

August 11, 2021

To: Gerhart Planning Commission
From: SCOFI Gearhart, Mr. Bob Morey

RE: Response to Staff report for City File #21-03 CU, dated August 5, 2021

Members of the Gearhart Planning Commission,

After careful review of the staff report, it is clear to us that the nature and scope of our long-term goals for the school site and need for a caretaker dwelling are misunderstood. Consequently, we are going to take a step back to try to better frame our narrative about what we hope to accomplish on the site in collaboration with the city and broader public. Therefore, by this letter, SCOFI Gearhart LLC, property owner and applicant, respectfully withdraws the application for a caretaker dwelling.

Although we are withdrawing our caretaker dwelling application, we will continue our efforts to work with the city administration to create almost 3 acres of publicly accessible park land on portions of tax lots 800 and 1500. A copy of e-mail correspondence with the city administer and mayor is attached.

Long-term goals

We purchased this 8-acre property at the doorway into the heart of Gearhart because we saw an opportunity to create a positive and lasting community benefit. The process we envisioned was a multi-faceted and a multi-year approach:

- Clean-up, stabilize, and protect the grounds and primary building.
- Establish a caretaker dwelling to monitor the site and protect the school building.
- Assess the septic capacity of the site to help guide planning for the long-term reuse of the property.
- Work with the city to create public park space on the east side of the site.
- Work with the community to provide community meeting facilities in the school building.
- Apply for a zone change that would allow creation of needed housing and city-operated park land.

To help build better understanding amongst all of us, over the next months we will provide comments on the staff report and background information on our school reuse project.

Caretaker dwelling

Our proposal for a caretaker dwelling was the most cost effective method to temporarily use a portion of the existing building as a 2-bedroom, caretaker dwelling, with one kitchen and parking for the caretakers.

The caretaker dwelling would require 300 gallons of septic capacity which is available in the current system which supported more than 250 students. A toilet and sink already exist in each of the four (4) 1968 built classrooms being converted to a caretaker dwelling and the units discharge into the 7,000 gallon septic tank on the west side of the main school. There are no toilets or sinks in the five (5) 1948 built classrooms. This 7,000 gallon tank only services the classroom portion of the school and a custodian's room and there is no plan for it to be expanded to support other uses on the site.

Public/Semi Public Zoning

The report states "It can be argued" that the zoning "implies" taking care of the permitted use, i.e., the school functions. Essentially, the report argues that once the school use ceased,

the need for a caretaker dwelling disappeared. No school, or other permitted use - no need for a caretaker.

However, there is no support for this approach in the Gearhart Zoning Ordinance (GZO) - not in the definition of conditional use, the conditional use chapter, or in the Public/Semi Public (P/SP) zoning district chapter.

The basis for this reasoning is that the P/SP purpose section states there is a *“unique relationship between public, semi public use and surrounding uses.”* The Park/Open Space (P) zone chapter also recognizes a “unique relationship” between P zone primary uses and the surrounding area. However, both chapters are silent as to what makes the relationship unique.

In the P zone, a caretaker dwelling is a conditional use, as are parks and recreation facilities. The only outright permitted uses in the P zone are *“Temporary post-disaster shelters, debris storage, and heavy equipment storage.”* Following the premise that the city may permit a conditional use only if the primary use is present because of the “unique relationship,” Gearhart could not grant conditional use approval to a park in the P zone unless the primary use was present, i.e., temporary post-disaster shelters, debris storage, or heavy equipment storage. It is difficult to image that the Planning Commission would refuse to approve a park, unless the primary use, e.g., debris storage was present.

Goal 11: Public Facility and Services Policies

The primary concern raised by representatives of the police, fire, and public works experts is that the existing gates, which are currently locked, prevent these essential service providers from accessing the site, thereby inhibiting their ability to provide for the safety of the citizens. These are valid concerns and a simple condition of approval requiring the owner to provide public service providers access into the site is appropriate.

