

PLANNING COMMISSION MINUTES

October 11, 2012

7:00 p.m. Regular Meeting

Newberg Public Safety Building

401 E. Third Street

I. CALL MEETING TO ORDER:

Chair Thomas Barnes opened the meeting at 7:00 p.m.

II. ROLL CALL:

Members Present:	Thomas Barnes, Chair	Cathy Stuhr, Vice Chair	Gary Bliss
	Allyn Edwards	Lon Wall	Art Smith
	Philip Smith		

Members Absent: Mayor Bob Andrews, Ex-Officio

Staff Present: Barton Brierley, Planning & Building Director
Steve Olson, Associate Planner
DawnKaren Bevill, Minutes Recorder

III. CONSENT CALENDAR:

Approval of the September 13, 2012 Planning Commission Meeting Minutes

MOTION #1: Cathy Stuhr/Art Smith approve the minutes from the Planning Commission Meeting of September 13, 2012. Motion carried (7 Yes/ 0 No/ 0 Absent).

IV. COMMUNICATIONS FROM THE FLOOR:

Mr. Robert Soppe raised a number of issues regarding the process by which the Planning Commission made their decision at the August, 2012, meeting on the Cultural Center property. He felt there was a lack of deliberation on some issues he raised, and did not understand why there was not more discussion. The trip generation report states that there will be approximately 36.4 trips in the PM peak hour, and the threshold for a traffic study is 40 trips. Given that the difference is less than ten percent, he believes the validity of the estimate become very relevant. The contribution of the ballroom to this trip generation was estimated at 16. The assumption was that full use of the ballroom would result at 80 vehicles or more arriving/departing an event without taking into account any vehicles required for staff at such an event. How is it that the peak hour trip generation of 80 at an event is no greater than 16? He must assume that answer is obvious to all the commissioners and to staff because no one felt it warranted discussion. He is hoping someone can enlighten him on this as he clearly does not have the same understanding of the figures as the commission does. One of the assumptions used for that estimate was the classification of the ballroom as an athletic facility, which is fundamentally different in its traffic generation patterns than a ballroom used for a wedding. Again, this assumption warranted no discussion at all. A critical part of the support for reducing the number of required parking spaces was the application of the Newberg Development Code that accounts for joint use of parking facilities by different uses. Mr. Soppe believes this concept a very practical and effective one. What he does not understand is how the commissioners felt the standard of "no substantial conflict in the principle operating hours" of the uses was so clearly met that it warranted no discussion at all. This is especially difficult to

understand when the NDC includes in the definition of use “the purpose for which a building is or may be occupied”. What evidence did the commission have that there would not be substantial conflict at principle operating hours of the different uses that was so compelling that it warranted no discussion? He sees nothing that will prevent use of the ballroom during weekday/daytime hours. Other space in the Cultural Center is advertised for business meetings and he would expect them to be weekday/daytime events. How will this not create substantial conflict? Mr. Soppe was also surprised the commission accepted the designation of the lot-line as the boundary of the commercial establishment without any comment. He trusts that in the future, whenever the commission has discretion about any part of this property, it remembers this is a commercial establishment. It may be owned by a public entity, but that entity has made a formal claim that the property is a commercial establishment. In addition, the public entity gained a substantial benefit by this designation. Discussion of the parking reduction frequently mentioned the 47 parking spaces that surrounded the property. The actual count is 41 during daytime hours and 36 during nighttime. One commissioner did raise the issue as to whether public testimony was given proper consideration and specifically mentioned what Mr. Soppe had provided. Another member countered that, “my motion directly adopts the central suggestions that he made”, and went on to enumerate some of the suggestions Mr. Soppe made. While the commissioner is correct that some of the suggestions were addressed, five of the eight suggestions were not addressed at all. The objections Mr. Soppe has raised are not directed at the decision itself by the commission, but the process.

Mr. Barton Brierley, Planning and Building Director, replied by stating the main purpose of a traffic study is to look at what the impact will be on the City’s transportation system during the PM peak hour. The peak hour is the time during the day when there is the most volume on the street system, which is typically between 4:30 p.m. and 6:30 p.m. on a weekday. An event ending at 9 p.m. will not affect traffic during the PM peak hour, so it is important to keep that in mind when considering traffic impacts. The commercial establishment lot-line distance findings specifically did not give credit to the Cultural Center for proximity to the commercial parking lot. Therefore, the distance to the parking lot and the definition as to whether this is a commercial establishment is immaterial.

