

Jordan Sprague

From: Kathy Kleczek <kathy4seaside@gmail.com>
Sent: Thursday, September 2, 2021 6:13 PM
To: cdadmin@cityofseaside.us
Subject: Sunset Ridge Subdivision
Attachments: Dear Seaside Planning Commission.pdf; ccrs.pdf

Dear Mr Cupples and Planning Commission,

Please find attached my letter in regards to the Sunset Ridge Subdivision. As an abutting property owner I have an actual conflict of interest and will not be participating in this discussion as a Planning Commissioner nor will I be voting. I will be participating solely as a citizen and property owner.









Dear Seaside Planning Commission,

As an abutting property owner at 2080 Aldercrest, I am adding my voice to those residents and neighbors that are opposed to the proposed Sunset Ridge development in its current form. The current proposal raises many concerns for me personally, and for the surrounding environment.

Some of my concerns, not listed in order of priority, as it is hard to prioritize the value of natural habitat and the success of a species, or life and property of those persons currently residing in homes, or life and wellbeing of those hoping to establish a home in the proposed area.

The proposed development area is currently habitat for many known species, coyote, deer, Heron, and Hawk to name a few. It is also a potential habitat for endangered species such as the spotted owl. The waterways within the area are riparian habitat, the larger being part of the salmon habitat directly and the smaller feeding into the larger waterways and wetlands directly. The proposed development as it stands suggests a 5 ft setback from the top of the ravine ridge which would impact the viability of the stream at least by eliminating trees that provide shade and regulate water temperature. Those same trees are part of what stabilizes and controls the water runoff on the extreme slope of the ridge. Please see the attached photos for examples of the wildlife that regularly is seen in the area. The time that has elapsed since there has been a significant wildlife survey of this area has been acknowledged by the County Commission. As part of the Clatsop County Vision 2030 specifically "Maintain and protect natural areas of all

Types for fish and wildlife habitat and corridors, as well as public access, enjoyment and recreation." As part of this goal the Commission is planning on updating maps and classifications, it would be a shame if this important habitat was destroyed and lost. Statewide we as people have learned so much about the importance and means to protect our natural environment over the last 15 years, now that we know better, we should do better. Standards grandfathered in solely due to lack of updating policies are a poor reason to explain to school children in the future, "there used to be salmon and spotted owls here" or "there was a time that the herons HAD a rookery here". WE know better, now we must do better. For reference here is the State of Oregon Land Conservation and Development Department Chapter 660 Division 23 Procedures and Requirements for complying with Goal 5, 660-023-0090 Riparian Corridors <https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=175718>

The proposed setbacks are concerning for the sake of wildlife and also for construction and stability of the area. The area the current houses in the Sunset Hills are built on and the proposed development is located is considered a historical slide zone. The road conditions in the area are the most visible example of the current status of the slide. It is still moving. The houses that are abutting the ridge have experienced loss of land in relatively short time frames. Several homeowners have had to invest in tying their foundations to the bedrock below. In the last 11 years of living at my address I have experienced flooding and loss of elevation in my backyard. The proposed development slope and elevation is extreme in many areas, which is not clearly called out in the maps provided by the developer or their representatives. The Geotechnical report is also full of errors in spelling, and grammar which calls out a lack of attention to detail. From a lay-person perspective it also appears lacking in detail and specificity. It is my belief and suggestion that a more thorough geotechnical report is required in order to make any sort of decision regarding building in the area called Sunset Ridge, or Vista Ridge phase II. As an example, the elevation markings are not complete or current, in regards to the entire area including the abutting properties. Again, we should take

from lessons both experienced close by in Astoria, and further away, Florida and proceed with extreme caution where slope, slide and water come together in the way we all are familiar with in this region.

The size of the lots taking into consideration the actual buildable area in relation to existing homes, slope, easement, and required environmental considerations is far smaller than that of the lots in the rest of the Sunset Hills neighborhood. The lot size for the development of the Sunset Hills was established by CC&Rs (see attached CCRs) the average lot size is .25 Acre compared with the much smaller lot size proposed for the new development. In order to fit with the nature and feel of the neighborhood, if the development is to go forward, lot sizes should be in alignment with the other lots in the Sunset Hills and the number of lots permitted reduced. Currently the lot sizes in the proposal are being compared to lots in the Vista Ridge development, along Forest Drive, to which this development has no actual connection as it is being proposed.

The proposed plan calls for the development to tie to current utilities and storm water run off. This is a major concern as the current utilities and services in the area are already taxed or insufficient. Water pressure has been mentioned by many as a concern. Adding additional households to the same line will exacerbate the water pressure issues. The city storm water run off "system" in the neighborhood needs an overhaul as it is completely insufficient and currently runs over private property into salmon habitat and wetlands. The plan calling for using the current "swale" to direct stormwater runoff is alarming. Being the property owner adjacent to the current "swale" I have experienced extreme water flows due to the runoff in the north side of the neighborhood being directed to what in actuality is a "depression" that absorbs little water. The water is absorbed by the adjacent land or flows downstream. Due to this "system" I have had to invest significant time and money into remediation. I have installed impermeable membrane to the east and south side of my residence, along with a French drain system to direct the water away from my foundation. I have also had large rocks placed along the edge of the "stream" to slow the erosion of my backyard. To see the gentle flow during this time of year is misleading. During the rainy portion of the year the volume of water is a force to be reckoned with. The garden structure in my backyard no longer has sufficient ground beneath it to be stable. The city storm water run off is responsible for the erosion, and that is prior to adding more to it. See attached photos.

The proposed building plan does very little to address erosion. As a property owner of a property below the level of the development the suggestion that a 4ft long 2-3ft wide mulch berm would be sufficient to handle erosion from a cleared lot is alarming. Again, I do not feel this is a realistic way of tackling what conditions during the rainy times of year are. Silt filters and mulch berms are not a well thought out plan to tackle erosion and the effects on the area, both for existing property owners and those would be property owners. A complete erosion control plan should be required that will cover all stages of the development. Trees should not be cleared until it is determined there is an actual need for them to be cleared, and a reason not to retain the tree. Erosion can lead to complete loss of foundations, as mentioned before, we should know better and do better.

Another concern is the added traffic on the existing roads. The proposed roads are narrower than the existing roads with more tightly spaced houses. If this was allowed, it could have a detrimental effect on current property values of abutting properties as well as those along what would be the main through-ways. Once again, the neighborhood was built with infrastructure to support the current number and size of lots. Additional infrastructure would be needed and

should be required in the permitting process. Types of lighting and impacts on the neighbors should be reduced via conditions, such as "night-sky" lighting and green buffers established.

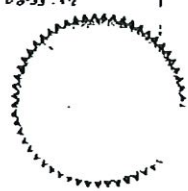
I would like to ask that the Planning Commission consider the impacts of this proposal carefully. The details provided considering the conditions of the property in question are lacking in definition and detail. I encourage you to do everything in your power to explore to find more information beyond what was provided.

As I am an abutting property owner, I have an actual conflict of interest and will not be participating in the discussion or vote on this topic.

Thank you for your work,

Kathy Kleczek
2080 Aldercrest St.
Seaside, OR

Matthew H. Ellison, County Surveyor, has this to certify that this map and plat is a true and correct copy of the original map and plat on file in his office.

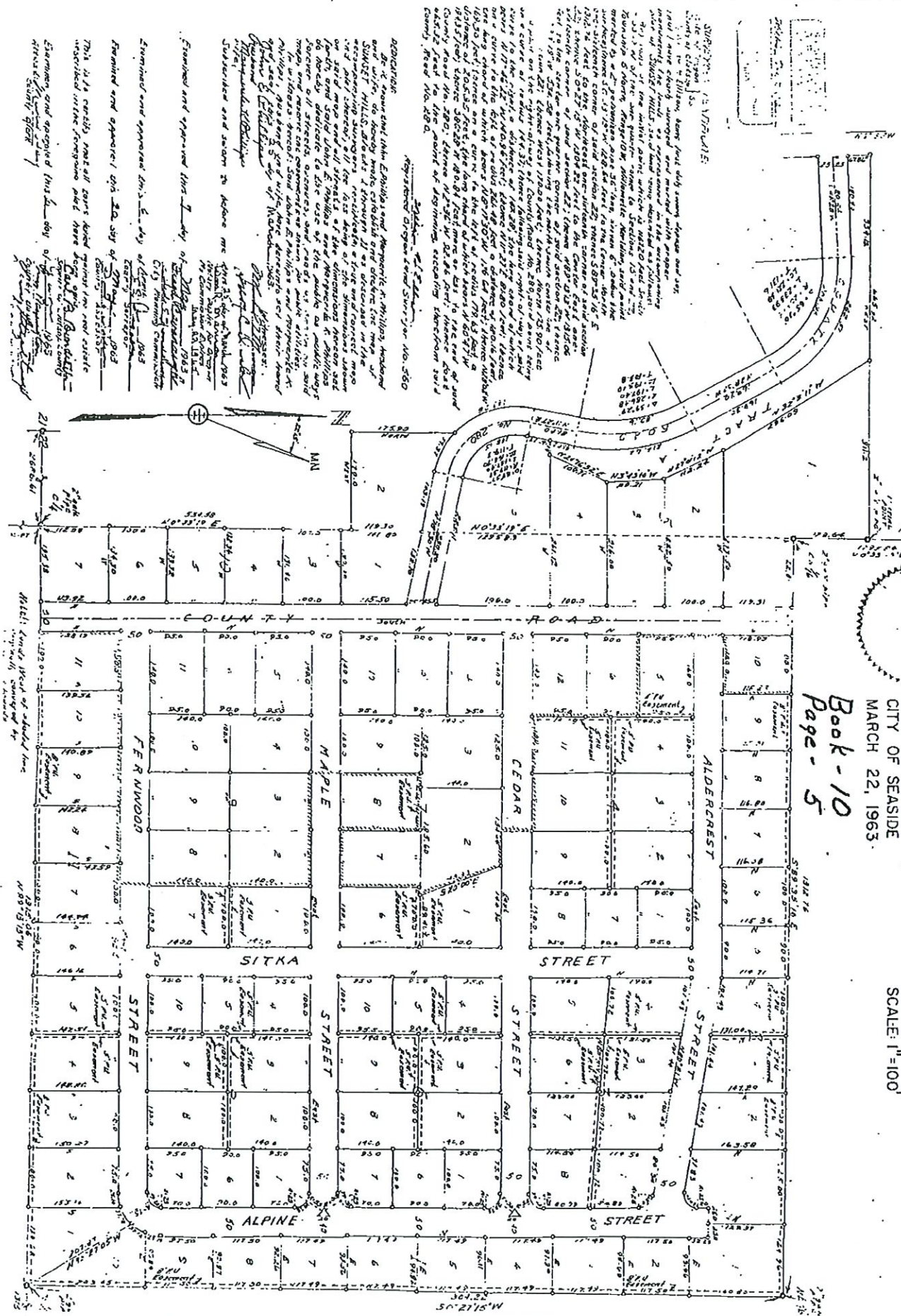


SEC. 22, T.6 N., R.10 W., W.M.
CITY OF SEASIDE
MARCH 22, 1963.

