DRAFT
SUBJECT TO REVISION

# PLANNING COMMISSION MINUTES
## Newberg Public Library - Newberg, Oregon
## THURSDAY, SEPTEMBER 11, 1997 AT 7 P.M.

### Subject to Approval at the October 9, 1997 Planning Commission Meeting

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## I. PLANNING COMMISSION ROLL CALL

**Planning Commission Members Present:**

| | | |
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| Stephen Ashby | Steve Hannum | Matson Haug |
| Myrna Miller | Lon Wall | Richard Waldren, Chair |

**Planning Commission Members Absent:**
Jack Kriz

**Staff Present:**
Mike Soderquist, Community Development Director
Barbara Mingay, Planning Technician
Terry Mahr, City of Newberg Attorney
Suzanne Kimble, Recording Secretary

## II. OPEN MEETING
**Chair Richard Waldren** opened the meeting at 7:05 p.m. He announced the procedure of testimony. Citizens must fill out a public comment registration form to speak at the meeting.

## III. STUDY SESSION
"Legal Issues" by Terry Mahr, City Attorney

**Mr. Mahr** presented information concerning voting on annexations. He discussed property between Newberg and Sherwood having a greater impact on us than property between Newberg and McMinnville, due to the growth in Sherwood. He suggested the City work with Metro on their scenarios. He also discussed bypass roads, such as the Sherwood to I-5 bypass. These bypasses are not supposed to be for commuting, but how do we stop these roads from becoming magnets? Mr. Mahr also discussed health and welfare versus imminent domain and rough proportionality issues.

**Mr. Mahr** presented information on local hearings. Legislative hearings may be amending ordinances while quasi-judicial hearings are focused on one piece of property. He also discussed ex-parte contact, such as driving by the site. If you see something that might effect your decision, you have to share it with everyone.

If you have an actual conflict of interest, you must withdraw from voting. If you have a potential conflict of interest, you must declare it. Do you have a bias based on past experience? Any business in which the member has served in the past two ( 2) years constitutes a conflict of interest and requires withdrawal. When in doubt, ask the city attorney. The City Council has agreed by resolution that if you are acting based on advice given to you by the city attorney and you are reported to Government Standards and Practices, the city attorney will defend you. If too many commissioners have a conflict of interest to have a quorum, each persons conflict can be disclosed and legal protection can be provided. Mr. Mahr recommended that commissioners be careful when requalifying themselves in that situation.

## IV. CONSENT CALENDAR
1. Approval of August 14, 1997 Planning Commission Minutes.

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| **Motion #1:** | **Commissioners Ashby-Wall** voted to approve the consent calendar items, approving the minutes of the August 14, 1997 Planning Commission Meeting. |

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| **Vote on Motion #1:** | The Motion carried unanimously (4-0); Absent-1(Kriz); Abstention-2 (Haug, Miller). |

**V. COMMUNICATIONS FROM THE FLOOR (5 minute maximum per person)**
none

**VI. QUASI-JUDICIAL PUBLIC HEARINGS**

**PUBLIC HEARING** (#1)

**APPLICANT:** Genesis Healthcare
**REQUEST:** Planned Unit Development and Design Review for Assisted Living Facility
**LOCATION:** North of Quail Drive, South of Foothills Drive
**TAX LOT:** 3207 DA-105 **ZONE:** C-1/SP
**FILE NO.:** PUD-4-97 / DR-95-97 **RESOLUTION NO.:** 97-79
**CRITERIA:** NDC 10.32.030 and 10.28.050

**OPEN FOR PUBLIC HEARING.**
**Chair Waldren** entered ORS 197, relating to the Public Hearing process into the record, and opened the Public Hearing.

**Abstentions/ex-parte contact: Commissioner Wall** indicated that he attended a neighborhood meeting as an observer, but that no new information was presented at that meeting.

**Objections:** None

**Staff Report: Barbara Mingay, Planning Technician,** reviewed the staff report and a letter from Newberg Garbage Service indicating several concerns: both trash enclosures were too small; there is currently not enough room in front of the enclosures for the truck to back up; building 1 and 2 do not have equal access to trash; and it is not advisable to share trash between two (2) business with unequal use.

**Preliminary Staff Recommendation:** The preliminary staff recommendation is made in the absence of public hearing testimony, and may be modified subsequent to the close of the public hearing. At this writing, staff recommended opening the hearing, taking testimony and continuing the hearing, with additional suggestions to the applicant to provide other information at the continued meeting. If the Planning Commission chooses not to continue the hearing, two Resolutions 97-79 have been created; one to approve, one to deny.

**Proponent:**
Ms. Pamela Vann
Genesis Healthcare
15115 SW Sequoia Parkway, Suite 150
Tigard, OR 97224
(503) 684-0652

**Ms. Vann** entered into the record several handouts listing the key changes in the site plan made since the July 10, 1997 meeting, and the development process timeline listing the July neighborhood meeting. Ms. Vann stated that she felt the small attendance at the neighborhood meeting suggests a lack of opposition to the project. Ms. Vann noted that half of the site is dedicated for open space, which is slightly more than

called for in the Northwest Newberg Specific Plan, and that this plan is a guideline and not codified. She had one correction to make concerning automobiles of residents; it was stated earlier that none of the residents would have automobiles, but that would be changed to 1-2 spaces reserved for residents. She also pointed out that the area already has curbs all around. She also asked how the public sitting space was to be dealt with, who would provide the benches and upkeep?

**Proponent:** (completed registration card only)
Mr. John L. Mack
Partner, Genesis Healthcare
PO Box 30809
Portland, OR 97294
(503) 256-2007

**Proponent:** (completed registration card only)
Mr. Kevin Snyder
Westlake Consultants, Inc.
15115 SW Sequoia Parkway, Suite 150
Tigard, OR 97211
(503) 684-0652

**Opponent:** None

**Questions to Proponent:**

**Commissioner Haug** expressed his concern that much of the land around the site was vacant, and that accounted for the lack of participation in the neighborhood meeting. He also expressed his concern about the lack of information provided about buildings 1 and 2. **Ms. Vann** presented architectural drawings of buildings 1 and 2.

**Commissioner Hannum** stated that he was concerned about whether or not the commercial space was of an appropriate size, and about what constraints businesses would be put under concerning signage. **Ms. Vann** stated that most business are now choosing smaller signs.

**Commissioner Wall** expressed concern that Genesis Healthcare had not been involved in this type of commercial enterprise before.

**Commissioner Haug** asked how Genesis Healthcare would address the inadequacies outlined in the Newberg Garbage Service letter. **Ms. Vann** stated that she felt this was a minor site issue, and that they would work with the collection company to address these issues.

