

**NEWBERG PLANNING COMMISSION MINUTES**  
**May 12, 2016, 7:00 PM**  
**PUBLIC SAFETY BUILDING (401 E. THIRD STREET)**

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

**ROLL CALL**

Members Present:     Allyn Edwards, Chair                     Jason Dale  
                             Philip Smith     Gary Bliss  
                             Cathy Stuhr     Ron Wolfe  
                             Luis Saavedra, Student

Staff Present:         Doug Rux, Community Development Director  
                             Bobbie Morgan, Office Assistant II  
                             Steve Olson, Senior Planner  
                             Jessica Pelz, Associate Planner  
                             Kaaren Hofmann, City Engineer

**PUBLIC COMMENTS:** None

**CONSENT CALENDAR:**

Approval of the April 14, 2016 Planning Commission Meeting Minutes

**MOTION: PC Cathy Stuhr/PC Ron Wolfe** moved to approve the April 14, 2016 Planning Commission meeting minutes. Motion carried (6 Yes/ 0 No).

**QUASI-JUDICIAL PUBLIC HEARING:**

Chair Allyn Edwards read the public hearing process and requirements.

1. **North Valley Annexation:** Consider a proposal to annex 10.37 acres of property. The property is located within the Newberg Urban Growth Boundary and has a Comprehensive Plan designation of PQ. Annexation would change the zoning from Yamhill County AF-10 to Newberg R-1.

APPLICANT: Newberg First Baptist Church  
LOCATION: 24950 North Valley Road             TAX LOT: 3207-900  
FILE NO.: ANX-16-001                             RESOLUTION: 2016-317  
CRITERIA: Newberg Development Code Sections: 15.250.030 & 15.302.030

Chair Allyn Edwards opened the public hearing at 7:06 pm.

**Call for abstentions, conflicts of interest, bias, ex parte contacts, and objections to jurisdiction:** None

**Staff Report:** PowerPoint presentation given by Associate Planner Jessica Pelz. This was a request for annexation of 10.37 acres located at 24950 North Valley Road and change of zoning from Yamhill County AF-10 to Newberg R-1. The Comprehensive Plan designation was PQ and was consistent with the R-1 zoning. The property was directly north of Newberg's city limits on the southeast side of the North Valley Road and Chehalem Drive intersection. The property was located in the Urban Growth Boundary and was contiguous to the City limits. The rights-of-way would be included in the annexation which would provide for future continuity of the streets. Public utilities would be extended from the Foothills Drive and Chehalem Drive intersection. Future development would require right-of-way dedication and frontage improvements to North Valley Road and Chehalem Drive, intersection improvements as necessary to meet safety standards, and a sidewalk extension south to Foothills

Drive. Police, fire, parks, and school services were available. The proposal complied with the Transportation Planning Rule because the zoning was consistent with the Comprehensive Plan designation, the acknowledged Transportation System Plan took this property into account as being urbanizable, and the property was included within the UGB amendment in 2006 that did analysis for transportation and other public facilities. Staff recommended approval of the resolution.

**Public Testimony:**

Proponents:

Dan Danicic and Jessica Cain, representing the developer Del Boca Vista, said the church originally submitted the application and assigned the rights to Del Boca Vista when they entered into a real estate sales agreement. They were there to answer any questions. There were no questions.

Marc Willcuts did not testify.

Opponents and Undecided: None

**Close of public testimony:** Chair Allyn Edwards closed the public testimony at 7:16 pm.

**Deliberation of Commission:** Chair Allyn Edwards commented on a letter that was received. The concern was regarding traffic issues at the intersection of Chehalem and North Valley Roads. This was not a part of the annexation process, but would be addressed when the property was developed.

PC Philip Smith commented on the process, clarifying this was an annexation hearing and the criteria the Commission had to use for a decision were the criteria for annexations. Some of the written comments did not directly speak to annexation, but the later plan to develop the property. The traffic on this corner had to be addressed during the development process. He did not think there was any reason not to approve this application.

