

CITY OF NEWBERG PLANNING COMMISSION MINUTES
June 12, 2014 7:00 PM
NEWBERG PUBLIC SAFETY BUILDING (401 EAST THIRD STREET)

I. CALL MEETING TO ORDER

Vice Chair Gary Bliss called the meeting to order at 7:00 PM.

II. ROLL CALL

Members Present: Gary Bliss, vice chair Jason Dale Matthew Fortner
Philip Smith Cathy Stuhr

Members Absent: Art Smith, chair (excused) Allyn Edwards (excused)
Mayor Bob Andrews (ex-officio)

Staff Present: Steve Olson, associate planner Truman Stone, city attorney
Mandy Dillman, minutes recorder

III. PUBLIC COMMENTS

Vice-chair Bliss opened and closed the public comments as no one wished to make a comment.

IV. QUASI-JUDICIAL PUBLIC HEARING: Continued from May 8, 2014

1. **APPLICANT:** Brown/Nielsen
REQUEST: Subdivision/variance for Shellie Park (21 lots)
LOCATION: 735 N. College Street
TAX LOT: 3218DB-2300, -2600, -700
FILE NO.: SUB3-14-005/VAR-14-002 **ORDER NO.:** 2014-16
CRITERIA: 15.235.060 and 15.215.040

Vice-chair Bliss opened the quasi-judicial public hearing.

Vice-chair Bliss opened the public testimony.

Mr. Steve Olson, associate planner, presented the staff report accompanied by a power point presentation (see official meeting packet).

The commissioners discussed placing a stub from Rentfro Way to Illinois Street. It was determined Mission Drive was intended to be continued eventually. They discussed moving the stub between properties rather than through one; however, it would cause just as many issues as through one property, and subdividing the cul-de-sac to prevent the need for a variance was difficult.

Mr. Lee Leighton, West Lake Consultants, clarified what they discussed at the previous meeting. He explained the added map was a conceptual redevelopment design with stub streets and options for future streets to the south. The lots could be reconfigured to add the stub through street without eliminating a lot. Additionally, Mr. Leighton explained an entire piece of property to the south would need to be utilized to make the stub through and future compliance would be needed because the cul-de-sac would still exceed 400 feet.

Discussion commenced on the possibility of different alignments to extend through two properties or even farther by the mobile home park located on Illinois Street. Additionally, Mr. Leighton reiterated that the traffic issues on Mission Drive are not a safety concern currently and that they feel their proposal will be a safe and attractive place to live.

Mr. Michael Ard, Lancaster Engineering, explained he prepared the traffic report for the subdivision. There is no crash history at the intersection and no reason to think the addition of homes will significantly worsen traffic issues. Mr. Ard expressed concern placing a stub through street to Illinois Street may cause parents dropping off and picking up children from the school on Mission Drive to cut through the neighborhood, causing additional traffic. Mr. Ard said cul-de-sac length and access regulations are meant to promote bike and pedestrian access. There was a comment from opponents that block length limits car speeds. He feels this is not true, as well connected streets without stop signs with continuous driving paths do not encourage high speeds.

Mr. Leighton explained they have not submitted any additional evidence because staff analysis and findings in addition to what they have already submitted were sufficient and they felt they just needed to touch on a few issues.

Commissioner Smith pointed out placing a stub down to Illinois Street where proposed would place it too close to the next road on Illinois Street. Mr. Ard agreed.

Discussion commenced on the safety and feasibility of preventing parking in the emergency vehicle access drive. It was determined that signs, striping, and enforcement can be used to help identify the restricted areas. Both lots are over 11,000 square feet so they have lots of room for future residents to maneuver vehicles without needed to park in the street.

Mr. Roger Grahn said the College Street access has not been considered; however, he feels with reconfiguration and conversation with Oregon Department of Transportation (ODOT), it could be done. He stated it is his understanding that Illinois Street is arterial and is meant to have additional traffic flow brought to it. Mr. Grahn feels the proposed development could be done better and is only drawn up this way to maximize profit and does not take into consideration livability. Commissioner P. Smith asked about Mr. Grahn's proposal of connecting to College Street and Mr. Grahn clarified he would acquire additional properties and connect directly to College. Furthermore, Mr. Grahn showed on the map all the current adjacent properties that are for sale and explained he would purchase multiple lots to make a large, nine acre, t-shaped area, and then develop with access to College Street and Illinois Street.

Mr. Bryan Cavaness asked if the commission had received his additional written testimony that morning, and it was determined, it would need to be accepted by the commission to be included in the documents.

The commission accepted the testimony. Commissioner Bliss allowed a ten-minute recess for commissioners to read Mr. Cavaness's submitted testimony.

Mr. Cavaness first addressed the traffic issues currently on Mission Drive, and after admitting he is not a traffic Engineer like Mr. Ard, he felt it necessary to remind the commission about the anecdotal evidence from the previous meetings of residents stating there is increased speed at the end of the street. Mr. Cavaness feels it will only increase with the street being continued. Mr. Cavaness said, as he understands, there have been no studies done on speeds on Mission Drive. He discussed definitions of cul-de-sacs and dead end streets, and feels the proposal will create a dead end street; therefore, the application should be denied because staff labels it as a cul-de-sac.