SUNSET HILLS
Book 10
Page 5

CLATSOP CO. OREGON
SCALE: 1"=100'

Book - 10
Page - 5



RECORDING
Be it remembered that Matthew H. Ellison, County Surveyor, has this to certify that this map and plat is a true and correct copy of the original map and plat on file in his office.

APPROVED
I, Matthew H. Ellison, County Surveyor, do hereby certify that this map and plat is a true and correct copy of the original map and plat on file in his office.

#166864

8-29-51
R/W esmt
\$1.00
214/603

John B. Phillips & Marguerite K. Phillips, his wf.
-to-
Pacific Power & Light Co. a corporation

Buy grt an esmt or right of way for an electric trans & distributing
ln of one or more wires & all necessary or desirable appurtenances at or
near the loc & alg the general course now loc & staked out by the Gtee,
over, across & upon the foll desc, prem loc in CC, O, to-wit:

Beap wh is 1167.2 ft S of the $\frac{1}{2}$ cor between Sec 15 & 22, T6N, R10

- W, NW;
- th S 130.7 ft;
- th E 470 ft;
- th S 120 ft;
- th E 290 ft;
- th S 1040 ft;
- th W 90 ft;
- th S 130.5 ft to the S ln of the SW $\frac{1}{4}$ of Sec 22, T6N, R

10 W, NW.;
th W alg the S ln of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of sd Sec, 22, a dis
of 67.0 ft to the SW cor of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of sd Sec 22;

- th N alg the W ln of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of sd Sec 22 a dis of
509.5 ft;
- th W 150 ft;
- th N 206 ft;
- th N 36° 30' W 100.0 ft;
- th N 25° 00' E, 200.0 ft;
- th N 4° 00' W, 100.0 ft;
- th E 28° 00' W 200.0 ft;
- th N 35° 45' W 100.0 ft;
- th N 22° 30' W 90.0 ft, N or I, to a pt wh is 318.0 ft W of the

poB; th E 318.0 ft to the poB;

beg with the max right of ingress & egress over the adjacent lds etc....

Sig & Ack
P. J. & L. Co.
R/W Depart.
Public Serv. Bldg. Portland Ore. S

Handwritten signature and date: 10/1/51

Handwritten note: Mended 9-26-51

DECLARATION OF RESTRICTIONS

WHEREAS, John E. Phillips and Marguerite K. Phillips, also known as Marguerite E. Phillips, husband and wife, are the present owners of the following described real property situate in the County of Clatsop, State of Oregon:

Beginning at a point which is 1167.2 feet South of the quarter corner between Sections 15 and 22, Township 6 North, Range 10 West, Willamette Meridian;

thence South 130.7 feet;

thence East 470 feet;

thence South 120 feet;

thence East 290 feet;

thence South 1040 feet;

thence West 90 feet;

thence South 130.5 feet to the south line of the southwest quarter of the Northeast quarter of Section 22, Township 6 North, Range 10 West, Willamette Meridian;

thence West along the south line of the Southwest quarter of the Northeast quarter of said Section 22, a distance of 670 feet to the southwest corner of the Southwest quarter of the Northeast quarter of said Section 22;

thence North along the west line of the Southwest quarter of the Northeast quarter of said Section 22 a distance of 509.5 feet;

thence West 150 feet;

thence North 206 feet;

thence North 36° 30' West, 100.0 feet;

thence North 26° 00' East, 200.0 feet;

thence North 4° 00' West, 100.0 feet;

thence North 28° 00' West 200.0 feet;

thence North 53° 45' West 100.0 feet;

thence North 22° 30' West 90.0 feet, more or less, to a point which is 318.0 feet West of the point of beginning;

thence East 318.0 feet to the point of beginning.

WHEREAS, the said John E. Phillips and Marguerite K. Phillips, husband and wife has established and do hereby establish a general plan for the improvement and development of said property and in order to accomplish the full plan of improvement and development thereof and for the purpose of encouraging the best use and most artistic development of said parcel of property above described, to encourage the construction and erection of artistic and attractive homes, to secure and maintain adequate space between structures and in general to adequately provide for high type and quality of improvements, the said John E. Phillips and Marguerite K. Phillips, husband and wife, desire to restrict the use of said parcel of property by blanket restrictions covering all of said tract for the future protection benefit and use of all and any subsequent purchasers thereof. It being the intention of the said John E. Phillips and Marguerite K. Phillips, that any and all of said restrictions shall run with the land and shall be binding upon all parties claiming by, through or under the said John E. Phillips and Marguerite K. Phillips.

NOW, THEREFORE, the said John E. Phillips and Marguerite K. Phillips, husband and wife, do hereby restrict the use and benefit of any and all of the above described real property, whether as a whole or in separate parcels to any and all subsequent purchasers thereof, either in whole or in separate parcels, which restrictions shall run with the land and be binding upon all persons or parties claiming by, through, or under the said John E. Phillips and Marguerite K. Phillips, husband and wife.

The said restrictions shall be as follows:

1. Any separate parcel sold or conveyed out of the foregoing described tract shall be used for the erection and maintenance of not more than one detached single-family residence dwelling and appurtenant customary outbuildings and garages and servants' quarters only, and no building or structure other than aforesaid structures shall be erected or maintained thereon.
2. A separate parcel shall consist of a tract not less than 90 feet by 120 feet in size and any parcel within the foregoing described tract may be made larger by the purchase of all or part of adjoining parcels. No building shall be erected on any parcel within 10 feet of the front line or lines or within 5 feet of the side or back lines thereof. This does not include garages which may go to the property line. This does not in any way alter the requirement that the minimum size of any parcel upon which building is permitted shall be 90 feet by 120 feet.
3. No dwelling constructed on any parcel shall consist of more than one story and basement, the ground area of such dwelling shall not be less than 800 square feet, nor shall such dwelling cost less than \$4,000.00. This provision does not apply to garages constructed upon such parcel.
4. The construction of all buildings once commenced on a parcel shall be prosecuted diligently to completion.
5. No trailer, basement, tent, shack, garage, barn or other outbuilding placed upon or erected on any parcel sold or conveyed out of the foregoing described tract shall at any time be used as a residence, temporarily or permanently. No building of any nature shall be moved upon any parcel unless the same shall comply with these restrictions.
6. No fence, wall, hedge or coping higher than 6 feet shall be erected or placed on said realty.
7. No cattle, horses, swine, reptiles, or fowls shall be kept on said property. No business, commercial activity, stables, radio broadcasting stations or commercial enterprise of any kind that will invite the patronage of the public shall be carried on on said property. No part of the foregoing described tract shall be used at any time for the purpose of manufacturing, buying or selling intoxicating liquors for commercial purposes, nor shall anything be done thereon which may constitute or become an annoyance or a nuisance to the neighborhood.
8. The foregoing covenants, restrictions and conditions shall run with the land and shall be binding until January 1, 1975, upon all persons or parties claiming by, through or under the said John E. Phillips and Marguerite K. Phillips as to the whole or any portion of the foregoing described tract and shall be for the benefit of and enforceable by the owners of any parcel of ground within the tract above described.

The present owners of the foregoing certain, and reserve for themselves, their heirs and assigns, all claims and rights of way as may be desired to be exercised, from time to time, for the construction of water lines, electric lines, sewer lines, and for other public utility purposes, and in all cases any such lines or rights of way shall be located as near to parcel lines as practicable and interfere with the use of said property to the least amount practicable.

Dated this 25th day of February, 1950

John E. Phillips
Marguerite K. Phillips

STATE OF OREGON ss.
County of Clatsop:

On this 25th day of February, 1950, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named John E. Phillips and Marguerite K. Phillips, husband and wife, who are known to me to be the identical individuals described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

Bertine L. Myers
Notary Public for Oregon

My Commission Expires: 5-22-51

DECLARATION OF RESPECTIONS

ISSUES

John E. Phillips and
Marguerite K. Phillips

to
Public

STATE OF OREGON
County of Clatsop
I hereby certify that the within instrument
was received for record and recorded in the
record of

DEED

of said County on
FEB 25 1950 - 3 - PM 4:37



Witness my hand and seal of office at about

MARY REDDING
County Clerk

Mary Redding

Jordan Sprague

From: MERILEE LAURENS <mergilee@aol.com>
Sent: Thursday, September 2, 2021 6:41 PM
To: cdadmin@cityofseaside.us
Subject: Sunset hills
Attachments: image.jpg; image.jpg; image.jpg; image.jpg; image.jpg; image.jpg; Att0342EC98.txt

The attached are photos of water coming down from hilltop on Fernwood The area is adjacent to the emergency exit from the hospital.

This is not an unusual amount and is often more.