**Final comments from staff:** AP Jessica Pelz said staff's recommendation was approval of the resolution.

**MOTION:** PC Philip Smith/PC Cathy Stuhr moved to adopt Resolution 2016-317, recommending the City Council approve the requested annexation for the 10.37 acres of property located at 24950 North Valley Road. Motion carried (6 Yes/ 0 No).

**QUASI-JUDICIAL PUBLIC HEARING:** Chair Allyn Edwards opened the public hearing at 7:21 pm.

2. **Columbia Estates Annexation:** Consider a proposal to annex 3 parcels (with a total of 3.06 acres). The properties are located within the Newberg Urban Growth Boundary and have a Comprehensive Plan designation of MDR. Annexation would change the zoning from Yamhill County VLDR-1 to Newberg R-2

APPLICANT: Del Boca Vista, LLC

LOCATION: North of Columbia Dr., south of Lynn Dr. TAX LOTS: 3218AB-1700, -1701, & -1702

FILE NO.: ANX-16-003 RESOLUTION: 2016-319

CRITERIA: Newberg Development Code Sections 15.250.030 & 15.302.030

Chair Allyn Edwards read the public hearing process and requirements.

**Call for abstentions, bias, conflicts of interest, ex parte contacts, and objections to Jurisdiction:** None

**Staff Report:** PowerPoint presentation given by Senior Planner Steve Olson. This application was to annex 3.06 acres into the City and rezone the property from Yamhill County VLDR-1 to Newberg R-2. The Comprehensive Plan designation was MDR and would be consistent with the R-2 zoning. The location of the parcel was north of Columbia Drive, south of Lynn Drive and Heritage Way. The site was within the Urban Growth Boundary and

was contiguous to the City limits. The annexation would include the right-of-way to the middle of Columbia Drive to allow for future continuity of the City limits. Many of the comments received were about the 3,000 square foot lots which were allowed in R-2. The R-2 zone was flexible as duplexes and multi-family developments would be allowed at the same density standard. He explained to develop the property, the applicant would have to come back with a subdivision application which would have more details on sewer, water, and stormwater and grading. Other comments received on this application were related to stormwater issues and concerns, but they would apply during the subdivision phase not for the annexation phase. Sewer and water lines were available north of the site on Lynn Drive. The stormwater system design would have to meet the standards in the Code at the time of development. There was a preliminary assessment of the Highway 240 pump station and it was determined to have adequate capacity, but a more detailed analysis would be required at the time of development. Future development would require street improvements on Lynn and Columbia. Also at the time of development a limited traffic study would be required for the intersection of Main Street and Lynn Drive. He then discussed the concept plan for the site. Police, fire, parks, and schools were available. The application complied with the Transportation Planning Rule because the zoning was consistent with the Comprehensive Plan, the property was included in the Transportation System Plan as urbanizable, and when the UGB amendment for this area was done, transportation analysis had been done and it was factored into the long term transportation plan. The applicant's traffic engineer did a report for the TPR and stated the maximum density was 27 units and recommended a cap for that number. However, the density standard he used was not a maximum density, but a target density, and the density could be higher. The number was modified to put the cap at 29 units for the site. The condition was changed to reflect the new number. Staff recommended adoption of the resolution.

PC Philip Smith asked why the utilities would be extended from Lynn Drive instead of Columbia. SP Steve Olson replied the water and sewer lines were coming from Lynn because Columbia did not have a sewer line. He explained how the lines would be connected.

PC Philip Smith asked about pedestrian connectivity, and SP Steve Olson stated they would have to meet the connectivity standards in a subdivision application. He explained how the connectivity would work in this area.

**Public Testimony:**

**Proponents:**

Dan Danicic & Jessica Cain, Del Boca Vista, had nothing to add to what staff had said. They asked if the Commission had any questions. There were none.

Marc Willcuts did not testify.

**Opponents and Undecided:**

Michael Brown said most of his comments were regarding the future subdivision. He was against the zoning change because it would allow 3,000 square lots. This was a mature neighborhood and all of the lots were larger than 3,000 square feet. He did not think it would fit with the neighborhood and was concerned about property values going down.

