



**Minutes  
Warrenton Planning Commission  
October 10, 2019**

**Pacific Seafoods Conditional Use Permit (CUP-19-2) & Site Design (SDR-19-3)  
Continued from last month; Spur 104 Master Plan Implementation  
Comprehensive Plan Amendment, Zoning Overlay, & Development Code Update  
CP 19-1/CP-2, RZ 19-1 & DCR 19-1, 19-2**

**Planning Commissioners Present:** Chair Paul Mitchell; Vice-Chair Chris Hayward;  
Commissioners Mike Moha, Ryan Lampi, Tommy Smith, Christine Bridgens, Ken Yuill

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

**Flag Salute**

**Approval of September 12, 2019 Minutes:** Mr. Yuill motioned to approve the September 12, 2019 minutes as presented and amended. Ms. Bridgens seconded. All in favor.

**Public Comments on Non-agenda Items:** No-one spoke.

**Public Hearing Open**

**Commissioners Having Conflicts On This Proposal:** All answered no.

**Subject of Review:** Pacific Seafoods Conditional Use Permit and Site Design

**Staff Report:** Mr. Cronin acknowledged the letters that were presented to the Commissioners from HHPR, the City's Engineer and an additional letter from the City's Public Works Director, Colin Stelzig. Also, a revised letter from the Fire Department dated October 3, 2019. Lastly, a letter in response to the comments that the applicant received from one of the affected property owners dated October 3.

The Good Neighbor Agreement, GNA for short, is a requirement for the Conditional Use Permit. This went before the City Commission on September 24. It has been signed by the City Manager and notarized. The GNA focuses on the operations of the buildings. Mr. Cronin stated that they are only looking at the outside of the building; the building itself is not under design review. He also mentioned that the building will be painted. The interior of the building will be looked at by the Building Official. Mr. Cronin recommended approval with seventeen conditions.

**Testimony for Applicant:**

Michael Robinson, Land Use Attorney  
1211 SW 5<sup>th</sup> Avenue Suite 1900

Portland, OR 97204

Mike Miliucci is with him tonight who is the Project Manager of this project for Pacific Seafoods. Appreciates Mr. Cronin's staff report and agrees that some of the conditions might need to change. Will not talk about them tonight because they want to continue the hearing to allow time to talk with Kevin and come up with different wording.

With the exception of one or two of the conditions, feels that the all the conditions are feasible. When the City Commission adopted the dormitory as a Conditional use in the I-2 zone, it adopted specific conditions permit criteria. They are not the general conditional use permit criteria like Commissioners are used to dealing with, they are just specific criteria that apply to the dormitories. There is an existing building on the property. The company is not proposing to construct a new building or add to the building. The west half of the building is the former office that is vacant which will be turned into the dormitory. The east half of the building has the existing I-2 Water Dependent Use. That use will stay there. The dormitory will be as far away from the neighbors as possible. They will be in the far end of the building; not in the end closest to the residence's on 17<sup>th</sup> Street.

The existing building has a driveway and some parking spaces. Under the City of Warrenton Development Code, they are required to pave and expand the driveway. They plan on adding approximately thirty parking spaces which will have to be paved. The I-2 code also requires two other things. One, there has to be a fence around the perimeter. There is an existing fence there. Also requires a dense evergreen hedge, 10 feet wide.

Will adhere to that standard. Would still like to talk to the neighbors if they have concerns so they can be addressed. Sent out the Good Neighbor Agreement to the surroundings neighbors but had no comments back. There is a state rule, and is in Warrenton's I-2 Zone, that requires there be a ratio of 1 to 3 non-water dependent uses in Water Dependent uses in a I-2 Zone. Their architect looked at the square footage that they are proposing as opposed to the total square footage that is in the buildings which includes the outdoor area. They met that 1 to 3 ratio. They also made sure that there is enough square footage per person that is required by the code. Their architect looked at it and determined that it was sufficient for the ninety persons. The square footage that they have can accommodate up to one hundred and twelve; but they only want ninety.

The staff recommends as a condition there will never be one hundred. Bob Johnston, the Building Official, looked at the information and sent them an email on September 23<sup>rd</sup> saying that the Structural Specialty Code has been met. They want the dormitory to be safe and a healthy and feels they meet the standards that OSCA requires.

A traffic report was included while school was in session in May. The report concluded that there are no safety problems with traffic or within the intersections. The majority of people living in the dorms will have no cars even though the code requires thirty parking spaces. They are offering bus service for the residence from the dorm to work and occasional shopping.

Feels they have met the standards, the approval criteria and physical requirements in the 1-2 development.

Would like to continue the hearing until October 23 if possible so they can have more conversation with the Commissioners.

