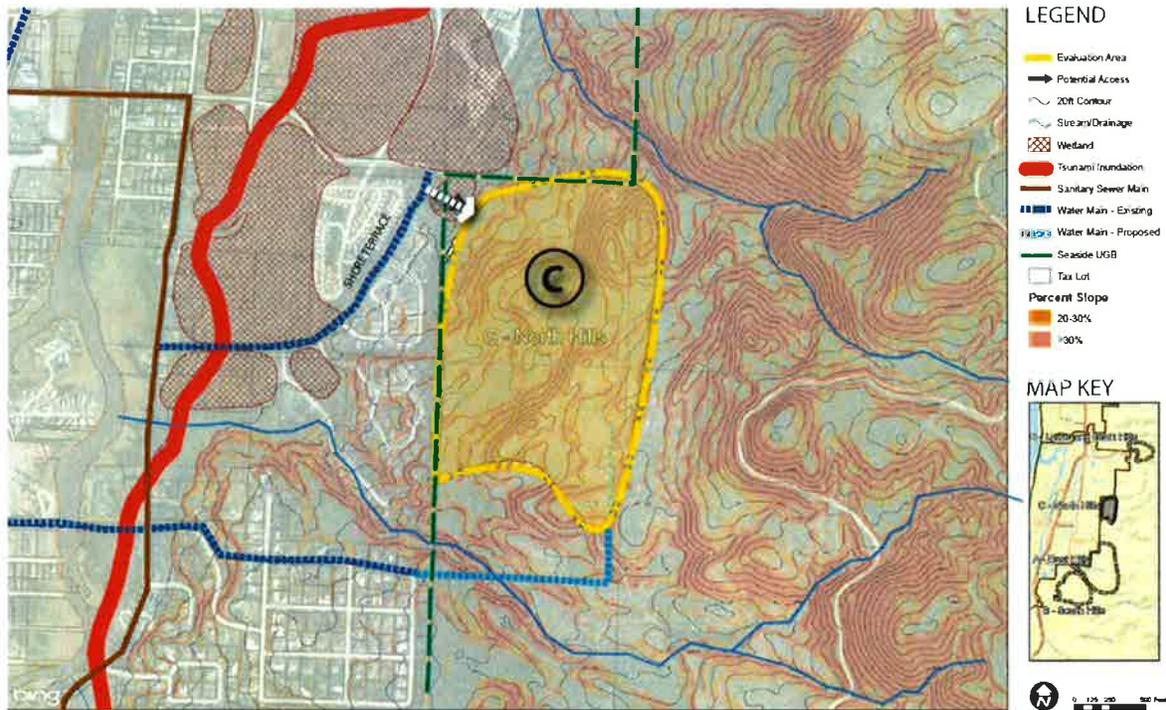
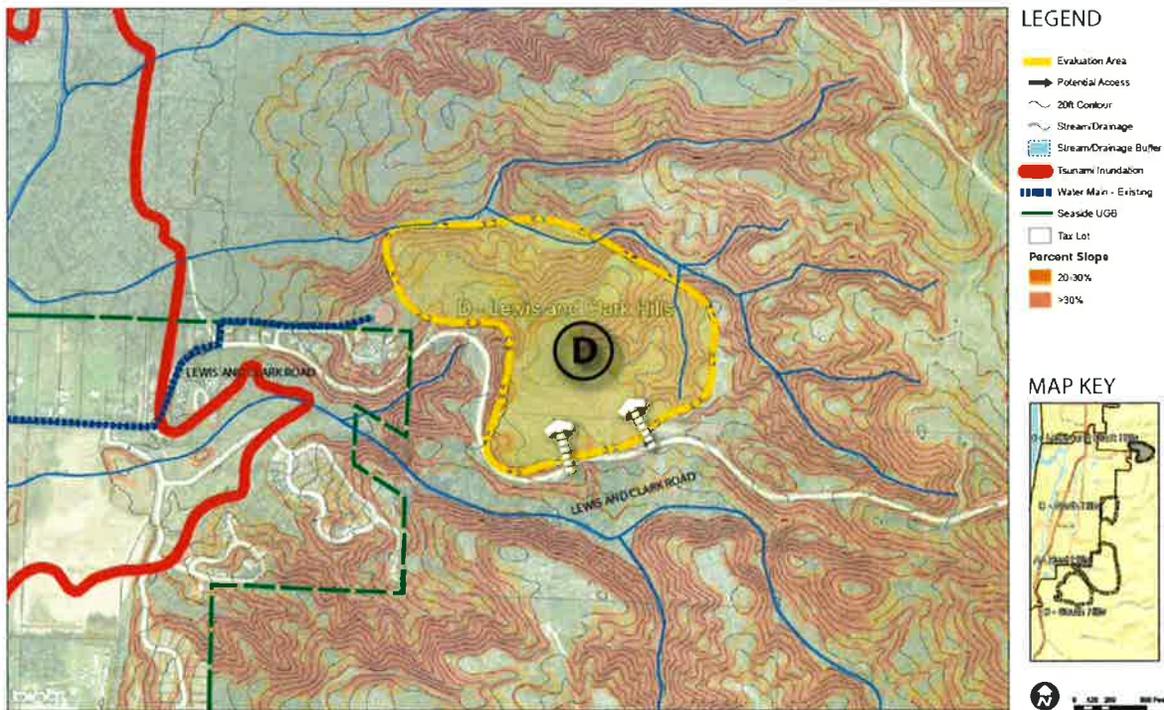


Site C - North Hills



Site/Factor	C – North Hills
Efficient Accommodation	<ul style="list-style-type: none"> • Smaller site (69.3 acres) may provide some mixed housing types, but the range would be relatively narrow • Can accommodate housing, but not likely suitable for jobs. • Lowest yield in terms of potential units per gross acre (2.2 units)
Orderly, efficient provision of services	<ul style="list-style-type: none"> • Two access routes supply the site • Gravity sewer capable • Hookup to existing infrastructure and future water tank to supply fresh water • Located above Skyline Drive Tsunami gathering location • Steep terrain may require additional infrastructure expense • Most constrained acres per unit (0.28)
Environment, energy, economic and social	<ul style="list-style-type: none"> • Gravity sewer minimizes need pumping • West and Northwest exposure provides minimal solar access • Limited connections to roadway and trail network could lengthen trip length and limit walking and biking • Elevation above tsunami zone preserves life
Compatibility	<ul style="list-style-type: none"> • Three different adjacent forest owners are supportive. • Recently logged, minimal conflict

Site D Lewis and Clark Hills



Site/Factor	D – Lewis & Clark Hills
Efficient Accommodation	<ul style="list-style-type: none"> • Smallest site (57.4 acres) may provide some mixed housing types, but the range would be relatively narrow • Can accommodate housing, but not likely suitable for jobs. • Second lowest yield in terms of potential units per gross acre (2.5 units)
Orderly, efficient provision of services	<ul style="list-style-type: none"> • Access locations would be outside of UGB • Gravity sewer capable • Hookup to existing infrastructure to supply fresh water for homes and fire suppression • Contains Tsunami gathering location on Royal View. • 58% of land environmentally constrained
Environment, energy, economic and social	<ul style="list-style-type: none"> • Gravity sewer minimizes need pumping • Large portion of site with southern exposure for solar access • Limited connections to roadway and trail network could lengthen trip length and limit walking and biking • Elevation above tsunami zone preserves life • 58% of land environmentally constrained
Compatibility	<ul style="list-style-type: none"> • Two different adjacent forest owners could require additional coordination. Lewis & Clark and City of Gearhart

Site/Factor	A – East Hills	B – South Hills	C – North Hills	D – Lewis & Clark Hills
Efficient Accommodation	Good	Best	Good	Good
Orderly, efficient provision of services	Better	Best	Good	Good
Environment, energy, economic	Good	Best	Fair	Fair
Compatibility	Best	Best	Good	Good

Refinement of Study Areas

The four site study areas were reviewed in detail with the Seaside Planning Director and Public Works Director. The study areas were also presented and discussed with both the Seaside Planning Commission and City Council at briefings/work sessions. The following summarizes direction from those meetings:

- Eliminate the North Hills study area due to site constraints
- Combine the South and East Hills study areas into one Southeast Hills area and continue to evaluate. Also, continue to evaluate the Lewis and Clark Hills site
- Based on advisory committee site visits, public testimony and review, consider three (3) sites for further study (B, C and D).
- Minimize immediate UGB expansion by developing a proposal to use the above mentioned sites to accommodate 14 years of demand.
- Utilize sites in the following order: 1. Site C (Lewis and Clark Hills), 2. Site D (North Hills), 3. Site B, (South Hills)

The following describes potential performance of the combined areas:

- **Land need.** Combining the areas means that there are more than 560 acres of land from which to select locations for future UGB inclusion. With an established land need of roughly 200 acres (detailed below), there is adequate land within the area for identifying the best lands for inclusion.

