



City of Rockaway Beach

Planning Commission Meeting Minutes

Date: Thursday, May 16, 2024
Location: Rockaway Beach City Hall, 276 HWY 101 - Civic Facility

1. CALL TO ORDER

Planning Commission President Hassell called the meeting to order at 5:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Start time: [05:01:00 PM \(00:00:19\)](#)

[Position #2 - Stephanie Winchester: Present](#)

[Position #3 - Pat Olson: Present](#)

[Position #7 - Georgeanne Zedrick: Present](#)

[Position #5 - Bill Hassell: Present](#)

[Position #1 - Zandra Umholtz: Present](#)

[Position #4 - Sandra Johnson: Present](#)

[Position #6 - Nancy Lanyon: Present](#)

President: Bill Hassell

Commissioners: Sandra Johnson, Nancy Lanyon, Pat Olson, Zandra Umholtz, Stephanie Winchester (via Zoom), and Georgeanne Zedrick

Council Members Excused: Charles McNeilly, Mayor; and Mary McGinnis, Planning Commission Liaison

Staff Present: Luke Shepard, City Manager; Mary Johnson, City Planner; and Melissa Thompson, City Recorder

4. APPROVAL OF MINUTES

Start time: [05:01:27 PM \(00:00:46\)](#)

Olson noted a correction to the minutes.

Johnson made a **motion**, seconded by Zedrick, to approve the April 18, 2024 minutes as amended.

The **motion carried** by the following vote:

[Position #4 - Sandra Johnson: Motion](#)

[Position #7 - Georgeanne Zedrick: 2nd](#)

[Position #2 - Stephanie Winchester: Approve](#)

[Position #3 - Pat Olson: Approve](#)

[Position #7 - Georgeanne Zedrick: Approve](#)
[Position #1 - Zandra Umholtz: Approve](#)
[Position #4 - Sandra Johnson: Approve](#)
[Position #6 - Nancy Lanyon: Approve](#)

5. PRESENTATIONS, GUESTS & ANNOUNCEMENTS

Hassell gave a presentation on Mobi-Mats that are designed to improve accessibility for beach access. Hassell passed around samples of the Mobi-Mat material. He recommended that the City Council review and incorporate it into the Strategic Plan. Hassell answered clarifying questions.

Zedrick made a **motion**, seconded by Johnson, that Hassell take the Mobi-Mat presentation to the City Council.

The **motion carried** by the following vote:

[Position #7 - Georgeanne Zedrick: Motion](#)
[Position #4 - Sandra Johnson: 2nd](#)
[Position #2 - Stephanie Winchester: Approve](#)
[Position #3 - Pat Olson: Approve](#)
[Position #7 - Georgeanne Zedrick: Approve](#)
[Position #1 - Zandra Umholtz: Approve](#)
[Position #4 - Sandra Johnson: Approve](#)
[Position #6 - Nancy Lanyon: Approve](#)

6. STAFF REPORTS

Start time: [05:19:03 PM \(00:18:22\)](#)

City Planner Johnson provided updates on the permits issued by the Planning Department in April, the Anchor Street Park project, the newly-opened Wayside restrooms, the Salmonberry Trail kick-off meeting and website updates, the FEMA Biological Opinion (BiOp), and grant funding to be received for the Lake Lytle restroom project.

At the request of Commissioner Johnson, City Planner Johnson provided further explanation of the FEMA BiOp.

7. PUBLIC HEARING

Start time: [05:23:34 PM \(00:22:53\)](#)

a. Variance #24-02: Consideration of an Application for a Variance at 101 S. Miller Street in Rockaway Beach (Tillamook County Assessor's Map # 2N1032CC Lot #9600) to Decrease the Number of Required Parking Spaces to Construct a New Mixed-Use Building

Hassell opened the public hearing at 5:23 p.m.

