

«Making a difference through excellence of service»



CITY OF WARRENTON

Planning Commission

Agenda

July 14, 2016

1. Greetings
2. Attendance
3. Flag Salute
4. Public Hearing Continued: Consideration of SDR 16-4 and VAR 16-1, Gramson Duplexes SW Kalmia Avenue Extension

Action Item

5. Public Hearing: Development Code Violation—Andy Silvis

Action Item

6. Approval of June 9, 2016 meeting minutes
7. Other business
8. Adjourn

"Making a difference through excellence of service"



CITY OF WARRENTON

July 8, 2016

To: Warrenton Planning Commission

From: Skip Urling, Community Development Director

Re: SDR 16-4 and VAR 16-1—Gramson Duplexes SW Kalmia Avenue

At the end of the June 9th public hearing on the applications referenced above, the Planning Commission left the record open for additional written comments only. The seven submitted comments are attached, as is the response to those comments from the applicant's engineer.

Staff continues to stand behind the findings and conclusions of the June 3rd report to the Planning Commission, including the recommendation to approve the site design review and variance applications, with the four conditions, as revised below. The revision is underscored.

1. At the time of grading permit application and utility construction plan submittal, the applicant shall submit a detailed geotechnical report for the review and approval of the city engineer. The report shall describe:
 - Existing cuts and fills
 - Proposed cuts and fills
 - Slope stability of existing and proposed cuts and fills
 - Stability of the proposed retaining wall
 - All measures to stabilize the slope on the east side of the property
 - Measures to prevent sand migration from the hill side

If the slope stabilization includes planting vegetation, a detailed planting plan identifying the species, the planting methodology, and spacing shall also be submitted. All stabilization measures shall be completed prior to the issuance of any building permits, and shall include the south facing slope adjacent to Tax Lots 81020AA00400 and 00300.

2. The applicant shall submit a detailed stormwater management plan for review and approval by the city engineer with the utility construction plans.
3. The private road shall be 26 feet wide, 20 feet on either side of the two fire hydrants to ensure emergency vehicle access. The curbs shall be painted red, and posted with signs stating "No Parking—Fire Lane" on both sides of the street. The number of signs and locations shall be approved by the Fire Chief prior to installation. The bulb outs of the pavement at the fire hydrants will likely necessitate shifting the development north.

Warrenton Planning Commission
Gramson Duplexes SW Kalmia Ave
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Page 2

4. The applicant shall submit a detailed landscaping plan showing not only the planting details included in the application, but also the species, spacing with dimensions, and sizes per WMC 16.124.070.D.

Recommended motion:

Based on the findings and conclusions of the June 3, 2016 staff report, I move to approve SDR 16-4, Gramson Duplexes SW Kalmia Extension, and the associated variance to the dead end street length standard, subject to the four conditions of approval in the July 7, 2016 supplemental staff report.

Enclosures

Regarding Gil Gramson's application to build 9
Sets of Duplex Townhomes...

We, Jay & Sue Bandeen, HIGHLY OPPOSE his
application.

We live at 101 SW Juniper and own the 4
Deeded Properties that border the proposed
property being considered of said application.

You CAN NOT grow property, and Mr. G.
Gramson has/is disturbing our property as it is.
(see attached pictures)

We are also concerned over what problems
may arise on OUR property with trespassing
and vandalism if this should pass.

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Jay Bandeen
Sue Bandeen

June 16, 16

pg. 1 of 2
SB



Bandeen SW Property Line June 14, 2016



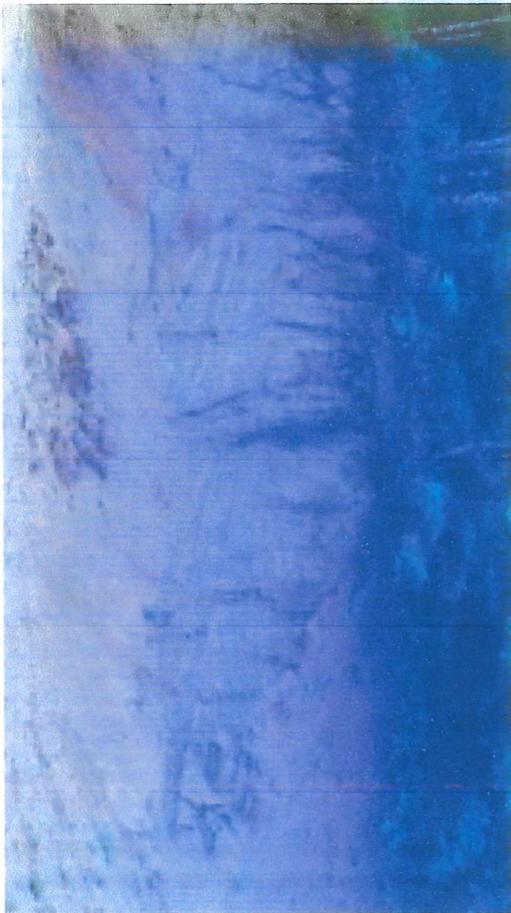
West in front of G.G. Shop June 14, 2016



Northwest End -----

Corner Property Line

June 14, 2016



Skip Urling
Community Development Director
Warrenton City Hall
PO Box 250
Warrenton, OR 97146



June 16, 2016

To Whom It May Concern,

We are writing to oppose the proposed duplex townhomes at the development site in the northern terminus of SW Kalmia Avenue. In building these townhomes the integrity of the neighborhood will be diminished. The residents of this neighborhood have worked hard to keep this a safe and respectable community. We take pride in being a community where families want to settle down. Unfortunately the construction of these proposed duplex townhomes will have a negative impact on our community. Not only are there several safety concerns, there is also the issue that these homes will be rentals and not privately owned. The streets will be flooded with unnecessary cars because the residents of the duplexes will not be able to park on the street. The southern end of SW Kalmia Avenue will undoubtedly be used for overflow parking. There is also the concern of children being able to play safely. Before we moved into the neighborhood we were told that a park/playground was to be constructed on SW Kalmia Avenue. This area is now an unsightly wasteland.

Adding rental properties to a single family neighborhood will greatly affect all of the residents as there are less expectations on renters to maintain, if any, landscaping and appearance of the homes. Typically renters do not hold the same standards of maintaining a home. Everyone in this neighborhood has worked hard to cultivate a safe and neighborly community; it would be a shame to see this neighborhood decline which unfortunately happens oftentimes with an influx of renters.

Sincerely,
Chris and Kristina Cart
201 SW Kalmia Ave
Warrenton, OR 97146

A handwritten signature in blue ink, appearing to be 'Chris and Kristina Cart'.

