

**LINCOLN CITY
PLANNING COMMISSION**

IN THE MATTER OF

CPA ZC 2022-07 Amendment to)	Final Recommendation
Comprehensive Plan Map from R-7.5 to R-)	No. 2022-16
M and Zone Change from R-1-7.5 to R-M)	

NATURE OF THE APPLICATION

CPA ZC 2022-07 amends the Lincoln City Comprehensive Plan Map and the Lincoln City Zoning Map by changing map designation and zoning classification of the site identified as Assessor’s Map 07-11-22-DC-06100-00 and 07-11-22-DD-00200-00. The map designation will change from Medium Density Residential District to High Density Residential District. The zoning classification will change from Single-Unit Residential (R-1-7.5) Zone to Multiple-Unit Residential (R-M) Zone.

TESTIMONY

Planning Commission Chair Kim Blackerby opened the public hearing at 6:02 PM, introduced the application, read the required statements, and explained the order of proceedings for the hearing. No one was excused for conflicts of interest and no challenges were offered. Chair Blackerby and Commissioner Robert Vincent stated that they had each individually visited the neighborhood, but had not talked to anyone. Director Anne Marie Skinner cited the applicable substantive criteria. She noted that the Nelscott Gap Neighborhood Plan was adopted by City Council but is not part of the adopted Comprehensive Plan, and thus is not applicable criteria. Responding to a question from Commissioner Griffiths, Director Skinner stated that the standing of the Nelscott Neighborhood Plan is as a potential source for goals and policies in the Comp Plan update process currently underway.

Director Skinner presented a summary of the staff report. The applicants are Knott Holdings LLC, Schwab Holdings LLC, Andrea and Mark Bowman, and Doris J. Eades Trustee. They are requesting a Comprehensive Plan Map Amendment from R-7.5 to RM and a Zone Change from R-1-7.5 to R-M for two parcels totaling 30.3 acres in the vicinity of SE 31st Street.

Director Skinner stated that comments were received from members of the public via an emailed letter signed by Matt and Val Sakraida, Paul Jenkins, Deb Soper, and Stacy and Wayne Borum. Comments were also received from the Department of Land Conservation and Development, the Oregon Division of State Lands, Oregon Department of Transportation, North Lincoln Fire & Rescue District #1, and Lincoln City Departments of Economic Development and Human Resources. The entirety of these comments was included in the agenda packet.

Director Skinner provided an overview of the findings for each of the applicable goals. In relation to the Housing Goal, Director Skinner identified the housing types allowed in the existing and the proposed zones, and the amount of each housing type the property could support. Responding to a question from Chair Blackerby, Director Skinner clarified that the housing totals were maximums and were not to be added together. Responding to a question from Commissioner Griffiths, Director Skinner provided the definition of a residential home as being a home for five or fewer individuals in a residential treatment or training setting and registered with the state. Director Skinner provided a detailed review of the transportation findings, including the relationship of the development to the recommendations of the 2015 Transportation System Plan, which include the SE Lee Extension, the SE Fleet Extension, the SE 27th St Extension, the SE 28th St Realignment, and the SW 30th Extension.

Responding to a question from Chair Blackerby, Director Skinner clarified that the future developer would be responsible for improving streets within the property, and the improvement of half-streets on those adjacent to property lines. Responding to a question from Commissioner Griffiths, Director Skinner cited that the adopted 2015 Lincoln City Transportation System Plan is the basis of this requirement.

Responding to a question from Commissioner Baker, Director Skinner stated that both the goals and the underlying policies of the Comprehensive Plan were relevant criteria applied to the review. In response to Commissioner Vincent, Director Skinner stated that the Planning Commission could not further restrict the types of housing allowed with the zone change, that types of allowed housing would require a code amendment. Prohibiting VRDs cannot be a condition of approval for a zone change. To Chair Blackerby, Director Skinner clarified the comments provided by Fire Chief Dahlman regarding the eligibility of the site for future fire protection.

