

PROOF OF SERVICE

I hereby certify that the following:

Decision Notice, dated August 11, 2022, was posted on 7/21/22
Special Session Notice, dated July 20, 2022, was posted on 7/8/22
Council Special Session Notice correction, dated July 19, 2022, was posted on 7/12/22
Notice of Application, dated June 20, 2022, was posted on 5/31/22
Notice of Application, dated March 21, 2022, was posted on 3/1/22

Leila Aman

A handwritten signature in black ink, appearing to read 'Leila', followed by a long, horizontal, slightly wavy line that extends to the right.

City Manager
City of Manzanita
PO Box 129
167 S. 5th Street
Manzanita, OR 97130

To: 'mscott@ci.manzanita.or.us'[mscott@ci.manzanita.or.us];
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Cc: 'vito.cerelli@gmail.com'[vito.cerelli@gmail.com]; 'dustin@dcbuilding.com'[dustin@dcbuilding.com];
'Souvanny.Miller@millernash.com'[Souvanny.Miller@millernash.com]; David
Petersen[david.petersen@tonkon.com]
From: Mick Harris
Sent: Tue 7/19/2022 9:15:20 AM
Subject: Appeal Letter - 698 Dorcas Lane – Application for 34-unit hotel - Manzanita Lofts LLC [IWOV-PDX.FID1334992]
[2022-07-19 Appeal Letter to Manzanita City Council.pdf](#)

...

Councilors:

Please see the attached appeal letter from David Petersen.

Respectfully,

Mick Harris | Tonkon Torp LLP

Attorney

Pronouns: he / him / his

888 SW Fifth Ave., Suite 1600

Portland OR 97204

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This message may contain confidential and privileged communications and privileged information. If you received this message in error, please delete it and notify me promptly.



David J. Petersen
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Admitted to Practice in Oregon and California

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July 19, 2022

VIA E-MAIL - sgebhart@ci.manzanita.or.us

Manzanita City Council
PO Box 129
167 S. 5th Street
Manzanita, OR 97130

Re: 698 Dorcas Lane – Application for 34-unit hotel

Dear Councilors:

As you know, this law firm represents the applicant, Vito Cerelli and the landowner, Manzanita Lofts LLC with respect to the above-referenced land use matter. We submit this letter in furtherance of our July 7, 2022 appeal of the Planning Commission's order denying the application dated June 24, 2022. The City Council has scheduled the appeal hearing for July 19, 2022.

1. The City failed to give proper notice of this appeal hearing or to issue a timely staff report, to the substantial prejudice of the appellant.

The applicant objects to the conduct of this hearing on July 19, 2022. The appeal was filed on July 7, 2022. On July 8, 2022, City staff issued a notice of this hearing. A copy of the notice was delivered to the applicant but not to his counsel, despite the information on the appeal form that counsel is the applicant's representative in this appeal. The notice includes no affidavit of service so it cannot be determined if the notice was served on any other parties entitled to notice. Thus, there is no evidence in the record that notice of this hearing has been properly served on all parties entitled to notice.

Further, ORS 227.175(5) and 197.797(3)(f)(A) and Manzanita Zoning Ordinance ("MZO") 10.040 require that notice of an appeal be given at least 20 days before the hearing. Specifically with respect to the MZO, this is an appeal under MZO 10.150(B) and 10.160. At a special meeting on July 15, 2022, the City Council expressly decided to hear the appeal on the record. MZO 10.180(B) requires notice of an appeal hearing on the record, and MZO 10.150(B) expressly incorporates the hearing notice requirements of MZO 10.030 into an appeal of a Planning Commission decision.

Therefore, 20 days' notice of the hearing was required under MZO 10.040. In this case, notice was given no more than 11 days before the hearing. As such, the notice

was insufficient, and the applicant objects to the conduct of this appeal hearing on July 19, 2022.

The July 8, 2022 notice also states that a staff report would be made available to the public 7 days before the hearing, as required by ORS 197.797(4)(b). As of 12:00 noon on July 18, 2022, no staff report has been made available, in violation of both the notice and the statute.

Both the lack of appropriate notice and the absence of a timely staff report are prejudicial to the appellant's ability to properly prepare for this hearing. The scope of the hearing was not established by the City Council until July 15, 2022. That gave the appellant only three days to prepare for this hearing, two of which were on the weekend. As of the drafting of this letter, the applicant still has received no staff report so it is prejudiced by not being able to evaluate staff's position on the issues on appeal. Other parties potentially interested in participating in this appeal are similarly prejudiced. Adequate and timely notice and a timely staff report are crucial to foster meaningful public participation in the appeal hearing, and both are lacking here.

2. The Planning Commission erred in treating the application as one for approval of a planned development. The application is for development of a 34-unit motel or hotel, which is an allowed use in the SR-R zone.

The cover page of the Planning Commission's order twice characterizes this application as a "planned unit development application" and once as a "subdivision." The remainder of the order and the June 10, 2022 staff report to the Commission contain similar statements. In fact, it is neither.

This is an application for a hotel, which is an outright permitted use under the current SR-R zone. MZO 3.030(2)(h). As such, it only need meet the development standards for the SR-R zone in MZO 3.030(4). Section 3.030(4)(c) provides that the "procedure set forth in Section 4.136 of" the MZO for planned developments shall be used "to evaluate development proposals in" the SR-R zone, but that does not convert the application into one for a planned development. Rather, MZO 3.030(4)(c) merely directs the Planning Commission to use the planned development procedures to evaluate the application. Through those procedures the Commission should have evaluated solely whether the proposal met the substantive approval criteria for an allowed use in the SR-R zone, but did not. Those criteria are limited to only MZO 3.030(4)(a), (b), (d) and (e). The Commission erred in concluding that this is an application for a planned development and, as a result, applying additional substantive criteria to this application.



3. The Planning Commission erred by wrongfully accepting and relying upon evidence and testimony submitted by third parties other than the applicant, after the public hearing was closed.

The minutes of the Planning Commission hearing on March 21, 2022 state that after the public hearing at which "members of the audience expressed concerns ... and asked questions ... [Commissioner] Hiltenbrand closed the public testimony at 5:41 p.m." The minutes further state that, following closure of the public hearing, the Commission members discussed the application and identified additional materials they wanted from the applicant, including a modified site layout, an updated wetlands report and a traffic impact analysis.

The applicant was unable to produce the requested materials by the Commission's April 18, 2022 meeting. The minutes of that meeting state that "the applicant has requested that the record remain open and the hearing be continued for one more month" to produce those materials. The meeting was continued to May 16, 2022, prior to which the City received the requested additional materials from the applicant. The minutes of the May 16 meeting reiterate that "[p]ublic comment was closed at the March 21, 2022 meeting." After discussion, the meeting was continued to June 20, 2022.

It is clear from the Commission's minutes that the public hearing was closed to all further evidence or testimony from anyone other than the applicant as of March 21, 2022 at 5:41 pm. The Planning Commission acknowledges this in paragraphs II(A) to (C) of the final order. However, at some time after May 16 and before June 20, the Commission purportedly "agreed to comprehensively reopen the record to allow additional evidence, argument and testimony." See paragraph II(D). The record reveals no meeting of the Commission at which this agreement was reached, nor is the applicant aware that any such meeting was ever held.

The procedures for acceptance of additional testimony and evidence following the closure of the public hearing are strictly prescribed in ORS 197.797(6), and the Commission did not follow those procedures. Accordingly, the Planning Commission erred in purportedly reopening the record and accepting or considering any evidence or testimony from third parties submitted after March 21, 2022. This means that all testimony in the record from parties other than the applicant was improperly admitted, except:

- An email sent by James Miller on March 20, 2022;
- An email sent by James Miller on March 21, 2022; and
- An email sent by Linda Olsen, Janet Carter, Mark Beach, Mary Ruef, and Yvana Lovino on March 20, 2022.



The Planning Commission also admitted three separate, undated documents into the record:

- An email sent by Linda Olson;
- A letter sent by Paul A. Hughes; and
- A letter sent by Matt J. Brown.

If these documents were submitted after the public hearing closed on May 21, 2022, they were also admitted improperly. Notably, the "last minute testimony" in the form of a letter from Greenlight Engineering dated June 20, 2022, and relied upon by the Planning Commission in the order (see page 7) is not properly part of the record and the Commission's reliance on that letter (and any other improperly admitted evidence or testimony) was in error.

Further, even if the reopening of the record and acceptance of additional evidence and testimony was proper, the Commission failed to give the applicant an opportunity to rebut that evidence and testimony, as is its right. See ORS 197.797(6)(e). This error substantively prejudiced the rights of the applicant to have its application considered fairly.

4. The Planning Commission's application of the procedural requirements of MZO 4.136(3) is inconsistent with its treatment of the application as one for approval of a planned development.

As discussed above in Section 2, MZO 3.030(4)(c) required the Planning Commission to consider this application using the procedures of 4.136(3). Here is summary of those procedures:

- First, the applicant must submit 10 copies of a preliminary development plan at least 10 days before the hearing, and notice must be given to nearby property owners. MZO 4.136(3)(a).
- Second, the proposal will be submitted to appropriate City personnel for comment. MZO 4.136(3)(b).
- Third, the Planning Commission will consider the proposal at a meeting, at which time it is to consider six specific factors. MZO 4.136(3)(c).
- Fourth, the Commission will notify the applicant whether it considers the "foregoing provisions" satisfied (presumably, the six factors in 4.136(3)(c)). MZO 4.136(3)(d).
- Fifth, and only after the above four steps are met, shall the applicant apply for approval of a planned development. MZO 4.136(3)(e).
- Three more steps not relevant to this appeal then follow in MZO 4.136(f, g and h).



The Planning Commission found that the first three steps were properly taken. The Commission also, through its order, completed the fourth step by advising the applicant of its opinion on whether the six factors in 4.136(3)(c) are satisfied. But importantly, neither the Commission nor City staff has followed the fifth step; i.e. there has been no requirement that the applicant now submit a planned development application. Instead, the Commission made this finding with respect to MZO 4.136(3)(e):

FINDINGS: It appears the purpose of this provision is to identify the site as a planned development on the City's zoning map In effect, this requires an approved tentative plan to be submitted, reviewed and approved, which is the purpose of the Commission hearings. However, as previously noted, it is appropriate for the applicant to return with engineering, site, building and other required plans to ensure the project proceeds according to the proposal.

Frankly, we have no idea how to interpret this finding. Read literally, it first conjectures as to the purpose of the code, which is not the Commission's role. It next concludes that a zoning map amendment is necessary, but there is no application pending for a zoning map amendment, and rightly so given that a hotel is an allowed use in the existing zone. It then rewrites the MZO to conclude that a tentative plan is required (nowhere stated in the code) and that any such tentative plan really should be submitted before, and not after, the Planning Commission hearing under MZO 4.136(3)(c).

The reason for the vast disconnect between MZO 4.136(3)(e) and this finding is simple: this is not a planned development application. If the Commission truly believed that this is a proposal for a planned development, then the order should have followed MZO 4.136(3)(e) and directed the applicant to file an application for one. By not doing so, the Planning Commission either: (a) failed to follow the necessary procedures, or (b) effectively conceded that the application is not one for a planned development as argued above in Section 2.

5. The Planning Commission erred by applying the substantive approval criteria for a planned unit development in MZO 4.136(3)(c) to the application.

As discussed above in Section 2, MZO 4.136 applies to this application only to set the procedures for the Planning Commission's review of the application. It does not



establish substantive approval criteria for the application. Those criteria are exclusively set forth in MZO 3.030(4)(a, b, d and e). As such, the Commission erred by considering the six factors listed in MZO 4.136(3)(c) to be approval criteria in this matter. Those six factors may be approval criteria for a planned development application, but this is not a planned development application. Accordingly, the Commission erred in using those six factors as substantive approval criteria.

With respect to the properly applicable approval criteria, the Commission rightly found that MZO 3.030(4)(b, d and e) were all met. As to MZO 3.030(4)(a), the Commission erred in concluding that hotel units are "dwelling units." First, MZO 3.030(2) lists motels and hotels as a separate use from dwelling units, strongly implying that they are different uses. Second, the MZO defines a dwelling unit as "one or more rooms occupied, designed or intended for occupancy as separate living quarters," and a hotel room is not "living quarters." Webster's dictionary defines a hotel as "an establishment that provides lodging and usually meals, entertainment and various personal services for the public," and lodging is defined as a "temporary place to stay," whereas a dwelling is "a shelter in which people live." Arranging for temporary lodging is not the same as "living" in a shelter. Third, hotels are uniformly recognized as commercial, not residential uses. Fourth, interpreting a hotel as a dwelling would have other unintended consequences, such as making hotels an allowed use in a residential zone.

Because a hotel is not a dwelling unit, MZO 3.030(4)(a) is inapplicable to this application. Since all the other properly applicable approval criteria are met, the decision should be reversed and the application approved.

6. If the substantive approval criteria of MZO 4.136(3)(c) apply to this application, the Planning Commission's findings of non-compliance are not supported by substantial evidence properly in the record.

As discussed above in Section 3, most of the evidence and testimony in the record from parties other than the applicant was improperly admitted. As such, any findings by the Commission that rely on that evidence are not supported by substantial evidence properly in the record. Specifically, the Commission's findings in response to MZO 4.136(3)(c)(2, 3 and 5) are all based exclusively on improperly admitted evidence. Accordingly, those findings all fail for lack of support by substantial evidence.

7. If the substantive approval criteria of MZO 4.136(3)(c) apply to this application, the Planning Commission erred in concluding that the criteria were met.



The Planning Commission denied this application for failure to meet the approval criteria of MZO 4.136(3)(c)(2), (3) and (5). As noted in Section 5, applying these criteria was error. But even if the criteria do apply, the Commission erred in concluding they were not met.

a. The Commission erred by directly applying Comprehensive Plan provisions to the application.

Comprehensive plan policies do not constitute approval criteria in this case. The decision maker is not required to evaluate plan policies that are not approval criteria. *Ellison v. Clackamas County*, 28 Or LUBA 521, 525 (1995). While comprehensive plan policies can sometimes be approval criteria for land use decisions (ORS 197.015(10(a)(A)(ii))), the decision maker must evaluate the plain language of the policy alleged to apply and determine whether it was intended to serve as an approval criterion. *See, e.g., Stewart v. City of Brookings*, 31 Or LUBA 325, 328 (1997). Broadly-worded policies that set policy direction to develop legislation, or that set aspirational goals, are not approval criteria. *Angel v. City of Portland*, 21 Or LUBA 1, 13-14 (1991); *Bennett v. Dallas*, 96 Or App 645, 647-49 (1989).

In response to MZO 4.136(3)(c)(2), the Planning Commission relied on three statements from the Comprehensive Plan (see page 6 of the order). None of these statements are labeled in the plan as "policies." One is a goal and the other two are objectives. As such, they are all broad-brush statements of aspirational goals to guide future legislation and planning; they are not approval criteria to be applied at the individual quasi-judicial land use level. Accordingly, these Comprehensive Plan elements were improperly applied as approval criteria.

Furthermore, the Commission's substantive finding is illogical. The Commission concludes that a hotel is incompatible with the area, notwithstanding that the City Council has already made the policy decisions that: (1) this property is zoned SR-R, and (2) a hotel is an allowed use in the SR-R zone. By definition, an allowed use in the zone cannot be incompatible with the zone. The Commission's decision effectively overrules the City Council's own zoning decisions and cannot stand.

b. The Commission erred by concluding that MZO 4.136(3)(c)(3) is not met.

As an initial matter, MZO 4.136(3)(c)(3) on its face requires a finding that the area around the development can be planned in substantial harmony with the proposed project, not the other way around. The Commission may not rewrite the criterion to state the opposite of what it says.



Furthermore, even if the criterion requires the project to be in substantial harmony with the surrounding area, the project is by definition a proposal that meets this requirement because it is an allowed use in the zone that meets all applicable approval criteria. If the City Council believes hotels are or may sometimes be incompatible in the SR-R zone, the remedy is to revise the MZO to make hotels a prohibited or conditional use in the zone, not to engage in ad-hoc rezoning of an allowed use in a quasi-judicial land use proceeding, in violation of the applicant's right to have his application decided based on the zoning regulations in existence at the time his application was first submitted. ORS 227.178(3)(a).

c. The Commission erred by concluding that surrounding streets are inadequate to support the traffic anticipated from the project.

First, as noted above in Section 6, there is no evidence properly in the record by which the Commission could find that this criteria was not met. As such, the Commission's finding fails for lack of substantial evidence.

Moreover, the Commission's finding is unreasonable on its face. The only traffic impact that the Commission found unacceptable was the daily number of additional trips on the peak day (Saturday). Keep in mind that this is only on the peak day; added trips on other days is substantially lower (114 per day on weekdays). Moreover, during the busiest hour on that Saturday, the project will generate 20 trips, or only 1 trip every 3 minutes.¹ It is flatly unreasonable to conclude that a project that will produce at most only 1 additional vehicle trip every three minutes, and only during the busiest single hour of an entire week, generates unacceptable traffic impacts.

The Commission also speculates that "most of those trips would be directed to downtown." There is no evidence to support this contention, nor is there any explanation of why this makes a difference. The Commission also errs by relying on a broad-brush statement from the Comprehensive Plan that is not an approval criterion, as explained above in Section 7(a).

Otherwise, the uncontroverted evidence in the record shows that the project meets sight distance requirements with some brush trimming, there is no additional crash risk, and the nearby intersection of Dorcas and Classic will continue to operate at level of service "A" with very low delays. There is no substantial evidence in the

¹ The City's own traffic consultant Lancaster Mobley agreed with all the data and conclusions of the applicant's traffic study. Moreover, although inadmissible, the opponents' traffic report did not disagree with the trip data.



record upon which the Commission could have reasonably concluded that this criterion is not met.

8. The Planning Commission erred in finding that the applicant's materials submitted in support of the application were inadequate and did not provide sufficient detail for the Commission to determine if the applicable approval criteria were met.

The Commission's final finding, paragraph F on page 12 of the order, states that "in reviewing the various drawings and plans, the Commission finds they did not contain sufficient detail and are inadequate." This finding is first in error because it is predicated on the erroneous conclusion that the applicant has proposed a planned development. Furthermore, in light of the plans and drawings in the record, this is simply not a reasonable finding. We ask that the City Council independently review those plans and drawings and conclude for itself whether they are adequate to allow meaningful review of the proposal for compliance with the applicable approval criteria. Specifically we direct the Council's attention to: (1) the site plans and artistic renderings dated January 4, 2022; (2) the 3-D exterior views and composite elevations dated April 27, 2022; and (3) the updated site plan dated April 29, 2022. We are at a loss for what could be missing from these materials, and the Planning Commission's order does not say.

For the foregoing reasons, the decision of the Planning Commission should be reversed and the application approved.

Please submit this letter into the record of this appeal. Thank you for your consideration.

Best regards,



David J. Petersen

DJP/rkb

cc (via e-mail):

Vito Cerelli

Dustin Gruetter

Souvanny Miller, City Attorney

From: Scott Gebhart <sgebhart@ci.manzanita.or.us>
To: vito cerelli <vito.cerelli@gmail.com>
Subject: Re: 120 days
Sent: Thu, 7 Jul 2022 14:55:59 +0000

The 23rd.

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: vito cerelli <vito.cerelli@gmail.com>
Sent: Thursday, July 7, 2022, 7:54 AM
To: Scott Gebhart
Subject: 120 days

Scott,
What's the final date for the 120 clock on the application I have?

Thank you-

Vito

--

Vito Cerelli | vito.cerelli@gmail. com | c: 503.440.5766

To: 'sgebhart@ci.manzanita.or.us'[sgebhart@ci.manzanita.or.us]
Cc: David Petersen[david.petersen@tonkon.com]; Mick Harris[mick.harris@tonkon.com];
'vito.cerelli@gmail.com'[vito.cerelli@gmail.com]; 'dustin@dcbuilding.com'[dustin@dcbuilding.com]
From: Rita Bell
Sent: Thur 7/7/2022 3:10:57 PM
Subject: 698 Dorcas Lane – Application for 34-unit hotel - Manzanita Lofts LLC [IWOV-PDX.FID1334992]
[2022-07-07 Appeal Letter to Manzanita City Council re 698 Dorcas Lane -PDF](#)

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>>>

Councilors and Mr. Gebhart,
Please see the attached letter and attachments.

Thank you,

Rita Bell | Tonkon Torp LLP

Legal Assistant
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July 7, 2022

VIA U.S. MAIL AND E-MAIL - sgebhart@ci.manzanita.or.us

Manzanita City Council
PO Box 129
167 S. 5th Street
Manzanita, OR 97130

Re: 698 Dorcas Lane – Application for 34-unit hotel

Dear Councilors:

This law firm represents the applicant, Vito Cerelli and the landowner, Manzanita Lofts LLC with respect to the above-referenced land use matter. The City Planning Commission issued an order denying the application dated June 24, 2022. The applicant appeals that order pursuant to Manzanita Zoning Ordinance ("MZO") 10.150(B). The City's appeal form is enclosed. The applicant has been notified that upon receipt of this appeal, the Planning Department will invoice him for the appeal fee.

Following is the applicant's statement in support of the appeal, as required by MZO 11.060:

A. An identification of the decision sought to be reviewed, and the date of the decision.

City of Manzanita Planning Commission Order dated June 24, 2022 with respect to 698 Dorcas Lane (Tax Lot Nos. 31029D 02100 and 31029DA 02600). There does not appear to be a City file number for the application.

B. A statement of the interest of the person seeking review and that he/she was a party to the initial proceedings.

The appellant is the applicant, Vito Cerelli, who participated in the Planning Commission proceedings.

C. The specific grounds relied upon for review, including a statement that the criteria against which review is being requested were addressed at the Planning Commission.

1. The Planning Commission erred in treating the application as one for approval of a planned unit development. The application is for development of a 34-unit motel or hotel, which is an allowed use in the SR-R zone.

2. The Planning Commission erred by wrongfully accepting and relying upon evidence and testimony submitted by third parties other than the applicant, after the public hearing was closed.

3. The Planning Commission failed to properly follow the procedures applicable to this application under MZO 4.136(3).

4. The Planning Commission erred in applying the substantive approval criteria for a planned unit development in MZO 4.136(3)(c) to the application.

5. If the substantive approval criteria of MZO 4.136(3)(c) apply to this application, the Planning Commission erred in directly applying Comprehensive Plan provisions to the application, in violation of ORS 197.195(1) and other applicable law.

6. If the substantive approval criteria of MZO 4.136(3)(c) apply to this application, the Planning Commission's findings of non-compliance are not supported by substantial evidence properly in the record.

7. The Planning Commission erred in finding that the applicant's materials submitted in support of the application were inadequate and did not provide sufficient detail for the Commission to determine if the applicable approval criteria were met.

The criteria against which review is being requested were addressed at the Planning Commission.

D. If de novo review or review by additional testimony and other evidence is requested, a statement relating the request to the factors listed in Section 10.190.

The appellant does not seek de novo review.

Additionally, MZO 10.150(B) requires an appeal to "contain the information outlined in Section 10.030." We do not understand this requirement, since MZO 10.030 lists the information required for a notice of hearing, and the appellant of course is not in control of scheduling the appeal hearing. Regardless, most of the information listed in MZO 10.030 can be found in the appeal form and the Planning Commission's order, a copy of which is enclosed.



Manzanita City Council
July 7, 2022
Page 3

Please contact Mick Harris or me if you have any questions or concerns regarding this appeal. Thank you.

