

**CITY OF MANZANITA  
PLANNING COMMISSION MEETING MINUTES  
AUGUST 17, 2020**

- I. CALL MEETING TO ORDER:** Chair Karen Reddick-Yurka called the meeting to order at 4:01 p.m.
- II. ROLL:** Members present were: Karen Reddick-Yurka, Burt Went, Phil Mannan, John Nanson, Steve Bloom, Lee Hiltenbrand and Jenna Edginton. There was a quorum. Staff present: City Manager Cynthia Alamillo, Assistant City Manager Kristin Grasseh, License and Ordinance Specialist Judy Wilson, and Building Official Scott Gebhart.
- III. AUDIENCE:** There were 9 persons in the audience.
- IV. APPROVAL OF MINUTES:** July 20, 2020  
Hiltenbrand noted the need to change the title of item V from “Discussion of Accessory Dwelling Units (AUDs)” to “Discussion of Accessory Dwelling Units (ADUs).”

**A motion was made by Bloom, seconded by Mannan to approve the minutes of the July 20, 2020 Planning Commission meeting as corrected. Motion passed unanimously.**

**QUASI-JUDICIAL ITEMS**

- V. ANNOUNCEMENT OF PUBLIC HEARING PROCEDURES:** Chair Karen Reddick-Yurka explained the public hearing process, described the request being considered and the applicable criteria, and opened the public hearing.
- VI. PUBLIC HEARING: FINAL SUBDIVION PLAT PHASE 1 FOR PACIFIC DUNES NO. 8 WITHIN THE SPECIAL RESIDENTIAL/RECREATIONAL ZONE; LOCATION: CLASSIC STREET AND NECARNEY CITY ROAD; APPLICANT: ENCORE INVESTMENTS, LLC (JIM PENTZ AND RICK HINKES)**
- A. CHALLENGE TO PLANNING COMMISSION JURISDICTION – None**
- B. CONFLICT OF INTEREST, BIAS OR EX PARTE CONTACTS INCLUDING SITE VISITS –** Commissioners Mannan, Edginton, Nanson, Went and Reddick-Yurka stated that they had visited the site at least once, had no ex parte contact with the applicants and no bias. Commissioner Hiltenbrand stated that he had visited the site several times, had a past conversation with Jim Pentz about a different subject, and had no bias or ex parte contact. Bloom stated he had not visited the site other than driving by it and had no bias or ex parte contact.
- C. CHALLENGE TO ANY COMMISSIONER FOR CONFLICT OF INTEREST, BIAS OR EX PARTE CONTACT – None**
- D. APPLICANTS’ PRESENTATION –** Rick Hinkes explained that this final plat was for

phase 1 of 2 phases which includes the first sixteen lots of a twenty-nine-lot residential development.

- E. STAFF REPORT** - City Manager Cynthia Alamillo described the final subdivision plat being reviewed, and presented the staff report, the findings of fact, and the recommended conditions of approval. Under Section 21 of the findings, Public Works Director Dan Weitzel explained that the project was not completed yet, described their progress so far, and stated that it is supposed to be done near the end of this month. Hiltenbrand asked if Public Works was satisfied yet. Weitzel explained that he will send a letter to Chair Reddick-Yurka for her signature once he signs off on the project. Alamillo stated that this completion and sign-off by the Public Works Director will be a condition of approval for this final plat application. She continued that, under Section 22, the bond may not be necessary as it seems like the applicant will complete the project on time. Alamillo then presented staff's recommended approval of the application subject to any agreed upon conditions.

Commissioner Edginton stated for the record that she is a realtor and may be involved in the sale of individual lots, but will not be a listing agent.

Commissioner Went asked that, under Section 19, City staff make a statement that they have verified that the final plat is consistent with the approved tentative plan, and also if staff has checked to see if the final plat conforms with the actual location of the points on the ground in the subdivision. Alamillo stated that the final plat is consistent with the approved tentative plan and that the City Engineer has evaluated all of the improvements that they have done so far. Went then asked if the location of the Classic Street right-of-way is presented accurately on the final plat. Alamillo stated that it has been verified. Weitzel stated that everything in the development has been surveyed into the points and explained that Erick White of Onion Peak Design, representing the applicant, has been working with the City's engineer to make sure that the street is being built to the City's standards and exactly where shown on the plat drawing. Weitzel noted that the surveyor and engineer discovered that the ponds were not reflected correctly on the deed information and were able to find and correct the pond locations and make sure it was all inside the plat. Weitzel also stated that the Classic Street right-of-way is accurate to the plat even though Classic Street does stray outside of its right-of-way, which the City is working to correct. White concurred.

Hiltenbrand expressed concern about the radius of the intersection of the Island Drive and Seaview Drive rights-of-way and future development, and asked if there is any plan for a stop sign at the location. White noted that a stop sign and any other signage needed would be addressed when the next phase comes before the Planning Commission. Weitzel stated that it will be a City right-of-way once completed and recorded, and the City would install a stop sign if needed. Reddick-Yurka stated that, under Section 19 on page 5 concerning the technical review, she would like the findings to state that the City determined that the final plat and accompanying data conforms to the tentative plan and to the lot and to the Zoning Ordinance. Alamillo will adjust that finding. Reddick-Yurka then asked to verify that the streets will be public streets. Weitzel explained that they will. She then asked the purpose of Tract B because of the lack of a narrative on the plat. After discussion, Hinkes relayed from Pentz that Tract B will be a common area and will be addressed in the Covenants, Conditions and Restrictions (CC&Rs). Reddick-Yurka then asked if the light post locations and setbacks

for each lot should be on the final plat. Alamillo explained that the locations of the lamp posts will be shown on the plans for new home applications and that they will be located inside the lot lines. She added that this is a recommended condition of approval.