June 17, 2016

RE: Tax Lot 81020AA00700 - Development Project

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Warrenton Planning Commission

ATTN: Skip Urling, Community Development Director

Dear Mr. Urling;

I would like to apologize for my very emotional behavior at the meeting and did not follow protocol. I am not familiar with how city governments run, but I am trying to learn. I know the City Planning Commissioners are doing their best for ALL of us. I know that they are honest and ethical people. They will need all of the information to provide a fair and unbiased ruling. This proposed project could have a very detrimental affect this subdivision and beyond. We need to explore the future the ramifications of such a development before any building is done. Please take into consideration the following:

1. A traffic study should be conducted on all the streets that access the main thoroughfares in this subdivision (not just the proposed project area):

- a) from SW Kalmia at the North terminus to 2nd street East towards SW Gardenia (dangerous "L" turn") to NW 1st ST to NW Warrenton Drive
- b) from SW Kalmia at the North terminus to 2nd street East towards SW Gardenia (dangerous "L" turn") right turn to SW 1st PL to right turn to SW Elm Ave to left turn to SW 2nd (past City Hall and Police Dept.) to Main ST
- c) from SW Kalmia at the North terminus turn left onto 2nd street East towards right onto SW Juniper to SW 9th left past the school and out to S. Main or right out to SW Ridge RD
- d) from SW Kalmia at the North terminus along the curve of the road East turn right onto SW Juniper to left past the school and out to S. Main or right out to SW Ridge RD

In reality, there are only two exits from the entire Juniper Ridge subdivision. The traffic is already dangerous to our children. Our present traffic is at a maximum level for a nice development of single family homes. The streets here seem to be a minimum residential width. To keep children safe, no additional traffic is advised.

2. Many of the homeowners in this area, including my husband and I, were unaware that further developments were proposed here. If we had known, we might have reconsidered our purchase. Kalmia is a dead end street next to the wetlands at the very end of the subdivision, it didn't appear that anything else could or should be built here. During the recent meeting, the developer's representative assured us that no more growth would happen after these duplexes. Can we believe this? Letters from the police, fire and city engineer have indicated that this is not a

good project for this area. If building codes can be minimized, altered or ignored to allow for these duplexes, can we trust the city community design team to keep us safe? This project should have been rejected already. If the codes allow of them then our building codes need to be either adhered to or rewritten.

3. These duplexes will seriously affect the property values of the surrounding homes. Good community planning should not allow for diminishing present residents' home values due to poorly located duplexes. Unless they can be sold as single family residences and meet the standards for this area, then they do not belong. The builder is currently completing a single-family home worth well over \$300,000 within 100 feet from these duplexes. Isn't this a violation of a code?

4. In my first letter, I addressed several things that were not covered in the planning reports and not addressed at the meeting. The public was held to three minutes per person and items were discussed. All the citizen's questions need to be answered. These duplexes should not even be considered due to their location and access. More investigations need to be done by nonbiased agencies. A new geotechnical evaluation is needed along with DEQ, EPA-Wetlands, Environmental Protection Study and Traffic Studies. Also, no information was given about how would the duplexes be managed? Will they have covenants or by-laws etc.? Oregon Tenant Laws apply, don't they? Where is this information?

5. The only suggested answer to the parking situation was that the police would have to patrol more and give tickets to current residents. For what, parking in front of their own homes that they purchased in good faith? I feel that the reason residents' park on the curbs is because the streets are narrow and only one car can get through at a time. I think they do it to be good neighbors. Having the duplexes over-flow parking would exacerbate this problem.

Please plan for the public good. Please promote neighborhood harmony and cooperation for a safe and secure community. Please reject this proposal.

Respectfully,



Susan Dickerson

160 SW Kalmia

Janice Weese

From: Natalie [nataliehankwitz@yahoo.com]
Sent: Thursday, June 16, 2016 10:59 AM
To: Janice Weese
Cc: Kurt Fritsch
Subject: Opposition letter to duplex build on Kalmia

Dear Board Members,

I was in attendance at the meeting held June 9th. I am on the record for the proposed building of duplexes on the end on SW Kalmia Ave. I think it is worthy to note that Mr. Gil Gramson was not in attendance, however over 50 community members were present. I would like to take this opportunity to represent myself and my husband and submit in writing that we are strongly against this proposal and urge you to vote no.

There were several good reasons brought up during testimony that this property would be a nightmare. One of the biggest issues addressed was the 20 foot street that will be used to access these duplexes. It is too narrow to park on creating an issue with parking in front of houses on the existing Kalmia. Additionally Mr. Urling indicated both sides of the street will be painted red and patrolled by police for citation. The proposed street is also too narrow to have emergency vehicles, school busses and sanitation vehicles turn around on.

It was also stated this street will be the lowest grade of street with the capacity for 250 vehicles per day. Mr. Urling offered that while he did not do a traffic survey he estimated that each tenant would have 10 trips per day on that road. The proposed units are built for capacity of 2 vehicles. I sought clarification on this matter during the meeting as I concluded that is 36 vehicles in and out 10 times per day leaving 360 trips per day on a road graded to support 250 vehicles. Mr. Urling confirmed my estimation but did not address the 90 additional trips for this grade of road. The provisions for this road are unfair to possible future families that would live in those duplexes. Additionally no consideration has been given to the increased traffic, 360 possible trips by residents only, to the other streets of SW Juniper, SW 2nd, SW 1st and the existing SW Kalmia. It is also fair to say this estimation did not include the many trips made daily by Sandridge Construction vehicles and dump trucks.

Another alarming detail brought to attention by board member Christine Bridgens at the city meeting was that this property where 18 units, 9 duplexes will be built has the ability to support only 1 single family home. This statement alone should speak volumes as to why these duplexes should not be built.

Many residents testified that this community was promised, some entered in contract, to us by Mr. Gramson to have no additional building, excluding the addition of a public park provided for the many children that live in the existing homes. There is still no indication as to when the city park would be finished. Residents, including ourselves, sought out this community to build in because of the atmosphere, safety and security it provided. We spent our hard earned money on down payments and building costs and continue to spend monthly on our mortgage payments. We would expect that the moment those duplexes begin construction our property value would be diminished significantly. It would be a shame to disallow the value of a community of homeowners to build a group of rentals for one person's financial gain.

Thank you for consideration of our written testimony.

Respectfully,
Natalie and Nathan Hankwitz



To whomever it may concern,

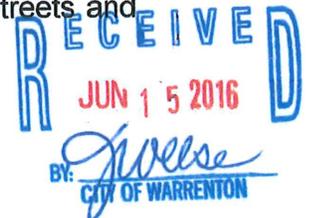
Re: the proposed building of the townhouses at the end of SW Kalmia Ave in Warrenton.

We are most definitely opposed to the building of the townhouses at the end of SW Kalmia Ave. We are even more opposed to the idea after attending the last city council meeting and hearing more in detail the plans that are involved in the building of the townhouses.

