



AGENDA

WARRENTON PLANNING COMMISSION
Regular Meeting | July 14, 2022 | 6:00pm
Warrenton City Hall Commission Chambers | 225 S Main Avenue, Warrenton, OR 97146

*****The meeting will be broadcast via Zoom at the following link*****

<https://us02web.zoom.us/j/89594092173?pwd=VG5sMFFTVExqTWI1dXVXSTBFbWw2UT09>

Meeting ID: 895 9409 2173 | **Passcode:** 612659 | **Dial in number:** 253-215-8782

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

2. ATTENDANCE

3. APPROVAL OF MINUTES

- A. Planning Commission Minutes – 6.9.22

4. PUBLIC COMMENT

At this time, anyone wishing to address the Planning Commission concerning items of interest may do so. The person addressing the Planning Commission must complete a Public Comment Card and submit it to the Secretary prior to the meeting. All comments will be addressed to the whole Planning Commission and limited to 3 minutes per person. Public Comments may also be submitted by email to the Secretary, at rsprengeler@ci.warrenton.or.us, no later than 5:00 p.m. the day of the meeting. The Planning Commission reserves the right to delay any action, if required, until such time as they are fully informed on a matter.

5. PUBLIC HEARING

- A. Variance Application V-22-1 – Jeff and Jennifer Canessa (Latitude 46 Apartments)
- B. Variance Application V-22-2 - Jason Palmberg (Jetty Street Apartments)
- C. Variance Application V-22-3 – Rally Time LLC (Street Improvement)

6. BUSINESS ITEMS

7. DISCUSSION ITEMS

- A. Planning Director - Expectations

8. GOOD OF THE ORDER

9. ADJOURNMENT

Next Meeting: August 11, 2022

Warrenton City Hall is accessible to the disabled. An interpreter for the hearing impaired may be requested under the terms of ORS 192.630 by contacting Dawne Shaw, City Recorder, at 503-861-0823 at least 48 hours in advance of the meeting so appropriate assistance can be provided.

MINUTES
 Warrenton Planning Commission
 June 9, 2022
 6:00 p.m.
 Warrenton City Hall - Commission Chambers
 225 S. Main
 Warrenton, OR 97146

Chair Mitchell called the meeting to order at 6:00 p.m. and lead the public in the Pledge of Allegiance.

Commissioners Present: Vice Chair Chris Hayward, Ken Yuill, Lylla Gaebel (Zoom), Mike Moha, and Kevin Swanson (Zoom)

Absent: Paul Mitchell and Christine Bridgens

Staff Present: Contracted Planner Mike Morgan (Zoom) and Permit Technician Hallie Homolac

APPROVAL OF MINUTES

A. Planning Commission Meeting Minutes – 5.12.22

Commissioner Bridgens made the motion to approve the minutes from the May 10th meeting. Motion was seconded and passed unanimously.

Hayward – aye; Yuill – aye; Gaebel – aye; Moha – aye; Swanson – aye

PUBLIC COMMENT ON NON-AGENDA ITEMS – None

PUBLIC HEARINGS

Vice Chair Hayward opened the public hearing on Variance Application V-22-1, submitted by Jeff and Jennifer Canessa (L46, LLC – Latitude 46 Apartments) to allow the overhead power lines on Jetty Avenue. Mike Morgan gave an update on the application.

Commissioner Gaebel made the motion to continue the hearing for variance application V-22-1 to the July 14th, 2022 Planning Commission meeting. Motion was seconded and passed unanimously.

Hayward – aye; Yuill – aye; Gaebel – aye; Moha – aye; Swanson – aye

Commissioner Gaebel made the motion tat the record stay open on V-22-1 until the July 14 Planning Commission hearing. Motion was seconded and passed unanimously.

Hayward – aye; Yuill – aye; Gaebel – aye; Moha – aye; Swanson – aye

Vice Chair Hayward opened the public hearing on Variance Application V-22-2, submitted by Jason Palmberg (Jetty Street Apartments) to allow the overhead power lines on Jetty Avenue.

Commissioner Gaebel made the motion to continue the hearing for variance application V-22-2 to the July 14th, 2022 Planning Commission meeting and keep the record open until that time. Motion was seconded and passed unanimously.

Hayward – aye; Yuill – aye; Gaebel – aye; Moha – aye; Swanson – aye

Vice Chair Hayward opened the public hearing on Variance Application V-22-3, submitted by Eryn Cary on behalf of Rally Time LLC, for a street improvement on 7th Avenue. The subject property is located at 719 S Main Avenue, Warrenton, and is also identified as tax lot 81021DC02900. Formalities followed. No conflicts of interested or ex parte contacts were reported. Commissioner Yuill and Vice Chair Hayward have seen the site. They feel they can make fair and impartial decisions. No one wished to challenge the commissioners' impartiality.

Mike Morgan presented his staff report. Based on the findings and analysis, staff concluded that the application meet all the six variance criteria and should be granted. He reviewed the plot pan. There was discussion about additional parking and affordability of future units. He reviewed improvement costs as estimated by Big River Construction and noted a letter received from the Methodist Church opposing the application. Vice Chair Hayward read the letter aloud.

Applicant Randy Stemper was concerned about recently submitted comments from Public Works. He discussed recent housing projects and noted current housings costs are high. Their target market is \$300,000 or less. He explained the increase to this unit cost if required to improve the street. Current, approved, access would be used, not 7th Street. Site design review is pending based upon decision on this application because of project cost. Discussion continued. Commissioner Yuill would like to continue the hearing to allow time for review of Public Works comments. Mr. Stemper further argued against the street improvement.

BUSINESS ITEMS – None

DISCUSSION – None

GOOD OF THE ORDER – None

Due to a power outage, the meeting was adjourned at 6:56 p.m.

APPROVED:

ATTEST:

Paul Mitchell, Chair

Rebecca Sprengeler, Secretary




City of Warrenton

Planning Department

225 S Main Avenue ■ P.O. Box 250 ■ Warrenton, OR 97146

Phone: 503.861.0920 Fax: 503.861.2351

STAFF REPORT

TO: The Warrenton Planning Commission
FROM: Jay Blake, Planning Director 
DATE: July 14, 2022
SUBJ: Variance File # V-22-1 Canessa (Latitude 46 Apartments)
Variance File# V-22-2 Palmberg (Jetty Street Apartments)

BACKGROUND:

An addendum to Staff Review Memo from Kevin Cronin.

Pursuant to conversations with City Legal Counsel, staff requests that the motions be separate for the two applications. See the findings of fact from each variance application and make the appropriate motion.

Recommended Motions:

"I make a motion to approve V-22-1 variance request for Jeff and Jennifer Canessa (L46 LLC – Latitude 46 Apartments) to not require the undergrounding of public utilities adjacent to their proposed apartment development on SE Jetty Avenue. The action is based on findings of fact submitted by the applicant, and the Warrenton City Staff memo dated July 7, 2022. Public comments received and written correspondence from Pacific Power."

"I make a motion to approve V-22-2 variance request for Jason Palmberg (Jetty Apartments) to not require the undergrounding of public utilities adjacent to their proposed apartment development on SE Jetty Avenue. The action is based on findings of fact submitted by the applicant, and the Warrenton City Staff memo dated July 7, 2022. Public comments received and written correspondence from Pacific Power."

FILE No.: V-22-1 | V-22-2
DATE: July 7, 2022

STAFF REPORT

TO: Warrenton Planning Commission

FROM: Kevin A. Cronin, Contract Planner

SUBJECT: Hardship Variance to the standards of Warrenton Development Code Section 16.136.060, Public Facility Standards, Utilities. The applicants propose a variance from the underground utility standard for existing overhead electrical only.

LOCATION: 1335 SE Jetty Avenue 1285 SE Jetty Ave
810W TL 3800, 3900 810W TL 2400, 2600, 4000, 4100, 4200

ZONE: C-G, General Commercial

APPLICANT: Jennifer & Jeffrey Canessa Jason PalmbergL46, LLC
PO Box 173 90435 Gander Road
Astoria, OR 97103 Astoria, OR 97103

PROP. OWNER: Same

Previous Applications: Latitude 46 Jetty Shore
SDR 19-10 SDR 17-4
CUP 19-3 CUP 17-6

EXHIBIT LIST: A – Variance Applications & Findings
B – Approved Site Plans
C - Pacific Power Letter of Support

BACKGROUND

The City of Warrenton received two variance requests that are identical in nature but are two different locations in the same vicinity. The staff report addresses both applications in a streamlined approach. The applicants were approved under separate applications to build multifamily apartments on Jetty Avenue in 2017 and 2019, respectively. The applicants have begun site improvements and requested a variance to the public facility design standards, specifically the underground utility standard. Pacific Power, the local utility provider, has a substation on Jetty Avenue and the applicants would like to underground new lines required for

their development but not underground the existing lines that serve the substation. A letter from Pacific Power is enclosed in support of the application.

The Planning Commission shall base its decision on whether or not to grant the hardship variance request based on the six criteria discussed in this report.

PROCEDURAL REQUIREMENTS

The hardship variance application (see **Exhibit A**) and fee was received by the City’s Community & Economic Development Department on May 9th, 2022. The application was deemed complete on May 16th, 2022. All property owners within 200 feet of the subject property were mailed notice of the public hearing at least 20 days prior to the hearing date on May 20th, 2022. Notice of the hearing was published in *The Columbia Press* at least 10 days prior to the hearing on May 27th, 2022. To date, the Warrenton Community & Economic Development Department has received one letter concerning this request. This letter is attached as **Exhibit C**.

Proposed Finding of Fact No. 1 – Procedural Requirements

The applicant has filed for a hardship variance in the manner prescribed by Section 16.208.050 of the Warrenton Development Code (WDC). All requirements pertaining to the mailing and publication of notice of the hearing have been met.

HARDSHIP VARIANCE CRITERIA

Section 16.272.020, Variance Criteria, of the Warrenton Development Code states:

“(1) For any lands demonstrated to have been rendered not buildable by application of this ordinance, the property owner may apply for a hardship variance for relief from the restrictions of this ordinance.

(2) Hardship variance applications are subject to review in accordance with the standards of Warrenton Development Code Section 16.272, Variations). Granting of a hardship variance requires that:

- a. The hardship was not created by the person requesting the variance;*
- b. The request is necessary to make reasonable use of the property. There will be an unreasonable economic impact upon the person requesting the variance if the request is denied;*
- c. The request will not substantially be injurious to the neighborhood in which the property is located. The variance will not result in physical impacts, such as visual, noise, traffic or increased potential for drainage, erosion and landslide hazards, beyond those impacts that would typically occur with development in the subject zone;*
- d. The request is not in conflict with the Comprehensive Plan;*

e. The request is not in conflict with the Development Code. No variance may be granted which will result in a use not permitted in the applicable zone or which will increase the allowable residential density in any zone with the exception of individual lot size reduction; and

f. Physical circumstance(s) related to the property involved preclude conformance with the standard to be varied.

The following findings are based on the findings provided by the applicant’s legal representation and independent review of evidence in the record.

Hardship Criterion A – Hardship Not Created by Applicant

The applicant proposes construction of multi-family apartments with full service city utilities. The applicant has requested a variance to the undergrounding of the existing electrical service lines from a nearby substation. New electrical lines that are required to serve the development will also be underground. The applicant does not own the lines nor did it install the lines.

Staff Analysis:

The applicant did not cause the hardship. It’s an existing condition at the site.

Proposed Finding of Fact A

Based on the foregoing staff analysis, the applicant demonstrates the hardship was not self-inflicted. Standard is met.

Hardship Variance Criterion B – Rules Preclude a Reasonably Expected Use

In its application (**Exhibit A**), the applicant explains the utility standard will be met for all new city utilities and new electrical lines but the existing lines servicing the substation are over and above the intent of the requirement. A strict interpretation would effectively preclude a use that could reasonably be expected to occur in similarly zoned parcels.

Staff Analysis:

The proposal would only apply to the existing electrical overhead infrastructure. Pacific Power will need to address this as part of its operations and management of the electricity grid. The level of service from the substation is substantially different than a service line from a residential project therefore creating a potential hardship.

Proposed Finding of Fact B – Reasonable Use

Based on the foregoing staff analysis, the applicant demonstrates that a variance to underground utility standard is necessary to establish a reasonably expected use. Standard is met.

Hardship Variance Criterion C – No Net Impact to Neighborhood

In its application, the applicant’s legal representation explains that it would have net impact based on the nature of the request.

Staff Analysis:

Agreed. The applicant will meet all other standards if it follows the conditions of approval in the Notice of Decision and no increase in the impact to the adjacent neighborhood. The existing overhead lines are safe and maintained and do not jeopardize the neighborhood. The proposed development will improve city infrastructure to serve the neighborhood.

Proposed Finding of Fact C - No Net Impact to Neighborhood

Based on the foregoing staff analysis, the applicant demonstrates there is no net impact. Standard is met.

Hardship Variance Criterion D – Comprehensive Plan Nexus

In its application (**Exhibit A**), the applicant explains that this proposal is consistent with the Comprehensive Plan.

Staff Analysis:

Staff finds the applicant to be seeking the minimum variance necessary to retain use of the property as expected for the neighborhood and does not propose a change in policy from the Comprehensive Plan.

Proposed Finding of Fact D – Comprehensive Plan Nexus

Based on the foregoing staff analysis, consistency with the Comp Plan has been established.

Hardship Variance Criterion E – Development Code Exception

In its application (**Exhibit A**), the applicant explains that the granting of this variance would not increase the already approved density or change the use.

Staff Analysis:

Staff concurs with the applicant in its determination that the proposed variance is to an infrastructure standard and does not impact the density or change the use.

Proposed Finding of Fact E – Development Code Exception

Based on the foregoing staff analysis, the applicant demonstrates that granting of this variance will not be detrimental to the surrounding area. Consistency with Hardship Variance Criterion has been made.

Hardship Variance Criterion F – Physical Circumstances Preclude Conformance

In its application (**Exhibit A**), the applicant explains that the variance is related to an existing physical condition on site (overhead lines).

Staff Analysis:

Staff agrees with the applicant. The applicant proposes a development that meets the purpose and intent of the zone.

Proposed Finding of Fact F – Physical Circumstances Preclude Conformance

Based on the foregoing staff analysis, the applicant demonstrates compliance. Consistency with Hardship Variance Criterion F has been made.

STAFF RECOMMENDATION

A variance to the underground utility standard for existing substation infrastructure is appropriate and reasonable for the subject property. The Warrenton Planning Commission can approve the applicant's findings. As a result, staff recommends selection of Alternative 1 (below) – Approve the request adopting findings of fact of this report.

DECISION ALTERNATIVES

- (1) Approve the variance application adopting the proposed findings of fact of this report.
- (2) Approve the variance application adopting modified findings of fact and/or conditions of approval.
- (3) Request additional information and continue the hearing to a specified date and time.
- (4) Deny the requested variance based on appropriate findings of fact.
- (5) Take other action as deemed appropriate by the Commission.

Planning Commission Type III Hearing:
Variance Application V-22-1 Canessa Utility Variance
July 14, 2022

APPROVE

Name

Mailing Address

1. Jason Palmberg PO Box 173 Astoria OR 97103

2. Jeff Canessa 90435 Gander Rd, Astoria, OR 97103

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

CITY OF WARRENTON
PLANNING AND BUILDING DEPARTMENT
Telephone: 503-861-0920

VARIANCE APPLICATION

OFFICE USE ONLY	
FILE # <u>V-22-1</u>	FEE \$ <u>1,250</u>
ZONING DISTRICT <u>C1</u>	
RECEIPT # <u>08892198</u>	

To be accompanied by a Site Plan, copy of property deed and Letter of Authorization, if applicable.

The Variance application process is a method for assuring compliance with the City of Warrenton Comprehensive Plan and Development Code, and to ensure wise utilization of natural resources, and the proper integration of land uses utilizing appropriate landscaping or screening measures. Please answer the questions as completely as possible.

Legal Description of the Subject Property: Township 8, Range 10, Section(s) 27
Tax Lot(s) 3800, ~~3800~~ 3900

Property street address: 1335 SE Jetty Ave, Warrenton, OR

I/we, the undersigned applicant(s) or authorized agent, affirm by my/our signature(s) that the information contained in the foregoing application and associated submissions is true and correct.

APPLICANT:

Printed Name: Jeff & Jennifer Canessa, L46, LLC - Latitude 46 Apartments

Signature: [Signature] Date: 5/9/22

Address: 90435 Gander Rd Phone: 503-440-3332

City/State/Zip: Astoria, OR 97103 Fax: _____

PROPERTY OWNER (if different from Applicant):

Printed Name: _____

Signature: _____ Date: _____

Address: _____ Phone: _____

City/State/Zip: _____ Fax: _____

This application will not be officially accepted until department staff has determined that the application is completed, the site plan map requirements are met, and a copy of the deed is included.

