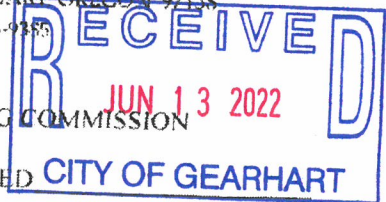




CITY OF GEARHART

698 PACIFIC WAY • P.O. BOX 2510 • GEARHART OREGON 97138
(503) 738-5501 • (503) FAX 738-9385



APPLICATION BEFORE THE CITY OF GEARHART PLANNING COMMISSION

PLANNING COMMISSION
2ND THURSDAY, 6:00 PM

DATE RECEIVED

1. APPLICANT: Zachary Smith and S.R. Yett PHONE: 541-515-0565
 MAILING ADDRESS: PO Box 26125 Eugene, OR 97402
 EMAIL ADDRESS: Zach@cetanfunds.com CELL PHONE: 541-515-0565
steven@srzett.com
2. PROPERTY OWNER: Kim Bauske PHONE: 808-446-5803
 MAILING ADDRESS: PO Box 1053, Seaside, OR 97138-1053
 EMAIL ADDRESS: Kimbauske@gmail.com CELL PHONE: 808-446-5803
3. SURVEYOR/ ENGINEER: N/A PHONE: _____
 MAILING ADDRESS: _____
 EMAIL ADDRESS: _____ CELL PHONE: _____
4. LEGAL COUNSEL: N/A PHONE: _____
 MAILING ADDRESS: _____
 EMAIL ADDRESS: _____ CELL PHONE: _____
5. PROPERTY LOCATION: 4253 HWY 101 N., Gearhart, OR 97138
6. LEGAL DESCRIPTION OF PROPERTY:
 (A) ASSESSORS PLAT AND TAX LOT: 61003BA00900 and 61003BA00800
 (B) ADDITION, BLOCK, AND LOT: Parcel 1 Partition Plat 1995-022 and Tract A Cottonwood Park

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) [Signature] DATE: 5/26/22
 PRINT S R YETT
8. SIGNATURE (OWNER) [Signature] DATE: 5/27/22
 PRINT KIM BAUSKE

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

698 PACIFIC WAY • P.O. BOX 2510 • GEARHART, OREGON 97135
(503) 738-5501 • (503) FAX 758-9385

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 _____
APPLICATION FEE: \$2000.00 PD _____

1. APPLICANT Zachary Smith and S.R. Yett PHONE 541-515-0565
MAILING ADDRESS PO Box 26125, Eugene, OR 97402
EMAIL ADDRESS zach@cetanfunds.com CELL PHONE 541-515-0565
steven@sryett.com
2. PROPERTY OWNER Kim Bauske PHONE 808-446-5803
MAILING ADDRESS PO Box 1053 Seaside, OR 97138-1053
EMAIL ADDRESS kimbauske@gmail.com CELL PHONE 808-446-5803
3. PRESENT ZONE C2
4. PROPERTY LOCATION 4253 Hwy 101 N, Gearhart, OR 97138
5. LEGAL DESCRIPTION see attached
6. SKETCH DRAWN TO SCALE ATTACHED see attached
7. DETAIL AND REASONS FOR REQUEST Use of former inn/motel for long-term affordable housing as apartments/multi-family dwellings. (27 units) C2 requires a CUP for multi-family.
8. INDICATE COMPLIANCE WITH ARTICLE 8 CONDITIONAL USE AND ANY RELEVANT SECTIONS OF THE ZONING ORDINANCE see attached
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' see attached
11. SIGNATURE (APPLICANT) [Signature] DATE 5/26/22
PRINT S.R. YETT
12. SIGNATURE (OWNER) [Signature] DATE 5/27/2022
PRINT KIM BAUSKE

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MARCH 2020

CONDITIONAL USE



CITY OF GEARHART

698 PACIFIC WAY • P.O. BOX 2510 • GEARHART, OREGON 97138
(503) 738-5501 • (503) FAX 738-9385

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2ND THURSDAY, 6:00 PM

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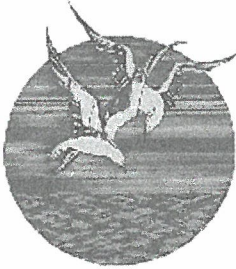
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7. SIGNATURE (APPLICANT) A.R. YETT DATE: 5/26/22
 PRINT S. R. YETT
8. SIGNATURE (OWNER) _____ DATE: _____
 PRINT _____

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MAILING ADDRESS PO Box 20125, Eugene, OR 97402
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11. SIGNATURE (APPLICANT) A. R. Yett DATE 5/24/22
PRINT S. R. Yett
12. SIGNATURE (OWNER) _____ DATE _____
PRINT _____

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THE WINDJAMMER

CONDITIONAL USE PERMIT APPLICATION NARRATIVE

The Windjammer Inn has been a fixture in Gearhart for decades. The property currently includes 24 rooms with full kitchens, limited space for laundry services, a manager's offices, a motel lobby, and storage areas. The property also has an accessory building which has remained vacant since it was moved to the property decades ago. This vacant building has primarily been used for storage.

