

NEWBERG PLANNING COMMISSION MINUTES
May 11, 2023

CALL MEETING TO ORDER:

Chair Musall called the meeting to order at 7:00 p.m.

ROLL CALL

Members Present: Kriss Wright, Michael Griffiths, Avery Hansen, Jason Dale, Sharon Capri, Jeffrey Musall

Members Absent: Linda Newton-Curtis, Layne Quinn

Staff Present: Community Development Director Doug Rux; Office Assistant Fé Bates; Planning Manager Clay Downing.

PUBLIC COMMENTS: None

CONSENT CALENDAR

Action: To approve the April 13, 2023 Planning Commission minutes.
Motion: PC Dale
Second: PC Griffiths
Vote: Yes: 6 No: 0 Abstain: 0 Absent: 2 (Newton-Curtis, Layne Quinn)

QUASI JUDICIAL PUBLIC HEARINGS

MISC322-0002/ZMA22-0001/SUB322-0002/MISC222-000- Amend the Springbrook Master Plan, Change the zoning from SD/NC to SD/MRR for 11.23 acres, a +/- 403 lot Collina at Springbrook Subdivision tentative plat, and Stream Corridor Impact for a Pedestrian Bridge: Applicant requests a continuance to June 8, 2023 at 7pm.

Chair Musall opened the continued public hearing and called for any abstentions, bias, ex parte contacts, or objections to jurisdiction. There were none.

Community Development Director Rux said the applicant Pahlisch Homes had requested a continuance of this hearing.

Action: To continue MISC322-0002/ZMA22-0001/SUB322-0002/MISC222-000- Amend the Springbrook Master Plan, Change the zoning from SD/NC to SD/MRR for 11.23 acres, a +/- 403 lot Collina at Springbrook Subdivision tentative plat, and Stream Corridor Impact for a Pedestrian Bridge to June 8, 2023 at the Public Safety Building.
Motion: PC Dale
Second: PC Capri
Vote: Yes: 6 No: 0 Abstain: 0 Absent: 2 (Newton-Curtis, Layne Quinn)

ORDER 2023-08: CUP23-0004: Vacation Rental – 114 E Third Street

Chair Musall opened the public hearing and called for any abstentions, bias, ex parte contacts, or objections to jurisdiction. There were none.

Student Commissioner Hansen read the legal announcement.

CDD Rux presented the staff report. This was a request for a conditional use permit to use an existing three-bedroom home as a vacation rental located at 114 E Third Street. There would be two off-street parking spaces available in the driveway and one inside the garage. The application would have an occupancy limit of six (6) people and enforced quiet hours beginning at 9:00 p.m. The subject property is zoned R-1 (Low Density Residential). He reviewed the applicable criteria. Staff recommended approval with conditions.

The applicant, Paige M. Witte, said she had purchased the property in 2019, and needed to earn supplemental income from it while her son was in college. She intended to move into the property in the future. She answered questions from the Planning Commissioners. There was a neighbor available to respond to emergencies as well as a McMinnville based property management company.

Public Testimony: None

Chair Musall closed the public hearing.

Action:	To approve: ORDER 2023-08: CUP23-0004: Vacation Rental – 114 E Third Street
Motion:	PC Capri
Second:	PC Wright
Vote:	Yes: 6 No: 0 Abstain: 0 Absent: 2 (Newton-Curtis, Layne Quinn)

ORDER 2023-07: CUP23-0003: Vacation Rental – 3704 E Coffey Lane

Chair Musall opened the public hearing and called for any abstentions, bias, ex parte contacts, or objections to jurisdiction. Commissioner Musall said he lived on Coffee Lane and it would not affect his judgement.

Student Commissioner Hansen read the legal announcement.

CDD Rux presented the staff report. This was a request for a conditional use permit to use an existing three-bedroom home as a vacation rental located at 3704 E Coffey Lane. There would be two off-street parking spaces available in the driveway. The application would have an occupancy limit of six (6) people and enforced quiet hours beginning at 10:00 p.m. The subject property is zoned R-1 (Low Density Residential). He reviewed the applicable criteria. Staff recommended approval with conditions.

Applicant Kevin Long said he owned the property, had been his primary home but while he traveled he wanted to rent the property. He owns several rental properties, and had staff to maintain and repair the residence. He answered Commissioners' questions about renovations, yard maintenance, rental criteria, no pets policy, a neighboring property with a pool.

Public Testimony:

Opponents: Beth Bernier opposed the vacation rental saying it would ruin the vibe of the neighborhood. She said she had not been notified, lived a block away.

Rebuttal: Applicant Long said they had notified everyone within 500 feet, and followed all regulations.

Chair Musall closed the public hearing.

