

**CITY OF MANZANITA
PLANNING COMMISSION MEETING MINUTES
May 30, 2023**

I. CALL MEETING TO ORDER: Chair Karen Reddick-Yurka called the meeting to order at 10:02 a.m.

II. ROLL: Members present were: Karen Reddick-Yurka, Frank Squillo, Phil Mannan, John Collier, Thomas Christ, and Lee Hiltenbrand. Staff present were: Building Official Scott Gebhart, City Manager Leila Aman, City Attorney Souvanny Miller, and Permit Technician Chris Bird.

III. AUDIENCE: There were 20 persons in the audience.

QUASI-JUDICIAL ITEMS

ANNOUNCEMENT OF PUBLIC HEARING PROCEDURES: Chair Reddick-Yurka introduced the application being considered, described the public hearing process, and opened the hearing at 10:05 a.m.

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

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 – Each of the Commissioners declared that they had no conflict of interest, no bias, or ex parte contact and they visited the site or were familiar with it. John Collier, citing a potential for possible bias from the community, recused himself from the discussion and the vote.

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

E. CITY ATTORNEY MEETING OUTLINE – City Attorney Souvanny Miller gave some background on the process of the meeting and guidelines to topics that would be discussed.

F. APPLICANTS' PRESENTATION – The applicants presented some background information and the reasons for the Commission's approval of their application. They also objected to the public record being left open after the commission meeting.

G. OREGON COAST ALLIANCE REBUTTAL – Sean Malone, attorney for The Oregon

Coast Alliance, disputed the applicant's stance that the public record be closed after the meeting was finished. Also, there was a difference in opinion with the applicant's definition of what a dwelling unit is and the standard of being in harmony with the area. Rick Nys, a traffic engineer, talked about issues relating to traffic at the proposed intersection and surrounding area

- H. STAFF REPORT** – City Manager Leila Aman presented the staff report and described the application. She then presented the staff's findings of facts, conclusions, and recommended conditions of approval.
- I. GENERAL COMMENTS AND QUESTIONS** – Chairperson Reddick Yurka asked city attorney Miller what portions of the city record are being re-opened for additional information. It was asked of the applicants why they felt that this application not be reviewed under the planned unit development rules. The conversation then shifted to the definitions of a “hotel” and “dwelling unit” and how that could impact the commission's decision on the application. A question was then asked to city attorney Miller about keeping the record open and if there was a timeline for this application. The applicant was then asked about the methodology used for their traffic study and the impact on other developments in the city. The discussion then turned to the number of parking spaces and the calculations to determine how many parking spaces are required. The applicant was then asked about his community gathering space and if that would be available for use with the general public or just with registered guests. Discussion then turned to what the open space requirement of the project might look like and if there would be more impervious surfaces that would need mitigation. It was asked of the applicant what type of park the open space would become to satisfy the 40% open land requirement. From there, the applicant was asked about the proposed walking trail on the property and who would be able to use it and other park facilities.
- J. TESTIMONY PRO-** None
- K. TESTIMONY CON** – A member of the audience had an issue with the land calculations the applicant used to attain his dwelling numbers and 40% open space requirement. Another commenter talked about if the city would put in a 5-way intersection where the hotel is. The next commenter stated that she didn't think the applicant listen to “community concerns” of his project as well as his property being a dumping ground where he wants his 40% open space. Conversation then turned to doubling of housing in the area with more traffic and it not being harmonious with the surrounding area. It was then asked of the applicant about having management on-site to alleviate potential problems. The next commenter asked that the record remain open for 14 days and that ORCA help write the findings as well as the lack of construction plans the applicant has supplied. A comment was made that the infrastructure could not handle the extra car trips and safety would be impacted. Another member of the audience commented on the potential liability the city could face if someone were struck and injured by a golf ball neighboring the proposed hotel complex. The next comment focused on safety of the proposed trail running through the property as well as the engineering required to create it. Comments then turned to how the project is the largest hotel development in town and would not be in harmony with the surrounding residential area.

