

MEMORANDUM

TO: Newberg Planning Commission

FROM: Clay Downing, Planning Manager

SUBJECT: Supplemental packet material: Additional Public Comments and Staff Response to Revised Plans for File No. MAMD323-0001

DATE: June 6, 2023

On June 1, 2023, staff received additional materials from the applicant for File No. MAMD323-0001 including a rebuttal presentation and revised site plan for the Planning Commission meeting on June 8, 2023. Staff have prepared a response evaluating the modifications to the proposed project which was submitted by the applicant on June 1, 2023.

Please review these additional materials and add to your packet.

I. STAFF RESPONSE TO APPLICANT SITE PLAN REVISIONS SUBMITTED ON JUNE 6, 2023

On June 1, 2023, the applicant submitted rebuttal presentation materials and a revised site plan which was shared with the Planning Commission via a supplemental packet on June 2, 2023. The presentation materials provided by the applicant include information related to the modifications relating to the number of parking spaces, parking coverage, combined lot and parking coverage, and landscaping. Modifications relevant to Planning Commission deliberation include:

- **Parking Lot Coverage:** The modifications to the site plan change the parking coverage from 34.9 percent to 36.3 percent of the subject property. As a result of modifications to the site plan, the modified project would still require a request for modification of standards found in NMC 15.405.040(B)(2) because it exceeds the maximum allowable standard of 30 percent which is allowed in the R-2 zoning district.
- **Combined Lot and Parking Lot Coverage:** The modifications to the site plan change the combined lot and parking coverage from 60.7 percent to 62.1 percent of the subject property. Despite the modifications to the site plan, the modified project would still meet the standard in NMC 15.405.040(B)(3) because it is less than the maximum allowable standard of 70 percent which is allowed in the R-2 zoning district.
- **Parking:** Four parking lot areas of the site plan were modified, which change the project's number of parking stalls from 282 to 295. As a result of the modifications, the applicant would no longer require a request for modification of standards found in NMC 15.440.030.
- **Open Space Coverage:** The modifications to the site plan change the landscaping coverage from 88,862 to 86,249 square feet. The modified site plan change would result in approximately 28.5 percent of the lot area being landscaped. Despite the modifications to the site plan, the modified project would still meet the standard in NMC 15.420.010(B) because it exceeds the requirement that a minimum of 15 percent of the lot area shall be landscaped.

Section II of this memorandum provides modified findings based on the applicant's modified site plan which may be included as part of the Staff Report's Exhibit "A". The modified site plan would not result in any changes to the conditions of approval found in the Staff Report's Exhibit "B".

II. MODIFIED FINDINGS FOR MAMD323-0001 BASED ON APPLICANT SITE PLAN REVISIONS SUBMITTED ON JUNE 6, 2023

The sections below provide modified findings for Exhibit "A" based on the applicant's modified site plan which was submitted on June 1, 2023. The Newberg Municipal Code (NMC) criteria and

development standards are written in *italic bold* font and the findings are written in regular font. The NMC criteria will be presented first, and followed by the findings of fact.

Findings of fact with underlined font indicate subsequent inclusion into Conditions of Approval.

FINDINGS FOR PLANNED UNIT DEVELOPMENT REGULATIONS (NMC CHAPTER 15.240)

Chapter 15.240 PD Planned Unit Development Regulations

15.240.020 General Provisions.

I. Modification of Certain Regulations. Except as otherwise stated in these regulations, fence and wall provisions, general provisions pertaining to height, yards, area, lot width, frontage, depth and coverage, number of off-street parking spaces required, and regulations pertaining to setbacks specified in this code may be modified by the hearing authority, provided the proposed development will be in accordance with the purposes of this code and those regulations. Departures from the hearing authority upon a finding by the engineering director that the departures will not create hazardous conditions for vehicular or pedestrian traffic. Nothing contained in this subsection shall be interpreted as providing flexibility to regulations other than those specifically encompassed in this code.

Finding: The applicant modified the proposed project to provide additional off-street parking which would exceed what was initially proposed. The proposed project will still construct 196 multi-family apartment units on a development site that is located within the Community Commercial (C-2) and Medium Density Residential (R-2) zoning districts. The development site is 6.85 acres in size including approximately 1.16 acres of R-2 zoned area and 5.69 acres of C-2 zoned area.

The modified project proposal requests to modify certain regulations associated with parking lot coverage and the number of required parking spaces as discussed below.

- **Parking Lot Coverage:** The project requested a modification for the lot coverage standards of the R-2 zone per 15.405.040(B)(2) which allows up to 60 percent maximum lot coverage, up to 30 percent maximum parking coverage, and up to 70 percent combined maximum lot and parking coverage.

