



CITY OF SEASIDE CITY COUNCIL AGENDA

Monday, April 8, 2024

To provide public comment for City Council meetings, participants should register prior to the meeting. Please complete the form linked below to offer public comment at an upcoming City Council 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 [form](#), via e-mail to publiccomment@cityofseaside.us 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 [Public Comment Rules of Conduct](#) prior to the meeting.

CITY COUNCIL WORK SESSION: 5:00 PM

1. Discussion – Site Amendments to Homeless Camp {40 min}
2. Discussion Future City Council Agenda Items {10 min}

CITY COUNCIL MEETING: 6:00 PM

1. **Call To Order**
2. **Pledge Of Allegiance**
3. **Roll Call**
4. **Approval Of Agenda**
5. **Proclamation:**
 - A. Proclamation – National Public Safety Telecommunicators Week
 - B. Proclamation – National Library Week
6. **Recognition:**

No recognitions

7. **Public Comments**

Members of the public may use this time to provide comments to the City Council on items that are not scheduled on this agenda for a public hearing or public comment. Speaking time is limited to three minutes.

8. **Declaration Of Potential Conflict of Interest**

9. **Consent Agenda**

- A. Payment of the bills - \$892,812.83
- B. Approval of minutes – March 25, 2024

10. **Reports And Presentations:**

- A. Annual Report Seaside Police Department.
- B. Annual Report Seaside Finance Department

11. **City of Seaside Boards, Commissions, And Committees**

No items for boards, commissions, and committees

12. **Unfinished Business**

- A. Ordinance 2024-05 – An Ordinance of the City of Seaside, Oregon, Amending Chapter 30: City Council, Section 30.01 Council Meetings, of the Code of Ordinances Seaside.
 - Open Public Hearing
 - Close Public Hearing
 - Council Comments
 - Motion to Read Ordinance 2024-05 third reading by title only.
 - Motion to Adopt and Roll Call Vote.

13. **New Business**

- A. Liquor License Application – The Cookie Jar LLC., 8 N. Holladay Drive.
- B. Public Hearing School District Appeal of Planning Commission’s Decision.
 - Open Public Hearing
 - Close Public Hearing
 - Council Comments
- C. Resolution #4037 – A Resolution of Intent to Vacate Certain Property in the City of Seaside, Oregon, Directing the City Manager to give Public Notice and Set a Date of Hearing.
 - Open Public Comments
 - Close Public Comments
 - Council Comments
 - Motion to Read Resolution by Title Only – All in Favor and Opposed
 - Motion to Adopt

14. **Comments From City Staff**

15. **Comments From the City Council**

16. **Executive Session: Recess into Executive Session**

In accordance with ORS 192.660(2)(d) regarding conducting deliberations with persons designated to carry on labor negotiations.

In accordance with ORS 192.660(2)(f) regarding consideration of information or records that are exempt from disclosure by law, including written advice from attorney.

17. **Reconvene into Regular Session:**

In accordance with ORS 192.660(2)(d) regarding conducting deliberations with persons designated to carry on labor negotiations.

City Council action if any regarding executive session:

In accordance with ORS 192.660(2)(f) regarding consideration of information or records that are exempt from disclosure by law, including written advice from attorney.

City Council action if any regarding executive session:

18. **Adjournment**

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

All meetings other than executive sessions are open to the public. When appropriate, any public member desiring to address the Council may be recognized by the presiding officer. Remarks are limited to the question under discussion except during public comment. This meeting is handicapped accessible. Please let us know at 503.738.5511 if you will need any special accommodation to participate in this meeting.



PROCLAMATION

Whereas, emergencies can occur at any time that require police, fire, or emergency medical services; and

Whereas, when an emergency occurs the prompt response of police officers, firefighters, and paramedics is critical to the protection of life and preservation of property; and

Whereas, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Seaside Police Department Communications Center; and

Whereas, Public Safety Telecommunicators are the single vital link for our police officers, firefighters and emergency medical personnel by monitoring their activities by radio, providing them information and ensuring their safety; and

Whereas, Public Safety Telecommunicators of the Seaside Police Department Communications Center have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

Whereas, each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year.

NOW, THEREFORE, I, Steve Wright, Mayor of the City of Seaside, in the State of Oregon, do hereby proclaim the week of April 14-20, 2024, as

NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK

in Seaside, in honor of the men and women whose diligence and professionalism keep our city and citizens safe.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Seaside to be affixed this 8th day of April, 2024.

STEVE WRIGHT, MAYOR



989 Broadway
Seaside, OR 97138

(503) 738-5511
cityofseaside.us

PROCLAMATION

Whereas, libraries provide the opportunity for everyone to pursue their passions and engage in lifelong learning, allowing them to live their best life; and

Whereas, libraries have long served as trusted institutions for all members of the community regardless of race, ethnicity, creed, ability, sexual orientation, gender identity, or socio-economic status; and

Whereas, libraries strive to develop and maintain programs and collections that are as diverse as the populations they serve and ensure equity of access for all; and

Whereas, libraries adapt to the ever-changing needs of their communities, continually expanding their collections, services, and partnerships; and

Whereas, libraries play a critical role in the economic vitality of communities by providing internet and technology access, literacy skills, and support for job seekers, small businesses, and entrepreneurs; and

Whereas, libraries are accessible and inclusive places that promote a sense of local connection, advancing understanding, civic engagement, and shared community goals; and

Whereas, libraries are cornerstones of democracy, promoting the free exchange of information and ideas for all; and

Whereas, libraries, librarians, and library workers are joining library supporters and advocates across the nation to celebrate National Library Week.

NOW, THEREFORE, I Steve Wright, Mayor of the City of Seaside, in the State of Oregon, do hereby proclaim the week of April 7-13, 2024, as

NATIONAL LIBRARY WEEK

and during this week, encourage all residents to visit their library to explore the wealth of resources available.

IN WITNESS WHEREOF, I have here unto set my hand and caused to be affixed the Seal of the City of Seaside, Oregon to be affixed on this 8th day of April, 2024.

STEVE WRIGHT, MAYOR



CITY OF SEASIDE CITY COUNCIL

DRAFT MEETING MINUTES

City Hall, 989 Broadway, Seaside, OR 97138

Monday, March 25, 2024

Work Session 5:00 PM

1. City of Seaside Audit Report

Mayor Wright opened the work session to discuss the City of Seaside Audit Report.

Rick Proulx, Kern and Thompson LLC., presented the City of Seaside June 30, 2023, Financial Reports to the City Council.

1. City Council Meeting 6:00 PM

2. Call to Order and Pledge of Allegiance

3. Roll Call

Council Members	P/A
Seth Morrisey	A
Steve Dillard	P
Steve Wright, Mayor	P
Tita Montero	P
David Posalski, Council President	P
Tom Horning	P
Randy Frank (Zoom)	P

Staff Members	
Spencer Kyle, City Manager	Jordan Sprague, Code Compliance Official in Community Development
Kim Jordan, City Recorder	Guy Knight, Police Lieutenant
Zach Fleck, Finance Director	

Visitors in Chambers (attendance sheet)	Visitors on Zoom
Jackie Sturman	
Judy Hixson	
Terry Sturman	
Brian Taylor	
Amorie Taylor	
Eric Jones	

4. Approval of Agenda

Mayor Wright asked for approval for the amended agenda, removing item 16 and 17, Executive Session from the agenda.

Motion:	Move to approve the amended agenda.
Moved:	Posalski

Seconded:	Montero			
Ayes:	Wright, Frank, Dillard, Posalski, Montero, Horning	Nays: 0	Absent: 1 Morrisey	Recused: 0
Passed:	6/0			

5. Proclamation

A. Sexual Assault Awareness/Action Month

Eric Jones, The Harbor NW, commented on the Proclamation for Sexual Assault Awareness Month in April, adding that Sexual Assault Awareness Month is a time dedicated to shedding light on the issue of sexual assault and to stand in solidarity with survivors to advocate for justice and renew the commitment to prevent sexual violence.

Council President Posalski read the proclamation for Sexual Assault Awareness/Action Month

B. Volunteer Recognition Month

Mayor Wright commented on volunteerism in Seaside and read the proclamation for Volunteer Recognition Month

6. Recognition

There was no recognition.

7. Public Comments (time is limited to 3 minute's)

Jackie Sturman, Seaside, commented on the North Forty property and said that she would like to see a small area be fenced off for a dog park.

City Manager Kyle commented on a survey being conducted by the Parks Committee to gather community feedback on what type of park should be located at the North Forty Property. The survey is on the City of Seaside website and the public is encouraged to identify their preferences for that park.

8. Declaration of Potential Conflict of Interest

Council Members	Y/N
Steve Wright, Mayor	N
Tom Horning	N
Randy Frank	N
Seth Morrisey	N
Steve Dillard	N
David Posalski, President	Y
Tita Montero	N

Council President Posalski announced a conflict of interest with agenda items 13b and 13c, as he is associated with the Seaside Food Forest.

9. Consent Agenda

Motion:	Move to accept the consent agenda.
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Moved:	Frank			
Seconded:	Dillard			
Ayes:	Wright, Dillard, Frank, Posalski, Montero, Horning	Nays: 0	Absent: 1 Morrisey	Recused: 0
Passed:	6/0			

10. Reports and Presentations

There were no reports and presentations.

11. City of Seaside boards, commissions, and committees

There were no board, commission, or committee items.

12. Unfinished Business

There was no unfinished business.

13. New Business

A. Acceptance of City of Seaside Audit Report.

Mayor Wright introduced Rick Proulx for the City of Seaside Audit Report.

Rick Proulx, Kern and Thompson LLC., updated the City Council on the completed audit of the City’s financial statements for fiscal year 2023. He is happy to report an unmodified opinion, a clean audit report that the City’s finances are in good condition.

Motion:	Move to approve the City of Seaside accept the audit reports for the City of Seaside and its Urban Renewal components and that they be filed with the City Recorder.			
Moved:	Posalski			
Seconded:	Montero			
Ayes:	Wright, Dillard, Frank, Posalski, Montero, Horning	Nays: 0	Absent: 1 Morrisey	Recused: 0
Passed:	6/0			

B. Intergovernmental Agreement for the Relocation of the Community Gardens.

City Manager Kyle introduced the City Council to the Intergovernmental Agreement between the Seaside School District and Sunset Empire Park & Recreation for the relocation of the community gardens.

Motion:	Move to authorize the City Manager to sign the Intergovernmental Agreement for the relocation of the Community Gardens as attached or as amended, if the City Manager approves of any amendments.			
Moved:	Horning			
Seconded:	Dillard			
Ayes:	Wright, Dillard, Frank, Montero, Horning	Nays: 0	Absent: 1 Morrisey	Recused: 1 Posalski
Passed:	5/0			

C. [Seaside Community Food Forest Donation Request for Community Garden Allocated Budget Funds.](#)

City Manager Kyle updated the City Council on the approved funding for the Seaside Food Forest. David Posalski commented that the Seaside Food Forest is a non-profit that came to the Budget Committee in 2023 and was awarded \$3,000. The original amount asked for was \$15,000 for the Community Gardens and Mr. Posalski is asking to receive the original amount to fund the new location at the Community Gardens.

The City Council expressed concern that approving an amount greater than the amount awarded would set a precedent for future non-profit requests for an increase in funding.

Motion:	Move to approve the funding request to Seaside Food Forest in the amount of \$3,000 for fiscal year 2023-2024 contingent upon the City entering into an Intergovernmental Agreement with the Seaside School District and Sunset Empire Park and Recreation District.			
Moved:	Frank			
Seconded:	Dillard			
Ayes:	Wright, Dillard, Frank, Posalski, Montero, Horning	Nays: 0	Absent: 1 Morrisey	Recused: 1 Posalski
Passed:	5/0			

D. [Ordinance 2024-05 – An Ordinance of the City of Seaside, Oregon, Amending Chapter 30: City Council, Section 30.01 Council Meetings, of the Code of Ordinances Seaside.](#)

City Manager Kyle introduced Ordinance 2024-05 which specifies that the regular meetings of the City Council will be conducted the 2nd and 4th Monday’s at 6:00 PM, and there was language added that would recognize the regular holding of work sessions.

Mayor Wright opened the public hearing.

