

MINUTES SEASIDE PLANNING COMMISSION

June 1, 2021

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

PLEDGE OF ALLEGIANCE

ATTENDANCE: Commissioners present: Chairman Chris Hoth, Vice Chairman Robin Montero, Lou Neubecker, Teri Carpenter, Jon Wickersham, Kathy Kleczek, and Chris Rose. Staff present: Kevin Cupples, Planning Director, Jordan Sprague, Administrative Assistant, Jeff Flory, Transient Rental Compliance Officer.

APPROVAL OF MINUTES: May 11, 2021 adopted as written.

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.

Chairman 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.

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

Chairman Hoth stated it is standard procedure for the members of the Commission to visit the sites to be dealt with at these meetings. He then asked if any of the Commissioners wished to declare an ex parte contact or conflict of interest. Commissioner Carpenter stated that she received her packet late and would ask more questions regarding the projects during the hearing.

AGENDA:

PUBLIC HEARING REQUIREMENTS:

The following public hearing statements were read by Chairman 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. 21-024VRD:** A conditional use request by Joseph and Patricia Wolf 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 regardless of age. The property is located at 332 7th Ave (T6-R10-16DD-TL4200) and it is zoned High Density Residential (R3).

Kevin Cupples, City Planning Director, presented a staff report, reviewing the request, decision criteria findings, conditions, and conclusion. Chairman Hoth asked if there was anybody who would like to speak in favor of the proposal. Patricia Wolf, 4010 East 66th Ave, Anchorage, Alaska, stated that her and her husband, Joe, purchased the property roughly 14 months ago as a summer home. They plan on renting the house while they are not using it.

Chair Hoth asked if anybody else would like to speak in favor. Erin Barker with Beachhouse Vacation Rentals provided her information as the local contact for the house and her background within the company.

Chair Hoth asked if anybody else would like to speak in favor. Mark Hanson, 328 7th Ave, stated that he highly recommends the short term rental because they have local people taking care of the property, all the parking is located off the street, and the short term rental is good for the community.

Chair Hoth asked if anybody else would like to speak in favor. There were none.

Chair Hoth asked if anybody would like to speak in opposition. There were none.

Chair Hoth opened the discussion to the Planning Commission. Chair Hoth stated that the language used in the paving requirement was contradictory where it says the owner must have the off street parking area improved prior to any rental, yet it says that they are allowed a year to complete the paving. Jeff Flory, Transient Rental Compliance Officer, replied that the intent behind the wording allows the owners to improve the parking spaces with gravel before having to pave the spaces within one year. Vice Chair Montero stated that Franklin is a very narrow street, and the property has a cyclone fence around the property. She questions if the portion of the fence on the northern portion of the property and landscaping could be removed to allow for easier ingress and egress from the property. Ms. Wolf responded that the landscaping mentioned would be removed and the gate into the property would be widened to allow for easier access. Commissioner Neubecker motioned to approved 21-024VRD. Commissioner Kleczek seconded the motion. The motion passed unanimously.

- B. 21-026CU:** A conditional use request by S Holladay LLC, Masudur Khan, for a 28 unit apartment complex with 47% compact parking spaces. The property is located at 407 S Holladay (T6-R10-21AD-TL15400, 15700, & 16100) and it is zoned General Commercial (C-3).

Kevin Cupples, City Planning Director, presented a staff report, reviewing the request, decision criteria findings, conditions, and conclusion. Chairman Hoth asked if there was anybody who would like to speak in favor of the proposal. Mark Mead, 89643 Ocean Drive, Warrenton, OR, stated that the proposed use would add more apartments to the Seaside area that is closer to downtown. The property to the east does have a garage that encroached onto the property, but records show that the encroachment has been there since the 1940s. Landscaping buffers will be added to the property lines with residential neighboring properties to provide noise buffering and privacy.

Chair Hoth asked if anybody else would like to speak in favor. Erin Barker, Beachhouse Vacation Rentals, spoke in high regard of Mr. Mead and referenced the long term housing shortage in Seaside.

Chair Hoth asked if anybody else would like to speak in favor. There were none.

Chair Hoth asked if anybody would like to speak in opposition. There were none.