**Public Agency reports:** None

**Letters:** One (1) letter received from Newberg Garbage Service, listing some concerns.

**Proponent/Opponent Rebuttal:** None

**Staff Recommendation:** Barb Mingay, Planning Technician indicated that the staff recommendation was unchanged from the preliminary recommendation. The recommendation included more analysis of commercial land, another neighborhood meeting and continuance of the hearing.

**Hearing Closed.**

**Commission Deliberation:**

**Commissioner Wall** expressed his objection that this is not a proper use of a commercial area. He felt that the assisted living facility was more like residential rather than commercial.

**Commissioner Miller** expressed her concerns that Foothills Drive and College Street intersections were traveled heavily at the beginning and end of the school day, and that safety would become an issue without a traffic light at that intersection. She stated that she has strong safety concerns and that the Planning Commission cannot require a traffic light at that intersection since College Street is a state highway, and therefore under the jurisdiction of Oregon Department of Transportation (ODOT).

**Commissioner Haug** agreed with Commissioner Miller's safety concerns.

**Mike Soderquist, Community Development Director**, stated that the decision to place a light is based on traffic counts, and that, in the past, accidents have happened when a light was put in too soon because the light implied safety that wasn't there.

**Commissioner Wall** commented that a study of pedestrian traffic is to be conducted within one (1) year of opening, but that no action is required after that study. He stated that he is completely against this project at this location, citing too many unaddressed issues, including traffic and parking. He stated that he believed the commercial buildings were included only to meet the requirements, and that it was very possible that this would not be a viable commercial facility the way it was.

**Commissioner Haug** stated that since the neighborhood is currently vacant, he feels he should deny the project at this time, until safety and commercial viability issues are resolved.

**Commissioner Miller** stated that the applicant stated this is a multifamily dwelling, but that she considers apartments to be multifamily dwellings, not nursing homes.

**Commissioner Wall** restated his desire to stick with the plan to make this area commercial.

**Commissioner Ashby** agreed with the applicant that this project contains enough commercial area for this neighborhood to support. He also stated his belief that we need an assisted living facility in Newberg.

**Commissioner Waldren** stated that he believed that the project meets the requirements for C-1, and that he would like to vote tonight.

**Commissioner Miller** restated her safety concerns.

**Commissioner Ashby** asked if there were any alternatives to putting in a traffic light.

**Commissioner Miller** stated that since it is a state highway, ODOT must approve anything, crosswalk or light.

**Commissioner Wall** asked why the Planning Commission is pretending that 10% commercial use of the property fulfills a C-1 need. He stated that he could support 60% or more, but not 10%.

**Commissioner Miller** stated that a PUD is an accepted use, not an exact requirement.

**Commissioner Ashby** commented that we need an appropriate level of commercial. It is better to have too little than too much.

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| **Motion #2:** | **Commissioners Haug-Ashby** moved to adopt Resolution 97-79, to approve the Planned Unit Development (PUD) and design review for an assisted living facility. |

| Vote on Motion #2: | The motion carried (5- 1): Nays-1 (Wall); Absent- 1(Kriz). |
|---|---|

## VII. LEGISLATIVE PUBLIC HEARINGS

**PUBLIC HEARING** (#1)

**APPLICANT:** City of Newberg
**REQUEST:** Text amendments to the Newberg Development Code relating to land division requirements.
**FILE NO.:** G-25-97 **RESOLUTION NO.:** 97-73
**CRITERIA:** Newberg Development Code Section 10.20.030

**Abstentions/ex-parte contact:** None

**Objections:** None

**Staff Report:** Barb Mingay, Planning Technician, reviewed the proposed ordinance changes. She noted that the changes would provide more notice, and would save time and money.

**Preliminary Staff Recommendation:** The preliminary staff recommendation is made in the absence of public hearing testimony, and may be modified subsequent to the close of the public hearing. At this writing, the staff recommended adoption of Resolution 97-73, where the Planning Commission forwards the resolution to City Council with a recommendation to approve the proposed amendments to the Newberg Development Code relating to Land Division processing.

**Proponent:** None

**Opponent:** None

**Questions to Proponent:** None

**Public Agency reports:** None

**Letters:** None

**Proponent/Opponent Rebuttal:** None

**Staff Recommendation:** None

**Hearing Closed.**

**Commission Deliberation:**

**Commissioner Haug** stated that Section 7 part "A" stated: "anybody may ask for a hearing" and asked if they have to pay for that meeting.

**Planning Technician Mingay** stated that the hearing fee is paid for by the person who asks for a new hearing process, and that City Council sets the fee.

**Commissioner Haug** said that the hearing fee should be paid by the applicant regardless of who asked for the hearing, even someone in opposition.

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| **Motion #3a:** | **Commissioners Miller-Haug** moved to strike Section 7, item "A", and move item "B" to the main body of Section 7. |

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| **Vote on Motion #3a:** | The motion carried unanimously (5-1): Absent- 1(Kriz). |

**Commissioner Hannum** pointed out that anyone may request a hearing, but it also says in "B" (now a) that the application must include a statement indicating why the interested person seeking a hearing is an affected party. Does this limit who can request a hearing?

**Commissioner Haug** stated that state law says they have to tell the criteria they want to address, and so item "A" would just say to identify the issues to be addressed.

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| **Motion #3b:** | **Commissioners Hannum-Haug** moved to strike "a statement indicating why the interested person seeking a hearing is an affected party," and "and a statement indicating why the decision should be made by the Planning Commission rather than the Director" from section 7. |

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| **Vote on Motion #3b:** | The motion carried unanimously (6-0): Absent- 1(Kriz). |

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| **Motion #3c:** | **Commissioners Miller-Hannum** moved to adopt Resolution 97-73, with the modifications already voted on, modifying the text amendments to the Newberg Development Code relating to land division requirements. |

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| **Vote on Motion #3c:** | The motion carried unanimously (6-0): Absent- 1(Kriz). |

**PUBLIC HEARING** (#2)

**APPLICANT:** City of Newberg
**REQUEST:** Text amendments to the Newberg Development Code relating to noticing requirements
**FILE NO.:** G-28-97 **RESOLUTION NO.:** 97-74
**CRITERIA:** Newberg Development Code Section 10.20.030

**Abstentions/ex-parte contact:** None

**Objections:** None

**Staff Report:** Barb Mingay, Planning Technician noted that during previous discussions, the Planning Commission asked staff to include a 300 foot notice instead of 100 foot, for all activities requiring notice, and to require applicants to post and mail notices. She also noted that the requested revisions have been included.

**Preliminary Staff Recommendation:** The preliminary staff recommendation is made in the absence of public hearing testimony, and may be modified subsequent to the close of the public hearing. At this writing, the staff recommended adoption of Resolution 97-74, where the Planning Commission forwards the resolution to City Council with a recommendation to approve the proposed amendments to the Newberg Development Code relating to noticing.

