

MINUTES SEASIDE PLANNING COMMISSION

August 7, 2018

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

PLEDGE OF ALLEGIANCE

ATTENDANCE: Commissioners present: Chair Chris Hoth, Vice Chair David Posalski, Bill Carpenter, Teri Carpenter, Lou Neubecker, Ray Romine, and Dick Ridout, Staff Present: Debbie Kenyon, Administrative Assistant, Kevin Cupples, Planning Director, Absent: None

OPENING REMARKS & CONFLICT OF INTEREST/EX PARTE CONTACT: Chair Hoth 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 Hoth 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: June 5 and June 19, 2018; Minutes approved as written.

AGENDA:

PUBLIC HEARING REQUIREMENTS:

The following public hearing statements were read by Chair Hoth:

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:

- A. **18-054PCR:** A request by Kan Masudur to allow 60% of the required parking spaces to be developed as compact parking spaces in conjunction with a new motel. The property is located at 250 1st. Avenue (T6, R10, 21AB-TL9400) and it is zoned Resort Residential (RR). The Seaside Zoning Ordinance allows 30% compact spaces without Planning Commission authorization.

Kevin Cupples, City Planning Director, presented a staff report, reviewing the request, decision criteria findings, conditions and conclusions.

Chair Hoth asked if there was anyone who would like to offer testimony in favor of the request. Mark Mead, 89643 Ocean, Warrenton. The existing hotel was built between 1930 to 1960 and the buildings are a hodgepodge. The current parking spaces on 2nd Avenue back into the street. The new plan is a four story building that is along Columbia with the parking between the building and Downing St., so all the parking will be on the property with no backing into the street. Currently some of the buildings are in the setbacks and some of the parking is in the setbacks. The new building will be compliant. They did a parking study since June and had the managers go out first thing in the morning and tract vehicles and how many of those vehicles are large. In the study it shows that there are 70 to 80 % that will fit into the compact car spaces. One of the things that they noticed during the study was that not all the guests have cars. Some are bicyclist and some come on the bus and there are others that come in a group in 15 passenger vans and may have 5 or 6 rooms but use only one parking space.

Chair Hoth asked if there was anyone else who would like to offer testimony in favor of the request. There was no response.

Chair Hoth asked if there was anyone who would like to offer testimony in opposition. There was no response.

Chair Hoth indicated the issue was opened for Commission discussion. Commissioner Ridout stated that he knows the difference between a compact parking space and a regular parking space but what type of car is considered compact. Mr. Cupples stated that the ordinance just states the size of the parking space a regular parking space is 9 x 18 a compact is 8 x 16. Most vehicles now are standard size and will fit in the compact but not trucks or big SUV's. With the site right now most of the parking is compact. Mr. Cupples stated that if you go into Portland and park in the parking garages they are pushing our compact car size and they are putting full size cars in there. Commissioner Ridout stated that he was looking at the parking study and they counted the regular cars and large trucks and SUV's but they are counting the regular cars as compact and he doesn't believe that all regular cars are compact. Mr. Cupples stated that in general terms he doesn't believe that all cars are compact cars but he believes that you could park any regular size car in what we define as a compact space. Commissioner Ridout stated without door dings and things like that? Mr. Cupples stated he didn't say that and he gets door dings in standard size parking spaces at Costco. Commissioner Teri Carpenter stated that's if everyone gets out of the car before they pull into the parking space, then compact works. Vice Chair Posalski asked about the first row of parking that is closest to Downing, it looks like those spaces are shorter than the 16 feet is that curbing? Mr. Mead stated that is curbing and they will be 4 inch curbs instead of the usual six inch curb. Commissioner Romine stated that if we look at this as a PUD where zoning really is depending upon the Planning Commission, the 60% is allowed with the PC review, with the information that was provided we don't have a size problem with regard to parking in several location and with the free market the customer will not come back if there is no parking available. The concept, is this project good for the community and does it improve the area and is it worth making some allowances? Vice Chair Posalski stated that he doesn't fully agree because when people are booking rooms they are not looking at the parking and if their cars don't fit then they will be using public parking. If one person parks on the line then that takes away another spot. He also stated that in the study it doesn't show the occupancy of the hotel at the time the study was done. Commissioner Romine stated that these are cars sizes not parking lot sizes and these are percentages of cars in the parking lot regardless of how big the parking lot is. The percentage of cars that are oversized is significantly less than 40%. It has nothing to do with the number of cars in those lots. Vice Chair Posalski stated that his concern is that there are many cars that are longer than 16 feet so they will be taking up a lot more of the 22 foot clearance. Chair Hoth asked if Mr. Cupples, could he address the reasons that the 30% compact car came into effect? Mr. Cupples stated no, he wasn't here then and he has been here for 20 years. Chair Hoth stated that it could have been addressing the issue back then when the cars were larger. Chair Hoth stated that he drove around and looked at other hotels and there seemed to be enough room. The planning commission is not here to approve things to make it necessarily easier on the developer but what would be beneficial to the development. He doesn't agree with Vice Chair Posalski that adding a few spaces would be easy right now with the 22 foot isle going to a 24 foot isle they would lose parking. Right now the compact spaces do double duty. The only concern he has is if it is truly inconvenient for cars to park there, the guest would find parking on the street and we lose that benefit but he doesn't see that becoming an issue. There is a letter that addresses some opposition to this. Commissioner Romine stated that they mentioned overflow parking. Public and overflow parking happens probably when the hotels are full. Another concern was increased traffic, we are a tourist location and that is what we do, so improved tourism which is our primary industry comes at a price, it brings more traffic. Chair Hoth stated that with this new development there will be more parking for the guests and be more conforming than what currently exists. Commissioner Ridout stated that going back to the letter, it indicates this will be setting a precedent and this is not setting any legal precedence, but it's letting people know they can make smaller parking spots.