Table 3 Land Area by Use Type

Land Use Type	Gross Acreage Needed
Residential	150.4
Employment	35.6
Parks	10.6
Total Need	196.6

After selecting the needed 196.6 acres, the remaining lands would stay outside of the UGB with continuation of their Goal 4 and 5 protections through Clatsop County’s comprehensive plan.

- **Access/circulation.** For the South Hills portion of the expansion, primary access could be provided by an extension and improvement of Wahanna Road south of Avenue S. This expansion would also likely entail reconstructing the Avenue S intersection at Wahanna to improve safety. Three emergency vehicle access (EVA) points are in proximity. One is located directly east of Cooper Street and will also serve as a pedestrian link. Two are located uphill and connect to the existing mainline tree farm road.
- **Open space/natural resource areas.** Seaside’s Parks Master Plan was based on a 2003 population estimate of 6,040 people. The 2032 population forecasted in by the Goal 10 analysis is 8,215. To serve a population of 8,215 people at a Level of Service of 3 acres of developed park per 1,000 residents, the City of Seaside would need 24.65 acres of developed parks. Subtracting the current inventory of 14.05 acres of park, this leaves a 20-year need for 10.6 acres of new parks. There is ample room within the area to accommodate some or all of this need.

The Seaside comprehensive plan states that “All rivers and streams with a perennial flow are considered to be sensitive fish habitat areas. The most important species that these rivers and streams support are: Coho and Chinook salmon, Steelhead, sea-run Cutthroat and Rainbow trout.” The combined Southeast Hills area is encumbered by perennial streams. Several options exist for treatment of these resources, two are:

- a. To minimize UGB expansion, the final boundary of the amendment area could exclude these streams to the extent practicable. They would therefore remain as Conservation Forest Lands within Clatsop County’s comprehensive plan and be subject to existing regulations for protection and facilitation of forestry practices.
- b. Stream areas could be included in the UGB amendment with the expectation that they be protected from development by the City of Seaside. The City has a designation of OPR that could be assigned for protection. The Goal 5 safe harbor offers a 50 buffer from the centerline of streams for consideration as non-buildable. An OPR, or similar designation protecting 100 feet from either side should be applied to this geography, or another protection method put in place.

Wetlands are also present in some of the study areas. To the extent feasible, these areas should not be included in the boundary amendment so as to prevent urbanization. If wetlands are included in the boundary amendment the City may need to expand its Goal 5 mapping through site research.

If it is deemed necessary to include lands in the amendment area for which no urban development is desired, the City could apply any of a number of tools, such as code provisions that would preclude any subsequent actions that would allow development on said lands.

- **Provision of infrastructure.** Development of the expansion areas will require extending and widening Wahanna road, improving the Wahanna/ Avenue S intersection, constructing a new water tank and other facility upgrades and also installing a sewer pump station and sewer main lines. The city will prepare a strategy and policy that establishes a “Pay as you go” program for incremental development of the expansion areas. The intent of this policy is to avoid an inordinate burden on the balance of Seaside for the infrastructure costs associated with the new development.

The summary response to the locational factors for the combination of the three expansion areas is summarized in the following table.

Factor	Proposed UGB Amendment Area
Efficient Accommodation	<ul style="list-style-type: none"> • Satisfies complete need for housing, jobs and recreation within one site • Allows for a range of housing types to serve diverse needs of residents • Respectable yield in terms of potential units per gross acre
Orderly, efficient provision of services	<ul style="list-style-type: none"> • Multiple roadway access locations • Gravity sewer capable • Situated for service by new water tank to supply fresh water and fire suppression • Located above and near Tsunami gathering spot on Huckleberry
Environment, energy, economic and social	<ul style="list-style-type: none"> • Gravity sewer minimizes need pumping • South and West exposure provides good solar access • Multiple connections to roadway and trail network reduces trip length and supports walking and biking • Elevation above tsunami zone preserves life • Continues with recent city growth direction toward SW
Compatibility	<ul style="list-style-type: none"> • Adjacent forest owners are supportive of urban development within the site.

Final Site Selection

The UGB expansion study areas have undergone refinement planning. This planning aimed to:

- Identify appropriate lands for the identified housing and job needs
- Designate said lands into residential density categories (high, medium, and low) and employment categories (industrial and institutional)

- Identify a location, or locations of needed park infrastructure to serve the additional community needs
- Develop a strategy for addressing natural habitat areas either through exclusion from the amendment or protection via Seaside’s comprehensive plan and implementing ordinances
- Identify the smallest expansion area that satisfies the need for land and efficient provision of infrastructure based on a 14-year need, or 70 percent of the established 20-year need.

14 and 20 Year Land Need Comparative Table

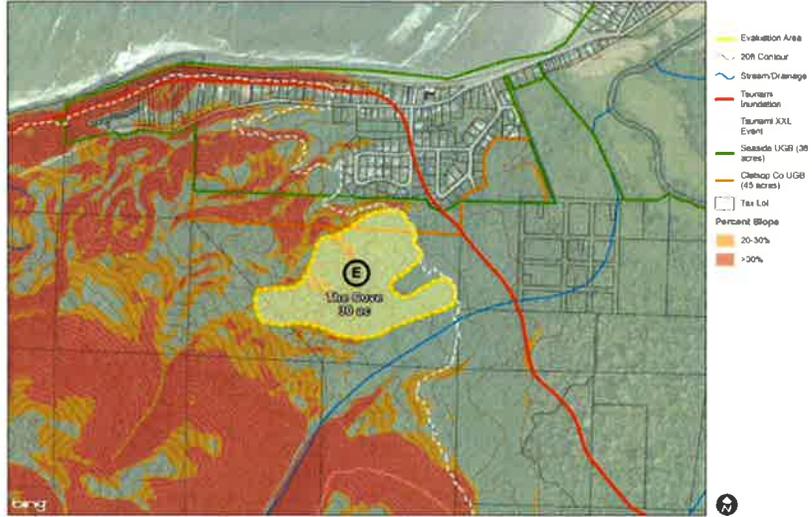
	Land Use Type	14 Year Need (acres)	20 Year Need (acres)
	Low Density Residential 5 du/ac max	43.0	61.3
	Medium Density Residential 10 du/ac max	34.9	50.3
	High Density Residential 10–20 du/ac max	27.4	38.8
	Subtotal Residential	105.3	150.4
	Institutional	13.6	19.5
	Industrial	11.3	16.1
	Park	7.3	10.5
	TOTAL	137.5	196.5

To date, multiple draft proposals for the UGB expansion have been discussed by the City of Seaside’s Planning Commission. Input has spanned a range of topics, with the most prominent being focused on identifying places within and beyond the study areas where growth could occur, and some voicing concern about growth impacting residences in rural (resource) areas. As a result of this public process map revisions were developed to better address the input and comments from Department of Land Conservation and Development (DLCD), results of consultation with 1,000 Friends of Oregon and concerns related to tsunami inundation mapping and overall community character.

The Cove

The planning team received comments from the public suggesting that there could be capacity gained by expanding the UGB in this area. The area directly west of the Cove Area has therefore been included at this step for study.

The study reveals that the portion of the area within the UGB currently has un-used capacity. That existing growth capacity is actually of some concern due to the site's limited ingress/egress as only Sunset Blvd is capable of serving traffic to this this area, developing another access point would prove impracticable due to the topography and need to cross lands controlled by the North Coast Land Conservancy for natural habitat. Connecting over to Highway 101 would require approximately 2 miles of new roadway with 5 stream crossings.



Site/Factor	E – The Cove
Efficient Accommodation	<ul style="list-style-type: none"> • Small overall site may provide some mixed housing types, but the range would be relatively narrow • Can accommodate housing, but not likely suitable for jobs/employment land
Orderly, efficient provision of services	<ul style="list-style-type: none"> • Access is limited to one street with limited capacity. • Additional needed access would be costly • Gravity sewer possible • The need for several stream crossings is a concern. The streams are currently heavily wooded and shaded.
Environment, energy, economic and social	<ul style="list-style-type: none"> • Limited to no southern exposure for solar access • Limited connections to roadway and trail network would lengthen trip length and limit walking and biking and add risk if evacuation is needed • Elevation is mostly above tsunami zone preserving life
Compatibility	<ul style="list-style-type: none"> • New product would be similar to homes within the UGB • Area residents have not been informed of any potential new growth

The series of maps that follow depict the proposed UGB expansion areas along with site planning related to future land uses and key infrastructure locations.