Best regards,



David J. Petersen

DJP/rkb
Enclosures

cc (via e-mail, w/enc):
Vito Cerelli
Dustin Gruetter
Mick Harris, Tonkon Torp LLP

043045\00001\13783868v1





City of Manzanita

P.O. Box 129
Manzanita, OR 97130-0129
Phone (503) 368-5343
Fax (503) 368-4145
building@ci.manzanita.or.us

LAND USE APPLICATION DEPARTMENT USE ONLY	
Permit No:	
Date Issued:	By:

SITE LOCATION:

ADDRESS:	
698 Dorcas Lane	
MAP AND TAX LOT:	
31029D - 2100; 31029DA - 2600	
ZONE:	
<input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input type="checkbox"/> R-4 <input checked="" type="checkbox"/> SR-R <input type="checkbox"/> C-1 <input type="checkbox"/> LC <input type="checkbox"/> RMD	
TYPE OF WORK:	
<input type="checkbox"/> Accessory Structure <input type="checkbox"/> House or Mobile Home <input type="checkbox"/> Multi-family dwellings <input checked="" type="checkbox"/> Commercial, Industrial <input type="checkbox"/> Tree Removal: No Charge	
TYPE OF APPLICATION:	BASE FEE:
<input type="checkbox"/> Administrative Review	\$75.00
<input type="checkbox"/> Accessory Structure, Minor Review	\$100.00
<input type="checkbox"/> House or Mobile Home	\$250.00
<input type="checkbox"/> Multi-Family Dwelling	\$250 + \$25/Unit
<input type="checkbox"/> Commercial, Industrial, Other Projects	\$650.00
<input type="checkbox"/> Variance	\$450.00
<input type="checkbox"/> Partitions	\$500.00
<input type="checkbox"/> Planned Unit Development	\$1,400.00
<input type="checkbox"/> Subdivision	\$1,200.00
<input type="checkbox"/> Lot Line Adjustment	\$125.00
<input type="checkbox"/> Signs	\$75 + \$2 SQ/ FT
<input type="checkbox"/> Conditional Use	\$625.00
<input type="checkbox"/> Site Plan Review	\$625.00
<input type="checkbox"/> Zone Change	\$625.00
<input type="checkbox"/> Comprehensive Plan Amendment	\$1,000.00
<input type="checkbox"/> Vacations	\$600.00
<input type="checkbox"/> Temporary Permit	\$300.00
<input type="checkbox"/> Annexation	\$1,000.00
<input type="checkbox"/> Amendment to Urban Growth Boundary	\$1,000.00
<input type="checkbox"/> Pre-Application Conference	\$225.00
Total: \$472.50	
+ 5% Tech. Fee:	
Total Due: \$472.50	

X -- Appeal

REQUIRED INFORMATION:

APPLICANT:		
Name: Vito Cerelli		
Full Mailing Address: 31987 Maxwell Ln		
City: Arch Cape	State: OR	Zip: 97102
Phone: (503) 440-5766		
Email: vito.cerelli@gmail.com		
PROPERTY OWNER:		
Same as applicant? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Name: Manzanita Lofts LLC		
Full Mailing Address: 11251 SE 232nd Ave.		
City: Damascus	State: OR	Zip: 97089
Phone: (503) 440-5766		
Email: vito.cerelli@gmail.com		
LICENSED PROFESSIONAL:		
Same as applicant? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Business Name: Tonkon Torp LLP		
Address: 888 SW 5th Avenue, Suite 1600		
City/State/Zip: Portland, OR 97204		
Phone: (503) 889-6636	Fax: (503) 274-8779	
E-mail: mick.harris@tonkon.com		
license no.: Bar No. 194984	City Lic. No.:	
Contact Name: Mick Harris	Phone #: 503-802-5765	
REQUIRED DOCUMENTS FOR APPLICATION		
Required documentation to be determined by Staff.		



City of Manzanita

P.O. Box 129, Manzanita, OR 97130-0129
Phone (503) 368-5343 Fax (503) 368-4145

BEFORE THE PLANNING COMMISSION OF THE CITY OF MANZANITA ORDER

APPLICANT: Vito Cerelli.
LOCATION: 698 Dorcas Lane (31029D - 2100; 31029DA – 2600).
ZONING: Special Residential/Recreation Zone (SR-R).
REQUEST: Planned Unit Development Application to create a 34-unit Hotel.

The above-named applicant SUBMITTED a Planned Unit Development application to the City to establish a 34-unit hotel. Public hearings on the above request were held before the Planning Commission on March 21, May 16 and June 20, 2022.

THE PLANNING COMMISSION OF THE CITY OF MANZANITA HEREBY ORDERS that the Subdivision request be DENIED and adopts the findings of fact Exhibit A, attached hereto and by this reference incorporated herein, in support of the decision.

This ORDER may be appealed to the City Council by an affected party by filing an appeal with the City Manager within 20 days of the date specified below. A request for appeal, either as a de novo review or review on the record, must contain the items listed in City Ordinance 95-4, Section 10.160 and may only be filed concerning criteria that were addressed at the initial public hearing. The complete case is available for review at the office of the City Recorder, 543 Laneda Avenue, Manzanita, Oregon.

Date: 06-24-2022

City of Manzanita Planning Commission

Karen Reddick-Yurka, Chair

EXHIBIT A

I. BACKGROUND

- A. APPLICANT: Vito Cerelli.
- B. PROPERTY LOCATION: The property is located at the approximate southwest corner of Dorcas Lane and Classic Street. Classic Street borders the property along the east. The site address is 698 Dorcas Lane and the County Assessor places the property within Township 3 North; Range 10 West; Section 29D; Tax Lot #2100; and, Township 3 North; Range 10 West; Section 29DA; Tax Lot #2600.
- C. MAPPED AREA: Tax Lot #2100 – 3.42 acres; Tax Lot #2600 – 0.41 acres for 3.83 total acres.
- D. EXISTING DEVELOPMENT: The vacant subject area fronts two public streets and public services are available.
- E. ZONING: The property is zoned Special Residential/Recreation Zone (SR-R).
- F. ADJACENT ZONING AND LAND USE: Property to the north is zoned High Density Residential (R-3) and contains a mix of single-family homes. All remaining adjacent land is zoned SR-R and includes a golf course and residences to the west and south, and, residential development to the east.
- G. REQUEST: The applicant is requesting approval of a Planned Unit Development to construct a hotel complex.
- H. DECISION CRITERIA: This application will be evaluated against the Planned Unit Development criteria listed in Ordinance 95-4 Section 4.136; and, the Special Residential/Recreational Zone standards in Ordinance 95-4 Section 3.030.

II. APPLICATION HISTORY

- A. The Planning Commission originally reviewed this request at their March 21, 2022 meeting. At the conclusion of the meeting, the Commission voted to continue the matter until the April 18 hearing, allowing the applicant to provide additional information regarding, traffic, wetlands and open space.
- B. The applicant was unable to submit the requested information to City staff to meet the April hearing deadline. To ensure a complete and proper review of the material, the applicant request the Commission continue the matter to the May 16, 2022, Commission meeting. The Commission approved the continuation.

- C. At the May 16 meeting, the Commission reviewed the additional material, including traffic reports from the applicant and the City's review of said report, additional building details and landscaping information. At the conclusion of the meeting the Commission voted to continue the matter until the June 20 hearing to address the hotel's operations and vehicle parking.
- D. After the April hearing, and prior to the June hearing, area property owners submitted written comments to the City and Planning Commission via e-mail. Although the record was left open at that time only to review materials submitted by the applicant, the City agreed to comprehensively reopen the record to allow additional evidence, argument and testimony. As a result, a new notice was mailed prior to the June meeting to inform property owners in the notification area of the hearing and that public testimony will be accepted. For the record, all comments submitted by area property owners remain part of the case record.

III. APPLICATION SUMMARY

- A. The applicant wishes to create a 34-unit hotel complex on the subject property that will feature a combination of loft units, and, large and small cabins. The project includes the following:
 - 1. The north end of the site will contain 19 studio hotel rooms, each designed to contain approximately 350 square feet in area. There will be a total of 11 buildings with eight designed to contain two units and three single units.
 - 2. The second component is an approximate 2,963 square foot community building for meetings or gatherings. Of this total, approximately 1,300 square feet will be under cover and include a kitchen and identified "bar" area. The outdoor patio includes a fire pit. This building is located directly south of the 19 hotel units. For the record, this building will not contain a restaurant.
 - 3. South of the community building are nine additional rental units. These are one- and two-story structures, each containing approximately 1,000 square feet.
 - 4. As the south end of the site are six, single-story cabins, identified as micro-cabins. These A-frame cabins surround a shared open space.
 - 5. The site plan identifies 53 parking spaces: 12 spaces near the 19-unit hotel; 8 spaces next to the community building; 12 spaces opposite the nine large cabins; two spaces each adjacent to seven of the nine cabins and, 7 spaces adjacent to the six mini-cabins. The plan includes 14,800 square feet of open space.

6. A private roadway will run along the east side of the site, serving the entire development. The roadway will also include required public facilities.
- B. Section 3.030(2)(h) permits a “motel, hotels, including an eating and drinking establishment therewith” in the Special Residential/Recreation Zone. The proposed hotel complex is therefore an allowed use. In addition, Subsection (4)(c) requires the Planning Commission to use the Planned Unit Development procedures in Section 4.136 when evaluating a development application.
- C. This review is considering the planned development layout, specifically the building and open space locations, roadway and parking provisions. The application does not include a design review for any of the structures. While Section 4.150 requires a design review for all new construction, this requirement is limited only to the C-1, LC and R-4 zones. Design review therefore does not apply to SR-R zone. Regardless, the Commission has the authority to condition their decision on the final layout substantially conforming to the proposal, including the relative size, position and design of the buildings.
- D. The zoning map on the City’s website identifies a right-of-way where the subject property is located. This is in error. The County Assessor maps clearly show the two tax lots without an intervening right-of-way.

IV. PLANNED UNIT DEVELOPMENT PROVISIONS

- A. Planned unit development procedures in Section 4.136 are used to evaluate development proposals in the SR-R zone. Applicable provisions are reviewed in the following subsections:
 1. Section 4.136.1., reviews the purpose of a planned development. Briefly, a “planned development” permits the application of greater freedom of design in land development than may be possible under a strict interpretation of the provisions of this Ordinance.

FINDINGS: This Section is not directly applicable to the request as this is a commercial project that does not include a request to modify the development standards. The planned unit development approach is a requirement, but not a necessity to achieve the project’s objective.
 2. Section 4.136.2., establishes the following standards and requirements:
 - (a) A planned development may include any uses and conditional uses permitted in any underlying zone. Standards governing area, density, yards, off-street parking, or other requirements shall be guided by the standards that most nearly portray the character of the zone in which the greatest percentage of the planned development is proposed.

- (b) The developer may aggregate the dwellings in this zone in "cluster" or multiple- dwelling structures so long as it does not exceed the density limits of the Comprehensive Plan.
- (c) Assurances such as a bond or work agreement with the City may be required to ensure that a development proposal as submitted is completed within the agreed upon time limit by the developer and the Commission.

FINDINGS: In compliance with item "(a)" above, the proposal would establish a 34-unit hotel, a previously identified allowed use in the zone. The developer aggregated the hotel buildings in clusters (b), but the potential density limits (per item D.1., below), were not addressed. Bonding, per item "(c)" is an option available to the City to ensure development of the site.

- B. Section 4.136.3, addresses the Planned Unit Development Procedure. The following procedures shall be observed in applying for and acting on a planned development:

- 1. An applicant shall submit 10 copies of a preliminary development plan to the Planning Commission and notify all property owners within 250 feet of the proposed development by mail.

FINDINGS: The material submitted as part of the application complies with the provisions in this Section. Notice was also provided to area property owners per provisions in this Section for both the initial hearing and the June 20 meeting.

- 2. Prior to discussion of the plan at a public hearing, the City Manager shall distribute copies of the proposal to appropriate City agencies or staff for study and comment.

FINDINGS: Per this item, said plans were distributed prior to the meeting and also available to the public to review.

- 3. The Planning Commission shall consider the preliminary development plan at a meeting, at which time the comments of persons receiving the plan for study shall be reviewed. In considering the plan, the Planning Commission shall seek to determine that:

- (a) There are special physical conditions or objectives of development which the proposal will satisfy to warrant a departure from the standard ordinance requirements.

FINDINGS: While steep slopes border the east side of the site, the applicant is not departing from the requirements of the SR-R zone.

Compliance with these requirements is reviewed in item “D” below.

- (b) Resulting development will not be inconsistent with the Comprehensive Plan provisions or zoning objectives of the area, particularly with regard to dune stabilization, geologic hazards and storm drainage.

FINDINGS: Planning Commission members specifically noted under “Comprehensive Plan Policies” item #2:

The plan overrides other city ordinances, such as zoning, subdivision or other ordinances when there is a conflict.

In this regard, the Commission finds the goals, objective and policies contained in the Plan apply to this development.

The Goal provisions in “Land Use” states the following:

To guide the development of land so that land use is orderly, convenient, and suitable related to the natural environment. The uses must fulfill the needs of residents and property owners, and be adequately provided with improvements and facilities.

Objective #1 states the City will:

Designate separate land use areas within which optimum conditions can be established for compatible activities and uses.

While Objective #3 notes the following:

Protect the character and quality of existing residential areas and neighborhoods from incompatible new development.

Based on testimony and presented evidence, the Commission finds the proposed hotel incompatible with area activities that are dominated by recreational (golf course) and residential uses. This conclusion is based on the amount of traffic generated by the site and potential traffic impacts on the local street system. Further, the Commission heard testimony indicating the size of the hotel (accordingly the largest in the city) is incompatible with area development. On balance, the Commission found the proposal did not comply with the applicable Comprehensive Plan Policies.

- (c) The area around the development can be planned to be in

substantial harmony with the proposed plan.

FINDINGS: While there are single family homes in the vicinity, the dominant land use in the area is recreational with the existing golf course to the west. As noted above, the Commission finds the hotel to be incompatible with area uses.

- (d) The plan can be completed within a reasonable period of time.

FINDINGS: The Commission has the authority to place reasonable constraints on the timing of activities. It was suggested the developer submit site, engineering and building plans within two years of the final decision on this case and that all required plans for the project be submitted within five years of the final decision. At the submittal of the applicable material, a hearing would be scheduled before the Commission to review progress and to ensure the plans substantially conform the approved project.

- (e) The streets are adequate to support the anticipated traffic and the development will not overload the streets outside the planned area.

FINDINGS: While the applicant submitted a traffic impact study (subsequently reviewed by the City's traffic engineer), opponents provided a more comprehensive study. The report indicated the project would generate more than 309 vehicle trips per day. Many of these trips would be directed to downtown where a majority of the eating establishments are located. This creates adverse impacts on streets within the vicinity. Not only is this a safety issue with pedestrian and bicycle traffic, but the Commission also finds the use and potential traffic impacts conflict with Comprehensive Plan "Land Use" Objective #3:

Prevent the concentration of uses that would overload streets and other public facilities, or destroy living quality and natural amenities.

Creation of the proposed 22-foot paving improvement is acceptable but recognize additional width and/or turn-outs may be necessary to meet Fire District requirements.

- (f) Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.

FINDINGS: The applicant submitted a site drainage plan for the entire project. Initial examination by staff indicates the improvements can comply with City Public Works standards. This

- can be verified when engineering plans are submitted.
4. The Planning Commission shall notify the applicant whether, in its opinion, the foregoing provisions have been satisfied and, if not, whether they can be satisfied with further plan revision.

FINDINGS: This is a procedural requirement, whereby the decision and any conditions of approval are determined at the Commission hearing and the applicant is formally notified by the City.

5. Following this preliminary meeting, the applicant may proceed with his request for approval of the planned development by filing an application for an amendment to this Ordinance.

FINDINGS: It appears the purpose of this provision is to identify the site as a planned development on the City's zoning map (see item "(g)" below). In effect, this requires an approved tentative plan to be submitted, reviewed and approved, which is the purpose of the Commission hearings. However, as previously noted, it is appropriate for the applicant to return with engineering, site, building and other required plans to ensure the project proceeds according to the proposal.

6. In addition to the requirements of this section, the Planning Commission may attach conditions it finds are necessary to carry out the purposes of this Ordinance.

FINDINGS: Ultimately this is the Commission's decision. City staff provided a list of conditions for the Commission to consider.

7. An approved planned development shall be identified on the zoning map with the letters PD in addition to the abbreviated designation of the existing zoning.

FINDINGS: The City assumes this responsibility if the request is approved and development proceeds.

8. Building permits in a planned development shall be issued only on a basis of the approved plan. Any changes in the approved plan shall be submitted to the Planning Commission for processing as an amendment to this Ordinance.

FINDINGS: Design review provisions in Section 4.150 do not apply to the SR-R zone. However, the submitted material identifies the location of the various hotel units, cottages, parking and open space as well as the buildings' general features. It is appropriate to require conformance with the layout and improvements, including building design. Therefore, the project must conform to this proposed layout and design unless otherwise

modified by the Planning Commission.

C. Development standards in the SR-R zone are found in Section 3.030(4). Each item is reviewed below:

1. (4)(a) - Overall density for the SR-R zone is 6.5 dwelling units per gross acre. Dwellings may be clustered on one portion of a site within the SR-R zone and achieve a maximum density of 13 dwellings per acre where at least 40% of the total lot or parcel area is reserved or dedicated as permanent open space as a public or private park area or golf course. The open space shall be so indicated on the Plan and zoning map, and deed restrictions to that effect shall be filed with the City.

FINDINGS: While submitted as a hotel project, the Commission notes a number (if not all) of units can meet the definition of a “dwelling unit” contained in Ordinance 95-4. Therefore, application of the density requirement is appropriate. Additional information on the specific level of improvement would be needed to determine whether the development complies with the density requirements in this Section.

2. (4)(b) - Standards other than density in the SR-R zone shall conform to those established in the R-3 zone (Section 3.020) except that the Planning Commission may authorize relaxation of these standards to permit flexibility in design such as cluster development, with respect to lot size, setbacks and lot coverage, but not use.

FINDINGS: Compliance with applicable provisions in the R-3 zone is reviewed in item “E.”, below. For the purpose of this criterion, the layout meets or exceeds the minimum standards.

3. (4)(c) - The Planning Commission shall use the procedure set forth in Section 4.136 of this Ordinance (Planned Development) in order to evaluate development proposals in this area.

FINDINGS: The Commission hearings comply with requirement.

4. (4)(d) - The maximum lot coverage in the SR-R zone shall not exceed 40%. Less lot coverage may be required in steeply sloping areas or areas with drainage problems. In all cases the property owner must provide the City with a storm drainage plan which conducts storm runoff into adequately sized storm drains or approved natural drainage as approved by the Public Works Director.

FINDINGS: Based on the applicant’s calculations, the lot coverage will not exceed 33% (see site drainage plans). Areas containing steep slopes are not developed but will maintain a vegetative cover.

5. (4)(e) - In areas without a high-water table, a dry well capable of absorbing the storm runoff shall be provided in accordance with City standards.

FINDINGS: Compliance with this requirement can be addressed when engineering plans are submitted. Also see findings in Section C.3.(f).

In a similar vein, comments in March raised the issue of possible wetlands on the property. A limited wetlands study was conducted in 2017 which concluded the subject area did not contain wetlands. This analysis was approved by the Department of State Lands. A subsequent survey was conducted over the site that included the entire area under consideration for development. The survey by NW Regolith found no wetlands on the proposed development or any portion of the subject property. The City received a preliminary report from the Department of State Lands on June 9, 2022. The report indicated a wetland delineation will be required before development can occur. For the record, the applicant did submit the required application to DSL. Compliance with this requirement can be placed as a condition of approval.

- D. Applicable development standards in the R-3 zone are found in Section 3.020(3). Each item is reviewed below:

1. (3)(a) - The minimum lot size shall be 5,000 square feet for single family or duplexes, plus 2,500 square feet for each additional dwelling unit.

FINDINGS: There are no minimum area requirement for non-residential uses. However, at 3.83 acres, the project greatly exceeds the identified minimum parcel size requirement. The subject area contains two parcels. While under common ownership, their consolidation is required prior to development.

2. (3)(b) - The minimum lot width shall be 40 feet, except on a corner lot it shall be 60 feet.

FINDINGS: The parcel maintains 90-feet of frontage on Dorcas Lane and in no case falls below 60-feet in width throughout.

3. (3)(c) - The minimum lot depth shall be 90 feet.

FINDINGS: The property depth exceeds 1100 feet.

4. (3)(d) - The minimum front yard shall be 20 feet, or the average setback of buildings within 100 feet of both sides of the proposed building on the same side of the street, whichever is less. For purposes of determining the average setback of buildings, vacant lots within 100 feet of both sides of

the proposed building on the same side of the street shall be included and shall be assumed to have a building placed 20 feet from the front lot line to the nearest part of the building. In no case shall the front yard setbacks be less than 12 feet.

FINDINGS: The minimum front yard depth is approximately 80-feet.

5. (3)(e) - The minimum side yard setback shall be 5 feet for the portion of the building at the setback line up to 10 feet in height as measured vertically from average finished grade to the highest point of that portion of the building and shall be 8 feet for any portion of the building where this height is exceeded; except that a roof with a pitch of less than or equal to 8 in 12 may extend upward from the 5-foot setback line to the 8-foot setback line. The street side yard setback of a corner lot shall be 12 feet.

FINDINGS: The minimum side yard setback for the hotel, community building and cabin structures is 10-feet while the mini-cabins are at least 20-feet from the side yard. The combined property is effectively a corner lot as Dorcas Lane fronts on the north end and Classic Street along the east side. All structures exceed the minimum 12-foot corner lot setback along Classic Street.

6. (3)(f) - The maximum building or structure height shall be 28 feet, 6 inches. However, if more than one-half of the roof area has a roof pitch of less than 3 in 12, the building or structure height shall not exceed 24 feet. The height of a stepped or terraced building shall be the maximum height of any segment of the building or structure.

FINDINGS: The applicant did not request a variance to modify this requirement. Compliance with this provision will be determined when building plans are submitted for the individual structures.

7. (3)(g) - The minimum rear yard setback shall be 10 feet.

FINDINGS: The rear yard setback (mini-cottages) is approximately 120-feet.

8. (3)(h) - The maximum lot coverage in the R-3 zone shall not exceed 55%. Less lot coverage may be required in steeply sloping areas or areas with drainage problems. In all cases, the property owner must provide the City with a storm drainage plan which conducts storm runoff into adequately sized storm drains or approved natural drainage as approved by the Public Works Director.

FINDINGS: Per requirements of the SR-R zone, the lot coverage limitation is 40%. Based on the applicant's calculations, the lot coverage will not

exceed 33% +/- . Compliance with this provision can be continually evaluated as the site develops.

9. (3)(i) - In areas of the City without a high-water table, a dry well capable of absorbing the storm runoff of the impervious surfaces of the property shall be provided in accordance with City standards.

FINDINGS: Compliance with this requirement can be addressed when engineering plans are submitted. Also see findings in Section C.3.(f).

- E. The planned unit development provisions do not specifically address parking requirements as these are usually considered as development progresses (e.g., a residential planned development). This is a unified project and it is appropriate to address parking at this juncture.

Hotel requirements are found in Section 4.090(3)(a) and require 1 space for each unit of 350 square feet or less, if that unit has only one bedroom; 1.25 spaces per unit for all other units; and, 2 spaces for the manger. The Ordinance does not establish a separate parking requirement for the community building as it is part of the hotel complex and it is reasonable to assume there will be some overlap between the guests and the use of the facility. Parking for the 19-unit hotel area is 19 spaces; 2 spaces for the manager; 11.25 spaces for the larger cabins ($9 \times 1.25 = 11.25$) and 6 spaces for the mini-cabins. The site contains 53 spaces which exceeds the 34.25 spaces required by Ordinance. While specific information on the number of bedrooms for the smaller units was not provided, even if each unit contains more than one bedroom, this would only require an additional 4.75 spaces for a total of 39. Again, the proposed 53 spaces exceed this total. Compliance with parking requirements, such as space size and improvements, can be continually evaluated as building plans are reviewed.

- F. As a planned development, the Commission is granted authority to consider the entire project and not just the layout. City staff recommended any decision for final planned development approvals include the submitted building design proposals. The Commission agrees with this recommendation. However, in reviewing the various drawings and plans, the Commission finds they did not contain sufficient detail and are inadequate. This in turn complicates the ability of the Commission to determine whether the final product conforms to the submitted proposal.

V. CONCLUSION

Based on the above noted findings, the Planning Commission concludes the application to site a 34-unit hotel in the SR-R zone fails to comply with the applicable provisions.

To: Mick Harris[mick.harris@tonkon.com]
From: Scott Gebhart
Sent: Wed 7/6/2022 10:46:44 AM
Subject: RE: Land Use Application [IWOV-PDX.FID1334992]

.....
>>>>

Mick,

The total fee is \$472.50. Once I receive the paperwork I will have Chris enter it in to the ePermitting system and send you an invoice that can be paid online through ePermitting.