Caretaker Dwelling Size

The GZO does not define caretaker dwelling as to size, location, duration, materials - nothing. However, the report states that the proposed size of the caretaker dwelling is *“not of typical size and configuration.”* There is no basis for concluding that the 2-bedroom caretaker dwelling unit is untypical or too big.

Availability of site in other zones

Building and site security is our principal concern. The school building is 10 times the size of city hall and a target for vandalism if not protected. Living off site is not a good alternative.

Although the report finds that the location of the caretaker dwelling on the property “may be optimal,” it concludes, without evidence, that there are “countless” housing opportunities permitted outright in Gearhart residential zones. It may come as a surprise to people looking for housing in Gearhart to learn that the opportunities for housing are “countless.”

Parking

The GZO requires two parking stalls for each dwelling unit. We already have 7 parking spaces adjacent to the caretaker dwelling and 26 spaces in front of the school entrance. We considered adding thirty-four (34) gravel parking spaces on the east side of the school to support parking for the planned “In A Landscape” concerts. We no longer feel they are necessary.

Attached is a site plan prepared on 7/15/21 and submitted to DEQ that shows thirty-four (34) parking spaces on the east side of the school. DEQ requires a site plan to do their septic analysis. Ten (10) test pits were dug and then inspected by DEQ on August 4, 2021. It is

expected that we will have to have piezometer readings on 12 to 15 locations this winter (November 1, 2021 to March 3, 2022) and will be waiting for DEQ's review of the results before we will have a better understanding of site septic capacity and can begin working on a site plan.

Septic System

There are four (4) septic systems at the former school and new construction (housing, etc.) will require an additional system or systems.

- (1) A failed septic system that was under the portable classroom at the north east corner of the school. The portable classroom was removed and the septic system will be removed.
- (2) A septic system that supported the portable classroom at the east side at the front of the school that was removed. This operable system will be removed.
- (3) A septic system that supports the kitchen, staff lounge, boys restroom and girls restroom on the south side of the school. This operable system will stay.
- (4) The aforementioned 7,000 gallon tank.
- (5) Any new construction will require an additional septic system or systems.

Conclusion

We look forward to collaborating with the Mayor, Council, City Administration, Planning Commission, and broader community to develop the long-term vision and plan for the former school property. And, we will find ways to minimize confusion and misunderstanding in clear and simple terms.

We will continue to invest in stabilizing and maintaining the former school building so that it provides an attractive entry into downtown Gearhart.

We believe that the former school property can become an asset to the community with community meeting facilities, parkland and perhaps housing. We look forward to sharing that journey with the people of Gearhart.

Sincerely,

Bob and Timi Morey

[illegible]

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SCOFI GEARHART LLC
J. R. 10W, SEC: 10, TL: 1500 & 800
CONCEPTUAL SITE PLAN