The modified project proposal will have a building coverage of approximately 25.8 percent, parking coverage of approximately 36.3 percent, and a combined building and parking coverage of 62.1 percent. Table 1 below shows a comparison between the initial and modified proposals.

Table 1. Comparison of Lot, Parking, and Combined Coverage

	Maximum Allowed for R-2 NMC 15.405.040(B)(2)	Initial Proposal	Modified Proposal
Lot Coverage	Up to 60 percent	25.8 percent	25.8 percent
Parking Coverage	Up to 30 percent	34.9 percent	36.3 percent

	Maximum Allowed for R-2 NMC 15.405.040(B)(2)	Initial Proposal	Modified Proposal
Combined Lot and Parking Coverage	Up to 70 percent	60.7 percent	62.1 percent

The modified project proposal would include parking lot coverage that still exceeds the maximum of 30 percent allowed in the R-2 zone. Because the proposed parking coverage will exceed the maximum allowable parking coverage, it does not meet the criterion for NMC 15.440.030.

- **Number of Off-street Parking Spaces Required:** Pursuant NMC 15.440.030, the minimum number of parking spaces required is 294 parking spaces. The proposed project was modified by the applicant to provide 295 parking stalls in lieu of the 282 previously proposed.

Because the modified proposal exceeds the minimum number of parking spaces required, the applicant no longer requires modification of NMC 15.440.030.

Pursuant to NMC 15.240.010, the City’s Planned Unit Development regulations are intended to:

- Encourage comprehensive planning in areas of sufficient size to provide developments at least equal in the quality of their environment to traditional lot-by-lot development and that are reasonably compatible with the surrounding area;
- Provide flexibility in architectural design, placement and clustering of buildings, use of open space and outdoor living areas, and provision of circulation facilities, parking, storage and related site and design considerations;
- Promote an attractive, safe, efficient and stable environment which incorporates a compatible variety and mix of uses and dwelling types;
- Provide for economy of shared services and facilities; and
- Implement the density requirements of the comprehensive plan and zoning districts through the allocation of the number of permitted dwelling units based on the number of bedrooms provided.

Further, the purpose of development standards evaluated in site design review, which include parking coverage and the minimum number of required parking spaces, is to “promote functional, safe and innovative site development compatible with the natural and manmade environment. The following provisions are intended to discourage unsightly development, improve the quality of new development in the city, coordinate the site planning process with existing and proposed development, and provide a pleasant working and living environment in the city. Furthermore, these provisions are intended to coordinate the site development process through review of the architecture of the structure(s), signs, landscaping, and other design elements on the site.”

Because the modified proposal meets the requirements for the minimum number of required parking spaces pursuant to NMC 15.440.030, maximum allowable density for Planned Unit Developments pursuant to NMC

15.240.020(F), and maximum combined parking and lot coverage pursuant to NMC 15.405.040(B)(3), the hearing body has the authority to grant modification of the parking coverage pursuant to NMC 15.405.040(B)(2) as requested in the modified proposal.

The criterion is met.

FINDINGS FOR DEVELOPMENT STANDARDS (NMC DIVISION 400)

Chapter 15.405 Lot Requirements

15.405.040 Lot coverage and parking coverage requirements.

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B. Residential uses in residential zones shall meet the following maximum lot coverage and parking coverage standards; however, cottage cluster projects shall be exempt from the standards. See the definitions in NMC 15.05.030 and Appendix A, Figure 4.

1. Maximum Lot Coverage.

a. R-1: 40 percent, except:

i. Fifty percent if all structures on the lot are one story; and

ii. Sixty percent for townhouse dwellings.

b. R-2 and RP: 60 percent.

c. AR and R-3: 60 percent.

2. Maximum Parking Coverage. R-1, R-2, R-3, and RP: 30 percent.

3. Combined Maximum Lot and Parking Coverage.

a. R-1: 60 percent.

b. R-2, R-3, RP and townhouse dwellings in R-1: 70 percent.

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Finding: The modifications to the site plan change the parking coverage from 34.9 percent to 36.3 percent and change the combined lot and parking coverage from 60.7 percent to 62.1 percent for the subject property. Pursuant to NMC 15.240.020(I), the proposed project requests modification of certain regulations relating to the development of Planned Unit Developments.

See the finding for Section NMC 15.240.020(I) regarding lot coverage requirements for the proposed project.

