



CITY OF GEARHART

698 PACIFIC WAY • P.O. BOX 2510 • GEARHART, OREGON 97138
(503) 736-5501 • (503) FAX 736-9385

APPLICATION BEFORE THE CITY OF GEARHART PLANNING COMMISSION

PLANNING COMMISSION
2ND THURSDAY, 6:00 PM

DATE RECEIVED 8/5/21

1. APPLICANT: Dale Barrett on behalf of Technical Enterprises LLC PHONE: (503) 717-2427
MAILING ADDRESS: 34107 W. Campbell Loop, Seaside Or 97138
EMAIL ADDRESS: dalebarrett@charter.net CELL PHONE: (503) 717-2427

2. PROPERTY OWNER: Technical Enterprises LLC PHONE: same as above
MAILING ADDRESS: 34107 W. Campbell Loop, Seaside Or 97138
EMAIL ADDRESS: dalebarrett@charter.net CELL PHONE: same as above

3. SURVEYOR/ ENGINEER: none at this time PHONE: _____
MAILING ADDRESS: _____
EMAIL ADDRESS: _____ CELL PHONE: _____

4. LEGAL COUNSEL: none at this time PHONE: _____
MAILING ADDRESS: _____
EMAIL ADDRESS: _____ CELL PHONE: _____

5. PROPERTY LOCATION: 4217 Hwy 101 N. Gearhart Or. (north of Yankee Trader, south of New Bees Day Care formerly HLB's old office)

6. LEGAL DESCRIPTION OF PROPERTY:
(A) ASSESSORS PLAT AND TAX LOT: Tax Lot 3000, assessor map 6 10 03 DB
(B) ADDITION, BLOCK, AND LOT: Parcel 1, Partition Plat 2005-015 Clatsop County records

PER SEC 13.080 OF THE GEARHART ZONING CODE ACTUAL EXPENSES INCURRED BY THE CITY DURING THE PROCESS OF TECHNICAL EVALUATION OF AN APPLICATION SHALL BE BORNE BY THE APPLICANT, IN ADDITION TO THE FILING FEES ESTABLISHED BY RESOLUTION. UNPAID PENALTIES, FINES OR INCUMBRANCERS OWED TO THE CITY OF GEARHART ARE GROUNDS FOR WITHHOLDING ISSUANCE OF A PERMIT. DO YOU OWE ANY MONEYS TO THE CITY OF GEARHART? (CIRCLE) YES NO

7. SIGNATURE (APPLICANT) Dale Barrett DATE: 8/5/2021
PRINT DALE N. BARRETT

8. SIGNATURE (OWNER) Dale Barrett DATE: 8/5/2021
PRINT DALE N. BARRETT

NOTICE: ALL ITEMS MUST BE COMPLETED IN ORDER FOR THE APPLICATION TO BE DEEMED COMPLETE AND READY FOR PROCESSING.

TO BE COMPLETED BY STAFF
DOES APPLICANT OWN ANY MONEY TO THE CITY? _____ IF SO, AMOUNT _____
FOR _____ ACCOUNT # _____ DEPARTMENT STAFF _____ (INITIAL)



CITY OF GEARHART

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(503) 738-5501 • (503) FAX 736-9385