**Proponent:** None

**Opponent:** None

**Questions to Proponent:** None

**Public Agency reports:** None

**Letters:** None

**Proponent/Opponent Rebuttal:** None

**Staff Recommendation:** None

**Hearing Closed.**

**Commission Deliberation:**

**Commissioner Ashby** asked a question about Type IV hearings: Would there be any action affecting the use of a property owners property that the owner wouldn't be notified of?

**Planning Technician Mingay** answered that Type IV hearings deal with large areas, and that this would require only newspaper notification not posting.

**Commissioner Haug** asked if a zone change is legislative.

**Planning Technician Mingay** answered that it is quasi-judicial.

**Commissioner Haug** asked if the institutional overlay was quasi-judicial.

**Planning Technician Mingay** answered yes.

**Commissioner Hannum** asked what kind of response the applicant should get from the director regarding format review for notices. How long does the director have to approve the proposal notice?

**Planning Technician Mingay** stated that staff currently has 30 days to review new applications for completeness, but they don't usually take that long.

**Commissioner Wall** stated that he felt it unwise to put a time limit on staff, as it could become a problem later.

**Commissioner Hannum** said that he would like to eliminate the last two words "for review" in item 6, and asked when the 14 day period begins, from submission or from mailing.

**Planning Technician Mingay** stated that the information would be on the form, and that it would be 14 days from mailing.

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| **Motion #4a:** | **Commissioners Wall-Miller** moved to adopt Resolution 97-74. |

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| **Vote on Motion #4a:** | The motion carried unanimously (6-0); Absent: 1 (Kriz). |

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| **Amended Motion #4b:** | **Commissioners Hannum-Haug** moved to delete "for review" from 10.14.020(6), and add "from the date of mailing" after 14-day period in 10.14.030 (1). |

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| **Vote on Amended Motion #4b:** | The motion carried unanimously (6-0): Absent- 1(Kriz). |

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| **Motion #4c:** | **Commissioners Haug-Hannum** moved to merge these two (2) documents into a single document for presentation to the City Council. |

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| **Vote on Motion #4c:** | The motion carried unanimously (6-0): Absent- 1(Kriz). |

**VIII. OLD BUSINESS**

1. Status of Resolution 97-64, Text amendments relating to signs - tabled from July 10, 1997: **Barb Mingay, Planning Technician**, stated that when signs were replaced, they must be brought up to code. A letter was submitted into the record from CDA Consulting Group, to Mike Soderquist listing some options as to how the city would deal with signage at the time of future Highway 99W improvements.

2. Status of Resolution 97-67, URA and Transportation grants:
Barb Mingay, Planning Technician, update the Planning Commissioners about future hearings.

**IX. NEW BUSINESS**

1. Creekside PUD - modification of building design (PUD-3-97). Staff recommended approval of the proposal, by motion of the Planning Commission.

**Proponent:**

Ron Manning
2310 Chehalem Drive
Newberg, OR 97132
(503) 538-1627

**Mr. Manning** asks that lots 37-42 and 24-27 be detached instead of attached. They still meet all requirements, the only change is from attached to detached.

**Questions to Proponent:**

**Commissioner Haug** asked what the spacing is on the detached housing.

**Mr. Manning** said five (5) foot side yards, which means 10 feet between houses.

**Commissioner Haug** asked if there were any windows on those sides of the houses.

**Mr. Manning** answered that all windows are out the front and back of the houses, which is no different than what is used in the other attached houses.

**Commissioner Hannum** asked if the common-wall on attached units is masonry.

**Mr. Manning** stated that they were wood. He also stated that they are requesting this change because buyers want the flexibility of having their own house.

**Commissioner Haug** asked what the yard looked like between the homes.

**Mr. Manning** stated that most side yards contain a path or bark dust, since this is where the utility service is located.

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| **Motion #5:** | **Commissioners Miller-Haug** moved to approve the design change as requested by the applicant for the Creekside Planned Unit Development (PUD). |

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| **Vote on Motion #5:** | The motion carried unanimously (6-0): Absent- 1(Kriz). |

**X. STAFF AND COMMISSION REPORTS**

1. Update on Council Items
2. Other reports, letters, or correspondence
   a. **Planning Technician Mingay** informed the commission that there is a training session in Newport in late September. Registration fee is $10 which can be paid for by the City. Please register by September 24, 1997.
   b. **Commissioner Haug** asked to consider another long range planning session.

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| **Motion #6:** | **Commissioner Haug** moved to request staff to facilitate another long term planning session in November. Motion died for lack of second. |

3. Next Planning Commission Meeting, October 9, 1997.

**XI. ADJOURNMENT**

The meeting was adjourned at approximately 11 p.m.

Passed by the Planning Commission of the City of Newberg this _____ day of _____, 1997.

AYES: NO: ABSTAIN: (list names) ABSENT:

ATTEST:

Planning Commission Recording Secretary Signature Print Name Date

DRAFT
SUBJECT TO REVISION

**INFORMATION RECEIVED INTO THE RECORD**
**AT THE SEPTEMBER 11, 1997 PLANNING COMMISSION MEETING.**

**THIS INFORMATION IS ON FILE AT THE COMMUNITY DEVELOPMENT OFFICE ATTACHED TO THE MINUTES OF THE MEETING AND IN THE PROJECT FILE IT PERTAINS TO.**

PROJECT FILE # PUD-4-97 / DR-95-97
Various handouts were received from Genesis Health Care:

1. Process time line
2. Changes in site plan
3. Coldwell Banker letter regarding zone and usage of site
4. Westlake Consultants letter regarding alternative plant selection

LABELS FROM THE 9/11/97
PLANNING COMMISSION MEETING
FROM THOSE WHO GAVE PUBLIC
TESTIMONY / REGISTRATION
CARD COMPLETED

Ms. Pamela Vann PUD-4-97
Genesis Healthcare
15115 SW Sequoia Pkway, Suite 150
Tigard, OR 97224

Mr. John L. Mack PUD-4-97
Partner, Genesis Healthcare
PO Box 30809
Portland, OR 97294

Mr. Kevin Snyder PUD-4-97
Westlake Consultants, Inc.
15115 SW Sequoia Pkway, Suite 150
Tigard, OR 97211

Ron Manning PUD-3-97
2310 Chehalem Drive
Newberg, OR 97132

Newberg Planning Committee
Date: 9/11/97
Re: Signs
No.: 97-64 / no file #

CDA **CONSULTING GROUP**

PROJECT MANAGEMENT TRANSPORTATION AND LAND USE PLANNING LAND USE DEVELOPMENT

September 11, 1997

Mike Soderquist
Community Development Director
414 East First Street
Newberg, OR 97132

Regarding: Highway 99W Improvements

THE ISSUE

Highway 99W is scheduled for road widening improvements. Because of this project, additional road right-of-way will be required in order to have sufficient land in which to make the improvements. The right-of-way is that area of land within public ownership that includes Highway 99W and utility services.

This memorandum is being presented to you to as information. No action is being requested at this time.

