

MINUTES SEASIDE PLANNING COMMISSION

February 4, 2020

CALL TO ORDER: Chair Chris Hoth called the regular meeting of the Seaside Planning Commission to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ATTENDANCE: Commissioners present: Chair Chris Hoth, Vice Chair David Posalski, Bill Carpenter, Lou Neubecker; Robin Montero, Teri Carpenter. Staff present: Anne McBride, Community Development Assistant, Kevin Cupples, Planning Director, Jordan Sprague, Administrative Assistant. Absent: Jon Wickersham

APPROVAL OF MINUTES: January 7, 2020 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.

Chair 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:

Chair 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.

AGENDA:

PUBLIC HEARING REQUIREMENTS:

The following public hearing statements were read by Chair 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. 20-002MP:** A Major Land Partition requested by Heritage Homes. The subject property is a vacant parcel of land at 490 12th Avenue (6-10-16DA-TL: 10000) and it is zoned High Density Residential (R-3). This request will create three separate parcels of land that will be accessed from an easement along the western property line. The approximate size of the proposed parcels would be: P1-5,203 sq. ft., P2-3,657 sq. ft., & P3-4,415 sq. ft.

Kevin Cupples, City Planning Director, presented a staff report, reviewing the request, decision criteria findings, condition, and conclusions.

Chair Hoth asked if there was anyone who would like to offer testimony in favor of the request. Nathan Johnson, Astoria, OR, stated that he was the son of the applicant. The southern property

is high density. It's three individual units that would have access off of 12th Avenue. The applicant had applied for a variance with the City of Seaside in lieu of a zero lot line request to separate the units in hopes of providing a further degree of livability. With a three foot setback to the property line, this would enable six feet between each building. The property was big enough that it would accommodate a four-plex, but Johnson felt it would be crowded and congested with four homes. He felt the layout as presented was a good use of the property.

Chair Hoth asked if there was anyone who would like to offer public testimony either in favor of or in opposition. Karl Schorr, 445 12th Ave, spoke, not in opposition, but in an effort to share his concerns. He stated this new road will open up a second exit point from "North Seaside." Right now, Franklin was the only access point to the 16 blocks north of 12th Avenue, which makes for a dangerous situation in an emergency. Schorr noted that the addition of the new road will increase traffic in the area as people might use it as a throughway. He asked if the new road could be used as an emergency access. Finally, he wanted to make sure the Goodman Park parking lot was not intended for or would be used as extra parking for the homes.

Chair Hoth asked if anyone else would like to speak in opposition. Marcus Simantel, 460 12th Ave, stated he hoped it would be feasible for the new road to be accessible to emergency vehicles.

Chair Hoth asked if there was anyone else in the audience opposed to the partition. There were not. Chair Hoth then asked if there was a rebuttal from the applicant. Nathan Johnson stated that the route was going to be accessible to emergency vehicles. The roadway would be a 25 foot wide easement with a 20 foot wide paved surface. As for the parking concerns, he did not have a solution. Commissioner Teri Carpenter asked about the driveway access and if there was enough space to pull out onto 12th Avenue before the bridge. Mr. Cupples stated that there will be required design features in order to safely achieve the required access.

The public hearing was opened for discussion of the Commission. Chair Hoth asked if Kevin would clarify when the Planning Commission was required to review land division. Mr. Cupples stated that the ordinance requires that any major partition has to be reviewed by the Planning Commission before approval is granted. Mr. Cupples stated that Planning Commission's review is required when creating an access roadway. Vice Chair Posalski asked if the variance for the setback had been approved. Mr. Cupples stated that the variance for the setback reduction was approved. Chair Hoth asked about what would be considered the front setback. Mr. Cupples stated the front yard setback for parcel 1 would be measured from 12th Avenue, and parcels 2 and 3 would be measured from the easement. Vice Chair Posalski questioned about the sidewalk ordinance, and if they would need a sidewalk on 13th Avenue and along the easement. Kevin Cupples stated that Dale McDowell, Public Works Director, could require a sidewalk, but he generally would allow for a deferment of payment. Vice Chair Posalski asked about the turnaround and parking within the easement. Nathan Johnson stated that there will be no parking within the easement and the turnaround was intended for people to turn to exit onto 12th Avenue. Commissioner Teri Carpenter asked if a sign that reads "Private Drive" could be installed. Nathan Johnson agreed to install a private drive sign. Commissioner Bill Carpenter stated that the fence line along 12th Avenue is overgrown with vegetation. Would the vegetation be cleared to allow for clearance from the driveway to 12th Avenue? Nathan stated that the vegetation would need to be cleared prior to construction. Commissioner Montero asked what kind of housing these would be classified as and if a HOA would be established. Nathan stated the houses would not be considered affordable, costing roughly \$400,000, and there would be no HOA established. Commissioner Montero asked who would pay for the maintenance of the easement. Mr. Cupples stated that a road maintenance agreement would be required for the private road. Vice Chair Posalski asked if separating the properties would have any bearings on VRD capabilities. Mr. Cupples stated there would be no bearing as they are individual dwellings on individual properties. Commissioner Montero asked if there was enough room for emergency vehicles within a 21 foot easement. Mr. Cupples stated the easement is 25 feet, but the paved surface is 21 feet wide and 20 feet wide is the minimum requirement for a firetruck. Vice Chair Posalski moved to approve 20-002MP. Commissioner Bill Carpenter seconded the motion. The decision was passed unanimously.

