

CITY OF ROCKAWAY BEACH

REGULAR PLANNING COMMISSION MEETING

JANUARY 27, 2015

CALL TO ORDER Planning Commission President Rae Owens called the meeting to order at 6:00 p.m. There were four (4) guests present.

ROLL CALL Present: President; Rae Owens, Commissioners; Charles Sheckler, Penny Cheek, Greg Baumgart, Pat Olson, and Lynda Holm. Absent: Ruth Daugherty. Also present: City Planner Jay Sennewald.

APPROVAL OF MINUTES Baumgart stated that he believed Johns had been employed by various agencies for 2-3 years rather than 10 years as reported in the minutes. Sennewald said that he would review the tape for the accuracy of the minutes. He added that he could make the necessary corrections before presenting the minutes to Owens for a signature. Baumgart added that he also wanted more detail about the wetlands and engineering. Holm stated her concern about time limitations for the extension and said she did not want to cause any delays. Baumgart made motion, seconded by Holm, to accept minutes of the Planning Commission meeting with staff corrections; Cheek, Olson, Baumgart, Owens, Sheckler, and Holm voted in favor; motion carried.

JAMES DUFFY HEIGHT EXCEPTION Cheek recused herself due to her personal relationship with Jonathan Duffy and Corey Scott. Sennewald gave staff report on property 1098 Tillamook Street in Lake Lytle Estates. He explained that the party wished to replace an existing home on the property with a new dwelling. He added that the R-3 Zone had the most restrictive height requirements but did not feel a variance was due because the language in the code clearly stated that the Planning Commission could review plans and allow the height proposed with no further actions required. He noted that other zones allowed height of twenty-nine feet and that twenty-six feet did not seem excessive in his opinion. Jonathan Duffy had presented a letter from a neighbor who did not have any objections to the height request. Duffy gave some background about the house and his reasons for making a request. Baumgart made motion, seconded by Olson, to allow the proposed height of twenty six feet; Cheek, Baumgart, Olson, Owens, Sheckler, and Holm voted in favor; motion carried.

CONSIDERATION OF VARIANCE #14-07 Owens read the variance criteria aloud. Holm admitted to knowing party but stated she could make a fair decision. Cheek also admitted to knowing party but stated she too could make a fair decision. Sennewald gave staff report describing the house at 450 South Highway 101, the lot size, and the parking requirements. He said there was no suitable parking for commercial use at the site. Sennewald said Du Bois had done a thorough job of providing the City with needed details about the project. He stated that he had encouraged the applicant to move forward with the request because it appeared to be consistent with the criteria. Baumgart asked if a

variance would carry forward to future user of same building. Sennewald answered that a variance would go forward with the land and not with the property owner. Baumgart stated that the applicant would have mild traffic but noted that any future owner could have heavy traffic. Sennewald said the approval could attach a condition for the type of retail use but that it would be tough to do and he did not recommend doing so. Baumgart asked if there wer conditions regarding bathrooms and ADA accessibility which would apply when converting a house for commercial located in a commerical zone. Sennewald said Baumgart was referring to building codes which were not governed by the Rockaway Beach Zoning Ordanance. He added that as a condition of a zoning permit he would insure that the applicant had coordinated with the County Planning Department for any terms on conversion from residential to commercial. Baumgart asked for the procedure to change use from residention to commercial. Sennewald said the applicants would need a zoning permit. Owens asked if the Oregon Department of Transportation had any concerns. Sennewald explained that the city depends heavily upon parking on the highway and added that it would be catastrophic if the Oregon Department of Transportation were to discontinue the use of parking next to the highway. Holm talked about the requirements and said they were difficult to conform to. Sennewald said it would be considered mixed use which he considered to be desirable. Holm gave personal statistics regarding her experience with parking and the difficulties of using the commercial zone for commercial use. Applicant Cat Freshwater DuBois read a prepared statement explaining that her business would interfere with traffic on 101. She stated that the denial of the variance would result in a tremendous hardship which would leave her no choice but to take her business out of Rockaway Beach. She said she had started the building permit process with Tillamook County. Cheek asked how many cars the applicants owned. DuBois said they owned one personal vehicle. Sennewald restated that the DuBois had done an extremely thorough job of addressing all the required criteria and added that he had no objections. Owens read the applicants their rights and the applicants chose to waive those rights. Cheek made a motion, seconded by Sheckler, to close the testimony of Variance 14-07; Cheek, Baumgart, Olson, and Owens, Sheckler, and Holm voted in favor; motion carried. Cheek made a motion, seconded by Holm, to approve Variance 14-07; Cheek, Baumgart, Olson, and Owens, Sheckler, and Holm voted in favor; motion carried. Sennewald informed Owens that he would prepare his finding and obtain his signature at a future date regarding the approval of the variance.

**CITIZEN
COMMENTS &
CONCERNS**

None

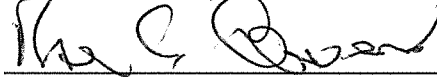
**PC COMMENTS
& CONCERNS**

Cheek stated she had signage concerns and that she would present Sennewald with some photographs following the meeting.

ADJOURN

Cheek made motion, seconded by Olson, to adjourn; Cheek, Baumgart, Olson, Owens, Sheckler, and Holm voted in favor; motion carried. Owens adjourned the meeting at 6:40 p.m.

MINUTES APPROVED THIS 23RD
DAY OF JUNE, 2015.

A handwritten signature in black ink, appearing to read "Rae Owens", written over a horizontal line.

Rae Owens, President