Whenever a governmental entity take land for public purposes, the property owner is compensated for the value of the taking. Many of the developments that have occurred along the Highway have been designed to meet the "minimum" code requirements. As such, when additional land is taken to make the Highway improvements, these developments will no longer meet the minimum code requirements.

The City must decide how it will deal with those properties that become non-conforming. Several options were considered, including:

1. The City can require that each property be reconstructed to meet minimum code as part of the road widening project, but this would add considerable cost to the project and a burden to the businesses along the Highway. Each business would have to reconstruct its property to meet current code standards. The City does not have adequate staff to undertake a project of this magnitude.

2. The City can identify that any property that becomes non-conforming to the code standards will be considered a "pre-existing non-conforming use" under the Newberg Development

CDA 434 NW 6TH, SUITE 305 P.O. BOX 3311 PORTLAND, OR 97208-3311 PHONE (503) 227-3487 FAX 224-1851

Newberg Planning Committee
Date: 9/11/97
Item No. 97-79 / PUD-4-97

# Site Plan Evolution

The site plan development has been an iterative process between the Newberg City Council, the Newberg Planning Commission, the Newberg Community Development staff, adjacent neighbors and the applicant.

## Key Changes In Site Plan:

- Physical separation between commercial and residential components of mixed use site development.
- Reduction in on-site parking to promote walking and bicycling.
- Orientation of neighborhood commercial uses to College Avenue and Foothills Drive.
- Efficient and usable on-site pedestrian network with connections to off-site pedestrian system.
- Site access from side streets to reduce traffic impacts on College Avenue.
- Architectural design elements that are compatible with and representative of surrounding neighborhood.
- Significant public open space including a 300 foot pedestrian plaza.
- Streetscape improvements including perimeter sidewalks and landscaped planter strips.

Newberg Planning Committee
Date: 9/11/97
Re:
No.: 97-79 / PUD-4-97

# GENESIS HEALTHCARE, INC.

## ASSISTED LIVING FACILITY

## MIXED USE DEVELOPMENT

## PROCESS TIMELINE

**April 1997**
Zoning Code Interpretation Hearing
Newberg Planning Commission

**June 1997**
Zoning Code Interpretation
Appeal Hearing
Newberg City Council

**July 1997**
Informal Presentaion
Newberg Planning Commission

**July 1997**
Neighborhood Meeting
Adjacent Neighbors

**August 1997**
Combined Planned Unit Development
and Site Design Review Submittal
Newberg Community Development Office

**September 1997**
Approval Hearing
Newberg Planning Commission

# Appendix A

Newberg Planning Committee
Date: 9/11/97
Re:
No.: 97-79 / PUD-4-97

COLDWELL BANKER

PROFESSIONAL GROUP
RESIDENTIAL REAL ESTATE

2501 PORTLAND RD.
NEWBERG, OR 97132
BUS. (503) 538-0488
FAX (503) 537-0366

May 16, 1997

Rick Miller
Genesis Healthcare, Inc.
220 E. Hereford
Gladstone, OR 97027

Dear Mr. Miller:

Thank you for your inquiry into our office regarding the marketability of the commercial property at the corner of Hwy. 219 (N. College), and Foothills Drive in Newberg.

It is my opinion that it would be extremely difficult to obtain a commercial user for this site due to its location. The commercial users we are working with, demand higher traffic counts and exposure than this site has to offer. Most users need 99W exposure in order to operate their businesses successfully.

We are worried that a commercial development would be difficult to lease and would suffer severe vacancy factors in this location. It is premature for major commercial development on this site at this time.

In my opinion, this site is an excellent location for your assisted living facility. Your operation would provide an excellent buffer between Hwy. 219 and the residential development to the east.

If we can be of further service, please call.

Sincerely,

Jack Connolly
Designated Broker

Newberg Planning Committee
Date: 9/11/97
Re:
No.: 97-79 / PUD-4-97

WESTLAKE
CONSULTANTS INC.

*MEMORANDUM*

*ENGINEERING ♦ SURVEYING ♦ PLANNING*

*Phone: 503 684-0652*

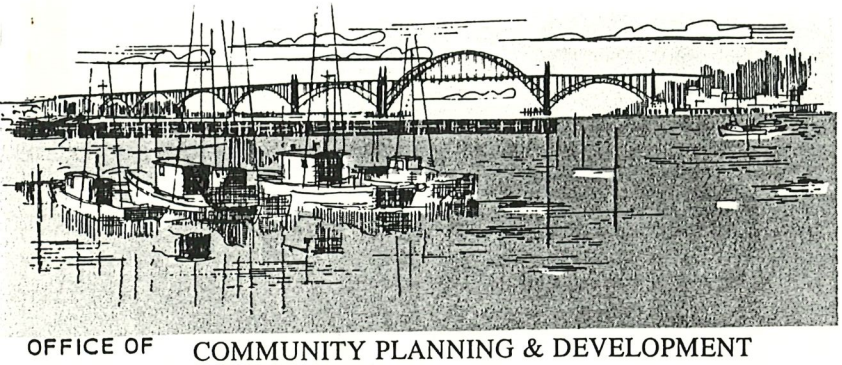
| | |
|---|---|
| **DATE:** | September 11, 1997 |
| **TO:** | Kevin Snyder |
| **FROM:** | John M. Husman |
| **RE:** | Genesis 1152-01-A |
| **CC:** | Pam Vann |

**ALTERNATIVE PLANT SELECTION :** Requested alternative plant to use in place of the Photinia x fraseri - Fraser's Red Tip Phontinia. Mature height and width of the Photinia is 6-8' high x 8'-10 wide.

**Recommendation:**

| | **Description** | | **Ht x Wd** |
|---|---|---|---|
| 1. | Prunus laurocerasus 'Otto Luyken' | 'Otto Luyken Laurel | 3'-4' x 6'-8' |
| 2. | Spiraea x bumalda 'Anthony Waterer' | "Anthony Waterer" Spirea | 3' x 4' |

*h:\admin\115201.97\planning\lamemo2.doc*



Distributed to Commissioners at 9/11/97 PC meeting


CITY OF NEWPORT
810 S.W. ALDER STREET
NEWPORT, OREGON, 97365

(541) 265-5331
TDD/VOICE 1-800-735-2900

OFFICE OF COMMUNITY PLANNING & DEVELOPMENT
*(541) 574-0629*
*FAX: (541) 574-0609*


RECEIVED
SEP 11 1997
By_____

# Sign Up Now!
# Planning Commission Training Only $10

Recently you received the Planners Training Team announcement of the Basic Planning Commission Training to be held here in Newport on September 27. The cost is $95.

