Tuesday, January 2, 2024

To provide public comment for Planning Commission meetings, participants should register prior to the meeting. Please complete the form linked below to offer public comment at an upcoming Planning Commission meeting. You may provide public comment using the following methods:

- 1. In-person (meetings are held at Seaside City Hall, 989 Broadway, Seaside, OR)
- 2. Via Zoom web conference or telephone (obtain link and register at cityofseaside.us)
- 3. Written comments may be submitted using this <u>form</u>, via e-mail to <u>publiccomment@cityofseaside.us</u> or in person at City Hall (989 Broadway, Seaside, OR).

If you are providing public comments in person or via Zoom, please keep in mind your comments will be limited to three (3) minutes. If your comments are longer than three (3) minutes, please submit your comment in writing and utilize your three (3) minutes to summarize your written document. Please review the <u>Public Comment Rules of Conduct</u> prior to the meeting.

PLANNING COMMISSION MEETING: 6:00 PM

- 1. CALL TO ORDER
- 2. PLEDGE OF ALLEGIANCE
- 3. **ROLL CALL**
- 4. APPROVAL OF MINUTES
- 5. DECLARATION OF POTENTIAL CONFLICT OF INTEREST
- 6. **PUBLIC HEARING**
 - a) **769-23-000074-PLNG:** A conditional use request by Aaron Fausett to turn the building located at 821 Broadway St. (T6-R10-21AD-11401 & 12400) into a restaurant with a 6-unit hotel on the upper floors.
- 7. OTHER BUSINESS: Election of Officers Current Chair, Robin M., Vice Chair Kathy K.
 - a) Planning Commission Chairperson: Open nominations, Close nominations, Vote
 - b) Planning Commission Vice Chairperson: Open nominations, Close nominations, Vote
- 8. ORDINANCE ADMINISTRATION
 - a) Garage Door Height Determination
- 9. **PUBLIC COMMENTS** Members of the public may use this time to provide comment to the Planning Commission on items that are not scheduled on this agenda for a public hearing or public comment. Speaking time is limited to three minutes.
- 10. COMMENTS FROM CITY STAFF
- 11. COMMENTS FROM THE COMMISSION
- 12. **ADJOURNMENT**

Complete copies of the Current Commission meeting Agenda, Packets, and Minutes can be viewed at: cityofseaside.us.

All meetings other than executive sessions are open to the public. When appropriate, the presiding officer may recognize any public member desiring to address the Commission. Remarks are limited to the question under discussion except during public comment. This meeting is handicapped accessible. Please let us know at 503-738-7100 if you will need any special accommodation to participate in this meeting.

CITY OF SEASIDE PLANNING COMMISSION



MEETING MINUTES

City Hall, 989 Broadway, Seaside, OR 97138 Tuesday, November 7, 2023

Planning Commission Meeting

I. Call to Order and Pledge of Allegiance

II. Roll Call

Council Members	P/A
Robin Montero, Chairperson	P
Kathy Kleczek, Vice Chairperson	P
Brandon Kraft	P
Lou Neubecker	\mathbf{A}
Gretchen Stahmer (ZOOM)	P
Chris Rose	P
Don Johnson	P

Staff Members	
Jeff Flory, Community Development	Jordan Sprague, Code Compliance
Director	Official
Anne McBride, Emergency	Debbie Kenyon, Community Development
Preparedness Manager & Grant	Administrative Assistant
Writer	

Visitors in Chambers (attendance	Visitors on Zoom
sheet)	
George Tobey	
Irene & Eric Rathman	
Vincent Laccardo	
Erin Barker	
John Carter	
Emily Henggeler	
Sayee Gurumurthy	
Sridevi Rajaro	

III. Approval of Minutes

October 3, 2023 minutes were adopted as written.

IV. Declaration of Potential Conflict of Interest

There were none

V. Public Hearings

769-23-000045-PLNG: A conditional use request by J & E Homes LLC for a three (3) bedroom Vacation Rental Dwelling at 440 Ave G (T6-R10-21-AC17204) with a maximum occupancy of nine (9) persons over the age of three, no more than ten (10) persons regardless of age.

Community Development Director Flory presented the staff report, decision criteria findings, condition, and conclusions.

Emily Henggeler, applicant, spoke on behalf of the application.

Chair Montero opened the discussion to those in opposition. There were none.

Chair Montero opened the discussion to the Commission.

Commissioner Rose expressed concerns regarding the parking.

Commissioner Johnson expressed concerns with the density.

Commissioner Kraft expressed concerns with the density.

Vice Chair Kleczek expressed concerns that this property does not follow the guidelines of the Comprehensive Plan.

Chair Montero expressed concern regarding the density and that this property does not follow the guidelines of the Comprehensive Plan.

Motion:	Motion to Deny 769-23-000045-PLNG Based upon the Planning Commission			
	policies.			
Moved:	Kleczek			
Seconded:	Johnson			
Ayes:	Rose, Montero, Stahmer, Kraft	Nays:	Absent:	Recused:
		0	Neubecker	0
Passed:	6-0			

769-23-000067-PLNG: A conditional use request by George H & Kathleen A Tobey for a two (2) bedroom Vacation Rental Dwelling at 1518 S Downing (T6-R10-21DC02601) with a maximum occupancy of six (6) persons over the age of three, no more than ten (10) persons regardless of age.

Community Development Director Flory presented the staff report, decision criteria findings, condition, and conclusions.

George Tobey, applicant, spoke on behalf of the application.

Chair Montero opened the discussion to those in favor. There were none.

Chair Montero opened the discussion to those in opposition.

John Carter, neighbor, expressed concerns regarding the parking.

Chair Montero asked if Mr. Tobey wanted to rebut. Mr. Tobey stated that there are two off street parking spaces. One in the garage and one in front of the garage.

Chair Montero opened the discussion to the Commission.

Commissioner Johnson stated that there are more restrictions on Vacation Rentals than residents.

Commissioner Kraft confirmed that there were 2 parking spaces.

Vice Chair Kleczek expressed concerns regarding parking in the garage.

Chair Montero stated that the garage will be measured to make sure that there is enough room for parking, and that two bedrooms will have a maximum occupancy of 6 people.

Motion:	Motion to approve 769-23-000067-PLNG with the conditions provided in the staff report and amend the occupancy for a total of 6 people, and giving the planning director the authority to require modifications to the parking plan.			
Moved:	Kleczek			
Seconded:	Kraft			
Ayes:	Rose, Montero, Stahmer, Johnson	Nays:	Absent:	Recused:
		0	Neubecker	0
Passed:	6-0			_

769-23-000076-PLNG: A conditional use request by Sayee Gurumurthy and Sridevi Rajarao for a one (1) bedroom Vacation Rental Dwelling at 2216 S Downing (T6-R10-28BA-04500) with a maximum occupancy of three (3) persons over the age of three, no more than five (5) persons regardless of age.

Community Development Director Flory presented the staff report, decision criteria findings, condition, and conclusions.

Sayee Gurumurthy and Sridevi Rajarao, applicants, spoke on behalf of the application.

Chair Montero opened the discussion to those in favor.

Erin Barker, spoke in favor of the application.

Chair Montero asked if there was any one else in favor of the application. There were none.

Chair Montero opened the discussion to those in opposition.

Irene and Eric Rathmann spoke in opposition to the application.

Chair Montero opened the discussion to the Commission.

Commissioner Rose stated sidewalks and driveways are built to the public works standards.

Chair Montero asked Mr. Flory who is in charge of making sure the sidewalks and driveways are built correctly. Mr. Flory stated public works.

Vice Chair Kleczek expressed concerns regarding the landscaping, sidewalks and the bedroom.

Chair Montero expressed concerns regarding the size of the bedroom, and asked the applicant if anything has been done to the property. Mr. Gurumurthy stated nothing has been done since they purchased the property but, the previous owner did remodel the interior of the home and the bedroom does have heat.

Motion:	Motion to approve 769-23-000076-PLNG with the conditions provided in the staff report. With the additional conditions of a maximum occupancy of 3, the bedroom is of legal size and has heat, and the sidewalk and driveway will be inspected by public works.			
Moved:	Kraft			
Seconded:	Rose			
Ayes:	Montero, Kleczek, Stahmer, Johnson	Nays:	Absent: Neubecker	Recused:

Passed:	6-0
---------	-----

VI. Ordinance Administration

There was none.

VII. Public Comments

Vincent Laccardo expressed concerns that the Chair did not ask if there was anyone else in favor of the request for 769-23-000045-PLNG (440 Ave G). Vincent stated that at the time a moratorium was put on vacation rentals there were 370 of them and 1280 vacant homes that had no water usage. The housing crisis that we have is not a direct correlation to the vacation rentals that provides income to the city. It is a second home to the upper class purchasing this real estate and holding on to it and taking away affordable housing. There are plenty of regulations for people living in homes 29 days or less than but nothing in regards to homes where people are living in for over 30 days. People are living in tinder boxes that burn to the ground. We need ordinances for long term rentals as well as short term rentals. He also expressed concerns regarding his wife's mobile business and would like better clarification.

VIII. Planning Commission and Staff Comments

Mr. Flory stated that there will be a work session November 21st in the council chambers at 5pm regarding deed restrictions.

IX. Adjournment at 6:51 PM.

Approved by Commis	ssion on:
Minutes prepared by	7: Debbie Kenyon, Administrative Assistant
ROBIN MONTERO,	Chairperson



Planning Commission Staff Report

APPLICATION(S): 769-23-000074-PLNG - Conditional Use

MEETING DATE: January 2, 2024

PUBLIC HEARING: Yes

Report Date: December 26, 2023
Applicant: Aaron Fausett
Owner: Anna Kaloumenou

Location: 821 Broadway St., Seaside OR 97138

Major Street Access: Broadway St.

Parcel Number(s) & Size: T6-R10-21AD-11401 & 12400 .18 Acres

Parcel Zoning: Central Commercial (C-4)
Adjacent Zoning: Central Commercial (C-4)

Current Use of Parcel: Vacant Building and Parking Lot Adjacent Uses: Vacant Building and Parking Lot Commercial Restaurants and Retail

Previous Meetings: None Previous Approvals: None

Type of Action: Quasi-Judicial

Land Use Authority: Planning Commission

Future Routing: None

Planner: Jeff Flory, Community Development Director

A. Summary:

A conditional use request by Aaron Fausett to turn the building located at 821 Broadway into a restaurant with a 6-unit hotel on the upper floors.

