

REQUEST FOR COUNCIL ACTION



Date Action Requested: May 20, 2024

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| Order <input checked="" type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Information <input type="checkbox"/> Order No. 2024-45 and Ordinance No. 2024-2923 | |
| Subject: An Order amending the phasing plan for the Collina at Springbrook subdivision and an Ordinance amending the Springbrook Master Plan | Staff: Jeremiah Cromie, Associate Planner Department: Community Development File No. MIMD323-0003/MISC323-0001 |
| Business Session | Order On Agenda: Public Hearing |
| Hearing Type: Legislative <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Administrative <input type="checkbox"/> Not Applicable <input type="checkbox"/> | |

Is this item state mandated? Yes No

If yes, please cite the state house bill or order that necessitated this action:

Recommendation:

Adopt Order No. 2024-0045.

Adopt Ordinance No. 2024-2923.

Waive 2nd reading of Ordinance No. 2024-2923.

Executive Summary:

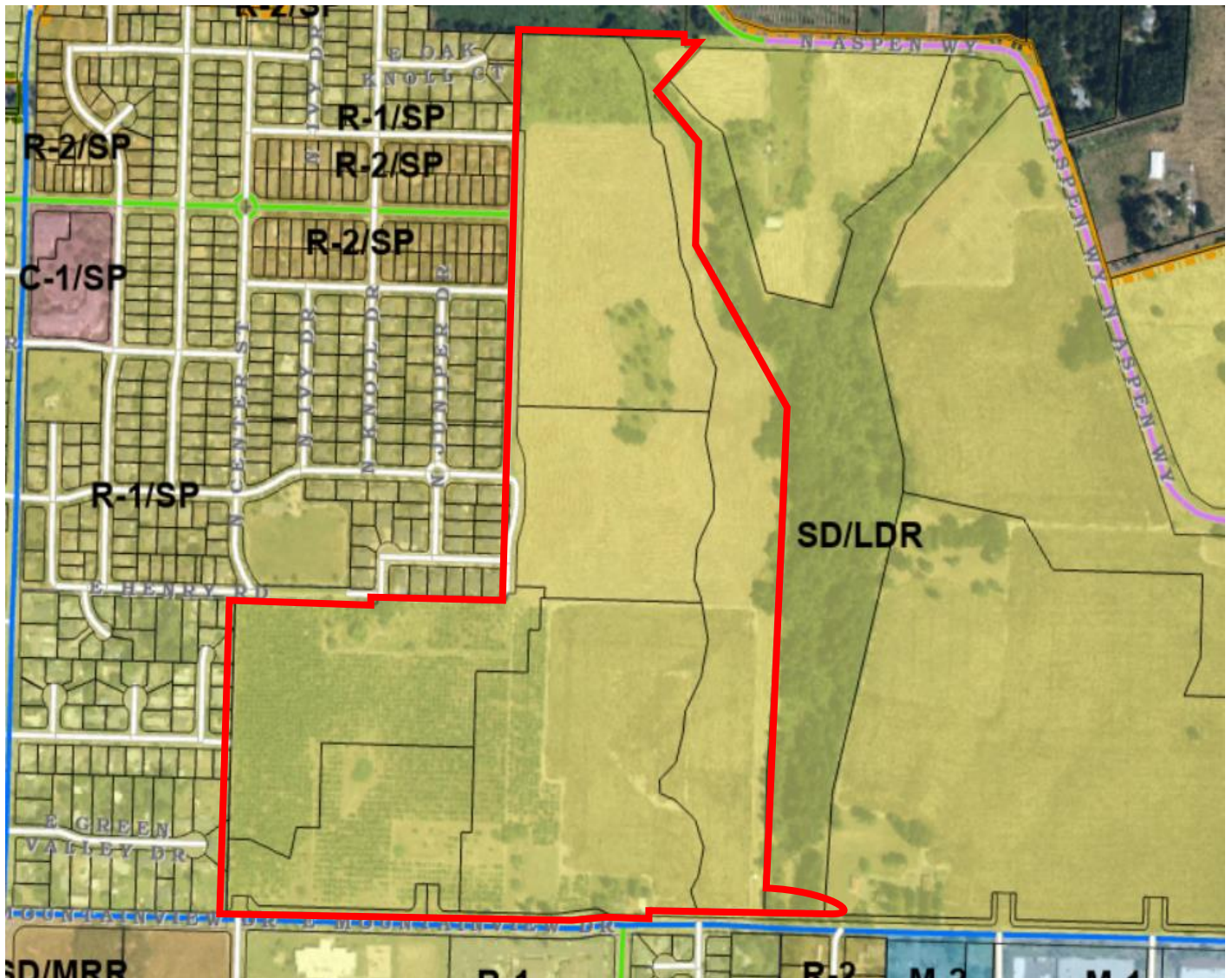
A. DESCRIPTION OF APPLICATION: Pahlisch Homes (Applicant) applied for a modification of the previously approved phasing plan for the Collina at Springbrook Subdivision (File No. SUB322-0002) as well as text amendments to the Springbrook Master Plan Development Standards Matrix (Matrix) for middle housing lot frontage and design standards. According to the application materials, the purpose of this application is to adjust the phasing schedule and clarify when public improvements will occur. The Matrix text amendments proposed are to create a minimum 20-foot lot frontage for middle housing dwelling units and change middle housing standards west of Hess Creek to reduce driveway separations to 20 feet for quadplex and duplex lots. It also requests that the required easement width for shared driveways go from 25 feet with a 20-foot paved surface to 24 feet easement with a 16-foot paved surface for middle housing west of Hess Creek.