**Agenda**

| | |
|---|---|
| 8:30 a.m. | Introduction & Expectations |
| 8:45 a.m. | Planning Values & Process |
| 9:30 a.m. | Roles & Responsibilities |
| 10:15 a.m. | Break |
| 10:30 a.m. | Types of Decisions, Findings, Conditions, & Legal Issues (Conflicts of Interest, *Ex Parte* Contacts, Bias) |
| 12:00 p.m. | Lunch |
| 1:00 p.m. | Hearings Procedures |
| 1:30 p.m. | "Fair" Meetings & Dealings with the Public |
| 2:30 p.m. | Break |
| 2:45 p.m. | Reaching Consensus |
| 3:30 p.m. | Wrap Up |
| 4:00 p.m. | Adjourn |

Now DLCD is giving Newport a training grant to pay for this outstanding program. For only $10 per participant (to pay for lunch and refreshments), your elected officials, planning commissioners, and staff can benefit from this special opportunity.

To register, send the names of the participants along with a check--payable to the City of Newport--to me at the above address. Since the training is limited to 50 people, you'll want to sign up right away. **The new registration deadline is September 24.**

Sincerely,

Mike Shoberg
Planning Director

MAS:cm

**Darla Baldoni**

**To:** Dawn Wilson
**Subject:** PC RESOLUTIONS

Hi Dawn,

Here are the resolutions from the 9/11/97 Planning Commission Meeting (5). Two have been re-scheduled: Reso 97-64 to November 1997 meeting; and Reso 97-67 to October 1997 meeting. Original hard copies are in the mail to you. <<File Attachment: RES97-64.WPD>> <<File Attachment: RES97-67.WPD>> <<File Attachment: RES97-73.WPD>> <<File Attachment: RES97-74.WPD>> <<File Attachment: RES97-79.WPD>>

Let me know if you have any problems with these files.

# PLANNING COMMISSION - REGULAR MEETING
## SECOND THURSDAY OF MONTH

**TIME:** 7 p.m. **DATE:** 9/11/97
**LOCATION:** Newberg Public Library

15 - min pres

change order

creek side manor

continue w/ all action

| merge | √ | ATTENDANCE | Consent Calendar 8-14-97 minutes | PUD-4-97 Genesis | G-25-97 Land div. req. | G-28-97 MOTION Noticing | vote on time | change order | creek side manor PUD 3-97 | |
|---|---|---|---|---|---|---|---|---|---|---|
| Y | ✓ | ASHBY | M Y | Y | Y | Y | Y | Y | Y | Y |
| Y | ✓ | HANNUM | Y | Y | Y | Y | Y | Y | Y | S |
| Y | ✓ | HAUG | A | Y | Y | Y | M Y | S Y | Y | M |
| — | A | KRIZ absent | — | — | — | — | — | — | — | |
| Y | ✓ | MILLER | M A | Y | Y | Y | S | M | Y | |
| Y | ✓ | WALL | S Y | N | Y | Y | Y | N | Y | A |
| Y | ✓ | WALDREN, CHAIR (list chair last) | Y | Y | Y | Y | Y | Y | Y | |
| | | **RESOLUTION #:** | | | | | | | | |
| | | **COMMISSIONERS - MOTIONED:** | Ashby/Wall | Haug/Ashby | Miller/Haug | Hannum/Haug | | | Miller/Haug | |
| | | **VOTE ON MOTION:** | 4-0 abstain Haug/Miller | 5-1 Nay-Wall abst. Kriz | 5-1 absent Kriz | 6-0 1 absent Kriz | | | 6-0 approved design change | |
| | | **CONDITIONS:** | | | | | | | | |
| | | **VOTE ON AMENDED MOTION:** | | | Miller/Hannum 6-0 1 absent Kriz | Haug/Hannum 6-0 | | | | |

STAFF PRESENT:

Mike Soderquist
Barbara Mingay

Suzzane Kimble - minute taker

F:\p\w\f\HEARING.FRM p-2 7/1/97

# ATTENDANCE SHEET

## NEWBERG PLANNING COMMISSION

MEETING DATE: 9/11/97

| COMMISSION MEMBER | PRESENT | ABSENT |
|---|---|---|
| **ASHBY,** Stephen | X | [ ] |
| **HANNUM,** Steve | X | [ ] |
| **HAUG,** Matson | X | [ ] |
| **KRIZ,** Jack | [ ] | X |
| **MILLER,** Myrna | X | [ ] |
| **WALDREN,** Richard (Chair) | X | [ ] |
| **WALL,** Lon | X | [ ] |

**OTHERS PRESENT:**

Mike Soderquist
Bob Mingay

Submitted By: Suzanne Kimble

**NOTE:** Please complete an attendance sheet for all meetings involving City Council members and return it to the Legal Department with the **original minutes**. If the regularly scheduled meeting is canceled for any reason, it should be noted on an attendance sheet and sent to the Legal Department.

**Original minutes, signed by the secretary or chairman, should be prepared and sent to the Legal Department for filing as the official record of the meeting.**

# PLANNING COMMISSION MINUTES
# Newberg Public Library - Newberg, Oregon
# THURSDAY, SEPTEMBER 11, 1997 AT 7 P.M.

## Approved at the October 9, 1997 Planning Commission Meeting

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## I. PLANNING COMMISSION ROLL CALL

**Planning Commission Members Present:**

| | | |
|---|---|---|
| Stephen Ashby | Steve Hannum | Matson Haug |
| Myrna Miller | Lon Wall | Richard Waldren, Chair |

**Planning Commission Members Absent:**
Jack Kriz

**Staff Present:**
Mike Soderquist, Community Development Director
Barbara Mingay, Planning Technician
Terry Mahr, City of Newberg Attorney
Suzanne Kimble, Recording Secretary

## II. OPEN MEETING

**Chair Richard Waldren** opened the meeting at 7:05 p.m. He announced the procedure of testimony. Citizens must fill out a public comment registration form to speak at the meeting.

## III. STUDY SESSION

"Legal Issues" by Terry Mahr, City Attorney

**Mr. Mahr** presented information concerning voting on annexations. He discussed property between Newberg and Sherwood having a greater impact on us than property between Newberg and McMinnville, due to the growth in Sherwood. He suggested the City work with Metro on their scenarios. He also discussed bypass roads, such as the Sherwood to I-5 bypass. These bypasses are not supposed to be for commuting, but how do we stop these roads from becoming magnets? Mr. Mahr also discussed health and welfare versus imminent domain and rough proportionality issues.

**Mr. Mahr** presented information on local hearings. Legislative hearings may be amending ordinances while quasi-judicial hearings are focused on one piece of property. He also discussed ex-parte contact, such as driving by the site. If you see something that might effect your decision, you have to share it with everyone.

