



Planning Commission Notice of Final Decision

APPLICATION(S):	23-013 CU: Conditional Use
MEETING DATE:	April 4, 2023
MAILED DATE:	April 5, 2023
Applicant:	Seaside School District
Owner:	Sunset Empire Parks and Recreation District (SEPRD), City of Seaside
Location:	1120 Broadway St. (6-10-22BB-TL 4700 & TL 4800)
Staff Contact:	Jeff Flory, Community Development Director

Request Summary:

The applicant is requesting a Conditional Use to develop a softball field that will include an additional parking area north of the SEPRD building, additional seating for spectators, fencing and backstop, as well as adding an announcer booth.

Planning Commission Decision:

On April 4, 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, April 5, 2023.
Last Day to Appeal:	Thursday, April 20, 2023

Planning Commission Decision:

On April 4, 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 softball field within the sports complex located at Broadway Park.

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 fire access that leads to the north parking lot will need additional signage and striping in the SEPRD parking lot to prevent the access gate from being blocked. The signage and striping must be approved by the Fire Marshal.

The fire access on the south side of the BMS building accessed off of Broadway St. is to remain clear of vehicles and storage items. A Knox lock with an SEPRD lock daisy chained together will be used to lock the access gate.

The fire access lane is required to be striped, similar to what is shown on the approved site plan, and must extend to the gate in the outfield fencing of the softball field. All striping and signage must be approved by the Fire Marshal. Vehicles may use the fire lane for access to the Herche Training Facility, building maintenance, access to empty the trash receptacles, and access to make deliveries so long as they do not stop or park in the striped fire lane. The access gate is to remain locked outside of the times it is being used for the limited, above-mentioned activities.

Condition 2: The Intergovernmental Agreement (IGA) that establishes the requirements and responsibilities of SEPRD, Seaside School District, and the City of Seaside for the sports complex that spans the SEPRD property and Broadway Park shall be approved by each entity prior to construction.

Condition 3: 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.

Condition 4: The chain link fence near the northern property line separating the athletic fields from the backyards of private property owners has fallen into disrepair, is leaning, and appears to be broken in at least one section. The applicant is required to repair and maintain the chain link fence to discourage users of the facility from climbing over the fence and trespassing onto private property.

Condition 5: Additional safety netting will need to be provided on the west side of the softball field to protect pedestrians and the SEPRD building from foul balls or other objects leaving the field. The safety netting along the north property line as well as the safety netting on the west side of the softball field will need to remain in place 365-days a year to protect neighboring properties and buildings from balls or objects leaving the fields of play.

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, and any substantive testimony or evidence that was provided during the public hearing process. The staff report provided findings, justifications, conclusions and 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:

Pursuant to the written public comment received and additional in person testimony regarding the disrepair of the chain link fence near the northern property boundary, Condition 4 was drafted by staff for review by the Commission. The Commission discussed the issue and adopted Condition 4 as written.

Vice-Chair Kleczek and Chair Montero expressed concerns for protection of the SEPRD building and the neighboring property owners and requested additional safety netting along the western portion of the softball field. In response to those concerns, the Commission added Condition 5 which requires the additional netting and requires that all netting remain in place 365-days a year.