Mr. Hayward spoke up and asked Mr. Robinson if the management of Pacific Seafoods will be responsible for enforcing the rules of the dorm. The reply was yes. Mr. Robinson also said that in the Good Neighbor Agreement there is a phone number and email address that people can contact if there is a problem.

Mr. Mitchell spoke up and was concerned if the gravel and weeds will be cleaned up, and if people would be able to access the river walk. Mr. Robinson stated that the river walk is a public place that is open to all and was not planning on changing anything regarding it.

### **Testimony in Opposition**

Scott Widdicombe  
27 NW 17<sup>th</sup> Place  
Warrenton, OR 97146

Is asking for a continuance to be after October 29<sup>th</sup> since he will be on vacation until then. He was given a document that he had not seen yet and would like to read over them. Has a lot of information that he does not totally agree with and wants to add additional information to the discussion and decision's that will be made. Feels they have come a long way in satisfying the issues that he has but is still opposed to what housing looks like for seasonal workers. Wants to make sure the workers have a livable place to live in. Has a lot of experience living in barracks. They are calling them dormitories but feels they are more like barracks because they are packing the beds in so close. Is sympathetic to all the space that is needed to bring all the people in but living in that kind of environment for around two weeks would be very difficult.

Tess Chensey  
27 NW 17<sup>th</sup> Place  
Warrenton, OR 97146

Has an issue with the exterior not with the occupancy. People bought homes in that area for the river view. Anything that takes away from that view lowers their quality of life and property values. Feels it would not be neighborly to obstruct their views; anything higher than four feet will.

Rebecca Rubens  
87506 Lewis & Clark Road  
Astoria, OR 97103

Own's property at 1768 NW Warrenton Drive. Seems like a done deal already. Has only made one meeting and the Good Neighbor Meeting. Submitted a letter at the last meeting in opposition and was upset that the Daily Astorian stated that there was no opposition to this plan. Is in opposition because she feels that there is lack of public process and adequate time for the community to talk about the changes that are being made to the community. Has not been publicized enough. Only saw it in the Columbia Press. Received a letter from her brother that told her a little bit about this meeting. Doesn't agree with the changes to the existing I-2 Zone regulations which includes employees of water dependent corporations. Pacific Seafood plans to charge the workers rent which to her is a definition of a motel/hotel. Feels that the dorms will triple the population of the existing residential area without explanations on how the utilities, water use, recreational use and transportation will be affected. Feels that even though there will be busses there will still be a lot of traffic. Also feels that property values will decrease. Thinks that Pacific Seafood needs to work with the City of Warrenton to create affordable housing; there is plenty of property to do this.

Barbara Balensifer  
1771 NW Warrenton Drive  
Warrenton, OR 97146

Has lived at this address for forty plus years. Not opposed of the plan for the facility. Has concerns to the outside area where the proposed seven foot fence and foliage will be placed so they would not see the facility. There is a fence already there that allows the neighbors to view the river, why put up another one. Agrees with the other testimonies that there might be some possibility that their property values might go down.

Ann Gramson  
15 NW 17<sup>th</sup> Place  
Warrenton, OR 97146

Has serious concerns about the facility. The word dormitory brings up pleasant memories of college; it was a lot of fun. There was room for chest of drawers and closets to hang their clothes in. The diagram of this facility describing dormitories has only room for bunk beds and nowhere to keep clothes. There are no recreation facilities on the plans. All that there is on the plans are beds, a small laundry room and a dining room. Wants to know where are these people going to spend their time.

One of the things that they asked for specifically at the Good Neighbor Meeting, is that they restrict access to the western portion of the lot since that is where the dorm will be located. The eastern portion is where the residences are located. This has not been addressed yet. Would like to have privacy there. Spoke of an article that Ms. Bridgens stated in the Daily Astorian about not wanting to look out her back window and seeing an accessory dwelling unit rental. Thinks it would lower her property values. The residences have spent millions of dollars on homes in this neighborhood and feels their property values will go down also.

### **Rebuttal**

Mike Robinson

Appreciates what the people had to say but can't do everything that was asked but will try. They are kind of stuck on landscaping buffers. Recited the landscaping criteria that is required in the Warrenton Development Code which states that a visual buffer of at least ten feet wide and a mature height of eight feet shall be provide as a dense evergreen buffer. They will have to comply with this.

They are not planning on putting in a new fence, they are leaving what is there now. If it turns out that there might be a problem with access in the outdoor lot, then they can call Pacific Seafoods. They are not done talking about resolving issues that come up.

Everyone has a concern about their property value; but it is not relevant to the approval criteria. The property that the people next door to this facility live in is zoned I-2; they live next to an Industrial Zone.

