



AGENDA

WARRENTON PLANNING COMMISSION
Regular Meeting | March 14, 2024 | 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/85142805492?pwd=bEhjejNHafJSOHVnTOxOYktVZWx4UT09>

Meeting ID: 851 4280 5492 | Passcode: 12345 | Dial-in number: 253-215-8782

- 1. CALL TO ORDER & PLEDGE OF ALLEGIANCE**
- 2. ATTENDANCE**
- 3. APPROVAL OF MINUTES**
 - A. Planning Commission Regular Minutes – 2.8.24

- 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, planning@warrentonoregon.us, no later than 4:00 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. Conditional Use Permit (CUP-24-1), Battery 245 Brewery at 69 NE Heron Ave

- 6. BUSINESS ITEMS**

- 7. DISCUSSION ITEMS**

- 8. GOOD OF THE ORDER**

- 9. ADJOURNMENT**

Next Regular Meeting: April 11, 2024

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
 February 8, 2024
 6:00 p.m.
 Warrenton City Hall - Commission Chambers
 225 S. Main
 Warrenton, OR 97146

Vice Chair Bridgens called the meeting to order at 6:03 p.m. and led the public in the Pledge of Allegiance.

Commissioners Present: Kevin Swanson, Christine Bridgens, Mike Moha, Jessica Sollaccio, Karin Hopper, and Cynthia O'Reilly

Absent: Chris Hayward

Staff Present: Interim City Planner Scott Fregonese and Planning Technician Rebecca Sprengeler

3. APPROVAL OF MINUTES

A. Planning Commission Meeting Minutes – 1.11.24

Commissioner Sollaccio made a motion to approve the minutes. Motion was seconded and passed unanimously.

Swanson–aye; Bridgens–aye; Moha–aye; Sollaccio–aye; Hopper–aye; O’Reilly–aye

4. PUBLIC COMMENT ON NON-AGENDA ITEMS – None

5. PUBLIC HEARINGS

A. Conditional Use Permit (CUP-24-1), Battery 245 Brewery at 69 NE Heron Ave

The hearing will be postponed to the next meeting on Thursday, March 14, 2024, at 6:00 pm.

6. BUSINESS ITEMS – None

7. DISCUSSION ITEMS

A. Code Amendment, Chickens in City Limits

Mr. Fregonese gave a presentation on draft code criteria for keeping chickens and other birds in city limits. The Planning Commission discussed the topic in August and October. Complaints have increased recently so the ordinance is being brought forward again with a final draft expected for next month. Concerns about rodents are addressed in the enclosure criteria and penalties through permit revocation. The property would need a fence for chickens to roam outside the required coop. Enforcement would be the same as other ordinances with the potential

for citation. There was a public comment at an earlier meeting from kids who raise chickens for 4-H. This is a key piece of the community's culture. Discussion followed about increasing the maximum number of chickens allowed for properties less than 1 acre. The consensus was 12 chickens. An exception process for 4-H families was suggested. Mr. Fregonese will explore the best procedure for this. Discussion followed about roadside egg sales versus commercial sales. The consensus was in support of roadside egg sales. There was support for allowing coops in front yards to contribute to a sense of place and community. The permit process will include an application and adjacent property owner notification. Staff need to decide on permit and penalty costs.

B. Code Amendment, Shipping Container Update

Mr. Fregonese noted the shipping container ordinance was recommended to the City Commission for approval with a request to make the permits non-transferable upon the sale of the property. The City Attorney is rewriting the ordinance to make this change. The initial City Commission hearing is anticipated in March.

8. GOOD OF THE ORDER

The new Planning Director will start on April 1st. Mr. Fregonese will be here in April as well. The Department of Land Conservation and Development awarded 3J Consulting the residential code audit contract. Mr. Fregonese will be the consultant on the project starting in March once the contract is in place.

There being no further business, Chair Hayward adjourned the meeting at 6:38 p.m.

APPROVED:

ATTEST:

Chris Hayward, 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: Scott Fregonese, Interim City Planner
DATE: March 7, 2024
SUBJ: CUP FILE #: 24-01
 69 NE Heron Avenue, Battery 245 Brewing
 Taxlot: 81022BC06900

BACKGROUND:

Alpha Brewing Operations submitted a conditional use permit application for the Battery 245 Brewing Company. The projects include the refurbishment of the RV repair and retail building located on NE Heron Avenue and replacing the use of the building with a brewery, tap house, and restaurant.