Staff Recommendation:

Staff recommends the Planning Commission conduct a public hearing on the application, take public comments, and review and discuss the request. Unless submitted comments or other clarifications or justifications are needed, staff recommends the Commission adopt the findings, justification statements, and conclusions in this report and approve the applicant's request subject to the listed conditions.

B. Exhibits:

- 1. Applicant Submittals
- 2. Site Plans
- 3. ODOT Public Comment

Location: 821 Broadway St. Seaside, OR (T6-R10-21AD-11401 & 12400)





C. Background:

This applicant's property is located on Broadway between Hwy 101 and S. Holladay. The building is currently vacant and being redeveloped into a restaurant with a 6-unit hotel on the upper floors.

The applicant owns a parking lot approximately 135ft to the east that is adjacent to Hwy 101. The applicant has easement access to two parking spaces adjacent to the building in the alleyway and space to develop at least 6 additional parking spaces within the parking lot. Both lots are located in the General Commercial (C-4) zone.

D. Required Dates:

This application was accepted as complete on December 13, 2023. The 120-day decision timeframe is April 11, 2024.

E. Specific Request:

A conditional use request to turn the building located at 821 Broadway St. into a restaurant with a 6-unit hotel on the upper floors.

F. Process:

This request is being reviewed under Article 6 and Article 10 of the Seaside Zoning Ordinance. Article 6 establishes the criteria for conditional uses and Article 10 establishes the process and procedures that are applicable to this request.

G. Community Review:

Notice of this public hearing was published in the Daily Astorian on December 13, 2023. Additionally, a mailed notice was sent on December 14, 2023 to all property owners within 100 feet of the subject property.

H. Written Comments:

At the time of this report, staff has received one comment regarding this project. The Region 2 Development Review Coordinator for ODOT, Zdenek Vymazal, submitted the attached e-mail in response to this project. Mr. Vymazal stated ODOT does not have concerns with this development influencing traffic flow on Hwy 101.

I. Comprehensive Plan:

The applicant's property is located within the Central Commercial district. The Comprehensive Plan states this area is the primary central business district of Seaside. The Central Commercial area is located between the General Commercial district and the Resort Commercial district.

The Comprehensive Plan calls for the city to strengthen the downtown area and the Hwy 101 business area as important tourist and commercial centers. The applicant's redevelopment of this building will create restaurant space as well as tourist accommodations within the central business core.

The Comprehensive Plan's economic policies state support should be given to upgrading and revitalizing the Broadway core area and Hwy 101 business area. The applicant's proposed development will create business opportunities within an existing, vacant, building.

- J. Zoning Ordinance Criteria for a Conditional Use:
 - Pursuant to Section 6.031 of the Seaside Zoning Ordinance, all conditional use requests must comply with the specific standards in the zone and other applicable supplementary provisions in Article 4. In permitting a new conditional use or alteration of an existing conditional use; the Planning Commission may impose additional conditions considered necessary to protect the best interests of the surrounding area of the city as a whole. These conditions may include (but are not limited to) the following:
 - 1. Increasing the required lot size or yard dimension. Finding: The existing building will not be expanding and the lot sizes will not change. The zone does not have yard area requirements unless it abuts an "R" zoned property. The applicant's property is surrounded by other commercial businesses.
 - 2. Limiting the height of buildings. Finding: The applicant is not proposing any alterations to the height of the existing building although the maximum allowable building height in this zone is 75ft.
 - 3. Controlling the location and number of vehicle access points.

 Finding: The parking lot will be surfaced and striped so that the access is off of Avenue A with a one-way designation through the exit into the existing alley.
 - 4. **Increasing the street width.** Finding: No streets are proposed.
 - 5. Increasing the number of required off-street parking spaces. Finding: The C-4 zone requires off-street parking for all new buildings. The applicant's existing building does not require off-street parking however, as a conditional approval of the hotel use, parking will be required to be provided for the hotel guests.
 - 6. Limiting the number, size, location, and lighting of signs. Finding: No signage is proposed. Any signage for the hotel and restaurant use will be have to meet the requirements of the city's Sign Code.
 - 7. Requiring diking, fencing, screening, landscaping or other facilities to protect adjacent or nearby property. Finding: The applicant's is not proposing fencing or landscaping to separate their properties from the neighboring properties however, the applicant's parking lot will have a curb around the exterior as required by the parking lot standards.
 - 8. **Designating sites for open space.** Finding: The applicant's building extends and is connected to the neighboring buildings with not room for open space.

K. Additional Findings, Conclusions, and Justification Statements:

- 1. The applicant's submitted justification is adopted by reference and summarized below:
 - The applicant's proposal is to turn a vacant building into a restaurant/bar space with a small, 6-unit hotel on the upper floors. The proposed redevelopment of the property will increase parking within the district to accommodate hotel guests and employees. The redevelopment of the vacant building and improving the unimproved parking lot will enhance the safety and beauty of the area.
- 2. The restaurant/bar use is outright permitted within the zone while the hotel use is conditionally permitted.

- 3. The applicant has provided the minimum parking spaces necessary for the hotel use and will be required to record a deed restriction prohibiting the sale of the parking lot separate from the hotel.
- 4. The application incorrectly states in the scope section of this project that the applicant is intending to install 13 parking spaces for this development. Upon review, the original parking lot design did not meet ordinance criteria for that amount of parking spaces. The applicant's revised design shows a 6-space parking lot with two additional existing spaces adjacent to the building. The applicant has a total of 8 parking spaces for the proposed use.

L. Conclusion:

The ordinance requirements have been adequately addressed by the applicant and the request can be approved subject to the following list of special and standard recommended conditions of approval.

M. Recommended Conditions:

Condition 1: Minor modifications to the applicant's proposed plan must be reviewed and approved by the Planning Director. These could be required 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 before any final approval.

Condition 2: The applicant's final development plans must show that all exterior lighting fixtures will be designed to eliminate glare in accordance with the City's outdoor lighting ordinance. Any signage for the proposed restaurant and hotel is required to me the provisions of the city's sign ordinances.

Condition 3: The applicant and property owner are required to record a deed restriction that prohibits the sale of the parking lot independently from the building unless the hotel use is abandoned. The applicant is required to record this restriction before the final Certificate of Occupancy can be approved for the hotel. A copy of the recorded deed restriction will be provided to the Community Development Department and kept on file for future reference.

Condition 4: The applicant will need to provide signage to ensure the parking lot is reserved strictly for guests of the hotel to prevent the hotel guests from taking up parking along Broadway and in adjacent neighborhoods.

N. Recommendation and Alternatives:

Staff Recommendation:

Staff recommends the Planning Commission conduct a public hearing on the application, take public comments, and review and discuss the request. Unless submitted comments or other clarifications or justifications are needed, staff recommends the Commission adopt the findings, justification statements, and conclusions in this report and approve the applicant's request subject to the listed conditions.

Alternative 1:

The Planning Commission may choose to continue this request to the regularly scheduled February 6, 2024, Planning Commission meeting to allow the Commission time to review submitted evidence or to allow the applicant, other affected parties, and

the public, additional time to review or submit further evidence, rebuttals, or justifications.

Alternative 2:

The Planning Commission may choose to hold the public hearing and review additional submitted comments or evidence. If new evidence justifies the denial of the applicant's request, the Planning Commission could move to deny this application.

The information in this report and the recommendation of staff is not binding on the Planning Commission and may be altered or amended during the public hearing.



