



CLATSOP COUNTY PLANNING COMMISSION

REGULAR MEETING AGENDA

Tuesday, June 14, 2016

10:00 a.m.

City of Astoria – Council Chambers

1095 Duane Street, 2nd Floor

Astoria, OR 97103

EXECUTIVE SESSION – 9:00 a.m.

- a. To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed per ORS 192.660 (2)(h).

REGULAR SESSION – 10:00 a.m.

1. CALL MEETING TO ORDER

2. FLAG SALUTE

3. ROLL CALL

4. ADOPT AGENDA

5. BUSINESS FROM THE PUBLIC:

This is an opportunity for anyone to give a brief presentation about any land use planning issue or county concern that is not on the agenda.

6. MINUTES:

- Regular Meeting Minutes May 24, 2016 **Page 3**

7. HEARING: Continuation of a quasi-judicial hearing to consider a zoning map amendment from Rural Community Residential to Rural Community Multi-Family Residential on 10.4 acres of land in the Miles Crossing area. Also proposed is a conditional use permit for a 168-unit multi-family development. The applicant is Richard Krueger and Bella Ridge Apartments, LLC. The property is identified as T8N R09W Sec30AD TL600, and is commonly known as 92257 Lewis & Clark Rd, Astoria, OR. Staff: Heather Hansen, Community Development Director

8. OPEN DISCUSSION:

This is an opportunity for the commission to discuss topics of interest.

9. ADJOURN

NOTE TO PLANNING COMMISSION MEMBERS: Please contact the Community Development Department (503-325-8611) if you are unable to attend this meeting.

ACCESSIBILITY: This meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours prior to the meeting by contacting the Community Development Land Use Planning Division, 503-325-8611.

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Minutes of May 24, 2016
Clatsop County Planning Commission
Regular Session
City of Astoria Council Chambers
1095 Duane Street, Second Floor
Astoria, Oregon 97103

The meeting was called to order at 10:00 a.m. by Chair Francis.

Commissioners Present	Commissioners Absent	Staff Present
Bruce Francis	Cindy Johnsen	Clancie Adams
Kay Foetisch-Robb		Jennifer Bunch
Robin Risley		
Myrna Patrick		
Thomas Merrell		
Michael Magyar		

Agenda Adoption:

Chair Francis amended the hearing order of the presented agenda. Commissioner Foetisch Robb moved and Commissioner Risley seconded to adopt the agenda as amended. Motion passed unanimously.

Business from the Public:

There was no business from the public.

Minutes:

Commissioner Risley moved and Commissioner Patrick seconded to approve the May 10, 2016 Clatsop County Planning Commission Regular Meeting minutes as presented. Motion passed unanimously with Commissioner Foetisch-Robb abstaining.

Quasi-Judicial hearing to consider an application for an 8-lot subdivision known as Cooperage View Estates in the Olney area. Applicant is SF&RC, LLC.

No ex-parte contacts were reported at this time.

A conflict of interest was reported by Commissioner Magyar as he is an employee of OTAK and assisted with the preparation of information for this hearing. Commissioner Magyar recused himself from this hearing.

No objections to the jurisdiction of the Commission to hear the matter at this time were reported.

Jennifer Bunch, Senior Planner, Clatsop County Community Development.

Ms. Bunch presented information on the proposed application to create an eight (8) lot subdivision with a common open space tract on approximately 33 acres of land in the Olney area of unincorporated Clatsop County adjacent to Highway 202. The proposed lots range from two (2) to 2.28 acres in size with an open space tract of 15.95 acres. Access will be taken from Highway 202 onto private roads. The property is split zoned Residential Agriculture 2 and Aquatic Natural and has three overlay districts; geological hazard, shoreline and flood hazard. The lots designated for development are locate outside of all hazard areas and

1 these areas will have no impact on development. Ms. Bunch also provide a location map, preliminary plat,
2 applicable criteria and conditions of approval for the proposed development.

3 Based on the findings of the staff report, staff recommended approval of the subdivision subject to the
4 stated conditions.

5
6 ***Chair Francis called for public testimony.***

7
8 **Dale Barrett, OTAK, 4253A Highway 101 N, Gearhart, OR 97138.**

9 Mr. Barrett represents the applicant. He reviewed the preliminary plat, zoning, elevations and hazard
10 overlays. The road (A20 standard) and storm water design will be submitted to the Clatsop County Public
11 Works Department for review and approval prior to any construction.

