

MINUTES SEASIDE PLANNING COMMISSION
February 4, 2014

CALL TO ORDER: Chair Ray Romine called the regular meeting of the Seaside Planning Commission to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ATTENDANCE: Commissioners present: Robert Perkel, Virginia Dideum, Ray Romine, Tom Horning, Chris Hoth, Bill Carpenter, and Dick Ridout, Staff Present: Debbie Kenyon, Administrative Assistant, Kevin Cupples, Planning Director

OPENING REMARKS & CONFLICT OF INTEREST/EX PARTE CONTACT: Chair Romine asked if there was anyone present who felt the Commission lacked the authority to hear any of the items on the agenda. There was no response. Chair Romine then asked if any of the Commissioners wished to declare a conflict of interest or ex parte contact. There was no response.

APPROVAL OF MINUTES: Motion to approve the January 7, 2014 minutes;
Commissioner Carpenter made a motion to approve the minutes as submitted. Vice Chair Dideum seconded. The motion was carried unanimously.

AGENDA:

PUBLIC HEARING REQUIREMENTS:

The following public hearing statements were read by Chair Romine:

1. The applicable substantive criteria for the hearing items are listed in the staff report(s) prepared for this hearing.
2. Testimony and evidence shall be directed toward the substantive criteria listed in the staff report(s) or other criteria in the plan or land use regulation, which you believe applies to the decision.
3. Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals on that issue.
4. The applicant will testify first, then any opposition will testify, and then the applicant will be given time for rebuttal.

PUBLIC HEARING:

None

ORDINANCE ADMINISTRATION:

EXTENSION REQUEST FOR PHASE 1, CONDITIONAL USE PERMIT 11-031CU: A conditional use request by Harry Henke originally approved January 3, 2012, One year extension granted February 5, 2013. The request is limited to the development of Lot 1, development of 27 apartment units on the vacant property formerly owned by Western Oregon Waste (WOW) on the southwest corner of Jackson and Avenue M.

Harry Henke, PO Box 2321, Gearhart OR 97138.

- Here as an agent.
- Real Estate Investment Group out of Albany is motivated and wants to go forward with the 27 apartment units.
- Has the construction drawings and this group is planning on staying with the same plans.
- Has met with public works and staff regarding the infrastructure.

Commissioner Hoth asked Mr. Cupples if this group came in with a different set of plans, would they need to resubmit. Mr. Cupples stated that when he does a decision he tries to incorporate a condition that allows minor adjustments subject to staff approval. But if they come in with a new proposal or major alterations then they would need a new resubmittal.

Commissioner Horning asked about dealing with an agent and not the owner. Can the applicant still be the same? Mr. Cupples stated that the conditional use permit goes with the land. Mr. Cupples stated that does not apply to vacation rental application because they are limited by ownership under the provisions of the zoning ordinance.

Commissioner Ridout made a motion to approve the extension of the conditional use under the guidelines that staff has presented. Commissioner Carpenter seconded and the motion was carried unanimously.

COMMENTS FROM THE PUBLIC: None

COMMENTS FROM COMMISSION/STAFF: Mr. Cupples introduced Robert Perkel the newly appointed planning commissioner. Commissioner Horning asked if Mr. Perkel would tell the commission a little about himself. Mr. Perkel stated that he has been a Portlander his whole life. He worked for the Oregon State Employment Department for 30 years and retired at 53. Then he and his wife started a gift basket business which they ran for four years and then sold the business. They bought a condo at the Mirage on Avenue U and lived here in Seaside 99.9% of the time, so they sold their condo in Portland and now live here full time. They bought a home on Huckleberry and that is now where they reside. Stubby Lions asked him if he wanted to be on the Improvement Committee, so he applied, and was appointed to that committee. He then applied for the Planning Commission and he now has that additional appointment. He is very pleased to be part of this community.

Mr. Cupples stated that City Council did review the Comprehensive Plan amendments Goal 9 and Goal 10 and buildable lands analysis. There were some minor adjustments made to the documents to address some additional concerns, but they did not amount to any substantive change to the Commission's recommendation. This item will go back up to the City Council on Monday, February 10th for action on the ordinance.

Chair Romine asked if there was any feedback from the residence of the Ocean Cove Estates or Rose Creek Subdivision. Mr. Cupples stated that there was one person who might appeal the decision on the policy change to the City Council.

Commissioner Horning asked if there was any guidance from DLCD or some of the seminars that Mr. Cupples has gone to that could define the difference between policy and ordinance and the strategies for using them. Mr. Cupples stated that particular issue hasn't been discussed in the seminars he has attended. An ordinance is an adopted law; whereas a policy is a statement of opinion or the establishment of a routine course of action.

ADJOURNMENT: Adjourned at 7:25 pm.

Ray Romine, Chairperson

Debbie Kenyon, Admin. Assistant