First and foremost this is a middle class neighborhood where hardworking families have chosen to build their homes. We chose the location of our home knowing that our children could grow up in an area that is a clean and safe living environment. We value the look and cleanliness of our home and appreciate being surrounded by neighbors that also have the same home values. We are highly concerned that the building of townhouses that will be used as rental houses will significantly bring down the value of the homes that we have worked so hard to build. We fear that the townhouses will become an eyesore at the end of the street that will not only be visually unappealing but also lacking in the security we have found in our safe neighborhood.

The limited building space and the narrow road for the townhouses brings up a huge concern of a parking issue that will most definitely arise. It was mentioned that each housing unit will have available to them only two parking spaces, one of those parking spaces being a single car garage. Especially in small rental unit it cannot be expected that a single car garage will be utilized as parking instead of for storage. This leaves one guaranteed available space per unit. Many families will have even more than two vehicles in their household, for example have teenage drivers with an additional vehicle been taken into consideration? The overflow of these vehicles will have nowhere to park other than in front of our homes, down our streets, in the cul-de-sac, and they will be crowding our sidewalks. The roads through our neighborhood are already narrow leaving little street parking, so many vehicles are parked partially or all the way on the sidewalks. Sidewalks should be available for walking and children riding bikes, instead we are walking in the streets to avoid the maze of vehicles. We most certainly do not want to have additional vehicles parking in front of and blocking our homes and driveways because there is no space for them to park in front of their own rental unit.

Excess traffic is another very large concern with having the townhouses built at the end of our street. It is baffling that planners do not feel it is necessary to do a traffic study on such an isolated location that has only one combined entrance and exit. There is already an overabundance of vehicles driving way too quickly down the street. As mentioned previously the streets must be utilized for walking and bike riding as the sidewalks are covered with parked vehicles, so the speed factor becomes an even larger concern while we are walking in the streets and



the traffic is more constant with the addition of the townhouses. We would like to request that if for any unfortunate reason the townhouses are indeed built that the city puts in some speed bumps not only on SW Kalmia but in the entire Juniper and SW 2nd Street neighborhood in an attempt to keep the vehicle speed maintained.

It also seems that traffic snaking through the neighborhood directly to the east of our building development is not only an inconvenience for that neighborhood but also will add unnecessary congestion. SW 2nd is not a road that goes straight through for easy access into our neighborhood but is highly traveled to either enter or exit. The corner of SW 2nd and Gardenia is a very narrow road and is not properly set up to handle the constant flow of traffic. With the addition of rental townhouses the flow of traffic there will be greatly increased causing danger to anyone either driving or walking through.

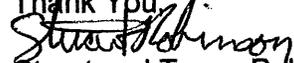
In the event that an emergency vehicle is needed to access the townhouses it does not sound like it can or will be done easily. Not only does this raise a concern of safety for the residents of the townhouses but also for the homes and families that are the closest to the townhouses. With the narrower than normal roads in front of the townhouses it concerning how a large emergency vehicle will have access to do their required job as well as have the space to turn around to exit. It was mentioned by a planner that the side of the street opposite the townhouses will be painted red and marked as a fire lane to prevent parking. Our question is, who is going to regulate the no parking? Quite frankly we believe that the City of Warrenton Law Enforcement has plenty of better things to do than write parking citations on a poorly planned and limited spaced dead end street.

It was mentioned that the area location for the townhouses is a space of fifteen acres, but what was failed to be included was the mentioning of a large portion of that space being either unbuildable wet lands or a hillside. It is not realistic to believe that all of that land can be utilized for building, which is where all the concerns for space, access, and parking have even developed from. The area where the townhouse buildings are proposed has a very unsafe hillside that many neighborhood children have been seen playing on. If in the unfortunate event that the townhouses are built, or even if they are not, it is requested that the safety of that property be addressed. That hillside should be maintained by the landowner either by a neat retaining wall or by planting vegetation to make it safer for the residents of our neighborhood.

In conclusion we would like to make it very clear that we are highly opposed to the addition of the townhouses being built at the end of SW Kalmia Ave. We love the home we have built and the neighborhood that we live in and would really like to maintain the middle class status neighborhood that has been built around us. When we picked and purchased our lot to build our home we were informed by our builder as well as Sandridge Construction that there would not be any

building past us. Proposing that townhouses be built is not keeping that promise to us homeowners. If these townhouses are built it makes us concerned that this set of townhouses will not be the end of the building process and it will only develop more and add to the traffic congestion, lack of security, and the decrease in the value of our homes. We ask that our voices and concerns really be absorbed as our homes, lives, and safety of our children is our number one priority in our opposing views of the building of the townhouses.

Thank You



Stuart and Tonya Robinson

161 SW Kalmia Ave Warrenton



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Dear Planning Commissioners,

BY: *[Signature]*
CITY OF WARRENTON

June 10, 2016

After attending the meeting to discuss the proposed duplex addition at the end of Kalmia Avenue, we were surprised Mr Urling recommended the duplexes should be approved. The people who live in the neighborhood are adamantly opposed to the project.

Let us explain. Mr. Urling stated that the property was more than large enough for the project. Fifteen acres seems like a large expanse. However, he neglected to mention that apparently only about five acres is suitable for building; the rest is wetlands. It was also mentioned that the wetlands have appeared to shrink over the past five years, a detail that is worthy of some further investigation by your panel. He stated that although there is only room for a one way road servicing the proposed complex, the fire, emergency and police response concerns were minimal, and proposed that policemen could ticket offending motorists who block the fire lane as a remedy to safety concerns. We're wondering whether the city of Warrenton can afford a dedicated patrolman for this endeavor on a 24 hour basis. This also raises the question of whether the city could be in jeopardy of a lawsuit if a disaster were to take place and emergency vehicles were unable to respond in a timely fashion. He also stated that although firemen prefer NOT to drive their trucks in reverse, the backing up would be minimal because there is a cal de sac nearby. He must have a better idea of how to handle emergency vehicles than the men and women who utilize them on a daily basis. When some patrons complained that they had not been notified of the proposed building, his response was that he had notified everyone living within 200 feet of the proposed site. Is there a reason he did not notify the rest of the community? When local homeowners took it upon themselves to notify the rest of us, you saw the overwhelming negative response to the proposal at the June 6 meeting. It just doesn't make sense for the city planner to bend, stretch, make exceptions and outrightly change the rules and zoning restrictions to accommodate such an unreasonable and "act of bad faith" proposal.

As people purchased homes in this subdivision, they were told it was dedicated to single family dwellings, there would be a park built, and housing development would stop at the present site. None of these promises will have been kept with this proposal. Mr Urling must surely know that these features were key selling points for most buyers. Our property values will most certainly be negatively affected by this project. We are also worried about increased traffic, children safety, overflow parking from the duplexes in front of our homes, poor emergency vehicle access, encroachment of the wetlands and the animals that live there, the unstable dune slope, overcrowded duplex layout (there will be 18 families in about the same amount of space as nine families are in now), and perhaps increased possibility of crime.

