



Planning Commission Notice of Final Decision

APPLICATION(S):	23-009CU: Conditional Use
MEETING DATE:	March 7, 2023
MAILED DATE:	March 8, 2023
Applicant:	David Koller
Owner:	David Koller
Location:	719 1 st Ave. Seaside, OR 97138 (6-10-21AA-TL 08100 & TL 08200)
Staff Contact:	Jeff Flory, Community Development Director

Request Summary:

A request by David Koller for a Conditional Use to install mini-storage units in the building at 719 1st Ave Seaside, OR 97138 (T6-R10-S21AA-TL08100 & TL08200). The property is zoned General Commercial C-3. The applicant intends to install 29 small storage units ranging in size from 9 sq. ft. to 75 sq. ft. The units are intended for climate-controlled wine storage and small retail storage.

Planning Commission Decision:

On March 7, 2023 the Seaside Planning Commission approved the above referenced request in accordance with the provisions in the City of Seaside Zoning Ordinance and the Comprehensive Plan.

The Planning Commission's Final decision was supported by the applicant's submitted justification, the adopted information in the staff report, and any substantive testimony or evidence that was provided during the public hearing process. This information was used to establish the findings, justification statements, and conclusions adopted by the commission.

Appeal Provisions:

The Planning Commission's decision may be appealed in accordance with Section 10.068 of the Seaside Zoning Ordinance which states:

Any action or ruling of the Planning Commission pursuant to this Ordinance may be appealed to the City Council within fifteen (15) days after Notice of Decision is provided pursuant to Section 10.066. Written notice of the appeal shall be filed with the City Auditor. If the appeal is not filed (or postmarked) within the fifteen (15) day period, the decision of the Planning Commission shall be final. If the appeal is filed, the City Council shall receive a report and recommendation on it from the Planning Commission and shall hold a public hearing on the appeal.

The appeal must be filed at the Planning Department (located at 1387 Ave. U) or mailed to 989 Broadway, Seaside, OR 97138. The appeal must include the applicable fee of \$625.00.

If you have any questions regarding this decision or the appeal process, please contact the Community Development Department at (503)738-7100. The Notice of Decision date and appeal deadline are listed below. Appeals must be submitted or postmarked by this deadline.

Date of Notice of Final Decision:	Wednesday, March 8, 2023.
Last Day to Appeal:	Thursday, March 23, 2023

Planning Commission Decision:

On March 7, 2023 the Seaside Planning Commission approved the above referenced request in accordance with the provisions in the City of Seaside Zoning Ordinance and the Comprehensive Plan.

The Planning Commission's Final decision was supported by the applicant's submitted justification, the adopted information in the staff report, and any substantive testimony or evidence that was provided during the public hearing process. This information was used to establish the findings, justification statements, and conclusions adopted by the commission. This approval will allow the applicant to develop a mini-storage facility within the existing single-story building at the above referenced location.

In addition to the findings, justifications, statements, and conclusions adopted by the Commission; the request was approved subject to the applicant satisfying the following condition(s):

Condition 1: The owner/applicant must post a notice that advises storage unit renters that trash facilities are not provided on-site and renters are responsible for removing their own trash. Trash storage for the building and the food service use will need to be located in an enclosed and screened area out of public view.

Condition 2: The owner/applicant's site plan does not show the required 4.5ft parking space setback from the western property line. The applicant will need to adjust the parking area further east in order to increase the 3ft 4in setback to 4.5ft. The applicant will need to stripe the parking lot in front to designate the individual parking spaces.

Condition 3: The owner/applicant will need to provide a detailed lighting plan that is subject to approval by the Planning Director.

Condition 4: The owner/applicant will target businesses/commercial storage clientele for leasing the units and prohibit residential storage.

Condition 5: 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 any final approval.

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

- All necessary permits (such as structural, plumbing, mechanical, electrical, etc.) must be obtained prior to development.
- As with any permit, the applicant must meet all applicable standards in the Seaside Zoning Ordinance (e.g. erosion control, drainage, flood plain) that were not waived by this conditional use and meet any other applicable City of Seaside Ordinances.
- The conditional use will become void one (1) year from the date of decision unless the permit is utilized or an extension of time is approved in the manner prescribed under the Seaside Zoning Ordinance.

FINAL DECISION JUSTIFICATION SUMMARY:

The Planning Commission's final decision was supported by the Applicant's submitted justification, the adopted information in the staff report, & any substantive testimony or evidence that was provided during the public hearing process. The staff report provided findings, justifications, conclusions & conditions to support the Commission's final decision, subject to any modifications. If any information in the report was modified by the Commission prior to adoption by deleting, adding, or amending the findings, conditions, or conclusions; they are noted below.

FINAL PLANNING COMMISSION DECISION MODIFICATION

In addition to the original staff report's findings, justification statements, and conclusions adopted by the Commission; the request was approved subject to the following amendments to the information included in the staff report:

In an effort to reduce parking congestion and traffic and alleviate potential security issues with the units, the Commissioner Kleczek asked the applicant if a condition to only lease to commercial/business storage tenants and not residential storage. The applicant agreed to this condition.

Commissioner Kleczek expressed concerns regarding lighting for customer parking in the back of the building. The Planning Commission added a condition to require a lighting plan for the building to be approved by the Planning Director.