Wants to continue the hearing to accommodate more discussion.

The building height and footprint is not changing. What you will see visually is a wider main driveway, paved parking spaces, access for the Fire Department to get around the building, and the landscaping hedge.

### **Public Hearing Closed**

Mr. Cronin spoke up and said they could schedule a special meeting on Wednesday October 23<sup>rd</sup> as an option or wait until the next meeting on November 14<sup>th</sup>.

Mr. Yuill moved to continue this meeting until November 14<sup>th</sup> Planning Commission Meeting and to keep the record open. Ms. Bridgens seconded. All in favor.

**Subject of Review:** Tabled from last month Spur 104 Master Plan

Mr. Yuill expressed his desire to ask the City Attorney's opinion that when this application was deemed complete on May 24<sup>th</sup> 2018; is that the code that they must follow.

Mr. Cronin attempted to explain in the City Attorneys absence that they are looking at stuff to go on top of the CMU; not proposing to change the CMU. Trying to implement the master plan that was done at the charrette; to go on top as an overlay of the CMU Zone. The applicant would have to comply with the CMU standards if they were to do anything to develop in that area. They would also have to look at any new things that was added as part of the overlay. The overlay is trying to address some of the traffic impacts.

Mr. Yuill asked if the overlay is approved, does that supersede what the code says. Mr. Cronin stated that the CMU Zone stays, but if specific provisions is put in as a certain type of use, then that would control that particular neighborhood through the overlay.

There is a challenge to implement a master plan with many different property owners. If you do any type of commercial development or multi-family development, then you have to have open space. Through the master plan, they are trying to implement open space somewhere so people can all share in that open space as opposed to have that done individually all over the neighborhood. It was discussed that every city has the ability to implement zoning regulations; an overlay is just one type of zoning regulation. Warrenton also has overlays for flood and soils.

Mr. Yuill mentioned that he would like to see the definitions of what is being figured for a unit, a house or an apartment.

Also, if they were to recommend a certain development charge to cover the improvements that was improved in the TSP, that would include some of the traffic flow in the Spur 104 area.

Would also like to keep a running total of the units being built.

The City needs to be working with ODOT on the right turn off of Dolphin and also discussing a round about by Ocean Crest intersection.

Is concerned on how the traffic will be addressed when the middle school moves forward towards being built.

It was brought up by Mr. Hayward that a traffic study is always done before a development comes to the city. If there is an impact that would make that traffic study fail, then the developer is responsible for coming up with a plan to fix it.

Mr. Cronin addressed how units are counted; single family detached or attached; each apartment unit is one unit. Apartments above storefronts are will not be counted.

Also addressed collecting SDC's for all the new development in order to pay back what was already paid for to improve that intersection or at least collect enough, and then once you have enough, fix the intersection.

Mr. Yuill brought up the fact that the overlay will restrict having the opportunity for a motel or bowling alley or theatre in that area. The overlay doesn't create a lot of traffic, but at the same time these businesses, if they were allowed to be built, would serve a purpose and revenue for what the city needs as it grows. With the restrictions of the overlay, the people living in that area feels it is not fair.

Mr. Lampi spoke up and expressed that he understands the intent of the overlay but does not see that the intersections are being addressed. Hard for him to restrict development based on the fear of the unknown with the traffic. Doesn't feel comfortable telling the homeowner what can and cannot be built and where an open space has to be created.

Brought up the fact that the City Attorney was not here last week or this evening and would have liked him to be in attendance.

Ms. Bridgens spoke of her concern regarding the first developer in and the infrastructure costs that person might be responsible for. Mr. Cronin stated that they will be responsible to provide the right size pipe for their development. If they oversize it because there is future development that will be coming in; there is Advanced Finance District that allows future developers to have to pay back the person that has made the upfront investment.

There was discussion made on Master Plan Communities with the thoughts that developers will be coming in and buy up big pieces of the lots and homes and developing them the way they want to. Doesn't feel individual people would be buying one lot at a time.

Mr. Yuill suggested that they do not put the overlay on. If someone wants to come and build, you already have plotted streets that cannot go away.

Mr. Mitchell would like to see the community more involved in the Planned Unit Development, especially the ones that live in that area.

Mr. Lampi would like resolution on these issues. This is the second time this is being brought up to the Planning Commission because of the traffic issue. Wants the Planning Commission to move forward and open it up for development, and deal with the Traffic Study later, or leave it as a Commercial Mixed Use development like it is now with the codes that are in place.

Mr. Cronin suggested getting a small work group of property owners together and work through and address the issues that they have.

Mr. Mitchell spoke up and said that the property owners have had their opportunity to speak up.