In the applicant's rebuttal, he addressed NONE of the community concerns. He talked some mumbo jumbo about taking down a work shed, moving trucks, etc. We were surprised that no one asked him to address the citizens' concerns.

We're asking you to oppose this project. There are many places in Warrenton to build duplexes, but the dead end of a single family housing subdivision is not appropriate. This building will not only break the promises that homeowners were given, but it also opens the door for future negative changes in zoning. Please don't follow the footsteps of many civic servants whose decisions benefit a single rich entity, and leave the unintended negative consequences to the community members who are forced to deal with them. Please make your decision as if you lived here.

Sincerely,
David Murphy
Cheryl Murphy

390 SW Gade Place
Warrenton, OR 97146

Skip Urling
Community Development Director
P.O. Box 225
Warrenton Oregon, 97146

Timothy Landis
171 SW Kalmia Ave.
Warrenton, Or. 97146

Dear Skip Urling,

I am writing in reference to the proposed development plan on the end of Kalmia Ave. I was unable to attend the meeting on June 9th because of my work schedule out of town. The "No Duplexes at the end of Kalmia Ave" issue.

I have talked to a number of the local residents that did attend that meeting however and I fully agree with the following 4 points that were brought up:

- 1) The increased traffic on this DEAD END street will be greatly increased to a dangerous level and the increased LACK of parking will be unmanageable. With all the small children in the neighborhood already, this will push the risk of injury and safety of the established residents to an extreme. And another note, it is in a local tsunami hazard zone, so in the event of a call to evacuate, (and as much as we say to not panic, we know there will be one) that ONE WAY OUT road will be jammed with people trying to flee, at break neck speeds. NOT a good idea.
- 2) The wetlands behind the property of proposed development is a sanctuary of wildlife of a huge variety. It is a major nesting ground for various waterfowl and birds, including raptors such as Red-tailed hawks, Osprey, Bald Eagles and Owls, along with an occasional falcon. Elk and deer have their babies back in the brush behind the property and a number of wild predators also wander through. It is a very sensitive wetlands that support many varieties of wild plants and flowers, frogs and fish, beaver, otter and muskrat. Building a row of duplexes in that area will seriously and negatively effect all of these treasures of nature.

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BY: _____
CITY OF WARRENTON

3) The lower grade of residential structures built in the area will reduce the value of the current residents homes and reduce the desirability of the properties if they go up for resale. The reason many of us chose to buy in this neighborhood is because the developer of this newly proposed duplex complex had told us there would not be any more building on the end of Kalmia. Later on he said, oh possibly 2 rental houses would be built on the end. 18 new residents is completely out of line and could be construed as a serious misrepresentation of the homes he sold to the current residents on Kalmia.

4) If there were a fire or other emergency, in the new (proposed) development, it would be difficult for fire trucks or numerous emergency vehicles to gain access and it would totally block residents from escape, providing the possibility for further injury or worse.

Having further looked through the Warrenton City Urban Development plan and the Warrenton Comprehensive Plan, this proposed duplex development is in violation of the proposed plans that Warrenton City has already approved. It also brings up some additional concerns that may not have been considered or addressed previously, as you will clearly see by the following excerpts from the above mentioned documents:

- 1) First of all, in the urban development goals, "Goal 6. To improve the quality of existing residences within the urban renewal district..."
The very spirit of this goal is being denied to the residents on Kalmia Avenue if this duplex plan is granted. It DEGRADES the quality of existing residence.
- 2) Urban Development Renewal document "Chapter 2.16-Coastal Lake and Freshwater Wetlands (A-5) District
Purpose-The purpose of the Coastal lake and Freshwater Wetland Zone is to assure the conservation of important shoreland and wetland biological habitats and conserve examples of different natural ecosystem types in

the Clatsop Plains to assure a diversity of species and ecological relations. Low intensity uses which do not result in major alteration are appropriate in this zone.”

Building a string of duplexes is A MAJOR ALTERATION and therefore deemed INAPPROPRIATE in accordance with Warrenton City Urban Development Plan.

3) Also in the Urban Development Renewal Document,

”3.310 Residential Lands

(1) It is the City’s policy to encourage the development of housing needed to accommodate desire growth, and to provide every Warrenton household with the opportunity to obtain a decent home in a suitable neighborhood. Residential construction shall occur primarily in the following four types of areas:

(a) The High Density Residential zone is intended to encourage the development of DUPLEXES and other multi-family dwellings. It provides for high density uses in locations close to the downtown area or other locations which have SUITABLE STREETS, utilities and other characteristics.”

The end of Kalmia Avenue is far from suitable and is not in the downtown area. It is a narrow dead end street and is not set up for a “High Density Residential zone”. Therefore it is unsuitable for duplexes or multi-family residences by the definition established in Warrenton City plans and documents.

4) Further into the Urban Development plan,

“B. Article 4-Natural Features Policies

4.330 Drainage and Erosion

Runoff and water erosion shall be controlled by requiring sound management practices in new subdivisions and large scale developments and by preparing and implementing a comprehensive storm drainage study.”

It seems that this consideration has been totally overlooked.

5) As part of the Warrenton Comprehensive plan on page 43, in section

5.100 you will find the following statements:

“The City of Warrenton treats significant wetlands and riparian corridors that are located in the City’s Goal 17 Shoreland zones as Goal 5 resources.” Following in paragraph 2, same page:

“Natural Aquatic areas are designated to assure the protection of significant fish and wildlife habitats; of continued biological productivity within the estuary; and of scientific, research, and educational needs. These areas are managed to preserve natural resources in recognition of dynamic, natural, geological and evolutionary processes”

That statement reiterates your policy in chapter 2.16. There are significant fish and wildlife habitats that would be altered or totally destroyed by the proposed development of the area at the end of Kalmia Avenue.

6) Section 4.370 (page 40 Warrenton Comprehensive Plan)

“(1) The City supports maintenance of important fish and wildlife habitat by protecting vegetation along many water bodies, classifying suitable land and water locations as conservation areas and otherwise encouraging protection of valuable fish and wildlife habitat.”

Putting in a duplex community as proposed would fully violate every section of this city policy.

7) By looking at the Riparian Zone maps, it appears that the Clear Lake zone and the Shag Lake zone connect, as well they should, being they are connected by water canals, marshes and forestland. Any further development at the end of Kalmia Avenue would be infringing on these “Riparian Zones” and potentially cause irreversible damage to valuable wetland resources, something the Warrenton Urban Development has proposed to protect. The zoning should be set to protect this area from further development. Please follow through and protect it.

