

MINUTES SEASIDE PLANNING COMMISSION
September 2, 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: Ray Romine, Tom Horning, Chris Hoth, Bill Carpenter, Robert Perkel, 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:

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:

- A.) 14-043VRD** – A request by Kelly Farmer for a four (4) bedroom Vacation Rental Dwelling Permit with a maximum occupancy of not more than ten (10) people regardless of age. The property is located at 450 6th Avenue (6-10-16DDTL4604) 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 Romine asked if there was anyone who would like to offer testimony in favor of the request. Erin Barker, Beach House Vacation Rentals, 800 N Roosevelt, Seaside OR. This is just a transfer of ownership and has been a vacation rental with the same occupancy.

Chair Romine asked if there was anyone else who would like to speak in favor of the request. There was no Response.

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

Chair Romine indicated the issue was opened for Commission discussion. Commissioner Carpenter stated it has been a vacation rental. It has the parking and meets all the conditions for a vacation rental.

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

- B.) 14-044CU:** A conditional use request by Eddie & Tara Baumann to replace the non-conforming structure at 330 12th Avenue (6-10-16DATL9800) with a new dwelling that will be more compliant with the development standards in the Seaside Zoning Ordinance. The subject property is zoned High Density Residential (R-3)

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

Chair Romine asked if there was anyone who would like to offer testimony in favor of the request. Larry Kreighauser 311 12th Avenue, Seaside. He has owned the house for 16 years and is tired of all the police activity that goes on at the house. He is very happy that someone has bought the place and will fix it up. There has been a lot of drug traffic coming and going out of that home. It's been abandoned now for about 2 years and presently there is someone living in the house. It would be a great move for the city to approve this request.

Chair Romine asked if there was anyone else who would like to offer testimony in favor of the request. Paula Simantel, the realtor. This home is awful; someone has been living in there without approval. The new owners will upgrade this home once this gets approved.

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

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

Chair Romine indicated the issue was opened for Commission discussion. Commissioner Ridout asked about the upstairs floor plan. Tara Baumann, applicant & purchaser, stated that there will be a master suite with bath downstairs and then three bedrooms upstairs, one master suite with full bathroom and then two smaller bedrooms with a Jack and Jill bathroom. If they do a vacation rental in the future, they would have adequate facilities to accommodate 6 people. The goal is to house their family first. The second floor master suite would have a balcony.

Commissioner Ridout stated that with this small of a lot we are going to have to make exceptions and this definitely will make the neighborhood look a lot nicer. Commissioner Ridout also stated that the current building looks like it currently has no setbacks. Mr. Cupples stated he thinks the current residence maybe over the property line so this will be a substantial improvement.

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

C.) 14-046CU A conditional use request by the City of Seaside to permit multipurpose municipal use of the structure at 1115 Broadway (6-10-22BC-TL800). The structure was previously used for the Faith Lutheran Church and the property 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 Romine asked if there was anyone who would like to offer testimony in favor of the request. Mark Winstanley, City Manager, 989 Broadway, Seaside. Mr. Winstanley stated the city is looking to acquire the Faith Lutheran Church on Broadway obviously the city is not interested in the R2 zone for the church. The city would like to use the church as a municipal building. The property does have some parking issues, but the city is in a unique position because it currently has parking at the library and also behind the community center, and Broadway Park. The city has the ability to mitigate parking better than anyone. At this point, they don't know what the building would be used for. That would be an issue for city council. They do support the Planning Director's recommendation. Mr. Winstanley would gladly answer any questions although the final purchase of this property is still an executive session matter with the council.

Commissioner Carpenter asked if this would be used for meetings. Mr. Winstanley stated that would be a good idea but the council hasn't even taken up the issue. Certainly the location is ideal for having some type of shared use with the library. It is right across the street from the youth center and Broadway Middle School. From a council stand point, this building could have many uses. Again, with the city purchasing this property and putting it to municipal use, everything that the council considers will be very public and the public will be involved. There will be public meetings where they will discuss the many uses of this building. The City Council, more than any other bodies is sensitive to what the members of the community think about uses for this building.

Commissioner Ridout asked if there was any concern purchasing a property in the tsunami zone. Mr. Cupples stated that doesn't fall under the special provisions for critical facilities. Mr. Cupples stated that he thinks the building official stated that if the occupancy isn't over 300 then it isn't considered.

Commissioner Hoth asked who was notified in this process. Mr. Cupples stated that all property owners within 100 feet and a published notice. Commissioner Hoth stated that once the specific use is decided will the neighbors then be notified? Mr. Cupples stated only if the planning commission desires the notice be sent out. Commissioner Hoth would like to have a condition that the neighbors get notified of the specific use. Mr. Winstanley stated he would prefer that the neighbors get notified when the city council begins to discuss the uses of the building. The city is all about providing people the opportunity for input.

Commissioner Horning stated that it looks like the building is made of unreinforced masonry and would collapse in an earthquake and are there any building code requirements at the time of transfer that would require the veneer to be secured. Mr. Winstanley stated that Mark Mead an engineer has gone through the property and there were not any issues and then the city building official went through too, because we want to know the condition of the building before purchasing it. It is in remarkably good shape for being 55 years old. Mr. Winstanley also stated that there are still members of the Faith Lutheran church around here and care very deeply what happens to the building.

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

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

At the end of the Commissioners discussion, Chair Romine closed the public hearing and Commissioner Hoth made a motion to approve the conditional use under the guidelines that staff has presented plus send notices to the neighbors when the City Council begins discussing future use of the building. Commissioner Perkel seconded and the motion was carried unanimously.

ORDINANCE ADMINISTRATION: None

COMMENTS FROM THE PUBLIC: None

COMMENTS FROM COMMISSION/STAFF:

ADJOURNMENT: Adjourned at 7:32 pm.

Ray Romine, Chairperson

Debbie Kenyon, Admin. Assistant