



# CITY OF GEARHART

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July 8, 2021

**MEMBERS:** Virginia Dideum, Stephanie Dudley, Terry Graff, Sharon Kloepfer, David Smith, and Austin Tomlinson

**STAFF:** Carole Connell (online) Chad Sweet

## Minutes

The regular meeting of the Gearhart Planning Commission for July 8, 2021 was called to order at 6:00 pm by President Virginia Dideum.

On **MOTION** by Graff, 2<sup>nd</sup> by Smith, the consent agenda for July 8, 2021 was unanimously approved. Said agenda approved the Minutes of June 10, 2021 and the financial report of July 1, 2021.

### **STAFF REPORTS:**

Connell reported the Banta Land Partition has been appealed to the City Council, appealing the road improvement to McCormack Garden Road and the trail dedication. The appeal will be heard by the Council on August 11<sup>th</sup>. The applicant has extended the 120 days to get the appeal covered.

Connell also reported Bob Morey has submitted an application for a caretaker's residence at the school. She advised commissioners once an application is filed they are bound by ethical standards and any site visits or contacts should be declared at the hearing scheduled for August 12<sup>th</sup>.

A reminder of the joint work session of the Council and Planning Commission on Tuesday, August 31<sup>st</sup> to hear a presentation by the Parks committee.

Sweet reported there have been twice as many single-family building plans submitted this year as last year, approximately 20 with more on the desk to be approved.

Sweet reported receiving a message from Russ Taggard who has a family commitment and requests an excused absence.

Regarding code enforcement – the city has been taking care of noxious vegetation complaints and beach vehicle complaints. There were 2 vacation rental parking complaints that were taken care of promptly.

Small Business committee – group is down to 3 people, looking for someone in the business committee that would like to join the group.

Highway 101 corridor project - they have had community outreach and next week they will be doing a site walk with members of the committee, ODOT and Chief Bowman.

Ridge Path construction – the city has received new material; all the wood has been taken care of. They will be doing construction next week on Tuesday and Thursday, columns and rails.

Elk Collaborative – the final draft of the Declaration of Cooperation has been approved including tasks ranging from alleviation to education.

Playground Equipment – funds raise so far is \$31,000 of that \$12,300 was raised by Berkley Sturgell and the quarter drive. The project has been elevated and playground equipment may be installed before the parks plan is complete. Installation of playground equipment will require a conditional use application; the city will be the applicant with the request coming before the Planning Commission.

Sweet noted the budget is looking excellent for the year, there has been more carryover than in the history of Gearhart and there are planning projects planned for the upcoming year.

Kloepfer asked if riparian protection standards have been addressed by the parks committee. Connell noted riparian protection is on the goals list and currently the committee is in the process of developing policies and project strategies, riparian protection would be added as a policy statement allowing for amending the comprehensive plan at the same time.

#### GOALS LIST

Connell noted adding the ODOT / Hwy 101 safety improvement Plan to the Goals List.

On **MOTION** by Graff, 2<sup>nd</sup> by Dudley, by unanimous motion Commission Taggard was granted an excused absence from the July 8 commission meeting.

#### COMMISSIONERS REPORT

None

#### VISITORS COMMENTS

None

**PUBLIC HEARINGS**

**#21-02CU Speakman Conditional Use – Assessors Plat 61010BA Tax Lot 00201**

Dideum opened the public hearing and read the disclosure statement into the record. She asked if there was any conflict of interest, ex-parte contact or bias to be declared by commissioners. None was declared. Tomlinson noted he spoke with the Speakmans before the application was submitted regarding clarification on some of the zoning code. She asked if the audience had any challenges to the commission being able to render an impartial decision. None was declared.

Connell summarized the staff report noting the request is a conditional use to use approximately 26 percent of a gallery business as a residence in the C2 zone. With regarding parking Smith asked if any of the required parking was handicapped. Connell said handicapped parking is required and is designated on the applicant's diagram. Connell recommended approval of the application and outlined the 4 conditions of approval.

Smith asked about potential employees. The applicant will address in his presentation.

