

Subject: Manzanita Lofts Issue

I've thought about this Manzanita Lofts issue and how to best hit home to the Manzanita Council members the negative impact this complex would have on our small town! How to make all of you voted in by we the people realize the ramifications of building a 34 unit hotel/cabins & community center on the pristine pine covered ravine of our signature #5 hole would destroy our golf course & residential neighborhood - Is this the proper location of such a complex? We are not Cannon Beach & we don't want to follow in their footsteps of overbuilding! This project does NOT fit the feel of a residential neighborhood & is not in substantial harmony with the golf course or the surrounding neighborhoods - not to mention the congestion & traffic it would create for not only Dorcas but surrounding small neighborhoods - a five way stop sign - additional bikes - pedestrians - cars - trailers. There are 35 homes on Dorcas now let's add 34 more units & additional cabins - would this not be an overload to our streets?

Concerned Citizens of Manzanita originated out of our desire and sincere love to keep Manzanita small & grow & develop in harmony to fit the feel of our quaint community. This oversized project does not belong on the signature hole - needless to say the number of golf balls sliced to the right - and who would be responsible for injury - the city! We have come together strong & adamant in our belief that this oversized LOCK & LEAVE complex DOES NOT BELONG IN THIS LOCATION!

We are asking all of you to listen to we the people who have moved here because we did not want to live in an overdeveloped town -

We as concerned citizens who call this our home ask u to LISTEN to us - to our letters - emails & signatures opposing this commercial feel out of place overbuild being constructed on the side of a beautiful pine filled ravine! Is this true harmony for a residential neighborhood? Can the city justify the negative placement of this complex?

So we are told these same units exist in Arch Cape - WE ARE NOT ARCH CAPE - we have different guidelines & zoning ordinances!

When findings go to Luba we r asking that rebuttals be written by land use attorneys- if project denied again we request ORCA WRITE THE FINDINGS!

We so appreciate the denial by the planning & zoning committee but the substantial issues remain - substantial issues haven't changed - this project should be denied again! The burden of proof have not been met! If this oversized project is built YOU the council have now set precedent & I ask you WHERE DO THESE TYPE OF PROJECTS END????? What's next??? Where does it stop??? We live here - Vito simply rams this project through & on to the next! He doesn't live here - sadly it's all about making money!!!! How many of these oversized projects are enough before we are just another OVERBUILT beach town -

our small town charm is sadly disappearing - giving way to projects such as this being constructed NOT IN KEEPING WITH OUR QUAIN T small town feel!

We thank you for taking time to read our concerns!

Sincerely

Dan and Bonnie Savickas Sent from my iPhone

April 12, 2022

City of Manzanita Planning Commission
167 South 5th Street
Manzanita, Oregon 97130

Dear Planning Commissioners:

I am a resident of Classic Street Cottages and am writing to express my opposition to the proposed Manzanita Lofts development along Classic Street.

My principal reason for opposing this development is the potential negative impact the increased car traffic will have on pedestrian usage of this side of Manzanita. In recent years the the full length of Classic Street from Necarney City road up to Manzanita Avenue has seen a sharp increase in motor vehicle traffic. Classic Street is narrow, without sidewalks, and a popular bypass for drivers coming off Hwy 101 into central Manzanita, trying to avoid the Lenada bottleneck. Dorcas Lane is increasingly being used to funnel traffic in and out of town. My neighbors and I walk daily to local stores, the post office, and up and over Ridge road to the beach. In conversations with other walkers I frequently hear something like this: "Classic Street and Dorcas Lane are so narrow, there are no sidewalks, and cars ignore the posted speed limit. They're really becoming dangerous to walk."

The livability of our corner of Manzanita is being upended, first by the Highlands Development and now by this commercial motel possibility. This is not the vision many of us share or desire for our town. The attraction of our community is its serenity, it's quiet, friendly peaceful beach town lifestyle. Ironically this is both Manzanita's appeal and it's downfall as the pressure to grow and accommodate visitor increases.

I think we are at a critical junction in Manzanita. Are we going to succumb, like so many Oregon coastal communities before us, to the imperative of commerce? Or can we have the courage to prioritize the livability our residents desire? I strongly urge you to deny this inappropriate development for the sake of all of us who love our community. Thank you.

Sincerely,

Patrick J. Barrett
758 Dorcas Lane
Manzanita, Oregon

Dear Council Members:

Attached to this email is a letter sent to the Planning Commission regarding the Manzanita Lofts development. We hope you will read it and consider our issues as you review the appeal by the developer, of the Planning Commission's decision once again to deny this development.

Nothing substantial has changed with this proposed development since the first application in 2022. The Planning Commission once again has done their due diligence and reviewed the LUBA remand items and come to the same conclusion. This development has been denied twice for very sound reasons.

We believe after reviewing this proposed development and the very serious issues it raises that you will uphold the decision made by the Planning Commission.

Sincerely,
Patti Walker and Patrick Barrett

May 25, 2023

City of Manzanita Planning Commission
167 South 5th Street
Manzanita, OR 97130

Dear Planning Commission members:

We are writing regarding the planned unit development Manzanita Lofts. We urge the Commission to once again deny this application.

As residents of Classic Street Cottages, we have daily exposure throughout all seasons, with the area of the proposed development, as neighbors, drivers and walkers. It is because of this background that we urge the Commission to vote against the development. Our reasons fall into two broad categories:

Infrastructure issues

- A. The current four way intersection of Classic and Dorcas Streets is heavily used, including as a bypass to avoid Laneda. It is awkward and unsafe. It is poorly planned to handle the ever increasing traffic from old and new housing developments to the south and the heavily used state park. To add another development that would need an entrance and exit onto Dorcas, adding a minimum of 34 more cars, will just make a bad situation worse.
- B. Neither Classic Street or Dorcas are built to handle existing traffic let alone more. Both streets are a minimum width with no striping to designate vehicle lanes, inadequate speed limit signs, no shoulders for safe walking, and no designated bike lanes. Both streets have limited ability to be widened due to steep drop offs bordering the golf course. Additionally part of Classic Street to the south of the intersection closest to the steep cliff on the east side of the proposed new development, is already slumping.
- C. The safety of pedestrians, of which there are many, have not been addressed or even considered when evaluating projects, particularly this one and the Highland, which has added a considerable number of daily drivers to Classic and Dorcas, making walking on those streets very unsafe.