The subject parcel is zoned General Commercial (C-1). Section 16.40.030 of the Warrenton Development Code (WMC) requires that development of and processing use such as a brewery to be a conditional use permit (CUP). In order to review these proposed upgrades staff suggested that a CUP be considered by the Planning Commission in order to appropriately evaluate the Brewery phase of this development.

The request is to convert the existing building into a brewery, tap house, and restaurant. The beer produced would be sold on site with the intent of providing product to the local community provided there is a surplus of inventory beyond the capacity of the tap house.

PUBLIC PROCESS, PROCEDURES & PUBLIC NOTICE:

Applicable Warrenton Municipal Code (WMC) chapters for this modification include:

WMC 16.40 General Commercial (C-1)

WMC 16.208.050 Type III Procédure (Quasi-Judicial).

WMC 16.220 CONDITIONAL USE PERMITS

Application materials were submitted on January 17, 2024; and determined to be complete on January 23, 2024. Public notice was mailed to affected property owners on January 19, 2024, 20 days before the February 8th hearing date. Notice was published in the *Astorian* on January 27, 2024.

CODE PROVISIONS, APPLICANT RESPONSES, AND FINDINGS:

16.40 General Commercial (C-1)

16.40.030 Conditional Uses

A. The following uses and their accessory uses are permitted in all other C-1 zoned areas within the City limits of Warrenton (4) Processing uses such as bottling plants, bakeries, coffee roasters, and commercial laundries.

APPLICANT RESPONSE: We will be using an existing building that previously housed an RV repair and retail business and putting a brewery, tap house and restaurant in its place. The brewing factory side will take approximately 30% of the building and will be used to produce beer mainly for the tap house and restaurant joined in the same location. If there is any extra products available we would sell them in the tap house and/or to local bars and restaurants in the Warrenton area.

STAFF FINDING: Based on the description of the proposed use provided, the development of a brewery would qualify as a conditional use under subsection (a) of 16.40.030. The processing and sale of beer represented in the applicants description of proposed land use meets this standard. This criterion is met.

16.208.050 Type III Procédure (Quasi-Judicial).

STAFF FINDING: The applicant submitted all required documentation, application forms and paid the required fees. All public notices were mailed and published pursuant to Section 16.208.050 of the Warrenton Municipal Code. Written and verbal public comments will be added to the record. This criterion is met.

16.220 CONDITIONAL USE PERMITS

16.220.030 Review Criteria

1. The proposed use is in conformance with the Comprehensive Plan.

APPLICANT RESPONSE: As the Plan states to increase a strong commercial core within the city of Warrenton and promote new businesses that help in economic development. We were targeted to come to Warrenton by the Mayor to bring our brewery to the downtown area. We will stimulate the local economy and give jobs to citizens in the area.

STAFF FINDING: Staff find that the request is consistent with goals in the Warrenton Comprehensive plan related to the promotion of economic development in the downtown area. This criterion is met.

2. The location, size, design and operating characteristics of the proposed use are such that the development will be compatible with, and have a minimal impact on, surrounding properties.

APPLICANT RESPONSE: The location is already developed. We will be putting a brewery in 1/3 of the building. No noticeable changes will occur on the outside. We are a low impact business that will generate little to no noise outside the building.

STAFF FINDING: The building is already constructed therefore no exterior dimensional standards or characteristics of the proposed use will cause any additional impact on the surrounding properties. Based on the existing characteristics of the site, surrounding compatible commercial uses, and written response from the applicant, this proposal meets the standards of minimal impact and compatibility for the surrounding area. This criterion is met.

3. The use will not generate excessive traffic, when compared to traffic generated by uses permitted outright, and adjacent streets have the capacity to accommodate the traffic generated.

APPLICANT RESPONSE: We are not adding to the existing outside building. The brewery will not have customers coming into the factory. The only cars and traffic will be from employees and there are only 3 that will work in the brewery. The employees are the three owners of the businesses.

