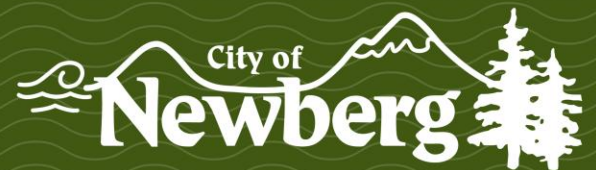


Major Modification to a PUD/CUP at NW Corner of Hwy 99W and E Crestview Drive

Major Modification MAMD323-0001

Planning Commission Public Hearing May 11, 2023



- **Applicant:** J.T. Smith Companies, LLC
- **Owner:** Newberg Crestview, LLC
- **Request:** Request for a major modification of a previously approved Planned Unit Development (PUD18-0001) and Conditional Use Permit (CUP18-0004) to construct 196 multi-family dwelling units in eight multi-family structures.
- **Location:** NW Corner of Hwy 99W and E Crestview Drive
- **Tax Lot:** R3216AC 13800
- **Zoning:** C-2 (Community Commercial) / R-2 (Medium Density Residential)

On October 11, 2018, the Newberg Planning Commission adopted Order 2018-10 to allow residential use in the C-2 zoning district and create single family residential, multi-family residential, and commercial uses at 4505 E Portland Road.

NUMBER OF DWELLINGS BY PROJECT AREA		
	Phase 2 Area	Crestview Crossing PUD/CUP
Previously Approved	110 dwellings	299 dwellings
Requested	196 dwellings	385 dwellings
Change in Dwellings	+ 86	+ 86

The proposed project would modify both the number of dwellings within Phase 2 of the **Crestview Crossing PUD/CUP** as well as the overall number of dwellings within the PUD/CUP.

Applicable Criteria:

- 15.225.060 Conditional Use Permit Criteria -Type III
- 15.240.020 General Provisions (PUD Regulations)
- 15.240.030 Preliminary Plan Conservation – Step One (PUD Regulations)
- 15.220.050 Criteria for Design Review
- 15.220.060 Additional Requirements for multi-family residential projects
- 15.505 Public Improvement Standards

Size: 298,179 square feet (6.85 acres)

Current Land Uses: Vacant

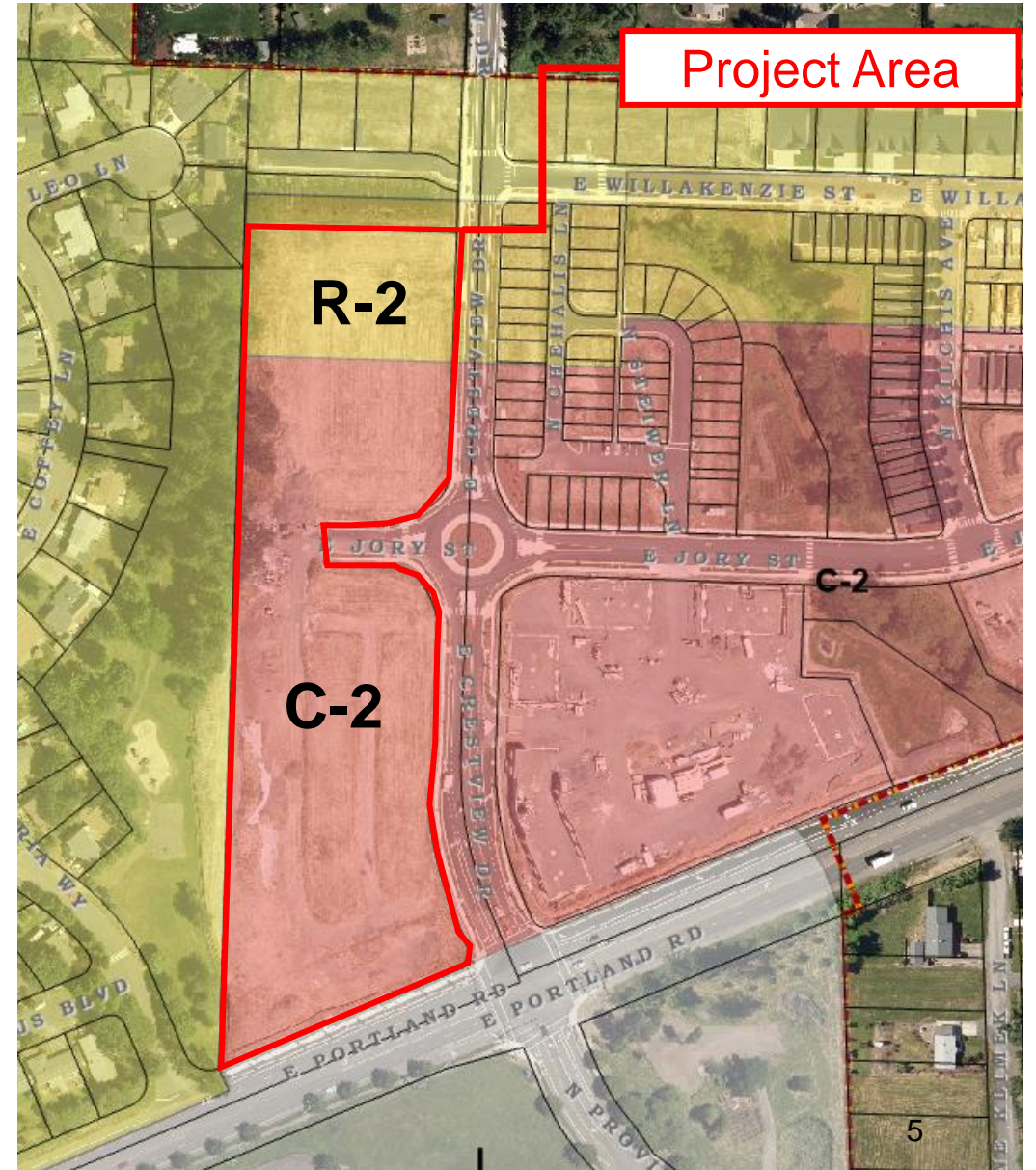
Natural Features: Vacant and graded

Adjacent Land Uses:

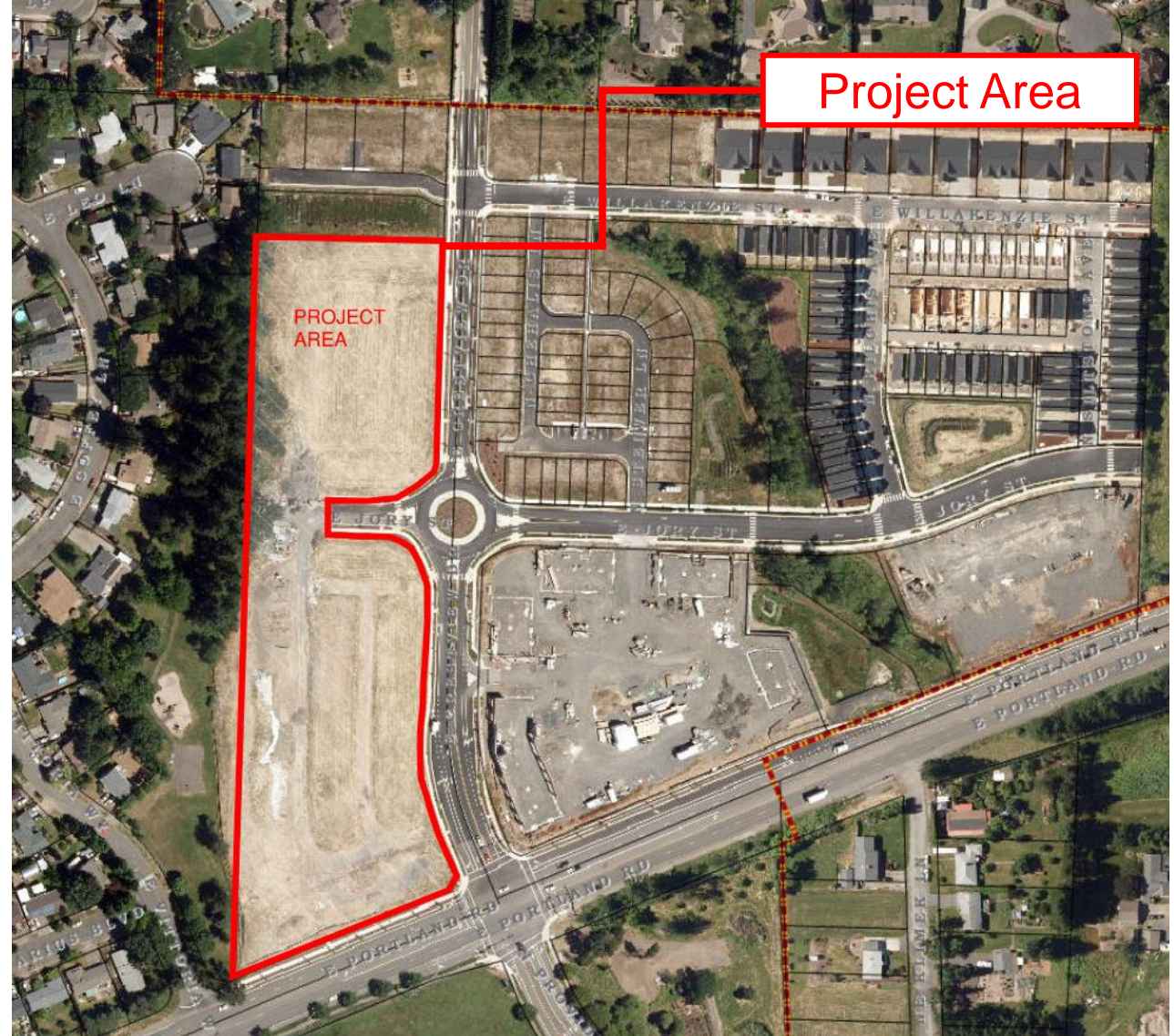
- North: Residential
- East: Residential / Commercial
- South: Highway 99W
- West: Residential

Adjacent Zoning:

- North: R-1 / Unincorporated Area
- East: R-2 / C-2
- South: Public Right-of-Way / Institutional
- West: R-1

