

MINUTES SEASIDE PLANNING COMMISSION
March 6, 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, Ray Romine, and Dick Ridout, Staff Present: Debbie Kenyon, Administrative Assistant, Kevin Cupples, Planning Director, Absent: Lou Neubecker

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: February 6th and February 20, 2018;
Commissioner Bill Carpenter made a motion to approve the minutes as written. Vice Chair Posalski seconded the motion was carried unanimously.

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. 18-005VRD** is a conditional use request by **James & Marci Long** 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 **2164 S Downing (6 10 28BA TL 4700)** 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. James Long, 2164 S Downing is his beach home and he resides in Dundee OR. Mr. Long stated that he will follow all the rules and conditions for the vacation rental.

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 had a hard time finding the address. Mr. Long stated that he will put that on the property soon. It was one of the items the appeared with the inspection. Commissioner Ridout asked if this was a vacation rental previously. Mr. Long stated no. Chair Hoth asked about the gate. Mr. Long stated that the gate will now open inward.

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

- B. 18-009RUA** A review use and activity request by Loren and Beverly Stock to permit structural shoreline stabilization along the Necanicum Estuary where it fronts their property at 601 25th Avenue (T6-R10-S10CD-TL3700). The proposal will include the use of rip rap along the shoreline of the estuary at the end of 25th Avenue and that portion of the undeveloped Venice Blvd. right-of-way that fronts the applicant's property. The upland portion of the property is designated Medium Density Residential (R-2) and the estuarine area is designated Conservation Aquatic (A-2).

Kevin Cupples, City Planning Director, presented a staff report, reviewing the request, decision criteria findings, conditions and conclusions. Mr. Cupples stated that we did receive a comment late this afternoon the individual in the written statement said that he was trying to make sure that one of the criteria was adequately addressed and also included some other criteria from Article 6. That information from Article 6 does not apply to this request because this is a review request and not a conditional use request in the A2 zone.

Chair Hoth asked if there was anyone who would like to offer testimony in favor of the request. Loren Stock, 601 25th Avenue, Seaside, Mr. Stock purchased the property 1986 at that time they had about 100 feet of frontage now it is right up on the property and has taken some trees. It is undercutting whatever shore growth that was there. They would like to put in some rip rap to mitigate and slow down or stop the erosion. The Army Corp of Engineers and DSL have had a close eye on projects all over the state and especially on the Necanicum Estuary. They seem very agreeable to the rip rap approach opposed to mitigation and having lots of plantings and willows.

Chair Hoth asked if there was anyone else who would like to offer testimony in favor of the request. Roger Schultz owns the property immediately to the south of the Stocks property. They have had the property in the family since the mid 1970's. Over the years they have also lost over 100 feet of property, they have been patient and hope that nature would heal itself and sort of stabilize the bank. Now it has gotten to the point it has taken some of their property. The Stocks share a northern property line. Mr. Schultz comes in support because it then allows him to come in and add to the project in order to fill the gap between the two properties. This will hopefully slow the process and/or stop the erosion.

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 this is very complex and doesn't know where to begin. Chair Hoth stated that he feels the same way but the people who are going to making the real decision is The DSL and the Army Corp of Engineers and this is a review of the process. Commissioner Romine stated that he agrees and stated to Mr. Cupples that there looks like there already has been some work done in the area and this is like kind and in the same manner. He feels that this is an acceptable solution as it passes through other regulatory organizations. Mr. Cupples stated that once you start you almost have to continue with that stabilization because you have created a resistive area and then where ever it is resistive it will eat away at another area and so he would encourage the neighboring property owners to come in with that type of request and then when the Army Corp of Engineers is looking at that they can look at how that will wrap in on the terminal ends. Mr. Cupples isn't sure what the Council will want to see at the end of 25th Avenue. Commissioner Teri Carpenter asked if the previous work that was done has that caused damage to other people's property. Mr. Cupples stated that it's possible, the mouth of our estuary is a really dynamic system, the last one that the planning commission reviewed was for the Cities Waste Water Treatment Plant and the city has had a difficult time trying to use a combination of vegetation and rock mats and are having a hard time making that win the battle. There is one residual rock pile out