The Windjammer was previously owned and managed by Donn Bauske. The current owner, Kim Bauske, inherited the motel in February 2017. Prior to that, her father ran the motel as a hybrid between short-term and long-term rentals. He rented to anyone with cash, renting nightly, weekly, or monthly. Since the rooms have full kitchens, the property was always a good option for Gearhart residents in need of housing.

Since 2017, Kim estimates that 90% of the tenants have been living at the motel as long-term tenants. Typically, these residents begin as short-term nightly renters, then request to be long-term. Kim's vacancy rate has averaged less than 5% since 2017, except in 2018 when she renovated 15 units.

Kim currently has 2 units available on a nightly basis only for the inn/motel use of the property. The remaining 22 units are used for long-term tenancy. In 2021, Kim reported modest income from transient, nightly stays that totaled less than 28 days.

Between 2017-2019, Kim reports that sales were about 8-10% for the short-term or nightly rental. In fact, the City of Gearhart has collected a relatively low amount of lodging taxes over the past several years, which reflects Kim's operation focusing on long-term housing.

On May 11, 2022, Kim signed a contract to sell the Windjammer to Zach Smith and Steven Yett. Zach and Steven are commercial real estate investors based in Eugene with extensive experience in the field and a passion for providing affordable housing to communities throughout Oregon. Kim's stated goal was to sell the property to a buyer who would carry-on the current use of the property for long-term housing. Thus, her agreement to sell to Zach and Steven.

Zach and Steven seek to officially convert the property to apartments. Under the property's current zoning, C2, a Conditional Use Permit is required for multi-family dwellings. Kim, Zach, and Steven together are now seeking the city's approval for this Conditional Use Permit as quickly as possible. Without this, banks are not willing to finance the property. As noted above, it has not been run as a hotel for several years. So, it's an odd duck for a bank; not a hotel, but not legally able to continue as, essentially, apartments.

Zach and Steven's plans include ceasing all nightly rentals and any of the inn/motel operations. They will hire professional property management and convert all residents that are currently paying weekly to monthly rates with proper rental agreements in place. Additionally, they plan to make significant improvements to the property. These improvements include addressing deferred maintenance, fresh landscaping, parking lot improvements, improved lighting, better on-site laundry services, trash/recycling amenities, and new branding/signage.

Zach and Steven are also planning renovations that will add three more units, giving the property 27 units in total. One unit will be created by finishing renovations already underway by Kim on the manager's offices. One unit will be created by converting the motel lobby into a new apartment. One 2-bedroom unit, which was originally two 1-bedroom motel rooms, will be re-divided to create two 1-bedroom units, each with its own kitchen.

Zach and Steven plan to complete these improvements within the first year of ownership. Then, moving forward they will continue to own and operate the property as an apartment complex, with 100% of the units leased out for long-term affordable housing for Gearhart residents.

This proposal aligns with the City of Gearhart's comprehensive plan and meets the condition use criteria outlined in the city's development code in section 8.040, as shown below with responses to these criteria in blue.

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:

Gearhart's comprehensive plan states that with residential developments the city will preserve and maintain "predominantly residential character" and will recognize the need to protect residential neighborhoods from "transient rental of property." Similarly with commercial developments the city strives to "limit commercial activity," "prevent the city from becoming a tourist destination" by seeking to limit "tourist development," and will "work to achieve a level of commercial development that support the needs of the residents of Gearhart, rather than serving a regional commercial center role, or providing for major tourist destination facilities."

The Comprehensive Plan establishes a goal of ensuring "decent, affordable housing and housing availability for all residents of the Gearhart area." To achieve this, it says the city "shall allow for needed housing types such as...multi-family dwellings..."

The use of the Windjammer Inn as long-term, affordable housing for Gearhart residents, rather than an inn/motel for tourists and transient visitors, fits perfectly with the City's policies as outlined in the Comprehensive Plan and above.

2. A demand exists for the use at the proposed location. Several factors which shall be considered in determining whether 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.