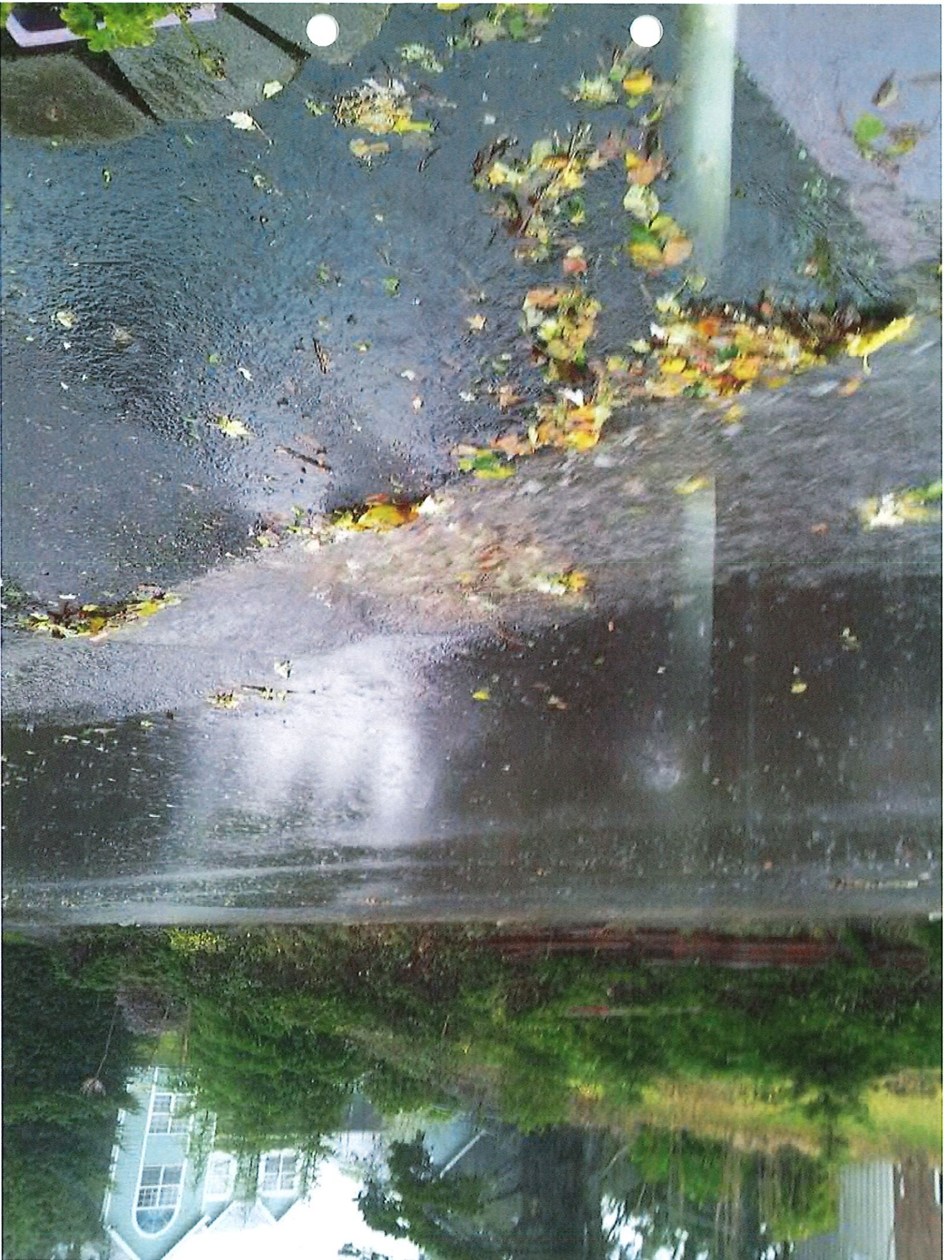
In addition to the emergency exit for sunami Broadway off hilltop is the only exit from the hill.

This area cannot take additional water run off, or increased traffic.

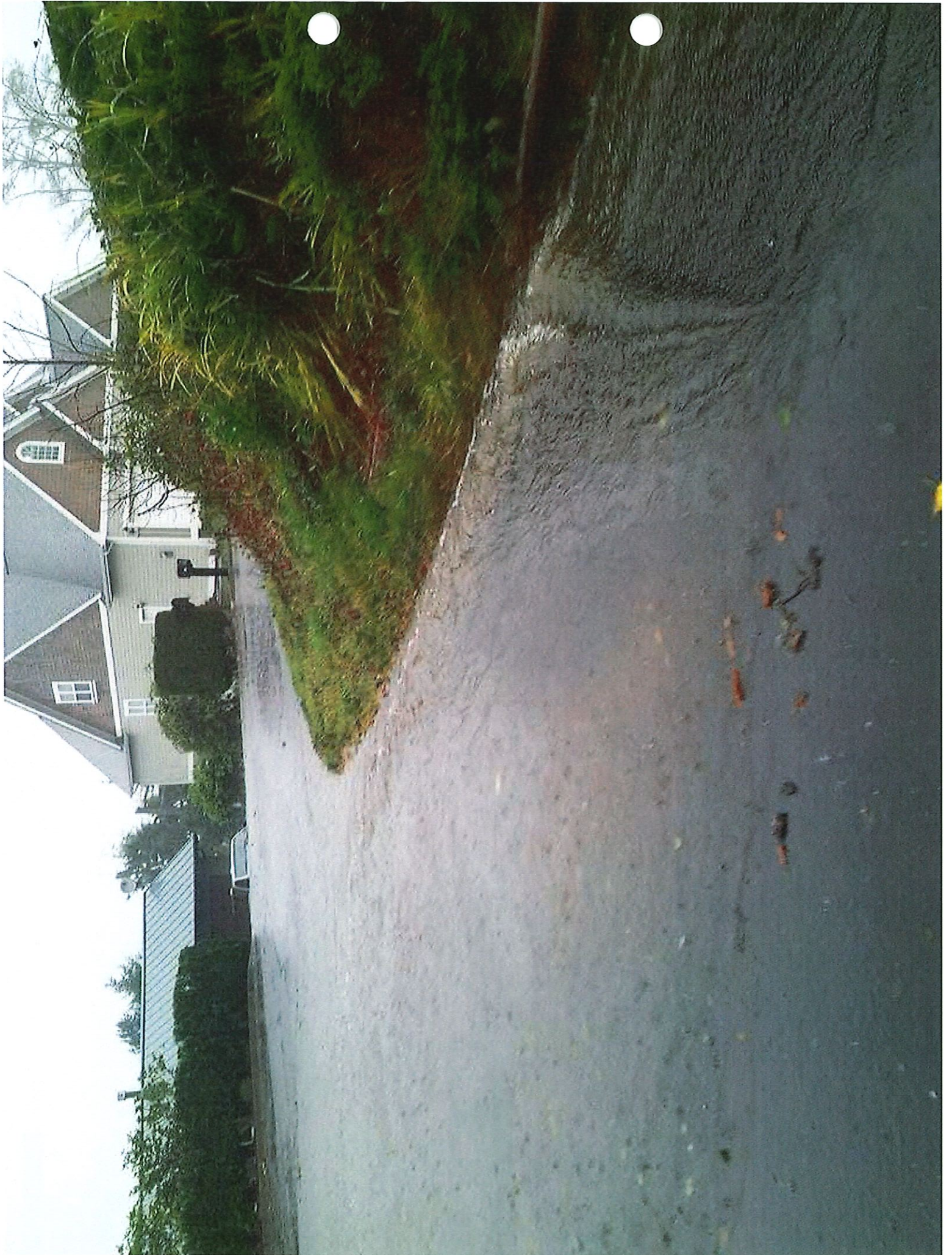
I agree with all of my neighbors that this request is not well thought out, and additional use of road and utilities will not be in the best interest of the Sunset Hills community.

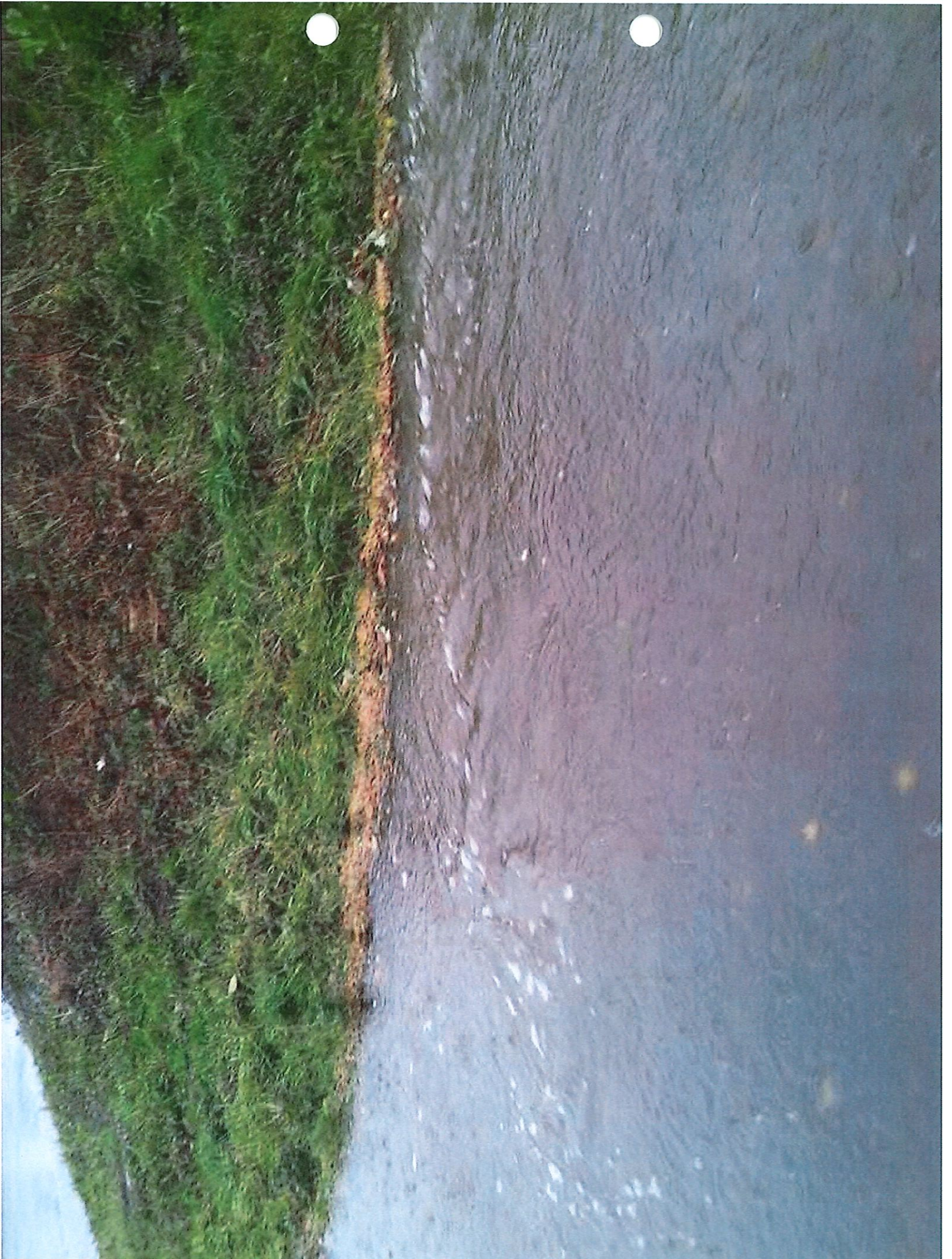
Merilee Laurens
2007 Fernwood
Seaside Oregon
3609103582