STAFF FINDING: The brewery will not have customers generating traffic to the site according to the applicant. Only three employees are set to be working at any given time that would increase daily generated trips. Staff finds the existing street connectivity to meet the capacity necessary to accommodate any additional traffic generated from this development. This criterion is met.

4. Public facilities and services are adequate to accommodate the proposed use.

APPLICANT RESPONSE: We met with the city services and the water and sewer will be low impact. We are increasing the water line size to the building which the city felt was OK. Gas is already connected to the building and the electricity was very old, so we are currently working with the city and Pacific Power to update the power to the building.

STAFF FINDING: The existing water line is not sufficient to serve the required capacity needed for the proposed use. The applicant is required to install a new water line to serve the capacity needs of the brewery. A condition of approval has been issued with this staff report to ensure compliance. Any additional utility work will be required to be completed at the time of building permit.

5. The site's physical characteristics, in terms of topography, soils and other pertinent considerations, are appropriate for the use.

APPLICANT RESPONSE: The building is already developed and we anticipate no changes to the current building.

STAFF FINDING: The building to be used is already constructed as the applicant stated. The site's characteristics will not be disturbed beyond the installation of utilities. This criterion is met.

6. *The site has an adequate area to accommodate the proposed use. The site layout has been designed to provide for appropriate access points, on-site drives, public areas, loading areas, storage facilities, setbacks and buffers, utilities or other facilities which are required by City ordinances or desired by the applicant.*

APPLICANT RESPONSE: The brewery matches the intended use as it was already equipped with parking, landscaping, driveways, Etc and no changes are needed.

STAFF FINDING: The site has already been developed to accommodate the proposed use. No additional parking, landscaping, loading areas, storage facilities, or other development will be required with this proposal beyond the installation of utility lines. This criterion is met.

7. *The use is appropriate at the proposed location. Several factors which should be considered in determining whether or not the use is appropriate include: accessibility for users (such as customers and employees); availability of similar existing uses; availability of other appropriately zoned sites; and the desirability of other suitably zoned sites for the intended use.*

APPLICANT RESPONSE: This is a city owned building and the city leased it to us with the understanding that we would be putting in a brewery, tap house, and restaurant. It is always desirable to put a brewery next to the tap house.

STAFF FINDING: The proposed location on NE Heron Avenue is appropriate for the proposed use. The site and surrounding lands are in the City's General Commercial zone. Nearby commercial uses include Encore Dance Studio, Warrenton Marina, Nisa's Thai Kitchen, Raft Shop for Englund Marine, Royal Fadez Barbershop, and Bridgeport Oral and Implant Surgery Center. There is no commercial processing uses within this surrounding area. Instead, surrounding commercial uses along NE Heron Avenue are service providers. The proposed use will provide a new service to the surrounding area. Based on this, the Planning Commission can find the proposal consistent with this conditional use criterion.

CONCLUSIONS AND RECOMMENDATION

The proposal appears to meet applicable standards and approval criteria; or can meet them with approval conditions. Staff recommends that the proposed conditional use permit be approved, subject to the following conditions:

Conditions of Approval:

1. Private sewage disposal must comply with all municipal codes including WMC Chapter 13.08 SEWER SYSTEM REGULATIONS 13.08.050 Use of public sewers.
2. Install a new additional water line in compliance with WMC Chapter 13.04 WATER DEPARTMENT REGULATIONS 13.04.030 Installation.
3. Meet all building permit requirements including but not limited to the following:
 - a. Parking and circulation plan compliance with WMC Title 16 DEVELOPMENT CODE Chapter 16.120 ACCESS AND CIRCULATION and Chapter 16.128.030 Vehicle Parking Standards
 - b. Landscaping plan in compliance with WMC Title 16 DEVELOPMENT CODE Chapter 16.124 LANDSCAPING, STREET TREES, FENCES AND WALLS
 - c. Garbage screening and location in compliance with Engineering Design Standards - Chapter 7 Refuse and Recycling Routing and Enclosures
 - d. The subject property is within the FEMA 100-year Special Flood Hazard Area. A floodplain development permit will be required for any work related to this project.
 - e. The project may be determined to be a Substantial Improvement if the value of the project exceeds 50% of the real market value of the building. If it is determined that the project constitutes Substantial Improvement, the building will be required to be brought up to current floodplain development standards.