APPLICATION FOR CONDITIONAL USE

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

PLANNING COMMISSION
2ND THURSDAY, 6:00 PM

DATE RECEIVED 071521
APPLICATION FEE: \$2000.00 PD 2000 CA

1. APPLICANT DALE BARRETT PHONE (503) 738-7506
MAILING ADDRESS 34107 W. Campbell Loop Seaside OR 97138
EMAIL ADDRESS dale.barrett@charter.net CELL PHONE (503) 717-2427
2. PROPERTY OWNER Technical Enterprises LLC PHONE (503) 738-7506
MAILING ADDRESS 34107 W. Campbell Loop Seaside OR 97138
EMAIL ADDRESS dale.barrett@charter.net CELL PHONE (503) 717-2427
3. PRESENT ZONE C-2 Resort Commercial
4. PROPERTY LOCATION 4217 N. Hwy 101, Tax Lot 3000, MAP 61003 DB
5. LEGAL DESCRIPTION Parcel 1, Partition Plat 2005-015 (inst # 200506640)
6. SKETCH DRAWN TO SCALE ATTACHED YES
7. DETAIL AND REASONS FOR REQUEST Application to build a 6-plex multi-family residential building on the subject property.
8. INDICATE COMPLIANCE WITH ARTICLE 8 CONDITIONAL USE AND ANY RELEVANT SECTIONS OF THE ZONING ORDINANCE see separate PLANNING NARRATIVE And site PLAN Drawing.
9. COPIES: AFTER THE APPLICATION IS DEEMED COMPLETE SUPPLY 15 COPIES DRAWN TO SCALE NO SMALLER THAN 11" X 17" AND ONE PDF SENT TO planning@ci.gearhart.or.us
10. ATTACH LIST OF NAMES OF RECORD OWNERS OF CONTIGUOUS LAND WITHIN 200' Shown on S.E. Plan MAP.
11. SIGNATURE (APPLICANT) Dale Barrett DATE 7-14-2021
PRINT DALE N. BARRETT
12. SIGNATURE (OWNER) Dale Barrett - Technical Enterprises LLC DATE 7-14-2021
PRINT DALE BARRETT - Technical Enterprises LLC

NOTICE: ALL ITEMS MUST BE COMPLETED IN ORDER FOR THE APPLICATION TO BE DEEMED COMPLETE AND READY FOR PROCESSING.

CONDITIONAL USE REQUEST FOR TAX LOT 3000, MAP 6 10 3BD

July 7, 2021

Legal Descriptions: Parcel 1, Partition Plat 2005-15 (tax Lot 3000 assessor map 6 10 3 BD)
Owner: Technical Enterprises LLC, Care of Dale Barrett 34107 W. Campbell Loop, Seaside Or 97138
Current Zoning is C 2 General Commercial
Proposed use is Multi-family housing, specifically one 6-Plex
Parcel area: 28,283 sf Including 25' road easement; 20,414 sf excluding 25' road easement.
There is one existing structure on the Parcel which consists of a manufactured home with a wood framed covered roof. That structure is proposed to be demolished.

This request for Conditional use is for a proposed residential 6-plex for the subject Parcel. The Parcel contains 28,283 square feet and has an existing 25 foot wide Ingress, Egress and utility Easement on its southern boundary that is shared with two additional tax lots 3001 and 3002. The 25 foot wide easement has an emergency (hammerhead) turnaround on the eastern portion of this parcel. See the accompanying Site Plan map showing the lot dimensions, setbacks and net density determination for further details on the proposed 6-plex.

The proposed 6-Plex structure will be approximately 42 feet by 135 feet and will be two stories maximum height. Each unit of the 6-Plex will be 2 bedroom with a single car garage per unit. The proposed building will have its own sandfilter septic system and backup area on the west side of the parcel. Currently the City of Gearhart has two water services stubbed to this property, only one of which currently has a meter. There is an existing Fire Hydrant at the Northwest corner of the property which can be used to provide adequate fire protection. The maximum distance from the fire hydrant to the Eastern most side of the structure will be approximately 300 feet.

SECTION 8.010 PURPOSE

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

Response: Multi-Family use greater than a duplex is listed as a Conditional Use in the C 2 zone which is the zone for this property, therefore the Conditional Use is being requested to be approved.

SECTION 8.020 PLANNING COMMISSION AUTHORITY

The Planning Commission shall have the authority to approve, approve with conditions, or disapprove Conditional Use Permits in accordance with the standards and procedures set forth in this Article.

Response: This request is being presented to the Gearhart Planning commission for consideration and approval.

