

Minutes of June 14, 2016
Clatsop County Planning Commission
Executive and Regular Session
City of Astoria Council Chambers
1095 Duane Street, Second Floor
Astoria, Oregon 97103

The executive session was called to order at 9:00 a.m. by Chair Francis and concluded at 9:42 a.m.

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

<u>Commissioners Present</u>	<u>Commissioners Absent</u>	<u>Staff Present</u>
Bruce Francis	Cindy Johnsen	Clancie Adams
Kay Foetisch-Robb		Heather Hansen
Robin Risley		Chris Crean
Myrna Patrick		
Thomas Merrell		
Michael Magyar		

Agenda Adoption:

Commissioner Patrick moved and Commissioner Foetisch-Robb seconded to adopt the agenda as presented. Motion passed unanimously.

Business from the Public:

There was no business from the public.

Minutes:

Commissioner Risley moved and Commissioner Magyar seconded to approve the May 24, 2016 Clatsop County Planning Commission Regular Meeting minutes as presented. Motion passed unanimously.

Continuation of the 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 SEC 30AD TL600 and is commonly known as 92257 Lewis & Clark Road, Astoria, OR. Staff: Heather Hansen, Community Development Director.

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 has knowledge of this application. Commissioner Magyar recused himself from this hearing.

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

Chair Francis re-opened public testimony.

Heather Hansen, Clatsop County Community Development Director.

1 Ms. Hansen provided the commission members with copies of written testimony received after the May
2 24, 2016 meeting.

3
4 **Paul Williams, Chief Deputy Clatsop County Sheriff's Office, 90630 Fort Clatsop Road, Astoria, OR**

5 Mr. Williams spoke on behalf of the Sheriff's Office and expressed concerns regarding the notification
6 process for development impacting law enforcement. He provided information on how high density
7 housing creates significant changes to the Sheriff's Office day to day operations as they are staffed to
8 respond to rural needs, especially in regards to response times and visibility. (Maps were provided
9 indicating the department's current staffing). He also presented concerns regarding adverse traffic impacts
10 on the Miles Crossing intersection.

11
12 **David Noren, Attorney for Applicant, PO Box 586, Hillsboro, OR**

13 Mr. Noren requested the commission leave the record open to provide the applicant an opportunity to
14 respond to any issues raised. He reviewed discussions the applicant and the sanitary/sewer districts had in
15 regards to calculations and analysis that conclude there is sufficient capacity to serve the proposed
16 development and provide future hookups by increasing the capacity of existing storage tanks. He also
17 addressed the intergovernmental agreement between the City of Astoria and the district. He suggested the
18 commission impose a condition of approval that building permits not be issued prior to the district
19 authorizing connection to the development.

20 Mr. Noren addressed the following:

- 21 • Sheriff's Office comments regarding traffic and policing activities around high density development.
22 He noted under the existing zoning that up to 56 single family dwellings would be allowed and feels
23 the proposed development would not dramatically increase activity more than the allowed
24 development under the existing zoning. The proposed project will also provide additional tax base to
25 fund upgrades to law enforcement services.
- 26 • The traffic study concerns have been addressed by ODOT; the analysis indicates the change between
27 the existing and proposed zoning indicates no drop in the level of service.
- 28 • Comprehensive Plan policies were addressed in the submitted zone change criteria.
- 29 • Any conflicts with EFU lands and the presence of farming activity can be addressed with a condition of
30 approval requiring acceptance of farming practices.

31
32 **Dale Barrett, OTAK, 4253A Highway 101 N, Gearhart, OR**

33 Mr. Barrett is confident the water and sewer districts have the required capacity to serve both the
34 proposed as well as future development. He also noted Mr. Krueger has communicated with the sewer
35 district regarding costs to increase storage capacity for the handling of a storm surge event.

36
37 **Mike Weston, Frog Consulting, 469 Lexington Avenue, Astoria, OR**

38 Mr. Weston asked the commission to consider recent FEMA floodplain rules that limit the type of
39 development that can occur in the Miles Crossing vicinity. The sewer district originally contemplated
40 growth in the area taking place behind the dikes. The dikes have since been, or are on the verge of being,
41 decertified which will make development in those areas impracticable and free up capacity for other areas.

42
43 **Kevin Leahy, 3560 Irving Avenue, Astoria, OR**

44 Mr. Leahy is the Director of CEDR and the Clatsop Community College Small Business Loan Center. The
45 biggest issues businesses in the county are facing are housing and an available trained work force. These
46 factors are impeding business growth in our community and this project would be a great move forward to
47 address the housing issue.