Chair Hoth opened the discussion to the Planning Commission. Chair Hoth questioned what the actual use of the apartments would be and why is there an office located on site. Mr. Mead responded that the office will be used by the owner of the property to manage his apartments he owns in Seaside. The units are going to be either one bedroom or two bedrooms. Mr. Mead added that if the owner wished to build this complex as a hotel, he would not have to obtain Planning Commission approval. Chair Hoth asked if the tenants will be on a lease or if they have a timeframe on their tenancy. Mr. Mead responded that the owner will be housing his employees in the some of the units. Vice Chair Montero questioned if these units are strictly for the owner's employees. Mr. Mead responded that they are not. Vice Chair Montero asked if these units would be considered low income workforce housing. Mr. Mead replied that the units are smaller size to keep the rent lower. Vice Chair Montero continued to ask if the units would be used as a short term rental. Mr. Mead responded that they are not to be used as short term rentals at this time, but if the owner chose to have the complex be a hotel or motel, it would not require Planning Commission approval. Vice Chair Montero asked for clarification from Mr. Cupples that if the

units would be used as short term rentals, would a parking space per bedroom be required. Mr. Cupples replied that parking requirements for a hotel is one parking space per unit. Vice Chair Montero asked where the ingress and egress into the property is located at. Mr. Mead responded that the ingress and egress are located on Avenue C, on the northern portion of the property. Vice Chair Montero questioned if there was an access on the west side of the property. Mr. Mead replied that there will not be an access from the west side. Vice Chair Montero asked if the parking spaces would be tandem for the units. Mr. Mead responded that the parking spaces under each unit would be that unit's assigned parking spaces. Commissioner Kleczek asked for the locations of the two ADA compliant parking spaces. Mr. Mead showed on the display site plan that the handicap parking spaces would be in the southeast portion of the property. Commissioner Kleczek questioned where the bike covered parking spaces were located. Mr. Mead replied that the covered bike parking was located underneath the stairwells. Commissioner Carpenter stated that the on-site parking was limited to the tenant's parking spaces, would visitors have to park on Holladay Drive, and is there access into the buildings from Holladay. Mr. Mead responded that the openings to the properties is only located on Avenue C. Chair Hoth stated that the stacked parking is not a common layout for apartment complexes. He asked Mr. Cupples if there are other complexes that have a stacked parking layout. Mr. Cupples replied that primarily single family dwellings have provided stacked parking, but there is no restriction in the Zoning Ordinance that restricts stacked parking. Commissioner Kleczek asked if there was parking available on Holladay Drive. Mr. Mead responded that there was parking available on Holladay Drive. Chair Hoth asked Mr. Cupples to explain the parking space requirement for apartments. Mr. Cupples stated that within the new parking requirements, studio apartments are required one parking space, one bedroom apartments require 1.25 spaces, two bedroom units require 1.5 spaces, and anything above a two bedroom unit requires 2 parking spaces. Commissioner Kleczek asked if the owner is going to require tenants to have compact cars to live within the complex. Mr. Mead responded that with some units, the owner will require the tenant to have a compact car. Commissioner Wickersham asked if the units can accommodate a non-compact car would cost more than a unit with a compact parking spot. Mr. Mead replied that the tenants without a compact car would be renting a two bedroom unit. Commissioner Kleczek questioned if the number of excess parking spaces was adequate enough for the office space. Mr. Cupples replied that the office space would require 3 parking spaces, which is what Mr. Mead provided in his plan. Chair Hoth commented on the requirement of having condition one within the conditions of approval in the staff report. Mr. Cupples responded that the condition was to be kept within the conditions of approval due to building code requirements for ADA parking space. Commissioner Kleczek questioned if the parking lot was able to allow emergency vehicles to maneuver within the complex. Mr. Mead responded that the access into the property was wide enough for the vehicles and the vehicles are allowed to back out of the property because of the distance from the furthest unit to the access. Vice Chair Montero motioned to approve 21-026CU. Commissioner Neubecker seconded the motion. The motion passed unanimously.

- C. 21-027CU:** A conditional use request by River Run, Masudur Khan, for a 59 unit apartment complex with 48.4% compact parking spaces. The property is located at 1000 S Holladay (T6-R10-21AD-TL6500 & 6600) and it is zoned General Commercial (C-3).

Kevin Cupples, City Planning Director, presented a staff report, reviewing the request, decision criteria findings, conditions, and conclusion. Chairman Hoth asked if there was anybody who would like to speak in favor of the proposal. Mark Mead, 89643 Ocean Drive, Warrenton, OR, stated that the parking was located within the center of the property, and the building was located on the southern end of the property to allow for privacy for the hotel to the north. He continued that the Sandpiper Village complex currently uses the lot as an access without currently having an easement through the property. The protection for the river was put into place when the Sandpiper Village was constructed. Mr. Mead restated that this complex could be used as a hotel without requiring further Planning Commission approval. The building in the northeastern section of the property would be split for two commercial tenants.

Chair Hoth asked if anybody else would like to speak in favor. There were none.

Chair Hoth asked if anybody would like to speak in opposition. Patrick Rochet, 1108 S Holladay, read the letter that he submitted, which is included within the June 1, 2021 packet, for the Commission's consideration.

