

MINUTES SEASIDE PLANNING COMMISSION
July 11, 2017

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: Chris Hoth, Bill Carpenter, David Posalski, Dick Ridout, Lou Neubecker and Ray Romine, Staff Present: Debbie Kenyon, Administrative Assistant, Kevin Cupples, Planning Director, Absent: Teri Carpenter

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: June 6, 2017;
Vice Chair Carpenter made a motion to approve the minutes as submitted. Commissioner Neubecker seconded. The motion was carried unanimously.

AGENDA:

PUBLIC HEARING REQUIREMENTS:

The following public hearing statements were read by Chair Romine:

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

PUBLIC HEARING:

A.) 17-046SU: A conditional use request by Chris Quackenbush (on behalf of property owner, Winfred Muffet) that will permit the retail sales of a variety of indoor & outdoor home related products as a similar use. The subject property is a vacant parking lot located at 119 S Holladay Drive (61021AD TL: 12000), just south of Ace Hardware. The property is zoned Central Commercial (C4) and the owner plans to build a new commercial building as an expansion of his current business, Ace Hardware. The C4 zone permits a limited list of retail sales (clothing, gifts, food, drugs, antiques, furniture, and appliances); and the owner plans to continue offering a broad range of items, some of which are not specifically listed as permitted in the zone.

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. Chris Quackenbush. Chris stated that they are trying to build a 40 x 80 building on the vacant lot next to Ace Hardware and expand their retail space.

Chair Romine asked if there was anyone else who would like to offer testimony in favor of the request. Dallas Cook, owns 770 Ave A, Seaside. He has no objections on what they want to do, his only concern is this will create an alley between his property and this new building and he would like to have a gate at each end otherwise there would be a needle park back there.

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 Hoth stated if you read the ordinances, there probably shouldn't be a hardware store and looking at all the commercial zones in Seaside there probably shouldn't be a hardware store anywhere in Seaside. He doesn't think they meant to do that it's just you can't list every single use. This is appropriate and he would prefer to look at the definition that says: to provide for a broad range of commercial and business activities that meet the day-today needs of the community's permanent residents. This does that. The only thing that he thinks this would need is a little bit of lighting back there.

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

Commissioner Neubecker seconded and the motion, Commissioner Hoth stated that he would like to add a condition that says they have to have a gate to make it less accessible. Mr. Cook asked if that has a gate and is paddle locked on both sides, what do they do about emergency access? Then would the fire department need a key to the gate. Mr. Cupples stated that they would have to get with the fire department and ask how they would like to address this. Mr. Cook stated there is a telephone pole right there maybe they could just put a street light on top of that to light up the area. Commissioner Posalski stated that what is happening in the alley way isn't what the commissioner's are being asked to do and he doesn't want to make that a requirement. Chair Romine stated that we have a motion on the table and it has been moved and seconded and then asked if there was any further discussion. There was no response and the motion passed unanimously.

B.) Southeast Seaside Urban Renewal

Kevin Cupples, City Planning Director, stated that Scott from Elaine Howard Consulting is here tonight to do a power point presentation of their report.

Scott stated that the first thing he wanted to discuss was the purpose of tonight's meeting and that is to see if this report is in conformance with the Comprehensive Plan.

Why use Urban Renewal

- Additional funding for source to accomplish projects and programs.
- Effective tool for addressing capital needs.

Scott presented a diagram that will illustrate many of the key financing points of Urban Renewal. The first thing that happens in an urban renewal area is that the tax base is frozen and any increase in tax above that is what is called the Increment. The increment goes to the Urban Renewal Agency. Urban Renewal does not increase property taxes. What it does, is take the increases in property taxes that would have already been happening and takes that money and allocates that to the Urban Renewal. Vice Chair Carpenter stated that when the county collects the taxes do they distribute the money back incrementally to the city? Scott stated that he believes they do. Scott stated that Urban Renewal starts off slow and then increases over time. Projects can be completed and you can still be collecting revenue to pay off bonds or loans that you may have taken to complete those projects. When the Urban Renewal expires then that money goes back to the tax rolls.

Projects for this Urban Renewal

- School Infrastructure
- General Infrastructure
- Business Assistance

The Holladay Project was done with Urban Renewal funds. The plan is to finish the rest of Holladay Drive with the new funds.

