

MEMORANDUM

TO: Newberg Planning Commission

FROM: Clay Downing, Planning Manager

SUBJECT: Supplemental packet material: Additional Public Comments for File No. MAMD323-0001

DATE: June 8, 2023

Staff received additional public comments between June 6th and 8th for File No. MAMD323-0001 for the Planning Commission meeting on June 8, 2023.

Please review these additional materials and add to your packet.

Attachments:

1. Public Comment from Karen Beck received on June 6, 2023
2. Public Comments from Debra Ng-Wong received on June 7, 2023
3. Public Comments from Terry Coss received on June 7, 2023
4. Public Comments from Keith Leonard received June 8, 2023

Clay Downing

From: Karen Bryant <karen.beck@hotmail.com>
Sent: Tuesday, June 6, 2023 6:39 AM
To: PLANNING
Subject: Written Comments: File No.MAMD323-0001

This email originated from outside the City of Newberg's organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom It May Concern:

I am writing to ask that you consider upgrades to park/play areas and pedestrian/bike-ways in light of the proposed changes. Assuming that many of these households will have children and dogs, it would be beneficial to ensure that there are plenty of park-like spaces. Specifically, I ask that the development department consider the following:

1. A dog park on the north end of Newberg, either inside this development project or nearby.
2. Upgrades to Spring Meadow park that might include features like age-appropriate play structures to keep the "littles" safe and additional basketball and/or tennis courts for the bigger kids.
3. Additional park(s) and/or greenways within the new development project area to keep the kids and bicycles off of the main streets. I feel it safe to assume that children will come from surrounding neighborhoods to the retail areas there in the Crestview Crossing project.
4. Enhanced lighting for pedestrian walk-ways.
5. Speed bumps or blinking cross-walk signs near pedestrian walk-ways on Crestview.
6. You may also consider maintenance / upgrades to the bike lanes and pedestrian walk-ways in and through the Vittoria / Aquarius neighborhood to facilitate a pathway south toward Newberg city center that does not require pedestrians to walk on 99W.

Thank you for your consideration.

Kind regards,

Karen Bryant

Clay Downing

From: Doug Rux
Sent: Wednesday, June 7, 2023 12:13 PM
To: Clay Downing
Cc: Fe Bates
Subject: FW: Crestview Crossing Phase 2 parking concerns
Attachments: image001.jpg; newberg_parking_standards_handout.pdf; parking determination for GFU Health Sci bldg.pdf

Clay,

A comment on the Crestview Crossing Major Modification.

Doug Rux, AICP
Community Development Director
City of Newberg
Direct: 503.537.1212
Cell: 503.550.4517
Pronouns: he/him



From: Debra Ng-Wong <debrangwong@gmail.com>
Sent: Wednesday, June 7, 2023 11:29 AM
To: Doug Rux <Doug.Rux@newbergoregon.gov>
Subject: Crestview Crossing Phase 2 parking concerns

This email originated from outside the City of Newberg's organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Mr. Rux,

It has been recommended to me by Mayor Rosacker to speak with you about my concerns with the parking at Crestview Crossing. I am sending you copies of emails I have sent to the Mayor and City Council as well as a response from Evan Manvel from the State of Oregon:

With the planning meeting set for Thursday, June 8, I wanted to make certain you are aware that parking minimums according to the City of Newberg Municipal Codes ARE VALID in this situation with Crestview Crossing. The developer cannot meet those requirements based on the proposed changes for Phase 2. On-street parking will not be available on that side of Crestview Crossing.

Parking Codes are made for the benefit of all people and I implore you to recognize how stressful and overcrowded the streets will be not only in CC but in the neighborhood next to it that doesn't have sidewalks or shoulders but rather ditches nor does it have adequate street lighting.

I have forwarded my response from my inquiry with Evan Manvel from ODLCD concerning parking requirements in a district that isn't part of metro transit. If you look at my initial inquiry, I have stated that Newberg doesn't have mass transit

that runs frequently enough to encourage people to use the bus rather than own a car and drive. That indeed is the case in Newberg. Buses run every 66 minutes.

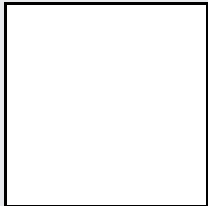
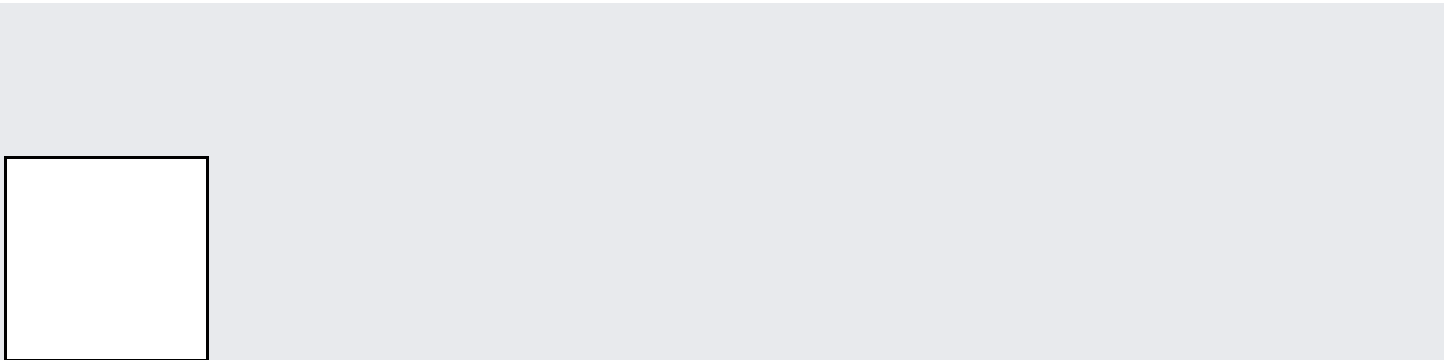
That being said, if Newberg wants to move forward in encouraging people to take mass transit it must address the issue of more frequent routes.

I also want to bring to your attention that developers, engineers and even planning commissions make parking determinations based on findings of other locations and look at other forms of transportation that residents/students/clients may utilize. These are based not on fact but on association only and often are calculated in ways to benefit certain parties. Case in point is the determination of parking for GFU Medical Sciences Building on Werth Blvd. in Newberg. AKS Engineering and GFU made their case that they would only require 1 parking space per 3 students, and that they didn't need to make reserved faculty parking. I live by this building and walk near it frequently. School is out right now and there are only 3 cars parked on the street by the school, hence one cannot say the on-street parking is due to other facilities nearby. The GFU Medical Sciences Building parking lot has only 14 empty spaces today and the rest of the spaces are filled with faculty. On a school day, I don't expect all the staff to be there, however, even if a third of the faculty are parked in the lot that leaves only 40 spaces for the 200 students. When school is in session, the street on both sides of Werth Blvd. is filled covering over 520 feet of road. It is not unusual for at least 70 cars (95 have been counted on one occasion) to be parked on the street. This greatly exceeds the slightly more than 20 spaces they said would be needed.

Thank you,
Debbie Ng-Wong
503-803-8437

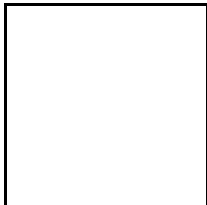
PS I have attached the Newberg City Parking requirements handout below.

PSS I have also attached the documents for AKS and GFU making their statements that students would utilize Yamhill County Transit and a GFU shuttle and therefore wouldn't need more than 1 parking space per 3 students. In other words, don't take what the developers say as truth. We are not in Metro so don't compare us to Metro concerning transportation preferences.



MANVEL Evan * DLCD

to me



Newberg is not subject to the state parking reforms re: multifamily parking or parking mandates near transit; it is outside the metropolitan area.

That said, often parking is overbuilt. Studies from Albany, Hillsboro, and elsewhere often show an average of 25-30% vacant spaces. Not knowing the specifics of this proposal I can't comment on whether I think this is a similar case.

Let me know if you have other questions.

E

Evan Manvel

Climate Mitigation Planner



Pronouns: He/Him

Oregon Department of Land Conservation and Development

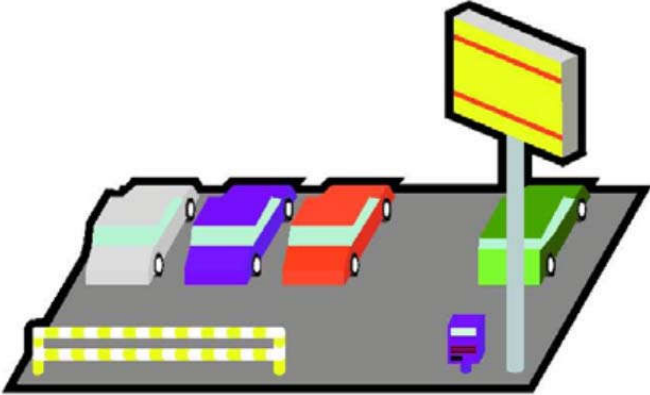
635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540

Direct/Cell: 971-375-5979 | Main: 503-373-0050

evan.manvel@dlcd.oregon.gov | www.oregon.gov/LCD

PARKING STANDARDS HANDOUT

Excerpted from City of Newberg Code of Ordinances, and Oregon
Transportation Commission adopted standards



NEWBERG DEVELOPMENT CODE STANDARDS
OFF-STREET PARKING, BICYCLE PARKING, AND PRIVATE
WALKWAYS

15.440.010 Required off-street parking.

A. Off-street parking shall be provided on the development site for all R-1, C-1, M-1, M-2 and M-3 zones. In all other zones, the required parking shall be on the development site or within 400 feet of the development site which the parking is required to serve. All required parking must be under the same ownership as the development site served except through special covenant agreements as approved by the city attorney, which bind the parking to the development site.

B. Off-street parking is not required in the C-3 district, except for:

1. Dwelling units as noted in NMC [15.316.020](#).
2. New development which is either immediately adjacent to a residential district or separated by nothing but an alley.

C. Within the C-4 district, the minimum number of required off-street parking spaces shall be 50 percent of the number required by NMC [15.440.030](#), except that no reduction is permitted for residential uses. [Ord. [2564](#), 4-15-02; Ord. [2561](#), 4-1-02; Ord. [2451](#), 12-2-96. Code 2001 § 151.610.]

Penalty: See NMC [15.05.120](#).

15.440.020 Parking area and service drive design.

A. All public or private parking areas, parking spaces, or garages shall be designed, laid out and constructed in accordance with the minimum standards as set forth in NMC [15.440.070](#).

B. Groups of three or more parking spaces, except those in conjunction with single-family or two-family dwellings on a single lot, shall be served by a service drive so that no backward movement or other maneuvering of a vehicle within a street, other than an alley, will be required. Service drives shall be designed and constructed to facilitate the flow of traffic, provide maximum safety in traffic access and egress and maximum safety of pedestrian and vehicular traffic on the site, but in no case shall two-way and one-way service drives be less than 20 feet and 12 feet, respectively. Service drives shall be improved in accordance with the minimum standards as set forth in NMC [15.440.060](#).

C. Gates. A private drive or private street serving as primary access to more than one dwelling unit shall not be gated to limit access, except as approved by variance.

D. In the AI airport industrial district and AR airport residential district, taxiways may be used as part of the service drive design where an overall site plan is submitted that shows how the circulation of aircraft and vehicles are safely accommodated, where security fences are located, if required, and is approved by the fire marshal, planning director, and public works director. The following submittal must be made:

1. A drawing of the area to be developed, including the probable location, height, and description of structures to be constructed; the location and description of a security fence or gate to secure the aircraft operations areas of off-airport property from the other non-secured pedestrian/auto/truck areas of on-airport property; the proposed location of the proposed taxiway access in accordance with FAA specifications (refer to Federal Aviation Administration Advisory Circular No. 150/5300-13 regarding airport design, and AC/5370-10B regarding construction standards for specifications that should be used as a guideline); and the identification of the vehicular traffic pattern area clearly separated from aircraft traffic. Once specific buildings have been designed, FAA Form 7460-1, Notice of Proposed Construction or Alteration, must be submitted to the City of Newberg, the private airport owner, and the FAA for airspace review. [Ord. [2670](#), 5-7-07; Ord. [2647](#), 6-5-06; Ord. [2451](#), 12-2-96. Code 2001 § 151.611.]

Penalty: See NMC [15.05.120](#).

15.440.030 Parking spaces required.

Use	Minimum Parking Spaces Required
Residential Types	
Dwelling, multiple and multiple single-family dwellings on a single lot	
Studio or one-bedroom unit Two-bedroom unit Three- and four-bedroom unit Five- or more bedroom unit	1 per dwelling unit 1.5 per dwelling unit 2 per dwelling unit 0.75 spaces per bedroom
• Unassigned spaces	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.
• Visitor spaces	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.

Use	Minimum Parking Spaces Required
<ul style="list-style-type: none"> On-street parking credit 	<p>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.</p>
<ul style="list-style-type: none"> Available transit service 	<p>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.</p>
Commercial neighborhood district (C-1)	1 for each dwelling
Dwelling, single-family or two-family	2 for each dwelling unit on a single lot
Fraternalities, sororities, cooperatives and dormitories	1 for each three occupants for which sleeping facilities are provided
Hotels, motels, motor hotels, etc.	1 for each guest room
Rooming or boarding houses	1 for each guest room
Special needs housing	1 space per 3 beds or actual parking needs as demonstrated through a parking analysis.
Institutional Types	
Churches, clubs, lodges	1 for every 4 fixed seats or every 8 feet of bench length or every 28 sq. ft. where no permanent seats or benches are maintained – in main auditorium (sanctuary or place of worship)
Continuing care retirement community not including nursing care	1 space per living unit
Day care facility	5 spaces per each 1,000 gross sq. ft.
Hospitals (including accessory retail wholly contained within a hospital building)	2 spaces for each 1,000 gross sq. ft.