If you have an actual conflict of interest, you must withdraw from voting. If you have a potential conflict of interest, you must declare it. Do you have a bias based on past experience? Any business in which the member has served in the past two ( 2) years constitutes a conflict of interest and requires withdrawal. When in doubt, ask the city attorney. The City Council has agreed by resolution that if you are acting based on advice given to you by the city attorney and you are reported to Government Standards and Practices, the city attorney will defend you. If too many commissioners have a conflict of interest to have a quorum, each persons conflict can be disclosed and legal protection can be provided. Mr. Mahr recommended that commissioners be careful when requalifying themselves in that situation.

## IV. CONSENT CALENDAR

1. Approval of August 14, 1997 Planning Commission Minutes.

| | |
|---|---|
| **Motion #1:** | **Commissioners Ashby-Wall** voted to approve the consent calendar items, approving the minutes of the August 14, 1997 Planning Commission Meeting. |

| | |
|---|---|
| **Vote on Motion #1:** | The Motion carried unanimously (4-0); Absent-1(Kriz); Abstention-2 (Haug, Miller). |

**V. COMMUNICATIONS FROM THE FLOOR (5 minute maximum per person)**
none

**VI. QUASI-JUDICIAL PUBLIC HEARINGS**

**PUBLIC HEARING** (#1)

**APPLICANT:** Genesis Healthcare
**REQUEST:** Planned Unit Development and Design Review for Assisted Living Facility
**LOCATION:** North of Quail Drive, South of Foothills Drive
**TAX LOT:** 3207 DA-105 **ZONE:** C-1/SP
**FILE NO.:** PUD-4-97 / DR-95-97 **RESOLUTION NO.:** 97-79
**CRITERIA:** NDC 10.32.030 and 10.28.050

**OPEN FOR PUBLIC HEARING.**
**Chair Waldren** entered ORS 197, relating to the Public Hearing process into the record, and opened the Public Hearing.

**Abstentions/ex-parte contact: Commissioner Wall** indicated that he attended a neighborhood meeting as an observer, but that no new information was presented at that meeting.

**Objections:** None

**Staff Report: Barbara Mingay, Planning Technician,** reviewed the staff report and a letter from Newberg Garbage Service indicating several concerns: both trash enclosures were too small; there is currently not enough room in front of the enclosures for the truck to back up; building 1 and 2 do not have equal access to trash; and it is not advisable to share trash between two (2) business with unequal use.

**Preliminary Staff Recommendation:** The preliminary staff recommendation is made in the absence of public hearing testimony, and may be modified subsequent to the close of the public hearing. At this writing, staff recommended opening the hearing, taking testimony and continuing the hearing, with additional suggestions to the applicant to provide other information at the continued meeting. If the Planning Commission chooses not to continue the hearing, two Resolutions 97-79 have been created; one to approve, one to deny.

**Proponent:**
Ms. Pamela Vann
Genesis Healthcare
15115 SW Sequoia Parkway, Suite 150
Tigard, OR 97224
(503) 684-0652

**Ms. Vann** entered into the record several handouts listing the key changes in the site plan made since the July 10, 1997 meeting, and the development process timeline listing the July neighborhood meeting. Ms. Vann stated that she felt the small attendance at the neighborhood meeting suggests a lack of opposition to the project. Ms. Vann noted that half of the site is dedicated for open space, which is slightly more than

called for in the Northwest Newberg Specific Plan, and that this plan is a guideline and not codified. She had one correction to make concerning automobiles of residents; it was stated earlier that none of the residents would have automobiles, but that would be changed to 1-2 spaces reserved for residents. She also pointed out that the area already has curbs all around. She also asked how the public sitting space was to be dealt with, who would provide the benches and upkeep?

**Proponent:** (completed registration card only)
Mr. John L. Mack
Partner, Genesis Healthcare
PO Box 30809
Portland, OR 97294
(503) 256-2007

**Proponent:** (completed registration card only)
Mr. Kevin Snyder
Westlake Consultants, Inc.
15115 SW Sequoia Parkway, Suite 150
Tigard, OR 97211
(503) 684-0652

**Opponent:** None

**Questions to Proponent:**

**Commissioner Haug** expressed his concern that much of the land around the site was vacant, and that accounted for the lack of participation in the neighborhood meeting. He also expressed his concern about the lack of information provided about buildings 1 and 2. **Ms. Vann** presented architectural drawings of buildings 1 and 2.

**Commissioner Hannum** stated that he was concerned about whether or not the commercial space was of an appropriate size, and about what constraints businesses would be put under concerning signage. **Ms. Vann** stated that most business are now choosing smaller signs.

**Commissioner Wall** expressed concern that Genesis Healthcare had not been involved in this type of commercial enterprise before.

**Commissioner Haug** asked how Genesis Healthcare would address the inadequacies outlined in the Newberg Garbage Service letter. **Ms. Vann** stated that she felt this was a minor site issue, and that they would work with the collection company to address these issues.

**Public Agency reports:** None

**Letters:** One (1) letter received from Newberg Garbage Service, listing some concerns.

**Proponent/Opponent Rebuttal:** None

**Staff Recommendation:** Barb Mingay, Planning Technician indicated that the staff recommendation was unchanged from the preliminary recommendation. The recommendation included more analysis of commercial land, another neighborhood meeting and continuance of the hearing.

**Hearing Closed.**

**Commission Deliberation:**

**Commissioner Wall** expressed his objection that this is not a proper use of a commercial area. He felt that the assisted living facility was more like residential rather than commercial.

**Commissioner Miller** expressed her concerns that Foothills Drive and College Street intersections were traveled heavily at the beginning and end of the school day, and that safety would become an issue without a traffic light at that intersection. She stated that she has strong safety concerns and that the Planning Commission cannot require a traffic light at that intersection since College Street is a state highway, and therefore under the jurisdiction of Oregon Department of Transportation (ODOT).

**Commissioner Haug** agreed with Commissioner Miller's safety concerns.

**Mike Soderquist, Community Development Director**, stated that the decision to place a light is based on traffic counts, and that, in the past, accidents have happened when a light was put in too soon because the light implied safety that wasn't there.

**Commissioner Wall** commented that a study of pedestrian traffic is to be conducted within one (1) year of opening, but that no action is required after that study. He stated that he is completely against this project at this location, citing too many unaddressed issues, including traffic and parking. He stated that he believed the commercial buildings were included only to meet the requirements, and that it was very possible that this would not be a viable commercial facility the way it was.

**Commissioner Haug** stated that since the neighborhood is currently vacant, he feels he should deny the project at this time, until safety and commercial viability issues are resolved.

**Commissioner Miller** stated that the applicant stated this is a multifamily dwelling, but that she considers apartments to be multifamily dwellings, not nursing homes.

**Commissioner Wall** restated his desire to stick with the plan to make this area commercial.

**Commissioner Ashby** agreed with the applicant that this project contains enough commercial area for this neighborhood to support. He also stated his belief that we need an assisted living facility in Newberg.

**Commissioner Waldren** stated that he believed that the project meets the requirements for C-1, and that he would like to vote tonight.