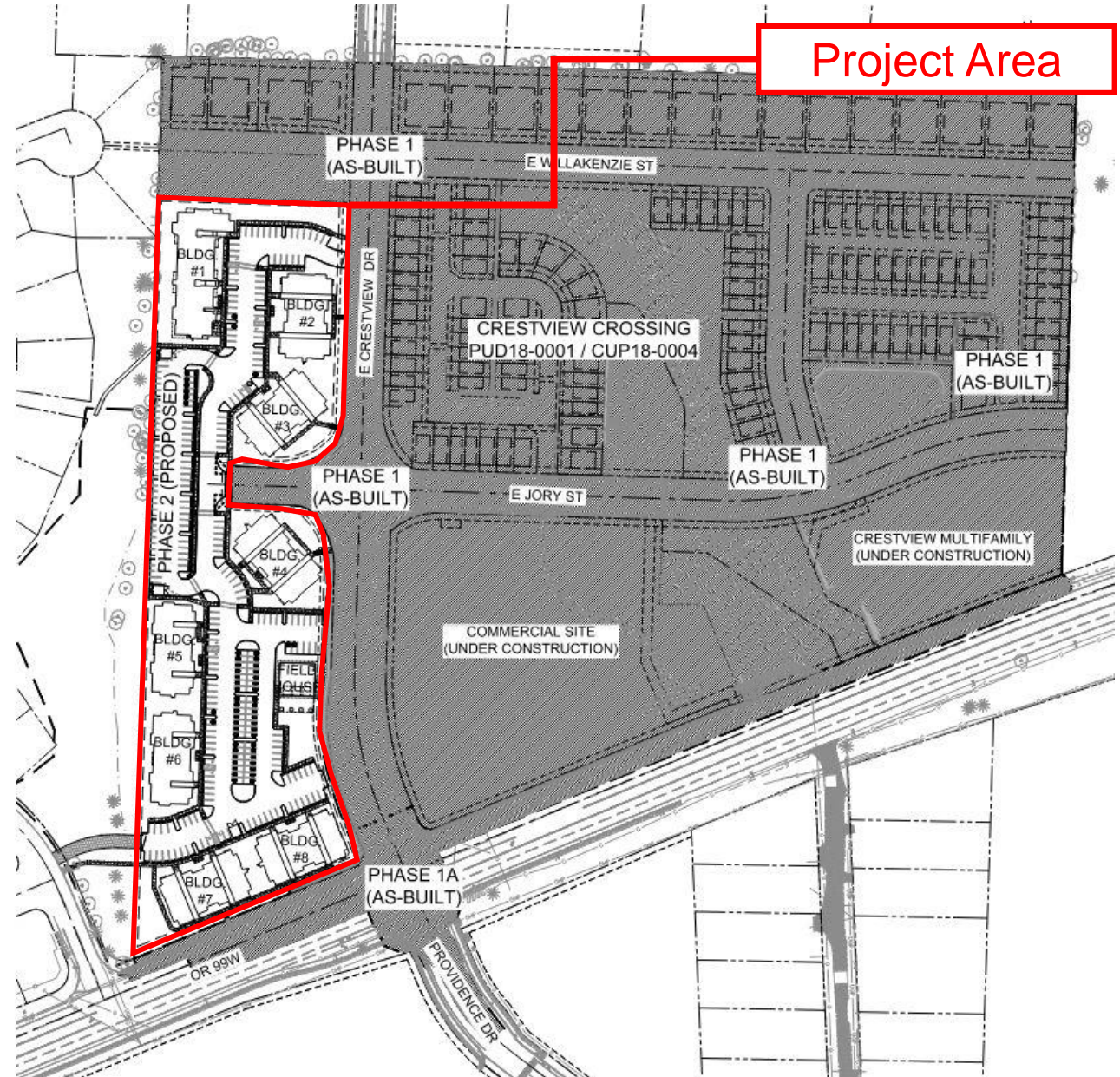


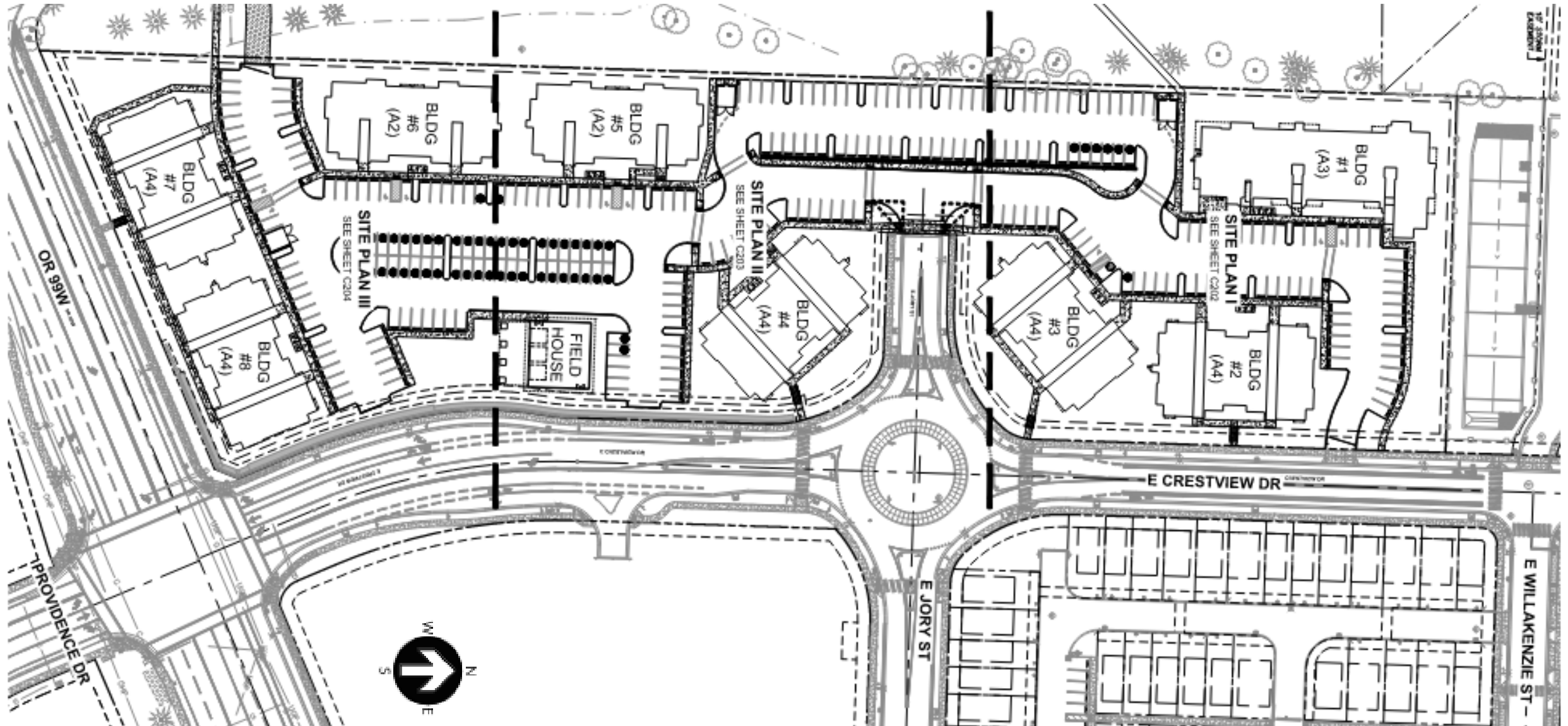
Crestview Crossing PUD/CUP was previously approved for a preliminary plat of a phased 250-lot PUD and CUP to allow residential use in a C-2 zoning district on Yamhill County tax lots R3230 000403 and R3230 00500, subject to conditions of approval.



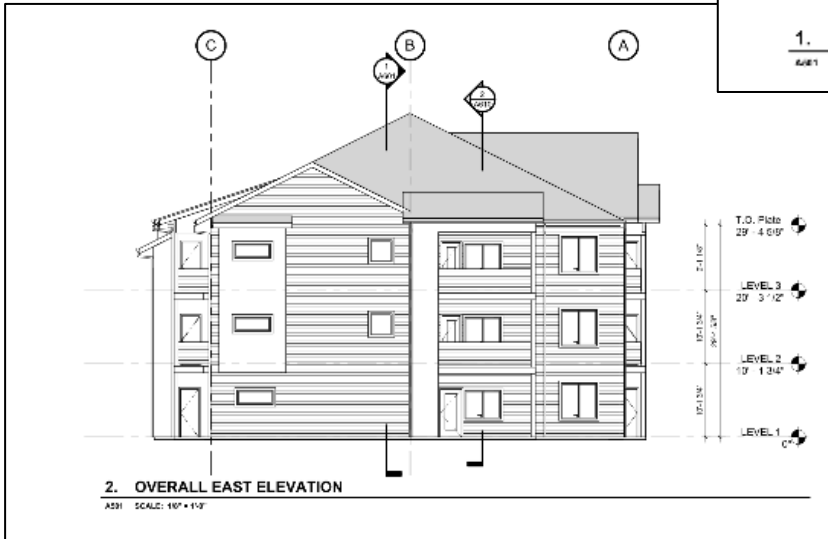
Location & Zoning

The previously approved project included a **mixture of commercial development, single-family homes, cottage style single-family homes, and multi-family homes**. Residential use was to include 18 single-family homes on large lots, 230 cottage homes, and 51 multi-family homes with modifications to the dimensional requirements of the underlying base zones. One 4.4-acre lot was to be created to allow for future commercial development.