Public Input

- There have been four agency meetings for this which discussed
 - Finances
 - Goals and objective's
 - The Projects

- Potential Boundaries
- Public Forum

Goals and Objective of this Plan are to:

- Assist in providing infrastructure to the sites for the Seaside School District project to relocate of schools out of the tsunami inundation zone.
- Improve blighted infrastructure in the south end of town to facilitate improved transportation access, upgraded infrastructure and encourage economic development of the area.
- Assist businesses in the area, encouraging improved conditions of building structures, economic development in the area, creating an identity through wayfinding and signage, and assist in the development of workforce/affordable housing.

Conformance to the Comp Plan

- Seaside Comprehensive Plan
- Unincorporated areas

Citizen Involvement Policies

Policy 1. Citizens, including residents and property owners, shall have the opportunity to be involved in all phases of the planning efforts of the city, including collection of data and development of policies

The Southeast Seaside Urban Renewal Plan conforms to the Seaside Comprehensive Plan because it has had many opportunities for citizen involvement, including four Seaside Improvement Commission meetings, a Public Forum, a planning commission meeting and city council hearing.

Housing Policies

Policy 11. The City of Seaside shall consider leasing, or making available by other means, public lands for the development of housing for low and moderate income persons, especially the elderly.

The Southeast Seaside Urban Renewal Plan conforms to the Seaside Comprehensive Plan because it has workforce/ affordable housing as a project. Whether or not the housing occurs on lands owned by the City of Seaside is not yet determined.

Economic Policies

Policy 1. Since recreation and tourism are the major economic base in Seaside, all future development decisions shall consider both beneficial and adverse impacts on that base.

Policy 2. Continued support should be given to the upgrading and revitalizing of the Broadway core area and the Highway 101 business area. The Urban Renewal District is seen as an important means of achieving this goal

The Southeast Seaside Urban Renewal Plan conforms to the Seaside Comprehensive Plan because it has a project for business assistance, signage/wayfinding, and a project for workforce/affordable housing.

Community Facilities Policy

Policy 2. The City of Seaside will cooperate to the fullest extent with the Seaside School District to assure adequate sites for new schools that may be needed in the future, or for expansion of existing facilities to meet future education requirements.

The Southeast Seaside Urban Renewal Plan conforms to the Seaside Comprehensive Plan because it has many projects in place to prepare the new school site with new infrastructure.

Sewer System Policies

Policy 1. Sewer services will be extended to unserved areas only if they are within the city limits. All subdivisions and partitions within city limits shall be connected to the sewer system when available and subject to capacity limitations.

Policy 2. Sewer lines in proposed developments shall be adequately sized to meet future needs of the development and shall be designed to minimize excavation of the road surface in future connections.

The Southeast Seaside Urban Renewal Plan conforms to the Seaside Comprehensive Plan because it contains sewer projects aimed at helping the school with new infrastructure and for general infrastructure for the Area.

Street System Policies

Policy 2. The city shall coordinate the installation of utilities such as electrical, telephone, water, and sewer lines with road building operations.

Policy 5. Adequate storm drainage shall be provided in all street improvement projects, both public and private. The City Public Works Director or a Registered Engineer shall specify the appropriate placement and sizing of all drainage facilities on both public and private projects.

The Southeast Seaside Urban Renewal Plan conforms to the Seaside Comprehensive Plan because it has projects such as road and utility improvements. Specifically, the drainage of Avenue "P", "Q", and "R" are slated for improvement.

Recreation Policies

Policy 6. The city shall cooperate with the Sunset Empire Park and Recreation District and the Seaside School District in providing park and recreation facilities for the residents of the area.

The Southeast Seaside Urban Renewal Plan conforms to the Seaside Comprehensive Plan because it has projects that will improve the recreation facilities in the Area.

Recommendations / Suggestions Motions

"I move that the Seaside Planning Commission finds, based upon the information provided in the staff report, that the Southeast Seaside Urban Renewal Plan conforms with the Seaside Comprehensive Plan and further recommend that the Seaside City Council adopt the proposed Southeast Seaside Urban Renewal Plan."