Density/Community Issues

- A. The developer repeatedly referenced Coast Cabins (6 units) and the San Dune Inn (14 units) as inspiration or in support of his development. At a total of 34 units, The Manzanita Lofts has more units than both of those two businesses combined, in a much more problematic location.
- B. There are currently 33 residences on Dorcas Street and the Lofts would add 34 rental units, doubling the total and increasing traffic exponentially. A hotel in the proposed area is incompatible with an established residential
- C. There continues to be friction in Manzanita between tourism/commerce and community/livability. Manzanita is suffering from rapid development, infilling formerly open lots and sprawling into outlying areas once forested wildlife corridors. Increased pressure from tourism is upending the small town quality of life.

We strongly urge the Commission to deny the Manzanita Lofts.

Sincerely,
Patti Walker and Patrick Barrett
758 Dorcas Lane, Manzanita OR

We're also concerned about traffic, congestion, infrastructure of city not supporting the density. This morning I've driven back and forth on Classic 3 times. This is a busy street.

Jeffrey and Ruth Sonshine

--

Jeffrey Sonshine, CFP®

PO Box 692

Manzanita, OR 97130

973-441-1115

July 14, 2023

Via Email

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

Dear Mayor and City Councillors,

Please accept this testimony regarding the appeal to the City Council to be held on July 26, 2023 re: the Planning Commission's denial of the proposed hotel--- 698 Dorcas Lane Application for a 34 unit hotel

First, thank you for all the work that you do for our city, Manzanita.

As you know for the second time in as many years, the City is facing an appeal by Manzanita Lofts in their attempt to place the largest hotel in Manzanita's history (34 units) in the middle of a residential neighborhood thereby effectively doubling the housing units of this little area that sits next to our beloved golf course.

In 2022, both the Planning Commission and the City Council unanimously rejected the applicant's proposal because he did not follow City ordinances and gave little information about his proposed hotel. The application was only 2 pages long and he didn't secure all the paperwork (MZO 4.136) as is normal for a PUD application, especially of this magnitude.

Mayor and City Councillors, NOTHING has changed. It's the same application.

The applicant appealed to LUBA and asserted 8 articles of error. **LUBA agreed with the City on 5!** Only 3 were remanded back.

1. We used the Comp Plan to back up some of our arguments but we can't because the City never incorporated its Plan into its land use regulations. Oregon law states that if a city fails to do so, it can't use the Comp Plan provisions as a basis for decisions.
2. Traffic: Walt, who wrote the City's denial, wrote that there would be "*more than*" 309 trips a day of cars going "*downtown*". Both the applicant's and our traffic engineer said "up to" 309 trips a day. So LUBA said the *phrase* "more than" was not supported by

“substantial evidence in the record”. We should have used a lawyer to write up the denial. And the actual number of cars is only part of the issue ...so read on.

3. Dwelling and Density: Since the developer’s proposal was so flimsy, no one knew if his hotel had “dwellings”. He said “no” but gave no evidence or plans. He did say his hotel was going to be like his Arch Cape Lofts. If you go to their website, the rooms have kitchenettes. There are pictures. This makes them dwellings according to the City’s definition of dwellings. LUBA said we needed more information from the developer to decide the dwelling/density issue since if they are dwellings, he can only have 6.5 dwelling units per gross acre.

The developer, instead of giving us more information about his proposed hotel and what are in the rooms, wanted to make a trade. Instead of him telling us whether they are dwelling units, he proposed that we allow him maximum density of 13 units/acre and he would dedicate 40% of the site for open space “or” (and by the way this is NOT how the ordinance reads... the ordinance states “as”...this is important!) a public or private park area or golf course. As noted by Planning Commissioner, Thomas Christ, who happens to be a lawyer, the definition of park, since the City doesn’t have one, has to be the definition as given in dictionaries (and he referred to the one used in law cases). A park is a contiguous open space reserved for relaxation. It is NOT, as the developer chose to designate on his newly drawn up map, a series of switchback trails along a steep slope covered in blackberries that parallels busy Classic street and ends in a parking lot plus a bunch of lawns in front of the cabins.

I think he wants his cake and eat it too– he wants maximum density, doesn’t tell us what is in his hotel rooms so we can’t know if they are dwelling units and in trade offers us a trail???

I refer you to the excellent letters sent to the Planning Commission by William Gumpenberger (he did the math regarding the 40%) and Mica Russo and Sean Danaher (they figured the slope of the trail and showed how it isn’t even a “trail”).

Why doesn’t the applicant go back to the drawing board and file an application that has all the necessary items on it as required by the City? Why does he want *us* to make concessions?? All this has to happen BEFORE approval!

And now onto traffic. As Planning Commissioner, Frank Squillo, remarked, the traffic reports are data points that we must interpret in a real world situation. He pointed out that the 309 cars per day are not to be divided evenly by 24 hours. Rather, the traffic will peak at certain times: 3 PM check in, 11 AM check out, dinner, etc and don’t forget the cleaners. This *will* overburden our roads. The hotel complex has only one entrance and exit. It has a stop sign right before another 4 way stop sign. There will be hundreds more houses developed in the Highlands (and the reports didn’t take into account the

ones already built). There are pedestrians, families on bikes, drivers already running the stop sign daily to contend with. On July 4th, cars were parked along Classic, opposite the Classic Street Cottages going south as far as the eye could see. And what about the traffic at Classic and Laneda! These are issues not even mentioned in the reports. It is up to us to think intelligently about all this before we even think to turn over the Planning Commission's decision. Once the genie is out of the bottle it cannot be undone.