Use	Minimum Parking Spaces Required
Libraries, museums, art galleries	1 for each 250 sq. ft. of gross floor area
Medical/dental offices and laboratories	3.5 spaces for each 1,000 gross sq. ft.
Nursing homes, homes for the aged, group care homes, asylums, etc.	1 for each 3 beds
Schools	Colleges – “commuter” type, 1 for every full-time equivalent student (plus 1/2 of the requirements for accessory buildings, i.e., 1.-E* and 3.-G(1))**
Schools	Colleges – “resident” type, 1 for every 3 full-time equivalent students (plus 1/2 of the requirements for accessory buildings, i.e., 1.-E* and 3.-G(1))**
Schools	Elementary or junior high, 1-1/2 for each teaching station plus 4 for every classroom, or 1 for every 42 sq. ft. of seating area where there are no fixed seats in an auditorium or assembly area
Schools	High schools, 1-1/2 for each teaching station, plus 8 for every classroom, or 1 for every 28 sq. ft. of seating area where there are no fixed seats in an auditorium or assembly area
Schools	Colleges – commercial or business, 1 for every 3 classroom seats (plus 1/2 of the requirements for accessory buildings, i.e., 1.-E* and 3.-G(1))**
Welfare or correctional institutions	1 for each 5 beds
Commercial Types	
Barber and beauty shops	1 for each 75 sq. ft. of gross floor area
Bowling alleys	6 for each bowling lane
Establishments or enterprises of a recreational or an entertainment nature:	
Establishments for the sale and consumption on the premises of food and beverages with a drive-up window	1 for each 75 sq. ft. of gross floor area
Establishments for the sale and consumption on the premises of food and beverages without a drive-up window	1 for each 100 sq. ft. of gross floor area
Participating type, e.g., skating rinks, dance halls	1 for each 75 sq. ft. of gross floor area

Use	Minimum Parking Spaces Required
Spectator type, e.g., auditoriums, assembly halls, theaters, stadiums, places of public assembly	1 parking space for each 4 seats
Office buildings, business and professional offices	1 for every 400 sq. ft. of gross floor area
Pharmacies	1 for each 150 sq. ft. of gross floor area
Retail establishments, except as otherwise specified herein	1 for each 300 sq. ft. of gross floor area
Retail stores handling bulky merchandise, household furniture, or appliance repair	1 for each 600 sq. ft. of gross floor area
Industrial Types	
Except as specifically mentioned herein, industrial uses listed as permitted in the M districts: M-1, M-2, M-3, and M-4	1 for each 500 sq. ft. of gross floor area
Aircraft storage hangars up to 3,600 sq. ft. each enclosed hangar area	None (parking occurs in hangar)
Aircraft storage hangars over 3,600 sq. ft. each enclosed hangar area	1 for every 700 sq. ft. of hangar area over 3,600 sq. ft.
Aircraft hangars intended for repair and maintenance operations	1 for each 5,000 sq. ft. of hangar, plus 1 for each 500 sq. ft. of shop area, plus 1 for each 400 sq. ft. of office area
Laboratories and research facilities	1 for each 300 sq. ft. of gross floor area
Machinery or equipment	1 for each 400 sq. ft. of gross sales floor area
Wholesale and storage operations	1 for each 700 sq. ft. of gross floor area

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.

[Ord. [2730](#)¹ § 1 (Exh. A (13)), 10-18-10; Ord. [2720](#) § 1(19), 11-2-09; Ord. [2710](#) § 1, 3-2-09; Ord. [2647](#), 6-5-06; Ord. [2550](#), 5-21-01; Ord. [2451](#), 12-2-96. Code 2001 § 151.612.]

Penalty: See NMC [15.05.120](#).

15.440.040 Parking requirements for uses not specified.

The parking space requirements for buildings and uses not set forth herein shall be determined by the director through a Type I procedure. Such determination shall be based upon the requirements for the most comparable building or use specified herein. [Ord. [2451](#), 12-2-96. Code 2001 § 151.613.]

15.440.050 Common facilities for mixed uses.

A. In the case of mixed uses, the total requirements for off-street parking spaces shall be the sum of the requirements for the various uses. Off-street parking facilities for one use shall not be considered as providing parking facilities for any other use except as provided below.

B. Joint Uses of Parking Facilities. The director may, upon application, authorize the joint use of parking facilities required by said uses and any other parking facility; provided that:

1. The applicant shows that there is no substantial conflict in the principal operating hours of the building or use for which the joint use of parking facilities is proposed.
2. The parking facility for which joint use is proposed is no further than 400 feet from the building or use required to have provided parking.
3. The parties concerned in the joint use of off-street parking facilities shall evidence agreement for such joint use by a legal instrument approved by the city attorney as to form and content. Such instrument, when approved as conforming to the provisions of the ordinance, shall be recorded in the office of the county recorder and copies of the instrument filed with the director.

C. Commercial establishments within 200 feet of a commercial public parking lot may reduce the required number of parking spaces by 50 percent. [Ord. [2451](#), 12-2-96. Code 2001 § 151.614.]

15.440.060 Parking area and service drive improvements.

All public or private parking areas, outdoor vehicle sales areas, and service drives shall be improved according to the following:

A. All parking areas and service drives shall have surfacing of asphaltic concrete or portland cement concrete or other hard surfacing such as brick or concrete pavers. Other durable and dust-free surfacing materials may be approved by the director for infrequently used parking areas. All parking areas and service drives shall be graded so as not to drain storm water over the public sidewalk or onto any abutting public or private property.

B. All parking areas shall be designed not to encroach on public streets, alleys, and other rights-of-way. Parking areas shall not be placed in the area between the curb and sidewalk or, if there is no sidewalk, in the public right-of-way between the curb and the property line. The director may issue a permit for exceptions for unusual circumstances where the design maintains safety and aesthetics.

C. All parking areas, except those required in conjunction with a single-family or two-family dwelling, shall provide a substantial bumper which will prevent cars from encroachment on abutting private and public property.

D. All parking areas, including service drives, except those required in conjunction with single-family or two-family dwellings, shall be screened in accordance with NMC [15.420.010\(B\)](#).

E. Any lights provided to illuminate any public or private parking area or vehicle sales area shall be so arranged as to reflect the light away from any abutting or adjacent residential district.

F. All service drives and parking spaces shall be substantially marked and comply with NMC [15.440.070](#).

G. Parking areas for residential uses shall not be located in a required front yard, except as follows:

1. Attached or detached single-family or two-family: parking is authorized in a front yard on a service drive which provides access to an improved parking area outside the front yard.
2. Three- or four-family: parking is authorized in a front yard on a service drive which is adjacent to a door at least seven feet wide intended and used for entrance of a vehicle (see Appendix A, Figure 12).

H. A reduction in size of the parking stall may be allowed for up to a maximum of 30 percent of the total number of spaces to allow for compact cars. For high turnover uses, such as convenience stores or fast-food restaurants, at the discretion of the Director, all stalls will be required to be full-sized.

I. Affordable housing projects may use a tandem parking design, subject to approval of the planning and building director. [Ord. [2730](#) § 1 (Exh. A (14)), 10-18-10; Ord. [2628](#), 1-3-06; Ord. [2505](#), 2-1-99; Ord. [2451](#), 12-2-96. Code 2001 § 151.615.]

Penalty: See NMC [15.05.120](#).

15.440.070 Parking tables and diagrams.

The following tables provide the minimum dimensions of public or private parking areas:

Diagram 1

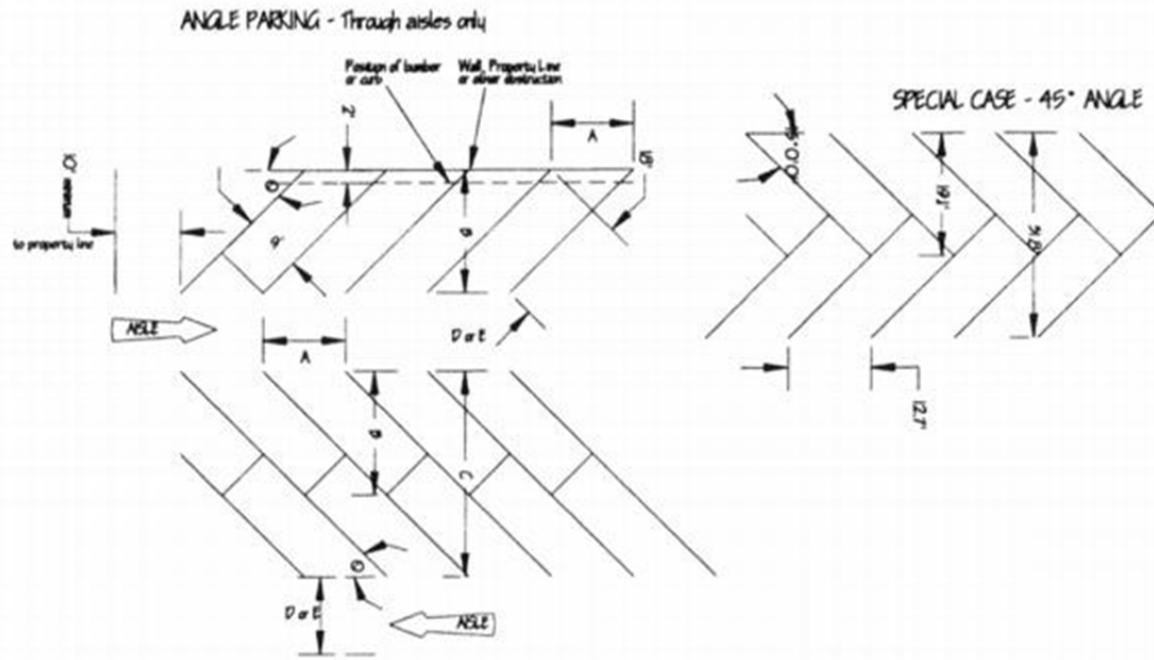


Table of Dimensions (In Feet)					
Angle - °	Basic Stall		Back to Back	Aisles	
	A	B	C	D (One-Way)	E (Two-Way)
30°	18	16.8	25.8	12	20
38°	14.6	18.2	29.3	12	20
45°	12.7	19.1	31.8	12	20
52°	11.4	19.7	33.9	13	20
55°	11	19.9	34.6	14	20
60°	10.4	20.1	35.7	15	20
70°	9.6	20	36.9	18	20
80°	9.1	19.3	37	20	20

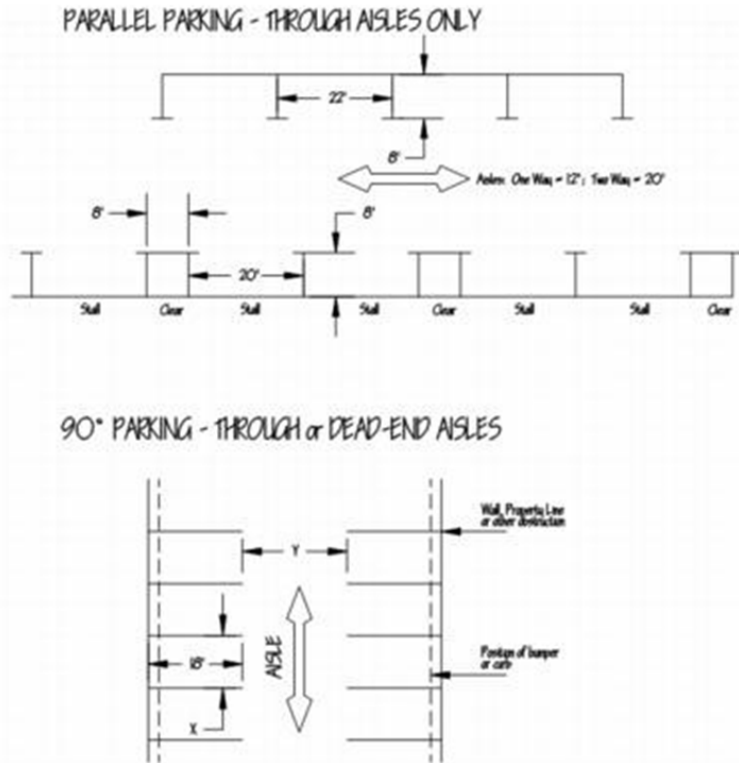


Diagram 2

Notes:

1. Bumpers must be installed where paved areas abut street right-of-way (except at driveways).
2. No stalls shall be such that cars must back over the property line to enter or leave stall.
3. Stalls must be clearly marked and the markings must be maintained in good condition.
4. The sketches show typical situations to illustrate the required standards. For further information or advice, contact the community development department at 537-1210.

Table of Dimensions (In Feet)						
Stall Width with Corresponding Aisle Width						
Stall Width = X	9	9.5	10	10.5	11	12
Aisle Width = Y	24	24	22	22	20	20

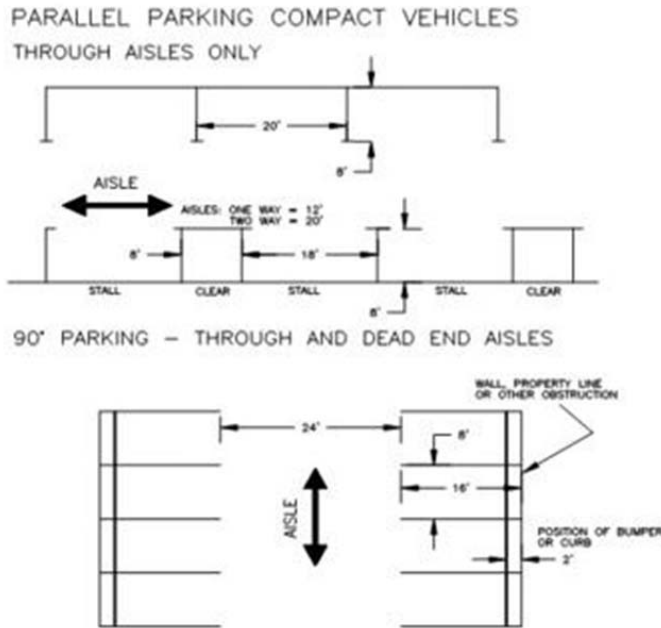


Diagram 3

Notes:

1. Bumpers must be installed where paved areas abut street right-of-way (except at driveways).
2. No stalls shall be such that cars must back over the property line to enter or leave stall.
3. Stalls must be clearly marked and the markings must be maintained in good condition.
4. The sketches show typical situations to illustrate the required standards. For further information or advice, contact the planning department.

[Ord. [2451](#), 12-2-96. Code 2001 § 151.616.]

15.440.080 Off-street loading.

A. Buildings to be built or substantially altered which receive and distribute materials and merchandise by trucks shall provide and maintain off-street loading berths in sufficient number and size to adequately handle the needs of the particular use.

1. The following standards shall be used in establishing the minimum number of berths required:

<u>Gross Floor Area</u> of the <u>Building</u> in Square Feet	No. of Berths
Up to 10,000	1

<u>Gross Floor Area of the Building in Square Feet</u>	No. of Berths
10,000 and over	2

2. A loading berth shall contain a space 10 feet wide and 35 feet long and have a vertical clearance of 14 feet. Where the vehicles generally used for loading and unloading exceed these dimensions, the required length of these berths shall be increased.

3. Additional off-street loading requirements within the C-4 district are described in NMC [15.352.040\(H\)\(7\)](#).

4. Where a facility includes an aircraft hangar, the off-street loading requirement is not required since loading may occur through the hangar doors.

B. The following provisions shall apply to off-street loading facilities:

1. The provision and maintenance of off-street loading space is a continuing obligation of the property owner. No building permit shall be issued until plans are presented that show property that is and will remain available for exclusive use as off-street loading space. The subsequent use of property for which the building permit is issued shall be conditional upon the unqualified continuance and availability of the amount of loading space required by this code. Should the owner or occupant of any building change the use to which the building is put, thereby increasing off-street loading requirements, it shall be unlawful and a violation of this code to begin or maintain such altered use until such time as the increased off-street loading requirements are met.

2. Owners of two or more buildings may agree to utilize jointly the same loading spaces when the hours of operation do not overlap; provided, that satisfactory legal evidence is presented to the city attorney in the form of deeds, leases or contracts to establish the joint use.

3. A plan drawn to scale, indicating how the off-street loading requirements are to be fulfilled, shall accompany an application for a building permit.