PC Philip Smith asked how large his lot was. Mr. Brown responded it was 6,000 square feet.

Maurine Rogers was representing the water district down Columbia Drive. She asked why the traffic study would only be for Main and Lynn, not Columbia and Main as Columbia was narrower and more dangerous and closer to Newberg.

City Engineer Kaaren Hofmann responded that when the application came in the Lynn and Main Street intersection was identified as the area of concern because it had the most traffic. This would specifically look at the intersection and whether there was a need for traffic control devices or additional sight distance.

Mitzi Vondrachek said her property was on the eastern boundary of the proposed development. She asked why they were sending all of the utilities down Lynn Drive. This was a rural area and there was not the infrastructure to properly put in development. She did not think it was the time for this side of the City to be developed. She thought the traffic study should include Columbia. She asked if R-2 had been redefined to allow 3,000 square foot lots. The character of the neighborhood was different from this new definition of R-2.

SP Steve Olson replied there was a Code change that changed the minimum lot size for R-2 to 3,000 square feet.

Bill Rogers said his primary concern was the density. He lived across the street and this would have an impact on livability. The number of cars and construction were also concerns. There was a lot of pedestrian traffic in the area. The current infrastructure was an issue as there were old pipes running under Columbia. The last two times there was construction there had been breaks in the pipes which the small water district had to pay for. The street going through would affect the traffic patterns on Columbia and increase the traffic.

Amy Sorensen gave a handout to the Commission. She was there on behalf of those living on Lynn and Crater. There was only one house in this area that had a 3,800 square foot lot and most of the houses were 5,000 to 6,000 square foot lots. She was looking for something more compatible. With more cars on the road, there was more chance of there being safety and parking issues. The pavement was in poor condition on Columbia and Main and there were no sidewalks.

Ed Christie said his property was adjacent to this parcel to the east. He thought it was not the right time to annex this parcel, especially with the small lot concept. He was opposed to it because of the small lots. He asked if the minimum was 29 lots, could more than that be put in? There was a 10 foot slope from the north to the south and about halfway down there would have to be a fill and that was where his property sat. He wondered what would happen to the water runoff.

Chair Allyn Edwards clarified the maximum, not the minimum, was 29 lots.

PC Philip Smith said stormwater runoff was always an issue and the developer would have to come up with a reasonable plan to handle it during the development phase.

PC Cathy Stuhr said the densities had been increased due to groups putting pressure on the City to increase it.

William Haines took issue with the transportation study stating only 29 trips would be added during peak hours, which was one trip per household. Most people had multiple cars per household and multiple family members who would be traveling during rush hour. He thought it would be more than 40 trips and should trigger a transportation study.

PC Philip Smith asked what he thought Columbia Drive should look like in the future. Mr. Haines responded that it would have to be larger than it was currently to allow for traffic, bicycle lanes, and sidewalks.

Dawn Hall thought the infrastructure in this area was not adequate for development. There was a big problem on Columbia as there were limited resources there and it was a narrow road. It was an area not patrolled by the police. She was also concerned by the smaller housing and the livability in the neighborhood. When the last development went in this area, the water table was changed. She now had standing water in her yard and trees that died because of the water. Columbia was narrow and dangerous and she agreed that there would be more than 29 trips added and a transportation study should be done. This should be part of a larger annexation.

PC Cathy Stuhr asked about taking these City/County issues to the Newberg Urban Area Management Commission. SP Steve Olson responded that group's focus was Urban Growth Boundary expansion. The vast

majority of sidewalk and street improvements happened during development. New development also brought in SDCs for future transportation improvements.

Ms. Hall commented on how it was already confusing with the parts of this area that were in the County and those that were in the City and this would add to the confusion.

**Close of public testimony:** Chair Allyn Edwards closed the public testimony at 8:26 pm.

**Final comments from staff:**

SP Steve Olson said the staff recommendation was to approve the resolution with conditions. One of the conditions regarding the Transportation Planning Rule report was to change the limitation of 27 to 29 units and from 258 to 300 trips. There had been requests to have a traffic study for Columbia and Main as well as the study of Lynn and Main.