At the end of the Commissioners discussion, Chair Hoth closed the public hearing and Commissioner Romine made a motion to approve the conditional use under the guidelines that staff has presented.

Commissioner Neubecker seconded and the motion was carried 6 to 1 with Commissioner Ridout voting No.

- B. **18-055CU:** A conditional use request by Randall Killion to develop a 4-plex within general commercial (C-3) zone. This building will replace a single family dwelling that recently burned down at 719 Ave S (T6 R10 21DD TL: 7900).

Kevin Cupples, City Planning Director, presented a staff report, reviewing the request, decision criteria findings, conditions and conclusions.

Chair Hoth asked if there was anyone who would like to offer testimony in favor of the request. Deidra Pitkin, 81191 Gronnel Rd, Seaside. Ms. Pitkin is the designer for the project. They're proposing to have a four-plex built and the two single family dwellings will remain and the parking will comply with the regulations. Then once the four-plex is complete they will remove the single family residences and build another four-plex.

Chair Hoth asked if there was anyone else who would like to offer testimony in favor of the request. There was no response

Chair Hoth asked if there was anyone who would like to offer testimony in opposition. There was no response.

Chair Hoth indicated the issue was opened for Commission discussion. Commissioner Bill Carpenter stated that he liked this design if it is anything like the one that was put in on Columbia. It will make the neighborhood look nice. Chair Hoth asked if the occupant's driveway would go around the back and park. Ms. Pitkin stated yes parking will be in the back. Commissioner Ridout asked if there was a front door and a back door. Ms. Pitkin stated yes. Chair Hoth asked Mr. Cupples if this is one of those cases where we are becoming more conforming. Mr. Cupples stated yes. Commissioner Ridout asked what our commercial inventory is now? Mr. Cupples stated that we still have vacant commercial spaces that are currently built but what we don't have is a lot of vacant residential spaces and those are what are currently being sought after. We don't have a provision in our ordinance that says you can't use your commercial property for residential, it doesn't say you have to have your residential above commercial. Right now we still have some commercial property left. We don't have a lot of vacant residential property for this type of development.

At the end of the Commissioners discussion, Chair Hoth closed the public hearing and Commissioner Romine made a motion to approve the conditional use under the guidelines that staff has presented.

Vice Chair Posalski seconded and the motion was carried unanimously.

- C. **18-059VRD** is a conditional use request by Shawn Lewis for a two (2) bedroom Vacation Rental Dwelling Permit with a maximum occupancy of not more than six (6) people over the age of three. The property is located at 446 15th Avenue (6 -10- 16DA -TL 6600) and it is zoned Medium Density Residential (R-2).

Kevin Cupples, City Planning Director, presented a staff report, reviewing the request, decision criteria findings, conditions and conclusions.

Chair Hoth asked if there was anyone who would like to offer testimony in favor of the request. Shawn Lewis, 1921 S Downing, Seaside. Mr. Lewis has had the home inspected and has done everything that was on the inspection list, except paving the other half of the driveway and he has one year to do that.

Chair Hoth asked if there was anyone else who would like to offer testimony in favor of the request. There was no response.

Chair Hoth asked if there was anyone who would like to offer testimony in opposition. There was no response.

Chair Hoth indicated the issue was opened for Commission discussion. Commissioner Bill Carpenter stated that the staff report stated that this was recently approved by the planning commission and the rental was never approved. Mr. Cupples stated yes, this went before the planning commission in February and a pre-inspection was done but the applicant decided to sell the property instead. Chair Hoth asked about the front yard landscaping. Mr. Cupples stated that the owner will put in pots so people won't park there. Commission Teri Carpenter stated that there is a problem with one on Columbia that had logs in for their landscaping and the renters moved them sideways and turned the front yard into parking. Mr. Cupples asked where exactly and she said she would get back to him with the address.