There have been some comments made to citizens opposing the duplex development illuding to the idea that he who has the most money wins, comments such as “well how much money do you have”. Either referring to paying attorneys or worse, paying off those who approve these

development plans? I would hope none of these are the case, but why would city employees make such comments if there were not some hint of the truth in them?

In Conclusion, it is apparent that a rezoning of the properties at the end of Kalmia Avenue would be in direct conflict with the approved City of Warrenton Urban Development plan and it would be, at the least, extremely hypocritical for any such zoning change to occur, if not criminal in nature.

It is my profound belief that the City of Warrenton, after having agreed to implementation of these policies in writing as city ordinances, should follow through with their commitment to maintaining suitable residential areas for established citizens and for the protection of the significant wetlands and wildlife that call these areas their home as well. By denying the approval of the duplex building proposal on Kalmia Avenue, you will be maintaining the integrity of the City of Warrenton government and of the citizens you represent.

Very Sincerely

 13 June 2016

Timothy Landis

Cc Mayor, City Commission, Fire Chief, Police Chief,



PO Box 2699 Gearhart, OR 97138
Ph: 503 738 4320 Fax: 503 738 7854

July 1, 2016

Warrenton Planning Commission
Warrenton City Hall
PO Box 250
Warrenton, OR 97146

RE: Kalmia Avenue Duplexes

Dear Commissioners,

This letter is in response to those letters submitted by neighboring properties in the area of the development.

Jay and Sue Bandeen – June 16, 2016

Mr. and Mrs. Bandeen state that Mr. Gramson is disturbing their property and expanding his own. Although the pictures supplied with the letter show grading activities, the grading activities are on Mr. Gramson's property. There was also a concern of trespassing and vandalism but a simple solution to this would be for them to install a fence.

Chris and Kristina Cart – June 16, 2016

Mr. and Mrs. Cart have concerns in regards to safety and parking and to the appearance and maintenance of the proposed homes. When it comes to safety, there is no change in the safety of the neighborhood as there is only an addition of additional single family homes. As for parking, the proposed homes have the required amount of parking as determined by the code. When it comes to maintenance of the homes, this would be up to Mr. Gramson, who being a respected community member would make sure that these homes were maintained as well as the remaining homes in the community. The Cart's also mentioned that a playground was supposed to be constructed. This playground was recently proposed to the City but rejected by the Parks Commission.

Sue Dickerson – June 17, 2016

1. Mrs. Dickerson requests that a traffic study be done. The City code requirement for a traffic study is "an increase in site traffic volume generation by 300 average daily trips (ADT) or more". The ITE manual says the ADT for a single family dwelling is 10 vehicle trips resulting in 180 ADT for the proposed development which does not exceed the threshold for a traffic study requirement.
2. This paragraph indicates that she did not know that anything else could be built at this location and makes a statement in regards to building codes being "minimized, altered or ignored to allow for these duplexes". The proposed duplexes are an allowed use and meet the density requirements of the code.
3. This paragraph indicates that property values will diminish because of the proposed duplexes could diminish property values and that "Unless they can be sold as single family residences and meet the standards for this area, then they do not belong".

There is no evidence at this time that these duplexes will diminish property values and the proposed duplexes meet all of the standards of the City's zoning code.

4. This paragraph refers to a previous letter written to the planning commission and suggests that a new Geotechnical evaluation is needed along with DEQ, EPA-Wetlands, Environmental protection Study and Traffic Studies. The first condition of the proposed development is to provide a detailed geotechnical report. A wetland delineation was already performed and as stated above, a traffic study is not warranted.
5. This paragraph is in regards to parking. As mentioned above, the proposed development meets the parking requirements of the zone. The owner is willing to investigate possible overflow parking locations within the proposed development when producing the final design for the project.

Natalie and Nathan Hankwitz – June 16, 2016

The first concern in this email was in regards to the proposed street width, lack of parking and emergency vehicles. The proposed street and the proposed parking meet the requirements of the code and the proposed condition no. 3 in the staff report addresses emergency vehicle concerns. The second paragraph is in regards to traffic and traffic counts. As mentioned above, the traffic count for this development would be 180 ADT based on Institute of Transportation Engineers (ITE) trip generation manual which is under the requirement for a traffic study and is below the 250 ADT limit for this type of roadway. The fourth paragraph mentions that only 1 single family home could be built at this location but based on the size of the property and the dimension requirements of the code with Lot Width being the limiting factor, I would estimate that 15-17 single family homes could be built at this location. The final paragraph mention the proposed park, diminished property values and possible promises and contracts. The proposed park and property values were addressed above. If there were contracts in regards to no additional building, these should have been submitted to the planning commission for their consideration in this project. If these have not been submitted to the commission already, I would assume that they do not exist.

Stuart and Tonya Robinson – undated

This letter is similar to the other letters in that it mentions home values, the duplexes becoming an eyesore, the roadway width, parking, traffic and traffic studies and emergency vehicles which were all addressed above. The Robinsons also mention the hillside and that it should be maintained by the landowner with either a retaining wall of planting vegetation. The owner intends on both installing a retaining wall and also planting vegetation to maintain the hillside.

David and Cheryl Murphy – June 10, 2016

This letter mentions wetlands, emergency vehicles, the roadway width which are addressed above. The Murphy's also ask the question of why the entire community was not notified of the development but the Mr. Urling followed section 16.208.050C.1.a.ii of the development code which requires the notification of the property owners of record within 200 feet of the site. The letter then mentions the park, traffic, safety, parking, emergency vehicles, wetlands and the hillside slope which were addressed above. The letter then mentions the overcrowded layout of the duplexes but the duplexes were actually laid out as if each one was located on its own lot so as to meet the intention of the code and density requirements.

Timothy Landis – June 13, 2016

1. This paragraph mentions traffic and parking which were addressed above. It also mentions the tsunami hazard zone and a call to evacuate but the proposed road is a two way road with the same function as a normal road in terms of evacuation.
2. This paragraph mentions the wetlands which have been previously addressed. It also mentions the wildlife in the area and how this development will have a negative effect. The property owner is not doing anything other than the code allows and is not proposing to impact the wetlands or the wildlife areas.
3. This paragraph addresses home values and also promises that were made. The home values were addressed above. If any promises were made in regards to home purchases these would be a civil matter which is outside of the scope of review of the planning commission.
4. This paragraph references emergency vehicles which has been previously addressed.

This letter then begins its numbering again in regards to the City Urban Development plan and the Warrenton Comprehensive plan.