In 2019 the Clatsop County Housing Study concluded that cities across the county are experiencing a "housing crisis" and desperately need more "middle" and higher density housing types. They said, "commercial zones can be suitable and desirable locations for higher density housing by providing convenient and potentially walkable access to daily needs and amenities." It was recommended that cities such as Gearhart "remove barriers to the development of higher density housing in commercial zones" including allowing multi-family housing outright in commercial zones. They said, "some of this need can be met through larger multi-family apartment buildings."

The Windjammer Inn is located on Hwy 101 with excellent accessibility for residents and ample parking space (see attached parking plan proposal). As permanent and affordable housing for Gearhart residents it will fit perfectly with the recommendations of the county's housing study. Additionally, Gearhart's current supply of this type of multi-family, higher density housing for residents who cannot afford or qualify for a home purchase and need an affordable rental unit, is lacking, as noted above. In fact, the Windjammer Inn has gradually shifted towards affordable weekly rates and currently welcomes long-term tenancies by Gearhart residents. Making this use pivot permanent is a natural progression and would help address the housing needs identified in the 2019 Clatsop County Housing Study.

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.

We propose that as long-term, affordable housing under professional property management, the impact on surrounding properties will be minimal compared to the property's current permitted use as an inn/motel. Additionally, we plan to improve the property's offerings for on-site laundry, landscaping, and trash/recycling facilities. We feel there will be less traffic and a much more beneficial impact on the local community.

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.

Traffic will likely be reduced compared to an inn/motel operation. The property is located on Hwy 101 with 2 large curb cuts and well-paved asphalt and parking areas surrounding the entire building. This allows for great ingress/egress and traffic flow, which will be reduced further once the property is officially approved for use as long-term, affordable housing rather than a short-term tenancy inn/motel use.

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

The use of the property as long-term affordable housing should reduce the burden placed on public facilities and services such as water, electricity, trash/recycle, etc. when compared to its prior use as an inn/motel. Additionally for the last few years the property has often been used for long-term housing and the facilities and services have been adequate during this time. A new septic system was installed in 2016 with the city's approval. This system is serviced regularly and has been adequate in accommodating the property's use as both an inn/motel and long-term housing.

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

Yes, the site is flat with a very well-maintained asphalt surface for ample parking and traffic flow for residents (see attached parking plan proposal). The properties to the north are single-family homes, so surrounding land and soils appear to be appropriate for the use.

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.

The property has two large curb access points on Hwy 101 with well-maintained asphalt surrounding the facility and providing ample parking area for residents (see attached parking plan proposal). There is an additional vacant building on the southwest of the property that is currently used for storage. The septic system installed in 2016 is adequate to service this proposed use. All structures have sufficient setbacks and buffers as well.

EXHIBIT "A"
Legal Description

PARCEL NO. 1:

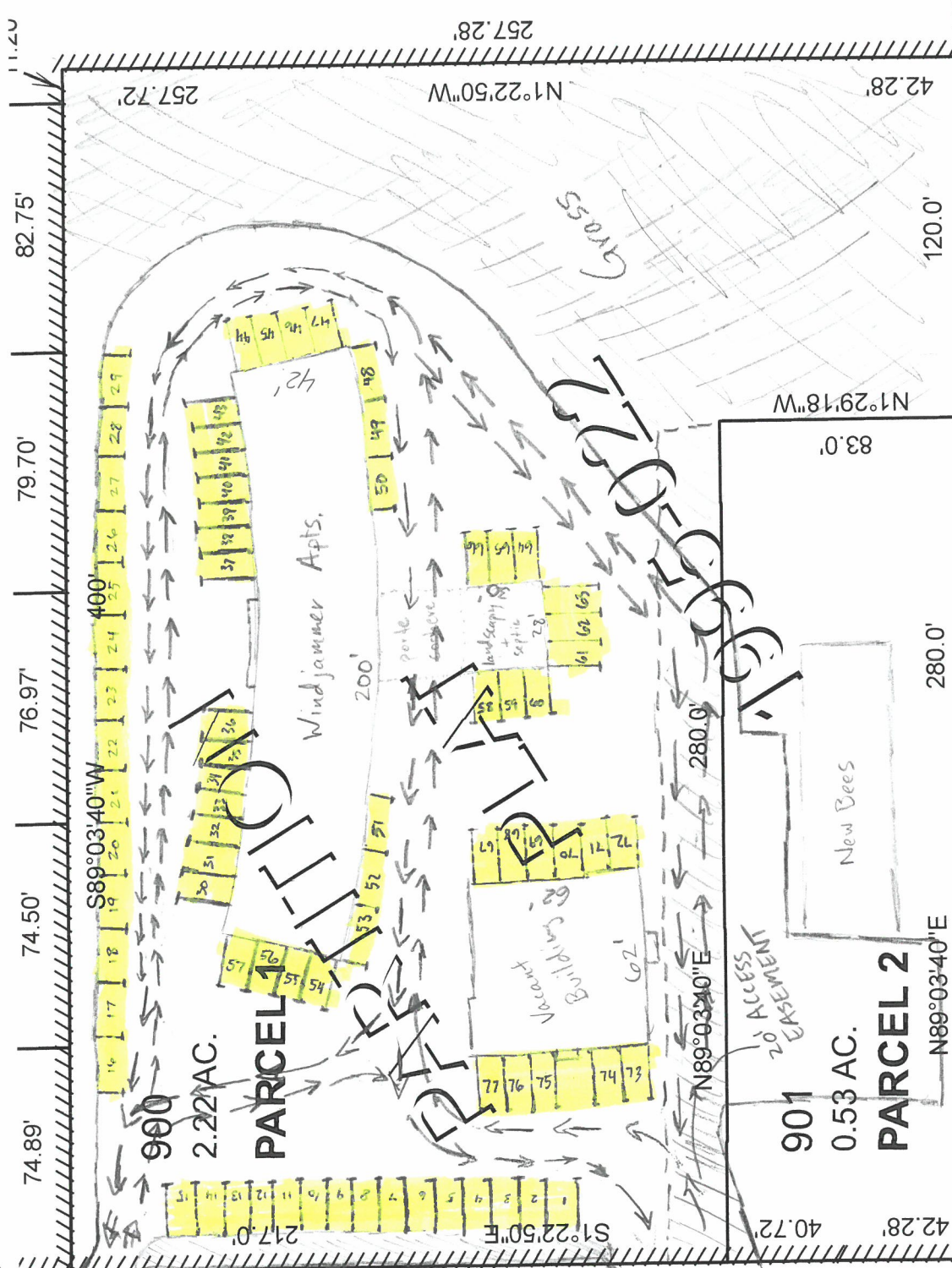
Parcel 1 of PARTITION PLAT NO. 1995-022, situated in the Northwest quarter of Section 3, Township 6 North, Range 10 West, Willamette Meridian, County of Clatsop, State of Oregon, recorded October 10, 1995 in Partition Plat Book 2, page 98, Clatsop County Records.

PARCEL NO. 2:

Tract A, COTTONWOOD PARK, situated in the Northwest quarter of Section 3, Township 6 North, Range 10 West, Willamette Meridian, County of Clatsop, State of Oregon, recorded March 24, 1997 in Plat Book 14, page 81, Clatsop County Records.