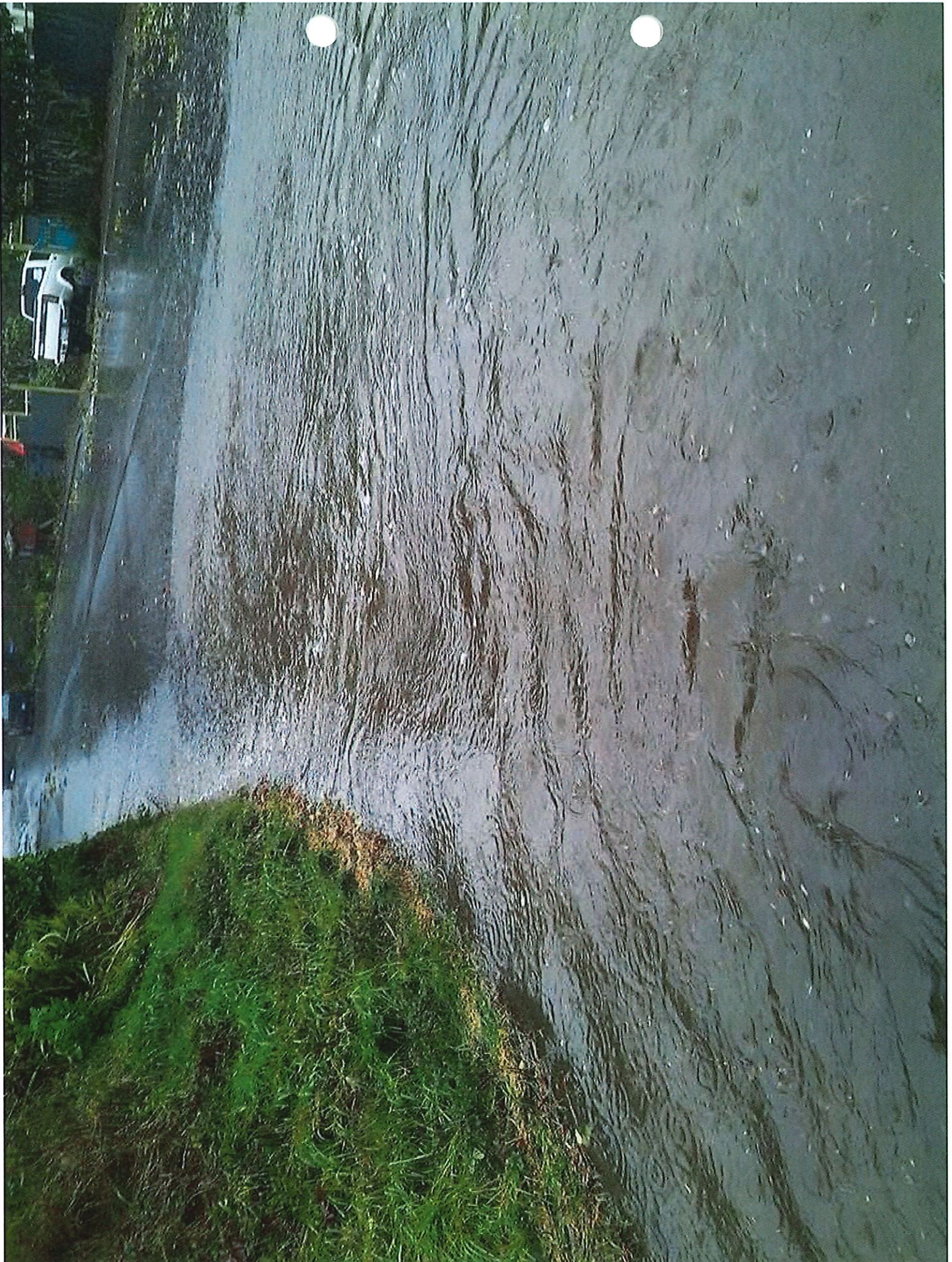












Jordan Sprague

From: Sylvia Stuck <sylvia.stuck@hotmail.com>
Sent: Thursday, September 2, 2021 4:55 PM
To: cdadmin@cityofseaside.us
Subject: Sunset Ridge Development - Planning Meeting Sept. 7, 2021

Dear Planning Commission Members,

I am writing in regards to the proposed development adjacent to Sunset Hills. As a resident on Alpine, near Aldercrest, we have experienced continuing drainage issues from storm runoff and ground water over the years. The impact of clearing trees and adding 17 homes is something that would need to be carefully addressed.

In addition, some of the neighbors on the north side of Aldercrest continue to have sloughing on the north and west sides of their properties, due to water runoff and slope of the land in our area. The proposed removal of the majority of existing trees in the new development could further destabilize these properties, as well as the land to be developed.

Another concern are the setbacks for building along the edges of the ravines and streams. With the history of ongoing movement on Aldercrest, I would hope that the setbacks will take all of this into consideration.

My final thought is the potential impact on wildlife in our area, including how we might protect salmon streams located on the property, including those that feed into the Necanicum River.

My hope is that we can continue to work together towards solutions that will allow for thoughtful and environmentally responsible development in our community.

Respectfully,

Sylvia Stuck
164 Alpine St.
Seaside, OR 97138

Lief and Sani Morin
35 Hilltop Dr
Seaside, OR 97138

RECEIVED
9/2/21

September 2, 2021

Mr. Kevin Couples
Seaside Planning Commission
1387 Avenue U
Seaside, OR 97138

Dear Mr. Couples:

My wife and I permanently moved here from Camas on July 1st after 20 months, and hundreds of thousands of dollars of local investment dollars in a remodeling (but really salvaging) our new home at 35 Hilltop Dr. The sunsets are beautiful and, the weather is amazing, and we absolutely love it here. I grew up near the infamous Venice beach and couldn't be happier to be back in the ocean climate again.

And then we got the notification about the proposed development and our hearts sank. Our newly minted bedroom has an amazing coastal view to the West, and more relevantly, an amazing view of the beautiful, forested area to the East. Our kitchen and dining room also share that amazing Eastern forested view. An area that now, according to the proposal, might possibly completely clear-cut.



It is not sufficient to describe this land as a wonderland. It is full of life and ferns and mature 50'-100' alder and fir trees and two flowing creeks that create this paradise. It is peaceful and represents everything that we all hold special about the rainforests of this region.

The project description is written as: "Develop vacant parcel into 17 lots." The engineering report reads as follows: "The purpose of this report is for the development of 17 lots on this 6.62-acre site." A few pages later in the engineering report it is noted: "A single family-home is being proposed for each lot at the completion of the subdivision development. Each home plan and lot shall be reviewed separately at the time of construction of each lot."

This is a cut and run proposal. This developer intends to clear cut this amazing area, build lots, sell them, and pocket the profit. They would do so without an integrated and structurally sound plan for housing in this difficult terrain, without consideration for the deeply held concerns from the community, and patently ignoring any impact to the sensitive environment that this parcel serves and feeds.

We are adding our voice to a substantial group of homeowners in this Sunset Hills area. We are passionately opposed to this development proceeding. Our extended thoughts, opinions, suggestions, and recommendations follow:

Parties associated with the development:

First and foremost, it was unusual (at least to the community at large) that this scope of project proposal was opaque as to the names of the actual property owners, save for the entry of "Sunset Ridge, LLC" at a PO Box in Portland. We hold no personal objection to the people or entites below, but think it important that this information is disclosed to ensure full transparency in the process. All of this information is publicly available on the internet, albeit, with some digging:

1. The PO Box 86100, Portland OR listed on the form is held by the law firm of Reeves, Kahn, Hennessy & Elkins (<https://www.rke-law.com/>). They are a small firm that provides a broad array of representation, but with some emphasis on real estate and estate planning. They are the entity that registered the business.
2. Steve Ackley of Ackley Homes (https://ackleyhomes.com/Home_Page.html), a local general contractor, is listed as the project representative and general contractor. If this project is approved in any form, we would ask for the following items:
 - a. Details about past projects to review for similarly scoped efforts (e.g. 10+ house developments and in difficult terrain) that have been completed.
 - b. Details about the planned use of local subcontractors and insurance levels.
 - c. A surety bond be required for an amount equal to the entire development cost, including home building, to ensure the responsible completion of the project.
3. According to the Clatsop County property records, this land is under Tax ID # 55886. This is registered to Sunset Ridge, LLC with an address of 801 Main St, Vancouver, WA 98660 and the State of Oregon business search records, the entity Sunset Ridge, LLC has a registered agent of Tiffany Elkins of the law firm named above in Item #1. The registered managers of this entity are Neal Arntson at the same 801 Main St address and Brad Arntson at [2161 NE Clackamas St, Portland, OR 97232](#).
4. The address 801 Main St, Vancouver WA is the main address of Albina Holdings (<https://albinaholdings.com/>). They are an asphalt and fuel company with contacts that are all part of the Arntson family, including Brad Arntson.

Possible decision paths for the commission and city council:

On the face of it, there are three potential options for the resolution of the development proposal under review by the city:

Option A – Approve the project as-is. As noted above, we passionately object to this option. This substantive proposal has been developed and submitted without any input from the community. This has created an extraordinary (and quite expected) negative response given the scope of this project. I will not include more in-depth commentary on this topic as it is well stated above.