1 **Richard Lee 92294 Youngs River Road, Astoria, OR**

2 Mr. Lee previously owned the proposed development property and addressed the following:

- 3 • A highway study completed for a 70 acre development including a 105 unit RV park, a grocery store
- 4 and a housing development stated no adverse effect to Highway 101.
- 5 • A recent medical emergency in the RV park was responded to by law enforcement within five
- 6 minutes.
- 7 • At a recent Sewer Board meeting it was stated the district is currently losing money and without this
- 8 development they will be forced to raise rates.
- 9 • The tax base generate from the development will bring in 50 years of development immediately
- 10 allowing the water district to expand and replace lines and ensuring adequate water.

11
12 **Elena Miller, 35175 Gravel Lane, Astoria, OR**

13 Ms. Miller lives 2.5 miles from the proposed development. The Youngs River Lewis & Clark Water District
14 does not have a count of potential home sites in the district and cannot foresee the number of water
15 meters needed for future development. With the changes in climate and federal and state water guidelines
16 there needs to be assurance to the current users that there will be an adequate water supply in the future.
17 The Water Board Chairman, Fred Mestrich, agreed to this development with complete disregard for current
18 water users and without consulting an engineer. Two of the major Pacific County Rivers are at a record low
19 after one of the rainiest winters on record. City rights to the water above Youngs River Falls, which could be
20 pumped into Barney Creek to supply additional demand, does not appear to be available. Ms. Miller
21 summed up her comments by voicing concern the project will strain the infrastructure of Lewis & Clark and
22 Youngs River and will affect the area for generations to come.

23
24 **Tricia Dunn, 92000 Lewis & Clark Road, Astoria, OR**

25 Ms. Dunn is concerned with class sizes at Lewis and Clark School increasing from the current 28-32
26 students per class. She sees no reason why the zoning should be changed to multi-family when the
27 property will currently support up to 60 single family dwellings and the rezone will change the character of
28 the community dramatically. She also voiced traffic, water and sewer concerns.

29
30 **James Neikes, 34755 Hwy 101 Business, Astoria, OR**

31 Mr. Neikes feels the proposed 168 apartment unit complex is a significant upgrade to the current zoning
32 which allows 30-56 single family dwellings. Jeffers Gardens has hundreds of lots that can be developed but
33 the impacts of the apartment complex may make this impossible due to the sewer capacity being reached.
34 The tax base would be increased significantly more by developing 56 single family homes than by the
35 proposed apartment complex.

36 The water and sewer situations are serious. It has been proposed by the district to collect the systems
37 development fees, allow the development to be built and then upgrade the infrastructure. This approach
38 makes no sense and will cause the whole rural community to suffer for one development.

39
40 **Peter Gates, 35246 Lyngstad Heights Lane, Astoria, OR**

41 Mr. Gates lives about a mile from the development and is especially concerned with traffic issues as the
42 proposed development will be located on a section of road with a blind corner, no sidewalks, no safe
43 pedestrian or bike access, and no current bus service. He also questioned the impact on Lewis and Clark
44 School classrooms and sizes and the possibility of requiring portable classrooms. He also expressed
45 concerns regarding fire protection resources and water infrastructure impacts.

46
47 **Lisa Lindberg, 35383 Schwab Lane, Astoria, OR**

48 Ms. Lindberg expressed concerns regarding the sewer capacity, impacts on future development and the
49 tax burden on the original residents who are six years into paying off a 30 year sewer bond. The amount of

1 tax revenue generation from the development will not cover future expansion costs. The tax rate for those
2 located in the sewer districted doubled due to the sewer upgrade and are the second highest tax levies in
3 the County. The current sewer system has limited capacity and the district is approving using the entire
4 capacity for one development. This does not seem equitable to the rest of the community.

5 Ms. Lindberg also expressed the following concerns:

- 6 • A 2010 traffic proposal was made to construct two roundabouts in the area due to traffic issues at the
7 Miles Crossing intersection which is complex and confusing and will be adversely affected by the
8 proposed development.
- 9 • The development plans are not appropriate for a rural setting as they include no amenities such as
10 open spaces or playgrounds and the proposed parking is inadequate for the location in a rural
11 community.

12
13 **Joan Ferretti, 35139 Gravel Lane, Astoria, OR**

14 Ms. Ferretti lives on Lewis & Clark Road and feels it is a serious thing to rezone a rural single family
15 neighborhood to multi family housing. She feels this is a private commercial enterprise pretending to be a
16 social service. The builder wants it both ways, city water and our water. Ms. Ferretti opposes the rezoning
17 for high density housing as it will set a precedent for future rezoning.

