

SCAPPOOSE PLANNING COMMISSION
Council Chambers at City Hall
33568 East Columbia Avenue

Planning Commission Meeting Minutes; Thursday, March 28th, 2019

1.0 CALL TO ORDER

2.0 ROLL CALL

Commissioners;

Tim Connell	Chair
Bruce Shoemaker	Commissioner
Rita Bernhard	Commissioner
Kevin Freimuth	Commissioner
Patricia Gibson	Commissioner

City Staff;

Laurie Oliver	City Planner
Chris Negelspach	City Engineer
Susan M. Reeves	City Recorder

EXCUSED:

Scott Jensen	Vice Chair
Bill Blank	Commissioner
Elizabeth Happala	Office Admin III

Chair Connell explained that Vice Chair Scott Jensen is not in attendance tonight since he has recused himself from voting on either application. Vice Chair Jensen is the planner for the Port of Columbia County and there would be a potential conflict of interest for him to vote on the Manor Drive application since Port Commissioner Erickson commented in opposition to that application. And, there could be a potential conflict of interest if he voted on the Port of Columbia County's application.

3.0 APPROVAL OF MINUTES

3.1 December 13th, 2018 meeting minutes

Planning Commissioner Bernhard moved, and Planning Commissioner Freimuth seconded the motion to approve the December 13, 2018 Planning Commission meeting minutes as presented.

Motion Passed 5-0. AYES: Chair Connell, Commissioner Shoemaker, Commissioner Bernhard, Commissioner Freimuth, and Commissioner Gibson.

4.0 CITIZEN INPUT

There were no public comments.

5.0 NEW BUSINESS

5.1 DOCKET # SDR3-18

DW Land Holdings LLC has requested approval of an application for Site Development Review for a quad-plex and associated site amenities. The site is located south west of the Manor Drive and Scappoose-Vernonia Hwy intersection, on property described as Columbia County Assessor Map #3201-CC-01901.

Format: Site Development Review is a Limited Land Use Decision and there is no public

hearing (verbal testimony will not be considered; however, written comments are permitted prior to the deadline of Wednesday, March 27th at 5 pm).

Chair Connell read the docket, opening statement and the order of the hearing then called for the staff presentation.

City Planner Oliver went over the staff report and Conditions of approval.

City Planner Oliver reviewed the comment received that is in opposition. She explained the concern was submitted by the neighbor that abuts the property. She went over their concerns, along with staffs response.

Objection #1:

Section 17.106.050

G. Access Drives. 1. Access drives from the street to off-street parking or loading areas shall be designed and constructed to facilitate the flow of traffic and provide maximum safety for pedestrian and vehicular traffic on the site.

The objection states that the driveway for Lot 6 of the Goss Subdivision would be abutting the proposed driveway as seen in the photo submitted by the Erickson's, and that this is a severe safety hazard for the owners of Lot 6 as they enter or exit their driveway and is not in keeping with the spirit of 17.106.050, G.

Staff response: *Section G above is specific to how the access drive functions "on the site", e.g., on private property. The applicant has demonstrated that the access drive is adequate for two-way traffic (they have met the minimum width of 24-feet for two-way traffic) and has provided sidewalks to facilitate safety for pedestrian and vehicular traffic on the site.*

While staff realizes that the configuration of the driveways is not ideal, it can be viewed similarly to a cul-de-sac situation where driveways abut one another in tight quarters, which does necessitate the need for being aware of your surroundings and ensuring that no other cars or pedestrians are in the immediate vicinity prior to backing out or pulling into each private driveway.

DW Land Holdings, owner of the 2.67-acre site which is the subject of this application, has a legal lot of record and they have the right to develop it with one primary building, up to 4 units. The location of the access drive is the only logical place to locate a driveway to provide access to the proposed quad-plex. Until such time that a partition or subdivision of the parcel occurs, staff cannot require that DW Land Holdings extend NW Manor Drive, as is depicted in the adopted Transportation System Plan, as a future street connection.

