unanimously.

Motion: Poet-Bowlby to indicate that members of the board will be required to live within the Newberg Urban Growth Boundary. Vote: Aye: Youngman, Poet, Bowlby, Tumbleson. Nay: Kriz, Cach, Harris, Parisi-Mosher. Motion failed due to 4-4 vote.

Motion: Kriz-Harris to amend Section 614-3A to read as follows:If no written response is received within "5" days, it shall..... and to add to the final sentence the following"...within 10 working days of the receipt of the application unless an extension of time is requested. Vote: Aye: Kriz, Youngman, Cach, Poet, Harris, Parisi-Mosher, Bowlby, Tumbleson. Nay: None. Motion carried unanimously.

Motion: Parisi-Mosher/Tumbleson to strike Section 614-3B Notice. Motion carried unanimously.

Motion: Poet/Parisi-Mosher to add to Section 614-3C the following: "The Board shall "within 15 days of their receipt of the application" either approve...." Motion carried unanimously.

Motion: Parisi-Mosher, Tumbleson to add "bond" to Section 614-3F to read: ...time certificates of deposit, assignment of a savings account, bond, or such other assurance.... Motion carried unanimously.

Motion: Kriz-Poet to delete Section 620-1A, -1A(a), -1A(b), and -1A(c), due to this section being vague and not pertinent to the ordinance. Vote: Aye: Kriz, Youngman, Poet, Tumbleson. Nay: Cach, Harris, Parisi-Mosher, Bowlby. Motion failed due to 4-4 vote.

Motion: Youngman-Tumbleson to continue discussion of the Design Review Ordinance to March 18, 1982 regularly scheduled planning commission hearing and to adjourn. Motion carried unanimously.

Meeting adjourned.

The meeting was called to order by Chairman John Cach.

Roll Call:	John Cach	John Poet
	Jack Kriz	Darlene O'Hara
	Jim Tumbleson	Art Stanley

Excused: Frank Bowlby

Staff Present: Clay Moorhead, Planning Director
Rick Faus, City Attorney
Bob Sanders, City Engineer
Barb Mingay, Recording Secretary

Also Present: Approximately 9 Citizens

Motion: Poet-Tumbleson to approve minutes as distributed. Motion carried by those present.

Public Hearing: First Christian Church Partition
Request: Partition to allow separation of 2.738 acres from a parcel of 67.5 acres (Coppergold site) to allow construction of a church. Site is currently zoned R-1 PD (Low Density Residential/Planned Unit Development overlay)
Location: North of Crestview Drive between Villa and College
Tax Lot: Part of 3217-1900
File No: P-3-82

Staff Report: The Planning Director presented the staff report as presented in the staff memorandum dated March 18, 1982 and the additional findings 1-4 as distributed.

Jane Parisi-Mosher and Jean Harris now present.

Proponent: Phil Tompkins, Rt. 4, Box 321A1, a member of the First Christian Church, and representing the Church, indicated that the Church wished to make a disclaimer, stating they did not want to be committed to the property exchange until they have reviewed the conditions thoroughly. He further indicated that the Church did favor the proposal presented. He stated that the Church has not executed the property exchange yet, but has reviewed a preliminary draft. If this partition does not get approval, the Church would consider other options.

Question to Proponent: Mike Wilhoit, Rt. 1, Box 23, Newberg asked what other options were possible or what other partition the Church might consider. He also asked who would be responsible for paying for installation of services to the partition site.

Mr. Tompkins responded that the Church currently owns a portion of property in Coppergold which abuts College St. The alternative would be to consider using that property for Church construction.

Mr. Wilhoit wanted to know what that would do to Coppergold PUD. Staff indicated that if the Church built on its currently owned property, that would probably nulify the approval of Coppergold PUD.

Mr. Tumbleson asked Mr. Tompkins if the Church had any objections with the staff conditions. Mr. Tompkins indicated the main concern was the ultimate liability of the sewer system.

Mr. Moorhead identified the Church property adjacent to College St. and further indicated the site which the Church is interested in, at the corner of Mountainview and Villa. The Church would be swapping property with the developer, CL7. He indicated that owners of the site--CL7 and George Fox College, in conjunction with the First Christian Church, are responsible for the site improvements.

Mr. Tompkins indicated the sewer easement is in the process of being obtained. The Church is concerned that they will be liable for the entire parcel (Coppergold) improvements. Staff indicated he has had conversation with CL7 and has not been able to identify a timetable for the first phase start up of Coppergold.

Proponent: Don Millage, 600 Dayton Ave., business manager of George Fox College, (is not the developer or his representative) indicated the College has a contract interest in the property. Both pieces of the property involved were included in the Coppergold PUD which has been approved. The plan included the Church construction on the proposed site; if the Church built on their own property, then the entire Coppergold plan would be invalid. He indicated that no representative of CL7, the developer, was attending this hearing and could not identify a timetable for the improvements to be completed.

Mr. Tumbleson indicated that the apparent objections to the staff conditions by the Church concerned the length of time for installation of the holding tank and final improvements and the final financial responsibility for those improvements.

Mr. Millage further indicated that the property will obviously be developed at some time in the future, with the need for sewer, etc. If the time frame of the City's requirements could be altered, the Church would be better able to proceed.

Staff indicated that if the Church does not proceed with the property exchange and uses their currently owned property, the PUD could be rejected and the entire parcel would revert to existing R-1 (Single Family Residential) status.

Mr. Sanders indicated that a holding tank facility usually was only considered usable for a fixed length of time, i.e. 6 months. The tank is required to be pumped frequently and is not economically viable for a great length of time. The City is willing to accept use of a septic field with County approval on this site until full development of normal services can be completed. A 2 year limit was placed in the conditions to prevent future problems if Coppergold should fail. After the 2 year period, an additional 1 year would be provided before the Church would be totally liable for the improvements.

Staff indicated that the developer is responsible to provide the services in that 2 year period.

Opponent: None

Public Agencies: None

Letters Received:

Don E. Riggs, Senior Pastor of the Newberg Free Methodist Church commending the First Christian Church for their efforts and supporting them.

Charles C. Heckman, neighboring property owner, indicating staff should look into legalities of the proposed partition.

Rick Faus indicated that the partition appeared to be in substantial conformance to City ordinances.

Proponent Rebuttal: Mr. Tompkins indicated that a preliminary draft with CL7 did address the sewer conditions as stated in the staff report.

Staff Recommendation: Staff presented the staff recommendation as presented in the staff report.

Public Hearing closed.

Staff explained to the Commission the partition approval process. He indicated that no building permit would be issued until the partition is completed. The partition cannot be completed until some form of security is established to insure completion of the improvement.

Mr. Sanders indicated he has reviewed the draft agreement as proposed by CL&. He further stated that the City is trying to point out to the Church potential problem areas which should be reviewed with CL7.

Mr. Moorhead indicated that the half-street improvement of Villa was established as part of the original Coppergold PUD and must be included in the current application.

Motion: Poet-Tumbleson to accept staff recommendations and findings 1-11 and additional staff findings 1-4 and grant preliminary approval to the First Christian Church for Partition File No. P-3-82. Vote: Aye--Stanley, Cach, Poet, Harris, Parisi-Mosher, Tumbleson, Kriz; Nay--O'Hara. Motion carried (7-1).

Staff indicated this is a final decision. Preliminary approval of the partition has been granted.

A 10 minute recess was called after which the meeting was reconvened.

Public Hearing: Design Review, Continued

Mr. Tumbleson asked how the floor plan requirement applies to criteria. A general discussion relating to needs for plans went on. The staff was asked how many plans the building permit application requires and how many additional plans would be required under design review. Currently, staff explained, the Building Department requires 2 sets of plans. Additional plans would probably be required under design review.

Section 620 criteria was discussed. Mr. Kriz presented several alternative wordings to portions of this section.

Motion: Stanley/Parisi-Mosher to recommend to Council adoption of the Design Review Ordinance as amended to date.

Discussion on the motion began with Mr. Kriz commenting on portions of Section 620.

Mrs. Harris moved the previous question. Motion carried with a voice vote.

Vote on the Motion: Aye--O'Hara, Stanley, Cach, Harris, Parisi-Mosher; Nay--Kriz, Poet, Tumbleson. Motion Carried (5-3).

Staff asked the Commission if a representative to Council was desired. The general consensus was that the Staff could present the findings and the minutes of Planning Commission to the Council and each member would retain the ability to testify individually if they so desired.

Old Business:

None

New Business:

Motion: Stanley-Poet to commend Bob Youngman for his past activity on the Planning Commission and to direct Staff to send him a card of thanks. Motion carried unanimously.

Mr. Cach raised the question of the Mayor's Task Force Goals as they might apply to the Comprehensive Plan currently in existence in Newberg. After some discussion a possible joint meeting was considered to discuss this and other topics.

Motion: Stanley-Poet to recommend to Council that the Planning Commission and Council have a joint annual meeting to discuss a previously agreed upon agenda. Motion carried unanimously.

Staff was requested to establish an agenda with some suggested topics being the task force goals as they relate to the Planning Commission, the Comprehensive Plan, and other related topics.

Such meeting could be scheduled for April 15, 1982, the next regularly scheduled Planning Commission meeting night with staff verifying time and location with Council.

Jean Harris reported on the site review of the Francis Drive-In Theater which she was asked to attend as the Planning Commission Representative.

Rick Faus reported on the case "solberg vs. City of Newberg" which the City won. This case concerned construction of a multi-unit complex on property in Newberg. He also indicated the LUBA hearing date relating to the appeal of the school site has been set for Friday, March 26, in Salem.

Motion: Poet-Stanley to adjourn. Motion carried unanimously.

Thursday, 6:30 p.m.

April 15, 1982

A JOINT MEETING
OF THE NEWBERG CITY COUNCIL
AND THE NEWBERG PLANNING COMMISSION
Newberg Community Hospital
Newberg, Oregon

The meeting was held in a conference room at the Newberg Community Hospital and Chaired by Mayor Elvern Hall.