**Commissioner Miller** restated her safety concerns.

**Commissioner Ashby** asked if there were any alternatives to putting in a traffic light.

**Commissioner Miller** stated that since it is a state highway, ODOT must approve anything, crosswalk or light.

**Commissioner Wall** asked why the Planning Commission is pretending that 10% commercial use of the property fulfills a C-1 need. He stated that he could support 60% or more, but not 10%.

**Commissioner Miller** stated that a PUD is an accepted use, not an exact requirement.

**Commissioner Ashby** commented that we need an appropriate level of commercial. It is better to have too little than too much.

| | |
|---|---|
| **Motion #2:** | **Commissioners Haug-Ashby** moved to adopt Resolution 97-79, to approve the Planned Unit Development (PUD) and design review for an assisted living facility. |

| Vote on Motion #2: | The motion carried (5- 1): Nays-1 (Wall); Absent- 1(Kriz). |
|---|---|

## VII. LEGISLATIVE PUBLIC HEARINGS

**PUBLIC HEARING** (#1)

**APPLICANT:** City of Newberg
**REQUEST:** Text amendments to the Newberg Development Code relating to land division requirements.
**FILE NO.:** G-25-97 **RESOLUTION NO.:** 97-73
**CRITERIA:** Newberg Development Code Section 10.20.030

**Abstentions/ex-parte contact:** None

**Objections:** None

**Staff Report:** Barb Mingay, Planning Technician, reviewed the proposed ordinance changes. She noted that the changes would provide more notice, and would save time and money.

**Preliminary Staff Recommendation:** The preliminary staff recommendation is made in the absence of public hearing testimony, and may be modified subsequent to the close of the public hearing. At this writing, the staff recommended adoption of Resolution 97-73, where the Planning Commission forwards the resolution to City Council with a recommendation to approve the proposed amendments to the Newberg Development Code relating to Land Division processing.

**Proponent:** None

**Opponent:** None

**Questions to Proponent:** None

**Public Agency reports:** None

**Letters:** None

**Proponent/Opponent Rebuttal:** None

**Staff Recommendation:** None

**Hearing Closed.**

**Commission Deliberation:**

**Commissioner Haug** stated that Section 7 part "A" stated: "anybody may ask for a hearing" and asked if they have to pay for that meeting.

**Planning Technician Mingay** stated that the hearing fee is paid for by the person who asks for a new hearing process, and that City Council sets the fee.

**Commissioner Haug** said that the hearing fee should be paid by the applicant regardless of who asked for the hearing, even someone in opposition.

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|---|---|
| **Motion #3a:** | **Commissioners Miller-Haug** moved to strike Section 7, item "A", and move item "B" to the main body of Section 7. |

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| **Vote on Motion #3a:** | The motion carried unanimously (6-0): Absent- 1(Kriz). |

**Commissioner Hannum** pointed out that anyone may request a hearing, but it also says in "B" (now a) that the application must include a statement indicating why the interested person seeking a hearing is an affected party. Does this limit who can request a hearing?

**Commissioner Haug** stated that state law says they have to tell the criteria they want to address, and so item "A" would just say to identify the issues to be addressed.

| | |
|---|---|
| **Motion #3b:** | **Commissioners Hannum-Haug** moved to strike "a statement indicating why the interested person seeking a hearing is an affected party," and "and a statement indicating why the decision should be made by the Planning Commission rather than the Director" from section 7. |

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| **Vote on Motion #3b:** | The motion carried unanimously (6-0): Absent- 1(Kriz). |

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| **Motion #3c:** | **Commissioners Miller-Hannum** moved to adopt Resolution 97-73, with the modifications already voted on, modifying the text amendments to the Newberg Development Code relating to land division requirements. |

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| **Vote on Motion #3c:** | The motion carried unanimously (6-0): Absent- 1(Kriz). |

**PUBLIC HEARING** (#2)

**APPLICANT:** City of Newberg
**REQUEST:** Text amendments to the Newberg Development Code relating to noticing requirements
**FILE NO.:** G-28-97 **RESOLUTION NO.:** 97-74
**CRITERIA:** Newberg Development Code Section 10.20.030

**Abstentions/ex-parte contact:** None

**Objections:** None

**Staff Report:** Barb Mingay, Planning Technician noted that during previous discussions, the Planning Commission asked staff to include a 300 foot notice instead of 100 foot, for all activities requiring notice, and to require applicants to post and mail notices. She also noted that the requested revisions have been included.

**Preliminary Staff Recommendation:** The preliminary staff recommendation is made in the absence of public hearing testimony, and may be modified subsequent to the close of the public hearing. At this writing, the staff recommended adoption of Resolution 97-74, where the Planning Commission forwards the resolution to City Council with a recommendation to approve the proposed amendments to the Newberg Development Code relating to noticing.

**Proponent:** None

**Opponent:** None

**Questions to Proponent:** None

**Public Agency reports:** None

**Letters:** None

**Proponent/Opponent Rebuttal:** None

**Staff Recommendation:** None

**Hearing Closed.**

**Commission Deliberation:**

**Commissioner Ashby** asked a question about Type IV hearings: Would there be any action affecting the use of a property owners property that the owner wouldn't be notified of?

**Planning Technician Mingay** answered that Type IV hearings deal with large areas, and that this would require only newspaper notification not posting.

**Commissioner Haug** asked if a zone change is legislative.

**Planning Technician Mingay** answered that it is quasi-judicial.

**Commissioner Haug** asked if the institutional overlay was quasi-judicial.

**Planning Technician Mingay** answered yes.

**Commissioner Hannum** asked what kind of response the applicant should get from the director regarding format review for notices. How long does the director have to approve the proposal notice?

**Planning Technician Mingay** stated that staff currently has 30 days to review new applications for completeness, but they don't usually take that long.

**Commissioner Wall** stated that he felt it unwise to put a time limit on staff, as it could become a problem later.

**Commissioner Hannum** said that he would like to eliminate the last two words "for review" in item 6, and asked when the 14 day period begins, from submission or from mailing.

**Planning Technician Mingay** stated that the information would be on the form, and that it would be 14 days from mailing.

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|---|---|
| **Motion #4a:** | **Commissioners Wall-Miller** moved to adopt Resolution 97-74. |

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| **Vote on Motion #4a:** | The motion carried unanimously (6-0); Absent: 1 (Kriz). |

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|---|---|
| **Amended Motion #4b:** | **Commissioners Hannum-Haug** moved to delete "for review" from 10.14.020(6), and add "from the date of mailing" after 14-day period in 10.14.030 (1). |

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| **Vote on Amended Motion #4b:** | The motion carried unanimously (6-0): Absent- 1(Kriz). |

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|---|---|
| **Motion #4c:** | **Commissioners Haug-Hannum** moved to merge these two (2) documents into a single document for presentation to the City Council. |

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|---|---|
| **Vote on Motion #4c:** | The motion carried unanimously (6-0): Absent- 1(Kriz). |

**VIII. OLD BUSINESS**

1. Status of Resolution 97-64, Text amendments relating to signs - tabled from July 10, 1997: **Barb Mingay, Planning Technician**, stated that when signs were replaced, they must be brought up to code. A letter was submitted into the record from CDA Consulting Group, to Mike Soderquist listing some options as to how the city would deal with signage at the time of future Highway 99W improvements.