Hassell read opening statements, public hearing disclosure statements and procedures, and testifying instructions. He explained that the Applicants are Debra Reeves and Bryce Zehrung. Hassell stated the property is 101 South Miller Street, Rockaway Beach and is further identified on Tillamook County Assessor's Map # 2N1032CC Lot #9600. Hassell stated that the Hearing will be on an application requesting approval of a variance to reduce the number of required parking spaces for their proposed mixed-use building from six parking spaces to two. Hassell explained the Applicants seek to construct a three-story, mixed-use building which would consist of commercial space on the bottom floor, two dwelling units on the second floor, and a third dwelling unit on the third floor. No parking is required for the commercial space. Two parking spaces are required for each of the dwelling units.

Hassell invited Commissioners to declare any bias or conflicts of interest. None were declared and there were no challenges from the audience on the basis of bias.

Hassell invited Commissioners to declare any ex-parte contact. Commissioner Johnson disclosed that she was frequently in the vicinity of the property, and she had a conversation that week with applicant Debra Reeves regarding the painting of the building currently in progress. Johnson stated that they did not discuss the Application. Zedrick, Lanyon, Olson, Winchester and Hassell declared site visits and visits to the property as customers of the business located on the property.

City Planner Johnson presented the Staff Report, introducing it with a PowerPoint presentation. (A copy of the presentation is included in the hearing record.)

Lanyon inquired about potential increase in water capacity. City Planner Johnson explained that water capacity would be considered at the time of application for a water connection. Lanyon inquired about designation of the 3 existing parking spaces. City Planner Johnson replied that she was not aware of any current designation. Zedrick inquired about the driveway on the north side. Shepard and City Planner Johnson suggested that the applicant could address the question. Commissioner Johnson inquired about parking for existing residences. City Planner Johnson explained that grandfathered exemptions would continue with the original property.

City Planner Johnson reported that written testimony in opposition to the request was received from Elizabeth Vermeulen and Alice Pyne in opposition to the application. Additional written testimony in opposition was received from Carolyn Walters. No written testimony was received in support.

Agent for the Applicants, Rodney Brazile, gave testimony on the request, summarizing the proposal and responding to questions raised by the Planning Commissioners. Brazile referred to the plot drawing submitted for the application. He said the lower floor must maintain 50% of commercial floor space. He explained that 6 parking spaces would not allow the proposed structure to maintain 50% commercial space. Brazile stated that the required sidewalks around the property took up 3.7 parking spaces. Brazile indicated the main level would be used for the owner.

There was no testimony in support of the application.

Nancy Albro, a realtor in a commercial space near the subject property, testified in opposition. Albro shared that there are already a high number of cars parking near South Miller and 1st Street.

She stated that the Applicant's customers at 101 South Miller, already take up the parking in front of her business for extended periods of time while they socialize, gambled, and did laundry. She believed that allowing the variance request would only exacerbate this issue. Instead, she suggested the Applicants seek a conditional use permit to build a residential only structure, which could be raised, and parking could be provided on the ground level. She also responded directly to the statements made in the application that no complaints had been made regarding parking. She clarified that all of the tenants in the neighboring commercial building had made verbal complaints to the Applicants regarding the parking congestion created by her businesses and short-term rentals at 101 South Miller.

Susan Wilson, at Sea Quest Treasures Mall neighboring the subject property, testified in opposition. Wilson stated that the parking for the Mall is often taken up by the Applicant's customers while they gamble or do laundry. She shared that she had spoken directly with the Applicant regarding these issues, but no resolution had been provided. Wilson indicated she believed that granting the variance request would create a hardship for the business owners in the area as there would not be parking available to their customers.

Patti Swain, a Rockaway Beach resident, testified in opposition, stating that parking is already limited in this area. Swain stated she believed that the residents deserve to have dedicated parking available to them, and was opposed to reducing the parking requirement to two spaces.

Pam Moreland, owner of Beauty at the Beach, a neighboring business to the subject property, stated she opposed the variance request as her clients already struggle to find parking near her business, many of whom are mobility limited. She stated the area needs more parking, not less.

Agent for the Applicants, Rodney Brazile, provided rebuttal to the opposing testimony. He stated that there is no required parking for commercial spaces and acknowledged the Applicant's had attempted to ease the parking concerns for the residential spaces by leasing the three parking spaces on South Miller. He commented that existing parking had the same challenges for accessibility.

