

Cannon Beach OKs development, denies dune grading bid

Controversial issues attract huge crowd

By ERICK BENGEL
EO Media Group

CANNON BEACH — The City Council tackled two complex and contentious issues at its Tuesday meeting, drawing a crowd of almost 60 community members that filled extra chairs and lined the back walls of the Council Chambers.

Laurel Street development

First, the council voted 4-1 to approve, in one fell motion, three related land use applications from Cannon Beach property owner Jeff Nicholson.

Nicholson will now be able to build, and eventually sell, three new family-sized homes on his 0.57-acre parcel at 532 N. Laurel St. — a project that Nicholson has said will allow him to tear down and rebuild a decrepit 100-year-old home on the property's northwest corner.

A Portland resident, Nicholson bought the property in summer 2014 for \$895,000.

To work around a city rule preventing so many structures on such steeply sloped land, he applied for a planned development overlay zone, which changes the site's zoning restrictions to permit greater housing density there.

The council's decision — which finalized its tentative Feb. 10 vote — goes against the Planning Commission's January recommendation that Nicholson's planned development should be denied.

Late last year, both the council and the Planning Commission voted down Nicholson's first attempt to place additional structures on the site. This involved Nicholson trying to persuade the city to recognize four small lots for development purposes rather than one large lot, consolidated because of its slope.

Bundled with the council's decision on the planned development was the approval of a variance to the city's slope-density requirements — the reason for the lot consolidation — and the approval of Nicholson's four-house development plan.

Councilor Mike Benefield cast the sole dissenting vote, largely because Nicholson's property, he argued, doesn't meet the municipal code's criteria for a planned development. The code states that the property must be at least three acres, or the land must have some natural features that make it uniquely suitable for development. Benefield said that neither criteria applied.

He also said that approving Nicholson's three-pronged application may "open the door" to other property owners in similarly restrictive areas applying for planned development overlays and then looking to the council's decision in the Nicholson case as a precedent.

City Land Use Attorney Bill Kabeiseman was skeptical of this view, arguing that future City Councils may decide that some developments proposed in the future are not "unique enough" to merit an overlay.

Before the council's final vote, Benefield made a motion to deny Nicholson's three requests: the planned development overlay zone, the four-house development plan and the slope-density variance. The room erupted in applause and cries of "Yes!" "Bravo!" "Courage!"

But Benefield's motion died for lack of a second.

Breakers Point dune grading

Next up, the council voted unanimously to deny the Breakers Point Homeowners Association's request for a conditional use permit that would have allowed grading nearly 74,000 cubic yards of sand from the dunes west and south of the condominium complex over the next few years. The vote upheld the Planning Commission's Jan. 22 denial.

Windblown sand, trapped in the European dune grass along the beach in front of the complex, has caused the dunes to grow as high as 40 feet in some areas, according to Tom Horning, a geologist working with the homeowners association. The dunes have begun to block the oceanfront views of some condo owners and cause stray sand to encroach on decks and patios.

The dune grading project is meant to restore the residents' views and stave off sand inundation. As originally proposed, the project included dumping about 7,000 cubic yards of graded sand into the Ecola Creek Estuary to shore up the embankment beneath a condo whose foundation is steadily being compromised by erosion, according to Bruce Francis, the Breakers Point property manager.

However, between the Planning Commission's December and January meetings, the homeowners association revised its proposal in response to criticism from the commission and the public.

Francis said that Breakers Point would be willing to avoid putting any sand in the estuary, to deposit the graded sand above the high-tide line rather than along the shoreline to avoid smothering razor clams, and to spread out the dune grading, at sixth-month intervals, through 2017, while providing the city with environmental monitoring reports.

The Planning Commission had decided that they were essentially looking at a new plan and voted down the dune-grading request 4-2. On a motion to deny, Charles Bennett, Joe Berrnt, Hank Johnson and Lisa Kerr had voted yes, while member Ryan Dewey and Chairman Bob Lundy had voted no. Member Janet Patrick, a Breakers Point homeowner, recused herself.

At the City Council meeting, several locals who value the dunes spoke out against the unprecedented size of the project, which is substantially larger than anything undertaken before in Cannon Beach. "Is it really worth the views of a few for this monstrous project?" Lisa Fraser, a north-end resident, asked.

Citing the proposal's magnitude and questionable compatibility with Cannon Beach's natural environment, the council denied the Breakers Point request.

Dog park: Football field would be interim site while a permanent home is sought

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Michelle Bisek, who is active with Astoria Dog Park Friends, which has raised more than \$7,200 toward a dog park, said the football field would give the city an interim site while looking for a permanent home.

"It definitely has given me an appreciation for the people who are in public service," Bisek, who works at Astoria Co-op Grocery and has two great Pyrenees, Chewbacca and Maggie, said of the challenge of finding a location.

"But it also gives me an appreciation for the people in our community, that they care so much to come out and speak their minds to the public servants."

It's a trend

Dog parks have become popular city accessories as pet owners increasingly integrate their animals into daily life. According to a city parks report last year from The Trust for Public Land, a San Francisco based nonprofit, Portland — which now has 33 off-leash recreation areas for dogs — had the highest per capita dog parks per 100,000 residents of any city in the nation.

Warrenton opened the first fenced-off, off-leash dog park on the North Coast at Caruthers Memorial Park in 2008.

The American Society for the Prevention of Cruelty to Animals has found that dog parks generally provide beneficial socialization for both people and their pets, but there are potential health risks for dogs, along with the risk of injury from rough play or fighting.