NARRATIVE: Please describe the variance request:

See attached memo

Standard	Required	Proposed
Front Yard Setback		
Rear Yard Setback		
Side Yard Setback		
Lot Dimension		
Height		
Landscaping		
Parking		

SIX VARIANCE CRITERIA

1. The hardship was not created by the person requesting the variance. Please explain.

See attached memo

2. The request is necessary to make reasonable use of the property. There will be an unreasonable economic impact upon the person requesting the variance if the request is denied.

See attached memo

3. The request will not substantially be injurious to the neighborhood in which the property is located. The variance will not result in physical impacts, such as visual, noise, traffic or increased potential for drainage, erosion and landslide hazards, beyond those impacts that would typically occur with development in the subject zone.

See attached memo

4. The request is not in conflict with the Comprehensive Plan. Please explain.

See attached memo

5. The request is not in conflict with the Development Code. No variance may be granted which will result in a use not permitted in the applicable zone or which will increase the allowable residential density in any zone with the exception of individual lot size reduction. Please explain.

See attached memo

6. Physical circumstance(s) related to the property involved preclude conformance with the standard to be varied. Please explain.

See attached memo

**Return Application To: City of Warrenton
Planning and Building Department
PO Box 250, 225 S. Main Street
Warrenton, Oregon 97146**



ALTERMAN
LAW GROUP

MEMORANDUM

To: City of Warrenton

From: Dean N. Alterman
Alterman Law Group PC

Date: May 6, 2022

Re: Application of Jeffrey and Jennifer Canessa
Latitude 46 Apartments, SE Jetty Avenue at SE 13th Place
Our file no. 5170.001

This is an application for a variance from or exception to the requirement of Warrenton Municipal Code (WMC) Section 16.36.060 that the developers of the Latitude 46 apartments place the feeder and service lines in SE Jetty Avenue along the project frontage underground.

A. Request for exception or variance

The specific request is for either an exception under WMC §16.136.060.C or a variance under WMC §16.272.020. The applicant will place the new power lines within the Latitude 46 project underground, in compliance with WMC §16.136.060.A; the request relates only to the lines that are now in SE Jetty Avenue. The developers of Latitude 46 ask the city to allow the overhead lines in Jetty Avenue to remain in place and to avoid the hardship and risks of placing the high-voltage power lines underground in this residential area by granting either an exception or a variance.

B. Relevant code sections

The relevant code standard is stated in WMC §16.36.060, relating to utilities for new development, which reads as follows:

16.136.060 Utilities.

A. Underground Utilities. All utility lines including, but not limited to, those required for electric, communication, lighting and cable television services and related facilities shall be placed underground, except for surface mounted transformers, surface mounted connection boxes and meter cabinets which may

be placed above ground, temporary utility service facilities during construction, and high capacity electric lines operating at 50,000 volts or above. The following additional standards apply to all new land divisions, in order to facilitate underground placement of utilities:

1. The developer shall make all necessary arrangements with the serving utility to provide the underground services. Care shall be taken to ensure that all above ground equipment does not obstruct circulation and access aisles or impede vision clearance areas for vehicular traffic (Chapters 16.120 and 16.132);
2. The City reserves the right to approve the location of all surface mounted facilities;
3. All underground utilities, including sanitary sewers and storm drains installed in streets by the developer, shall be constructed prior to the surfacing of the streets; and
4. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.

B. Easements. Easements shall be provided for all underground utility facilities.

C. Exception to Undergrounding Requirement. The standard applies only to proposed land divisions and large-scale developments. An exception to the undergrounding requirement may be granted due to physical constraints, such as steep topography or existing development conditions.

All of this section applies to proposed land divisions. All of the standard except for subsections 1, 2, 3, and 4 of subsection A applies to “large-scale developments,” a defined term that includes the Latitude 46 project. Subsection C allows the city to grant an exception to the undergrounding requirement due to physical constraints, such as steep topography or existing development conditions.

C. Existing physical conditions

A row of utility poles runs along the west side of NE Jetty Avenue. The poles carry electric, telephone, and cable television lines. About three-quarters of the way up the poles, they carry 12.5 kV power lines from the existing electric substation at the south end of Jetty Avenue north to the Fort Stevens Highway Spur, and then north across the spur highway and directly over two of the buildings of Skipanon Storage at 1240 SE Jetty Avenue. The poles also carry

lower-voltage power lines that provide overhead service to properties on both sides of Jetty Avenue.

D. The proposal meets the criteria for an exception under WMC §16.36.060.C

WMC §16.36.060.C states simply that the city may grant an exception to the undergrounding requirement “due to physical constraints, such as steep topography or existing development conditions.”

The city should take three existing development conditions into account and grant an exception.

First is that this portion of SE Jetty Avenue is still predominantly rural. In urban areas, high-voltage electric lines are often underground, but “underground” actually means under streets, sidewalks, and hard surfaces, i.e., in areas where they are unlikely to be damaged or disturbed. By comparison, here if the lines were undergrounded all the way north to the highway spur, they would run not under the protection of hard surfaces but under the yards of the properties to the north.

Second is that although the poles are on the west side of Jetty Avenue, overhead wires from the poles provide service across Jetty Avenue to four houses on the east side of Jetty Avenue. Latitude 46 does not have the right to dig trenches in those yards to convert the power services of those residents to underground lines, which means that some overhead lines would have to remain in place to provide those four power connections.

Third is that even if the lines were placed underground from the substation north to the highway spur, they would have to return above ground at the north end of Jetty Avenue to pass over the Skipanon Storage buildings.

If Latitude 46 has to move the lines underground on only its portion of the Jetty Avenue frontage, it would need to bring the lines underground somewhere north of SE 13th Place and then bring them back above ground near SE 13th Street. This would require two risers, one at each end of the property’s street frontage, and would eventually result in the power line going up, then down, then up, then down, then up again as other properties on Jetty Avenue are developed.

E. The proposal meets the criteria for a variance under WMC §16.272.020

WMC §16.268.010 states that the purpose of the code sections on variances and nonconforming situations is to provide flexibility in development while maintaining the purposes and intent of the code. Variances “provide relief from specific Code provisions when they have the unintended effect of preventing reasonable development in accordance with all other codes.”

WMC §16.272.020 states the criteria for variances to a quantitative requirement of the

code. Nothing in the code clearly identifies criteria for variances to code requirements that are not quantitative. This discussion will apply the criteria of §16.272.020 to this request for a variance.

The code sets out six standards:

- A. The hardship was not created by the person requesting the variance;
- B. The request is necessary to make reasonable use of the property. There will be an unreasonable economic impact upon the person requesting the variance if the request is denied;
- C. The request will not substantially be injurious to the neighborhood in which the property is located. The variance will not result in physical impacts, such as visual, noise, traffic or increased potential for drainage, erosion and landslide hazards, beyond those impacts that would typically occur with development in the subject zone;
- D. The request is not in conflict with the Comprehensive Plan;
- E. The request is not in conflict with the Development Code. No variance may be granted which will result in a use not permitted in the applicable zone or which will increase the allowable residential density in any zone with the exception of individual lot size reduction; and
- F. Physical circumstance(s) related to the property involved preclude conformance with the standard to be varied.

The request for a variance meets all six requirements. Latitude 46 did not create the hardship; the local utility built the 12.5kV line in conformance to requirements and the houses on Jetty Avenue were built with overhead power connections as permitted by code.

There will be an unreasonable economic impact on Latitude 46, and by extension on the future tenants of the project, if Latitude 46 must include in its construction budget the cost to move the power line underground, connect the underground portion to the remaining overhead portions, install separate risers for the four houses on the east side of Jetty Avenue, and disconnect and reconnect the electrical service of those houses. Latitude 46 believes that the total cost to move the street power lines underground and do the associated disconnection and reconnection work will be on the order of \$250,000, which adds about \$9,000 per unit to the cost of the project, which in turn adds to the rents that tenants will have to pay. The other reason that the economic impact is unreasonable is that even if Latitude 46 puts the lines underground, it will have to install poles for overhead wires for the others that the line serves, meaning that the street will still have overhead wires and poles, contrary to the purpose of the code section.

As to Criterion C, granting the variance will not result in any physical impacts other than those that would typically occur with similar development. In fact the physical impacts on neighbors will be less than if the variance were denied, because Latitude 46 won't have to dig

extra trenches or install poles for new overhead lines to the houses on the east side of Jetty Avenue.

For Criterion D, granting the variance will not conflict with the Comprehensive Plan. The property will be used in accordance with the existing zoning.

For Criterion E, the variance will not conflict with the Development Code as to the property itself: the service lines within the property will be underground. The lines in the street, however, will remain overhead.

Finally, the physical circumstances of the existing high-voltage lines, the overhead service lines to nearby houses, and the fact that the lines run directly above two buildings on the Skipanon Storage property preclude strict compliance with the standard.

F. Conclusion

Granting the request, whether as an exception or as a variance, is consistent with the comprehensive plan and the purposes of the zoning code. It will avoid an awkward, expensive, and potentially dangerous condition of bringing the 12.5kV lines down to and below the surface and then back up again. It will avoid disruption to the electrical service to others on Jetty Avenue and will create less physical disturbance to the neighborhood than if the city did not grant the request.

LATITUDE 46 APARTMENTS WARRENTON, OR

PRELIMINARY DEVELOPMENT SUMMARY - ZONE C-1

TOTAL SITE AREA: 47,000 SQ FT (1.08 ACRES) BUILDING AREA: 10,938 SQ FT
PAVED AREA: 19,447 SQ FT LANDSCAPING AREA: 16,615 SQ FT

WMC SECTION 16.36.040 DEVELOPMENT STANDARDS
- MAXIMUM DENSITY FOR MULTI-FAMILY STRUCTURES: 1 UNIT PER 1,600 SQ FT = 29.4 DWELLING UNITS (28 SHOWN)
- MAXIMUM LOT COVERAGE OF BUILDINGS: NOT MORE THAN 55% (25,850 SQ FT) > 10,938 SQ FT (OKAY)

WMC SECTION 16.36.050 OTHER APPLICABLE STANDARDS
- A GARAGE OR CARPORT SPACE IS REQUIRED FOR EACH DWELLING UNIT. CARPORTS ARE PROVIDED TO COVER 30 PARKING SPACES. EACH CARPORT IS LESS THAN 1200 SQ FT TO COMPLY WITH WMC SECTION 16.180.010.

WMC SECTION 16.124.070 NEW LANDSCAPING
- MINIMUM LANDSCAPING AREA FOR C-1 ZONE: 15% (7,050 SQ FT) MINIMUM < 16,615 SQ FT PROVIDED (OKAY)
- COMMON OPEN SPACE AREA OF 20% REQUIRED FOR MULTIFAMILY: 20% (9,400 SQ FT) < 16,615 SQ FT (OKAY)
- PARKING SHALL BE BROKEN UP WITH LANDSCAPE ISLANDS INTO ROWS OF NOT MORE THAN 12 CONTIGUOUS SPACES
- A MINIMUM OF ONE TREE PER 5 PARKING SPACES IS REQUIRED
- A 4 FOOT LANDSCAPE BUFFER IS REQUIRED BETWEEN PARKING AREAS AND GROUND FLOOR LIVING SPACE
- A 10 FOOT LANDSCAPE BUFFER IS REQUIRED ALONG THE JETTY AVENUE (EAST) PROPERTY LINE
- A SHARED 10 FOOT LANDSCAPE BUFFER IS PROPOSED ALONG THE WEST PROPERTY LINE PER WMC 16.36.050
- TRASH ENCLOSURE WILL BE SCREENED BY A 6 FOOT HIGH SOLID FENCE OR WALL.

WMC SECTION 16.128.030 VEHICLE PARKING STANDARDS
- MINIMUM OF 1.75 PARKING STALLS PER 2 BEDROOM DWELLING UNIT = 28 x 1.75 = 49 (49 SPACES)
- MAXIMUM OF 40% OF PARKING STALLS MAY BE COMPACT (7.5' x 15') = 19.8 (19 COMPACT SPACES USED)
- MINIMUM NUMBER OF ACCESSIBLE PARKING SPACES PER TABLE 'D' = 2 ACCESSIBLE (1 VAN, 1 STANDARD)

WMC SECTION 16.128.040 BICYCLE PARKING REQUIREMENTS
MULTIFAMILY RESIDENTIAL = 1 SPACE PER 4 DWELLING UNITS WITH 25% SHORT TERM AND 75% LONG TERM
28 DWELLING UNITS = 7 1.75 (2) SHORT TERM AND 5.25 (6) LONG TERM
- SHORT TERM PARKING PROVIDED NEAR CENTRAL BUILDING WITH U-RACK
- LONG TERM PARKING PROVIDED IN SECURE ROOMS IN STORAGE BUILDING

WMC SECTION 16.136.020 TRANSPORTATION STANDARDS
BASED ON STANDARD REQUIREMENTS FOR LOCAL ROADS PER TABLE 16.136.010 THE HALF ROAD IMPROVEMENTS FOR SE JETTY AVENUE & SE 13TH PLACE REQUIRE A 12 FOOT TRAVEL LANE, 8 FOOT PARKING STRIP (PROVIDING A TOTAL OF 15 ADDITIONAL PARALLEL SPACES), 5 FOOT WIDE LANDSCAPE STRIP (STREET TREES) AND 5 FOOT WIDE SIDEWALK. THE HALF STREET IMPROVEMENT ALONG 13TH PLACE MUST EXTEND THE FULL WIDTH OF THE SITE.

ADDITIONAL NOTES:

- 1) NEW 2" WATER SERVICE AND 2" PRIMARY SERVICE METER IN VAULT WITH SUB-METERS FOR ON-SITE DISTRIBUTION.
- 2) NEW WATER SERVICE WITH FIRE DEPARTMENT CONNECTION FOR EACH BUILDING, TYPICAL OF 3.
- 3) A VISION CLEARANCE TRIANGLE OF 15 FEET IS REQUIRED WHERE DRIVEWAYS MEET STREETS AND WHERE STREETS INTERSECT PER WMC SECTION 16.120.020.N.

LEGEND

(E)	EXISTING	OH	OVERHEAD UTILITIES
R.O.W.	RIGHT OF WAY	H20	WATER LINE
EDP	EDGE OF PAVEMENT	---	MAJOR CONTOUR
---	POWER POLE	---	MINOR CONTOUR
---	POST MOUNTED SIGN	---	PROPERTY LINE
---	FIRE HYDRANT	---	ADJACENT PROPERTY LINE
FDC	FIRE DEPT. CONNECTION	---	BUILDING SETBACK
CB	CATCH BASIN	---	EDGE OF GRAVEL
M	WATER METER	---	CENTERLINE OF R.O.W.
---	SINGLE AREA LIGHT	---	EXISTING BUILDING
---	WALL MOUNTED LIGHT	---	AC PAVING

DATE: 01/09/2019
REVISED PRINT
VOID ALL PREVIOUS

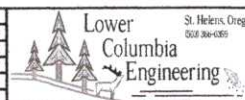
DATE: 12/26/2018
ISSUED
FOR APPROVAL

PROPOSED SITE PLAN

SCALE: 1"=20'



REV.	REVISION RECORD	DATE
A	REVISED SITE CONFIGURATION	10/18/2019
B	REDUCED UNIT COUNT & MODIFIED LAYOUT	11/04/2019
C	CHANGED CENTER BUILDING, DELETED CARPORTS	12/02/2019
D	ADDED CARPORTS & REVISED TRASH ENCLOSURES	01/07/2020
E	CITY ENGINEER MEETING COMMENT UPDATES	01/09/2020



PROJ. NO. 2943	PROPOSED SITE PLAN, INDEX & VICINITY MAP
DRG. BY: BMK	LATITUDE 46 APARTMENTS
APPR. BY: JEFFREY CANESSA	SHEET
FILE: D-2943-C-2-E	DATE: 09/16/2019

C-2

LATITUDE 46 APARTMENTS WARRENTON, OR

PRELIMINARY DEVELOPMENT SUMMARY - ZONE C-1

TOTAL SITE AREA: 47,000 SQ FT (1.08 ACRES) BUILDING AREA: 10,838 SQ FT
 PAVED AREA: 19,447 SQ FT LANDSCAPING AREA: 18,815 SQ FT

WMC SECTION 18.36.040 DEVELOPMENT STANDARDS
 - MAXIMUM DENSITY FOR MULTI-FAMILY STRUCTURES: 1 UNIT PER 1,000 SQ FT = 28.4 DWELLING UNITS (28 SHOWN)
 - MAXIMUM LOT COVERAGE OF BUILDINGS: NOT MORE THAN 55% (25,850 SQ FT) > 10,838 SQ FT (20%)

WMC SECTION 18.36.050 OTHER APPLICABLE STANDARDS
 - A GARAGE OR CARPORT SPACE IS REQUIRED FOR EACH DWELLING UNIT. CARPORTS ARE PROVIDED TO COVER 30 PARKING SPACES. EACH CARPORT IS LESS THAN 1200 SQ FT TO COMPLY WITH WMC SECTION 18.180.010.