Community Development Director Doug Rux said annexations typically occurred by the request of property owners. If this parcel was annexed, there would be a subdivision application process. Using fill and how it would affect the area would be looked at during the time of the subdivision application. The zoning was consistent and compatible with the Comprehensive Plan designation and the application met the criteria.

PC Philip Smith said in this annexation, a portion of Columbia Drive would become City and it needed to be developed to the correct standards. How did they make sure that every part of the street was developed as it should be when it was annexed. CDD Doug Rux said for the subdivision application, the developer would have to do a half street improvement on Columbia Drive as a minor collector.

PC Gary Bliss asked if the Boundary Commission was still in effect and if this project had to be taken to them. CDD Doug Rux answered they could extend City infrastructure outside of the City limits to connect to other portions of the community that were in City. There would be coordination for the City infrastructure to go into County right-of-way.

PC Gary Bliss asked about adding a condition for a cost comparison study for a gravity sewer to the east versus filling the property. CDD Doug Rux said the Sewer Master Plan identified this area draining to the Highway 240 lift station and there was not a way to go to the east. This would be dealt with at the subdivision application stage.

The Commission took a five minute break.

**Deliberation of commission:**

PC Jason Dale agreed it would be nice to have all the adjacent land annexed at the same time, but that did not always happen and they had to accept the developments as they came. All the concerns would be brought up during the subdivision application. The stormwater drainage could be solved by engineering and traffic improvements would be dealt with during the subdivision application.

**MOTION:** PC Cathy Stuhr/PC Ron Wolfe moved to approve Resolution 2016-319 with conditions including the change to the condition regarding the TPR change of 27 to 29 units and 258 to 300 trips and the limited traffic study to include Columbia Drive. Motion carried (6 Yes/ 0 No).

**QUASI-JUDICIAL PUBLIC HEARING:** Chair Allyn Edwards opened the public hearing at 8:50 pm.

Chair Allyn Edwards read the public hearing process and requirements.

3. **Public Works Maintenance Yard – 520 W. Third St. Annexation:** Consider a proposal to annex 1.41 acres of property. The proposed annexation is located within the Newberg Urban Growth Boundary and has

a Comprehensive Plan designation of IND (industrial). Annexation would change the zoning from Yamhill County HI (heavy industrial) to Newberg M-2 (light industrial).

APPLICANT: City of Newberg Public Works Dept.

LOCATION: 520 W. Third St. TAX LOT: 3219BD-1000 (western part)

FILE NO.: ANX-16-002 RESOLUTION: 2016-318

CRITERIA: Newberg Development Code Sections 15.250.030 & 15.302.030

**Call for abstentions, bias, conflicts of interest, ex parte contacts, and objections to jurisdiction:** None

**Staff Report:** PowerPoint presentation given by SP Steve Olson. This was an application to annex 1.41 acres for a Public Works maintenance yard. The zoning would change from Yamhill County HI to Newberg M-2. The Comprehensive Plan designation was IND which was consistent with the M-2 zoning. The property was within the Urban Growth Boundary and was contiguous to the City limits. The proposed use for a maintenance yard was allowed in the M-2 zone. There was a stream corridor overlay in the southwest corner. The flat part of the site had been developed previously as a cement plant and the stream corridor area was undeveloped. The Department of State Lands commented that any future work outside of the already developed footprint would need to be reviewed by them to determine if a permit or wetlands inspection was needed. There were sewer and water lines available in 3<sup>rd</sup> Street and future development might require improvements on 3<sup>rd</sup> Street. Police, fire, parks, and schools were available. It complied with the Transportation Planning Rule because the proposed zoning was consistent with the Comprehensive Plan designation, Newberg had an acknowledged Transportation System Plan and the zoning was consistent with the TSP, and the TSP accounted for the future urbanization of this property. Staff recommendation was to adopt the resolution.

PC Philip Smith asked in annexing this property, did it include a portion of the railroad? SP Steve Olson said no, the property was deeded to the railroad and they would need approval of the railroad to annex it. CDD Doug Rux explained the railroad was deeded a lot of land in order to build the railroad. They could only go up to the railroad property line because the railroad had not consented to the annexation.