Umholtz asked if the leased parking on South Miller had signs identifying the use of the parking. City Planner Johnson responded she was not aware of any identifying signs, but that the lease for the three parking spaces was relatively new, and suggested the Agents for the Applicants may be able to provide more information. Kristine Hayes, Agents for the Applicants, stated that the Applicants had recently ordered signs to identify the leased parking.

Zedrick questioned how the leased parking would be used, either for the pre-existing commercial structure or for the residents. Hayes, Agent for the Applicants, suggested the Planning Commissioners could make a condition regarding the use of the leased parking spaces.

Zedrick asked for clarification if the current structure contained residential space and if so, where those tenants are parking. Hayes, Agent for the Applicants, stated the parking is grandfathered in and the tenants park on the street in the commercial area.

Zedrick asked for clarification regarding the existing driveway on 1st Street and if it would be converted into a sidewalk. The Agents for the Applicants stated it is a combination of a road approach and a sidewalk currently. Zedrick stated her understanding is that vehicles would not be

able to park in front of this type of road approach. The Agents for the Applicants stated that was correct. Zedrick asked if it would become a sidewalk. The Agents for the Applicants stated it would remain the same, but that people park in front of it already. Zedrick expressed concerns about commercial loading and unloading and discussion followed. Shepard suggested that discussion was straying away from parking.

Commissioner Johnson asked for clarification of the number of dwelling units in the pre-existing structure on the property. Hayes, Agent for the Applicants, stated there were two. City Planner Johnson confirmed the dwelling units had four exempt parking spaces due to the building's grandfathered status. Umholtz provided that the application under consideration was for the parking for the new, proposed structure, not the pre-existing building.

Umholtz asked for the beginning dates of the leased parking. Hayes, Agent for the Applicants, stated it was in place as of March 1, 2024. Umholtz stated the parking area on South Miller has been coned-off for a long time. Hayes, Agent for the Applicants, stated she was unaware of the area being coned-off.

Umholtz asked if the signs would state the parking is reserved for residential use. The Agents for the Applicants stated this could be a condition imposed. City Manager Shepard stated that the City does not have jurisdiction over the Port's right-of-way and could not dictate to the Port regarding the posting of signs.

Umholtz stated the lease could be terminated by the Port at any time, therefore the leased parking could not be viewed as a permanent solution. Hayes, Agent for the Applicants, stated they were unaware of the Port terminating leases and that the biggest unknown was the Salmonberry Trail. Commissioner Johnson stated that in her reading of the lease it could be cancelled by either party with 30 days' notice. Hayes, Agent for the Applicants, confirmed this to be true.

Brazile, Agent for the Applicants, commented that they were just trying to work with what the City allows and based their design around the difficulties and hardships on the site from the existing structure and sidewalks that were taking up parking space, while providing the required commercial space and adding housing.

Commissioner Johnson asked if the Applicant has any plans to make parking available for her laundromat customers. The Agents for the Applicants stated there is no required commercial parking and the Applicant is taking the risk onto herself and may lose some of her business, as her customers would have to park down the road or across the street. Commissioner Johnson stated that one of the criteria that must be considered is whether the granting of the variance would create a safety hazard. She continued that if the laundromat customers are now having to carry their baskets full of laundry over the railroad tracks and loose rocks, this would create a safety hazard, or she anticipated that the laundromat customers would likely double-park, impeding the flow of traffic on South Miller. Brazile responded that the leased parking spaces could potentially already be filled with customers for the business, therefore this issue may already exist. Commissioner Johnson responded that if the variance request were granted, this issue would be expounded. Brazile stated the issue would be the same, noting there was no commercial parking requirement.

Winchester commented that some discussion was related to commercial use of parking while the applicant has leased space for residential parking space, and asked for staff comments. City Planner

Johnson noted that concerns expressed regarding a safety hazard or free flow of traffic issues were related to the leased parking spaces. City Planner Johnson advised the Commission that what they were granting is a parking reduction from six off-street parking spaces, to two. She advised the Commissioners that they should not take the leased parking spaces into account in their deliberations, as the leased parking spaces could be terminated at any time

Hayes, Agent for the Applicant, clarified for Umholtz the use of proposed commercial space on the application. City Planner Johnson reviewed the submitted drawings with Umholtz.