WMC SECTION 18.124.070 NEW LANDSCAPING
 - MINIMUM LANDSCAPING AREA FOR C-1 ZONE: 15% (7,050 SQ FT) MINIMUM < 18,815 SQ FT PROVIDED (20%)
 - COMMON OPEN SPACE AREA OF 20% REQUIRED FOR MULTIFAMILY: 25% (9,460 SQ FT) < 18,815 SQ FT (20%)
 - PARKING SHALL BE BROKEN UP WITH LANDSCAPE ISLANDS INTO ROWS OF NOT MORE THAN 12 CONTIGUOUS SPACES.
 - A MINIMUM OF ONE TREE PER 5 PARKING SPACES IS REQUIRED.
 - A 4 FOOT LANDSCAPE BUFFER IS REQUIRED BETWEEN PARKING AREAS AND GROUND FLOOR LIVING SPACE.
 - A 10 FOOT LANDSCAPE BUFFER IS REQUIRED ALONG THE JETTY WEDGE (DART) PROPERTY LINE.
 - A SHARED 10 FOOT LANDSCAPE BUFFER IS PROVIDED ALONG THE WEST PROPERTY LINE PER WMC 18.36.050.
 - TRASH ENCLOSURE WILL BE SCREENED BY A 6 FOOT HIGH SOLID FENCE OR WALL.

WMC SECTION 18.128.030 VEHICLE PARKING STANDARDS
 - MINIMUM OF 1.75 PARKING STALLS PER 2 BEDROOM DWELLING UNIT = 28 x 1.75 = 49 (49 SPACES)
 - MAXIMUM OF 40% OF PARKING STALLS MAY BE COMPACT (7.0' x 15') = 19.8 (19 COMPACT SPACES USED)
 - MINIMUM NUMBER OF ACCESSIBLE PARKING SPACES PER TABLE 17 = 2 ACCESSIBLE (1 VAN, 1 STANDARD)

WMC SECTION 18.128.040 BICYCLE PARKING REQUIREMENTS
 MULTIFAMILY RESIDENTIAL - 1 SPACE PER 4 DWELLING UNITS WITH 25% SHORT TERM AND 75% LONG TERM
 28 DWELLING UNITS = 7
 - SHORT TERM PARKING PROVIDED NEAR CENTRAL BUILDING WITH U-LOCK.
 - LONG TERM PARKING PROVIDED IN SECURE BUILDING OR STORAGE BUILDING.

WMC SECTION 18.138.020 TRANSPORTATION STANDARDS
 BASED ON STANDARD REQUIREMENTS FOR LOCAL ROADS PER TABLE 18.138.010 THE HALF ROAD IMPROVEMENTS FOR SE JETTY AVE & SE 13TH PLACE REQUIRE A 12 FOOT TRAVEL LANE & 5 FOOT PARKING STRIP (PROVIDING A TOTAL OF 15 ADDITIONAL PARALLEL SPACES), 5 FOOT WIDE LANDSCAPE STRIP (STREET TREES) AND 5 FOOT WIDE SIDEWALK. THE HALF STREET IMPROVEMENT ALONG 13TH PLACE MUST EXTEND THE FULL WIDTH OF THE SITE.

ADDITIONAL NOTES:

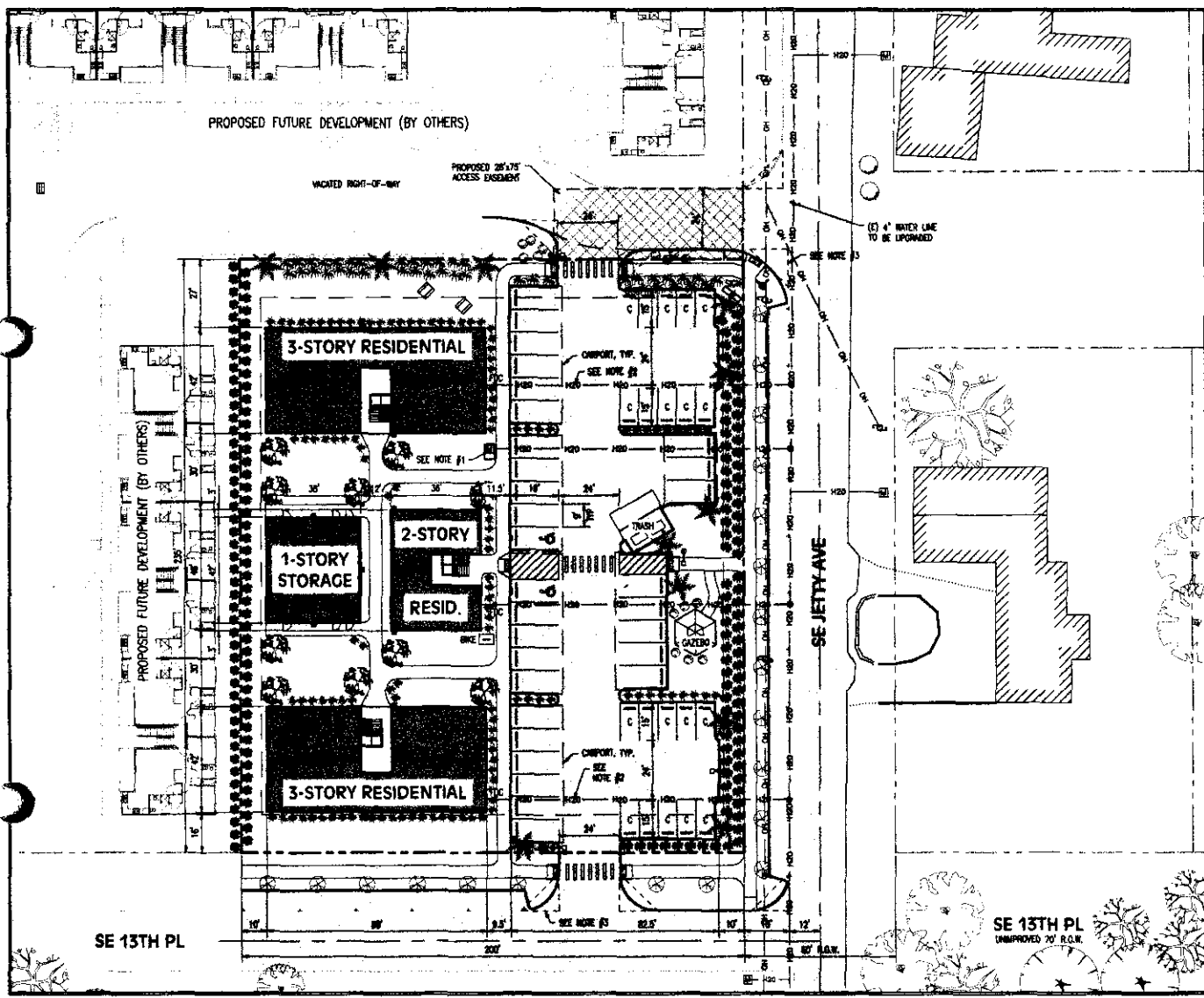
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LEGEND

(E)	EXISTING	— OH	OVERHEAD UTILITIES
R.O.W.	RIGHT OF WAY	— H2O	WATER LINE
EOP	EDGE OF PAVEMENT	—	MAJOR CONTOUR
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—	POST MOUNTED SIGN	---	PROPERTY LINE
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⊕	FIRE DEPT. CONNECTION	---	BUILDING SETBACK
⊕	CATCH BASIN	---	EDGE OF GRAVEL
⊕	WATER METER	---	CENTERLINE OF R.O.W.
⊕	SINGLE AREA LIGHT	---	EXISTING BUILDING
⊕	WALL MOUNTED LIGHT	---	AC PAVING

DATE: 01/04/2010
 REVISION PRINT
 VOID ALL PREVIOUS

DATE: 12/04/2010
 ISSUED
 FOR APPROVAL



PROPOSED SITE PLAN
 SCALE: 1"=20'



REV	REVISION RECORD	DATE
A	REVISED BY ENCLOSURE	7/26/2010
B	REVISED LOT COUNTY & RECORDER LEGEND	11/04/2010
C	CHANGED CENTRAL BUILDING, BELIEVED CARPORTS	12/04/2010
D	ADDED CARPORTS & REMOVED TRASH ENCLOSURE	01/07/2011
E	CITY COUNCIL MEETING COMMENT UPDATES	01/07/2011

Lower Columbia Engineering
 St. Helens, Oregon
 503.346.4205

PROJ. NO.	2943	PROPOSED SITE PLAN, INDEX & VICINITY MAP
DRG. BY	BMK	LATITUDE 46 APARTMENTS
APPR. BY	JEFFREY CANESSA	
FILE	D-2943-C-2-E	DATE 09/18/2019

SHEET
C-2

RE: [INTERNET] Jetty st city requirements

From: Brockey, Marilyn (PacifiCorp) (marilyn.brockey@pacificorp.com)

To: jwpalmberg@yahoo.com

Date: Friday, June 25, 2021, 11:40 AM PDT

Jason,

Are you sure they want to convert our main feeders to underground on Jetty right out of the sub????

This is 2 of our 3 feeders for the Warrenton Substation, it would require PMH cabinets, vaults and million conductor for this, we would need these cabinets and rise back up to overhead, not only the cost, we need a lot of real estate to accomplish this.

I would guess that with all of the work, PMH cabinets, risers, conductor, you are in a very rough ballpark of \$200,000 to 250,000.

You should have a meeting with City and Pacific Power to discuss.

If this is a new code we are not aware of it.

Marilyn Brockey



Journeyman Estimator

503-861-6005

503-338-0836 mobile

From: Jason Palmberg <jwpalmberg@yahoo.com>
Sent: Friday, June 25, 2021 6:58 AM
To: Brockey, Marilyn (PacifiCorp) <Marilyn.Brockey@pacificorp.com>
Subject: [INTERNET] Jetty st city requirements

THIS MESSAGE IS FROM AN EXTERNAL SENDER.

Look closely at the **SENDER** address. Do not open **ATTACHMENTS** unless expected. Check for **INDICATORS** of phishing. Hover over **LINKS** before clicking. [Learn to spot a phishing message](#)

good morning,

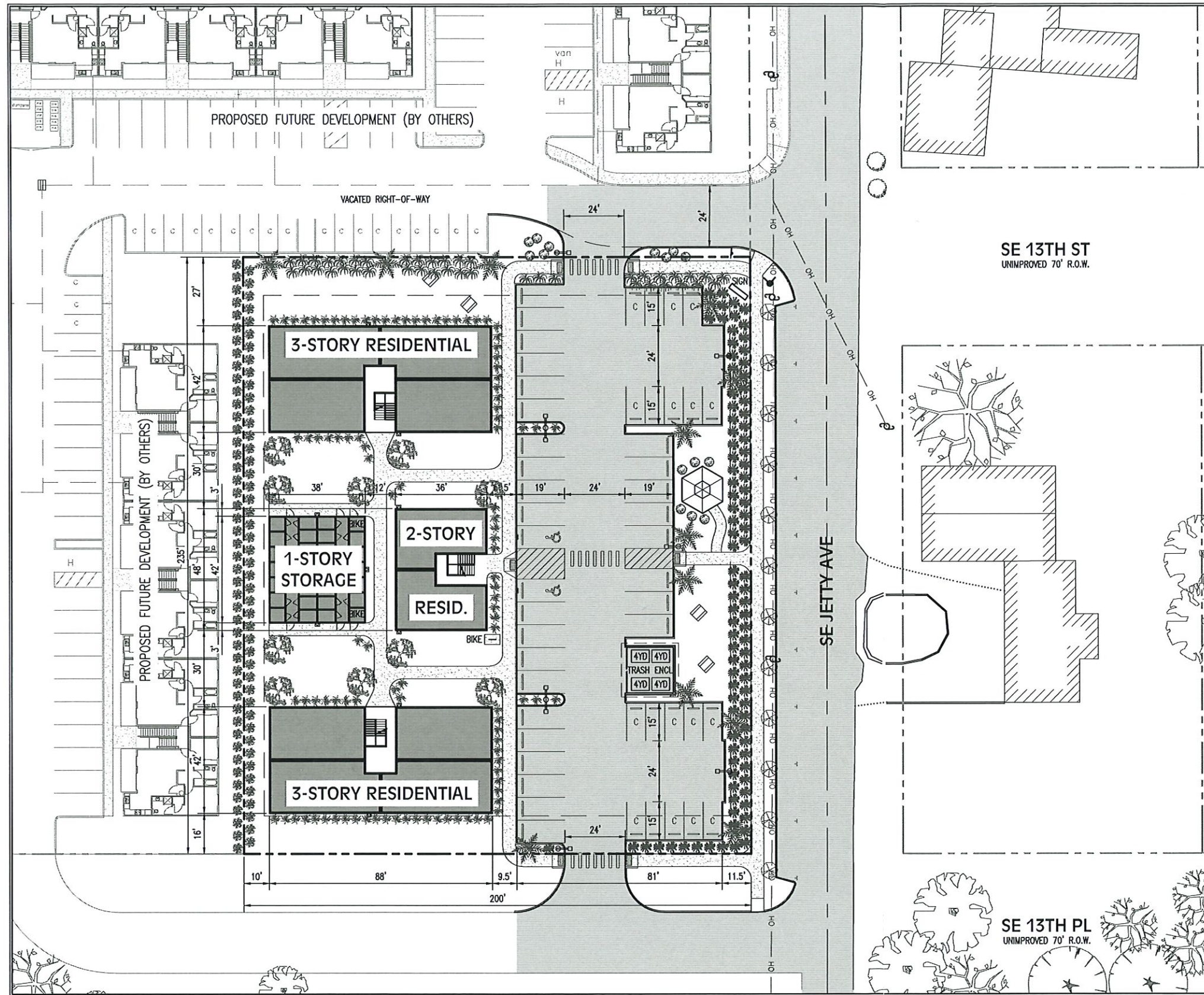
could you give me a call to discuss the city requirement of going under ground with all the existing utilities on Jetty st. they show it in the code but i ,ve never heard of it..... PP&L lines coming from the substation at the end of jetty look like a major issue. I am looking for any reason to go back and fight them on this one. does PP&L have any regs on those lines??

thanks

Jason

LATITUDE 46 APARTMENTS WARRENTON, OR

5.A
Attachment B



PRELIMINARY DEVELOPMENT SUMMARY - ZONE C-1

TOTAL SITE AREA: 47,000 SQ FT (1.08 ACRES) BUILDING AREA: 10,716 SQ FT
 PAVED AREA: 18,700 SQ FT LANDSCAPING AREA: 17,584 SQ FT

SECTION 16.36.040 DEVELOPMENT STANDARDS
 - MAXIMUM DENSITY FOR MULTI-FAMILY STRUCTURES: 1 UNIT PER 1,600 SQ FT = 29.4 DWELLING UNITS (28 SHOWN)
 - MAXIMUM LOT COVERAGE OF BUILDINGS: NOT MORE THAN 55% (25,850 SQ FT) > 10,716 SQ FT (OKAY)

SECTION 16.124.070 NEW LANDSCAPING
 - MINIMUM LANDSCAPING AREA FOR C-1 ZONE: 15% (7,050 SQ FT) MINIMUM < 17,584 SQ FT PROVIDED (OKAY)
 - COMMON OPEN SPACE AREA OF 20% REQUIRED FOR MULTIFAMILY: 20% (9,400 SQ FT) < 17,584 SQ FT (OKAY)
 - PARKING SHALL BE BROKEN UP WITH LANDSCAPE ISLANDS INTO ROWS OF NOT MORE THAN 12 CONTIGUOUS SPACES.
 - A MINIMUM OF ONE TREE PER 5 PARKING SPACES IS REQUIRED
 - A 4 FOOT LANDSCAPE BUFFER IS REQUIRED BETWEEN PARKING AREAS AND GROUND FLOOR LIVING SPACE
 - A 10 FOOT LANDSCAPE BUFFER IS REQUIRED ALONG THE JETTY AVENUE (EAST) PROPERTY LINE
 - A SHARED 10 FOOT LANDSCAPE BUFFER IS PROPOSED ALONG THE WEST PROPERTY LINE PER 16.36.050
 - TRASH ENCLOSURE WILL BE SCREENED BY A 6 FOOT HIGH SOLID FENCE OR WALL

SECTION 16.128.030 VEHICLE PARKING STANDARDS
 - MINIMUM OF 1.75 PARKING STALLS PER 2 BEDROOM DWELLING UNIT = 28 x 1.75 = 49 (49 SPACES)
 - MAXIMUM OF 40% OF PARKING STALLS MAY BE COMPACT (7.5' x 15') = 19.6 (19 COMPACT SPACES USED)
 - MINIMUM NUMBER OF ACCESSIBLE PARKING SPACES PER TABLE 'D' = 2 ACCESSIBLE (1 VAN, 1 STANDARD)

SECTION 16.128.040 BICYCLE PARKING REQUIREMENTS
 MULTIFAMILY RESIDENTIAL -- 1 SPACE PER 4 DWELLING UNITS WITH 25% SHORT TERM AND 75% LONG TERM
 28 DWELLING UNITS = 7 1.75 (2) SHORT TERM AND 5.25 (6) LONG TERM
 - SHORT TERM PARKING PROVIDED NEAR CENTRAL BUILDING WITH U-RACK
 - LONG TERM PARKING PROVIDED IN SECURE ROOMS IN STORAGE BUILDING

SECTION 16.136.020 TRANSPORTATION STANDARDS
 BASED ON STANDARD REQUIREMENTS FOR LOCAL ROADS PER TABLE 16.136.010 THE HALF ROAD IMPROVEMENT FOR SE JETTY AVENUE REQUIRES A 12 FOOT TRAVEL LANE, 8 FOOT PARKING STRIP (PROVIDING 10 ADDITIONAL PARALLEL SPACES), 5 FOOT WIDE LANDSCAPE STRIP (STREET TREES) AND 5 FOOT WIDE SIDEWALK.