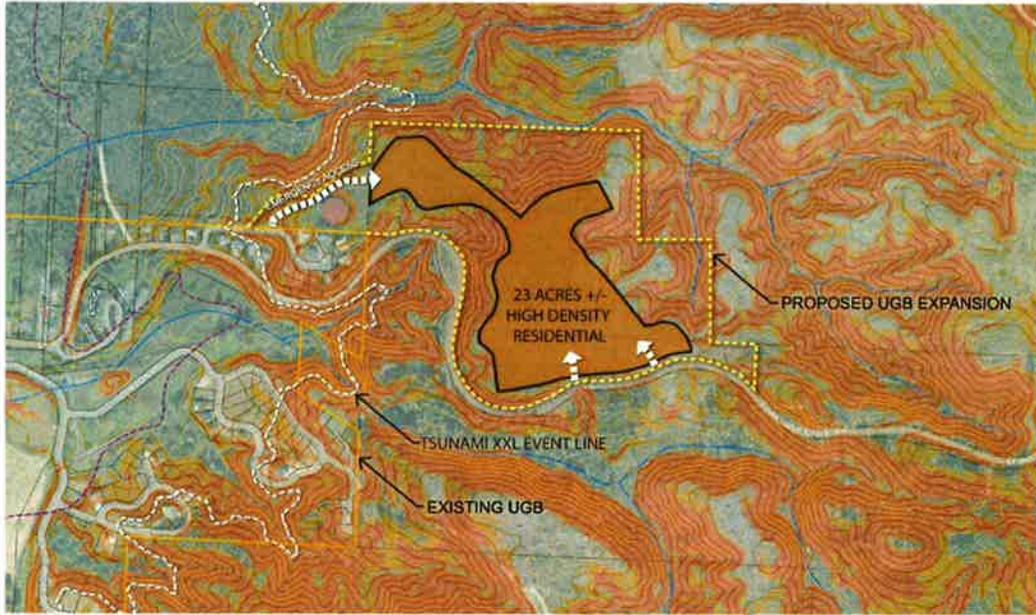
The maps presented below represent the culmination of this public process.

The UGB and Comprehensive Plan amendments will continue to progress through the public hearing process for adoption by the Seaside City Council, and acknowledgment by the Land Conservation and Development Commission. Clatsop County will also need to approve the UGB expansion. City of Seaside annexations / zoning would occur incrementally as land owners opt to develop their lands.

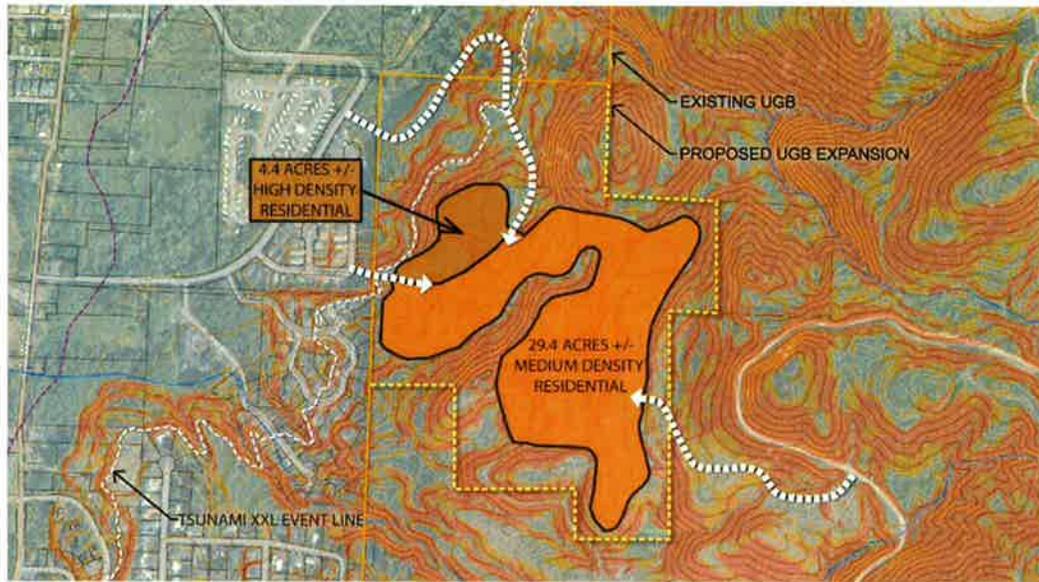
POTENTIAL UGB EXPANSION AREAS SEASIDE, OREGON



LEWIS & CLARK HILLS

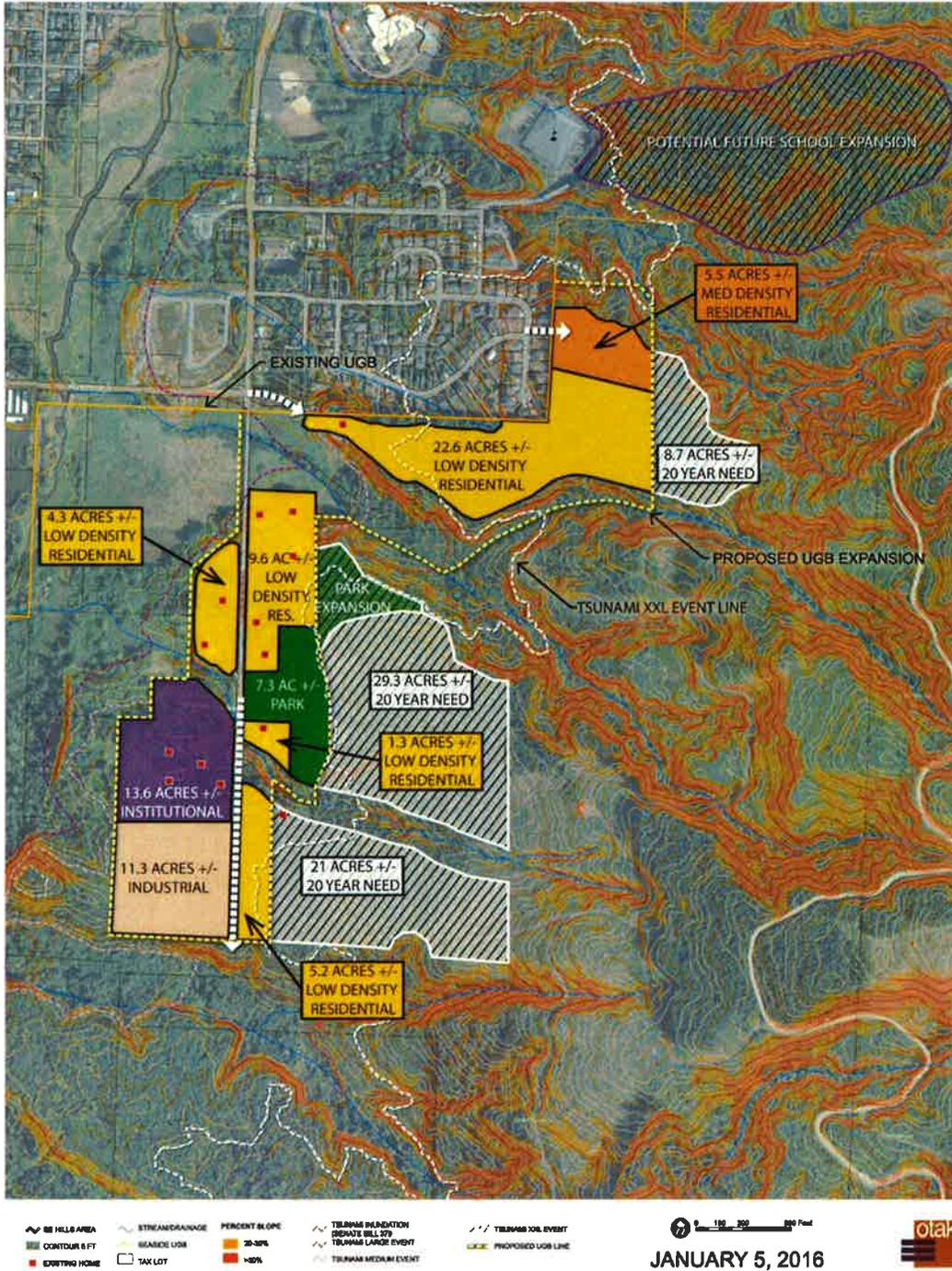


NORTH HILLS



HILL AREA	STREAM/RIDGE/PAVE	PERCENT SLOPE	TSUNAMI FOUNDATION GRADE BILL 379	TSUNAMI XXL EVENT	0 100 200 Feet	
CONTOUR 5 FT	SEASIDE UGB	20-30%	TSUNAMI LARGE EVENT	TSUNAMI MEDIUM EVENT		
EXISTING HOME	TAX LOT	-30%	PROPOSED UGB LINE		JANUARY 5, 2016	

SOUTHEAST HILLS



CITY OF SEASIDE STAFF REPORT

To: Seaside Planning Commission
From: Planning Director, Kevin Cupples
Date: March 1, 2016
Applicant: Mike Morgan, P.O. Box 132, Cannon Beach, OR 97110
Owner: David & Candace Remer, 292 1st Avenue #PHB, Seattle, WA 98121
Location: 2323 S Roosevelt; T6-R10-28AC-TL#300
Subject: Highway Overlay Zone 16-004HOZ, Convert Former Union 76 Gas Station & Establish a New Restaurant

REQUEST:

The owners plan to remodel the existing building and canopy structure at 2323 S Roosevelt (formerly the Union 76 Gas Station) and establish a new restaurant. This will not be a drive thru restaurant but their entrance would be moved further south and the north access would be right out only. The existing paved area would be used for parking and the establishment should accommodate approximately 36 customers inside and 24 customers in an outdoor seating area. The property is zoned General Commercial (C-3) and it is referenced as T6 R10 S28AC TL: 300 on the County Assessor Maps.