Commissioner Griffiths requested clarification regarding the comments from Alison Robertson, Economic Development Director, who was present and able to comment. Director Robertson provided the context of her comments and their relation to the Nelscott Neighborhood Plan. Director Skinner shared details regarding the timeline and the process for agency comments, including the fact that the requests for agency comment were sent immediately after the application was received and deemed complete and prior to the initiation of the staff report. Commissioner Griffiths pointed out the memo from the applicant rebutting the written comments provided by the neighbors, and asked if they had had a chance to respond. Director Skinner responded that they had not.

Lamoine Eiler, an architect representing the applicants, provided an overview of the zone change application, the property, and the general intent of the future development. Applicant Dwight Schwab was also present, and transportation engineer Scott Ferguson participated via phone. Mr. Eiler described site features, such as wetlands and steep slopes, that will significantly reduce the number of units possible. He also shared the preliminary traffic impact study findings.

Commissioner Affuso asked about the mix of housing types the applicants intend to provide, and the size and number of bedrooms being considered. Mr. Eiler responded that the exact mix had not been determined, but that they were considering a range of sizes to reflect the diverse family types of workforce housing. To a question from Commissioner Vincent, Mr. Eiler responded that the development would likely be stick-built structures rather than manufactured. Responding to a question from Commissioner Griffiths, Mr. Eiler stated that the physical constraints that occur throughout the site would pose a challenge to a partial re-zoning as opposed to a zone change for the entire 30 acres. Chair Blackerby asked about the plans to get construction equipment onto the site. Mr. Eiler stated that the applicant would likely be required to contribute towards improvements of SE 33rd St (sic?), and evaluated further under the development review process. Responding to a question from Chair Blackerby, Director Skinner stated that the setbacks in the R-M zone are currently under review and will be proposed for changes in an upcoming code change. Chair Blackerby stated that he is in favor of housing that considers the financial means of the Lincoln City workforce, and asked if there were any local examples of similar housing. He also asked about the potential for VRDs in this area, and the applicant stated that there was no intent to encourage their use as short-term rentals. Commissioner Affuso asked if all of the units would be rental, or if an opportunity might be provided for home ownership. Mr. Eiler stated that would be a consideration in the more detailed site planning phases that follow a zone change. Commissioner Griffiths asked if the applicants had any experience in developing rental workforce housing. Mr. Eiler stated that they would look to add expertise in this area.

In response to a question from Chair Blackerby, Mr. Eiler stated that additional transportation analysis will be conducted during the development review process. This work will determine the actual level of development and the needed transportation improvements required to meet the Lincoln City Transportation System Plan. Responding to a question from Commissioner Griffiths, Mr. Eiler described the possibilities for open space protection and/or enhancement.

Judith Sanders, an adjacent property owner provided a response in opposition. She stated that there is a greater community need for single-family units, as opposed to apartments. She pointed out that there is a need and intention of the Comprehensive Plan to preserve neighborhood character, which is primarily single-family development. She also disagreed that the notification process was effective as she did not receive a notification, likely due to the fact that she is a recent second-home buyer. Regarding transportation, she does not feel that existing roads can accommodate additional traffic, and Highway 101 presents a significant barrier to efficient traffic movement in this neighborhood.

Roger Swanton, a resident of SE 31st Street, provided a packet of information, including photographs of the neighborhood and 31st St. His primary opposition is that the road is not capable of additional traffic, even with improvements. The available right-of-way near his home averages 32 feet, which is considerably less than the right-of-way required for Lincoln City standards.

Commissioner Affuso asked Mr. Swanton if there is a possibility that the road improvements required by the future development could help alleviate the current traffic problems. Commissioner Blackerby asked if the majority of future traffic used SE 32nd instead of SE 31st, would Mr. Swanton be more supportive of the project. Mr. Swanton replied that additional cars would continue to impact SE 31st in either case.

