

Gearhart Planning Commission Minutes for November 10, 2022

MEMBERS: Virginia Dideum, Don Frank, Terry Graff, Sharon Kloepfer, Russ Taggard, Judy Schector, and John Mesberg

STAFF: Chad Sweet, Carole Connell, and Angoleana Brien

Minutes

The regular meeting of the Gearhart Planning Commission for Thursday, November 10, 2022, was called to order at 6:03 p.m. by President Virginia Dideum. *Members and staff were present, with the exception of Terry Graff and John Mesberg, who was excused for their absence.*

CONSENT AGENDA

On **MOTION** by Frank, 2nd by Schector, the consent agenda for November 10, 2022, was approved by unanimous motion. Said agenda approved Minutes for October 13, 2022 and the financial report for October 27, 2022. There was no correspondence.

STAFF REPORT

Sweet announced that our city planner Carole Connell is retiring, with this being her last meeting. Sweet went over her legacy with Gearhart and how much she will be missed. Connell gave her appreciation to the volunteers and all that they have contributed during her time with Gearhart.

COMMISSIONERS REPORT

None

GOALS LIST

Frank provided the comp plan summary draft with an overview to receive any feedback the commission had for edits desired or corrections needed. This rack card will be double-sided, 9" by 4" inches, fully colored, and available in hard copy. How to get them distributed was discussed. The estimated cost for these would range around \$167.00 for 500 copies, \$184.00 for 1000 copies, and \$294.00 for 2500 copies. Edits are to be emailed to Brien by Friday, the 18th.

VISITORS COMMENTS

None

PUBLIC HEARINGS

File #22-08.ZMA - Zone change request submitted by Michael Morgan for property located at 1777 Pine Ridge Dr. & 1837 Pine Ridge Dr. and further described as Assessors Plat 6.10.3BA, Taxlot 1700 & 1800. Said request is to change the zone from Low-Density Residential R-1 Section 3.1 to High-Density Residential R-3 Section 3.3. In order to expand the existing apartment complex.

Dideum opened the public hearing for 22-08.ZMA to the public at 6:16 p.m. and read the disclosure statement.

Dideum asked if any Commissioners needed to declare an ex-parte conflict, a conflict of interest, or a personal bias.

Kloepfer visited the site and spoke with one of the residents of the site. Schector, Frank, Taggard, and Dideum all visited the site.

Dideum asked the audience if there were any challenges to the commission's ability to make any impartial decisions. There were none.

City Planner Connell gave an overview summary of the staff report.

Connell also stated for the record, there were two pieces of testimony received, Kelly Wilkerson and Eric Eisemann representing Robert Morey.

Dideum asked the commission if they had any questions for Connell.

Taggard and Kloepfer were concerned that if they put conditions on this so that it is only residential uses, could that be brought in the future before the planning commission again to take away that condition.

Dideum asked if short-term rentals are outright permitted in an R-3 zone or if they have to have a conditional use.

Sweet verified that short-term rentals are outright permitted in an R-3 zone.

Kloepfer asked if they would have to put a condition on this in order to avert having short-term vacation rentals for these properties.

Sweet said he believed so.

Schector asked why not R-2, why is the proposed zone R-3.

Dideum said it is because of density.

Frank asked if the TSP improvements on Gearhart Lane were widening on both sides of the street.

Connell referred to page six, and it is somewhere between 14 and sixteen feet wide, and for the surface, buffer drainage, and landscaping on the two sides of the path.

Frank asked what the city's plan for short-term rentals.

Sweet said that the intention of the city council was in time to let it go to zero.

Taggard asked if they could approve an R-3 with specific regulations attached to it.

Connell said it is not ideal, but if that is the only way the commission can get to a decision due to what they have to work with, then the commission should make the decision they want.

APPLICANTS TESTIMONY

William Noble - PO Box 2384 Gearhart, OR. 97138 - 577 14th St, Astoria, OR. 97103 - His main concern is the buildings were built in the 70s, and when he had the fire, there was no firewall separation, and was lucky the building wasn't lost and that no one was hurt. This building is now in good shape after updated fire safety, and

repairs were done. His intentions are, is to keep the housing affordable and to possibly take down the other two buildings and build something more fire safe. Then, if the property will warrant it, keeping septic in mind, add two more fourplexes if not limited by septic. He would like to upgrade the property conditions as well. He is willing to sign something to the deed saying that the properties will never be turned into short-term vacation rentals. He is building this as a legacy for his family with no intention for future short-term rentals but to have long-term affordable housing and maintenance upkeep for the property. He has owned the property for ten years, and his business partner has had the property for twenty years and intends to hand it down to his children.