- L. CORRESPONDENCE** – Reddick Yurka noted the related correspondences that were received for the record.
- M. REBUTTAL** - The applicant stated that this wouldn't be the largest hotel in Manzanita, or a neighborhood of entirely detached homes, and the site plan shows that there would not be a wholesale removal of trees. As far as issues raised in public comment, like golf ball liability and other issues, the applicant stated that they were pre-rebutted in his opening remarks. In addition, the applicant stated he would accept changes B, D, and E of the staff report as well as accepting a condition that there be some on-site management. On the applicability of the density standard, it was the applicant's stance that it does not apply as there were no dwelling units. The applicant asked the commission to look at the Classic Street Cottages development and their use of open space to meet the requirement for higher welling density. Also, that the open space serves both a benefit to the private hotel as well as the general public. The applicant reiterated that they oppose the public records being open after the hearing date. The traffic study was brought up and the city's consultant agreed with the findings that streets would be able to handle the traffic and the development would not overload the streets outside the planned area. A correction was made by the applicant on there being 274 trips on a Saturday, 94 trips on a weekday, and 1 trip every two minutes at the peak hour. The applicant went on to state that the city has not mandated any street improvements and for the public to use his proposed pathway on the property. Regarding creating a 5-way intersection, it was noted that there would be a separate driveway and there wouldn't be an issue with operation or queuing, or sightlines.
- N. CLOSE PUBLIC HEARING** – Reddick-Yurka closed the public testimony at 12:46 p.m.
- O. DISCUSSION BY COMMISSION MEMBERS** – It was asked of the applicant what he would be willing to provide as far as on-site management and when they would be available at the property. Next, the commission wanted to know why street improvements on Classic were not mandated for the project and if they could be at a future date. The commissioners then discussed matters such as the density standard the applicant needs to meet as well as if a determination of dwelling units needed to be included. There was disagreement amongst the commissioners on what constitutes a park to meet the requirement of approval to the project. It was stated that other developments in the past that clustered their dwelling units, used open space in and around the different clusters to achieve the 40% open space requirement. The issue on who would be able to use the park and if it would be public or private was also discussed. The conversation then pivoted towards parking requirements and how it would affect the 40% open space rule. It was suggested that staff amend the report to show the question of dwelling units not being taken and the density standard with deed restriction. The commission asked the applicant to show the 40% open space as park and what park means. The applicant was also asked for clarification if the proposed path running along the property would be open to the public and to update it on the site plan map. The commission then discussed keeping the record open either for the applicant only or for all parties for written submissions only.
- P. DECISION BY COMMISSION WITH MOTION -**

A motion was made by Reddick-Yurka, seconded by Christ to keep the record open 7 days for additional written submissions. Motion passed unanimously.

Q. DISCUSSION BY COMMISSION MEMBERS – The commission next delved into stormwater drainage and had no issue for that to be dealt with during the building permit process. The conversation turned to whether additional testimony was needed to answer any questions on the traffic impact. The city traffic engineer then testified about the traffic study and laid out his findings. It was next asked if the record needed to be kept open for any additional information regarding any traffic impact questions. A consensus was reached, and no further information was needed by the commission on the traffic question. The commission then focused on whether they had the required information to rule on the harmony issue. After a back and forth on what harmony actually means pertaining to the proposed project and surroundings, it was asked if the applicant’s project would preclude any future development in the area.

R. DECISION BY COMMISSION WITH MOTION –

A motion was made by Christ, seconded by Hiltenbrand to accept the alternative interpretation on page 9 of the staff report that the applicant has met the criterion for substantial harmony. Motion passed with one dissenting vote from Squillo.

S. DISCUSSION BY COMMISSION MEMBERS – The commission then discussed whether to go through the recommended conditions of approval or wait until there was a complete record. It was agreed upon to wait for the complete application.

T. DECISION BY COMMISSION WITH MOTION –

A motion was made by Christ, seconded by Squillo to keep the record open for seven days as discussed. Motion passed unanimously.

U. DISCUSSION BY COMMISSION MEMBERS - The date and time of the next planning commission meeting was discussed. It was decided that the meeting would take place on the 16th of June at 10:00am.

APPROVAL OF MINUTES: March 20, 2023
Related to.

A motion was made by Christ, seconded by Hiltenbrand, to approve the minutes of the March 20,2023, Planning Commission meeting with corrections as stated. Motion passed unanimously.

VI. GENERAL UPDATES: Gebhart informed the Commissioners that there was nothing in front of the commission besides the June 16th meeting and if the regularly scheduled meeting for the 19th of June would be held. The June 19th planning commission meeting was cancelled.

VII. ADJOURNMENT:

Planning Commission
May 30, 2023

Chair Reddick-Yurka adjourned the meeting at 2:50 p.m.

**MINUTES APPROVED THIS 17TH
DAY OF JULY 2023**

Karen Reddick-Yurka, Chair

ATTEST:

Leila Aman, City Manager/Recorder

Planning Commission
May 30, 2023