Motion:	Motion for a first reading of Ordinance 2024-05, by title only.			
Moved:	Montero			
Seconded:	Dillard			
Ayes:	Wright, Dillard, Morrisey, Frank, Posalski, Montero, Horning	Nays: 0	Absent: 1 Morrisey	Recused: 0
Passed:	6/0			

Motion:	Motion to have a second reading by title only, Ordinance 2024-05.			
Moved:	Posalski			
Seconded:	Montero			
Ayes:	Wright, Dillard, Morrisey, Frank, Posalski, Montero, Horning	Nays: 0	Absent: 1 Morrisey	Recused: 0
Passed:	6/0			

14. [Comments from City Staff and Partner Organizations](#)

Police Lieutenant Knight updated the City Council on the construction at the Seaside Police Department and thanked the Seaside Police reserves who volunteer their time for the department. Police Lieutenant Knight announced the Citizens Academy starting in April.

Finance Director Fleck thanked City Hall staff for their help with the audit work.

City Manager Kyle announced he would be attending the Northwest City/County Managers Conference at the Seaside Convention Center.

15. Comments from City Council

Councilor Frank announced the Airport Committee meeting.

Councilor Horning announced the Parks Advisory Committee meeting and survey for the North 40 Park Plan.

Councilor Montero commented on a meeting she attended with FEMA regarding vertical evacuation structures and announced Coffee with a Councilor.

Mayor Wright announced the Clatsop County Housing meeting and the contacts he has made with the sister city in Japan. Mayor Wright announced the Seaside 125th anniversary and the History and Hops meeting coming up.

16. Adjourn City Council Meeting 7:26 PM

Approved by Council on: _____

Minutes prepared by: _____
Kim Jordan, City Recorder

STEVE WRIGHT, Mayor



City of Seaside

City Council Meeting Staff Report

Meeting Date: April 8, 2024
Author: Kim Jordan, City Recorder
Department: City Manager's Office
Subject: City Council Meeting Dates & Times
Type of Item: Ordinance

Request:

Staff are requesting the City Council have a third reading and motion to adopt the attached ordinance amending the Code of Ordinances Seaside, Chapter 30 Administration: City Council, Section 30.01 Council Meetings. The amended ordinance would add the time of the City Council meeting to Section 30.01 (A). It also adds language recognizing the regular holding of work sessions.

Background:

The City Council directed staff to update this ordinance to be consistent with the Seaside Charter. The current ordinance lacks a time as required by the charter. The Seaside Charter for Chapter IV. Council, Section 14. meetings states: The Council shall hold regular meetings at least once a month in the City at a time and place which is set by ordinance. Meetings of the Council other than regular meetings may be held in accordance with procedures prescribed by State law and general ordinance. The City Council approved the first and second reading of the ordinance at the March 25, 2024, City Council meeting.

Staff Analysis:

The City Council directed staff to update the ordinance for Council meetings. The amendment to section 30.01 Council Meetings adds a starting time of 6:00 PM to the regular meeting and recognizes that we regularly hold work sessions. The language regarding the work session is permissive, means that it does not require the City Council to hold a work session, but recognizes that the Council will hold them as needed.

Budget Impact:

None

Requested Action:

If the City Council is inclined to approve the ordinance, a Councilor would state:

“I move for a third reading of Ordinance 2024-05 by title only.”

Followed by:

“I move to adopt Ordinance 2024-05 by title only.”

Alternatives:

If the City Council is not ready to move forward, you may discuss and postpone the third and final reading to a future date.

Attachments:

- Ordinance 2024-05

ORDINANCE NO. 2024-05

**AN ORDINANCE OF THE CITY OF SEASIDE, OREGON,
AMENDING CHAPTER 30: CITY COUNCIL,
SECTION 30.01 COUNCIL MEETINGS,
OF THE CODE OF ORDINANCES SEASIDE**

THE CITY OF SEASIDE ORDAINS AS FOLLOWS:

SECTION 1. Amend Chapter 30 Section 30.01(A) to read:

(A) The City Council shall meet the second and fourth Mondays of each month at **6:00 PM** at the City Hall building located at 989 Broadway. **The City Council may also hold a work session prior to the regular meeting, when needed.**

(B) The Council may at any regular or special meeting cancel one of the monthly meetings, and/or may change the location site. The Mayor, or Council President in the Mayor's absence, may cancel one of the monthly meetings in the event of lack of City business, or in case of an emergency.

PASSED by the City Council of the City of Seaside on this ___ day of _____, 2024.

YEAS:

NAYS:

ABSTAIN:

ABSENT:

SUBMITTED to and APPROVED by the Mayor on this ___ day of _____, 2024.

STEVE WRIGHT, MAYOR

ATTEST:

Spencer Kyle, City Manager



City of Seaside City Council Meeting Staff Report

Meeting Date: April 8, 2024
Author: Kim Jordan, City Recorder
Department: City Manager's Office
Subject: Liquor License Application
Type of Item: Recommendation

Request:

The Cookie Jar LLC. is requesting approval of a Limited On-Premises Liquor License.

Background:

The Cookie Jar LLC., is a restaurant offering cookies and treats with a selection of beer and wine while dining.

Staff Analysis:

The Cookie Jar LLC., is a business located at 8 N. Holladay Drive. The business is a new outlet and is applying for a limited on-premises liquor license. The owner is Marcus Koczenasz-Runkle.

A limited on-premises license allows the company to sell and serve on premises malt beverages (beer), wine, and cider. The Seaside Police Department reviewed the liquor application for The Cookie Jar LLC., located at 8 N. Holladay Drive, Seaside, OR.

The Seaside Police Department Review: This license would allow the sales of malt beverages (beer), wine, and cider. The Police Department spoke with Marcus who is responsible for the location. Neither the Cookie Jar nor Marcus have previously had a liquor license. Marcus plans on serving beer and wine and stated the cooler for alcoholic drinks would be kept behind the bakery counter, against the north wall, far from reach of customers. The Seaside Police Department review of the application did not discover any disqualifying information or reason to deny the application.

Budget Impact:

There is no budget impact.

Requested Action:

If the City Council is inclined to recommend the liquor license application, a Councilor would state:

“I move to recommend approval of the liquor license application for The Cookie Jar LLC.”

Alternatives:

The City Council, after consideration, may determine whether to make a favorable, unfavorable, conditionally favorable or no recommendations to the OLCC.

If the City Council makes an unfavorable or conditionally favorable recommendation to the OLCC regarding any application for liquor license, the recommendation will be based on a finding that one or more of the following conditions exist:

1. There is a history or pattern of illegal or disorderly activity on the premises.
2. There have been disturbances and/or other problems (such as fights, altercations, drug dealing by patrons, furnishing alcohol to minors by patrons, public drunkenness, alcohol related litter, etc.) related to the exercise of the applicant's alcohol license privilege and the applicant has failed to take reasonable and timely corrective action when notified of these problems by the police or the OLCC.
3. There is a continuing problem of noise from this business disturbing neighbors.
4. The applicant would be a poor risk for compliance with liquor laws, as indicated by a felony conviction, which reflects on the applicant's ability to be a responsible liquor licensee.
5. The applicant would be a poor risk for compliance with liquor laws, as indicated by a failure to comply with liquor laws.
6. The applicant has a history of abusing alcohol or other controlled substances and would be a poor risk for compliance with liquor laws.
7. The applicant has made an intentional and materially false statement about a matter that reflects on the applicant's ability to comply with the State's liquor laws.
8. An unlicensable person or a party not named as applicant has an ownership interest in the business to be licensed.
9. The applicant has failed to operate as originally proposed to the City Council, the original proposal having been a deciding factor in the Council's favorable recommendation to the OLCC.
10. The applicant has expanded the boundaries of the licensed premises to areas not originally considered by the Council and without City and OLCC approval.
11. The business is located within 500 feet of a school, childcare facility, church, hospital, nursing or convalescent care facility, a park or child-oriented recreation facility, or an alcohol and other drug treatment facility and there is evidence that the business will adversely impact the facility.

Attachments:

- Seaside Police Department Recommendation

Seaside Police Department

March 26, 2024

MEMORANDUM

TO: Mayor and City Council
FROM: Shauna Stelson, Detective Sergeant
SUBJECT: **The Cookie Jar LLC**

The Seaside Police Department has reviewed the liquor application for The Cookie Jar LLC, located at 8 N. Holladay Dr., Seaside, OR. This is a request for a limited on-premises liquor license. This license would allow the sales of malt beverages (beer), wine, and cider.

Listed on the application is Marcus Koczenasz-Runkle, owner. I spoke with Marcus who is the responsible for the location.

Neither The Cookie Jar or Marcus have previously had a liquor license. Marcus told me the cooler for alcoholic drinks would be kept behind the bakery counter, against the north wall, far from reach of customers. He plans to serve beer and wine.

The review of the application did not discover and disqualifying information or reason to deny this application.

If you have any additional questions, please let me know.



APPLICATION(S): 769-24-000021-PLNG – Modification of a Conditional Use – Appeal of 769-24-000007

MEETING DATE: April 8, 2024

PUBLIC HEARING: Yes

Report Date: April 3, 2024

Applicant: Josh Modin, ZCS Engineering & Architecture
Susan Penrod, Seaside School District

Owner: Sunset Empire Park and Recreation District

Location: 1140/1120 Broadway St., Seaside OR 97138

Major Street Access: Broadway St.

Parcel Number(s) & Size: T6-R10-22BB04700 & 4800 Approximately 5 Acres

Parcel Zoning: Medium Density Residential (R-2), General Commercial (C-3)

Adjacent Zoning: Medium Density Residential (R-2), General Commercial (C-3)

Current Use of Parcel: Former Middle School

Adjacent Uses: Single-Family Residential, Public Park

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:

The applicant is appealing the Planning Commission’s decision to their previous request to modify their conditions of use. The applicant is requesting the Council overturn the Planning Commission's requirements to place 40-foot tall netting along the first base line and the requirement to keep the netting on the north fence line up year-round.

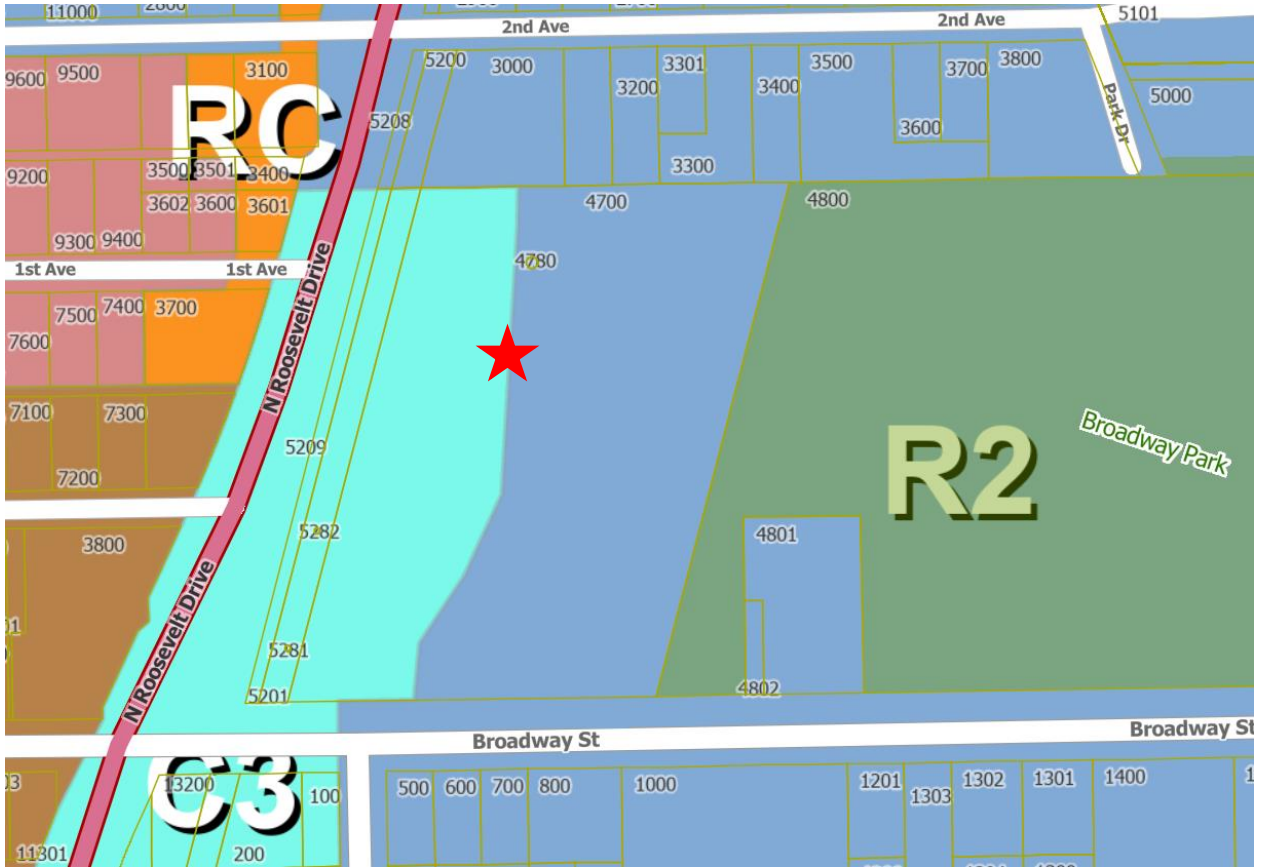
Staff Recommendation:

Staff recommends the City Council conduct a public hearing on the application, take public comments, and review and discuss the request. The City Council should consider the applicable review criteria, applicant submittals, public comments, the prior Planning Commission decision, and the staff recommendation and determine if there is sufficient evidence to overturn the Planning Commission’s decision.