PC Jason Dale asked about half of the tax lot being in the County and half in the City. SP Steve Olson responded the lot was odd and explained what part was in the City limits and what was not.

**Public Testimony:**

Proponents: Kaaren Hoffman, City Engineer, agreed with staff's recommendation.

Opponents and Undecided: None.

**Close of public testimony:** Chair Allyn Edwards closed the public testimony at 9:09 pm.

**Final comments from staff:**

SP Steve Olson said staff's final recommendation was to approve the resolution with conditions.

**MOTION:** PC Philip Smith/PC Jason Dale moved to adopt Resolution 2016-318 with conditions. Motion carried (6 Yes/ 0 No).

**QUASI-JUDICIAL PUBLIC HEARING:** Chair Allyn Edwards opened the public hearing at 9:10 pm. Chair Allyn Edwards read the public hearing process and requirements.

4. **Subdivision preliminary plan & variance – Nova Grace:** Consider a proposal to divide a 1.99 acre parcel into 14 lots for single-family homes. The property is zoned R-2 (medium density residential). Includes a variance request to increase the maximum building height from 30 feet to 33 feet.

APPLICANT: Del Boca Vista, LLC

LOCATION: 900 Wynooski St. TAX LOT: 3220CA-900  
FILE NO.: SUB3-16-001/VAR-16-001 ORDER: 2016-21  
CRITERIA: Newberg Development Code Sections 15.235.060(A) & 15.215.040

**Call for abstentions, bias, conflicts of interest, ex parte contacts, and objections to jurisdiction:** None

**Staff Report:** PowerPoint presentation given by SP Steve Olson. This was a subdivision preliminary plan and variance for Nova Grace. This was the first part of the process to approve a tentative plan for a 14 lot subdivision for single-family homes. The variance was to increase the maximum building height from 30 feet to 33 feet. The property was zoned R-2 and there was a stream corridor overlay on the northeast corner of the property. The location was 900 Wynooski Street. The property surrounding the parcel was single family residential. Wynooski was a two lane major collector and under Yamhill County jurisdiction at this location. There were sewer and water lines in Wynooski and a stormwater ditch was on Wynooski as well. The subdivision proposal would not use that ditch but would go downhill towards the stream corridor and a detention pond would be built on the site. He explained the subdivision plan. Due to the way Wynooski was designed, the subdivision would have to be a cul-de-sac. The subdivision complied with all the Development Code standards. The average lot size was 4,500 square feet but if the stream corridor was taken into account it would be 3,189 square feet and the minimum lot size was 3,000 and maximum was 5,000 for this area. All lots had at least 25 feet of frontage either directly on a street or through an access easement, and were at least 30 feet wide on the front building line. An access permit would be required from the County for work in the street. Frontage improvements and bike lanes were required on Wynooski. A site distance report was required and access drives on lots 8, 9, and 10 would have to have a 20 foot wide drivable surface marked with no parking fire lane signs on both sides of the access. Other requirements were: a revised utility plan to address utility line separation standards and alignment, fire flow and domestic flow, new hydrants might be required, the existing septic system had to be removed and decommissioned, revised and more detailed stormwater report, a more detailed long term maintenance plan, and a restoration plan for the disturbed area within the stream corridor. The Department of State Lands wanted contact to determine if a permit was required for work in the stream corridor. Two off street parking spaces needed to be provided per house. Staff encouraged the applicant to arrange the driveways to maximize the available amount of on street parking. There was no on street parking on Wynooski. These improvements would need to be completed before final plat approval. For the variance, there was a practical difficulty and extraordinary circumstances that did not apply to every lot in that zone and strict interpretation would deprive the applicant of some privileges enjoyed by other property owners in that zone. Granting the variance would not constitute a special privilege and would not be detrimental to public health, safety, or welfare. He explained how height was measured. In this case the stream corridor constrained 21% of the site which was an exceptional circumstance. The applicant argued that the resulting small lots were impractical to develop without the ability to increase the height from 30 to 33 feet. This was a 10% height increase and would have no effect on health, safety, or welfare. The houses would have to meet the front and side setbacks and lot coverage standards. Staff recommended approval of Order 2016-21 which included the variance, findings, and conditions. One addition to the findings and conditions was to contact the State Lands Coordinator to determine if a permit would be required for this project for work in the stream corridor.