The Commissioners deliberated on:

- Having to follow the criteria, that the application fulfilled that requirement.
- No evidence that owner is not using property as required.

Action:	To approve: ORDER 2023-07, CUP23-0003: Vacation Rental – 3704 E Coffey Lane
Motion:	PC Wright
Second:	PC Capri
Vote:	Yes: 6 No: 0 Abstain: 0 Absent: 2 (Newton-Curtis, Layne Quinn)

ORDER 2023-09: MAMD323-0001 - Request for Major Modification of Crestview Crossing PUD/CUP at Highway 99W and E Crestview Drive

Chair Musall opened the public hearing and called for any abstentions, bias, ex parte contacts, or objections to jurisdiction. There were none.

Student Commissioner Hansen read the legal announcement.

Planning Manager Downing presented the staff report. The proposed project requests a major modification to a previously approved Planned Unit Development (PUD18-0001) and Conditional Use Permit (CUP18-0004). The subject property is a 298,179 square foot (6.85 acres) lot that is identified as Phase 2 of the Crestview Crossing Planned Unit Development (Crestview Crossing PUD/CUP). The Applicant proposes to build 196 multi-family dwellings in eight garden-style apartments as well as an on-site community recreation facility, referred to as a field house, for use by the development's residents. The development site is located within the Community Commercial (C2) and Medium Density Residential (R-2) zoning districts.

Staff recommended approval with conditions.

Applicant Jesse Nemec, JT Smith Companies, gave an overview of the skinny hall units, and looking at alternative housing.

Mercedes Serra, 3J Consulting, provided a Power Point Presentation for Spring Meadow at Springbrook. She referred to housing affordability for the project and information in the Housing Needs Analysis (HNA).

Jesse Nemec said the target was 1.4 to 1.5 parking spaces per dwelling unit. There were 1.44 parking spaces proposed per dwelling unit for the project.

Nemec and Serra answered questions from the Commissioners including parking reductions, their intent behind changing the land use approval from single-family to multi-family, Section 8 vouchers, reduction in affordable housing amount, and Construction Excise Tax effects.

Public Testimony:

Opponents:

Russ Thomas opposed the application. He said the proposal was a bait and switch tactic from what was originally approved as R-1 housing. Noted Newberg is looking more and more like Portland. 3-story buildings are not consistent with the Purpose of Reason Compatibility.

Lisa Thomas opposed the application. She said it was a major change to the original proposal from many years ago. In 2007, the property was approved to be zoned R-1 with 30 units. Jeff Smith orchestrated the annexation, allowed heavy equipment on site and the operator threatened her with a bucket, and equipment crossed Spring Meadow Park without authorization. Chair Musall made her principal opponent. Land was donated for expansion of Spring Meadow Park. The wetlands were impacted, the Corps (Army Corps of Engineers) was involved. She requested the Planning Commission not approve the modification request. She said the notice she received did not have the location or time of the meeting. There was discussion on a written agreement versus a private conversation with then Mayor Andrews.

Planning Manager Downing said there had been an error with the notice. There was discussion on the options for the notice and continuing the hearing.

Aspen Bernier opposed the application. It took the wetlands away, was in a flood zone, and did not comply with NMC 15.226.060 A-C. There are potholes in roads around town that are not being fixed. Developers coming from out of town and impacting the community. Siding for the new homes has been sitting out in the rain and then being installed.

Beth Bernier opposed the application. She referred to it as a bait and switch process. She recognized growth would happen. Newberg has established neighborhoods and families. At the original PUD the applicant proposed pretty pictures of the development. She has a street that ends at her backyard. There was supposed to be a buffer between her property and the development which did not occur. She indicated developers are taking money out of the city. She noted people will get sick later who are buying the new homes.

Rebuttal:

Attorney Jamie Howsley, representing the applicant, said if the inclination is to continue the public hearing that he would agree to continuing the hearing.

Chair Musall agreed to the thought of continuing the hearing.

Action: To continue the hearing to June 8 at 7 p.m.

Motion: PC Dale
Second: PC Wright
Vote: Yes: 6 No: 0 Abstain: 0 Absent: 2 (Newton-Curtis, Layne Quinn)

NEW BUSINESS:

No New Business

ITEMS FROM STAFF

CDD Rux updated the Planning Commission on City Council actions and the anticipated schedule of Planning Commission activities.


CDD Rux reviewed the City Council Goals with the Planning Commission.

Planning Manager Downing gave an update on staff's vacation rental home research.

ITEMS FROM COMMISSIONERS

Commissioner Wright asked that the be updated with the current Planning Commission members.

ADJOURNMENT: The meeting was adjourned at 9:27 p.m.

Attest: 
Jeff Musall, Planning Commission Chair


Fé Bates, Planning Commission Secretary