there that wants to bend things around. Chair Hoth stated that in the report there is a specific condition that states this development cannot cause similar problem to neighboring properties. Mr. Cupples stated because it is a condition of approval and not only do they have to get authorization from the City Council to work within the public right of way but also go through the Army Corp of Engineers and DSL because they are the people who are the experts on doing that. The City Council may ask the applicant to bring in a Civil Engineer although the applicant has indicated he is an Engineer. This is one where the council may say they want additional assurance from an Engineer. Chair Hoth asked if the State Parks get involved in this. Mr. Cupples stated no, the Department of State Lands (DSL). Commissioner Ridout stated that when you compare the erosion on the property that the commission is looking at and he's talking about rip rap in a much shallower type of rip rap and extending it down the beach a ways where is that starting on his property. Is there going to be backfill to pick up some of the land that has been lost? Mr. Cupples stated that he can't answer that, he didn't look at the two properties down and that is outside of the applicant's request. Commissioner Ridout asked if the Army Corp of Engineers already looked at and approved the second piece of property? Mr. Cupples stated no the Corp permit has not been submitted for review and approval. Commissioner Ridout asked for either of them? Mr. Cupples stated that would be correct. Commissioner Romine stated the process is they need Planning Commission approval then City Council then DSL and then Army Corp of Engineers.

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

- C. 18-020CU:** A conditional use request by **Seaside School District #10** for a new consolidated school campus at 2000 Spruce Drive (T6-R10-S22-TL900 & TL2102 and S22CA-TL108). The District has completed a comprehensive Institutional Master Plan and Institutional Development Plan for the new school campus in accordance with the provisions in the Institutional Campus (I-C) zone, Section 3.210 of the Seaside Zoning Ordinance. Although portions of the District's property is zone A-3 & F-80, no development is proposed within these zones.

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. Sheila Roley, 1801 S Franklin, Seaside. Ms. Roley stated that since the last meeting they have had at least 10 community meetings. Letters were sent out to the people in the surrounding neighborhoods so the school could get feedback from those that will be directly affected by the new school. They have also had 6 different open full community forums that were advertised and had a good turnout at some and not so good at others. They have had four different events within the school system because they have a lot of parents and community members that come to the Holiday programs.

Chair Hoth asked if there was anyone else who would like to offer testimony in favor of the request. Dan Hess, 1233 NW Northrup, Portland. Mr. Hess is the architect for the school. He had his presentation on a thumb drive but didn't have the projector setup a head of time. Someone from the school left to go get one. The basic concept of the project is to have all the students in one location. Seaside Heights Elementary will have an addition and some remodeling and all the elementary students will attend that school and middle school and high school students will attend the new school. The new school will be about 140,000 sq ft and three stories tall. The building itself be designed for the coastal climate.

Chair Hoth asked if there was anyone else who would like to offer testimony in favor of the request. Danielle Pruitt, KPFF Consulting, 15505 NE 28th Avenue, Vancouver. Waiting for the projector.

Chair Hoth asked if there was anyone else who would like to offer testimony in favor of the request. Greg Winterrowd, 610 SW Alder #810, Portland, OR. First of all Mr. Winterrowd mentioned that last fall there were numerous studies that happened. One of them was the transportation study. The information in that study was used to inform the more recent study that was submitted in February to look at what will happen when the doors open. Now we are on the Conditional Use Permit but it is like a PUD. The way the IC zone works is two ways. Impacts and development, the impacts are transportation, geological impacts, and environmental impacts and public facility impacts. The second set are objective standards. Mr. Cupples mentioned that he would like to see the standards in Article 4 addressed and that would be parking, off street loading and unloading. They have two geological studies done. Then the grading and erosion control study. We have a very detailed application.

