

## **MINUTES SEASIDE PLANNING COMMISSION**

### **July 5, 2022**

**CALL TO ORDER:** Chair Montero called the regular meeting of the Seaside Planning Commission to order at 6:00 p.m.

#### **PLEDGE OF ALLEGIANCE**

**ATTENDANCE:** Commissioners present: Chairman Robin Montero, Vice Chair Kathy Kleczek, Chris Rose, Brandon Kraft and Don Johnson. Staff present: Jeff Flory, Planning Director, Jordan Sprague, Administrative Assistant. Commissioners Absent: Seth Morrissey and Lou Neubecker

**APPROVAL OF MINUTES:** June 7, 2022 minutes were amended by Chair Montero to reflect the new submittal for 22-020SUB was “nearly identical” instead of “identical”.

#### **INTRODUCTORY STATEMENTS**

This is the time duly advertised for the Seaside Planning Commission to hold its monthly meeting. Agenda items can be initiated by the general public, any legal property owner, Seaside City Council, City staff, and the Seaside Planning Commission.

Chair Montero asked if there was anyone present who felt the Commission lacked the authority to hear any of the items on the agenda.

#### **PUBLIC HEARING PROCEDURES, EX PARTE CONTACTS & CONFLICTS OF INTEREST:**

Chair Montero stated it is standard procedure for the members of the Commission to visit the sites to be dealt with at these meetings. She then asked if any of the Commissioners wished to declare an ex parte contact or conflict of interest. Vice Chair Kleczek declared a conflict of interest for project 22-020SUB and 22-030V.

#### **AGENDA:**

##### **PUBLIC HEARING REQUIREMENTS:**

The following public hearing statements were read by Chair Montero:

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.
5. Electronic testimony can be submitted via Zoom using the meeting ID of 817-4719-0379.

##### **PUBLIC HEARING**

- A. 22-020SUB and 22-030V:** A Subdivision request by Sunset Ridge, LLC. The subject property (T6-R10-S22AB-TL# 8100) is located north of the intersection of Hemlock St. and Aldercrest St. and it is approximately 6.62 acres in size. The subject property is zoned Low Density Residential (R1) and the request will allow the creation of 15 lots for residential development. The proposed development lots range in size from 10,024 sq. ft. to 47,383 sq. ft. The access would be provided by extending the north end of Hemlock St. through the creation of Hemlock Ct. In conjunction with the subdivision request, the applicant is requesting a variance to the 400 ft. maximum cul-de-sac length and a variance to the requirement for sidewalks on both sides of the street.

Jeff Flory, Planning Director, stated the applicants have requested a continuance to the August 2, 2022 Planning Commission meeting and have waived their 120-day decision timeframe. Commissioner Kraft asked if there was a limit to the number of continuances for a project. Mr. Flory responded that he believes there is a 245-day window for continuances, but would have to verify this number. Commissioner Kraft requested clarification for the 120-day decision timeframe. Mr. Flory replied the City of Seaside has 120-days after the date the application was deemed complete to issue a decision. If the applicant waives the 120-day decision timeframe, it stops the timeframe to allow additional information to be submitted and reviewed as complete before the decision timeframe continues. Chair Montero asked if this was a completed application and submittal, or is this a preliminary submittal. Mr. Flory responded that this project is a completed application for a preliminary subdivision plan. When the applicant requests a continuance and waives the 120-day decision timeframe, this allows City staff, Commissioners, and the public ample time to review the new documents before continuing the 120-day timeframe. Commissioner Kraft asked if the applicants had submitted additional documents between the June meeting and now. Mr. Flory responded that the applicant had not submitted additional documents. Commissioner Johnson motioned to approve the continuance request to the August 2, 2022 meeting. Commissioner Rose seconded. The motion passed 3-1 with Commissioner Kraft voting no, Vice Chair Kleczek abstaining, and Commissioners Morrissey and Neubecker absent.

- B. 22-031VRD:** A conditional use request by Lindamay Woosley for a three (3) bedroom Vacation Rental Dwelling with a maximum occupancy of eight (8) persons over the age of three, no more than ten (10) regardless of age. The property is located at 1515 S Columbia St (T6-R10-21DC-TL02001) and it is zoned Medium Density Residential (R2).

Jeff Flory, City Planning Director, presented a staff report, reviewing the request, decision criteria findings, conditions, and conclusion. Chair Montero asked if there was anybody who would like to speak in favor of the proposal. Lindamay Woosley, 1515 S Columbia, stated that the house had been a family vacation home since 2015. Instead of leaving the house empty when they are not on vacation, short-term renting it was a valid option.

Chair Montero asked if there was anybody else who would like to speak in favor. There were none.

Chair Montero asked if there was anybody who would like to speak in opposition. There were none.