4. Design Requirements for Loading Areas.

a. Areas used for standing and maneuvering of vehicles shall have durable and dustless surfaces of asphaltic concrete or portland cement concrete, maintained adequately for all-weather use and so drained as to avoid flow of water across the sidewalks.

b. Loading areas adjacent to residential zones designed to minimize disturbance of residents.

- c. Artificial lighting which may be provided shall be so deflected as not to shine or create glare in any residential zone or on any adjacent dwelling.
- d. Access aisles shall be of sufficient width for all vehicular turning and maneuvering.
- e. Vision clearance standards as identified in NMC [15.410.060](#) shall apply. [Ord. [2647](#), 6-5-06; Ord. [2564](#), 4-15-02; Ord. [2451](#), 12-2-96. Code 2001 § 151.617.]

Penalty: See NMC [15.05.120](#).

Article II. Bicycle Parking

15.440.090 Purpose.

Cycling is a healthy activity for travel and recreation. In addition, by maximizing bicycle travel, the community can reduce negative effects of automobile travel, such as congestion and pollution. To maximize bicycle travel, developments must provide effective support facilities. At a minimum, developments need to provide a secure place for employees, customers, and residents to park their bicycles. [Ord. [2564](#), 4-15-02; Ord. [2518](#), 9-21-99. Code 2001 § 151.625.1.]

15.440.100 Facility requirements.

Bicycle parking facilities shall be provided for the [uses](#) shown in the following table. Fractional space requirements shall be rounded up to the next whole number.

Use	Minimum Number of Bicycle Parking Spaces Required
New multiple dwellings, including additions creating additional dwelling units	One bicycle parking space for every four dwelling units
New commercial, industrial, office, and institutional developments, including additions that total 4,000 square feet or more	One bicycle parking space for every 10,000 square feet of gross floor area. In C-4 districts, two bicycle parking spaces, or one per 5,000 square feet of building area, must be provided, whichever is greater

Use	Minimum Number of Bicycle Parking Spaces Required
Transit transfer stations and park and ride lots	One bicycle parking space for every 20 vehicle parking spaces
Parks	Two bicycle parking spaces within 50 feet of each developed play-ground, ball field, or shelter

[Ord. [2564](#), 4-15-02; Ord. [2518](#), 9-21-99. Code 2001 § 151.625.2.]

15.440.110 Design.

A. Bicycle parking facilities shall consist of one or more of the following:

1. A firmly secured loop, bar, rack, or similar facility that accommodates locking the bicycle frame and both wheels using a cable or U-shaped lock.
2. An enclosed locker.
3. A designated area within the ground floor of a building, garage, or storage area. Such area shall be clearly designated for bicycle parking.
4. Other facility designs approved by the director.

B. All bicycle parking spaces shall be at least six feet long and two and one-half feet wide. Spaces shall not obstruct pedestrian travel.

C. All spaces shall be located within 50 feet of a building entrance of the development.

D. Required bicycle parking facilities may be located in the public right-of-way adjacent to a development subject to approval of the authority responsible for maintenance of that right-of-way. [Ord. [2518](#), 9-21-99. Code 2001 § 151.625.3.]

Article III. [Private Walkways](#)

15.440.120 Purpose.

Sidewalks and private walkways are part of the city’s transportation system. Requiring their construction is part of the city’s plan to encourage multimodal travel and to reduce reliance on the automobile. Considerable funds have and will be expended to install sidewalks along the streets in the city. Yet there is little point to this expense if it is not possible for people to walk from the sidewalk to the developments

employees, customers, and residents to walk from public sidewalks to development entrances, and to walk between buildings on larger sites. [Ord. [2619](#), 5-16-05; Ord. [2513](#), 8-2-99. Code 2001 § 151.620.1.]

15.440.130 Where required.

Private walkways shall be constructed as part of any development requiring Type II design review, including mobile home parks. In addition, they may be required as part of conditional use permits or planned unit developments. In the airport industrial (AI) district and residential (AR) district, on-site walks are not required in aircraft operations areas, such as parking aprons, taxiways, and runways. [Ord. [2647](#), 6-5-06; Ord. [2619](#), 5-16-05; Ord. [2513](#), 8-2-99. Code 2001 § 151.620.2.]

15.440.140 Private walkway design.

A. All required private walkways shall meet the applicable building code and Americans with Disabilities Act requirements.

B. Required private walkways shall be a minimum of four feet wide.

C. Required private walkways shall be constructed of portland cement concrete or brick.

D. Crosswalks crossing service drives shall, at a minimum, be painted on the asphalt or clearly marked with contrasting paving materials or humps/raised crossings. If painted striping is used, it should consist of thermoplastic striping or similar type of durable application.

E. At a minimum, required private walkways shall connect each main pedestrian building entrance to each abutting public street and to each other.

F. The review body may require on-site walks to connect to development on adjoining sites.

G. The review body may modify these requirements where, in its opinion, the development provides adequate on-site pedestrian circulation, or where lot dimensions, existing building layout, or topography preclude compliance with these standards. [Ord. [2619](#), 5-16-05; Ord. [2513](#), 8-2-99. Code 2001 § 151.620.3.]

OREGON TRANSPORTATION COMMISSION
Standards for Accessible Parking Places
May 2012

In accordance with Oregon Revised Statute (ORS) 447.233, the Oregon Transportation Commission (OTC) adopted standards for accessible person parking places, which took effect on January 22, 1992. All new construction or re-stripping of accessible parking spaces and access aisles is required to meet new minimum standards.

The layouts, signing, and pavement marking standards for accessible parking places presented in this document have been adapted from and shall comply with the listed "referenced standards" shown on page 5. Further information and requirements for accessible design can be found in the "referenced standards".

OREGON TRANSPORTATION COMMISSION
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Parking Lot Layout

An accessible parking space shall be at least 9' wide with an adjacent access aisle at least 6' wide. The access aisle shall be at least 8' wide for an accessible parking space designated as "van-accessible" or reserved for wheelchair users only. Example layouts are shown in Figures 1 through 5.

The access aisle must be located on the passenger side of the parking space (Figure 1) except that two adjacent accessible parking spaces may share a common access aisle (Figures 2, 3, and 5).

Refer to Chapter 11 of the 2010 Oregon Structural Specialty Code to calculate the required number of accessible parking spaces and for other requirements.

Pavement Markings

Details of pavement markings are shown in Figures 1 and 2. Each accessible parking space shall have a pavement marking stencil as shown in Figure 6. Pavement markings and stencils are required to be white and should be retroreflective. The use of blue curb and blue background on pavement marking stencils is optional.

The symbol for the pavement marking stencil is the international symbol of access as shown in the Standard Highway Signs book published by the Federal Highway Administration (FHWA).

Pavement marking stencil is available in two different sizes:

- Minimum - Used for facilities not on the state highway right-of-way.
- Standard – Used for facilities on the state highway right-of-way.

Sign Design

Each accessible parking space shall have the appropriate sign(s) as required below. All signs are required to be retroreflective.

There are three different signs that are used for accessible parking spaces:

- Sign No. R7-8¹ (Figure 7) - This is the standard sign used to designate accessible parking spaces. All accessible parking spaces shall have this sign. The symbol for this sign is the international symbol of access as shown in the Standard Highway Signs book published by the FHWA.

¹ Sign No. OR7-8 may be used instead of R7-8 until March 1, 2013.

OREGON TRANSPORTATION COMMISSION
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- Sign No. R7-8P² (Figure 8) - The “VAN ACCESSIBLE” sign is used with R7-8 sign to designate those accessible parking spaces that have a minimum 8’ wide access aisle. Any vehicle with a DMV disabled permit can use van-accessible spaces.
- Sign No. OR7-8c³ (Figure 9) - The “WHEELCHAIR USER ONLY” sign is used with R7-8 and R7-8P signs to designate those accessible parking spaces that have a minimum 8’ wide access aisle and are reserved for wheelchair users only. Only those vehicles with a DMV disabled permit displaying a “Wheelchair User” placard or decal can use these parking spaces.

Sign Mounting

Post-mounted signs shall be installed with a vertical clearance of 7’ (± 3 ”) between the bottom of the sign to the ground line. If more than one sign is required for an accessible parking space, all signs shall be mounted on a single post. When signs are mounted on buildings or piers, a vertical clearance of 5’ minimum shall be maintained between the bottom of the sign and the floor of the parking space. The sign(s) shall be laterally placed within the accessible parking space as shown in Figures 1 and 2.

Posts and hardware used to mount signs on the state highway right-of-way shall be according to ODOT standard drawings and standard specifications for construction. Posts and hardware used to mount signs on public right-of-way other than state highways may have different requirements. Posts and hardware used to mount signs on private right-of-way are at the discretion of the owner. It is advisable to contact an engineer for an analysis of post and mounting hardware if in doubt.

Other Considerations

On state highway right-of-way, requests for work must be submitted through the appropriate ODOT District Office. All work must meet the applicable ODOT standards and specifications.

On public or private right-of-way other than on the state highway, requests for work must be submitted through the appropriate local jurisdiction. This may include the Public Works Department, the Local Building Department and/or the Building Codes Division. All work must meet the applicable local agency and/or Building Codes Division standards and specifications

² Sign No. R7-8B shall be used instead of R7-8P if OR7-8 is used.

³ Sign No. OR7-8c with blue background shall be used instead of white background if OR7-8 is used.

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Referenced Standards

- 1) Oregon Revised Statute (ORS) 447.233: <http://www.leg.state.or.us/ors/447.html>
- 2) Oregon Structural Specialty Code, Chapter 11 – Accessibility :
http://ecodes.biz/ecodes_support/free_resources/Oregon/10_Structural/10_ORStructural_main.html
- 3) 2010 ADA Standards for Accessible Design:
http://www.ada.gov/2010ADASTandards_index.htm
- 4) FHWA Standard Highway Signs (SHS): http://mutcd.fhwa.dot.gov/ser-shs_millennium.htm
- 5) Manual on Uniform Traffic Control Devices (MUTCD): <http://mutcd.fhwa.dot.gov/>
- 6) ODOT Standard Drawings:
http://www.oregon.gov/ODOT/HWY/ENGSERVICES/standard_drawings_home.shtml
- 7) ODOT Standard Specifications:
<http://www.oregon.gov/ODOT/HWY/SPECS/index.shtml>
- 8) ODOT Sign Policy and Guidelines:
http://www.oregon.gov/ODOT/HWY/TRAFFIC-ROADWAY/sign_policy.shtml

OREGON TRANSPORTATION COMMISSION
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MINIMUM STANDARD
 SINGLE-ACCESSIBLE PARKING SPACE
 (VAN-ACCESSIBLE DESIGNATION REQUIRED)