Community Development Land Use Application

			Applicant Info	rmation:			
	Name of Applicant			Add	iress		Zip Code
Anna Ka	loumenou	15	15 Baranof St., I	Kodiak, AF	C .		99615
001 D	3 0 0	NT1 05400	Street Address or Location	n of Property			
	dway, Seaside, (
Zone	Overlay Zone	Township	Range	Section		Tax Lots	
C4		6	10	21A	11401 and	12400	
	Ow	ner:		Applic	nt/Represents	ative Other than O	wner-
Name			N	me of Applicant/		TWO COLICE CHEN O	WINCE .
Anna Ka	loumenou			aron Faus			
Address				ldress			
1515 Bar	anof St., Kodiak	AK 99615	I	O Box 19	Warrenton,	OR 97146	
Phone		***************************************		one			The second secon
907-654-	7414		5	03-298-02	24		
Signature	HAHLODA.	1	Si	gnature A			
T	IVAXOUOU!	neur		planto m)		
			7.4				
Propose	use: 2-story b	ar/restauran	t with a (6) unit	hotel on 3:	rd floor; (b) is	pace paved park	ing lot
Propose Existing			t with a (6) unit ng; unimproved :			pace paved park	ing lot
Existing	Use: Vacant 3					pace paved park	ing lot
Existing Site Plan	Use: Vacant 3	-story buildi	ng; unimproved (gravel par	king		
Existing Site Plan Please at	Use: Vacant 3 : tach a site plan c	-story buildi	ng; unimproved i	ravel par	king sizes, and loca	ations of all exist	ing and
Existing Site Plan Please at proposed access to	Use: Vacant 3 tach a site plan c structures. The s the site and the	-story building the propert site plan must barking area	ng; unimproved of y showing lot direct show the struc- layout. Site plan	mensions, ture's seth	king sizes, and loca acks to all pro drawn to sca	ations of all exist operty lines as w le and show the	ing and ell as needed
Existing Site Plan Please at proposed access to informati	Use: Vacant 3 tach a site plan of structures. The structures and the poor pertinent to t	story building the propert site plan must parking area he request.	ng; unimproved of y showing lot direct show the struc- layout. Site plan	mensions, ture's seth	king sizes, and loca acks to all pro drawn to sca	ations of all exist	ing and ell as needed
Existing Site Plan Please at proposed access to informati	Use: Vacant 3 tach a site plan c structures. The s the site and the	story building the propert site plan must parking area he request.	ng; unimproved of y showing lot direct show the struc- layout. Site plan	mensions, ture's seth	king sizes, and loca acks to all pro drawn to sca	ations of all exist operty lines as w le and show the	ing and ell as needed
Existing Site Plan Please at proposed access to informati	Use: Vacant 3 tach a site plan of structures. The structures and the poor pertinent to t	story building the propert site plan must parking area he request.	ng; unimproved of y showing lot direct show the struc- layout. Site plan	mensions, ture's seth is must be VRDs mu	king sizes, and loca acks to all pro drawn to sca	ations of all exist operty lines as w le and show the	ing and ell as needed
Existing Site Plan Please at proposed access to	Use: Vacant 3 tach a site plan of structures. The structures the site and the pon pertinent to t f required 9'x18'	story building the propert site plan must parking area he request.	ng; unimproved of the structure of the s	mensions, ture's seth as must be VRDs mu	king sizes, and loca acks to all pro drawn to sca	ations of all exist operty lines as w le and show the	ing and ell as needed owing the
Site Plan Please at proposed access to informati location o	Use: Vacant 3 tach a site plan of structures. The structures the site and the pon pertinent to t f required 9'x18'	of the properts the plan must barking area he request. I car spaces.	ng; unimproved of the structure of the s	mensions, ture's seth s must be VRDs mu Request:	king sizes, and loca acks to all prodrawn to scal ast have scale	ations of all exist operty lines as w le and show the d dimensions sho	ing and ell as needed owing the
Site Plan Please at proposed access to informati location o	use: Vacant 3 tach a site plan of structures. The structures and the pon pertinent to the frequired 9'x18' onal Use ape/Access Review	of the properties the plan must parking area the request. It car spaces.	y showing lot direct show the struct layout. Site plan Parking Maps for Specific of Informing	mensions, ture's seth s must be VRDs mu Request:	sizes, and loca acks to all prodrawn to scal ast have scale	ations of all exist operty lines as w le and show the d dimensions sho	ing and ell as needed owing the
Existing Site Plan Please at proposed access to informati location o	tach a site plan of structures. The structures. The structure and the son pertinent to the frequired 9'x18' onal Use ape/Access Review Partition	of the propertisite plan must parking area he request. I car spaces.	y showing lot dist show the struct layout. Site plan Parking Maps for Specific of Informing de Development	mensions, ture's seth s must be VRDs mu Request:	sizes, and loca acks to all prodrawn to scale act have scale division apprary Use action Rental	ations of all exist operty lines as w le and show the r d dimensions sho	ing and ell as needed owing the
Site Plan Please at proposed access to informati location o	tach a site plan of structures. The structures. The structure and the son pertinent to the frequired 9'x18' onal Use ape/Access Review Partition	of the propertisite plan must parking area he request. I car spaces.	y showing lot direct show the struct layout. Site plan Parking Maps for Specific of Informing d Development ty Line Adjustment k Reduction	mensions, ture's seth is must be VRDs mu Request: Suh Ten Vac	sizes, and loca acks to all prodrawn to scale act have scale division apprary Use action Rental	ations of all exist operty lines as w le and show the r d dimensions sho Zoning Code	ing and ell as needed owing the
Existing Site Plan Please at proposed access to informati location o	use: Vacant 3 tach a site plan of structures. The structures. The structures and the structure on pertinent to the frequired 9'x18' onal Use ape/Access Review Partition	f the properts the plan must barking area he request. Non-co	y showing lot dist show the struct layout. Site plan Parking Maps for Specific of Informing and Development ty Line Adjustment	mensions, ture's seth s must be VRDs mu Request: Sub Ten Vac	sizes, and local acks to all produced acks to all produced acks to all produced acknowledges ack	ations of all exist operty lines as w le and show the r d dimensions sho Zoning Code Zoning Map	cing and rell as needed owing the Amendmen
Site Plan Please at Proposed access to informati location o	tach a site plan of structures. The structures. The structure and the son pertinent to the frequired 9'x18' onal Use ape/Access Review Partition	of the properts the plan must barking area the request. It car spaces. Non-co Planne Proper	y showing lot direct show the struct layout. Site plan Parking Maps for Specific of Informing d Development ty Line Adjustment k Reduction	mensions, ture's seth s must be VRDs mu Request: Suk Ten Vac	sizes, and local acks to all produced acks to all produced acks to all produced acknowledges ack	ations of all exist operty lines as we le and show the red dimensions and dimensions show the red dimensions are red dimensions.	ing and rell as needed owing the Amendmen

Revised 09/23



Community Development Hwy 101 Overlay Zone

Please describe the scope of your project.

To gain the ability to add drainage, asphalt paving, lot striping, sidewalks and vehicular ingress/egress to an existing unimproved gravel parking lot with no definative vehicular flow. The parking lot will provide (13) spaces for the (6) unit hotel guests, restaurant customers and company employees.

The Planning Commission will do a site review of all proposed developments within 200' of Roosevelt Drive (Highway 101) whenever they cause a significant number of vehicle trips. For the purpose of this review, a significant number of trips is 30 trips per day or 5 trips per hour. This review is intended to determine compliance with the City of Seaside Transportation System Plan and consider the impacts of the development on the traffic carrying capacity and safety of Hwy 101.

The City of Seaside and the State Highway Division shall cooperate during the review of the proposed development to ensure the standards of the Overlay Zone are upheld. Certain actions will require the additional submittal of a Traffic Impact Analysis (TIA) in accordance with Section 3.406.1, A & B. These include:

- I. Proposed developments generating vehicle trips that equal or exceed 600 daily trips or 100 hourly trips; or
- II. Proposed zone changes or comprehensive plan changes; or
- III. An onsite review by the Oregon Department of Transportation Region Manager, or authorized designee, indicates that operational or safety problems exist or are anticipated at the development property.

Daily Trips: 49	Hourly Trips:	3 AM	4 PM	
Does your propos	sed development requ	ire the addi	tional submittal of	a Traffic Impact
Analysis (TIA)?	Yes □ No 🗵			



Community Development Conditional Use – Type 2

In certain districts, conditional uses may be permitted subject to the granting of a Conditional Use Permit. Because of their unusual characteristic, or special characteristics of the area in which they are to be located, conditional uses require special considerations so they may be properly located with respect to the Comprehensive Plan and to the objectives of this Ordinance.

The Planning Director shall have the authority to approve, approve with conditions, or disapprove Conditional Use Permits in accordance with the provisions in Article 6 of the Seaside Zoning Ordinance.

In addition to those standards and requirements expressly specified by the Ordinance, the Planning Director may impose conditions, which are necessary to protect the best interests of the surrounding area or the city as a whole. These conditions may include the following:

- 1. Increasing the required lot size or yard dimension.
- 2. Limiting the height of buildings.
- 3. Controlling the location and number of vehicle access points.
- 4. Increasing the street width.
- 5. Increasing the number of required off-street parking spaces.
- 6. Limiting the number, size, location, and lighting of signs.
- 7. Requiring diking, fencing, screening, landscaping, or other facilities to protect adjacent or nearby property.
- 8. Designating sites for open space.

The Planning Director will make a determination concerning a conditional use based on the applicant's justification of the following statements or questions. The applicant must provide sufficient information to the following statements or questions for this application to be accepted as complete.

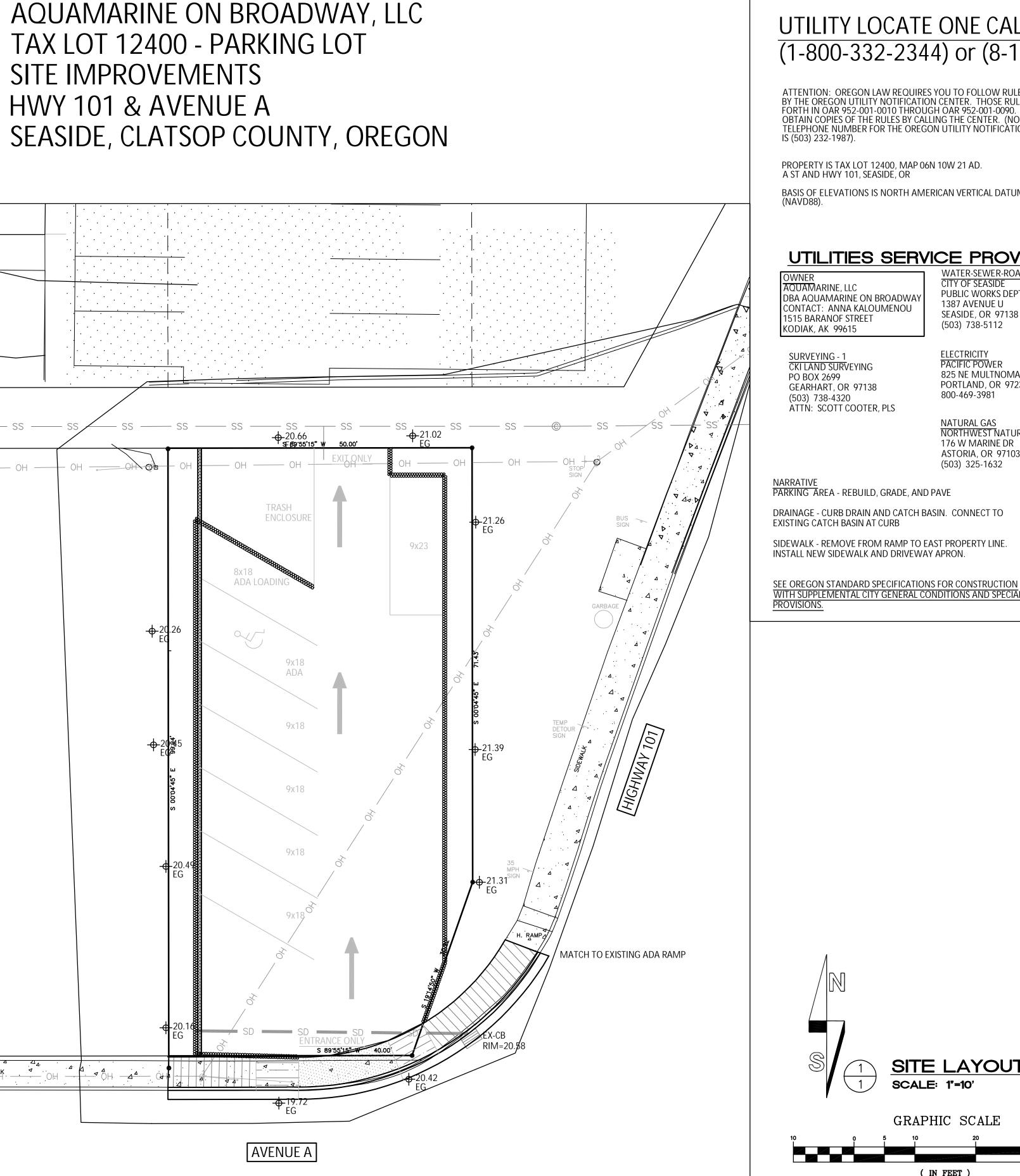
1. What is the scope of your project?