Objection #2:

The second objection is also based on Section G above, and restates that there is a traffic hazard, not only to the residents on Lot 6, but also to the future residents of the quad-plex, as well as to the three families who use the existing private driveway accessed at the end of NW

Manor Drive. The Erickson's question who would have the right of way when entering and exiting NW Manor Drive.

Staff response: After consulting with the Scappoose Police Department and inquiring about traffic laws, it is clear that any vehicle already occupying a public road would have the right of way over any vehicle that is entering the public road from a private driveway. This is addressed in *ORS 811.280 – Failure of Driver Entering Roadway to Yield Right of Way*. Meaning, each vehicle, whether exiting from the existing private drive (owned by the Erickson's), or exiting from the proposed private drive (owned by DW Land Holdings) would have to stop at the end of their driveway to ensure that it is safe to enter the public road, NW Manor Drive. There are no obstructions that would prohibit seeing if another car is in the vicinity. In the event that two cars are at the end of the private driveways at the exact same moment, one car would have to yield to the other.

Objection #3:

This objection is based on the flow of runoff water. The objection states that most of the winter the portion of the lot just west of the proposed development has standing water. The Erickson's note that during hard rain, water crosses from the DW Land Holdings property over to their property and floods one of the homes. To mitigate this, the Erickson's have dug a 300-foot ditch to divert water to NW Manor Drive and to the water collector built into the street. The Erickson's have concerns that if the quad-plex development moves forward without a plan to handle the standing water, it may be diverted to their property leaving them with no remedy.

Staff response: Please note that the applicants Composite Utility Plan, Sheet 3.1 (**Exhibit 5 in the staff report**), indicates that sheet flow being conveyed to the ditch along the private driveway will be combined with sheet flow to the south end of the project and conveyed via a new culvert under the driveway access then conveyed via a ditch to disposal into the Goss Subdivision drainage system at the end of NW Manor Drive. The overland flow has been included in the modeling within the applicant's report indicating that there will be no adverse effects to the downstream system with the configuration of the proposed site improvements (see results of analysis on page 13 and 14 of the Stormwater Drainage Report, **Exhibit 13 in the staff report**).

City Engineer Negelspach explained he feels this is pretty straight forward. He went over Exhibit 5 in the packet.

City Planner Oliver directed the Planning Commissioners to the findings for site development review in their packet along with procedures for limited land use decision, and the recommended conditions of approval. She explained staff does recommend approval with the ten conditions of approval in place. She stated however with the neighbor's concerns and the applicant's willingness to add a stop sign or yield sign at the end of their driveway, you could consider adding a stop sign as condition of approval # 11.

Chair Connell asked the Planning Commission if they had any questions.

Commissioner Freimuth explained he drove by it and like what was said, it's not ideal but it kind of is what it is, since someone else owns the property back behind there and you just make as many reasonable accommodations as you can.

Commissioner Bernhard asked City Planner Oliver if we have addressed all of their concerns?

City Planner Oliver replied she feels that they have been addressed to the best of our ability, and that the application is meeting the code as best as it can. She explained they will receive a copy of the notice of decision since they submitted comments. She explained the neighbor just didn't know how the drainage would affect them. She explained having a stop sign or a yield sign would hopefully help alleviate some of their concerns.

Commissioner Shoemaker asked what is the dark line that was in the submittal from the Erickson's?

City Planner Oliver replied it is their driveway.

Mr. Kessi replied he thinks that is the shadow line for a potential curb.

Chair Connell stated let's have the applicant present their case.

James Kessi, Project Engineer and also representing the owner and developers, came to the stand. He explained they agree with the conditions of approval as presented, along with the potential solution for the driveway. He explained the assumption that the stormwater would improve is correct. He stated all in all it would be minimal or no measurable impact to the neighboring property. He explained he wanted to express his thanks for working with staff to make it a very complete staff report and presentation.

Chair Connell asked on the edge of the driveway where water would be rushing that direction to where their ditch is, is there a plan for a curb or anything there or is the slope sufficient?

James Kessi replied the slope is away from the property line to the north and then it is collected and then it goes into the ditch. He stated with the combination of the cross slope of the driveway and then the ditch it won't go into the neighboring property.