The review will be conducted in accordance with Section 3.400, Appendix G of the Transportation System Plan, and Article 10 of the Seaside Zoning Ordinance which establishes the review criteria and procedures for development in the Highway Overlay Zone.

DECISION CRITERIA, FINDINGS, AND CONCLUSIONS:

The following is a list of the decision criteria applicable to the request. Each of the criteria is followed by findings or justification statements which may be adopted by the Planning Commission to support their conclusions. These may also include conditions which are necessary to ensure compliance with the Seaside Zoning Ordinance. Although each of the findings or justification statements specifically apply to one of the decision criteria, any of the statements may be used to support the Commission's final decision.

REVIEW CRITERIA # 1: Pursuant to Section 3.400 of Appendix G of Seaside's TSP, all development that will create a significant number of additional trips (more than 5 peak hour or 30 average daily trips) must address the following review standards and criteria:

Section 3.407 Highway Overlay Zone Standards

1. Building Size: The maximum building size will be 20,000 square feet. Buildings larger than 20,000 square feet may be considered, but are subject to additional design review.

2. Landscaping: A landscaped area must be provided along the highway frontage to assure that a buffer is provided between the development and the road surface. As a minimum requirement, the area must be equal to a 10' width multiplied by the length of the highway frontage. Any public sidewalk area provided on private property adjacent to the highway would be deducted from the required area.

3. Exterior Lighting: All exterior lighting shall be designed so the lighting source or lamp is recessed or otherwise covered to eliminate line of site visibility from neighboring properties, street travel lanes, or the surrounding environment. All exterior lighting must be dark sky compliant and shielded, screened, or otherwise provided with cut-offs in order to prevent direct lighting on the adjacent properties, riparian area, or the state highway subject to the following exception: Line of site visibility and direct lighting of neighboring property can be permitted subject to a formal agreement with the neighboring property owner when the lighting will benefit joint parking, access, or safety.

4. Yards Abutting the Highway Frontage: In an effort to promote more pedestrian oriented development, regardless of yard requirements of the underlying zone, buildings must be located close to the property line adjacent to highway such that the property line setback for the building entrance will not exceed 10'.

5. Off Street Parking: In addition to the requirements in Section 4.100, parking areas must address the specific design standards in Section 3.410.

FINDINGS & JUSTIFICATION STATEMENTS:

1. The applicant's submitted justification and site plan are adopted by reference. The applicant's plan calls for the following:
 - A Traffic Impact Analysis (TIA) is not required for the proposed use because it will not generate more than 600 daily trips or 100 hourly trips.
 - The proposed building is accessed by pre-existing accesses into the property; however, the entrance at the north end will be modified to a right out only and the south entrance will be relocated further south to move congestion further from the lighted intersection at Avenue U. The accesses are considered permitted by ODOT based on prior use. Matt Caswell from ODOT has commented on the proposal and his email is included with the submittal information.
 - The proposed use will make use of the existing structures used by the former gas station. The canopies for the gas islands will provide space for covered parking (cars & bicycles) and traffic flow will be redirected in order to make use of the existing paved areas on the site.

- The total indoor floor area is approximately 1,650 square feet and the dining area will be approximately 700 square feet indoor and about the same outdoors.
 - A landscaped area is proposed between the developed portion of the property and S Roosevelt (Hwy 101). This will run the full length of the property with the gaps at the points of access. A pedestrian pathway will be incorporated into the landscaped area and a portion of the landscaping is intended to provide dual function by way of creating a bioswale or raingarden to address storm water runoff.
 - The proposed landscaping will provide some buffering between the existing structure and the highway. According to the site plan, within the right of way, the applicant is proposing to establish dwarf hydrangeas, dwarf roses, and dwarf hebes. The applicant's narrative indicates the plantings of salal, carex, caccinium & ferns will be kept to a maximum height of 2' in accordance with ODOT requirements.
 - The landscaping within the swale area is proposed to be slough sedge, juncus, spirea, huckleberry, sword fern, salal, redbud dogwood, and tufted hairgrass
 - A raised walkway area will be provided that leads up to the entrance from the pedestrian pathway.
 - Cut sheets for the proposed LED bollards have been provided and the applicant has stated all exterior lighting will be designed to meet the requirements of the outdoor lighting ordinance. A detailed lighting plan will be submitted to the Community Development Department along with the building plans.
 - A total of 13 off street parking spaces (one handicapped parking space & 12 standard spaces) will be provided on site..
 - The narrative indicates short and long term bicycle parking will be provided on the site and the site plan indicates the proposed location for covered long term bike parking at the north end of the site.
 - A trash enclosure will be provided on the north side of the building.
2. Staff is unclear if the applicant will be modifying the lights under the canopy. Existing lights are not required to meet the outdoor lighting standards unless new fixtures are proposed. The existing lights under the canopy are dark sky compliant; however, they would not conform to the outdoor lighting standards based on staff's assumption of output from the translucent coverers.
 3. The ordinance calls for building accesses to be located adjacent to the highway within 10 of the front property line and also calls for parking to not be located between the building and the highway. In this case, the building and surfaced areas used for parking already exist and the applicant will not be required to meet the new standards for the existing site development.

4. The restaurant customer accessible area is approximately 1,400 sq. ft. and the parking will allow for the use with up to 3 employees. If the seating area is reduced to 1,350 sq. ft., up to four employees would be allowed.
5. The short term bike parking is intended to be closer to the entrance to the building such that it is no further than the closest car space to the front door. This space is not identified on the applicant's site plan but could be located anywhere along the fronting portion of the building.

CONCLUSION TO CRITERIA #1:

The proposed restaurant will satisfy the applicable development standards in the Highway Overlay Zone provided the following conditions are attached to the approval.

Condition 1: All of the proposed exterior lighting will meet the outdoor lighting standards except for the existing canopy lights unless the fixtures are changed or they are specifically required to meet the standard by the Planning Commission based on a condition of approval.

Condition 2: The final development plan must incorporate provisions for short term bike parking in accordance with the standards adopted under Seaside's TSP. These will be approved by the Planning Director.

Condition 3: Minor modifications to the applicant's proposed plan must be reviewed and approved by the Planning Director. These could be required in order to comply with other code issues applicable to the request or reduce impacts to the neighboring property. Any major changes or conflicts over a proposed modification will be reviewed with the Planning Commission prior to the approval of any development permits.

REVIEW CRITERIA #2: Section 3.408 Highway Overlay Zone Criteria

1. The proposal is consistent with the purpose of the overlay zone, and protects the capacity of US 101.

2. If the proposal involves a development with frontage along US 101, the required permits from ODOT will need to be obtained prior to construction. If a permit already exists, proof of permit shall be provided to the City and ODOT. Developers are advised to coordinate with ODOT concurrently with their development proposal to discern the appropriate permit requirements. To confirm an appropriate permit, or to obtain a permit, contact the Permit Specialist at ODOT.

3. The location, design, and size of the development are such that the development can be well integrated with the surrounding transportation facilities or anticipated future developments, and will adequately address the impact of development on US 101.

4. The location, design, and size of the development are such that traffic generated by the development can be accommodated safely and is less than the mobility standard on existing or planned streets, including US 101.

5. The location, design, and size of the development are such that the proposed uses will be adequately served by existing or planned facilities or services.

6. The location, design, and size of the development are such that the proposed uses will provide functional and efficient access and circulation for anticipated pedestrians, bicycles, and vehicles.

FINDINGS & JUSTIFICATION STATEMENTS:

6. At the time this request was initially proposed, staff used the Institute of Traffic Engineer's Trip Generation Handbook to determine if the use would generate a significant number of additional trips based on the fast food use. This supported the requirement for review based on the change in use; however, if the trips prove to be typical of a high turnover sit down restaurant, there should be a significant reduction in the number of trips generated by the proposed change in use.

7. The proposed use will modify the accesses onto S Roosevelt, Highway 101 and these modifications should improve the function of transportation facility since the traffic congestion will be moved further from the lighted intersection at Avenue U.

8. As of January of 2014, ODOT recognizes all existing accesses as permitted and unless a change of use creates a significant number of additional trips under ODOT standards, a new permit is not required for this access.

9. The proposed development was discussed with the Development Review Coordinator at ODOT, Matt Caswell. He indicated: "ODOT has no objections to the proposed Highway Overlay Zone request or the remodeling of the old 76 station to a café. ODOT concurs with the proposal to limit the vehicle movements at the north driveway to a right-out only. The applicant will need to apply to ODOT for a minor modification of the two approaches which is a simple and free process."