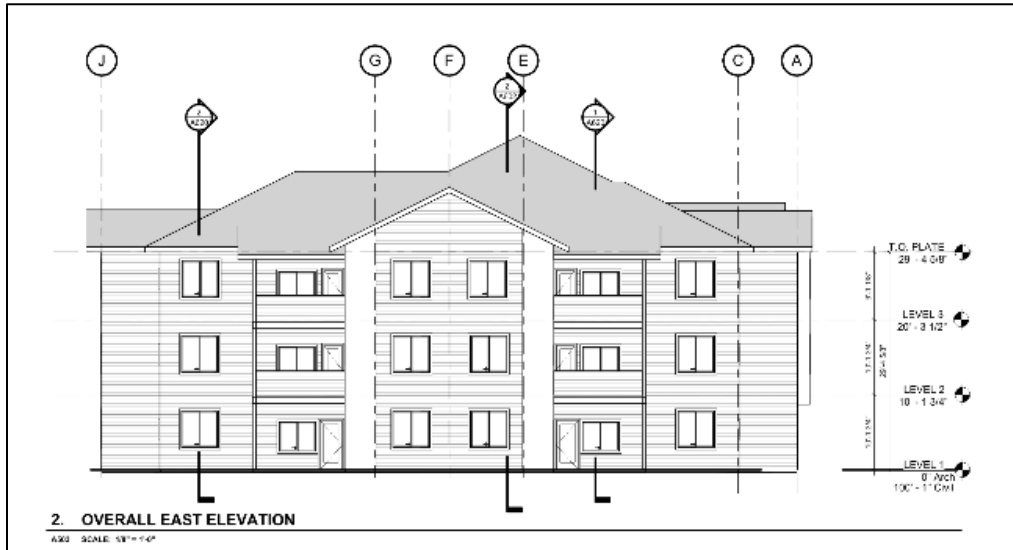




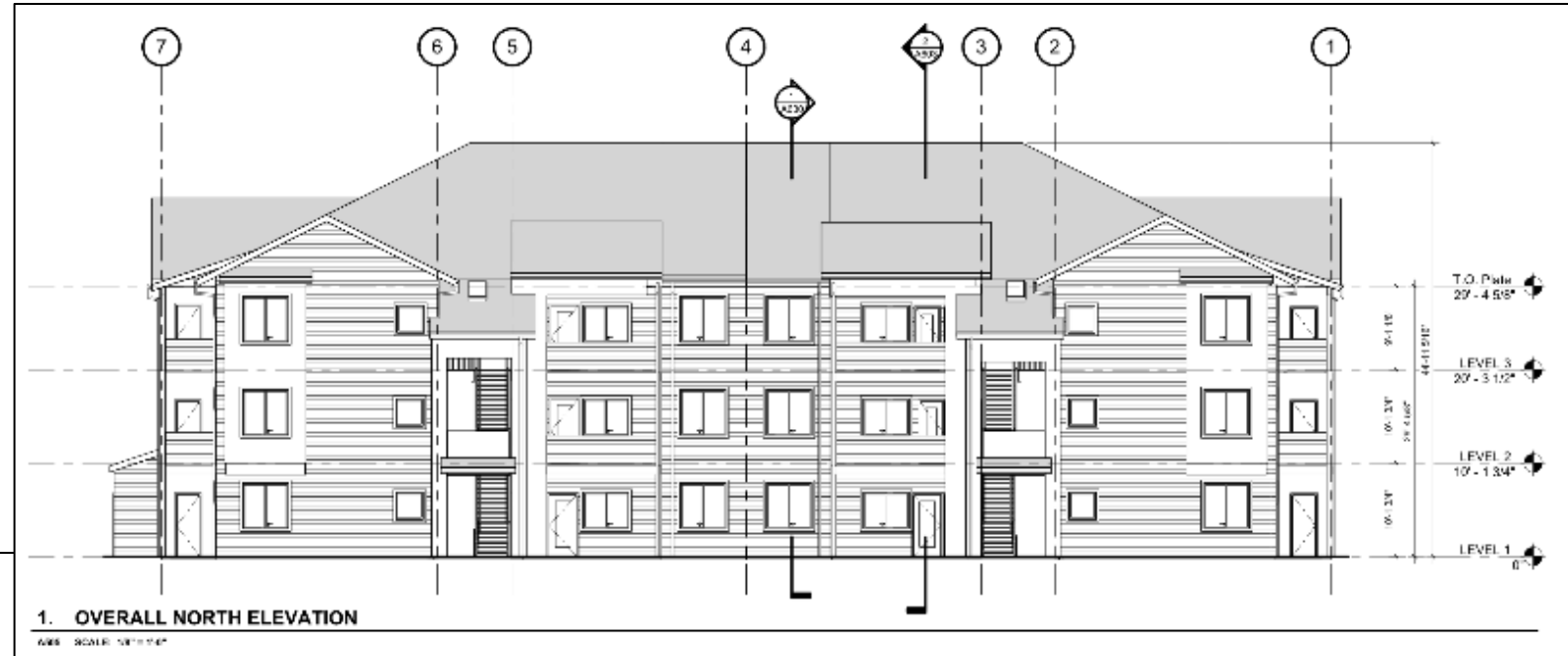
A2 Building Elevations



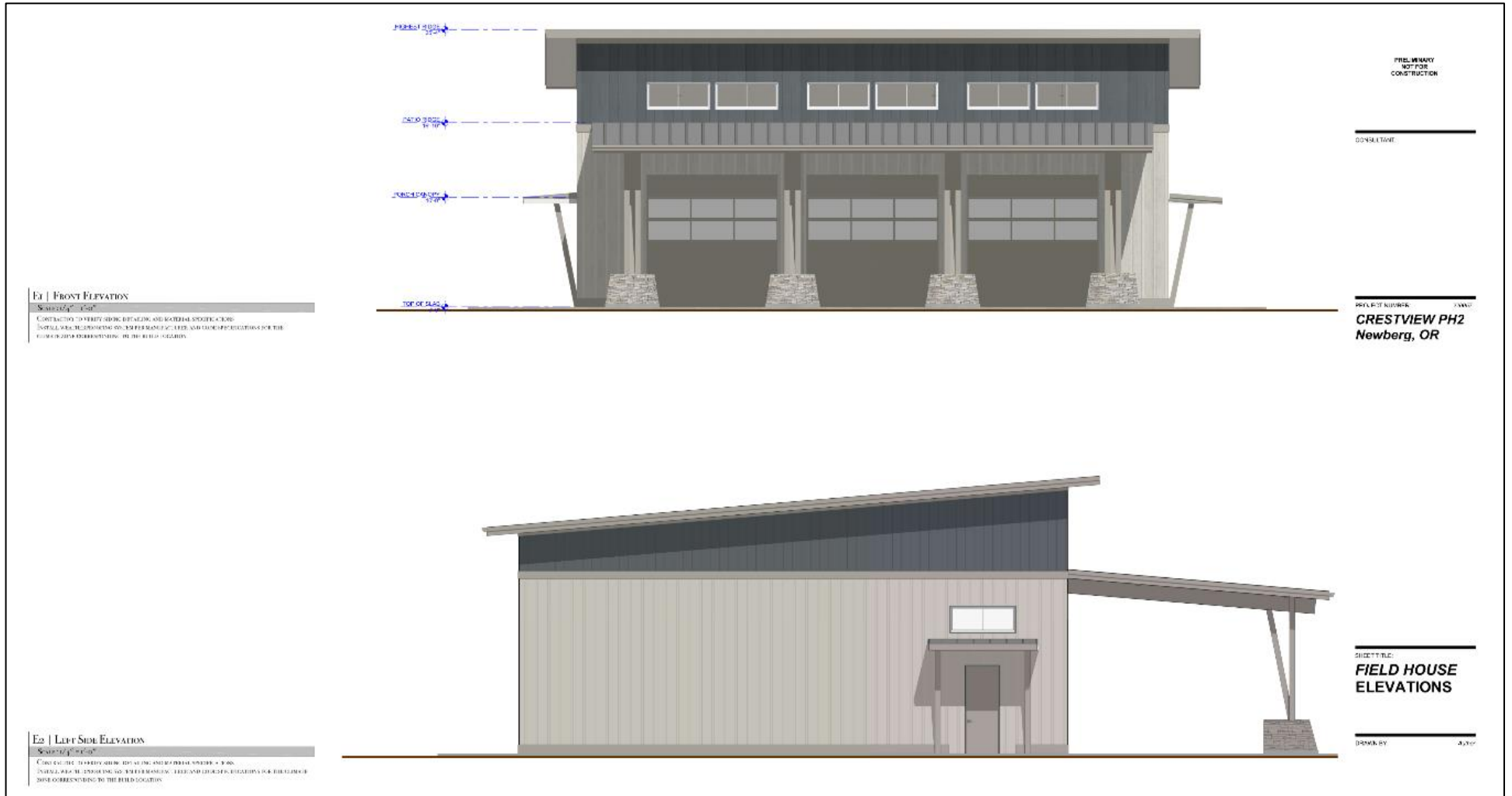
A3 Building Elevations



A4 Building Elevations



Field House Building Elevations



15.225.060(A)

Location, size, design, and operating characteristics are reasonably compatible with the surrounding neighborhood and will have minimal impacts on livability or appropriate development of abutting properties...

- Multi-family dwellings are considered a “permitted” use in R-2 district, and a “conditionally permitted” use in the C-2 district. Further, in C-2 areas, the permitted density must be stated in the conditional use permit.
- The project’s proposed buildings will include three stories and not exceed the maximum height 48 feet that was previously approved under the original Crestview Crossing PUD/CUP.
- The proposed modification will not exceed the maximum allowable density for Planned Unit Developments pursuant NMC 15.240.020(F).

15.225.060(B)

The location, design, and site planning of the proposed development will provide a convenient and functional living, working, shopping or civic environment, and will be as attractive as the nature of the use and its location and setting warrants.

- Will provide pedestrian and vehicle access to the Crestview Crossing commercial site.
- Pedestrian pathways are provided, connecting development to on-site natural areas and Spring Meadow Park Crestview Crossing.
- Project includes 2.04 acres (29% of development site) of open space and landscaped areas.

15.225.060(C)

The proposed development will be consistent with this code.

- The application will be consistent with this code if the proposed project complies with the applicable standards found in NMC Chapters 15.200, 15.240, 15.405, 15.505.