B. Exhibits:

- 1. Planning Commission Decision**
- 2. Applicant Submittals**

Location: 1120/1140 Broadway St., Seaside OR 97138, (T6-R10-22BB04700 &4800)



Jeff Flory, Community Development Director
jflory@cityofseaside.us
989 Broadway, Seaside, OR 97138
(503) 738-7100

C. Background:

This applicant was granted Planning Commission approval for a conditional use to install a softball field at the Broadway complex on April 5, 2023. The Planning Commission imposed five (5) conditions on the approval that would need to be met in order to construct the field. The applicant is requesting an amendment to Condition 5 which states:

“Additional safety netting will need to be provided on the west side of the softball field to protect pedestrians and the SEPRD building from foul balls or other objects leaving the field. The safety netting along the north property line as well as the safety netting on the west side of the softball field will need to remain in place 365 days a year to protect neighboring properties and buildings from balls or objects leaving the fields of play.”

On March 6, 2024, The Planning Commission held a public hearing and reviewed the applicant’s request for a modification to Condition 5 of their conditional use approval. The Planning Commission modified the condition to read:

“The netting following the north fence line is to remain in place 365 days a year to protect the neighboring properties. The netting on the west side of the softball field is to be 40 feet tall and extend down the first base line to the south end of the pitcher’s bullpen. The first base line netting is permitted to be removed from October 31 to February 1 annually. All netting is permitted to be removed for the duration of a significant weather event.”

D. Required Dates:

This application was accepted as complete on February 12, 2024. The 120-day decision timeframe is June 11, 2024.

E. Specific Request:

The applicant is appealing the Planning Commission’s decision to their previous request to modify their conditions of use. The applicant is requesting the Council overturn the Planning Commission's requirements to place 40-foot tall netting along the first base line and the requirement to keep the netting on the north fence line up year-round. The applicant has proposed removing the netting during the winter months and only having it in place during the spring and summer.

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 March 14, 2024. Additionally, a mailed notice was sent on March 19, 2024, to all property owners within 100 feet of the subject property.

H. Written Comments:

No comments have been received at the time of this report.

I. 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.**
- 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.**

J. Recommendation and Alternatives:

Staff Recommendation:

Staff has reviewed the above-listed criteria to determine if the netting requirements placed on the applicant by the Planning Commission are in compliance with the provisions of the Zoning Ordinance.

Criteria number seven allows the Planning Commission to impose a condition “requiring diking, fencing, screening, landscaping or other facilities to protect adjacent or nearby property.” The netting requirement for the first base line is intended to protect the Sunset Recreation Center building that is, in part, on the same property as the softball field not “adjacent or nearby”. The building does not have glass windows facing the field that need protection and is primarily made of concrete. Balls leaving the field of play are unlikely to damage this structure.

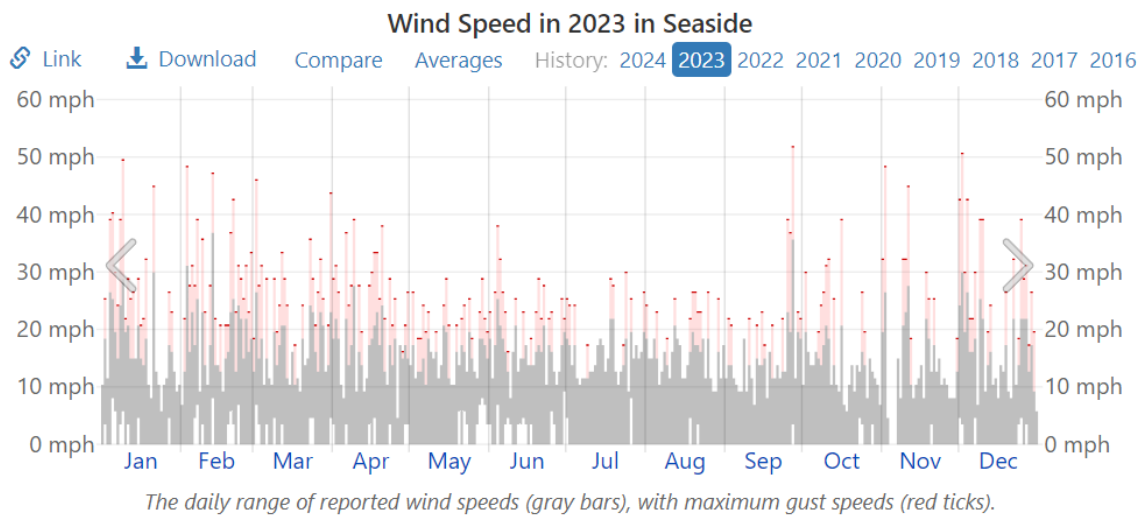
The Planning Commission’s argument for the first base line fencing is to protect the building and pedestrians using the facility from balls leaving the field of play. Pedestrians entering the vicinity of an active sports complex or sports field should be aware of the hazards of recreating in that area. Actively used sports fields often have balls leaving the field of play as that is the nature of any game, whether it be football, baseball, softball, or soccer. All of the aforementioned sports are active within this complex throughout the spring, summer, and fall.

Staff agrees that reasonable measures should be taken by the operator of this facility to protect the neighboring properties. The netting placement along the north property line is appropriate as the residential properties in that immediate area should be protected from balls leaving the field of play. Netting placement along the first base line would only protect a concrete building that is operated as part of the sports complex and the operator (SEPRD) has not provided comment as to the necessity to protect that side of their building. The protection of persons in the vicinity of the field

is unnecessary as spectators of a game or persons recreating in the vicinity should accept a reasonable amount of risk and should have an implied awareness of the types of activities that surround a softball field including softballs leaving the field of play.

The Planning Commission’s condition requiring the nets on the north property line to be in place 365 days a year is unreasonable as the use of these fields significantly lessens throughout the winter. Outdoor organized sports such as softball do not take place during the winter months. While it is true other members of the public may use the facility while not in use by the school district or other sports organizations, the majority of the issue of balls leaving the field of play occurs during organized practices or games.

The climate in Seaside has historically seen higher wind speeds during the winter months. The applicant’s argument that the force from the higher wind speeds can deteriorate the netting system thus making it costly for the owners to maintain is valid. The below graph shows that Seaside experiences higher average daily wind and higher wind gusts from October to February than during the late spring and summer months.



Requirements to maintain netting along the north property line should be reasonable to protect the neighboring property owners and be in place during the months of the highest use of the field. The nets should not be in place during months of lower field use when the wind force is at its yearly peak.

Staff recommends the City Council amend the Planning Commission’s condition to state:

Condition 5: “Netting is required along the north property line and is to remain in place from March 1 to October 31 of each year unless organized sports utilizing the softball field start prior to or extend beyond that time frame.”

Staff recommends the City Council remove the requirement for the first base line netting.

The information in this report and the recommendations of staff are not binding on the City Council and may be altered or amended during the public hearing.



**CITY OF
SEASIDE**

Planning Commission Notice of Final Decision

APPLICATION(S): 769-24-000007-PLNG – Conditional Use
MEETING DATE: March 6, 2024
MAILED DATE: March 7, 2024

Applicant: Josh Modin, ZCS Engineering & Architecture
Susan Penrod, Seaside School District
Owner: Sunset Empire Park and Recreation District
Location: 1140/1120 Broadway St., Seaside OR 97138 (6-10-22BB-04700 & 4800)
Staff Contact: Jeff Flory, Community Development Director

Request Summary:

A conditional use request by Seaside School District (SSD) to modify Condition 5 of their prior approval which, if approved, will allow them to remove the netting on the west side (first base line) of the softball field and not keep the nets up year-round.

Planning Commission Decision:

On March 5, 2024, the Seaside Planning Commission did not approve the applicant's request for a full modification of Condition 5. The Planning Commission's modification is explained below.

Appeal Provisions:

The Planning Commission's decision may be appealed in accordance with Section 10.068 of the Seaside Zoning Ordinance which states:

Any action or ruling of the Planning Commission pursuant to this Ordinance may be appealed to the City Council within fifteen (15) days after the Notice of Decision is provided pursuant to Section 10.066. Written notice of the appeal shall be filed with the City Auditor. If the appeal is not filed (or postmarked) within the fifteen (15) day period, the decision of the Planning Commission shall be final. If the appeal is filed, the City Council shall receive a report and recommendation on it from the Planning Commission and shall hold a public hearing on the appeal.

The appeal must be filed at the Planning Department (located at 1387 Ave. U) or mailed to 989 Broadway, Seaside, OR 97138. The appeal must include the applicable fee of \$625.00.

If you have any questions regarding this decision or the appeal process, please contact the Community Development Department at (503)738-7100. The Notice of Decision date and appeal deadline are listed below. Appeals must be submitted or postmarked by this deadline.

Date of Notice of Final Decision:
Last Day to Appeal:

Wednesday, March 5, 2024
Thursday, March 21, 2024

PLANNING COMMISSION DECISION:

On March 5, 2024, the Seaside Planning Commission denied the above-referenced request and modified Condition 5 to allow for the removal of the first base line netting system from October 31 to February 1 each year as well as during forecasted significant weather events. The netting is required to be 40 feet tall and extend down the first baseline to the south end of the pitcher's bullpen.

The Planning Commission's final decision was supported by the Planning Commission's finding that the netting system is necessary to protect pedestrians from balls leaving the field of play utilizing the path between the west side of the softball field and the SEPRD building.

Condition 5 was modified to state:

Condition 5:

The netting following the north fence line is to remain in place 365 days a year to protect the neighboring properties. The netting on the west side of the softball field is to be 40 feet tall and extend down the first base line to the south end of the pitcher's bullpen. The first base line netting is permitted to be removed from October 31 to February 1 annually. All netting is permitted to be removed for the duration of a significant weather event.

Although they are not conditions of approval, the following is a reminder to the applicant.

- All necessary permits (such as structural, plumbing, mechanical, electrical, change of occupancy, etc.) must be obtained prior to development.
- As with any permit, the applicant must meet all applicable standards in the Seaside Zoning Ordinance (e.g. erosion control, drainage, flood plain) that were not waived by this conditional use and meet any other applicable City of Seaside Ordinances.
- The conditional use will become void one (1) year from the date of the decision unless the permit is utilized or an extension of time is approved in the manner prescribed under the Seaside Zoning Ordinance.

FINAL DECISION JUSTIFICATION SUMMARY:

The Planning Commission's final decision was supported by the Applicant's submitted justification, the adopted information in the staff report, & any substantive testimony or evidence that was provided during the public hearing process. The staff report provided findings, justifications, conclusions & conditions to support the Commission's final decision, subject to any modifications. If any information in the report was modified by the Commission prior to adoption by deleting, adding, or amending the findings, conditions, or conclusions; they are noted below.

FINAL PLANNING COMMISSION DECISION MODIFICATION

In addition to the original staff report's findings, justification statements, and conclusions adopted by the Commission; the request was approved subject to the following amendments to the information included in the staff report:

The Planning Commission expressed a need to remove the netting during a significant weather event in order to protect the netting's integrity. The north fence line netting protects the neighboring residences from balls leaving the field of play and will need to remain in place year-round. The use of the fields and paths within the park is decreased during the winter months and the Planning Commission agreed to permit the removal of the first base line netting from October 31 to February 1 each year.