I ask that you DO NOT overturn the decision made with great deliberation and thoughtfulness by the Planning Commission. This is their job, to understand and interpret our laws and ordinances, and they did a great job. Stand with them and the citizens of Manzanita, uphold the Planning Commission's decision. Please represent the citizens of Manzanita who overwhelmingly are opposed to this project. This is OUR town. Please be OUR voice. Deny this proposal.

Respectfully,

Yvana Iovino (full time resident)
352 Jackson Way
Manzanita, OR

From: janet carter <carterjanet921@gmail.com>

Date: July 13, 2023 at 3:06:49 PM PDT

To: dsimmons@ci.manzanita.or.us, Linda Kozlowski <linda.kozlowski@gmail.com>, jspgman@ci.manzanita.or.us, bmayerle@ci.manzanita.or.us, Jenna Edginton <jedginton@ci.manzanita.or.us>

Subject: Lofts appeal hearing July 26

Greetings to our counselors and mayor,

I hope you will uphold the decision made thoughtfully and diligently by the Planning Commission to deny the Lofts application. Nothing has changed in the applicant's response to density and traffic impacts of the project. I agree with Frank Squillo who pointed out there is more to figuring traffic impact than days of the week. A hotel would also impact traffic around check-in and check-out times. We have a great Planning Commission, and it was a pleasure to listen and watch as they engaged in an intelligent, respectful and evolving discussion about this application in their planning meeting. It was also a pleasure to see their sensitivity to the community's concerns regarding this proposal.

Thank you all for the work you do on behalf of our city!

Janet Carter

PO Box 570

Manzanita 97130

The "Appeal Letter to Manzanita City Council" is dated July 10, 2023 and it triggered the City Council on July 12, 2023 to schedule the appeal. The meeting was voted to be "on the record" and no new evidence is allowed. I believe that page 7, 2c and Exhibit E of the "Appeal Letter to Manzanita City Council" should not be allowed to be brought up or considered during the City Council appeal because it was not discussed in that form in any of the previous meetings. If the applicant wants to present this new proposal (page 7, 2c, Exhibit E), he should start a new application.

In addition, references to Oregon Law and LUBA decisions not brought up at any of the previous meetings should not be allowed since again the appeal to the City Council on July 26 is "on the record". The attempt to misinterpret and rewrite MZO 3.030(4)(a) on page 7, 2nd paragraph should not be allowed.

Thank you for your consideration,

Jim Miller
363 Jackson Way
Manzanita, OR

As a new Manzanita homeowner, I have not had the experience yet of being involved in civic discourse and debate. However, I have received videos of past commission meetings and copies of letters sent by citizens concerned about the Manzanita Lofts project. There are two issues that prompt me to support upholding the Planning Commission's denial of the Dorcas Street hotel: no new evidence has been considered since then, and no active citizen support for the project has emerged since then.

This is a beautiful community that clearly appreciates the commission's focus and developmental guidance on existing land use projects, not ill defined new ones.

Thank you,
Barbara Grant
80 Beach Drive

Sent from my iPad

Subject: Hotel

We are been discussing the concept of a hotel being built in a high density residential area bordering the golf course. Regarding the 40%open space as a public or private park- specifically on the applicant's discrepancy between the 40% promised and the dwelling that is being planned on the land they have.

Regarding the entire project our first thought was why Dorcas and Classic Street? They are heavily traveled roads not only for residential traffic but commercial vehicles going to and from transfer station and residential building areas. The State Park access is directly down Classic Street. Foot traffic for residents and visitors is heavy with no sidewalks or safe walk ways. The location is not conducive to a locate hotel. Manzanita is experiencing exceptional residential housing development, such as Classic Street Cottages and The Heights. Both having planned development.

Let's continue to grow Manzanita and keep the beauty and quaintness that have been the reasons people want to buy a first or vacation home.

Bob and Kay Erikson -residents

Brent and Stacey Schreiber -residents

City Council Members,

Enclosed please find the letter we submitted to the Manzanita Planning Commission in opposition to the proposed hotel on the corner of Dorcas and Classic whose application was denied by the Commission.

None of the traffic flow flaws have been rectified in the plan, nor has the density plan been improved.

We live at the top of Dorcas, and knowing the danger of the intersection as-is (with cars flying through the intersection without stopping, rolling stops and dangerous conditions for pedestrians).

We sincerely request the City Council please uphold the decision of the Planning Commission, prioritize the will of the neighbors and the safety of the neighborhood over commercial interests and deny the hotel. Thank you.

Respectfully submitted,

Janet Johnson and Margaret O'Toole
780 Dorcas Lane
503.807.8964

From: Janet Lee Johnson janet@janetleejohnson.com 
Subject: Planning Commission Hearing May 30 Input
Date: May 25, 2023 at 1:24 PM
To: planning@ci.manzanita.or.us
Cc: Janet Lee Johnson janet@janetleejohnson.com



Greetings Planning Commission. I am writing once again to oppose the proposed Manzanita Lofts hotel. We live in the Classic Street Cottages, right up the street from the proposed hotel. We walk across Classic and Dorcas to go into town and to the beach regularly, and are especially concerned about two things about the proposed hotel:

1) Traffic Concerns: And the dangers of a 5-way traffic stop. Please see enclosed visualization (Traffic-Intersection_Dorcas-Classic-ManzanitaLofts.pdf). The proposed hotel will add significant traffic to the four-way stop right now, and Manzanita Zoning Ordinance 4.136 states that *"The streets are adequate to support the anticipated traffic and the development will not overload the streets outside the planned area."*

It's clear to us that the additional 5th stop sign proposed by Manzanita Lofts would be their only entrance and exit, and would add confusion to the area, due to lack of visibility, and pedestrian / cyclist safety in a busy intersection that already suffers from drivers rolling through or running the stop signs. Just last weekend on my walk I watched as a car rolled right through the intersection without stopping, and without noticing I was even there.