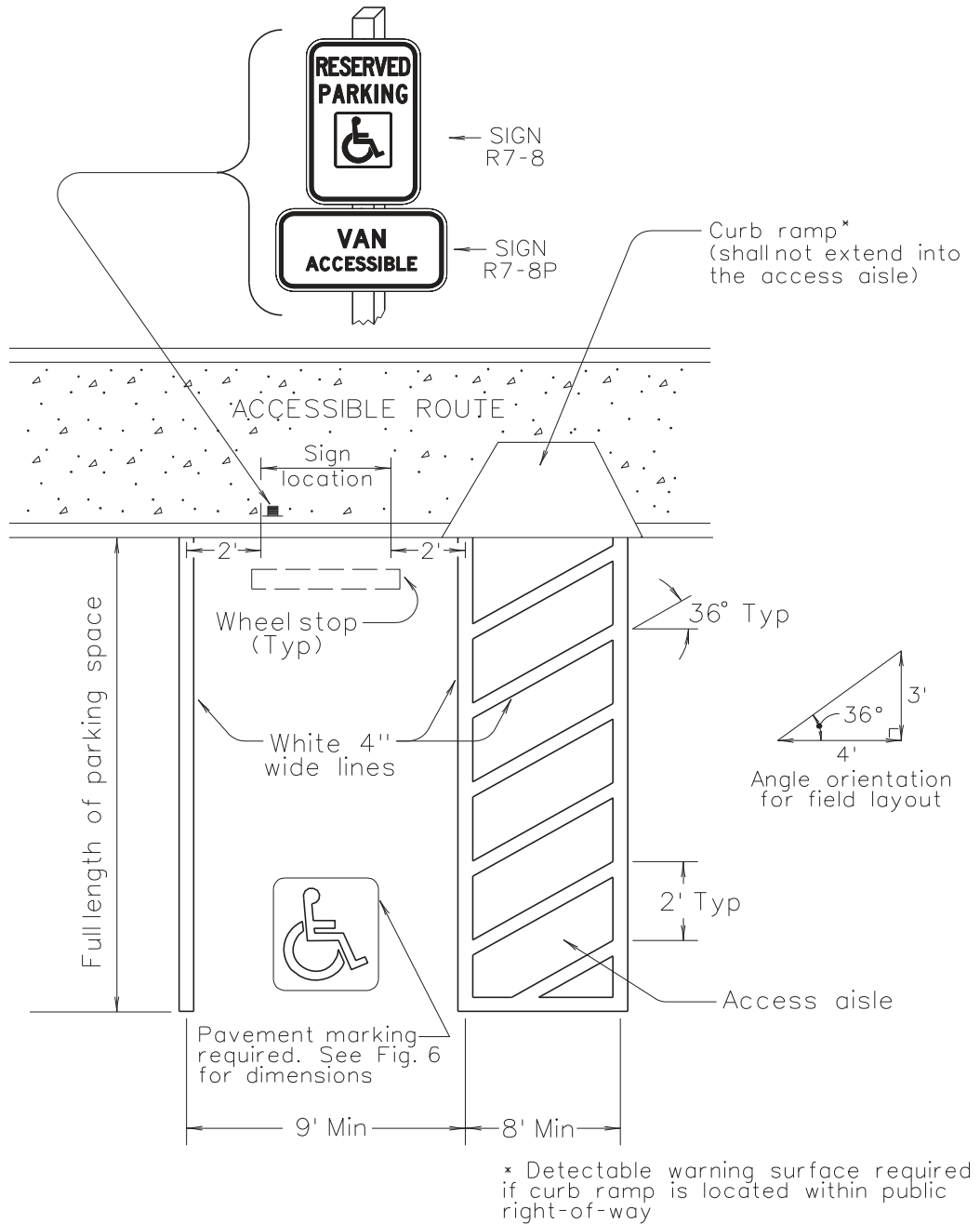


Figure 1

OREGON TRANSPORTATION COMMISSION
Standards for Accessible Parking Places
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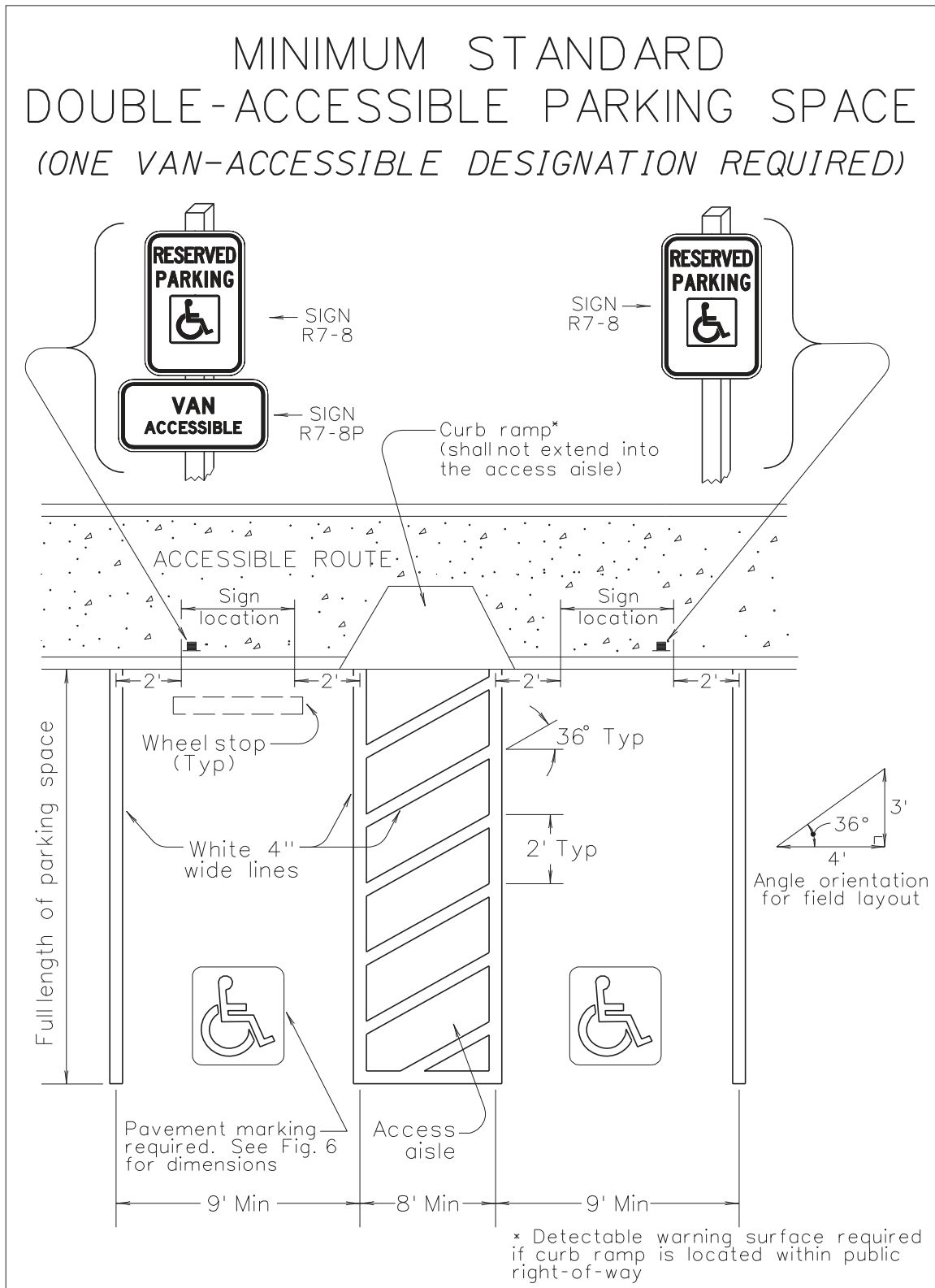


Figure 2

OREGON TRANSPORTATION COMMISSION
Standards for Accessible Parking Places
May 2012

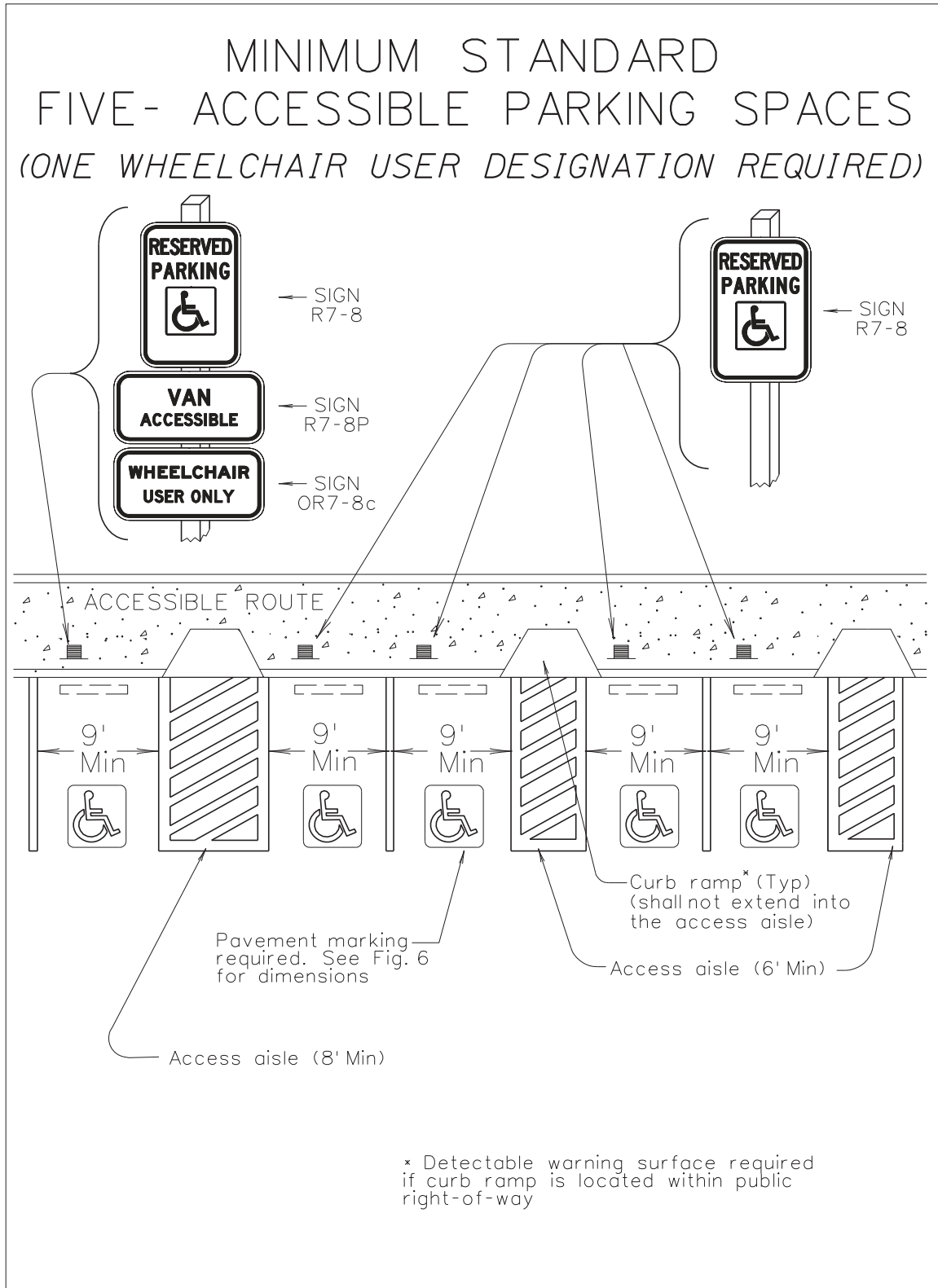


Figure 3

OREGON TRANSPORTATION COMMISSION
Standards for Accessible Parking Places
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PARALLEL-ACCESSIBLE PARKING LAYOUT

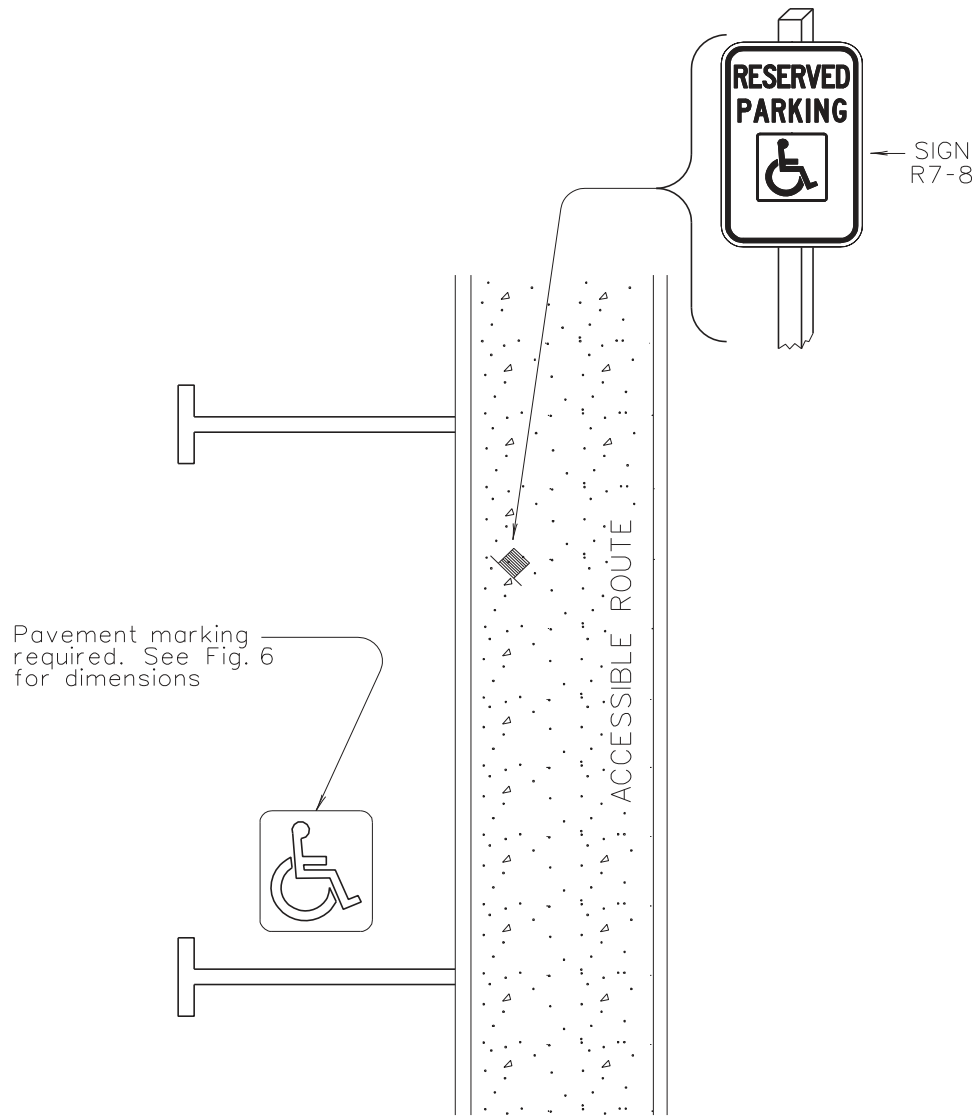


Figure 4

OREGON TRANSPORTATION COMMISSION
Standards for Accessible Parking Places
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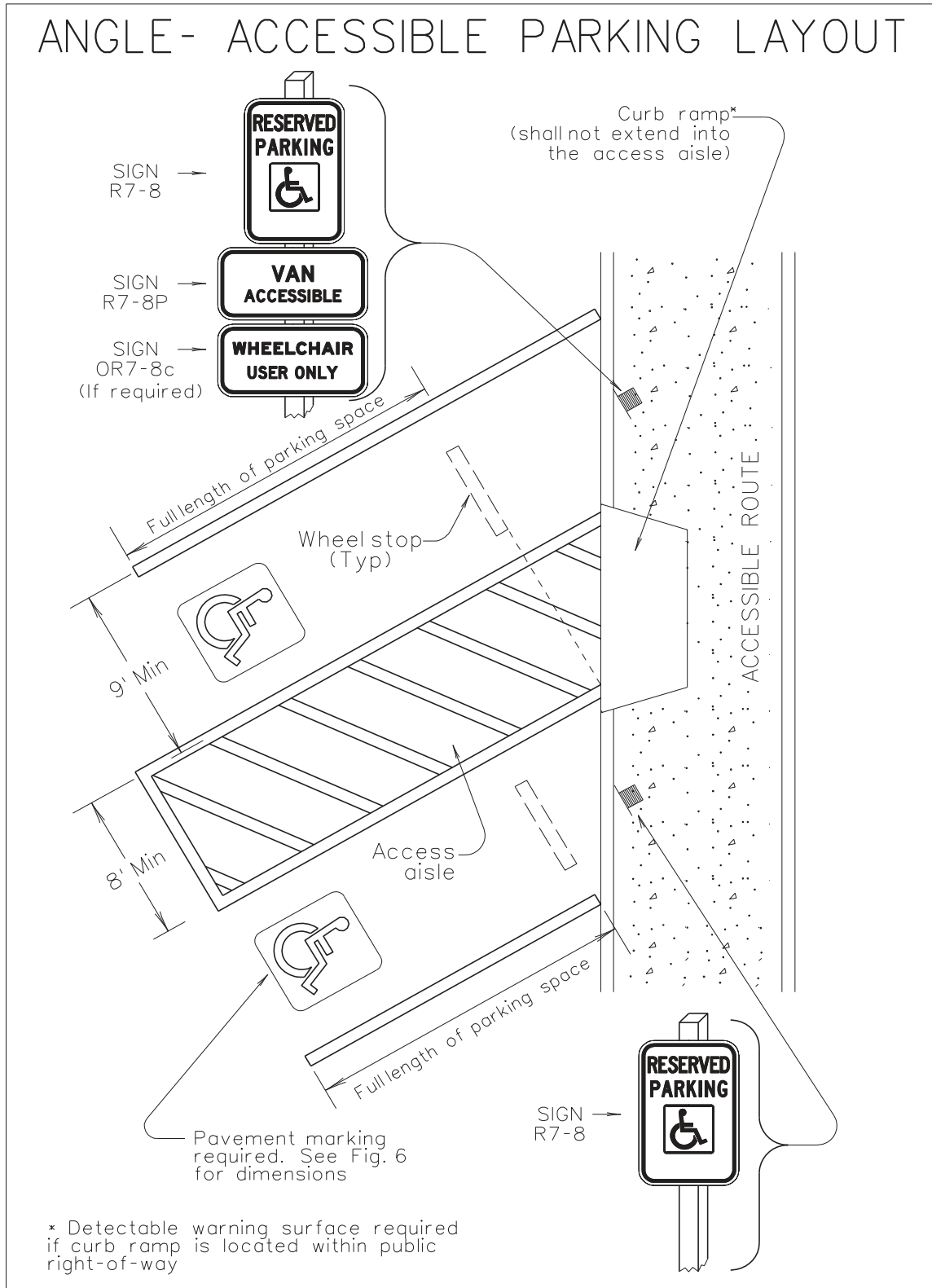
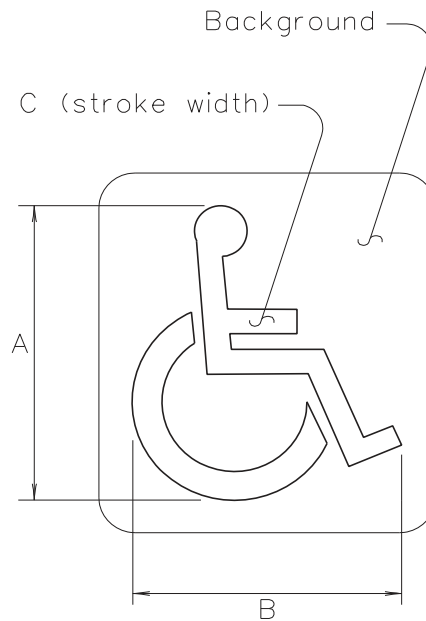


Figure 5

OREGON TRANSPORTATION COMMISSION
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PAVEMENT MARKING STENCIL



Pavement Marking Background: Optional: Blue, Retroreflective

Pavement Marking Stencil: White, Retroreflective

LEGEND	DIMENSIONS (INCHES)						
	A	B	C	D	E	F	G
MINIMUM	28	24	3				
STANDARD	41	36	4				

The pavement marking stencil shall be used to designate an accessible parking area reserved for vehicles with DMV permits.