10. The vehicle and bicycle access appears to be functional and efficient. The site design has also incorporated a pedestrian walkway that will lead directly to the front door of the proposed structure.

CONCLUSION TO CRITERIA #2:

The proposed remodel of the service station to establish a restaurant will satisfy the applicable criteria in the Highway Overlay Zone provided the following condition is attached to the approval.

Condition 4: The applicant must obtain authorization for a minor modification of the two approaches from the Oregon Department of Transportation (ODOT) in accordance with the email received from Matt Caswell. Written documentation of ODOT's approval of the proposed plan must be submitted prior to obtaining building permits for the proposed change in use.

FINAL STAFF RECOMMENDATION

Conditionally approve the proposed remodel of the service station to establish a restaurant at the former Union 76 gas station at 2323 S Roosevelt. This decision can

be supported by the Commission adopting the findings, justification statements, and conclusions in this report subject to the previously stated conditions.

Although they are not conditions of approval, the following is a reminder to applicant.

- As with any permit, the applicant must meet all applicable standards in the Seaside Zoning Ordinance such as erosion control provisions and any other applicable City of Seaside Ordinances.

The information in this report and the recommendation of staff is not binding on the Planning Commission and may be altered or amended during the public hearing.

Attachments:

Email from Matt Caswell

Applicant's Project Narrative & Site Plan

Kevin Cupples

From: CASWELL Matthew C <Matthew.C.CASWELL@odot.state.or.us>
Sent: Wednesday, February 24, 2016 10:01 AM
To: Kevin Cupples (kcupples@cityofseaside.us)
Cc: KEARNS Richard A; WILLIAMS Virginia L; JOHNSTON Bill
Subject: 45119: 16-004HOZ - 76 Station to Cafe
Attachments: MN 16-004HOZ-2323 S Roosevelt-RemerKC.doc

Importance: High

Kevin,

ODOT has no objections to the proposed Highway Overlay Zone request or the remodeling of the old 76 fuel station to a café. ODOT concurs with the proposal to limit the vehicle movements at the north driveway to a right-out only. The applicant will need to apply to ODOT for a minor modification of the two approaches which is a simple and free process.

Thank you for the opportunity to review and comment on the attached land use request.

Matt Caswell, P.E.

Oregon Department of Transportation
Development Review Coordinator
Region 2, 455 Airport Rd SE, Bldg. B
Salem, OR 97301-5395
503.986.2849 (Office)
503.986.2630 (FAX)
e-mail: matthew.c.caswell@odot.state.or.us



City of Seaside, Planning Department

989 Broadway, Seaside, OR 97138 (503) 738-7100 Fax (503) 738-8765

Land Use Application

Kevin Cupples, Director

PLEASE PRINT OR TYPE

NAME OF APPLICANT DAVID AND CANDACE TREMER	ADDRESS 2929 1st AVE #PHB	ZIP CODE SEATTLE 98121
STREET ADDRESS OR LOCATION OF PROPERTY 2323 S. ROOSEVELT		

ZONE C3	OVERLAY ZONES HIGHWAY 101	TOWNSHIP 6N	RANGE 10W	SECTION 28AC	TAX LOT 300
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PROPOSED USE OF PROPERTY AND PURPOSE OF APPLICATION(S):

RENOVATION OF OLD T₆ STATION AS A RESTAURANT

(PLEASE INCLUDE THE APPROPRIATE PLOT PLAN.

IF ADDITIONAL SPACE IS NEEDED OR SUPPLEMENTAL INFORMATION IS REQUIRED PLEASE ATTACH)

OWNER:	APPLICANT/REPRESENTATIVE (OTHER THAN OWNER):
PRINT NAME OF PROPERTY OWNER DAVID A. TREMER	PRINT NAME OF APPLICANT/REPRESENTATIVE MIKE MORGAN
ADDRESS DAVID A. TREMER	ADDRESS PO BOX 132
PHONE / FAX / EMAIL	PHONE / FAX / EMAIL CANNON BEACH, OR 97110
SIGNATURE OF PROPERTY OWNER	SIGNATURE OF APPLICANT/REPRESENTATIVE Mike Morgan

CHECK TYPE OF PERMIT REQUESTED:

- | | | | |
|--|---|--|--|
| <input type="checkbox"/> CONDITIONAL USE | <input type="checkbox"/> NON CONFORMING | <input type="checkbox"/> SUBDIVISION | <input type="checkbox"/> ZONING CODE AMENDMENT |
| <input type="checkbox"/> LANDSCAPE/ACCESS REVIEW | <input type="checkbox"/> PLANNED DEVELOPMENT | <input type="checkbox"/> TEMPORARY USE | <input type="checkbox"/> ZONING MAP AMENDMENT |
| <input type="checkbox"/> MAJOR PARTITION | <input type="checkbox"/> PROPERTY LINE ADJUSTMENT | <input type="checkbox"/> VACATION RENTAL | <input type="checkbox"/> APPEAL |
| <input type="checkbox"/> MINOR PARTITION | <input type="checkbox"/> SETBACK REDUCTION | <input type="checkbox"/> VARIANCE | <input type="checkbox"/> |

PLANNING DEPARTMENT USE:	
DATE ACCEPTED AS COMPLETE	BY
CASE NUMBER (S)	
HEARING DATE	P.C. ACTION

OFFICE USE:	
FEE	RECEIPT
DATE FILED	BY

**PROPOSED LAND USE APPLICATION
RUBY'S GRILL AT 2323 S. ROOSEVELT DRIVE
HIGHWAY 101 OVERLAY ZONE Section 3.400**

February 2, 2016

Introduction

David and Candace Remer own the former Union 76 Station at 2323 S. Roosevelt Drive on the south end of Seaside, just southeast of the intersection of Avenue U and Highway 101. The property abuts the east side of the highway for a distance of 200 feet. Adjacent uses include an auto repair shop on the north, a former real estate office on the south, and undeveloped County property on the east. The Mill Pond park area is just east of the County property. The station was built by the Shell Oil Company in 1962. The gas tanks and contamination was removed in the last five years and the Oregon Department of Environmental Quality has provided a "letter of no further action."

The existing condition of the property is dilapidated, and the owners intend to rehabilitate the station building, as well as the canopy structure into an updated "retro" casual restaurant. It will not be a drive-through fast food restaurant. It will accommodate approximately 36 customers inside, and 24 customers in an outdoor seating area. The canopy will be retained for covered vehicle and bicycle parking. The station structure will be renovated to take advantage of views to the east of the Mill Pond. There will also be views of the Necanicum River and Tillamook Head. The roll up doors will be used to open the building up in nice weather on both the west and east sides of the building. The restaurant is intended to be dog friendly (Ruby is the name of the Remer's Black Lab), and the landscaping will include an area for dogs to run. With the cooperation of the County and City, the County property to the east will be maintained to remove invasive vegetation and trash to provide an appealing transition to the Mill Pond park.

Access Review

The restaurant will likely generate more than 30 trips per day and more than 5 trips per hour. However, it will not generate more than 600 daily trips or 100 hourly trips and should not require a Traffic Impact Analysis under Section 3.406.1 A&B. No zone or comprehensive plan changes are proposed as it is an outright use in the C-3 zone. ODOT has reviewed the plan and generally agrees with the use of the existing access points, which date to construction in 1962. A letter from the ODOT Development Review Coordinator is attached. The number

of trips to be generated by the restaurant will be significantly less than the previous use, a gasoline service station.

Section 3.407 Standards

Building size: The existing service station, which will be renovated in place as the restaurant, is approximately 1,650 square feet. The indoor dining area is 700 square feet. An outdoor eating area of approximately 700 feet will be constructed south of the building, for a total of 2,350 square feet. The existing canopy will remain, covering about 1,800 square feet. Additional square footage of 200 square feet will be devoted to garbage and recycling enclosures, bike storage and tool storage. Therefore, total covered area is 4,350 square feet, or 22% of lot coverage. (The entire lot is approximately 20,000 square feet.)

Landscaping: The site plan shows a landscaping strip along the highway for the entire length of the site except for the access drives. Included in the landscape strip is a pedestrian pathway. All landscaping areas will also serve as bioswales or rain gardens, providing on-site drainage for storm runoff, utilizing primarily native vegetation. It has been determined by an engineering geologist that the underlying substrata consists of basalt cobbles, and all drainage can be accomplished on site. The bioswales will be planted with native wetlands and other vegetation. A large lawn area will be provided on the southeast portion of the site. The owner is working with the County to maintain that property (lots 100 and 200) to the east so that diners can walk to the Mill Pond Park. It is understood that the City is interested in acquiring the County lots as an addition to the Mill Pond Park, which would enhance the Remer property.

