

**CITY OF MANZANITA
PLANNING COMMISSION MEETING MINUTES
MAY 17, 2021**

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 (arrived at 4:11 p.m.), Phil Mannan, John Nanson, Steve Bloom, Lee Hiltenbrand and Jenna Edginton. There was a quorum. Staff present: Assistant City Manager Kristin Grassetth, City Planning Consultant Walt Wendoloski, Public Works Director Dan Weitzel, Building Official Scott Gebhart, and License and Ordinance Specialist Judy Wilson.

III. AUDIENCE: There were 22 persons in the audience.

IV. APPROVAL OF MINUTES: April 19, 2021

A motion was made by Hiltenbrand, seconded by Mannan to approve the minutes of the April 19, 2021 Planning Commission meeting as submitted. Motion passed unanimously.

QUASI-JUDICIAL ITEMS

V. CONTINUATION OF PUBLIC HEARING: VARIANCE APPLICATION; ZONE: MEDIUM DENSITY RESIDENTIAL R-2; LOCATION: 3N10-29BA-13100; APPLICANT: JUDITH ALLEN

ANNOUNCEMENT OF PUBLIC HEARING PROCEDURES: Chair Reddick-Yurka explained that this was a continuation from the April 19, 2021 Planning Commission meeting and the procedure to be followed.

A. CONFLICT OF INTEREST, BIAS OR EX PARTE CONTACTS INCLUDING SITE VISITS – All Commissioners except Mannan stated that there was no change to their declarations from those declared at the April 19, 2021 meeting. Mannan stated that he had made a site visit.

B. CHALLENGE TO ANY COMMISSIONER FOR CONFLICT OF INTEREST, BIAS OR EX PARTE CONTACT – None

C. APPLICANTS' PRESENTATION – The applicant and their architect Vito Cerelli explained the Geotech Analysis and the Civil Engineering Review that had been provided to the City since the April meeting.

D. STAFF REPORT - City Planner Wendoloski summarized the application to date, presented his updated findings related to the four items required to be met for

granting the variance, and explained his recommendation to deny the variance request.

- E. GENERAL COMMENTS AND QUESTIONS** – Hiltenbrand explained his concurrence with staff's recommendation to deny. It was noted that Cherry Circle and Cherry Lane are both private streets and that its width precludes Cherry Circle from being considered an alley.

Chair Reddick-Yurka reopened the public testimony – There were no public comments.

- F. CORRESPONDENCE** – None

- G. APPLICANT REBUTTAL** – The applicant and their architect stated that the definition of “hardship” is difficult to understand and that the uniqueness and shape of the lot along with its stability risks is the hardship.

- H. CLOSE PUBLIC HEARING** – Reddick-Yurka closed the public testimony.

- I. DISCUSSION BY COMMISSION MEMBERS** – Hiltenbrand asked the architect if he had done an analysis of the largest footprint that could be utilized on the property without the variance. The architect explained that they have but he would have to look it up. Reddick-Yurka explained her agreement with Wendoloski and Hiltenbrand.

- J. DECISION BY COMMISSION WITH MOTION** –

A motion was made by Bloom, seconded by Went to deny the application, adopting findings contained in the staff report. Motion passed unanimously.

VI. CONTINUATION OF PUBLIC HEARING: DESIGN REVIEW OF PROPOSED AWNING ON FRONT OF THE WINERY AT MANZANITA IN THE COMMERCIAL ZONE (C-1)

ANNOUNCEMENT OF PUBLIC HEARING PROCEDURES: Chair Reddick-Yurka explained that this was a continuation from the April 19, 2021 Planning Commission meeting hearing.

- A. CONFLICT OF INTEREST, BIAS OR EX PARTE CONTACTS INCLUDING SITE VISITS** – All Commissioners stated that there was no change to their declarations from those declared at the April 19, 2021 meeting.
- B. CHALLENGE TO ANY COMMISSIONER FOR CONFLICT OF INTEREST, BIAS OR EX PARTE CONTACT** – None
- C. APPLICANTS' PRESENTATION** – Applicant Mark Proden and Steve Marcy of Rose City Awning presented the additional information that the Commissioners had requested at the April 19, 2021 meeting and provided additional

information describing the awning.