12
13 ***Commissioner Foetisch moved and Commissioner Patrick seconded to adopt the analysis and findings of***
14 ***the staff report, dated May 17, 2016 and approve the application for Cooperage View Estates, an eight***
15 ***(8) lot subdivision, subject to conditions of approval. Motion passed unanimously.***

16
17 ***Chair Francis called for a recess at 10:20 a.m. and reconvened at 11:00 a.m.***

18
19 **Quasi-Judicial hearing to consider an application for an 87-lot cluster subdivision known as Westlake**
20 **Village. The applicant is Westlake Acres, LLC. and the property is located between Highway 101 near**
21 **milepost 14 and Sunset Lake in the Clatsop Plains area of Clatsop County, aka the Reed Ranch property.**

22
23 **No ex-parte contacts or conflicts of interest were reported at this time.**

24 **No objections to the jurisdiction of the Commission to hear the matter at this time were reported.**

25
26 **Jennifer Bunch, Senior Planner, Clatsop County Community Development.**

27 Ms. Bunch reviewed density transfer (specific to the Clatsop Plains area) and cluster development
28 requirements and processes. She also reviewed the application, density transfer calculation, criteria and
29 conditions of approval. The development is comprised of approximately 285.6 acres with proposed lots
30 measuring one (1) acre and includes approximately 116 acres of open space.

31 Subdivisions of 30 lots or more require two points of ingress/egress. Primary access for this
32 development will be from Highway 101. An ODOT traffic study requires mitigation in the addition of north
33 and south turn lanes into the development. Connections to Sunset Lake Road and East Lane will be closed
34 to non-emergency vehicular access with the installation of knock down barriers which will not impede
35 pedestrian and/or bicycle traffic.

36 There is Silverspot Butterfly habitat on the property which is located mainly in the open space area
37 which is owned and maintained by the North Coast Land Conservancy. One of the conditions of approval is
38 the transfer of the previously issued incidental take permit issued by the US Fish and Wildlife Department
39 to the current owner and submission of a conservation plan.

40
41 ***Chair Francis called for public testimony.***

42
43 **Mike Weston, Frog Consulting, 469 Lexington Ave, Astoria, OR.**

44 Mr. Weston represents Westlake Acres. He reviewed the density transfers and primary access plans for
45 phase 1 construction and stressed the applicant has no plans to access Sunset Lake Road except in an
46 emergency situation. A chain will be installed at the property line across both East Lane and Sunset Lake

1 Road as well as knock down barriers to prohibit non-emergency traffic access. The ODOT traffic study does
2 not indicate a need for a traffic light at the Highway 101 entrances but requires the applicant provide turn
3 lanes on Highway 101 in both the northerly and southerly direction.

4 Mr. Weston stated the applicant has agreed to all county proposed conditions of approval.

5
6 **Layne Larsen, 90449 Par Road, Warrenton, OR.**

7 Mr. Larsen voiced concerns regarding current hunting and firearms discharge in the area. He also
8 questioned if sand dune disturbance would be allowed in the proposed development.

9
10 **Jim Rankin, 90513 East Road, Warrenton, OR.**

11 Mr. Rankin voiced concerns regarding the use of Sunset Lake and East Roads for construction access
12 and requested all access for this project, except for emergency vehicles, enter from Highway 101.

13
14 **Irman Roberts, 730 Lexington, Astoria, OR.**

15 Mr. Roberts feels it would be best for a traffic signal to be installed at the time of construction, prior to
16 a fatal accident.

17
18 **Bill Reed, 90126 Highway 101, Warrenton, OR.**

19 Mr. Reed wants the record to reflect his desire to be allowed the same density transfer options as the
20 applicant to for his property, even though he has no current plans to create a subdivision.

21
22 **Jim Morinville, 90152 Highway 101, Warrenton, OR.**

23 Mr. Morinville would like to see a current traffic study as the study presented appears out of date and
24 does not accurately reflect current Highway 101 usage. He also expressed concerns that the proposed turn
25 lanes on Highway 101 will create a conflict with his driveway and the weigh scales.

26
27 **Steven Spear, 90506 East Road, Warrenton, OR.**

28 Mr. Spear advised the commission that the plat provided with the notice is significantly different from
29 the plat presented at the hearing. He voiced concerns regarding the Silverspot Butterfly, which is an
30 endangered species, and questioned if the entire development area is butterfly habitat. Mr. Spear
31 requested a hard commitment to the installation of knock down barriers on Sunset Lake Road and
32 questioned the density transfer calculations.