City Planner Johnson advised the Commission that what they were granting is a parking reduction from six off-street parking spaces, to two. She also stated that the Commissioners should not take into consideration the commercial space provided on the ground level, as no parking is required for it. Additionally, the pre-existing structure's parking exemption should also not be taken into consideration. She reminded the Commissioners to only consider the criteria for a parking variance, not the criteria for a height or setback variance, which had been responded to by the Applicants.

The Agents for the Applicant waived the right to submit additional written arguments.

Zedrick made a **motion**, seconded by Olson, to close the record and the Public Hearing.

The **motion carried** by the following vote:

- [Position #7 - Georgeanne Zedrick: Motion](#)
- [Position #3 - Pat Olson: 2nd](#)
- [Position #2 - Stephanie Winchester: Approve](#)
- [Position #3 - Pat Olson: Approve](#)
- [Position #7 - Georgeanne Zedrick: Approve](#)
- [Position #5 - Bill Hassell: Approve](#)
- [Position #1 - Zandra Umholtz: Approve](#)
- [Position #4 - Sandra Johnson: Approve](#)
- [Position #6 - Nancy Lanyon: Approve](#)

Hassell declared the Public Hearing closed at 6:21 p.m.

Commissioner Johnson stated that the role of the Planning Commission was not to change existing ordinances but to rule consistently based on how they were written at this time. She noted that while the Commission may appreciate the Applicant's desire to provide more housing and commercial space, she didn't feel the Planning Commission had the right to approve the request at the risk of safety and traffic congestion.

Lanyon stated that she appreciated the proposed long-term housing in the mixed-use building and that the Applicants had attempted to overcome the parking requirements that the ordinance imposed.

Umholtz commented that the Applicant's willingness to provide long-term housing was amazing, but that the residents should be allowed the required parking spaces. She commented that given the nature of the area, especially during the summer months, she believed it would be burdensome

to the tenants to not be provided with any parking. She indicated that allowing the variance in this area would be detrimental.

Zedrick made a **motion**, seconded by Olson, to move that, based on the findings of fact and recommendation presented in the City Staff Report and testimony received, the Planning Commission deny Variance Application Number 24-02 and authorize the Chair to sign an order to that effect.

The **motion carried** by the following vote:

[Position #7 - Georgeanne Zedrick: Motion](#)
[Position #3 - Pat Olson: 2nd](#)
[Position #2 - Stephanie Winchester: Disapprove](#)
[Position #3 - Pat Olson: Approve](#)
[Position #7 - Georgeanne Zedrick: Approve](#)
[Position #5 - Bill Hassell: Approve](#)
[Position #1 - Zandra Umholtz: Approve](#)
[Position #4 - Sandra Johnson: Approve](#)
[Position #6 - Nancy Lanyon: Disapprove](#)

8. CITIZEN INPUT ON NON-AGENDA ITEMS

Start time: [06:29:38 PM \(01:28:57\)](#)

No audience members wished to comment.

9. OLD BUSINESS

a. Discussion Regarding Updates to Sign Ordinance

Start time: [06:29:54 PM \(01:29:13\)](#)

City Planner Johnson reviewed proposed updates to the Sign Requirements in Section 4.050 of the Zoning Ordinance, referring the Commission to the copies of the original and red-line updated versions in their meeting packet. She noted that a few provisions were added regarding lighting based on recent public input requesting dark skies regulations. She answered clarifying questions for the Commission.

Lanyon inquired about considering provisions for signs in disrepair. Shepard suggested that grant funds were available for business owners to replace signs in disrepair. Lanyon inquired about regulating language on signs. City Planner Johnson said language restrictions in the Zoning Ordinance could be subject to litigation.