Exterior lighting: All exterior lighting will be designed to meet the requirements of Ordinance 2013-05, and will be dark sky compliant in that they will be shielded, screened and provided with cut-offs in order to prevent direct lighting on adjacent properties, riparian areas or the State highway. A detailed lighting plan will be submitted to the Community Development Department along with building plans.

Yards Abutting the Highway Frontage: No new buildings are proposed. The existing structures will remain and not be relocated.

Off Street Parking: The site plan indicates 13 parking spaces including a van accessible handicapped space. Based on Section 4.100 of the zoning code, this is sufficient for the 1400 square feet of dining space plus three employee parking spaces.

Section 3.408 Criteria

The proposal is consistent with the purpose of the overlay zone, and protects the capacity of US 101. The restaurant is a major improvement to the South Seaside area by renovating a dilapidated building and providing an appealing establishment that will cater to visitors and residents. It is not a fast food restaurant, which would have a much high vehicle trips/day ratio than what is proposed.

The development involves frontage along US 101, but it has been developed since 1962. Minimal expansion of the building footprint is proposed, i.e. the outdoor deck/dining area. A permit from ODOT was granted in 1962, and the local ODOT coordinator has stated that the permit is still valid.

The development will be well integrated with the surrounding transportation facilities and anticipated future developments. The traffic generation will be less than the previous use, the service station, or other potential uses permitted in the zone. Bicycle parking facilities will be provided.

The location, design and size are such that traffic can be accommodated safely.

Existing facilities are adequate for the proposed use. Highway 101 has a turning lane so that traffic from the north can safely turn left. All other facilities and services are adequate to handle the use, including sewer and water capacity. The owners are negotiating with owners of adjacent properties to purchase an easement for the sewer line, which will extend from the restaurant southeast, then south to the City manhole behind the Bigfoot restaurant.

Bicycle parking facilities will be provided in several locations on the property, including short term and long term spaces. A pedestrian path is provided along the highway to accommodate walkers from the north and south.

Section 3.409 US 101 Capacity Preservation Standards

The proposed use will help to preserve the capacity of the highway in that it will have a much lower average daily trip count than the previous use, a gas station, and much lower than another potential use, a fast food restaurant.

Section 3.410 Automobile Parking Standards

Although it would be desirable for the parking to be located behind the building, the structures are being rehabilitated in place, which is on the highway side of the buildings. The canopy is being retained as a covered parking area. The parking lot will be buffered by an extensive landscaped area along the highway.

Section 3.420 Design Standards Vehicular Access and Circulation

ODOT access officials have reviewed the plan and given tentative approval. The two existing access points were permitted in 1962. The northern exit will be marked "right turn only" and designed to ensure vehicles will be required to turn in that direction. The parking layout is designed to provide good circulation and traffic management for vehicles entering and exiting the highway. The southern entrance and exit is intended to be as far south as possible, avoiding the congestion near the traffic light.

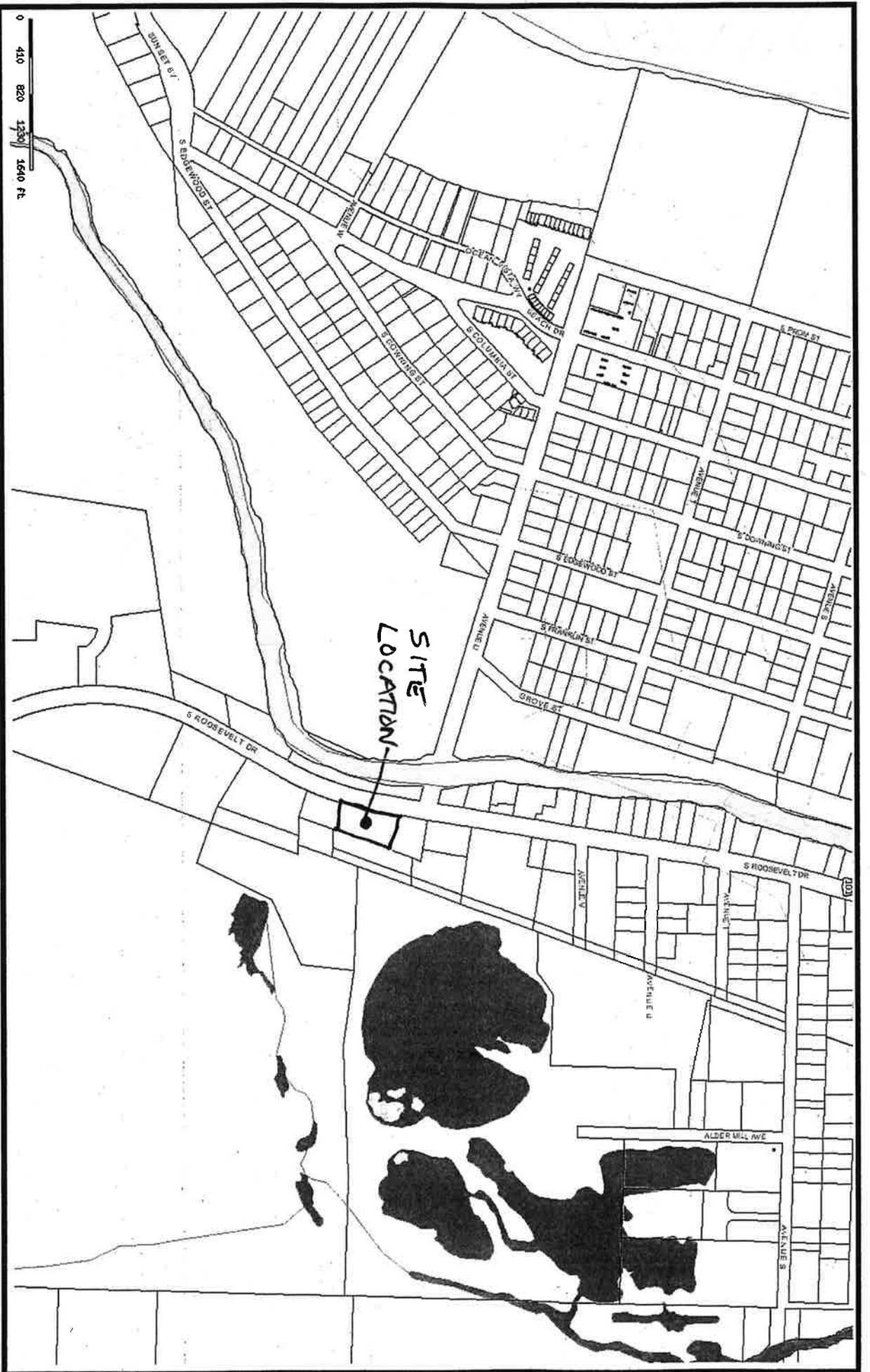
Driveway widths meet the required minimum dimension of 10 feet on both the south and north driveways, as well as the internal driveways. No variances are needed. Driveway construction will meet ODOT standards (OAR Division 51), and be in conformance with ADA requirements in terms of width and slope and the use of truncated dome pavers on the pedestrian path.

In accordance with ODOT requirements, all landscaping along the highway will be kept at a maximum 2' height for the length of the planting strip, and will consist of native species such as Salal, Carex, Vaccinium and ferns.

There is no opportunity to relocate the access points to local streets.

No variances to vehicular access and circulation standards are needed.

Vicinity Map



Clatsop County Webmaps

Disclaimer: This map was produced using Clatsop County GIS data. The GIS data is maintained by the County to support its governmental activities. This map should not be used for survey or engineering purposes. The County is not responsible for map errors, omissions, misuse or misinterpretation. Photos may not align with taxlots.



CITY OF SEASIDE, OREGON DRAFT OUTDOOR LIGHTING ORDINANCE

ORDINANCE NO. 2013-05

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, ADDING CHAPTER 101 TO THE CODE OF SEASIDE, ESTABLISHING OUTDOOR LIGHTING REGULATION, MAINTENANCE PROVISION, & NUISANCE LIGHTING ABATEMENT PROCEDURES

WHEREAS, the city is interested in reducing the visual glare caused by unshielded exterior lighting in Seaside; and

WHEREAS, the installation of lighting that is controlled in such a way that it illuminates the subject property and avoids illumination of the surrounding environment is an efficient use of lighting; and

WHEREAS, the City of Seaside is interested in establishing "Dark Sky" provisions that will in time make the night sky more visible throughout the city.

WHEREAS, lighting that is directed at neighboring residential property can create adverse impacts and it is not specifically recognized as an enumerated nuisance under the current nuisance ordinance, Chapter 96; and

WHEREAS, City Council is seeking a way to promote the use of outdoor lighting that will enhance the livability of our community and minimize the impacts exterior lighting can have on surrounding properties or our environment.

NOW, THEREFORE, THE CITY OF SEASIDE ORDAINS AS FOLLOWS:

SECTION 1. Amend the Code of Seaside by adding Chapter 101 to read as follows:

CHAPTER 101: OUTDOOR LIGHTING

101.010 PURPOSE, FINDING, & INTENT.

The city council finds that the installation of outdoor lighting can cause unwanted impacts within the City of Seaside and adversely affect the value, utility, and habitability of the property within the city as a whole.