Community Development Land Use Application

Mailing: 989 Broadway Seaside, OR 97138
 Location: 1387 Avenue U. Seaside, OR 97138

E-mail: cdadmin@cityofseaside.us
 Office: (503) 738-7100

Property Information:					
STREET ADDRESS OR LOCATION OF PROPERTY 1120 Broadway Street, Seaside, OR 97138					
ZONE	OVERLAY ZONE	TOWNSHIP	RANGE	SECTION	TAX LOT(S)
C3 & R-2	None	6N	10W	22	4700

Owner:	Applicant/Representative Other than Owner:
NAME Sunset Empire Parks & Recreation District	NAME OF APPLICANT / REPRESENTATIVE Seaside School District
ADDRESS 1140 Broadway Street, Seaside, OR 97138	ADDRESS 2600 Spruce Drive, Suite 100, Seaside, OR 97138
PHONE 503-738-3311	PHONE 503-738-5591
EMAIL chodner@sunsetempire.com sarchibald@sunsetempire.com	EMAIL spenrod@seasidek12.org
SIGNATURE 	SIGNATURE

Proposed Use: Expansion of the public sports complex known as Broadway Field

Existing Use: Broadway Field Sports Complex

Site Plan: See attached memo to review and discuss Condition #5 within 23-013 CU. Site plan included.

Please attach a site plan of the property showing lot dimensions, sizes, and locations of all existing and proposed structures. The site plan must show the structure's setbacks to all property lines as well as access to the site and the parking area layout. Site plans must be drawn to scale and show the needed information pertinent to the request. Parking Maps for VRDs must have scaled dimensions showing the location of required 9'x18' car spaces.

Specific of Request:			
<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Non-conforming	<input type="checkbox"/> Subdivision	<input type="checkbox"/> Zoning Code Amendment
<input type="checkbox"/> Landscape/Access Review	<input type="checkbox"/> Planned Development	<input type="checkbox"/> Temporary Use	<input type="checkbox"/> Zoning Map Amendment
<input type="checkbox"/> Major Partition	<input type="checkbox"/> Property Line Adjustment	<input type="checkbox"/> Vacation Rental	<input checked="" type="checkbox"/> Appeal (23-013 CU)
<input type="checkbox"/> Minor Partition	<input type="checkbox"/> Setback Reduction	<input type="checkbox"/> Variance	(3/5/24 Planning Commission Appeal 769-24-000007-PLNG)

For Office Use Only	
Application Received: 03/08/24	File Number: 769-24-000021-PLNG
Application Deemed Complete: 03/12/24	120-Day Decision: 06/11/24
Staff Decision (Type 1) <input type="checkbox"/>	PC Decision (Type 2) <input type="checkbox"/>

LAND USE DECISION APPEAL FORM

You do not have to use this form to file an appeal. However, if you do not use it, please make sure that your appeal includes all the information requested on this form. The appeal, along with any required filing fee, must reach Seaside City Hall (989 Broadway) or Seaside Community Development (1387 Ave. U) no later than 5:00 p.m. of the last day of the appeal period.

APPELLANT INFORMATION (Person or group making appeal)

1. Appellant:

If several individuals are appealing together, list their names and addresses on a separate sheet. If appeal is on behalf of an organization, indicate the group's name and mailing address.

Name Seaside School District - Susan Penrod

Address 2600 Spruce Drive, Suite 100, Seaside, OR 97138

Phone: Home N/A Work 503-738-5591

E-mail Address: spenrod@seasidek12.org

2. Authorized Representative:

Name of representative if different from the appellant indicated above. Groups must specify one person to be representative/contact person.

Name ZCS Engineering & Architecture - Josh Modin and/or Blake Davis and/or Zach Stokes

Address 524 Main St Suite 1, Oregon City, OR 97045

Phone: Home N/A Work 503-659-2205

E-mail Address: joshm@zcsea.com

DECISION BEING APPEALED

1. Decision appealed (File Reference Number): _____

2. Property address of decision being appealed: 1400 Broadway St, Seaside, OR 97138

3. Elements of decision being appealed. Check one or more as appropriate:

Adequacy of conditions

Decision maker error

Impartiality, bias, or notice challenge

Other. Please specify: Overly conservative. Financially burdensome. Safety concern

APPEAL INFORMATION

Answer each question as completely and specifically as you can. Attach separate sheets if needed and refer to questions by number.

1. What is your interest in this decision? How are you affected by it?

As the operator and primary user of the facility, we do not agree that the northern barrier net should be up 365 days per year. Additionally, we do not see a need for 40-foot tall netting along the first base line. These conditions are extraneous and we would like to seek modification. See attached memo for additional information.

2. What are your objections to the decision? List and describe what you believe to be the errors, omissions, or other problems with this decision. The objections need to be specific and relevant to the criteria applicable to the decision.

~~The net barrier could pose a safety concern being in-place 365 days per year. It will see additional wear and tear and require replacement more frequently.~~

~~A 40-foot tall net down the first base line is financially burdensome as well as unnecessary. We have a 6-foot tall fence that provides more than adequate safety for this space.~~

See attached memo for additional information.

3. What relief are you seeking? (Specify what you want the appellate body to do? e.g. reverse the decision, require additional conditions, modify the approval conditions, etc.)

Modification of condition #5 within 23-013 CU, also referenced as 769-24-000007-PLNG. We would like to omit the requirement for any netting along the first base line as well as modify the duration of time the northern barrier net is up.

~~See attached memo for additional information.~~

Signature Susan Penrod

Date 3-7-24

Appellant or Authorized Representative Susan Penrod - Superintendent Seaside School District

Appeal Fee Based on level of appeal: \$625.00.

For Office Use Only:

Appeal Hearing Body: City Council

Payment Receipt Number: N/A

Proposed Appeal Hearing Date: April 8, 2024

Memo

To: Jeff Flory – City of Seaside Community Development Director
City of Seaside Planning Commission Members

From: Josh Modin – ZCS
Susan Penrod – SSD
Jeff Roberts – SHS
Skyler Archibald – SEPRD

CC:

Date: February 8, 2024

Re: 23-013 CU: Conditional Use
Modification / Clarification Request to Condition #5

Members of the City of Seaside Planning Commission –

Our team is writing to you with a special request to modify / clarify condition #5 within the 23-013 CU: Conditional Use Planning Commission Notice of Final Decision. This revolves around the Broadway Field Renovation project and screening on the west side (first base line) of the new softball facility. We would love an open dialogue with you to review this in detail and determine a solution that meets your original intent, while meeting the needs of this facility, use, and project budget. Within the 23-013 CU: Conditional Use Planning Commission Notice of Final Decision, condition #5 specifically states:

“Condition 5: Additional safety netting will need to be provided on the west side of the softball field to protect pedestrians and the SEPRD building from foul balls or other objects leaving the field. The safety netting along the north property line as well as the safety netting on the west side of the softball field will need to remain in place 365-days a year to protect neighboring properties and buildings from balls or objects leaving the fields of play.”

Our first special request related to this matter revolves around the first sentence, which states that additional safety netting will need to be provided on the west side of the softball field to protect pedestrians and the SEPRD building from foul balls or other objects leaving the field. We feel that this, as written in the Notice of Final Decision, is open for interpretation and we would like to present our case for what is currently planned for within our Construction Documents for the Broadway Field Renovation project. This will alleviate any confusion and ensure that all parties' expectations are aligned.

At the time of CUP submittal, we feel that our site plan documents were mute on this stretch of fencing as it specifically related to our planned fence height and protection measures. We have attached the conditions and two site plans for your review/use:

1. 23-013 CU: Conditional Use Planning Commission Notice of Final Decision
2. Original CUP Site Plan submitted April 2023
3. Updated Construction Document Site Plan of what we would like to install

This is a facility type that ZCS has designed countless times across the State of Oregon. Additionally, these are the types of sports complexes that our partners, Seaside School District, Seaside High School, and Sunset Empire Parks + Recreation District are consistently visiting and using. Your verbiage is to provide a "net". You further go-on to reference the netting along the northern property line, which is a barrier net that is 40-feet in height and a rather significant piece of infrastructure. Yet, there is no specific mention of height for protection within condition #5 for the west line and thus, we have not been successful in request for clarification with Mr. Jeff Flory for net versus fence and height.

The entire western line as currently designed within the *Updated Construction Document Site Plan* is very well protected, consistent with all similar types of facilities – including both baselines of the baseball field at this location. We have a 30-foot backstop behind home plate. Then, our dugouts immediately abut the backstops, at which the tallest portion of the dugout facade is 10'-5". After the dugout and down the entire line to the outfield corner, we are proposing to provide a 6'-0" tall fence. The fence provides perfect protection for spectators and keeps visibility and campus feel where we'd prefer. Taller fences/nets tend to make the space feel confined and combined with narrow walkways, you feel like you are in a cattle-shoot. Additionally, we are trying to keep the 1st baseline viewing for softball equal to the view and feel of the softball 3rd baseline, as well as the 1st and 3rd baselines of the baseball field. Thus, ensuring the facility has an equal experience for all sports genders.

There is less concern about the SEPRD building, which is constructed from concrete and this particular area has no windows. Its construction type and quality will handle miscellaneous balls hitting the façade without structural damage. Additionally, in softball, we do not see high speed errant foul balls that leave the field of play as often as we do in baseball. We are not currently experiencing damage to the Herche Family Training Facility, which is roughly the same proximity to the existing softball field location, because of the 6'-0' fence distance from the batter's box.

We are also trying to be mindful of taxpayer's dollars and our project budget. Based on the information obtained in our construction bid, there is a substantial cost difference between a netting system and a standard 6'-0" fence. Our bid numbers indicate that a netting system costs approximately \$1,200 per lineal foot, while the 6'-0" fencing is roughly \$175 per lineal foot. By allowing us to proceed with the current design, we would avoid spending over an additional \$200,000 on this length of 210-feet. We want to be good stewards of the public's funds.

We are also open to providing some signage at the park entrances that would serve as a notice to non-athlete of the potential hazard around sports complexes. We think it's always important to be vigilant of what you're doing and aware of your surroundings. Stating such could help mitigate possible concerns.

With the information above, we are specifically requesting that the City omit the requirement for netting and accept the design as-is based on the currently approved/permitted construction documents for the first base line / west side of the softball field. These new improvements considerably increase the overall safety of visitors to Broadway Field as compared to the current conditions.

Lastly, we would also like to request the Planning Commission Members reconsider the time duration of the netting being in-place on the structural frame. As noted above, the northern property line netting is to remain in place 365-days a year to protect neighboring properties and buildings from balls or objects leaving the fields of play. With wind and UV wear and tear on the netting itself, it would be ideal to only be required to have the netting up from March 1st through August 31st, yearly.

As evidenced by our recent winter storm and ice event, netting at a height of 40-feet tall can become a hazard and we would like the flexibility for Seaside School District and Sunset Empire Parks + Recreation District to be able to lower the netting as warnings are received.

This would save on replacement costs of the net and allow the District to stretch use over more years than if it were up the entire time.

Our final note for having periods of time when the netting is taken down is bird movement and migration. Being left up yearly, the net could become a bird catcher and we would like to be considerate of the wildlife in the area.

Thank you so much for your consideration. We appreciate your cooperation and assistance on this community-oriented project. This document has been generated and reviewed/approved by the following individuals:



Josh Modin
Senior Associate
ZCS Engineering & Architecture



Skylar Archibald
Executive Director
Sunset Empire Parks + Recreation District



Susan Penrod
Superintendent
Seaside School District



Jeff Roberts
Principal
Seaside High School

*Submitted via electronic mail to:

- Jeff Flory
Community Development Director
City of Seaside, Oregon
jflory@cityofseaside.us
989 Broadway
Seaside, OR 97138



Planning Commission Notice of Final Decision

APPLICATION(S):	23-013 CU: Conditional Use
MEETING DATE:	April 4, 2023
MAILED DATE:	April 5, 2023
Applicant:	Seaside School District
Owner:	Sunset Empire Parks and Recreation District (SEPRD), City of Seaside
Location:	1120 Broadway St. (6-10-22BB-TL 4700 & TL 4800)
Staff Contact:	Jeff Flory, Community Development Director

Request Summary:

The applicant is requesting a Conditional Use to develop a softball field that will include an additional parking area north of the SEPRD building, additional seating for spectators, fencing and backstop, as well as adding an announcer booth.

Planning Commission Decision:

On April 4, 2023 the Seaside Planning Commission approved the above referenced request in accordance with the provisions in the City of Seaside Zoning Ordinance and the Comprehensive Plan.

The Planning Commission's Final decision was supported by the applicant's submitted justification, the adopted information in the staff report, and any substantive testimony or evidence that was provided during the public hearing process. This information was used to establish the findings, justification statements, and conclusions adopted by the commission.