ROLL CALL:

Present:

CITY COUNCIL

Maybelle DeMay
Harold Grobey
Roger Gano
Alan Halstead
C. Eldon McIntosh
Quentin Probst
Richard Rementeria

PLANNING COMMISSION

John Cach (Chairman)
Frank Bowlby
Jack Kriz
Darlene O'Hara
Jane Parisi-Mosher
John Poet
Art Stanley
Jim Tumbleson

Absent:

Tommy Tucker

Jean Harris

Staff Present:

Michael Warren, City Administrator
Clay Moorhead, City Planner
Arvilla Page, City Recorder

Also Present:

Gwen Miller-Pearson, Oregonian Representative
Kristina Bauer, Miss Oregon candidate for Miss U.S.A.

Mayor Hall presented Miss Bauer a proclamation signed by the Mayor from the citizens of Newberg congratulating her on her selection as Miss Oregon U. S. A. Miss Bauer was then excused from the proceedings.

All those present enjoyed an excellent dinner prepared by the Hospital Staff with the Hospital facilities.

Clay Moorhead, City Planner, presented an overview of the Comprehensive Plan process. The Citizens Involvement Advisory Committee reviews and recommends to the Planning Commission. The Planning Commission reviews in detail and holds hearings. The Council then reviews the action of the Planning Commission and hears their recommendation. The Comprehensive Plan began in 1974 and was finally acknowledged in 1981. The Comprehensive Plan was adopted by the Council in 1979 and has since been updated.

The Mayor's Task Force Committees were formed to address specific areas and concerns that need to be addressed for the future of the City.

Mayor Hall addressed how the Task Force Committees were formed. A survey done several years ago showed that everyone was doing his own thing in Newberg. A Town Hall meeting was held, which was well attended. The Task Forces grew out of that Town Hall meeting. Five Committees were formed. The Committees are the Sewage Treatment Plant, Redevelopment, Traffic Rerouting, Civic Center, and Charter Committee. Committees will report at a Town Hall meeting to be held on May 4, 1982 at the High School Cafeteria. There are many people involved in these committees and the City is now moving because of that involvement.

Michael Warren, City Administrator reported that the Sewage Treatment Plant Committee is dormant at present, waiting until after the Tax Base Election. The Rerouting Committee has determined that a bypass to the south would cost an estimated \$25 million. The Civic Center is much needed. However, there is no money at present, but with planning, when money is available, the City will be ready for the Civic Center. The Redevelopment Committee is very active and on-going. The Committee is looking at Tax Increment Financing and has contracted with a professional consulting firm. The Planning Commission will review all of the plans of the various committees.

Art Stanley asked what would be the role of the Citizens Involvement Advisory Committee on the Task Force Committee recommendations. Mr. Moorhead responded that the consultant will be putting together a redevelopment plan. Any changes in use or zoning will be reviewed by the CIAC and the Planning Commission.

John Cach stated that the Planning Commission has a big problem. The process is the problem. There are no Planning Commission members represented on the Task Force Committees.

Mayor Hall responded that volunteers were asked for and no Planning Commission members volunteered. He choose not to appoint Planning Commission members to the Task Force Committees, feeling that they were already required to attend many meetings. He stated he would have appointed Planning Commission members if they had requested appointment. Mr. Cach stated that needs should be ranked. The Mayor's Task Force should not be picking priorities. People will be working on lower priority needs that cannot succeed.

Mike Warren responded that the Council could have made the list and it may or may not have been a good list. The priorities were out of response from 75 letters that were sent to all organizations and groups plus the Town Hall meeting.

John Cach stated that he only knew of the four committees other than the Charter Revision. There should be more to the list.

Mr. Warren responded that there are many more and that these were only the top four.

Mr. Moorhead stated that this was really a grassroots type action. The process was reasonable and the end product was the priorities.

Harold Grobey, Councilman stated that several groups of people have pulled together to get the town pulled together and this is good.

John Cach stated that a ranking has to be in the Comprehensive Plan.

Mr. Grobey responded then the Plans should be changed.

Jane Parisi-Mosher, Planning Commission member, stated we are in the first phase which is a generating phase. Phase two is the integrating phase. Implementing will take time. Council people may not be re-elected, then what happens to the enthusiasm.

Mr. Warren stated that he did not see the problem. The Comprehensive Plan can only be specific up to a point.

Jane Parisi-Mosher stated the Plans will be challenged. There is a need for everyone involved to stand together.

Maybelle DeMay, Councilmember, stated that when the previous City Planner sent out the questionnaire to 2,000 water users, only 150 responded. There was more enthusiasm shown at the Town Hall meeting. The questionnaire showed these concerns at that time. A number of people have made their priorities and wishes known. These priorities and wishes have been consistent. The Redevelopment people will be contacting many responsible people in the town.

Mr. Stanley stated that planning is thinking of what people in the future will want of Newberg. Our Comprehensive Plan does not include planning for school building. The School Board does their own thing. Recreation is not included in the Plan, they also plan separately.

Mr. Grobey stated the problem is the lack of no joint meetings between the Parks, Schools, City, etc.

Quentin Probst, Councilmember, stated the Town Hall meeting is a good time to air these concerns.

Mr. Cach stated that the problems need to be defined.

Mayor Hall stated that the Civic Center would bring many groups together by providing joint meeting rooms and offices.

Roger Gano, Councilmember stated we have to package the sale of the need for a Civic Center.

Hal Grobey stated that the list exists in the Comprehensive Plan.

Mayor Hall stated that the list was actually developed at a Council seminar.

Mr. Grobey stated that some Task Force Committees such as Charter will not need Planning Commission review. With other Task Force Committees the Planning Commission will be totally involved.

Mr. Moorhead stated that the process for the priority list was the same as the Comprehensive Plan. To stop now and include a prioritized list in the Comprehensive Plan would slow the momentum. The Comprehensive Plan is flexible enough.

Alan Halstead, Councilmember, stated that we should not fix priorities so that we can act when the opportunity arises.

Mr. Cach stated that we are at risk and will be sued unless prioritized in the Comprehensive Plan.

John Poet, Planning Commission member, asked whether at least a quarterly from the Committees to the Planning Commission could be made so that the Planning Commission would be advised.

Mrs. DeMay added that copies of the Task Force minutes could be sent to the Planning Commission members.

Mr. Cach stated that we need to act on the hard rule.

Mr. Warren stated that communications can be improved and will be.

Mr. Cach stated that it is stupid to take a risk without recognizing the risk.

Mr. Halstead stated that the Planning Commission is given a set of rules to follow. The City Council has the power to change rules and is a political body.

The meeting was adjourned at 9:30 p.m.

Staff Recommendation: Staff recommends approval of vacation by the Planning Commission to City Council of alleyways in Block 54 Edwards Addition.

Public Hearing closed.

Motion: Harris-Poet to recommend to City Council the vacation of alleyways found within Block 54 of Edwards Addition Subdivision based on 4 findings indicated in Staff Report. Motion carried unanimously.

Public Hearing: Applicant: City of Newberg
 Request: Annexation of unincorporated territory surrounded by the corporate limits of the City of Newberg pursuant to the Oregon Revised Statutes Chapter 222.750, and a zone change from a Yamhill County LDR/9000 (Low Density Residential/9000 sq. ft. minimum lot size) zone to a City R-1 (Low Density Residential) zone and withdrawal from the Newberg rural fire protection district.
 Tax Lot: 3218AA-700, -800, -900, -1000, -1100, -1200, -1300, -1400, -1500, -1600, -1700, -1800, -1900, -2000, -2100, -2200, -2300, -2400, -2500, -2600-, -2700, -2800, -2900 and -3000
 Location: Abutting the west side of College Street in the vicinity of Melody Lane
 File No: ANX-1/Z-1-82

Staff Report: The Planning Director presented the staff report as presented in the staff memorandum dated May 20, 1982.

No proponents wished to be heard.

Opponent: Ed Wiesehan, Rt. 1, Box 418, Newberg, a resident of the area proposed for annexation, asked for clarification of water and sewer availability to T.L.'s -300, -2900 and -1800. He requested those areas be checked into for sewer accessability. He thanked Mr. Moorhead and Mr. Sanders for spending an evening with the residents of the neighborhood to discuss the effects of the proposed annexation. He asked for clarification of the public cost for annexing this property.

Mr. Sanders indicated that a rough cost estimate for an 8" line and hydrant would be around \$20,000 and if the water system was included, a rough cost of \$45,000 would be more appropriate. Mr. Sanders further indicated that three hydrants would be the normal requirement for a subdivision of this size but one hydrant would be acceptable.

Mr. Wiesehan asked for clarification of staff report submitted by Mr. Sanders which indicated a hook up time limit of 30 - 60 days for those properties not currently hooked up. Mr. Sanders verified the time limit.

Mr. Wiesehan indicated he represented the Parkway Water District with the exclusion of 2 of the tax lots. He does not speak for those two properties. He indicated the development was 20 - 25 years old. He further stated that a poll taken of property owners involved indicated a vote of 16-2 in opposition to annexation with 2 people not voting. He indicated the residents understand the laws and annexation process requirements. He added that the main objection of the group was that the County has been satisfied with the operation of the utilities up till now, the streets have been adequate, water has been adequate with only a few breakdowns, and the group objects to having to bring services up to City standards with few apparent advantages to the property owners. The taxes would be doubled and the owners would still be responsible for water and street maintenance until they are up to standard. The crime rate is low in the area and having local police patrols is a minor advantage.

It appeared to be to the City's advantage to annex the property but it surely is not to the advantage of the property owners. They do not oppose annexation but do oppose having to bear the burden of water and street upkeep and paying additional taxes. They would be happy to come into the City if the City took over the area as is.

