



CURRY COUNTY COMMUNITY DEVELOPMENT
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Curry County Planning Commission

**Meeting Summary of
August 15, 2019**

Chair Ted Freeman called the meeting to order at approximately 5:30 pm. Planning Commission Members present were Ted Freeman, Diana St Marie, Sharon Jensen, Lynne Dewald and Michael Lange. Staff Present were Director Becky Crockett, County Counsel John Huttli, and Planner Nancy O'Dwyer. Chair Freeman made a request to hear any public comments for items that were not on the agenda. There were none. Director Crockett reviewed the procedures for quasi-judicial hearings, and noted that the only item on the agenda subject to public approval was the Pacifica At Rogue Reef Subdivision (S-1901).

Chair Freeman inquired whether board members had any ex parte contact or conflict of interest with the applications to be discussed. Commissioner Lange disclosed that he is a Realtor, but that it was not going to be relevant to his decision and he did not feel he needed to recuse himself from this application (S-1901). Chair Freeman noted ex parte contact in reference to S-1901 (Sant Pacifica subdivision application) in that he had a sand and gravel business and that the buyer of his business has potential to provide materials to the applicant. He noted that this ex parte contact would not impact his consideration of facts and evidence of the application. Commissioner Dewald noted that she is a client of Stuntzner Engineering, which provided the engineering for the subdivision project (S-1901), but that she does not feel this will make any difference in her decision. Chair Freeman also noted that he had a site visit to the subdivision project (S-1901). Commissioner Lange asked Counsel Huttli whether Chair Freeman was obligated to disclose his findings from the site visit. Counsel Huttli told Chair Freeman that he should bring it up during the discussion if his site visit had any bearing on the decision.

Chair Freeman asked whether there were any changes to the minutes from July 25, 2019 meeting. Vice Chair St Marie asked for clarification of the meeting summary, first paragraph of page two. Commissioner Lange motioned to approve the minutes and Vice Chair St Marie seconded the approval. Board approved unanimously.

Chair Freeman asked Director Crockett to review AD-1907 (application for gravel extraction on Pistol River), but excused himself from the discussion and decision of this application, as he has during the prior PC meetings.

Director Crocket reviewed AD-1907, noted the progress made during the prior PC meetings and explained that the staff report had been revised following all the evidence into the record. The key issues were whether the application contained enough information for the Planning Commission and whether the county should rely on other state and federal agencies providing permits and licenses (for gravel extraction) regarding environmental factors. With assistance from county counsel, the staff report concludes that there was insufficient information in the application and that the application should be declined. There were no questions by the board. Vice Chair St. Marie motioned that the board support the staff's recommendation, Commissioner DeWald seconded it and the board unanimously approved the motion. Commissioner Jensen noted that it could be a good project, but that there was insubstantial information in the application. Although the applicant asked to comment, county counsel said that it would not be appropriate at this time. A member of the public asked whether notice of the decision will be mailed. Director Crockett said that the decision would be posted on the Planning Commission's website. Commissioner Lange asked if it would be posted in the newspapers, but Director Crockett said no.

Chair Freeman then introduced application S-1901 (Pacifica at Rogue Reef Subdivision Preliminary Plat and Plan), and Director Crockett summarized the information about the subdivision. Included in the summary were the key issues such as the need for housing in the county, prior approvals as a PUD, access management and methods to slow traffic, shared road maintenance, erosion and sediment control plans. Director Crockett noted that while storm and surface water management issues were not fully resolved, approval is conditioned on the applicant doing further work on this in concert with the county and ODOT. Director Crockett also noted that the City of Gold Beach had input in regards to storm and surface water management, street lights at intersections and public services.

Chair Freeman asked whether the board had any questions of the staff. Vice Chair St. Marie asked whether review of engineering for connection to the City of Gold Beach water system had been added as a condition of approval. Director Crockett noted that it hadn't, but that it could be added. Commissioner Jensen asked whether there was a cost to the county in regards to the storm water issue. Director Crockett noted that the county has not done any research on this issue, but that the applicant has been amenable to suggestions. Commissioner Jensen wondered if the county already has a problem with storm water in this area. Director Crockett said that the county is unsure, but that ODOT may have an issue (where Ocean Way passes beneath the highway). Chair Freeman noted that there was a mistype on page 8 of the staff report, in regards to the ESCP (Erosion and Sediment Control Plan) acronym, and asked whether the contractor will build the road bed to county (12") or city (8") specifications. Director Crockett noted that county requires 12" and that the city did concur since the property is within the Urban Growth Boundary. Chair Freeman also asked for clarification about the pedestrian walk and bike way, without sidewalks. Director Crockett explained that the city required sidewalks, but that the applicant proposed this walk and bike way in order to best meet space constraints. Chair Freeman asked whether a fence would be required around the rain garden and noted that he was concerned about safety for kids.