18
19 **Tom Tetlow, 35072 Jefferson Lane, Astoria, OR**

20 Mr. Tetlow stated the decision made by the Planning Commission will impact the community forever. He
21 served on the steering committee when the rural community was formed in 1999, the first in the State of
22 Oregon. At that time there was the option of zoning properties as RCR or RCMF and the community chose
23 to zone their area as Rural Community Residential. The sewer system was designed to service single family
24 homes not high density housing. The district is six years into a 30 year bond on a sewer system that was
25 designed to operate 30 to 50 years servicing single family homes not high density development.

26 Mr. Tetlow served on the sewer district for 16 years and the district is not anti-development. The
27 property is already approved for 36 single family homes and could actually accommodate 50 or 60. He
28 asked the commission to make a decision based on the expectations of the community and what the
29 people have supported for the last 30 years.

30
31 **Randy Trevillion, 89526 Elkhorn Drive, Astoria, OR**

32 Mr. Trevillion served on the local water board for 25 years and questioned the amount of available water.
33 During his time on the board, there were at least two engineering studies conducted to determine future
34 water availability. Multiple factors were considered as the Lewis and Clark River and Barney Creek have
35 approximately 40 acres of watershed. The actual watershed is located on private forest lands which when
36 harvested will result in less water retention until it refoiliates. Inquiries to the City of Astoria regarding the
37 possibility of purchasing one cubic foot of Astoria's water rights above Youngs River Falls were never
38 responded to. At the most recent water meeting the board indicated they have not done any engineering
39 on current water availability for the area.

40 Mr. Trevillion read the submitted traffic study and noted a worst case scenario was not presented as the
41 parcel proposed for development isn't currently zoned high density. There could be a 42% traffic increase
42 on that portion of the road. The school's current policy is "everyone rides the bus" including kids living
43 across the street from the school, making the proposed footpath unnecessary.

44
45 **Dale Barrett, OTAK**

46 Mr. Barrett addressed the water capacity and moratorium that went on in the Lewis & Clark service
47 district area. Those moratoriums took place due to inadequate storage capacity. This development requires
48 water for fire plugs more so than water for drinking water, washing, etc. The water districts increased their
49 storage capacity with a new, million gallon tank located above the Lewis and Clark School. They also

1 upgraded some of the water lines. Those applying for land divisions prior to the upgrades would not have
2 had capacity which resulted in a moratorium on hookups but this is no longer the case with the upgraded
3 tank.

4 Mr. Barrett also addressed fire concerns, stating there will be a fire suppression system in each of the
5 buildings as well as sprinklers as required by building codes. Warrenton and Astoria fire districts provide
6 backup for large fires which includes equipment, trucks and personnel.

7
8 **David Noren,**

9 Mr. Noren feels a condition of approval limiting the number of apartments allowed in Phase II would
10 address the sewer and water capacity concerns.

11
12 **Paul Williams, Chief Deputy Clatsop County Sherriff's Office**

13 Mr. Williams stated the sheriff is not opposed to development in the area but adding that a 168 unit
14 apartment complex is going to increase the pressure on the Miles Crossing intersection. The traffic issue is
15 serious and needs to be addressed especially with regards to the school and the already congested early
16 morning commute.

17
18 **Heather Hansen Community Development Director**

19 Ms. Hansen reminded the commission that the bulk of the comments addressed water and sewer issues
20 and they need to be addressed by the appropriate districts, not the commission or county staff. The
21 transportation impact study was reviewed by the ODOT Senior Transportation Analyst/Engineer using the
22 state methodologies and concluding the incremental increase of the proposed development didn't trigger
23 their mitigation thresholds.

24
25 ***Chair Francis closed public testimony and continued the hearing for final deliberation to the July 12th***
26 ***meeting, allowing written evidence and argument to be submitted for seven days closing on June 21st, an***
27 ***additional seven days for response to new evidence closing on June 28th. After June 28th the record is***
28 ***closed to any outside evidence and the applicant will be given another seven days for rebuttal and final***
29 ***written argument close of day July 5th, no new evidence allowed. The applicant agreed to extend the 150***
30 ***days by 30 days.***

31
32 ***Chair Francis called for a recess at 11:46 a.m. and reconvened at 11:57 a.m.***

33
34 **Other Business:**

35
36 Commissioner Merrell opened a discussion regarding the public involvement and education process.
37 Discussion ensued.

38
39 Heather Hansen provided information on the recruitment process for the vacant senior planner position
40 in Community Development. The county will be advertising for a Principle Planner in order to draw a more
41 qualified pool of applicants hopefully with backgrounds working in rural and coastal areas.

42
43 Heather Hansen updated the commission on the applicants and upcoming appointments for the vacant
44 planning commission seats. Commissioner Foetisch Robb advised she will not be applying for appointment
45 at the end of her term.

46
47 ***As there was no further business or discussion, Chair Francis adjourned the meeting at 12:18 p.m.***
48

Respectfully Submitted,



Bruce Francis
Chairperson - Planning Commission

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