Appeal Provisions:

The Planning Commission's decision may be appealed in accordance with Section 10.068 of the Seaside Zoning Ordinance which states:

Any action or ruling of the Planning Commission pursuant to this Ordinance may be appealed to the City Council within fifteen (15) days after Notice of Decision is provided pursuant to Section 10.066. Written notice of the appeal shall be filed with the City Auditor. If the appeal is not filed (or postmarked) within the fifteen (15) day period, the decision of the Planning Commission shall be final. If the appeal is filed, the City Council shall receive a report and recommendation on it from the Planning Commission and shall hold a public hearing on the appeal.

The appeal must be filed at the Planning Department (located at 1387 Ave. U) or mailed to 989 Broadway, Seaside, OR 97138. The appeal must include the applicable fee of \$625.00.

If you have any questions regarding this decision or the appeal process, please contact the Community Development Department at (503)738-7100. The Notice of Decision date and appeal deadline are listed below. Appeals must be submitted or postmarked by this deadline.

Date of Notice of Final Decision:	Wednesday, April 5, 2023.
Last Day to Appeal:	Thursday, April 20, 2023

Planning Commission Decision:

On April 4, 2023 the Seaside Planning Commission approved the above referenced request in accordance with the provisions in the City of Seaside Zoning Ordinance and the Comprehensive Plan.

The Planning Commission's Final decision was supported by the applicant's submitted justification, the adopted information in the staff report, and any substantive testimony or evidence that was provided during the public hearing process. This information was used to establish the findings, justification statements, and conclusions adopted by the commission. This approval will allow the applicant to develop a softball field within the sports complex located at Broadway Park.

In addition to the findings, justifications, statements, and conclusions adopted by the Commission; the request was approved subject to the applicant satisfying the following condition(s):

Condition 1: The fire access that leads to the north parking lot will need additional signage and striping in the SEPRD parking lot to prevent the access gate from being blocked. The signage and striping must be approved by the Fire Marshal.

The fire access on the south side of the BMS building accessed off of Broadway St. is to remain clear of vehicles and storage items. A Knox lock with an SEPRD lock daisy chained together will be used to lock the access gate.

The fire access lane is required to be striped, similar to what is shown on the approved site plan, and must extend to the gate in the outfield fencing of the softball field. All striping and signage must be approved by the Fire Marshal. Vehicles may use the fire lane for access to the Herche Training Facility, building maintenance, access to empty the trash receptacles, and access to make deliveries so long as they do not stop or park in the striped fire lane. The access gate is to remain locked outside of the times it is being used for the limited, above-mentioned activities.

Condition 2: The Intergovernmental Agreement (IGA) that establishes the requirements and responsibilities of SEPRD, Seaside School District, and the City of Seaside for the sports complex that spans the SEPRD property and Broadway Park shall be approved by each entity prior to construction.

Condition 3: Minor modifications to the applicant's proposed plan must be reviewed and approved by the Planning Director. These could be required in order 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 prior to any final approval.

Condition 4: The chain link fence near the northern property line separating the athletic fields from the backyards of private property owners has fallen into disrepair, is leaning, and appears to be broken in at least one section. The applicant is required to repair and maintain the chain link fence to discourage users of the facility from climbing over the fence and trespassing onto private property.

Condition 5: Additional safety netting will need to be provided on the west side of the softball field to protect pedestrians and the SEPRD building from foul balls or other objects leaving the field. The safety netting along the north property line as well as the safety netting on the west side of the softball field will need to remain in place 365-days a year to protect neighboring properties and buildings from balls or objects leaving the fields of play.

Although they are not conditions of approval, the following is a reminder to the applicant.

- All necessary permits (such as structural, plumbing, mechanical, electrical, etc.) must be obtained prior to development.
- As with any permit, the applicant must meet all applicable standards in the Seaside Zoning Ordinance (e.g. erosion control, drainage, flood plain) that were not waived by this conditional use and meet any other applicable City of Seaside Ordinances.
- The conditional use will become void one (1) year from the date of decision unless the permit is utilized or an extension of time is approved in the manner prescribed under the Seaside Zoning Ordinance.

FINAL DECISION JUSTIFICATION SUMMARY:

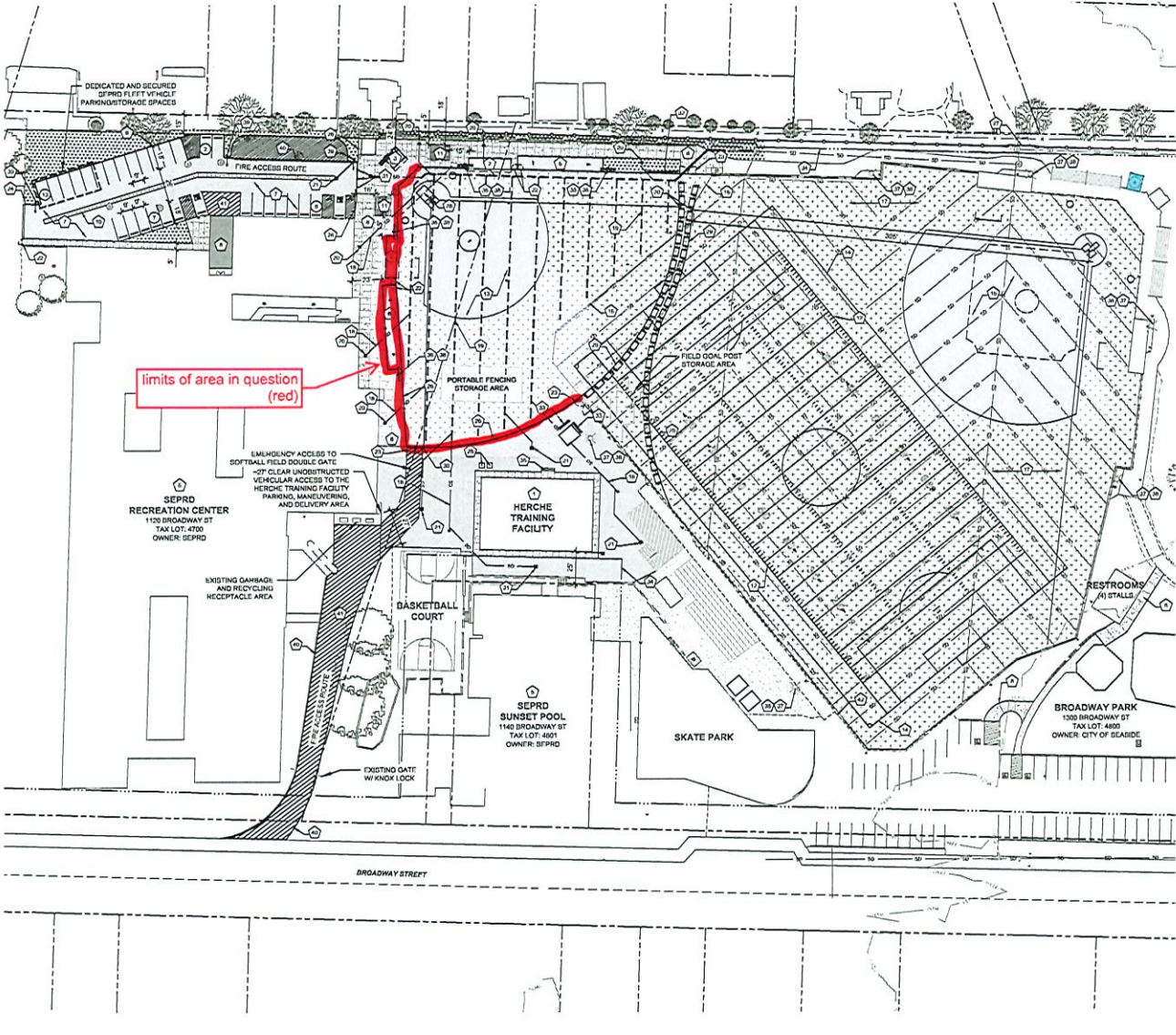
The Planning Commission's final decision was supported by the Applicant's submitted justification, the adopted information in the staff report, and any substantive testimony or evidence that was provided during the public hearing process. The staff report provided findings, justifications, conclusions and conditions to support the Commission's final decision, subject to any modifications. If any information in the report was modified by the Commission prior to adoption by deleting, adding, or amending the findings, conditions, or conclusions; they are noted below.

FINAL PLANNING COMMISSION DECISION MODIFICATION

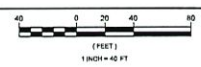
In addition to the original staff report's findings, justification statements, and conclusions adopted by the Commission; the request was approved subject to the following amendments to the information included in the staff report:

Pursuant to the written public comment received and additional in person testimony regarding the disrepair of the chain link fence near the northern property boundary, Condition 4 was drafted by staff for review by the Commission. The Commission discussed the issue and adopted Condition 4 as written.

Vice-Chair Kleczek and Chair Montero expressed concerns for protection of the SEPRD building and the neighboring property owners and requested additional safety netting along the western portion of the softball field. In response to those concerns, the Commission added Condition 5 which requires the additional netting and requires that all netting remain in place 365-days a year.



1 CIVIL SITE PLAN
 CT.0



2 VICINITY MAP
 NTS

GENERAL INFORMATION

APPLICATION OWNER: ERHAN HARDELICK
 808 NW 78TH AVENUE, SUITE 200
 PORTLAND, OR 97208
 (503) 966-2098

ENGINEER: ZACHARY A STOKEL PE
 CONTRACT SEAL DATE: 08/2015
 231 15TH AVENUE SE SUITE 200
 834 MAIN STREET, SUITE 2
 OREGON CITY, OREGON 97143
 (503) 658-9358

SITE LOCATION: 1400 BROADWAY STREET
 SEASIDE, OREGON 97138

TAX MAP: T5M-NR104-2225 NW 1/4 NW 1/4
 TAX LOT: 4700 & 4800

LOT SIZE: TOTAL OVERALL = 413,76 ACRES
 TAX LOT 4700 = 36.0 ACRES
 TAX LOT 4800 = 48.9 ACRES

ZONING: R9 - MEDIUM DENSITY RESIDENTIAL

RECREATION PARKING
 (EXCLUDING DRIVE-IN SHOWS TOTAL)
 ROW = 1 SLP
 # ROWS = 1 SLP (77A2)
 # P PER EACH UNIT = 1 SLP

SOFTBALL
 (5 STALLS) OF BASKETBALL 1/4 L.P.
 ADA = 1 STALL

RECREATION PARKING
 (EXCLUDING DRIVE-IN SHOWS FLEET
 AVAILABLE FOR SOFTBALL)
 ADA = 2 STALLS
 ADA = 1 STALL
 ADA = 2 STALLS

LEGEND:

- HATCHES & LINE TYPES**
- [Hatched Box] NEW CONCRETE PAVING - REINFORCED
 - [Dotted Box] NEW / EXISTING ASPHALT PAVING
 - [Horizontal Lines] NEW / EXISTING GRAVEL SURFACING
 - [Vertical Lines] NEW SYNTHETIC TURF
 - [Diagonal Lines] NEW LANDSCAPE RETAIN
 - [Dashed Line] NEW DRAINAGE SWALE
 - [Dotted Line] PROPERTY LINE SETBACK
 - [Thin Solid Line] EXISTING FINCH
 - [Thick Solid Line] NEW 4" TALL BARRIER NETTING
 - [Dotted Line] 100-YEAR FLOODLINE
- SYMBOLS & NOTES**
- [Circle with 'A'] ATTRACTIONATIVE DRAIN
 - [Circle with 'B'] NEW AREA DRAIN
 - [Circle with 'C'] STORM DRAIN CLEANOUT
 - [Circle with 'D'] CATCH BASIN
 - [Circle with 'E'] PARKING BARRIER
 - [Circle with 'F'] BOLLARD - REMOVABLE
 - [Circle with 'G'] BICYCLE RACK
 - [Circle with 'H'] SIGN
 - [Circle with 'I'] ICE/STAIRBOARD

KEYED NOTES:

- RELOCATED EXISTING BUILDING EXISTING UTILITY CONNECTIONS TO BE REMOVED BY SITE CONTRACTOR PRIOR TO BUILDING RELOCATION. UTILITY EXTENSION CONNECTIONS BY SITE CONTRACTOR AT FIRE HYDRANT LOCATION. TWO EXISTING RESTROOMS ARE SITUATED NEARBY BUILDING FOR KITCHEN FLEET USE.
- NEW CHAIN LINK WITH TALL PROTECTION NETTING SYSTEM ON AT-GRADE REINFORCED CONCRETE SLAB. REFER TO ARCHITECTURAL/STRUCTURAL PLANS FOR ADDITIONAL INFORMATION.
- NEW CHAIN LINK BARBER BOX WITH STORAGE UNDERNEATH AND ASSOCIATED STAIRS AND HANDRAIL. REFER TO ARCHITECTURAL/STRUCTURAL PLANS FOR ADDITIONAL INFORMATION.
- NEW OR G. STORAGE SHELF, FINAL LOCATION AND FOOTPRINT TO BE DETERMINED BY OWNER. ENSURE FINAL LOCATION COMPLIES WITH ZONING CODE SETBACK REQUIREMENTS.
- EXISTING BUILDING TO REMAIN.
- NEW SOFTBALL BOLLARD.
- NEW ASPHALT PAVEMENT AREA.
- NEW CONCRETE SIDEWALK/PLAZA.
- NEW CONCRETE CURB.
- NEW CONCRETE VALLEY CUTTER.
- EXISTING BELLSHOTS TO BE RELOCATED AND ANCHORED TO NEW CONCRETE PAD. REFER TO STRUCTURAL PLANS FOR ALL ANCHORING INFORMATION.
- REFRACT EXISTING SYNTHETIC TURF FOOTBALL FIELD. REFRACTING TO BE ORIENTED TO EXISTING FOOTBALL GOAL BAYNETS.
- NEW 1/2" COMPACT SYNTHETIC TURF SOFTBALL FIELD WITH HOIST OUTFIELD FENCES. FIELD TO BE SHOWN, OUTFIELD TO BE GREEN, AND FIELD MARGINS TO BE WHITE.
- REFRACT EXISTING SYNTHETIC TURF SOCCER FIELD. REFRACT AND ADD NEW CATCHER LOUIS AS SHOWN.
- REFRACT EXISTING SYNTHETIC TURF BASEBALL FIELD ADJACENT WITH EXISTING STAIRS.
- APPROXIMATE LAYOUTS OF EXISTING SYNTHETIC TURF FIELD.
- NEW SYNTHETIC TURF TO BE PLACED OVER EXISTING BARK HOPK AND FIELD DRAINAGE SYSTEM.
- NEW STORM PVC.
- NEW REBARBED STEEL FIELD DRAINAGE SYSTEM.
- NEW AREA DRAIN, TYPICAL.
- NEW CATCH BASIN.
- NEW SINGLE PLATE CHAIN LINK GATE (6 TOTAL) TYPICAL.
- NEW DOUBLE PLATE CHAIN LINK GATE (SEEZ) FOR EMERGENCY VEHICLE ACCESS.
- NEW 2" CLEAR SLANG CHAIN LINK GATE WITH KNEE BOX FOR EMERGENCY VEHICLE ACCESS.
- TWO NEW ADA COMPLIANT TEMPORARY PORTABLE TOILETS TO BE USED UNTIL FUTURE PERMANENT IMPROVEMENTS TO BATHROOMS WITHIN SEPRD BUILDING.
- NEW CHAIN LINK FENCING.
- NEW 4" TALL BALL STOP NETTING SYSTEM ADJACENT TO REFRACTING POLES. FINAL NETTING SYSTEM CONFIGURATION TO INCLUDE TYPICAL FENCING GATE CONNECTIONS WITH 3" BARRICADE FOR EMERGENCY VEHICLE ACCESS FROM NORTH ADJACENT HIGHWAY ALLEWAY.
- NEW SOFTBALL BACKSTOP AND OVERTHROW NETTING SYSTEMS DISCUSSED.
- NEW 1/2" GALVANIZED AND HOT-DIP GALVANIZED STEEL CHAIN LINK FENCING SYSTEM. EACH PORTABLE UNIT MEASURES 11 FEET BY 10 FEET (9'4" EFFECTIVE LENGTH AFTER CONNECTION) TO BE PLACED IN PARALLEL LINES FOR SOFTBALL AND BASEBALL OUTFIELDS APPROPRIATELY AS SHOWN, AND UNITS ARE REQUIRED FOR PORTABLE FENCING CONFIGURATION SHOWN.
- NEW PERMANENT FEEL POLE.
- NEW REMOVABLE BOLLARD (3 TOTAL) TYPICAL.
- RELOCATED FOOTBALL AND SOCCER BOLLARD (1 TOTAL) ON POSTS AND FOOTINGS.
- NEW BASEBALL AND SOFTBALL SIGNAGE (3 TOTAL) ON NEW POSTS AND FOOTINGS.
- PROPERTY LINE SETBACK PER CITY OF SEASIDE ZONING CODE FOR "M MEDIUM DENSITY RESIDENTIAL" ZONE.
- RELOCATED BICYCLE PARKING FOR THE RELOCATED HERCHE BUILDING.
- NEW 100-WATT KROFF FIELD LIGHTING WITH 12' LUMINAIRES ON NEW POLE. NEW LIGHTS TO BE INCORPORATED INTO THE EXISTING 100-WATT LIGHTING SYSTEM.
- REPLACE EXISTING 100-WATT LUMINAIRES WITH NEW 12' LUMINAIRE ON EXISTING POLE.
- NEW 100-WATT AREA LIGHTING INSTALLED ON SPORT FIELD LIGHTING POLES FOR PEDICURE PATHWAY ILLUMINATION.
- NEW PARKING LOT LIGHT POLE. PARKING LOT LIGHTING TO BE FULL CUT-OFF BARRICADE COMPLIANT LUMINAIRE WITH SHIELD ON HOUSE SIDE OF HOUSE TO MINIMIZE LIGHT SPILL.
- NEW 4" TALL PAINT EDGE OF FIRE LAMP WITH WHITE PAINT NO PARKING - FIRE LAMP SIGNALS.
- NEW RED PAINT ANGLED LINES APPROXIMATELY AS SHOWN.
- EXISTING GATE SITED FOR EMERGENCY VEHICLE ACCESS.