33
34 ***Commissioner Foetisch Robb moved and Commissioner Magyar seconded to adopt the analysis and***
35 ***findings of the staff report, dated May 17, 2016 and approve the Westlake Village 87 lot cluster subject to***
36 ***the amended conditions of approval with an amendment to condition number 20. Motion passed with***
37 ***Commissioner Merrill opposing and Commissioner Risley abstaining.***

38
39 ***Chair Francis called for a recess at 12:05 p.m. and resumed the meeting at 12:21 p.m.***

40
41 **Quasi-Judicial hearing to consider a zoning map amendment from Rural Community Residential to Rural**
42 **Community Multi-Family Residential on 10.4 acres in the Miles Crossing area. Also proposed is a**
43 **conditional use permit for a 168-unit multi-family development. The applicant is Richard Krueger and**
44 **Bella Ridge Apartments, LLC.**

45
46 **No ex-parte contacts were reported at this time.**

47
48 **A conflict of interest was reported by Commissioner Magyar as he is an employee of OTAK and has**
49 **knowledge of this application. Commissioner Magyar recused himself from this hearing.**

1
2 **No objections to the jurisdiction of the Commission to hear the matter at this time were reported.**
3

4 **Jennifer Bunch, Senior Planner, Clatsop County Community Development.**

5 Ms. Bunch reviewed the application criteria, site plan and conditions of approval for the three phase,
6 multi-family development of 168 units located on 10.4 acres of land in the unincorporated area of Miles
7 Crossing in Clatsop County The development will consist of seven (7) buildings, each with 24 apartment
8 units. An ODOT Transportation Impact Study has indicated no road mitigation is required. A minimum of
9 252 Parking spaces will be required along with local water, sewage and fire chief approval.

10 In response to comments, Ms. Bunch stated the Oregon Right to Farm Law prohibits farmers from being
11 sued for conducting agricultural activities. The proposed site is not adjacent to any agricultural lands. She
12 also reminded the commission the application review and consideration is limited to the County's criteria.
13

14 **Mike Weston, Frog Consulting, 469 Lexington Avenue, Astoria, OR.**

15 Mr. Weston represents the applicant of the development. He reviewed the housing needs assessment,
16 ODOT traffic study, utility availability (water and sewer) and fire department sign off. All buildings are
17 required to be sprinkled. 267 parking spaces are planned, which exceeds the 1.5 per unit requirement. A
18 path will be created between the development and the grade school for children to travel to and from
19 school. Mr. Weston stated the applicant has met all county requirements and criteria.
20

21 **Richard Krueger, 21001 NW Derry Creek Road, North Plains, OR.**

22 Mr. Krueger is the applicant for the development. He made himself available for questions from the
23 Commission and commented on information provided by Mr. Weston.
24

25 **Skip Hauke, 92732 Deer Valley road, Astoria, OR.**

26 Mr. Hauke voiced support of the development on behalf of the Astoria-Warrenton Chamber of
27 Commerce. Mr. Hauke served on the housing task force, CEDR Board and has worked with several agencies
28 to identify areas available for housing development. Mr. Hauke is related to Mr. Krueger by marriage but
29 does not feel this has in any way influenced his decision to support the development.
30

31 **Bill Cook, 91998 Lewis & Clark Road, Astoria, OR**

32 Mr. Cook agreed housing is an important need in the county but feels the community, as a whole, was
33 not made aware of this project making the presented input non-representative of the affected community.
34 He requested the hearing be extended for 30 days to allow further community participation. Mr. Cook also
35 expressed concerns regarding impacts to the Sheriff's Department. The development will result in
36 increased patrols and general policing. He acknowledged that ODOT did not find the addition of 250 cars
37 impactful but feels it will greatly impact the available narrow, two lane road especially during peak traffic
38 times.
39

40 **Jackie Riekkola, 91640 Youngs River Road, Astoria, OR.**

41 Ms. Riekkola objects to this project and any development of four-plexes or larger development in this
42 area. She is concerned sewer capacity will be reached and water and sewer meters for the Miles Crossing
43 area will be unavailable for any future development.
44

1 **Betty Cunningham, 92241 Lewis & Clark Road, Astoria, OR.**

2 Ms. Cunningham owns property abutting the proposed development and feels the development will
3 affect her property values, adversely impacting her retirement income. She also stated concerns regarding
4 additional traffic and its impacts.