Scott Gebhart
Building Official
City of Manzanita
503-368-5343

From: Mick Harris <mick.harris@tonkon.com>
Sent: Tuesday, July 5, 2022 3:50 PM
To: Scott Gebhart <sgebhart@ci.manzanita.or.us>
Subject: RE: Land Use Application [IWOV-PDX.FID1334992]

Hi Scott:

Will we need to pay an additional 5% tech fee on top of the \$472.50? I couldn't tell based on the way the application is designed with the box referencing the fee. Thank you!

Mick Harris | Tonkon Torp LLP

Attorney
Pronouns: he / him / his
503.802.5765 direct | 503-889-6636 cell
mick.harris@tonkon.com

From: Mick Harris
Sent: Wednesday, June 29, 2022 12:48 PM
To: 'Scott Gebhart' <sgebhart@ci.manzanita.or.us>
Subject: RE: Land Use Application [IWOV-PDX.FID1334992]

Great. Thank you, Scott!

Mick Harris | Tonkon Torp LLP

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mick.harris@tonkon.com

From: Scott Gebhart <sgebhart@ci.manzanita.or.us>
Sent: Tuesday, June 28, 2022 4:10 PM
To: Mick Harris <mick.harris@tonkon.com>
Subject: Land Use Application

Mick,

Please fill out and return this application. Once I receive it an invoice will be sent for \$472.50. Here is the link for the documents from the Planning Commission meetings, [Planning Commission – City Of Manzanita](#). All documents can be found from March through June. To keep it simple, all public comments have been consolidated to the one document in the June packet.

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To: Mick Harris[mick.harris@tonkon.com]
From: Scott Gebhart
Sent: Wed 7/6/2022 11:34:31 AM
Subject: Re: Land Use Application [IWOV-PDX.FID1334992]

.....
>>>>>>>

Yes, if you give me a call before noon I should be available.503-457-6322

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: Mick Harris <mick.harris@tonkon.com>
Sent: Wednesday, July 6, 2022 11:30:04 AM
To: Scott Gebhart <sgebhart@ci.manzanita.or.us>
Subject: RE: Land Use Application [IWOV-PDX.FID1334992]
Thank you, Scott. This is very helpful. Do you have time for a quick call today about a separate question?

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From: Scott Gebhart <sgebhart@ci.manzanita.or.us>
Sent: Wednesday, July 6, 2022 10:47 AM
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Sent: Tuesday, July 5, 2022 3:50 PM
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To: 'Scott Gebhart' <sgebhart@ci.manzanita.or.us>
Subject: RE: Land Use Application [IWOV-PDX.FID1334992]

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To: 'Scott Gebhart'[sgebhart@ci.manzanita.or.us]
From: Mick Harris
Sent: Tue 7/5/2022 3:50:02 PM
Subject: RE: Land Use Application [IWOV-PDX.FID1334992]

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Pronouns: he / him / his
503.802.5765 direct | 503-889-6636 cell
mick.harris@tonkon.com

From: Mick Harris
Sent: Wednesday, June 29, 2022 12:48 PM
To: 'Scott Gebhart' <sgebhart@ci.manzanita.or.us>
Subject: RE: Land Use Application [IWOV-PDX.FID1334992]

Great. Thank you, Scott!

Mick Harris | Tonkon Torp LLP

Attorney
Pronouns: he / him / his
503.802.5765 direct | 503-889-6636 cell
mick.harris@tonkon.com

From: Scott Gebhart <sgebhart@ci.manzanita.or.us>
Sent: Tuesday, June 28, 2022 4:10 PM
To: Mick Harris <mick.harris@tonkon.com>
Subject: Land Use Application

Mick,

Please fill out and return this application. Once I receive it an invoice will be sent for \$472.50. Here is the link for the documents from the Planning Commission meetings, [Planning Commission – City Of Manzanita](#). All documents can be found from March through June. To keep it simple, all public comments have been consolidated to the one document in the June packet.

Scott Gebhart
Building Official
City of Manzanita
503-368-5343

To: 'Scott Gebhart'[sgebhart@ci.manzanita.or.us]
From: Mick Harris
Sent: Wed 6/29/2022 12:48:06 PM
Subject: RE: Land Use Application [IWOV-PDX.FID1334992]

Great. Thank you, Scott!

Mick Harris | Tonkon Torp LLP

Attorney

Pronouns: he / him / his

503.802.5765 direct | 503-889-6636 cell

mick.harris@tonkon.com

From: Scott Gebhart <sgebhart@ci.manzanita.or.us>
Sent: Tuesday, June 28, 2022 4:10 PM
To: Mick Harris <mick.harris@tonkon.com>
Subject: Land Use Application

Mick,

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Scott Gebhart
Building Official
City of Manzanita
503-368-5343

From: Building <building@ci.manzanita.or.us>
To: vito cerelli <vito.cerelli@gmail.com>
Cc: Jptz <jim@jptz.com>
Subject: Signed Order
Sent: Fri, 24 Jun 2022 16:38:25 +0000
[Signed PC Order Pump Station.pdf](#)
[Signed PUD Order.pdf](#)

Here is a copy of the signed order. I am including a copy of both orders in case I forgot to send it to you Jim.

Have a great weekend!

Scott Gebhart
Building Official
City of Manzanita
503-368-5343



City of Manzanita

P.O. Box 129, Manzanita, OR 97130-0129
Phone (503) 368-5343 Fax (503) 368-4145

BEFORE THE PLANNING COMMISSION OF THE CITY OF MANZANITA ORDER

APPLICANT: Jim Pentz (Pine Grove Properties).
LOCATION: Southwest Corner of Intersection of Highlands and Meadows Drives,
part of Tract "H" of Highlands 2 (3N10W29D – 100).
ZONING: Special Residential/Recreation Zone (SR-R).
REQUEST: Conditional Use to construct a pump station.

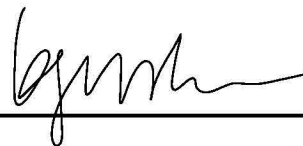
The above-named applicant SUBMITTED a Conditional Use application to the City to construction a water pump station. A public hearing on the above request was held before the Planning Commission on June 20, 2022.

THE PLANNING COMMISSION OF THE CITY OF MANZANITA HEREBY ORDERS that the Conditional Use request be APPROVED and adopts the findings of fact and conditions of approval in Exhibit A, attached hereto and by this reference incorporated herein, in support of the decision.

This ORDER may be appealed to the City Council by an affected party by filing an appeal with the City Manager within 20 days of the date specified below. A request for appeal, either as a de novo review or review on the record, must contain the items listed in City Ordinance 95-4, Section 10.160 and may only be filed concerning criteria that were addressed at the initial public hearing. The complete case is available for review at the office of the City Recorder, 167 S 5th Street, Manzanita, Oregon.

Date: 06-22-2022

City of Manzanita Planning Commission



Karen Reddick-Yurka, Chair

EXHIBIT A

I. BACKGROUND

- A. **APPLICANT:** Jim Pentz (for Pine Grove Properties, Inc.).
- B. **PROPERTY LOCATION:** Southwest Corner of Intersection of Highlands and Meadows Drives, part of Tract "H" of Highlands 2. The County Assessor places the property within Township 3 North; Range 10 West; Section 29D; Tax Lot #100.
- C. **PARCEL SIZE:** The property contains approximately 3.68 acres.
- D. **EXISTING DEVELOPMENT:** The vacant site fronts two streets and is served by public sewer and water.
- E. **ZONING:** The parcel is zoned Special Residential/Recreation Zone (SR-R).
- F. **ADJACENT ZONING AND LAND USE:** All adjacent property is zoned SR-R and part of the Highlands development.
- G. **REQUEST:** The applicant is requesting Conditional Use approval to establish a water pump station.
- H. **DECISION CRITERIA:** This application will be evaluated against the Conditional Use standards listed in Sections 5.010 to 5.039 and 5.060 of Ordinance 95-4, and the Special Residential/Recreation Zone (SR-R) standards in Section 3.030 of Ordinance 95-4.

II. APPLICATION SUMMARY

- A. The applicant is requesting approval to construct a water pump station to provide and maintain adequate water supplies to the Highlands development. The facility - known as the Highlands Pump Station - features the following:
 - 1. The pump house will be a free-standing structure located on southwest corner of the intersection of Highlands and Meadows Drives, within a portion of the Highlands project identified as Tract "H".
 - 2. The structure will contain approximately 323 square feet of area and be approximately 13-feet in height. The exterior has a shake finish with horizontal clerestory windows below the roofline. Per Public Works Department, the goal of the building exterior was to match the surrounding buildings and eliminate the need for screening.
 - 3. Setbacks will be 15-feet to Highlands Drive, 27+ feet to Meadows Drive and over 100-feet in the remaining yards.

4. There be a garage entrance, with driveway, facing Meadows, allowing access to maintain, repair or replace equipment. Lighting is limited to a single downward facing accent light above the door.
 5. Public Works staff will visit the site approximately once a week to monitor the equipment. There will be no generator at the location as pumps are not for fire protection.
 6. The building will have three pumps that are used to boost water pressure to homes above the Highlands Road area. Two pumps are 1/3HP and the other is 3/4HP. All three pumps use variable frequency drive (VFD) motor controllers.
 7. There is no expectation of pump noise outside of the building. There will be no bulk chemicals stored or used at the site.
- B. Pursuant to Section 3.030(3)(b) a utility substation and lines necessary for public service is a conditionally permitted use within the SR-R zone. Per Section 5.020, this action is subject to a public hearing and review by the Planning Commission.
- C. The City sent notice of this application to area property owners and affected agencies. No comments were submitted.

III. CRITERIA AND FINDINGS – CONDITIONAL USE

- A. Section 5.010 Purpose - In certain districts, conditional uses may be permitted subject to the granting of a Conditional Use Permit. Because of their unusual characteristics or potential disruption 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 to the Objectives of this Ordinance.

FINDING: The Zoning Ordinance identifies a utility substation as a conditionally permitted use in the SR-R zone.

- B. Section 5.020 Planning Commission Authority - The Planning Commission shall have the authority to approve, approve with conditions, or disapprove Conditional Use Permits in accordance with the standards and procedures set forth in Section 5.025 through 5.039 of the goals and policies of the Comprehensive Plan.

FINDING: The scheduled hearing before the Planning Commission conforms to the requirements of this Section.

- C. Section 5.025 Findings - The Planning Commission, in reviewing a request for a Conditional Use Permit, shall find as follows:
1. That the site for the proposed use is adequate in size and shape to accommodate said use and meets all other development and lot requirements of the subject zoning district;

FINDING: Tract H contains 3.68 acres which can readily accommodate the 323 square foot structure. Per Section 3.030(4)(b), the development standards in the R-3 zone [Section 3.020(4)] apply to development within the SR-R zone. Within the R-3 zone, the minimum lot size is 5,000 square feet; the width and depth requirements are 60-feet and 90-feet, respectively; and, the setbacks are 20-feet along the front, 15-feet along a street side, 10-feet from the rear and 5-feet along the side. The 3.68-acre parcel exceeds all area and dimension requirements. The building "front" is over 27-feet to the street and the street side yard is 15-feet, thereby exceeding the minimum setback requirements. The rear and side yard setbacks are well over 100-feet. This building location also complies with the clear-vision requirements in Section 4.020.

2. That the site has adequate access to a public street or highway and that the street or highway is adequate in size and condition to effectively accommodate the traffic that is expected to be generated by the proposed use;

FINDING: The property fronts two public streets, with a single access to Meadows Drive. Per Public Works Department, only weekly visits are planned to monitor the equipment. The existing street system is more than adequate to accommodate this level of traffic.

3. For uses other than a needed housing type, the proposed use will have no adverse effect on abutting property or the permitted use thereof. In making this determination, the Commission shall consider the proposed location of improvements on site; vehicular ingress, egress and internal circulation; setbacks; height of buildings; walls and fences; landscaping; outdoor lighting and signs.

FINDING: This is a necessary facility to ensure adequate water pressure for domestic needs within the project. The pumping equipment is housed within a structure that is residential in design and will be generally compatible with area residences. The building height is approximately half the 28.5 feet allowed within the Zone. Per Public Works Department, the structure will be able to contain any noise generate by the equipment.

Given this structure will not be occupied, and for reasons of public safety, the site will not include fencing or screening that may provide hiding spaces. Undeveloped areas will remain in natural vegetation. The only lighting will be a downward facing accent light at the door. There are no plans install any signs. In addition, while the driveway is close to the intersection, site access is only weekly therefore does not present a traffic hazard issue.

The Development Ordinance does not include parking space requirements for utility structures. The site plan contains a single space for maintenance vehicles. Given the anticipated limited activity at the site, the inclusion of one parking space should be adequate. The parking space improvement must comply with provisions in Section 4.080 of the Ordinance.

- D. Section 5.030 identifies “Standards Governing Conditional Uses” that apply to specific request. Section 5.031 notes that in permitting a new conditional use, the Planning Commission may impose, in addition to those standards and requirements expressly specified by this Ordinance, additional conditions which the Planning Commission considers necessary to protect the best interest of the surrounding area to the City as a whole. These conditions may include but are not limited to:
1. Adjustments to lot size or yard areas as needed to best accommodate the proposed use provided the lots or yard areas conform to the stated minimum dimensions for the subject zoning district.
 2. Limiting the height of buildings.
 3. Controlling the location and number of vehicle access points.
 4. Increasing the street width.
 5. Adjustments to off-street parking requirements in accordance with any unique characteristics of the proposed use.
 6. Limiting the number, size, location and lighting of signs.
 7. Requiring diking, fencing, screening, landscaping, or other facilities to protect adjacent or nearby property.
 8. Designating sites for open space.
 9. Regulation of time for certain types of uses when their operation may adversely affect privacy or sleep of persons residing nearby or otherwise conflict with other community or neighboring functions.

FINDINGS: Based on previous findings, the proposal meets or exceeds the development requirements. City staff did not recommend additional conditions beyond compliance with submitted proposal.

- E. Section 5.032 - In case of a use existing prior to the effective date of this Ordinance and classified in the Ordinance as a conditional use, any change in use or in lot area or an alteration of structure shall conform with the requirements for conditional use.

FINDING: This Section does not apply, as this is not a pre-existing use currently classified as a conditional use.

- F. Section 5.033 - The Planning Commission may require an applicant to furnish the City with a performance bond or such other form of assurance that the Planning Commission deems necessary to guarantee development in accordance with the standards established and conditions attached in granting a conditional use.

FINDING: This option may be placed as a condition of approval. However, given the proposed use will effectively become part of the City's infrastructure, bonding would appear unnecessary. However, to ensure the project proceeds and the City assumes operations of the facility, the applicant must provide a suitable easement for the structure and access.

- G. Section 5.034 - In addition to the standards of the zone in which the conditional use is located and the general standards of this Ordinance, specific conditional uses shall meet the standards listed in Section 5.030 through 5.098.

FINDING: Compliance with provisions in 5.060, Public Utility or Communication Facility, is reviewed in item "M." below.

- H. Section 5.035 Conditional Use Procedure - The following procedures shall be followed in applying for action on a conditional use.

FINDING: This Section introduces Sections 5.036 to 5.039.

- I. Section 5.036 - A property owner may initiate a request for a conditional use or the modification of a conditional use by filing an application with the City Manager. The Planning Commission may require other drawings or information necessary to an understanding of the proposed use and its relationship to surrounding properties.

FINDING: An application was submitted, deemed complete and a hearing scheduled before the Commission.

- J. Section 5.037 - Before the Planning Commission may act on a request for a conditional use, it shall hold a public hearing.

FINDING: The scheduled hearing before the Planning Commission conforms to the requirements of this Section.

- K. Section 5.038 - Within 5 days after a decision has been rendered with reference to a request for a conditional use, the City Manager shall provide the applicant with written notice of the decisions of the Planning Commission.

FINDING: This is an administrative requirement which follows the Commission's decision.

- L. Section 5.039 Time Limit on a Permit for a Conditional Use - Authorization of a conditional use shall be void after 1 year unless substantial construction pursuant thereto has taken place. However, the Planning Commission may, at its discretion, extend authorization for an additional 6 months upon request,

provided such request is submitted in writing at least 10 days prior to expiration of the permit.

FINDING: As in "K." above, this is an administrative requirement which follows the Commission's decision.

- M. Section 5.060 - Public Utility or Communication Facility. In considering a conditional use application for such facilities as a utility substation, water storage tank, radio or television transmitter, etc., the Planning Commission shall determine that the site is located as to best serve the intended area with a minimum effect on surrounding property. As far as possible, towers, tanks, poles, overhead wires, pumping stations, and similar gear shall be located, designed, and installed with suitable regard for aesthetic values. This includes fencing and landscaping, and in residential zones, all equipment storage on the site shall be within an enclosed building. In addition, the minimum lot size for a public utility facility may be waived on finding that the waiver will not result in noise or other detrimental effect to adjacent property.

FINDING: As stated in previous findings, this facility is necessary to ensure water is available, and at sufficient pressure, to serve the Highlands project. The building housing the pumping equipment is residential in character to minimize visual impacts with potential new residences. All equipment will be located within the building and there will be no outdoor storage of material or equipment. Eliminating fencing and vegetative screening is a safety measure to ensure the site does not contain any hiding spots.

IV. DECISION AND CONDITIONS OF APPROVAL

The Planning Commission finds the proposal complies with the applicable Conditional Use criteria and hereby approves the application subject to the following Conditions:

- A. The developer shall submit engineering plans to the City of Manzanita addressing water, storm water, street improvements and similar private facility improvements. These plans shall be reviewed and approved by the City prior to construction.
- B. The developer shall submit a building permit for construction of the structure, conforming to the applicable building code requirements. The submitted site plan shall substantially conform to the approved layout. While building plans may be simultaneously submitted with engineering plans, building permits shall not be issued until all engineering plans are reviewed and approved.
- C. The developer shall provide a suitable easement to the City of Manzanita to locate the structure, improvements, parking and permitting access for continual maintenance of the pump station.

- D. Prior to operations, the developer shall install a minimum of one off-street parking space consistent with approved building and engineering plans. The space shall be improved per the requirements in Section 4.080 of the Ordinance 95-4.
- E. The structure shall comply with the building permit requirements, conform to the submitted site plan and comply with approved engineering plans. The applicant is advised that modifications to the approved plan may require a new application and decision.
- F. Compliance with these conditions, the requirements of the Manzanita Zoning Ordinance and applicable building code provisions shall be the sole responsibility of the developer.



City of Manzanita

P.O. Box 129, Manzanita, OR 97130-0129
Phone (503) 368-5343 Fax (503) 368-4145

BEFORE THE PLANNING COMMISSION OF THE CITY OF MANZANITA ORDER

APPLICANT: Vito Cerelli.
LOCATION: 698 Dorcas Lane (31029D - 2100; 31029DA – 2600).
ZONING: Special Residential/Recreation Zone (SR-R).
REQUEST: Planned Unit Development Application to create a 34-unit Hotel.

The above-named applicant SUBMITTED a Planned Unit Development application to the City to establish a 34-unit hotel. Public hearings on the above request were held before the Planning Commission on March 21, May 16 and June 20, 2022.

THE PLANNING COMMISSION OF THE CITY OF MANZANITA HEREBY ORDERS that the Subdivision request be DENIED and adopts the findings of fact Exhibit A, attached hereto and by this reference incorporated herein, in support of the decision.

This ORDER may be appealed to the City Council by an affected party by filing an appeal with the City Manager within 20 days of the date specified below. A request for appeal, either as a de novo review or review on the record, must contain the items listed in City Ordinance 95-4, Section 10.160 and may only be filed concerning criteria that were addressed at the initial public hearing. The complete case is available for review at the office of the City Recorder, 543 Laneda Avenue, Manzanita, Oregon.

Date: 06-24-2022

City of Manzanita Planning Commission

Karen Reddick-Yurka, Chair

EXHIBIT A

I. BACKGROUND

- A. APPLICANT: Vito Cerelli.
- B. PROPERTY LOCATION: The property is located at the approximate southwest corner of Dorcas Lane and Classic Street. Classic Street borders the property along the east. The site address is 698 Dorcas Lane and the County Assessor places the property within Township 3 North; Range 10 West; Section 29D; Tax Lot #2100; and, Township 3 North; Range 10 West; Section 29DA; Tax Lot #2600.
- C. MAPPED AREA: Tax Lot #2100 – 3.42 acres; Tax Lot #2600 – 0.41 acres for 3.83 total acres.
- D. EXISTING DEVELOPMENT: The vacant subject area fronts two public streets and public services are available.
- E. ZONING: The property is zoned Special Residential/Recreation Zone (SR-R).
- F. ADJACENT ZONING AND LAND USE: Property to the north is zoned High Density Residential (R-3) and contains a mix of single-family homes. All remaining adjacent land is zoned SR-R and includes a golf course and residences to the west and south, and, residential development to the east.
- G. REQUEST: The applicant is requesting approval of a Planned Unit Development to construct a hotel complex.
- H. DECISION CRITERIA: This application will be evaluated against the Planned Unit Development criteria listed in Ordinance 95-4 Section 4.136; and, the Special Residential/Recreational Zone standards in Ordinance 95-4 Section 3.030.

II. APPLICATION HISTORY

- A. The Planning Commission originally reviewed this request at their March 21, 2022 meeting. At the conclusion of the meeting, the Commission voted to continue the matter until the April 18 hearing, allowing the applicant to provide additional information regarding, traffic, wetlands and open space.
- B. The applicant was unable to submit the requested information to City staff to meet the April hearing deadline. To ensure a complete and proper review of the material, the applicant request the Commission continue the matter to the May 16, 2022, Commission meeting. The Commission approved the continuation.

- C. At the May 16 meeting, the Commission reviewed the additional material, including traffic reports from the applicant and the City's review of said report, additional building details and landscaping information. At the conclusion of the meeting the Commission voted to continue the matter until the June 20 hearing to address the hotel's operations and vehicle parking.
- D. After the April hearing, and prior to the June hearing, area property owners submitted written comments to the City and Planning Commission via e-mail. Although the record was left open at that time only to review materials submitted by the applicant, the City agreed to comprehensively reopen the record to allow additional evidence, argument and testimony. As a result, a new notice was mailed prior to the June meeting to inform property owners in the notification area of the hearing and that public testimony will be accepted. For the record, all comments submitted by area property owners remain part of the case record.

III. APPLICATION SUMMARY

- A. The applicant wishes to create a 34-unit hotel complex on the subject property that will feature a combination of loft units, and, large and small cabins. The project includes the following:
 - 1. The north end of the site will contain 19 studio hotel rooms, each designed to contain approximately 350 square feet in area. There will be a total of 11 buildings with eight designed to contain two units and three single units.
 - 2. The second component is an approximate 2,963 square foot community building for meetings or gatherings. Of this total, approximately 1,300 square feet will be under cover and include a kitchen and identified "bar" area. The outdoor patio includes a fire pit. This building is located directly south of the 19 hotel units. For the record, this building will not contain a restaurant.
 - 3. South of the community building are nine additional rental units. These are one- and two-story structures, each containing approximately 1,000 square feet.
 - 4. As the south end of the site are six, single-story cabins, identified as micro-cabins. These A-frame cabins surround a shared open space.
 - 5. The site plan identifies 53 parking spaces: 12 spaces near the 19-unit hotel; 8 spaces next to the community building; 12 spaces opposite the nine large cabins; two spaces each adjacent to seven of the nine cabins and, 7 spaces adjacent to the six mini-cabins. The plan includes 14,800 square feet of open space.

6. A private roadway will run along the east side of the site, serving the entire development. The roadway will also include required public facilities.
- B. Section 3.030(2)(h) permits a “motel, hotels, including an eating and drinking establishment therewith” in the Special Residential/Recreation Zone. The proposed hotel complex is therefore an allowed use. In addition, Subsection (4)(c) requires the Planning Commission to use the Planned Unit Development procedures in Section 4.136 when evaluating a development application.
- C. This review is considering the planned development layout, specifically the building and open space locations, roadway and parking provisions. The application does not include a design review for any of the structures. While Section 4.150 requires a design review for all new construction, this requirement is limited only to the C-1, LC and R-4 zones. Design review therefore does not apply to SR-R zone. Regardless, the Commission has the authority to condition their decision on the final layout substantially conforming to the proposal, including the relative size, position and design of the buildings.
- D. The zoning map on the City’s website identifies a right-of-way where the subject property is located. This is in error. The County Assessor maps clearly show the two tax lots without an intervening right-of-way.

