

Neskowin CPAC  
Land Use Subcommittee Meeting Minutes  
April 4, 2009

*The Neskowin CPAC Land Use Subcommittee and others met with the developers of Hawk Creek to discuss their new application prior to the regularly scheduled CPAC meeting.*

Land Use Subcommittee Members in attendance: Doug MacCourt, Andreas Von Foerster and Charlie Ciecko

Other attendees included Jan Bayless, Don Mezzenga, Carol Bickford, S.L. Baumgarte, Captain of Station 84, Nestucca Rural Fire District and Kris K. Weiland, Chief of the Nestucca Rural Fire District

Doug (Land Use Subcommittee Co-Chair) explained that the Subcommittee would not make a decision or negotiate any issues concerning the new cluster subdivision proposal, but rather listen to the details of the proposal, ask questions and then make recommendations to the CPAC as a whole.

John (prospective Hawk Creek developer) explained proposed cluster subdivision submittal to Tillamook County. According to John, the prospective developers thought the differences between the original Planned Development concept and this concept would address the Neskowin Community's concerns, including:

- Larger lot sizes (6000 sq. ft. minimum and an average size of 7500 sf);
- 25 lots in first phase with installation of utilities and infrastructure for at least 100 units
- Garage parking and on street parking

- o Fewer lots. If our entire development were to be built out in a way that is consistent with our shadow plat, there would be as many as 100 lots. This is 20 less than the Planned Development proposal, 34 less than what is allowed under a Planned Development, and 28 less than the number of lots predicted for our property by the Community Plan. Being that our property is 35 acres, at 100 lots this is about 2.9 lots per acre, or one lot per 15,200 sq. ft. of land. Our base zoning is for 7,500 sq. ft. lots.

- o Skinny streets. The community plan calls for skinny streets. We proposed streets that are as skinny as the county and fire department will allow. The PD plan had wider streets.

- o Creek crossings. The PD plan had four creek crossings, and there was some community concern about the impact on the creek. Our shadow plat has only two creek crossings.

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- o No deviation from county standards. One of the main criticisms of the PD approach is that it allows you to deviate from county standards on lot size, lot width, setbacks, etc. Under this cluster subdivision proposal, we do not deviate from any county standards whatsoever.
- o Summit Rd. There was concern that Summit Rd. was too narrow for comfortable 2-way traffic, especially if emergency vehicles. As part of our 25 lot cluster subdivision proposal, we are proposing to widen Summit Rd. per Public Works standards to accommodate all traffic.
- o Stormwater. Last summer a CPAC member suggested that we take a closer look at discharging our stormwater into the wetlands. We had our engineers and a wetlands consultant analyze this, and our new proposal is to discharge our treated stormwater into the wetlands.

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Questions:

How many potential lots at buildout under cluster subdivision proposal?  
100 at buildout if they use the cluster subdivision rules.

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Access issues – Fire department may require no parking areas, pullouts, no passing.

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When can the CPAC get the new application?

Application submitted to the County March 13, 2009. John and Jeb said that they did not want to release the submittal to the CPAC until it is deemed complete by the County. The Subcommittee urged the developers to give the CPAC members access to the report at this time because of the short amount of time we have to analyze the materials. The developers refused the CPAC's request.

How does the cluster proposal address flooding?

It is addressed in the stormwater report

Fire Hazard Issues:

According to the Fire District, the proposed development is within the Urban/Wetland Interface Area where fire danger is severe. Building materials relevant because tightly clustered homes creates a fire hazard. The Fire Officials discussed problems with tightly clustered developments in other areas of the County and the limited ability of the Fire District to respond or deal with fires in these areas.

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How will this proposal impact the quality of wetlands?

The developers stated that there was a wetlands delineation [that is available upon request](#). [There was a lengthy discussion about the improvements that will be made to the wetlands on site by the developers.](#)

#### Transportation impacts?

Basically same analysis as previous proposal. ODOT has not yet signed off on the proposal. Vegetation removal would still need to take place but the developers insisted that no damage to trees or roots would take place.

#### Utilities

Q: written commitment for providers?

A: [They are in the works](#).

Deleted: No

Q: Size of line for service?

A: 8"; hydrants every 500 feet

- plan to run line throughout the entire
- will want more fire hydrants. [Developers indicated to the fire department that they would follow their direction on the placement of hydrants.](#)

Q (from Fire Chief): how will this be affect by the 100 and 500 year flood? One concern is that heavy rains and high tides will compound the current flooding conditions

A: [This is explained in the stormwater analysis](#)

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Q: base was lifted 3-4 feet, any plans to remove gravel to enhance movement of water to ocean?

A: should be dredged, but salmon? [Developers have no plans to remove gravel. We will seek guidance on this matter from the state agencies that have jurisdiction over the creek and we hope to do whatever is best for the creek.](#)

- [original](#) owner had removed 40 cubic yards of material

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Q: How will conservation easement be maintained?

A: HOA

- O&M plan in bylaws

Q: Intending to apply under cluster rules?

A: Yes

Q: Neskowin Community – need greater specificity with the Neskowin Community Plan

A: [Developers feel this cluster subdivision plan is closer in line with the Neskowin Community Plan](#)

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Q: Would the development result in smaller setbacks and higher building heights?

A: Development [will follow Tillamook County code](#)

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Q: Selling as lots?

A: Yes. Just land developing, selling lots w/CC&Rs.

Q: What construction and building standards, e.g. roof design? What is the “design” feel?

A: Quintessential beach feel, wood side, stone; same feel as original proposal but design requirements are not a part of the proposal to the County.

Q: Was a stormwater analysis performed?

A: Yes. It will be available with the application.

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Q: Stormwater analysis – what went into it?

A: Too technical for this meeting; did not discuss details  
Storm report – would be happy to share at a later date.

Q: Considerable amount of impervious surfaces

- concerns about surface water impacts
- We can bring the engineer from SFA to discuss the situation with the CPAC if there is any interest.

Deleted: will have SFA stormwater person by CPAC meetings

Other general comments – uncertain about plan for full buildout

Lack of meaningful difference between original proposal and cluster proposal raised concerns.

Q: Does stormwater, traffic, other analysis take full buildout into account?

A: “ It depends.”

- ODOT only one Phase I; will advise
- Traffic study does account for full buildout because same study used as previous submittal

The prospective developers noted in response to concern about the lack of meaningful difference between the cluster proposal and the Planned Development proposal that the Neskowin Community was opposed to any Planned Development. The Subcommittee clarified that the CPAC was opposed to the previous Planned Development proposal because of the extreme density and the lack of compliance with County criteria including public safety, environmental concerns, compliance with the Neskowin Community Plan, and other problems. The Subcommittee noted that it appeared the same buildout was being proposed, just in phases.