



CITY OF GEARHART

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October 14, 2021

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

STAFF: Carole Connell and Chad Sweet

Minutes

The regular meeting of the Gearhart Planning Commission for Thursday, October 13, 2021 was called to order at 6:05 pm by President Virginia Dideum via Zoom.

On **MOTION** by Smith 2nd by Taggard by unanimous motion the consent agenda was approved. Said agenda approved minutes for September 9, 2021 and financial report of September 30, 2021. There was no correspondence.

STAFF REPORT

None

COMMISSIONERS REPORT

None

GOALS LIST

Discussion occurred to change *Explore Access Dwelling Unit (ADU) provisions* from 3 to #2 and change *Evaluate standards to protect residential areas from commercial development* from 3 to #2.

VISITORS COMMENTS

None

PUBLIC HEARINGS

Dideum opened public hearings #21-05CU – 6-plex multi family residence and #21-04CP.ZTA – Gearhart Parks and Recreation Master Plan at 6:15 pm and read the disclosure statement into the record for both hearings. She asked if there was any conflict of interest, ex parte contact or bias, none was declared. She asked if the audience had any challenges to the commission being able to render an impartial decision on either matter. None was declared.

#21-05CU – 6-plex, 4217 N Highway 101. Connell reviewed the staff report and Conditions of Approval noting the proposal is to consider development of a 6-unit residential complex in a C2 Zone. She showed

the latest exhibits - a new site plan and photographs of Lamont Lane. She also noted striking #4 of the Conditions of Approval. Connell outlined the proposed TSP future improvement developments along Highway 101 with sidewalks and turn lanes that would abut the west side of the development.

Dale Barrett, applicant, 34107 W. Campbell Loop, Seaside, Oregon – Barrett stated the property is owned by Technical Enterprises, owners being Barrett and Ron Larson. Their adjoining office has been leased out as a day care. The subject property was purchased in 2005 with 3 manufactured homes on the property, currently only one manufactured home is on the site that will be removed. There have been no renters in the manufactured home for the past couple of years. Barrett clarified Lamont Lane is only 392' long going to the Pershing property, the hammerhead is 25' wide on the official plat, he clarified there were 4 additional overflow parking spots. He clarified Lamont Lane is a private easement, not a dedicated street and was built to the county road standards at the time of the partition. There is a road maintenance agreement that Technical Enterprises and Pershing are obligated to maintain. Properties south of Lamont Lane on the Yankee Trader site have their own easement, they may use the access, but they do not have the right to use it or responsibility to keep it maintained. Their preference is to have a 20' wide road and there is 20' of gravel on their side of the road. It would require some cleanup removing the grass that has grown over the road surface. They have agreed to install a sidewalk from the highway right of way to the 6-plex. 2 reasons they prefer the gravel is to facilitate drainage and not add to the ODOT problem of inadequate drainage on the east side of the highway, they are proposing a 50' paved apron. The second reason is to keep costs down making the units as affordable as they can. They agree there should be "No Parking" posted along Lamont Lane, Johnson can control parking through rental agreements. Barrett said they have been working on the project for several months working with a sanitarian through DEQ to get the site evaluations and septic systems done. Cary Johnson will be providing a landscape plan when he applies for the permits, they want to leave as much green space as they can. They are planning on adding a bike rack.

Ron Johnson, property owner, 29101 SW Villebois Dr., Wilsonville, Oregon 97070 - added the manufactured homes did not have good septic systems and over time were tore down. There has not been a renter in the last home for several years. Johnson said as property owner they felt it was important for a conditional use approval to go with the property. The sales agreement is contingent upon approval of the conditional use.