2) Substantial Harmony: Manzanita Zoning Ordinance 4.136 3.c.(3) states *"The area around the development can be planned to be in substantial harmony with the proposed plan."*

Please refer to the enclosed zoning map (Areas_Surrounding_ManzanitaLofts.pdf), which shows that the properties adjacent to the proposed Manzanita Lofts are residential neighborhoods or open space related to the golf course. It is clear that a 34 unit hotel (with limited staff and a community building) would be disruptive and would not be in substantial harmony with the neighborhoods around it.

- Dorcas Ln. has 33 homes on it from Classic to the Post Office: this hotel will double the number of dwellings just on Dorcas.
 - None of the closest residences on Dorcas Ln or in our Classic Street Cottage areas have been zoned for short-term rentals.
- Considering the surrounding residential neighborhoods, this project is not in substantial harmony with the area around it. It does not meet this standard and must be denied.
- As the graphic shows, the proposed hotel will have a golf course to the west. The 5th tee is on the map for reference. Upon reading a golfer's review (link) of the 5th tee, they remark, "The tee area is 80' above the fairway and provides a wonderful view of the hole. Only 280 yards from the back tees will provide the golfer with a great opportunity for an eagle." An "eagle" would require the golfer to sink the golf ball in 2 strokes — a challenge often sought after, but also remarkably difficult to maneuver.
 - The golf course owners have indicated the vast majority of the golf balls that are hit from the 5th tee above the proposed project will slice to the right, creating a significant hazard to people below. If the City approves this project while knowing the location is inherently dangerous, the City takes on the liability if anyone is hurt.
- Given the hazards of putting a hotel next to the 5th hole and the City's liability of knowingly doing so, this does not meet the standard of "substantial harmony," and must be denied.

Please prioritize the will of the neighbors and the safety of the neighborhood over commercial interests and deny the hotel. Thank you.

Respectfully,

Janet Johnson and Margaret O'Toole
780 Dorcas Lane
503.807.8964 (c)

Traffic-
Interse...fts.pdf

July 23, 2023

Manzanita City Council
PO Box 129
Manzanita, OR. 97130

Sent via email

Re: Cerelli Appeal of the Planning Commission's Denial of the Manzanita Lofts Project

Dear Mayor and City Councilors,

As you know in 2022, both the Planning Commission and the City Council denied Vito Cerelli's application for a 34-unit hotel complex to be built on property between Dorcas and Classic bordering the golf course. The application was short and lacking paperwork needed for a PUD application of this size. (MZO 4.136)

The applicant seems to have been given opportunities to change his application in the middle of the Planning Commission appeal hearings, yet he still doesn't provide solid and practical or acceptable answers to either the traffic issues that a hotel of that size with just one entrance and exit will create in a residential neighborhood, or the required public or private park area. Given the steepness of the slope from Classic St to the referenced property, the walking trail he proposed is completely impractical and unsafe.

We ask that you do not overturn the decision the Planning Commission made to deny this project. It is the Planning Commission's responsibility to research and deliberate on these applications and their decision was given after hours of careful study and thought. Please support the Planning Commission in their findings and deny this project that your citizens are so opposed to.

Respectfully,

Linda Olson
281 Jackson Way
Manzanita

Dear Planning Commission Members,

There was an article in the New York Times this Saturday about P.O.P.S. or privately owned public spaces, and the terrible disservice these open spaces offered by developers (for the right to add more stories to their buildings) had wrought on New York City. I think that forbodes something quite similar happening here. Who will have ultimate control of this open space, and who will set rules for it and take care of it?

As I understand it, very little has been altered in the proposed hotel plan. The developer is still calculating the number of allowable units on his total amount of land rather than on the 60% of the land that he intends to use, which portends a lot of unpleasant crowding for single units.

The environmental trauma of felling a lot of trees in our growing climate crisis, when we should be planting more is obvious. Also the proposed hotel entrance, being so closely adjacent to what has become a very heavily trafficked intersection strikes me as very questionable planning.

Sincerely,

Parker Bloser

Dear Mayor and City Councilors,

I am very confused.

I was looking at the agenda for Wednesday and noticed an Exhibit E.

Did the applicant make yet **another** change in his plan that wasn't on either the original application (that LUBA presided over) nor what the Planning Commission's denial was based upon?

How is this legal?

Isn't this new evidence? If he's allowed to bring new evidence, can anyone?

It is difficult, as well as unfair, for the opposition to write a rebuttal in view of these constant, *last minute*, shifting sands approach to what will be on the agenda.

This seems to be the applicant's (or his lawyer's tactic... sliding something in at the last second.

This is making it more obvious that the applicant just has to go back and **re apply**.

And this time follow all our City's rules and Ordinances **without** the City accepting his proposal with contingencies.

Sincerely,

Yvana lovino

352 Jackson Way
Manzanita, OR 97130

Attached is my comments to be placed in the record for the July 26, 2023 hearing for the Manzanita Lofts appeal before the City Council.

Thank you,
Jim Miller

July 24, 2023

Jim Miller
363 Jackson Way (Classic Street Cottages)
Manzanita, OR 97130
ducbucln@gmail.com

City of Manzanita City Council
VIA EMAIL: cityhall@ci.manzanita.or.us

Dear City Councilors

MZO 3.030(4)(a) Density

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.

Since the applicant has "offered" to use 40% (1.53 acres) for open space as a park, then he must comply with all of the ordinance and it doesn't matter if the units are called dwellings or something else. That includes 60% (2.3 acres) for clustered dwellings at maximum density of 13 dwellings per acre.

The applicant's attorney calculates 49 dwellings are allowed by using the gross acreage of 3.83 acres at 13 dwellings per acre.

The 49 dwellings would be clustered on **one** portion of a site and must achieve a maximum density of 13 dwellings per acre. That one portion is 60% (2.3 acres) of the total acreage per the ordinance. **That equates to 21 dwellings per acre on the one portion.** But the ordinance only allows 13 dwellings per acre. This calculation violates the ordinance. The only way to not violate the ordinance is to use 60% (2.3 acres) of the gross acreage in the calculation.