SEE ATTACHED

2.	What is the proposed use in the zone?
	SEE ATTACHED
3.	How will the development conform to the general development standards in the
	Seaside Zoning Ordinance and the specific standards in the zone?
	SEE ATTACHED
4.	How will the development meet any of the applicable standards in <u>Article 6</u> of the
	Seaside Zoning Ordinance?
	NOT APPLICABLE
5.	Describe any additional measures (if any) the applicant will take in order to protect
	the interests of the surrounding area or the city as a whole.
	SEE ATTACHED
6.	Provide a site plan, drawn to scale, which indicates the following: the actual shape
	and dimensions of the lot, the sizes and locations of buildings and other structures (existing & proposed), the existing and intended use of each building (include floor
	plans), and other information need to determine conformance with the development
	standards in the ordinance (e.g. setbacks, parking spaces, fences, accesses,
	landscaping, neighboring buildings, or uses, etc.)

Attach Additional Sheets if Necessary

The purpose of our application is to gain the ability to remodel and operate a two-story bar/restaurant with a 6-room hotel on the third level of an existing three-story building located at 821 Broadway, Seaside. The bar/restaurant is an outright permitted use for the C-4 zone. The hotel is a conditional permitted use for the C-4 zone. The existing building currently has two established off-street parking spaces and is proposing to build a parking lot with 6 additional parking spaces within 200' of the hotel entrance at the rear of the building. Emergency exit routes and a map of the parking location will be posted in all hotel rooms. Earthquake procedures and tsunami evacuation routs will be posted in all hotel rooms as well as made available electronically to hotel guests at the time of booking. With the building currently vacant and the unimproved lot being used as gravel parking with no defined spaces or direction of travel, we believe the ability to make these improvements will positively enhance the safety and beauty of the area.



UTILITY LOCATE ONE CALL (1-800-332-2344) or (8-1-1)

ATTENTION: OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER. (NOTE: THE TELEPHONE NUMBER FOR THE OREGON UTILITY NOTIFICATION CENTER

PROPERTY IS TAX LOT 12400, MAP 06N 10W 21 AD. A ST AND HWY 101, SEASIDE, OR

AQUAMARINE, LLC

KODIAK, AK 99615

SURVEYING - 1

PO BOX 2699

(503) 738-4320

1515 BARANOF STREET

CKI LAND SURVEYING

GEARHART, OR 97138

ÀTTŃ: SCOTT COOTER, PLS

DBA AQUAMARINE ON BROADWAY

CONTACT: ANNA KALOUMENOU

BASIS OF ELEVATIONS IS NORTH AMERICAN VERTICAL DATUM OF 1988

UTILITIES SERVICE PROVIDERS

WATER-SEWER-ROADS CITY OF SEASIDE

PUBLIC WORKS DEPT

SEASIDE, OR 97138

1387 AVENUE U

(503) 738-5112

PACIFIC POWER

825 NE MULTNOMAH

PORTLAND, OR 97232

176 W MARINE DR ASTORIA, OR 97103 (503) 325-1632

NATURAL GAS NORTHWEST NATURAL GAS

ELECTRICITY

SHEETS

- C1 COVER SHEET C2 - DEMOLITION PLAN
- C3 SITE LAYOUT C4 - ENTRANCE C5 - SIDEWALK DETAILS

SCOPE OF WORK

8"Ø STORM DRAIN LINE NDS DURA SLOPE TRENCH DRAIN 100 LF CONCRETE CURB & GUTTER 75 LF CONCRETE SIDEWALK

75 LF 290 SF ASPHALT PARKING AREA 3" THICK ASPHALT LEVELING ROCK 3" THICK BASE ROCK 9" THICK

LEGEND

— SS — SEWER LINE OVERHEAD POWER LINE

POWER POLE FIRE HYDRANT

CATCH BASIN

TRENCH DRAIN, H-20 TRAFFIC RATING

STORM DRAIN PIPE

ASPHALT SLOPE DRAINAGE ROUTE ***************** 4" HIGH AC CURB

MORGAN CIVIL ENGINEERING, INC.

AQUAMARINE ON BROADWAY, TAX LOT 12400 - PARKING LOT COVER SHEET

SHEET

of FIVE

ALL BEDDING AND BACKFILL TO BE CRUSHED ROCK. NO EXCEPTIONS. Surfacing-match existing material

Tracer wire

NO. DATE

DESCRIPTION

TABLE A Trench foundation stabilization, as required For pipes over 72" diameter, see general note 3.

TRENCH DETAIL

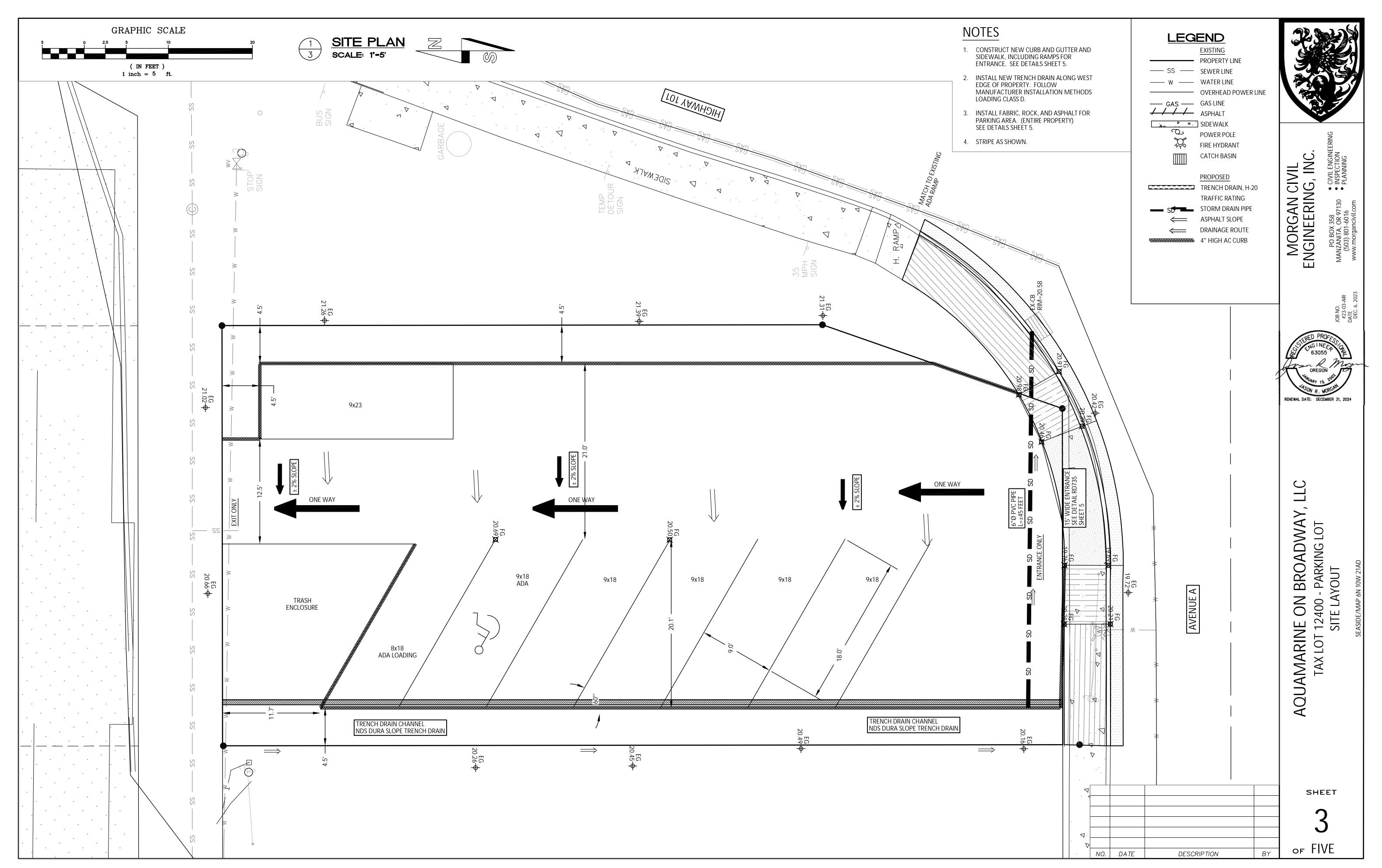
NO SCALE

SITE LAYOUT SCALE: 1"=10"

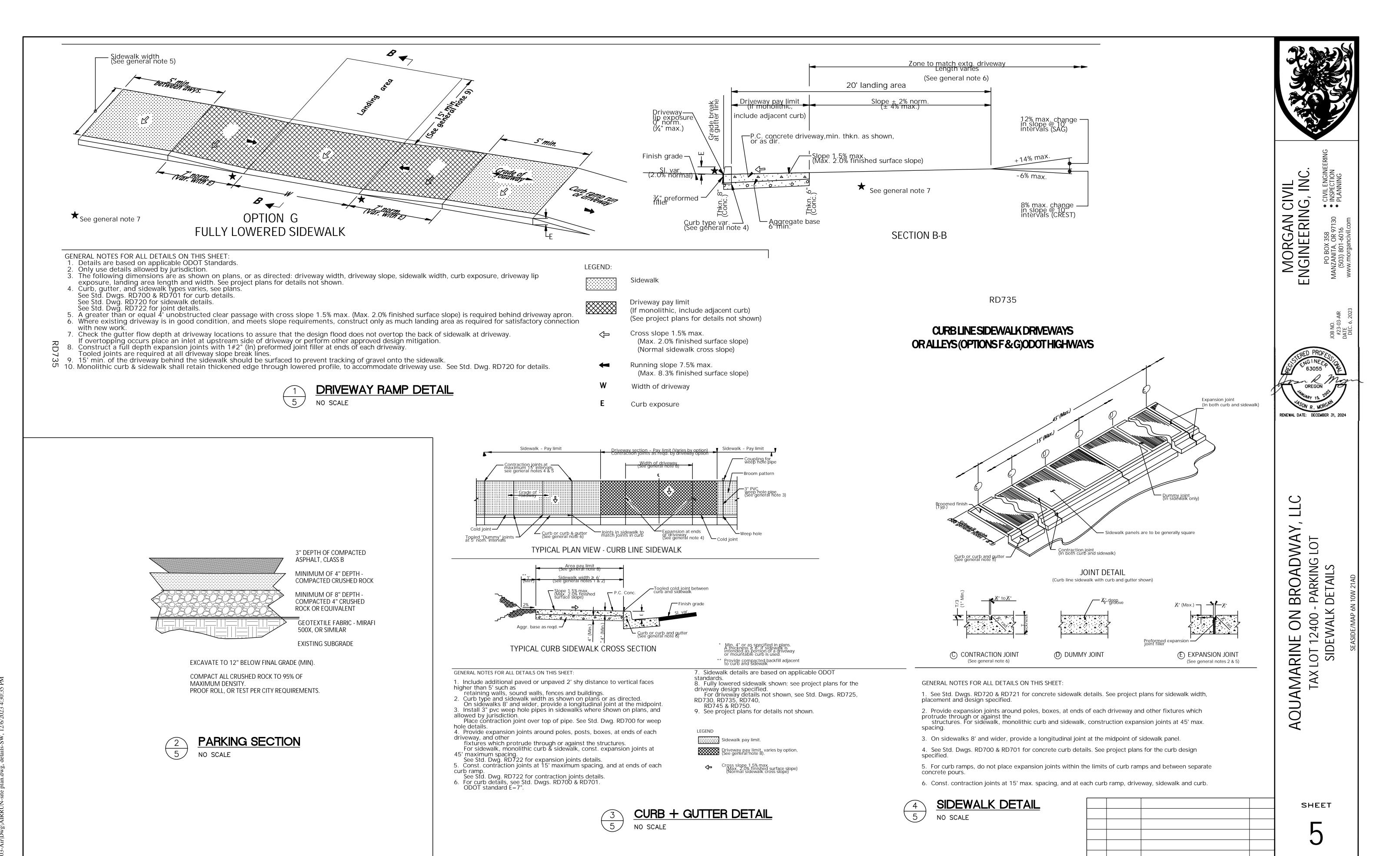
GRAPHIC SCALE

(IN FEET) 1 inch = 10 ft.