IV. PLANNED UNIT DEVELOPMENT PROVISIONS

- A. Planned unit development procedures in Section 4.136 are used to evaluate development proposals in the SR-R zone. Applicable provisions are reviewed in the following subsections:
 1. Section 4.136.1., reviews the purpose of a planned development. Briefly, a “planned development” permits the application of greater freedom of design in land development than may be possible under a strict interpretation of the provisions of this Ordinance.

FINDINGS: This Section is not directly applicable to the request as this is a commercial project that does not include a request to modify the development standards. The planned unit development approach is a requirement, but not a necessity to achieve the project’s objective.
 2. Section 4.136.2., establishes the following standards and requirements:
 - (a) A planned development may include any uses and conditional uses permitted in any underlying zone. Standards governing area, density, yards, off-street parking, or other requirements shall be guided by the standards that most nearly portray the character of the zone in which the greatest percentage of the planned development is proposed.

- (b) The developer may aggregate the dwellings in this zone in "cluster" or multiple- dwelling structures so long as it does not exceed the density limits of the Comprehensive Plan.
- (c) Assurances such as a bond or work agreement with the City may be required to ensure that a development proposal as submitted is completed within the agreed upon time limit by the developer and the Commission.

FINDINGS: In compliance with item "(a)" above, the proposal would establish a 34-unit hotel, a previously identified allowed use in the zone. The developer aggregated the hotel buildings in clusters (b), but the potential density limits (per item D.1., below), were not addressed. Bonding, per item "(c)" is an option available to the City to ensure development of the site.

- B. Section 4.136.3, addresses the Planned Unit Development Procedure. The following procedures shall be observed in applying for and acting on a planned development:

- 1. An applicant shall submit 10 copies of a preliminary development plan to the Planning Commission and notify all property owners within 250 feet of the proposed development by mail.

FINDINGS: The material submitted as part of the application complies with the provisions in this Section. Notice was also provided to area property owners per provisions in this Section for both the initial hearing and the June 20 meeting.

- 2. Prior to discussion of the plan at a public hearing, the City Manager shall distribute copies of the proposal to appropriate City agencies or staff for study and comment.

FINDINGS: Per this item, said plans were distributed prior to the meeting and also available to the public to review.

- 3. The Planning Commission shall consider the preliminary development plan at a meeting, at which time the comments of persons receiving the plan for study shall be reviewed. In considering the plan, the Planning Commission shall seek to determine that:

- (a) There are special physical conditions or objectives of development which the proposal will satisfy to warrant a departure from the standard ordinance requirements.

FINDINGS: While steep slopes border the east side of the site, the applicant is not departing from the requirements of the SR-R zone.

Compliance with these requirements is reviewed in item “D” below.

- (b) Resulting development will not be inconsistent with the Comprehensive Plan provisions or zoning objectives of the area, particularly with regard to dune stabilization, geologic hazards and storm drainage.

FINDINGS: Planning Commission members specifically noted under “Comprehensive Plan Policies” item #2:

The plan overrides other city ordinances, such as zoning, subdivision or other ordinances when there is a conflict.

In this regard, the Commission finds the goals, objective and policies contained in the Plan apply to this development.

The Goal provisions in “Land Use” states the following:

To guide the development of land so that land use is orderly, convenient, and suitable related to the natural environment. The uses must fulfill the needs of residents and property owners, and be adequately provided with improvements and facilities.

Objective #1 states the City will:

Designate separate land use areas within which optimum conditions can be established for compatible activities and uses.

While Objective #3 notes the following:

Protect the character and quality of existing residential areas and neighborhoods from incompatible new development.

Based on testimony and presented evidence, the Commission finds the proposed hotel incompatible with area activities that are dominated by recreational (golf course) and residential uses. This conclusion is based on the amount of traffic generated by the site and potential traffic impacts on the local street system. Further, the Commission heard testimony indicating the size of the hotel (accordingly the largest in the city) is incompatible with area development. On balance, the Commission found the proposal did not comply with the applicable Comprehensive Plan Policies.

- (c) The area around the development can be planned to be in

substantial harmony with the proposed plan.

FINDINGS: While there are single family homes in the vicinity, the dominant land use in the area is recreational with the existing golf course to the west. As noted above, the Commission finds the hotel to be incompatible with area uses.

- (d) The plan can be completed within a reasonable period of time.

FINDINGS: The Commission has the authority to place reasonable constraints on the timing of activities. It was suggested the developer submit site, engineering and building plans within two years of the final decision on this case and that all required plans for the project be submitted within five years of the final decision. At the submittal of the applicable material, a hearing would be scheduled before the Commission to review progress and to ensure the plans substantially conform the approved project.

- (e) The streets are adequate to support the anticipated traffic and the development will not overload the streets outside the planned area.

FINDINGS: While the applicant submitted a traffic impact study (subsequently reviewed by the City's traffic engineer), opponents provided a more comprehensive study. The report indicated the project would generate more than 309 vehicle trips per day. Many of these trips would be directed to downtown where a majority of the eating establishments are located. This creates adverse impacts on streets within the vicinity. Not only is this a safety issue with pedestrian and bicycle traffic, but the Commission also finds the use and potential traffic impacts conflict with Comprehensive Plan "Land Use" Objective #3:

Prevent the concentration of uses that would overload streets and other public facilities, or destroy living quality and natural amenities.

Creation of the proposed 22-foot paving improvement is acceptable but recognize additional width and/or turn-outs may be necessary to meet Fire District requirements.

- (f) Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.

FINDINGS: The applicant submitted a site drainage plan for the entire project. Initial examination by staff indicates the improvements can comply with City Public Works standards. This

- can be verified when engineering plans are submitted.
4. The Planning Commission shall notify the applicant whether, in its opinion, the foregoing provisions have been satisfied and, if not, whether they can be satisfied with further plan revision.

FINDINGS: This is a procedural requirement, whereby the decision and any conditions of approval are determined at the Commission hearing and the applicant is formally notified by the City.

5. Following this preliminary meeting, the applicant may proceed with his request for approval of the planned development by filing an application for an amendment to this Ordinance.

FINDINGS: It appears the purpose of this provision is to identify the site as a planned development on the City's zoning map (see item "(g)" below). In effect, this requires an approved tentative plan to be submitted, reviewed and approved, which is the purpose of the Commission hearings. However, as previously noted, it is appropriate for the applicant to return with engineering, site, building and other required plans to ensure the project proceeds according to the proposal.

6. In addition to the requirements of this section, the Planning Commission may attach conditions it finds are necessary to carry out the purposes of this Ordinance.

FINDINGS: Ultimately this is the Commission's decision. City staff provided a list of conditions for the Commission to consider.

7. An approved planned development shall be identified on the zoning map with the letters PD in addition to the abbreviated designation of the existing zoning.

FINDINGS: The City assumes this responsibility if the request is approved and development proceeds.

8. Building permits in a planned development shall be issued only on a basis of the approved plan. Any changes in the approved plan shall be submitted to the Planning Commission for processing as an amendment to this Ordinance.

FINDINGS: Design review provisions in Section 4.150 do not apply to the SR-R zone. However, the submitted material identifies the location of the various hotel units, cottages, parking and open space as well as the buildings' general features. It is appropriate to require conformance with the layout and improvements, including building design. Therefore, the project must conform to this proposed layout and design unless otherwise

modified by the Planning Commission.

C. Development standards in the SR-R zone are found in Section 3.030(4). Each item is reviewed below:

1. (4)(a) - Overall density for the SR-R zone is 6.5 dwelling units per gross acre. Dwellings may be clustered on one portion of a site within the SR-R zone and achieve a maximum density of 13 dwellings per acre where at least 40% of the total lot or parcel area is reserved or dedicated as permanent open space as a public or private park area or golf course. The open space shall be so indicated on the Plan and zoning map, and deed restrictions to that effect shall be filed with the City.

FINDINGS: While submitted as a hotel project, the Commission notes a number (if not all) of units can meet the definition of a “dwelling unit” contained in Ordinance 95-4. Therefore, application of the density requirement is appropriate. Additional information on the specific level of improvement would be needed to determine whether the development complies with the density requirements in this Section.

2. (4)(b) - Standards other than density in the SR-R zone shall conform to those established in the R-3 zone (Section 3.020) except that the Planning Commission may authorize relaxation of these standards to permit flexibility in design such as cluster development, with respect to lot size, setbacks and lot coverage, but not use.

FINDINGS: Compliance with applicable provisions in the R-3 zone is reviewed in item “E.”, below. For the purpose of this criterion, the layout meets or exceeds the minimum standards.

3. (4)(c) - The Planning Commission shall use the procedure set forth in Section 4.136 of this Ordinance (Planned Development) in order to evaluate development proposals in this area.

FINDINGS: The Commission hearings comply with requirement.

4. (4)(d) - The maximum lot coverage in the SR-R zone shall not exceed 40%. Less lot coverage may be required in steeply sloping areas or areas with drainage problems. In all cases the property owner must provide the City with a storm drainage plan which conducts storm runoff into adequately sized storm drains or approved natural drainage as approved by the Public Works Director.

FINDINGS: Based on the applicant’s calculations, the lot coverage will not exceed 33% (see site drainage plans). Areas containing steep slopes are not developed but will maintain a vegetative cover.

5. (4)(e) - In areas without a high-water table, a dry well capable of absorbing the storm runoff shall be provided in accordance with City standards.

FINDINGS: Compliance with this requirement can be addressed when engineering plans are submitted. Also see findings in Section C.3.(f).

In a similar vein, comments in March raised the issue of possible wetlands on the property. A limited wetlands study was conducted in 2017 which concluded the subject area did not contain wetlands. This analysis was approved by the Department of State Lands. A subsequent survey was conducted over the site that included the entire area under consideration for development. The survey by NW Regolith found no wetlands on the proposed development or any portion of the subject property. The City received a preliminary report from the Department of State Lands on June 9, 2022. The report indicated a wetland delineation will be required before development can occur. For the record, the applicant did submit the required application to DSL. Compliance with this requirement can be placed as a condition of approval.

- D. Applicable development standards in the R-3 zone are found in Section 3.020(3). Each item is reviewed below:

1. (3)(a) - The minimum lot size shall be 5,000 square feet for single family or duplexes, plus 2,500 square feet for each additional dwelling unit.

FINDINGS: There are no minimum area requirement for non-residential uses. However, at 3.83 acres, the project greatly exceeds the identified minimum parcel size requirement. The subject area contains two parcels. While under common ownership, their consolidation is required prior to development.

2. (3)(b) - The minimum lot width shall be 40 feet, except on a corner lot it shall be 60 feet.

FINDINGS: The parcel maintains 90-feet of frontage on Dorcas Lane and in no case falls below 60-feet in width throughout.

3. (3)(c) - The minimum lot depth shall be 90 feet.

FINDINGS: The property depth exceeds 1100 feet.

4. (3)(d) - The minimum front yard shall be 20 feet, or the average setback of buildings within 100 feet of both sides of the proposed building on the same side of the street, whichever is less. For purposes of determining the average setback of buildings, vacant lots within 100 feet of both sides of

the proposed building on the same side of the street shall be included and shall be assumed to have a building placed 20 feet from the front lot line to the nearest part of the building. In no case shall the front yard setbacks be less than 12 feet.

FINDINGS: The minimum front yard depth is approximately 80-feet.

5. (3)(e) - The minimum side yard setback shall be 5 feet for the portion of the building at the setback line up to 10 feet in height as measured vertically from average finished grade to the highest point of that portion of the building and shall be 8 feet for any portion of the building where this height is exceeded; except that a roof with a pitch of less than or equal to 8 in 12 may extend upward from the 5-foot setback line to the 8-foot setback line. The street side yard setback of a corner lot shall be 12 feet.

FINDINGS: The minimum side yard setback for the hotel, community building and cabin structures is 10-feet while the mini-cabins are at least 20-feet from the side yard. The combined property is effectively a corner lot as Dorcas Lane fronts on the north end and Classic Street along the east side. All structures exceed the minimum 12-foot corner lot setback along Classic Street.

6. (3)(f) - The maximum building or structure height shall be 28 feet, 6 inches. However, if more than one-half of the roof area has a roof pitch of less than 3 in 12, the building or structure height shall not exceed 24 feet. The height of a stepped or terraced building shall be the maximum height of any segment of the building or structure.

FINDINGS: The applicant did not request a variance to modify this requirement. Compliance with this provision will be determined when building plans are submitted for the individual structures.

7. (3)(g) - The minimum rear yard setback shall be 10 feet.

FINDINGS: The rear yard setback (mini-cottages) is approximately 120-feet.

8. (3)(h) - The maximum lot coverage in the R-3 zone shall not exceed 55%. Less lot coverage may be required in steeply sloping areas or areas with drainage problems. In all cases, the property owner must provide the City with a storm drainage plan which conducts storm runoff into adequately sized storm drains or approved natural drainage as approved by the Public Works Director.

FINDINGS: Per requirements of the SR-R zone, the lot coverage limitation is 40%. Based on the applicant's calculations, the lot coverage will not

exceed 33% +/- . Compliance with this provision can be continually evaluated as the site develops.

9. (3)(i) - In areas of the City without a high-water table, a dry well capable of absorbing the storm runoff of the impervious surfaces of the property shall be provided in accordance with City standards.

FINDINGS: Compliance with this requirement can be addressed when engineering plans are submitted. Also see findings in Section C.3.(f).

- E. The planned unit development provisions do not specifically address parking requirements as these are usually considered as development progresses (e.g., a residential planned development). This is a unified project and it is appropriate to address parking at this juncture.

Hotel requirements are found in Section 4.090(3)(a) and require 1 space for each unit of 350 square feet or less, if that unit has only one bedroom; 1.25 spaces per unit for all other units; and, 2 spaces for the manager. The Ordinance does not establish a separate parking requirement for the community building as it is part of the hotel complex and it is reasonable to assume there will be some overlap between the guests and the use of the facility. Parking for the 19-unit hotel area is 19 spaces; 2 spaces for the manager; 11.25 spaces for the larger cabins ($9 \times 1.25 = 11.25$) and 6 spaces for the mini-cabins. The site contains 53 spaces which exceeds the 34.25 spaces required by Ordinance. While specific information on the number of bedrooms for the smaller units was not provided, even if each unit contains more than one bedroom, this would only require an additional 4.75 spaces for a total of 39. Again, the proposed 53 spaces exceed this total. Compliance with parking requirements, such as space size and improvements, can be continually evaluated as building plans are reviewed.

- F. As a planned development, the Commission is granted authority to consider the entire project and not just the layout. City staff recommended any decision for final planned development approvals include the submitted building design proposals. The Commission agrees with this recommendation. However, in reviewing the various drawings and plans, the Commission finds they did not contain sufficient detail and are inadequate. This in turn complicates the ability of the Commission to determine whether the final product conforms to the submitted proposal.

V. CONCLUSION

Based on the above noted findings, the Planning Commission concludes the application to site a 34-unit hotel in the SR-R zone fails to comply with the applicable provisions.

**CITY OF MANZANITA
PLANNING COMMISSION MEETING MINUTES
JUNE 20, 2022**

I. CALL MEETING TO ORDER: Chair Karen Reddick-Yurka called the meeting to order at 4:02 p.m.

II. ROLL: Members present were: Karen Reddick-Yurka, Burt Went, Phil Mannan, John Nanson, Steve Bloom, Lee Hiltenbrand and Jenna Edginton. Staff present: City Manager Leila Aman, City Planning Consultant Walt Wendolowski, Public Works Director Dan Weitzel, Building Official Scott Gebhart, License & Ordinance Specialist Judy Wilson, Permit Technician Chris Bird, and Manzanita Attorney Souvanny Miller.

III. AUDIENCE: There were 49 persons in the audience.

IV. APPROVAL OF MINUTES: May 16, 2022

It was noted that the last sentence in Section VI(d) on page 2 referring to the city portion of the golf course should be struck because the city does not own any of the golf course.

A motion was made by Nanson, seconded by Mannan, to approve the minutes of the May 16, 2022, Planning Commission meetings as corrected. Motion passed unanimously.

QUASI-JUDICIAL ITEMS

ANNOUNCEMENT OF PUBLIC HEARING PROCEDURES: Chair Reddick-Yurka described the process for the public hearings.

V. PUBLIC HEARING: CONDITIONAL USE TO ESTABLISH A WATER PUMP STATION FOR THE HIGHLANDS; ZONE: SPECIAL RESIDENTIAL/ RECREATION (SR-R); LOCATION: INTERSECTION OF HIGHLANDS AND MEADOWS DRIVES; APPLICANT: PINE GROVE PROPERTIES, INC. (JIM PENTZ AND RICK HINKES)

Chair Reddick-Yurka read a letter from the law firm representing the applicant into the record and stated that it was not to be considered legal advice. Chair Reddick-Yurka opened the public hearing at 4:09 p.m.

a. OBJECTION TO THE NOTICE SENT ANNOUNCING THE HEARING – None

b. CHALLENGE TO PLANNING COMMISSION JURISDICTION – None

c. CONFLICT OF INTEREST, BIAS OR EX PARTE CONTACTS INCLUDING SITE VISITS – None of the Commissioners stated they had anything to declare.

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

e. APPLICANTS' PRESENTATION – Jim Pentz presented a presentation showing the

progress on his development and explained the need for additional pressure to deliver water to the upper elevations and described the makeup of the water pump station.

- f. **STAFF REPORT** –Planning Consultant Walt Wendolowski presented the staff report and described the proposed project. He then presented staff’s findings of facts, conclusions, recommended conditions of approval, and recommendation to approve the application subject to the recommended conditions.

- g. **GENERAL COMMENTS AND QUESTIONS –**

It was noted that there are no additional features that are not shown on the plans, there will be no auxiliary power source, and the maintenance and electrical bill will be taken over by the city because it is tied to city infrastructure. It was stated that the property will be owned by the HOA (Homeowners’ Association), but the City will have an easement over the property. It was suggested that a condition of approval be added requiring the easement. The adequacy of parking was also discussed.

- h. **TESTIMONY PRO-** None

- i. **TESTIMONY CON -** None

- j. **CORRESPONDENCE -** None

- k. **REBUTTAL -** None

- l. **CLOSE PUBLIC HEARING –** Reddick-Yurka closed the public testimony at 4:37 p.m.

- m. **DISCUSSION BY COMMISSION MEMBERS –**

Wendolowski suggested that the easement be a negotiation by the City with the developer. The applicant explained that it is his understanding at this time that this pump will be able to serve the current and additional phases of his development where needed.

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

A motion was made by Bloom, seconded by Edginton, to approve the application adopting the findings and conditions contained in the staff report with the addition that an easement or other agreement be granted to the City for access and maintenance. Motion passed unanimously.

VI. PUBLIC HEARING: PLANNED UNIT DEVELOPMENT; ZONE: SPECIAL RESIDENTIAL /RECREATION (SR-R); LOCATION: 698 DORCAS LANE; APPLICANT: VITO CERELLI – CONTINUATION

Chair Reddick-Yurka opened the public hearing at 4:43 p.m. and reviewed the criteria to be addressed and the hearing process. She noted that this is the applicant’s third public hearing for this application and that the record has been reopened to address new information brought by the applicant today.

- a. **OBJECTION TO THE NOTICE SENT ANNOUNCING THE HEARING –** None

- b. **CHALLENGE TO PLANNING COMMISSION JURISDICTION –** None

- c. **DECLARATIONS OF CONFLICT OF INTEREST, BIAS OR EX PARTE CONTACTS INCLUDING SITE VISITS** – Reddick-Yurka disclosed that she was approached at the Farmers Market by someone who expressed their thoughts on this project, but they did not discuss it. No other Commissioners stated they had anything to declare.
- d. **CHALLENGE TO ANY COMMISSIONER FOR CONFLICT OF INTEREST, BIAS OR EX PARTE CONTACT** – None
- e. **APPLICANT’S PRESENTATION** – The owner, Vito Cerelli, described his proposed development and presented and described the additional information he had recently submitted to the City.
- f. **STAFF REPORT** - City Planning Consultant Walt Wendolowski described the proposed project and presented the staff report, findings of fact, conclusions, and recommended conditions of approval. He noted that the project does not include a restaurant and that the applicant has increased the number of parking spaces to 53. He also explained the relationship of the Comprehensive Plan to the City Zoning Ordinance per State Statutes and noted the County requirements for hotels. Wendolowski then presented staff’s recommendation of approval subject to the conditions in the staff report.
- g. **GENERAL COMMENTS AND QUESTIONS** – The Commissioners, staff, and the applicant discussed errors in the staff report and the applicant’s plans related to parking spaces and the number of hotel units. They then discussed whether some of the units were actually dwelling units, the drainage plan, density concerns, the location and use of open spaces, the location of laundry facilities, the length and width of the road, emergency access concerns, safety related to the proximity to the golf course, the need for harmony with the neighborhood, and concerns about management of the hotel.

Chair Reddick-Yurka announced a 7-minute break at 5:58. Reddick-Yurka reconvened the meeting at 6:07.

- h. **TESTIMONY PRO** – An audience member asked how many people were participating online. It was noted that there were 48 attendees and 17 panelists. Another audience member stated they were neutral but asked about the type of cooking facilities that would be in the units.
- i. **TESTIMONY CON** - Rick Nys of Greenlight Engineering presented his transportation impact study which was requested by the Concerned Citizens of Manzanita. Members of the audience asked about the number of employees that would be on site and expressed concern about construction workers speeding, the impact on traffic on 4th Place and Treasure Cove Lane, and that the City has no definition of hotel, motel or community building. It was asked if the development would count as 36 short-term rentals. Audience members asked about the location of the city right-of-way and if there had been a geology study done on the slope and expressed concern about slope erosion, the quality of Classic Street, safety, the size of the hotel, fires, wetlands, increased accidents, and the responsibility of first responder volunteers the Police Department. There were also comments about traffic impact, the citizens traffic study, and safety on Dorcas Lane and Classic Street. Public Works Director Dan Weitzel

noted the plan to reconstruct Dorcas Lane from the Classic Street intersection to the Post Office and down 4th in September or October.

- j. **CORRESPONDENCE** – Reddick-Yurka noted the related correspondences that were received for the record.
- k. **APPLICANT REBUTTAL** – The applicant noted the concerns related to the SRR zone and about the development. He commented on the expressed safety and traffic concerns and stated that he appreciated and respected the many comments made.
- l. **ADDITIONAL PUBLIC COMMENT** – A member of the audience asked about the process and the lack of the updating of the City’s Comprehensive Plan and Zoning Ordinance. Chair Reddick-Yurka explained.
- m. **APPLICANT REBUTTAL** – The applicant stated that he has followed the City’s current requirements for his application.
- n. **DISCUSSION BY COMMISSION MEMBERS** – The Commissioners discussed the need for more information, traffic safety, the large size of the hotel, and its location away from the downtown core which could cause traffic to impact the surrounding streets. The Commissioners next discussed whether the application complies with items in the staff report.
- o. **CLOSE PUBLIC HEARING** – Public comment was closed at 7:06 pm
- p. **DECISION BY COMMISSION WITH MOTION** - Following discussion of geotechnical reports, sidewalks and pedestrian paths, the traffic impact on Dorcas Lane and Laneda Avenue, safety related to the proximity to the golf course, whether there would be on-site management, open spaces, and the need to address the related criteria, the Commissioners reviewed each finding in the staff report and expressed if they concurred on whether each criterion was met or not.

After discussion, each Commissioner stated that they were not leaning towards approving the application. It was decided that there was no need to go through the rest of the staff report. Wendolowski stated the findings that the Planning Commissioners had determined to have not been met when they reviewed the findings.

A motion was made by Mannan, seconded by Edginton, to deny the application for the 34-unit hotel complex in agreement with the findings as stated by Contract Planner Wendolowski, motion passed unanimously.

VII. GENERAL UPDATES: Gebhart informed the Commissioners that there is nothing upcoming to note.

VIII. ADJOURNMENT:

Chair Reddick-Yurka adjourned the meeting at 9:00 p.m.