13 dwellings per acre X 2.3 acres is 29 dwellings allowed. 34 dwellings is over the amount allowed.

I do not believe it was the intent of the ordinance to use the gross acreage in the calculation of how many dwellings are allowed clustered on the 60% portion of the site. The point of the ordinance is to limit the density of where the actual dwellings are located. Using the gross acreage in the calculation would put an enormous amount of dwellings on one portion of the site and would violate the intent of the ordinance to limit it to 13 dwellings per acre. Including the 40% space for a park in the calculation is not logical since no dwellings will be in the park area. The only time the gross acreage is allowed is when 6.5 dwellings per acre is used to calculate the number of dwellings allowed for the entire site.

The Planning Commission voted to consider the open space as a park differently than the way it was interpreted for the Classic Street Cottages several years ago. I believe the gross acreage was also incorrectly used to calculate the clustering in the Classic Street Cottages. And just because it was used then does not make it correct to use now. The same consideration used for the open space for a park decision can be used to correct the method of calculating how many dwellings per acre are allowed. The error must not be perpetuated for this application and all applications that follow. The correct interpretation as presented here is the logical and straight forward method to calculate the correct number of dwellings allowed.

Commissioner Christ agreed with my interpretation of this 60% calculation during the June 16 hearing, but no thorough discussion and determination occurred like it was for the park determination. That was an error by the Planning Commission. It must not occur again with the City Council. Omitting any discussion and determination might create a problem with any future LUBA appeal by the applicant or the opposition.

CONCLUSION

The application was remanded by LUBA because defensible evidence was not provided sufficiently about the dwellings and density determination. Since the applicant has agreed to the 40% requirement, the density standard can be applied. It does not matter if the units are called dwellings or something else to satisfy the density requirement as determined by the Planning Commission. I agree with Commissioner Christ comments during the 40% park discussion. The narrow areas next to Classic Street cannot be considered a park and without this strip of land, the 40% for a park is not satisfied. Even if the 40% requirement is allowed, only 29 dwellings on 60% of the site are allowed per the correct interpretation of the ordinance.

Respectively, Jim Miller

July 21, 2023

Manzanita City Council
PO Box 129
Manzanita, OR 97130

RECEIVED
JUL 24 2023
CITY OF MANZANITA

REF: Comment on Appeal of Manzanita Lofts

Councilors:

In the applicants appeal to the planning commissions denial he has included an Exhibit E, a revised layout of the project. Since the Council has published the document, you must not consider the document new evidence and therefore it is open for comment and can be addressed. The applicant submitted this on July 10, however the staff report that discusses a new layout is dated July 19. How did the applicant know he could submit a new design, prior to the published staff report, when the Planning Commission final report states no new evidence.

Applicants Exhibit E states the following:

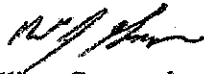
The applicant takes 40% of the total sq ft. of the site and says that the shaded area is 66,385.4 sq ft or 40%. In his original submittal the layout dated 5/18/2023 shows the dimensions of this shaded area, these are the dimensions I am using in the following calculations.

In my June 3rd letter and map with the 5 areas I discussed. Area B 46,576 sq ft (the applicant's value) and the applicant removed 17,504 sq ft from his private park of his May submittal so it is now 29,072 sq ft.

Area C was determined to be 15,994 sq ft, using Tillamook County tax maps. That figure is revised to 21,810 sq ft. (average width 30' not 22'). That leaves area B-1 (see map attached) $111.1' \times 30' = 3,333$ sq ft. $29,072 + 21,810 + 3,333 = 54,215$. Which is 12,518 sq ft short of the 66,733 sq ft minimum, 32.5% not 40%.

Where is the data to support the applicants' claim of 40% set aside for a private park? Does he have survey data?

This application should be denied because the applicant has not shown proof to support his 40% set aside claim as a private park. However, applicant's prior submittals give us sufficient data that rebuts his blanket statement of 40% coverage.


William Gumpenberger
610 Division Ct
Manzanita, OR 97130
503-970-8591
bgumpenberger@hotmail.com

July 20, 2023

Manzanita City Council
PO Box 129
Manzanita, OR 97130

RECEIVED
JUL 24 2023
CITY OF MANZANITA

Manzanita Lofts Remand hearing

Councilors,

I have written 3 separate letters (enclosed) detailing my objection to this project in that he has not supported his claim of 44.27% set aside of the project to meet the standard of MZO 3.030 (4)(a) as required in the remand order.

In my June 3 letter my calculations show he is -4,163 sq ft short of the 66,733 sq ft minimum. My June 8 letter, which is based on the applicant's submittal of June 6, shows he is now -6,997 sq ft short of the minimum 66,733 sq ft.

Aside from his lack of detail as to the method he uses to arrive at 44.27%, the applicant is creating his own wording and interpretation of this ordinance. Applicant has replaced the word as with or and consistently refers to the 44.27% as open space. I do not believe this is a simple oversight or semantics it is a conscientious use of language to achieve a desired result. The language in MZO 3.030(4)(a) is crystal clear and the applicant has failed to meet the standard of this ordinance.

The following is from the Staff report of June 9, 2023

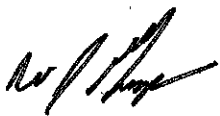
In his request for a remand hearing, the applicant noted that he disagrees that the Density Standard applies to the hotel project. However, applicant has also stated in that letter that he is nonetheless

"willing to reserve or dedicate 40% of the site for open space or public or private park area or a golf course, thereby increasing maximum density to 13 units per acre."

MZO 3.030(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."

In his submittal maps of June 6, 2023, showing his 40% dedicated set aside, he refers to 73,862 sq ft as permanent outdoor space. He never calls it a park or golf course as defined in MZO 3.030(4)(a). These submittals do not meet the standard staff has established and this project must be denied.