LEGEND

- (E) EXISTING
- R.O.W. RIGHT OF WAY
- EOP EDGE OF PAVEMENT
- ⊕ POWER POLE
- ⊕ POST MOUNTED SIGN
- ⊕ FIRE HYDRANT
- ⊕ WATER METER
- ⊕ DOUBLE AREA LIGHT
- ⊕ SINGLE AREA LIGHT
- ⊕ WALL MOUNTED LIGHT
- OH OVERHEAD UTILITIES
- H2O WATER LINE
- S0 MAJOR CONTOUR
- S1 MINOR CONTOUR
- PROPERTY LINE
- ADJACENT PROPERTY LINE
- BUILDING SETBACK
- EDGE OF GRAVEL
- CENTERLINE OF R.O.W.
- ▨ EXISTING BUILDING
- AC PAVING

RECEIVED
DEC 09 2019
BY: CITY OF WARRENTON

DATE: 12/08/2019
ISSUED FOR APPROVAL

PROPOSED SITE PLAN
SCALE: 1"=20'



REV.	REVISION RECORD	DATE
A	REVISED SITE CONFIGURATION	10/18/2019
B	REDUCED UNIT COUNT & MODIFIED LAYOUT	11/04/2019
C	CHANGED CENTER BUILDING, DELETED CARPORTS	12/02/2019

Lower Columbia Engineering
St. Helens, Oregon
503.365.0099

PROJ. NO. 2943	PROPOSED SITE PLAN, INDEX & VICINITY MAP
DWG. BY BMK	LATITUDE 46 APARTMENTS
APPR. BY JEFFREY CANESSA	SHEET C-2
FILE D-2943-C-2-C	DATE 09/18/2019



5.A Attachment C

Linda Engbretson
City Manager
City of Warrenton
225 S Main Ave
Warrenton, OR 97146

May 30, 2022

Dear Ms. Engbretson

Pacific Power would like to submit the following comments regarding City of Warrenton Municipal Code No. 16.136.060. Pacific Power is proud to be the electric utility providing service to the City of Warrenton and surrounding municipalities in Clatsop County. Pacific Power is committed to providing safe, reliable, affordable, and increasingly renewable power. Our company thrives when our communities are thriving.

As an electric provider our primary mission is the safe and reliable delivery of power to our customers. Under Warrenton Municipal Code No. 16.136.060 Pacific Power would be required to underground its electrical infrastructure in nearly all circumstances. Undergrounding electrical infrastructure in some cases can negatively impact the integrity of the equipment and therefore decrease reliability for customers. Areas near or adjacent to our substations is on instance where undergrounding would put additional stress onto the system and could decrease reliability for customers. We ask that the City consider undergrounding requirements for new development on a case-by-case basis and wholistically look at the project to determine the best outcome for all involved.

We look forward to continued partnership with the City of Warrenton and other economic development partners.

Sincerely,

Alisa Dunlap
Regional Business Manager
Pacific Power

CC: Mayor Henry Balensifer
Nate Hankwitz

Planning Commission Type III Hearing:
Variance Application V-22-2 Palmberg Utility Variance
July 14, 2022

APPROVE

Name

Mailing Address

1. JASON PALMBERG PO Box 173 Astoria OR 97103

2. JEFF CANESEN 90435 Gandor Rd, Astoria, OR 97103

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

CITY OF WARRENTON
PLANNING AND BUILDING DEPARTMENT
Telephone: 503-861-0920

VARIANCE APPLICATION

OFFICE USE ONLY	
FILE #	<u>V-22-2</u> FEE \$ <u>1,250</u>
ZONING DISTRICT	_____
RECEIPT #	_____

To be accompanied by a Site Plan, copy of property deed and Letter of Authorization, if applicable.

The Variance application process is a method for assuring compliance with the City of Warrenton Comprehensive Plan and Development Code, and to ensure wise utilization of natural resources, and the proper integration of land uses utilizing appropriate landscaping or screening measures. Please answer the questions as completely as possible.

Legal Description of the Subject Property: Township 8, Range 10, Section(s) 27
Tax Lot(s) 2400, 2600, 4100, 4200, 4000

Property street address : 1285 SE Jetty Ave - Warrenton OR

I/we, the undersigned applicant(s) or authorized agent, affirm by my/our signature(s) that the information contained in the foregoing application and associated submissions is true and correct.

APPLICANT:

Printed Name: Jason Palmberg - Jetty Stone Apts.

Signature: [Signature] Date: _____

Address: PO Box 173 Phone: 503-791-1603

City/State/Zip: Astoria OR 97103 Fax: _____

PROPERTY OWNER (if different from Applicant):

Printed Name: _____

Signature: _____ Date: _____

Address: _____ Phone: _____

City/State/Zip: _____ Fax: _____

This application will not be officially accepted until department staff has determined that the application is completed, the site plan map requirements are met, and a copy of the deed is included.

SIX VARIANCE CRITERIA

1. The hardship was not created by the person requesting the variance. Please explain.

See Attached

2. The request is necessary to make reasonable use of the property. There will be an unreasonable economic impact upon the person requesting the variance if the request is denied.

See Attached

3. The request will not substantially be injurious to the neighborhood in which the property is located. The variance will not result in physical impacts, such as visual, noise, traffic or increased potential for drainage, erosion and landslide hazards, beyond those impacts that would typically occur with development in the subject zone.

See Attached

4. The request is not in conflict with the Comprehensive Plan. Please explain.

See Attached

5. The request is not in conflict with the Development Code. No variance may be granted which will result in a use not permitted in the applicable zone or which will increase the allowable residential density in any zone with the exception of individual lot size reduction. Please explain.

See Attached

6. Physical circumstance(s) related to the property involved preclude conformance with the standard to be varied. Please explain.

See Attached

Return Application To: City of Warrenton
Planning and Building Department
PO Box 250, 225 S. Main Street
Warrenton, Oregon 97146

ATTACHMENT TO APPLICATION (Jetty Stone Apartments)

This is an application for a variance from or exception to the requirement of Warrenton Municipal Code (WMC) Section 16.36.060 that the developers of the Jetty Stone apartments place the feeder and service lines in SE Jetty Avenue along the project frontage underground.

A. Request for exception or variance

The specific request is for either an exception under WMC §16.136.060.C or a variance under WMC §16.272.020. The applicant will place the new power lines within the Jetty Stone project underground, in compliance with WMC §16.136.060.A; the request relates only to the lines that are now in SE Jetty Avenue. The developers of Jetty Stone ask the city to allow the overhead lines in Jetty Avenue to remain in place and to avoid the hardship and risks of placing the high-voltage power lines underground in this residential area by granting either an exception or a variance.

B. Relevant code sections

The relevant code standard is stated in WMC §16.36.060, relating to utilities for new development, which reads as follows:

16.136.060 Utilities.

A. Underground Utilities. All utility lines including, but not limited to, those required for electric, communication, lighting and cable television services and related facilities shall be placed underground, except for surface mounted transformers, surface mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction, and high capacity electric lines operating at 50,000 volts or above. The following additional standards apply to all new land divisions, in order to facilitate underground placement of utilities:

1. The developer shall make all necessary arrangements with the serving utility to provide the underground services. Care shall be taken to ensure that all above ground equipment does not obstruct circulation and access aisles or impede vision clearance areas for vehicular traffic (Chapters 16.120 and 16.132);
2. The City reserves the right to approve the location of all surface mounted facilities;
3. All underground utilities, including sanitary sewers and storm drains installed in streets by the developer, shall be constructed prior to the surfacing of the streets; and

4. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.

B. Easements. Easements shall be provided for all underground utility facilities.

C. Exception to Undergrounding Requirement. The standard applies only to proposed land divisions and large-scale developments. An exception to the undergrounding requirement may be granted due to physical constraints, such as steep topography or existing development conditions.

All of this section applies to proposed land divisions. All of the standard except for subsections 1, 2, 3, and 4 of subsection A applies to “large-scale developments,” a defined term that includes the Latitude 46 project. Subsection C allows the city to grant an exception to the undergrounding requirement due to physical constraints, such as steep topography or existing development conditions.

C. Existing physical conditions

A row of utility poles runs along the west side of NE Jetty Avenue. The poles carry electric, telephone, and cable television lines. About three-quarters of the way up the poles, they carry 12.5 kV power lines from the existing electric substation at the south end of Jetty Avenue north to the Fort Stevens Highway Spur, and then north across the spur highway and directly over two of the buildings of Skipanon Storage at 1240 SE Jetty Avenue. The poles also carry lower-voltage power lines that provide overhead service to properties on both sides of Jetty Avenue.

D. The proposal meets the criteria for an exception under WMC §16.36.060.C

WMC §16.36.060.C states simply that the city may grant an exception to the undergrounding requirement “due to physical constraints, such as steep topography or existing development conditions.”

The city should take three existing development conditions into account and grant an exception.

First is that this portion of SE Jetty Avenue is still predominantly rural. In urban areas, high-voltage electric lines are often underground, but “underground” actually means under streets, sidewalks, and hard surfaces, i.e., in areas where they are unlikely to be damaged or disturbed. By comparison, here if the lines were undergrounded all the way north to the highway spur, they would run not under the protection of hard surfaces but under the yards of the properties to the north.

Second is that although the poles are on the west side of Jetty Avenue, overhead wires from the poles provide service across Jetty Avenue to four houses on the east side of Jetty Avenue. Jetty Stone does not have the right to dig trenches in those yards to convert the power

services of those residents to underground lines, which means that some overhead lines would have to remain in place to provide those four power connections.

Third is that even if the lines were placed underground from the substation north to the highway spur, they would have to return above ground at the north end of Jetty Avenue to pass over the Skipanon Storage buildings.

If Jetty Stone has to move the lines underground on only its portion of the Jetty Avenue frontage, it would need to bring the lines underground somewhere north of SE 13th Place and then bring them back above ground near SE 13th Street. This would require two risers, one at each end of the property's street frontage, and would eventually result in the power line going up, then down, then up, then down, then up again as other properties on Jetty Avenue are developed.

E. The proposal meets the criteria for a variance under WMC §16.272.020

WMC §16.268.010 states that the purpose of the code sections on variances and nonconforming situations is to provide flexibility in development while maintaining the purposes and intent of the code. Variances "provide relief from specific Code provisions when they have the unintended effect of preventing reasonable development in accordance with all other codes."

WMC §16.272.020 states the criteria for variances to a quantitative requirement of the code. Nothing in the code clearly identifies criteria for variances to code requirements that are not quantitative. This discussion will apply the criteria of §16.272.020 to this request for a variance.

The code sets out six standards:

- A. The hardship was not created by the person requesting the variance;
- B. The request is necessary to make reasonable use of the property. There will be an unreasonable economic impact upon the person requesting the variance if the request is denied;
- C. The request will not substantially be injurious to the neighborhood in which the property is located. The variance will not result in physical impacts, such as visual, noise, traffic or increased potential for drainage, erosion and landslide hazards, beyond those impacts that would typically occur with development in the subject zone;
- D. The request is not in conflict with the Comprehensive Plan;
- E. The request is not in conflict with the Development Code. No variance may be granted which will result in a use not permitted in the applicable zone or which will increase the allowable residential density in any zone with the exception of individual lot size reduction; and
- F. Physical circumstance(s) related to the property involved preclude conformance with the standard to be varied.

The request for a variance meets all six requirements. Latitude 46 did not create the hardship; the local utility built the 12.5kV line in conformance to requirements and the houses on Jetty Avenue were built with overhead power connections as permitted by code.

There will be an unreasonable economic impact on Jetty Stone, and by extension on the future tenants of the project, if Jetty Stone must include in its construction budget the cost to move the power line underground, connect the underground portion to the remaining overhead portions, install separate risers for the four houses on the east side of Jetty Avenue, and disconnect and reconnect the electrical service of those houses. Jetty Stone believes that the total cost to move the street power lines underground and do the associated disconnection and reconnection work will be on the order of \$250,000, which adds about \$9,000 per unit to the cost of the project, which in turn adds to the rents that tenants will have to pay. The other reason that the economic impact is unreasonable is that even if Jetty Stone puts the lines underground, it will have to install poles for overhead wires for the others that the line serves, meaning that the street will still have overhead wires and poles, contrary to the purpose of the code section.

As to Criterion C, granting the variance will not result in any physical impacts other than those that would typically occur with similar development. In fact the physical impacts on neighbors will be less than if the variance were denied, because Jetty Stone won't have to dig extra trenches or install poles for new overhead lines to the houses on the east side of Jetty Avenue.

For Criterion D, granting the variance will not conflict with the Comprehensive Plan. The property will be used in accordance with the existing zoning.

For Criterion E, the variance will not conflict with the Development Code as to the property itself: the service lines within the property will be underground. The lines in the street, however, will remain overhead.

Finally, the physical circumstances of the existing high-voltage lines, the overhead service lines to nearby houses, and the fact that the lines run directly above two buildings on the Skipanon Storage property preclude strict compliance with the standard.

F. Conclusion

Granting the request, whether as an exception or as a variance, is consistent with the comprehensive plan and the purposes of the zoning code. It will avoid an awkward, expensive, and potentially dangerous condition of bringing the 12.5kV lines down to and below the surface and then back up again. It will avoid disruption to the electrical service to others on Jetty Avenue and will create less physical disturbance to the neighborhood than if the city did not grant the request.

RE: [INTERNET] Jetty st city requirements

From: Brockey, Marilyn (PacifiCorp) (marilyn.brockey@pacificorp.com)

To: jwpalmberg@yahoo.com

Date: Friday, June 25, 2021, 11:40 AM PDT

Jason,

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If this is a new code we are not aware of it.

Marilyn Brockey



Journeyman Estimator

503-861-6005

503-338-0836 mobile

From: Jason Palmberg <jwpalmberg@yahoo.com>
Sent: Friday, June 25, 2021 6:58 AM
To: Brockey, Marilyn (PacifiCorp) <Marilyn.Brockey@pacificorp.com>
Subject: [INTERNET] Jetty st city requirements

THIS MESSAGE IS FROM AN EXTERNAL SENDER.