Opponent: Nina Waters, Rt. 1, Box 414, stated her agreement with Mr. Wiesehan. She is also a property owner in the area of proposed annexation. She feels the area would not be getting the same amount of service as other City people for the same amount of added taxes. She asked if Melody Lane is kept as a public thoroughfare but privately maintained and the street were extended, what would become of the maintenance of the street.

The staff indicated the street status would remain the same as at present.

She further indicated examples of areas in town which are currently under-improved property. She asked why this subdivision has to come up to standards not currently met by some of the existing City areas. She questioned why Green Valley was accepted in 1970 and is currently being publicly maintained and yet Parkway Subdivision will not be allowed to do so. She indicated her willingness to come into the City but not on current City terms.

Opponent: Don Dahlen, Rt. 1, Box 421, discussed street maintenance and sewer installation. He indicated that sewer laterals have been sinking since they were installed during the sewer LID, and nothing has been done to repair the problem. He felt that the City should be responsible for taking care of the problem.

Mr. Sanders indicated that corrective measures are being currently taken.

Opponent: Nina Waters spoke again relating to neighborhood unity and indicated the past history of the sewer project in the area and the past history of developments around them.

Mr. Cach asked staff if the sewer project was an LID. Mr. Moorhead stated, yes, and that around 1976 a major sewer system was designed for the N.W. area which provided a lateral into Green Valley and Melody Lane areas. Taps to lots were installed and could be purchased and hooked up by the property owners at that time.

Mr. Sanders indicated that currently a list of approx. 300 unconnected sewer users are being contacted at the rate of 25 or so a year. Due to the current volume of work, users may not actually be connected as soon as 60-90 days. Even if there is not a failing system currently, City ordinances indicate connection to sewer facilities should be imminent.

Mr. Wiesehan indicated that T.L.'s -2900 and -3000 are not currently connected to the sewer because of land contours. He further indicated he has not had any problems with his system for over 12 years.

Mr. Cach asked Mr. Wiesehan to explain the water district operation. Mr. Wiesehan explained that City water is provided at double the going City rate, the customers bear the cost of the line repairs, water testing and billing of the water district and the district has been operating for 25 years. He indicated that no maintenance costs have been computed over that term. He acknowledged the lines are old and will probably fail in the near future. Because the City will not accept responsibility for the system even when the area is annexed, the property owners would still be subject to the expense of fixing the system while paying fully City taxes.

Mr. Sanders indicated that the City was trying to minimize the financial impact to the area residents by only requiring one hydrant and support water line. He stated that a possible \$100,000 expense to property owners would be required for upgrading all sub-grade utilities including street and water systems. This was not being requested, however, the property owners would have to maintain their current systems.

Mrs. Waters noted that Green Valley was taken over by the City as is--why shouldn't Melody Lane be?

Public Agencies: Mr. Moorhead entered into the record a memo dated May 14, 1982 from Bob Sanders, City Engineer, which indicated Engineering requirements at the time of annexation.

No letters were received.

Staff Recommendation: Staff recommends to the Planning commission that they recommend to Council the annexation of the subject property to the City of Newberg, with a corresponding zone change to R-1, and withdrawal from the Newberg Rural Fire Protection District.

Public Hearing Closed.

Mr. Poet asked staff if the sewer and water requirements were established by law or if they were arbitrarily placed on this annexation. Mr. Sanders responded that the fire hydrant requirements are placed by the fire insurance rating bureau.

Mr. Moorhead stated that Observation 7C of his staff report covered the matter of equitable expense to the rest of the citizens of Newberg because of sub-standard conditions which may pre-exist in unannexed areas.

A general discussion of road access went on.

Mr. Sanders again indicated that a rough estimate of providing fire hydrant and support line would be approximately \$20,000 and an estimate of \$45,000 (roughly) would update the water system. An LID (Local Improvement District) could be created to complete the work with the usual time for repayment being 10 years at a fairly low rate of interest depending upon funding source. Mr. Sanders indicated further that approximately \$100,000 would probably cover the total clean up of conditions presently sub-standard. Mr. Bowlby commented that the residents would have to bear the cost of the fire hydrant and sewer hookups either up front or through an LID over a set length of time. Mr. Cach commented that the four property owners currently not hooked up to the sewer system would have to connect within 60-90 days and would have to pay the current \$1,025 sewer tap fee to connect.

Motion: Stanley-Harris to recommend to Council the annexation of tax lot's 3218AA-700, -800, -900, -1000, -1100, -1200, -1300, -1400, -1500, -1600, -1700, -1800, -1900, -2000, -2100, -2200, -2300, -2400, -2500, -2600, -2700, -2800, -2900 and -3000 to the City of Newberg, a zone change from Yamhill County LDR/9000 to a City R-1 (Low Density Residential) zone and withdrawal from the Newberg rural fire protection district based on staff recommendations and findings 1-13 of the staff report. Vote on motion: Aye--Kriz, O'Hara Stanley, Cach, Poet, Harris, Bowlby; Nay--None; Absent--2. Motion carried unanimously (7-0).

A 5 minute recess was called after which meeting was reconvened.

Public Hearing: ANX-2/Z-2-82

Applicant: Chehalem Park & Recreation District
Request: Annexation to the City of Newberg, a parcel of land approximately 4.81 acres together with a zone change from County LDR-9000 (Low Density Residential-9000 sq. ft. lot minimum) to a City R-1 (Low Density Residential) zone and withdrawal from the Newberg Rural Fire Protection District
Location: Abutting the east side of Main Street, being approximately 400 feet south of Pinehurst Street
Tax Lot: 3218AC-800

No proponents or opponents were present.

Staff Report: The Planning Director indicated Jere Jackson, Chehalem Park and Recreation District, had contacted him earlier May 20, 1981 by telephone and indicated there was no objections to the staff report findings or conditions. Staff summarized the staff report and entered staff recommendation into the record.

Public Agencies: The Park district is requesting approval and has no objections.

Public Hearing Closed.

Motion: Poet-O'Hara to accept staff findings and conditions as presented and to recommend to Council approval of annexation of Tax Lot 3218AC-800, a parcel of land approximately 4.81 acres together with a zone change from County LDR-9000 (Low Density Residential-9000 sq. ft. lot minimum) to a City R-1 (Low Density Residential) zone and withdrawal from the Newberg Rural Fire Protection District. Motion carried unanimously.

Old Business: Staff presented the adopted Design Review Ordinance to the Planning Commission members.

It was noted that the tax base passed with an overwhelming margin.

Staff updated the Coppergold development status.

Mr. Cach commented on a letter and article Mrs. O'Hara submitted to the Mayor after the joint meeting last month.

New Business: Jean Harris brought to the Planning Commission's attention the Heritage Society's recommendation to initiate preservation of older homes within the City. Creation of a historic district is one possible idea. A petition could be done to enable this type of upgrading at a tax savings to interested owners of eligible property. Mr. Stanley further commented on the contacts he has had with people who are interested in this type of district. Staff recommended the Chehalem Valley Heritage Society check into the community interest in such action. Mrs. Harris will report back from the Heritage Society next month.

Mr. Poet commended personnel responsible for retrieving tax base signs in an expeditious amount of time.

Mr. Kriz turned in his resignation from the Planning Commission due to an employment opportunity in Alaska.

Motion: Poet-Stanley to express appreciation to Jack Kriz for his efforts on behalf of the Planning Commission. Motion carried unanimously.

Motion: Poet-Bowlby to adjourn. Carried unanimously.

The meeting was called to order by Chairman John Cach.

Roll Call: Sally Adamson Frank Bowlby
 Art Stanley John Cach
 John Poet

Absent: Jean Harris (excused) Jane Parisi-Mosher
 Jim Tumbleson (excused) Darlene O'Hara

Staff Present: Clay Moorhead, Planning Director
 Barb Mingay, Recording Secretary

Also Present: Approximately 11 Citizens

New Commissioner Sally Adamson was introduced to the Commission.

Motion: Poet-Bowlby to approve May minutes as distributed. Motion carried by those present.

Jane Parisi-Mosher now present.

Public Hearing: CUP-1-82
 Applicant: Maureen West/Jim Davis
 Request: Approval of a conditional use permit within
 an R-1 (Low Density Residential) zone to
 allow for the creation of a group care home
 for up to five elderly and incapacitated
 persons.
 Location: 2009 Cherry St.
 Tax Lot: 3217DC-5100

Staff Report: The Planning Director presented the staff report as presented in the staff memorandum dated June 10, 1982 and located the site on a map.

Darlene O'Hara now present.

Proponent: Randy Poppin, supervisor, Yamhill County Senior Services Division, indicated his agency has responsibility for certification of homes. He related that the State has made a commitment to reduce care costs as possible in areas of senior care by providing alternate reduced care facilities. Such facilities are less institutionalized, have a home like setting and are similar to foster homes. The people are in need of custodial service basically and the homes are closely monitored and screening is very thoroughly done. Mentally ill and retarded home certification will be done in the future by the Mental Health Division.

Proponent: Karen Dose, 2012 Cherry, stated the property is much better maintained and quieter than under the previous occupants.

Proponent: Jill Buckmaster, 909 Sitka, indicated she was in favor of the proposal, that there had been problems with the former residents and the current owners have cleaned up the area and are quieter.

Proponent: Don Miller, 1009 Sitka, indicated he had no problems with the current residents, that the neighborhood was a lot quieter and he was not against the proposal.

Proponent: Father David Loursbury, Vicar of St. Michael's Episcopal Church, commented on how well run the facility was and the home like atmosphere which exists. He stated that it was cheerier than many care facilities in other areas. He urged support of the proposal.

Proponent: Carol Dodge, Senior Services Division caseworker and McMinnville resident, indicated she is the background investigator for care homes and she makes recommendations to Senior Services Division to match homes and residents. She visits homes routinely and has visited this home three times since it became qualified. She had no reservations about the qualifications of this home.