Recommended Motion:

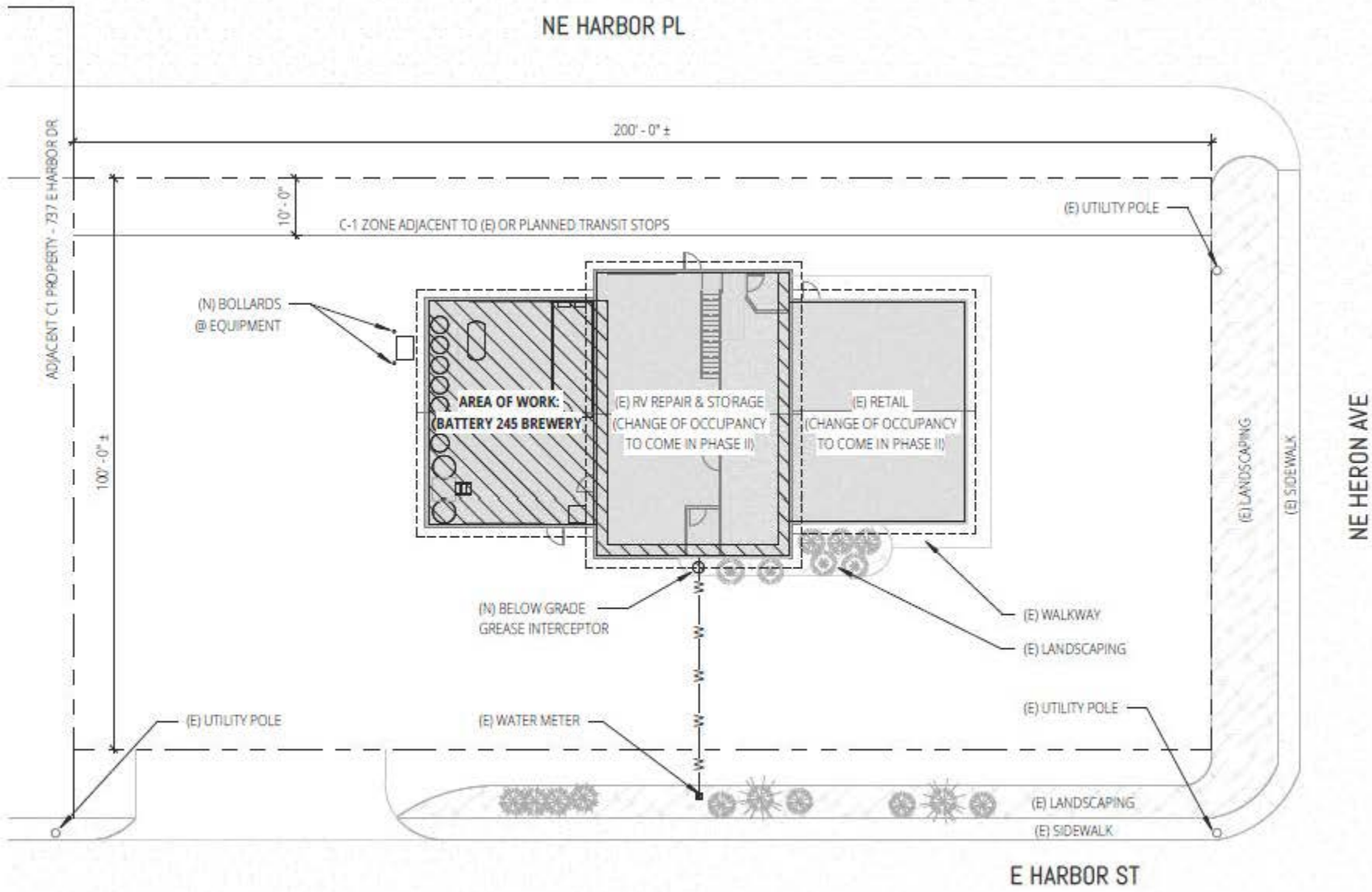
I move to approve Conditional Use Permit (CUP 24-01) for a Brewery to occupy a portion of an existing building located on tax lot 81022BC06900. The approval is based on the application, project submittals, public testimony, and findings of fact included in this staff report.

