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CITY OF WARRENTON

Minutes Warrenton Planning Commission Regular Meeting November 8, 2018

Work Session: Comprehensive Plan & Development Code Amendment DCA-18-5 & Site Design SDR-18-5 Tractor Supply

Commissioners Present: Chair Paul Mitchell; Commissioners Mike Moha, Ryan Lampi, Chris Hayward, Vince Williams, Christine Bridgens, Ken Yuill

Staff Present: Community Planning Development Director Kevin Cronin; Building Clerk Janice Weese. Also present via conference call was Spencer Parsons City of Warrenton Legal Counsel.

Public Comments on Non-Agenda Items

Scott Whitacome
27 NW 17th Place
Warrenton, OR 97146

Wanted to comment on the discussion that he heard on the 36ft wide roads; he has no objections on them but approximately 1 year ago the director of public works or the department manager for water quality of Warrenton, came to one of the meetings and stated that they were having problems with the collection ponds because there was too much water coming in off of runoff. They stated that if the city continues to grow, the problem will get worse because there will be more runoff. When you went from 32 feet wide roads, which is what the fire department wanted, to 36 feet; you added 4 more feet of concrete which will create more run off especially if it is on a slant. They had said it was a problem for them to keep water quality.

Approval of minutes: Commissioner Yuill moved to approve the October 11 minutes. Commissioner Bridgens seconded. The motion passed.

Subject of Review: Site Design Review SDR-18-4 Tractor Supply; 19,000sf farm and garden supply store

Chair Mitchell spoke up and said there is more testimony to come and that they just received more information at the last moment that is pretty in depth. Making a suggestion that they continue this meeting to the following week or the following month at the next meeting.

Discussion was made in consideration to hear the applicants testimony but not make any decisions and continue the meeting to Thursday November 15.

Chair Mitchell motioned to continue the meeting to next Thursday. Commissioner Bridgens seconded. The motion passed.

Public Hearing Open

Disclosure by the Commissioners: Commissioner Lampi spoke up and stated that he works for Big River and had spoken to John Niggard and Steve Fulton previously about this project but feels he can proceed forward with no bias. Commissioner Bridgens also spoke up and said that she is familiar with the project also but has no bias or conflict. All other commissioners answered no to all questions or conflicts.

Staff Report: Development Director Cronin had issued a 43 page report to the commissioners only 2 days before the meeting to review it. He stated that it was not possible to make any decision tonight.

Public hearing is on a farm and garden store located on the corner of King Street and Alt Hwy 101. Staff has worked closely with the applicant since the spring of 2018. Has been clear and consistent about transportation from the beginning. Had tried many times to get the applicants to comply with the Development Code and now have been forced to recommend denial. There are numerous flaws with the application; street standards, design standards, outdoor storage and the variance request for the fence standard. Will not get into details tonight. Recommends to get testimony and more conversation. There were also no findings by the applicant on bike parking. Mr. Cronin will have the traffic study as an addendum in his staff report.

Applicant

Wes Giesbrecht
P.O. Box 791
Mercer Island, WA 98048

Has a long history with the City of Warrenton. There is not a huge quantity of retailers that are looking into this market. Finding a retail tenant who wants to come to Warrenton is an accomplishment. It's been over 10 years that the Nygaards have been able to find a user for this property. Thinks there is a demand for what Tractor Supply has to offer in Warrenton. We have never had these issues before with this kind of application. Have always worked things out and managed to move forward. There really isn't a lot of compromise in what Tractor Supply is going to do.

Hwy 101 is not a high density for an urban type of environment with bike access and pedestrian connectivity which might be appropriate for downtown Warrenton.

Staff wants to make one of the access roads 36 feet wide with parking on one side of it. It is a private isle not a public city street. There is no application on the city standards to those streets. The Fire Marshall is ok with the access they provide in terms of life safety issues.