Chair Romine indicated that now is the time for any public comments. John Dunzer 2964 Keepsake Dr., Seaside, OR 97138. Mr. Dunzer stated he realizes that the object here is to approve this as certifiable against the policies of the city. We are here to get an approval that this plan is in accordance with the city. This plan is not going to work, because the heart of the Urban Renewal area along south 101 and south Holladay which are undeveloped areas. Adding new infrastructure will not increase its development, because as of today there is no unserved commercial market in Seaside and since the state has said that Seaside has stopped growing there will be no future need for development of these commercial properties. Seaside has too much rezoned commercial property. First, the commercial real estate everywhere is a glut on the market, because of internet shopping has remade the shopping experience and the need for brick and mortar retail stores obsolete. Second, Mr. Dunzer objects that the school district is furnishing all these faculties to the school district. The school district has a responsibility to create their own off sites. When people voted on the bond measure, off sites were in there, the school has lots of money to do these off site projects. If we do the off sites through Urban Renewal that puts all the load on the Seaside tax payers. The taxes that are getting shoved into the Urban Renewal district are being taken away from the Seaside Police department. They are not being taken away from the Gearhart police department or from Cannon Beach we are taking away from us. But those school improvements are for everybody why does Cannon Beach and Gearhart get a free ride. The school should be paid for by the bond. There shouldn't be any school support in this, they have the money let the school pay for it. All the things taken out of the TSP as projects that we want to do in this city. That is a reasonable assumption the TSP is a mess. The mess was created by the fact that when we had the TSP everybody said don't worry about the school, we'll change the TSP later. That TSP is worthless, because it doesn't have anything to do with fact that the bond issue was turned

down and 101 will never be improved. What good does it do to improve the side streets when 101 is such a mess?

Chair Romine asked if there was anyone else who would like to comment. Dallas Cook, 1165 Ave E, Seaside. Has any thought been given about the connectivity to the logging road, the Necanicum main line in terms of tsunami evacuation. That would give the city another way out if there was a tsunami. Then regarding the infrastructure to get on to 101 from Avenue U, if we don't get that bridge up to standards then the city has basically trapped everybody on the southwest end of Seaside to go up to Tillamook head or nothing. After the 101 project was turned down by the voters, if you go into ODOT now you will see a big piece of burnt toast over Seaside. People have said don't worry the great wheel of karma will come around in about 25 years and will run over the city again. If we don't make some effort on that we won't have a leg to stand on. This way if ODOT comes around again we can say look at what the city has done without you. How about ODOT do something in kind. Dallas asked if the Dooley Creek Bridge was in the Urban Renewal. Someone answered that it is not. Dallas stated that one should be included too.

Chair Romine asked if there was anyone else who would like to comment. Mary Kemhus, 86183 S Wahanna, Seaside. Mary stated affordable housing has been mentioned in the report but in the map that she sees it doesn't show where that will be. Another thing too is why is the current high school property not in the report, what is going to happen to that? Who funded this report? Mark Winstanley, the City Manager stated that the city funded this report.

Chair Romine asked if there was anyone else who would like to comment. Maria Pincetich 86273 S Wahanna Rd. Seaside. She did read all of the report, first of all the tax base freezes and then from there you get all the goodies from there. It looks like there is 168 acres of exempt properties. The new school is going up but we don't have any accommodation for the future blight of High School or Jr. High School that without any funding for it we need to get services to it, why would we not include that area. We should swap some of the exempt lands that we are not going to get anything from anyway. We need to move the boundary to include that. It makes more sense. Between the plan and the report there are a lot of things in the report that are not in the plan. The most significant one is eminent domain and how that is going to be used with private property. That's a tremendous concern to the property owners that are along the border. Her family are long term residents and she has concerns regarding the legality of this. She stated the report says that this passes muster with the county, but in during her research about adding unincorporated areas, there was a court case that went up to the Supreme Court and then came back down. There are very specific laws in regards to the expansion and how you cannot include unincorporated areas into things like this. She asked that before you approve this you clear that up because it could create a huge liability and that is the last thing that you would want to do. Also, why is there 36 acres of Weyerhaeuser land? Again that would be exempt, why don't we take that out and put the High School and Jr. High in there and make some money.

Chair Romine asked if there was anyone else who would like to comment. There was no response.