Look closely at the **SENDER** address. Do not open **ATTACHMENTS** unless expected. Check for **INDICATORS** of phishing. Hover over **LINKS** before clicking. [Learn to spot a phishing message](#)

good morning,

could you give me a call to discuss the city requirement of going under ground with all the existing utilities on Jetty st. they show it in the code but i ,ve never heard of it..... PP&L lines coming from the substation at the end of jetty look like a major issue. I am looking for any reason to go back and fight them on this one. does PP&L have any regs on those lines??

thanks

Jason

Jetty Stone Apartments WARRENTON, OR

NOTES:

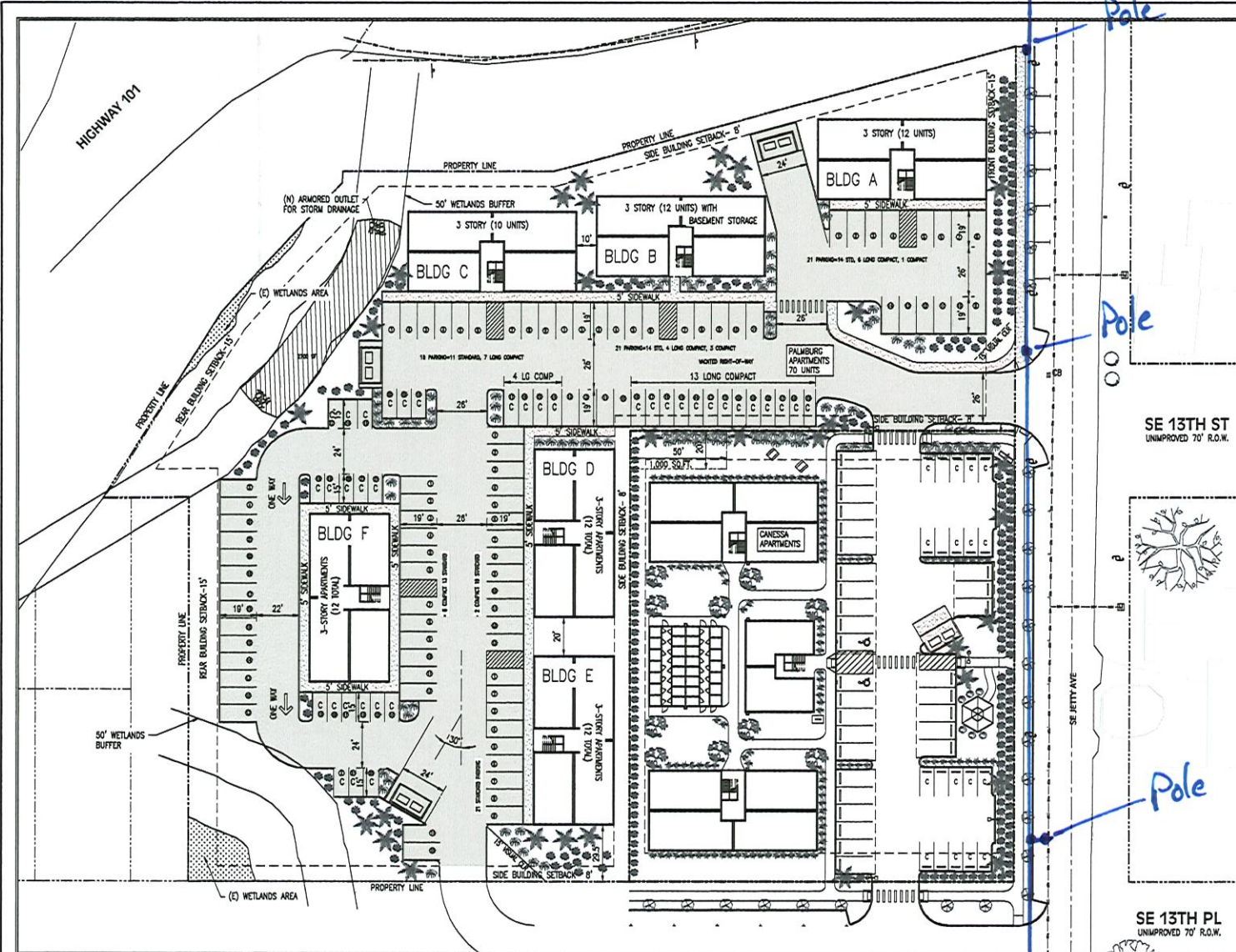
STORM WATER QUALITY REQUIREMENT TO BE MET BY NEW BIO-SWALE ON ADJACENT PROPERTY.

STORMWATER VOLUMES:

STORM EVENT:	PRECIPITATION (IN. / 24 HR)	PROPOSED FLOW (GAL / MINUTE)	PROPOSED VOLUME (ACRE-FOOT)
WATER QUALITY:	1.50"	103 GPM	0.066
100-YEAR:	6.10"	628 GPM	0.375

LEGEND

(E)	EXISTING	-----	OVERHEAD UTILITIES
R.O.W.	RIGHT OF WAY	-----	WATER LINE
EOP	EDGE OF PAVEMENT	-----	MAJOR CONTOUR
PP	POWER POLE	-----	MINOR CONTOUR
PM	POST MOUNTED SIGN	-----	PROPERTY LINE
FH	FIRE HYDRANT	-----	ADJACENT PROPERTY LINE
FDC	FIRE DEPT. CONNECTION	-----	BUILDING SETBACK
CB	CATCH BASIN	-----	EDGE OF GRAVEL
WM	WATER METER	-----	CENTERLINE OF R.O.W.
SAL	SINGLE AREA LIGHT	-----	STORM SWALES
WML	WALL MOUNTED LIGHT	-----	PAVED AREA



PROPOSED BUILDING LAYOUT PLAN

SCALE: 1"=25'



REV.	REVISION RECORD	DATE
A	ME CALLED OPTION 3	3/11/2020
B	REVISED WETLANDS	4/15/2020
C	REVISED PARKING, ADD TRASH ENCLOSURE	4/16/2020
D	CHANGES PER CLIENT & SWALE CHANGES	4/27/2020
E	CLIENT REQUEST OF CANESSA BUILDING/LANDSCAPE	6/3/2020



PROJ. NO.	2971	PRELIMINARY LAYOUT IDEAS
OWC BY	CAT	ALT 101 APARTMENTS
APPR. BY	JASON PALMBURG	
FILE	D-2971-A-1-E	DATE 1/28/2020

DATE: 6/3/2020
REVISED PRINT
VOID ALL PREVIOUS

DATE: 2/24/2020
PRELIMINARY
NOT
FOR CONSTRUCTION

SHEET
A-1

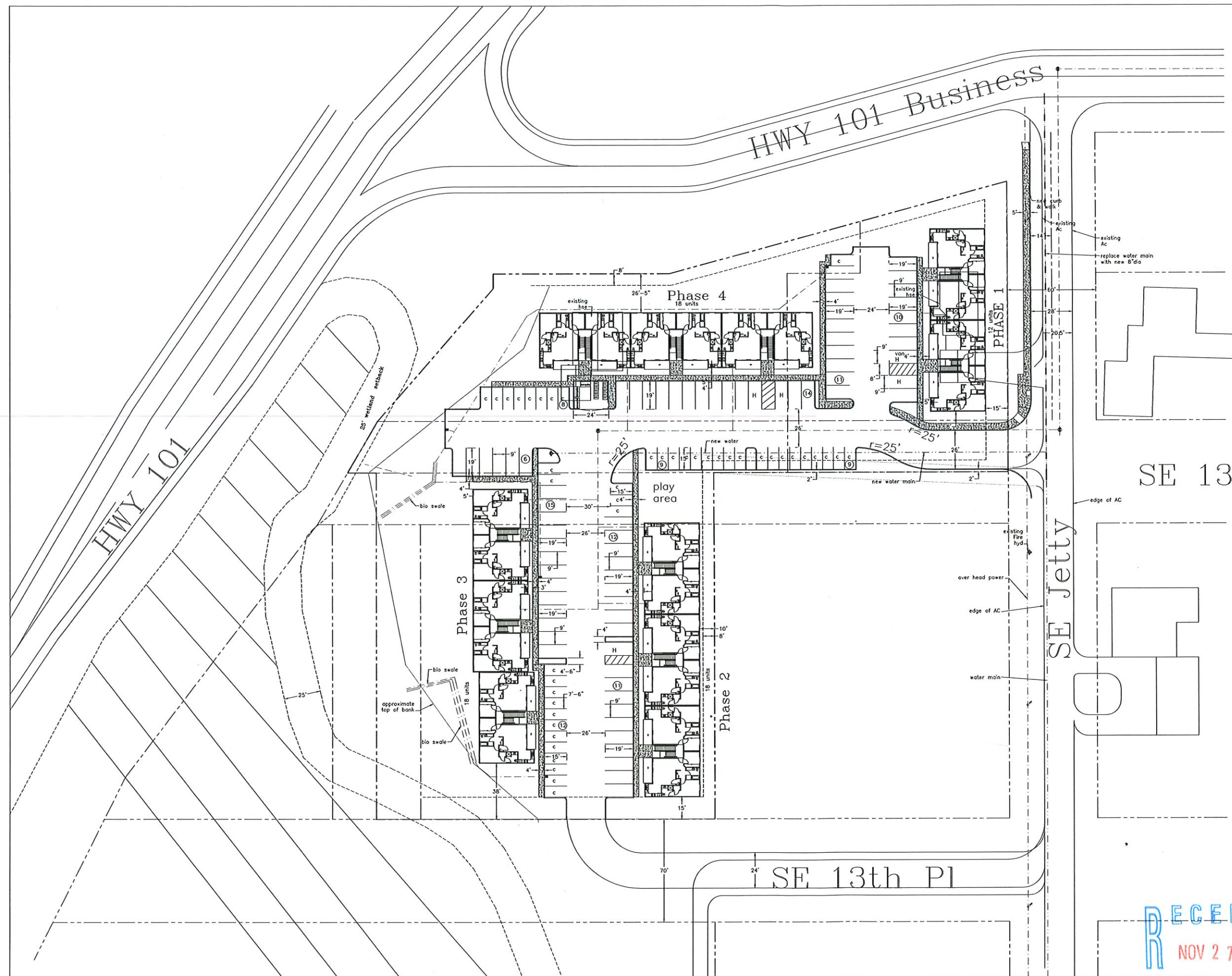
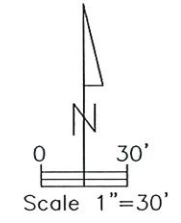
Zoning: C-1 General Commercial
 Use RH High Density Residential for standards
 Land Area = 115,071 sqft = 2.64 acres
 1 unit per 1600 sqft = 71.92 units
 55% lot coverage by buildings = 63,289 sqft of building
 63289 sqft / 962 sqft/unit = 66 units
 maximum building height = 40'

Setbacks:
 front yard = 15'
 side yard = 8'
 Corner lot = 8'
 rear = 15'
 rear corner lot = 10'
 wetland = 25'

Parking
 one bedroom = 1.5
 two bedroom = 1.75
 three bedroom = 2

Landscaping =
 Common Open Space = 20% = 23,014 sqft

have 66 units
 parking required 66*1.75=116 spaces
 provided
 standard space 9'x19' Total 68
 Compact space 7.5'x15' Total 44 38%
 Handicap 9'x18' Total 5
 Total 117



SE 13th St

Buildings are 3 story
 2 bedroom, 2 bath units

New 66 Unit
 Apartment Complex
 SE Jetty
 Warrenton, Oregon
 Tax Lots 2400, 2600,
 4000, 4100, 4200
 Tax Map 8-10-27BA
 for
 Palmberg Development
 Jason Palmberg
 503-791-1603

RECEIVED
 NOV 27 2017



Mead
 Engineering LLC
 89643 OCEAN DRIVE
 WARRENTON, OREGON 97146
 Ph. 503-738-2538
 Email: mark@meadeng.com

BY: CITY OF WARRENTON

REVISED 12/28/2016
 1 March 2017
 15 March 2017
 4 Aug 2017
 19 Sept. 2017 added bio swales
 17 Oct. 2017 widen Jetty
 6 Nov. 2017 add new water Jetty



5.B Attachment C

Linda Engbretson
City Manager
City of Warrenton
225 S Main Ave
Warrenton, OR 97146

May 30, 2022

Dear Ms. Engbretson

Pacific Power would like to submit the following comments regarding City of Warrenton Municipal Code No. 16.136.060. Pacific Power is proud to be the electric utility providing service to the City of Warrenton and surrounding municipalities in Clatsop County. Pacific Power is committed to providing safe, reliable, affordable, and increasingly renewable power. Our company thrives when our communities are thriving.

As an electric provider our primary mission is the safe and reliable delivery of power to our customers. Under Warrenton Municipal Code No. 16.136.060 Pacific Power would be required to underground its electrical infrastructure in nearly all circumstances. Undergrounding electrical infrastructure in some cases can negatively impact the integrity of the equipment and therefore decrease reliability for customers. Areas near or adjacent to our substations is on instance where undergrounding would put additional stress onto the system and could decrease reliability for customers. We ask that the City consider undergrounding requirements for new development on a case-by-case basis and wholistically look at the project to determine the best outcome for all involved.

We look forward to continued partnership with the City of Warrenton and other economic development partners.

Sincerely,

Alisa Dunlap
Regional Business Manager
Pacific Power

CC: Mayor Henry Balensifer
Nate Hankwitz



City of Warrenton

Planning Department

225 S Main Avenue ■ P.O. Box 250 ■ Warrenton, OR 97146

Phone: 503.861.0920 Fax: 503.861.2351

STAFF REPORT

TO: The Warrenton Planning Commission

FROM: Jay Blake, Planning Director

DATE: July 14, 2022

SUBJ: Variance File # V-22-03

A handwritten signature in black ink, appearing to read "Jay Blake", is written over the "FROM:" line of the staff report.

BACKGROUND:

An addendum to Staff Review Memo from Mike Morgan. New information has come to the attention of the Planning Department. Staff is meeting with the applicant and his engineering representative to discuss the request further. Please note that additional information will be presented at the meeting.



May 31, 2022

To: Warrenton Planning Commission
From: Mike Morgan, Interim Community Development Director
Re: Rally Time LLC Street Improvement Variance V 22-3

Eryn Cary on behalf of Rally Time LLC has applied for a variance to construct a five unit cluster cottage development at 719 S. Main Street without improving the adjacent SE 7th Street right of way as a half street. The development is on a lot of 13,503 square feet. Each dwelling will occupy a lot of 2,700 square feet. Access to the property is from South Main, where a curb cut served a single family house that was demolished. Landscaping will cover 20% of the site. Each dwelling will have two parking spaces. Site plans and other supporting materials are attached as part of the application.

Application was submitted May 1, 2022 and deemed complete May 9. We sent notice of the public hearing to adjacent property owners May 27, and published notice in The Columbia Press May 27. We received comments from the City Engineer and Fire Chief, which are attached.

The application is governed by the following municipal code sections:

WMC 16.136.020 Transportation Standards, sub-paragraph M, Cul-de-Sacs
WMC 16.208.050 Type III Procedure (Quasi-Judicial)
WMC 16.272 Variances

FINDINGS

The following criteria are from WMC 16.272.020. For each criterion I have presented the applicant's response followed by staff findings.

A. The hardship was not created by the person requesting the variance;

Applicant response: The project is intended to be an "relatively affordable" cluster of 5 houses with a square footage of 1200 s.f. or less. The projected cost of the units would be under \$300,000. A requirement to pave the half street on SE 7th would make this impossible, since it would add a cost of \$320,614 to the project. There is an existing ODOT approved access off of S. Main which would be utilized to access the five units.

Staff finding: The SE 7th Street right of way has never been used as access to the property (the lot was formerly occupied by a single family residence). It is currently used as the driveway for a dwelling to the west (689 S. Main) and parking for the adjacent Methodist Church at 679 S. Main. The right of way ends at the middle school track and would not likely be extended in the near future. Although it is a city requirement, the construction of a half street would be a significant expense which may make the project infeasible. The applicant did not create the hardship and this criterion is satisfied.

B. The request is necessary to make reasonable use of the property. There will be an unreasonable economic impact upon the person requesting the variance if the request is denied;

Applicant response: There will be a negative impact on the project financially and may not allow the project to be developed.

Staff finding: The development of affordable housing, both for rent and home ownership, is a priority of the City. Not requiring the half street development of SE 7th Street will save the project over \$320,000, enabling the developer to offer the units for sale at a price substantially below the median sales price of new housing in Warrenton.

This criterion is met.

- C. The request will not substantially be injurious to the neighborhood in which the property is located. The variance will not result in physical impacts, such as visual, noise, traffic or increased potential for drainage, erosion and landslide hazards, beyond those impacts that would typically occur with development in the subject zone;

Applicant response: The development of SE 7th will be injurious to the neighborhood in that it will disrupt the access to the residence to the northwest and remove the landscaping of that residence. The variance will prevent physical impacts.

Staff finding: Staff concurs with the applicant's response. Additionally, the construction of the new street would have no benefit inasmuch as the SE 7th ends at the school property and would not be needed until the school is relocated and the land is redeveloped. This criterion is satisfied.

- D. The request is not in conflict with the Comprehensive Plan;

Applicant response: We are requesting to build a city street in a location where there is already a designated city street (right-of-way). There should not be a conflict with the comprehensive plan.