Figure 6

OREGON TRANSPORTATION COMMISSION
Standards for Accessible Parking Places
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SIGN DESIGN
 SIGN NO. R7-8



Sign Background: White, Retroreflective sheeting

Sign Legend: Green, Retroreflective sheeting

Sign Symbol: White on Blue, Retroreflective sheeting

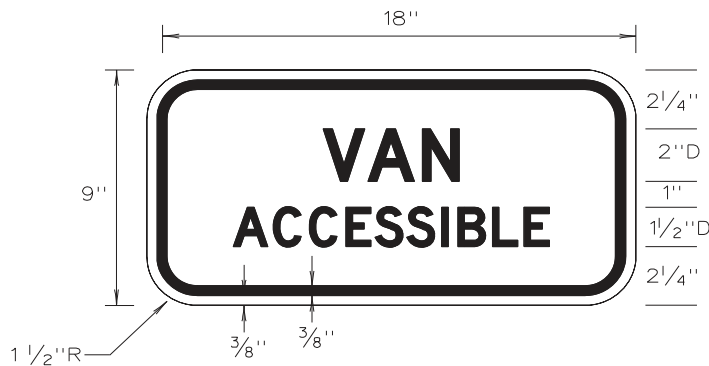
Refer to Standard Highway Signs book for details.

The Disabled Person parking sign is used to designate a parking area reserved for vehicles with DMV permit as stated.

Figure 7

OREGON TRANSPORTATION COMMISSION
Standards for Accessible Parking Places
May 2012

SIGN DESIGN
SIGN NO. R7-8P



Sign Background: White, Retroreflective sheeting

Sign Legend: Green, Retroreflective sheeting

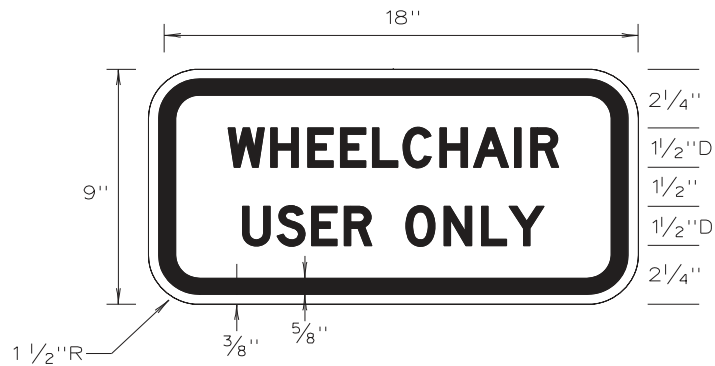
Refer to Standard Highway Signs book for details.

The VAN-ACCESSIBLE sign shall only be used with sign R7-8 to designate the parking spaces that have an access aisle 8 ft or wider

Figure 8

OREGON TRANSPORTATION COMMISSION
Standards for Accessible Parking Places
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SIGN DESIGN
SIGN NO. OR7-8c



Sign Background: White, Retroreflective sheeting

Sign Legend: Green, Retroreflective sheeting

Refer to ODOT Sign Policy and Guidelines for details.

The WHEELCHAIR USER ONLY sign shall only be used with the Disabled Person Parking Sign (R7-8) and the VAN ACCESSIBLE sign (R7-8P) to designate the wheelchair user only spaces as defined in ORS 447.233.

Figure 9

OREGON TRANSPORTATION COMMISSION

Standards for Accessible Parking Places

May 2012

Sign Suppliers

Contact Name	Organization	Address	City	State	Zip	Phone	Fax	Web Site	E-mail
David or Peter Fick	Allstate Sign & Plaque Corp	70 Burt Dr.	Deer Park	NY	11729	631-242-2828	631-242-2433	www.allstatesign.com	david.fick@allstatesign.com
Blaine Wilson	All-Ways Striping	3330 Bellinger Lane	Medford	OR	97501	541-779-9200	541-690-1205	www.all-waysstriping.com	all-ways@charter.net
Naomi Kerr	American Barricade Co.	60 Grimes Street	Eugene	OR	97402	541-343-0143	541-343-2923	www.barricade.com	carls@gmail.com
Carl Savage	American Barricade Co.	173 NE Columbia Blvd.	Portland	OR	97211	503-285-6616	503-285-1827	www.barricade.com	
Jon Krausch	American Barricade Co.	2910 Pringle Rd. SE	Salem	OR	97302	503-378-0020	503-378-1809	www.barricade.com	
Andy Sisavic	Beaverton Fast Signs	11870 SW Beaverton	Beaverton	OR	97005	503-526-0216	503-643-0471	www.fastsigns/46.com	andy.sisavic@fastsigns.com
Mike Moe	Budget Instant Signs	10572 SE Washington St.	Portland	OR	97216	503-257-7229	503-257-3941	www.budget-instant-signs.com	budgetsigns1@hotmail.com
Judy Hughes	Canter of Medford	3987 Crater Lake Highway	Medford	OR	97504	541-773-2765	541-776-9060	www.canterofmedford.com	ludy@cantelofmedford.com
Peter Carlson	Carlson Sign Company	1605 NE Forbes Rd	Bend	OR	97701	541-382-2182	541-382-2196	www.carlsonsign.com	pcarlson@carlsonsign.com
Kim McLean	Eastern Metal (USA Sign)	1430 Sullivan St	Elmira	NY	14901	800-872-7446	607-734-8783	www.usa-sign.com	kmclean@usa-sign.com
Gary or Peggy Olistad	Eugene Speedy Sign	459 River Ave	Eugene	OR	97404	541-461-7276	541-463-1234	www.eugenespeedy.com	speedyign@westoffice.net
Steve Brembeck	Fast Signs - Tigard	11525 SW Pacific Highway	Tigard	OR	97223	503-244-8813	503-244-7753	www.fastsigns.com/314	314@fastsigns.com
Kim Snook/Buck Johnson	4S Sign LLC	30285 Highway 34	Albany	OR	97321	541-928-5858	541-928-9068	www.4ssign.com	bjohnson@fressign.com
Rhonda Pemberton	Hall Signs Inc.	PO Box 515	Bloomington	IN	47402	800-284-7446	812-332-9816	www.hallsigns.com	kristine@hallsigns.com
Kristina Ferguson	Lyle Signs, Inc	6294 Bury Drive	Eden Prairie	MN	55346	877-895-8816x11	952-934-0406	www.lylesigns.com	rhondaferguson@lylesigns.com
Tony McGovern	Martin Bros. Inc.	3165 Commercial Street SE	Salem	OR	97302	503-364-2211	503-364-4315	www.martin-bros.com	mary@martin-bros.com
Greg Andrews	McGovern Parking Lot Maintenance	PO Box 1107	Lebanon	OR	97355	541-990-5837	541-258-1692	www.mcgovernparking.com	mcpvmain@maintenace@yahoo.com
Tom Loun	Sign Pro	1048 SE Baseline	Hillsboro	OR	97123	503-693-7300	503-693-6724	www.signpro.com	atl@signpro.com
Tom Loun	Traffic Safety Supply Co Inc	2324 SE Umatilla Street	Portland	OR	97202	503-235-8631	503-235-5112	www.tssco.com	tloun@tssco.com
Tim Corkins	Zap Manufacturing	12086 Charles Dr	Grass Valley	CA	95945	800-824-5927	530-477-0751	www.zapmfg.com	sales@zapmfg.com
Jeff LaSource	Zumar Industries Inc.	PO Box 44549	Tacoma	WA	98444	800-426-7967	253-536-8680	www.zumar.com	JeffL@zumar.com

Pavement Marking Stencil Sources

Contact Name	Organization	Address	City	State	Zip	Phone	Fax	Web Site	E-mail
Kim Snook/Buck Johnson	4S Sign LLC	30285 Highway 34	Albany	OR	97321	541-928-5858	541-928-9068	www.4ssign.com	bjohnson@fressign.com
Kristina Ferguson	Hall Signs Inc.	PO Box 515	Bloomington	IN	47402	800-284-7446	812-332-9816	www.hallsigns.com	kristine@hallsigns.com
Customer Service	Lab Safety Supply	PO Box 1368	Janesville	WI	53547	800-366-7783	800-543-9910	www.labsafety.com	custsv@labsafety.com
Tom Loun	Traffic Safety Supply Co Inc	2324 SE Umatilla Street	Portland	OR	97202	503-235-8631	503-235-5112	www.tssco.com	tloun@tssco.com
Jeff LaSource	Zumar Industries Inc.	PO Box 44549	Tacoma	WA	98444	800-426-7967	253-536-8680	www.zumar.com	JeffL@zumar.com

Striping Contractors

Contact Name	Organization	Address	City	State	Zip	Phone	Fax	Web Site	E-mail
Jeff Nohleby	A-1 Straight Line Striping (formerly known as Straight Line Striping)	1745 Barnes Ave SE	Salem	OR	97306	503-364-0652	503-391-1140		jlnuck000@aol.com
Mike Lewis	AAA Striping	2646 Lone Pine Road	Medford	OR	97504	541-840-4875	541-779-2868		mikelewis2@charter.net
Heather Zahra	Accurate Striping, Inc	PO Box 2617	Battleground	WA	98604	360-687-9469	360-687-9469	www.accuracystripinginc.com	lonsitpa@aol.com
John Miltenberger	All-N-One Asphalt Maintenance Inc.	504 Maplewood Dr.	St. Helens	OR	97051	503-397-4257	503-397-3423		sweeping@colcenter.org
Blaine Wilson	Arrow Striping & Painting, Inc	3330 Bellinger Lane	Medford	OR	97501	541-779-9200	541-690-1205	www.all-waysstriping.com	all-ways@charter.net
Carol Ferguson	C & R Striping Co.	PO Box 33257	Portland	OR	97243	503-257-7895	503-257-2471	www.arrowstriping.us	dennis.woods@hotmail.com
Dustin Moist	Canal Sweeping & Striping	PO Box 154	Glide	OR	97443	541-673-5007	541-496-0220		dfrengle@centurytel.net
Ryan Olson	Coast Pavement Services	1709 NW Eleven Mile Ave	Gresham	OR	97030	503-661-4337	503-661-4401	www.canalsweeping.com	info@canalsweeping.com
Nathan W.	DMO Striping LLC	10505 SW Tigard St.	Tigard	OR	97223	503-227-4515	503-639-9405	www.coastpavementservices.com	ryano@coastpavementservices.com
Joseph Crafts	Harvey's Parking Lot Services	1200 Meadowlark Pl.	Molalla	OR	97038	503-600-0057	n/a	www.dmostriping.com	dmostriping@yahoo.com
Ron Hicks	Hicks Striping & Curbing, Inc	6370 North B Street	Springfield	OR	97478	541-741-2542	541-741-0600		hicks@hicksstriping.com
Tony McGovern	McGovern Parking Lot Maintenance	PO Box 9127	Brooks	OR	97305	503-364-4577	503-364-4596	www.hicksstriping.com	mcpvmain@maintenace@yahoo.com
Kerry Fuller/Jim Pate	Pavement Protectors	PO Box 7197	Bend	OR	97708	541-389-6444	541-389-9302	www.pavepro.net	pavepro@yahoo.com
Darlene Dettler	Star Striping Company	1010 SE 139th	Portland	OR	97233	503-252-0448	503-252-0448		
Russell Duskay	Stripe-Rite Company	3827 E. Main Street	Hillsboro	OR	97123	503-648-7875	503-648-7875	www.ware-ever.com	dennis@ware-ever.com
Dennis Ware	Ware-Ever Striping	13493 SW 75th Place	Tigard	OR	97223	503-620-2225	503-620-8464	www.ware-ever.com	dennis@ware-ever.com
James Lowrey	Vanguard Striping LLC	E. 17th Circle	LaCenter	WA	98629	360-798-9021	866334-4543	www.vanguardstriping.com	james@vanguardstriping.com

Last Updated: February-12



Community Development Department

P.O. Box 970 ▪ 414 E First Street ▪ Newberg, Oregon 97132
503-537-1240 ▪ Fax 503-537-1272 ▪ www.newbergoregon.gov

NOTICE OF DECISION

GFU Health Occupations Parking Determination
MISC119-0003

May 7, 2019

Mimi Doukas
AKS Engineering & Forestry, LLC
12965 SW Herman Rd., Suite 100
Tualatin, OR 97062

Re: George Fox University (GFU) Health Occupations Building – Parking Determination
Case File No. MISC119-0003

Dear Ms. Doukas,

The Community Development Director has approved the Miscellaneous case (MISC1189-0003) for the GFU Health Occupations Building Parking Determination. The decision will become effective on May 21, 2019 unless an appeal is filed.

You may appeal this decision to the Newberg Planning Commission within 14 calendar days of this decision in accordance with Newberg Development Code 15.100.170. All appeals must be in writing on a form provided by the Planning Division. If you wish to appeal, you must submit the written appeal form together with the required fee of \$528.15 to the Planning Division within 14 days of the date of this decision.

The deadline for filing an appeal is 4:30 pm on May 20, 2019.

If you have any questions, please contact me at 503-554-7744 or cheryl.caines@newbergoregon.gov.

Sincerely,

A handwritten signature in blue ink that reads "Cheryl A. Caines".

Cheryl Caines, Senior Planner

STAFF REPORT
879 N Providence Dr. – GFU Health Occupations
Parking Determination

FILE NO: MISC119-0003

REQUEST: Parking determination for a proposed George Fox University Graduate Health Occupations building

LOCATION: 879 N Providence Drive

TAX LOT: 3216-02022

APPLICANT: AKS Engineering & Forestry, LLC

OWNER: Werth Family, LLC

ZONE: R-P/SP (Residential Professional/Specific Plan Subdistrict)

SPECIFIC PLAN: Springbrook Oaks

FINDINGS

NMC 15.440.040 Parking requirements for uses not specified.

The parking space requirements for buildings and uses not set forth herein shall be determined by the director through a Type I procedure. Such determination shall be based upon the requirements for the most comparable building or use specified herein.

Finding: The applicant is requesting a parking determination for a new, Graduate Health Occupations (HO) building to be constructed at 879 N Providence Drive. This request is intended to inform the design of a forthcoming application for the building. It is anticipated that the building will be used for teaching and office space. The use is defined as College by the Zoning Use Table (NMC 15.305.020).