At this time the Chairman ruled that the applicant/proponent would have the right to rebut later testimony even if the applicant/proponent did not speak at this time as a proponent.

Opponents:

Shirley Cooper, 1011 Sitka, asked Carol Dodge what age group SSD serves. Ms. Dodge stated it was legally the age of permanent disability, typically over 50-55 years of age and in a geriatric institution. She further indicated that the most numerous cases between the ages of 18-30 are mentally disabled and are placed in mental care homes. Age groups are not normally mixed. Ms. Cooper asked if the application required that this facility be considered a geriatrics facility. Could a 19 year old drug addict be admitted to this home? Could anyone that is considered an adult be allowed to reside at this home? Carol Dodge indicated that the criteria for entrance is left at the discretion of SSD. The type of care home patient requested by the facility is the primary consideration. An inappropriate placement would not be considered by SSD. The Health Department must approve of mixing mentally disabled patients with geriatric patients.

Ms. Cooper requested that this home be limited to geriatric patients as a condition of approval.

Carol Dodge clarified care facility use in Newberg by indicating that other facilities serve patients requiring professional full time care. After lesser care is required by the patient, SSD looks for a facility, like a foster care home, for cost savings, etc.

Commissioner Parisi-Mosher asked what the grounds for de-certification were. Ms. Dodge indicated that improper feeding and lack of personal attention were some of the factors involved. Complaints would go through SSD for investigation.

Ms. Parisi-Mosher asked what the care providers rights were.

Carol Dodge indicated the operators of a facility have the right to have a patient reviewed and can request the removal of the patient. The ultimate decision is usually a joint one.

Commissioner Adamson asked who determined the screening of mental health patients.

Ms. Dodge indicated the placement decision was a joint one between SSD and the Mental Health Department.

Declaration: Darlene O'Hara, Planning Commissioner, indicated that she was considering purchase of property at Oak and Sitka but did not wish to abstain from voting. Her decision was not challenged.

John Poet asked if clients could be referred to this facility from other agencies and if staffing could be on a lesser than 24 hour basis.

Carol Dodge responded they could be referred from other agencies and that SSD requirements called for 24 hour staffing for this number of requested clients.

Ms. O'Hara asked what input SSD has in staff selection for the facility.

Ms. Dodge indicated SSD investigates the backgrounds of staff but does not select them. They do make recommendations however. She indicated that she is involved in the certification of the house and the supervisor/provider as a Yamhill County SSD caseworker. The Board selects and matches clients and providers.

Opponent: Charlotte Hopp, 1012 Sitka asked who screened other people who will be potential patients of this facility.

Ms. Dodge indicated SSD does not review outside clients but does have the right to decertify the facility if outside patients create a conflict with SSD clients.

Mr. Bowlby asked if Mr. Davis (applicant) was required to be a resident of the home.

Ms. Dodge indicated that Mr. Davis was the primary provider but did not need to reside full time at the home.

Ms. Hopp asked Mr. Davis if a 19 year old drug addict could be put in the home.

Mr. Davis responded that that type of client would require rehabilitation which this facility could not have available and would not provide.

Ms. Hopp asked Mr. Davis if he was employed elsewhere and Mr. Davis stated the proposed home was and would be his full time job.

Ms. Hopp asked Mr. Davis if he meant that no mental patients would be housed in the proposed facility. Mr. Davis indicated he could not guarantee that as not all background information was available to him. He indicated he could investigate current patient history and accept or reject patients on that information.

Ms. Hopp asked Mr. Davis if a private party could be placed in the home without the benefit of SSD screening. Mr. Davis indicated they could. He had no desire to be certified by the Mental Health Division and he was basically looking for elderly patients. He indicated the health status of his current patients. He further stated he has a one year lease with the property owner for use of the property.

Staff indicated that if the conditional use permit were granted it would be transferrable to other parties and would run with the land to the end of the lease. However, a condition could be established which would make the conditional use permit nontransferrable.

Mr. Davis stated he had limited information available on patients backgrounds in areas other than medical records due to current State law limitations. The clients doctor must certify that the patient is in need of the services given by the provider. The patient can sign a release for background information however.

Randy Poppin reiterated that the SSD has no control over private patients but if the home provides supervised nursing care to over 5 patients the State can control and stop operation of the home if necessary.

Mr. Davis stated he has two full time and one relief person for staff. He may have an apartment near the facility or may live full time at the facility.

Shirley Cooper asked Mr. Davis what staff qualifications were. Mr. Davis indicated he was a registered nurse specifically trained in health care institutions and he has been director of 2 different nursing homes. The other staff persons have no specific training other than personal instruction from Mr. Davis. He further indicated that no fencing would be installed on the property.

Staff clarified certification statement.

Ms. Parisi-Mosher asked how many people could be placed in the facility before a conditional use permit would be required.

Staff referred to the definition of family in the Newberg Zoning Ordinance. Staff further clarified the term "supervision" as indicated by Mr. Davis and representative from SSD.

Mr. Davis indicated that residents would have to be able to evacuate the facility within 3 minutes.

Mr. Poppin indicated that any number of patients in excess of 5 is covered by a State certification which Mr. Davis has not requested. He further stated that geriatric care is not always just limited to the age group over 60. He stated that an adult foster home provider can administer medications under a doctor's direction when the situation of the patient is stable.

Opponent: Shirley Cooper, 1011 Sitka indicated she was opposed to the plan as it has been presented. She wishes to see approval given conditional on a geriatric care designation only. She questioned the impact on the neighborhood of two care facilities in the area, whether private patients would be adequately screened and whether the staff education would be adequate for good 24 hour service.

Opponent: Charlotte Hopp, 1012 Sitka, shared the concerns of Ms. Cooper, feels this proposal is a disruptive influence on the neighborhood and recommended the Planning Commission deny approval.

No public agencies sent objections, no letters were received.

Proponent Rebuttal: Mr. Davis indicated the facility was intended to serve elderly and incapacitated adults. 24 Hour nursing care is very costly and this would provide an alternative.

Proponent Rebuttal: Maureen West, co-applicant, indicated this is not a nursing home but a residential care facility, a natural home atmosphere which does not include 24 hour nursing care.

Opponent Rebuttal: Shirley Cooper stated she is still concerned that this not be a home for other than elderly geriatric patients, that the personnel should be adequately trained and 24 hour care is necessary.

Staff Recommendation: Staff presented possible conditions which could be placed on the site if the Planning Commission chose to approve the conditional use permit.

Public Hearing Closed.

Motion: Parisi-Mosher/Stamley to approve the conditional use permit with staff conditions 1-11 as amended.

Ms. Adamson asked who has the responsibility for making sure these conditions are followed. Mr. Stamley responded that the City would have to depend on existing governmental agencies to police the conditions. Staff further indicated that the Planning Department had responsibility for ensuring that the conditions were met.

After discussing various conditions the suggestion to leave condition 1 unamended was heard.

Amendment to Motion: Poet-Bowlby to leave condition 1 as originally written.
Vote on amendment to motion: Voice vote carried with 2 nay's: Jane Parisi-Mosher and Darlene O'Hara.

Vote on Main Motion: Aye: Stamley, Cach, Poet, Parisi-Mosher, Bowlby--
Nay: Adamson, O'Hara. Motion carried (5-2).

Staff advised the audience and applicants of the 10 day appeal period at which time the Planning Commission decision becomes final.

Old Business:

Staff identified Council actions on the annexations heard at last months Planning Commission hearing and updated Coppergold status.

John Cach voiced his appreciation for the volunteer dinner.
John Poet also extended his thanks.

Motion: Poet-Bowlby to express thanks to the Council for the Volunteer Dinner. Motion carried unanimously.

New Business:

Staff updated the Commission on the Revitalization Committee's progress.

Art Stamley thanked Jane Parisi-Mosher and Clay Moorhead for the Tree People's work on getting the City cleaned up for the Old Fashioned Festival.

The Planning Commission requested a copy of the ordinance declaring blight as soon as it is available.

Due to the resignation of Jack Kriz, current Vice Chairman, a new Vice Chairman is required. Nominations for the position were Art Stamley and Frank Bowlby.

Voice vote on the 2 parties resulted in the election of Art Stanley for Vice-Chairman to complete the unexpired term of Jack Kriz.

Motio: Poet-Adamson to adjourn. Motion carried unanimously.

Council Chambers
7:00 PM Thursday

A Regular Meeting
of the Planning Commission

August 19, 1982
Newberg, Oregon

The meeting was called to order by Chairman John Cach.

Roll Call: Sally Adamson Frank Bowlby
John Cach John Poet
Darlene O'Hara

Absent: Jean Harris (excused) Jane Parisi-Mosher (excused)
Jim Tumbleson (excused) Arthur Stanley (excused)

Staff Present: Clay Moorhead, Planning Director
Rick Faus, City Attorney
Barb Mingay, Recording Secretary

No citizens were present.

Motion: Poet-O'Hara to approve June minutes as distributed. Motion carried by those present.

Public Hearing: File No. ANX-4-82/Z-4-82, ANX-6-82/Z-6-82

Applicant: City of Newberg

Request: Annexation of unincorporated territory surrounded by the corporate limits of the City of Newberg pursuant to the Oregon Revised Statutes Chapter 222.750, and a zone change from Yamhill County LDR/9000 (Low Density Residential/9000 sq. ft. minimum lot size) zone to a City C-2 (Community Commercial) zone and withdrawal from the Newberg Rural Fire Protection District, consisting of two parcels being approximately 1100 sq. ft. in size each

Tax Lot:

3216-2300 and -2400

Location:

At the southwest corner of the intersection of Springbrook Street and Highway 99W

Staff Report: The Planning Director presented the staff memorandum dated August 11, 1982 and entered into the record exhibits 1-5 as indicated in the staff report. He further stated the purpose of island annexations and highlighted staff report finding No. 4 relating to engineering requirements for the sites.

