

MINUTES SEASIDE PLANNING COMMISSION

September 6, 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, Lou Neubecker, Chris Rose, Seth Morrissey, Brandon Kraft and Don Johnson. Staff present: Jeff Flory, Planning Director, Jordan Sprague, Administrative Assistant.

APPROVAL OF MINUTES: August 2, 2022 minutes were 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 Montero asked if there was anyone present who felt the Commission lacked the authority to hear any of the items on the agenda. There were none.

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. There were none.

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. 22-039ZMA:** A request by **RDA Project Management** for a zone change of the properties located at **2657 N Hwy 101 (T6-R10-10DC-TL0200 & T6-R10-DC-TL01203)**. The proposal will re-zone the approximate .46-acre and .10-acre properties from **Medium Density Residential (R-2) to High Density Residential (R-3)**.

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. Randy Stemper, PO Box 1417 Astoria, is representing RDA Project Management. The project was being proposed to change the zone from R-2 to R-3 to allow for a 10-unit apartment complex on the property. The goal is to find a way to building housing that isn't

expensive, and increasing the density is one way to lower rent prices. The property could hold 15 units, which would require the zone to change to C-3. The C-3 zone could allow for a hotel without comments from the Commission, and changing the zone to R-3 would allow for apartments. Mr. Stemper requested that Commission consider a change to the density requirement to be based on the available parking on site, not a number of units per net acre.

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 Johnson stated that if the Commission can help facilitate workforce housing, it should. Commissioner Rose seconded that statement. Commissioner Kraft asked if the design of the property would allow for expansion if the Zoning Ordinance were to change. Mr. Stemper responded that another building could be added to the property to allow for more units if the change were to take place in the future. Vice Chair Kleczek asked for clarification on what restricts the density to not allow 15 units. Mr. Flory stated the density set by the Zoning ordinance is what restricts building more units. The R-2 zone would allow to build up to 10 units per net acre, and the zone only allows for single family dwellings and duplexes. The R-3 zone allows for 20 units per net acre and the property is just over half an acre, allowing for 10 units max. The developer is proposing more parking spaces than what is required and the Zoning Ordinance does not have a maximum number of parking spaces allowed. Mr. Flory continued that the C-3 zone would allow for more units, as there is no density standard, but would require a conditional use to allow an apartment in the commercial zone. Vice Chair Kleczek asked Mr. Stemper if his proposed change to the parking requirement would reduce the amount of open space on a property. Mr. Stemper responded that the open space requirement should be kept in place to keep landscaping as well as having a spot for kids to play safely. Don't reduce the parking requirement to one (1) space per unit to increase density. If the density goes up, the parking requirements should remain. Mr. Stemper continued that if parking spaces were to be removed to achieve a higher density, this would push the parking onto the street and could overload the neighborhood. Vice Chair Kleczek asked what ADA accommodations are planned for the units. Mr. Stemper responded that ADA requirements are controlled by the State Building Codes and the Building Department. The project would be required to have one ADA unit, as well as ADA adaptable units that can be converted to full ADA standards. Vice Chair Kleczek asked if there would be electric car charging stations. Mr. Stemper responded that with a 10-unit apartment complex, an electric car charging station would probably not be installed due to price. A conduit would be installed for a future installation of a charging station, but the price of the transformer and the station is very expensive. Vice Chair Kleczek asked if there would be safe bicycle storage on site and safe bicycle and pedestrian entrance and exit to the complex planned. Mr. Stemper responded that bicycle storage would be installed, but the ability to improve the bicycle and pedestrian safety outside of the property is not within their control. Mr. Flory stated that this request is strictly for the zone change, not a review of a potential project. The zone change is the first step in the project to allow Mr. Stemper to bring plans in for an actual project review, which would be handled by the Planning Department, Public Works, Fire, and the Building Department. Vice Chair Kleczek asked if the neighbors had been contacted about the zone change. Mr. Flory responded that all the neighbors had been notified via mail regarding the zone change. Another opportunity for public comment would be available if the Planning Commission approves the recommendation to the City Council. Vice Chair Kleczek asked what impacts this project would have on the utilities. Mr. Flory stated nothing had been submitted from Public Works that states the utilities couldn't handle the increase of the additional 5 units. The applicant had reached out to ODOT to verify that there would not be an issue with highway access. Mr. Stemper added that he had discussed this project with the Public Works Director before submitting the application. Chair Montero stated that the apartments would be market rate housing, which is not workforce housing. Mr. Stemper agreed with the statement, adding that this is a privately owned project, not subsidized. Chair Montero asked what was the decision to not have this project be a subsidized project. Mr. Stemper responded that there were multiple reasons. The amount of paperwork that is required for

subsidizing is time consuming and does not have the staff to fill out the paperwork, and the cost of building a subsidized unit almost double the cost of construction. Chair Montero asked if there was a guarantee that if the project would be approved an apartment complex would be built. Mr. Stemper responded that he can't make any guarantee because he does not have ownership in the project. The people who do own the property are going to build apartments because they own multiple pieces of property around Seaside and Clatsop County and they approached Mr. Stemper to build apartments on this site. Chair Montero expressed her concern regarding previous applicants submitting applications for apartments and changing the use after the approval. Commissioner Morrissey added that demand for apartments is easily seen from online resources, like realtor.com. Chair Montero asked Mr. Flory if mixed use buildings are allowed in the R3 zone. Mr. Flory responded that a planned development would be required for a mixed-use building. Chair Montero asked if a convenience market could be built. Mr. Flory responded that it could as a conditionally permitted use. Vice Chair Kleczek asked if the Commission could recommend a zoning change tied to current ownership. Mr. Flory stated that he would need to consult with legal counsel to see if the Commission can condition a zoning change, but doesn't believe that the Commission could. Mr. Stemper added that state law doesn't allow the Commission to condition a zone change. Commissioner Neubecker motioned to approve 22-039ZMA as presented to the Commission. Commissioner Kraft seconded the motion. The motion passed unanimously.

ORDINANCE ADMINISTRATION

There were none.

COMMENTS FROM THE PUBLIC

There were none.

COMMENTS FROM COMMISSION/STAFF

Jordan Sprague, Admin Assistant, stated that Bob Mitchell, Building Official retired at the end of August and Alton Butler, City of Cannon Beach, is currently covering the Building Official duties while the city searches for a new Building Official. Vice Chair Kleczek asked if the position was posted online. Mr. Sprague stated the position is available on the City's website, as well as OBOA and ICC websites. Vice Chair Kleczek asked when the job posting closes. Mr. Sprague responded that it closes on September 11th.

ADJOURNMENT: Adjourned at 6:40 PM.

Robin Montero, Chairman

Jordan Sprague, Admin. Assistant.