This building will be located off the main George Fox University (GFU) campus, which is approximately 1.3 miles away. GFU is a private university with dormitories on the main campus. Parking will be provided on-site for the new HO building. In addition, there will be two alternate means of transit between the main campus and the Health Occupations Building. Yamhill County Transit Area (YCTA) Route 7 runs directly by the new building and the main campus. GFU also plans to operate a shuttle between the building and campus for students in the Graduate Health Occupations program. These options are expected to lessen the demand for parking on-site.

Minimum parking space requirements are determined by use as outlined in NMC 15.440.030. GFU is considered a resident type college use. A satellite campus is not explicitly listed as a use in NMC 15.440.030. The other types of college uses listed include commuter type and commercial or business colleges, which do not provide on-campus housing. Because the new Health Occupations Building will be an extension of GFU's main campus and the nature of the university, it is determined that the required minimum parking for the Health Occupations Building is based on a resident type college use.

Contents: Attachment 1: Application Materials



TYPE I APPLICATION -- 2019 (ADMINISTRATIVE REVIEW)

File #: MISC 119-0003

TYPES – PLEASE CHECK ONE:

- Code Adjustment
- Final Plat
- Minor Design Review
- Property Line Adjustment

- Property Line Consolidation
- Type I Extension or Type I Minor/Major Modification
- Type II or Type III Extension or Minor Modification
- Other: (Explain) Parking Determination

APPLICANT INFORMATION:

APPLICANT: Mimi Doukas
 ADDRESS: 12965 SW Herman Road, Suite 100; Tualatin, OR 97062
 EMAIL ADDRESS: MimiD@aks-eng.com
 PHONE: 503-563-6151, ext. 216 MOBILE: _____ FAX: _____
 OWNER (if different from above): Werth Family LLC PHONE: 503-538-5157
 ADDRESS: 33180 NE Haugen Road, Newberg, OR 97132
 ENGINEER/SURVEYOR: AKS Engineering & Forestry LLC, Attn: Mimi Doukas PHONE: 503-563-6151, ext. 216
 ADDRESS: 12965 SW Herman Road, Suite 100; Tualatin, OR 97062

GENERAL INFORMATION:

PROJECT NAME: Oak Meadows II - Lot 5 PROJECT LOCATION: Graduate Health Occupations building for GFU
 PROJECT DESCRIPTION/USE: Parking Determination for a Graduate Health Occupations building and parking lot for George Fox University PROJECT VALUATION: _____
 MAP/TAX LOT NO. (i.e. 3200AB-400): 3S 2W 16-2022 and 3S 2W 21-6503 ZONE: R-P/SP SITE SIZE: 1.533 SQ. FT. ACRE
 COMP PLAN DESIGNATION: MIX/SP TOPOGRAPHY: Relatively level, sloping north to south
 CURRENT USE: Undeveloped
 SURROUNDING USES:
 NORTH: Independent Living SOUTH: Joint Use Parking Area
 EAST: Undeveloped/Golf Course WEST: Independent Living

SPECIFIC PROJECT CRITERIA AND REQUIREMENTS ARE ATTACHED

General Checklist: Fees Current Title Report Written Criteria Response Owner Signature

For detailed checklists, applicable criteria for the written criteria response, and number of copies per application type, turn to:

Code Adjustment	p. 4
Final Plat	p. 6
Minor Design Review	p. 10
Property Line Consolidation.....	p. 11
Property Line Adjustment.....	p. 12

The above statements and information herein contained are in all respects true, complete, and correct to the best of my knowledge and belief. Tentative plans must substantially conform to all standards, regulations, and procedures officially adopted by the City of Newberg. All owners must sign the application or submit letters of consent. Incomplete or missing information may delay the approval process.

Mimi Doukas 3/18/19
 Applicant Signature Date
 Mimi Doukas
 Print Name

Mike Gougler 3/11/19
 Owner Signature Date
 MIKE GOUGLER
 Print Name

Attachments: General Information, Fee Schedule, Criteria, Checklists

RECEIVED

MAR 18 2019

Initial: _____

CK # 4414
#178.50



Submittal Transmittal

AKS Engineering & Forestry LLC | 12965 SW Herman Rd. Suite 100 Tualatin, OR 97062

FROM: Mimi Doukas
 AKS Engineering & Forestry LLC
 12965 SW Herman Rd.
 Suite 100
 Tualatin, OR 97062
 MimiD@aks-eng.com
 503-563-6151

TO: -
 City of Newberg
 414 East First Street
 Newberg, OR 97132
 503-537-1286

PROJECT: GFU Graduate Health Occupations Building 5016 DATE SENT: 3/18/2019

SUBJECT: City of Newberg Parking Determination Submittal 1 ID: 00016

PURPOSE: For Review and Comment VIA: Delivered by AKS Engineering

CONTENTS

QTY:	DATED	DESCRIPTION:	ACTION:
2	3/11/2019	Parking Narrative	
1	3/18/2019	City of Newberg Type 1 Application - Signed	
2	2/26/2019	Title Report	
1	3/11/2019	Check(#4414)\$178.50 for Fee	

RECEIVED

MAR 18 2019

Initial: _____

March 11, 2019



City of Newberg
Planning Division
414 E First Street
Newberg, OR 97132

RE: 5016 George Fox University Parking Determination

This Type I Permit Application is a request for a Parking Determination for the proposed George Fox University (GFU) Graduate Health Occupations building located at the intersection of Providence Drive and Werth Boulevard; Yamhill County Assessor's Map 3S 2W 16, Tax Lot 2022. The property is located in the R-P/SP (Residential-Professional with the Specific Plan Subdistrict overlay for the Springbrook Oaks Specific Plan). The Comprehensive Plan designation is MIX/SP (Mixed Use Specific Plan).

Per Newberg Municipal Code (NMC) Section 15.440.040, the parking space requirements for uses not listed in 15.440.030 are determined by the Planning Department through a Type I procedure based upon the requirement for the most comparable listed use. Per the pre-application meeting for GFU Graduate Health Occupations Building on January 7, 2019, the closest use is "College—resident type," which would require 1 parking space for every 3 students. With a maximum of 200 students using this building, the minimum required parking would be 67 parking spaces. See NMC Section 15.440.030 below.

In addition to the onsite parking that will be provided, there are two alternate means of transit from the main campus and college residences to the new Graduate Health Occupations Building. The Yamhill County Transit Area (YCTA) Route 7 runs directly by the new GFU Graduate Health Occupations Building and directly by the GFU Main Campus. As well, GFU plans to operate a shuttle between the main campus and the Graduate Health Occupations Building specifically for students in the program. Both options will help lessen the demand for onsite parking spaces.

Below is a written response to the applicable criteria of the City of Newberg Municipal Code.

Chapter 15.305 ZONING USE TABLE

15.305.010 Classification of uses.

The zoning use table under NMC 15.305.020 identifies the land uses that are allowed in the various zoning districts. The specific land use categories are described in Chapter 15.303 NMC. The table identifies each use as one of the following:

- P** Permitted Use. The use is a permitted use within the zone. Note that the use still may require design review, building permits, or other approval in order to operate.
- C** Conditional Use. A conditional use permit is required for the use. See Chapter 15.225 NMC.
- S** Special Use. The use is subject to specific standards as identified within this code. The applicable section is included in the last column of the table.
- (#)** A note indicates specific limits on the use. These notes are listed at the bottom of the table.
- X** Prohibited Use. The use is specifically prohibited.

15.305.020 Zoning use table – Use districts.

Newberg Development Code – Zoning Use Table			
#	Use	RP	Notes and Special Use Standards
331	College	P	

Response: This parking determination is intended to inform the design of a forthcoming application for a new Graduate Health Occupations Building for GFU. It is anticipated that the building program will include teaching and office spaces. Such use is classified as College and is permitted in the R-P district.

Chapter 15.440 OFF-STREET PARKING, BICYCLE PARKING, AND PRIVATE WALKWAYS

Article I. Off-Street Parking Requirements

15.440.010 Required off-street parking.

- A. Off-street parking shall be provided on the development site for all R-1, C-1, M-1, M-2 and M-3 zones. In all other zones, the required parking shall be on the development site or within 400 feet of the development site which the parking is required to serve. All required parking must be under the same ownership as the development site served except through special covenant agreements as approved by the city attorney, which bind the parking to the development site.

Response: All proposed parking will be located on-site. The criterion can be met.

- B. Off-street parking is not required in the C-3 district, except for.
- C. Within the C-4 district, the minimum number of required off-street parking spaces shall be 50 percent of the number required by NMC 15.440.030, except that no reduction is permitted for residential uses.

Response: The subject property is located in the R-P district. The criteria are not applicable.

- D. All commercial, office, or industrial developments that have more than 20 off-street parking spaces and that have designated employee parking must provide at least one preferential carpool/vanpool parking space. The preferential carpool/vanpool parking space(s) must be located close to a building entrance.

Response: More than 20 off-street parking spaces will be required, however the application is not anticipated to include designated employee parking. The criterion is not applicable.

15.440.030 Parking spaces required.

Parking Spaces Required	
Use	Minimum Parking Spaces Required
Schools	Colleges – “resident” type, 1 for every 3 full-time equivalent students (plus 1/2 of the requirements for accessory buildings, i.e., 1.-E* and 3.-G(1))**

Response: This application is for a for a Graduate Health Occupations building for GFU. GFU’s main campus is a private university with dormitories, located on North Meridian Street, approximately 1 mile away from the proposed Graduate Health Occupations Building. The Graduate Health Occupations Building will be an extension of GFU’s main campus. Given the nature of the university, it was determined that Colleges—“resident” type is the closest use represented in NMC 15.440.030. Therefore, 67 parking spaces will be the required minimum for the 200 students set to utilize the building.

15.440.040

Parking requirements for uses not specified.

The parking space requirements for buildings and uses not set forth herein shall be determined by the director through a Type I procedure. Such determination shall be based upon the requirements for the most comparable building or use specified herein.

Response: A satellite campus is not explicitly listed as a use in the parking table in NMC 15.440.030. Therefore, this application seeks a determination based on the above provided information that the proposed Graduate Health Occupations building for George Fox University meet the requirements of Colleges—"resident" type, with 1 parking space for every 3 students, as listed in the table above.

This written response and accompanying documentation demonstrate that the application is consistent with the applicable provisions and intent of the City of Newberg Development Code. Therefore, the applicant respectfully requests approval for the Parking Determination.

Sincerely,

AKS ENGINEERING & FORESTRY, LLC



Mimi Doukas, AICP

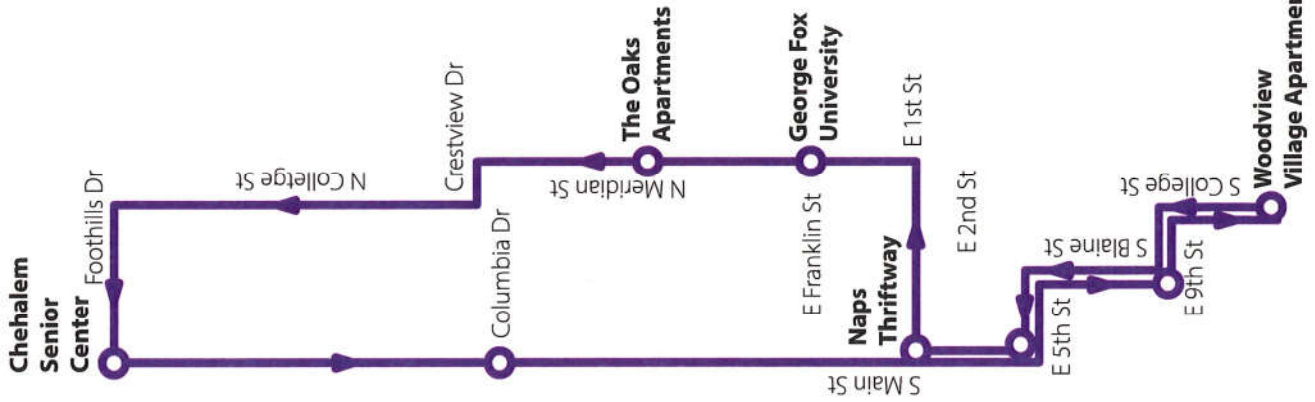
Attachments:

YCTA Route 7 Map and Schedule



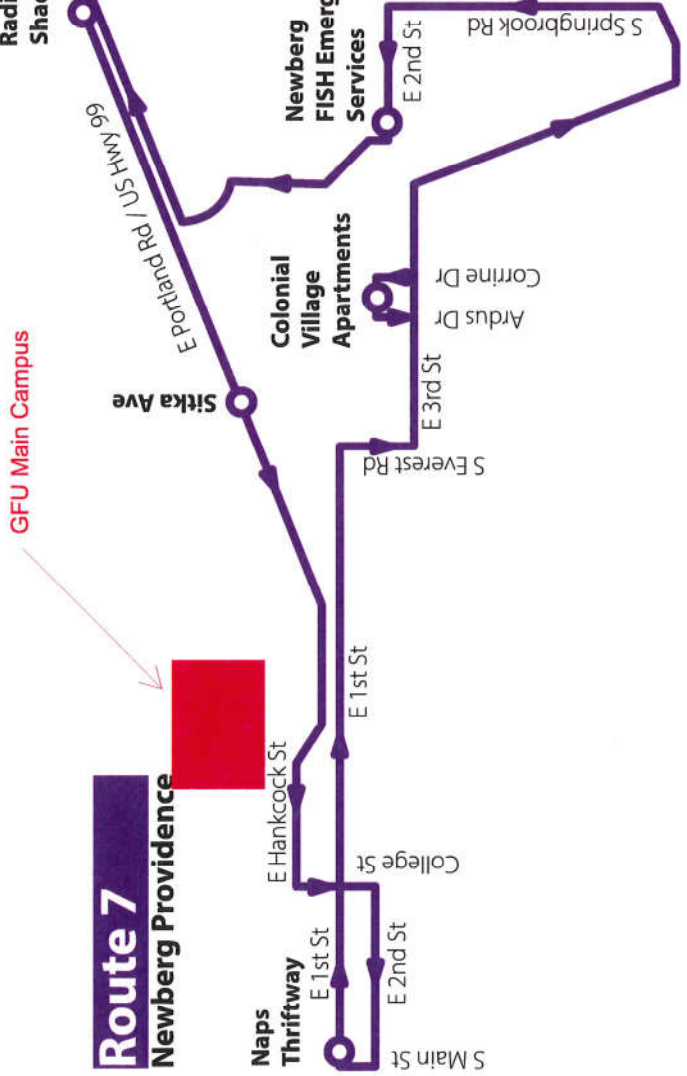
Yamhill County Transit Area

Route 5 Newberg Foothills Drive

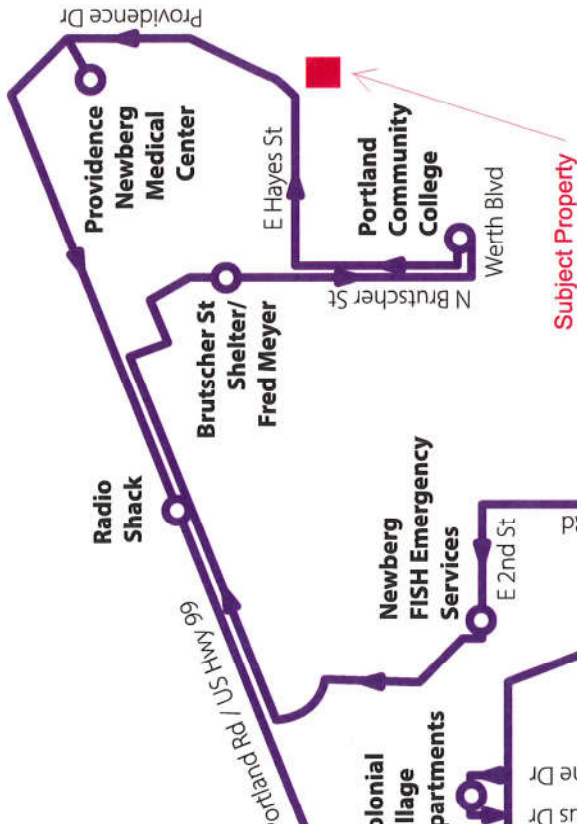


Routes 5&7 Newberg

Route 7 Newberg Providence



GFU Main Campus



Subject Property

Routes 5 & 7 Newberg

Route 5 Newberg Foothills Drive									
(Newberg Naps Thriftway)	Merdain & E Franklin	The Oaks Apts. (near Sierra Vista Dr)	Foothills Drive & Main (Senior Center)	Main & Columbia	E 9th & Blaine	Woodview Village Apts	E 5th & Main	1st and Main (Newberg Naps Thriftway)	
7:30	7:33	7:34	7:39	7:42	7:49	7:50	7:53	7:55	
8:30	8:33	8:34	8:39	8:42	8:49	8:50	8:53	8:55	
9:30	9:33	9:34	9:39	9:42	9:49	9:50	9:53	9:55	
10:30	10:33	10:34	10:39	10:42	10:49	10:50	10:53	10:55	
11:30	11:33	11:34	11:39	11:42	11:49	11:50	11:53	11:55	
12:30	12:33	12:34	12:39	12:42	12:49	12:50	12:53	12:55	
1:30	1:33	1:34	1:39	1:42	1:49	1:50	1:53	1:55	
2:30	2:33	2:34	2:39	2:42	2:49	2:50	2:53	2:55	
3:30	3:33	3:34	3:39	3:42	3:49	3:50	3:53	3:55	
4:30	4:33	4:34	4:39	4:42	4:49	4:50	4:53	4:55	
5:30	5:33	5:34	5:39	5:42	5:49	5:50	5:53	5:55	

Weekday Service Only PM times in bold

Route 7 Newberg Providence									
(Newberg Naps Thriftway)	E 2nd St (between Ards & Corinne)	Elliott Rd (FISH Emergency)	Brutscher St Shelter (between Hayes St & 99W)	Brutscher St & Werth Blvd (PCC Newberg Campus)	Providence Hospital (front entrance)	Hwy 99W @ Newberg (Radio Shack)	Hwy 99W & Sitka Ave	1st and Main (Newberg Naps Thriftway)	
7:00	7:04	7:09	7:13	7:15	7:19	7:23	7:25	7:30	
8:00	8:04	8:09	8:13	8:15	8:19	8:23	8:25	8:30	
9:00	9:04	9:09	9:13	9:15	9:19	9:23	9:25	9:30	
11:00	11:04	11:09	11:13	11:15	11:19	11:23	11:25	11:30	
12:00	12:04	12:09	12:13	12:15	12:19	12:23	12:25	12:30	
1:00	1:04	1:09	1:13	1:15	1:19	1:23	1:25	1:30	
2:00	2:04	2:09	2:13	2:15	2:19	2:23	2:25	2:30	
3:00	3:04	3:09	3:13	3:15	3:19	3:23	3:25	3:30	
4:00	4:04	4:09	4:13	4:15	4:19	4:23	4:25	4:30	
5:00	5:04	5:09	5:13	5:15	5:19	5:23	5:25	5:30	
6:00	6:04	6:09	6:13	6:15	6:19	6:23	6:25	6:30	

Weekday Service Only PM times in bold

Yamhill County Transit Area (YCTA) operates eleven routes; including (4) local fixed routes in McMinnville and Newberg and (7) commuter, express Mon-Fri to Salem, Grand Ronde, Hillsboro, and Tigard. Saturday routes to Grand Ronde and Tigard. Customers can connect to TriMet at Hillsboro MAX station and Tigard Transit Center and to Cherriots at Glen Creek Transit Center and the Coastal Connector at Spirit Mountain. YCTA also offers paratransit service in Newberg and McMinnville and general public dial-a-ride on a limited basis.

Bus Stops - Flag Stops

Flag Stops are allowed on the McMinnville and Newberg local fixed routes. Customers may flag down a YCTA bus along these routes. Please check the website and google maps for the preferred safe flag stop locations. NO flag stops on Commuter Routes. Please check the website and google maps for the preferred safe bus stop locations. YCTA is working on installing bus stop signs and shelters along commuter routes.

Fare Information

- Local & Commuter Routes: General Public Dial-A-Ride
- Single one-way fare \$1.25
- Single day pass \$2.50
- Unlimited monthly pass \$35.00
- 10 day pass book \$18.00
- Paratransit Single one-way fare \$2.50
- Children under 6 ride free

Passes Available at the following McMinnville locations
 Any YCTA driver (exact change only)
 Board of Commissioners Office 434 NE Evans Street (check or exact change)
 Transit Center (First Transit office) 800 NE 2nd Street (cash or check only)



YCTA

Route and Schedule Information
 First Transit
 800 NE 2nd Street
 McMinnville, OR 97128
 503-474-4900 | 503-538-7433 (Newberg)
www.yctransitarea.org
 Oregon Relay Service 1-800-735-2900



First American

First American Title Insurance Company

825 NE Evans Street
McMinnville, OR 97128
Phn - (503)376-7363
Fax - (866)800-7294

Order No.: 1032-3195263
February 26, 2019

FOR QUESTIONS REGARDING YOUR CLOSING, PLEASE CONTACT:

LAUREL BARNES, Escrow Officer/Closer
Phone: (503)538-7361 - Fax: (866)800-7290 - Email: LaBarnes@firstam.com
First American Title Insurance Company
515 E Hancock, Newberg, OR 97132

FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:

Clayton Carter, Title Officer
Phone: (503)376-7363 - Fax: (866)800-7294 - Email: ctcarter@firstam.com

Preliminary Title Report

County Tax Roll Situs Address: , Newberg, OR 97132

2006 ALTA Owners Standard Coverage	Liability \$	TBD	Premium \$	TBD
2006 ALTA Owners Extended Coverage	Liability \$		Premium \$	
2006 ALTA Lenders Standard Coverage	Liability \$		Premium \$	
2006 ALTA Lenders Extended Coverage	Liability \$		Premium \$	
Endorsement 9.10, 22 & 8.1			Premium \$	
Govt Service Charge			Cost \$	40.00
Other			Cost \$	

Proposed Insured Lender:

Proposed Borrower: Gougler and Assigns (TBD)

We are prepared to issue Title Insurance Policy or Policies of First American Title Insurance Company, a Nebraska Corporation in the form and amount shown above, insuring title to the following described land:

The land referred to in this report is described in Exhibit A attached hereto.

and as of February 20, 2019 at 8:00 a.m., title to the fee simple estate is vested in:

Werth Family, LLC, an Oregon limited liability company

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and the following:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.

In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:

- A. Survey or alternative acceptable to the company
- B. Affidavit regarding possession
- C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
 - i. Satisfactory evidence that no construction liens will be filed; or
 - ii. Adequate security to protect against actual or potential construction liens;
 - iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon
6. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
7. City liens, if any, of the City of Newberg.
Note: ***NO SEARCH HAS BEEN MADE.*** *If inquiry is desired, please contact your Title Officer for a lien search.*
8. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
9. Restrictive Covenant to Waive Remonstrance, pertaining to Streets, Futurestreets, or Public Utilities Including Storm Sewer, Sanitary Sewer and Water lines including the terms and provisions thereof
Recorded: August 22, 1991 in Film Volume 258, Page 1175, Deed and Mortgage Records

10. Easement, including terms and provisions contained therein:
Recording Information: July 11, 2002 as instrument No. 200213432, Deed and Mortgage Records
In Favor of: City of Newberg, a municipal corporation
For: Public Water Line and Pedestrian and Bicycle Path
11. Easement, including terms and provisions contained therein:
Recording Information: October 25, 2002 as Instrument No. 200221022, Deed and Mortgage Records
In Favor of: Northwest Natural Gas Company, an Oregon corporation
For: Gas Pipeline
12. Easement, including terms and provisions contained therein:
Recording Information: December 23, 2002 as Instrument No. 200225412, Deed and Mortgage Records
In Favor of: Northwest Natural Gas Company, an Oregon corporation
For: Gas Pipeline
13. Covenant of Waiver of Rights and Remedies Agreement and the terms and conditions thereof:
Recording Information: July 25, 2006 as Instrument No. 200616704, Deed and Mortgage Records
14. Advanced Financing Agreement and the terms and conditions thereof:
Recording Information: July 28, 2006 as Instrument No. 200617344, Deed and Mortgage Records
15. 10' Public Utility Easement as shown on Plat of Oak Meadows II.
16. Covenants, conditions, restrictions and/or easements; but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, family status, or national origin to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes:
Recording Information: May 16, 2008 as Instrument No. 200808480, Deed and Mortgage Records
17. The By-Laws, including the terms and provisions thereof of Oak Meadows II Owner's Association, Inc.
Recorded: May 16, 2008 as Instrument No. 200808481, Deed and Mortgage Records
18. Regulations and Assessments of Springbrook Oak Meadows II, as set forth in Declaration recorded May 16, 2008 as Instrument No. 200808480, Deed and Mortgage Records.
19. Easement, including terms and provisions contained therein:
Recording Information: December 16, 2009 as Instrument No. 200919501, Deed and Mortgage Records
For: Access and Utility

20. Limited access provisions contained in Deed to the State of Oregon, by and through Department of Transportation recorded January 17, 2019 as Instrument No. 201900685 Deed of Records, which provides that no right of easement or right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property.
21. Any conveyance or encumbrance by Werth Family, LLC should be executed pursuant to their Operating Agreement , a copy of which should be submitted to this office for inspection.

- END OF EXCEPTIONS -

NOTE: According to the public record, the following deed(s) affecting the property herein described have been recorded within 24 months of the effective date of this report: NONE

NOTE: We find no matters of public record against Gougler and Assigns (TBD) that will take priority over any trust deed, mortgage or other security instrument given to purchase the subject real property as established by ORS 18.165.

NOTE: Taxes for the year 2018-2019 PAID IN FULL

Tax Amount:	\$4,183.93
Map No.:	R3216-02022
Property ID:	542179
Tax Code No.:	29.0

NOTE: Taxes for the year 2018-2019 PAID IN FULL

Tax Amount:	\$4,198.02
Map No.:	R3221-06503
Property ID:	547183
Tax Code No.:	29.0

Situs Address as disclosed on Yamhill County Tax Roll:

, Newberg, OR 97132

**THANK YOU FOR CHOOSING FIRST AMERICAN TITLE!
WE KNOW YOU HAVE A CHOICE!**

RECORDING INFORMATION

Filing Address: **Yamhill County**
777 Commercial Street SE, Suite 100
Salem, OR 97301

Recording Fees: \$ **81.00** for the first page
\$ **5.00** for each additional page

cc: Gougler and Assigns (TBD)
cc: Werth Family LLC



First American Title Insurance Company

SCHEDULE OF EXCLUSIONS FROM COVERAGE

ALTA LOAN POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

ALTA OWNER'S POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risks 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

SCHEDULE OF STANDARD EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

NOTE: A SPECIMEN COPY OF THE POLICY FORM (OR FORMS) WILL BE FURNISHED UPON REQUEST

TI 149 Rev. 7-22-08



First American Title

Privacy Information

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our subsidiaries we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information that you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its Fair Information Values.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's Fair Information Values. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Information Obtained Through Our Web Site

First American Financial Corporation is sensitive to privacy issues on the Internet. We believe it is important you know how we treat the information about you we receive on the Internet.

In general, you can visit First American or its affiliates' Web sites on the World Wide Web without telling us who you are or revealing any information about yourself. Our Web servers collect the domain names, not the e-mail addresses, of visitors. This information is aggregated to measure the number of visits, average time spent on the site, pages viewed and similar information. First American uses this information to measure the use of our site and to develop ideas to improve the content of our site.

There are times, however, when we may need information from you, such as your name and email address. When information is needed, we will use our best efforts to let you know at the time of collection how we will use the personal information. Usually, the personal information we collect is used only by us to respond to your inquiry, process an order or allow you to access specific account/profile information. If you choose to share any personal information with us, we will only use it in accordance with the policies outlined above.

Business Relationships

First American Financial Corporation's site and its affiliates' sites may contain links to other Web sites. While we try to link only to sites that share our high standards and respect for privacy, we are not responsible for the content or the privacy practices employed by other sites.

Cookies

Some of First American's Web sites may make use of "cookie" technology to measure site activity and to customize information to your personal tastes. A cookie is an element of data that a Web site can send to your browser, which may then store the cookie on your hard drive.

FirstAm.com uses stored cookies. The goal of this technology is to better serve you when visiting our site, save you time when you are here and to provide you with a more meaningful and productive Web site experience.

Fair Information Values

Fairness We consider consumer expectations about their privacy in all our businesses. We only offer products and services that assure a favorable balance between consumer benefits and consumer privacy.

Public Record We believe that an open public record creates significant value for society, enhances consumer choice and creates consumer opportunity. We actively support an open public record and emphasize its importance and contribution to our economy.

Use We believe we should behave responsibly when we use information about a consumer in our business. We will obey the laws governing the collection, use and dissemination of data.

Accuracy We will take reasonable steps to help assure the accuracy of the data we collect, use and disseminate. Where possible, we will take reasonable steps to correct inaccurate information. When, as with the public record, we cannot correct inaccurate information, we will take all reasonable steps to assist consumers in identifying the source of the erroneous data so that the consumer can secure the required corrections.

Education We endeavor to educate the users of our products and services, our employees and others in our industry about the importance of consumer privacy. We will instruct our employees on our fair information values and on the responsible collection and use of data. We will encourage others in our industry to collect and use information in a responsible manner.

Security We will maintain appropriate facilities and systems to protect against unauthorized access to and corruption of the data we maintain.