Commissioner Freimuth commented it states twelve parking spots, does that include garages?

City Planner Oliver replied yes, the code does allow garages to be counted.

Chair Connell thanked the applicant, and then asked if staff would like to respond.

City Planner Oliver replied no.

Chair Connell closed the hearing at 7:30 p.m. for deliberation.

Commissioner Bernhard moved, and Commissioner Shoemaker seconded the motion that based on the Findings of Fact and the materials submitted by the applicant, that the Planning Commission approve Site Development Review SDR3-18 with the ten Conditions of Approval.

There was discussion on what type of sign and where it should be located.

City Planner Oliver explained it doesn't necessarily need to be a condition of approval.

Motion Passed 5-0. AYES: Chair Connell, Commissioner Shoemaker, Commissioner Bernhard, Commissioner Freimuth, and Commissioner Gibson.

5.2 DOCKET # SDR1-19

The Port of Columbia County has requested approval of an application for Site Development Review for a new hangar to be located inside the fence at the Scappoose Industrial Airport. The site is located south east of the N Honeyman Rd and West Lane Road intersection, adjacent to Skyway Drive, on property described as Columbia County Assessor Map #3106-00-00300.

Format: Site Development Review is a Limited Land Use Decision and there is no public hearing (verbal testimony will not be considered; however, written comments are permitted prior to the deadline of Wednesday, March 27th at 5 pm).

Chair Connell read the docket, opening statement and the order of the hearing then called for the staff presentation.

City Planner Oliver went over the staff report and Conditions of approval.

Craig Allison, Deputy Director of the Port, went over what is being proposed. He explained he thinks the Planning Commission has a very complete package, they've worked very closely with the City.

Commissioner Bernhard asked Mr. Allison if he is happy with the conditions?

Craig Allison replied they have been through them, and they are fine.

Commissioner Freimuth asked Mr. Allison what size of aircraft will be at this site?

Mr. Allison replied their fleet is primarily twin engine, passenger sized, smaller business aircraft. Chair Connell asked if any of these are passenger flights?

Mr. Allison replied no they are not.

City Planner Oliver stated this is fairly innovative currently and it did require a change at the State level, and it is somewhat groundbreaking and you may see more hangars developed out here now.

City Engineer Negelspach explained because of the progress that has been made with this it opens a door for other businesses out here. He explained the Port is expanding sewer service to

all their buildings on the west side of Skyway Drive.

Chair Connell closed the public hearing at 7:55 p.m. for deliberation.

Commissioner Bernhard thanked City Planner Oliver for the good job she does on all of these reports, there is no stone left unturned.

Commissioner Shoemaker moved, and Commissioner Bernhard seconded the motion that based on the Findings of Fact and the materials submitted by the applicant, that the Planning Commission approve Site Development Review SDR1-19 with the following Conditions of Approval.

Motion Passed 5-0. AYES: Chair Connell, Commissioner Shoemaker, Commissioner Bernhard, Commissioner Freimuth, and Commissioner Gibson.

6.0 COMMUNICATIONS

6.1 Calendar Check

City Planner Oliver went over the April calendar.

6.2 Commissioner Comments

There were none.

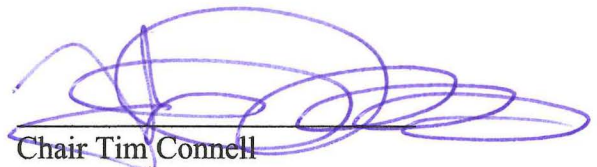
6.3 Staff Comments

City Planner Oliver explained she did get the PCC conditional use application, and she is hoping it will come before Planning Commission in early May.

City Engineer Negelspach gave an overview of the east airport project. He explained they are paving Charles T. Parker Way this week. He gave an update on Chief Concomly Park, off of Seely Lane. He also gave an update on the Crown Zellerbach trail.

7.0 ADJOURNMENT

Chair Connell adjourned the meeting at 8:07 p.m.



Chair Tim Connell

Attest:



City Recorder Susan M. Reeves, MMC