15.240.010 Purpose

The city's planned unit development regulations are intended to:

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

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15.240.020 General provisions

- A. Ownership**
- B. Processing Steps – Type III**
- C. Phasing**
- D. Lapse of Approval**
- E. Resubmittal Following Expiration**
- F. Density**
- G. Buildings and Uses Permitted**
- H. Professional Coordinator and Design Team**
- I. Modification of Certain Regulations**
- J. Lot Coverage**
- K. Height**
- L. Dedication, Improvement and Maintenance of Public Thoroughfares**
- M. Underground Utilities**
- N. Usable Outdoor Living Area**
- O. Site Modification**
- P. Completion of Required Landscaping**
- Q. Design Standards**

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15.240.020(F) Density

Except as provided in NMC 15.302.040 relating to subdistricts, dwelling unit density provisions for residential planned unit developments shall be as follows...

- Maximum allowable density points for the overall Crestview Crossing PUD/CUP are **9,688.45** based on zoning district and acreage;
- **3,570** density points for areas in the Crestview Crossing PUD/CUP subject to the major modification;
- **4,536** density points for areas in the Crestview Crossing PUD/CUP not subject to the major modification; and
- **8,106** density points for the overall Crestview Crossing PUD/CUP as proposed.

15.240.020(I) Modification of Certain Regulations

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

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15.240.020(J) Lot Coverage

Maximum permitted lot and parking area coverage as provided in this code shall not be exceeded unless specifically permitted by the hearing authority in accordance with these regulations.