SEASIDE SCHOOL DISTRICT
 1400 BROADWAY ST
 SEASIDE, OR 97138

BROADWAY FIELD RENOVATIONS

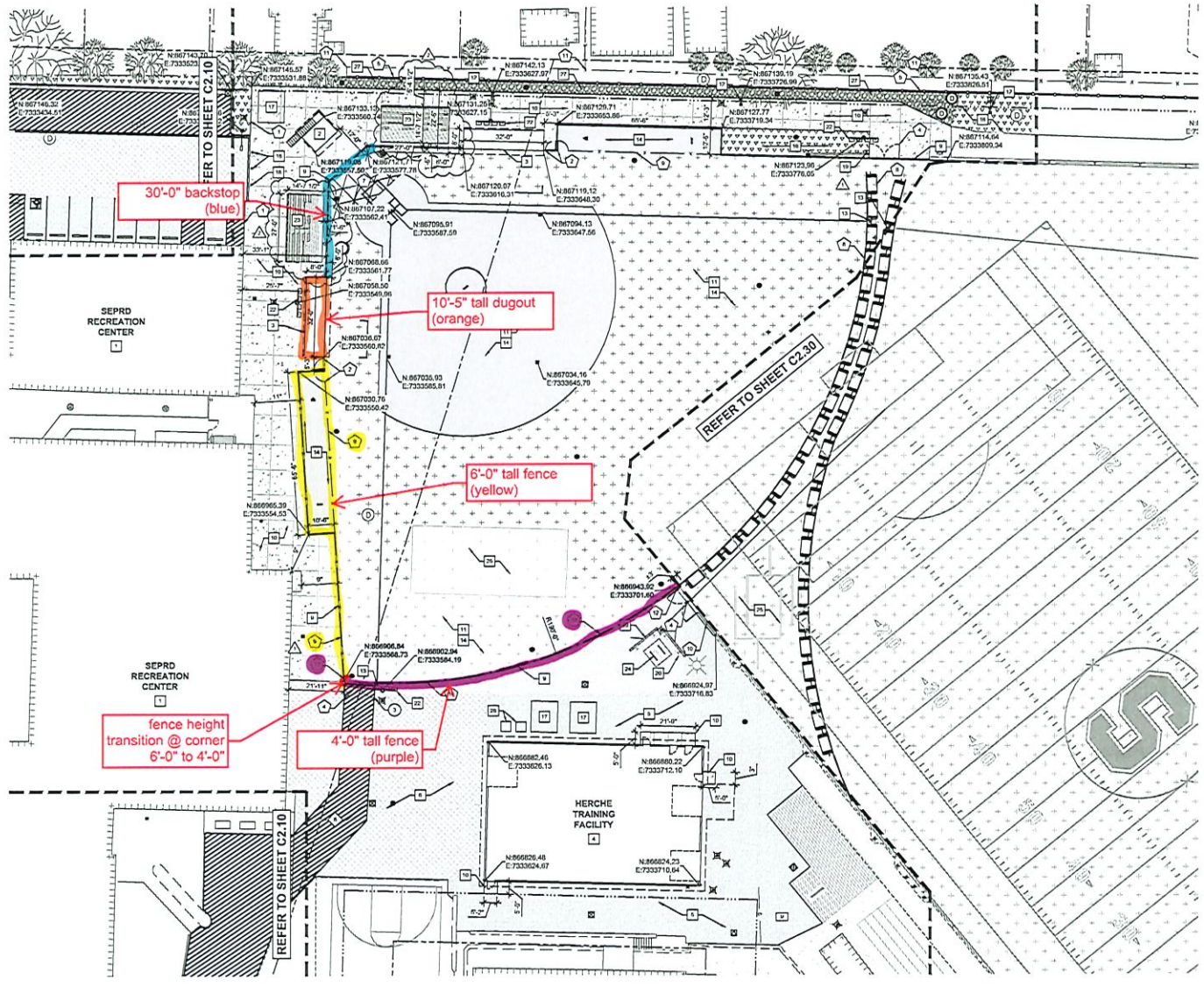


REVISION ID	DATE

CIVIL SITE PLAN

C1.0

DESIGN DEVELOPMENT / NOT FOR CONSTRUCTION



1 AREA 'B' CIVIL SITE AND FENCING PLAN
C2.20

- CIVIL SITE AND FENCING NOTES:**
REFER TO C2.01 FOR GENERAL CIVIL SITE AND FENCING NOTES.
- NOTE:**
REFER TO C2.00 SERIES FOR CONSTRUCTION DETAILS UNLESS NOTED OTHERWISE.
- EXISTING BUILDING, NO WORK IN THIS AREA.
 - NEW 2-STORY CROWS NEST BUILDING. REFER TO ARCHITECTURAL PLANS FOR ALL INFORMATION.
 - NEW DUGOUT BUILDING. REFER TO ARCHITECTURAL PLANS FOR ALL INFORMATION.**
 - EXISTING SINGLE STORY TRAINING FACILITY TO BE RELOCATED. REFER TO HERCHE BUILDING RELOCATION PLANS UNDER SEPARATE COVER FOR INFORMATION.
 - NEW STANDARD DUTY ASPHALT PAVEMENT.
 - NEW HEAVY DUTY ASPHALT PAVEMENT.
 - NEW FIELD PERIMETER CONCRETE CURB.
 - NEW CONCRETE SIDEWALK.
 - NEW STORMWATER DETENTION RESERVOIR AND SYNTHETIC TURF SUB-BASE.
 - NEW SITE LIGHTING REFER TO C2.00 SERIES FOR ADDITIONAL INFORMATION.
 - NEW FOLL POLE.
 - OFI SYNTHETIC TURF.
 - APPROXIMATE LIMITS OF LANDSCAPE REPAIR.
 - NEW OFI NON-PERMANENT SHED BUILDING. REFER TO ARCHITECTURAL PLANS FOR ALL INFORMATION.
 - NEW REMOVABLE CONCRETE BOLLARD.
 - NEW LOCATION OF EXISTING DAKTRONICS' 7'x20' FOOTBALL SCOREBOARD.
 - NEW FIELD LIGHTING REFER TO C2.00 SERIES FOR ADDITIONAL INFORMATION.
 - NEW REINFORCED CONCRETE SLAB WITH TURNUP EDGE BY CONTRACTOR FOR INSTALLATION OF APPROX 27'-00" TENSION OUTDOOR ALUMINUM BLEACHER MODEL 'YD-LR-252C'. SOFTBALL BLEACHERS TO BE OWNER FURNISHED, OWNER ASSEMBLED. CONTRACTOR INSTALLED. BASEBALL BLEACHERS TO BE OWNER FURNISHED, CONTRACTOR ASSEMBLED. CONTRACTOR INSTALLED. INSTALL ON REINFORCED CONCRETE PER MANUFACTURER'S RECOMMENDATIONS.
 - NEW TREE TRACES INSTALLED ON NEW CONCRETE PAD. HUNTED THE STAPLE OR APPROVED EQUAL. INSTALL PER MANUFACTURER RECOMMENDATION.
 - STORAGE AREA FOR PORTABLE FENCING AND FIELD GOAL POSTS WHEN NOT IN USE.
 - NEW OFI NON-PERMANENT ACCESSIBLE PORTABLE/TEMPORARY RESTROOM.
 - NEW 6" ROUND ROCK LAYER (OR APPROVED EQUAL) OVER DETENTION SYSTEM.
- FENCING CONSTRUCTION NOTES:**
- FURNISH CHAIN LINK FENCE TO ALIGNMENT SHOWN ON PLAN. FENCE SHALL BE 4' TALL GALVANIZED TO MATCH EXISTING FENCING.
 - FURNISH 4' WIDE MAN GATE AT LOCATION SHOWN. GATE SHALL BE BE EQUIPPED WITH A SUSPENDED CATCH.
 - FURNISH 12' WIDE 'MUTECO' GUARDIAN (OR APPROVED EQUAL) VEHICLE GATE AT LOCATION SHOWN.
 - FURNISH 'SPORTSFIELD' 42" TALL POLE TO POLE TENSION NETTING SYSTEM (OR APPROVED EQUAL) FOUNDATION DESIGN BY OTHERS AND A DEFERRED SUBMITTAL BY CONTRACTOR.
 - FURNISH 'SPORTSFIELD' 30" FENCED BACKSTOP WITH INTEGRATED WALL PADDING (OR APPROVED EQUAL) FOUNDATION DESIGN BY OTHERS AND A DEFERRED SUBMITTAL BY CONTRACTOR.
 - NEW OFI PORTABLE FENCING SYSTEM.
 - FURNISH CHAIN LINK FENCE TO ALIGNMENT SHOWN ON PLAN. FENCE SHALL BE 6' TALL BLACK PVC COATED TO MATCH EXISTING FIELD FENCING. PROVIDE AND INSTALL YELLOW 'SPORTSFIELD' SPECIFIED 'MUTECO' CAP PORTABLE FENCING. CAP TO BE YELLOW IN COLOR TO MATCH EXISTING FIELD FENCING. CAP TO BE YELLOW IN COLOR TO MATCH EXISTING FIELD FENCING.
 - FURNISH 6' TALL BLACK PVC COATED TO MATCH EXISTING FIELD FENCING. PROVIDE AND INSTALL YELLOW 'SPORTSFIELD' SPECIFIED 'MUTECO' CAP PORTABLE FENCING. CAP TO BE YELLOW IN COLOR TO MATCH EXISTING FIELD FENCING. CAP TO BE YELLOW IN COLOR TO MATCH EXISTING FIELD FENCING.
 - EXISTING 4' TALL GALVANIZED CHAIN LINK FENCE TO BE REPAIRED AND MAINTAINED. CONTRACTOR TO PRICE REPLACEMENT OF 150' 6-FOOT WIDE PANELS AND 150' 6-FOOT WIDE FENCING REPAIR ALLOWANCE. EXACT PANELS TO BE REPLACED TO BE IDENTIFIED AT TIME OF CONSTRUCTION.
 - OFI TRANSITION FROM PORTABLE FENCING SYSTEM TO PERMANENT FENCING. RECOMMEND FINISH CONNECTION SYSTEM SIMILAR TO PORTABLE FENCING.
 - EXISTING 4' TALL GALVANIZED CHAIN LINK FENCE TO BE REPAIRED AND MAINTAINED. CONTRACTOR TO PRICE REPLACEMENT OF 150' 6-FOOT WIDE PANELS AND 150' 6-FOOT WIDE FENCING REPAIR ALLOWANCE. EXACT PANELS TO BE REPLACED TO BE IDENTIFIED AT TIME OF CONSTRUCTION.
- STRIPING AND SIGNAGE NOTES:**
REFER TO C2.01 FOR GENERAL STRIPING AND SIGNAGE NOTES.
- STRIPING NOTES:**
PAINT 4" SOLID RED STRIPING AT 24" SPACING ON CENTER TO APPROXIMATE CONFIGURATION AND LIMITS SHOWN. COORDINATE EXACT LIMITS WITH SEASIDE FIRE MARSHAL AT TIME OF CONSTRUCTION.
- SIGNAGE NOTES:**
FURNISH TWO PARKING SIGN (MUTECO 'R33') TO BE MOUNTED ON EXTERIOR OF GATE, (1) TOTAL.



154 Main Street, Suite 2, Oregon City, Oregon 97136 | 503.666.2075
SEASIDE SCHOOL DISTRICT
1400 BROADWAY ST
SEASIDE, OR 97138

BROADWAY FIELD RENOVATIONS



REVISION #	DATE
1	08-14-2023
2	08-14-2023

PROJECT NO	P-2023-02
DRAWN	URS
CHECKED	URS
DATE	08-14-2023

AREA 'B' CIVIL SITE AND FENCING PLAN

C2.20

PERMIT SUBMITTAL



City of Seaside

City Council Meeting Staff Report

Meeting Date: April 8, 2024
Author: Jeff Flory, Community Development Director
Department: Community Development
Subject: Public Notice Street Vacation
Type of Item: Resolution

Request:

Pursuant to the purchase agreement for the Estuary Park, the seller is requesting the City of Seaside vacate a portion of 20th Avenue. Approval of Resolution #4037 will set a date for a public hearing and direct staff to begin the street vacation process. Staff is requesting the City Council approve this resolution.

Background:

The City Council has the authority to vacate certain property or properties in the City of Seaside according to ORS Chapter 271 – Use and Disposition of Public Lands.

The intent of Resolution #4037 is to direct the City Manager to initiate the street vacation process and to give public notice and set a date of hearing. The public hearings for the street vacation ordinance will take place on April 22, 2024, and on May 13, 2024. The public hearings will be advertised in the Daily Astorian and on the City of Seaside’s website.

Staff Analysis:

The City Council approves all resolutions and all vacations of certain property in the City of Seaside. The resolution initiates the street vacation process and directs the City Manager to give public notice and to set the date of the public hearing. An ordinance for the vacation of the aforementioned property will be considered by the City Council at a future City Council meeting.

Budget Impact:

There is no budget impact with the resolution.

Requested Action:

Staff request the City Council consider and discuss Resolution #4037.

If the City Council is inclined to approve the resolution and initiate the street vacation process, a Councilor would state:

“I move to approve Resolution #4037 by title only.”

Followed by:

“I move to adopt Resolution #4037.”

Alternatives:

- The City Council may choose not to adopt Resolution #4037. There is no reason to continue with the public notice to vacate certain property.

Attachments:

- Resolution #4037

RESOLUTION #4037

A RESOLUTION OF INTENT TO VACATE CERTAIN PROPERTY IN THE CITY OF SEASIDE, OREGON, DIRECTING THE CITY MANAGER TO GIVE PUBLIC NOTICE AND SET A DATE OF HEARING

WHEREAS, the City Council of the City of Seaside has determined that the vacation of the hereinafter described property should be considered:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SEASIDE:

SECTION 1. The Seaside City Council intends to vacate the following described property, in the City of Seaside, County of Clatsop, State of Oregon:

A portion of 20th Ave. that extends from N. Holladay Dr. east to the Necanicum River is depicted in the map below.



SECTION 2. That the City Manager be and is hereby directed to give notice as provided for in Oregon Revised Statutes, Chapter 271.

SECTION 3. That a hearing be held on the matter, as provided for by law, on the 22nd day of April, 2024, and 13th day of May, 2024.

PASSED by the City Council of the City of Seaside this ____ day of _____, 2024.

SUBMITTED to the Mayor and **APPROVED** by the Mayor on this ____ day of _____, 2024.

STEVE WRIGHT, MAYOR

ATTEST:

Spencer Kyle, City Manager

Publish: April 6, 2024
April 11, 2024

Hello Neighbors,

4/4/2024

I believe the City of Seaside has illegally created a public nuisance in our neighborhood. The camp on Ave S is dangerous to the health and safety of our community. I know many of you have had recent issues such as: stolen property, violent interactions with drug addicts, rat infestation, problems with trespassers, vandalism, human waste on your property and other issues which are a direct cause of the City of Seaside's "unhoused" camp.

The City of Seaside has knowingly created this nuisance and has shown an unwillingness to remove this danger from our neighborhood. Basic laws are not being upheld in the area surrounding the camp. This has undoubtedly placed our community in a desperate situation. Apparently, "citations are not even worth the paper they are printed on." We have neighbors afraid to go outside and walk their dog or be outside after dark. No property owner, not even the city, has the right to create a dangerous and intimidating situation in any neighborhood. I know most of us have heard that the City and the Seaside Police Department have their hands tied because this is a State/Federal directive. I do not believe this absolves them of the basic rights you have regardless of whether you are a tenant or a property owner in the area. The City has a responsibility to **ALL CITIZENS**, housed or unhoused. They cannot take away your basic rights and claim that they are providing a mandated service to a different segment of the population

Thank You,

Your neighbor

Kimberley Jordan

From: pugsnorts@yahoo.com
Sent: Saturday, April 6, 2024 4:39 AM
To: publiccomment
Subject: Seaside Public recycling center

Caution! This message was sent from outside your organization.

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I don't feel safe using the Alder Mill Ave and Avenue S Recycling Center anymore and now throw my recycles in the garbage. I am an over 65 years woman and when I went to the Recycling Center 2 weeks ago, more then one homeless person was crawling inside the Recycling bin. The homeless person stuck their hands out of the bin opening and took the recycle items from a person coming to the bin to put something in it.

My sister and husband said from now on if we decide to use the Recycling center we better go together to make sure we have help if we are harassed by the homeless there. I decided it wasn't worth it and just quit Recycling.

Glenda Phillips
1680 S Franklin St
Seaside

[Yahoo Mail: Search, Organize, Conquer](#)

Kimberley Jordan

From: Coastal Homes NW <coastalhomesnw@gmail.com>
Sent: Monday, April 8, 2024 9:49 AM
To: publiccomment
Subject: Site Amendments to Homeless Camp

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To the Seaside City Council:

Our business owns land and builds homes at the Blue Heron Pointe subdivision at Avenue S and Wahanna. In the many years that we have been working there, the amount of theft, vandalism, and drug use has increased dramatically each year, and we strongly oppose the expansion or permanent creation of a homeless encampment on Avenue S.

The repeated direct and indirect impacts of the encampment that we are aware of include:

*Trespassing and theft from construction sites and other private property. Homes under construction have been broken into and appliances, tools, copper piping, and other building materials have been stolen. Homeowners have reported people rifling through their garbage cans and stealing other household items, and generally feeling unsafe with the encampment nearby.

*Open drug use and camping on the premises. The open space where future homes are to be constructed has become a frequent location for drug use and camping, impeding the sales and construction of new homes. Used needles are found regularly and this poses a health risk for all.

*Vendors have threatened to no longer serve the neighborhood as a result of vandalism.

The presence of the encampment on Avenue S has only increased these issues, and the Police log will confirm this. It impedes our ability to build needed homes in the City, and decreases the desire of prospective homeowners to live there. Slowed or limited construction has obvious impacts on City revenue and tax base. We applaud the efforts of the Seaside Police Department in managing these infractions, and the City Council's efforts to solve the local homelessness issue. We understand the need for housing solutions, but oppose any expansion or permanent siting of the homeless encampment on Avenue S.

Respectfully,
Max Ritchie
Coastal Homes NW

--
--

Coastal Homes NW
PO Box 2772
Seaside, OR 97138
503-395-0999

Kimberley Jordan

From: Seth Morrissey
Sent: Monday, April 8, 2024 12:33 PM
To: Kimberley Jordan; Spencer Kyle
Subject: Seaside Homeless Camp Memo
Attachments: Seaside Homeless Camp.png

Hi Kim,

Can you please forward this to the city council?

Hi Council,

Prior to our work session on the Seaside Homeless Camp today, I wanted to share a few thoughts that would be best to discuss internally at this point.

Camp Location - As I've mentioned in previous discussions I'm concerned about the current camp location and the unfair burden it puts on this area of town. While there's an argument to be made that the camp is working for the majority of the city, it's clearly not working for this specific area. In short, I'm not in favor of this location being the "permanent" camp and have attached a mapped detailing other proposed locations that I would prefer even on a "temporary" basis. One of which is the backside of the Seaside Public Works property.

In summary, I believe we must find a location that does not unfairly burden any of our residents.

Permanent Camp Location - There's a complaint amongst residents that live near the camp that we did not follow proper protocol when selecting this location. That protocol was supposed to include giving public notice of our intent to move the camp to this location followed by subsequent public meetings. Regardless of the location the council decides to choose for the permanent location, it's critical that we move forward with a process that includes both public notice and public input.