1. This project is not located within the limits of the Warrenton Urban Renewal District.
2. This project is not located within the limits of the Warrenton Urban Renewal District.
3. This project is not located within the limits of the Warrenton Urban Renewal District.
4. This project is not located within the limits of the Warrenton Urban Renewal District.
5. This paragraph references the Warrenton Comprehensive Plan section 5.100. This section does not apply as that section is in regards to the Columbia River Estuary and Estuary Shorelands. This reference is followed with a statement that fish and wildlife habitats would be destroyed but the proposed wetlands have been delineated and are not proposed to be disturbed with this development.
6. This paragraph references Section 4.370 of the Comp Plan which states, "The City supports maintenance of important fish and wildlife habitat by protecting vegetation along many water bodies, classifying suitable land and water locations as conservation areas and otherwise encouraging protection of valuable fish and wildlife habitat." The wetlands that were identified by a wetland delineation approved by the State of Oregon are this vegetation along this body of water. As mentioned above, the wetlands are not proposed to be disturbed.
7. This paragraph references the Riparian Zone maps of Clear Lake and Shag Lake and infers that they connect and that the riparian zones should extend beyond that which is shown on these maps. Each of these Riparian zone maps shows a 50' Riparian Corridor and this project is approximately 300' from Clear Lake and more than 1,200 feet from Shag Lake.

I believe that this letter effectively addresses the comments that the citizens have brought to the attention of the planning commission and I would hope that the Planning Commission would approve the proposed development application with the conditions proposed by the City staff.

Thank you for your time,



Dean Keranen, PE
CKI

"Making a difference through excellence of service"



CITY OF WARRENTON

July 8, 2016

To: Warrenton Planning Commission

From: Skip Urling, Community Development Director

A handwritten signature in blue ink, appearing to be 'S. Urling', is written over the 'From:' line of the email header.

Re: Andy Silvis Appeal of Zoning Violation

Andy Silvis is a tenant at 655 7th Avenue in Hammond, and was issued a stop work order as a zoning violation for two park model trailers he was constructing at his residence. In response to the stop work order, one unit was relocated and Mr. Silvis indicated he wished to appeal the order on the remaining unit on the basis that he was building it for his personal use and not for a commercial purpose. There is no dispute over whether he was building and assembling the park model. The appeal hearing before the Planning Commission is authorized by WMC 16.16.070, attached.

The subject property is zoned RH High Density Residential and has a single family residence. A list of permitted and conditional uses from WMC 16.36.020 and 030 is attached. You will note that the construction or assembly of motor vehicles (which a park model is licensed as) are not among the list of permitted uses in this RH zoning district.

On the other hand, the I-1 General Industrial district code explicitly identifies "production processing, [and] assembling" of hardware, and machine products, and the same activities from previously prepared or semi-finished materials, among the uses permitted outright. See WMC 16.60.020.A and B. It is staff's position that Mr. Silvis, by processing and assembling the park model from raw and previously prepared materials, was conducting a non-complying industrial activity, albeit on a small scale, in the RH zoning district

On this basis, staff recommends the Planning Commission uphold the stop work order at the subject address.

Warrenton Municipal Code[Up](#)[Previous](#)[Next](#)[Main](#)[Search](#)[Print](#)[No Frames](#)[Title 16 DEVELOPMENT CODE](#)[Division 1 INTRODUCTION](#)[Chapter 16.16 ENFORCEMENT](#)**16.16.070 Stop-Work Order Hearing.**

A. Stop-Work Order Issued. Whenever any work is being done in violation of the provisions of this Code or a condition of any permit or other approval granted pursuant hereto, the Community Development Director may order the work stopped by notice in writing served on persons engaged in doing such work or causing such work to be done. The stop-work order shall be posted in a conspicuous location on the development site and a certified mailing containing a copy of the order shall be provided to the property owner at the earliest practicable time. All work under the permit or approval shall cease until the Community Development Director has authorized its continuance.

B. Stop-Work Order Hearing. The Community Development Director shall schedule a public hearing before the Planning Commission if the purported violation is not removed or corrected following due warning from the City, typically 30 days from the date of the stop-work order. If the violation is not removed or corrected within the time specified, the Community Development Director shall schedule a hearing before the Planning Commission, with no requirement for public notice. The hearing shall be held in accordance with the procedures of Section 16.208.050. At the discretion of the Community Development Director, such hearing may be:

1. Part of a hearing on revocation of the underlying development approval; or
2. Solely to determine whether a violation has occurred. The Planning Commission shall hold this hearing and shall make written findings as to the violation within 10 business days. Upon a finding of no violation, the Planning Commission shall require the issuance of a resume work order. Upon finding a violation, the stop-order shall continue to be effective until the violating party furnishes sufficient proof to the Planning Commission or its designee that the violation has been abated. The Planning Commission decision is subject to notice and appeal procedures prescribed by Section 16.208.050.

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Warrenton Municipal Code[Up](#)[Previous](#)[Next](#)[Main](#)[Search](#)[Print](#)[No Frames](#)[Title 16 DEVELOPMENT CODE](#)[Division 2 LAND USE DISTRICTS](#)[Chapter 16.36 HIGH DENSITY RESIDENTIAL \(R-H\) DISTRICT](#)**16.36.020 Permitted Uses.**

The following uses and their accessory uses are permitted in the R-H zone if the Community Development Director determines that the uses conform to the standards in Sections 16.36.040 through 16.36.050, applicable Development Code standards, and other City laws:

- A. Single-family detached dwelling.
- B. Modular housing.
- C. Manufactured home.
- D. Duplex and townhome subject to standards of Chapter 16.184.
- E. Triplex subject to standards of Chapter 16.184.
- F. Multifamily housing development subject to standards of Chapter 16.188.
- G. Residential home.
- H. Residential (care) facility.
- I. Day care.
- J. A temporary dwelling for no more than six months while building a permanent residence.
- K. Accessory structure no larger than 1,200 square feet, in conjunction with an existing residence on the same property and subject to the additional criteria under Chapter 16.180.
- L. Master planned development with a minimum lot size of three contiguous acres, subject to the provisions in Chapter 16.224.
- M. Transportation facilities and improvements subject to the standards of Section 16.20.040.
- N. Similar uses as stated above.
- O. Incidental sales of firewood, cut flowers, produce grown on the premises, lemonade, and similar items.
- P. Home occupations. (Ord. 1175-A § 8, 2013)

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Warrenton Municipal Code[Up](#)[Previous](#)[Next](#)[Main](#)[Search](#)[Print](#)[No Frames](#)[Title 16 DEVELOPMENT CODE](#)[Division 2 LAND USE DISTRICTS](#)[Chapter 16.36 HIGH DENSITY RESIDENTIAL \(R-H\) DISTRICT](#)**16.36.030 Conditional Uses.**

The following uses and their accessory uses may be permitted when approved under Chapter 16.220:

- A. Boarding, lodging or rooming houses.
- B. Hospitals, sanitariums, rest homes, nursing or convalescent homes, medical clinic or office in conjunction with a residential facility.
- C. Churches, synagogues, or other places of worship.
- D. Parks, playgrounds and community centers.
- E. Government buildings and uses subject to standards of Sections 16.36.040(C) and 16.36.050.
- F. Public utility structure.
- G. School: nursery, primary, elementary, junior or senior high: public or private.
- H. Child care center.
- I. Bed and breakfast.
- J. Accessory dwelling subject to standards of Section 16.180.040.
- K. Similar uses as stated above. (Ord. 1175-A § 9, 2013)

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The following uses and activities and their accessory uses and activities are permitted in the I-1 zone if the Community Development Director determines that the uses conform to the standards of Section 16.60.040, applicable Development Code standards, and other City regulations:

- A. Production, processing, assembling, packaging or treatment of such products as food products, pharmaceutical, hardware and machine products.
- B. Production, processing, assembling, packaging or treatment of articles and products from previously-prepared or semi-finished materials, such as paper, wood, rubber, plastics, fibers and sheet metal.
- C. Research and development laboratories.
- D. Printing facilities.
- E. Public utility facilities such as power stations, sewage and water treatment plants.
- F. Storage and distribution services and facilities (i.e., truck terminals, warehouses and storage buildings and yards, contractor's establishments, lumber yards and sales) or similar uses.
- G. Vehicle repair (welding, painting and service, and parts facilities).
- H. Airport support structures: hangars, weather stations, fuel terminals storage buildings, etc.
- I. Mini-warehouses or similar storage uses.
- J. Contractor shop or equipment storage yard for storage and rental of equipment commonly used by a contractor.
- K. Cabinet, carpenter, woodworking, sheet metal shops or similar establishments.
- L. Professional, financial or business offices.
- M. Public utilities, including structures, pipelines, cables, and utility crossings.
- N. Government buildings and uses.
- O. Passive restoration.
- P. Government buildings and uses.
- Q. Transportation facilities and improvements subject to the standards of Section 16.20.040.
- R. Dredge material disposal (DMD) subject to Section 16.60.040 (site 20S), and Chapter 16.104.
- S. Community garden(s) (see definitions).
- T. Recreational marijuana production, recreational marijuana processing, or recreational marijuana wholesale activities, subject to Section 16.60.040.N.
- U. Similar uses to those listed in this section. (Ord. 1196-A § 3, 2015; Ord. 1186-A § 5, 2014)

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CITY OF WARRENTON

MINUTES Warrenton Planning Commission Regular Meeting, June 9, 2016

RZ-16-1 Gronmark rezone, SDR 16-4 and VAR 16-1 Gramson duplexes

Commissioners Present: Chair Chris Hayward, Christine Bridgens, Ken Yuill, Mike Moya, Ryan Lampi, Vince Williams.
Excused absence Vice-Chair Paul Mitchell.

Staff Present: Community Planning Director Skip Urling, Building Clerk Janice Weese

Pledge of Allegiance

Approval of Minutes: Commissioner Ken Yuill moved to approve the May 12th meeting. Commissioner Christine Bridgens seconded. The motion passed unanimously.

Public Hearing Open

Subject of Review: RZ-16-1 Jim Gronmark to rezone from C-1 General Commercial to RH High Density Residential

Disclosures by Planning Commissioners: Commissioners answered no to all questions or conflicts.

Staff Report: Planning Director Skip Urling summarized the staff report

Questions for Staff: Commissioner Ken Yuill asked if one of the buildings that are in place right now were to burn down would they be able to rebuild. Skip replied that under the current zoning regulations if they were damaged up to 75% of the county's assessed value they could rebuild it if they did it within a year

Testimony from Applicant or Representative:

Mike Morgan, Planning Consultant representing Mr. Gronmark
P.O. Box 132
Cannon Beach, OR 97110

When we approached the city the idea was to apply for just one parcel, but because of the C1 zoning change, which eliminated multiple family residential from the C1 zone, that it would be smart to rezone the entire strip from S Main to the Skipanon Bridge. We have contacted all the property owners in that area. Mr. Gronmark intends to build a 10 plex on that property.

Commissioner Ken Yuill asked how many bedrooms will they have. Mike answered that they will have a mixture of 2 and 3.

Testimony In Favor: No one answered

Testimony In Opposition: No one answered

Person from the audience wanted clarification

Patricia Ewing
961 SW Ridge Road
Warrenton, OR 97146

Owns one of the properties to be rezoned. Mentioned that there was a parcel to the west of the properties to be rezoned that is not included in this project. Skip replied that parcel is a right of way and that everything fronting the highway is proposed to have the same zoning.

Public Hearing Closed

Motion by Commissioners: Commissioner Vince Williams moved to recommend to the City Commission to approve application RZ-16-1 submitted by Jim Gronmark, to rezone the tax lots abutting the north side of Highway 104 Spur between the Skipanon River and South Main Avenue from C-1 General Commercial to RH High Density Residential, and adopt Ordinance No. 1204-1-A. Commissioner Ken Yuill seconded. The motion passed unanimously.

Subject of Review: SDR 16-4 and VAR 16-1 Gramson duplexes SW Kalmia Avenue Extension

Public Hearing Open

Disclosure by Planning Commissioners: Commissioners answered no to all questions or conflicts except Commissioner Ken Yuill stated that he was on a committee with Mr. Gramson but felt he could be unbiased on his decisions. Commissioner Mike Moya spoke and disclosed that he lives south of the duplexes purposed and felt he could make a fair decision.

Staff Report: Planning Director Skip Urling summarized the staff report.

Questions for Staff: Commissioner Mike Moya asked if there was a time frame on the public use area. Skip replied no there wasn't. Mike also asked what street the traffic study was

done on. Skip replied that from Kalmia to 2nd street to the end of the private road will be able to handle the peak hour traffic that would be generated by both the existing development as well as the proposed. Chair Chris Hayward asked since the street is so narrow in there could it be made any wider. Skip replied that in order to do that you would have to make the slope to the east steeper and or fill the wetlands to the west and then deal with that issue. It cannot be a city street because there isn't enough room for a right of way. The street itself, the pavement, meets the city's standards. Commissioner Kenneth Yuill asked if there were additional duplexes built would the traffic then and now be a major issue. Skip replied that personally he didn't think that there's room to build anymore structures between the ones that he has, even if he has the area elongated to accommodate the bulb out around the fire hydrants. He's right at the limit presently for being able to build and use a alternative local road. If he were to put more dwellings in there he would exceed that code condition. That would be grounds for denying any additional dwellings. Without subdividing there would be only one single family detached home that could be built on the same piece of property.