- The project would exceed the maximum parking coverage of 30 percent, but requests a modification to the standards pursuant to NMC 15.240.020(I).
- R-2 zone, per 15.405.040(B)(2), up to 60 percent maximum lot coverage, 30 percent maximum parking coverage, and 70 percent combined maximum lot and parking coverage.
- The proposed project will have a lot coverage of 25.8 percent, parking lot coverage of approximately 34.9 percent, and a combined building and parking lot coverage of 60.7 percent.

15.240.020(K) Height

Unless determined by the hearing authority that intrusion of structures into the sun exposure plane will not adversely affect the occupants or potential occupants of adjacent properties, all buildings and structures shall be constructed within the area contained between lines illustrating the sun exposure plane (see Appendix A, Figure 8 and the definition of “sun exposure plane” in NMC 15.05.030). The hearing authority may further modify heights to:

- 1. Protect lines of sight and scenic vistas from greater encroachment than would occur as a result of conventional development.**
- 2. Protect lines of sight and scenic vistas.**
- 3. Enable the project to satisfy required findings for approval.**

15.240.020(K) Height

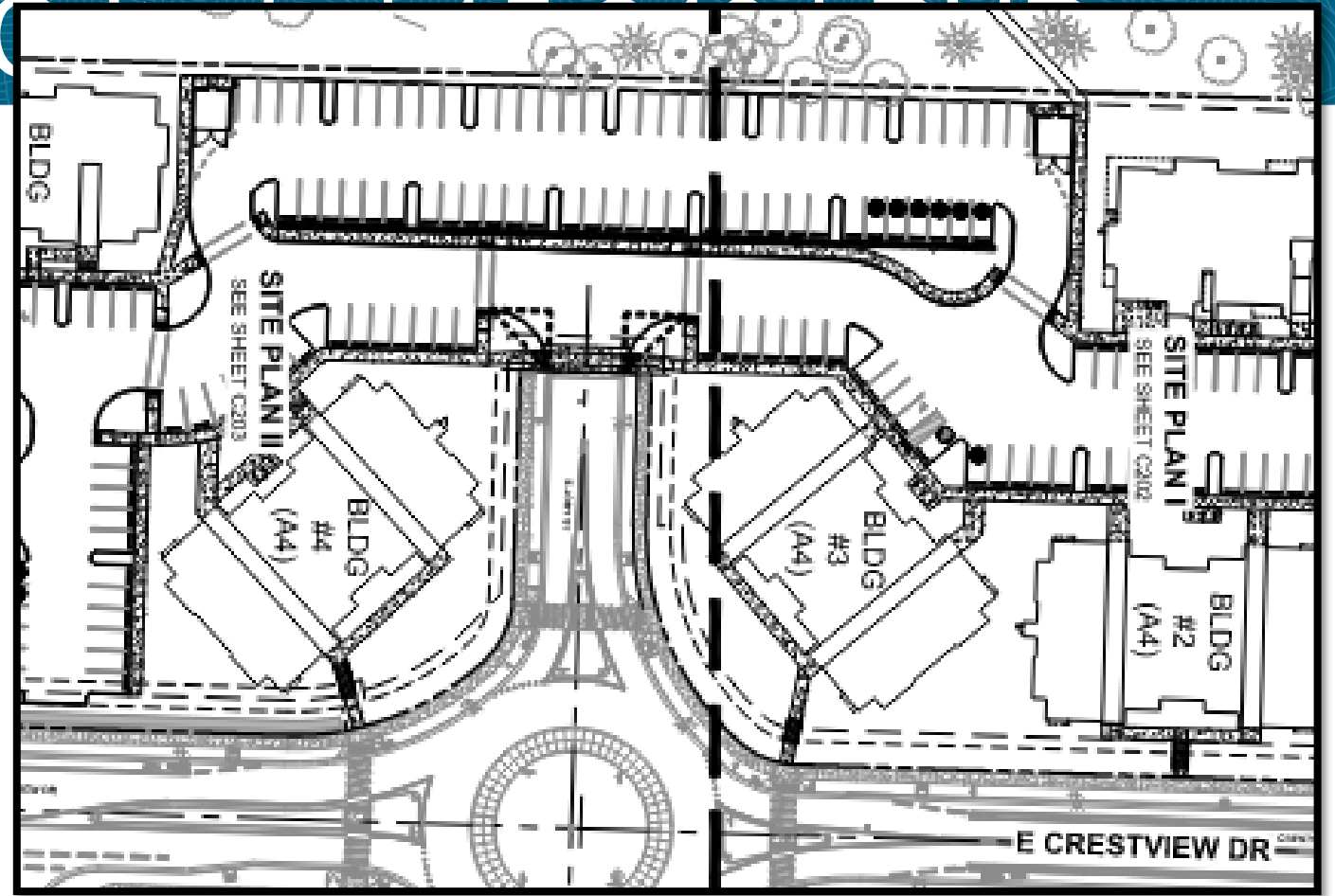
- Crestview Crossing PUD/CUP was previously approved with a maximum building height of 48 feet for multi-family residential structures.
- Project requests multi-family buildings (A2, A3, and A4) have a maximum height of approximately 37 feet and 4 inches. The proposed field house would have a maximum height of 25 feet and 4 inches.
- Buildings #1, #5, and #6 are located less than 50 feet from R-1 zoned property that abuts the western boundary of the development site. Buildings #5 and #6 will be sited adjacent to Spring Meadow Park. Building #1 will be sited within 22 feet of an R-1 zoned property.