Cary Johnson, 92080 John Day Road, Astoria, Oregon 97103 - prospective buyer – he is in agreement with most of the staff report as well as what Barrett has added, he noted architectural features on the front of the building include steps, dormers, porches and pop outs, he also clarified they would be using vinyl windows not aluminum and have provided additional guest parking. As the potential owner he can control the tenant parking through the rental agreement. If the conditional use is approved after

purchase, he would be applying for the building permit. He will happily add a bike rack. He is concerned about the drainage and adding impervious service to the roadway in part for cost and water runoff issues. The cost for paving a parking space would result in building cost of \$162 square foot for a parking space and they are trying to keep costs down.

Dideum opened testimony to proponents.

Carl Johnson, 15865 SE Van Zyl Dr, Damascus, Oregon 97089 - owns a lot at 4173 Highway 101 south of Yankee Trader – he thinks the proposed development is a good thing for Gearhart, he is interested in ultimately developing his site to help fill the need for more local housing.

There were no opponents and no neutral comments. There was no rebuttal.

The 6-plex conditional use hearing was closed at 7:25pm.

Dideum polled commissioners for their comments:

Dudley – Gearhart is in need of affordable/workforce housing and asked what the proposed rental figure is.

Cary Johnson – other properties in Gearhart rent for \$1500 - \$1550 per month, market rate. He said it is difficult to build new affordable housing.

Dudley asked about rental agreements – leasing or month to month.

Cary Johnson – typically they do a one-year rental agreement.

Dudley referenced a similar 4-plex project on the west side of the highway close to G street and asked if the units would be similar in appearance.

Cary Johnson – yes, the project would have a similar appearance.

Smith - asked if the units would be fire sprinkled.

Cary Johnson – does not think the building will need to be sprinkled, that will be up to the building official.

Smith said sprinklers would lower both the builders and tenants' insurance rates.

Smith has concerns with stacked parking and feels the overflow parking will be used by residents to juggle cars in and out and asked about 2 ½ to 3 spaces at each overflow site.

Barrett said it would not be possible without the addition of a harder surface and taking out landscaping which they are trying to preserve. Johnson feels parking can be controlled by the rental agreement.

Smith asked the best way to control rental unit's vs condominiums, is there a time in the future the project will become a private investment.

Barrett/ Johnson – the intention is to be an addition to his rental portfolio.

Taggard – he thinks the project will be good for the community and asked what the guarantee is with change in ownership that what gets approved will be what gets built.

Connell – what gets built is specifically tied to the proposed plan approval.

Tomlinson – asked the purpose of the hammerhead section.

Connell said it's a fire turnaround.

Tomlinson – asked about requiring improvement on Lamont Lane as a private easement and not a dedicated public right of way.

Barrett noted it is a utility easement, the city has the right to install and maintain them.

Kloepfer – urges the applicant to put in landscaping that would mitigate noise to the units.

Graff – no additions.

Dideum – confirms the need for this type of dwelling, she is concerned about gravel roads and children they are never a good mix.

On **MOTION** by Smith, 2nd by Graff, by unanimous motion the conditional use permit is approved based on the findings in the report with conditions of approval as modified by the Commission, conditions 1-3 and 1-5 (to be renumbered) with the addition of No Parking Signs.

Commissioner Smith asked the commission to provide a belated excused absence for Graff for the September commission meeting. To be taken up after the public hearing.

Public Hearing #21-04CP.ZTA Gearhart Parks Master Plan was called to order.

Connell reviewed the documents in the packet. She reviewed the staff report and the cross reference with the city's implementing ordinances.

Dudley asked about the location of the *mean high-water line*.

Connell said the line is based on a formula, is measurable and is site specific.

Tomlinson said the Department of State Lands of Oregon determines the line.

Dideum opened testimony to proponents.

Michael Hoard, 13095 Princeton Ct., Lake Oswego, OR 97035 – referenced maps showing beach access and trail locations and he asked when the maps would be available and if it would be in draft form for review and comment.

Connell noted the graphics are not in the documents yet, she referenced the Transportation Plan which includes trail maps that would overlap with the maps for the parks plan, the plan is to create a trail map. She is working with Mark Scott the City's GIS consultant to get the maps on the GIS and provide a paper copy of the map as a trail guide.