Option B – Deny the project due to conservation and the exceptionally challenging building conditions.

Option C – Approve the project after engagement, communication, substantial revisions, and commitment to environmental remediations, city development and community enhancements. If this is the option that must be followed for reasons that are currently unknown to the community, then we'd like to hope that there is a path forward that satisfies, and hopefully exceeds the expectations of all parties. We acknowledge the concept that land development, **if executed properly**, can be beneficial to the economy, the community, the environment, and to the developer's economic benefit.

A discussion about each of the options follows:

Option A – Approve the project as-is.

This option needs no discussion here as our opinions are clearly stated on the first page of this document.

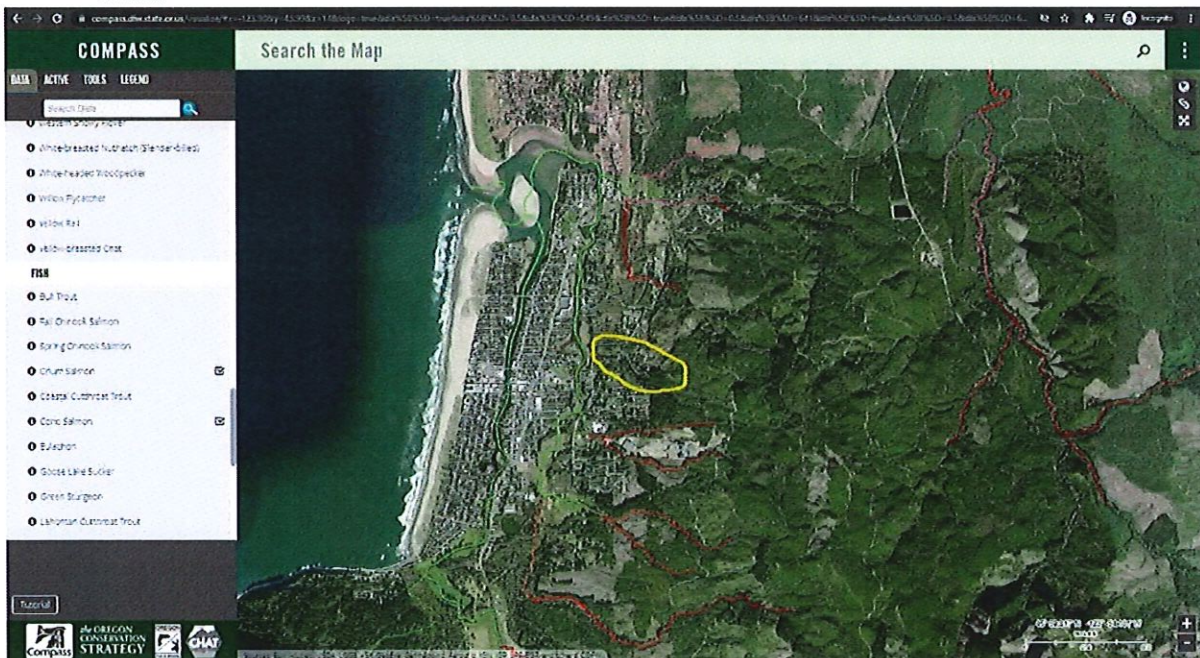
Option B – Deny the Project Discussion:

Environmental Concerns

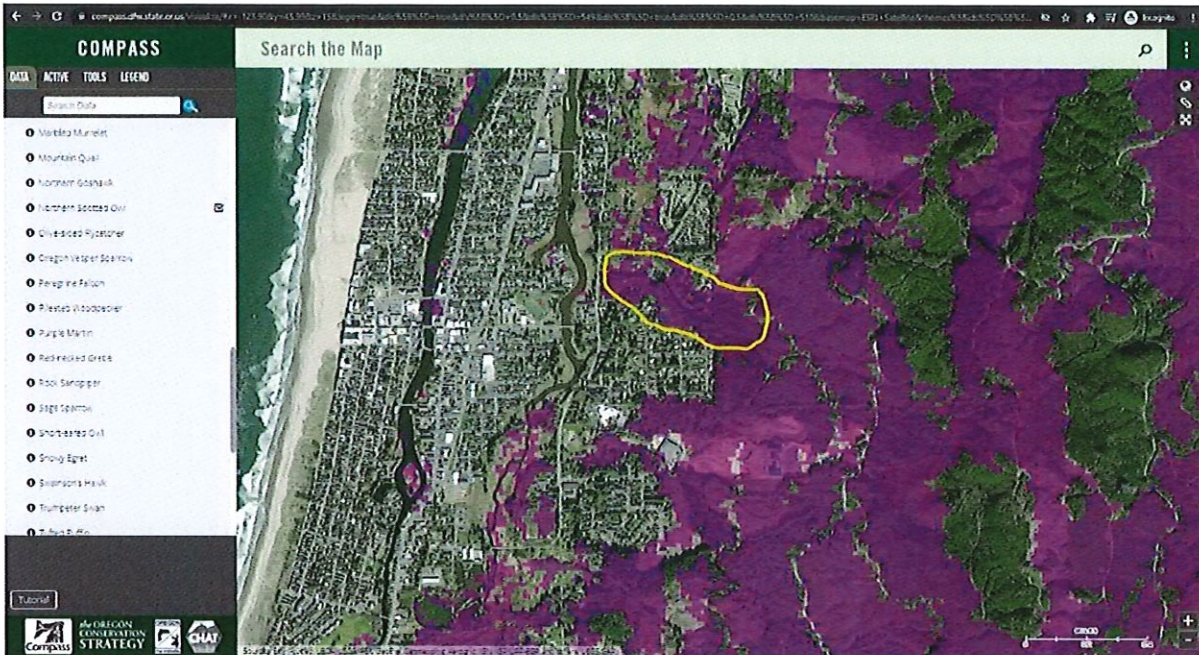
Although I am not an environmental lawyer, the research that I been able to perform in the very limited timeframe offered suggests that there are likely state and/or federal conservation regulations that would prevent the development of this parcel. There are several “sensitive” species that live in the riparian stream and the trees that surround it.

These concerns are outlined as follows:

1. The bottom ~1.6 acres of this property may be considered wetlands. As such, any potential development would need approval from the Army Corps of Engineers. **If a wetland delineation has not been performed on the 6.62 Acre Site, the Planning Commission should require an investigation by the Army Corps of Engineers and, if appropriate, application for a permit from that agency.** <https://wsdot.wa.gov/environment/technical/disciplines/wetlands/jurisdiction/US-Army-Corps-Engineers>.
2. This parcel flows into the wetlands below which then flow into the Neawanna estuary, the Necanicum river where both Chum and Coho salmon thrive. Most importantly, it also is designated habitat for the Northern Spotted Owl resides. That owl species is an endangered and threatened species that is afforded protection status from all forms of habitat destruction. The sources and references for these details are as follows:
 - a) The Oregon species mapping website is found at <https://www.compass.dfw.state.or.us/visualize/#x=-120.50&y=44.09&z=7&logo=true&dls%5B%5D=true&dls%5B%5D=0.5&dls%5B%5D=549&basemap=ESRI+Satellite&tab=data&print=false>
 - b) This screenshot from the mapping site show the Salmon runs (in red and green) and the subject parcel (circled in yellow). The water on this parcel flows directly into the into the estuary and rivers.

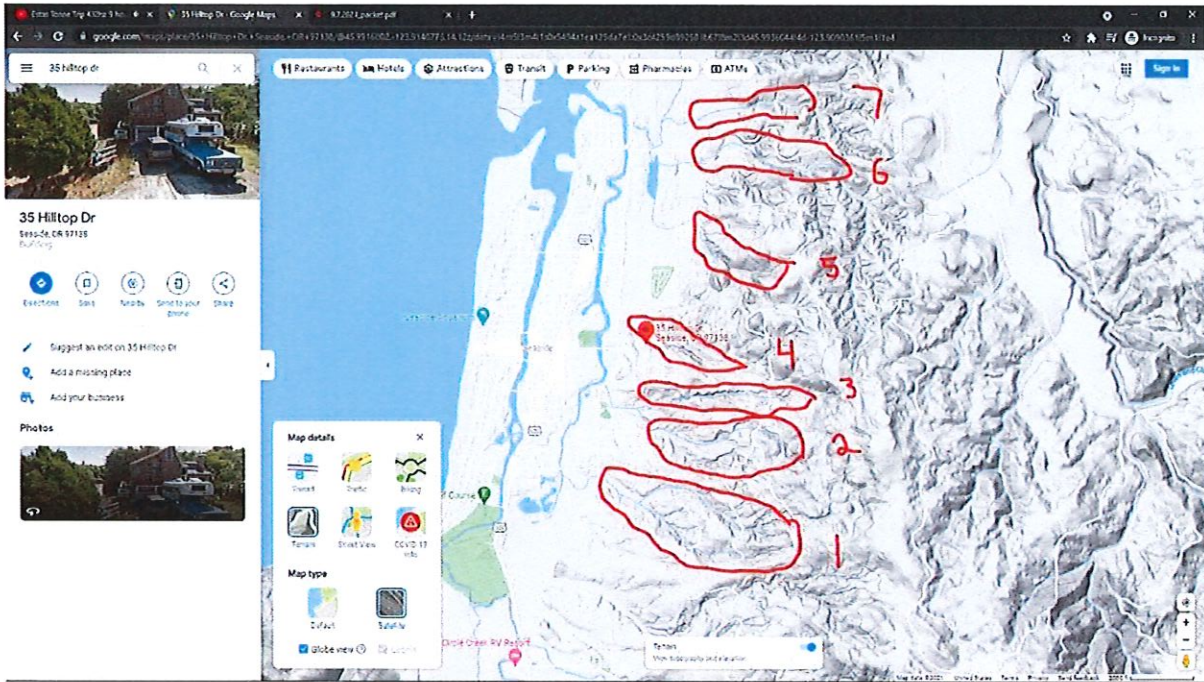


- c) This second screenshot from the mapping site shows the Northern Owl Habitat (in purple) and the subject parcel (circled in yellow). All of the forested ravines – including this parcel – are habitat.



