

PLANNING COMMISSION MEETING
Thursday, August 18, 2016 6:00 PM
City Council Chambers, 1001 Bridge Street, Vernonia OR 97064
REGULAR MEETING/PUBLIC HEARING

AGENDA

Position #1 - (Exp.2016) - Brian Cole **Position #2** - (Exp. 2017) - VACANT **Position #3** - (Exp. 2017) - VACANT
Position #4 - (Exp. 2018) - Erika Paleck **Position #5** - (Exp. 2018) - Grant Williams **Position #6** - (Exp. 2019) - Susan Wagner
Position #7 - (Exp. 2019) - Jeff Goodman

- 1. Call to Order: Susan Wagner, Chair**
- 2. Approval or Additions to Agenda**
- 3. Topics from the Floor**
- 4. Consent Agenda**
 - A. Planning Commission Minutes from June 16, 2016
- 5. Unfinished Business**
- 6. New Business**
 - A. Nehalem View Subdivision Planned Development Extension Application
- 7. City Planner's Report**
- 8. Commissioners Reports**
- 9. Chairperson Report**
- 10. Correspondence**

Adjournment

AMERICANS WITH DISABILITIES ACT NOTICE

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PLANNING COMMISSION MEETING

Thursday, June 16, 2016 6:00 PM

City Council Chambers, 1001 Bridge Street, Vernonia OR 97064

REGULAR MEETING/PUBLIC HEARING

MINUTES

Position #1 - (Exp.2016) - Brian Cole
Position #4 – (Exp. 2018) – Erika Paleck

Position #2 - (Exp. 2017) - VACANT
Position #5 – (Exp. 2018) – Grant Williams
Position #7 – (Exp. 2019) – Jeff Goodman

Position #3 – (Exp. 2017) – VACANT
Position #6 – (Exp. 2019) – Susan Wagner

Call to Order: Susan Wagner, Chair

Chair Wagner called the meeting to order at 6:02 pm.

Approval or Additions to Agenda

Approval – grant, Erika second, motion carried.

Approval of Planning Commission minutes from May 19, 2016

Commissioner Paleck made a motion to approve the Planning Commission meeting minutes from May 19, 2016. Commissioner Williams seconded the motion, motion carried.

Public Hearing of MLP16-01

Call Hearing to Order

Chair Wagner called the hearing to order at 6:04 pm.

Order of Hearing

Chair Wagner explained the order of the hearing.

Exparte

None

Conflict of Interest

None

Challenge

None

Staff Report-City Planner Ryan Crater

City Planner Crater explained to the Commissioners the MLP as presented in the staff report. He explained that they needed to discuss the lot widths as they do not meet the minimum requirement as stated in City code. Land Owner, Dennis Weller, stated that the lots were designed this way so there would be a straight line from Tax Lot 200. Commissioner Paleck asked that if the lots were ever developed, would there be any restrictions for the road. City Planner Crater stated that the road would have to meet code and would be evaluated at the time of a development application.

Testimony in Favor

None

Testimony in Opposition

None

Neutral Testimony

None

Final Call for Testimony

None

Applicant Rebuttal

None

Extend the Hearing

None

Close the Hearing

Chair Wagner closed the hearing at 6:35 pm.

Commission Deliberation of MLP16-01

After some discussion consensus of the Commission is to have Parcel 1 northern property line adjusted north 2' so as to meet the 50' minimum requirement. Parcel 2 will then have its northern property line moved north 4' to meet the requirement. When the final survey is performed, the applicant will have the property lines adjusted as required by the Planning Commission.

Commission Motion of Decision

Commissioner Goodman made a motion to approve Minor Land Partition MLP16-01 with the condition of the lot line adjustment as stated above. The motion was seconded by Commissioner Paleck, motion passes.

Commissioners Reports

None

Chairperson Report

None

Correspondence

None

Adjournment

Chair Wagner adjourned the meeting at 7:01 pm.

To: The Vernonia Planning Commission and The City Planner

From: Mike Pihl, Nehalem View LLC

Date: 7/18/2016

Subject: Two year extension of the 67 lot Nehalem View Subdivision and Planned Development
(Applicants are Bud Dow and Mike Pihl)

This is a request to extend preliminary approval of the Nehalem View Subdivision and Planned Development from July 19, 2016 to July 19, 2018. The economic condition of the housing market has caused this project to be delayed. No changes to the development plan are requested with this extension.