Ms. Bridgens would like to leave the area as a Commercial Mixed Use zone like it is now.

Mr. Hayward stated that there is no urgency in this. Doesn't feel that an overlay in this area makes sense due to all the different types of owners. Agrees with Mr. Lampi.

Mr. Smith chimed in and added that if there were only two or three homeowners it might work, but there are many in that area and that would be challenging.

**Motion by Commissioners:** Noted in the record that Mr. Yuill did not vote. Mr. Lampi wanted it noted in the record that he appreciates all the time, effort and work that Mr. Cronin put into this. My Lampi made motion to table the proposal to the Comprehensive Plan and Zoning Overlay in the Development Code update CP-19-1/CP-19-2, RZ-19-1 & DCR-19-1 /DCR-19-2. Mr. Hayward seconded. All in favor.

**Subject of Review:** Housing Policy Update

Mr. Cronin suggested taking out his proposal to require structural trusses on new subdivisions to accommodate accessory units above garages since the Planning Commission was not in agreement to do that.

Ms. Bridgens suggested that they do take that requirement out.

It was reiterated that is not a requirement to have an Accessory Dwelling Unit in new subdivisions, you can put one in if you choose to, but they have to have a garage that is attached or detached. Also mentioned was that there are several types of truss packages that can be purchased if you choose to add an ADU that are not that expensive.

Parking is a concern for Ms. Bridgens with properties that have ADU's. If they cannot park on their own property, or where the ADU's are located, then there will be a lot of street parking.

There was discussion on people parking on the sidewalks because the streets are not wide enough. It was suggested that the Warrenton Police Department be called, and citations can be given.

Mr. Cronin suggested sticking with what the code says and not change it if parking is a concern. The current code says that as long as you have the space on your property, then you do not have to provide any additional parking space. Feels that is working.

Mr. Mitchell voiced his concern about adding an ADU then you become a landlord. If you sell your home, the people in the ADU has rights with the new law. It is not easy to sell your home with an



ADU. If you want them to vacate the ADU, it may take up to ninety days in the middle of a sell. Being a landlord is not for everyone.

Also is against after so many homes that are built, you have to have an ADU above the garage. It might be a burden to the consumer for the extra cost.

Mr. Cronin reiterated that the ADU's are not required, just the truss packages. The Commission gets to make the choice of what you can require in new subdivisions.

Ms. Bridgens commented that the materials that are being rejected for the siding should not be a part of the Housing Policy. Feels that people should have their choice in what they use. The materials can be long lasting if maintained.

Mr. Yuill suggested instead of banning the materials, inform the people in new construction that there are known issues with them.

Mr. Lampi suggested a trigger for a hardship if they were to use the less liked materials on new homes.

Discussion shifted to the density of lot sizes. Mr. Cronin is suggesting to lowering the minimum lot sizes to allow more flexibility for those lots and proposing to set a minimum density to make sure that they are maximizing the land.

The Commissioners are on board with encouraging Mix Use in the Commercial Zones to allow people to live above their store fronts.

Developers might not want to do courtyard cottages, but they are not going to do it unless it is in the code to allow for them. Mr. Yuill suggested that the lots for cottages should be a minimum of fifteen thousand square feet instead of ten thousand square feet to allow for parking on the side. These types of units do not require garages.

Mr. Yuill spoke up and wanted clarification on if Oregon Law take precedence over CCR's. Mr. Cronin's reply was yes, Oregon Law does take precedence. He will make sure that the City Attorney clarifies that.

Discussion was continued on units and lots. If you have an acre of land for example, then you would have to have four lots on it to maximize the land.

In this proposal there is minimum density for each in R10, RM and RH. The only place where Warrenton has it now is in the RH zone.

Mr. Cronin suggested to bring a revised proposal back to the Planning Commission on November 14 before it goes to the City Commission.

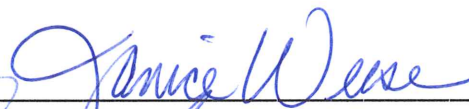
**Motion by Commissioners:** Mr. Yuill motioned to continue this to the November 14<sup>th</sup> Planning Commission Meeting. Mr. Smith seconded. All in favor.

**Staff Announcements:** Won a Main Street award, Warrenton officially owns Hammond Marina, Pre applications for Burger King, two additional drive-thru restaurants by Dooger's, The City Commission approved the Urban Renewal Amendment, the Fenton Grocery Building applied for a facade grant, and Morgan is working on the parks concept plan.

Mrs. Bridgens suggested that they create some standards for the food carts.

**Meeting adjourned**

**Attest and submitted by**



**Approved**