SECTION 8.030 STANDARDS GOVERNING CONDITIONAL USES

Standards for Conditional Uses are the same as standards listed for a Conditional Use in Article 3. In addition, the overall conditional use standards of Section 8.040 and the specific conditional use standards of Section 8.050 are also applicable. The Planning Commission also has authority to add additional conditions in recommending a new conditional use as specified in Section 8.060.

Response: Section 3.530 item 9) Conditional uses Permitted in the C-2 zone lists Tri-Plexes and Multi-Family as uses if approved by the Conditional Use process.

SECTION 8.040 OVERALL CONDITIONAL USE REVIEW CRITERIA

Before a conditional use is approved, findings will be made that the use will comply with the following standards:

1. The proposed use is consistent with the policies of the Comprehensive Plan: 2. A demand exists for the use at the proposed location. Several factors which shall be considered in determining whether or not this demand exists include: accessibility for users (such as customers and employees), availability of similar existing uses, availability of other appropriately zoned sites, particularly those not requiring conditional use approval, and the desirability of other suitable zoned sites for the use.

Response: 1) The proposed use is consistent with the policies of the Comprehensive Plan. The Comp Plan General Development Policy states the city will maintain and preserve the predominately residential character of Gearhart through appropriate zoning and land use development regulations. It further states the City will implement the City's land use development regulations through the continued development of Gearhart as a residential community. The General Development Policy also lists that the city will recognize the importance of the residential neighborhoods and the need to protect them from the negative impacts of the transient rental of the property, and to discourage increase levels of traffic and similar disruptions.

This Conditional use request will create long term rental opportunities for local housing needs. Long term housing has currently been identified by nearly every municipal agency in Clatsop County as being in short supply for our local citizens. Based on a recent Clatsop County housing needs report, Clatsop County is rank as the top county in the state as 22 homeless per 1000 residents. The proposed 6-plex construction is not intended to be used for the short term rental market but is proposed to be permanent long term housing for local citizens. Because of its direct access to Highway 101 IT will not add significant additional traffic to local neighborhoods. Further using the C 2 zone for residential long term housing is in compliance of the Comp Plan by using the commercial zone for residential uses rather than tourist commercial uses.

2. A demand exists for the use at the proposed location. Several factors which shall be considered in determining whether or not this demand exists include: accessibility for users (such as customers and employees), availability of similar existing uses, availability of other appropriately zoned sites, particularly those not requiring conditional use approval, and the disability of other suitable zone sites for the use.

Response: 2) The R-2 and R-3 zones are the only zones currently listed in the Gearhart code as having an outright use for a multi-family use. There is currently a shortage of appropriate sized lots available in those zones that can accommodate a 6-plex. Tax lot 3000 currently has 28,283 square feet (0.65 acres) including the road easement and 20414 sf (0.469 acres) excluding the road easement. Using the net area of 0.469 acres at 16 units per net acre the parcel has a net density of 7.49 units which is using the R-3 zone density standard of 16 units per net acre. This proposed 6 plex is under the maximum density 7.49 units.

3. The location, size, design and operating characteristics of the proposed use are such that the development will have a minimum impact on surrounding properties.

Response :3) The subject property has a commercial use on the North side and residential on the South side of the property which has an existing non-conforming retail building that is currently vacant. The parcel adjoining on the North side is currently being a child care facility. The East side of the subject property is a vacant lot that is still zoned C-2 which will likely be used for a residence in the future.

4. The use will not generate excessive traffic when compared to the traffic generated by uses permitted outright and adjacent streets have the capacity to accommodate the traffic generated.

Response: 4) Traffic generated by a commercial use such as a restaurant, market, or retail store generally will generate significant traffic depending on the type of business that is located on the property. The multi-family use for a 6-plex is anticipated to create 7.32 trips per unit or 43.9 trips for 6 units based on our preliminary research. The multi-family use could likely have less impact on traffic than a commercial use. Because the property has direct access onto highway 101 there should not be a significant impact on adjoining local streets as most of the destination for the residents would be to Seaside or Warrenton for schools, shopping, health care, and general shopping.