Chair Allyn Edwards thought there would be an HOA for this development which would take care of some of the concerns that had been raised, such as parking.

PC Gary Bliss did not think the plans for this project conformed to the Oregon Revised Statutes because there were no signatures on any of the plans. CDD Doug Rux responded it was prepared by Emerio Design and had an engineer's stamp but agreed there were no signatures. It could be a condition of approval to have the documents signed as per ORS.

PC Gary Bliss asked what the minimum number of lots was for this site. SP Steve Olson replied for R-2 it was 9 units per acre, but that was a target density used for long range planning purposes and not actually a maximum.

PC Gary Bliss was trying to justify the additional three feet of height. Maybe this was the wrong house on the wrong site. CDD Doug Rux suggested asking the applicant for the justification.

**Public Testimony:**

**Proponents:**

Dan Danicic of Del Boca Vista was in support of the staff report and conditions for the application. The coordination with State Lands was appropriate. The reason for the additional height was to allow the upper floor to have a vaulted ceiling to give a greater feeling of space. These would be 1,500 square foot homes on smaller lots and they were trying to maximize the feel of space in the plan.

PC Philip Smith asked for clarification in connecting the stream corridor as a special circumstance to the need to have a taller house. Mr. Danicic clarified the stream corridor resulted in the overall smaller lot sizes and without the ability to go three levels, it would seriously limit the square footage available for the houses. They wanted to build a product that was acceptable and desirable for buyers. There would be no negative impact to the increase.

PC Cathy Stuhr asked if they built fewer houses and increased the lot sizes, could they meet the standards. Mr. Danicic explained they could do that, but the net result was it would be more expensive per unit. They were trying to provide less expensive new homes in Newberg.

PC Cathy Stuhr said price point was not a Code requirement, but PC Philip Smith pointed out that density was and at 14 units, it came in lower than the City's goal of 9 units per acre and if it was reduced to 11 units, it would be lower still.

Opponents and Undecided: None.

**Close of public testimony:** Chair Allyn Edwards closed the public testimony at 9:46 pm.

**Final comments from staff:**

SP Steve Olson stated staff's final recommendation was to adopt the order, approving the tentative application and variance request, findings, and conditions. Added conditions were to contact the State Lands Coordinator to determine if a permit was required for work in the stream corridor and to require the applicant to supply a set of tentative plans signed by the engineer who stamped them.

PC Cathy Stuhr thought maintaining the density in a place where they would not impose on someone's backyard privacy, and as long as the parking issues could be addressed, made this a unique case where the variance was appropriate.

PC Jason Dale did not think granting an extra three feet of height would negatively impact the surrounding neighborhood. He did not see a reason to deny the application.

PC Philip Smith had a question about the HOA for Dan Danicic. How would the HOA fix the parking issues?

Chair Allyn Edwards reopened the public testimony at 9:51 pm.

Mr. Danicic asked if an HOA was required for the subdivision. SP Steve Olson explained it was not required.

PC Philip Smith said parking was where this development could cause trouble. Mr. Danicic thought there would be opportunity to address it in the CC&Rs for the subdivision. SP Steve Olson clarified CC&Rs were private contracts between the people who bought the property and were recorded and became part of the property, and an HOA was an active group where people met to decide things.

PC Cathy Stuhr asked Mr. Danicic if there would be parking on the street around the cul-de-sac. Mr. Danicic said there would be a portion on the north side by the stormwater facility and lots 10 and 11 would have a longer than normal driveway pad.

PC Cathy Stuhr said this was a subdivision with no on street parking and small lots, where would people park their boats or trailers? Mr. Danicic said those who had a boat and trailer would probably bypass this development because there was no storage. The homes had one car garages, single depth.