9'x18' PARKING SPACES
↔ ingress/egress traffic flow

350' asphalt length



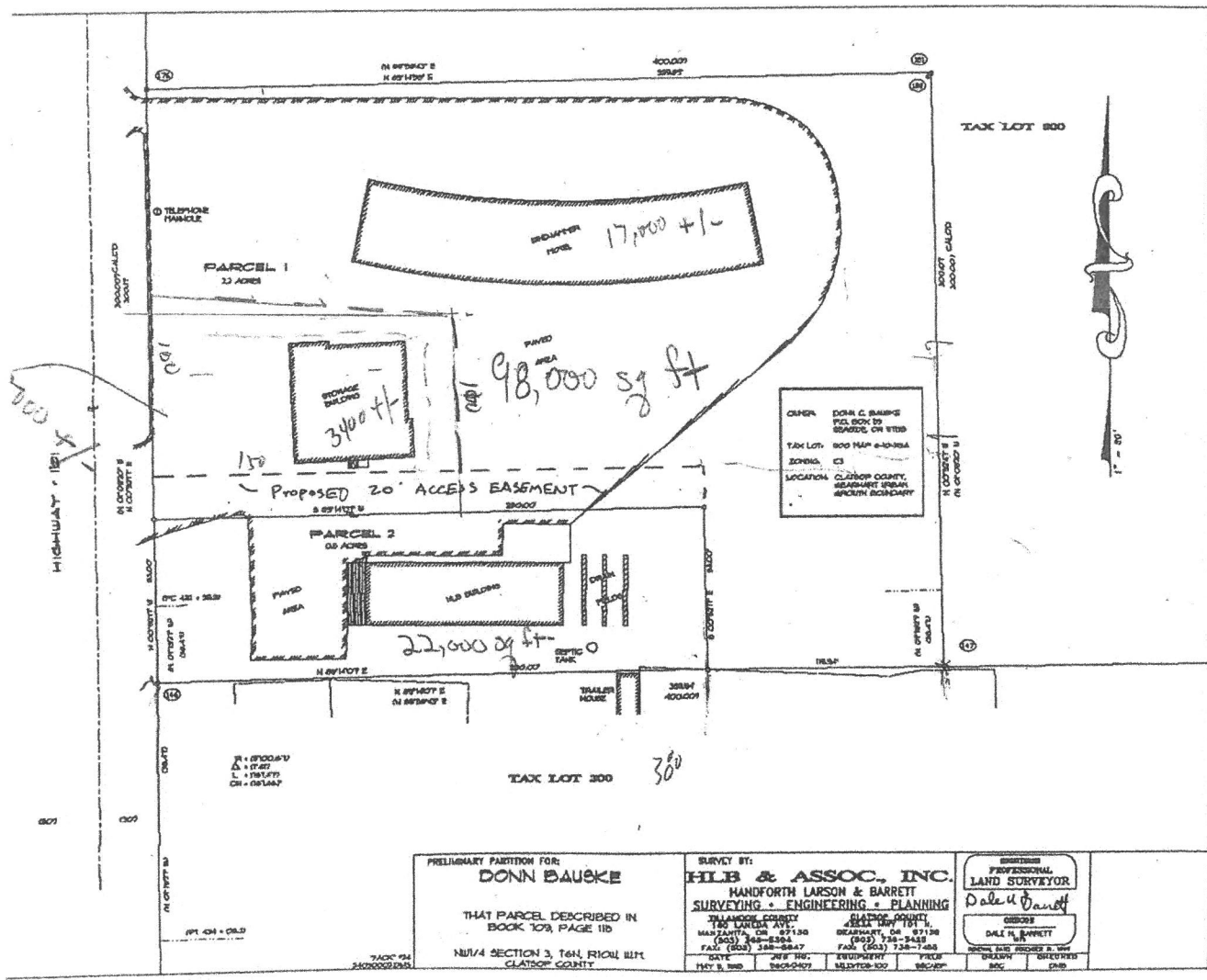
OREGOI

225.0'

S

North

8



RECEIVED

U.S. HWY 101

SEP 06 2016

CLATSOP CO. PUBLIC HEALTH

PUMPS TO BE ORENCO ENPO SPRINT 2
1/2 hp ITEM B-4 OR EQUAL

300'

73'

100'

OLD RESTAURANT
CONVERT TO
OFFICES

300 gpd
BLD 62'x62'

COLLECTION LINE

CONTINUE
STORAGE USE

5400 gal CONCRETE SEPTIC TANK
TANK TO BE UTILITY VAULT
PRECAST TANK OR EQUAL
VAULT 814-LA BASE 814-SB
RISERS 814-30R & 814-48R
TOP SECTION TO HAVE TWO
24" DIA STANDARD MANHOLE
FRAMES AND COVERS

1000 gal DOSING TANK WITH
ANTI BUOYANCY WEIGHTS
2-PUMPS ALTERNATING
TO 2-1800 sqft SEEPAGE
BEDS

24 MOTEL UNITS & KITCHENS
OR
30 MOTEL UNITS WITHOUT KITCHENS
2400gpd
BLD SIZE 42'x200'

TWO PIPES - ONE TRENCH

Clatsop County Department
of Public Health
On-Site Waste Water Program
Approved By MM
Permit No. 500441
Date 9/7/16

TRANSPORT PIPES
3" PVC -CLASS 160
ASTM D-2241
MIN. 18" COVER
18 GAUGE TRACER
ABOVE PIPE

OLD PIT #3

REPAIR BED
1800 sqft
(24' x 75')

INITIAL BED
1800 sqft
(24' X 75')

REPAIR BED
1800 sqft
(20' x 90')

INITIAL BED
1800 sqft
(24' X 75')

IAP No 6N-10W-3BA
AX LOT No 900 2.75ac
CLATSOP COUNTY, OREGON

100'-200'
TO SWAMP

DESIGN BY J. L. SMITS
DRAWN BY M. M. MEAD
14 AUG 1988
SCALE 1"=30'

Surrounding Property Owners

1309 Cottonwood Ln. – Robert Fritz Hoagland and Erin Hoagland

1319 Cottonwood Ln. – Joey Daniels

1329 Cottonwood Ln. – Benjamin Bailey and Gianna Luchetti

1349 Cottonwood Ln. – Charles Lynn and Terri Lynn

1369 Cottonwood Ln. – Jon Martin and Janice Martin

4253A Hwy 101 N. – Centerline Industry LLC, manager Lucas Gruhlkey