5. Public facilities and services adequate to accommodate the proposed use.

Response: 5) The primary services that will be supplied by the city will be water, which currently has two services at the property, there is also a natural gas service at the corner of the lot and power and telephone service overhead on the West side of the property. Other services will include fire and police coverage which will add some additional burden.

6. The site's physical characteristics in terms of topography, soils and other pertinent considerations are appropriate for the intended use; and

Response: 6) The subject property is a flat sandy lot covered with grass and a gravel road in the easement area. Therefore no major excavation or earth moving will be required other than excavation for the standard foundation of the structures.

7. The site has adequate area to accommodate the proposed use. The site layout has been designed to provide appropriate access points, on site drives, parking area, loading areas, storage facilities, setbacks, buffers, utilities or other facilities which are required by City Ordinance or desired by the applicant.

Response: 7) The attached site plan shows the proposed 7) 6-plexes with the setbacks and septic area shown. The C-2 zone has no setbacks listed for commercial, however if a residential use is being built the setbacks will be as listed in the R-3 zone. On the site plan the setbacks shown will meet the R -3 building setbacks and septic system will meet the DEQ required setbacks.

Each unit of the 6-plex will be accessed using the previously approved 25 foot wide easement area which in turn accesses highway 101 at the SW corner of the property. ODOT has granted a previously approved highway access at the existing road approach where the easement area meets the highway. Site distances at the highway access point is good with no existing vegetation blocking the traffic line of site. There is also an existing center turn lane in highway 101 that can be used when traveling South on highway 101 to turn into the property.

Parking will not be allowed or located in the 25 foot easement area. It will be between the 6-plex and the north side of the easement allowing a standard 18 foot long parking space. Each unit of the 6-plex will also have one parking garage that can also be used for storage. There will be 2 parking off street spaces per unit using the one between the building and easement and one in the garage.

Section 8.050 SPECIFIC USE STANDARDS

1. Church

Response: 1) The request is not a church so does not pertain.

2. Public Utility or Communication Facility.

Response: 2) The request is not for Public Utility or Communication Facility so does not pertain.

3. Manufactured Dwelling Park Standards.

Response: 3) The request is not for a Manufactured Dwelling Park so does not pertain. Includes Paragraphs A through F.

4. Manufactured Dwelling Subdivision and Conventional Home/Manufactured Dwelling Subdivision.

Before manufactured dwelling subdivision or conventional home/manufactured dwelling subdivisions are approved as a conditional use, findings will be made that they will comply with the following provisions;

A. Each manufactured dwelling subdivision or conventional home/manufactured dwelling subdivision will have a buffer area which separates individual lots and other areas within the subdivision from property outside the subdivision- except at entrance and exit points. These buffer areas shall be at least 15 feet deep.

Response: A) The request is not for a Manufactured home subdivision. As shown on the site plan the proposed 6-plex will have a setback of approximately 100 feet from highway 101, 15 feet from the North property line, 47.5 feet from the east property line, and 18 feet from the existing road easement area. Therefore this will meet this requirement.

B. Suitable site-obscuring fences, walls, evergreen hedges, and /or berms shall be located in all required buffer areas in order to visual separate the subdivision from adjoining property unless they are unnecessary because of topographical barriers.

Response: B) There are currently two 6' tall board fences on the east side adjacent to tax lot 3001 (Pershing) and tax lot 3101 and the Easterly 75' of tax lot 3100 (Bergin). There is also a 4' tall chain link on the easterly portion the north side adjacent to tax lot 901 (technical Enterprise). Additional Landscaping or fencing will be provided as necessary.

C. Manufactured dwellings placed in a manufactured dwelling subdivision or conventional home/manufactured dwelling subdivision shall conform to provisions in Section 6.100.

Response: C) Section 6.100 pertains to Manufactured dwellings. This request is not for Manufactured dwellings.