Commissioner Griffiths asked if roadways could be developed within wetlands, or if there were required wetland buffers. Director Skinner stated that some exceptions apply for the construction of public infrastructure. Commissioners Affuso and Baker both pointed out that such details would be addressed within the development review stage of the project, but that the criteria for approval of the zone change were limited to broader issues.

Jennifer Anderson Vickers, a neighborhood resident, supports additional housing but expressed concern about safety, and she wanted the issue of SE 31st Street traffic documented in the planning process.

James Vickers, echoed previous comments about the severe existing traffic issues in their neighborhood, and the lack of adequate street infrastructure to support additional densities.

Sue Pfohl, a resident of this neighborhood since 1977, stated that she has consistently requested that the city provide a secondary outlet to improve traffic and increase safety. She encouraged the city to fix this issue prior to allowing any additional development and increasing traffic.

Lisa Lobello and Kim Hamby, also residents, supported the statements of prior speakers.

Director Skinner shared a comment from Stephanie Reid, Lincoln City Public Works Director, that the City was in the design phase of improvements to the SE 31st St and Highway intersection.

There was no rebuttal from the applicants. There were no requests to leave the record open or continue the public hearing. Commissioner Vincent moved to close the record and the public hearing, seconded by Commissioner Sumner, and approved unanimously by the Planning Commission. The public hearing was closed at 8:05 pm.

Chair Blackerby returned the item to the Planning Commission for deliberation and recommendations.

Commissioner Vincent stated that he felt that the issues identified in the public hearing would be able to be addressed in subsequent planning phases, but that they did not represent adequate basis for denial of the zone change request.

Commissioner Affuso agreed with the residents that the traffic issues were problematic, but that they were not unique to this neighborhood. She did not feel that the traffic issue should preclude the zone change.

Commissioner Baker also agreed that the concerns brought up by the neighbors were valid and that real traffic issues were evident. However, she stated that the applicable criteria for approval of a zone change have been met.

Commissioner Griffiths supported waiting to evaluate the zone change until after the Comprehensive Plan is updated to implement the recommendations of the Nelscott Neighborhood Plan. Commissioner Baker agreed that would have been ideal, but that it simply is not the condition under which this application must be evaluated.

Commissioner Sumner stated that she lives in a similar neighborhood, and that she believes that existing development codes will ensure that the subsequent design phases meet the wider community needs for housing, safety, and connectivity.

Commissioner Schlesinger stated that the traffic issues should be addressed before any additional development is allowed on the east side of Highway 101. Chair Blackerby asked if it was understood that this particular development could be a potential catalyst for the development of strategic transportation improvements needed in southeast Lincoln City, such as the Foothill Parkway. Commissioner Schlesinger disagreed, and restated his initial concerns.

Chair Blackerby urged the developers to consider the resident comments, and to be responsive as they move forward in the planning process.

Commissioner Griffiths commented that it was his opinion that the traffic issues identified were in conflict with the Comprehensive Plan transportation goal "to provide a safe, convenient and rapid transportation network to facilitate the movement of goods and people", and as such he was not in favor of approving the zone change.

Commissioner Baker moved to recommend to the City Council that the Spyglass Ridge zone change be approved, seconded by Commissioner Vincent. The motion passed 5 in favor, 2 opposed (Griffiths and Schlesinger).

FINAL RECOMMENDATION

Based on the evidence presented at the public hearing on August 16, 2022, including the staff report and the findings (attached hereto as Exhibit A), the Planning Commission recommends that the City Council approve the comprehensive plan map amendment and zone change of Assessor's Map 07-11-22-DC-06100-00 and 07-11-22-DD-00200-00 from the Medium Density Residential District and R-1-7.5 zone to the High Density Residential District and the R-M zone.

APPROVED THIS 4th DAY OF OCTOBER, 2022.



Kim Blackerby
Planning Commission Chair

ATTEST:

Shane Marie Skinner

Anne Marie Skinner
Planning & Community Development Director