Having parking spaces where trucks and trailers will be pulling in and out of on an access isle way would be dangerous and a safety issue so they want parking in front of the building.

Does not want the outdoor display areas screened with landscaping because no one would be able to see the displays.

Tractor Supply does not need to be dressed up to make a statement. It's there to sell bags of feed and supplies.

Hoping to work out differences because he has been a big promoter for Warrenton and has had success here.

John Nygaard
P.O. Box 100
Warrenton, OR 97146

Feels like the goal posts have been changed 2 days before this hearing with the added differences from staff. Would like the Planning Commission to direct staff to make the conditions of approval available to create a path forward.

Questions from Staff

Commissioner Bridgens asked for clarification on what were the moved gold posts.
Mr. Nygaard brought up what Mr. Giesbrecht mentioned about having parking alongside the proposed road which is a safety and traffic flow issue.
Connectivity issues associated with walkways.
King Street is platted but is occupied with TJ Auto's that has a significant elevation difference.
Wants' to purpose drive isles.
Ok with leaving King Street as is but it is platted and staff wants them to connect to it even though it is a road to nowhere. They may have to vacate it.
Staff would like the appearance of the front of the building to have columns.
The landscaping to have planters along the front of the merchandise area.

Public Testimony Open – Neutral or in favor of proposal

Samuel Sadler
1272 SE King Avenue
Warrenton, OR 97146

Lives on the uphill side of this proposal. Knows that it is all commercial zoning for this property. Interested in what's going on King and how it will impact the future of King. Would like copies of what the Planning Commission has. Staff offered to meet with the other property owners at a different time.

Testimony in Opposition

Henry Willener
19645 NW Sauvie Island Road
Portland, OR 97231

Received a letter regarding this project and also a call saying that this meeting tonight is cancelled and would carry over to December 13. Received another call saying that the staff report was written and would hear testimony at the November 8 meeting. He put his name on the opposition list because any time someone keeps him from coming to a public meeting he can't go wrong opposing it. You have to have enough time to have input for a review whether it is in support or opposition. Feels that the meeting next week is grossly premature. Should have it on December 13 so all the material can be reviewed by the people who are affected. Has interest that might be served by this project because he owns property the whole length on King Street across the road. Even though King Street is not developed it goes all the way to the mouth of the Skipanon. If Warrenton ever develops it would be the major road to go through. Looking at the map it looks like there is road and access problems where this is located. Not going to support anything that vacates King Street. Where is the traffic going to go because it can't be handled on Hwy 101 or Marlin.

Commission Williams motioned to have Planning Director Cronin have the conditions of approval available for the applicants and the planning commission before the continuance on November 15. Commissioner Hayward seconded. The motion passed.

Mr. Cronin spoke up and stated that by motioning on that; the planning commission and himself would have to redesign the whole project because his comments were very precise that there were multiple flaws based on the code. To put conditions on things that does not meet code puts him in a very difficult position. Suggests to the commission to deliberate as much as they can.

Commissioner Hayward spoke up and said that he will have to research the code on the private streets but feels that it meets the vision of what was mapped out for Warrenton in 2000. One thing that Warrenton has an added advantage of is in retail and is successful. Can't see a problem with this application that can't be solved.

Mr. Parsons jumped in the conversation via phone conference and said that under land use planning laws that the conditions meet are required to be specific enough that they provide how a condition is met. If the planning commission wants conditions from Kevin for review, it is up to the applicant to specify the condition but he can flag that for the planning commission.

Mr. Giesbrecht spoke up and asked Spencer if the applicant could write the conditions and submit them.

Mr. Parsons replied that the applicant could propose the conditions that would provide for compliance with the adaptable criteria.

Mr. Giesbrecht said that they would provide the planning commission with their resolution and recommendations so the planning commission could vote on it next Thursday.