Camp Operation - I'm concerned that our leniency to the campers is creating an incentive that will bring more campers into our area. I'm in favor of the city pursuing the strictest possible enforcement of our local ordinances and state laws. This would include:

- Empower Seaside PD to enforce all camp rules and laws. If a camper refuses to follow the rules and laws of the city they should be immediately removed and banned from the camp.
- Reinstate the required camp move out at least once per month. This was never intended to be a permanent location and moving the campers periodically will help emphasize that.
- Reach out to the State of Oregon for all available funding and resources that are available.
- Contract with an organization to manage the camp and use the Seaside PD only for law enforcement when needed.

Thank you,

Seth Morrissey
City Councilor



JABER
RONALD
P

BURNHAM
DAVID
JOE

Ave U

Alder Mill Ave

SE



CITY OF SEASIDE

Published on *Seaside, OR* (<https://www.cityofseaside.us>)

[Home](#) > [Public Comment Submission or Registration](#) > [Webform results](#) > Submission #40

Submission information

Form: [Public Comment Submission or Registration](#) [1]
Submitted by Anonymous (not verified)
April 8, 2024 - 1:26pm
2601:1c0:4e00:3810:e828:c997:e81f:18c3

Full Name:

Max Ritchie

Full Address (Providing your address is required to offer public comment):

PO BOX 2772 Seaside, OR 97138

Phone Number:

5037760629

E-mail Address:

coastalhomesnw@gmail.com

Confirm E-mail Address:

coastalhomesnw@gmail.com

Is this comment for the City Council or the Planning Commission?

City Council

Meeting Date you will be providing public comment (Council Meets 2nd and 4th Monday of Month, Planning Meetings 1st Tuesday of Month)

April 8, 2024

Select which option you will be using to attend the meeting:

Written Comment

Written comment instructions:

I have read and understand the written comment instructions.

Written Comment:

To the Seaside City Council:

Our business owns land and builds homes at the Blue Heron Pointe subdivision at Avenue S and Wahanna. In the many years that we have been working there, the amount of theft, vandalism, and drug use has increased dramatically each year, and we strongly oppose the expansion or permanent creation of a homeless encampment on Avenue S.

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*Open drug use and camping on the premises. The open space where future homes are to be constructed has become a frequent location for drug use and camping, impeding the sales and construction of new homes. Used needles are found regularly and this poses a health risk for all.

*Vendors have threatened to no longer serve the neighborhood as a result of vandalism.

The presence of the encampment on Avenue S has only increased these issues, and the Police log will confirm this. It impedes our ability to build needed homes in the City, and decreases the desire of prospective homeowners to live there. Slowed or limited construction has obvious impacts on City revenue and tax base. We applaud the efforts of the Seaside Police Department in managing these infractions, and the City Council's efforts to solve the local homelessness issue. We understand the need for housing solutions, but oppose any expansion or permanent siting of the homeless encampment on Avenue S.

Respectfully,
Max Ritchie

Is this comment for the general (open) comment period or for a specific agenda item?
Specific Agenda Item

Please list the specific item on the agenda that allows for public comment (Example: Item #11A - Resolution #3994):
Site Amendments to Homeless Camp

If you would like to submit a photo or other documents along with your comment please upload them here:

Please select one of the following required options:

I am stating that I would like this comment submitted to the City Council prior to its next meeting and included in the council packet. Further, I'm stating that by checking this box, I understand that it will become part of the public record. Comments made without a name and address cannot be added to the public record.

Source URL:<https://www.cityofseaside.us/node/20386/submission/14536>

Links

[1] <https://www.cityofseaside.us/public-comment-form>



CITY OF SEASIDE

Published on *Seaside, OR* (<https://www.cityofseaside.us>)

[Home](#) > [Contact the City Council](#) > [Webform results](#) > Submission #95

Submission information

Form: [Contact the City Council](#) [1]
Submitted by Anonymous (not verified)
April 8, 2024 - 1:48pm
47.7.8.12

Your Name:

Cathey Ryan

Your E-mail Address:

catheyryan@gmail.com

Your Phone Number:

206 747-4442

Subject:

Intellectual Freedom

Message:

Intellectual freedom is the right of library users to read, seek information, and speak freely as guaranteed by the First Amendment. Intellectual freedom is one of the core values of the library profession; it promotes access to information and guides the defense against censorship. The freedom to read is essential to our democracy. In a democratic society, individuals must be sufficiently knowledgeable to make informed decisions. Libraries provide their users with necessary information through a wide selection of materials from varying points of view. It is essential that library resources remain free to use for all, regardless of age

Councilor Morrisey

Councilor Frank

Councilor Dillard

Councilor Posalski

Councilor Montero

Councilor Horning

Mayor Wright

Kimberley Jordan

From: Crystal Evans <crystalevans25@hotmail.com>
Sent: Monday, April 8, 2024 2:29 PM
To: publiccomment
Subject: Homeless encampment

Caution! This message was sent from outside your organization.

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To the seaside city counsel:

I purchased our home just off of avenue S two years ago. Since moving to Seaside I have seen this area deteriorate to a state that no longer feels safe. Our garbage has been rummage through, I hear yelling late at night coming from the direction of the encampment, I don't feel safe walking to burly and the bean anymore after witnessing people clearly on drugs. The mess and junk around that area is disgusting and I'm sure is causing our property values to go down. I was under the understanding that it was a temporary fix but now I have been notified it's becoming permanent, I'm angry and disappointed it wasn't agreed upon by the homes in this area. I don't believe this is fair to our community and would like my voice and others in the area to be heard. There has to be another piece of property that can be purchased outside the main part of seaside that these people not paying taxes or respecting cleanliness can be placed.

Crystal Evans & Greg Montgomery

I live about 1 block from the homeless camp on ave S. I feel the problems being caused by many of the homeless is visably obvious and well documented through all the police reports and rise in crime. I realize that not all homeless are bad people or guilty of the stereotype, but the crim violence, destruction of the environment, pollution messiness, drugs, mental illness and possible gun sales that do occur, is enough to instill fear, anxiety, apprehension and frustration for residents living around them or nearby.

I haven't wanted to complain because I do feel sorry for homeless people and I'm grateful that I'm not homeless myself. And I recognize all of the efforts the city has made to try to find solutions. Seaside is a small city trying to come to grips with a huge problem, and it seems to have exploded in the past three years. I know officials are struggling to find space enough to accommodate everybody by providing enough tiny-homes (or any at all) and that we are limited for space compared to Astoria or Warrenton, but I really wish this encampment could be relocated to somewhere less residential and away from here.

I miss feeling safe enough to walk my dog around the mill-pond or to leave my front gate open. I have to keep it pad-locked with a no-trespassing sign on it to keep people from walking into my yard at night and stealing my possessions. My car began getting broken into by at least one man, and recently it was vandalized when someone smashed part of my head-light when the turn signal is.

I'm tired of hearing all of the fights, or dispute occurring frequently and I think I may have witnessed a gun-sale across the street late at night, in front of the garage-door co. I saw someone getting out of the back-seat of a car and then ~~scarrying~~ carrying away something that looked like a rifle, and then the car left.

I tried to help one homeless man because his dog was so pathetically neglected and tended-up being mistreated and become a target. I helped the little Yorky as much as he would allow me to, and I'm not sorry I did, but I have suffered his abuse and emotionally from experiencing his on-going neglect / abuse of this poor little dog. It makes me cry, even to this day.

I am partially disabled and almost 70 yrs old and I've made it my quest in life to help animals whenever I can, but it's really hard to witness / experience abuse when I see it, over and over.

I've lived in my home for 38 yrs. I take pride in my home and community. I've worked hard to try to create a pleasing, tranquil environment for myself and my animals. All I want is to be allowed to live-out my remaining years in peace and harmony.

Homelessness is a wide-spread problem. I feel it is a 'sign of the times' and the result of over-population and the dwindling of resources and space. We were warned decades ago that people would be living in their cars or motor-homes, or in the streets, but I don't think anybody foresaw all of the problems that would come with it.

I don't want the wilderness to become encroached upon by moving homeless away from the city, and into the woods but I do feel more buildings could be utilized within the city to provide housing such as the former Broadway School, churches, or the Red Lion Inn.

Another idea of mine, to provide more tiny-homes would be to utilize 3-D printing technology. It's an extremely fast, efficient, low-cost method of building very sturdy structures. And I feel it may set a precedent for other cities and save resources. We could be proud of our innovativeness and creativity, and show how compassionate, caring, and understanding we are as a city.

The problem of unhoused people is likely to grow in the next 10 or 20 years, and I feel it important to establish resolution that would set a standard for how many we can accommodate and for where they are allowed to camp, before it gets even more out of control.

Sincerely,
Debra K. Bettula
770 AVE S

Mr. Mayor, as a longtime Seaside resident and business person, it is apparent to me we are in the midst of a homeless crisis rooted in addiction to fentanyl. As this crisis relates to the City's camp, Seaside lacks the financial, institutional and land resources to legally abide by the state camping mandate.

This camp is an illegal public nuisance, and it is dangerous to the health and safety of our entire community. My neighbors and I experience stolen property, violent interactions with drug addicts, rat infestation, trespassers, vandalism, human waste, and other more unpleasant issues as a direct result of the City's camp. I even heard the rat nuisance raised in the last budget meeting regarding damage to city trucks parked at the property adjacent to the camp.

However, it is not just the nearby residents of the camp that are feeling the negative impact of this larger crisis. Vagrants broke into the basement of a small property I own on 1st Ave and began to make themselves at home there too. There are camps under several of the town's bridges. I know numerous residents who are constantly catching criminals and vagrants on their security cameras. Mr. Mayor, you must ensure that the police department is directed to enforce even the most basic laws that hold our community together.

I have been in the camp on several occasions to search for and recover items stolen from my construction site across the street. This is not a camp needed as a result of limited housing. This is homelessness specific to addiction. It will not be solved by a place to camp, a laxity of basic laws, and easy access to bottle deposit funds to trade in for fentanyl at \$1 a pill. The camp is filthy, it is not humane and the city should not be involved with managing this public health disaster without proper resources. The current path is growing this disaster and endangering the community you are tasked with serving.

Mr. Mayor, please show the leadership Seaside needs at this moment. I ask you to declare a State of Emergency in Seaside for homelessness specific to addiction. Demand more resources from the State of Oregon. Institutional help for drug addiction is necessary from the larger metro areas. Police resources are also needed to deal with the rise in property crimes we are experiencing. I also offer the idea of asking the governor for a 6-month moratorium on bottle deposit returns in Seaside and possibly all of Clatsop County. As you know, bottle deposit refunds help drive the fentanyl economy in our community. As we face this emergency, remove easy access to the drug during coming the summer months and allow Seaside to evaluate the future of responsible bottle refunds.

Please do not let the crisis continue to grow.

Your community needs you to take this action immediately!

Dave Keller
900 Ave S

Avenue S Self Storage LLC

P.O. Box 592 / 955 Avenue S.
Seaside, OR 97138
(503)717-2444

April 8, 2024

Honorable Mayor and Councilors,

As a former Councilor in Gearhart, I very much appreciate the predicament you are facing with the homeless epidemic. There is no place a camp can be placed within the community that will not impact the surrounding homes or businesses. Unfortunately for me, I am one of those businesses that is being impacted by the camp located adjacent to Avenue S.

I purchased this business 17 years ago, and though I have had minor issues with tenants and small homeless camps that have popped up around the mill ponds, I have never experienced the volume of garbage being dumped on our property, graffiti to our buildings, vagrant vehicles parked in our isles, and tenants feeling unsafe coming and going from their units, as I am dealing with at this point. It has become very apparent that the homeless camp and the adjacent homes and businesses are not compatible with each other.

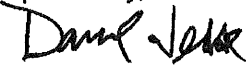
It is inappropriate to provide a camp space for the homeless, and not provide a place for them to park their vehicles.

As a business owner, the burden of the camp is very taxing, I can't imagine what it must feel like to be an adjacent homeowner.

If the campers aren't willing to police their own actions, and be better neighbors, the city needs to provide more oversight to the camp to lessen the impact of the adjacent homes and businesses. We should not be responsible for picking up and hauling away their debris. We should not be responsible for towing their cars when they are blocking our tenants' entrances. We should not be responsible for the clean up of the defacing of our buildings. We should not have to be dealing with the safety concerns of ourselves or our tenants.

Please feel free to reach out if you have any questions or would like to discuss these issues further.

Respectfully,


Daniel Jesse