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CITY OF WARRENTON

Minutes

Warrenton Planning Commission

April 11, 2019

Gil Gramson 15 Lot Subdivision (Clear Lake Subdivision)

SUB-19-1/VAR-19-1/WHV-19-1

Commissioners Present: Chair Paul Mitchell, Vice-chair Chris Hayward; Commissioners Mike Moha, Ryan Lampi, Christine Bridgens. Excused Absence; Ken Yuill & Tommy Smith

Staff Present: Community Planning Development Director Kevin Cronin; Building Clerk Janice Weese.

Flag Salute

Approval of Minutes:

Public Comments on Non-Agenda Items: No-one spoke

Public Hearing Open

Disclosure by the Commissioners: Commissioners answered no all questions or conflicts.

Staff Report: This is a continuance from the March Planning Commission Meeting to give time for the applicant and staff to go over a few things.

For condition number one; the applicant will provide a revised density report to support 16 units and add an ADU to one of those lots to achieve that. If in the future they want to add any ADU's they will be able to do that.

For condition number two; will strike the second pedestrian path for lots 14 & 15. After speaking with the North Coast Land Conservatory, they do not want access to the property.

For condition number four, delete line five; restoration of existing wetlands to remove invasive species, and new native plantings and leave the rest of the condition.

For condition number five, agree to have a template of a purchase and sell agreement that will verify a maintenance agreement of street trees.

For condition number fourteen, the applicant has an idea of a compromise between the secondary street access and what the city wants.

Representative for the Applicant

Skip Urling
2366 West Hills Dr.
Longview, WA 98632

Very close on all the conditions. Would like to have condition number one state that the ADU does not have to be above the garage. Would like to have that ADU somewhere on the property whether

it is attached to the primary dwelling or detached from the primary dwelling as long as it meets the development standards. Has 15 lots with 1 additional dwelling unit as an ADU to make 16. Would like to do a preliminary grading in areas that are clearly uplands to get a jump start this summer and not wait for DSL.

DSL HAS a 120-day statutory requirement for taking action and our experience is that they take every one of 119 days from the date of submittal. We will clearly mark them and have the equipment operators stay in bounds. They would like to do the preliminary stuff while DSL is reviewing and considering this application for the removal fill permit.

Two street trees will be installed by the contractor on each of the lots. There is a concern that they will only survive for 2 years. Offering to put in a template in the sales contract that they have provided to the city as a model to make sure that homeowners are aware that they have to take care of the trees and maintain them or they will have to replace them so public works does not have to be responsible for maintaining the trees.

The city's consulting engineer, as they were reviewing the application, got a preliminary set of plans that did not include a fire truck emergency vehicle turn around between lots 1 & 2. The secondary access is an existing gravel road that extends from the top of the embankment on Mr. Gramson's property and snakes through and over on Ridge Road. There is a wire cable with some flagging on it that keeps people out. It varies in width from 10 to 12 ft. It crosses 2 sets of property owners and 3 sets of properties. Building a road to the city's standards would be in the ball park of a half a million dollars. That would be the responsibility of those property owners. Also, might require a sewer pump lift station which might cost a quarter of a million for that. Bringing water to the site, if developed for residential use, you are looking at \$900,000 for that to develop a handful of properties; that does not pencil out financially. The likely hood of developing that area is pretty small if you have to go through all that.

Their proposal is to provide a secondary access to this project and they would include on the plat statement, a non-remonstrance statement and also include documents that have to be recorded so that the future property owners of the Clear Lake Subdivision would be responsible get together and find the financing through the city's LID process and fill that portion of the road at a 20ft width, which would satisfy the fire code; from where Kalmia would cross and run north to the end and to the western property line of Mr. Gramson's property.

Building that portion of the road, when something is authorized to be built coming from the west side, so that Mr. Gramson doesn't have to build a road to nowhere with the likely hood that there will never be a development west of his property because of the environmental constraints. That way the city is assured that road has continuity but not now, only when it becomes right.

No Questions for Applicant

Open Testimony of Public Hearing

Erik Hoovestol, Civil Engineer on Project
Firwood Design Group
Troutdale, OR 97060

Will speak after public testimony. Will provide additional comments at that time.

Testimony in Opposition

Rod Gramson
75 SW Juniper Avenue
Warrenton, OR 97146

Mr. Cronin stated that a letter came from Mr. Gramson that was put in their planning Disappointed in the city to get this far along prior to securing multiple approvals. A lot of work has been done out there, but haven't seen any approvals.

Understands that the secondary access costs are going to be deferred and dumped onto the future landowners and thinks that is ridiculous. Doesn't think that the planning commission should approve.

Is bothered by runoffs on the west side that flows into the Columbia River. Any runoffs from yards and use of fertilizers are going to go right into a wetland that drains directly into the Columbia River. It is a valuable wetland for the ecology.

Very concerned about the density.

There will be too many vehicles and will have traffic flow through the existing subdivision. This project should be downsized to a more reasonable size.

Doesn't see any area for children. No green spaces except for wetlands and swamps.

This project has gone too far too fast. Doesn't think anything should be done until all permits are in place. If it takes 120 days then it takes 120 days.

Doesn't see a need for this project in that area and it jeopardizes Clear Lake which is probably the last pristine coast lake left around that hasn't been affected by human use.

Thinks it is time to slow down and decide if this is what Warrenton needs. There are a lot of housing projects coming up in this area and this is not a low-income housing project.