Staff finding: The comprehensive plan designates the subject property as Urban Development (Other Shorelands) and it is zoned CMU Commercial Mixed Use. The cottage cluster concept was developed in order to encourage smaller houses on smaller properties. The subject property is also close to the original City center and is suited to homeowners who can walk or bicycle to services or amenities. Therefore the proposal is consistent with the comprehensive plan. This criterion is satisfied.

- E. The request is not in conflict with the Development Code. No variance may be granted which will result in a use not permitted in the applicable zone or which will increase the allowable residential density in any zone with the exception of individual lot size reduction; and

Applicant response: The request is consistent with the Development Code.

Staff finding: The proposed development is consistent with the Development Code in terms of zoning, density, building height and other requirements. The project already has access onto SE Main and would not utilize the access onto SE 7th if it were constructed. The density is permitted by the CMU zone and meets the policy of the CMU zone to "Use land and urban services efficiently". This criterion is satisfied.

- F. Physical circumstance(s) related to the property involved preclude conformance with the standard to be varied.

Applicant response: There is a ditch that runs parallel between the property and 7th street the entire property line. The cottages will not use 7th street as an access point.

Staff finding: Staff concurs with the applicant's response. This criterion is satisfied.

CONCLUSIONS AND RECOMMENDATION

Based on the findings and analysis above, staff concludes that the application meet all of the six variance criteria and should be granted.

Recommended motion:

Based on the findings and conclusions of the May 4, 2017 staff report, I move to approve Variance 22-3 submitted by Eryn Cary to not improve SE 7th Street and allow primary access to the cottage cluster off of S. Main., subject to the following conditions:

- 1. Prior to starting construction, the applicant shall secure approval of the construction plans by the City Engineer as well as secure a right-of-way permit to perform construction in the city right-of-way.*



Public Works Department

Pre-Application Memorandum

To: Mike Morgan, Interim City Planner
From: Collin Stelzig, Public Works Director
Cc: Trisha Hayrynen, Engineering Technician
Date: April 28, 2022
Re: PRE-22-15 – 719 S Main Ave Tax Lot 81028DC02900

Public Works understands that the applicant is proposing to build five single family homes on tax lot 81028DC02900 with address 719 S Main Ave. This tax lot is currently served by a driveway from S Main Ave and is connected to city utility services. With this information, staff at public works has provided the following items that will need to be addressed in your design documents, however this is not an exhaustive list, care should be taken to implement required City codes and standards:

1. The developer is required to follow the City of Warrenton Development Standards. These standards can be found in Title 16 of the Warrenton Municipal Code. Please provide documentation showing how this development will meet the standards set forth in the development code. Below is a link to the Development Code
<http://qcode.us/codes/warrenton/view.php?topic=16&frames=on>
2. The developer must follow the City's Water and Sewer Regulations. These regulations are included under Title 13 of the Warrenton Municipal Code. Please provide documentation showing how this development will meet the standards set forth in the development code. Below is a link to the Title 13 of our Code:
<http://qcode.us/codes/warrenton/view.php?topic=13&frames=on>
3. The developer is required to follow the Engineering Standards & Design Criteria Manual. Please provide documentation showing how the development meets the standards set forth in this manual. This manual can be found at the
<http://www.ci.warrenton.or.us/publicworks/page/engineering-specifications-design-guide>
4. All private or public easements, existing or proposed shall be shown on plans. Recorded copies of easements may be requested by the city.
5. Each structure shall have its own water meter and sewer service.
6. A few sewer services appear to be available on SW 7th St. Developer to confirm they are the correct diameter needed. The existing sewer laterals should be TV'd to determine the quality, size, and location of the existing line. In addition, all sources of extraneous flows (Inflow and Infiltration) shall be repaired.
7. A water main extension will be required on SW 7th St, connected at S Main Ave.

8. Water meters will be placed within the ROW near the property line. Private service lines aren't allowed to be ran through the public ROW.
9. Please work with the Fire Chief to determine appropriate Fire hydrant spacing and location for this development.
1. Development team will determine what public water improvements are needed to provide adequate domestic water and fire flows to this development. The improvements will be designed in such a way as to ensure these added flows will not negatively impact the existing water system. A water model or calculations will be developed by the development team and reviewed by the City appointed consultant. The developer may use the City appointed consultant to prepare the necessary water model.
2. Sidewalks shall be a minimum of 5 feet wide and meet ODOT standards.
3. Half street improvements will be necessary on SW 7th Street. This roadway will be considered a local road with a final minimum required width of 36 feet. A hammer head or cul-de-sac may also be required to allow for fire department and refuse collection vehicles turnaround.
4. Street lights are required for all new developments. Show proposed street light locations and submit plan to Pacific Power & Light for circuit design.
5. A stormwater report is required for this development. The stormwater report shall detail pre and post stormwater conditions and a downstream analysis, including the adjacent ROWs and flows from existing stormwater systems. In addition, the report shall analyze any loss in flood volume storage relative to fill proposed for this development. The stormwater management system shall be designed by a Registered Professional Engineer capable of meeting the requirements in the current version of the ODOT Hydraulics Manual.
6. All on-site driveways, parking areas, aisles and turn-a-rounds shall have on-site collection of surface waters to eliminate sheet flow of such waters onto public rights-of-way and abutting property. Surface water facility plans shall be prepared by a qualified engineer and constructed in accordance with City standards. Stormwater report shall detail pre and post stormwater conditions, including the adjacent ROWs and flows from existing storm system.
7. Prior to approval of construction plans the developer will waive any and all rights to remonstrate against the formation of a Local Improvement District (LID) for the purpose of making sanitary sewer, storm sewer, water or street improvements that benefit the property and assessing the cost to benefited properties pursuant to the City's regulations in effect at the time of such improvement.





Warrenton Fire Department

P.O. Box 250 Warrenton, OR 97146-0250 (5 0 3) 861-2494 Fax503/861-2351
225 S. Main Warrenton, Or 97146-0250

MEMORANDUM

To: Van Wilfinger, Building Official
Randy Stemper, Project Manager
Date: May 12, 2022
From: Brian Alsbury, Fire Chief
Re: **Stemper 719 S. Main**

ACCESS:

Driveway appears to meet the Warrenton Fire Departments needs for access. Fire Dept. is requesting that the curb on the north side of project be painted RED and posted “fire lane no parking”. Fire Dept is satisfied with the building site plan as is.

WATER SUPPLY:

Warrenton Fire Department is requesting that a hydrant flow test be performed to determine that water flows are adequate for the proposed five small (tiny home) residence. Hydrant(s) are located within 250 feet from proposed project.

* Please see a list of Vendors that have performed flow tests in the City of Warrenton. Warrenton Fire or the City of Warrenton have no preferred vendors, below is a list of vendors that can provide service.

Red Hawk Fire Protection

3801 NW Fruit Valley Rd Suite D, Vancouver, WA 98660
[\(360\) 984-3712](tel:3609843712)

Wyatt Fire Protection

9095 SW Burnham St, Tigard, OR 97223
[\(503\) 684-2928](tel:5036842928)

Delta Fire, Inc

14795 SW 72nd Ave, Portland, OR 97224
[\(503\) 620-4020](tel:5036204020)

Viking Fire Protection

3245 NW Front Ave, Portland, OR 97210
[\(503\) 227-1171](tel:5032271171)

Basic Fire Protection

8135 NE MLK Jr. Blvd, Portland, OR 97211
[\(503\) 285 0713](tel:(503)2850713)

ADDRESS:

Building will be required to have address number visible from the street with opposing/contrasting number. i.e., black numbers with white background, no smaller than 4" in height.

2. *Prior to starting construction, the applicant shall secure appropriate permits from the Oregon Department of Transportation for the road access.*

Attachments

Application from Rally Time LLC

CITY OF WARRENTON

PLANNING AND BUILDING DEPARTMENT

Telephone: 503-861-0920

Received 5/9/22 B

VARIANCE APPLICATION

To be accompanied by a Site Plan, copy of property deed and Letter of Authorization, if applicable.

OFFICE USE ONLY	
FILE # <u>V-22-3</u>	FEE
<u>\$1,250</u>	
ZONING DISTRICT <u>CMU</u>	
Receipt: <u>08893255</u>	

The Variance application process is a method for assuring compliance with the City of Warrenton Comprehensive Plan and Development Code, and to ensure wise utilization of natural resources, and the proper integration of land uses utilizing appropriate landscaping or screening measures. Please answer the questions as completely as possible.

Legal Description of the Subject Property: _____ Township 8N _____, Range 10W
Section (s) 21DC
Tax Lot (s) 2900

Property street address : 719 S Main Ave

I/we, the undersigned applicant(s) or authorized agent, affirm by my/our signature(s) that the information contained in the foregoing application and associated submissions is true and correct.

APPLICANT:

Printed Name: Rally Time LLC

Signature: [Signature] Date: 5/9/22

Address: 91856 Hwy 104 Phone: 503-440-0059

City/State/Zip: Warrenton, OR 97103 Fax: _____

PROPERTY OWNER (if different from Applicant):

Printed Name: _____

Signature: _____ Date: _____

Address: _____ Phone: _____

City/State/Zip: _____ Fax: _____

This application will not be officially accepted until department staff has determined that the application is completed, the site plan map requirements are met, and a copy of the deed is included.

Application
2018

Variance
October

NARRATIVE: Please describe the variance request:

See attachment

Standard	Required	Proposed
Front Yard Setback	15 ft	15 ft
Rear Yard Setback	15 ft	15 ft
Side Yard Setback	8 ft	8 ft
Lot Dimension	2,500 sqft	13,503.60 sqft (2,700.72 per house lot)
Height	40 ft	26 ft
Landscaping	20%	20%
Parking	2 spaces	2 parking spaces per house

Application
2018

Variance
October

SIX VARIANCE CRITERIA

1.

The hardship was not created by

the person requesting the variance. Please explain.

The city code would require a half street improvement on 7th street. We are asking for a variance to not improve 7th street due to the street not being used by the proposed development.

2.

The request is necessary to make reasonable use of the property. There will be an unreasonable economic impact upon the person requesting the variance if the request is denied.

If the request for variance on half street improvements were denied that would lead to consequential negative impacts that would leave the vacant property nearly undevelopable for any project.

3.

The request will not substantially be injurious to the neighborhood in which the property is located. The variance will not result in physical impacts, such as visual, noise, traffic or increased potential for drainage, erosion and landslide hazards, beyond those impacts that would typically occur with development in the subject zone.

An approval of the request for variance is most beneficial for the neighboring properties. If the variance was denied it would negatively impact the neighbors located directly to the North of the property. The half street improvements would lead to the destruction of a neighboring residence's fence and landscaping including established trees, flower beds and yard. The church would also lose parking for their congregation. The road improvement is not necessary for the project, so it would be unfortunate to cause such a nuisance for the neighbors.

4.

The request is not in conflict with the Comprehensive Plan. Please explain.

The request is not in conflict with the comprehensive plan. According to the plan there is an overall need for more housing, specifically a continued need for relatively low cost housing. The development is a cottage cluster style. By the variance being approved the project costs would be significantly lower, allowing for a lower selling price, helping the community.

5.

The request is not in conflict with the Development Code. No variance may be granted which will result in a use not permitted in the applicable zone or which will increase the allowable residential density in any zone with the exception of individual lot size reduction. Please explain.

The variance doesn't result in a non permitted use or increase in density. The properties zoning of CMU allows for cottage cluster use and the project follows the density requirements.

6.

Physical circumstance(s) related to the property involved preclude conformance with the standard to be varied. Please explain.

The property sits on the corner of 7th street and main street. There is a ditch that runs parallel between the property and 7th street the entire property line. The five cottages will not use 7th street as an access point. There will be a road from Main Street within the property lines that leads to each cottage. Since the property will not use 7th street as an access to the development, this would create an unnecessary hardship for the property.

Application
2018

Variance
October

Cashier: Mhitchman

City of Warrenton
225 S. Main Avenue
P.O. Box 250
Warrenton, OR 97146

~~~~~  
Customer Receipt

Rcpt No: 08893255  
Customer No: 118625  
Name: CARY, ERYN  
Address: 91856 HWY 104  
WARRENTON, OR 97146

Date: 05/19/2022  
Time: 01:41 PM

Accounts Paid:  
CR 1,250.00

PLAN  
PLANNING FEES - V-22-.3 1,250.00

