



City of Warrenton

Planning Department

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STAFF REPORT

TO: Gary Darling, DL Consulting WA, Inc.
FROM: Matthew Ellis, AICP, Planning Director
DATE: April 10, 2024
SUBJ: Minor Modification to Approved Plans and Conditions MC-24-1 | Pacific Rim Apartments 1484-1487 SE Snowberry Lane (81027DD00100) SDR-22-3

BACKGROUND:

The Planning Department completed and approved Site Design Review (SDR-22-3) for a new 24-space overflow parking lot for the Pacific Rim Apartments on tax lot 81027DD00100 at 1484-1487 SE Snowberry Lane. The application was approved on March 21, 2023. The applicant has since proposed revisions to the approved plans that include changing the proposed stormwater detention swale with below ground piped detention. The applicant also proposes to remove the retaining wall, protective fence, and swale access.

PUBLIC PROCESS, PROCEDURES & PUBLIC NOTICE:

Applicable Warrenton Municipal Code (WMC) chapters for this modification include:

[WMC 16.208.040 Type II Procedure \(Administrative\).](#)

[WMC 16.212.040 Site Design Review.](#)

[WMC 16.228.040 Minor Modifications.](#)

Public Notice letters were sent to affected property owners on March 31, 2023, and published in The Astorian on April 4, 2023. One public comment was received by Carl Gomoll, Operations Manager of NorthWest Senior and Disability Services (attached).

CODE PROVISIONS, APPLICANT RESPONSES, AND FINDINGS:

16.212.040 Site Design Review.

B. Application Submission Requirements. All of the following information (subsections (B)(1) through (7) of this section) is required for site design review application submittal:

1. Proposed Site Plan. The site plan shall contain the following information:

- c. *The location and dimensions of all proposed public and private streets, drives, rights-of-way, and easements.*
- p. *The location, condition (paved, gravel unimproved, etc.) and width of all public and private streets, drives, sidewalks, pathways, rights-of-way, and easements on the site and adjoining the site.*

STAFF FINDING: The proposed modification to the approved Site Design Review proposal, as well as the previously approved proposal, failed to identify a private easement shared between the property owner and NWSNO, LLC. As such, the original proposal, as well as the proposed modification, does not conform to the application submission requirements for Site Design Review. **This criterion is not met.**

16.228.040 Minor Modifications.

B. Minor Modification Request. An application for a minor modification is reviewed using the Type II procedure in Chapter 16.260. A minor modification shall be approved, approved with conditions, or denied by the Community Development Director based on written findings on the following criteria:

- 1. *The proposed development is in compliance with all applicable requirements of the Development Code; and*

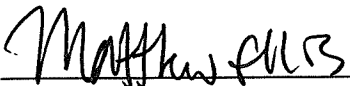
STAFF FINDING: With the exception of four of the parking spaces, the proposal is still in compliance with the remainder of the Development Code. **This criterion is met.**

- 2. *The modification is not a major modification as defined in Section 16.228.030.*

STAFF FINDING: The proposed modifications are not a change in the land use, an increase in the number of dwelling units, a change in the access ways, drives, or parking, a change in the floor area, a reduction in the open space, a change in the setbacks or a similar change to those listed. Therefore, this is a minor modification. **This criterion is met.**

CONCLUSIONS AND RECOMMENDATION

DECISION: Approved Approved with Conditions (attached) Denied



Matthew Ellis, AICP, Planning Director

4/10/24
Date

Conditions of Approval:

- 1. Within 180 days of the end of the appeal period, the applicant shall submit a site plan which removes the parking and pavement overlapping the storm easement. Otherwise, the application shall be considered expired.

2. In accordance with OPSC 104.1, the developer shall apply for a plumbing permit within 180 days of the end of the appeal period. Otherwise, the application shall be considered expired.
3. In accordance with OPSC 1101.4.1, all storm sewers shall conform to the applicable standards of the OPSC.
4. In accordance with OPSC 721.2, an easement for the off-site storm sewer improvements shall be recorded prior to the resubmittal of the site plan.

A copy of the staff report and decision can be obtained at City Hall, 225 S. Main Street or online: <https://www.warrentonoregon.us/ced>

EFFECTIVE DATE: Unless appealed, Type II decisions are final and effective one day after the appeal period expires. The appeal period is April 11, 2024 – April 24, 2024. **This decision is final and effective April 25, 2024.** If an appeal is filed, the decision is effective on the day after the appeal is decided. All persons entitled to notice or who are otherwise adversely affected or aggrieved by the decision may appeal the decision.

RIGHT TO APPEAL:

A Type II administrative decision may be appealed to the Planning Commission by the applicant, any person who was mailed a written notice of the Type II administrative decision, or any other person who submitted written comments.

A notice of appeal shall be filed with the Community Development Director or designee within 14 days of the date the notice of decision was mailed. The notice of appeal shall contain:

- (A) An identification of the decision being appealed, including the date of the decision.
- (B) A statement demonstrating the person filing the notice of appeal has standing to appeal.
- (C) A statement explaining the specific issues raised on appeal.
- (D) If the appellant is not the applicant, a statement demonstrating that the appeal issues were raised during the comment period.
- (E) Filing fee.

The appeal of a Type II administrative decision by a person with standing shall be limited to the specific issues raised during the written comment period. Unless the appellant is the applicant, the hearing on the appeal shall be limited to the specific issues identified in the written comments submitted during the comment period.

For further information or questions on the appeal process, please contact Rebecca Sprengeler, Planning Technician at 503-861-0920 or planning@warrentonoregon.us.