The purpose of this supplementary provision is to make the lighting used for residential, commercial, and public areas appropriate to the need and to keep light from shining offsite onto adjacent public rights of way or private properties. Further, it is to encourage, through regulation of type, kinds, construction, installation, and uses of outdoor illuminating devices, lighting practices, and systems to conserve energy without decreasing safety, utility, security, and productivity while enhancing nighttime enjoyment of property within the City

These lighting provisions contained herein are intended to achieve the following:

(A) Develop regulations that will promote the installation of outdoor lighting that will enhance the livability of our community and minimize the impacts exterior lighting can have on surrounding properties or our environment; and

(B) Establish guidelines for the installation of lighting that is controlled in such a way that it illuminates the subject property and avoids the inefficient illumination of the surrounding environment; and

(C) Supplement city Nuisance Ordinance Chapter 96 and further define lighting classified as a public nuisances.

101.020 REQUIREMENTS FOR INSTALLATION.

Except as exempted by provisions of this ordinance, as of the date of adoption; the installation of outdoor lighting fixtures shall be subject to the shielding & glare elimination provisions of this ordinance. Outdoor lighting installed on or adjacent to residentially developed property must not be more than 20 feet above the ground level immediately below the fixture.

101.030 SHIELDING & GLARE ELIMINATION

All nonexempt outdoor lighting fixtures shall have translucent covers that eliminate glare or directed shielding so as to prevent direct light from the fixture to shine beyond the property limits where the fixture is installed. This means that a person standing at the adjacent property line would not see the light emitting source (See Figure 1).

101.040 PROHIBITIONS.

(A). Laser Source Light. The use of laser source light or any similar high intensity light when projected beyond property lines is prohibited.

(B). Searchlights. The operation of searchlights for purposes other than public safety or emergencies is prohibited.

101.050 EXEMPTIONS.

(A) Outdoor light fixtures lawfully installed prior to the effective date of this ordinance are exempt from all such requirements except as follows:

(1) A light fixture directed onto a neighboring property such that the glare is declared a nuisance in accordance with City Ordinance 96.23 (B).

(B) Site lighting along the common property lines of non-residentially developed property where continuous illumination is intended. Likewise, lighting along the common property lines of all parking lots where continuous illumination is desired.

(C) Airport operations lighting and aircraft navigational beacons as established by the Federal Aviation Administration (FAA) are exempt from these provisions. All other airport outdoor lighting must conform to this ordinance.

(D) Tower or antenna safety lighting required by FAA.

(E) Lights of less than 15 watts used for holiday decorations for no more than 45 days are exempt from the requirements of this ordinance.

(F) Carnivals, Fairs, or other special events that require the use of temporary outdoor lighting fixtures are exempt except that permanent installations at dedicated sites must conform to the requirements of this ordinance.

(G) Lighting for U.S. flags intended to be properly displayed at night.

(H) Temporary exemptions to the requirements of this ordinance for up to five days per calendar year.

(I) Construction lighting necessary for an allowed use are exempt except that permanent installations at dedicated sites must conform to the requirements of this ordinance.

(J) Lights installed on public property or in the public right of way; however, all lighting must aspire to use dark sky compliant fixtures and use recessed lighting elements or indirect light sources wherever practical.

(K). Individual light fixtures with lamps of less than 450 lumens. *The acceptability and shielding restrictions applicable to a particular lamp are decided by its initial lumen output, not wattage; check manufacturer's specifications.*

Examples of lamp types of 450 lumens and less are:

- 40 Watt Standard Incandescent
- 11 Watt Cool White Fluorescent
- 11 Watt Compact Fluorescent
- 8 Watt High efficacy LED accent light

ADOPTED by the City Council of the City of Seaside on this 12 day of August, 2013, by the following roll call vote:

YEAS:	JOHNSON, MONTERO, BARBER, FRANK, LARSON, LYONS
NAYS:	NONE
ABSTAIN:	NONE
ABSENT:	PHILLIPS

SUBMITTED to and **APPROVED** by the Mayor on this 13 day of August, 2013.



DON LARSON, MAYOR

ATTEST:



Mark J. Winstanley, City Manager

Figure 1
Shielding Provisions for Outdoor Lighting

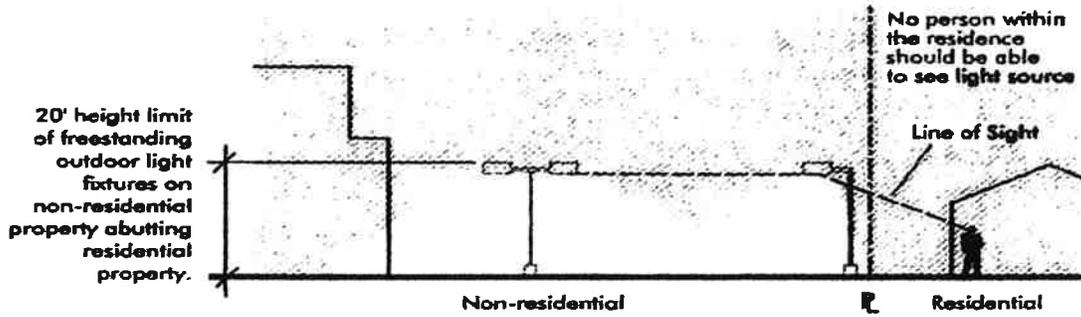
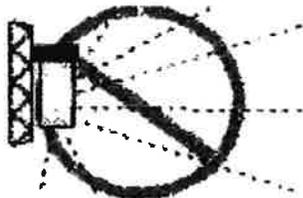


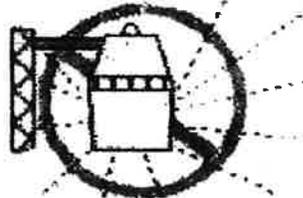
Figure 2
Examples of Acceptable Outdoor Lighting Fixtures

COMMON LIGHTING FIXTURES

NON COMPLIANT



Typical "Wall Pack"

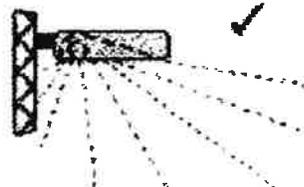


Typical "Yard Light"

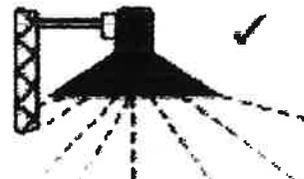


Area Flood Light

GOOD



Typical "Shoe Box" (downward throw)



Opaque Reflector (lamp inside)



Area Flood Light with Hood



KBR8 LED

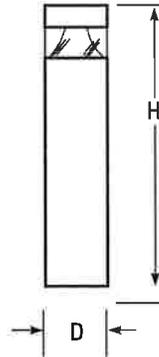
LED Specification Bollard

Specifications

8" Round
(20.3 cm)

Height: 40"
(101.6 cm)

Weight (max): 27 lbs
(12.25 kg)



Catalog
Number

Notes

Type

Hit the Tab key or mouse over the page to see all interactive elements

Introduction

The KBR8 Bollard is a stylish, fully integrated LED solution for walkways. It features a sleek, modern design and is carefully engineered to provide long-lasting, energy-efficient lighting with a variety of optical and control options for customized performance.

With an expected service life of over 20 years of nighttime use and up to 70% in energy savings over comparable 100W metal halide luminaires, the KBR8 Bollard is a reliable, low-maintenance lighting solution that produces sites that are exceptionally illuminated.

Ordering Information

EXAMPLE: KBR8 LED 16C 700 40K SYM MVOLT DDBXD

KBR8 LED												
Series	LEDs	Drive current		Color temperature		Distribution		Voltage	Control options	Other options	Finish (optional)	
KBR8 LED	Asymmetric 12C 12 LEDs ¹	350	350 mA	30K	3000 K	ASY	Asymmetric ¹	MVOLT ⁵	Shipped installed PE Photoelectric cell, button type DMG 0-10V dimming driver (no controls) ELCW Emergency battery backup ⁶	Shipped installed SF Single fuse (120, 277, 347V) ^{4,7} DF Double fuse (208, 240V) ^{4,7} H24 24" overall height H30 30" overall height H36 36" overall height FG Ground-fault festoon outlet L/AB Without anchor bolts (3 bolt base) L/AB4 4 bolt retrofit base without anchor bolts ⁸	DWHXD	White
		450	450 mA ^{3,4}	40K	4000 K	SYM	Symmetric ²	120 ⁵			DNAXD	Natural aluminum
		530	530 mA	50K	5000 K			208 ⁵			DDBXD	Dark bronze
	Symmetric 16C 16 LEDs ²	700	700 mA	AMBPC	Amber phosphor converted			240 ⁵			DBLXD	Black
				AMBLW	Amber limited wavelength ^{3,4}			277 ⁵			DDBTXD	Textured dark bronze
								347 ⁴			DBLBXD	Textured black
								DNATXD	Textured natural aluminum	DWHGXD	Textured white	

Accessories

Ordered and shipped separately.