- d) The fish and wildlife department would likely hold interest in this project as a part of their habitat and mitigation policies. This parcel is, at least, a category 3 Essential Habitat, and may be designated as a category 2 essential and limited habitat. Those links are found here. https://www.dfw.state.or.us/lands/mitigation_policy.asp -and here- <https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=2989>
3. Having lived through what has been essentially a new build, the amount of construction left-overs was far, far more than anticipated. And that is for a single house. Without strict governance, any work with or without the inclusion of buildings, there would be such an enormous volume of debris as to render that riparian creek lifeless. There are no provisions as part of the proposal that would address that concern. **The planning commission should require a study by the Oregon Fish and Wildlife department be performed to determine what native species that may be present in this property, the wetlands and the immediate estuary.**

4. This last screenshot outlines the small total of 7 riparian canyons on the western coastal watersheds down into the estuary. The subject parcel is #4. Notably, there are exactly zero other developments located in a riparian canyon in the immediate coastal area of Seaside. The recently built high school above ravine #3 is not built directly in the stream bed itself and according to various sources needed substantial engineering effort to ensure long-term stability. It is reasonably assured that no development would be approved in the Neawanna Creek areas. **Would there have been some criteria that the commission would have allowed the high school to be built in the actual ravine? If not, why would this project be allowed to continue?**



Development concerns:

Winter is coming, and when it does, water will flow and flow mightily. The Western creek bed in this parcel is, in some places, 15 feet from the bottom of the creek to the top of the bank and at least as wide. The Eastern creek bed is both wider and deeper. The terrain is steep, wet and sensitive land. Without substantial infills, more than represented in the reports, it is difficult to imagine how any robust and conservation-appropriate structures might be built without extreme engineering.

Here are a batch of observations, questions, and requests that I noted as part of a detailed review of the submissions and reports provided. I submit these respectfully and with the knowledge that I am neither a geotechnical engineer nor general contractor. But neither is the broader community and these reports do not seem as though they have the depth for a project of this difficulty and scope. We acknowledge that these reports were prepared "based upon a reasonable budget," and, as such, we believe they should require significant additional investigations:

1. The strategy that was adopted in the Vista Ridge I project East and above this proposed development was to leave the natural environment in-tact until such time as the individual homes were to be built. An explanation that might involve the topic of equipment access would seem to be hollow – as equipment is imminently robust and capable of navigating most terrains. **What is the definition of "major trees" that might be removed? Specifically identify those trees specified for removal. Is it really all of them? What is the purpose of clear cutting the entire area?**
2. The removal of trees would significantly alter this ecosystem and dramatically increase the rate of erosion – even with mitigation efforts. Hope is not a plan and "straw bales, and grass seed" are a meager "last line of defense to stop soil erosion". **Provide specific details and mapping of the impact of tree removal on soil erosion.**
3. The generalized nature of the information provided in the submission could allow for substantial disruption and/or destruction of private property, specifically for those folks who live directly adjacent to the potential development. **Provide the precise locations, easements and potential construction details associated with how the utilities would be brought into this proposed development as noted in the report: "sanitary sewer from the northern side of the site" and "domestic water from the eastern sunset hills area."**
4. Although we moved in only 2 months ago, we have been coming to this house since February of 2020 and have witnessed the torrents of water flowing down the street in front of our house. Many times, the volume of water far exceeds the ability of the catch basin on the street to handle. Every neighbor with driveways that slope towards their house has experienced flooding in their garage during large rain events. Indeed, we had to take extraordinary measures during our renovations to ensure there are no further water intrusions, including the installation of a foundation drain, full waterproofing of the foundation, planned landscaping that directs the flow of water, and other remediation efforts. And we are well above the creek area. As we have learned from the amount of restoration that we encountered in our remodeling, and from conversations with the contractors, this climate holds no quarter for unprepared, under-engineered, and even reasonably engineered, properties. Doubly so in a canyon. **A formal hydrology report should be prepared and provided that includes a hydrologic analysis, specific maps for drainage and drainage lines, and a formal stormwater management plan. Provide details about how much water the existing (and overloaded) drainage swales currently accommodate and how much additional drainage is anticipated with this new development. Since this proposed development is down slope from both areas, further explanation of how the use of either of those areas could possibly be implemented.**

5. Provide additional depth to the geotechnical report including a full boring log, laboratory testing results, seismic design specifications, requirements for construction monitoring, and critically, **an explicit conclusion from the consulting engineer on the suitability (or unsuitability) of development on this property.**
6. The neighbor at 27 Hilltop Dr, has noted the presence of a spring at the bottom edge of his backyard. The Eastern edge of his property is approximately a 15 feet vertical rise from the creek bank. The presence of groundwater at that level would make the construction of a street, or any housing, below that area to be tenuous without substantial engineering work. Rainwater after a strong coastal storm would also significantly increase the groundwater level. The Miami condominium complex structural failure is a potent, recent, and tragic reminder of the potential for structural failure as a result of groundwater. Simply put, don't build on swimming pools or in an active stream. **A further investigation of the presence of groundwater must be performed.**
7. While it is standard building practice, a 6" deep footing could be reasonably overwhelmed by the potential amount of water delivered into this riparian canyon from a severe storm. Similarly, a concrete foundation could be compromised from the hydrostatic pressure exerted after similar substantial rains. A foundation drain is unlikely to provide relief. **Provide details of foundations and footings in similarly difficult terrain areas and evaluate the requirement for deeper and thicker footing requirements.**
8. There will be the potential for substantial impact to parcel, and for the private property surrounding the parcel during the installation of the utilities. **Provide the specific locations, termination points, and track lines of all areas where the underground utilities would be constructed and details about how those will impact the creek beds and water flows.**
9. The "steep slope" section of the report provides for a 5-foot setback from the slope edge. This seems remarkably meager. It is not unreasonable to forecast that an erosion of 5 feet of top soil will occur in this rainfall climate over the expected life of this development. This may result in a landslide with a house (or houses) slipping into the creek. These slope failures are likely to be impossible to remediate. **Provide Three dimensional visualizations (easily created with Google tools) delineating the specific location of the plots and the proposed houses.**
10. Taking a note from the earthquake section, a deep seeded (or even shallow rapid) landslide, is more likely to occur with rainfall than with a large earthquake. **Provide details on what evaluations and engineering precautions should be taken to reasonably diminish this risk.** (<https://www.science.org/doi/10.1126/sciadv.aba6790>).
11. Earthquakes are a definitely a concern. Backfilled and silty areas that contain a high percentage of groundwater are uniquely noted for liquefaction (See the Marina District of the Loma Prieta earthquake in 1989). Overengineering to prevent damage would be needed, potentially including pilings that reach bedrock. Any backfill into this site will amplify the effects of even a minor earthquake. A failure of the foundations or concrete in such a quake would cause significant damage to the ecosystem. The report itself notes that "An earthquake of a large magnitude (actual magnitude excluded) will probably damage buildings in this area ..." While that statement is potentially true on the surface for almost any building, **what is the expected magnitude earthquake that this development is expected to survive without a loss of use condition? Also, what construction techniques should be employed to reduce the threat of structural damage as a result of shaking and liquefaction.**
12. As a last, and comical note, this earthquake section of the report notes that there is a "regional seduction zone." **Now there is at least one thing that we can all agree upon!**

A failure to plan is a plan to fail. All of these items should be evaluated, addressed, and circulated before further consideration of this project is undertaken and certainly before an approval of any kind.

Option C – Approve with changes:

First and foremost, given the sensitive nature of the ecosystem and given the difficulties in developing in a creek (all noted above), this project should not be approved without the developer taking on the full responsibility of both land and home development.

In the unlikely and unfortunate case that there are no environmental protections afforded and the development is headed to an eventual approval, and assuming the construction and engineering concerns noted above are addressed, we have many focused suggestions for amendments to and requirements of the proposal that should be considered and adopted:

Sunset Hills community neighborhood requests for the city and developer:

1. Meet individually with each of the directly adjacent neighbors to gather input on site development topics
2. Convene a socially distant group meeting with the Sunset Hills community to address the broader concerns
3. Provide initial proposed dwellings as they might be positioned on the plot map and commit to being open to revisions based on the city comments below
4. Address privacy through landscaping and fencing concerns of the directly adjacent neighbors
5. Detail drainage not only on the proposed development, but also address runoff from all immediately adjacent properties
6. Implement appropriate security and safety measures during construction (e.g. cameras and increased patrols)
7. Commit to a dark-sky and wildlife neutral street and path lighting policy
8. Deliver on critical infrastructure improvements (e.g. street improvements) in the Sunset Hills neighborhood to ensure no degradation to the community infrastructure occurs
9. Commit to a strategy of managing construction debris removal, noise abatement and slope preservation that is sensitive to the environment. Commit to regular inspections and provide contact information for neighborhood complaints.
10. Limit construction hours from 8-5 Monday to Friday only. Interior work would be allowed on Saturdays and only after sheetrock is installed

Conservation requests for the developer:

1. Conservation survey of the land to include terrestrial, aquatic and bird species
2. Identify specific bird habitats (bats, herons, owls) and ensure preservation of those specific areas during and after construction
3. Develop a plan that preserves the feel and flow of the habitat and – key word here - enhances the opportunities for all species to thrive
4. Provide for unfettered wildlife access, including uninterrupted pathways for all terrestrial species (deer, bears, bobcats and many others)
5. Commit to preservation of a strategic portion of the existing mature and thriving Alder and Fir trees currently on the property
6. Ensure the long-term watershed quality into the wetlands, Neawanna Estuary and Necanicum river
7. Deliver specific sewage management plans that also evaluate a contained septic approach to ensure long-term preservation of the ecosystem

Suggestions that the city might require of the developer:

1. To address housing shortage, and in particular to address affordable housing concerns in the community, an exception to the minimum residential lot size should only be granted if multiple smaller and affordable homes replace some number of the planned larger homes. Consider a cap of say \$400K for affordable homes?
2. Provide specific details on the home sizes and target demographics of those who might live there. Ensure they are consumed by a population that is committed to full-time living on site – not as a vacation home. Long-term (year-long?) rentals would, of course, be appropriate.
3. Consider requirement of some quantity of the homes be designated to be ADA compliant and/or exclusively made available to the BIPOC community.
4. Consider establishing an HOA not to govern paint colors, but to ensure commitment to preservation of the natural habitat, and to prevent anything other than usage as a private residence – with provisions of work-from-home professions. Exclude or deter homeowner “hobbies” that might include things like blacksmithing, livestock, roosters and other substantial nuisances or habitat destructive that may not be specifically covered by City regulations
5. Provide access to the walking paths for all citizens of Seaside including interpretive and educational information with emphasis on both wildlife and indigenous peoples
6. Consider walking egress to the North (somehow through the wetlands), East (staircase up the hill) or West (Easement from property owners) out of the proposed development to ensure safe evacuations in case of a fire
7. Provide details on firefighting plans from the same three directions. Is a water tower warranted on the hill above (such as that above the high school)?
8. Commit that a substantial portion (>75%) of the investments be delivered to local contracting (and subcontracting) resources for the project to ensure monies invested stay in the community
9. Consider accommodations for Tsunami gathering points and supply drops for the broader Seaside community
10. Work with communication partners to include enhanced emergency communication infrastructure, certainly to include high-speed internet and possibly a cellular tower?
11. Engage enhance the status of Sunset Hills in particular, but more generally all the neighboring hillside housing in order to address the drop in property values that will occur for the immediate bordering properties and even more so for the two houses that are on either side of the empty lot that the proposed road will be constructed. Their homes would be transformed from their current state into traffic-busy corner lots. Also, and equally as important, to attract professional permanent residents such as engineers, physicians, teachers, first responders and other community enhancing populations.
12. Deploy political will to ensure this becomes a model for sustainable, conservation-sensitive, city-enhancement developments

Potential benefits for the developer:

1. Enhance the economic and profit benefit of the project through an increased sale price of each home and the addition of affordable homes, even taking into considering the change to some parcels of affordable homes.
2. Allow advance purchase of property to enhance (or completely fund) cash-flow for the developer
2. If demand doesn't meet objectives or if substantial project challenges are identified early in the cycle, make individual parcels available for sale to directly adjacent neighbors at land fair market value to ensure continuity of the riparian corridor. This would provide an economic relief-valve to offset most or all invested capital

3. Allow prospective purchasers to further upgrade each property based on formula-based construction elements
4. Include mandatory and “natural and native” landscaping add-on of the luxury properties allows for additional revenue and profit for each home. Ensure these add-ons do not exceed the affordable home caps.
5. Offer interior design services to enhance revenues and profits for each luxury property
6. Engage with a luxury realtor partners and web design firm to deploy advertising in target affluent regions to drive demand for each luxury home
7. Develop capabilities around and reputation for these kinds of developments which will create demand for these specific services for future considered developments. Become the company that folks seek out to handle these projects on the North Coast.

General:

1. Describe all plans and enhancements as part of a revised submission and include proposed construction and occupancy timelines, the allow the community to review before approval
2. Commit to conservation inspections and to resolve concerns throughout the project
3. Implement plans to address construction work safety as an integrative part of the development and commit to full compliancy with OSHA inspections
4. The Seaside Planning Commission Members visit the subject property and with each of the immediate neighbors to gain firsthand knowledge of the potential impact

We have offered the above notes in an attempt to peer into the other side of this project. As a final entry into that exploration, we are attaching a link which could provide a vision of what a project like this could look like if the developers were committed to a sustainable, environmentally sound, and economically attractive approach. I realize this is a hotel in China, and doesn't really look anything like the traditional seaside house, but I believe that a competent architect, a willing developer, along with strong political guidance can deliver a project like this, that reflects a northwest design theme, at an economically viable cost and profit model, and in a manner that is integrated with nature, and that addresses all of the community and city concerns:

https://www.archdaily.com/967351/guilin-lebei-homestay-hotel-aoe?ad_source=search&ad_medium=search_result_projects

Concluding thoughts:

At the very least, the issues and passions that are raised and described in this submission, along with the others that have been received or will be delivered in the verbal testimony on September 7th, should be overwhelmingly enough to put a dramatic and lengthy pause on the evaluation of this proposal.

There is a lot at stake and, most importantly, there are evaluations that the commission and council must consider in the context of their service to the community. Is it the desire of the commission to:

- A. Preside over a drop in property values in a community that has otherwise seen property values on the rise?
- B. Set a precedent for developing in a sensitive coastal watershed without far more substantial site investigations and preparations?
- C. Set a precedent for approving a development despite an overwhelmingly negative community response?

A few additional thoughts:

- We believe it important for the broader Seaside community to have access to information regarding proposed development and as such will forward the nature and details of these plans and discussions to the Seaside Signal.
- We also believe that the details should also be required to be delivered to all potential future homebuyers (should a project in any form be approved) as part of real estate disclosures.
- It is the intention and at our own expense, to explore the details of this proposal with an expert in conservation law to ensure that all appropriate state and federal regulations governing these lands are taken into consideration as part of the evaluative efforts.

Most importantly, we understand the difficult and extensive thought that must go into evaluate and decide upon a proposal of this scope. We appreciate the role of the commission and those who serve in the various city departments for the time and efforts to review these details. We look forward to further dialog and engagement.

Respectfully,

Lief & Sani Morin
818-746-6620

LM/

Cc: RJ Marx, Daily Astorian/Seaside Signal
Dana Phillips, Seaside City Councilor
Kathy Kleczek, Seaside City Planning Commissioner
Other concerned homeowners in Sunset Hills

August 29th 2021

RECEIVED
9/2/21

Michael & Shaun Haner
2021 Aldercrest Street
Seaside, Oregon 97138

City of Seaside
Planning Commission
989 Broadway
Seaside, Oregon 97138

Commissioners,

As homeowners on Aldercrest Street, our family has serious reservations regarding the proposed Vista Ridge 2 (17) Lot Residential Development Subdivision (6.62 Acre)proposed by Sunset Ridge LLC and Mark Mead item 21-061 PBSUB.

Listed below are some of the issues and/or concerns regarding this development passing the Planning Commission's inspection list:

1. Threat of landslide due to removal of selected trees along a waterway run-off currently in place on Aldercrest Street and adjacent land behind Kleczek (Lot 6), Keefer (Lot 7), Liu (Lot 8) and Boat (Lot 9). This removal of trees would remove root base that secures the stability of the ground from erosion.
2. Failure of a sinking waterway drain system currently on Aldercrest due to unstable ground. (Roadway between Keefer (Lot 7), Liu (Lot 8), Boat (Lot 9) **(See Attached Picture 1)**).
3. Aldercrest Street pavement tells the story all the way up to the top of the hill where Alpine turns the corner. There is a failure of a waterpipe in the middle of the road. Even on the hottest days of summer, a leak is visible on the roadway surface from under the ground in front of Brackenbrough (Lot 3) **(See Attached Picture 2)**. Cracks and areas of concaved surfaces litter the roadway as a testament of what the winter water runoff does to the ground underneath the roads in the entire development and focused on the lowest, least developed portion on the north side of Aldercrest.
4. We have been homeowners on Aldercrest dating back to April of 2013. In the winter, we can hear the runoff of a large stream across from our house on the east side of the Boat's yard where a ravine is present and has increased in size approximately 1 foot each year in width and depth along with a more powerful stormwater run-off.

5. The roadways of the Sunset Hills Development are not stable enough to support additional traffic and pedestrians due to the clay/sand mixture that is currently under most of the structures on Sunset Hills and the deteriorating roadways due to water run-off. On Mark Meads Engineering Report, it states the soil composite samples were only taken in (4) locations within the Vista Ridge 2 Development and there were no other core samples taken throughout the remainder of the Sunset Hills development. Though Mark Meads engineering report cites no ground water was found during their (4) digs in the development, this should **not constitute** that the ground throughout the rest of the current development is sound and has no basis of causing further erosion to the rest of the Sunset Hills and to the immediate area of the Aldercrest Street homes.
6. In Mark Meads Engineering Report dated August 6th 2021, it states that the plan is to tap into a storm water system that is currently experiencing more water than it can handle and causing current homeowners Kleczek (Lot 6), Keefer (Lot 7) and Boat (Lot 9) to lose parts of their existing property due to erosion. According to the engineering report, straw bales and grass seed are our last line of defense to stop soil erosion within the proposed Vista Ridge Development. Good luck with that when you buy your first home!
7. Consideration of current natural habitat that occupies the space where the intended development is being proposed including birds of prey, eagles, hawks and owls that may have refuge in the area of the intended development along with deer, bear, coyotes, racoons, rabbits and other wildlife none of which have been a nuisance to the current residents of Sunset Hills.
8. Traffic would be an issue on Aldercrest which is the most likely street to be used to exit to the bottom of Sunset Hills. Speed bumps should be considered to prohibit speeding as people leave the Vista Ridge Development and turn right on Aldercrest. Walkways and proper curbing along with engineering of the current waterway within the Vista Ridge Development should be advised to mitigate any further slide factors for nearby homes adjacent to the new development.
9. If the Vista Ridge Development was given permission to proceed, no other access to roads in the Vista Ridge Development or Sunset Hills should be granted for school traffic and used as an exit for the Seaside Public School system.
10. A water substation should be mandatory for the new development so that a lack of water pressure by the current residents is not felt by the new development being given the go ahead. Water pressure needs should be addressed prior to approval of the Planning Commission.
11. Sewer needs should be handled the same way and addressed prior to approval of the Planning Commission.
12. If a wetland delineation has not been performed on the 6.62 Acre Site, I would encourage the Planning Commission to seek out that valuable information along with a study by the Fish and Wildlife biologists regarding native species that may be present in the current waterway.
13. Notes should be made to check off with the Fire Department and EMS responders regarding proper access with all vehicles to the Vista Ridge 2 site, water support for fire danger and protection of structures and surrounding wildland in the development.