-03-Air\Dwg\AIRRUN-site plan.dwg, demo plan, 12/6/2023 4:30:20



23-03-Air\Dwg\AIRRUN-site plan.dwg, layout, 12/6/2023 4:30:25 PN



NO. DATE

DESCRIPTION

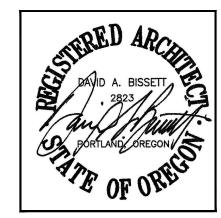
THE REPORT OF THE PARTY OF THE

AQUAMARINE on BROADWAY

EXISTING BUILDING REMODEL 821 BROADWAY SEASIDE, OR 97138

PROJECT INFORMATION

MATERIALS



DAVID BISSETT ARCHITECT PC

INDEX OF SHEETS

DAVI DAVI DAVI503.341.4445 davidk

NAMARINE ON BROADWA 821 BROADWAY SEASIDE, OR 97138

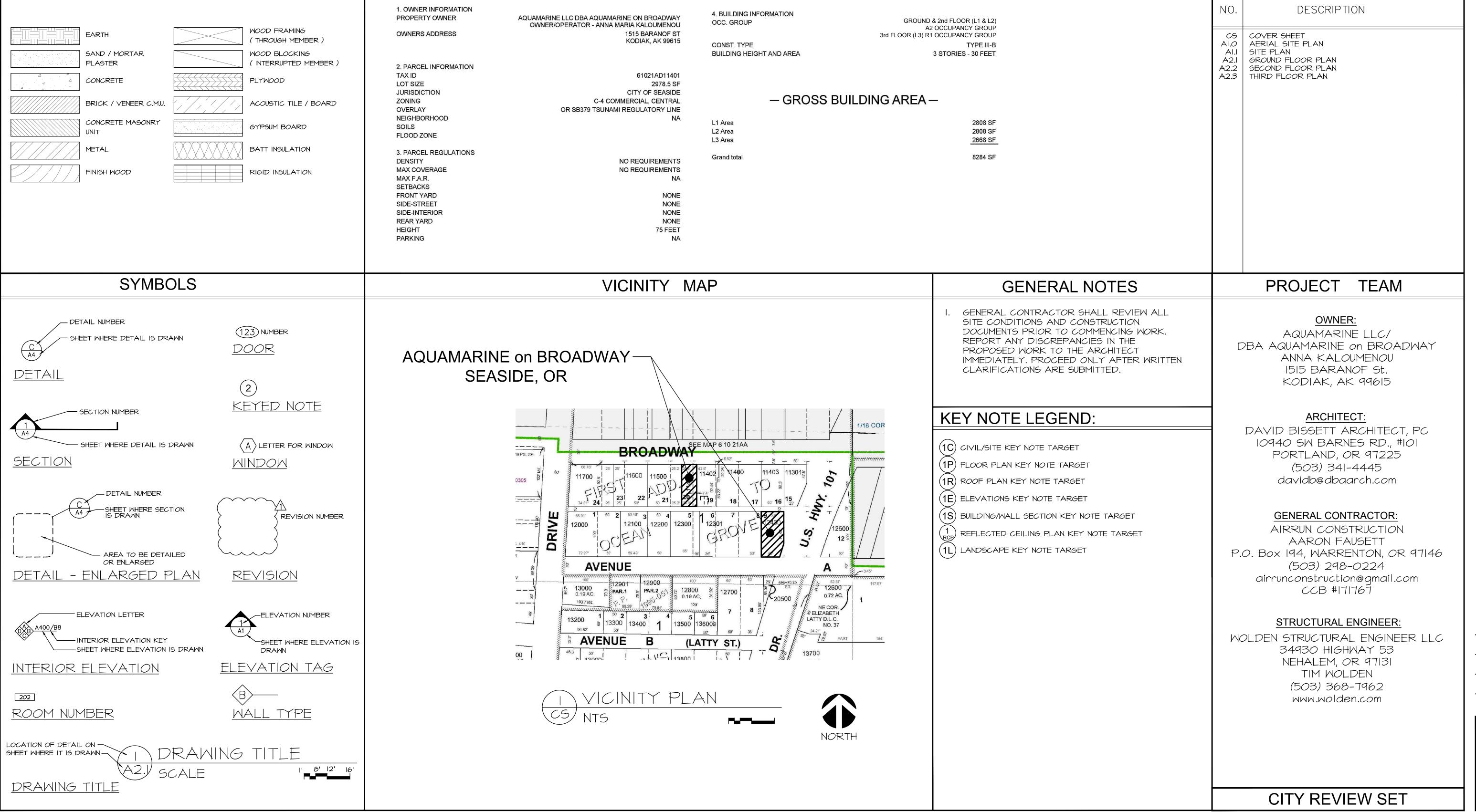
Project Number

roject Number
sue Date
9-11-23

9-11-23

Drawing File Name
821 Broadway

Sheet Number



821 BROADWAY ——— EXISTING (3) STORY BLDG. TYPE IIIB







GENERAL NOTES:

KEY NOTES:

(1C) EXISTING BUILDING

I. GENERAL CONTRACTOR SHALL REVIEW ALL SITE CONDITIONS AND CONSTRUCTION DOCUMENTS PRIOR TO COMMENCING WORK. REPORT ANY DISCREPANCIES IN THE PROPOSED WORK TO THE ARCHITECT IMMEDIATELY. PROCEED ONLY AFTER WRITTEN CLARIFICATIONS ARE SUBMITTED.

EXISTING 22'x26' ADJACENT EASEMENT BOUNDARY. PER RECORDED INSTRUMENT #200609767 CLATSOP Co. 8/29/2006. EXISTING MECH. RM. & (2) EXISTING PARKING STALLS TO REMAIN.



D BISSETT & MANAGE OF THE CT P C MANAGE OF THE CT P

DAVID BISS
ARCHITECT
A1.4445 davidb@dbaarch

 DKOADMAY

 DMAY
 503.341.

 9 41138

AQUAMARINE ON BROAI 821 BROADWAY SEASIDE, OR 97138

AERI

Revision

Drawn By Check

esue Date

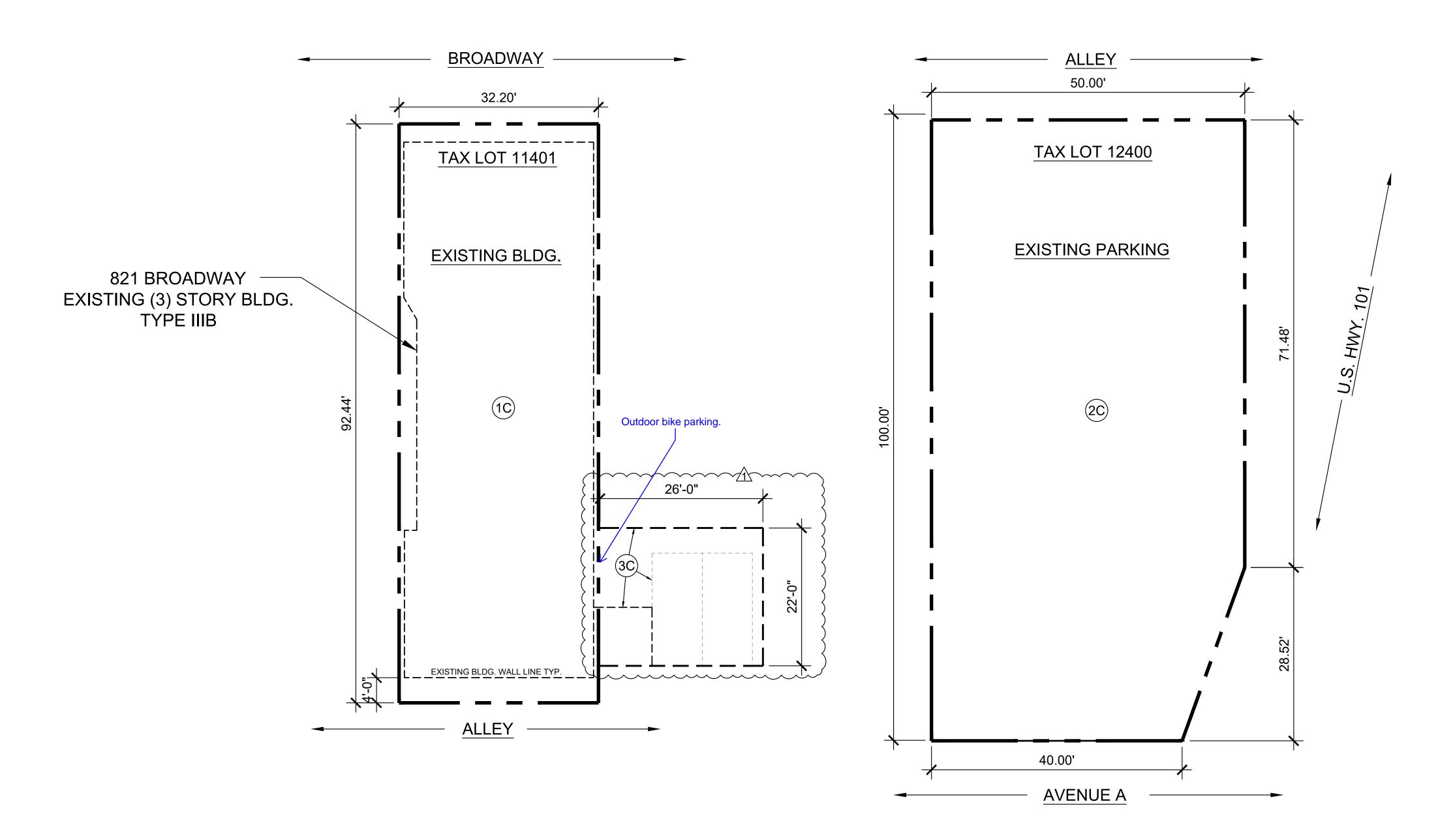
9-11-23

Drawing File Name
821 Broadway

Sheet Number

A1.0

CITY REVIEW SET





KEY NOTES:

(1C) EXISTING BUILDING

(2C) EXISTING PARKING

. GENERAL CONTRACTOR SHALL REVIEW ALL SITE CONDITIONS AND CONSTRUCTION DOCUMENTS PRIOR TO COMMENCING WORK. REPORT ANY DISCREPANCIES IN THE PROPOSED WORK TO THE ARCHITECT IMMEDIATELY. PROCEED ONLY AFTER WRITTEN CLARIFICATIONS ARE SUBMITTED.