Discussion commenced on connecting to the south. Mr. Cavaness stated by approving the application they are not achieving what they promised to the Department of Land Conservation Development (DLCD) for density.

Mr. Truman Stone, city attorney, asked if Mr. Cavaness would define cul-de-sac and dead end street. Mr. Cavaness said his understanding is all streets ending in an “L” or “T” shape would be defined as dead end because they terminate, whether or not they have a bulb or other type of ending. Mr. Cavaness explained he looked in the code for a definition of the word “temporary” and did not find one. He feels if it does not have an outlet and is one way in and out it is a dead end. Mr. Stone mentioned there is an entire neighborhood in the east of Newberg that has one entrance with multiple streets curving around inside and asked Mr. Cavaness what his interpretation of that street would be. Mr. Cavaness replied it would probably not be a cul-de-sac, but feels it would be distinguished as a street system.

Mr. Leighton rebutted Mr. Cavaness’s statements by first addressing he feels College Street is not accessible, and the additional properties for sale in the area are not part of this proposal. He feels even after acquiring those properties they still could not connect to College Street because it does not meet ODOT’s spacing standards. Furthermore, Illinois Street is not an arterial, it is in the transportation system plan as a collector. Mr. Leighton said the proposal meets city requirements in regards to infill and zoning. He further discussed the original plan to make the street loop, the traffic issue that he feels are non-existent, and feels the long cul-de-sac will not be violating community safety standards. Mr. Leighton discussed the emergency access and how it can be made more accessible with bollards or a gate. He stated that if the commission decides there needs to be further connection to additional streets, they have provided several options to consider. Furthermore, he feels the properties to the south can meet infill requirements by creating flag lots on Illinois Street. It would not contribute to sixteen additional driveways, as mentioned at the previous meeting, because flag lots would share the current driveways, therefore there would be no more driveways added to the road than is currently present. Mr. Leighton explained whether the commission require Rentfro Way to connect to Illinois, does not matter to them, because they can continue their plan either way. Mr. Leighton sees this proposal as a good solution to this particular properties special circumstances.

Mr. Michael Ard, Lancaster Engineering, addressed concerns with connecting to Illinois Street causing a conflict with the offset between the new street and existing streets on Illinois Street. Furthermore, the future addition of a turn lane on Illinois Street may cause some traffic confusion with the addition of a street from Rentfro Way. He assured Mr. Cavaness that he did make observations in the area; however, he did not collect speed data because he viewed no traffic speeding issues. Mr. Ard also mentioned speeding at the end of the road would be impossible, since cars would be slowing down at that point. He did not see any problems that needed fixing. Mr. Ard concluded by stating he does not believe the development will exacerbate or cause speeding problems. Additionally, they are willing to implement any traffic calming devices the commission asks for.

Commissioner Stuhr asked if they had ever considered purchasing additional properties. Mr. Leighton explained he does not know if any properties are available and did not contact anyone because they took the property available to them and created a plan to move the process forward.

Mr. Stone asked if they had any comparison properties to this one for evidence. Mr. Leighton explained they looked but found no other properties of this type that had no possible way to connect to the only available street frontage. Therefore, they submitted the additional map, which shows possible connections to the south.

Commissioner Bliss closed public testimony.

Mr. Olson concluded the staff report by stating they can approve the application as submitted, approve it with conditions, or deny it. He restated the changes they have made include removing the west walkway because of poor design and poor visibility. Mr. Olson agreed they could place a street to the south; however, that solution

causes issues as well. If the commission feels there is not enough evidence they can deny the application or request more evidence to be provided.

Discussion commenced on what is considered evidence and it was determined the amount needed for any given application is determined by the commission. The commissioners agreed there was no need for traffic calming devices, and discussed the possibility of removing parking on parts of Mission Drive. Moreover, they considered definitions of "cul-de-sac", "infill", and "temporary" and determined the property would still be usable if the application was denied.

MOTION: SMITH/STUHR approving asking the applicant to state in writing that they would extend the 120-day rule to a reasonable amount of time so staff and commission can examine findings in greater detail at a later meeting. Motion carried (5 Yes/0 No/2 Absent (Edwards, A. Smith)).

It was determined they would extend the 120-day rule by thirty-one days.

MOTION: DALE/FORTNER approving a continuation of the quasi-judicial hearing to June 19th, 2014 at 7:00 PM to examine the findings in greater detail with staff. Motion carried (5 Yes/0 No/2 Absent (Edwards, A. Smith)).

V. ITEMS FROM STAFF

- 1. Update on Council items

No significant updates.

- 2. Other reports, letters or correspondence

None.

- 3. Next Planning Commission meeting: June 19th, 2014

VI. ITEMS FROM COMMISSIONERS

None appeared.

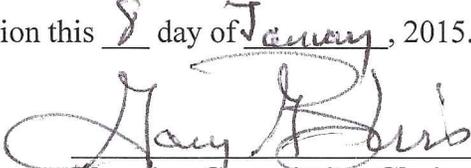
VII. ADJOURNMENT

The meeting adjourned at 10:46 PM.

Approved by the Newberg Planning Commission this 8 day of January, 2015.



Minutes Recorder



Planning Commission Chair