**MINUTES APPROVED THIS 18TH
DAY OF JULY 2022**

Karen Reddick-Yurka, Chair

ATTEST:

Leila Aman, City Manager/Recorder

Sent: Thu, 16 Jun 2022 13:26:41 -0700
Subject: Wetlands
From: vito cerelli <vito.cerelli@gmail.com>
To: Scott Gebhart <sgebhart@ci.manzanita.or.us>

For you to know it is tracking -

Also the notes re: no wetlands -

<https://docs.dsl.state.or.us/PublicReview/ElectronicFile.aspx?docid=3832073&dbid=0>

Vito Cerelli | vito.cerelli@gmail. com | c: 503.440.5766

Sent: Tue, 14 Jun 2022 07:41:32 -0700
Subject: Re: Staff Report
From: vito cerelli <vito.cerelli@gmail.com>
To: Building <building@ci.manzanita.or.us>

Received.

Thank you -

Vito

On Mon, Jun 13, 2022 at 5:50 PM Building <building@ci.manzanita.or.us> wrote:

Vito,

Here is a copy of the staff report.

Scott

--

Vito Cerelli | vito.cerelli@gmail. com | c: 503.440.5766

From: Building <building@ci.manzanita.or.us>
To: vito cerelli <vito.cerelli@gmail.com>
Subject: FW: EXTERNAL: Hotel March Documents
Sent: Fri, 10 Jun 2022 01:19:38 +0000

Vito,

Here is a copy of the requirements for a hotel. This will be included in the PC Packet.

Scott

From: Jaime Craig <jcraig@co.tillamook.or.us>
Sent: Thursday, May 19, 2022 9:41 AM
To: Building <building@ci.manzanita.or.us>
Cc: Leila Aman <laman@ci.manzanita.or.us>; June Hemingway <jhemingw@co.tillamook.or.us>
Subject: RE: EXTERNAL: Hotel March Documents

Hi Scott,

I appreciate you sending these over. I do not need to see the traffic study, thank you. I wanted to get you comments ASAP as it looks like this is on the table now for review.

This facility will also have to give us their plans and apply for a tourist accommodation (hotel) license.

https://tillamookchc.org/wp-content/uploads/2016/06/TouristApp_Fillable.pdf

They will have to be able to comply with the tourist accommodation rules, some of which are called out below.

<https://www.oregon.gov/oha/ph/healthyenvironments/recreation/poolslodging/documents/touristrules.pdf>

Note and comments:

The second component is a community building for meetings or gatherings.

*This building is located directly south of the 19 hotel units. For the record, this building will **not** contain a restaurant. The building design is attached as "Community Building".*

I am not sure the intent of a community building but if used for public events and food is served, the person serving food will have to get a temporary restaurant license and be inspected by our office. No food can be served to guests without a restaurant or limited-service license. This includes continental breakfasts, leaving food baskets in rooms or providing coffee with real dairy creamers. The hotel would have to reach out to us for food licensing and meet restaurant guidelines.

Even if not serving food, if dishes or glasses are provided for guests:

All multi-use drinking glasses and cups provided for guests shall be washed, rinsed and

sanitized after being used according to OAR 333-150-0000 parts 4-6 and 4-7. (3) Single service utensils shall be protected from contamination according to OAR 333- 150-0000 section 4-904.11. (4) Ice provided by traveler's accommodations and hostels shall comply with OAR 333- 150-0000 sections 3-202.16 and 3-303.12.

Lodging Unit Kitchens 333-029-0110 (1) Lodging unit kitchens shall have: (a) A sink suitable for dishwashing with hot and cold water. Hot water shall be at not less than one hundred forty degrees (140F).; (b) A refrigerator capable of maintaining a temperature of forty-five degrees (45o) F. or less, (2) Utensil and equipment, if supplied, shall be easily cleanable, kept in good repair, and otherwise comply with OAR 333-150-0000 parts 4-1 and 4-2. (3) Utensils supplied in lodging units shall be washed, rinsed, and sanitized after each occupancy according to OAR 333-150-0000 parts 4-6 and 4-7, or have a notice stating "For your convenience, dishes and utensils have been washed. If you would like to further sanitize these items, please contact the manager." The sanitizing agent shall be available in the office.

If linens are provided, we inspect the laundry facilities. If linens are not provided and the cabins are primitive (bring your own) they will also have to have an RV park license (also encompasses a campground, which is what this would fall under).

https://secure.sos.state.or.us/oard/displayDivisionRules.action;JSESSIONID_OARD=7iv4aZLpMdxycwI0tc19I3K3QQdo4y6PVjGhK2q0lcF7GFUa930m!-330355351?selectedDivision=1246

I did not see this on the plans, but want to make sure it's clear, as this is something that sometimes happen after approval of just the Hotel. If they are planning on placing external hot tubs, they may have to be commercial and go through the State Pool Program for review. Not a homestyle hot tub unless a plan is in place with us for disposal of water and cleaning each time a guest check in and out. No central homestyle hot tube for use by all at facility.

Public Water Source is provided. If not, they will have to be their own water system with the State Drinking Water Program.

Fire will determine what is needed, Fire Safety 333-029-0095 (1) Portable fire extinguishers shall be provided in travelers' accommodations and hostels. Such fire extinguishers shall: (a) Have a minimum rating of 2A:10B:C; (b) Be located so as to require no more than 75 feet of travel distance to an extinguisher. (2) Equivalent protection as outlined by NFPA No. 10 shall be accepted.

Let me know if you have questions.



Jaime Craig (she/her/hers) | REHS
TILLAMOOK COUNTY | Environmental Health Program Manager
801 Laurel Avenue | PO Box 489
Tillamook, OR 97141
Phone (503) 842-3909
Fax (503) 842-3983
Jcraig@co.tillamook.or.us
www.tillamookchc.org

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From: Building <building@ci.manzanita.or.us>
Sent: Wednesday, May 18, 2022 5:39 PM
To: Jaime Craig <jcraig@co.tillamook.or.us>
Subject: EXTERNAL: Hotel March Documents

[**NOTICE:** This message originated outside of Tillamook County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Hello Jamie,

Leila asked me to reach out to you and share the plans that are before the Planning Commission for the proposed hotel within the City of Manzanita. I have attached all the documents that have been submitted for your review. Documents pertaining to the wetlands and traffic studies are not included, let me know if you would like to look at those too.

You will receive 2 emails, the first contains the documents from the March meeting and the second from the May meeting.

Please let me know if you have any questions or suggestions for this project. In the future I will invite you to any new pre-application meetings so you can be a part of the discussion from the start.

Thank you,

Scott Gebhart
Building Official
City of Manzanita
503-368-5343



Sent: Fri, 10 Jun 2022 12:18:39 -0700
Subject: Re: Site drainage
From: vito cerelli <vito.cerelli@gmail.com>
To: Scott Gebhart <sgebhart@ci.manzanita.or.us>
[MANZANITA SITE DRAINAGE.pdf](#)

See attached -

Vito

Vito Cerelli | vito.cerelli@gmail.com | c: 503.440.5766

On Fri, Jun 10, 2022 at 12:11 PM vito cerelli <vito.cerelli@gmail.com> wrote:

I will add that to the general note above - to make it clear.

Vito

Vito Cerelli | vito.cerelli@gmail.com | c: 503.440.5766

On Fri, Jun 10, 2022 at 12:02 PM Scott Gebhart <sgebhart@ci.manzanita.or.us> wrote:

The only thing I see with drainage that they might say something about is the 10' requirement away from structures and 5' from property lines.

From: vito cerelli <vito.cerelli@gmail.com>
Sent: Friday, June 10, 2022 11:41 AM
To: Scott Gebhart <sgebhart@ci.manzanita.or.us>
Subject: Site drainage

Scott -

See attached -

Let me know if you want to review -

Vito

Vito Cerelli | vito.cerelli@gmail.com | c: 503.440.5766

LOT AREA:
146,456 SF

HOTEL AREA:
6,521 SF

CABIN AREA:
9,000 SF

MICRO CABIN AREA:
2,100 SF

ROAD/PARKING AREA:
26,479 SF

DRYWELL NOTES - HOTEL:
ROOF AREA 6,521 SF

NON TRAFFIC AREAS - INSTALL (1) 55 GAL
BARREL FOR EVERY 350 SF OF IMPERVIOUS
SURFACE.
 $6,521 / 350 = 18$

DRYWELL NOTES - COMMON BUILDING:
ROOF AREA 2,196 SF

NON TRAFFIC AREAS - INSTALL (1) 55 GAL
BARREL FOR EVERY 350 SF OF IMPERVIOUS
SURFACE.
 $2,196 / 350 = 6$

DRYWELL NOTES - CABINS:
ROOF AREA 9,000 SF

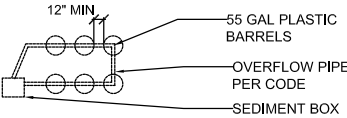
NON TRAFFIC AREAS - INSTALL (1) 55 GAL
BARREL FOR EVERY 350 SF OF IMPERVIOUS
SURFACE.
 $9000 / 9 = 1000$ SF PER CABIN
 $1000 / 350 = 3$ PER CABIN

DRYWELL NOTES - MICRO CABINS:
ROOF AREA 2,100 SF

NON TRAFFIC AREAS - INSTALL (1) 55 GAL
BARREL FOR EVERY 350 SF OF IMPERVIOUS
SURFACE.
 $2100 / 6 = 350$ SF PER MICRO CABIN
 $350 / 350 = 1$ PER MICRO CABIN

DRYWELL NOTES - ROAD / PARKING:
AREA 24,479 SF

NON TRAFFIC AREAS - INSTALL (1) 55 GAL
BARREL FOR EVERY 350 SF OF IMPERVIOUS
SURFACE.
 $24,479 / 350 = 70$ PER ROAD / PARKING

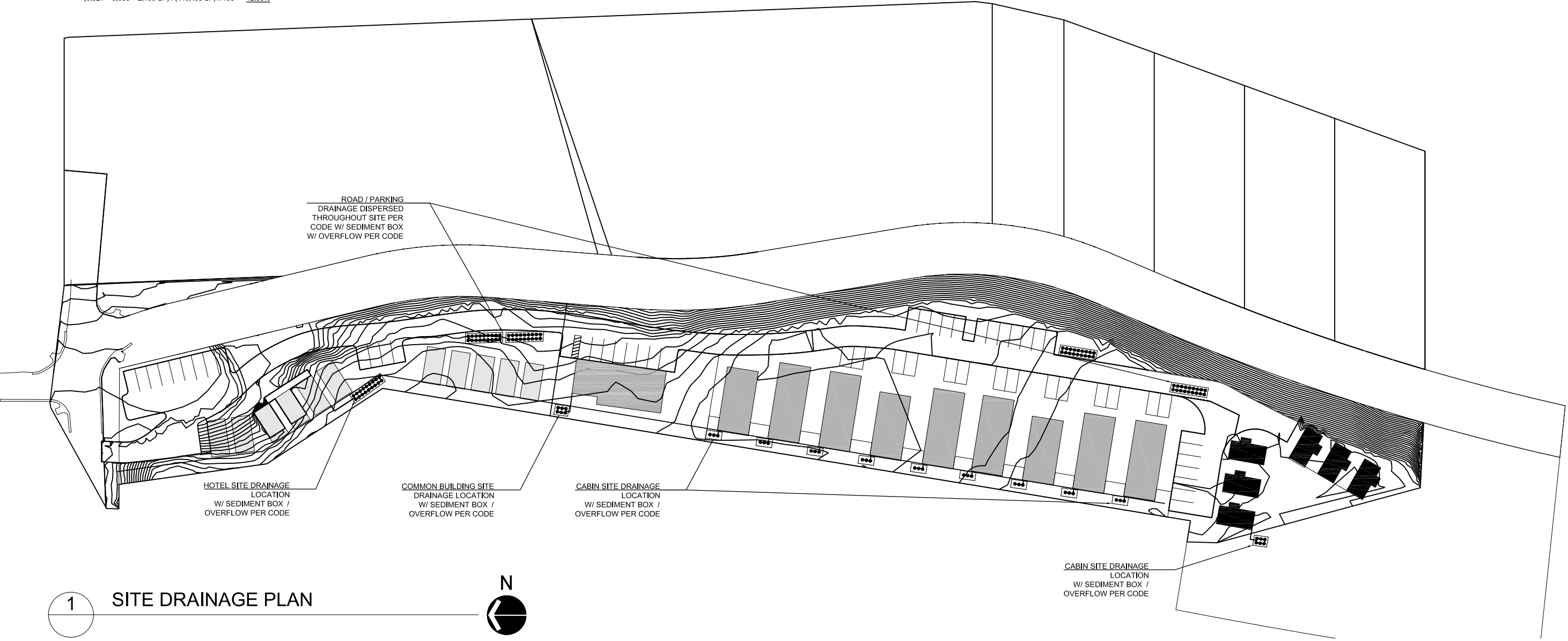


TYP. DETAIL OF DRAINAGE PER CITY OF
MANZANITA CODE

NOTE: 10' FROM STRUCTURES / 5' FROM
PROPERTY LINES

PERCENTAGE LOT COVERAGE w/ ROAD:
 $(6,521 + 9,000 + 2,100 + 26,479 \text{ SF}) / (146,456 \text{ SF}) \times 100 = 30.11\%$

PERCENTAGE LOT COVERAGE w/o ROAD:
 $(6,521 + 9,000 + 2,100 \text{ SF}) / (146,456 \text{ SF}) \times 100 = 12.03\%$



1

SITE DRAINAGE PLAN



From: Scott Gebhart <sgebhart@ci.manzanita.or.us>
To: vito cerelli <vito.cerelli@gmail.com>
Subject: RE: Manzanita Loft
Sent: Thu, 9 Jun 2022 18:52:35 +0000

That looked short and to the point. I sent it to Walt for review and will let you know if he has any questions.

From: vito cerelli <vito.cerelli@gmail.com>
Sent: Tuesday, June 7, 2022 11:56 AM
To: Scott Gebhart <sgebhart@ci.manzanita.or.us>
Subject: Manzanita Loft

Scott -

Should I add more detail to this for the hearing?

Vito

Vito Cerelli | vito.cerelli@gmail.com | c: 503.440.5766

Sent: Thu, 26 May 2022 10:13:58 -0700
Subject: Site plan - Manzanita Loft revised
From: vito cerelli <vito.cerelli@gmail.com>
To: Scott Gebhart <sgebhart@ci.manzanita.or.us>
[Manzanita Composite Site Plan 05.26.22.pdf](#)

See revised set -

I have added the parking count and ADA requirements -

Vito

Vito Cerelli | vito.cerelli@gmail. com | c: 503.440.5766



SITE INFORMATION:

OWNER:
MANZANITA LOFTS LLC

TAX LOT:
3N 10W TAX LOT 2600 + 2100

ZONING:
SR-R

LOT AREA:
146,456 SF

HOTEL AREA:
6,521 SF

CABIN AREA:
9,000 SF

MICRO CABIN AREA:
2,100 SF

ROAD/PARKING AREA:
26,479 SF

PERCENTAGE LOT COVERAGE w/ ROAD:
(6,521 + 9,000 + 2,100 + 26,479 SF) / (146,456 SF) x 100 = 30.11%

PERCENTAGE LOT COVERAGE w/o ROAD:
(6,521 + 9,000 + 2,100 SF) / (146,456 SF) x 100 = 12.03%

11251 SE 232nd AVE



DAMASCUS, OR 97089

MANZANITA RETREAT

TAX LOT:
3N 10W TAX LOT 2600 + 2100

SITE PLAN

Drawn By
TL
5/26/2022 8:58:02
AM

Drawing Index
No. Date Description

SITE

Sent: Mon, 16 May 2022 07:11:48 -0700
Subject: Re: Public Hearing Letter Testimony For Application: Manzanita Lofts LLC
From: vito cerelli <vito.cerelli@gmail.com>
To: Building <building@ci.manzanita.or.us>

Thank you -

Received.

Vito

On Mon, May 16, 2022 at 7:06 AM Building <building@ci.manzanita.or.us> wrote:

You might want to look at this comment.

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: Matt J. Brown, PGA <mjbrown@pga.com>
Sent: Sunday, May 15, 2022 11:27:49 AM
To: Building <building@ci.manzanita.or.us>; Leila Aman <lanan@ci.manzanita.or.us>; karen@yurka.net <karen@yurka.net>
Subject: Public Hearing Letter Testimony For Application: Manzanita Lofts LLC

Dear Planning Commission,

I wanted to submit a letter for the public hearing testimony on May 16, 2022. I have attached a signed copy of the letter and also have included content below:

Best,

Matt J. Brown
Owner, Manzanita Links LLC

Dear Manzanita Planning Commission,

I am writing about the proposed SR-R Planned Development – Dorcas Lane + Classic St. (Manzanita Lofts LLC). As you know this piece of property (Tax Lot: 3N 10W TAX LOT 2600 + 2100) is directly adjacent to hole #5 of Manzanita Links golf course. Hole #5 is our “signature hole”. It is the most photographed and for many their favorite hole on the golf course. It is a short par 4 of 280 yards, where most folks use a driver, with out of bounds on the right-hand side (property line). Many balls are sliced to the right and out of bounds along that property line.

As of now, no representative from the proposed development design team has approached myself or my staff about the proposed development and what it may mean for the operation of the golf course. While the plans and design sketches are beautifully rendered, we do have some

concerns on how this development could affect the golf course operation and on how the development itself seems dependent on golf course views as a selling point.

Important Concerns:

- Aesthetics and playability of the golf course
- General safety, including from errant golf shots
- Local public accessibility to the course or walking paths
- Drainage/hazardous materials during construction and beyond

It appears by the sketches and plans in the application that several units are right on the property line and several trees and shrubs that are on golf course property are removed or limbed up to offer golf course views. It appears that a lot of the marketing and appeal of the property of the development will be because of golf course views as it is in a low area with no attractive views to east.

As owner of the golf course, we do reserve the right to keep the vegetation on the property as is, or plant new trees and vegetation for safety, playability, aesthetic, or other purposes that may block some or all views of the proposed design. We also reserve the right to build signs or fencing to prevent unwanted trespassing or help with safety or aesthetics, which also could eliminate viewing corridors.

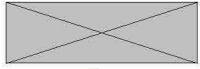
Again, as of today, no one from the proposed development team has met with myself or any of my staff about the scope, marketing, or design plans and how they may affect the golf course operation and playability. This letter is in no way a condemnation of the plan or a comment of their right to do such a development in the SR-R zone, of which it appears to be a legal use, but to make note of our concerns to the city and the developer.

As many of you know, we have worked hard over the last 4+ years to keep the golf course open and have spent tens of thousands of dollars to upgrade outdated systems and facilities for the benefit of the course and the community. We also very much enjoy allowing the community to use the golf course on Monday's during the off season for walking paths and a park. Our plan is to continue to make Manzanita Links a jewel for the city to enjoy long into the future. Thank you for your consideration.

All the best,

Matt J. Brown
Owner, Manzanita Links, LLC
Cell: 503-757-3644
Email: mjbrown@pga.com

Matt J. Brown
PGA Golf Professional
C: 503.757.3644



www.downtowngolf.com
www.manzanitalinks.com

--

Vito Cerelli | vito.cerelli@gmail. com | c: 503.440.5766

Sent: Tue, 10 May 2022 09:30:50 -0700
Subject: stamped traffic study
From: vito cerelli <vito.cerelli@gmail.com>
To: Scott Gebhart <sgebhart@ci.manzanita.or.us>
[00LTR-Manzanita Lofts-Traffic Analysis-220509.pdf](#)

Scott -

Attached is the stamped traffic study - no change to last one -

Engineer will be on the call this Monday as well to answer any questions that might come up -

Vito

Vito Cerelli | vito.cerelli@gmail. com | c: 503.440.5766

May 9, 2022

Manzanita Lofts LLC
Attention: Vito Cerelli
31987 Maxwell Lane
Arch Cape, OR 97102

Re: **Manzanita Lofts PUD**
Traffic Analysis
Project Number 2220120.00

Dear Mr. Cerelli:

This letter has been prepared to address traffic impacts of the proposed Manzanita Lofts vacation rentals. The project consists of 9 cabins (1,000 SF), 6 small cottages (350 SF) and 19 studio hotel rooms (350 SF) for a total of 34 units. Access to the site is proposed on Dorcas Lane, approximately 75 ft west of the intersection with Classic Street.

We understand Planning Commission members have asked for a review of impacts on the intersection of Classic Street with Dorcas Lane, currently stop controlled on the Classic Street approaches. The intersection has a single lane in each direction, and the roadways are approximately 21-22 ft in width. No sidewalks or bicycle facilities are currently provided. Classic Street has a slight offset across the intersection. Traffic volumes are not available from the City. Volumes are typically low on these streets, even during peak season.

Trip Generation

Trip estimates were made based on ITE's Trip Generation Manual, 11th Edition for the Motel Land Use. Weekday trip estimates are 114 daily, 17 AM peak hour, and 19 PM peak hour. On a weekend, Saturday volumes are highest at 309 daily trips. Other Land Uses, such as a hotel, were considered as well, but have lower trip rates and less available data.

Sight Distance

For these low volume and low speed local roadways, sight distances recommendations are 280 ft for 25 mph and 225 ft for 20 mph in accordance with the AASHTO Policy on Geometric Design of Highways and Streets. At the intersection of Classic Street with Dorcas Lane, sight distances can be met on each approach, although brush at the northeast corner of the intersection may need to be trimmed to meet the recommendations. Sight distance of 280 ft can be met at the proposed site access on Dorcas Lane with trimming of brush to the west of the driveway.

Crash History

A review of the last five years of crash data on the ODOT database did not indicate any crashes at the intersection of Dorcas Lane with Classic Street. One crash was noted on Laneda Avenue near the intersection with Classic Street, involving a vehicle backing up.

Pedestrian Access



No sidewalks are provided. Consistent with the character of the neighborhood, the project will not provide sidewalks on the street frontages. The roadways are intended to be shared by all users with slow speeds and low volumes encouraged by the narrow roadways.

Traffic Impacts

Most of the added trips from the project will travel through the Classic Street with Dorcas Lane intersection. With fewer than 20 trips added in even the busiest hour (one vehicle every three minutes) and an average of less than one vehicle every three minutes during even the busiest day, the intersection impact will be small. While a detailed analysis has not been prepared for this review, it is expected the intersection operates at a level of service "A" with very low delays with the exiting two-way stop control.

Summary

The addition of trips from the proposed Manzanita Lofts PUD will have a small impact on the existing roadways in the area, with operation remaining at a level of service "A" with low delays. Sight distances can be met and there are no noted safety deficiencies in the area based on a review of available crash data.

