



**MINUTES**  
**WARRENTON PLANNING COMMISSION JANUARY 14, 2021**  
**CITY HALL, COMMISSION CHAMBERS**  
**Planned Unit Development / Fort Pointe Subdivision**  
**Marijuana Text Amendment / Homestay Lodging**

**Planning Commissioners Present:** Chair Paul Mitchell, Vice-Chair Chris Hayward, Christine Bridgens and Kevin Swanson were present in the commission room. Mike Moha, Lylla Gaebel, and Ken Yuill were present via zoom. Mr. Stelzig, Public Works Director, present via zoom.

**Staff Present:** Community Development Director Scott Hess, Building Clerk Janice Weese.

**Flag Salute**

**New Chair and Vice Chair:** Ms. Bridgens nominated Paul Mitchell to continue as Chair for 2021. Mr. Swanson seconded. All in favor. Mr. Mitchell nominated Mr. Hayward to continue as Vice-chair. Ms. Bridgens seconded. All in favor.

**Approval of Minutes:** Mr. Yuill motioned to approve the minutes as corrected for December 10, 2020. Mr. Hayward seconded. All in favor.

**Comments on Non-Agenda items :** No one spoke.

**Public Hearing Open**

**Disclosure by Commissioners:** All commissioners answered no to all questions or conflicts.

**Subject of Review:** A purposed planned unit development consisting of 169 lots for single family dwellings and up to 150 multiple family residential units for the Fort Pointe Subdivision.

**Staff Report:** Mr. Hess pointed out that this application had been brought to the Planning Commission twice before; once for a PUD and for a Preliminary Plat for the Fort Point Subdivision on August 10, 2017 and December 8, 2017. The subdivision received approval with conditions on December 8, 2017. This approval was valid for two years with the option of a single one year extension. The one year extension was granted by staff on October 15, 2019 which pushed the approval deadline to December 27, 2020. During 2020, the developer has been working to secure federal HUD financing to move the development forward. In 2017 the approval read up to 300 multiple family units. The developer Mark Tolley and his team decided

that 150 units would give them more flexibility to adjust to market conditions. Staff is recommended this PUD application with conditions and does not constitute a preliminary subdivision plat.

Mr. Hess brought up the discussion of open space for the subdivision and neighborhood parks. It was determined that the soccer fields are too far away does not make up for open space and parks. The applicant purposed that they would create a manicured green space to satisfy this request to meet the code requirements.

Mr. Hess also noted that there is a setback requirement in the PUD. The 20 feet from a public street would be hard to meet as requested in the development standards, especially on the eastside because it is not flat.

The applicant also requests that Thistle Avenue be allowed to be a 28 foot wide instead of a 36 foot wide road. The Fire review was ok with 28 feet because they felt that they still had the same width of driving space as they would with cars parked on both sides. It was suggested in review that the curbs not be rolled to discourage parking on them.

The traffic study has not changed from last time so one was not required.

Mr. Yuill expressed his concern on the wastewater treatment capacity.

Mr. Hess stated that the 150 multi -units will all start at the same time but would take two to three years to all be built. The developer would like to time that with approximately 50 single family homes per year to help offset the development costs along with the multifamily.

Discussion continued on how this will be phased and how this will affect discharging water into the wastewater treatment system.

Mr. Stelzig chimed in and wants the developer to do an analyst to show what they are going to do about the capacity. Mr. Stelzig also expressed to have a developer's agreement written up stipulating what they will guarantee.

Mr. Hess stated that the PUD will approve right now 169 units that is on approximately 49 acres. It does not approve the developers phasing plan.

Mr. Stelzig spoke up and stated that with this approval, it does not give them water and sewer connections.

Mr. Hess continued on to say that there are 2 main accesses to Ridge Road from the development. The subdivision shows some off street parking that the city would not own or maintain.

Staff recommends approval of the application for development on approximately 53 acres of a 277 tract for 169 single family and up to 150 units of multi family. Mr. Hess recommends approval of the preliminary plan for the Fort Pointe PUD subject to the 38 conditions.

### **Testimony by the Applicant**

Dale Barrett – representing Mark Tolley, Fort Pointe Partners LLC  
34107 West Campbell Loop  
Seaside, OR 97138

Mr. Barrett stated that they are very close to getting the federal funding from HUD to start building the multifamily units and then the larger single family homes on the south end of the property.

Came up with a plan on how they can get their preliminary approval of the PUD again and have an agreement in place of how they are going to development over the next few years. The PUD preliminary approval that they are asking for tonight will allow them to come back through and continue to submit the preliminary plats for each phase of their development. With the Preliminary PUD approval, they are hoping for at least 5 to 10 years that will allow them to get the rest of the preliminary plats in.

Everything will be updated if needed with each phase.

They are not going to impact any of the wetlands in the area.

Regarding the water main, they are purposing to go down 11<sup>th</sup> St. and add some additional looping to the existing water system that is already there.

The remaining 200 acres on the east side of the property could possibly be turned into horse riding and trails that might fit into the open space code requirements.