He indicated no objections had been received; however, a phone call was received from Robert Francis regarding an existing dog kennel on the site. Staff related that such a use would be considered a pre-existing, non-conforming use should the site be annexed.

No proponents or opponents wished to speak.

A letter was received from Kerry Dayton, Assistant District Maintenance Supervisor for the Oregon State Highway Division. He made the following comments...

It is difficult at this time to assess the impact of annexation upon the highway of tax lots 2100, 2300 and 2400. If these properties are to be utilized by the owner for any development which would change the use of the existing accesses the plans should be submitted to us for review and approval of approach road application.

No other public agencies commented, no other letters were received.

Staff Recommendation:

The Planning Director recommends that the subject property be incorporated into the Newberg City limits with a corresponding zone change from County LDR-9000 to a City C-2 (Community Commercial) zoning district together with a withdrawal from the Newberg Rural Fire Protection District.

Public Hearing Closed.

Conversion of the current water district to City control was discussed. It was noted the current water supply is provided by the City and is controlled to the point of delivery by the City. The need for an access easement was discussed as it related to the State Highway Dept. letter. Staff indicated that finding four should be revised to read "The owner...should provide an easement for the existing double driveway access...from the subject property to Highway 99W.

Mr. Poet questioned the lack of a connection date for sewer hookup. Staff indicated that due to a priority placed on sewer connections, a time limit in this instance was left out of the recommendation.

Motion: Poet-O'Hara to recommend to City Council the annexation of tax lots 3216-2300 and -2400 to the City of Newberg, a zone change from Yamhill County LDR/9000 (Low Density Residential/9000 sq. ft. minimum lot size) zone to a City C-2 (Community Commercial) zone and withdrawal from the Newberg Rural Fire Protection District, consisting of two parcels being approximately 1100 sq. ft. in size each based on staff recommendations and findings 1-13 of the staff report. Vote on Motion: Aye--Adamson, O'Hara, Cach, Poet, Bowlby; Nay--None; Absent--Stanley, Harris, Parisi-Mosher, Tumbleson. Motion Carried (5-0).

Public Hearing: File No. ANX-5-82/Z-5-82

Applicant: City of Newberg

Request: Annexation of unincorporated territory surrounded by the corporate limits of the City of Newberg pursuant to the Oregon Revised Statutes Chapter 222.750, and a zone change from Yamhill County R-C (Recreational Commercial) zone to a City C-2 (Community Commercial) zone and withdrawal from the Newberg Rural Fire Protection District, consisting of one parcel being approximately 1.7 acres in size.

Tax Lot: 3216-2100

Location: At the southwest corner of the intersection of Springbrook Street and Highway 99W

Staff Report: The Planning Director presented the staff memorandum dated August 12, 1982 and entered into the record exhibits 1-5 as indicated in the staff report. He further entered State Highway Division comments regarding access as previously mentioned in public hearing ANX-4-82/Z-4-82, ANX-6-82/Z-6-82.

In addition, a letter from Mrs. Auld, who is the current owner of tax lot 3216-2100, was entered into the record indicating her opposition to the proposed annexation.

No proponents or opponents were present.

Public Hearing Closed.

Possible disadvantages to Mrs. Auld were discussed including possible increased taxes, sewer hook-up charges, etc. Police protection and decreased water charges were identified as benefits to her.

Motion: Poet/Adamson to recommend to City Council the annexation of tax lot 3216-2100 to the City of Newberg, a zone change from Yamhill County R-C (Recreational Commercial) zone to a City C-2 (Community Commercial) zone and withdrawal from the Newberg Rural Fire Protection District, consisting of one parcel being approximately 1.7 acres in size based on staff recommendations and findings 1-13 of the staff report. Vote on Motion: Aye--Adamson, O'Hara, Cach, Poet, Bowlby; Nay--None; Absent--Stanley, Harris, Parisi-Mosher, Tumbleson. Motion Carried (5-0).

Old Business: None

New Business: Staff indicated the scheduling of a meeting of the Urban Renewal Agency on September 1, at 7:30 PM for the purpose of reviewing plans as presented by the consultant. Attendance was encouraged. Commission membership is comprised of several lay people and Council people who are appointed by the Mayor and subject to Council approval.

An update on the Mayor's Task Force Committees was presented.

Verbal confirmation was given by Jim Tumbleson by phone, August 19, 1982 that he will be resigning from Planning Commission. It was also noted that Commissioners Poet and Bowlby are running for Council seats.

Motion: Poet/Adamson to adjourn. Motion carried unanimously.

Council Chambers
7:30 PM Tuesday

A Special Meeting
of the Planning Commission

October 12, 1982
Newberg, Oregon

Members Present:

John Cach, Chairman
Sally Adamson
Darlene O'Hara
Frank Bowlby

John Poet
Art Stanley
Jean Harris
Jane Parisi-Mosher

Staff Present:

Clay Moorhead, Planning Director

The meeting was called to order by Chairman John Cach who presented a statement to the Commission relating to the task of reviewing the Newberg Centennial Redevelopment Plan for recommendation back to the Urban Renewal Agency and City Council. Chairman Cach commented as follows:

A master plan for the City of Newberg has been prepared. The master plan considered all of the land that is expected to be annexed to the City over the next 20 years. The master plan includes the land inside the City limits and those lands outside the City limits which are expected to be inside the City limits 20 years from now. Development of any individual's land inside the master plan area is regulated by the people of Newberg (via their elected representatives--the City Council). Laws are written to accomplish the master plan. Those laws are written by the City Council. The laws are enforced by the people, the Police, the Building Inspector, the Planning Commission, etc. The master plan is gradually accomplished over the 20 year period by regulating zone changes. When the timing for a zone change is right, the Planning Commission allows the change, and the development of the master plan continues. The uptown plan (Newberg Centennial Redevelopment Plan) is before us (the Planning Commission) tonight. We are to review the plan, make sure it doesn't conflict with the master plan, and point out any zone changes which may be required before implementation. The finding that the subject area has been declared by the Newberg City Council as a blighted area must be either challenged or accepted. If accepted as a blighted area (and realistically, even if challenged as a blighted area) the finding that tax increment financing is to be used to accomplish blight solutions must be addressed. This method of funding must not cause conflict in the master plan and must not cause conflict with the timing and implementation of the master plan. In other words--if this uptown plan will slow down, speed up or change the existing Comprehensive Plan, the issue must be documented and then challenged or accepted.

Chairman Cach then indicated that the primary task for review this evening will be review of the tax increment financing plan. He further commented that this hearing will be continued to October 14, 1982 at 7:30 PM in the City Council Chambers.

Motion: Poet-Stanley to close the meeting at 9:30 PM. Motion carried by unanimous voice vote of members present.

Chairman John Cach then requested Staff to present a report relating to the matters before the Planning Commission. The Planning Director presented a history of the urban renewal laws for Oregon. Additionally, the Planning Director summarized major points within the Oregon Revised Statutes Chapter 457 relating to urban renewal. A general summary of the report presented by Lyle Stewart relating to blighted conditions within the City was also discussed. The Planning Director then presented an explanation of what tax increment is, where it comes from, and what it can be used for. This presentation was given using two scenarios, the first coming under the existing tax structure of Oregon, the second scenario coming under the 1½% tax limitation measure.

Chairman Cach then indicated the general topic and agenda items which will be discussed at the October 14 meeting. The Planning Commission will begin review of the Newberg Centennial Plan Draft V as presented from the Newberg Centennial Redevelopment Commission.

Motion: Harris-Parisi-Mosher to continue to October 14, 1982. The motion carried by a unanimous vote of the members present.

Council Chambers
7:30 PM Tuesday

A Special Meeting
of the Planning Commission

October 14, 1982
Newberg, Oregon

Members Present:

John Cach, Chairman
Art Stanley
Jane Parisi-Mosher

John Poet
Jean Harris

Members Absent:

Sally Adamson
Darlene O'Hara

Frank Bowlby

Staff Present:

Clay Moorhead, Planning Director
Barb Mingay, Recording Secretary
LeRoy Benham, Chair-NCRC

Also Present:

Fran Yackey

The meeting was called to order by Chairman John Cach. The minutes of Oct. 12 were discussed with the recommendation that they be approved after amendment of the final motion. It should read "*Harris-Parisi-Mosher to continue to October 14, 1982.*" The minutes were then accepted as amended.

Motion: Poet-Stanley to close this meeting at 9:30 PM. Motion carried by unanimous voice vote of those members present.

The Planning Director presented a "Findings of Blight" report by Patterson, Stewart and Associates, and reviewed the statements and findings of the report. He further indicated that the City Council approved a "Non-Emergency" Ordinance declaring that blight existed in the project area.

Planning Director Moorhead then presented a report summing up the results of a business owner/manager survey undertaken by Consultant Vicki Pflaumer, over the last few weeks. Mr. Moorhead stated that a return rate of 32% was a very high rate for such a survey which indicated a great deal of interest in the business community. General discussion of some of the statements in the report followed.

Director Moorhead introduced LeRoy Benham, Chair of Newberg Centennial Redevelopment Commission, who briefly identified the purpose of the Redevelopment Plan, Draft V and cited some of the reasons for putting the Plan into effect.

Chairman Cach questioned whether the NCRC would be taking too much of the borrowing power of the City for the future years and not enough of the borrowing power would be left for the remaining goals and policies of the Comprehensive Plan to be achieved.

The Planning Director responded it is difficult to determine what the borrowing power of the City is because the borrowing power changes, depending upon voter approval and the true cash value of the City.

Mr. Benham mentioned the goals and objectives cited in the Newberg Centennial Redevelopment Plan which included specific goals of the Comprehensive Plan. He indicated that the implementation of the redevelopment plan would generate additional outside interest.

Mr. Cach indicated the next item for discussion would be Draft V of the Newberg Redevelopment Plan. He felt a definition of "blight" should be included in Section 200 and a general discussion followed regarding the State of Oregon definition of "blight".