What funding is available? There are a number of funding resources available. What public facility requirements will there be? What is the districts fair share of these costs? What are the impacts of the neighborhood? What are you going to do with those impacts? What is the construction management plan? Will trucks be coming from above? Below? When will they becoming? They will get better information in the next several weeks to answer those questions. Mr. Winterrowd stated that the district passed a 100 million dollar bond measure and the city recently passed 210 Million dollar urban renewal bond. The way that the city could recoup these cost is by the system development fees. What they think is the case is the city has system development fees for parks, sewer and water, but he doesn't think they have any for transportation. The SDC's make sense in this case they also need to be weighed against the contributions that the city is getting. The next source is the Urban Renewal Fund and this is in their application the district over the next 25 years will be contributing almost 30 million in deferred tax income. That would have come to district but for the urban renewal district those funds will be used to pay back bonds that will be used to do things like sewer improvements, road improvements and park improvements. The district feels like it is make a pretty big contribution to things like Wahanna Road improvements, Avenue S improvements and then any improvements that might be done to Spruce Drive, as well as sewer improvements for the general area. Interesting enough those funds can be used to install sidewalks and maybe some additional work on Wahanna. There are also funds available from the Necanicum Watershed to make sure they have ½ million dollars for environmental quality control. The last major source is from additional development contributions. In this case the district will be providing the land for the water reservoir, the district will be designing the transmission line that goes from the new pump station up to the reservoir. When you look at this complex funding system it's beginning to get clearer, to him at least, that the district is making major contributions to the cities system. The issue of has come up "is the city paying for all this?" well not all of it, 30 million dollars in urban renewal deferred income from the district, system development charges which look like that are going to be in the area of ½ million dollars. The district is close to contributing \$300,000 just in the added parking that will go into the parks fund. We haven't worked these out with the city but to say that the district isn't paying its fair share is not entirely accurate. The urban renewal funding could pay for, for example is the construction of Spruce Drive. It could also be used for Wahanna Road improvements. Maybe Avenue S, he's not sure how Avenue S improvements are being funded now. The transportation study shows them that the districts impact on those are not so high that you could say that the district is causing problems. Spruce Drive is a good example of that, the urban renewal seem to say that Spruce Drive would be overwhelmed with traffic but the traffic study doesn't support that conclusion. When the district is making these contributions to the urban renewal funds the benefit is less to the district itself and more to area that is served by the whole street system. Commissioner Bill Carpenter stated that they are using the urban renewal funds as if they are being supplied by the school district, but that is not the case. Mr. Winterrowd stated that the school district will not get 30 million dollars of revenue that it would have otherwise gotten over the next 25 years that will help to pay back the bonds that are being used. Commissioner Bill Carpenter stated the he thinks that Mr. Winterrowd has a misunderstanding of what the urban renewal agency funding will be used for and that is a discussion that can be discussed at the next meeting, he cautions Mr. Winterrowd that the 30 million that will be coming out of the urban renewal agency funds is not generated by the school. Mr. Winterrowd had a document that was provided by the city, urban renewal folks, that talks about the revenue that will be gone over the 30 years the district will not get. In 25 years there will be enough increases in taxes that the district will get more taxes in 25 years but in the meantime the district will be not having those coffers an average of 1 million dollars per year for the next 25 years. The key point that he is trying to make is that the projects that are deemed funded benefit the district somewhat but the need for the projects are not being generated for the most part for the school. Commissioner Bill Carpenter stated that he would like to defer this until they have read over the documentation presented. Chair Hoth stated that information is more for the City Council on how the funds will be spent. Greg Winterrowd stated that the traffic impact study that says that all intersections and all major streets serving the district over the next twenty years will operate at a reasonable level based on projects in the transportation system plan. We are not having any significant impact on any of the roads due to this development. They are surprised by that finding but that is what the finding is. They do need a right turn lane off of Spruce to Wahanna Road and that was the one requirement out of that study. Then they did a study of what the impact would be in 2020 the study concluded that there would be no off site improvement or major problems or major impact. Based on that study staff has asked for a peer review of that study and they welcome that review. They are willing to work with the neighborhood to make the area safer. The TSP says that the city needs to avert traffic off of Highway 101 and divert it to Wahanna Rd. If you look at what the district is doing it is moving the school traffic off of Highway 101 and moving it to Wahanna Road. The district has offered a site for the new reservoir, they feel they have paid their fair share of the water. There is an old sewer pumps station on Wahanna Road and they will contribute