15.240.020(L) Dedication, Improvement and Maintenance of Public Thoroughfares

- 1. Streets and Walkways. Including, but not limited to, those necessary for proper development of adjacent properties. Construction standards that minimize maintenance and protect the public health and safety, and setbacks as specified in NMC 15.410.050, pertaining to special setback requirements to planned rights-of-way, shall be required.**
- 2. Notwithstanding subsection (L)(1) of this section, a private street may be approved if...**
- 3. Easements. As are necessary for the orderly extension of public utilities and bicycle and pedestrian access.**

15.240.020(L) Dedication, Improvement and Maintenance of Public Thoroughfares

- The proposed major modification requests extension of E Jory Street, a public road.
- For the end of E Jory Street that is not practical to extend west for a street connection due to the existing development pattern of the property to the west, a cul-de-sac or other public turnaround is required.



15.240.030 Preliminary plan consideration – Step one.

C. Type III Review and Decision Criteria. Preliminary plan consideration shall be reviewed through the Type III procedure. Decisions shall include review and recognition of the potential impact of the entire development, and preliminary approval shall include written affirmative findings that....

- The proposed project was reviewed under the full set of City development standards, applicable criteria, policies, and plans to determine its compliance.
- Consistency with standards, plans, policies and ordinances are discussed throughout the staff report.

15.240.040 Final plan consideration – Step two.

An application, with the required fee, for final plan approval shall be submitted in accordance with the provisions of this code, and must be in compliance with all conditions imposed and schedules previously prescribed.

- The applicant shall participate in Step Two (Final PUD Plan Review), including submission of an application with required fee for a Type I review that shall be subject to such conditions are necessary.

15.220.050 Criteria for Design Review

- 1. Design Compatibility**
- 2. Parking and On-Site Circulation**
- 3. Setbacks and General Requirements**
- 4. Landscaping Requirements**
- 5. Signs**
- 6. Manufactured Dwelling, Mobile Home and RV Parks**
- 7. Zoning District Compliance**
- 8. Subdistrict Compliance**
- 9. Alternative Circulation, Roadway Frontage Improvements and Utility Improvements**
- 10. Traffic Study Improvements**

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15.220.050(B)(2) Parking and On-Site Circulation

Parking areas shall meet the requirements of NMC 15.440.010.

Parking studies may be required to determine if adequate parking and circulation are provided for uses not specifically identified in NMC 15.440.010. Provisions shall be made to provide efficient and adequate on-site circulation without using the public streets as part of the parking lot circulation pattern. Parking areas shall be designed so that vehicles can efficiently enter and exit the public streets with a minimum impact on the functioning of the public street.

15.220.050(B)(2) Parking and On-Site Circulation

- The proposed project would provide **282 parking stalls**, which is 12 stalls or 4.1 percent below the minimum number of parking spaces required.
- The applicant has requested modification the minimum number of required parking spaces pursuant to NMC 15.240.020(I).

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

15.220.050(B)(3) Setbacks and Lot Coverage.

Findings provided for NMC Sections:

- 15.415.020, 15.415.030, 15.415.040, 15.415.050, and 15.415.060 regarding height restrictions and public access;
- 15.405.010, 15.405.020, 15.405.030, and 15.405.040 regarding lot dimension and coverage requirements;
- 15.410.010, 15.410.020, 15.410.030, 15.410.040, 15.410.050, 15.410.060, and 15.410.070 regarding yard setback and vision clearance requirements.

For both height and lot coverage, the proposed project requests modification of certain regulations relating to the development of Planned Unit Developments pursuant to NMC 15.240.020(I).

15.220.060 Additional Requirements for Multifamily Residential Projects

A. Site Design Elements

B. Building Design Elements

- The proposed project must obtain at least 20 points because it contains nine or more units.
- The Section's finding was provided in a tabular format comparing *Points Available* to *Points Awarded* for both Site Design Elements and Building Design Elements.
 - 13 points awarded for Site Design Elements.
 - 15 points awarded for Building Design Elements.

15.505.030 Street standards.

- Street improvements were completed as part of the previously approved Crestview Crossing PUD/CUP.
- For the end of E Jory Street that is not practical to extend west for a street connection due to the existing development pattern of the property to the west, a cul-de-sac or other public turnaround is required.
- The project proposes pedestrian connections to the adjacent Spring Meadow Park. Conditions of approval were added requiring the applicant a public access easement for public pedestrian walkways and requiring that public pedestrian walkways will be maintained by a homeowners' association or similar entity.
- The Applicant will be required to install a transit landing pad at the Yamhill County Transit stop along the site's Highway 99W frontage.

15.505.040 Public utility standards.

- The Applicant will be required to submit final plans for the water and wastewater connections which meet the requirements of the City of Newberg Public Works Design and Construction Standards with the Public Improvement Permit application.
- The Applicant will be required to record all required and needed easements prior to approval of the final plat and/or include all required and needed easements on the final plat.

15.505.050 Stormwater system standards.

- The project includes a proprietary stormwater treatment/detention system to manage run off from a portion of the multifamily development proposed. The Applicant will be required to submit final plans for the private stormwater management system which meets the City of Newberg Public Works Design and Construction Standards with permit applications.

Staff recommends that the Commission “move to adopt Planning Commission Order 2023-09, which approves the requested major modification to Planned Unit Development (PUD18-0001) and Conditional Use Permit (CUP18-0004) with the attached conditions of approval in Exhibit “B”