Sincerely,



Brent Ahrend, PE
Associate Principal | Traffic Engineer

Enclosure(s): Site Plan, crash data



SITE INFORMATION:

OWNER:
MANZANITA LOFTS LLC

TAX LOT
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ZONING:
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11251 SE 232nd AVE



DAMASCUS, OR 97089

MANZANITA RETREAT

TAX LOT:
3N 10W TAX LOT 2600 + 2100

SITE PLAN

Drawn By

TL

4/29/2022 2:44:43 PM

Drawing Index

No.	Date	Description
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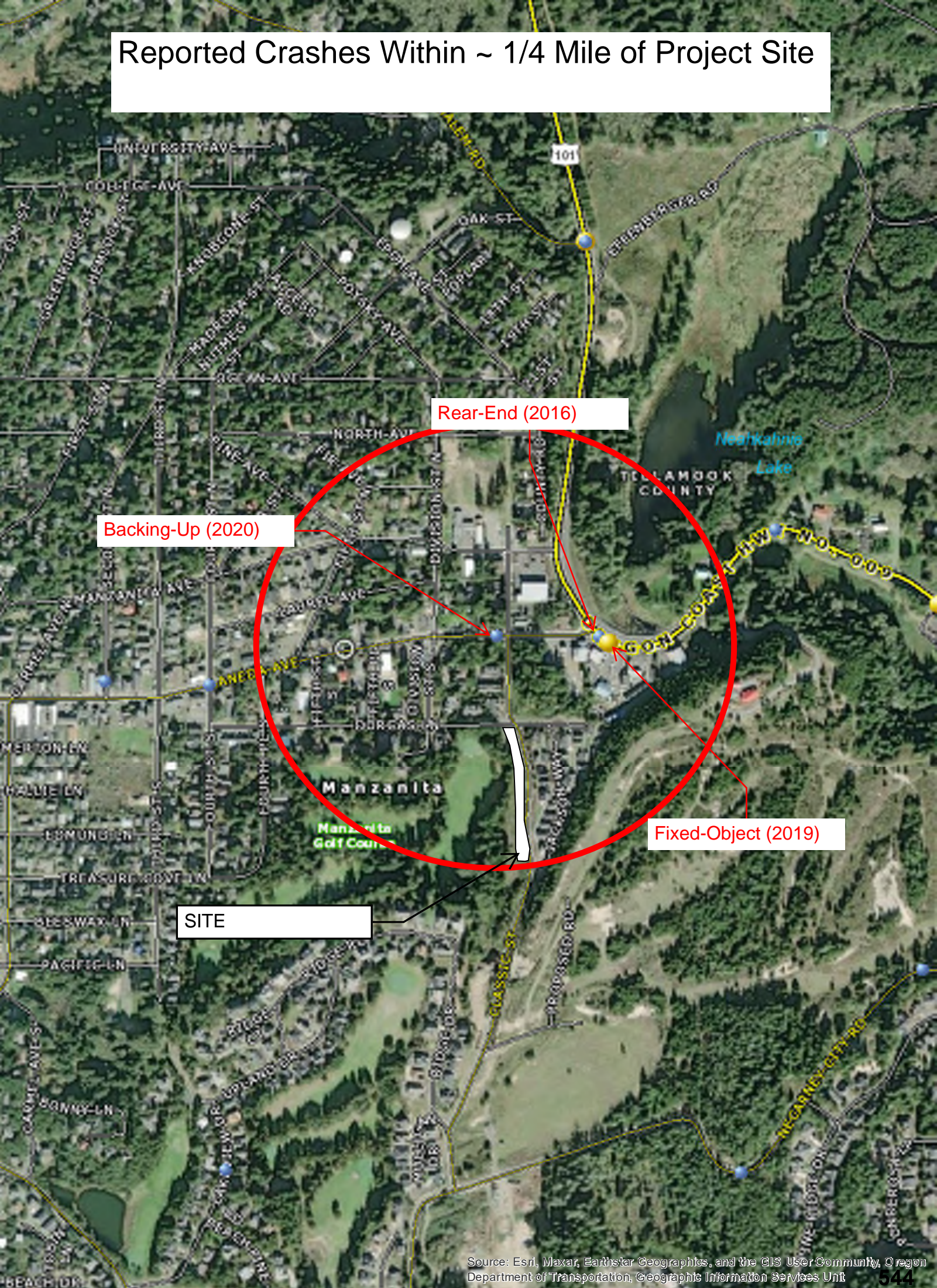
SITE



4/29/2022 2:44:43 PM

NOT FOR CONSTRUCTION

Reported Crashes Within ~ 1/4 Mile of Project Site



From: Jptz <jim@jptz.com>
Subject: Re: PC Packets
Sent: Mon, 9 May 2022 13:58:42 -0700
Cc: vito cerelli <vito.cerelli@gmail.com>
To: Scott Gebhart <building@ci.manzanita.or.us>

Thanks Scott

Jim Pentz
Encore Investments LLC
503-780-0210

On May 9, 2022, at 1:31 PM, Building <building@ci.manzanita.or.us> wrote:

Here is a copy of the agenda and materials for Monday's meeting. There is also a copy of the staff report for your review.

Thanks,

Scott Gebhart
Building Official
City of Manzanita
503-368-5343

<01- Agenda.pdf><02- March 21 Minutes.pdf><03 - April 18 Minutes.pdf><04 - Highlands 4 Staff Report.pdf><04 - HIGHLANDS-SHEET 1.pdf><05 - HIGHLANDS-SHEET 2.pdf><06 - HIGHLANDS-SHEET 3.pdf><07 - PUD Staff Report.pdf><08 - _Site Plan_ 04.29.22 (1).pdf><08.1 - Community Building.pdf><09 - Cabin A.pdf><10 - Cabin B.pdf><11 - Cabin C.pdf><12 - Hotel.pdf><13 - Micro Cabin.pdf><14 - TIA Report.pdf><14a - TIA Lancaster Review.pdf><15 - Wetlands Report.pdf><16a - Public Comment-Wood.pdf><16b - Public Comment-Lofman.pdf><16c - Public Comment-Milne.pdf><16d - Public Comment-Lovino.pdf><16e - Public Comment-Barrett.pdf><16f - Public Comment-Walker.pdf>

Sent: Thu, 28 Apr 2022 07:30:30 -0700
Subject: Traffic study
From: vito cerelli <vito.cerelli@gmail.com>
To: Dan Weitzel <dweitzel@ci.manzanita.or.us>, Scott Gebhart <sgebhart@ci.manzanita.or.us>

Dan / Scott -

Will you need anything further from my engineering group?

I want to make sure we pass along notes ahead of the hearing.

Vito

From: City of Manzanita <ManzanitaNoReply@Accela.com>
Subject: 547-22-000016-PLNG - See attached report from the City of Manzanita Building Department
Sent: Tue, 26 Apr 2022 15:08:39 +0000 (UTC)
To: vito.cerelli@gmail.com
[FIN Invoice pr 20220426 080828.pdf](#)

The City of Manzanita has generated a report for record # 547-22-000016-PLNG. The report is attached to this email.

If you have any questions regarding this report, please contact the City of Manzanita Building Department at 503-368-5343.



<https://ci.manzanita.or.us>

City of Manzanita Planning Department

PO Box 129

Manzanita, OR 97130

503-368-5343

Fax: 555-368-5198

building@ci.manzanita.or.us

Invoice: 4025

Record ID: 547-22-000016-PLNG

Invoice Date: 4/26/22 8:06 am

Project Name:

Worksite address: 698 DORCAS LN, MANZANITA, OR 97131

Parcel: 03N10W29DA02600

Owner: MANZANITA LOFTS LLC, 11251 SE 232ND AVE, DAMASCUS, OR 97089

Units	Description	Fee Amount	Balance Due
1.00 Ea	Commercial, Industrial, Other Projects	\$650.00	\$650.00
1.00 Ea	Technology Fee	\$32.50	\$32.50
		\$682.50	\$682.50

From: Building <building@ci.manzanita.or.us>
To: Leila Aman <laman@ci.manzanita.or.us>, Dan Weitzel <dweitzel@ci.manzanita.or.us>, Walt Wendolowski <walt@morgancps.com>, John Morgan <john@morgancps.com>, vito cerelli <vito.cerelli@gmail.com>, Nehalem Bay Wastewater Agency <nbwa@nehalem.tel.net>, "f.knight@nbfrd.org" <f.knight@nbfrd.org>
Subject: Pre-Application Cerelli
Sent: Mon, 11 Apr 2022 15:56:41 +0000

We will be doing a pre-application meeting for the Hotel located at Dorcas and Classic.

Join Zoom Meeting

<https://us02web.zoom.us/j/86426233739>

Meeting ID: 864 2623 3739

One tap mobile

+13462487799,,86426233739# US (Houston)

+16699009128,,86426233739# US (San Jose)

Dial by your location

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington DC)

Meeting ID: 864 2623 3739

Find your local number: <https://us02web.zoom.us/j/86426233739>

From: Scott Gebhart <sgebhart@ci.manzanita.or.us>
To: vito cerelli <vito.cerelli@gmail.com>
Subject: RE: Manzanita Loft - Dorcas / Classic
Sent: Mon, 11 Apr 2022 15:37:02 +0000

Vito,

Can you re-write this and state. Send it to me in a pdf or word document so I can include it in the agenda for the PC.

I am requesting a continuation of the hearing for the Planned Unit Development until May 16, 2022 to allow more time to complete the traffic impact study.

From: vito cerelli <vito.cerelli@gmail.com>
Sent: Friday, April 8, 2022 7:12 AM
To: Scott Gebhart <sgebhart@ci.manzanita.or.us>
Subject: Manzanita Loft - Dorcas / Classic

Scott -

If it is certain that the board cannot follow up with the meeting on the 18th - I would like to extend this hearing to the May review.

Thank you,

Vito

Vito Cerelli | vito.cerelli@gmail.com | c: 503.440.5766

Sent: Mon, 11 Apr 2022 09:03:57 -0700
Subject: Manzanita project review
From: vito cerelli <vito.cerelli@gmail.com>
To: Scott Gebhart <sgebhart@ci.manzanita.or.us>

Scott,

I am requesting a continuation of the hearing for the Planned Unit Development until May 16, 2022 to allow more time to complete the traffic impact study.

Vito

Vito Cerelli | vito.cerelli@gmail. com | c: 503.440.5766

Sent: Fri, 8 Apr 2022 07:15:54 -0700
Subject: Re: Follow up
From: vito cerelli <vito.cerelli@gmail.com>
To: Scott Gebhart <sgebhart@ci.manzanita.or.us>

Thanks Scott -

Tuesday the 19th is best -

I can then follow up with the documents by the next week (25th) to be on the hearing - correct?

Vito

Vito Cerelli | vito.cerelli@gmail.com | c: 503.440.5766

On Thu, Apr 7, 2022 at 4:52 PM Scott Gebhart <sgebhart@ci.manzanita.or.us> wrote:

Correct, I need the letter by tomorrow if possible and let me know which Tuesday will work for you. This should be a fairly good example of how we put together your information. Pay particular attention to the parking and landscaping. They will also want to see lighting, colors, exterior siding materials, etc. Let me know if you have any questions. For the pre-app you should be prepared with the site plan with all info on it.

Scott

From: vito cerelli <vito.cerelli@gmail.com>
Sent: Thursday, April 7, 2022 4:23 PM
To: Scott Gebhart <sgebhart@ci.manzanita.or.us>
Subject: Follow up

Per our call -

You said:

1. Request an extension til May hearing to gather all documents?
2. Submit for Design Review?
3. Request Pre-app for Design Review - Tuesdays @ 9:00?

City to provide example of Design Review application -

Vito

Vito Cerelli | vito.cerelli@gmail.com | c: 503.440.5766

Sent: Thu, 7 Apr 2022 13:43:20 -0700
Subject: Re: April hearing
From: vito cerelli <vito.cerelli@gmail.com>
To: Scott Gebhart <sgebhart@ci.manzanita.or.us>

Also -

Do you have an example Design Review package that I can use for a template that the Planning Commission has reviewed before?

I want to make sure that all items are covered -

Vito

Vito Cerelli | vito.cerelli@gmail. com | c: 503.440.5766

On Thu, Apr 7, 2022 at 1:41 PM vito cerelli <vito.cerelli@gmail.com> wrote:

If there is anyway to push this to the April 18th hearing it would be greatly appreciated -

I know there is time needed but with the limited additional findings maybe there is a chance -

Vito

Vito Cerelli | vito.cerelli@gmail. com | c: 503.440.5766

Sent: Thu, 31 Mar 2022 13:20:18 -0700
Subject: Site plan - Manzanita
From: vito cerelli <vito.cerelli@gmail.com>
To: Scott Gebhart <sgebhart@ci.manzanita.or.us>
[Manzanita Composite Site Plan 03.31.22.pdf](#)

Scott -

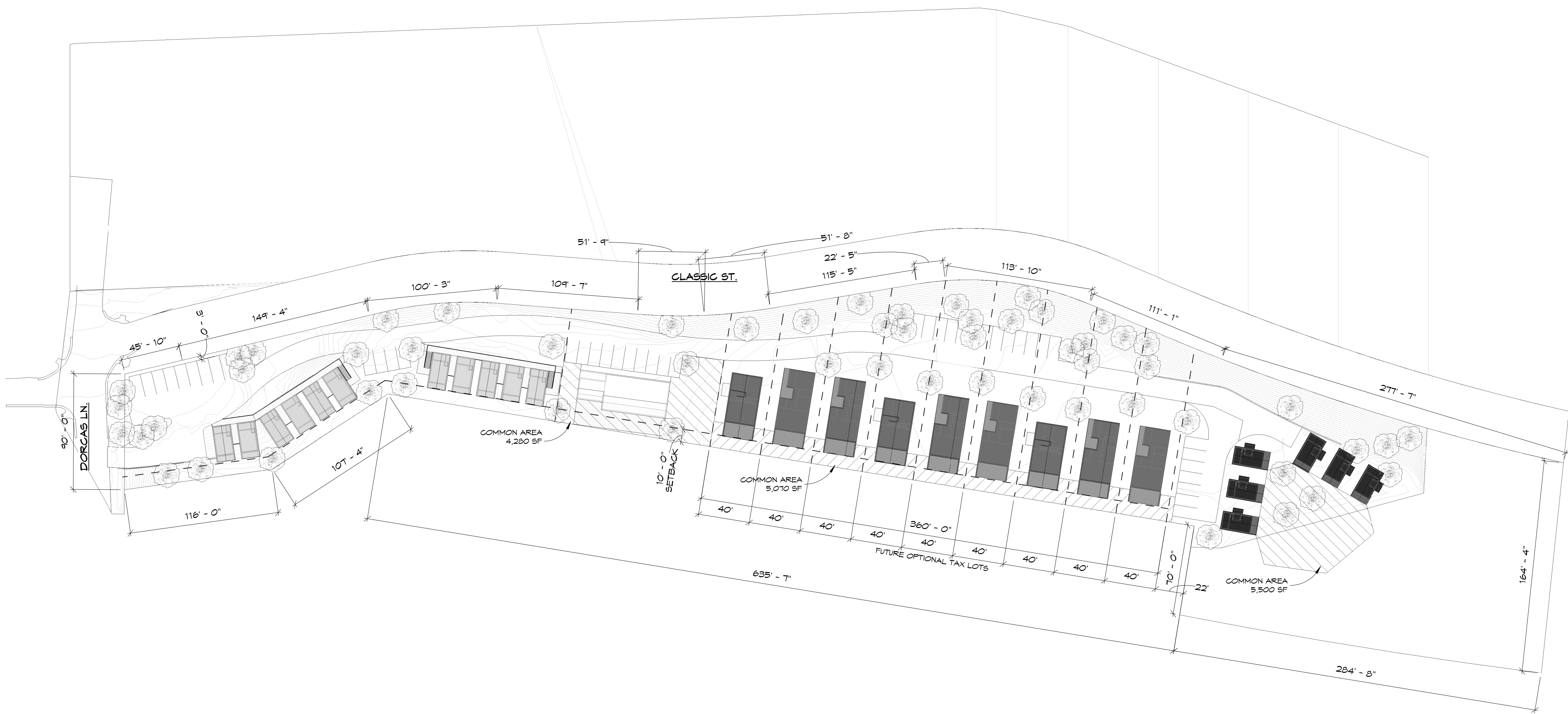
Attached is the site plan showing the common area that was discussed at the meeting -

I can color this in green if needed to make more clear -

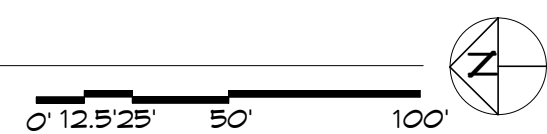
Thoughts?

Vito

Vito Cerelli | vito.cerelli@gmail. com | c: 503.440.5766



1 SITE PLAN
1" = 50'-0"



SITE INFORMATION:

OWNER:
MANZANITA LOFTS LLC

TAX LOT
3N 10W TAX LOT 2600 + 2100

ZONING:
SR-R

LOT AREA:
146,456 SF

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CABIN AREA:
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2,100 SF

ROAD/PARKING AREA:
26,419 SF

PERCENTAGE LOT COVERAGE w/ ROAD:
 $(6,521 + 9,000 + 2,100 + 26,419 \text{ SF}) / (146,456 \text{ SF}) \times 100 = 30.11\%$

PERCENTAGE LOT COVERAGE w/o ROAD:
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DAMASCUS, OR 97089

MANZANITA RETREAT
TAX LOT:
3N 10W TAX LOT 2600 + 2100

SITE PLAN

Drawn By
TL
3/31/2022 9:42:08 AM

Drawing Index		
No.	Date	Description

SITE

NOT FOR CONSTRUCTION

Sent: Mon, 14 Mar 2022 16:48:20 -0700
Subject: Re: Staff Report
From: vito cerelli <vito.cerelli@gmail.com>
To: Building <building@ci.manzanita.or.us>

Thanks Scott -

On Mon, Mar 14, 2022 at 12:59 PM Building <building@ci.manzanita.or.us> wrote:

Here is a copy of the staff report. Let me know if you have any questions.

Scott

--

Vito Cerelli | vito.cerelli@gmail. com | c: 503.440.5766

Sent: Tue, 25 Jan 2022 15:58:53 -0800
Subject: Planned Development
From: vito cerelli <vito.cerelli@gmail.com>
To: Building <building@ci.manzanita.or.us>

<https://www.dropbox.com/sh/dzhmkvefmtjzyc4/AABlyuhP5ywTB2BzqfIG20qEa?dl=0>

Scott -

Attached is the design package and the narrative -

Let me know if you need anything more from me -

Vito

Vito Cerelli | vito.cerelli@gmail. com | c: 503.440.5766

From: Building <building@ci.manzanita.or.us>
To: vito cerelli <vito.cerelli@gmail.com>
Subject: RE: Narrative
Sent: Tue, 18 Jan 2022 20:44:44 +0000
[Existing Deli.pdf](#)
[20191219 Narrative.pdf](#)
[20200115 Design #2.pdf](#)
[20200116 Design #1.pdf](#)

Sorry about that, here you go. Hopefully this helps.

From: vito cerelli <vito.cerelli@gmail.com>
Sent: Tuesday, January 18, 2022 9:51 AM
To: Building <building@ci.manzanita.or.us>
Subject: Re: Narrative

Scott -

I have a draft outline - curious if you were able to find the narrative that you thought was well executed to use as a reference?

Thank you -

Vito

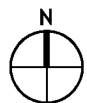
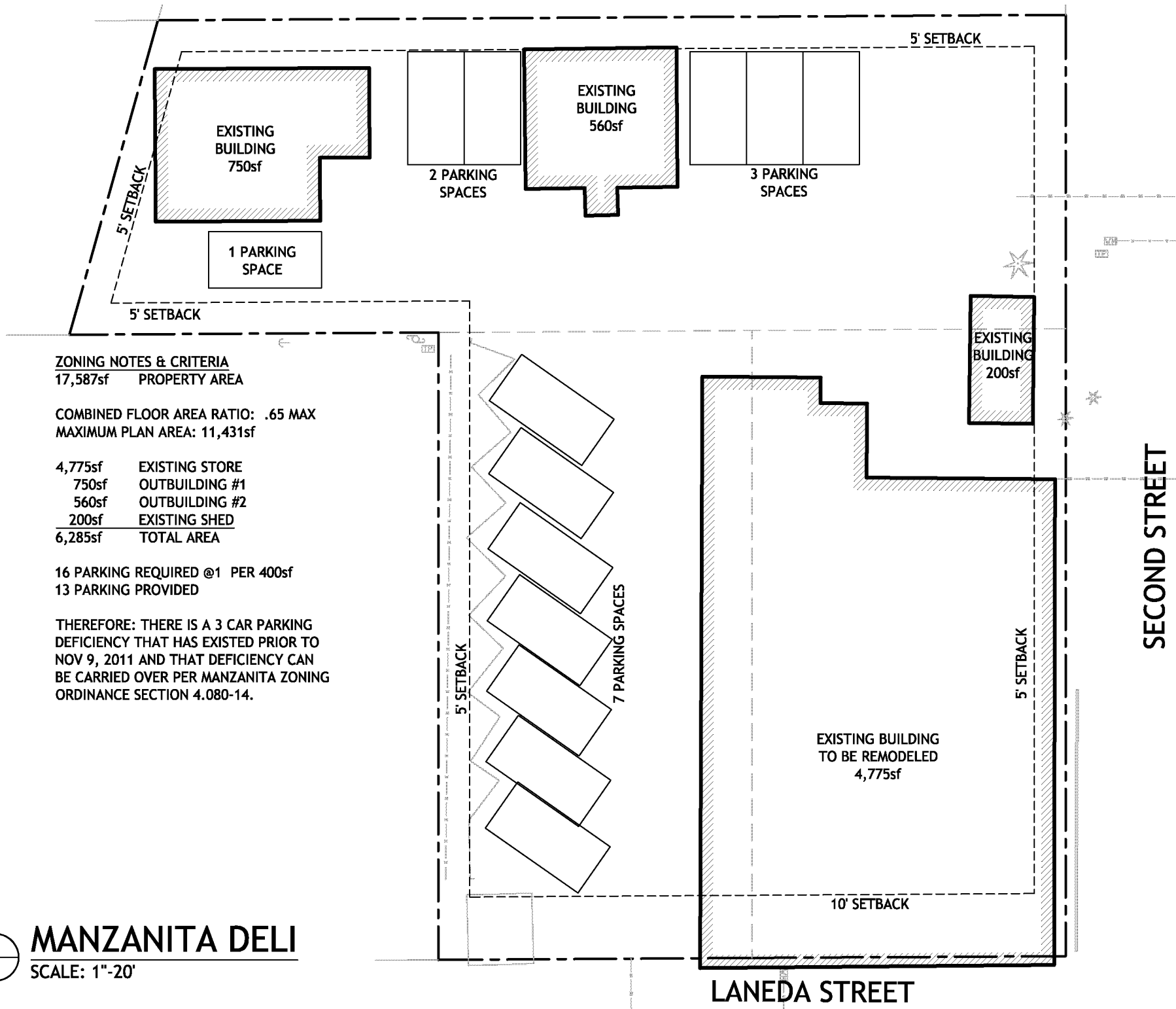
Vito Cerelli | vito.cerelli@gmail.com | c: 503.440.5766

On Wed, Jan 12, 2022 at 6:51 PM vito cerelli <vito.cerelli@gmail.com> wrote:
Scott -

Can I go over the narrative with you to make sure I understand the format requested.

Vito
--

Vito Cerelli | vito.cerelli@gmail.com | c: 503.440.5766



MANZANITA DELI
 SCALE: 1"=20'

Date: 19 December 2019

To: Cynthia Alamillo, City Manager Manzanita

Re: Design review, Manzanita Deli

Cynthia-

Thanks for taking the time to review our proposed development for the Manzanita Deli. What follows is a narrative response to the various issues relating to the Manzanita zoning ordinance. If you have any questions, please don't hesitate to contact me.

Address: 193 Laneda Ave
Tax Lot: 3N10-29BD #15500, 15400, 15200
Applicants: Chung & Judy Lee
Owner: Same
Zoning: C-1 (Commercial)

(passages from the Manzanita Zoning Ordinance appear in in italics)

3.040: (1) Commercial Zone, C-1. Uses Permitted Outright. In the C-1 zone the following uses and their accessory uses are permitted outright: (b) Retail trade establishment (other than an auto wrecking yard or outdoor storage of scrap material).

The building will continue to be used as a grocery store.

(3) Standards. In the C-1 zone the following standards shall apply: (b) For commercial, nonresidential, or mixed use development uses, the minimum front yard shall be 10 feet, the minimum side yard shall be 5 feet, and the minimum rear yard shall be 5 feet. For corner lots adjacent to Laneda Avenue, the yard facing Laneda Avenue shall be considered the front yard.

New portions of the building will respect a 10 foot setback on the Laneda frontage and 5 foot setbacks elsewhere (including the second street frontage). Some portions of the existing structure are within the current right as an existing nonconforming use, and the footprint of those areas will not be changed.

(c) The maximum building or structure height shall be 28 feet, 6 inches.

No portion of the building will be higher than approximately 22'.

(d) Minimum landscaped area: At least 10% of the total lot area of commercial, mixed use, or non-residential uses shall be devoted to landscaping or usable open space such as playgrounds, sitting areas or picnic areas.

Just over 10% of the lot will be landscaped, as shown on the site plan. See §4.156 for additional requirement compliance.

(g) In the C-1 zone, signs, awnings, marquees and sidewalk coverings shall extend not more than 10 feet from a building or more than 5 feet over a sidewalk, whichever is less.

No portions of the building will extend more than 10 feet from the building or 5 feet over the sidewalk.

(h) Adequate storm drainage shall be provided as specified by the City.

Dry wells and/or underpavement catch-and-release system will be provided as determined by the city and engineering considerations.

(i) Design review subject to Section 4.152.

This project is subject to Design Review.

(j) Building(s) on a lot shall have a floor area ratio of no more than 0.65. The combined floor area of all buildings on a lot shall be used in calculating the floor area ratio.