5
6 **Lisa Lindberg, 35383 Schwab Lane, Astoria, OR.**

7 Ms. Lindberg lives in the area and participated in the sewer transition. Residents were billed for the
8 upgrade prior to the sewer implementation and feels they will again have to foot the bill for future
9 expansion. She feels this project will result in a moratorium on future development in the area. She also
10 stated concerns regarding inadequate parking and adverse traffic impacts.

11
12 **Tom Tetlow, 35072 Jefferson Lane, Astoria, OR.**

13 Mr. Tetlow stated concerns regarding lack of community notice for today's hearing, adverse traffic
14 impacts and sewage availability issues.

15
16 **James Neikes, 34755 Highway 101 Business, Astoria, OR.**

17 Mr. Neikes is a local builder with concerns regarding the future availability for sewer hook-ups if this
18 project proceeds. He requested the hearing be tabled for 30 days for more public involvement and
19 information to be presented.

20
21 **Peter Gates 35246 Lyngstad Heights Lane, Astoria, OR.**

22 Mr. Gates agreed with Ms. Lindberg and Mr. Tetlow regarding possible adverse traffic impacts. He is
23 also concerned with inadequate parking at the proposed development. Mr. Gates stated the fire
24 department is a volunteer department and does not have the equipment or manpower to service a
25 development of this size.

26
27 **Kevin Dunn, 9200 Lewis & Clark Road, Astoria, OR.**

28 Mr. Dunn voiced concerns regarding classroom sizes and overcrowding impacts on the local school if
29 the development were to move forward.

30
31 **Libby Lawrence, 92217 Aspomo Road, Astoria, OR.**

32 Ms. Lawrence raised concerns regarding safe pedestrian access along Lewis & Clark Road.

33
34 **Brad Cowen, 35026 Seppa Lane, Astoria, OR.**

35 Mr. Cowen supports land use rights but is opposed to high intensity housing in the Lewis and Clark area
36 which is one of the last areas for farming and agricultural in the county. He anticipates complaints
37 regarding smells from his dairy farming and shrimp waste use. Mr. Cowen feels the Lewis & Clark valley
38 should remain a community embracing agriculture, logging and light industrial not high intensity housing.

39
40 **Trisha Dunn 92000 Lewis & Clark Road, Astoria, OR.**

41 Ms. Dunn voiced concerns regarding school classroom sizes, school overcrowding, and traffic impacts.
42 She also feels exceptions were made for this development that were not available to other community
43 residents.

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2 **Commissioner Foetish Robb moved and Commissioner Patrick seconded to adopt the analysis and**
3 **findings of the staff report dated May 17, 2016 and approve outright the application for a zoning map**
4 **amendment from Rural Community Residential to Rural Community Multi-Family Residential and to**
5 **conditionally approve the conditional use permit for a 168 unit multi-family development subject to the**
6 **amended conditions. After discussion, Commissioner Foetish Robb withdrew her motion.**

7
8 **Commissioner Merrill moved and Commissioner Patrick seconded to continue the hearing to the June 14,**
9 **2016 Regular Planning Commission Meeting. Motion passed unanimously.**

10
11 **Chair Francis called for a recess at 2:00 p.m. and reconvened at 2:07 p.m.**

12
13 **Other Business:**

14
15 After an inquiry from Commissioner Merrell, discussion ensued regarding public notification processes. All
16 media in the county (print and radio) is currently notified of upcoming meetings and provided agendas for
17 public dissemination. The county is considering text amendments to allow official community groups
18 and/or neighborhood associations to be formed. This would provide additional avenues to notify those
19 impacted by proposed development in a specific area. The county is also considering requiring large impact
20 development applicants to hold a community meeting and post the development site prior to acceptance
21 of the development application.

22
23 Ms. Bunch advised the commission that two Planning Commission terms are expiring (Commissioner
24 Johnsen and Commissioner Foetisch Robb) at the end of June 2016. The openings have been advertised and
25 three applications have currently been submitted. The application deadline is June 8, 2016 and will go
26 before Board of Commissioners at a June meeting for the appointment of four year terms.

27
28 Ms. Bunch announced her last day with Clatsop County will be June 3, 2016.

29
30 **As there was no further business or discussion, Chair Francis adjourned the meeting at 2:25. p.m.**

31
32 Respectfully Submitted,

33
34
35 _____
36 Bruce Francis
37 Chairperson - Planning Commission