~~~~~  
Amount Paid: 1,250.00
Check Amount: 0.00
Check No:
Cash Paid: 0.00

Thank you for your payment.
~~~~~

General Ledger Accounts:  
001-000-341300  
PLANNING FEES - V-22-.3 1,250.00

Rally Time LLC  
91856 Hwy 104  
Warrenton, OR 97146

May 1, 2022

City of Warrenton Planning Commission,

We have purchased the vacant land at 719 S Main Ave and would like to develop five cottage style houses on the property. The property is zoned CMU and cottage clusters are an outright use. Our goal is to help with the housing shortage in our community while also selling the cottages at a more affordable price point for families in Warrenton.

Prior to moving forward with the project and purchasing the land we had a pre-application meeting with city staff to go over the proposed project. While at the meeting it came to our attention that in order to build these houses we would be required by the city to do a half street improvement on 7th street along the entire property line. We are requesting a variance to not do the half street improvement on 7th. This costly requirement would greatly increase the price that each cottage could be sold at. This is an unnecessary improvement as we won't be using the street as an access for this project. Additionally, it will have a negative impact on the surrounding properties to the North. The church would lose a large portion of parking for their congregation with the road being improved. Behind the church and directly Northwest of 7th street is a single family residence that would be most affected by the street improvements. If the street was improved to the requirements it would require most of the yard to be demolished along with the fence and established trees. We understand that technically the property's yard is in the 7th street ROW, however it doesn't make sense to cause heartache to the neighbor when this project doesn't need the road improved.

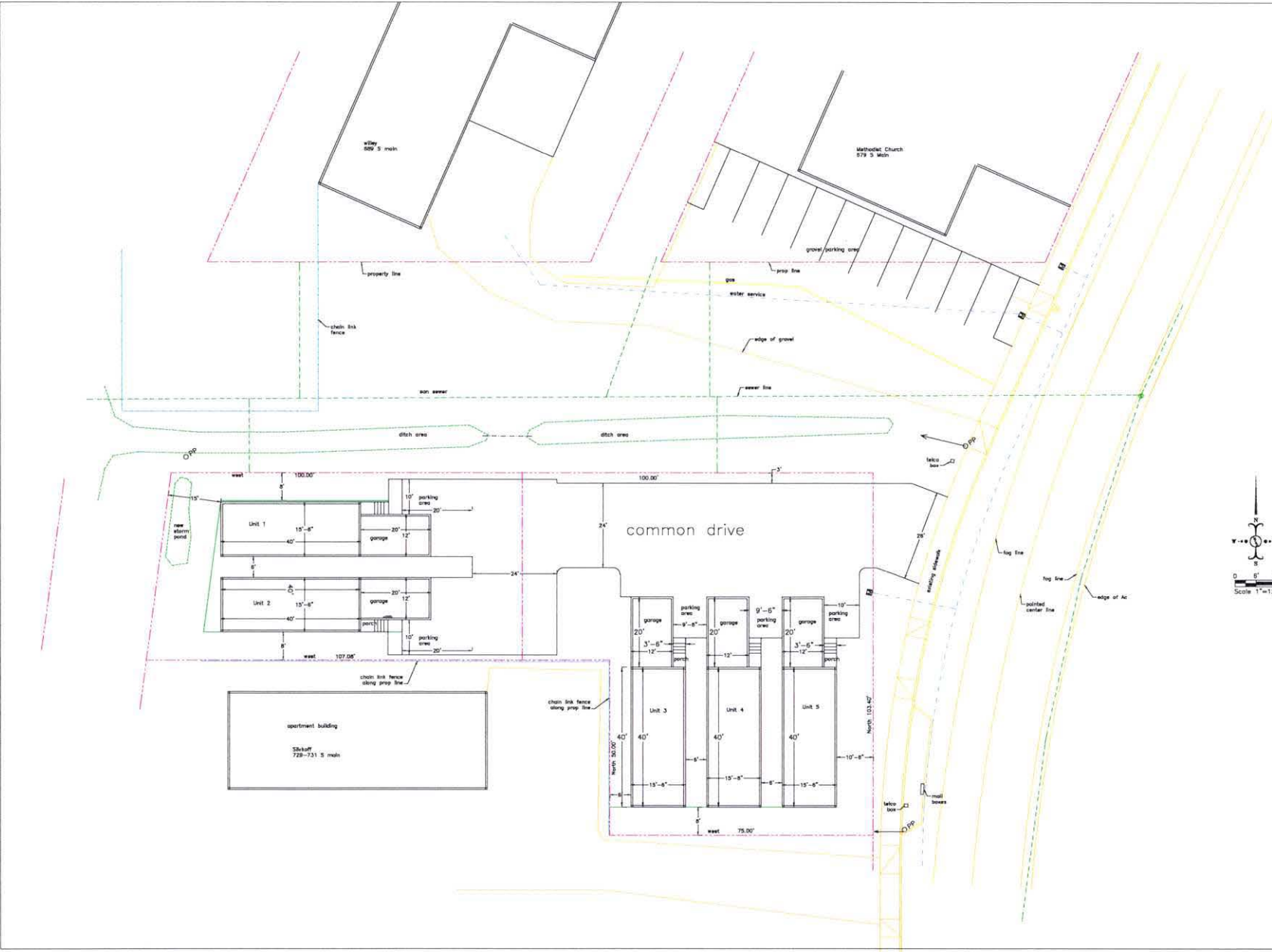
As highlighted in this letter the half road improvement requirement makes this project very difficult to develop on this already vacant land. Any development on 719 S Main, would be required to do a half street improvement, an investment estimated at \$150-200,000. This requirement leaves this vacant land nearly undevelopable for anyone proposing a project at this location. Our community is facing a massive housing shortage and it would be extremely unfortunate to have a project that provides five families a home to not move forward due to an unnecessary road improvement.

Sincerely,



Eryn Cary

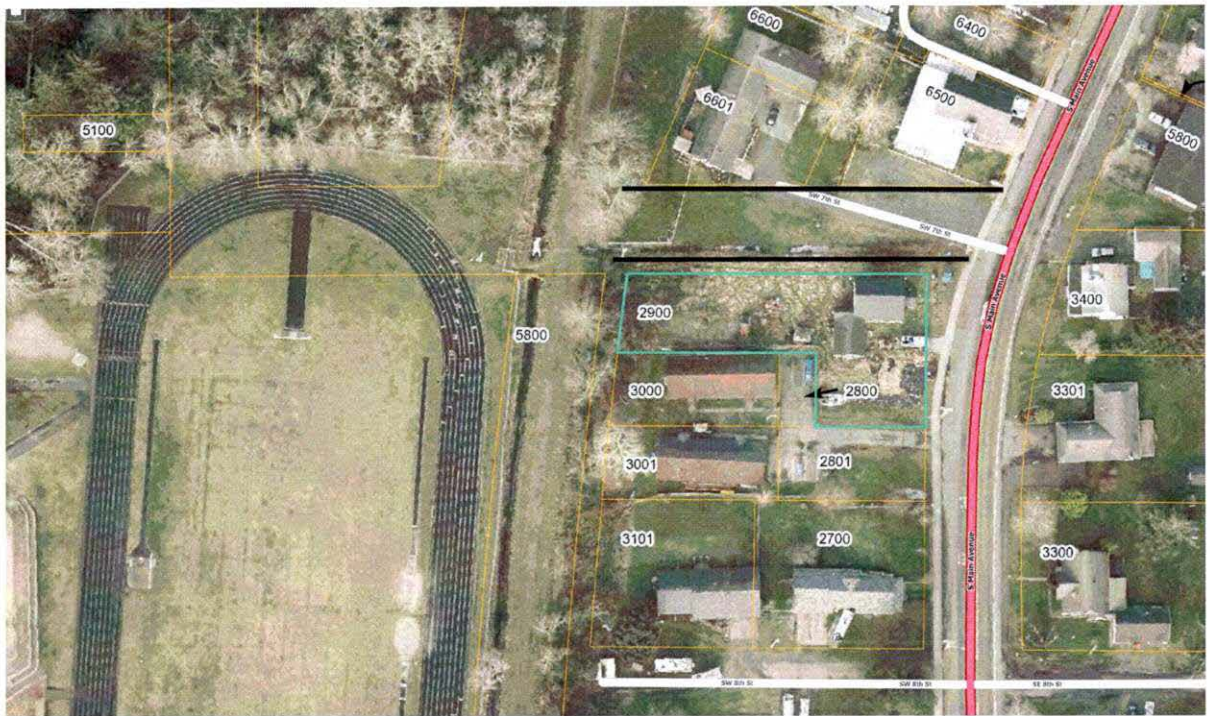
|     |               |
|-----|---------------|
| 100 | Proposed      |
| 101 | Existing      |
| 102 | Survey        |
| 103 | Utility       |
| 104 | Property Line |
| 105 | Setback       |
| 106 | Right of Way  |
| 107 | Other         |
| 108 | Zone CMU      |
| 109 | Other         |
| 110 | Other         |
| 111 | Other         |
| 112 | Other         |
| 113 | Other         |
| 114 | Other         |
| 115 | Other         |
| 116 | Other         |
| 117 | Other         |
| 118 | Other         |
| 119 | Other         |
| 120 | Other         |



5 unit  
 719 S Main  
 Warrenton, Or 97146  
 Scasale, Oregon 97130



Mark E. DeLong  
 Engineering LLC  
 6964 S OCEAN DRIVE  
 WARRENTON, OREGON 97146  
 Ph. 503-736-2538  
 Email: mark@medelong.com



Aerial photo showing where the 7th street road would be located in relation to the neighbors to the North. 719 S Main Street property line is highlighted in blue.



Location of 7th street half street improvement.



Rally Time LLC  
91856 Hwy 104  
Warrenton, OR 97146

May 23, 2022

City of Warrenton Planning Commission,

The half street improvement has a negative impact on 719 S Main Street and the future homeowners on the property. In the pre-application meeting memorandum from April 28, 2022 the requirements for the half street improvements are outlined in part 2 2-4. If the variance is denied and the half street improvement has to be constructed it would cost \$320,614.86.

The unnecessary expense of the half street improvement would directly fall onto the future homeowners. The street improvement alone would increase the monthly mortgage drastically. For a 30 year mortgage it would increase by \$390 monthly, \$462 for a 20 year, and \$506 for a 15 year. These cost increases would be for each of the five cottages per month. If less than five cottages are approved, then the mortgage costs would increase further. Therefore, it is crucial that this variance is approved because, in our current housing shortage there shouldn't be an unnecessary financial strain on these future homeowners for a half street improvement that isn't needed.



1050 Olney Ave. | Astoria, OR 97103  
 Phone: 503-338-3878 | Fax: 503-325-3119  
 OR CCB # 147632 | WA L&I # BIGRIE'955DW  
 www.bigrivercompanies.com

Contact: Tony Ewing  
 Email: tewing@bigrivercompanies.com

Quote To: Mike Sarin Job Name: 7th Street Budget

Phone: Date Quoted:  
 Email: Date of Plans:

| ITEM | DESCRIPTION                     | QUANTITY | UNIT | UNIT PRICE | AMOUNT              |
|------|---------------------------------|----------|------|------------|---------------------|
| 1    | MOBILIZATION                    | 1.00     | LS   | 14,156.73  | 14,156.73           |
|      | <b>Erosion Control</b>          |          |      |            |                     |
| 2    | SILT FENCE                      | 500.00   | LF   | 3.50       | 1,750.00            |
| 3    | CONSTRUCTION ENTRANCE           | 1.00     | LS   | 2,575.85   | 2,575.85            |
| 4    | CB INSERTS                      | 4.00     | EA   | 87.42      | 349.68              |
|      | <b>Erosion Control Subtotal</b> |          |      |            | <b>\$4,675.53</b>   |
|      | <b>Sitework</b>                 |          |      |            |                     |
| 5    | CLEARING AND GRUBBING           | 1.00     | LS   | 3,904.82   | 3,904.82            |
| 6    | DEMO EXISTING SIDEWALKS         | 1.00     | LS   | 935.97     | 935.97              |
| 7    | EX FOR ROAD SUBGRADE            | 9,500.00 | SF   | 0.96       | 9,120.00            |
| 8    | ROCK ROAD SUBGRADE 12" SECTION  | 700.00   | TN   | 42.29      | 29,603.00           |
| 9    | CURB PREP                       | 230.00   | LF   | 4.28       | 984.40              |
| 10   | SIDEWALK PREP                   | 1,330.00 | SF   | 3.39       | 4,508.70            |
| 11   | AC PAVING                       | 220.00   | TN   | 160.47     | 35,303.40           |
| 12   | INSTALL CURBS                   | 230.00   | LF   | 33.20      | 7,636.00            |
| 13   | INSTALL SIDEWALKS               | 910.00   | SF   | 8.85       | 8,053.50            |
| 14   | INSTALL DRIVEWAYS               | 420.00   | SF   | 11.07      | 4,649.40            |
| 15   | ADA RAMPS                       | 2.00     | EA   | 3,320.11   | 6,640.22            |
|      | <b>Sitework Subtotal</b>        |          |      |            | <b>\$111,339.41</b> |
|      | <b>Storm</b>                    |          |      |            |                     |
| 16   | 12" STORM MAIN                  | 325.00   | LF   | 98.90      | 32,142.50           |
| 17   | CATCH BASINS                    | 3.00     | EA   | 3,142.44   | 9,427.32            |
| 18   | FILTER TREATMENT CATCH BASINS   | 1.00     | EA   | 22,228.05  | 22,228.05           |
|      | <b>Storm Subtotal</b>           |          |      |            | <b>\$63,797.87</b>  |
|      | <b>Water</b>                    |          |      |            |                     |
| 19   | 8" WATERLINE CONNECTION         | 1.00     | EA   | 11,841.92  | 11,841.92           |
| 20   | 8" WATER MAIN                   | 230.00   | LF   | 104.88     | 24,122.40           |
| 21   | FIRE HYDRANT                    | 1.00     | EA   | 8,938.86   | 8,938.86            |
| 22   | WATER SERVICES                  | 4.00     | EA   | 3,323.07   | 13,292.28           |
|      | <b>Water Subtotal</b>           |          |      |            | <b>\$58,195.46</b>  |



| ITEM                       | DESCRIPTION                                     | QUANTITY | UNIT | UNIT PRICE | AMOUNT              |
|----------------------------|-------------------------------------------------|----------|------|------------|---------------------|
| <b>Electrical</b>          |                                                 |          |      |            |                     |
| 23                         | CONDUIT FOR UNDER GROUND POWER<br>BETWEEN POLES | 250.00   | LF   | 38.85      | 9,712.50            |
| 24                         | CONDUIT FOR STREET LIGHTS                       | 230.00   | LF   | 38.85      | 8,935.50            |
| 25                         | STREET LIGHTS                                   | 3.00     | EA   | 11,067.04  | 33,201.12           |
| 26                         | PLUG FOR PPL COST TO LOWER POWER                | 1.00     | LS   | 16,600.56  | 16,600.56           |
| <b>Electrical Subtotal</b> |                                                 |          |      |            | <b>\$68,449.68</b>  |
| <b>GRAND TOTAL</b>         |                                                 |          |      |            | <b>\$320,614.68</b> |



Abigale Goodman <abigalestemper@gmail.com>

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**719 S Main Street Warrenton and ~~2657 N Highway 101 Seaside~~**

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KEARNS Richard A <Richard.A.KEARNS@odot.oregon.gov>

Tue, May 24, 2022 at 10:15 AM

To: Abigale Goodman <abigalestemper@gmail.com>, WILLIAMS Virginia L <Virginia.L.WILLIAMS@odot.oregon.gov>

Abigale

Below is the response I got from ODOT'S Access Engineer;

For the Warrenton one my response: New application required; expect support with closure of the existing approach. The on-street parking needs to be completely removed between 7<sup>th</sup> and the mailboxes. I believe our ADA standards will require a single parallel curb ramp to be designed in between the new approach and 7<sup>th</sup> since 7<sup>th</sup> is a public street. It will need a site specific detail, see RD920 for guidance. <https://www.oregon.gov/ODOT/Engineering/202201/RD920.pdf>

~~For the Seaside one my response: No coordination with ODOT necessary, per our development review guidelines a traffic study would not be warranted.~~

Richard Kearns

D1 Permits

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**From:** Abigale Goodman <abigalestemper@gmail.com>

**Sent:** Monday, May 23, 2022 11:38 AM

**To:** KEARNS Richard A <Richard.A.KEARNS@odot.oregon.gov>

**Subject:** Re: 719 S Main Street Warrenton and 2657 N Highway 101 Seaside

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Okay, thank you.



## Notice of Type III Public Hearing

May 20<sup>th</sup>, 2022

To: Adjacent Property Owners and Interested Parties:

A public hearing is scheduled before the Warrenton Planning Commission at 6:00 p.m. on June 9<sup>th</sup>, 2022, at the Warrenton City Hall, 225 S Main Avenue.

**SUBJECT:** A variance application (V-22-3) submitted by Eryn Cary on behalf of Rally Time LLC, to not do a half street improvement on 7<sup>th</sup> Avenue as required by a pre-application meeting with City staff. The subject property is located at 719 S Main Avenue, Warrenton, and is also identified as Taxlot 81021DC02900.

**APPLICABLE CRITERIA:** This application will be reviewed under the procedures, standards and criteria in Warrenton Municipal Code (WMC) 16.208.050 Type III Procedure (Quasi-Judicial); 16.272.020 [Variance] Criteria; and 16.136.020 Transportation Standards

**HOW TO PARTICIPATE:** Those wishing to testify on this request may attend the public hearing and submit a comment card at the meeting or submit written materials before 4:00 p.m. on the day of the hearing. Written comments may be submitted to Rebecca Sprengeler, Deputy City Recorder, P.O. Box 250, Warrenton Oregon, 97146; or email [rsprengeler@ci.warrenton.or.us](mailto:rsprengeler@ci.warrenton.or.us).

At the public hearing, the Planning Commission chair will open the public hearing and describe the general conduct and procedure: A staff report will be given, followed by a statement from the applicant, public testimony, discussion among the commissioners, and a decision on, or a continuation of, the request.

Failure to raise an issue in person, or by or by letter at the hearing, or failure to provide statements of evidence sufficient to afford the decision makers an opportunity to respond to the issue, means that an appeal based on that issue cannot be filed with the State Land Use Board of Appeals.

A copy of the application, all documents and evidence submitted by or for the applicant, and the applicable criteria and standards can be reviewed at Warrenton City Hall at no cost and copies shall be provided at a reasonable cost. A copy of the City's staff report and recommendation to the hearing body shall be available for review at least seven days before the hearing, and a copy shall be provided at a reasonable cost.

**NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER:** The Warrenton Development Code requires that if you receive this notice, it shall be promptly forwarded to the purchaser.

**MORE INFORMATION:** Anyone wishing to review and/or purchase copies of the proposals and/or staff report may do so at Warrenton City Hall, 225 South Main, or may contact Rebecca Sprengeler at 503-861-2233 x102 or via email at [rsprengeler@ci.warrenton.or.us](mailto:rsprengeler@ci.warrenton.or.us).

| OWNER_LINE                          | Owner Line 1           | Owner Line 2            | STREET_ADD             | CITY STATE ZIP_CODE      |
|-------------------------------------|------------------------|-------------------------|------------------------|--------------------------|
| Warrenton School Dist #30           |                        |                         |                        | ,                        |
| Warrenton School Dist #30           |                        |                         | 820 SW Cedar Ave       | Warrenton, OR 97146-9745 |
| Driggers Eugene Andrew              |                        |                         | 612 S Main Ave         | Warrenton, OR 97146      |
| Larremore Doris                     |                        |                         | 1108 Irving Ave        | Astoria, OR 97103-4036   |
| Larremore Doris                     |                        |                         | 1108 Irving Ave        | Astoria, OR 97103-4036   |
| Mullins Vernon                      | Mullins Carol          |                         | PO Box 642             | Warrenton, OR 97146      |
| Kelso Gee Christina M               | Gee Wilburn Marion     |                         | 661 S Main Ave         | Warrenton, OR 97146      |
| Methodist Church Of Warrenton       |                        |                         |                        | Warrenton, OR 97146      |
| Willey James F                      | Rosebrook Marilyn M    |                         | PO Box 1162            | Warrenton, OR 97146-1162 |
| Willey James F                      | Rosebrook Marilyn M    |                         | PO Box 1162            | Warrenton, OR 97146-1162 |
| Kelso Gee Christina M               | Gee Wilburn Marion     |                         | 661 S Main Ave         | Warrenton, OR 97146      |
| Warrenton City Of                   |                        |                         | PO Box 250             | Warrenton, OR 97146-0250 |
| Moss Dalan L/Heather L              |                        |                         | PO Box 935             | Warrenton, OR 97146-0935 |
| Scott Rita K                        |                        |                         | PO Box 873             | Warrenton, OR 97146-0873 |
| Slivkoff Mary & John E Trust        | Slivkoff Mary Margaret | Slivkoff John E         | 1398 Olney Ave         | Astoria, OR 97103        |
| Slivkoff Michael J                  |                        |                         | 741 S Main St          | Warrenton, OR 97146      |
| Rally Time LLC                      |                        |                         | 91856 Highway 104      | Warrenton, OR 97146      |
| Slivkoff Mary & John E Trust        | Slivkoff Mary Trustee  | Slivkoff John E Trustee | 1398 Olney Ave         | Astoria, OR 97103        |
| Slivkoff Michael J                  |                        |                         | 741 S Main Ave         | Warrenton, OR 97146-9535 |
| Searle Roger L                      |                        |                         | PO Box 124             | Warrenton, OR 97146-0124 |
| Caruana Dorrie A                    |                        |                         | 818 Commercial St #100 | Astoria, OR 97103        |
| Engebretson James A/Roberta J Trust | Engebretson Roberta J  |                         | PO Box 937             | Warrenton, OR 97146-0937 |
| Stocker Agnes M                     | Alexander Valerie      |                         | 718 S Main Ave         | Warrenton, OR 97146      |

v-22-3  
 Stemper / Rally Time  
 208' addresses  
 mailed:

v-22-3

City of Warrenton  
PO Box 250  
Warrenton, OR 97146

PORTLAND OR 972  
20 MAY 2022 PM 2 L



RECEIVED

MAY 31 2022

CITY OF WARRENTON  
CITY RECORDERS OFFICE

Methodist Church of Warrenton  
679 S. Main Ave  
Warrenton, OR 97146

NMR

NIXIE 971 CE 1 @105/24/22

RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

97146-9900

BC: 027 \*0449-10193-20-41