William Gumpenberger
610 Division Ct
Manzanita, OR 97130

June 15, 2023

Manzanita Planning Commission

PO Box 129

Manzanita, OR 97130

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JUL 24 2023
CITY OF MANZANITA

Manzanita Lofts Remand hearing

Commissioners,

The applicant is not agreeing to MZO 3.030(4)(a) as required in the remand order. He is creating his own wording and interpretation of this ordinance.

The following is from the Staff report of June 9, 2023

In his request for a remand hearing, the applicant noted that he disagrees that the Density Standard applies to the hotel project. However, applicant has also stated in that letter that he is nonetheless "willing to reserve or dedicate 40% of the site for open space or public or private park area or a golf course, thereby increasing maximum density to 13 units per acre."

MZO 3.030(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.

In his submittal maps of June 6, 2023, showing his 40% dedicated set aside, he refers to 73,862 sq ft as permanent outdoor space. He never calls it a park or golf course as defined in MZO 3.030(4)(a). These submittals do not meet the standard staff has established and this project must be denied.

It appears that the applicant is playing fast and loose with our zoning laws.

William Gumpenberger

610 Division Ct

Manzanita, OR 97130

June 8, 2023

Leila Aman

Manzanita City Manager

PO Box 129

Manzanita, OR 97130

Ref: Manzanita Lofts Private Park 40% dedication

Leila.

I request that concerned individuals be given the opportunity to respond to the applicant's June submittal. I ask this based on the belief and the following determination that the applicant has not proven he has set aside 40% of the property.

This is the legend applicant shows on the map on page 5, it is the same on all 3 of his maps in this submittal in terms of percentages only the areas coloring changes.

Page 5 Legend

1. PERCENTAGE LOT COVERAGE w/ ROAD: $(6,521 + 9,000 + 2,100 + 2,225 + 26,479 \text{ SF}) / (166,834.8 \text{ SF}) \times 100 = 27.77\%$

2. PERCENTAGE LOT COVERAGE w/o ROAD: $(6,521 + 9,000 + 2,100 + 2,225 \text{ SF}) / (166,834.8 \text{ SF}) \times 100 = 11.90\%$

3. DEDICATED PERMANENT OUTDOOR SPACE: OPEN GUEST PARK SPACE / PUBLIC WALKING PATH
(73,862.24) / (166,834.8 SF) x 100 = 44.27% (Dark Green on map)

4. GENERAL OUTDOOR SPACE: GUEST SPACE, AMENITIES, GATHERING AREAS $(22,519.04) / (166,834.8 \text{ SF}) \times 100 = 13.50\%$

Take a few minutes and add up the numbers above and you will find nothing adds up, you will find that the applicant has duplicated the numbers in line 1 and 2. How does he come up with the 73,862.24 number????

I believe the applicant's map shows 59,716 sq ft for a private park, 6,997 sq ft short of the required 66,733 sq ft. Not the 73,862.24 he claims.

I achieved this number using the applicants' May and June submittals.

I have included my letter of June 3 which I reference in these calculations.

In my letter and the map with the 5 areas I discuss. Area B 46,576 sq ft (the applicant's value) and the applicant just removed 17,504 sq ft from his private park of his May submittal so it is now 29,072 sq ft.

In my letter of June 3 area C was determined to be 15,994 sq ft, using Tillamook County tax maps.

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So now he has $29,072+15,994=45,066$ or $21,667$ short of the $66,733$ needed.

We know the main parking area is 635 ft long from his first submittal and if we say the average width of the area on the east side of the parking area (the steep slope up to Classic Street) is $20'$ he gains $635 \times 20 = 12,700$. So now he has $29,072+15,994+12,700=57,766$ or $8,967$ sq ft short of the $66,733$ required.

This leaves an area of the walking path, Area F, on the north portion of the property that is $10'$ wide and $195'$ as shown in the applicant's May submittal. This calculates to $1,950$ sq ft for a total of $59,716$. Leaving the "private park" $6,997$ sq ft short of the $66,733$ required.

I do not see that the applicant has proven to set aside 40% of the property as a private park, as he has testified, and for this reason the application should be denied.



William Gumpenberger

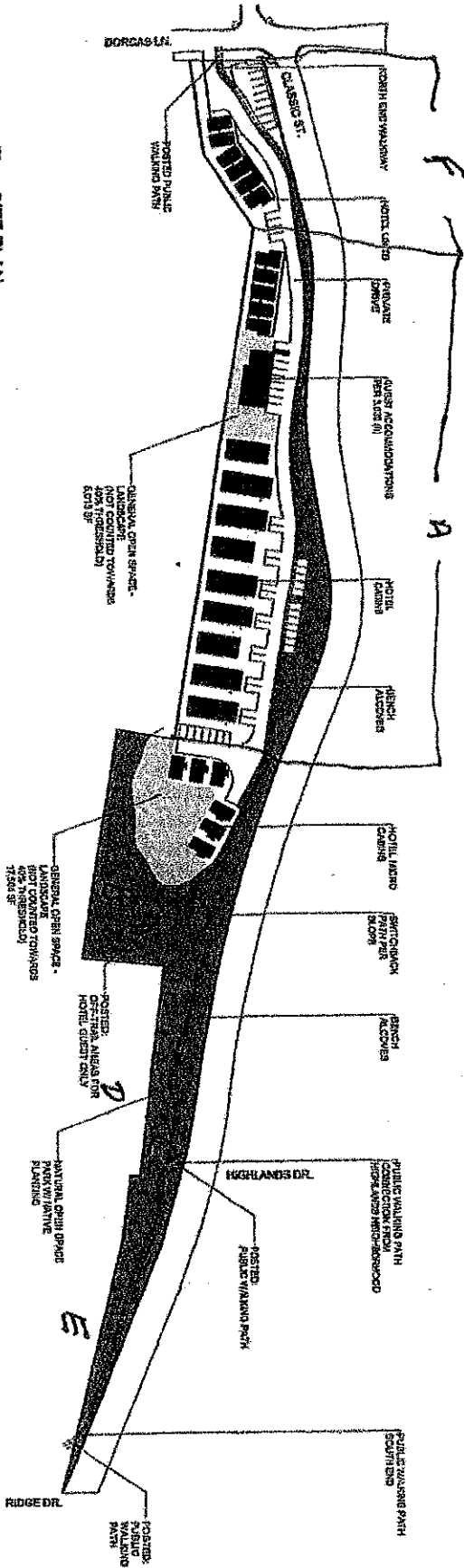
610 Division Ct

Manzanita, OR 97130

503-97-8591

bgumpenberger@hotmail.com

1
11.31
SITE PLAN
1" = 60'-0"