Mr. Cronin responded to the testimony of the applicant regarding private street verses public street, architectural design standards, and outdoor sales. It is his job to make sure that everything meets code and they seem not be able to meet on middle ground on these issues. There is a screening requirement in the Development Code and the applicant is not willing to provide screening for the outdoor sales. He had suggested in his staff report to do some above ground planters which they are in the business of selling anyway. Addressing private streets; the code does not allow private streets unless the are built to public standard. The problem with a private street is it will be serving multiple businesses not just Tractor Supply. Building to a public standard is very important.

Discussion was brought up on how to provide a street system that works for this project and for the rest of the commercial properties.

Public Hearing Reopened

Mr. Giesbrecht spoke up and stated that this is more of a interpretation issue and they feel they are meeting the code. A lot of points they agree with the staff report and not entirely in disagreement.

Mr. Mitchell also said that the additional information will be available on our website and hard copy for those who need them before the next meeting in one week.

Mr. Giesbrecht will have drafted conditions to present at the next meeting.

Public Hearing Closed

Motion by Commissioners

Commissioner Williams motioned to have the conditions of approval available by the applicant. Commissioner Hayward seconded. The motion passed unanimously.

Will continue the meeting on Thursday November 15 at 6:00 p.m

Had a joint session before this meeting with the City Commission on the TSP regarding public streets verses private streets, road standards and drive throughs. Felt that they were good discussions. Will be coming back on the 104 Ensign intersection at some point through the zone change process.

Commissioner Yuill expressed concern that some of the critical areas and intersections are not mentioned in the TSP and if these areas are not mentioned in the plan would they be able to do anything further down the line.

Ken Shonkwiler Senior Transportation Planner at Oregon Department of Transportation spoke up and remarked that you don't want to under plan or over plan for the future. Having one way in and out of 104 / 101 and Ocean Crest intersection is designed that way primarily for safety. Ensign is busy because 10 years ago they came together and decided to create Ensign because they wanted to funnel traffic through that intersection and is working the way they planned it out. To change that intersection configuration goes against what they set back and planned for 10 years ago. Ken reiterated his concern that if it gets to the point that something needs to be done by the Ocean Crest intersection would they be able to proceed if it's not in the TSP. The community is growing and there is no option in that area to go anywhere except turning right towards Seaside but no option to turn left to go north. The reply back was yes if they surpass the operation analysis higher than what they projected.

Chair Mitchell commented that the growth of Warrenton is underestimated and is concerned about the school that is projected to be built on the east side of 101 as opposed to the west side of 101 and how to handle the infrastructure and traffic crossing the highway on 101.

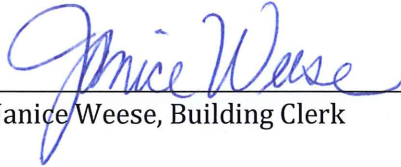
Mr. Shonkwiler spoke up and stated that his agency is not going to wait 20 years to update this TSP. If Warrenton keeps growing like it is his agency would not have a problem updating this again in 5 to 8 years.

Chair Mitchell wanted to bring up that before Fred Meyers remodeled they had storage containers outside their store and then took them away to get ready for Christmas items. Now there are semi trucks backed up 3 to a row. You can barely get around the back of the building. If there were an emergency a fire truck could not go back there. They do not seem to be temporary they are permanent. There are 3 of them parked side by side and another sitting permanently at one of the loading docks. Fred Meyers came before the Commission awhile ago regarding this; now it is happening again.

Mr. Cronin suggested that the original conditions of approval needs to be looked at to see if there are specific conditions; and if need be take them to court to enforce those conditions. There are specific codes also that can be looked at and enforced. This is why the outdoor storage is an important discussion because you don't always anticipate those things down the road.

Staff updates: Will be forwarding you an invitation from DLCD for a planning commission workshop on November 29th at Astoria City Hall. Also there will be a county wide housing study to look at the buildable lands inventory.

Attest and submitted by



Janice Weese, Building Clerk

Approved



Paul Mitchell, Planning Commission Chair