Mike Pihl, Nehalem View LLC



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STAFF REPORT

Extension Application EXT-01 PIHL/DOW-Nehalem View Subdivision

I. GENERAL INFORMATION

Report Date: August 9, 2016

Applicant/Owner: Bud Dow and Mike Pihl

Tax Lot: 4N4W040000101- Nehalem View Subdivision

Zoning: Low Density Residential Zone LDR

Requested Action: APPLICATION FOR A FIFTH EXTENSION OF THE INITIAL NEHALEM VIEW DEVELOPMENT APPROVAL TO COMPLETE A PD ZONE MAP AMENDMENT

The applicant is requesting a fifth extension of their original plan approval in September 2008. On or around July 20th 2016 the applicant submitted a request for a “two year extension,” “from July 19th 2016 to July 19th 2018.” The last extension (The fourth extension) for two years was approved by the Planning Commission March 1st 2014, and expired in February 2016.

The remainder of this staff report contains information from City Planner Carol Connell’s staff report to the Planning Commission dated February 24th 2012, regarding the second extension that was approved in that year, with minor additions to document extension approvals since 2012, and additional considerations about the extension expirations.

The initial decision included a schedule of steps to complete in order to begin building the 67- home development. The first step in finalizing the development plan is to request a zone change approving the Planned Development PD designation on the property, which was zoned LDR as of the 2012 extension approval and which is still zoned LDR. This step requires a hearing before the Planning Commission and City Council and adoption of an ordinance approving the PD designation on the property.

According to the approved schedule, the PD zone change request was required to be completed in 2009. In September 2009 the applicant requested and the Planning Commission approved a one year extension. That extension approval expired. In February 2011 the applicant requested and the



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Planning Commission approved a second 18-month extension, including a 6-month retroactive period from September 2010 to February 2011.

The second extension expired March 8, 2012. In 2012, the applicant requested an additional two year extension to March 1, 2014. That extension appears to have been granted with the following condition of approval:

The extension is contingent upon the conditions of approval in the original 2008 decision and a complete analysis of current code provisions, the 2011 Vernonia TSP, public facility and physical changes in the area applicable to the development at the time the Zone Map Amendment is filed.

Minutes of the February 20th 2014 Planning Commission meeting indicate that a 4th extension was approved, for a period of 2 years, “until February of 2016.”

The Vernonia Land Use & Zoning Code does not appear to limit the number of extensions on a PD Preliminary Plan approval. The primary issue surrounding an extension request is whether there have been significant changes in the area or development code that would alter the outcome of a development plan. As of 2012, the most significant change affecting the Nehalem View PD is construction of the new school adjoining the site. It is important that new code provisions adopted since September 2008 and other changes are considered when or if the PD zone change for the approved preliminary plan is eventually made.

The second issue surrounding the extension request is the date upon which it will expire. The previous extension expired on either February 19th 2016 or the last day of February 2016, depending on how one interprets the Planning Commission’s decision. Thus the applicant’s requested two year extension would expire two years from either of those dates. However the applicant has requested the extension to expire two years from the date that the extension request was submitted.

ALTERNATIVE ACTION #1: To approve the Nehalem View Preliminary PD and Subdivision Plan extension request **two years from the date of the prior expiration, until February 28th, 2018** subject to the conditions of approval in the original 2008 decision and a complete analysis of current code provisions, the 2011 Vernonia TSP, public facility and physical changes in the area applicable to the development at the time the Zone Map Amendment is filed.

ALTERNATIVE ACTION #2: To approve the Nehalem View Preliminary PD and Subdivision Plan extension request **two years from the date of the extension application, until July 19th, 2018** subject to the conditions of approval in the original 2008 decision and a complete analysis of current code provisions, the 2011 Vernonia TSP, public facility and physical changes in the area applicable to the development at the time the Zone Map Amendment is filed.



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Questions regarding this staff report can be addressed to Garrett Phillips, (503) 325-0435 ext. 220,
gphillips@columbiaestuary.org.

Garrett Phillips
Planner – City of Vernonia