MRAB U Anchor bolts for KBR8 LED⁸

NOTES

- 1 Only available in the 12C, ASY version.
- 2 Only available in the 16C, SYM version.
- 3 Only available with 450 AMBLW version.
- 4 Not available with ELCW.
- 5 MVOLT driver operates on any line voltage from 120-277V (50/60 Hz). Specify 120, 208, 240 or 277 options only when ordering with fusing (SF, DF options), or photocontrol (PE option).
- 6 Not available with 347V. Not available with fusing. Not available with 450 AMBLW.
- 7 Single fuse (SF) requires 120, 277, or 347 voltage option. Double fuse (DF) requires 208 or 240 voltage option.
- 8 MRAB U not available with L/AB4 option.



Performance Data

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Actual performance may differ as a result of end-user environment and application. Actual wattage may differ by +/- 8% when operating between 120-480V +/- 10%.

Light Engines	Drive Current	System Watts	3000 K					4000 K					5000 K					Limited Wavelength Amber					
			Lumens	LPW	R	U	G	Lumens	LPW	R	U	G	Lumens	LPW	R	U	G	Lumens	LPW	R	U	G	
Asymmetric 3 Engines (12 LEDs)	350	16	641	40	1	1	1	809	51	1	1	1	870	54	1	1	1						
	530	22	947	43	1	1	1	1,191	54	1	1	1	1,282	58	1	1	1						
	700	31	1,214	40	1	1	1	1,527	51	1	1	1	1,646	55	1	1	1						
	Amber 450	16																324	20	0	1	0	
Symmetric 4 Engines (16 LEDs)	350	20	888	44	1	0	0	1,116	56	1	0	0	1,203	60	1	0	0						
	530	28	1,254	45	1	0	0	1,598	57	1	0	1	1,719	61	1	0	1						
	700	39	1,608	41	1	0	1	2,022	52	1	0	1	2,180	56	2	0	1						
	Amber 450	20																374	19	0	0	0	

Note: Available with phosphor-converted amber LED's (nomenclature AMBPC). These LED's produce light with 97+% >530 nm. Output can be calculated by applying a 0.7 factor to 4000 K lumen values and photometric files.

Projected LED Lumen Maintenance

Data references the extrapolated performance projections for the platforms noted in a 25°C ambient, based on 10,000 hours of LED testing (tested per IESNA LM-80-08 and projected per IESNA TM-21-11).

To calculate LLF, use the lumen maintenance factor that corresponds to the desired number of operating hours below. For other lumen maintenance values, contact factory.

Operating Hours	0	25,000	50,000	100,000
Lumen Maintenance Factor	1.00	0.98	0.97	0.95

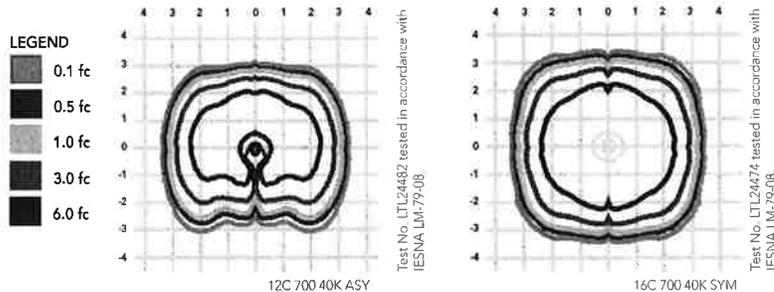
Electrical Load

Light Engines	Drive Current (mA)	System Watts	Current (A)				
			120	208	240	277	347
12C	350	16W	0.158	0.118	0.114	0.109	0.105
	530	22W	0.217	0.146	0.136	0.128	0.118
	700	31W	0.296	0.185	0.168	0.153	0.139
	Amber 450	16W	0.161	0.120	0.115	0.110	0.106
16C	350	20W	0.197	0.137	0.128	0.121	0.114
	530	28W	0.282	0.178	0.162	0.148	0.135
	700	39W	0.385	0.231	0.207	0.185	0.163
	Amber 450	20W	0.199	0.139	0.130	0.123	0.116

Photometric Diagrams

To see complete photometric reports or download .ies files for this product, visit Lithonia Lighting's KBR8 Bollard homepage.

Isofootcandle plots for the KB LED Bollards. Distances are in units of mounting height (3').



FEATURES & SPECIFICATIONS

INTENDED USE

The rugged construction and clean lines of the KBA bollard is ideal for illuminating building entryways, walking paths, and pedestrian plazas, as well as any other location requiring a low mounting height light source with fully cutoff illumination.

CONSTRUCTION

One-piece 8-inch round extruded aluminum shaft with thick side walls for extreme durability, a high-impact clear acrylic lens and welded top cap. Die-cast aluminum mounting ring allows for easy leveling even in sloped locations and a full 360-degree rotation for precise alignment during installation. Three 1/2" x 11" anchor bolts with double nuts and washers and 3 3/4" bolt circle template ensure stability. Overall height is 42" standard.

FINISH

Exterior parts are protected by a zinc-infused super durable TGIC thermoset powder coat finish that provides superior resistance to corrosion and weathering for maximum retention of gloss and luster. A tightly controlled multi-stage process ensures a minimum 3-mil thickness for a finish that can withstand the elements without cracking or peeling. Available in both textured and non-textured finishes.

OPTICS

Two fully cutoff optical distributions are available: symmetrical and asymmetrical. IP66 sealed LED light engine provides smoothly graduated illumination without any uplight. Light engines are available in standard 4000 K (>70 CRI) or optional 3000 K (>80 CRI) or 5000 K (67 CRI). Limited-wavelength amber LEDs are also available.

ELECTRICAL

Light engines consist of high-efficiency LEDs mounted to metal-core circuit boards to maximize heat dissipation and promote long life (L95/100,000 hours at 700mA at 25°C). Class 2 electronic drivers are designed for an expected life of 100,000 hours with < 1% failure rate. Electrical components are mounted on a removable power tray.

LISTINGS

CSA certified to U.S. and Canadian standards. Light engines are IP66 rated. Rated for -40°C minimum ambient. Cold-weather emergency battery backup rated for -20°C minimum ambient.

WARRANTY

Five-year limited warranty. Complete warranty terms located at www.acuitybrands.com/CustomerResources/Terms_and_conditions.aspx.

Note: Specifications subject to change without notice.



Horning Geosciences

808 26th Avenue, Seaside, OR 97138

Ph./FAX: (503)738-3738

Email: horning@pacifier.com



February 1, 2016

Mike Morgan
P.O. Box 132
3607 E. Chinook Street
Cannon Beach, OR 97110

RE: Geologic Opinion Letter; Tax Lot 300, Map 6 10 28C; expected soil percolation rate, gas station site south of Ave. U/Hwy 101 intersection, Seaside, Clatsop County, Oregon

Dear Mike:

I visited the above-referenced property with you on Friday, January 29, 2016, to discuss redevelopment plans and the need for stormwater drainage control. Given my understanding of the site geology and that of the surrounding area, it is my opinion that test pit inspections will not be needed for soil characterization, subject to the understanding that the native soils may be modified by a shallow layer of engineered fill that was used for grading the lot prior to the laying of asphalt pavement. The site was developed as a Shell gas station around 1963. Prior to that, it was probably part of the local lumber milling operations along the train tracks and near the mill ponds.

Several dozen feet of boulder-cobble-pebble deposits cover much of the south part of Seaside, including Tax Lot 300. The soils can be classified as poorly graded to well graded well-rounded gravels, or GP-GW, according to the Uniform Soils Classification System. These soils are better regarded as abandoned shoreline cobble-pebble deposits that represent reworked landslide rubble that has slid off of Tillamook Head and transported 2 miles around the Head to the south end of the beach in Seaside. These deposits probably accumulated around 3000 to 4000 years ago. Their modern analogue is the cobbles west of the Prom at Avenue U, which were deposited by the surf in 1987, after a July landslide on Tillamook Head of that year.

The gravels generally have very high permeability that varies according to the amount of interstitial fines between the cobbles and pebbles. There may be up to 12 inches of surficial silt and construction gravels mantling the cobbles. Provided these are removed, the well draining gravels below should have infiltration rates of from 6 to 20 inches of water per hour. If surface silts have been mixed into the cobbles, the infiltration rate may drop to a range of 2 to 6 inches per hour.

It would be prudent to have access to the subsurface materials at the time of excavation so as to provide further input on the infiltration rates. Otherwise, it would be prudent to use the lower ranges for infiltration wells or bio-swale design.

Please feel free to call if you have questions.

Thomas S. Horning, CEG #1131
Horning Geosciences



Expires: 6/30/16



Figure 1: Aerial view of TL 300 and surrounding neighborhood.