The general consensus of the Commission was that Section 300 was acceptable as written.

The Planning Director pointed out the primary topic areas of Section 400. Chairman Cach deferred discussion on this section until a complete membership of the Commission were present to discuss it at length.

Section 500 was discussed. Mrs. Harris questioned whether some of the density figures should be altered in the area of R-2 (Medium Density Residential). Staff indicated that there appeared to be adequate R-2 land designated and the Comprehensive Plan would have to be altered if any density changes were made in this designation.

Motion: Stanley-Poet to continue the meeting to Tuesday, October 19, 1982 at 7:30 PM. Motion carried by voice vote of those present.

Council Chambers
7:00 PM Thursday

A Regular Meeting
of the Planning Commission

October 21, 1982
Newberg, Oregon

Members Present:

John Cach, Chairman
Art Stanley
Sally Adamson
Jane Parisi-Mosher

John Poet
Frank Bowlby
Jean Harris

Members Absent:

Darlene O'Hara (excused)

Staff Present:

Clay Moorhead, Planning Director
Barb Mingay, Recording Secretary

Citizens Present:

Stu Harris
Fran Yackey

The meeting was called to order by Chairman John Cach.

Motion: Stanley-Poet to approve August 19, 1982 minutes of Planning Commission Regular Meeting as distributed. Motion carried by unanimous vote of those present.

Motion: Adamson-Stanley to approve October 19, 1982 Planning Commission Special Meeting minutes. Motion carried by unanimous vote of those present.

Discussion was continued on sections of Draft V, Newberg Centennial Redevelopment Plan. Planning Director Moorhead briefly reviewed Section 500 and 600, identifying those activities which could be undertaken by NCRC which include rehabilitation and conservation, acquisition and redevelopment, public improvements, and property disposition.

A question was raised under Section 600, D-2-f concerning the intent of the meaning of "Redeveloper". After some discussion it was determined that the definition under Section 200 should be clarified.

Motion: Harris-Bowlby to reword the definition of "redeveloper" to read..."Redeveloper" means any individual or group which acquires property from the Development Commission or which receives financial assistance for the physical improvement of privately or publicly held structures and land from the Development Commission. Vote: Aye-Harris, Bowlby, Cach, Stanley, Adamson. Nay-Parisi-Mosher, Poet. Motion carried (5-2).

Motion: Stanley-Poet to adjourn at 9:00 PM. Motion carried unanimously.

Sections 700 and 800 were briefly reviewed by Planning Director Moorhead.

Under Section 800, A-Mrs. Yackey questioned what citizen participation included. Mr. Moorhead indicated that, technically, anyone who is in a taxing district(i.e. Portland Community College, City of Newberg, Chehalem Park & Recreation District) would be able to participate in the activities and projects of this Plan.

Section 900 was discussed with the following recommended amendment.

Motion: Harris-Stanley to add to Section 900 C "In the event of such amendment, the Text and/or Exhibits of this Urban Renewal Plan shall be changed accordingly by a duly recorded Resolution of the Development Commission *at the next regular business meeting.*" Motion carried unanimously.

Motion: Harris-Stanley to declare that the Draft V copy of the Newberg Centennial Redevelopment Plan does not appear to conflict with and/or speed up, slow down, or change the Newberg Comprehensive Plan; and to recommend those suggested modifications as documented in the minutes of the three special meetings together with the October 21 minutes of the Regular Planning Commission meeting. Motion carried unanimously.

Planning Director Moorhead then reviewed the potential uptown projects and their financial impact through the redevelopment process.

Motion: Stanley-Bowlby to adjourn. Motion carried unanimously.

Council Chambers
7:30 PM Tuesday

A Special Meeting
of the Planning Commission

October 19, 1982
Newberg, Oregon

Members Present:

John Cach, Chairman
Art Stanley
Sally Adamson

John Poet
Frank Bowlby
Jane Parisi-Mosher

Members Absent:

Darlene O'Hara

Jean Harris

Staff Present:

Clay Moorhead, Planning Director
Barb Mingay, Recording Secretary

The meeting was called to order by Chairman John Cach.

Motion: Stanley-Poet to approve minutes of October 14, 1982 Planning Commission Special Meeting as distributed. Motion carried by unanimous vote of those present.

Chairman Cach recommended continuing review of Draft V section by section.

Motion: Stanley-Poet to adjourn at 9:30 PM. Motion carried unanimously by those present.

Chairman John Cach reviewed section 400 goals and each goal was briefly discussed. Comments were made relating to bypassing the City, supporting the uptown area developments and diversification of Newberg's economic base.

Specific goals and objectives listed under Section 400 were identified by Planning Director Moorhead. Questions were directed at the need for development of streetscapes, i.e. planter boxes, decorative signs, street furniture, prior to the time active business development occurred. Planning Director Moorhead explained that NCRC would specify a list of proposed public improvements which would be presented to the City Council for correlation with any possible ordinance revision requirements. Other types of ordinance changes relating to zoning would come through the Planning Commission for review and referral to the City Council.

There was a general consensus that the downtown core area should include all purpose stores, variety stores, etc. which are appropriately stocked and accessible.

Motion: Parisi-Mosher/Adamson to add to Section 400, A-1-c...*"Promote a variety of retail sources to meet the community's total shopping needs."* Motion carried unanimously by those present.

It was asked whether design review of items under NCRC jurisdiction would also be reviewed by the Planning Commission. Staff responded that only

new design review standards would be reviewed by the Planning Commission for referral and adoption by Council. Currently, the design review process is done at a staff level.

Arthur Stanley indicated that the Planning Commission has for many years encouraged a transportation study for Newberg.

It was further noted that several alternative sites have been suggested for the location of a future civic center and several couplet variations have also been suggested.

It was recommended that an additional item be added under Section 400 A-3-c...*"The location of these structures should be considered in conjunction with the location of the civic center and major retail areas."*

It was recommended that the following changes and additions be made to Section 400, E...

- "1. Provide for the development or redevelopment of buildings which will compatibly accommodate housing units and commercial activities in the Project Area.
2. Consider the use of rehabilitation loans or grants to improve existing housing units which will benefit very low, low and moderate income households within the Project Area.
3. Promote a mixture of housing types and cost ranges to accommodate people of all income levels.
4. encourage the development of mid-rise housing (3-6 stories) near the Uptown Area."

Motion: Stanley-Adamson to recommend inclusion of the above mentioned modifications/additions to Section 400, A-3-c and E-1 through E-4.
Motion carried by a unanimous vote of those present.

Motion: Poet-Stanley to adjourn. Motion carried unanimously by those present.

Council Chambers
7:00 PM Thursday

A Regular Meeting
of the Planning Commission

December 14, 1982
Newberg, Oregon

Members Present:

Sally Adamson
John Cach, Chairman
Jane Parisi-Mosher
Arthur Stanley

Frank Bowlby
Jean Harris
Arthur O. Roberts
Roger Veatch

Members Absent:

Darlene O'Hara (Excused)

Staff Present:

Clay Moorhead, Planning Director
Rick Faus, City Attorney
Barb Mingay, Recording Secretary

Citizens Present:

Elisabeth Harney
Mr. & Mrs. Angus McFee

The meeting was called to order by Chairman John Cach.

Motion: Harris-Stanley to approve October 21, 1982 minutes of Planning Commission Regular Meeting as distributed. Motion carried by unanimous vote of those present.

Agenda Item 4, Review of Angus McFee/Disposal Industries Landfill Proposal-County Referral was introduced by Chairman Cach.

Commissioner Parisi-Mosher now present (7:04).

No abstentions were given, none requested.

Planning Director Moorhead briefly summed up the purpose of the Planning Commission review. He identified what future types of land use decisions relating to a transfer station would come under the direct jurisdiction of the Newberg Planning Commission.

Angus McFee, the applicant in the County referral, introduced a flyer which identified questions and answers typically discussed relating to the proposed landfill. Mr. McFee further indicated that the probable site location for an access into the proposed landfill was identified as Exhibit "Alternative A", in the County referral packet. Mr. McFee indicated that the Railroad Company verbally okayed the access over their tracks.

Mr. Moorhead asked if all trucks using the site would be transfer trucks or commercial dump trucks. Mr. McFee stated that approximately 50 transfer trucks would be hauling refuse to the site. No other types of vehicles would have access to the use of the site.

Mr. McFee indicated that fire protection would be on-site, in the form of a pumper or other similar equipment. Mr. McFee indicated that Metro would commit to the new landfill by the end of the hearing process. He further indicated that Metro waste has been hauled to the Newberg site for the last 10 years. Newberg's site was allowed to continue operation after the June 1972 closure deadline due to its expanded use as a regional site.

Commissioner Parisi-Mosher asked the specific steps garbage would take from someones kitchen to the landfill. Mr. McFee commented that the garbage was collected on routes and taken to a transfer/recycling site, where it was then loaded onto transfer trucks and taken to the landfill site. He indicated a transfer site mock-up was available for viewing at the landfill office in Flightways Industrial Park during office hours, 8-4 daily. He indicated there would be transfer stations located in various places in the Portland-Beaverton area. He stated that the Resource Conservation and Recovery Act of 1976 was a comprehensive act controlling any hazardous material and it would be strictly enforced. Mr. McFee indicated he would be involved with 1 local transfer station and 1 in the Beaverton area.

Mr. McFee indicated that he had no financial interest in Riverbend. He further stated that Riverbend was estimated to have a life of approx. 32 years, and it opened earlier this year.

Mr. Roberts questioned the ability to control any leaching, etc. from a landfill site which had agricultural tiling. Mr. McFee indicated the site was only partially tiled and that tiling could be rerouted or intercepted to prevent any problems with leaching. He further stated that replanted nursery stock would have an increased growth period due to warmer soil conditions produced from the reclaimed portions of the landfill. He further stated that the site would produce natural gas for 30-40 years after the site is filled up.