somewhat to that. They have met the environmental standards. They would like to have a decision on April 3rd meeting. Mr. Winterrowd has three suggestions 1.) They will work with public works and fire department. 2.) They will take measure to reduce traffic congestion. 3.) They will pay their fair share of SDC's.

Danielle Pruitt, with KPFF out of Vancouver Wa. Ms. Pruitt stated that to get the congestion under control they are going to add another lane of traffic. Once students are dropped off they will go through the parking lot and circle around and come back out on the two lane road. The other concern was parking during school events and they have added parking along the road when events are going on. These are not counted as parking spaces just parking for over flow parking when events are going on at the school. At the middle school and high school there is two way traffic the upper turn side will be where parents drop off their kids and the lower is for the buses to drop off the kids. Commissioner Bill Carpenter stated that when a parent drops off their kids they will have to go through the parking lot to get back onto the main road. Ms. Pruitt stated that is correct.

Will Farley, Landcaster Engineering, 321 SW Forest Ave #400, Portland. Mr. Farley is the traffic engineer he did the original study of 13 intersections for the UGB and was able to reduce that to 5 for this study. Those intersections were Hwy 101 at Ave S, Hwy 101 at Broadway, Wahanna at Spruce, Wahanna at Broadway and a quick analysis for Wahanna at Cooper. All those intersection operated acceptably. They need a right turn lane for west bound direction of traffic to Spruce from Wahanna. There were no safety concerns regarding those 5 intersections. They reviewed traffic signal warrants at Avenue S even though it was done in the planning horizon analysis for 20 years no warrants will be met for that intersection in this near term analysis and still no concern through 2036. Commissioner Teri Carpenter asked if that analysis was done in December, Mr. Farley stated yes it was. Commissioner Teri Carpenter stated that means that the statistics are really low. Mr. Farley stated that any intersection on the highway ODOT wants factors involved to bring it up to the 30th highest hour which falls in the summer. In Seaside's TSP actually has an alternative mobility standards say that it wants the average daily traffic. So those volumes on the highway using the analysis procedures manual from ODOT were adjusted to be the average daily traffic even for December it is now represented as the average volume of traffic that should be on the highway. Commissioner Teri Carpenter asked if they did two studies one in the summer and one in the winter and then took an average. Mr. Farley stated that they used ODOT's values for highways. ODOT has a plethora of data along each highway and usually at automatic traffic recorders they document what that highway does on the 15th of every month and at the end of every month and then has a factor that you can apply to any volume to get a seasonal adjusted volume. Commissioner Teri Carpenter stated then there has been a year round study. Mr. Farley stated they keep yearly volume. Commissioner Bill Carpenter stated that is hard to believe having lived here and watching the difference in traffic from December to the summer months or during the school year. Mr. Farley stated that is correct Highway 101 is a coastal destination route ODOT recognizes that they have break downs for coastal destinations and coastal routes for getting to coastal destinations, commuter routes, farm routes and winter routes it's all based on a classification of the highway. They followed the procedures analysis manual for ODOT and they approved of the study for the urban growth amendment. They looked at the analysis for all the intersections and everything ran acceptably. They looked at roadway volumes on Spruce and for the major collector of Spruce, major collectors typically carry 7000 vehicles per day and with the school relocating and all the homes, he counted 140 homes, it come out to be roughly 4000 trips down Spruce per day. It is what you would expect on a major collector.