B. SITE INFORMATION:

1. Location: The subdivision phasing modification is north of E Mountainview Drive between N Center Street and Hess Creek. The pedestrian bridge is located north of E Mountainview Drive over Hess Creek. The Matrix update for Middle Housing contains all of the Springbrook District which is

roughly east of N College Street, north of E Mountainview Drive and little bit east and north Springbrook Road and north of E Crestview Drive.

Subdivision Area and Zoning Map



2. Size: Subdivision is approximately 98.81 acres.
3. Topography: The subdivision area has a varying topography sloping from north to south and west to east.
4. Current Land Uses: The subdivision area has a single-family dwelling and agricultural fields north of E Mountainview Drive.
5. Natural Features: The subdivision area abuts but is not within the Hess Creek Stream Corridor and Special Flood Hazard Area although there will be a bridge going across Hess Creek. The western

portion of the area also consists of a Hazelnut orchard.

6. Adjacent Land Uses - Subdivision:

- a. North: Single-family (Hazelwood Farm Subdivision), Tom Gail Park and undeveloped
- b. East: Undeveloped, Hess Creek
- c. South: Undeveloped, Joan Austin Elementary School, Northwest Christian Church, and single-family (Bramble Creek Subdivision, Thorne Park Subdivision, and Meads Park Subdivision)
- d. West: Single-family (Garden Valley Subdivision, Jeffrey Park Subdivision, Northwood Estates Subdivision, Whistler's Ridge Phase 6 Subdivision, Whistler's Ridge Phase 5 Subdivision, Oak Knoll No. 7 Subdivision, Oak Knoll No. 8 Subdivision, Oak Knoll No. 2 Subdivision, and Oak Knoll Subdivision)

7. Zoning – Subdivision (SD/LDR):

- a. North: R-1/SP, Af-10 (County)
- b. East: SD/LDR, Stream Corridor Overlay
- c. South: SD/MRR, R-1, R-2
- d. West: R-1

8. Access to the subdivision development is provided from E Mountainview Drive, E Dartmouth Street, E Henry Road, N Estate Street, E Vintage Street, E Edgewood Drive, E Foothills Drive, E Hillsdale, and N Aldersgate Drive.

9. Utilities - Subdivision:

- a. Water: There is a 12-inch water line located within E Mountainview Drive, an 8-inch water line within E Henry Road, an 8-inch line in N Estate Street, and an 8-inch water line within N Aldersgate Drive. Fire flow will need to be confirmed by a fire flow test.
- b. Wastewater: There is an 8-inch wastewater line located in E Mountainview Drive, N Aldersgate Drive, N Estate Street, and E Dartmouth Street. Once connected to the City's wastewater system, the Applicant will be required to decommission the existing septic system for the house at 4121 E Mountainview Drive.
- c. Stormwater: There is a 10-inch and 24-inch line near the intersection E Mountainview Drive and N Center Street, a 10-inch line in E Mountainview Drive and N Villa Road, a 12-inch line in the eastern end of E Henry Road, 12-inch line in N Estate Street, and 12-inch lines in various segments of N Aldersgate Drive. Hess Creek runs along the eastern edge of the site.

C. PROCESS: The application requests a Master Plan text amendment for the Development Standards Matrix portion of the Springbrook Master Plan (Type III procedure), and a Phasing Plan modification (Type I procedure). Based on these requests, the application is being processed pursuant to the procedures identified in Newberg Municipal Code 15.100.050(B), 15.326.060(C) and 15.100.080(B). Due to the modifications in the Master Plan in the “Development Standards Matrix” that are land use regulations that City Council has previously adopted via ordinance, the Department of Land Conservation and Development (DLCD) was notified. The Planning Commission will hold a quasi-judicial public hearing on the application. The Commission will make a recommendation to the Newberg City Council. Following the Planning Commission’s recommendation, the Newberg City Council will hold a quasi-judicial public hearing to consider the matter. Important dates related to this application are as follows:

Date application filed

- 3/14/24: The Community Development Department deemed the applications complete.
- 3/21/24: The Applicant mailed notice to the property owners within 500 feet of the site(s).
- 3/21/24: The Applicant posted notice on the sites.
- 3/27/24: Staff sent the application to the Department of Land Conservation and Development (DLCD) for a 35-day post-acknowledgement plan amendment (PAPA) review. State law requires local governments to notify DLCD and the public when an acknowledged comprehensive plan or land use regulation changes are proposed.
- 3/28/24: The Newberg Graphic published notice of the Planning Commission hearing and notice was posted in four public places.
- 4/11/24: The Planning Commission opened and continued the quasi-judicial public hearing to a time-certain date of May 1, 2024 at the request of the Applicant and public testimony was taken.
- 5/1/24: The Planning Commission held a public hearing, took public testimony and deliberated on the proposal and adopted Resolution No. 2024-393.
- 5/3/24: The Applicant mailed notice of the City Council hearing to the property owners within 500 feet of the site(s).
- 5/20/24 After proper notice, the City Council held a quasi-judicial hearing to consider the item.

D. AGENCY COMMENTS: The application was routed to several public agencies for review and comment (Attachment 2). Comments and recommendations from City departments have been incorporated into the findings and conditions. As of the writing of this report the city received the following agency comments:

1. City Manager: Reviewed, no conflict.
2. Community Development Director: Reviewed, no conflict.
3. Public Works Compliance: Reviewed, no conflict.
4. Public Works Director: Reviewed, no conflict.

5. Public Works Water: Reviewed, no conflict.
6. Waste Management: Reviewed, comments provided. Provided comments stating that Waste Management does not have any issues provided that carts are placed on the main roadways and not in the alley ways.
7. Engineering: Reviewed and had comments which are reflected in the findings.

E. PUBLIC COMMENTS: As of the writing of this report, the City has received one written comment on the application. The following summarizes the concerns and provides a response to the concerns. All public comments in their entirety are included in Attachment 3.

Mike Dague (3/24/24): Mike Dague had comments regarding the application proposal and was concerned about having 20-foot lot frontage widths potentially being allowed to densely pack in and cheapen the area.

Staff Response: The current minimum lot frontage requirement is 25 feet for any development site not in the Springbrook Master Plan area and 20 feet for townhouses. Staff is of the opinion that a 20-foot lot frontage (width) requirement promotes more housing options and flexibility in design to meet housing needs in the City of Newberg, and that because the request is consistent with the existing requirement for townhouses it may be compatible with future development.

F. ANALYSIS:

The Applicant requested a modification to the previously approved phasing schedule for the Collina at Springbrook subdivision (File No. SUB322-0002) consistent with the conditions of approval required by City Council Order No. 2023-44 and Ordinance No. 2023-2915 (see Exhibit C). Future modifications, including those proposed with the subject application, require Type III review, as follows:

- Condition of Approval C(4)(d)(1)(e): Required if the Applicant wanted to modify the phasing schedule of phasing elements;
- Condition of Approval C(4)(h)(5): Required if the Applicant wanted to change the easement width of lots;
- Condition of Approval C(4)(bb)(2) and (3): Required if the Applicant wanted to change the driveway separation width for quadplexes and duplexes; and
- Condition of Approval C(4)(bb)(6): Required if the Applicant wanted to change the easement width and paving width for shared driveways.

According to the application materials, the updated phasing plan and schedule is mostly a clarification of when public improvements are to be completed while the text amendments to the Matrix are intended to give the developer more flexibility in the arrangement of middle housing within the Collina at Springbrook subdivision.

G. PLANNING COMMISSION RECOMMENDATION

The Newberg Planning Commission held a public hearing on April 11, 2024 and continued it to May 1, 2024, heard public testimony, and approved Resolution No. 2024-393 (Attachment 5) recommending that City Council approve portions of the requested Springbrook Master Plan amendments while also and phasing modifications to the Collina at Springbrook subdivision with conditions of approval.

Fiscal Impact:

There is no anticipated fiscal impact for these amendments.

Council Goals:

Not applicable. City Council Goal 5, Objective 3, requiring work sessions before a vote on legislative proposals, does not apply because this is a quasi-judicial land use application, not a legislative code amendment.

ATTACHMENTS:

Order No. 2024-45 and Ordinance No. 2024-2923

Exhibit “A”: Findings Collina at Springbrook Subdivision Phasing Modifications

Exhibit “B”: Findings Springbrook Master Plan Development Standards Modifications

Exhibit “C”: Order No. 2023-44 and Ordinance No. 2023-2915 Conditions of Approval

Exhibit “D”: Recommended Conditions of Approval for File No. MIMD323-0003/MISC323-0001

Exhibit “E”: Proposed Collina at Springbrook Subdivision Phasing Table and Map

Exhibit “F”: Proposed Springbrook Master Plan “Development Standards Matrix”

1. Application
2. Agency Comments
3. Public Comments
4. Applicant’s “Exhibit C Quadplex Utility Layout”
5. Applicant’s Supplemental 4/11/2024 Letter
6. Planning Commission Resolution 2024-393