Chair Hoth asked if anybody else would like to speak in opposition. Scott Alderson, 1108 S Holladay #34, expressed his concern regarding fire truck access onto the property and fire protection for some of the units.

Chair Hoth asked if anybody else would like to speak in opposition. There were none.

Chair Hoth provided Mr. Mead a chance to address the issues brought forth by the neighbors. Mr. Mead stated that the Sandpiper Village was developed as a standalone property with no access through the neighboring property. Commissioner Carpenter asked if the fire department was going to look at the plans and if any changes were needed, would they be addressed. Mr. Mead stated that the Sandpiper Village was built based on the fire access coming in from Holladay and backing out through the same access, not through the loop created with the neighboring property. Mr. Mead added that with the apartment complex being the size that it is, they would not have a security guard on site, but there is a possibility of a manager living on site. He added that a walkway to the river would not be constructed as a measure to prevent people from gaining access to the river. Mr. Mead added that the fence would be six feet tall along the neighboring property for tenants to have a yard area.

Chair Hoth opened the discussion to the Planning Commission. Chair Hoth asked for clarification if these would be apartment units, not hotel units. Mr. Mead responded that these would be apartments, and if they were a hotel or motel complex they would not require Planning Commission approval for the construction. Chair Hoth wanted clarification of the parking demand for the apartments plus the business offices in the northeastern corner of the lot. Mr. Cupples responded that condition 1 would limit the usage of the offices without having modifications to allow more parking spaces to be provided. Chair Hoth asked if this modification is a staff approval or a Planning Commission approval. Mr. Cupples stated that condition 8 determines that it would be a staff decision unless the Commission chose to remove the condition, which would require the modification to return to the Planning Commission. Commissioner Carpenter asked if there were enough parking spaces available if the owner decided to build a hotel or motel complex. Mr. Cupples confirmed that there would be adequate parking for a hotel or motel, along with the required parking for the office spaces. Commissioner Kleczek questioned where the bike parking was located at within the complex. Mr. Mead showed where the bike spaces were located on the map provided. Commissioner Kleczek asked if the commercial space would alter the ADA parking spaces. Mr. Cupples stated that it would change the requirements for ADA parking spaces, as well as the bike parking requirements. Commissioner Kleczek questioned where the storm water runoff would be for the parking lot. Mr. Mead replied that catch basins would be installed within the parking lot along with a swale along the northern property line that connects to the City's storm line. Chair Hoth stated that the list of concerns that were brought to the Commission's attention had been answered by Mr. Mead, but wanted to clarify the fire vehicle access into Sandpiper Village. Mr. Cupples responded that Mr. Mead had supplied the site plan for Sandpiper Village showing that the Sandpiper Village access and parking lot was accommodated fire access. The condominiums are currently protected with a fire suppression system and the new apartments will have a fire suppression system. Mr. Cupples stated that the access into the new apartment complex has the non-compact parking spaces closest to the street, and provided the Commission a chance to require Mr. Mead to alter the parking to have the compact parking spaces be the first to parking spaces when entering the property. Vice Chair Montero motioned to approve 21-027CU with the condition of flipping the entry compact car parking space on the north side of the entrance with the compact spaces on the east side as well as under condition 5 to confirm access to the trash and recycling with Recology is sufficient. Commissioner Neubecker seconded the motion. The motion passed unanimously.

ORDINANCE ADMINISTRATION

Chair Hoth asked if there were any ordinance administration topics. There were none.

OTHER BUSINESS

Elections. Commissioner Neubecker moved to re-elect Commissioner Hoth as chairman and Commissioner Montero as vice chairman. Commissioner Wickersham seconded the motion. The motion passed 5-0 with Chair Hoth and Vice Chair Montero abstaining.

COMMENTS FROM THE PUBLIC

Chair Hoth asked if there were any comments from the public. There were none.

COMMENTS FROM COMMISSION/STAFF

Commissioner Neubecker stated that when the Blue Heron Pointe subdivision was approved, a fence would be required to be installed along Avenue S and Wahanna. Mr. Cupples responded that the fence requirement was not a condition on the subdivision and would double check the final decision for the subdivision. Commissioner Wickersham asked if there would be a work session scheduled for June. Chair Hoth stated that if there was a meeting, Mr. Cupples could supply a copy of the final decision at the meeting. Commissioner Carpenter stated that she received the packet for the meeting the day of. She proposed to have the packet supplied to the Commissioners 10 days in advanced than the current delivery date. Mr. Cupples offered to provide the packets up to 7 days prior to the Planning Commission meeting. Mr. Sprague offered to provide a rough agenda at the time the published notice with the items for Commission approval.

ADJOURNMENT: Adjourned at 7:47 PM.

Robin Montero, Vice Chairman

In the absence of retired Chairman

Chris Hoth.

Jordan Sprague, Admin. Assistant