RECOMMENDATIONS AND SUMMARIES

Recommendations: The Seaside Planning Commission Members visit the site of Kleczek (Lot 6), Keefer (Lot 7), Liu (Lot 8) and Boat (Lot 9) and inspect all roadways on Sunset Hills for signs of water disturbance under the roadways visible by cracks in the pavement and dips in the asphalt. Viewing should take place after a major rainstorm or purposing a setback of the proposed project until after winter when viewing of the waterway and runoff at its peak time will occur.

Summary:

Finally, as a commissioner representing the people of Seaside, please ask yourself this: "Why is the developer of the Vista Ridge 2 site not giving a warranty implied or expressed of his workmanship?" He knows the answer, the vulnerability of this development is the current waterways that have carved their way through Sunset Hills and he cannot guarantee anything because he knows water ways don't change direction overnight. All the residents adjacent to the proposed Vista Ridge 2 (17) Lot Residential Development Subdivision have all expressed concerns regarding erosion, sliding and sinking of property, traffic issues and all the overall egress of a development that is entangled with a waterway. We do not want to end up like Astoria's excavation across from Safeway. (see attached Hauke Wilkins vs. Allen's Lawsuit)

Sincerely,



Michael Haner



Shaun Haner

Hauke Wilkins vs. Allen's Lawsuit

Homeowner seeks a \$375,000 settlement for damage to home. The first lawsuit stemming from the destructive land movement in Uppertown has been filed against Skip Hauke and Jim Wilkins by one of the affected homeowners, who said he was "backed into a corner" by the refusal of the two to discuss a possible settlement.

Larry and Nancy Allen filed suit Dec. 12 in Clatsop County Circuit Court against Wilkins and his construction company, and Skip and Sara Hauke. The Allens seek \$375,000 for the loss of their home at 3204 Grand Ave., which they say has been made uninhabitable by the landslide they blame on the excavation work performed by Wilkins for a commercial development planned by Hauke on Marine Drive.

The suit claims that **Hauke and Wilkins ignored evidence that the land in and above the construction site was unstable and that Wilkins failed to follow regular building codes, the engineers' recommendations "or even common sense in an area known for destructive land movement and/or landslides" when excavating the area and building a retaining wall last May.**

The Allens' home is among several on the hillside above the project site between 31st and 33rd streets, along with streets, sidewalks, driveways and utility lines, that were damaged by land movement blamed on the excavation. In August, the couple moved out of the house, which sits immediately behind the excavation site, and took up residence in an apartment. Several other residents in the area have abandoned their homes.

Allen said he's tried to pursue some type of settlement with Hauke and Wilkins, but that exchanges between his lawyer and their attorneys have gotten nowhere.

Calls to the attorneys for Hauke and Wilkins were not returned by presstime today.

In October, the Allens' attorney, Charles Hillestad, gave Hauke and Wilkins an ultimatum demanding that they take one of several options - buy the Allens' property, agree to mediation, provide proof the danger of further land movement was gone, or show they indeed were not responsible for the land movement - or face a lawsuit.

Allen wouldn't say how much he was asking for the purchase of his property, but said it was less than the \$375,000 he and his wife are now seeking through the lawsuit. "We were willing to consider a lesser amount," he said.

The \$375,000 covers the cost of replacing the house, plus moving, storage and other expenses the couple has faced, Allen said.

Located just above the hill cut, his home has suffered extensive damage to the structure and foundation, although it's not immediately apparent to a casual viewer, Allen said.

"It's still standing, which is misleading to people - they drive by and think 'it looks all right,'" he said.

The land movement has slowed considerably since fill material was placed back in the hill cut. But Allen said he still sees continuing cracking and settling in his home. At this point, he and his wife don't plan to try and return - there's too much uncertainty about whether the land will continue moving, he said, to invest in repairing the structure or building a new house. "I'm not inclined to go back."

The Allens have also filed a tort claim, in essence a notice of intent to file suit, against the city of Astoria, but haven't decided whether to pursue legal action yet. A group of 20 other landowners has also filed a tort claim against the city.

The Allens' suit claims Hauke and Wilkins embarked on the project even after their own engineering studies showing low soil strength and a high water table at the project site, and that they did not consider other, less risky methods of preparing the property for development.

The suit also says Wilkins left the excavation, at some places 16 feet high, exposed for several days without support or cover to divert water, and did not begin construction on the retaining wall "until after he had received multiple notices that destructive earth movement had already commenced on the Allen Home."

The wall itself, according to the suit, was an inadequate type for the size of the cut, and was not built according to the project plans and city permits.

Studies by two different geotechnical firms paid for by Allen's insurance company blamed the excavation work for the slides.

Last month, Wilkins issued a statement claiming that his company followed all the specifications drawn up by the project's engineering firm in excavating the hill and building the wall. A day later the firm, Geotechnical Solutions of Oregon City, responded through its attorney to dispute Wilkins' claim and argue that he failed to follow its recommendations by cutting away the entire length of the base of the hill, instead of doing it in shorter sections.

Only after the hill began moving after the excavation did Wilkins contact Geotechnical Solutions for assistance, the company said.

PICTURES OF ALDERCREST STREET



1. Across From Mike Brackenbrough Property (Water on Roadway 24/7 due to failure/shifting roadway water pipe or sewer leak).



2. More cracking from foundation under roadway unsettled due to excessive water run-off on street.



3. More pictures of lower portion of road where water runoff has eroded under pavement and has caused sinkage of concrete easily visible of shifting ground.



4. Failure of culvert between Boat Property and Keefer, directly in front of Liu Property



5. Horizontal cracks in roadway due to failure of culvert and shifting of earth due to excessive yearly winter run-off



6. Looking west on Aldercrest in front of Boat's House, more visible cracking in pavement which extends to the corner.

Jordan Sprague

From: mkbrackenbrough <mkbrackenbrough@gmail.com>
Sent: Friday, September 3, 2021 9:04 PM
To: Jordan Sprague
Subject: RE: Planning Commission Comments

Planning commission members

My name is Mike brackenbrough and I live at 2130 Aldercrest street in Seaside.

I would like my concerns documented pertaining to the proposed subdivision titled Vista Ridge 2.

1. This physically appears to be a subdivision of Sunset Hills and therefore should be required to have the same street sizes and building lot sizes and shape, as existing Sunset Hills.

It is being proposed that Sunset Hills water supply and storm water runoff capacity will be utilized as well. The Sunset Hills streets will also be the only entrance and exit to this subdivision.

2. The clearing of trees from this subdivision will certainly impact trees adjacent to its borders, allowing high winds to become a danger to present property owners existing trees.

3. Proposed density (17 build able lots) is a very large displacement of water, without a viable solution for its runoff.

The year round stream(s) that runs completely through the length of the proposed subdivision does not benefit from any added pollutants that the development would produce. This waterway is a tributary of Neawanna Creek, a ODFW categorized wild Coho salmon spawning ground.

4. Erosion and ground movement is a real and present fact in the direct area.

Most any resident interviewed can point to factual instances.

Our property has had a loss of 3 feet of land along its northern ridge which would share its property line with lot 1 of the proposed development. This has happened in less than 6 years of ownership. Cracks in cement have enlarged as well.

Ram Jack, a foundation stability business has installed pilings under the west side of our foundation, some to 30 feet, to help prevent shifting and sliding.

If the proposed subdivision were to be approved, I believe the members of the planning commission should first change the building requirements of road width to 30 ft, the setback from creek to 60 ft, and the foundation setback from the ridge above the creek to 20 feet.

Without careful consideration, and building development restrictions, I believe the city could be held responsible for losses incurred by the new property owners.

Thank you for your time,

Mike Brackenbrough

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Jordan Sprague <jsprague@cityofseaside.us>

Date: 9/3/21 12:00 PM (GMT-08:00)

To: 'mkbrackenbrough' <mkbrackenbrough@gmail.com>

RECEIVED

9 / 7 / 21

Seaside City Planning Commission
Chairwomen, Tita Montero and Planning Commissioners,

I am against the proposed development that will use Hemlock Street as its only point of entry. Hemlock St. is a road in the middle of Sunset Hills. The development will use the same entrance and exit as Sunset Hills, Broadway. I focus on two points of major concern.

1. **SAFETY** Sunset Hills and the proposed development are surrounded by heavily treed slopes. Should a fire arise in any section there will not be time for the fire department to arrive and for the residents to exit using the only road in and out. Broadway is a steep and winding road that should be driven slowly. The road is in poor condition, slipping and has no sidewalks for walkers on the right side and patches of sidewalk on the left. During ice or snow the road crews need to use gravel for safety. Traffic will jam up at the bottom of the hill where Broadway crosses Wahanna. All of these condition will slow down the volunteer fire fighters from arriving quickly in order to put out a fire and keep it from spreading into town or traveling to the South or North. Getting into the new development on Hemlock would require the fire department to turn left into an intersection in which traffic would be trying to leave. There are at least 2-6 other intersection in which traffic trying to leave could meet the fire/police/ambulance. The proposed development would be built in a ravine. A large number of the new homes would be in a Tsunami Zone and the ravine would act as a funnel moving the water higher up into the development.

Street parking for the development is not shown in the drawings. Sunset Hills has wide streets which can be used for parking on either side. The hammer/head section of the development may become a nightmare should the Fire Trucks, Police and medical people try to bring help when both sides of the street have parked cars and at the same time cars are trying to leaving.

2. **NATURE** The development will be built on the side of a steep ravine which have springs and soil slippage. That is the case throughout Sunset Hills.

Humans have not had access for a number of years to the ravine so wildlife use this as a safe harbor and wild plants have a dense growth. The swamp at the bottom of the property has its own natural life and should be protected. Good stewardship calls for allowing green zones in building areas. This would be removing a green space.

Apparently, one of the reasons given for not putting in a dedicated road is due to a small, salmon producing, creek that runs into Wahanna. Salmon and the creek should not stop a builder from putting a road over this creek. Use a culvert and *then it will not be necessary to use Sunset Hills and Broadway*. We have numerous well designed culverts that provide safe passage for salmon returns. Two are at the local grade school and high school roads. There are additional culverts throughout the East side of Seaside. The salmon cannot be used as an excuse for not building a road, This road should be dedicated solely for the development.

Kathy Samsel

Kathy Samsel
343 Hemlock St.
Seaside, Oregon. 97138