EXISTING 22'x26' ADJACENT EASEMENT BOUNDARY. PER RECORDED INSTRUMENT #200609767 CLATSOP Co. 8/29/2006. EXISTING MECH. RM. & (2) EXISTING PARKING STALLS TO REMAIN.



ID BISSETT AND MANAGEMENT PORT OF THE CATE OF THE CATE

JOS.341.4445 davidb@dbaarch

NAMARINE ON BROADMA 821 BROADWAY

REFERENCE

Revisions

Drawn By Checked

TA Check

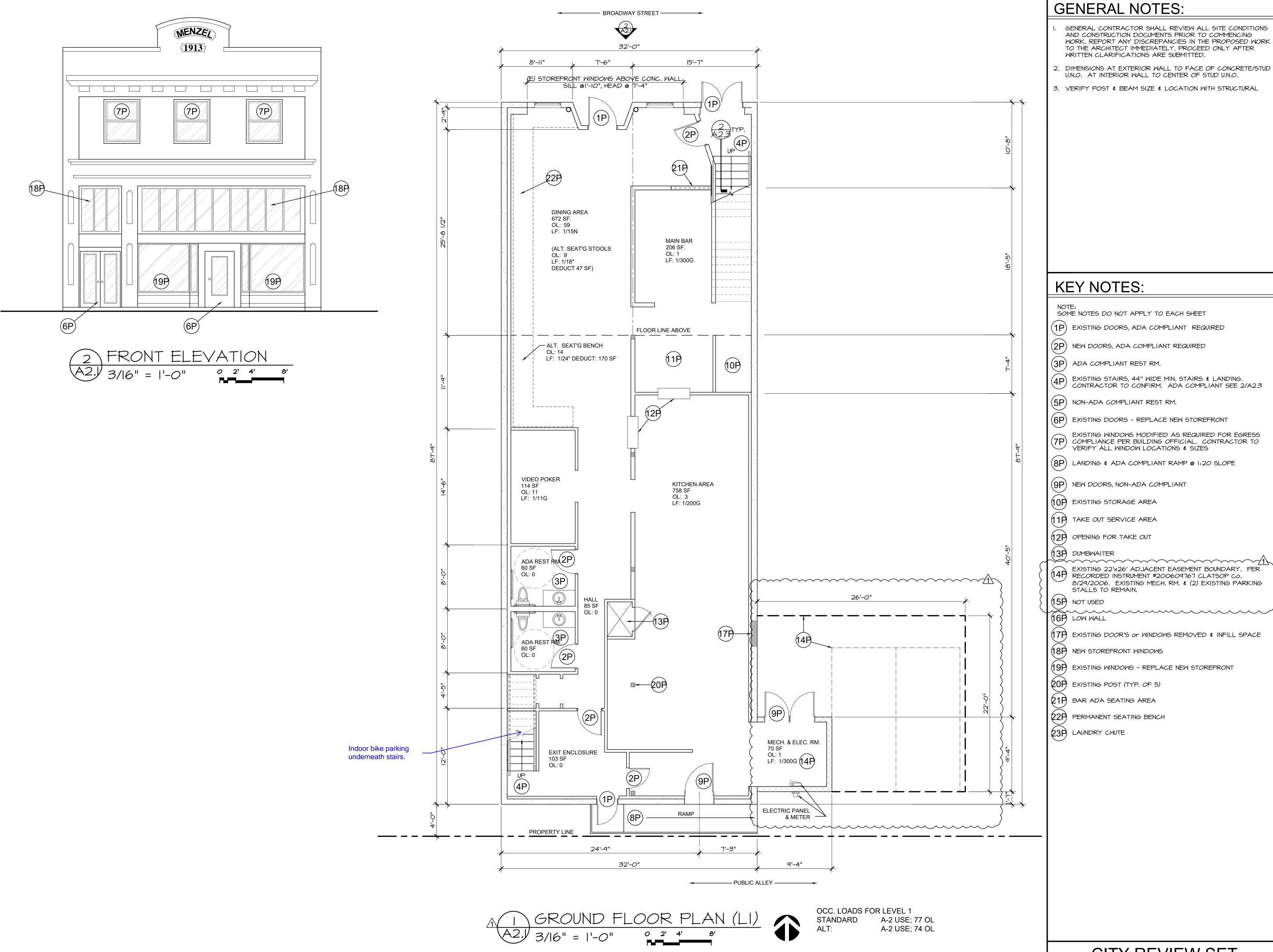
Issue Date
9-11-23

Drawing File Name

821 Broadway
Sheet Number

A1.1

CITY REVIEW SET



GENERAL NOTES:

- GENERAL CONTRACTOR SHALL REVIEW ALL SITE CONDITIONS AND CONSTRUCTION DOCUMENTS PRIOR TO COMMENCING WORK. REPORT ANY DISCREPANCIES IN THE PROPOSED WORK TO THE ARCHITECT IMMEDIATELY. PROCEED ONLY AFTER WRITTEN CLARIFICATIONS ARE SUBMITTED.
- 2. DIMENSIONS AT EXTERIOR WALL TO FACE OF CONCRETE/STUD U.N.O. AT INTERIOR WALL TO CENTER OF STUD U.N.O.
- 3. VERIFY POST & BEAM SIZE & LOCATION WITH STRUCTURAL



SU

50

X ROUND <u>2</u> ∰ ∠ ∰ O O

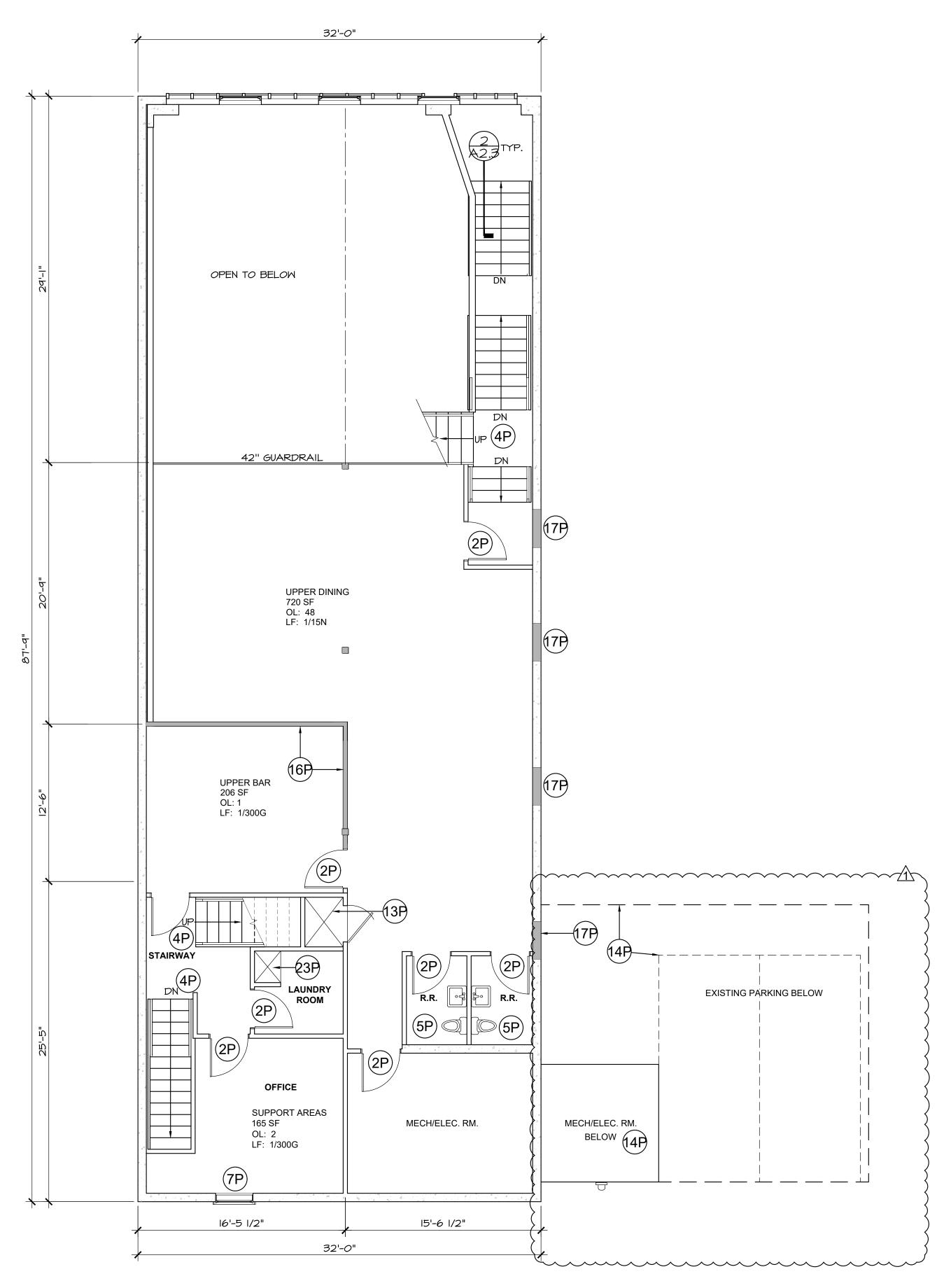
Revisions A CITY REVIEW <u>/1\</u> 10/24/23

Issue Date

Drawing File Name 821 Broadway

CITY REVIEW SET









OCC. LOADS FOR LEVEL 2 A-2 USE; 57 OL

GENERAL NOTES:

KEY NOTES:

(3P) ADA COMPLIANT REST RM.