At the end of the Commissioners discussion, Chair Hoth closed the public hearing and Vice Chair Posalski made a motion to approve the vacation rental/conditional use under the guidelines that staff has presented.

Commissioner Neubecker seconded and the motion was carried unanimously.

- D. **18-061SV**: A sign code variance request that will allow the Times Theater to provide a 4 foot projecting sign above a marquee sign that will project 4 feet over the sidewalk at the corner of Broadway & Columbia. The subject property is located at 133 Broadway (6 10 21AC TL: 2601) and is zoned Resort Commercial (C-2).

Kevin Cupples, City Planning Director, presented a staff report, reviewing the request, decision criteria findings, conditions and conclusions.

Chair Hoth asked if there was anyone who would like to offer testimony in favor of the request. Mark Mead 89643 Ocean, Warrenton. Mr. Mead stated that when Jim Brien was the building official he asked them to remove the sign due to the condition that it was in. They had it removed and would put it back up but they are missing the T and now can't put it up. The city also uses the building to hang banners on. They are asking to put something similar back to what was there.

Chair Hoth asked if there was anyone else who would like to offer testimony in favor of the request. Vince Berg, showed photo of the old sign.

Chair Hoth asked if there was anyone else who would like to offer testimony in favor of the request. There was no response.

Chair Hoth asked if there was anyone who would like to offer testimony in opposition. There was no response.

Chair Hoth indicated the issue was opened for Commission discussion. Commissioner Ridout stated that the sign looks real nice and will look good on the building. He also stated that a few years back there was a big push to get signage out of the street and out of the vision of people looking down the street. He suspects the people who were behind it are no longer around. Now people want to put up more signage. Chair Hoth stated that he doesn't have an issue with this at all, but it is a variance. He thinks in this case there are a couple of things; the sign is on the corner, marquees are allowed, and it's over something that is longer than the sign. It's a good look. Vice Chair Posalski asked about the lumens on the marquee. Mr. Cupples stated that they cannot exceed 450 lumens. Commissioner Romine stated that this is a variance and what makes them special. Mr. Mead stated that this was built in 1940 and is a historic building. Its original use was a theater and has always been a theater and will continue to be a theater. There are no other buildings in Downtown Seaside that have stayed the same use. There are a bunch of exception in code regarding upgrades to a historic building and they were able to obtain most of those. It is not on the historic register but it is a historic building, sort of. Commissioner Teri Carpenter stated that they didn't have to abide by ADA standards. Mr. Mead stated no, that was what they had to upgrade. Commissioner Romine stated that the building is significantly different and should be allowed a variance because of its historical value to the community. Mr. Mead stated yes and they are not changing the outside of the building. Chair Hoth asked if the original sign extend more than two feet. Mr. Mead stated yes the T alone was over 2 feet wide. Chair Hoth asked if they hadn't taken the old sign down would they be able to put it back. Mr. Cupples stated yes. Commissioner Teri Carpenter asked when they cleaned up Broadway, did they make everyone take down their signs or as the business changed did they make changes to the signs. Mr. Cupples stated Jim Brien asked them to remove their sign. Commissioner Bill Carpenter stated that this was built as a theater, has always been a theater, and will continue to be a theater.

At the end of the Commissioners discussion, Chair Hoth closed the public hearing and Commissioner Bill Carpenter made a motion to approve the sign variance under the guidelines that staff has presented. Commissioner Neubecker seconded and the motion was carried unanimously.

ORDINANCE ADMINISTRATION: None

COMMENTS FROM THE PUBLIC: None

COMMENTS FROM COMMISSION/STAFF: Commissioner Teri Carpenter stated that she would like to have the packet 7 to 10 days ahead of the meeting. Mr. Cupples stated that he could try to get them out at least 7 days but 10 days will be difficult.

Commissioner Ridout asked about the people who want to be on the agenda last minute. Mr. Cupples stated that it's not really last minute for anything that needs notification. Sometimes we get information late that we try to get into the staff reports. Debbie has to set up the files, get the mailed, and published notices out and so there isn't usually a late filing. It's just a matter of having enough staff time and people in the office to get the reports done. Our deadline for the next planning commission is the first Tuesday of the previous month, so today was the deadline for the next planning commission meeting. Commissioner Romine stated from his perspective, staff is doing a great job and he knows it's busy and you're doing the best you can.

Vice Chair Posalski stated that he was looking at Warrenton's ADU regulation and they do not allow any rental of any kind in their ordinance. Mr. Cupples asked if that was transient or any rental? Vice Chair Posalski stated any rental, it all must be owner occupied. Chair Hoth stated that sounds like it is out of compliance with the state law.

Chair Hoth stated there was also a letter submitted regarding a light on Avenue S and the highway and he respectfully turned that over to the transportation committee.

ADJOURNMENT: Adjourned at 8:04 pm.

Chris Hoth, Chairperson

Debbie Kenyon, Admin. Assistant