Hoard's hope is maps will be available in draft form for review before it becomes a final document and reflect the routes as they are now.

Connell asked if he was able to see the list in the parks master plan noting they were all there and just need to be an available graphic.

Hoard said he would like to be part of the review. The family has been in Gearhart for 5 generations.

Mike Cranston, 5130 SW Winsor Ct., Portland, OR 97221 – he has read the plan and feels it was well done.

There were no opponents and no neutral comments.
The public testimony was closed at 8:30 pm.

Dideum polled commissioners for their comments:

Graff – said the committee did a tremendous job, has no objection to the draft.

Kloepfer – said there were comments from the work session that have not been incorporated into the plan 1) the estuarian riparian zone 2) objection to the wording *preservation of ocean views* is still included in the plan 3) environmental integrity is not in any of the policies and she would like to see tree and vegetation maintenance and protection and pesticide use addressed.

Tomlinson – said *preservation of ocean views* was compromise language, add map of park and open space zoning, the addition of Thompson Falls forested area in the section of other publicly owned property relevant to parks planning. Updated information for Appendix 2 – remove BLM, add National Parks Service, Forest Service, NOHA National Marine Fisheries Dept, Necanicum Watershed Council, Columbia Land Trust, Oregon Department of Forestry in the appendix, Oregon Department of State Lands listed twice.

Taggard – asked where this fits in Gearhart documentation. He said the commission still has work to do the commission needs to review the plan with the maps before the next public review.

Connell said it will be a separate document supplemental to and a part of the comprehensive plan.

Smith – no additional comments.

Dudley – asked about the Necanicum Estuary and the riparian per pages 7 and 8 of the staff report where would it go?

Connell said it would go in Section 3.9 Parks and Open space Zone of the Zoning Ordinance.

Dudley would like to see the formula for the high-water line included and seen on a map. She feels the plan is not finished and the commission is not in a place to adopt and move on with the plan.

Tomlinson – regarding #3 future parks and trails Neacoxie access bridge and culvert at G Street, if there is any open access to the estuary the culvert is undersized and needs to be replaced.

Dideum – 1) a large part of the plan needs to be an appendix, policies should be separated out at the beginning of the document 2) the park at the Reserve is owned by the Reserve at Gearhart HOA, 3) many grammar errors 4) has a problem with an independent Gearhart Parks Commission that has a budget and the ability to go out and spend money and contract with others to have work done and get funding resources. Gearhart is a small city, and these are issues of the city not a committee. She feels the city does not need a commission. 5) statement in Policy 14 to encourage *tournaments* conflicts with the Comprehensive Plan and encourages tourism. She has no problem with a parks committee for suggestions but has problems with budgets and getting other funds, she sees no basis for getting a private contractor to take over parks' maintenance. She questioned Policy #18 being blank, the maps are incomplete not including her neighborhood or showing the access points. She said it would be a disservice to approve a document that is not complete.

On **MOTION** by Taggard 2nd by Smith, put the process on hold until the commission gets further revisions. Motion fails 0-7

On **MOTION** by Taggard, 2nd by Smith, by unanimous motion the public hearing is to be held open until January 13, 2022.

UNFINISHED BUSINESS

None

NEW BUSINESS

None

On **MOTION** by Smith, 2nd by Tomlinson, by unanimous motion Commissioner Graff was granted a retroactive excuse from the September 9, 2021, commission meeting.

NOVEMBER MEETING

November meeting falls on a holiday, the Planner and the President will be out of town. By consensus the November meeting is cancelled.

CONCERNS OF THE COMMISSION

Graff reported on VACASO involved with time shares where they buy expensive houses in an LLC and sell shares to multiple people. It has become a nightmare in some areas. He is asking Sweet and the city attorney to look into it and propose an ordinance preventing time shares in residential neighborhoods.

The meeting was adjourned at 9:22 pm.

Angoleana Drien for Cheryl 12/10/2021
Cheryl A. Lund, secretary approved