(5P) NON-ADA COMPLIANT REST RM.

SOME NOTES DO NOT APPLY TO EACH SHEET

(2P) NEW DOORS, ADA COMPLIANT REQUIRED

(1P) EXISTING DOORS, ADA COMPLIANT REQUIRED

(6P) EXISTING DOORS - REPLACE NEW STOREFRONT

(8P) LANDING & ADA COMPLIANT RAMP @ 1:20 SLOPE

VERIFY ALL WINDOW LOCATIONS & SIZES

(9P) NEW DOORS, NON-ADA COMPLIANT

10P EXISTING STORAGE AREA

11P TAKE OUT SERVICE AREA

(12P) OPENING FOR TAKE OUT

(18P) NEW STOREFRONT WINDOWS

(20P) EXISTING POST (TYP. OF 5)

(22P) PERMANENT SEATING BENCH

(21P) BAR ADA SEATING AREA

23P LAUNDRY CHUTE

(13P) DUMBWAITER

4P EXISTING STAIRS, 44" WIDE MIN. STAIRS & LANDING. CONTRACTOR TO CONFIRM. ADA COMPLIANT SEE 2/A2.3

(7P) EXISTING WINDOWS MODIFIED AS REQUIRED FOR EGRESS COMPLIANCE PER BUILDING OFFICIAL. CONTRACTOR TO

EXISTING 22'x26' ADJACENT EASEMENT BOUNDARY. PER RECORDED INSTRUMENT #200609767 CLATSOP CO. 8/29/2006. EXISTING MECH. RM. & (2) EXISTING PARKING STALLS TO REMAIN.

(16P) LOW WALL

(17P) EXISTING DOOR'S OR WINDOWS REMOVED & INFILL SPACE

(19P) EXISTING WINDOWS - REPLACE NEW STOREFRONT

- I. GENERAL CONTRACTOR SHALL REVIEW ALL SITE CONDITIONS AND CONSTRUCTION DOCUMENTS PRIOR TO COMMENCING WORK. REPORT ANY DISCREPANCIES IN THE PROPOSED WORK TO THE ARCHITECT IMMEDIATELY. PROCEED ONLY AFTER WRITTEN CLARIFICATIONS ARE SUBMITTED.
- 2. DIMENSIONS AT EXTERIOR WALL TO FACE OF CONCRETE/STUD U.N.O. AT INTERIOR WALL TO CENTER OF STUD U.N.O.
- 3. VERIFY POST & BEAM SIZE & LOCATION WITH STRUCTURAL



CHITECT PC 10. Savidb@dbaarch.com

DAVID B ARCHITE 503.341.4445 davidb@db.

ECOND FLOOR PLAN AMARINE ON BROADWA 821 BROADWAY St. SEASIDE, OR 47138

Revisions

CITY REVIEW
10/24/23

Drawn By Checked

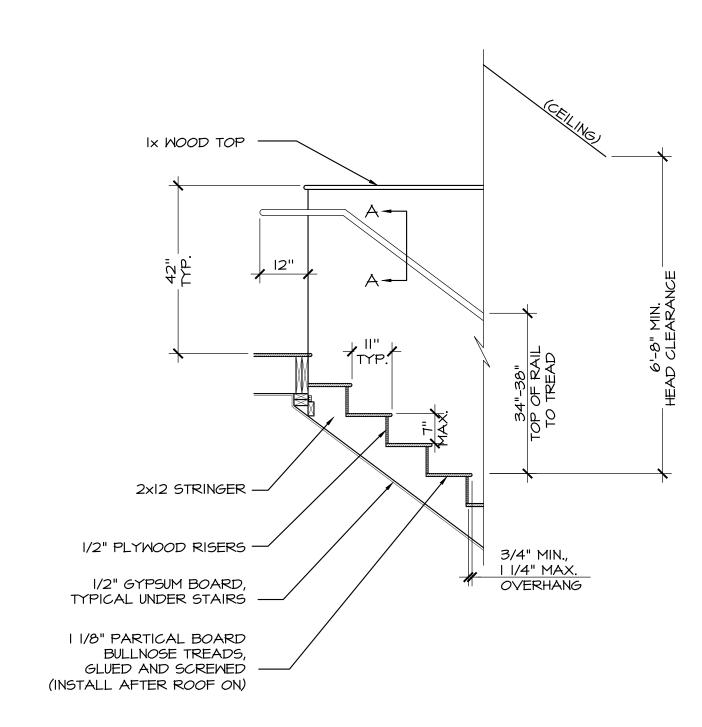
Project Number

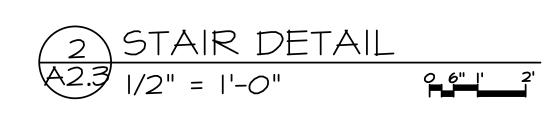
Drawing File Name
821 Broadway
Sheet Number

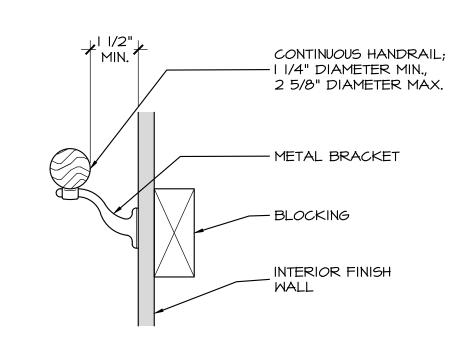
A2.2

DBApc © Copyright 2023

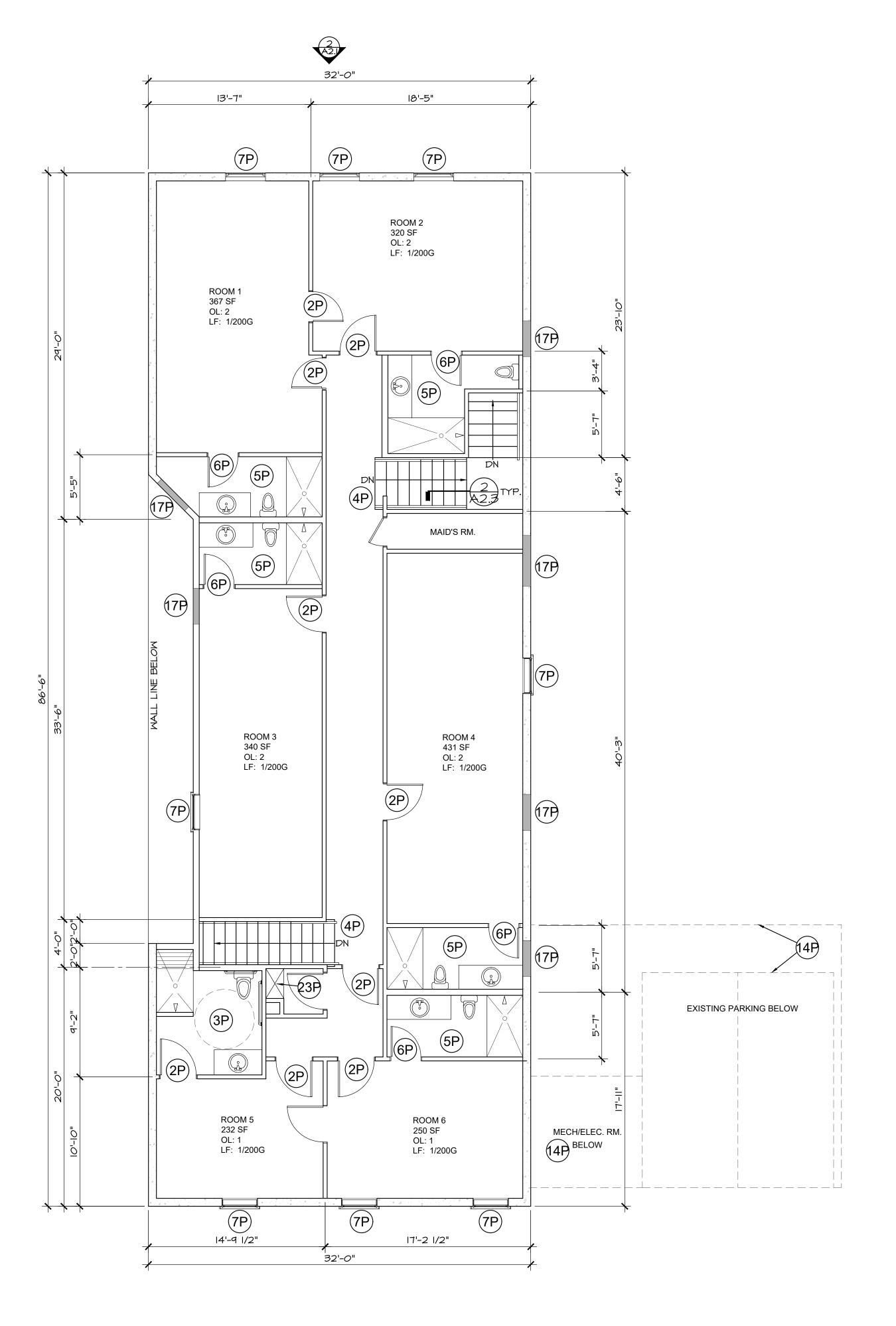
CITY REVIEW SET











THIRD FLOOR PLAN (L3) OCC. LOADS FOR LEVEL 3 R2 USE; 9 OL

KEY NOTES:

(3P) ADA COMPLIANT REST RM.

(5P) non-ada compliant rest RM.

9P) NEW DOORS, NON-ADA COMPLIANT

10P EXISTING STORAGE AREA

11P TAKE OUT SERVICE AREA

(12P) OPENING FOR TAKE OUT

(18P) NEW STOREFRONT WINDOWS

(20P) EXISTING POST (TYP. OF 5)

(22) PERMANENT SEATING BENCH

(21P) BAR ADA SEATING AREA

(23P) LAUNDRY CHUTE

(13P) DUMBWAITER

(16P) LOW WALL

SOME NOTES DO NOT APPLY TO EACH SHEET

(2P) NEW DOORS, ADA COMPLIANT REQUIRED

(1P) EXISTING DOORS, ADA COMPLIANT REQUIRED

4P) EXISTING STAIRS, 44" WIDE MIN. STAIRS & LANDING.