D. Lot size, yard, lot coverage, building height, and other requirements in this ordinance that apply to subdivisions for only conventional homes also apply to manufactured dwelling subdivisions and conventional home/ manufactured dwellings subdivisions.

Response: D) Setbacks for the proposed 6-plex will meet the R-3 setback requirements as noted in the C-2 zone which must be met for residential construction. Side yard of 15 feet on corner lots and 10 feet if not on a corner lot, rear yard of 15 feet if the structure is under 2 story (which it will be), and 15 feet from the street (or access easement). Lot sizes will meet or exceed the requirement of minimum lot size of 5,000 square feet for the base unit and 2,500 square feet for each additional unit. Therefore a 6-plex will need to have a minimum lot size of 17,500 square feet. The existing parcel will have 20,414 square feet which excludes the 25 foot wide easement area. This requirement is met.

Base unit (5,000 sf) + 5 additional units (5 units x 2,500/each unit) = minimum 17,500 sf required for 6 plex.

E. All manufactured dwelling subdivisions and conventional home/manufactured dwelling subdivisions shall comply with city subdivisions regulations standards. The preliminary plat should be reviewed concurrently with the request for conditional use approval.

Response: E) No proposed subdivision is being requested at this time. This requirement has been met.

F. In a manufactured dwelling subdivision, the lot and manufactured dwelling placed hereon shall be in the same ownership.

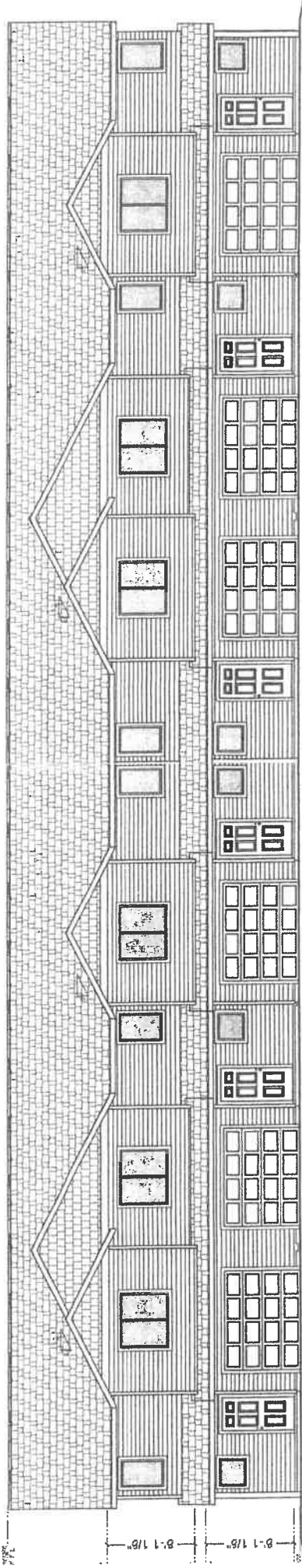
Response: F) This is not for a manufactured dwelling therefore does not pertain.

5. Neighborhood Cafe, including sentences A through D.

Response: 5) This is not proposed to be a Café, therefore does not pertain.

Sections 8.070 through 8.110 of the Conditional Use section are not addressed by this narrative as most are for City procedural items.

1. This drawing is a preliminary drawing and is not to be used for construction. It is intended to show the general appearance of the building and to illustrate the proposed design. It is not a final drawing and should not be used for construction. The architect assumes no responsibility for the accuracy of the information shown on this drawing. The architect's office is located at 1000 North 10th Street, Suite 100, Minneapolis, MN 55403. Telephone: (612) 338-1111. Fax: (612) 338-1112. E-mail: info@architect.com



Front Elevation
Scale - 1/4" = 1'

ArcGIS Web Map



3/2/2021, 3:28:35 PM

- taxlot
- mapIndex
- CountyLines

1:1,128



GeoEye, Maxar, Microsoft, OREGON DOR, GEO