County Counsel HuttI noted that the health department may also be concerned about the rain garden, depending on the depth. Chair Freeman added that he was also concerned about the feasibility of a Home Owners Association (HOA).

The subdivision developer, Applicant Josh Richards, was then introduced. He explained that their position was not adversarial, but rather that Sant Pacifica wanted to provide more housing and be a “good neighbor” to the county. He discussed the need for housing at every level and that they would place a deed restriction on the lots preventing short term rentals for one year. HOA fees, initially set about \$75-\$100, would be used for road maintenance, rain garden maintenance and storm drainage. Commissioner Jensen asked for clarification about the HOA and whether long-term rentals would be allowed. Applicant Richards explained that the developer would be in control of the HOA for one year, but after that three property owners would be elected as the HOA to collect and allocate fees. He also confirmed that only short-term rentals would be restricted.

Applicant Richards then expanded on the Sant Pacifica Company, their mission and business models as well as their experience with housing developments. Questions were asked by Chair Freeman about the size of the units, by Commissioner Lange about the number of models and by Commissioner Jensen about their experience building in coastal areas. Units will range from about 1600 to 1700sf up to 2200 sf. There will be three models, both one and two levels. Developer has built in the coastal area and the homes will come with a 10 year warranty. Commissioner Lange asked for further information about the construction. The units will have steel frame, cement fiber lap siding, metal roof and zero point load system. Units will also be a fully sealed envelope and environmentally friendly. There will be a flat roof above the garage available for additional patio or garden area. A few units will be priced \$289,000, but most units will be priced between \$325,000 and \$400,000. Commissioner Lange asked how the subdivision will be separated from the existing Knox subdivision. For the houses along Azalea Ln, there is a stream and a 35ft rise, but the subdivision’s perimeter will be fenced.

Applicant Richards explained that he then wanted to address the conditions listed in the PUD and subdivision staff reports. He also noted that the requirement for street lights at intersections was not required for the adjacent Knox (Rogue Hills) Subdivision. Chair Freeman asked if the developer would consider low-level lighting, and Applicant Richards replied yes they would add, if it was needed. Applicant Richards then reviewed the 26 listed conditions and gave a brief description of their plan to meet each condition. They are still waiting to meet with ODOT, so conditions involving ODOT have not yet been finalized.

Chair Freeman asked why they decided to have private roads versus county roads. Applicant Richards noted that the private roads allowed the subdivision to provide parking area in the drives. Director Crocket agreed that low level street lights were possible. The board had no additional questions for the applicant, but a member of the public asked about marking the property lines and fencing. Applicant Richards

expanded that the fencing would be set back from the creek, on the slope above, and that the lots would be staked during the surveying process.

Commissioner Jensen asked if the staff was comfortable with the storm water issue. Director Crockett noted that the applicants had just provided new info (white binder supplied to each member of the board and the planning director) when they arrived to the meeting and that this information would be reviewed. Director Crockett stated that the planning department would make sure it is built to the requirements of the Curry County Zoning Ordinance and subdivision requirements.

Chair Freeman asked whether anyone wanted to speak in opposition of the application. After no response, Chair Freeman closed the public hearing at 7:20pm. Director Crockett explained that staking of the lots was required for PUD approval. She also noted that there had only been one comment received from the subdivision notice, requesting that structures be limited to a height of 26ft. Chair Freeman asked staff what was the county requirement, and Commissioner Crockett noted that the zone allowed structures up to 35ft. Commissioner Lange motioned for the board to accept the staff's recommendation, Vice Chair St. Marie seconded the motion, and the board then unanimously approved the decision. Director Crockett concluded that the final order would be prepared for the next PC meeting on Sept 19, 2019.

Chair Freeman asked if there were any Planning Director Updates. Director Crockett noted that there would be a full agenda for the Sept 19, 2019 PC meeting. The agenda would include planning commission discussion about AD-1909 (Kiewit / Edson Creek Rock Quarry), a public hearing application for an 11 unit vintage RV park and final orders for AD-1907 (Adams Pistol River Gravel Extraction) and S-1901 (Pacifica at Rogue Reef). Chair Freeman moved to adjourn the meeting, Commissioner Lange motioned to adjourn, Vice Chair St. Marie seconded the motion, and the board unanimously approved the decision. Chair Freeman adjourned the Planning Commission meeting at approximately 7:35 pm.