Commissioner Johnson inquired about requiring removal of signs for defunct/closed businesses. City Planner Johnson expressed concerns about enforcement. Commissioner Johnson expressed concerns about the aesthetics of electronic reader board signs and frivolous messages. She suggested safety notices were appropriate for government signs. Umholtz noted that the primary intent of the revisions was to add provisions for governmental bodies.

Winchester excused herself from the meeting at 6:38 p.m.

Lanyon commented on signs for food trucks. Shepard commented that the hope was to only change what was necessary at this time. City Planner Johnson noted that food trucks may also be addressed with other ordinance updates.

Umholtz expressed that she thought the revisions were great. Commissioner Johnson stated she wanted an amendment prohibiting dilapidated signs and requiring removal of closed business signs. There was brief discussion regarding enforcement. Shepard suggested language could be added to the ordinance to encourage sign owners to seek funds to address those issues. City Planner Johnson suggested that language could be added to grant applications. There was brief discussion regarding non-conforming signs. City Planner Johnson noted that the City Council had not provided direction to revise the sign regulations, and reiterated that the primary purpose was to address administrative issues. Umholtz noted that the Commission could request to the Council that the Commission make further revisions in the future.

Umholtz made a **motion**, seconded by Lanyon, to accept the proposed updates to Sign Requirements and recommend it to City Council for approval.

The **motion carried** by the following vote:

[Position #1 - Zandra Umholtz: Motion](#)

[Position #6 - Nancy Lanyon: 2nd](#)

[Position #3 - Pat Olson: Approve](#)

[Position #7 - Georgeanne Zedrick: Approve](#)

[Position #1 - Zandra Umholtz: Approve](#)

[Position #4 - Sandra Johnson: Approve](#)

[Position #6 - Nancy Lanyon: Approve](#)

10. NEW BUSINESS – None Scheduled

11. PLANNING COMMISSION COMMENTS & CONCERNS

Start time: [06:55:46 PM \(01:55:05\)](#)

Zedrick commented that she knew it was the Commission's duty, but it was never a warm and fuzzy feeling to make a denial.

Lanyon thanked staff for their thoughtfulness regarding dark skies. Lanyon wondered about provisions regarding installation of bike racks. City Planner Johnson explained that private property owners could install bike racks on their property, but would need City approval for installation on public property. Shepard said that the Budget Committee approved funds for installation of about 5 bike racks, and some racks would be installed at the Anchor Street Park. Lanyon shared that she sent an email to staff suggesting that Commissioners have the ability to opt out of receiving printed packets.

Olson shared that he was glad to be back after a two-month absence.

Commissioner Johnson thanked Hassell for work on accessibility in Rockaway Beach, noting the Mobi Mats would be a great addition. She thanked City staff for work on the Anchor Street playground and stated it will be a great addition to the City. Johnson commented that Manzanita adopted a dark sky ordinance and wondered what was needed to recommend it to the City Council. Shepard explained that after updated Planning Commission ordinance was adopted, it could be addressed, and added that the Commission could also provide input through the Strategic Planning process. City Planner Johnson invited the Commission to share their ideas.

Umholtz shared that she was excited for the new park. She noted that it feels like we are growing, but we are not a big city. She thanked all involved.

Hassell concurred with the comments on the Anchor Street playground.

12. ADJOURNMENT


Start time: [07:01:50 PM \(02:01:09\)](#)

Olson made a **motion**, seconded by Umholtz, to adjourn the meeting at 7:01 p.m.

The **motion carried** by the following vote:

[Position #3 - Pat Olson: Motion](#)
[Position #1 - Zandra Umholtz: 2nd](#)
[Position #2 - Stephanie Winchester: Approve](#)
[Position #3 - Pat Olson: Approve](#)
[Position #7 - Georgeanne Zedrick: Approve](#)
[Position #1 - Zandra Umholtz: Approve](#)
[Position #4 - Sandra Johnson: Approve](#)
[Position #6 - Nancy Lanyon: Approve](#)

MINUTES APPROVED THE
20TH DAY OF JUNE 2024



William Hassell, President

ATTEST



Melissa Thompson, City Recorder