(6P) EXISTING DOORS - REPLACE NEW STOREFRONT

(8P) LANDING & ADA COMPLIANT RAMP @ 1:20 SLOPE

VERIFY ALL WINDOW LOCATIONS & SIZES

CONTRACTOR TO CONFIRM. ADA COMPLIANT SEE 2/A2.3

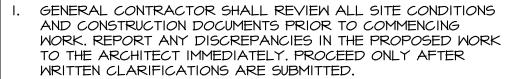
(7P) EXISTING WINDOWS MODIFIED AS REQUIRED FOR EGRESS COMPLIANCE PER BUILDING OFFICIAL. CONTRACTOR TO

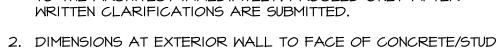
× ///

EXISTING 22'x26' ADJACENT EASEMENT BOUNDARY. PER RECORDED INSTRUMENT #200609767 CLATSOP CO. 8/29/2006. EXISTING MECH. RM. & (2) EXISTING PARKING STALLS TO REMAIN.

(17P) EXISTING DOOR'S OF WINDOWS REMOVED & INFILL SPACE

(19P) EXISTING WINDOWS - REPLACE NEW STOREFRONT





U.N.O. AT INTERIOR WALL TO CENTER OF STUD U.N.O. 3. VERIFY POST & BEAM SIZE & LOCATION WITH STRUCTURAL



THIRD

821 SEA

Revisions A CITY REVIEW /1\ 10/24/23

Drawing File Name 821 Broadway

CITY REVIEW SET

Jeff Flory

From: Jeff Flory

Sent:Thursday, September 21, 2023 2:17 PMTo:Jordan Sprague; Debbie KenyonSubject:FW: Development of 821 Broadway

Can you please put this comment in Accela.

Thanks.

Jeff Flory Community Development Director City of Seaside Office: (503) 738-7100 Mobile: (503) 583-4007

cityofseaside.us



From: ODOT Reg 2 Planning Manager < ODOTR2PLANMGR@odot.oregon.gov>

Sent: Thursday, September 21, 2023 2:15 PM **To:** Jeff Flory <jflory@cityofseaside.us> **Subject:** RE: Development of 821 Broadway

This sender is trusted.

Jeff,

I have received and reviewed the Land Use Notice plans for the development of a restaurant/hotel and parking lot (Remodel exist. Bldg. TL 11401 & exist. Parking TL12400). There is no existing direct approach from proposed parking to HWY 101. TL1 1401 (hotel) is 3rd property west from Hwy101. TL 12400 is abutting HWY101 with no existing direct approach to the highway. It will be extension of existing parking with asphalt (today is gravel), proposing 13 parking spaces for 6 unit hotel rooms, restaurant customers and company employees. The proposed hotel w/restaurant is not located next to each other, there is an aisle and different TL between the hotel and proposed parking.

The 13 new additional parking spaces will not generate additional traffic flow needed for COU and because there is not proposed direct approach to the highway. There is no ODOT concern influencing traffic flow on HWY 101. If the applicant needs to occupy state highway right-of-way for utility work, they can contact the ODOT District 1 Permits office at 503-325-7222.

Zdenek "Z" Vymazal, PE, PLS Development Review Coordinator (Area 1) ODOT – Region 2 455 Airport Rd. SE, Bldg. B Salem, OR 97301 (971)-345-1318 Cell/Office

zdenek.g.vymazal@odot.oregon.gov

Hours: 6:30 AM to 3:00 PM Monday - Friday

From: Jeff Flory < <u>iflory@cityofseaside.us</u>>
Sent: Thursday, September 21, 2023 10:21 AM

To: ODOT Reg 2 Planning Manager < ODOTR2PLANMGR@odot.oregon.gov>

Subject: Development of 821 Broadway

You don't often get email from jflory@cityofseaside.us. Learn why this is important

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Hello-

Please see the attached plans for the development of a restaurant/hotel and parking lot for 821 Broadway.

Please let me know if you need anything else.

Jeff Flory Community Development Director City of Seaside Office: (503) 738-7100 Mobile: (503) 583-4007

cityofseaside.us





City of Seaside City Council Meeting Staff Report

Meeting Date: January 2, 2024

Author: Jordan Sprague, Code Compliance Official

Department: Community Development
Subject: Garage Door Height for VRDs
Type of Item: Ordinance Administration

Introduction:

A pre-VRD inspection was conducted at 403 N Downing St., during which it was noted that the height of the garage door was insufficient. The measurement of the garage door opening revealed a height of 6'4". The new owner has requested an ordinance administration review of garage door opening heights for VRDs. The owner is reaching out to contractors for bids to increase the height of the garage door, but limitations only allow them to increase the opening by another 2 inches.

Background:

The house in question was constructed in the 1920s. Upon review, it appears that the garage was not included in a remodel permit, nor was it reconstructed. The house was previously approved for a VRD in 2006, but it was sold in 2019 and 2023. The garage door height was not addressed during the land use review.

Garages are considered uninhabitable spaces within the Oregon Building Codes. Consequently, the height of a garage is not regulated, and this includes the garage door. The garage door does not need to meet a height requirement during construction. The sole limitation on a garage door is the manufacturer's dimensions. After examining garage doors online, they may range from 6' 8" to 8', but the standard height is 7'. Garage doors outside of this range are available but are more specialized in construction.

Department Review:

Parking complaints have constituted the majority of the grievances received, particularly during peak tourist seasons. Regarding this property, we are considering either permitting the owner to use the garage as a parking space while closely monitoring parking complaints or mandating the relocation of this parking space to another part of the property. Given that the property is a corner lot, there is ample space on the west side for the parking space to be situated. Should the owner seek a short-term rental license, the Planning Department could impose additional conditions, enforcing a more stringent parking policy or mandating a reconfiguration of the parking space if a valid parking complaint is filed and substantiated.

As garage door heights are not regulated by the Oregon Building Codes, we are deferring this determination to the Planning Commission. My stance on this matter has been to support the use of the garage for most standard-size vehicles. The height of a Honda Civic is 4'5", a Toyota Tundra is 6'5", and a Subaru Forester is 5'9". These common vehicle

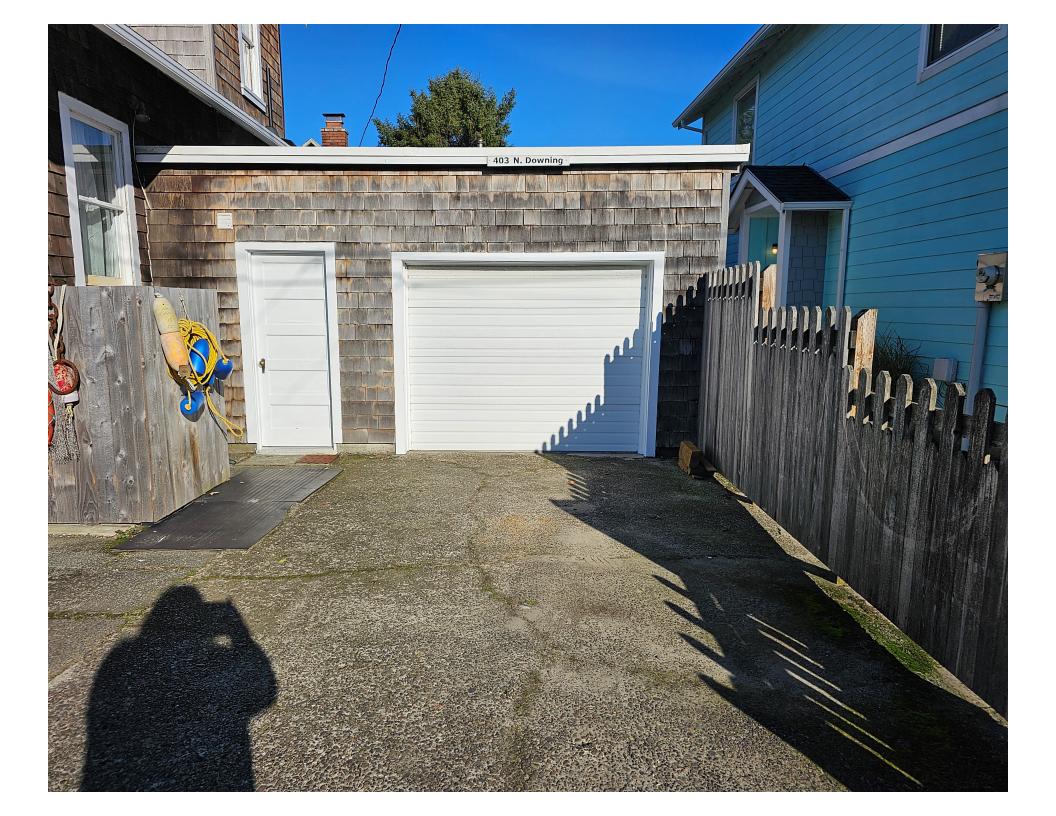
types serve as examples to illustrate the potential limitations the garage door height could impose.

Requested Action:

The Planning Commission is to make a determination if a garage door height is required to meet a standard set by the Planning Commission.

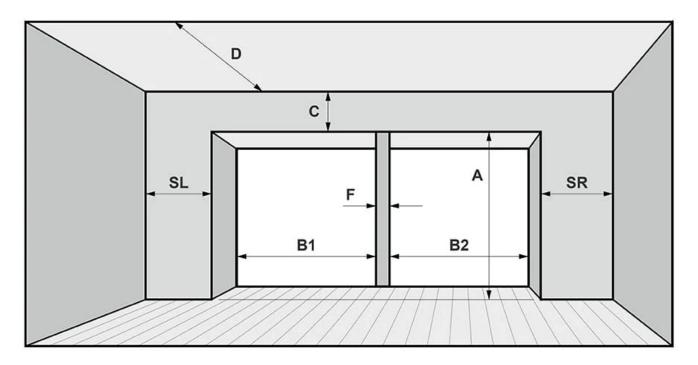
Attachments:

Attachment 1: Photo of 403 N Downing garage door Attachment 2: Garage Door Common Standards



GARAGE DOOR

SINGLE SIZES



Opening Height Standard 84 1/16" (2135 mm) or Caravan 100" (2540 mm) SUV 93 11/6" (2380 mm) - A -

Opening Width - B1 / B2 - Standard 96 1/16" (2440 mm)

Headroom Height - C -Minimum 15 3/4" (400 mm)

Depth of Door Entrance into the Premises - D -Minimum 133 7/8" (3400 mm) Side Room (Left & Right) - EL / ER - Minimum 5 7/8" (150 mm)

Post

-F-Minimum 15 3/4" (400 mm)