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

Chair R 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 asked the architect about the materials that were going to be used and he asked about the concrete veneer. Mr. Hess stated that it will be concrete cinder block but a better grade. Commissioner Ridout stated that some of the city building have had some issues. It also shows on the weather side varying types of siding. Mr. Hess stated that there is always issues with some joints but there is only different coloring of the bricks.

Commissioner Bill Carpenter stated that he has asked staff to give the school his questions in writing and then get the responses back from the school in writing.

Commissioner Bill Carpenter made a motion to continue the discussion and leave the records open until the Tuesday, March 20, 2018 meeting here in the Council Chambers at 7pm that will provide district and other parties time to submit additional written information and to begin to address the commissioner's questions from tonight's meeting. It will also give the commissioner's time to review that information and discuss it openly and on the record. Although they don't want to take a whole new round of testimony at that meeting he would like to ask follow up questions of the applicant or any of the parties present. Once that is done and they have asked for any additional information that they think they may still need he thinks the proper thing will be to keep the record open and continue it to the April 3rd, 2018 meeting and allow the district and anyone else the opportunity to offer testimony in the hopes that they will be closer to make a decision. The regular work session will take place immediately after they conclude the continuance of meeting on March 20, 2018. Commissioner Romine stated before we get a second on that motion he asked about the memo earlier is a very broad scope of construction progress. Commissioner Romine stated he would like that better describe on what's going to happen and when or what they were hoping to see happen and when in the construction phase. He would like a construction management plan. Who's doing what and who is paying for what? It would be helpful to have that document so that way the sooner the city sees that the sooner the city can move forward. It is critical to get this going in dry weather. Cary Bubenick, 805 SW Broadway # 2100, Portland, operations manager for Hoffman Construction Company. The construction chart is done all the way through construction of 2020. It shows all the milestones that the commissioners have requested it is preliminary but will be expanded upon with more detail. They would like to start on June 1st. Commissioner Bill Carpenter asked if they would have the construction management plan before the March 20th meeting. The district said yes they should have that ready by then. Vice Chair Posalski stated that in the feedback from the community and outreach from some of the community meetings there's been questions regarding ADA access going up the road from the elementary school to the high school he doesn't know at what point and time the overflow parking was put along the road and whether that changes the calculation as to ADA accessibility if you are putting parking along that road. Commissioner Teri Carpenter asked if there were going to be bike lanes. Danielle Pruitt stated no there will not be bike lanes, they have two lanes of traffic and they are providing a sidewalk. The parking does not have an impact on the sidewalk. What they have done is make sure they have adequate fire access. The sidewalk itself is at a 10% grade and that is not an accessible walk typically if you have over 8.3% grade. Vice Chair Posalski asked if there was a requirement for handicap parking in that area. Ms. Pruitt stated that they have provided 2 ADA parking spaces along the track field. They want to make sure that they provide accessibility to the track. The area between the two schools is not ADA Accessible that is why they want to provide those parking spaces there. There will also be ADA parking at the two schools. Vice Chair Posalski asked on the middle school and high school how many entrances and exit will they have? And what type of controls will be at those access points. Mr. Hess stated that there will be two main entry points to the buildings. They will have secure vestibules basically they will have electronic door locks so that you can walk in and out during school opening and leaving times. During the day you can only get in through the front set of doors and then you have to go into an admin area. From there you will be permitted to continue. Chair Hoth asked if there were any other question, there were none. Commissioner Romine seconded and the motion was carried unanimously.

ORDINANCE ADMINISTRATION: Mr. Cupples stated that he is still trying to get the commissioner some accessory dwelling information and parking standards.

COMMENTS FROM THE PUBLIC: None

COMMENTS FROM COMMISSION/STAFF: Chair Hoth stated that he may not be on the March 20th meeting.

ADJOURNMENT: Adjourned at 8:40 pm.

Chris Hoth, Chairperson

Debbie Kenyon, Admin. Assistant