Exhibit "A"

Real property in the County of Yamhill, State of Oregon, described as follows:

Parcel 1:

A tract of land being a portion of Lot 5 of the Plat of "Oak Meadows II" and Parcel 2 of Partition Plat Number 2011-24 located in the Southeast One-Quarter of Section 16, Township 3 South, Range 2 West, Willamette Meridian, City of Newberg, Yamhill County, Oregon and being more particularly described as follows:

Commencing at the southwesterly corner of Lot 5 of the Plat of "Oak Meadows II", thence along the easterly right-of-way line of Werth Boulevard (30.00 feet from centerline) North 00°46'51" East 60.00 feet to the Point of Beginning; thence continuing along said easterly right-of-way line North 00°46'51" East 101.33 feet to a 5/8 inch iron rod with yellow plastic cap inscribed "Magness PLS 60087"; thence continuing along said easterly right-of-way line North 04°56'08" East 94.55 feet to a 5/8 inch iron rod with yellow plastic cap inscribed "Magness PLS 60087"; thence along a curve to the right with a radius of 30.00 feet, delta of 82°53'13", length of 43.40 feet and a chord of North 46°22'45" East 39.71 feet to a 5/8 inch iron rod with yellow plastic cap inscribed "Magness PLS 60087" on the southerly right-of-way line of Providence Drive; thence continuing along said southerly right-of-way line North 87°49'21" East 101.83 feet to a 5/8 inch iron rod; thence continuing along said southerly right-of-way line along a curve to the left with a radius of 231.25 feet, delta of 64°41'18", length of 261.09 feet and a chord of North 55°28'42" East 247.44 feet to the most northerly corner of said Lot 5 being a 5/8 inch iron rod with yellow plastic cap inscribed "Magness PLS 60087"; thence along the easterly line of said Lot South 23°08'03" West 108.52 feet to the most northerly line of Parcel 2 of Partition Plat Number 2011-24 being a 5/8 inch iron rod with yellow plastic cap inscribed "TSCS"; thence along the easterly line of said parcel South 41°43'37" East 15.19 feet; thence continuing along said easterly parcel line along a curve to the right with a radius of 100.00 feet, delta of 46°51'01", length of 81.77 feet, and a chord of South 18°18'06" East 79.51 feet; thence continuing along said easterly parcel line South 05°07'24" West 196.48 feet; thence leaving said easterly parcel line North 84°52'36" West 132.89 feet; thence along a curve to the left with a radius of 330.00 feet, delta of 04°21'50", length of 25.13 feet and chord of North 87°03'31" West 25.13 feet; thence North 89°14'26" West 161.34 feet to the Point of Beginning.

SAVE AND EXCEPT that portion conveyed to the State of Oregon, by and through its Department of Transportation, in Bargain and Sale Deed recorded January 17, 2019 as Instrument No. 201900685, Deed and Mortgage Records.

Parcel 2:

A tract of land being a portion of Lot 5 of the plat of "Oak Meadows II", Parcel 1 of Partition Plat Number 2011-25, and Parcel 2 of Partition Plat Number 2011-24 located in the Southeast One-Quarter of Section 16 and the Northeast One-Quarter of Section 21, Township 3 South, Range 2 West, Willamette Meridian, City of Newberg, Yamhill County, Oregon and being more particularly described as follows:

Beginning at the southeasterly corner of Parcel 1 of Partition Plat Number 2011-25 being a 5/8 inch iron rod with yellow plastic cap inscribed "TSCS", thence along the southerly line of said parcel North 84°52'36" West 188.45 feet to the southwesterly corner of said parcel; thence along the easterly line of Parcel 2 of Partition Plat Number 2011-24 South 05°07'24" West 390.62 feet to the southeasterly corner of said parcel; thence along the southerly line of said parcel North 64°35'07" West 274.35 feet to the southwesterly corner of said parcel being a 5/8 inch iron rod with yellow plastic cap inscribed "TSCS"; thence along the westerly line of said parcel North 25°24'53" East 187.00 feet to a 5/8 inch iron rod with yellow plastic cap inscribed "Magness PLS 60087"; thence continuing along said westerly line North 23°08'03" East 126.27 feet to the southeasterly corner of Lot 5 of the Plat of "Oak Meadows II"; thence along the southerly line of said lot North 89°14'26" West 161.37 feet to the southwesterly corner of said lot; thence along the easterly right-of-way line of Werth Boulevard (30.00 feet from centerline) North

00°46'51" East 60.00 feet; thence leaving said right-of-way line South 89°14'26" East 161.34 feet; thence along a curve to the right with a radius of 330.00 feet, delta of 04°21'50", length of 25.13 feet and a chord of South 87°03'31" East 25.13 feet; thence South 84°52'36" East 324.75 feet to the easterly line of Parcel 1 of Partition Plat 2011-25; thence along said easterly parcel line along a non-tangent curve to the right with a radius of 2390.68, delta of 01°27'33", length of 60.88 feet and chord of South 08°19'43" West 60.88 feet to the Point of Beginning.

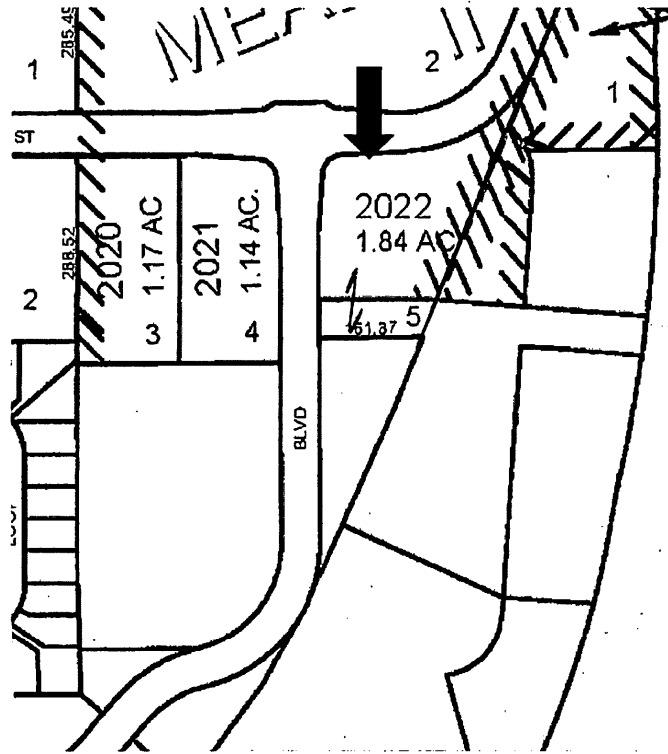
SAVE AND EXCEPT that portion conveyed to the State of Oregon, by and through its Department of Transportation, in Bargain and Sale Deed recorded January 17, 2019 as Instrument No. 201900685, Deed and Mortgage Records.



First American



This map is furnished for illustration and to assist in property location. The company assumes no liability for any variation in dimensions by location ascertainable by actual survey





I received a letter from the city stating that J.T. Smith wants a major modification to a previously approved conditional use permit for the Crestview Crossing area. The proposal to change the number of family units from 299 to 386 units smells like the classical bait and switch scheme, which was probably the intent from the very beginning.

It seems like there is a blatant ethical lapse where people who don't even live in the North East sector of Newberg want to change it from a nice peaceful part of Newberg to a high density neighborhood with all the associated problems that come with high density. Just for starters, if each housing unit has 2 cars where are the 772 cars going to be parked and of course all the noise and exhaust pollution that goes along with the vehicles isn't going to enhance the livability of the neighborhood.

Furthermore, what gives the people on the other side of town the right to decide on the makeup of our neighborhood? Better yet why don't the Lake Oswego developers build a high density housing project in their own town?

While taking the required psychology and sociology classes at Oregon State I learned that the more people or animals you put in a given area the more hostile the environment gets. Looking at things from the simplest perspectives, the denser the population is, the more services

In addition to our home grown traffic, the Hwy 99 traffic is getting heavier daily. The duration of the traffic light at the intersection of Crestview and Hwy 99 is going to have to favor Hwy 99 traffic, lest the cars would be backed up to the bottom of Rex Hill. That means Crestview road will have a shorter green light and taking into consideration that there is only room for one school bus and a dozen cars in between the circle and the traffic light on Crestview and Hwy 99. The traffic circle will be non functional because vehicles will be backed up from the Hwy into the traffic circle making it difficult for customers and clients of our newest retail space to merge into traffic.

I use the Crestview/Portland Road for just a couple of minutes a day and in those few minutes per day I have already seen two car wrecks. In addition, living on the East edge of Newberg and close proximity to Portland Road I have heard hundreds of emergency vehicles heading down Portland Road to Rex Hill. I am assuming they are helping those unfortunate people who were involved in a traffic collision on our side of the hill. In the final analysis, one does not need to be a statistician to figure out with all the added traffic that sooner or later lives are going to be lost between the top of Rex Hill and the Crestview/Portland Road intersection.

Newberg is going to need to provide to police the population. One does not need a degree in sociology to figure out that crowded living conditions do not add to the quality of life. I know of no instances where a denser population created greater harmony and well-being.

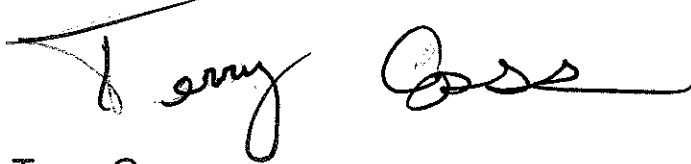
Couple this with the fact that Newberg is being touted as the gateway to wine country. How does high density housing add to the image of the gateway to wine country. How does backed up traffic and general congestion add to the relaxing open space image that the "gateway to wine country" suggests.

Tangential to our wine country image, it appears that the main exit from our new class "A" shopping center is through the Jory traffic circle which in addition to more traffic that is destined to come with the buildup of North Newberg and possibly Benjamin road. Yes, Benjamin road, with the next fatality accident at Benjamin road and Hwy 99 the state will want to close off Benjamin and route the traffic through Springbrook road via the Crestview traffic circle.

That would mean that 772 cars from the high density housing, all the cars from the new Crestview Crossing retail center, all the commuters from North Newberg, and sooner or later all the traffic from Benjamin road would be circling through the traffic circle, or should I say queuing up and waiting their turn to enter the traffic circle.

It cannot be overemphasized that Newberg needs to be supportive of the new businesses that decide to invest in our town and make every effort to provide the best traffic flow for their customers and clients as they leave their business and enter the traffic circle. Remember, greed is nothing more than a lack of foresight.

Thank you for your time and consideration,

A handwritten signature in black ink, appearing to read "Terry Coss". The signature is written in a cursive style with a large initial "T" and "C".

Terry Coss

Clay Downing

From: Keith Leonard <leonardkeith@comcast.net>
Sent: Thursday, June 8, 2023 7:23 AM
To: Clay Downing
Subject: Re: PC meeting audio

This email originated from outside the City of Newberg's organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I would fill it out the pdf if was formatted to be digitally editable. I think I've established standing to comment given the emails I've sent and previous comment provided regarding the developer not keeping their promise to provide affordable housing. Please make sure all my comments are included in the packet, including my emailed comments regarding how the city noticed the meeting on the city's website and lack of clarity.

Thanks, Keith

On Jun 8, 2023, at 7:10 AM, Clay Downing <Clay.Downing@newbergoregon.gov> wrote:

You are welcome. We typically ask public speakers to fill out a form in advance if possible. It is available on the meeting details webpage at <https://www.newbergoregon.gov/pc/page/planning-commission-meeting-167>. Best,

Clay Downing
Planning Manager
City of Newberg
Direct: 503.554.7728
Cell: 971.281.9695
Pronouns: he/him
<image001.png>

From: Keith Leonard <leonardkeith@comcast.net>
Sent: Thursday, June 8, 2023 6:56 AM
To: Clay Downing <Clay.Downing@newbergoregon.gov>
Subject: Re: PC meeting audio

This email originated from outside the City of Newberg's organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you. I may want to speak at tonight's meeting. Have a good day.

Thanks, Keith

On Jun 8, 2023, at 6:36 AM, Clay Downing <Clay.Downing@newbergoregon.gov> wrote:

Good morning,

To the best of our knowledge the audio will be working with no difficulties. The Planning Commission will be using the same audio equipment that is used for Planning Commission hearings. However, if you notice any issues with audio, you are welcome to email me at clay.downing@newbergoregon.gov and Fe Bates at fe.bates@newbergoregon.gov so that we can attempt to troubleshoot the issue at the meeting. Best,

Clay Downing
Planning Manager
City of Newberg
Direct: 503.554.7728
Cell: 971.281.9695
Pronouns: he/him
<image001.png>

From: Keith Leonard <leonardkeith@comcast.net>
Sent: Wednesday, June 7, 2023 6:21 PM
To: PLANNING <planning@newbergoregon.gov>
Cc: Clay Downing <Clay.Downing@newbergoregon.gov>
Subject: Re: PC meeting audio

This email originated from outside the City of Newberg's organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I watched a city council meeting and the audio was fine. Will the audio be correctly working for tomorrow's planning commission meeting?

Thanks, Keith

On May 12, 2023, at 4:28 PM, Keith Leonard
<leonardkeith@comcast.net> wrote:

Thank you Fe! Have a great evening and weekend!

Thanks, Keith

On May 12, 2023, at 4:02 PM, PLANNING
<planning@newbergoregon.gov> wrote:

Hi Keith,

The item was continued to the June 8th Planning Commission meeting.

The Planning Commission meetings are held at the Public Safety building in the Denise Bacon Community Room that is located at 401 E Third Street. The meetings start at 7pm.

We will also mail you the notice, we have your address as:

2128 E Kennedy Dr.
Newberg OR 97132

Thank you for your comments.

Fé Bates

Community Development

Office Assistant II

City of Newberg

City Hall: 503-537-1240

Direct: 503-554-7788

From: Keith Leonard <leonardkeith@comcast.net>

Sent: Friday, May 12, 2023 10:23 AM

To: PLANNING <planning@newbergoregon.gov>

Subject: Re: PC meeting audio

This email originated from outside the City of Newberg's organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Typos...you have my address on my public comment, please send any notice to that address.

Keith Leonard

On May 12, 2023, at 10:21 AM, Keith Leonard <leonardkeith@comcast.net> wrote:

Thank you Clay. I will likely attend the next meeting. I couldn't make out the time or day. It sounded like there was an error in the public hearing notice regarding the location of the development. If I could get a notice based on my previous comment that I submitted and provide. My address then that would be great!

I would also suggest changing the title of the project webpage. Titles should be intended to describe a project as much as possible in a few words. No one knows what an internal project file number means that refers to a previously approved CUP/PUD that does not state the original file number and common name. The original application project webpage referred to "Crestview Crossing", this page is still out there and pops up with JT Smiths "Crestview Crossing" webpage and other pages that refer to the commonly known name of the development. The signage out front of the development also uses "Crestview Crossing" so that's a common name and reference our community is familiar with.

Have a good day.

<image0.png>

<image1.png>

Thanks, Keith

On May 12, 2023, at
9:57 AM, PLANNING
<planning@newbergoregon.gov> wrote:

Good morning Keith,

Thank you for sharing this with us. We received this feedback during the hearing as

well and City staff will be looking into the audio issues to fix the issue if at all possible.

Best,

Clay Downing
Planning Manager
City of Newberg
Direct: 503.554.7728
Cell: 971.281.9695
Pronouns: he/him
<image001.png>

-----Original Message-----

-

From: Keith Leonard
<leonardkeith@comcast.net>
Sent: Thursday, May 11, 2023 7:38 PM
To: PLANNING
<planning@newbergoregon.gov>
Subject: PC meeting audio

This email originated from outside the City of Newberg's organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

The audio for tonight's PC meeting was terrible. Not sure if something can be done to improve the audio. The poor audio really made the hybrid meeting just about worthless.

Thanks, Keith