Chair Montero opened the discussion to the Commission. Vice Chair Kleczek stated the application was missing the date the application was submitted and the amount paid on one of the pages. The vacation rental application is for three parking spaces, but there is not adequate safe parking for three vehicles. Mr. Flory responded that he had not performed the inspection for this property, but the submitted plot plan shows three cars. Vice Chair Kleczek stated stacking three parking spaces is a concern for this property and street. Commissioner Johnson added agreed that his main concern. Commissioner Kraft asked if the garage would be a usable parking space. Ms. Woosley responded that one car can fit into the garage. Mr. Kraft asked if this would provide the three parking spaces. Mr. Flory responded that the public right of way could be at the fence line of the property, which would need to be inspected to see if the required parking area is 36 feet in length. A condition could be added to the permit that if the parking spaces do not meet the 36 feet, the occupancy would be reduced to six. Chair Montero added the carport and parking slab do not add up to the required 36 feet, and is opposed to the three-car stacked parking for this property. A request to reduce the occupancy to six people over the age of three, no more than eight would require two parking spaces, which this property would meet. Ms. Woosley replied that the application was originally for six people, but they were requesting eight on behalf of Seaside Vacation Rental. Eight people cause more wear and tear on a house than six. Ms. Woosley added that she was in favor of the six persons as well. Vice Chair Kleczek asked if the on-street parking space could be called out as a parking space not to be used by the vacation rental. Something should be added to this space to prevent parking. Mr. Flory responded that this spot is located within the right of way, a permit from Public Works would be required, but is a lawful parking spot for the public to use, not the VRD. Vice Chair Kleczek motioned to approve 22-031VRD with the condition the maximum occupancy would be changed to six persons regardless of age, no more

than eight persons regardless of age. Commissioner Johnson seconded the motion. The motion passed unanimously with Commissioners Morrissey and Neubecker absent.

- C. 22-033VRD:** A conditional use request by Danya Minyan for a three (3) bedroom Vacation Rental Dwelling with a maximum occupancy of nine (9) persons over the age of three, no more than ten (10) persons regardless of age. The property is located at 2358 S Edgewood St (T6-R10-28BA-TL08500) and it is zoned Medium Density Residential (R2).

Jeff Flory, City Planning Director, presented a staff report, reviewing the request, decision criteria findings, conditions, and conclusion. Chair Montero asked if there was anybody who would like to speak in favor of the proposal. Danya and Golan Minyan, 2358 S Edgewood, purchased the house as a vacation home for the family. The short-term rental would help supplement the mortgage payment.

Chair Montero asked if there was anybody else who would like to speak in favor. Gabriel Gomez, 2350 S Edgewood, stated the Minyan's have been fixing the house and making it look appealing. The neighbors surrounding the house are supportive of the vacation rentals.

Chair Montero asked if there was anybody else who would like to speak in favor. There were none.

Chair Montero asked if there was anybody who would like to speak in opposition. There were none.

Chair Montero opened the discussion to the Commission. Commissioner Rose stated that there was plenty of room on the property for parking. Vice Chair Kleczek stated the secondary parking area would need to be blocked off and landscaped. Commissioner Kraft asked what the percentage of landscaping is for the property at the current time. Mr. Flory responded that he had not calculated the percentage of landscaping, because the applicant's intent was to block off the second area and not use it as parking. Landscaping had been defined as anything that was not used for a parking space, so planter boxes, picnic tables, and other such items to prevent vehicular traffic could be used. If the Commissioner would require something more specific, it would have to be added as a condition. Commissioner Kraft asked the applicants if they had a plan for blocking off the second parking area. Mr. Minyan responded that planters or anything to block the passageway to the area was suggested by the Planning Department staff. Chair Montero urged the Minyan's to install a fence to block the second parking area. Will the room within the garage be used by the guests? Mr. Minyan responded that is where their personal belongings will be stored and it will be locked during all rentals. Vice Chair Kleczek motioned to approve 22-033VRD with the condition to install a fence or another permanent structure to block off the second parking area within six months and with temporary landscaping features in the meantime. Commissioner Johnson seconded the motion. The motion passed unanimously with Commissioners Morrissey and Neubecker absent.

## **ORDINANCE ADMINISTRATION**

There were none.

## **COMMENTS FROM THE PUBLIC**

Erin Barker, 800 N Roosevelt Dr., provided examples of how guests handle stacked parking and how short-term rental parking differs from long-term or full-time resident parking. Ms. Barker brought up a previous meeting and a letter that was submitted, with the letter stating a house was a short-term rental but did not have an active license.

## **COMMENTS FROM COMMISSION/STAFF**

Commissioner Johnson asked if the Commission will be reviewing the comprehensive plan. Mr. Flory responded that he was drafting a memo for a request the City Council to go out for a request for proposal on hiring a consultant. The memo should be to the City Council by the end of the month. Chair Montero asked if the review had been a part of the City's budget. Mr. Flory

replied that there was money set aside for this process. Vice Chair Kleczek asked if the City Council would be taking the lead directing the comp plan review, or would it be the Planning Commission. Mr. Flory responded that he could not answer that question as it would be determined by the City Council. Commissioner Johnson asked if a work session was scheduled for this month. Chair Montero stated that it could be discussed after her comments. Vice Chair Kleczek requested staff be diligent with date stamping applications. Chair Montero read the mission statement of the Planning Commission from the City Charter. Chair Montero had received a call from neighbors regarding a VRD that was throwing a party. The party had parking overflowing onto the street. The concern about the parking on a narrow residential street was submitted to the Planning Department and was forwarded to the Transportation Advisory Committee. Chair Montero added a workshop from the Seaside Housing Study Group will be coming up in Seaside and requested them to make a presentation to the Planning Commission. The Commission needs to have collaborative efforts with other groups and committees. Vice Chair Kleczek stated that the League of Oregon Cities Conference is in October and encouraged the Commissioners to attend.

**ADJOURNMENT:** Adjourned at 6:46 PM.

---

Robin Montero, Chairman

---

Jordan Sprague, Admin. Assistant.