Planning Director Moorhead asked if the present landfill could be piped and Mr. McFee indicated that it could, it is a deep site and could produce quite a bit of gas.

Commissioner Adamson asked what would happen if the gas were not piped off but allowed to remain in the site. Mr. McFee indicated that a potential problem could develop but would probably not occur.

Director Moorhead entered into the record the petitions presented by a group of opponents at the December 6, 1982 City Council meeting. The petitions listed 8 reasons for denial of the petition for the proposed garbage landfill.

Planning Director Moorhead informed the Planning Commission of their ability to refer an opinion on the matter to Council or to Yamhill County Planning Department. The Council will be reviewing the matter at its regular January 4, meeting.

Mr. Roberts questioned the needs of the Newberg area for a site of this size, and further questioned the benefits to Newberg. Traffic congestion and the decline in Newberg's desirability as a community would be potential problems created if the landfill were accepted.

Mr. Cach indicated that one of the potential benefits would be Metro's subsidy to our rates.

Mr. Roberts questioned whether the benefits could offset the disadvantages to Newberg.

Further discussion related to the bypassing of the City, particularly due to the quantity of truck traffic which could be generated by this site and the negative impacts on Newberg.

Motion: Parisi-Mosher/Stanley that the Planning Commission of the City of Newberg has reviewed the proposal (County docket no. PA-118-82/Z-227-82) and find that the proposal conflicts with the interests of the City of Newberg in that: 1. Adverse traffic impacts would be created on our downtown core area. 2. The proposed landfill does not serve the City of Newberg's immediate community needs. 3. Alternative disposal systems may better serve the community needs such as the use of the Riverbend site or other possible sites and systems more appropriate to the size of our community. Vote on the motion: Aye--Bowlby, Parisi-Mosher, Roberts, Stanley, Veatch. Nay--Adamson, Cach, Harris. Motion carried (5-3).

Dissenting Comments related were as follows:

Cach--Traffic problem was not a significant factor. Long range planning is necessary. Large sites are more economic and functional. Rates are a significant issue.

Harris--Feels regional concept must be considered.

Adamson--Feels DEQ standards will adequately control problems. In economic hard times Yamhill County would still have an income from the landfill.

Motion: Stanley-Adamson to close the Planning Commission meeting at 9:30 PM. Motion carried unanimously.

Under discussion of Agenda Item 5 Planning Director Moorhead indicated that the City Council, at its December 6 meeting, approved the adoption of the Newberg Centennial Redevelopment Plan and Report. He briefly outlined how tax increment financing would impact the area. He further explained the reasons for the origination of the redevelopment plan and the Council's stand on various areas of the plan.

Under discussion of Agenda Item 6 Planning Director Moorhead reviewed the Staff Memorandum relating to Home Occupations and discussed the intent of the January meeting at which time current home occupation operators, the Chamber of Commerce representatives and other interested citizens would input information for consideration. A slide presentation will also be prepared to graphically exhibit some current conditions. Rick Faus, City Attorney, indicated some types of actions which the Commission could take to correct the present situation, which include recommending amendment to the Zoning Ordinance and/or Comprehensive Plan.

Old Business. None

New Business.

Art Stanley announced his resignation from Planning Commission as of December 31, 1982. Members of the Commission thanked him for his support through the years and wished him well in his future endeavors.

Motion: Stanley-Adamson to adjourn. Motion carried unanimously.

MINUTES OF THE
CITY OF NEWBERG
COUNCIL AND PLANNING COMMISSION AGENDA
TUESDAY, JANUARY 16, 1996
7:00 P.M. MEETING
PROVIDENCE NEWBERG HOSPITAL

File: Jan PC mtg.
DRAFT

I. CALL MEETING TO ORDER (*Pledge of Allegiance*)

Mayor Proctor called the City Council meeting to order and the pledge of allegiance was performed.

II. ROLL CALL

City Council:

Roger Currier (RC)
Donna McCain (DM)
Deborah Sumner (DS)
T. Dan Wollam (TDW)

Alan Halstead (AH)
Dave McMullen (DMc)
F. Robert Weaver (RW)
Don Wright (DW)

Planning Commission:

Jack Kriz
Myrna Miller
Jim Harney
Richard Waldren

Steve Hannum
Rick Mills
Matson Haug (Vice Chair)

CITY STAFF: Duane R. Cole, City Manager (DRC)
Terrence D. Mahr, City Attorney (TDM)
Greg Scoles, Community Development Director
John Knight, Planning Director
Katherine Tri, Finance Director
Peggy R. Hall, Assistant City Recorder

OTHERS

PRESENT: Gary Allen, Newberg Graphic.

III. CONSENT CALENDAR

None.

IV. PUBLIC HEARING

None.

V. CONTINUED BUSINESS

None.

VI. NEW BUSINESS

1. **Resolution No. 96-1952** authorizing the City Manager to enter into an agreement between the State of Oregon and the City of Newberg for the exchange of Federal Transportation funds for State transportation funds for work on Wyooski Street.

MOTION: AH/RW to approve **Resolution No. 96-1952** (Unanimous). Motion carried.

2. **JOINT City Council/Planning Commission meeting**

A. **Planning Commission Call to Order and Roll Call**

Chairman Jack Kriz called the Planning Commission to order. Roll call duly noted.

B. **Election of Planning Commission Chair and Vice Chair**

MOTION: Haug/Harney to nominate Jack Kriz as Chairman. Jack Kriz, presiding, called for any further nominations. There were none. Roll call on motion: (Unanimous). Motion carried. Jack Kriz was appointed Chairman of the Planning Commission.

MOTION: Kriz/Waldren to appoint Matson Haug as Vice-Chair. (Unanimous). Motion carried.

Councilor DMc inquired if there was a process in which the items to be discussed would have a time limit. Mayor Proctor indicated that approximately 15 minutes would be allowed on each subject (8 subjects). Vice Chair Haug indicated that he would like to see some flexibility on the amount of time an issue would be discussed.

Councilor RC stated that he would like things directed through the Mayor for recognition. Discussion was held concerning holding an additional meeting to discuss certain issues as well as a social function, in a less formal environment. Mayor Proctor stated that she would take the first four items and Jack Kriz would take the next four items.

Councilor DW indicated that it was unclear as to the purpose of the session, to discuss what opinions or views each of the Council members and Planning Commission members have? Is it to discuss the relationship between the two entities? Councilor DS also indicated that she thought that this was to be a general discussion and there would not be an agenda. Mayor Proctor stated that these were items that were coming up before the Council, as a round table discussion.

Councilor RW stated that he recognizes that when items come before the Council, the Council is always very appreciative what the Planning Commission has done (background). Matson Haug indicated that the Planning Commission members feel the same about the Council.

Commission Member Richard Mills stated that many issues are legislative and questioned why the Planning Commission heard the matter in the first place rather than being forwarded to the City Council. Mr. Mills further added that it appears that the Council hears matters regardless of the Planning Commission's opinion. DRC added that it is a statutory requirement for the process.

Councilor AH noted that the Planning Commission is an entity which helps establish the policy, such as the Development Code. The Planning Commission helps develop the path for the Council to adopt. The difference being that the Planning Commission is required to enforce the rules in the book. The City Council has the option to make political decisions and changes.

Mr. Haug indicated that part of the processing of annexations, etc. requires approval criteria and other standards outlined in the Development Code. Further clarification or understandings will be referred to the subcommittee for review of language and conditions. Mr. Haug noted that he is unclear as to the direction on policy development the Council wants the Commission to undertake. He wants to make sure that the Planning Commission does not go off in the wrong direction than what the City Council would take.

Councilor DW indicated that there were a few items to discuss.

1. The Planning Commission should always make their decision based upon the information presented, regardless of how they feel the City Council would vote. The statement made that the Council does not take into consideration what the Planning Commission has done is not correct. Councilor DW agreed that the Planning Commission does give clear direction on land use issues.

2. It appears that there is "Council/Commission bashing" going on in the context of comments and sarcasm by both the Council and the Commission and it should stop.

Councilor RC agreed with Councilor DW's comments. Councilor RC stated that he is guilty of making statements about the Planning Commission and he indicated that he would watch closer his statements.

Councilor DM stated that she has been on the Council for approximately 8 years and she agreed that the "bashing" goes on. It should stop on both ends. The Planning Commission was established to help take the load off the City Council on certain items. Discussion was held concerning the City Council over-turning the Planning Commission's decisions. Mayor Proctor stated that she can remember only a few times that has happened.

Councilor TDW addressed legislative matters. He further added that the Council is interested in what the Planning Commission reports and their input. The Commission's expertise may have more weight than someone from the audience. On judicial matters, on the other hand, a lot more weight may be put on what the Planning Commission does say or wants to do. The Council looks to the Planning Commission for its findings and recommendations. The Council is generally in agreement to support and accept the recommendations of the Planning Commission.

Mr. Mills added that in the quasi-judicial realm, the Planning Commission serves a

purpose. The Planning Commission does not have a problem with the City Council doing what they feel is appropriate or best in legislative matters. The question is why handle it at the Planning Commission level rather than at the City Council level?

Councilor AH advised Mr. Mills that he was on the Planning Commission for four years prior to being on the City Council. He too was frustrated over the time being spent on working on projects (i.e. Comprehensive Plan), and then have the City Council do something different than what the Planning Commission approved. This is the process.

Mr. Haug stated that one of the assumptions of the Planning Commission was its purpose. It was envisioned that the Planning Commission does the grunt work so the Council does not have to do it. It is a major task. The Planning Commission also deals with other issues that may not be presented to the Council.

Councilor RC stated that he does not have a problem with the Planning Commission and what they are doing. Committees cannot take on the volume to handle the issues that the Planning Commission handles. Councilor RC further added that he appreciates the Planning Commission's efforts.