NOTES:
 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF LOS ANGELES ORDINANCES.
 2. THE DEVELOPER SHALL MAINTAIN ALL EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR ANY NECESSARY REPAIRS OR REPLACEMENTS.
 3. THE DEVELOPER SHALL MAINTAIN ALL EXISTING TREES AND SHALL BE RESPONSIBLE FOR ANY NECESSARY REMOVALS OR REPLACEMENTS.
 4. THE DEVELOPER SHALL MAINTAIN ALL EXISTING LANDSCAPE AND SHALL BE RESPONSIBLE FOR ANY NECESSARY REPLACEMENTS.
 5. THE DEVELOPER SHALL MAINTAIN ALL EXISTING PUBLIC UTILITIES AND SHALL BE RESPONSIBLE FOR ANY NECESSARY REPAIRS OR REPLACEMENTS.
 6. THE DEVELOPER SHALL MAINTAIN ALL EXISTING PUBLIC UTILITIES AND SHALL BE RESPONSIBLE FOR ANY NECESSARY REPAIRS OR REPLACEMENTS.
 7. THE DEVELOPER SHALL MAINTAIN ALL EXISTING PUBLIC UTILITIES AND SHALL BE RESPONSIBLE FOR ANY NECESSARY REPAIRS OR REPLACEMENTS.
 8. THE DEVELOPER SHALL MAINTAIN ALL EXISTING PUBLIC UTILITIES AND SHALL BE RESPONSIBLE FOR ANY NECESSARY REPAIRS OR REPLACEMENTS.
 9. THE DEVELOPER SHALL MAINTAIN ALL EXISTING PUBLIC UTILITIES AND SHALL BE RESPONSIBLE FOR ANY NECESSARY REPAIRS OR REPLACEMENTS.
 10. THE DEVELOPER SHALL MAINTAIN ALL EXISTING PUBLIC UTILITIES AND SHALL BE RESPONSIBLE FOR ANY NECESSARY REPAIRS OR REPLACEMENTS.

**MANZANITA LOFT
 SITE PLAN**

page 5

Manzanita Planning Commission
PO Box 129
Manzanita, OR 97130

RECEIVED
JUL 24 2023
CITY OF MANZANITA

June 3, 2023

Commissioners:

I write this letter in opposition to the proposed Manzanita Lofts on the basis they have not met the 40% set aside for "private park" or "golf course".

The applicant claims to have 79,042 sq ft set aside for a "private park and a trail. He shows this on the map on page 8 of his submittal in dark green shading. A copy of this map is attached to this letter. To meet the density standard of 40% he must set aside a minimum of 66,733 sq ft of the 166,837 sq ft of the property for a "private park" or "golf course".

I have marked the map referencing 5 areas. Analyzing these 5 areas you can calculate an area for a "private park" of 62,570 sq ft which is 4,163 sq ft short of the required minimum.

Area A. The map denotes this as a 635' x 10' strip as a "set back" as required by the building code even though the applicant coded it dark green as part of the "park". It can't be both, not to mention how do you use this narrow strip of land? I am not sure his hotel guests would appreciate strangers roaming outside their dwelling. This 6,350 sq ft is not in my calculations and should not be included in other calculations.

Area B This area is 284' x 164' or 46,576 sq ft and should be included as a "private park" but it needs to be 20,257 sq ft bigger.

Area C How do you calculate this area? There are no measurements on the map, however on the Tillamook County Tax Maps we can calculate the area. The lots to the west of Area C range from 100' to 108' in depth. There are a total of 10 lots and their width is a total of 727'. The depth of area B is 165' and Area D's lots are 100' leaving the depth of the widest part of Area C to be 65'. Area C a narrow strip goes from 65' to 0', I am using an average width of 22'. Area C is 22' x 727' = 15,994.

Combined with Area B there is a total of 62,570 sq ft or 4,163 short of the required 40% minimum.

Area D Tillamook County Tax Map 3N1029DB 5 lots each 100' depth x 65' total width 325' bare land.

Area E Tillamook County Tax Map 3N1029DC 5 lots varying width from 89' to 76' and depth varying from 90' to 109' The total width is 402' there are homes on each of the five lots.

There are issues with the trail starting at Ridge Road and Classic Street. The applicant has no land at this point and would require an easement from an individual residence or the city (Classic Street) to have his trail start at this point.

There is a severe change of topography in Area C at the point across from the Highlands Rd that will require switch backs and water runoff mitigation.

The planning commission should deny the approval of this project again because it does not meet the 40% set aside requirement.