Testimony from Applicant or Representative:

Terry Ferguson
P.O. Box 12
Hammond, OR 97121

Project Superintendent for Mr. Gramson. Did most of all the subdivisions on Juniper and Kalmia. We are purposing to do the nine duplexes on Kalmia. We meet all the planning criteria for the Planning Commission. Mr. Gramson knows everything about the report except the easement properties on the east side that was just handed out to us tonight. We cannot go any farther north because of wetlands and properties owned by other people. Commissioner Ryan Lampi asked if there were any options to go East to widen the road. Terry replied that they could not because it slopes coming down off the bank. There will be a small retaining wall, in excess of 200 feet long, at the beginning accessing the property. The retaining wall will help eliminate the sand blowing down the street. The duplexes will be planted and paved and the slope will be planted with vegetation.

Testimony in favor: No one answered

Testimony in Opposition: Stewart and Tonya Robinson, Vicki Barr and Oliver, Lynne Kelton, Thom Dickerson, Jay Bandeen, Susan Dickerson, Dennis and Cheryl McCleary, Cheryl Murphy, Randi Rasmussen, Roger Warren, Tamera Gann, Mike Murdock, Natalie Hankwitz, Todd Johnston, Heather Penrod, Brad Tymkowicz, Vicki Landis, Fred Sturzen

Opposition Comments; Feels they were lied to by Mr. Gramson and Sandridge Construction. They were told that nothing would be built past last home. Concerns about rentals may become low income, unappealing, drop value of their homes and lower safety. Biggest concern is parking, most homes have more than two cars. Streets are very narrow already, cannot utilize the sidewalks because people park on the sidewalks. Building a sidewalk will not help anything. Concerns about fire zone and who will enforce the no

parking in fire zone. Traffic will become a huge issue. People drive fast including Sandridge and dump trucks and construction workers. If this goes through, would like speed bumps.

Signed extensive contracts saying what we could and couldn't do with our property because it would lower the property value. If duplexes go up, Mr. Gramson is violating the contract that we signed with him.

Concerned that the duplexes are in close proximity to single family homes. Believed that no further construction would be at the end of Kalmia. Having townhomes that will be rentals will affect the value of the existing single family residences. Will rentals have CCR's. Was told there was going to be a play park installed by Mr. Gramson which has not been started. The supposed park is now used for vehicle overflow parking and is an eyesore.

The south end of property Mr. Gramson has never put seed there and feels he will not follow through with his word. Has been a bare bank for the last three or four years. The sand blows everywhere.

If you look at Google maps over the last eight years, and look at the plot of land now, it has changed. Has slope behind them that belongs to Mr. Gramson that says erosion control. They are pulling out the evasive plants and putting in native plants to help control the sand blowing. Adding an extra 72 plus people on a small piece of land with a tiny road will be a disaster.

Were told that there would only be single family neighborhoods.

Clarification on the reason why traffic measurements were not necessary on the corner of SW 2nd to where the duplexes are to be built. Since there is no outlet there all the cars have to drive down Juniper, Jade or SW 2nd, should there be consideration as to how many cars are already on that road and will it contribute to the 250 trips per day. Skip replied that for a road to be classified as an alternative local road, it couldn't generate more than 250 trips per day for 18 dwellings, for that segment of the road that will only be 20 feet wide. Only applies to the new road that will be built.

In the packets that were sent out, the Police Chief, Fire Chief and City Engineer all had concerns on the road and the project. Comment from Police Chief that there was another private road in Warrenton that caused problems servicing it and getting access to it.

The actual foot print is less than five acres where the property is to be built and not fifteen acres like was said in the staff report. The rest of the property is water. Not every part of the slope is a 2 to 1 ratio for safety. There are only two ways into the place, 2nd avenue and SW Kalmia into Juniper. If those roads were destroyed, the only way in would be by helicopter or an airboat coming into the wetlands from the other side.

Has concerns on the traffic that goes through 2nd street that goes through another neighborhood that is creating a hazard because of all the extra cars on the street.

Kids are throughout this whole development. They will not be able to play outside the way that they have been with all the additional traffic.

If an ambulance needs to get through, and they are unable to do so, people's lives will be at risk. There is no room for any extra vehicles. How will school buses and garbage trucks get through and where will the dumpsters be placed.

Asked if studies have been done that can address what will happen to the wildlife in the area if the duplexes are put in.

Asked if anyone on the commission had gone out and looked at the site property, how it will fit and look like to the community. Chair Chris Hayward replied that most of them had.

Tom Dickerson approached the commission and asked for an extension to review the project a little deeper and to be allowed more time to study it more since there are a few other concerns. There is still property with a shed on it with a permit that is supposed to be exempt but is still continuing. The Anne Marie portion south of 2nd Avenue was completed and the shed was suppose to be torn down. It has an addition on it with boats, trucks, and personal vehicles. There is a construction company that has its own stock yard with sewage pipes, broken concrete and trucks up against the sand dune. Some of the things are over the property line. There should be a chemical analysis of the ground because of all the solvents that have been used working on all the vehicles.

Sue Banded submitted as Exhibit 1; a building application dated 06/21/11 signed by Carol Parker stating that this building a (40' by 60') storage building is temporary in nature while streets and lots are being developed by this property owner. Once all development has been completed the temporary structure is to be removed. This building is for equipment storage and development only. No personal use items can be stored.

Sue Banded submitted as Exhibit 2; 4 (four) pictures with dates with personal items and debris on said property

Rebuttal:

Terry Ferguson agreed that the big issue is the traffic and parking which needs to be policed.

The city needs to start writing tickets if they are parking on the sidewalks. Our shop is temporary, and is permitted, until we get done with construction on one more house. The shop is going away this year along with the material around and against the bank because we are supposed to be doing the duplexes. Has a shop in Hammond and if they have to they can put everything over there.

Public Testimony Closed

Discussion Amongst Commissioners:

It was made clear that anyone who spoke or submitted something in writing as parties of record, could appeal the application to the City Commission if it was approved, and Mr. Gramson could appeal it to the City Commission if it wasn't approved.

Planning Commissioner Ken Yuill expressed a concern over the request for an extension.

Planning Director Skip Urling explained that there were two options. One was to continue the hearing to a time and date certain where we reconvene and listen to additional testimony. Or, close the public hearing and leave the record open for written communications and reconvene to review those written communications without any other public testimony. Anyone who wishes can comment in writing for seven days. At the end of that time anyone who commented, can comment on the other people's comments that came in during those first seven days, for an additional week, which is the second week. The third week only the applicant has the opportunity to respond to the written comments.

Motion by Commissioners:

Commissioner Ken Yuill motioned to leave the record open to submit written comments only before the close of business by 5 p.m. Friday June 17th. Anyone who submits comments before the 17th can come in and review those comments and submit rebuttals or support as long as they submit them before the close of business by 5 p.m. Friday June 24th. At that time the applicant only can review all the comments and if he wishes he must submit written comments by the close of business by 5 p.m. Friday July 1st. Commissioner Vince Williams seconded. The motion passed unanimously.

Meeting Adjourned

Attest and submitted by:

Janice Weese

Approved:

Chris Hayward, Chair Planning Commission