2. Status of Resolution 97-67, URA and Transportation grants:
Barb Mingay, Planning Technician, update the Planning Commissioners about future hearings.

**IX. NEW BUSINESS**

1. Creekside PUD - modification of building design (PUD-3-97). Staff recommended approval of the proposal, by motion of the Planning Commission.

**Proponent:**

Ron Manning
2310 Chehalem Drive
Newberg, OR 97132
(503) 538-1627

**Mr. Manning** asks that lots 37-42 and 24-27 be detached instead of attached. They still meet all requirements, the only change is from attached to detached.

**Questions to Proponent:**

**Commissioner Haug** asked what the spacing is on the detached housing.

**Mr. Manning** said five (5) foot side yards, which means 10 feet between houses.

**Commissioner Haug** asked if there were any windows on those sides of the houses.

**Mr. Manning** answered that all windows are out the front and back of the houses, which is no different than what is used in the other attached houses.

**Commissioner Hannum** asked if the common-wall on attached units is masonry.

**Mr. Manning** stated that they were wood. He also stated that they are requesting this change because buyers want the flexibility of having their own house.

**Commissioner Haug** asked what the yard looked like between the homes.

**Mr. Manning** stated that most side yards contain a path or bark dust, since this is where the utility service is located.

| | |
|---|---|
| **Motion #5:** | **Commissioners Miller-Haug** moved to approve the design change as requested by the applicant for the Creekside Planned Unit Development (PUD). |

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| **Vote on Motion #5:** | The motion carried unanimously (6-0): Absent- 1(Kriz). |

**X. STAFF AND COMMISSION REPORTS**

1. Update on Council Items
2. Other reports, letters, or correspondence
   a. **Planning Technician Mingay** informed the commission that there is a training session in Newport in late September. Registration fee is $10 which can be paid for by the City. Please register by September 24, 1997.
   b. **Commissioner Haug** asked to consider another long range planning session.

| | |
|---|---|
| **Motion #6:** | **Commissioner Haug** moved to request staff to facilitate another long term planning session in November. Motion died for lack of second. |

3. Next Planning Commission Meeting, October 9, 1997.

**XI. ADJOURNMENT**

The meeting was adjourned at approximately 11 p.m.

Passed by the Planning Commission of the City of Newberg this 10th day of October, 1997.

AYES: NO: 0 ABSTAIN: 0 (list names) ABSENT: 0

ATTEST:

Heidi L. Shortell
Planning Commission Recording Secretary Signature

Heidi L Shortell
Print Name

Date

**INFORMATION RECEIVED INTO THE RECORD**
**AT THE SEPTEMBER 11, 1997 PLANNING COMMISSION MEETING.**

**THIS INFORMATION IS ON FILE AT THE COMMUNITY DEVELOPMENT OFFICE ATTACHED TO THE MINUTES OF THE MEETING AND IN THE PROJECT FILE IT PERTAINS TO.**

PROJECT FILE # PUD-4-97 / DR-95-97
Various handouts were received from Genesis Health Care:

1. Process time line
2. Changes in site plan
3. Coldwell Banker letter regarding zone and usage of site
4. Westlake Consultants letter regarding alternative plant selection

ɔM THE 9/11/97
..NG COMMISSION MEETING
.OM THOSE WHO GAVE PUBLIC
TESTIMONY / REGISTRATION
CARD COMPLETED

Ms. Pamela Vann PUD-4-97
Genesis Healthcare
15115 SW Sequoia Pkway, Suite 150
Tigard, OR 97224

Mr. John L. Mack PUD-4-97
Partner, Genesis Healthcare
PO Box 30809
Portland, OR 97294

Mr. Kevin Snyder PUD-4-97
Westlake Consultants, Inc.
15115 SW Sequoia Pkway, Suite 150
Tigard, OR 97211

Ron Manning PUD-3-97
2310 Chehalem Drive
Newberg, OR 97132

# PLANNING COMMISSION MINUTES
## Newberg Public Library - Newberg, Oregon
## THURSDAY, OCTOBER 9, 1997 AT 7 P.M.

### Subject to Approval at the November 13, 1997 Planning Commission Meeting

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**I. PLANNING COMMISSION ROLL CALL**

**Planning Commission Members Present:**

| | | |
|---|---|---|
| Stephen Ashby | Steve Hannum | Matson Haug |
| Jack Kriz | Myrna Miller | Richard Waldren, Chair |
| Lon Wall | | |

**Staff Present:**

Barbara Mingay, Planning Technician
Heidi Shortell, Recording Secretary

**II. OPEN MEETING**

Chair Richard Waldren opened the meeting at 7:00 p.m. He announced the procedure of testimony. Citizens must fill out a public comment registration form to speak at the meeting.

**CONSENT CALENDAR**

1. Approval of September 11, 1997 Planning Commission Minutes. There was a correction on page 6, 3a to change the vote from 5-1 to 6-0.

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|---|---|
| **Motion #1:** | Commissioners Haug-Kriz voted to approve the consent calendar items, with the noted change approving the minutes of the September 11, 1997 Planning Commission Meeting. |

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|---|---|
| **Vote on Motion #1:** | The Motion carried unanimously. |

**III. COMMUNICATIONS FROM THE FLOOR (5 minute maximum per person)**

none

**IV. QUASI-JUDICIAL PUBLIC HEARINGS** (complete registration form to give testimony - 5 minute maximum per person, unless otherwise set by majority motion of the Planning Commission). "No new public hearings after 10 p.m. except by majority vote of the Planning Commissioners."

1. **APPLICANT:** Springbrook Plaza/Family Bargain Center
   **REQUEST:** Approval of sign program
   **LOCATION:** Springbrook Plaza
   **TAX LOT:** 3216CB-700
   **FILE NO:** G-30-97 **RESOLUTION NO.:**
   **CRITERIA:** Newberg Development Code - Section 10.50.183

**OPEN FOR PUBLIC HEARING.**

Chair Waldren entered ORS 197, relating to the Public Hearing process into the record, and opened the Public Hearing.

**Abstentions/ex-parte contact:**
**Objections:**

## Darla Baldoni

**To:** Dawn Wilson
**Subject:** For the Record

Welcome Back!!
I hope you had a nice vacation, sorry it was longer (never long enough).

Here are the Approved September 1997 Planning Commission Meeting Minutes for the record (hard copy in the mail).

See ya! < <File Attachment: PC091197.WPD> >