

MINUTES  
Warrenton Planning Commission  
December 8, 2022  
6:00 p.m.  
Warrenton City Hall - Commission Chambers  
225 S. Main  
Warrenton, OR 97146

Chair Hayward called the meeting to order at 6:01 p.m. and lead the public in the Pledge of Allegiance.

Commissioners Present: Chris Hayward, Christine Bridgens, Mike Moha, and Lylla Gaebel

Absent: Karin Hopper, Kevin Swanson, and Ken Yuill

Staff Present: Planning Director Jay Blake and Planning Technician Rebecca Sprengeler

APPROVAL OF MINUTES

A. Planning Commission Meeting Minutes – 11.10.22

**Commissioner Bridgens made the motion to accept the minutes of the Planning Commission meeting of 11/10. Motion was seconded and passed with majority in favor.**

**Hayward – abstain; Bridgens – aye; Moha – aye; Gaebel – aye**

PUBLIC COMMENT ON NON-AGENDA ITEMS - None

PUBLIC HEARINGS

***5.B Side Yard Setback Variance***

Chair Hayward opened the public hearing in the matter of side yard setback variance application V-22-4, submitted by Yelena Belinskiy for 1180 S Main Avenue (taxlot 81028AB00600). Commissioner Moha owns property in the area, but it will not affect his decision. Commissioner Bridgens visited the site but feels it will not affect her decision. There were no other conflicts of interest or ex parte contact reported.

Planning Technician Rebecca Sprengeler presented the staff report. The applicant requested a variance to the North side yard setback standard from 8 feet to 6 feet. The Belinskiys purchased the property and obtained building permits in 2021 to remodel the existing house. It was determined that the addition on the back of the house was not originally permitted and would not be allowed to continue to be within the setback without a variance. The applicant has not been allowed to pour the foundation footings until a determination on the variance is made. The adjacent property owners at 1160 S Main provided comments in support of the application but were concerned about shipping containers in the backyard of 1180 S Main. They feel the

containers inhibit their ability to build a fence. The applicant's proposal meets most of the variance criteria, but further determination is needed by the Planning Commission regarding criteria A, B, and F related to reasonable use of the site and physical site characteristics precluding conformance with the code.

The applicant, Yelena Belinskiy, explained they purchased the house as it was. There is a shared driveway between 1180 and 1160 S Main that would be split by a fence, but Ms. Belinskiy would not oppose. Commissioner Gaebel noted expansion of the house could be made in a different direction to meet the code. Chair Hayward asked if the new foundation has been poured yet. Ms. Belinskiy noted it has not been poured yet. They plan to use the existing foundation footprint. It was noted there would be an economic hardship if not granted. Commissioner Gaebel asked about the shipping containers on the property as noted in the neighbor's comments. Ms. Belinskiy assured the commission that the containers are not in the neighbors' way and are on their own property. The containers are for material storage during construction. One will be removed after construction and the other will remain for storage. Chair Hayward asked if the container was closer than 8 ft from the property line. Ms. Belinskiy confirmed they were not. Discussion continued.

Chair Hayward called for public testimony. No one spoke in favor, opposition, or from a neutral position.

The Commissioners asked questions about the application. Staff clarified that there was an error on the building plans submitted that showed incorrect setbacks. Planning Director Jay Blake noted that reasonable use of the property will be the hardest criteria to meet because there are alternatives that would allow the setback to be met, but there are some economic considerations as well. He also discussed the lack of regulation for shipping containers in Warrenton. He suggested moving the shipping containers as a condition of approval. Commissioner Gaebel noted there was a business owner in the past that was forced to remove shipping containers. Chair Hayward feels nothing has changed from the previous footprint, the neighbor is not opposed, and moving the shipping containers would be a reasonable condition of approval. Commissioner Moha feels the variance would allow a small amount of square footage for the house, believes criteria A and B are met, and the flow of the house remains unchanged related to criterion F. Brief discussion continued about the shipping containers. Commissioner Gaebel noted that sheds are required to meet the setbacks and feels a shipping container should be treated the same. Chair Hayward asked the applicant if she would object to having the storage container 8 ft from the property line. Ms. Belinskiy confirmed that they are already more than 8 ft from the property line.