PUBLIC HEARING

- B. 20-003MP:** A second Major Land Partition request by Heritage Homes. The subject property is a vacant parcel of land at 515 13th Avenue (6-10-16DA-TL: 10002) and it is zoned Medium Density Residential (R-2). This request will create two separate parcels of land that will be accessed from an easement along the western property line. The approximate size of the proposed parcels would be: P1-6,924 sq. ft. & P2-7,399 sq. ft.

Kevin Cupples, City Planning Director, presented a staff report, reviewing the request, decision criteria findings, condition, and conclusions.

Chair Hoth asked if there was anyone who would like to offer testimony in favor of the request. Chair Hoth stated that Nathan did not have to repeat his previous statement, as this hearing was similar to 20-002MP.

Chair Hoth asked if there was anyone who would like to offer public testimony either in favor of or in opposition. Joyce Hunt, 510 13th Avenue, stated she was not opposed but had two concerns. The frontage on 13th Avenue does not need a sidewalk. There was a storm drain that was not working, and it's acting as a bioswale. Currently, the rain is absorbed by the open land and when the homes are built the water runoff could become a problem. There was a benefit to having the access road and that would be during a tsunami evacuation. Joyce Hunt stated that she liked the idea of adding a second access to Franklin.

Chair Hoth asked if there was anyone who would like to offer public testimony either in favor of or in opposition. Karl Schorr, 445 12th Ave, stated that he believes the Planning Commission should require an HOA to be established. The HOA would be responsible for collecting the money to cover maintenance of the roadway.

The public hearing was opened for discussion of the Commission. Chair Hoth stated that Goodman Park cannot be addressed by the Planning Commission, and it should be directed to the Parks Advisory Committee. Mr. Cupples stated that he would advise the Public Works Director, Dale McDowell about their concern. The Parks Advisory Committee can make corrections to the parking and signage if they see fit. Chair Hoth stated that the sidewalk along 13th Avenue is not a requirement unless required by the Public Works Director. Commissioner Bill Carpenter asked Nathan Johnson if he had any rebuttal about the requirements for the HOA. Nathan Johnson stated that there will be a maintenance agreement between the owners. Chair Hoth asked if there were any flood requirements for these properties. Mr. Cupples stated that although part of the properties are in the floodplain, the actual building structures are not so the elevation requirement will not be necessary. DSL will get involved in bona fide wetlands area. Mr. Cupples does not believe that the properties are within the DSL regulatory provisions. Commissioner Montero asked about heavy equipment and if it will affect the river and wildlife. Nathan Johnson stated that the equipment will be staying outside of the riparian line. He doesn't know what impact the building will have, but feels it will be negligible. Vice Chair Posalski moved to approve 20-003MP. Commissioner Bill Carpenter seconded the motion. The decision was passed unanimously.

ORDINANCE ADMINISTRATION

- C. Parking Provisions.** Mr. Cupples stated that he intended to get the parking provisions before the City Council, but it will not appear on the Council's agenda until February 24th.

Elections. Commissioner Neubecker moved to have the position of Chair and Vice Chair remain with Chris Hoth and David Posalski respectively. Commissioner Montero seconded the motion. The motion was passed 5-1 with Chair Hoth voting no. Jon Wickersham was absent from the voting.

COMMENTS FROM THE PUBLIC

Karl Schorr stated that he welcomes the proposed drive between 12th and 13th Avenue. He reiterated that with only one access point to the "upper blocks," the addition would be welcomed as there currently is no second way to get out of the neighborhood. He would also like to propose a road up to 20th Avenue. Commissioner Bill Carpenter stated that he would bring that up with the transportation committee.

COMMENTS FROM COMMISSION/STAFF

Commissioner Teri Carpenter moved to change the time of the Planning Commission from 7 p.m. to 6 p.m. Mr. Cupples would ask City Manager, Mark Winstanley. Commissioner Teri Carpenter made a motion to request permission to move the meeting from 7 p.m. to 6 p.m. Commissioner Neubecker seconded the motion. The motion was passed 4-2 with Chair Hoth and Commissioner Bill Carpenter voting no. Jon Wickersham was absent from the voting.

Commissioner Montero stated that March has 5 Mondays, and would there be a joint session with the City Council? Mr. Cupples stated that they Mayor wanted to have joint work sessions when there is a need for a joint work session. He would bring it to the City Manager and City Council to find out if a joint session is required.

Mr. Cupples introduced the new administrative assistant, Jordan Sprague, to the Commission. He comes to us from Albany and has worked for Albany for five years as a permit technician, so he is starting out with a real good background in the permit section and ordinance information. Jordan was warmly welcomed by the Commissioners.

ADJOURNMENT: Adjourned at 7:47 PM.

Chris Hoth, Chairperson

Jordan Sprague, Admin. Assistant