- D. STAFF REPORT** - City Planner Wendoloski presented the staff report, explained the criteria and how they have been or could be met. He explained that the proposed awning, at 11 feet, exceeds the 10-foot maximum that an awning may extend from a building and that, if approved, the awning design will need to be modified to comply with this limitation. He then stated his recommendation to approve the design review application with the conditions listed in the revised staff report.
- E. GENERAL COMMENTS AND QUESTIONS** – The Commissioners and the applicant discussed installation, warranty, and life expectancy of the awning. They also discussed issues related to salt air, auto retraction sensors for rain and wind, the gutter on the awning and water runoff, manual retraction, and wind loads.
- F. CORRESPONDENCE** – None
- G. PUBLIC COMMENTS** – None expressed. Reddick-Yurka closed the public comment section.
- H. DISCUSSION BY COMMISSION MEMBERS** – Reddick-Yurka noted that public safety was a great concern during this hearing.
- I. DECISION BY COMMISSION WITH MOTION** -

A motion was made by Hiltenbrand, seconded by Nanson to approve the application, adopting findings and conditions contained in the staff report. Motion passed unanimously.

VII. PUBLIC HEARING: PRELIMINARY PLAT FOR HIGHLANDS SUBDIVISION PHASES 3 & 4 WITHIN THE SPECIAL RESIDENTIAL/RECREATIONAL ZONE; LOCATION: CLASSIC STREET AND NEARNEY CITY ROAD; APPLICANT: ENCORE INVESTMENTS, LLC (JIM PENTZ AND RICK HINKES)

Reddick-Yurka introduced the application.

- A. CONFLICT OF INTEREST, BIAS OR EX PARTE CONTACTS INCLUDING SITE VISITS** – Each Commissioner stated that they had visited the site at least once and had no ex parte contact with the applicants and no bias. Edginton declared that she is a realtor and may have clients interested in the development.
- B. CHALLENGE TO ANY COMMISSIONER FOR CONFLICT OF INTEREST, BIAS OR EX PARTE CONTACT** – None
- C. APPLICANTS' PRESENTATION** – Owner Jim Pentz presented the tentative plan

and gave an overview and update on their phased development. The open space was discussed.

- D. STAFF REPORT** - City Planner Wendoloski presented the staff report, explained how the criteria has been met, and stated his recommendation to approve with the conditions listed. He explained two areas of future concern as adequate bonding for streets and fire flows related to the fire district. Reddick-Yurka asked that the applicant keep the names of any roads in the subdivision the same as the County's for any that will be extensions of County roads.

The Commissioners, owner and staff discussed which streets will be paved and which will be graveled, temporary roads, and that lots 48 and 42 are not corner lots as stated in the staff report. Wendoloski will correct this on page 11 of the staff report and in condition of approval "C". Discussion followed of the hybrid process of planned developments and subdivisions used for this application; that no zone change will be required; possible future uses of tract G; fire flow requirements; that the applicant can use either a cul-de-sac or a hammerhead at the north end of Meadows Drive; and restrictive covenants and deed restrictions.

- E. GENERAL COMMENTS AND QUESTIONS** – Members of the public asked about the impact that the current CC&Rs have on the City and the 17.5% short-term rental cap. It was noted that the current HOA does not restrict short-term rentals and that nothing has been referred to the Planning Commission related to short-term rentals at this time.

- F. APPLICANT REBUTTAL** – None

- G. CLOSE PUBLIC HEARING** – Reddick-Yurka closed the public testimony.

- H. DISCUSSION BY COMMISSION MEMBERS** – Reddick-Yurka suggested that on page 11 of the staff report, the second paragraph end with the sentence "All lots comply with the minimum lot area and depth requirements." and the remainder of the paragraph be struck. Wendoloski asked to make an additional modification to the findings on page 13 Section 5 Item A under Public Improvements to strike out the entire second sentence and to indicate that it is not Highlands Drive that will be graveled, but Meadows Drive from Highlands Drive south. He also stated the need to modifying Condition D on page 14 by striking the last sentence. Wendoloski will make the corrections to the staff report and submit it to staff tomorrow.

- I. DECISION BY COMMISSION WITH MOTION** -

A motion was made by Nanson, seconded by Bloom to approve the application, adopting modified findings and/or conditions. Motion passed unanimously.

VIII. GENERAL UPDATES

Building Official Gebhart informed the Commissioners that there have been no applications submitted for their next meeting.

A motion was made by Hiltenbrand to adjourn the meeting.

Chair Reddick-Yurka adjourned the meeting at 6:06 p.m.

**MINUTES APPROVED THIS 19TH
DAY OF JULY 2021**

Karen Reddick-Yurka, Chair

ATTEST:

Leila Aman, City Manager/Recorder