Cummins (Jay) Speakman, 201 south Cottage and daughter Rachel – Speakman got to this point in time noting there was a lot of interest in the Pacific Way site at the same time he was trying to find a residence for his daughter who just returned from 5 years at college in Chicago. In comparing property costs, and that Rachel is currently renting a studio in Cannon Beach and a house in Seaside at a significant cost looking at the commercial property with the combined residential unit is a significant reduced amount of investment and would provide a place for Rachel to live and work as well as a place for Cummins to work. In the future the site may provide space for other artisans to work. Speakman noted they are a family of artists; he is a trained metal smith, and his wife is a painter. They've had an active gallery in Cannon Beach for 13 years. One aspect of the purchase would be to allow a business return to Gearhart, where they previously had a business in the Judith M building for 5 years. He feels the family would be able to use the show room as a gallery for all of the families art. Speakman is appealing to the commission for its good judgement. Connells staff report lays out all of the points that make good sense. He noted there is a serious lack of this type of opportunity for affordable housing and artisans adding a cultural component to the community. With older homes being torn down and replaced and working population being push out he feels this is important to remember when making a decision.

Dideum asked if he had any problems or objections to the 4 conditions of approval recommended by the planner.

Speakman has no objection to the conditions. He is not clear about the path but said that is doable. He pointed out a grove of pine on city property to the west and a large maple in the right-of-way which may be a problem in constructing a path not knowing all the details.

Dideum said those are issues that would be worked out with the city and the city would not want to see any trees disappear.

Smith asked about consideration of the maple tree similar to the red woods preservation should the path be developed.

Smith asked about the possibility of employees and if it is planned maybe for the heavy work with equipment for safety.

Rachel said with her living there and running the gallery space it would reduce the need for additional employees, there may be one other employee for help, but she doubts on a regular basis because of the type of work they do.

Smith said the question of employee should be addressed in the city occupational license.  
Smith asked if the septic tank in the driveway been shown to stand up to vehicle traffic?

Speakman has been trying to have meetings with the excavator, but he is pretty busy this time of year. If the application passes, he will contact Keranen and let him know he wants to proceed with the septic improvement. He already has a bid for a bottomless sand filter, 360 square feet, 1500-gallon buried tank 2 chamber dosing system. The tank will need to be located deep enough and heavy enough to sustain vehicle traffic. There needs to be a location with a slope that will drain to it because the entire building is on a slab, they have to work with what is there and may come out at the corner of the hill.

Smith said vehicles on septic systems have been known to shorten the systems life.

Speakman said the current system has been there for 23 years with heavy traffic backing over it delivering into the Iron Works supply door. He is not proposing to do iron works on a large scale. He will leave the design up to Keranen.

Smith asked about emergency access to the residence for fire fighters and emergency responders to the east and north side of the building in the residence area.

Speakman said there is residence entrance from the parking area through the double doors from the workroom into the residence and entrance from the showroom with a fire door into the residence and a third door in the southeast corner from the outside into the residence. All entrances currently exist and will not be changed. He was told by the building official if he changes the doors, they will be required to be replaced with fire doors.

Smith stated that if there was a fire in the kitchen which is centrally located it could possibly block access to the hallway and living room requiring a backup exit from the sleeping area. Smith's last concern was safety concerns for constructing a residence adjacent to a workshop which he is sure will be part of the building permit.

Speakman said the building official laid out the criteria for fire door between public spaces and the residence and the work area could be considered a public space, 3 fire doors that they are required to install. It is his impression the exterior door will not have to be a fire rated door it does not share a common space. He has retained Vito Cerelli as an architect, he will be calling the shots, maintaining drawings and compliance. He will also require a sprinkler system if escape is not handy, they have agreed to comply with all existing codes.

Kloepfer asked if there is a kiln inside.

Rachel said yes, it is in the farthest northwest corner of the building made with kiln brick which is made to contain fire. They are also required to build 2 heat walls on each side.

Kloepfer asked if the kiln was vented to the outside and if there were environmental precautions / rules for what is being vented out?

Rachael said there are air quality standards set in place by the government, the only toxic gas would be from firing colored glazes which she does not use in her work. The glass blowing studios put out gasses, but she does not know what kind of safety or environmental standards they need to meet.

Smith said typically these types of equipment are certified in order to be legally installed.

Tomlinson said a kiln has a filter system.

There were no proponents, no opponents, no neutral comments, and no applicant rebuttal.

The public hearing was closed at 6:55 pm.


Graff said it was a fabulous program and is what has been discussed, people living and working in a space. On **MOTION** by Graff, 2<sup>nd</sup> by Tomlinson, by unanimous motion approval was granted to conditionally convert a portion of the existing building to a single-family residence in a C2 Zone for property located at 1368 Pacific Way and further described as Assessors Plat 61010BA, Tax Lot 00201 with the four (4) conditions as stated in the staff report.


Connell / Sweet confirmed a conditional use stays with the property unless there is an occupancy change.

**CONCERNS OF THE COMMISSION**

None

The meeting was adjourned at 7:02pm.

  
Cheryl A. Lund, secretary

  
approved