PC Gary Bliss said most people could not park in the garage because it was used as storage and they parked in the driveway and street. Several of the lots had no place to park in front of them and some of the lots had a common driveway. He saw a big parking issue as generally speaking there were two cars per unit. Mr. Danicic said each home had a garage and a 20 foot parking space in front of it. He did not plan to have an HOA, but to have CC&Rs to address the parking.

Chair Allyn Edwards asked if these homes would sell due to these restrictions. Was a townhouse situation explored? Were there concerns that there was no parking for people who wanted to visit? Mr. Danicic responded he preferred to build single family, detached housing. He thought there was a market for this type of smaller and affordable housing. The concern regarding parking was to be determined by the buyer.

PC Philip Smith said people would buy if it was affordable and well-built and would end up parking on Wynooski. There needed to be a way that the people who lived there could also park there.

PC Ron Wolfe asked about creating some overflow parking area on the site. SP Steve Olson responded the applicant had the flexibility to design it differently and build in additional parking. The Code required two off street parking spaces per unit and allowed tandem parking and a garage and a single space in front of it. The Code did not require on street parking on the adjacent street. Wynooski had bike lanes and could not be used for on street parking. An HOA would not have any authority over on street parking, but they could enforce CC&Rs.

CDD Doug Rux commented that the driveway placement was important to create on street spaces. There were a lot of restrictions on where to put the driveways or where to provide overflow parking.

Chair Allyn Edwards closed the public testimony at 10:31 pm.

**Deliberation of Commission:**

PC Jason Dale thought the application met all the Code requirements. There were two parking spots per lot and he agreed with the reasons given by the applicant for the height variance.

PC Gary Bliss said by his own observations in other areas, the parking would not work. He thought it would be a problem, but he could not find any criteria for denial based on parking. He thought a vaulted ceiling could still be created without the need for the additional three feet. This was not the best use of the property.

Chair Allyn Edwards agreed the parking was an issue, but it was not an approval criterion. He thought the extra height would be more aesthetically pleasing and more desirable for future buyers.

PC Philip Smith would be voting in favor of the subdivision. He agreed with the justification for the height variance.

**MOTION: PC Cathy Stuhr/PC Jason Dale** moved to approve Order 2016-21 with the conditions as presented by staff. Motion passed (5 Yes/ 1 No [Gary Bliss]).

**NEW BUSINESS:** None.

**ITEMS FROM STAFF:**

CDD Doug Rux gave updates on Council approval of the repeal of the early ban on the sale of recreational marijuana, Wilsonville Road realignment, Economic Development Strategy, and Conditional Use off of Chehalem Drive for a home occupation for Robert's Ice Cream.

Next Planning Commission meeting: June 9, 2016

**ITEMS FROM COMMISSIONERS:**

PC Philip Smith would not be in attendance at the next meeting.

CDD Doug Rux said this was Luis Saavedra's last meeting as a student Planning Commissioner. Mr. Saavedra thanked the Commission for this opportunity.

There was discussion regarding getting the right regulations for development and need to update the Code.

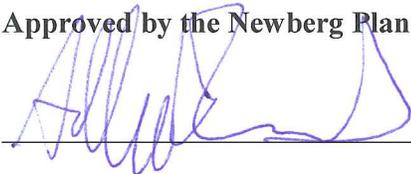
PC Cathy Stuhr thought there also needed to be outreach to the public, especially when they were increasing density.

PC Jason Dale said there was a disconnect between what the rules were in the past and what they were in the present and the density allowed.

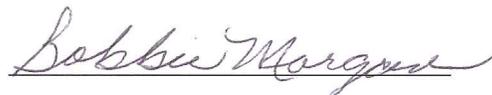
Chair Allyn Edwards said recently they had approved the roads to be narrowed and density would become more and more a concern.

Chair Allyn Edwards adjourned the meeting at 10:35 pm.

**Approved by the Newberg Planning Commission this 9 day of June, 2016.**



Allyn Edwards, Planning Commission Chair



Bobbie Morgan, Office Assistant II