## NOTICE OF PUBLIC HEARING

The Warrenton Planning Commission will conduct a public hearing at 6:00 PM, June 9, 2022, at the Warrenton City Hall Commission Chambers to consider the following:

V-22-1, a variance application submitted by Jeff and Jennifer Canessa (L46, LLC – Latitude 46 Apartments), to allow the overhead lines in Jetty Avenue to remain in place and to avoid the hardship and risk of placing the high-voltage power lines underground in the residential area. The subject property is located at 1335 SE Jetty Avenue, Warrenton, and is also identified as taxlots 81027BA3800, and 81027BA3900. Applicable criteria and standards specific to this request are contained in Warrenton Municipal Code (WMC) 16.208.050 Type III Procedure (Quasi-Judicial); 16.272.020 [Variance] Criteria; and 16.136.060 [Design Standards] Utilities.

V-22-2, a variance application submitted by Jason Palmberg (Jetty Street Apts.), to allow the overhead lines in Jetty Avenue to remain in place and to avoid the hardship and risk of placing the high-voltage power lines underground in the residential area. The subject property is located at 1285 SE Jetty Avenue, Warrenton, and is also identified as taxlots 81027BA2400, 81027BA2600, 81027BA4000, 81027BA4100, and 81027BA4200. Applicable criteria and standards specific to this request are contained in Warrenton Municipal Code (WMC) 16.208.050 Type III Procedure (Quasi-Judicial); 16.272.020 [Variance] Criteria; and 16.136.060 [Design Standards] Utilities.

V-22-3, a variance application submitted by Eryn Cary on behalf of Rally Time LLC, to not do a half street improvement on 7th Avenue as required by a pre-application meeting with City staff. The subject property is located at 719 S Main Avenue, Warrenton, and is also identified as Taxlot 81021DC02900. Applicable criteria and standards specific to this request are contained in Warrenton Municipal Code (WMC) 16.208.050 Type III Procedure (Quasi-Judicial); 16.272.020 [Variance] Criteria; and 16.136.020 Transportation Standards.

Those wishing to testify on this request may attend the public hearing and sign a card to speak to the Planning Commission, or submit written materials, which must be received no later than 4:00 P.M. on the day of the hearing. Written comments may be submitted to Rebecca Sprengeler, Deputy City Recorder, P.O. Box 250, Warrenton Oregon, 97146-0250; or emailed [rsprengeler@ci.warrenton.or.us](mailto:rsprengeler@ci.warrenton.or.us).

At the public hearing, the Planning Commission chair will open the public hearing and describe the general conduct and procedure for providing public comment. A staff report will be given, followed by a statement from the applicant, public testimony, discussion among the commissioners, and a decision on, or a continuation of, the request.

Failure to raise an issue in person, or by or by letter at the hearing, or failure to provide statements of evidence sufficient to afford the decision makers an opportunity to respond to the issue, means that an appeal based on that issue cannot be filed with the State Land Use Board of Appeals.

A copy of the application, all documents and evidence submitted by or for the applicant, and the applicable criteria and standards can be reviewed at Warrenton City Hall at no cost and copies shall be provided at a reasonable cost. A copy of the City's staff report and recommendation to the hearing body shall be available for review at least seven days before the hearing, and a copy shall be provided at a reasonable cost.

Anyone wishing to review and/or purchase copies of the proposals and/or staff report may do so at Warrenton City Hall, 225 South Main, or may contact Rebecca Sprengeler at 503-861-2233 x102 or via email at [rsprengeler@ci.warrenton.or.us](mailto:rsprengeler@ci.warrenton.or.us).

Published Columbia Press: May 27, 2022

**Hallie Homolac****PW Comments**

**From:** Trisha Hayrynen  
**Sent:** Thursday, June 9, 2022 3:48 PM  
**To:** Mike Morgan  
**Cc:** Hallie Homolac; Richard (Collin) Stelzig  
**Subject:** Rally Time LLC Street Improvement Variance 22-3  
**Attachments:** SW 7th St School Property.pdf; PreApplication Comments - PRE-21-10 719 S Main Ave.pdf; PreApplication Comments - PRE-21-20 719 S Main Ave.pdf; planning\_commission\_packet\_SW7thSt.pdf; menna property utility site plan\_.pdf

**Importance:** High

Hello Mike,

Public Works has reviewed your staff report on the variance request 22-3 from Rally Time LLC. Public Works is not in agreement with the variance request for the reasons stated below. Please also note that in your staff report the street is labeled as SE 7<sup>th</sup> St, but it is actually SW 7<sup>th</sup> St.

- There have been two previous pre-application meetings and memos (see attached) that also state the code requirement for street improvements along SW 7<sup>th</sup> St for this property development. Both projects didn't move forward.
- This project has not been sent through site design review, it has only had a pre-application meeting. Adding 5 homes as a cottage cluster with creating multiple lots shall be reviewed in accordance with Chapter 16.216 Subdivision. (please see attached site plan that was provided during the pre-application meeting)
- We are always willing to work with developers to discuss solutions that will provide similar transportation development. The developer is not proposing any alternative solutions other than not developing the street.
- SW 7<sup>th</sup> St r/w is not recommended to be vacated due to the sewer main underground as well as other franchise utilities. This r/w travels into and through the School track area and could be a future access into this developable piece of property. The school will move to Dolphin Ave campus, eventually. Please see attached image.
- The development code purpose is to ensure that developments provide safe and efficient access and circulation, for pedestrians and vehicles. There may be other solutions that haven't been looked at yet, that may still ensure this purpose is met.

Thank you,

**Trisha Hayrynen**

Engineering Technician

Office : 503-861-0912

Fax : 503-861-9661

P.O. Box 250 | 45 SW 2<sup>nd</sup> St.

Warrenton OR, 97146

[ci.warrenton.or.us](http://ci.warrenton.or.us) | [facebook.com](https://www.facebook.com)





## Public Works Department

### Pre-Application Memorandum

To: Will Caplinger, Interim Community Development Director

From: Collin Stelzig, Public Works Director

Cc:

Date: April 29, 2021

Re: PRE-21-10 – 719 S Main Ave Tax Lot 81028DC02900

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Public Works understands that the applicant is proposing to adjust the underlying lot lines in tax 81028DC02900 with address 719 S Main Ave to configure three separate tax lots. This tax lot has a single-family residential structure and currently is served by a driveway from S Main Ave and is connected to city utility services. With this information, staff at public works has provided the following items that will need to be addressed in your design documents:

1. The developer is required to follow the City of Warrenton Development Standards. These standards can be found in Title 16 of the Warrenton Municipal Code. Please provide documentation showing how this development will meet that standards set forth in the development code. Below is a link to the Development Code <http://qcode.us/codes/warrenton/view.php?topic=16&frames=on>
2. The developer must follow the City's Water and Sewer Regulations. These regulations are included under Title 13 of the Warrenton Municipal Code. Please provide documentation showing how this development will meet that standards set forth in the development code. Below is a link to the Title 13 of our Code: <http://qcode.us/codes/warrenton/view.php?topic=13&frames=on>
3. The developer is required to follow the Engineering Standards & Design Criteria Manual. Please provide documentation showing how the development meets the standards set forth in this manual. This manual can be found at the <http://www.ci.warrenton.or.us/publicworks/page/engineering-specifications-design-guide>
4. All private or public easements, existing or proposed shall be shown on plans. Recorded copies of easements may be requested by the city.
5. Each structure shall have its own water meter and sewer service.
6. Sewer services for commercial properties shall be a minimum of 6" diameter. The existing sewer lateral should be TV'd to determine the quality, size, and location of the existing line. In addition, all sources of extraneous flows (Inflow and Infiltration) shall be repaired.
7. Sewer service may be extended from SW 7<sup>th</sup> Street sewer main through proposed lot #1 with an easement, to serve proposed lot #3.

8. The proposed lot #2 is more than 100' from the water main. A water main extension will be required on SW 7<sup>th</sup> St, connected at S Main Ave.
9. The water meter will be placed within the ROW near the property line. Private service lines aren't allowed to be ran through the public ROW.
10. All commercial property shall have a backflow device at the water meter for premise isolation.
11. Please work with the Fire Chief to determine appropriate Fire hydrant spacing for this development. Developer team is responsible for determining if fire flows are available at this location. This can include hydrant testing and/or water modeling.
12. Driveways over 150' from center line of existing cross street must meet private road standards.
13. Half street improvements will be necessary on SW 7<sup>th</sup> Street. This roadway will be considered a local road with a minimum required width of 36 feet. A hammer head or cul-de-sac may be required to allow for turnaround for fire department and refuse collection vehicles.
14. Sidewalks shall be a minimum of 5 feet wide and meet ODOT standards. Sidewalk-in-lieu payment may be allowed instead of sidewalks along SW 7<sup>th</sup> Street.
15. Street lights are required for all new developments. Show proposed street light locations and submit plan to Pacific Power & Light for circuit design.
16. Driveway apron shall conform to ODOT standard drawings.
17. All on-site driveways, parking areas, aisles and turn-a-rounds shall have on-site collection or infiltration of surface waters to eliminate sheet flow of such waters onto public rights-of-way and abutting property. Surface water facility plans shall be prepared by a qualified person and constructed in accordance with City standards.
18. This development shall not cause additional stormwater to runoff onto neighboring properties. Appropriate management of increased stormwater runoff from impervious areas is required. Development will be required to connect into existing stormwater systems.
19. Prior to approval of construction plans the developer will waive any and all rights to remonstrate against the formation of a Local Improvement District (LID) for the purpose of making sanitary sewer, storm sewer, water or street improvements that benefit the property and assessing the cost to benefited properties pursuant to the City's regulations in effect at the time of such improvement.





**Disclaimer:** The information contained in this GIS application is NOT AUTHORITY and has NO WARRANTY OR GUARANTEE assuring the information presented to you is correct. GIS applications are intended for a visual display of data and do not carry legal authority to determine a boundary or the location of fixed works, including parcels of land. They are intended as a location reference for planning, infrastructure management and general information only. The City of Warrenton assumes no liability for any decisions made or actions taken or not taken by the user of the GIS application. The City of Warrenton provides this GIS map on an "as is" basis without warranty of any kind, expressed or implied, including but not limited to warranties of merchantability or fitness for a particular purpose, and assumes no liability for any errors, omissions, or inaccuracies in the information provided.



## Public Works Department

### Pre-Application Memorandum

To: Scott Hazelton, Community Development Director  
From: Collin Stelzig, Public Works Director  
Cc:  
Date: November 30, 2021  
Re: PRE-21-20 – 719 S Main Ave Tax Lot 81028DC02900

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Public Works understands that the applicant is proposing to build two four-plexes on tax lot 81028DC02900 with address 719 S Main Ave. This tax lot has a single-family residential structure and currently is served by a driveway from S Main Ave and is connected to city utility services. With this information, staff at public works has provided the following items that will need to be addressed in your design documents:

1. The developer is required to follow the City of Warrenton Development Standards. These standards can be found in Title 16 of the Warrenton Municipal Code. Please provide documentation showing how this development will meet that standards set forth in the development code. Below is a link to the Development Code <http://qcode.us/codes/warrenton/view.php?topic=16&frames=on>
2. The developer must follow the City's Water and Sewer Regulations. These regulations are included under Title 13 of the Warrenton Municipal Code. Please provide documentation showing how this development will meet that standards set forth in the development code. Below is a link to the Title 13 of our Code: <http://qcode.us/codes/warrenton/view.php?topic=13&frames=on>
3. The developer is required to follow the Engineering Standards & Design Criteria Manual. Please provide documentation showing how the development meets the standards set forth in this manual. This manual can be found at the <http://www.ci.warrenton.or.us/publicworks/page/engineering-specifications-design-guide>
4. All private or public easements, existing or proposed shall be shown on plans. Recorded copies of easements may be requested by the city.
5. Each structure shall have its own water meter and sewer service.
6. Sewer services appear to be available on SW 7<sup>th</sup> St. Developer to confirm they are the correct diameter needed. The existing sewer laterals should be TV'd to determine the quality, size, and location of the existing line. In addition, all sources of extraneous flows (Inflow and Infiltration) shall be repaired.

7. Please work with the Fire Chief to determine appropriate Fire hydrant spacing for this development. Developer team is responsible for determining if fire flows are available at this location. This can include hydrant testing and/or water modeling.
8. A refuse enclosure is required for four-plexes. Garbage trucks will not be allowed to back-up onto S Main Ave.
9. Sidewalks shall be a minimum of 5 feet wide and meet ODOT standards. Sidewalk-in-lieu payment may be allowed instead of sidewalks along SW 7<sup>th</sup> Street.
10. Street lights are required for all new developments. Show proposed street light locations and submit plan to Pacific Power & Light for circuit design.
11. Driveway apron shall conform to ODOT standard drawings.
12. Driveway access shall be coordinated with ODOT.
13. All on-site driveways, parking areas, aisles and turn-a-rounds shall have on-site collection or infiltration of surface waters to eliminate sheet flow of such waters onto public rights-of-way and abutting property. Surface water facility plans shall be prepared by a qualified person and constructed in accordance with City standards. A detailed approved stormwater report must be submitted with stormwater and grading plans.
14. Prior to approval of construction plans the developer will waive any and all rights to remonstrate against the formation of a Local Improvement District (LID) for the purpose of making sanitary sewer, storm sewer, water or street improvements that benefit the property and assessing the cost to benefited properties pursuant to the City's regulations in effect at the time of such improvement.
15. Half street improvements will be necessary on SW 7th Street. This roadway will be considered a local road with a final minimum required width of 36 feet. A hammer head or cul-de-sac may be required to allow for turnaround for fire department and refuse collection vehicles.



June 5, 2012

We do Not Want the City to Make  
a street for 7<sup>th</sup> St and take over  
parking. The members of the Warrenton  
United Methodist Church.

5.C  
Public Comment

Sherry R. Holdeman

Steven Manesis

Candy Hendrickson

Violet B. Manley

Jene Davis

Anne Stark

Liz Pym

David H. Wane

Hette Blaw

Georgy Heroy



Received  
7/14/22

To: Warrenton Planning Commission  
From: Warrenton United Methodist Church  
Re: Rally Time LLC Street Improvement Variance

The Warrenton United Methodist Church will be affected adversely if the SE 7<sup>th</sup> Street right of way is improved as a half street. Our church will lose most of its parking lot as shown on your aerial photo on page 3 of the Pre-Application Memorandum from Collin Stelzig. The Methodist Church is the oldest church in Warrenton and was built in 1893, way before parking lots were thought of. Our church needs a parking lot for its members and church activities.

Our church has also recently welcomed back the Alcoholics Anonymous group that met in our church for years. Even though many people had gotten use to zoom meetings the last couple of years there was 53 people present for the very first AA meeting. The AA group is currently holding meetings three nights a week but plans to hold meetings seven days a week in the near future. AA needs the use of the parking lot.

Thank you for your consideration of our concerns.