The approval is subject to the conditions of approval in the staff report.

ATTACHMENTS:

1. Submitted Site Plan
2. Submitted Application form

NE HARBOR PL



1 SITE PLAN
1" = 20'-0"





City Of Warrenton
Planning Department
Conditional Use Permit
WMC 16.220

OFFICE USE	FEE \$1,000 <i>waived</i>
	File# CUP <i>24 - 1</i>
	Date Received <i>1/17/24</i>
	Receipt# <i>917-24-000003-PLNG</i>

The purpose of the conditional use process is to allow, when desirable, uses that would not be appropriate throughout a zoning district or without restrictions in that district, but would be beneficial to the City if their number, area, location, design, and relation to the surrounding property are controlled. A property owner or designated representative may initiate a request for a conditional use by filing an application with the Planning Department according to the requirements of Section 16.208.050. In addition, the applicant shall provide any related plans, drawings, and/or information needed to provide background for the request.

Property

Address: 69 NE Heron Ave, Warrenton, OR 97146
Tax Lot (s): _____
Zone: _____ Flood Zone: _____ Wetlands: _____

Applicant

Name (s): Jon Elliot, Michael Ljungberg, Jeff Kilday
Phone: 503-440-7955 E-Mail Address: thebattery.245@gmail.com
Mailing Address: 69 NE Heron Ave, Warrenton, OR, 97146

Applicant Signature(s): *Jonathan Elliott* Date: 1/23/2024
Mike Ljungberg

Property Owner (if different from applicant)

City of Warrenton
Name (s): _____
Phone: _____ E-mail Address: _____
Mailing Address: PO Box 250 Warrenton OR 97146
Owner's Signature: *Jonathan Elliott* Date: 1/18/2024

I am a record owner of property (person(s) whose name is on the most recently-recorded deed), or contract purchaser with written permission from the record owner and am providing my signature as written authorization for the applicant to submit this application.

Description of Proposed Land Use

Conditional Use Permit Review Criteria

Please provide written responses to each of the criteria below that clearly explain how your proposal meets each item. Attach a separate piece of paper if needed. Be as specific as possible. "Yes" and "No" responses are not sufficient.

WMC 16.220.030

1. The proposed use is in conformance with the Comprehensive Plan.
As the Plan states to increase a strong commercial core within the city of Warrenton and that help in economc developement. We were targeted to come to Warrenton by the Ma the downtown area. We will stimulate the local economy and give jobs to citizens in the

2. The location, size and design, and operating characteristics of the proposed use are such that the development will be compatible with, and have a minimal impact on surrounding properties.
The location is already developed. We will be putting a brewery in 1/3 of the building. No will occur on the outside. We are a low impact business that will generate little to no noise

3. The use will not generate excessive traffic, when compared to traffic generated by uses permitted outright, and adjacent streets have the capacity to accommodate the traffic generated.
We are not adding to the existing outside building. The brewery will not have customers. The only cars and traffic will be from employees and there are only 3 that will work in the. The employees are the three owners of the businesses.

4. Public facilities and services are adequate to accommodate the proposed use.
We met with the city services and the water and sewer will be low impact. We are increa the building which the city felt was OK. Gas is already connected to the building and the very old, so we are currently working with the city and Pacific Power to update the power

5. The site's physical characteristics, in term of topography, soils and other pertinent considerations are, are appropriate for the use.
The building is already developed and we anticipate no changes to the current building.

6. The site has an adequate area to accommodate the proposed use. The site layout has been designed to provide for the building, parking, landscaping, driveway, on-site circulation, public areas, loading areas, storage facilities, setbacks, buffers, and utilities which are required by City ordinances.

The brewery matches the intended use as it was already equipped with parking, landscaping
Etc and no changes are needed.

7. The use is appropriate at the proposed location. Several factors which should be considered in determining whether or not the use is appropriate include: accessibility for users (such as customers and employees); availability of similar existing uses; availability of other appropriately zoned sites; and the desirability of other suitably zoned sites for the intended use.

This is a city owned building and the city leased it to us with the understanding that we are
putting in a brewery, tap house, and restaurant. It is always desirable to put a brewery in
the tap house.