V. WORKSHOP: Update to the zoning use tables in the Development Code (continued).

The workshop continued the process from September 13, 2012, of reviewing some draft classifications for residential, transportation and utility uses, and determining in which zones they should be permitted, allowed conditionally, or prohibited. The Planning Commission divided into two groups for discussion.

TIME – 7:50 PM

Group Reports:

Mr. Barton Brierley, Planning and Building Director, reported Group 1 discussed transportation and utility uses. Private/public parking lots that are unassociated with a specific use were discussed, possibly allowing them as a conditional use in the R-P and C-1 zones where they are not currently allowed and as a permitted use in institutional zones. They suggested the airport landing fields provision should no longer be allowed in residential zones and be limited near the airport. They discussed solar panels and wind mills and the group felt wind mills should be separated out into its own category, to be discussed further in the future.

Mr. Steve Olson, Associate Planner, reported Group 2 discussed residential uses. They discussed Planned Unit Developments (PUDs), which is a process where the developer can ask for flexibility in a development in exchange for providing amenities. This is a Type 3 process, and is also listed as a conditional use (Type 3 process) in residential areas. The group proposed two changes to the current standards: to remove the PUD from the Residential Use Table, as a PUD is a process and not a use, and to change the PUD to a permitted process in all zones. A PUD would still require a Type 3 process and approval by the Planning Commission.

These changes will need to be addressed in public hearings. In regard to the mixed use dwelling definition, the group thought the definition does not require the mixed use be in the same building but can be on the same lot.

Mr. Brierley explained the changes will need to go through a broader public process for input before approval. He suggested having a general public workshop, sending out notices to the public after the first of the year, as well as electronic participation by the public, perhaps making available an electronic survey on the website enabling the public to weigh-in. The questionnaire will be a maximum of 20 questions and will include explanations of the project, zoning, the various zones, and explain what permitted and conditional uses are.

The following are a few examples of what could be asked on the survey:

Should cemeteries continue to be conditional uses in residential zones?

- **Yes**, they should be continued to be allowed with conditional use permit review.
- **No**, they should not be permitted in residential zones.
- **Permitted outright**. They should be permitted in residential zones without needing a conditional use permit.
- **Other**

Should prisons be a conditional use in any zone, including residential zones?

- **Yes**, prisons should continue to be a conditional use in any zone, including residential zones.
- **Only in industrial**. The zoning should be changed to only allow prisons as conditional uses in industrial zones.
- **Other**

Commissioner Stuhr stated staff should verify those taking the survey live in the City of Newberg. There was some discussion about the difficulty of this. The Commissioners agreed with the format for the survey. A formal hearing will take place after the workshop and survey have been completed.

VI. ITEMS FROM STAFF:

1. Update on Council items:

Mr. Brierley had no information to report.

2. Other reports, letters, or correspondence:

The Yamhill County Commissioners will be hearing the South Industrial Urban Growth Boundary Amendment on October 18, 2012, at 10:00 a.m.

Two Planning Commission positions are expiring at the end of this year, Commissioners Gary Bliss & Lon Wall. Commissioner Wall is the Planning Commission representative on (NUAMC) Newberg Urban Area Management Commission and that term expires at the end of the year, as well. The commissioners will need to recommend a Planning Commissioner NUAMC representative to Mayor Andrews at the next Planning Commission meeting on November 8, 2012. A student Planning Commissioner is also needed.

3. The next Planning Commission Meeting is scheduled for Thursday, November 8, 2012.

VII. ITEMS FROM COMMISSIONERS:

Chair Barnes stated he attended a training session last month and learned the City Attorney attends Planning Commission meetings in many other cities. He suggested having Terry Mahr, City Attorney, attend the next two meetings.

Commissioner Edwards requested staff provide the Planning Commission contact list to each member. Mr. Brierley will email the list to the commissioners.

VIII. ADJOURN:

Chair Barnes adjourned the meeting at 8:55 p.m.

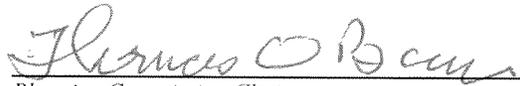
Approved by the Planning Commission on this 8th day of November, 2012.

AYES: 6 **NO:** 2

ABSENT: 1 (Wall) **ABSTAIN:** 2



Planning Recording Secretary



Planning Commission Chair