Councilor DMC stated that what has been said is good, but the items on the agenda should be discussed. Councilor DS stated that may be some of the problems the City Council and the Planning Commission deal with are due to the lack of communication. It may be something that a City Council member should attend a Planning Commission meeting and vice versa.

Councilor AH gave an example of how the Planning Commission is dealing with other issues that the Council does not have the experience or expertise to be involved in such as the sign ordinance. There is quite a bit of work to review. Councilor RC stated that it was to be covered in the Comprehensive Plan. Councilor AH indicated that it went into the Development Code and not the Comprehensive Plan.

Councilor DW also confirmed his appreciation for the efforts and work done by the Planning Commission.

Councilor RW stated that he would like each person to understand that the Planning Commission is led by competent City staff personnel who rely heavily on written materials that across in their packets. Councilor RW further added that he would like the Planning Commission and the City Council to carefully practice good wordage and not tear one another down. It should be a goal to be constructive and communicate.

Chairman Jack Kriz also noted that it has been some time since the City Council and the Planning Commission met to discuss thoughts and opinions. Commission member Richard Waldren also appreciates the staff and agreed that everyone should speak kindly of one another. Commission member Myrna Miller noted that the sign ordinance is definitely an involved issue. Ms. Miller stated that she was also involved in the City of Dundee Adhoc Committee concerning signs along the highway. The Committee reviewed information obtained from other cities rather than start from scratch.

Chairman Jack Kriz reviewed the agenda items.

Commission member Steve Hannum indicated that he wished the Planning Commission's direction was clearer. Discussion was held concerning what is expected of the Planning Commission by the City Council (placing issues in a form that would reflect easier approval or clarification that would improve credibility).

Mayor Proctor added that she also feels that the Planning Commission is also doing a real good job. They expend numerous hours performing investigative work and providing procedural criteria. Each City Council member reviews what the Planning Commission has done by reviewing the Planning Commission packets that are distributed. Mayor Proctor agreed that more joint meetings should be held to discuss various issues/problems.

Councilor RC noted that one of the differences is through the appeal process which may present more questions which, in effect, reflect different responses/answers. Generally, adjustments are made.

Chairman Jack Kriz noted that one of the ordinances that is coming up is the stream corridor ordinance. There is trouble applying the plan designation from general hazard zone.

1. Council Action/Planning Commission Recommendation
2. 1995 --- Priorities in process and Completed -- Stream Corridor,
Urban Reserve, Development Code Revision

- ▶ **Roadway and Street Tree Standards** -- Follow up from the Transportation Plan and completion of the street tree plan that was already prepared. Add standards regarding private and public streets.
- ▶ **Sign Ordinance** -- Currently there are no standards for anything other than pole signs. Would assist in the enforcement of illegal signs and in dealing with temporary signs.
- ▶ **Approval criteria/Other standards** -- Amendment and clean-up of criteria for approval of various projects. Would affect primarily the quasi-judicial and limited land use decisions such as subdivisions, use permits, annexations, rezones, and partitions, and design review.

SECONDARY PRIORITIES:

- ▶ **College Overlay Zone** -- Assist George Fox College in dealing with the expansion of the college including construction of dormitories, conversion of houses into living quarters, conversion of houses into offices, construction of new buildings and out buildings, and various other improvements.
- ▶ **Planned Development Ordinance Modification** -- The current planned development ordinance is difficult to work with and discourages innovative new designs. A new PD ordinance would encourage creative new development, allow

for trade-offs (for things like parks and open space), and provide for utilization of flexible design standards.

- ▶ **Natural Resources Inventory** -- Need to inventory natural (and possible man made) resources that are of value to the community. This becomes critical as development moves North into hillside and creek areas. Once we know what we have, we can prepare plans to properly manage these resources.
- ▶ **Design Guidelines** -- Development of commercial, industrial and residential design guidelines for new development.

D. Other priorities, discussion and direction -- Street tree preservation ordinance, Park/trail/recreation Master Plan, Riverfront Plan, Swimming Pool Fencing Ordinance, Home Occupation Use Permit Standards, others?

Mr. Kriz added that one of the issues that the Planning Commission deals with is residential developments and sidewalk offsets (curb or no curbs). An improvement on this ordinance would be helpful.

Councilor RC discussed the street width requirements (24ft. vs. 32 ft.). Discussion was held concerning street width requirements. Discussion was held concerning additional meetings to discuss various issues that would come before both entities where goals and objectives could be resolved. Councilor DMc stated that he believes that a lot of time is spent on protocol and procedures and that communication between the two bodies is needed.

Discussion was held concerning the open space work plan and providing the developers with clear standards.

Councilor DW added that he wanted to clarify what projects the Planning Commission foresees coming to the Council and what they believed to be the best way to achieve them? Councilor DW further asked if there were any problems that the Planning Commission had with the Council.

Mr. Kriz noted that the two groups had separate duties and objectives but were pretty much similar in their goals. Some issues the Planning Commission deals with at length, the City Council does not. Discussion was held concerning the open space group and the Chehalem Valley Citizen Watch group.

Discussion was held concerning directives that the City Council believes the Planning Commission should handle. Commission Member Richard Waldren addressed the issue of George Fox College taking care of the open space corridor area who also does quite a bit of landscaping. Councilor DMc stated that items that interest both entities should be addressed in writing and discussed at a later time.

MOTION: DMc/AH to approve the items referred to on the agenda to be discussed between the City Council and Planning Commission at a later time. (No vote was taken)
--

Discussion was held concerning why a motion was necessary to confirm the discussion topics and why a "free flowing" discussion could not be held. Mayor Proctor stated that the Council will proceed with the direction on the first three items and the Chairman of the Planning Commission would direct the discussion on the last three items. The discussions would not be lengthy or involved.

Discussion was held concerning the Austin property and the annexation issues. Commission Member Matson Haug indicated that the Austins had told him that they did not feel that the access to the development was correct. A committee has been formed to evaluate and investigate the problems and come up with a solution. The Planning Commission has questions concerning the stream corridor plan. Mr. Haug further noted that a lot of compromise has been made regarding the encroachment into the streamway development (habitat of the corridor). DRC added that he wished to hold off further discussion concerning this project because it has not had a chance to be presented before the Council at length. Mr. Knight indicated that he hopes to bring it before the Council at the February meeting and provide further narrative and reports concerning what steps the Planning Commission has taken. It was discussed to have the report presented to the Council at the work session to provide a background. Councilor DMc stated that he wished to have the information supplied to him two weeks prior to the meeting.

Discussion was held concerning the text of the Ordinance. Councilor RC requested information on the sign ordinance and whether or not it was in the Development Code. Mr. Knight indicated that the sign ordinance was a separate ordinance from the Development Code. Council RC stated that he was not clear as to where the sign ordinance was to be located.

MOTION: Matson/Waldren to close the Planning Commission portion of the meeting. (Unanimous). Motion carried.

Chairman Jack Kriz closed the Planning Commission hearing.

VII. REPORTS FROM CITY MANAGER AND OTHER AGENCIES

Ms. Ann Pesola, Newberg Area Chamber of Commerce, presented the Chamber Report. Ms. Pesola also noted the following awards from the Annual Awards Banquet: Robert Weaver received the Community Service Award (Mr. Weaver indicated that he has been married for 51 years and this is the only thing that his wife kept secret from him, he hopes); Ed Stevens received the Citizen of the Year Award; Mac Rental (Gary Wertz) received the Business of the Year Award; there were also awards given to the Kiwanis and Harvest House.

VIII. COMMUNICATIONS FROM THE FLOOR

None.

MOTION: AH/DW to adjourn at 9:45 p.m. (Unanimous). Motion carried.

ADOPTED by the Newberg City Council this __ day of May, 1996.

Duane R. Cole, City Recorder

ATTEST by the Mayor this __ day of May, 1996.

Donna Proctor, Mayor



**NEWBERG HISTORIC
PRESERVATION COMMISSION
MEETING MINUTES
Tuesday, April 19, 2016
7:00 p.m., Newberg City Hall
Permit Center Conference Room
414 E. First Street, Newberg, OR**

I. Open Meeting – 7:01 p.m.

II. Roll Call - Commissioner attendees included Chair Rick Fieldhouse, Vice-Chair Chuck Zickefoose, Barbara Doyle, and Geary Linhart. Ryan Howard and Isamar Ramirez had excused absences.

Staff present: Senior Planner Steve Olson; Community Development Director Doug Rux. Kenny Gunn from Summit Solutions Group, the historic preservation consultant, was also present.

III. Approval of March 1, 2016 meeting minutes – Commissioner Doyle moved to approve the minutes, and Commissioner Linhart seconded the motion. The commissioners approved the motion unanimously.

IV. Downtown Historic Inventory update – Staff introduced consultant Kenny Gunn, who described the RLS work that had been done, and the sites he felt were good ILS candidates. The commissioners then had a discussion about the criteria for inclusion on the local Historic Landmark list and the National Register. The fourteen potential ILS candidates were discussed at some length, and commissioners shared information about the sites. The commissioners and Kenny Gunn worked together to rank the top-ten ILS candidate sites. City staff agreed to contact the building owners and try to obtain their agreement to be ILS candidates. Kenny Gunn agreed to draft some talking points to assist staff in explaining the ILS process and the potential National Register benefits. Staff would then contact building owners, based on the ILS rankings, and notify Gunn when agreement had been reached on allowing an ILS inventory, so Gunn could begin the ILS inventory.

V. Other business: Director Rux mentioned that it was Historic Preservation Month.

VI. Next meeting: June 21, 2016

VIII. Adjourn – 8:30 p.m.

Approved by the Newberg Historic Preservation Commission this 21st day of June, 2016.

AYES: 5

NO: 0

ABSENT: 0

ABSTAIN: 0


Steve Olson
Minutes Recorder


Rick Fieldhouse,
Historic Preservation Commission Chair