The Floor Area Ratio of this project is 0.45, including all structures on the property.

(k) If a development is proposed on a parcel consisting of two or more contiguous lots, the lots must be legally combined into one lot.

The lot consists of three parcels. As discussed with the City, prior to start of construction the owners will combine the properties with an affidavit that is signed, notarized, and filed with the county clerk.

4.070 Sign Requirements. a. A sign permit and fee determined by City Council resolution is required for: (1) The erection or placement of any new sign or signs, except those that are Exempted Signs in this Ordinance. Permits shall be obtained from City Hall.

The signage permit application will be filed separately. All signage will conform to the requirements of the Manzanita zoning ordinance.

2. General. The following apply to all zones and all uses:

a. No sign shall be placed on public property or extend over a sidewalk/street right-of-way except where specifically allowed by this Ordinance.

b. There shall be no flashing elements, including but not limited to moving, rotating, handheld, projected and/or laser projected or otherwise animated parts. Light from a sign shall be directed away from a residential use or zone, shall not create or reflect glare on any adjacent building and shall be located so as not to distract from a motorist's view of a traffic sign and/or vehicular or pedestrian traffic.

c. Sign Height. Maximum 24 feet except where otherwise noted.

d. No sign may be attached to trees, shrubs, utility poles, traffic control or directional sign posts except for Public Signs.

e. When multiple signs are used, the sum of the face area of all signs may not exceed the maximum square footage permitted in this ordinance, except where otherwise noted.

f. All signs shall meet the material and construction methods requirements of the latest Uniform Sign Code, and Oregon Structural Specialty Code.

g. Placement on the property must be consistent with the location shown on the Sign Permit.

Signage on the new building comply with all of the above criteria

3. Sign Requirements - Commercial Zones

a. General requirements. The following types of signs are allowed in the commercial zones:

(1) Permanent, free-standing, and awning signs shall be allowed subject to the total area limitation specified in paragraph 3.b. (Total Square Foot Restrictions for Commercial Businesses) below

b. Total Square Foot Restrictions for Commercial Businesses

- (2) Businesses not abutting Highway 101 will be allowed 24 square feet of signs not including Incidental Signs, Temporary Signs, one exterior reader board/bulletin board, and not more than one (1) A-Frame/sandwich board or portable-type sign meeting the requirements of Section 3.a.(2).*

The total proposed area of signage is 24 square feet.

Section 4.080 Off-Street Parking and Off-Street Loading Requirements. At the time a new structure is erected or the use of an existing structure is changed or enlarged, off-street parking spaces, loading areas and access thereto shall be provided as set forth in this section unless greater requirements are otherwise established. If such facilities have been provided in connection with an existing use, they shall not be reduced below the requirements of this Ordinance.

1. Requirements for types of buildings and uses not specifically listed herein shall be determined by the Planning Commission, based upon the requirements of comparable uses listed.

2. In the event several uses occupy a single structure or parcel of land, the total requirements shall be the sum of the requirements of the several uses computed separately.

3. Owners of 2 or more uses, structures, or parcels of land may agree to utilize the same parking and loading spaces when the hours of operation do not overlap, provided that satisfactory legal evidence is presented to the Planning Commission in the form of deeds, leases, or contracts to establish the joint use.

4. Off-street parking spaces for dwellings shall be located on the same lot with the dwelling. Other parking spaces required by this Section may be located on another parcel of land, provided that the furthest parking space is no more than 500 feet from an entrance of a use it serves, measured by following a sidewalk or other pedestrian route. The right to use the offsite parking must be evidenced by a recorded deed, lease, easement or similar written instrument. Any use of offsite parking spaces may not decrease the parking spaces of any other use below the requirements of Sections 4.080 or 4.090. [Amended by Ord. 11-04, passed November 9, 2011]

All parking spaces for this project are located on the parcel.

5. Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons, and employees only, and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting business or use.

6. Areas used for standing and maneuvering of vehicles shall have durable and dustless surfaces maintained adequately for all-weather use and drained so as to avoid flow of water across public sidewalks or adjacent property.

All parking surfaces will be paved with asphalt or concrete.

7. Except for parking to serve dwelling uses, parking and loading areas adjacent to or within residential zones or adjacent to residential uses shall be designed to minimize disturbances of residents by the erection between the uses of a sight-obstructing fence of not less than 5 or more than 6 feet in height except where vision clearance is required.

A cedar fence 5'6" high will be constructed along the north edge of the parking lot.

8. *Parking spaces along the outer boundaries of a lot shall be contained by a curb or bumper rail at least 4 inches high and set back a minimum of 4 1/2 feet from the property line.*

The parking lot is surrounded by a 6" concrete curb and that is located 5' from the property line.

9. *Artificial lighting which may be provided shall not create or reflect glare in a residential zone or on any adjacent dwelling.*

Lot lighting will be provided with full cutoff fixtures and designed for <.1fc of light trespass at property lines not adjacent to a right-of-way.

10. *Groups of more than 4 parking spaces shall be served by a driveway so that no backing movements or other maneuvering within a street, other than an alley, will be required.*

The parking lot has its own driveway onto Second Street.

11. *Loading of merchandise, materials, or supplies, buildings or structures which receive and distribute material or merchandise by truck shall provide and maintain off-street loading berths in sufficient numbers and size to adequately handle the needs of the particular use. Off-street parking areas used to fulfill the requirements of this ordinance may be used for loading and unloading operations during periods of the day when not required to take care of parking needs.*

There is adequate space in the off-street parking lot to accommodate small to medium sized delivery vehicles during the morning hours before start of business. The owner will continue the existing practice of using the on-street parking for large deliveries in the early morning hours before start of business.

12. *Groups of 4 or more parking spaces shall be required within the Commercial and Limited Commercial zones to be clearly marked and shall not be less than 9 feet by 18 feet in size for each space required. An information sign of 4 square feet, visible from the street, road or highway will be used to identify the location of off-street parking areas.*

Spaces are 9'x18'. A 4 square foot informational sign will be added to the southwest corner of the building.

13. *For corner lots on Laneda Avenue, access to parking areas for new structures shall not be from Laneda Avenue.*

The owner will be voluntarily abandoning their existing access to Laneda as part of this project. Recognizing that this is in line with the interests of the City, it is our hope that this gesture will be looked upon favorably by the planning commission when deliberating other aspects of the project that are left to the City's discretion.

14. *When a use in the commercial zone existing as of November 9, 2011 does not have the number of off-street parking spaces required by this ordinance and the use or size changes, the total number of parking spaces required for the new use or size shall be reduced by the deficient number of spaces for the existing use or size.*

The existing site is nonconforming, with a deficiency of 3 spaces. The new site would require 20 spaces at 1 per 400sf of commercial retail space. Carrying this deficiency forward, the actual number of spaces required is 17. Additional calculations can be seen on the Zoning Site Plan.

15. *For development on lots adjacent to Laneda Avenue, offsite parking for commercial uses may be located further away than outlined in Section 4.080(4) above if the following conditions are met:*

All parking will be located on site.

16. *Parking spaces within a structure shall be on no more than one level.*

There are no parking spaces within the structure.

4.090 Off-Street Parking Requirements.

1. In determining the number of parking spaces required by this section, all fractions shall be rounded to the nearest whole number.

3. Requirements for specific uses: (f) Retail, restaurant, and library: One space for each 400sf of gross floor area.

The proposed development has 7,890sf gross area for all buildings, requiring 19.75 (20) parking spaces. See previous discussion under section 14 for compliance.

4.137 Site Plan Approval

See attached drawings. Two shore pines will be removed during the work, and replacements will be planted in the landscaping area along second Street.

4.138 Filling of Lots

No fill will be added to the lot.

4.141 Parking structures within the front yard

There will be no parking in the front yard.

4.155 Site Design Evaluation Criteria

1. In terms of setback from street or sidewalk, the design creates a visually interesting and compatible relationship between the proposed structure and the surrounding area.

2. The design incorporates existing features such as rocks, slopes and vegetation.

Landscape areas along Second Street will have slopes and vegetation.

3. Where appropriate, the design relates or integrates the proposed landscaping/open space to the adjoining space in order to create pedestrian pathways and/or open system that connects other properties.

The new entrance addresses the sidewalk on Laneda with a pedestrian-friendly and ADA accessible approach, and there will be a sidewalk to the west of the building to better accommodate foot traffic across the lot in the north-south direction.

4. The design gives attention to the placement of storage or mechanical equipment so as to screen it from view.

Mechanical equipment will be located on the roof behind parapets, hiding it from view from the street.

5. All functions, uses and improvements are arranged to reflect and harmonize with the natural characteristics and limitations of the site and adjacent properties.

The building is arranged as a series of smaller, connected masses to bring the scale more into harmony with the surrounding structures and beach character of Manzanita.

Section 4.156 Architectural and Landscape Design Evaluation Criteria.

1. The design integrates and harmonizes the existing and proposed development with the existing surroundings and future allowed uses. This standard shall be applied in a manner that encourages village design and visual diversity within development projects and the surrounding area. Corrugated siding is prohibited as it does not harmonize with siding used on most existing buildings.

The materials pallet of the building will include cedar shingles, stainless steel trim, painted siding, and metal roofing that relate to the surrounding context.

2. The landscape design acknowledges the growing conditions for the climatic zone, and provisions are made for the survival and continuous maintenance. The landscape design shall include the use of local native species of trees and shrubs.

Native plantings are used in the landscape areas.

3. The minimum lot area required to be landscaped under Section 3.040(3)(d) for commercial, mixed use, or non-residential uses shall be located in the front and side yards and the portion of the lot adjacent to the front or street side yards and not within the foundation footprint or rear yard.

The landscaping is located in the front and side yards.

4. Living plant material shall constitute of minimum of 50% of the total required landscape area, which can include landscaping around buildings, in parking lots and loading areas, outdoor recreation use areas, and screening and buffering areas. For corner lots, no less than 25% of the total landscape area required to be in living plant material shall face each street frontage.

1758sf of landscaping is required. 25% of that = 440sf require in each street facing, since this is a corner lot. On the Second Street facing, 690sf is provided. On the Laneda Ave frontage, 450sf of hard surface landscaping (a plaza) is provided.

The ordinance requires that half of the 10% required landscape be living plant materials, and 25% of that be in each street frontage. That equals 220sf of living plant material required on Laneda. This is a hardship for this site, due to the existing (nonconforming) building being entirely within much of the front yard, reducing the available space to locate living plant material. As an alternate means of compliance, we request that we be allowed to use decorative concrete or brick pavers to meet this requirement.

5. The grading and contouring of the site, and on site drainage facilities, shall be designed so there is no adverse affect on neighboring properties or public rights-of-way.

No significant changes will be made to the grading of the site.

6. The design avoids monotony and provides visual interest by giving sufficient attention to architectural details and to design elements.

The facades of the building are articulated with fenestration, use a varied materials pallet, and provide changes in massing to reduce the visual scale of the building and create visual interest.

7. The design adequately addresses the pedestrian nature of the commercial area and places structures in relation to sidewalks and open areas to foster human interaction.

Windows along Laneda provide visual interaction between pedestrians on the street and those inside the store, while also effectively displaying the wares of the shopkeeper. Outdoor tables and/or seating will be provided in the plaza outside the store, off of the right-of-way so that pedestrians can still pass unimpeded. A glazed overhead door faces the street and the new plaza/seating area, giving the store the feel of an open-air market during the summer months.

8. Lighting is non-industrial and non-invasive in character, and contributes to the village character.

The building will be lit with commercial, low-glare fixtures and indirect lighting giving soft illumination.

9. Compatibility. All new commercial and mixed use buildings and exterior alterations shall be designed consistent with the architectural context in which they are located. This standard is met when the Design Review Board finds that all of the criteria in a.- c., below, are met.

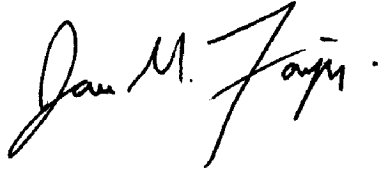
a. There is compatibility in building sizes between new and existing commercial and mixed use buildings;

b. The size, shape and scale of the structures are architecturally compatible with the site and with the village character of the surrounding neighborhood.

c. All buildings and developments shall provide human scale design. The design avoids a monolithic expanse of frontages and roof lines, diminishes the massing of buildings by breaking up building sections, and/or by use of such elements as visual planes, projections, bays, dormers, setbacks or changes in the roof line, and/or similar features generally shown in the following figure (Note: The examples shown below are meant to illustrate these building design elements, and should not be interpreted as a required architectural style).

As previously noted, the building is designed so as to appear as a collection of smaller buildings, enhancing the village feel and making it more compatible with the scale of nearby commercial and mixed use buildings. Many visitors to Manzanita have a strong emotional connection to the deli, so the existing portion of the building will be remodeled and retained in an exterior configuration similar to the existing. The original red door will be kept and re-used elsewhere on the exterior. The various different siding and finish materials create a rich architectural fabric, and installed artwork will serve as a unifying thread throughout the entire building.

Respectfully submitted,

A handwritten signature in black ink, reading "James M. Fanjoy". The signature is fluid and cursive, with a period at the end.

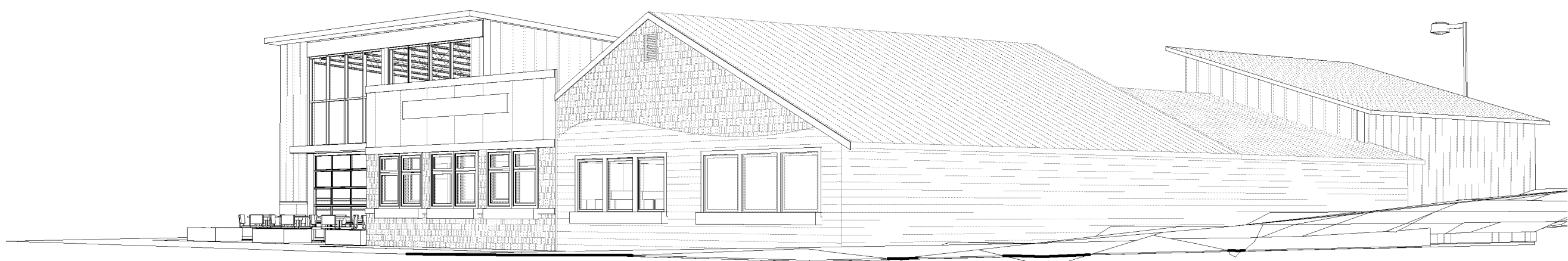
James M Fanjoy, Architect

Brittall Architecture Inc
35820 7th St.
Nehalem , OR 97131
Ph: 360-636-5074

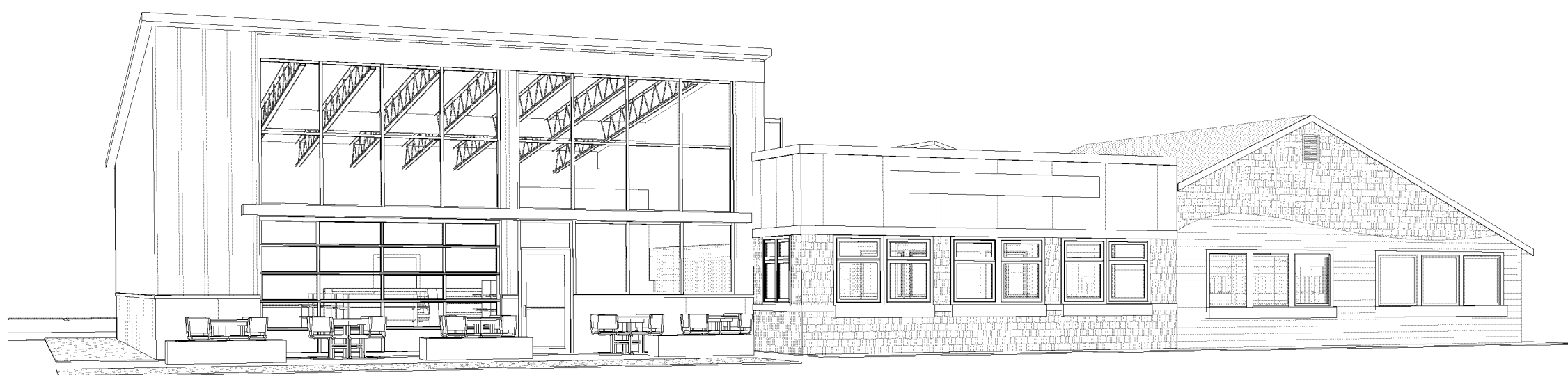


Little Apple Deli- Context illustrations

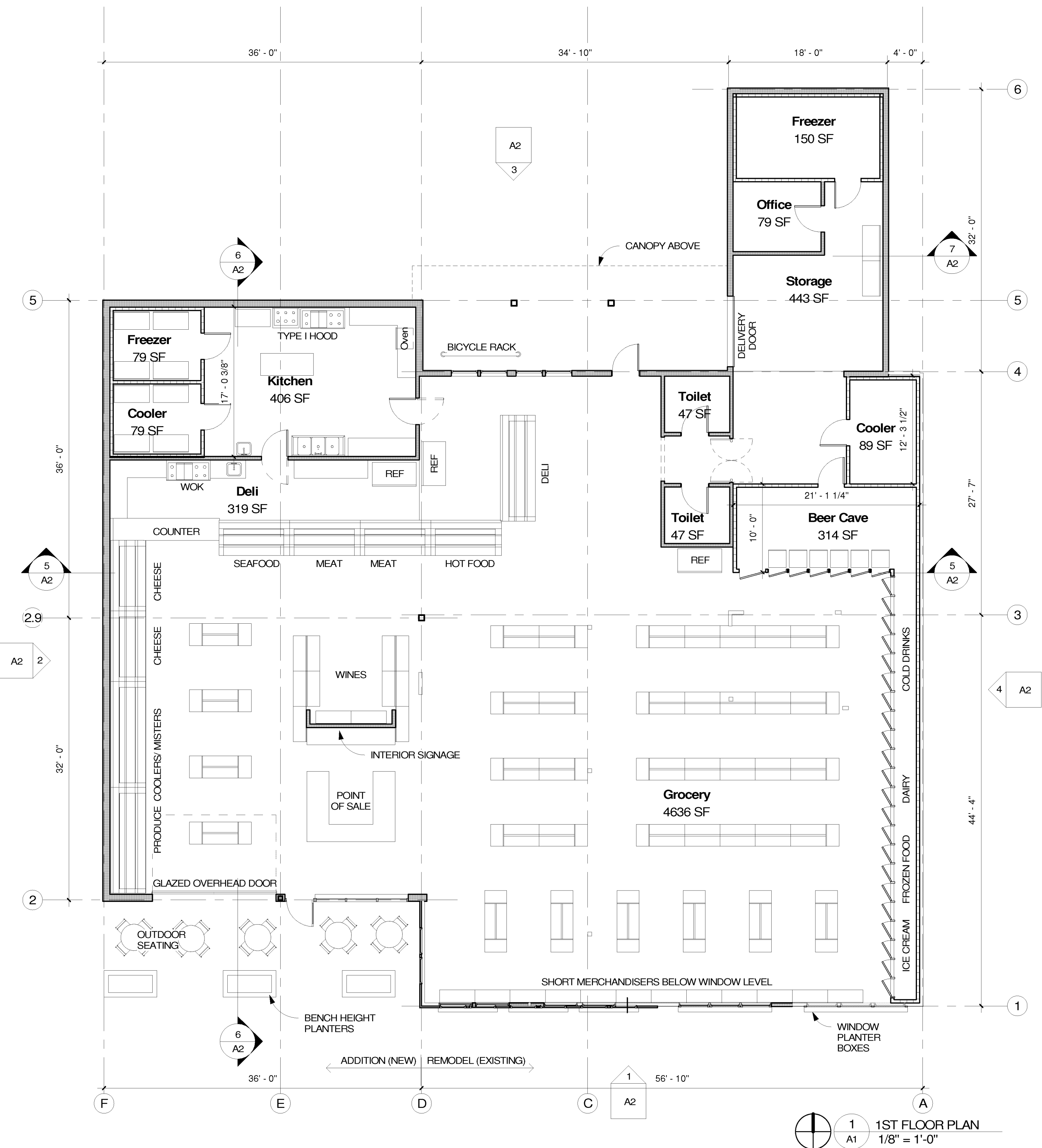
1.15.2020



3 PERSPECTIVE- CORNER
A1

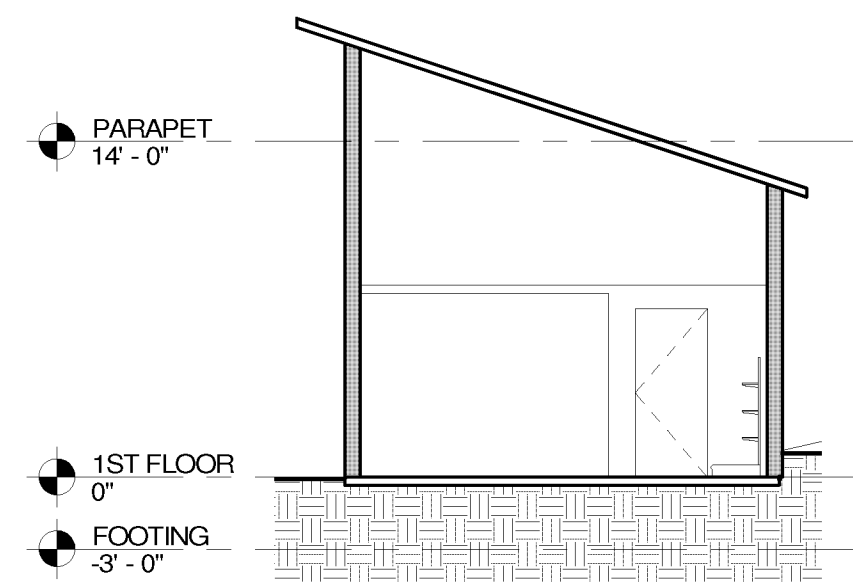
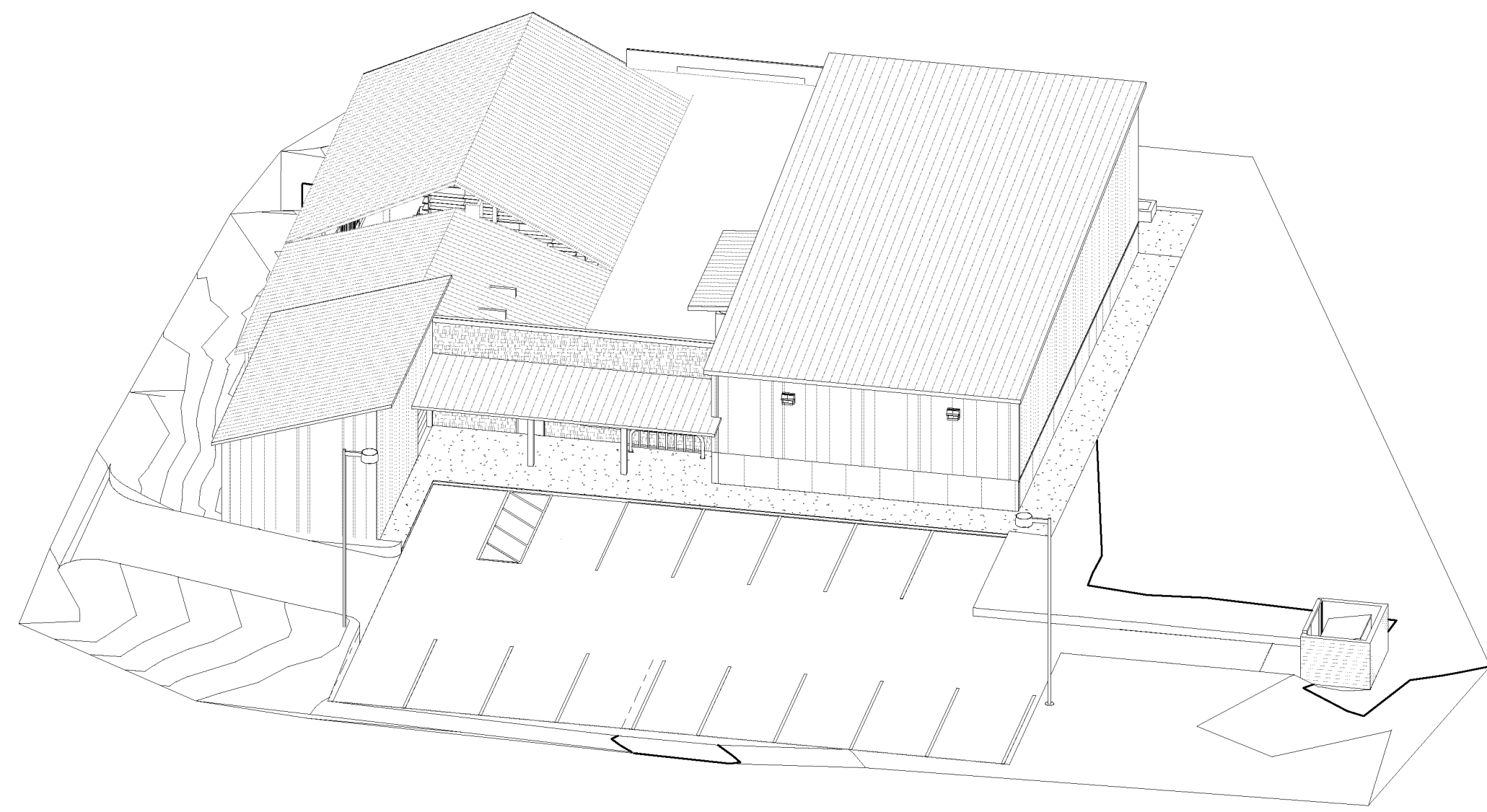