Chapter 15.420 Landscaping and Outdoor Areas

15.420.010 Required minimum standards.

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B. Required Landscaped Area. The following landscape requirements are established for all developments except single-family detached dwellings, duplex dwellings, triplex dwellings, quadplex dwellings, townhouse dwellings and cottage cluster projects:

1. A minimum of 15 percent of the lot area shall be landscaped; provided, however, that computation of this minimum may include areas landscaped under subsection (B)(3) of this section. Development in the C-3 (central business district) zoning district and M-4 (large lot industrial) zoning district is exempt from the 15 percent landscape area requirement of this section. Additional landscaping requirements in the C-4 district are described in NMC 15.352.040(K). In the AI airport industrial district, only a five percent landscaping standard is required with the goal of “softening” the buildings and making the development “green” with plants, where possible. The existence of the runway, taxiway, and approach open areas already provide generally for the 15 percent requirement. Developments in the AI airport industrial district with a public street frontage shall have said minimum landscaping between the front property line and the front of the building.

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Finding: The modifications to the site plan change the landscaping coverage from 88,862 to 86,249 square feet. The modified site plan change would result in approximately 28.5 percent of the lot area being landscaped. The modified proposal exceeds the minimum amount of required landscaping because the project’s landscaped area would be approximately 28.5 percent of the lot area.

The criterion is met.

Chapter 15.440 Off-Street Parking, Bicycle Parking, and Private Walkways

15.440.030 Parking spaces required.

<i>Use</i>	<i>Minimum Parking Spaces Required</i>
Residential Types	
<i>Dwelling, multifamily and multiple single-family dwellings on a single lot</i>	
<i>Studio or one-bedroom unit</i>	<i>1 per dwelling unit</i>

<i>Use</i>	<i>Minimum Parking Spaces Required</i>
<p><i>Two-bedroom unit</i> <i>Three- and four-bedroom unit</i> <i>Five- or more bedroom unit</i></p> <ul style="list-style-type: none"> • <i>Unassigned spaces</i> • <i>Visitor spaces</i> 	<p><i>1.5 per dwelling unit</i> <i>2 per dwelling unit</i> <i>0.75 spaces per bedroom</i></p> <p><i>If a development is required to have more than 10 spaces on a lot, then it must provide some unassigned spaces. At least 15 percent of the total required parking spaces must be unassigned and be located for convenient use by all occupants of the development. The location shall be approved by the director.</i></p> <p><i>If a development is required to have more than 10 spaces on a lot, then it must provide at least 0.2 visitor spaces per dwelling unit.</i></p>
<ul style="list-style-type: none"> • <i>On-street parking credit</i> • <i>Available transit service</i> 	<p><i>On-street parking spaces may be counted toward the minimum number of required spaces for developments required to have more than 10 spaces on a lot. The on-street spaces must be directly adjoining and on the same side of the street as the subject property, must be legal spaces that meet all city standards, and cannot be counted if they could be removed by planned future street widening or a bike lane on the street.</i></p> <p><i>At the review body’s discretion, affordable housing projects may reduce the required off-street parking by 10 percent if there is an adequate continuous pedestrian route no more than 1,500 feet in length from the development to transit service with an average of less than one hour regular service intervals during commuting periods or where the development provides its own transit. A developer may qualify for this parking reduction if improvements on a proposed pedestrian route are made by the developer, thereby rendering it an adequate continuous route.</i></p>
<p><i>Commercial neighborhood district (C-1)</i></p>	<p><i>1 for each dwelling</i></p>

Notes:

* “1-E” refers to fraternities, sororities, cooperatives and dormitories that require one parking space for each three occupants for whom sleeping facilities are provided.

** “3.-G(1)” refers to establishments or enterprises of a recreational or an entertainment nature (spectator type, e.g., auditoriums, assembly halls, theaters, stadiums, places of public assembly) that require one parking space for each four seats.

Finding: Four parking lot areas of the site plan were modified, which change the project’s number of parking stalls from 282 to 295.

The proposed project is a major modification of the Crestview Crossing PUD/CUP (PUD18-0001/CUP18-0004) and will construct 196 multi-family apartment units on a subject property that is 298,179 square feet (6.85 acres) in size and zoned both R-2 and C-2. Pursuant NMC 15.440.030, the minimum number of parking spaces required is:

Dwelling Type	Number of Dwellings Proposed	Rate <i>Parking Spaces per Dwelling Unit</i>	Parking Spaces Required
Studio or one-bedroom unit	99	1	99
Two-bedroom unit	76	1.5	114
Three- and four-bedroom unit	21	2	42
Five- or more bedroom unit	0	.75 / bedroom	0
Visitor spaces	196 (Total)	.2 spaces / dwelling	39
TOTAL			294

Because the modified proposal would provide 295 parking stalls and the minimum required number of off-street parking spaces is 294, the minimum number of parking spaces would be provided.

The criterion is met.