Submittal Checklist

Applicants shall submit all of the following items on a site plan along with the application form. The site plan shall contain the following information:

- The proposed development site, including boundaries, dimensions, and gross area drawn to scale.
- Natural land features identified which are proposed to be removed or modified by the development, including modifications to existing drainage patterns, if any.
- The location and dimensions of all proposed public and private streets, drives, rights-of-way, and easements, if any
- The location and dimensions of all existing and proposed structures, utilities, pavement and other improvements on the site. Setback dimensions for all existing and proposed buildings shall be provided on the site plan.
- The location and dimensions of entrances and exits to the site for vehicular, pedestrian, and bicycle access, if being modified by the application.
- The location and dimensions of all parking and vehicle circulation areas (show striping for parking stalls and wheel stops, as applicable), and proposed paving materials.
- Pedestrian and bicycle circulation areas, including sidewalks, internal pathways, pathway connections to adjacent properties, and any bicycle lanes or trails.
- Loading and service areas for waste disposal, loading and delivery, if any
- Outdoor recreation spaces, common areas, plazas, outdoor seating, street furniture, and similar improvements.

- Location, type, and height of outdoor lighting.
- Locations, sizes, and types of signs (shall comply with Chapter 16.144).
- The Planning Department may require studies or exhibits prepared by qualified professionals to address specific site features (e.g., traffic, noise, environmental features, site drainage, natural hazards, etc.).
- The applicant's entire tax lot and the surrounding property to a distance sufficient to determine the location of the development in the City, and the relationship between the proposed development site and adjacent property and development. The property boundaries, dimensions and gross area shall be identified.
- Identification of slopes greater than 10%.
- Any areas identified as located in a designated floodplain and/or floodway, if any
- Depict any wetland and riparian areas, streams and/or wildlife habitat areas, if any.
- Site features such as pavement, areas having unique views, and drainage ways, canals and ditches, if any.
- Any designated historic and cultural resources areas on the site and/or adjacent parcels or lots.
- North arrow, scale, names and addresses of all property owners.
- Name and address of applicant, project designer, engineer, architect, surveyor, and/or planner, if applicable.
- Letter or narrative report documenting compliance with the applicable approval criteria including the conditional use criteria, zoning development standards, and applicable design standards. Please see the Planning Staff for applicable design standards.

This application will not be officially accepted until department staff have determined that the application is completely filled out, signed, the application fee has been paid, and the submittal requirements have been met.

Rebecca Sprengeler

From: Christian Jensen
Sent: Friday, January 19, 2024 12:03 PM
To: Hallie Homolac; Rebecca Sprengeler
Subject: RE: Public Notice | Battery 245 Brewery Conditional Use Permit (CUP-24-1)

Notice for Building Department:

The documents, as submitted by the applicant during this conditional use permit application process (CUP-24-1), are considered conceptual in nature and do not allow, nor are they subject to, a comprehensive Building Department review at this time. Upon completion of land use planning, and engineering review and approval, building plans will be required to be submitted. The building plan submittal may require a copy of documentation including but not limited to civil plans, site plans, structural construction plans, structural design calculations, energy compliance documentation, plumbing plans, electrical plans, mechanical plans and technical specifications. Design criteria and building department forms are available on our website at <https://www.ci.warrenton.or.us/building>

Christian Jensen

Building Official | City of Warrenton
Office : 503-861-0920
Mobile : 503-440-5070
Fax : 503-861-2351
P.O. Box 250 | 225 S Main Ave
Warrenton, OR 97146
[ci.warrenton.or.us](https://www.ci.warrenton.or.us) | [facebook.com](https://www.facebook.com)

“Making a difference through excellence of service”

This message may contain confidential and/or proprietary information, and is intended for the person/entity to which it was originally addressed. If you have received this email by error, please contact the City and then shred the original document. Any use by others is strictly prohibited.