2 PERSPECTIVE- LANEDA
A1

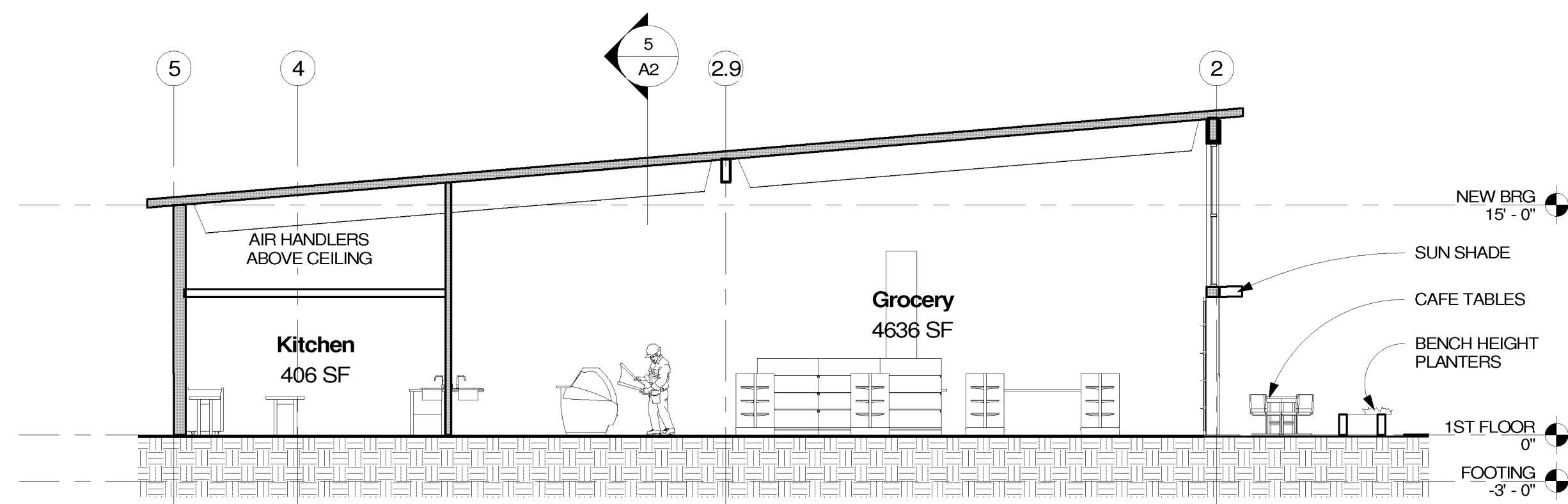


1
A1 1ST FLOOR PLAN
1/8" = 1'-0"

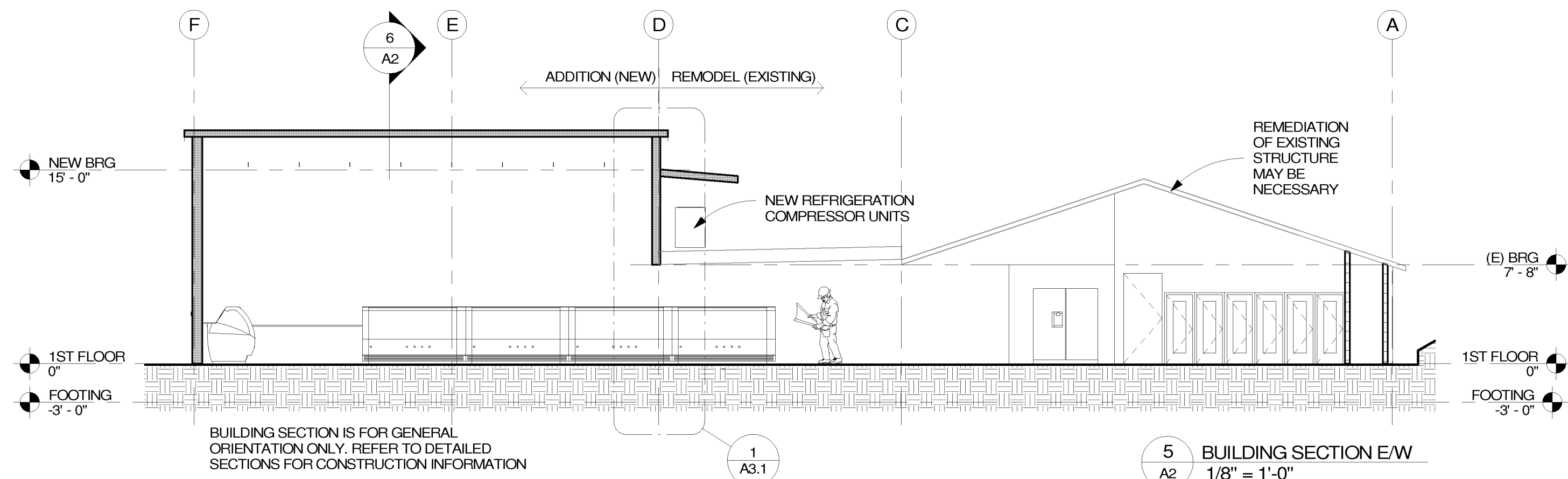
1/16/2020 3:31:13 AM



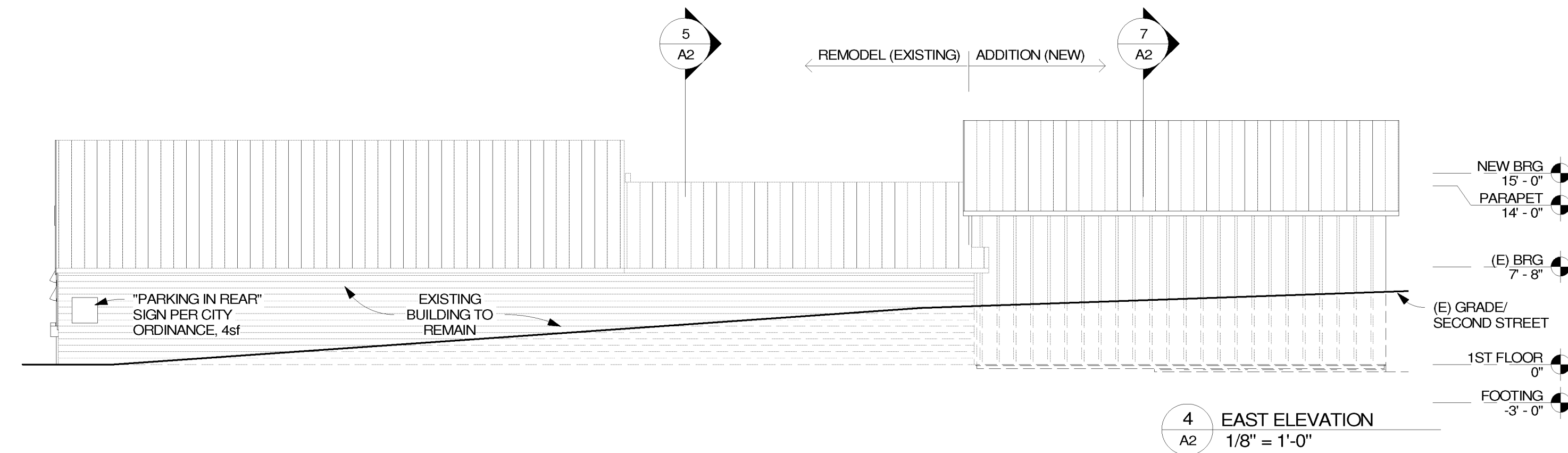
7 BUILDING SECTION @STORAGE
1/8" = 1'-0"



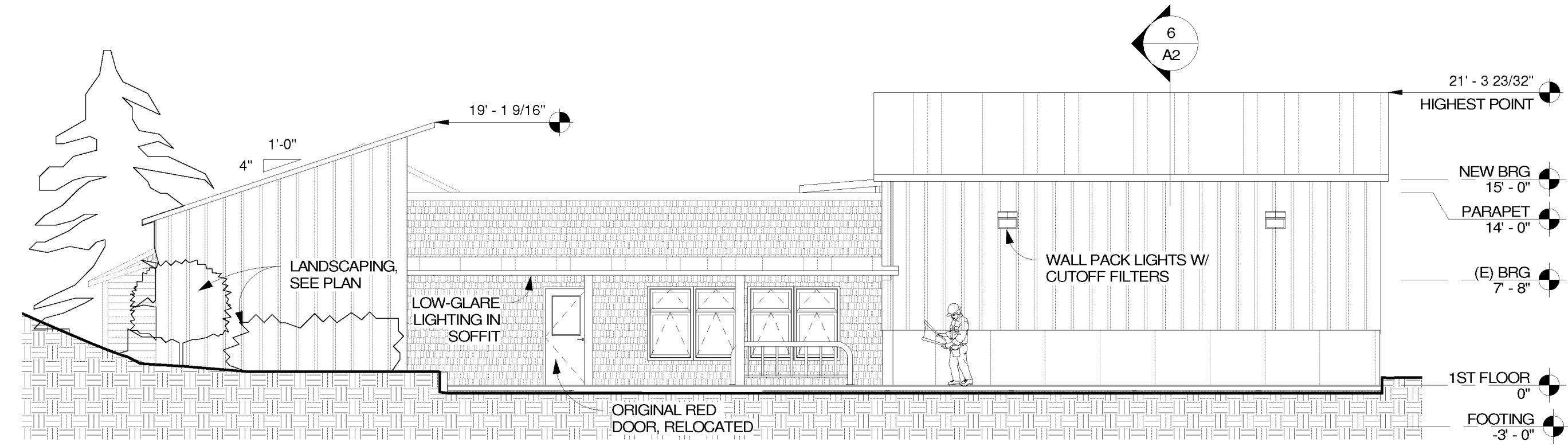
6 BUILDING SECTION N/S
1/8" = 1'-0"



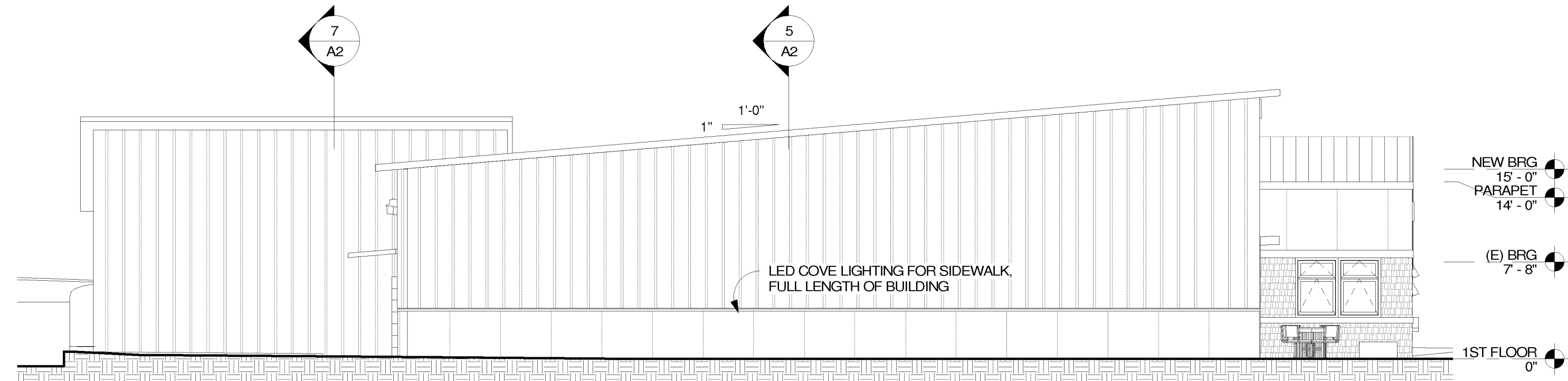
5 BUILDING SECTION E/W
1/8" = 1'-0"



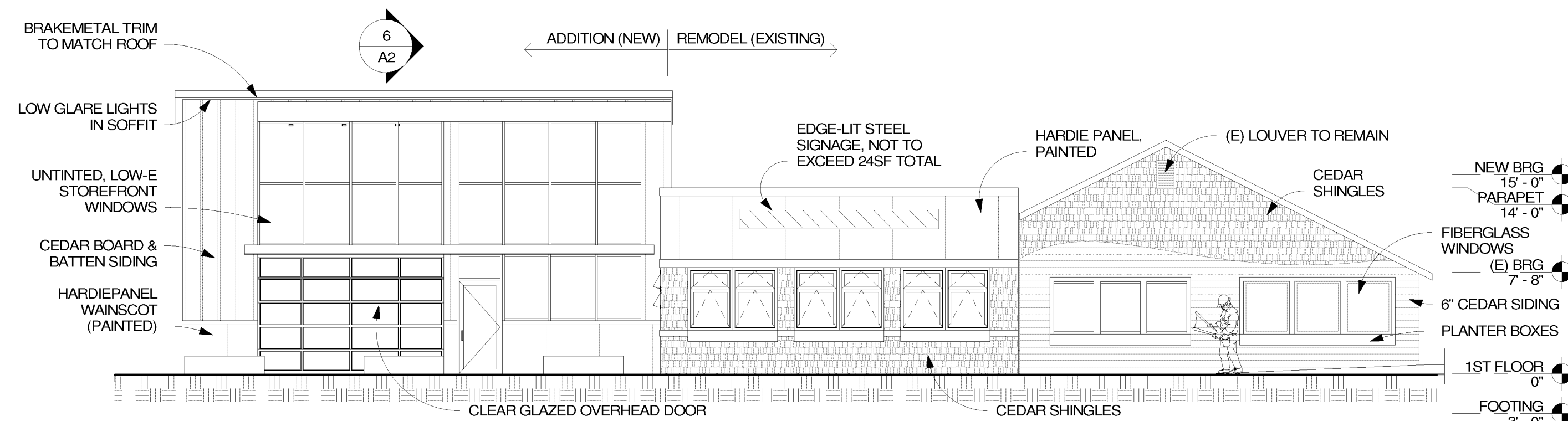
4 EAST ELEVATION
1/8" = 1'-0"



3 NORTH ELEVATION
1/8" = 1'-0"



2 WEST ELEVATION
1/8" = 1'-0"



1 SOUTH ELEVATION
1/8" = 1'-0"

No.	Description	Date
1	Planning Commission Revised	1/16/2020

PRELIMINARY
NOT FOR CONSTRUCTION

Project number 1515

A2
ELEVATIONS &
BUILDING
SECTIONS

From: City of Manzanita <ManzanitaNoReply@Accela.com>
Subject: 547-22-000002-PLNG - See attached report from the City of Manzanita Building Department
Sent: Wed, 12 Jan 2022 00:46:48 +0000 (UTC)
To: VITO.CERELLI@GMAIL.COM
[FIN Invoice pr 20220111_164640.pdf](#)

The City of Manzanita has generated a report for record # 547-22-000002-PLNG. The report is attached to this email.

If you have any questions regarding this report, please contact the City of Manzanita Building Department at 503-368-5343.



<https://ci.manzanita.or.us>

City of Manzanita Planning Department

PO Box 129

Manzanita, OR 97130

503-368-5343

Fax: 555-368-5198

building@ci.manzanita.or.us

Invoice: 3859

Record ID: 547-22-000002-PLNG

Invoice Date: 1/11/22 10:33 am

Project Name: VITO CERELLI

Worksite address:

Parcel: 03N10W29DA02600

Owner: VITO CERELLI, 31987 Maxwell Ln, Arch Cape, OR 97102

Units	Description	Fee Amount	Balance Due
1.00 Ea	Technology Fee	\$70.00	\$70.00
		\$70.00	\$70.00

Sent: Fri, 7 Jan 2022 09:50:28 -0800
Subject: Re: manzanita review
From: vito cerelli <vito.cerelli@gmail.com>
To: Building <building@ci.manzanita.or.us>

Great -

Sounds good - thank you,

Vito

Vito Cerelli | vito.cerelli@gmail.com | c: 503.440.5766

On Fri, Jan 7, 2022 at 9:46 AM Building <building@ci.manzanita.or.us> wrote:

It will be Walt, Leila, Dan, and possibly fire and wastewater.

From: vito cerelli <vito.cerelli@gmail.com>
Sent: Friday, January 7, 2022 9:45 AM
To: Building <building@ci.manzanita.or.us>
Subject: Re: manzanita review

That would be great -

Will Walt be there too with you?

I will make sure that they all get the correct set if I sent the wrong one -

Vito

Vito Cerelli | vito.cerelli@gmail.com | c: 503.440.5766

On Fri, Jan 7, 2022 at 9:03 AM Building <building@ci.manzanita.or.us> wrote:

I got that. It looks like I still not the plat information. Do you want me to put you on the schedule for a pre-app meeting next Tuesday at 930?

From: vito cerelli <vito.cerelli@gmail.com>
Sent: Friday, January 7, 2022 9:00 AM
To: Building <building@ci.manzanita.or.us>
Subject: manzanita review

Scott -

Did my last link get through to you with the dimensions of the lots added?

Look forward to next Tuesday -

Thank you - have a nice weekend.

Vito

Vito Cerelli | vito.cerelli@gmail.com | c: 503.440.5766

From: Building <building@ci.manzanita.or.us>
To: Leila Aman <laman@ci.manzanita.or.us>, Dan Weitzel <dweitzel@ci.manzanita.or.us>, Walt Wendolowski <walt@morgancps.com>, John Morgan <john@morgancps.com>, Nehalem Bay Wastewater Agency <nbwa@nehalem.tel.net>, "f.knight@nbfrd.org" <f.knight@nbfrd.org>, vito cerelli <vito.cerelli@gmail.com>
Subject: Cerelli Pre application meeting
Sent: Fri, 7 Jan 2022 19:53:46 +0000

City of Manzanita is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting
<https://us02web.zoom.us/j/83255608131>

Meeting ID: 832 5560 8131
One tap mobile
+12532158782,,83255608131# US (Tacoma)
+13462487799,,83255608131# US (Houston)

Dial by your location
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 669 900 9128 US (San Jose)
+1 301 715 8592 US (Washington DC)
+1 312 626 6799 US (Chicago)
+1 646 558 8656 US (New York)

Meeting ID: 832 5560 8131
Find your local number: <https://us02web.zoom.us/u/ktugUWEiM>

Sent: Thu, 6 Jan 2022 08:23:36 -0800
Subject: Vito - Golf Course revised
From: vito cerelli <vito.cerelli@gmail.com>
To: Building <building@ci.manzanita.or.us>

Scott -

See attached the revised document with the dimensions of the lots shown:

https://www.dropbox.com/s/atws7p0opfh90oz/00%20-%20DRAFT_reduced%202.pdf?dl=0

Vito Cerelli | vito.cerelli@gmail. com | c: 503.440.5766

Sent: Tue, 4 Jan 2022 11:23:29 -0800
Subject: Manzanita
From: vito cerelli <vito.cerelli@gmail.com>
To: Building <building@ci.manzanita.or.us>

Current Link:

https://www.dropbox.com/s/x4qd6xsxtseclw/00%20-%20DRAFT_reduced%202.pdf?dl=0

Vito Cerelli | vito.cerelli@gmail. com | c: 503.440.5766

From: Building <building@ci.manzanita.or.us>
To: vito cerelli <vito.cerelli@gmail.com>
Subject: RE: Classic
Sent: Mon, 3 Jan 2022 21:12:24 +0000

Give me a call if you have a minute

From: vito cerelli <vito.cerelli@gmail.com>
Sent: Monday, January 3, 2022 1:09 PM
To: Building <building@ci.manzanita.or.us>
Subject: Re: Classic

This app has both lots of record on the form.

Please disregard the last -

Vito

Vito Cerelli | vito.cerelli@gmail.com | c: 503.440.5766

On Mon, Jan 3, 2022 at 12:57 PM vito cerelli <vito.cerelli@gmail.com> wrote:
Scott -

See attached -

I listed Planned Development and lot line adjustment. Not sure if Planned Development covers all for this?

February would be great to get the ball rolling into permits and phasing plans -

Vito

Vito Cerelli | vito.cerelli@gmail.com | c: 503.440.5766

On Mon, Jan 3, 2022 at 12:30 PM Building <building@ci.manzanita.or.us> wrote:
Vito,

Go ahead and fill this out ASAP and return it to me. I tentatively have you on the schedule for March. There is a slim chance I can get you in for the February meeting.

Scott Gebhart
Building Official
City of Manzanita
503-368-5343

From: vito cerelli <vito.cerelli@gmail.com>
Sent: Monday, January 3, 2022 9:26 AM
To: Building <building@ci.manzanita.or.us>
Subject: Re: Classic

Hi Scott -

Happy New Year -

This week can I review the next steps on submitting the applications to you / City on the plans for the property East of the golf course?

Thank you,

Vito

Vito Cerelli | vito.cerelli@gmail.com | c: 503.440.5766

On Mon, Nov 29, 2021 at 4:18 PM vito cerelli <vito.cerelli@gmail.com> wrote:
Scott -

To follow up to this report. I will most likely submit what we looked at before by the middle of this month.

Goal is to be in review with the City soon and then followed up with a phased building approach.

Thank you,

Vito

Vito Cerelli | vito.cerelli@gmail.com | c: 503.440.5766

On Tue, Nov 23, 2021 at 12:05 PM vito cerelli <vito.cerelli@gmail.com> wrote:
Hi Scott,

Per our last meeting / call -

Attached is the letter and review that shows that the survey showed no wetlands on the land that I will be submitting the application for soon -

Good to have this on our files in case someone brings it up.

I walked the site after the heavy rains last week and it was nice and dry - should be easy to build

on.

Thank you - appreciate all

Vito

Vito Cerelli | vito.cerelli@gmail.com | c: 503.440.5766

Sent: Mon, 8 Nov 2021 08:50:13 -0800
Subject: Re: Manzanita - Classic
From: vito cerelli <vito.cerelli@gmail.com>
To: Building <building@ci.manzanita.or.us>

Thanks Scott -

I will start getting this filled out and over to you -

Vito

Vito Cerelli | vito.cerelli@gmail.com | c: 503.440.5766

On Mon, Nov 8, 2021 at 8:48 AM Building <building@ci.manzanita.or.us> wrote:

Vito,

Here is the land use application for Classic Street. I need to figure out which fees to charge for this and will let you know.

Scott Gebhart

Building Official

City of Manzanita

503-368-5343

From: vito cerelli <vito.cerelli@gmail.com>
Sent: Friday, November 5, 2021 1:46 PM
To: Building <building@ci.manzanita.or.us>
Subject: Manzanita - Classic

Scott -

Thanks for talking through Classic as well -

I will get this into you soon. I would like to proceed with the City review as soon as I can to keep the process going.

I will have all items outlined per the code.

I also have the design layout, site plans, and landscape. I have the letter we reviewed today that responds to the site wetlands too -

Thanks again -

Vito

Vito Cerelli | vito.cerelli@gmail.com | c: 503.440.5766