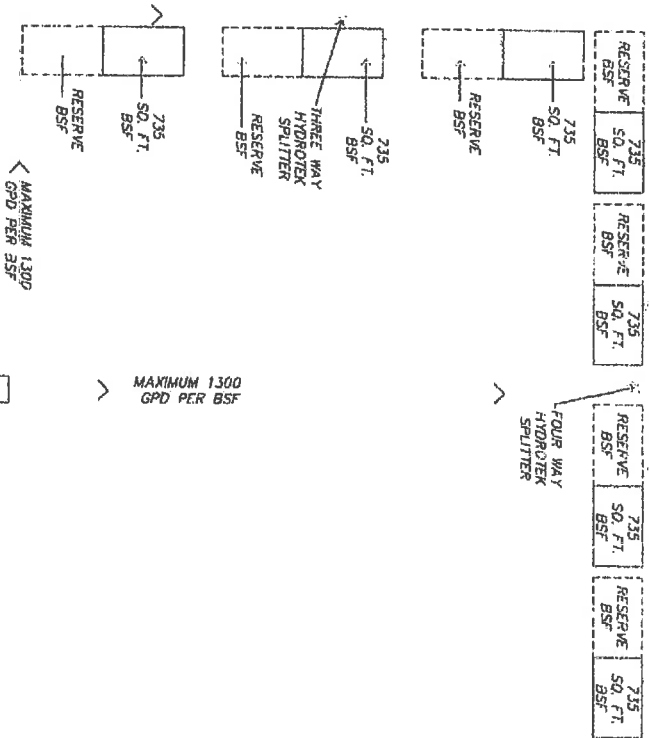
1 OF 2
07/15/21
EMS#21--0030

SCHEMATIC

Bldg. A	300 GPD	NEW SEPTIC TANK
Bldg. B	300 GPD	NEW SEPTIC TANK
Bldg. C	300 GPD	NEW SEPTIC TANK
Bldg. D	300 GPD	NEW SEPTIC TANK
Bldg. E	300 GPD	NEW SEPTIC TANK
Bldg. F	300 GPD	NEW SEPTIC TANK
Bldg. G	300 GPD	NEW SEPTIC TANK
Bldg. H	300 GPD	NEW SEPTIC TANK
Bldg. I	300 GPD	NEW SEPTIC TANK
Bldg. J	300 GPD	NEW SEPTIC TANK
Bldg. K	300 GPD	NEW SEPTIC TANK
Bldg. L	300 GPD	NEW SEPTIC TANK
Bldg. M	300 GPD	NEW SEPTIC TANK
Bldg. N	300 GPD	NEW SEPTIC TANK
Bldg. O	300 GPD	NEW SEPTIC TANK
Bldg. P	300 GPD	NEW SEPTIC TANK
Bldg. Q	300 GPD	NEW SEPTIC TANK
Bldg. R	300 GPD	NEW SEPTIC TANK
Bldg. S	300 GPD	NEW SEPTIC TANK
COMMUNITY MEETING SPACE	400 GPD	NEW SEPTIC TANK
Bldg. T	300 GPD	NEW SEPTIC TANK
Bldg. U	300 GPD	NEW SEPTIC TANK
Bldg. V	300 GPD	NEW SEPTIC TANK
Bldg. W	300 GPD	NEW SEPTIC TANK
Bldg. X	300 GPD	NEW SEPTIC TANK
CARETAKERS DWELLING	300 GPD	EXIST.
OFFICES AND MAINT. STAFF	75 GPD	
CLASSROOMS	350 GPD	

New Septic Tanks
2 Compartment 3000 gallon
dosing septic tank
(EXISTING 7000 GALLON SEPTIC TANK)

6325 GPD ADVANTEX AX-MAX300-42
TREATMENT SYSTEM



FLOW CALCULATIONS

New Residential Buildings

1 & 2 Bedroom Units @ 300 GPD EACH

Existing School Building

Caretaker dwelling	300 GPD
5 Office / maintenance staff	75 GPD
Community meeting space	400 GPD
Classrooms	350 GPD

Total

24 new Residential buildings	7,200 GPD
Caretaker dwelling	300 GPD
5 Office / maintenance staff	75 GPD
Community meeting space	400 GPD
Classrooms	350 GPD
Total	8325 GPD

SCOFI GEARHART LLC

T: 6N, R: 10W, SEC: 10, TL: 1500 & 800

SCHEMATIC

2 OF 2

07/15/21

EMS#21-0030



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From: chadsweet@cityofgearhart.com,

To: scofinz@aol.com,

Cc: mayorcockrum@cityofgearhart.com, reitalea@gmail.com, jndjesse@gmail.com, fursaabs@gmail.com, councilorwarren@cityofgearhart.com, markbrien@cityofgearhart.com, publicworks@cityofgearhart.com, joshcomo@cityofgearhart.com, krysti@cityofgearhart.com, jhill@cityofgearhart.com, gearhartpd@ci.gearhart.or.us, rmarx@dailyastorian.com,

Subject: Fwd: Leased Area for Park on Eastside of Elementary School

Date: Tue, Aug 10, 2021 2:13 pm

Good afternoon,

Bob Morey has decided to withdraw his conditional use permit application. The planning commission will remove the hearing from the Thursday agenda.