Chair Romine asked Scott if he would like to address some of the comments. Scott stated yes he would like to address some of the comments. Scott stated that there are a lot of projects from the TSP in this plan but they are in there merely to indicate the blight. The project does not say that we are going to execute all of the projects from the TSP. Secondly, adding the unincorporated properties is allowed in the State of Oregon, other cities in Oregon have done it. We are going about this in the legal manner. Scott also stated that the areas that are included in the Urban Renewal Boundary is because of the meetings that they had with the Seaside Improvement Commission and they decided to make the boundary that didn't include the High School it did come up in the discussion but it was decided not to include it in the plan. Commissioner Hoth asked what was the purpose to include unincorporated areas? Scott showed the areas and the specific area that was included was included because of its close proximity to the school. They wanted to make the whole thing contiguous. Scott wanted to let the commission know that the issue here tonight is that this is in conformance with the Comprehensive Plan. Commissioner Posalski has a concern regarding the housing policy where we are trying to say that it conforms with the housing policy but we don't have any plans for doing anything. Commissioner Posalski stated from the concerns of the public, in order to get commercial growth we need to have residential growth. On Mr. Dunzer's point in order to expand commercial growth without the ability to have people here to run those commercial areas without a plan to improve housing in the area, we might be going down the rabbit hole. Chair Romine stated that there are unidentified opportunities. The old high school site has a lot of potential but there is not tax base if everything is frozen. Commissioner Posalski stated let's say that a hotel chain bought the old high school would that increase the tax base? Mr. Cupples stated that it is in an R2 zone and it wouldn't be allowed. Scott stated that whatever did occur on that site would come in above the zero for the frozen base. Commissioner

Posalski stated then if we didn't freeze it and all those funds continue to go where they are currently going he can foresee a tax increase. He can see bond levees coming in because their growth is going to be smaller. That brings the questions to what are we giving up. Chair Romine stated that he thinks Commissioner Posalski is right about the housing but since there is money earmarked for non-specified projects he thinks it meets the comp plan goal. There was also a comment about making dual access in and out. Most of us have had it drilled into us about having an ingress and egress there is a little bit of that in regards to Spruce Street and Wahanna in the plan but didn't see anything going further up the hill. Scott stated that he thinks that they didn't want to add more properties inside the urban renewal area because there was a substantial amount of land already in there. Chair Romine stated that currently we are at 22% and the maximum allowed is 25%. Vice Chair Carpenter stated that during the improvement committee meetings and they had quite a few, they spent a lot of time on figuring out what areas they wanted to include. This was the consensus that outlined that. The objective for tonight's meeting in front of the Planning Commission is to determine does this plan that is outlined meet the comprehensive plan. Specifically if the plan is good or not is a different issue. Commissioner Hoth stated that there are goals and policies what's difference between those. Scott stated that the goals are in the actual plan. Commissioner Hoth stated the plan lists a lot of items in general, it's not the plan and that is not how everything is going to be done. The big thing for him is transportation and those details need to be worked out. Scott stated that the TSP projects are included as way to find blight in the area. It says in the plan that not all these projects will be included in the plan. The Planned project list is a set list right now, on page 9 of the document. Commissioner Hoth stated that not all of these items are specifically ready to go. Scott stated that the Urban Renewal list is a list of projects that can be done with the Urban Renewal Agency, not what must be done. Commissioner Posalski wanted to circle back around to the housing again, housing is one of the important aspects of the comprehensive plan. The amount that is categorized for housing is \$300,000 which is half a percent of the total funds for store front redevelopment assistance, property acquisitions, signage and workforce affordable housing. Chair Romine stated that he can't comment on the allocation amount but does it meet the overall scope of the comp plan? Commissioner Posalski stated that at a ½ of a percent he doesn't think that it does because housing is such an important piece of the growth in our area and in the tax base that is what is going to fund this. Chair Romine stated let's take this one step further, this is his personal opinion, if affordable housing is an important part of our community, which he thinks it is, and if the property was earmarked and is city owned currently then there would be no acquisition cost for that and normally you are not going to see a public built facilities, in most cases they are privately built. So the funds would be infrastructure improvements and/or marketing and the true cost as relative to getting wider roads and bridge improvements so the percentage is public money and private money is going to be much less in his opinion. Commissioner Hoth stated that he has lots of disagreements with things in the plan especially the transportation plan and how all this development along the highway is going to go. He thinks as far as he is concerned the planning commission has the easy task than somebody else is going to have. The question is, is this plan addressing the issues maybe not well and maybe not the way he would like to see them, but are they attempting to address the elements of the Comprehensive Plan that are applicable. He thinks they are. It's up to the City Council to go through everything and then make their recommendations. It's up to the Planning Commission to make sure that it meets the comp plan and it does. Commissioner Posalski stated that's the point at what point do we say that the information here is important rather than let someone else deal with it. Commissioner Hoth stated that is true but the planning commission is not the decision body in this case, the commission is only stating that they are looking in the right directions. Commissioner Posalski stated that when he looks at that table that is the biggest piece of it, and is it really meeting the plan and you give him numbers that look like this half of those things that are on there are they really meeting the plan or is it just put there and we are saying that it meets the plan. Commissioner Hoth stated that in a sense they are saying that they have looked at it and are attempting to meet those requirements and it is up to the next decision making body. Vice Chair Carpenter stated that we are referring this to the city council and the only statement that the planning commission is basically saying is that the commission has read this document and have read the comp plan and they don't see conflict. Commissioner Hoth stated that the items from the comp plan that are relevant to this have been correctly notated and there is supporting information that they are thinking about it. Vice Chair Carpenter stated that is what we are deciding, if the consultant did a good job pulling all the relevant parts out and based on all the meetings, public and the commissions meetings and there were lots of meetings, and they will continue. The question before us is, did the improvement commission say the right things and did the consultant put all those things in a plan that we can use. That's what this is about. Commissioner Posalski stated that a fast majority of the dollars in this plan are for general infrastructure would those funds not be there if they didn't do this. Vice Chair Carpenter stated that is correct, the funds would not be there and they would go somewhere else. Commissioner Posalski stated then Mark Winstanley will make the decisions to where the money will