RECEIVED

FEB 07 2024

BY 
CITY OF WARRENTON



TURNED IN TO PLANNING
2-7-2024

WARRENTON PLANNING COMMISSION PUBLIC COMMENT FORM

NAME: ROY ALLGEYER

ADDRESS: 92210 WHISKEY RD WARRENTON

EMAIL: royallgeyer@gmail.com

DOES YOUR COMMENT HAVE TO DO WITH AN AGENDA ITEM: (Y or N) Y

IF YES, WHICH ITEM? Brewery 245 conditional use

BRIEFLY DESCRIBE YOUR TOPIC: CONCERNS ON PARKING/TRAFFIC IMPACT/

EXTRA WASTEWATER/ WHETHER PROPER FIT NEXT TO EXISTING CHILDREN ACADEMY

PLEASE GIVE THIS CARD TO THE SECRETARY PRIOR TO THE START OF THE MEETING OR EMAIL TO RSPRENGELER@CI.WARRENTON.OR.US BY 4:00PM THE DAY OF THE MEETING.

Once this card is submitted to the Secretary, it becomes a part of the permanent public record.

Rebecca Sprengeler

From: allison melton <postalpirate2003@yahoo.com>
Sent: Thursday, February 8, 2024 10:57 AM
To: Rebecca Sprengeler
Subject: Battery 245 Brewery Company Concerns

To Planning Technician Rebecca Sprengeler,

I am a property owner in the area of where Battery 245 Brewing Company is proposing to open a business at 69 NE Heron Ave - Taxlot 81022BC06900. Below are a list of concerns with a brewery being placed in the neighborhood.

Concerns:

- Noise from establishment
- Smell from the brewery
- School in the same parking lot and parking with students in the area and alcohol being served
- What are the operating hours going to be, how many parties are going to be held at the establishment
- It might be labeled as a Brewery but it is really a bar and serves alcohol
- Will it put an additional burden on the sewer system? We already see what the breweries are doing to Astoria's sewer systems. Will the sewer system need upgraded because of the new overload being placed on it. And will the property tax payers have to pay for another bond like we are already paying with the schools for the now needed upgraded sewer system. I honestly do not see why the majority of the community should have to pay for this upgrade for this establishment.
- Will the Brewery increase property taxes and decrease the value of the property in the area now that basically a bar will be right there.
- Traffic flow in and out with the school especially during busy hours or events. Will law enforcement be needed to flow the traffic because of the congested area and roads.
- Why does it need to be at this particular location? More important/useful things for the community could be placed there. Other vacant properties are available in Warrenton such as the restaurant by Shilo Inn and various vacant shops in the plazas that provide plenty of space that do not have a school right next to it and will not jeopardize the safety of the children at the school in the same parking lot.
- How come an alcohol establishment and not something useful to the community when Clatsop County already has a problem and this will just add to it. Also this seems to be more catered towards tourists and alcohol consumption rather than the community itself.
- How can a liquor license be issued in good conscience when the brewery is going to literally share the parking lot with a school. I have researched and Oregon does not have regulations on how close alcohol can be served within a school.
- Is this the same brewery that has already remodeled/torn up a building in Warrenton and did not follow through, why are they being given another opportunity to possibly destroy another building that could be used for other things.
- How is the city going to respond to an incident when a customer from the brewery hits a child.

I get the idea of spruce up Warrenton and getting tourists into the area and not just passing by without stopping but a Brewery at this particular location is not the way to do it. Overall I think Warrenton as a whole can do better then placing a Brewery next to a school. Lets be honest and no one wants a Brewery/Bar and party location built next to there house or in there neighborhood, and let alone next to a school full of children,

Thank You,
Allison (Kyle) Melton
Property Owner of
80 SE Galena

PUBLIC HEARING TESTIMONY SIGN-UP SHEET

Conditional Use Permit (CUP-24-1)
Battery 245 Brewery at 69 NE Heron Ave

APPROVE

Name

Mailing Address

1. Roy ALLEGYER PO BOX 441 WARRENTON OR
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

PUBLIC HEARING TESTIMONY SIGN-UP SHEET

Conditional Use Permit (CUP-24-1)
Battery 245 Brewery at 69 NE Heron Ave

OPPOSE

Name

Mailing Address

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

Quasi-Judicial/Land Use Public Hearings Script

This is the time for a public hearing in the matter of Conditional Use Permit (CUP-24-1), for an application for New brewery and tap room in existing commercial building at 69 NE Heron Ave – Taxlot 81022BC06900.

(Open Hearing)

At this time I will open the public hearing. ***(tap the gavel)***

If you wish to speak, please fill add your name to the testimony sign-up form. As the presiding officer, I will recognize you from the form, or if I ask if anyone else wishes to speak. We need to determine how many people are here to testify and may limit individual speaking time to ensure that everyone has the opportunity to speak.