Representative for Opposition

Will Caplinger

1566 Irving #10

Astoria, OR 97103

Rod Gramson asked him a few days ago to review the variance criteria and the conditions of approval. Went out and looked at the property this morning and expected to see an undisturbed site and was surprised to see all the acres that was being developed already. A road appeared to be cut into the property in the back. Fill is not the only question when it comes to consideration and preservation of protection of wetlands. In the city ordinance that concerns significant wetlands, 6 acres were mapped as significant wetlands on the city map as well as all the parcel to the west of where the proposed stub road is intended to go through. This ordinance requires that any alteration by grading excavating on placement of fill placing structures or newly vegetation requires a variance. He doubts that the city would be doing its due diligence if it authorized a grading permit without a specific variance for that absence of getting a determination from the Department of State Lands.

The road lengths on the previous 2 subdivisions are in clearly in violation on how variances are granted. The maximum distance for a dead-in road is 200ft and its not supposed to serve more than 18 units. There is fully a quarter of a mile of 1500ft or more of dead in street out there now. Serves at least 20 house lots. If this subdivision is built out that would max 700 more feet to a dead-end street as well as another 15 or so residences.

Safety is a big issue of public welfare. Fire is not a general danger here but should be protected.

The project should have a redesign.

The idea of the stub road would satisfy the city's due diligence to make sure you have a safe access on the plan.

Applicant Rebuttal

Erik Hoovestol, Civil Engineer on Project
Firwood Design Group
Troutdale, OR 97060

Only purposing to fill .25 percent of an acre to make the best use of that land over the entire site. In contrast to other developments in the City of Warrenton where stormwater runoff treatment is not required for the treatment or retention; they are providing stormwater treatment before the water will enter the surrounding wetlands. That is also a requirement of the wetland mitigation plan that will be reviewed by DEQ on our stormwater treatment system. This development will be one of the very few in the City of Warrenton that has stormwater treatment. Feels they are doing everything right.

Has Cascading Environmental on board in working with the Department of State Lands.

They also came back out and mapped some additional wetlands, not wetlands that they filled in, but discovered some more. These wetlands are still a part of the .25 percent.

The Fire Chief has reviewed the plans. They have provided an additional turn-around besides the full radius cul-de-sac at the end for the fire department. From a safety standpoint and speaking with the Fire Chief, feels that is a safe arrangement. Also, a 28-foot-wide road was put in the adjoining subdivision to the south. They will widen the new road out to 32 feet. That is a partial mitigation for major access for having a long road.

Remarked and agreed on Mr. Urlings concerns of wanting to take advantage of the construction season to get grading done and clearly mark all the wetlands with orange fencing since the wetland mitigation is up to 4 to 6 months out after they submit.

A 1200c permit will be required and reviewed by the DEQ office and then once they get the wetland mitigation plan approved, they would complete any other measures which would include removing invasive species, silt control and road control measures. That would be the condition of the final plat at the end of the project.

Questions for Applicant

Mr. Lampi asked if the bio-swale would require any maintenance or upkeep. The reply was that in previous meetings with the city staff and public works, staff said they did not want to maintain it. Should be the responsibility of the Home Owners Association. The maintenance would include mowing and picking up garbage. This is a bio-filtration swale.

Mr. Hayward asked what would trigger the development for an access road.

The response was that a secondary access road is extremely problematic. It would be an engineering and master planning project all in itself. There is a little upland there, but they don't think it would ever be developed by private developers. The cost of the road and to put in a sewer pump station for maybe 4 to 8 lots would be expensive. If the city was to do that it might be in the ball park of \$400-600 thousand dollars.

The stub road if built to city standards; is not identified as a future potential access in the city's current Transportation Plan. If the road was ever built through there as a primary street road access not just a fire access, the it would have to be looked at it from a Transportation System Plan. You would also have to get permission from the people who own the property that the road would be going through.

They addressed the secondary access in their variance request. The City Engineer was looking at the preapplication drawings that did not show the turn-a-round that they included in that area and the easement and water line easement that they added going along that route. The City Engineer has now viewed the turn-around.

Me. Cronin spoke up and stated that they are not asking the applicant to build the entire access road. There is a compromise.

Closed Public Testimony

Discussion Among Commissioners

Mr. Lampi spoke up and said that there is a lot going for this project.

Mr. Cronin clarified some confusion about the gravel road. Said that there is an existing one out there. The only responsibility for the applicant is to stub it so when this does develop down the road. Only talking less than 200ft. The applicant is extending the fire turn around for that future access road; it gives the fire truck the opportunity to go in and out. This development does not require a full road to be placed. It will however if it gets developed after this development. There are two property owners that own the majority of the land there. They can either go in together or separately to pay for the road. The non-remonstrance and LID are a compromise for this application. There was discussion on the distance of the length of the dead-end road in the new development and how people will be parking and getting in and out of the area

Motion by the Commissioners

Mr. Lampi said that there is a lot of information that needs to be revisited. Wants to table this and clean up some of the conditions.

Mr. Cronin suggested that he could bring back a draft notice of decision for them to review at the next meeting in May.

Ms. Bridgens agreed with Mr. Lampi. The safety issue and second access are very concerning.

Reopened the Public Meeting

Mr. Hayward made a motion to continue the meeting to April 25, 2019 at 6:00pm for additional written or verbal testimony. Ms. Bridgens seconded. All in favor

Staff Announcements

Mr. Cronin announced that Mr. Smith was not at the Planning Commission meeting tonight because he was getting Cedar award for outstanding service to the community.

Also, the City of Warrenton received one for the 2019 Business and Community Building Award. Joint work session on the 23rd of April and the Housing Needs Assessment is before the commission meeting at 5:15pm.

A reminder for the May 7-9 Spur 104 Charette Presentation

Meeting Adjourned

Attest and submitted by

Janice Weese, Building Clerk

Approved

Paul Mitchell, Planning Commission Chair