The right of way on Ridge Road is 160 feet wide. Putting sidewalks and pedestrian walkways in the front would be a long way back from the housing.

By the multifamily homes there will be two buildings used for recreational purposes for the homeowner's association, also there might possibly be a swimming pool.

Mark Tolley  
San Antonio, TX 78205

Mr. Tolley spoke up and said that his company and Dale have been working hard on this project for years now. They have received favorable marketing analysis on this property. He stated that there is considerable demand on this type of housing. It is very considerable to what they have done in the in west and in Texas. He feels it is a well balanced project catering to a variety of needs of the local citizens and growth of Warrenton and Clatsop County. Will have around a mile of streets and trails. The trails will be utilized for hiking, biking and possibly equestrian uses. Will be connected to the 11<sup>th</sup> Street trail system, KOA and hopefully Fort Stevens. Thinks the amenities will be well received and appreciated by the residences.

Mr. Mitchell expressed his concern that they are wanting an extension to put the property back on the market to sell and not move forward with what the Planning Commission is looking at now.

Mr. Tolley stated that they will be selling the lots to a third party home builder. They will use the nine acres and build the multifamily units and will be moving forward in a timely manner. This will be a multi-year build out. The market is much better today for what they are doing. All the other lots for houses will be a part of HOA. There will be a developer's criteria that will guide the architecture for all of those properties. Feels that the letter that Mr. Gramson wrote requesting a right of way on the south side of the property will benefit both his property and their property and all the adjoining property owners. They have been working with Mr. Gramson in his development during these three years.

Discussion continued on the amount of traffic and overload on Ridge Road that might be created in and out of the development. It was mentioned that the last Traffic Study showed it could handle it.

Not having enough parking space in front of your property with narrower streets was brought up. Mr. Tolley spoke up and said that how they designed the units the residents will have two car parking garages and parking aprons in front of their units. The residents will be able to park in front of their units. There are also cutouts along the 28 foot street and will be striped on one side. On Thistle Road there is inset parking that is outside the 28 foot. All the parking will be the responsibility of the HOA for maintenance since the street will be private.

They are trying to make the streets as pedestrian and biking friendly as possible.

Mr. Tolley mentioned that sometime in September 2021 they should be able to start moving dirt.

Ms. Gaebel brought up the question of possibly having bussing service in that development. The discussion continued favorably.

### **Public Hearing Closed**

### **Discussion Among Commissioners**

Mr. Swanson spoke up and asked if there were any issues three years ago that came up for this application that was not addressed here tonight.

Mr. Mitchell replied that no-one had spoke up against it. The using of the soccer fields as a place for the kids to go play has changed; the applicant has addressed that concern because the Development Code has changed since then.

Mr. Hayward commented that the applicant has made some nice improvements in this development with the open space idea.

Mr. Hess discussed the reasoning for the request of the extension on the applicants Preliminary Plat approval to last and how this would allow them time for all the public utilities and necessary work to be done before the final plat recording.

**Motion by Commissioners:** Ms. Gaebel motioned based on the findings and conclusions of the January 14, 2021 Staff Report moved to approve the preliminary plan of the Fort Pointe Planned Unit Development exclusive of the Preliminary Plot approval subject to the recommended 38 conditions of approval with the amendments made to #30 and # 34 and attached departmental review letters. Mr. Hayward seconded. Mr. Moya yay, Mr. Swanson yay, Mr. Mitchell yay. Mr. Yuill nay, Ms. Bridgens nay.

### **Discission Items:** Marijuana Text Amendment – CUP

The conditions will read the exact same as what is in the Development Code now. Marijuana processing and facilities are currently allowed in Industrial Zones East of 101 only. In last months commission meeting the request was to amend the ordinance to allow it west of 101 to specific properties that still met all of the other statutory requirements. At the end of the

meeting, it was to take what is right now as a permitted use in the Industrial Zone east of 101 and pull that over to Conditional Uses.

**Homestay Lodging:** Mr. Hess led a discussion on Homestay Lodging and Vacation Rental Dwellings. Also, ADU's that are used as Vacation Rentals and Homestay Lodging. Zoning was discussed as to where all these types of lodging can be permitted. Definitions are needed to be made clear in our Development Code. More discussion will be made in the March 11, 2021 Planning Commission meeting.

**Staff Announcements & Project Updates:** Mr. Hess welcomed Mr. Kevin Swanson our new Planning Commissioner. Mr. Swanson moved to Warrenton a little over a year ago when COVID-19 took his job. He was Vice-President of a company out of Dublin, Ireland and covered all of North America. Mr. Swanson was Chairman of the Dundee Planning Commission for 6 years.

Next months meeting will have Trillium Apartments which are north of Home depot and 14<sup>th</sup> Place. The proposal is for 42 units of multi-family housing.

**Meeting Adjourned**

Attest and submitted by



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Janice Weese, Building Clerk



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Paul Mitchell, Planning Commission Chair