

**CITY OF MANZANITA
PLANNING COMMISSION MEETING
JANUARY 19, 2010**

- I. CALL MEETING TO ORDER:** Chair Owen Nicholson called the meeting to order at 7:00 pm in the City Council Chambers.
- II. ROLL:** Members present were: Owen Nicholson, Frank Wolf, Hans Tonjes, Billie Hines, Burt Went, Karen Reddick-Yurka and Walter Stickel. There was a quorum. Staff present: City Manager Jerry Taylor, Administrative Assistant Kristin Grassetth.
- III. AUDIENCE INTRODUCTION:** There were 26 people in the audience.
- IV. APPROVAL OF MINUTES:** A motion was made by Hines, seconded by Tonjes to approve the minutes of the September 21, 2009 Planning Commission meeting. Motion passed unanimously.

QUASI-JUDICIAL ITEM

- V. ANNOUNCEMENT OF PUBLIC HEARING PROCEDURES:** Chair Owen Nicholson explained the procedure for the public hearing to be held this evening.
- VI. PUBLIC HEARING (CONTINUATION FROM SEPTEMBER 21, 2009 MEETING): TENTATIVE PLAN FOR GLENESSLIN SHORES, A 9 LOT RESIDENTIAL SUBDIVISION OF 1.39 ACRES WITHIN THE MEDIUM DENSITY RESIDENTIAL ZONE. APPLICANTS: CRAIG EATON AND E. LEE LANDRY OWNERS: ROBERT H. EATON, CRAIG EATON AND E. LEE LANDRY. LOCATION: BETWEEN OCEAN ROAD AND CHERRY STREET AT OCEAN AVENUE. (32 NOTICES SENT).**
- A. CHALLENGE TO PLANNING COMMISSION JURISDICTION** – No challenges were presented by the audience.
- B. PERSONAL BIAS OR CONFLICT OF INTEREST** – Commissioners announced that they had none.
- C. EX PARTE CONTACTS INCLUDING SITE VISITS** – All Commissioners had visited the site. No one present challenged any of the Commissioners.
- D. STAFF REPORT** – Jerry Taylor, City Manager summarized the standards to be used by the Planning Commission and the job that the Commissioners have. The main focus this evening will be whether or not the burden of proof has been met by the applicant to demonstrate the stability of the site to support a subdivision. The Commission would need to determine if this subdivision would need a Goal 18 exception and whether additional right-of-way must be dedicated for Ocean Avenue. A new issue that had been raised is the public access from Cherry Street.

- E. **APPLICANTS' PRESENTATION:** Dana Krawczuk, Land Use Attorney for the Applicants, introduced herself and gave Commission a breakdown of how they planned on presenting information. Krawczuk addressed slope stability and how each lot would have to have its own geotech report done by the owner before building could begin. Requirements in the CC&R's would also be stiffer than what the City would have for this development. New information that was received today had yet to be looked over completely, so the applicant also requested the record be held open.

Cindy Hovind, Licensed Geotechnical Engineer, summarized her written report that had been given to the Commission. The Commission asked questions of Ms. Hovind. Commissioner Wolf offered aerial maps of the dune from over the years. Dana Krawczuk answered questions that had been asked while Hovind was giving her summary.

Tom Horning of Horning GeoServices gave the Commission a summary of LCDC Goal 18, and discussed wave overtopping and wave undercutting as well as shore line retreat. Commissioners asked questions of Horning regarding erosion and vegetation. Again Dana Krawczuk addressed the Commission answering questions that had been asked previously as well as Ocean Avenue right of way issue and public access from Cherry.

Rich Gitschlag of North Coast Engineering of Tillamook spoke to the Commission regarding Ocean Avenue and gave reasons why it could not be made into a street due to the steep slope. He also addressed storm water drainage and water lines that would have to be added.

Applicant then reserved all other comments for rebuttal.

- F. **TESTIMONY PRO:** None

- G. **TESTIMONY CON:** Michael Robinson, Land Use Attorney with Perkins Coie, represented Eileen Brady and Brian Rohter. Mr. Robinson spoke against the deferred site inspection and explained that the city's ordinances would not allow deferral.

Doug MacCourt with the law firm of Ater Wynne represented Carol Bosanko, 775 Cherry Lane. MacCourt shared the same concerns expressed by Robinson and also felt that the burden of proof had not been met by applicant. Besides a written copy of his testimony he had a geotechnical report prepared by Steve Palmer of Geo Design, Inc. Mr. Palmer was present and discussed the flooding issues and the tsunami risk factors. Palmer then addressed the slope stability brought up earlier in the hearing.

Sue Yennello, property owner on College, asked the Commission who would be responsible if there are any problems.

Dave Soderstrom, adjacent property owner expressed concerns about public right-of-way and access.

Chris Robinson, Cherry Street homeowner, felt the applicant was shifting costs to potential lot buyers and failed to meet development standards.

Rudy Barton, Cherry Street homeowner, addressed dedication of right away and felt the City should take the applicants up on the offer to develop a pedestrian beach access.

A motion was made by Wolf; seconded by Reddick-Yurka to close Public Hearing on this application, but keep the hearing record open for seven days to allow additional written comments. Motion passed unanimously.

H. ADJOURNMENT:

The meeting was adjourned at 10:15 p.m.

**MINUTES APPROVED THIS
19TH DAY OF JULY, 2010**

D. Owen Nicholson, Chair

ATTEST:

Jerald P. Taylor, City Manager/Recorder