go? Vice Chair Carpenter stated if Mark had any money you can't sell bonds without an income. Commissioner Posalski stated that the money will go somewhere and the value in these properties is going up and the tax base is going up so the money will go somewhere it just hasn't been assigned on where it's going. Commissioner Hoth stated that declaring an Urban Renewal area will focus that money to a specific area rather than have it spent all over. Chair Romine stated that the question tonight is does this meet the guidelines presented by the comp plan.

At the end of the Commissioners discussion, Chair Romine closed the public hearing and Vice Chair Carpenter made a motion to send this to City Council under the guidelines that staff has presented. Commissioner Nuebecker seconded and the motion was carried with Commissioner Posalski voting no.

ORDINANCE ADMINISTRATION: Planning Commission and City Council is planning on having a joint work session at 6pm on the 18th here in the council chambers and after that the council will have their meeting and the planning commission members are welcome to stay for that.

COMMENTS FROM THE PUBLIC: Maria Pincetich asked about the population statistic and if they have been published. Mr. Cupples stated that he hasn't been given that yet. Mr. Dunzer stated that they are available through Portland State. Mr. Dunzer would like to request that the planning commission set aside a few minutes to go over the formation of a PUD and that is a Peoples Utilities District. That is for the area within Clatsop County that faces the ocean, all the way from Youngs River and down. They are attempting to break that out of Pacific Power service area and have local control over our electricity. Tillamook has a PUD and Clatskanie has a PUD and across the river has a PUD and the reason for that is quite simple because a PUD can by the same electricity 30% cheaper and that would save the City \$200,000 a year and a home would save \$300 to \$400 a year. A PUD is a people's right to do this, Pacific Power will say it's too difficult to do. But it is quite simple, a wire comes in to Jeffery's Garden directly from Bonneville Power and the whole system is self- contained. You bring a few people in administratively and hire the power company employees to maintenance it. Which gives you control over your own power. Right now if the Cascadia Event happens we would be without power for up to 6 months and that is unsustainable. It is quite simple to change that and we should. Vice Chair Carpenter asked if Mr. Dunzer would like to have that at a work session or at a public hearing. Mr. Dunzer stated that he doesn't know the difference. Chair Romine stated that is something that the City Council would look at. Mr. Dunzer stated that the city council will not let him get anything on the agenda. Chair Romine stated that there is a process and he just needs to follow that process.

COMMENTS FROM COMMISSION/STAFF: None

ADJOURNMENT: Adjourned at 8:15 pm.

Ray Romine, Chairperson

Debbie Kenyon, Admin. Assistant