Discussion followed of whether the minimum setbacks should be drawn onto the final plat as required on the approved tentative plan. It was noted that even though the findings report for the tentative plan stated that a geotechnical study was not required, the applicant was having one done for the lots on the west side of Phase 1. White expressed concern about recording the setbacks permanently on the final plat in case the City changed its setback requirements in the future. Hiltenbrand suggested only adding a note to the final plat that the lots would be required to follow the current minimum setbacks for the zone.

Mannan asked Weitzel if there was concern about construction traffic during Phase 2 damaging the new asphalt on the roads in Phase 1. Weitzel explained that the new roads were being built to City standards so he had no concern about wear; however, repair for any damage that was done to the roads would be paid for by the developer.

**F. GENERAL COMMENTS AND QUESTIONS – None**

**G. CORRESPONDENCE – None**

**H. APPLICANT REBUTTAL – None**

**I. CLOSE PUBLIC HEARING –** Reddick-Yurka closed the public testimony at 5:02 p.m.

**J. DISCUSSION BY COMMISSION MEMBERS –** Weitzel stated that the plans that were submitted to the Public Works Department showing the rights-of-way have the building envelopes drawn in and show the correct minimum setbacks. Alamillo asked the applicant to share those plans with the Planning Commission. Weitzel will forward his set of plans to Chair Reddick-Yurka for review. Nanson and Reddick-Yurka expressed that they would be satisfied with a note concerning setbacks on the final plat and waiving the prior condition of approval which required drawing in the setbacks. Hinkes noted that a reference to setbacks meeting City standards is included in the CC&Rs and will check to see if the lamp post requirement is also included. Reddick-Yurka also noted that on page 1, item 3, the word “done” should be changed to “developed” in the last sentence.

Alamillo reviewed the Conditions of Approval. The Planning Commission made the following modifications: Condition 2 was modified to require that the CC&Rs state that a post light shall be located inside the property lines on each lot. Condition 3 was modified to add the words “and to the planning department” after the words “building department”. Condition 6 was added which will state that approval of the final plat is conditioned on the signing-off by the Public Works Director on the completed infrastructure. Condition 7 was added which will require that the revision of the final plat will include a note on the minimum setbacks. Hinkes stated that development was delayed due to the Covid-19 pandemic by about nine weeks, but it has not affected the original timeline.

**K. DECISION BY COMMISSION WITH MOTION -**

**A motion was made by Hiltenbrand to approve the Final Plat of lots 1 - 16 (Phase 1) of Pacific Dunes No. 8. subject to the additional conditions and the amended conditions as discussed. Chair Reddick-Yurka asked to amend the motion to include that they adopt the findings of fact and conclusions with the amendments cited; the amended motion was seconded by Bloom. Motion passed unanimously.**

## **LEGISLATIVE ITEM**

### **VII. PROPOSED AMENDMENT TO ZONING TEXT (MINOR VARIANCE)**

Building Official Scott Gebhart introduced the request to change the Zoning Ordinance to include the opportunity for minor variances, and presented the reasons for and the background information to the Planning Commission. Property owner Brian Churchill explained his involvement in this request, which directly involves his property, along with his assistance in the development of the proposed ordinance amendment and the accompanying application packet. Hiltenbrand expressed concern about the opening statement versus number 5 in the proposed ordinance language stating that he prefers the wording in number 5. He also noted his preference for not assigning a fee to a minor variance request. It was noted that there was no easement recorded on the survey of Churchill's property.

Reddick-Yurka explained that, procedurally, they could not approve this request today because it will require a Measure 56 notification to all property owners in Manzanita followed by public hearings before the Planning Commission and then the City Council. She went on to explain that because this is an expensive process the Planning Commission usually combines as many proposed changes to the Zoning Ordinance as possible in the Measure 56 notification and process. Reddick-Yurka then stated that this request would need to be considered carefully and thoroughly along with other types of variances because of setting precedents. Churchill noted that he is an attorney and encouraged the City to have the proposal reviewed by the City Attorney. Went concurred with Reddick-Yurka and expressed concern about unintended consequences.

**Consensus was given by the Planning Commission to add this request to the stack of items to discuss for a future Measure 56 notification and public hearing.**

Reddick-Yurka asked City staff to put this item on a future Planning Commission agenda for further discussion. When asked, Reddick-Yurka stated that if the proper process was followed and more information was presented, the Planning Commission would, of course, consider a standard variance application by Mr. Churchill. More discussion followed of variances and the Churchill property's situation.

**VIII. GENERAL UPDATES:** Alamillo informed the Commissioners that they would be continuing their discussion on accessory dwelling units at their next meeting. Alamillo then informed the Commissioners that she had submitted her resignation as of September 13th and would not be at their next meeting. She noted that the Bernard development is still pending, but he may come back with a different proposal; and that there have been no further conversations with the owners

of the property at 3rd Street and Hallie Lane.

**IX. ADJOURNMENT:**

**A motion was made by Nanson, seconded by Went to adjourn the meeting. Motion passed unanimously.**

**Chair Reddick-Yurka adjourned the meeting at 6:02 p.m.**

**MINUTES APPROVED THIS 28th  
DAY OF SEPTEMBER 2020**

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Karen Reddick-Yurka, Chair

**ATTEST:**

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Kristin Grassetth, Assistant City Manager