Most of the conflicts, as Astoria has discovered, are with neighbors who complain about noise, smell and parking.

The city's Parks and Recreation Board supported seeking community input on a 4-acre dog park near Alderbrook Lagoon and the Astoria Riverwalk. At a town hall meeting in January at Alderbrook Hall, however, neighbors pounced.

A dog park, residents believe, would be a regional destination that would bring unwanted traffic into an isolated east side neighborhood with narrow streets and limited parking. Others question the potential environmental impact.



JOSHUA BESSEX — The Daily Astorian

Columbia Memorial hospital, which owns the land containing John Warren Field, has had preliminary conversations with the city about using part of the land as a dog park. The city's Parks and Recreation Department has called a town hall meeting for 6 p.m. Tuesday evening at City Hall to hear public feedback on a 1.4 acre dog park at John Warren Field.



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Michelle Bisek, Astoria, walks her dogs Chewbacca, left, and Maggie, right, Tuesday.

Asked by the city to rate the idea on a scale of 1 to 5 — with 1 being "unsupportive" and 5 being "supportive" — attendees gave the dog park a 1.35. In raw numbers, 18 of the 20 people who responded to the survey were "very unsupportive."

"There's a great deal of resolve amongst the neighborhood to keep this neighborhood from being turned into a thoroughfare for dog park users," said Debi Curl, a retired health care financial manager who lives in Alderbrook. "Especially in light of the fact that those users may have actually preferred a more centralized location to begin with."

Some Alderbrook residents fumed that the Parks and Recreation Board would not formally reject the Alderbrook option at a meeting in late February. Cosby said the board will likely wait until they can recommend a location to the City Council, which will make the final decision.

City Councilor Russ Warr, who represents Alderbrook, had said in February that he could not vote for a dog park at Alderbrook Lagoon given the negative community reaction and his own concerns about the relationship with the riverwalk.

"It was just overwhelming

that the local residents didn't want it," he said.

Councilor Cindy Price had said that she, too, could not back Alderbrook. Now a dog park is being discussed for John Warren Field, which is in her downtown ward.

"I think it's up to the neighborhood," Price said. "The value of John Warren Field is it's not in a residential neighborhood and there are plenty of places to park around there. And that's been the big issue."

Price confessed, though, that "I don't have a dog, so I don't know what the issues really are for a dog park. I'm a cat person."

Zone: Skipanon Peninsula was not included in enterprise zone

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Skipanon Peninsula

The Skipanon Peninsula, which the Port leases from the Oregon Department of State Lands and subleases to Oregon Liquefied Natural Gas (LNG), was not included in the enterprise zone. Oregon LNG is trying to develop an import/export LNG terminal at the site.

Mushen and Raichl served on the Clatsop County Board of Commissioners in 2010 when it approved the LNG pipeline, later denied by newly elected commissioners. If the Skipanon Peninsula was included, Mushen said, there might be a public outcry that the Port devised the zone to help Oregon LNG. It might be appropriate to include the property in the future, Raichl said, if there was a project that had widespread community support.

"My concern is, is Oregon LNG ever going to show up there," Fulton said. "I don't feel very confident about it, but that's my opinion."

If so, he said, the Port has an undeveloped piece of land that needs the incentives.

In other news:

• Raichl said the Port Commission reached a consensus during the evaluation of Knight's first four months

that he's done a good job, emphasizing his personal conduct and interaction with the community.

• Knight announced the Port will be closing its boatyard on Pier 3 because of concerns over stormwater pollution, adding that it was leaked before he was able to tell tenants. The Oregon Department of Environmental Quality recently mandating the Port meet more stringent requirements to reduce copper making it to the waterways, after the Port tested high for the metal at stormwater outfalls near the boatyard and Pier 1. The Port's planning a centralized stormwater treatment facility in response to the designation. Knight said the Port should consider a boatyard at another location in the future, but that it would take at least \$5 million to develop a modern facility, adding he'd prefer a private operator.

• The Port will move forward with permitting for a buildout of Suite 101 in its Pier 1 office building, likely to house mental health, drug and alcohol counselor Sara Wirkkala. Her arrival would leave three of about 25 suites in the building available.

• Knight said an ugly situation formed on the causeway of the East End Mooring Basin recently, in which

Sea Lion Defense Brigade members showed pictures of injured sea lions to a 6-year-old. The child's father, Knight said, became angered by the photos and threatened to grab a shotgun from his vehicle

and shoot Oregon Department of Fish and Wildlife employees. The Port subsequently shut down the causeway when ODFW is doing its work, which includes branding sea lions.

Lock out: Ladd cited for second-degree disorderly conduct

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The teacher had all students return to the school building and reported the incident. The two school buildings on the campus were put in lock out.

Warrenton Police, Clatsop County Sheriff's Office and

Astoria Police Department responded and set up a perimeter around the area where Ladd was last seen running.

An officer was told someone possibly recognized Ladd, and gave his name.

Officers then went to Ladd's residence.

Sheriff Tom Bergin and

Astoria Police Chief Brad Johnston, who had been part of the perimeter, found Ladd in possession of a pellet gun at Ninth Ave. and King Salmon Place.

Ladd was detained. The school was notified and came out of lock out.

A Warrenton Police officer

seized the pellet gun, which was full-sized and looked just like a rifle.

Ladd told officer he did not mean to cause any alarm. He was then cited for second-degree disorderly conduct (a class B misdemeanor) and released to his grandfather.

Dad keeps forgetting how to get home ... Mom is beginning to get worried.

IT'S NOT LIKE HIM.



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