Take care,
Chad

----- Forwarded message -----

From: <scofinz@aol.com>

Date: Tue, Aug 10, 2021 at 7:19 AM

Subject: Leased Area for Park on Eastside of Elementary School

To: chadsweet@cityofgearhart.com <chadsweet@cityofgearhart.com>

Cc: mayorcockrum@cityofgearhart.com <mayorcockrum@cityofgearhart.com>

Hi Chad,

After careful review of the staff report, it is clear that the nature and scope of our long-term goals for the school site and the need for a caretaker dwelling are misunderstood by city staff.

We will be respectfully withdrawing our caretaker CUP application, but think it beneficial the we continue discussions with you and the council regarding creating much needed park space for the community.

We should be able to create a mutually acceptable park design and cost estimate over the winter as well as have the draft of a lease agreement completed. For site security reasons, finalization of a lease agreement will be predicated on us having an acceptable caretaker unit.

Most likely, we will be resubmitting a new CUP caretaker dwelling application in late-spring 2022 after we have site ground water monitoring results for the winter and a sense of what DEQ will support for site septic capacity and location.

We are hopeful that we can work together so that the community can have an almost 3 acre park to enjoy next summer.

Kind regards,

Bob

From: scofinz@aol.com,
To: chadsweet@cityofgearhart.com,
Cc: mayorcockrum@cityofgearhart.com,
Subject: Re: Leased Area for Park on Eastside of Elementary School
Date: Thu, Aug 5, 2021 6:34 pm

Hi Chad,

Timi and I appreciate that the staff and council have interest. We now have enough knowledge of our constraints to create a good solution for all parties.

My schedule is relatively open between 8/6 (tomorrow) and next 8/12 (next Thursday). Have a 1PM meeting at the school on Monday 8/9/. Otherwise, I will either be coordinating work at the school or dealing with paperwork at my office at home. Pick a time that works for you.

We have the concerts on 8/13 and 8/14 and Timi and I are in SOCAL 8/15 to 8/19.

Bob

-----Original Message-----

From: Chad Sweet <chadsweet@cityofgearhart.com>
To: Bob Morey <scofinz@aol.com>
Cc: Paulina Cockrum <mayorcockrum@cityofgearhart.com>
Sent: Thu, Aug 5, 2021 2:48 pm
Subject: Re: Leased Area for Park on Eastside of Elementary School

Hi Bob,

Propose a couple of timeslots that would work for you, and I'll set a meeting to discuss the parameters and such.

The community will be grateful if a deal could be ironed out.

Chad

On Thu, Aug 5, 2021 at 1:55 PM Bob Morey <scofinz@aol.com> wrote:

Hi Chad,

Had DEQ at site evaluating test pits yesterday. We will be monitoring ground water conditions this winter. If we get sufficient rainfall, will be able to proceed with planning late-next spring. If insufficient rainfall, then another winter of monitoring.

Most likely best case we can process a zone change and start construction is early-summer 2023.

Rather than wait 2 to 3 years to create some community park space, think it is beneficial to reopen discussions on a long term lease to the city. Thinking \$1 per year and a 10 year term. Will move our 20' gate to the north end of the to be created parking lot. City would have emergency north/south connectivity over the vacated land that was formerly roadway.

Expect the improvements the city would have to fund will be in the range of \$40,000 (fencing, asphalt parking for at least 10 cars, and landscape buffer along the inside of our shared north/south fence line, legal fees, etc.). We will need some form of a maintenance obligation agreement and liability coverage.

If we agree in concept this is something we can be completed before the paving window closes in October.

Let me know your thoughts.

Thank you

Bob Morey
(503)936-2500

Sent from my iPhone

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"Resilient Together!"

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