Mike Morgan - PO Box 132 Cannon Beach, OR. 97110 - said that he and Noble are in agreement with most of the findings. However, he thinks the drawings that are included in the staff report are examples of what could be done. It seems excessive that a 14 to 16-foot dedicated path on each side of Gearhart Lane would be appropriate given the amount of right-of-way. He can understand extending the bike path to eight feet on either side; however, he is not sure that the kind of path that is illustrated here is what they would want to have. It would be extremely expensive, it would take out a lot of trees, and may not be needed. He also said that the need to rezone from R-1 to R-3 is important due to our ordinance being more restrictive than most at a 40 percent or less rebuild threshold. Especially with already having gone through a fire and the units being old and needing to get the buildings up to code. In terms of housing, he has 15 units on three acres, which is quite low-density for residential apartments; there is plenty of room for additional units and an ideal location for higher-density development. He would hope that in the future, he would be able to go to 30 units, if not 42 units, especially with being affordable. He believes that the idea of being able to pay into the development of the future path is the best route. He also says that the fence along Gearhart Lane can be modified or taken down in certain sections for the fire department to be able to get in.

Frank asked if he had a future desire to combine the taxlots.

Noble said that if it would benefit the city, he would.

Kloepfer asked where the extra parking would go.

Noble showed the area he intends to enlarge.

Kloepfer asked if there was a need for the fence on Gearhart Lane.

Noble said it would be to keep people from driving on the drain field.

Commissioner President Dideum asked if there were any proponents. None

Commissioner President Dideum asked if there were any opponents. None

Commissioner President Dideum asked if there were any neutral.

Alison Jenks - PO Box 2428 Gearhart - She lives across the street from the properties and has five kids. Her concerns are the increase in traffic for safety reasons with kids playing in the area. She also said that the need for more parking is an issue there, spilling over to her side of the street. She was wondering if it would be possible to get an entry for the apartments off Gearhart Lane, allowing that to be more of a main entrance point. She also stated that she would appreciate not having 42 apartments allowed. She would be ok with having up to two more fourplexes, but she did not buy her home with the thought of having her kids in a high-traffic area.

Noble said that safety was important, and he understood her concerns. He said the property wouldn't warrant 42 units due to the septic.

Dideum Closed the public hearing at 7:18 p.m.

Discussion with commissioners commenced.

Kloepfer feels that the commission should put some conditions in place. She also would like to keep the units limited to no more than 30.

Taggard feels they should pass it with the restrictions of no commercial allowed.

Schector is in agreement with Taggard.

Frank said his concerns were on the two competing ideas of the comprehensive plan, but in this case, the housing need outweighs the tsunami inundation, and this is a nonconforming use that needs to be addressed from things that were put in place in the past that is thrust upon us and believes the commission is committed to rectify it. He believes the zone change with conditions is the right direction to go.

Dideum said she believed that the tsunami overlay zone was enacted after the zoning was done, so it comes in over the top of it and fixes things that may not be there. She believes that 30 unit limit should be used. She would also like to see the conditions on there to prevent these properties from becoming short-term rentals and that a record of a waiver of remonstrance on property title requiring property owner participation in a local improvement district to make the improvement should be done.

On MOTION by Schector, 2nd by Kloepfer by unanimous motion to recommend approving the proposed zone change subject to the recommended conditions of approval, and direct staff to forward the recommendation to City Council. 1. Permit up to 30 dwellings with appropriate required parking. 2. To put conditions on it preventing tourist accommodations. 3. a record of a waiver of remonstrance on property title requiring property owner participation in a local improvement district to make the improvement. 4. If the owner decides to construct additional units in the future, an updated wetland delineation may be required. 5. DEQ/Clatsop County Health approval is required for new construction to ensure there is adequate septic capacity on the site.

UNFINISHED BUSINESS

None

NEW BUSINESS

Correspondence Deadline Change - Dideum asked the commission what date they would like the deadline to be for receiving correspondence. The commission agreed on a correspondence deadline change of no later than the prior Tuesday of the planning commission meeting by 5:00 p.m.

CONCERNS OF THE COMMISSION

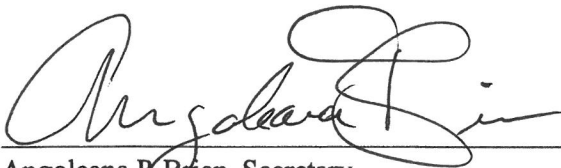
Kloepfer would like to see the R-3 change discussion put on our commission goals.

Dideum stated that we do not have any hearings for December and asked the commission if we wanted to have a December meeting. The commission chose to cancel the December meeting due to the busy holiday season.

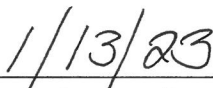
Kloepfer asked what we would be doing for a planner.

Sweet said the city of Gearhart is members of Crest and that Denise Lofman with Crest will be helping cover us until we are able to find the right person that will be right for Gearhart. The city has a couple of leads for a planner that we are currently working on.

The meeting was adjourned at 7:40 p.m.



Angoleana R Brien, Secretary,



Approved