This hearing is being recorded. Please speak clearly. Once recognized, please step up to the podium and begin your comments by stating your name and mailing address for the record. We request all testimony be to the point, focusing comments on the relevant issues. To avoid repetitive or redundant testimony – if someone has already testified and made your point but you still wish to be on the record, please simply state that the previous speaker has raised your issue or state the written comments submitted on your card suffice.

The applicable substantive criteria pertaining to the application are as follows:

Warrenton Municipal Code Chapters:

16.40, 16.208.050, 16.220

Testimony, arguments and evidence in this hearing must be directed toward the applicable criteria or standards identified in the staff report, or to other criteria in the development code or comprehensive plan that you believe applies to this decision. The application before the Commission this evening must be decided based on these criteria. Despite the importance of other issues that may be raised during the public hearing, the authority of the Commission is limited only to those issues that address compliance with the applicable criteria.

Failure to raise a specific issue to afford the Commission and the parties an opportunity to respond to the issues precludes an appeal to the Land Use Board of Appeals based on that issue.

Failure of the applicant to raise specific constitutional or other issues relating to proposed conditions of approval to allow the City to respond to the issue precludes an action for damages in circuit court.

We will conduct this hearing as follows:

- Commission ethics disclosures.
- Presentation of the staff report.
- Commission questions of staff.

- Presentation by the applicant.
- Commission questions of the applicant.
- Public Testimony:
 - Testimony in support of the application and neutral testimony.
 - Testimony in opposition to the application.
 - Rebuttal by the applicant.
 - Close of public testimony.
- Deliberation among Commission members with questions of staff as necessary.
- Motion to approve, approve with conditions, or deny the application.
- Commission vote on the application.

A decision may be made by the Commission at the close of the hearing, or the matter may be continued to a time and date certain in the future. If the matter is reset to a date certain in the future, this will be the only notice of that date you receive.

We shall now commence.

(Disclosure by members of the Commission.)

Do any Commissioners wish to disclose any ex parte contacts, bias or conflicts of interest. Please indicate the nature and extent of the ex parte contact, bias or conflict of interest and indicate whether you intend to participate in or abstain from the hearing.

Do any members of the Commission have conflicts of interest with the application?

Have any members had any ex parte contacts regarding the application?

Have any members visited the subject site?

If you have a conflict or have had such contact of bias, do you believe you can still make a fair and impartial decision?

Does any member of the audience wish to challenge any Commission member's impartiality for the record?

(Presentation of the Staff Report.)

Would staff please present the report.

Do any members of the Commission have any questions of staff about this application?

(Testimony from the Applicant or Applicant's Representative.)

Would the applicant like to make a presentation?

Do any members of the Commission have any questions about this application for the applicant?

(Public Testimony.)

I will now open the public testimony portion of the public hearing. Please hand me the sign-up sheets for the speakers.

OPTIONAL – If there are numerous people wishing to speak, individual testimony will be limited to _____ minutes per person, both pro and con, as well as neutral testimony.

(Testimony in Support of the Application.)

“We will now hear from those wishing to speak in support of the application. Please direct all testimony to the Commission.

(Presider calls the first name on the support list, and so on.)

That is all of the names on the support list. Is there anyone else who has not testified who wishes to speak in favor of the application?

(Neutral Testimony on the Application.)

Is there anyone who has not testified who wishes to speak as neutral to the application?

(Testimony in Opposition to the Application.)

We will now hear from those wishing to speak in opposition to the application. Again, please direct all testimony to the Commission.

(Presider call the first name on the opposition list, and so on.)

That is all of the names on the opposition list. Is there anyone else who has not testified who wishes to speak in opposition to the application?

(Applicant Rebuttal.)

The applicant now has the opportunity to offer a rebuttal or closing statement. Do you wish to speak?

(Close the Public Testimony Portion of the Hearing.)

I will now close the public testimony portion of this public hearing, and open the Commission deliberations on the application.

(Commission Deliberations.)

(Commission members deliberate among themselves and may ask staff questions as needed.)

MOTION IS MADE

VOTE ON THE MOTION