**Commissioner Moha made the motion to approve variance application V-22-4 based on the findings of fact in the staff report and determination by the Planning Commission that criteria A, B, and F are met adding that the containers will be 8 feet from the property line. Motion was seconded and passed unanimously.**

**Hayward – aye; Bridgens – aye; Moha – aye; Gaebel – aye**

### ***5.C L & D Race Tech Motorcycle Shop***

Mr. Blake requested the Planning Commission motion to table item 5.C until January.

**Commissioner Gaebel made the motion to table item 5.C until the January 12<sup>th</sup> meeting motion was seconded and passed unanimously.**

**Hayward – aye; Bridgens – aye; Moha – aye; Gaebel – aye**

### ***5.A Buoy 10 Landing Subdivision - Continuation***

Chair Hayward continued deliberations for the Buoy 10 Landing Subdivision SUB-22-2.

Mr. Blake presented traffic safety information for the area as requested at the last meeting. The Police Chief felt that the statistics were not abnormal from other areas in the community. The applicant recontacted ODOT regarding safety related to the curve on Pacific Drive. An email from Scott Nelson was provided to the Commission outlining support for the one-way horseshoe driveway on Pacific Avenue. ODOT requested the Planning Commission make a determination about sidewalks on Pacific. A video was received from a property owner showing flooding in the area on January 6, 2022. Staff noted that on this date, a state of emergency was declared as there was a major city-wide flooding event. Mr. Blake noted engineering is not part of the preliminary plat review then reviewed the applicable criteria. The density standards are met for the RM zone. The proposed name is not in use. There is some leeway for the stormwater and sidewalks that can be made conditions of approval. The applicant will need to have the City's consulting engineer sign off on the final engineering. Two parking spaces have been provided for each unit. Mr. Blake noted the garages are larger than normal, but not two-car garages. There was concern from Commissioner Gaebel that full-sized trucks would not fit in the garage. Mr. Blake noted the Fire Department approves of the layout because the units will be sprinkled. The proposed surface water management facilities will need to address water from buildings and impervious surfaces. Mr. Blake feels there will be some flexibility with alternative pervious surface materials. Covenants, Conditions & Restrictions will be reviewed and approved by the City Attorney. Mr. Blake noted there is no flexibility in approval, but there is in the engineering review prior to final plat approval.

Commissioner Bridgens noted concern that Seventh is too narrow for street parking and safe travel, being only 18' wide. Mr. Blake confirmed it is not a full-sized street. The city engineer recommends improvements to Seventh. The applicant is open to making improvements that are proportional to the project. Mr. Blake noted the Commission could direct the applicant to provide some on-street parking, but the code does not require it and it would affect all related developments moving forward. Commissioner Bridgens feels cars should not be parked on-street as it could restrict emergency vehicles. Discussion continued. Commissioner Moha feels sidewalks on Seventh should be addressed but is unsure about sidewalks on Pacific. Commissioner Gaebel agreed and discussed visitor parking that is often at apartment complexes. Mr. Blake responded that it seems like extra parking and noted the parking requirements for different housing types. He discussed the State's reduction in parking requirements to shift to transit systems. Mr. Blake requested clear findings of fact be made for the record. Commissioner Gaebel would like sidewalks on Seventh with the hope they will continue in the future. She is in

opposition to the sidewalk in-leu-of fees and likes the idea of alternative pervious surface. Commissioner Moha noted stormwater runoff cannot be increased and will need to be addressed in engineering. Mr. Blake would like to allow flexibility in engineering design to meet the intent of the code. Commissioner Gaebel feels more housing is needed but is concerned about traffic safety at Seventh and Pacific. Mr. Blake hopes when the city replaces the water main, they will also make improvements to the intersection. The statistics from the Police Department do not indicate any concern. Commissioner Bridgens noted concern about visibility turning from Pacific to the project driveway and feels a driveway should not be on the blind corner. Chair Hayward noted permits would be needed from ODOT that would not be easy to obtain. If approved, there is a lot more work that would need to be done before construction. Commissioner Bridgens asked if the number of units could be reduced. Chair Hayward felt this would not be appropriate because the proposal meets the code. Discussion continued about what will need to be addressed prior to the final plat. Mr. Blake emphasized that findings of fact would be needed in order to demonstrate that 7 units is too many. Commissioner Bridgens asked for photos of the housing.

Chair Hayward called for a brief recess at 7:17pm and resumed the meeting at 7:21pm.

Mr. Blake displayed and reviewed the preliminary elevations for the two-story units. There will be a yard in front and back. Commissioner Gaebel is concerned about parking in the yards. Chair Hayward noted a homeowner's association will be important in addressing this. Commissioner Gaebel would like conditions addressing the sidewalks on Seventh and drainage. Commissioner Bridgens feels the street parking issue needs to be addressed. Chair Hayward suggested a fire lane on part of the street. Mr. Blake noted the right-of-way is 70 feet wide and there is room to expand the road and include on-street parking. These street improvements will need to be addressed in engineering. It was noted that some of the yards on Seventh are in the right-of-way.

Chair Hayward reopened the hearing to request additional information from the applicant's engineer. Eric Hoovestol reviewed a proposed design for the half street improvements including new asphalt, curb, planter strip, and sidewalk. He discussed how they will address stormwater runoff. He clarified that Seventh would only be widened in front of the property. Commissioner Gaebel feels the design addresses the concerns. Chair Hayward closed the hearing.

Brief discussion followed about the conditions of approval that will be met by the proposed design. Mr. Blake feels widening the street is critical to reduce concern about emergency vehicles travel. It was confirmed that "sign a non-remonstrance agreement" on No. 5 was stricken out. Commissioner Gaebel would like to suggest that the preliminary design presented by Mr. Hoovestol be the starting point for the engineering design. Commissioner Gaebel would like to add this to condition No. 3. There was question about how many votes would be required to pass the motion, whether it was the majority of the quorum or the whole body.

Chair Hayward called for a brief recess at 7:40pm and resumed the meeting at 7:46pm.

**Commissioner Gaebel made the motion to approve the request of Nathan Johnson, Sunrise Homes, LLC for the Buoy 10 Landing Preliminary Plat application creating seven attached residential lots. The action is based on the following items: the findings of fact found in the staff memo dated October 13, 2022, and amended memo dated November 10,**

2022, the submittals from the applicant, the public and applicant comments made at the public hearing, the supplemental information presented by staff and applicant at the December 8, 2022, Planning Commission meeting. Said approval is subject to the conditions of approval below and as modified tonight: there will be sidewalks required on Seventh Avenue for No. 2. For No. 3, the site design presented at tonight's meeting shall be a starting point for site design and engineering. Motion was seconded and passed unanimously.

Hayward – aye; Bridgens – aye; Moha – aye; Gaebel – aye

Commissioner Bridgens asked when they anticipate starting the project. Engineering will take some time; they estimate next spring.

BUSINESS ITEMS – None

DISCUSSION ITEMS – None

GOOD OF THE ORDER


The Planning Department will budget for a code audit next year. Chair Hayward asked if there would be a joint session with the City Commission. Mr. Blake confirmed.

Chair Hayward attended the chair training recently and learned a lot and felt it is important that all members attend. He also noted a document Mr. Blake emailed about new State guidelines for residential developments. The State will be pushing for higher densities. Chair Hayward and Mr. Blake encouraged those present to make their voices heard on issues that are important to them.


There was a question about the City Commission's rejection of the psilocybin temporary moratorium ordinance. They will be reconsidering the ordinance at their next meeting.

There being no further business, Chair Hayward adjourned the meeting at 7:57 p.m.

APPROVED:

  
Chris Hayward, Chair

ATTEST:

  
Rebecca Sprengeler, Secretary