William Gumpenberger

610 Division Ct

Manzanita, OR 97130

503-970-8591

bgumpenberger@hotmail.com

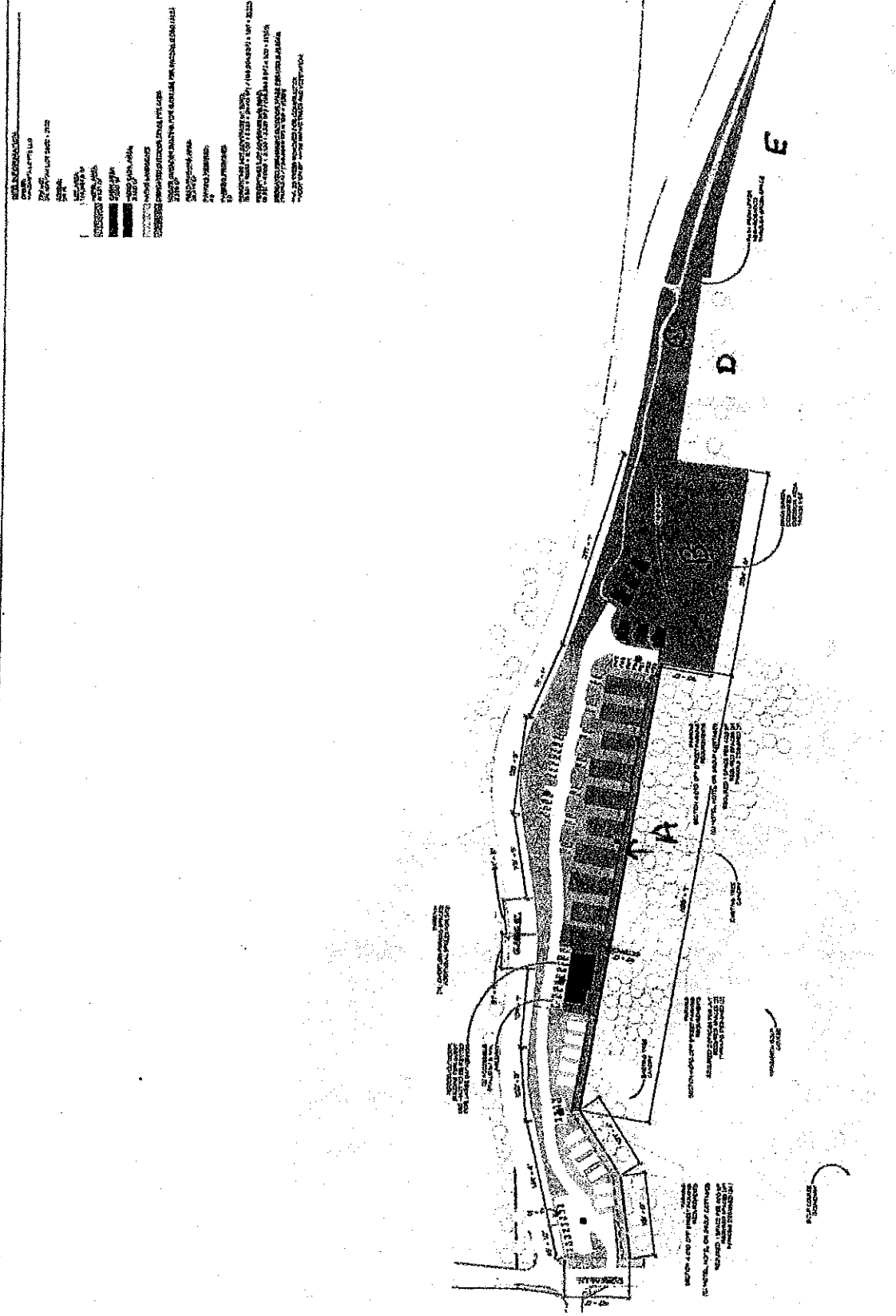
DATE: 11-15-2007
SCALE: 1/4" = 1'-0"
SHEET NO. 1 OF 1

SITE PLAN

MANZANITA RETREAT
TAX LOT:

DATE: 11-15-2007
SCALE: 1/4" = 1'-0"
SHEET NO. 1 OF 1

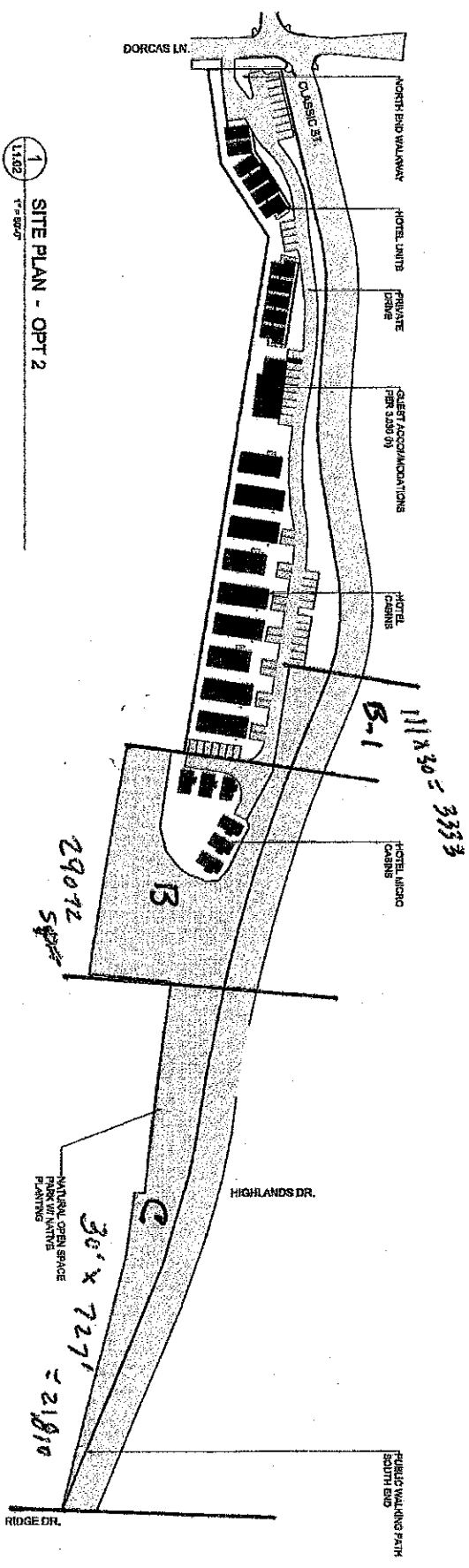
1 SITE PLAN
PAGE 2



GENERAL NOTES:

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTIONS.
3. ALL UTILITIES SHALL BE LOCATED AND DEPTH MARKED PRIOR TO CONSTRUCTION.
4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
5. ALL EXISTING UTILITIES SHALL BE PROTECTED AND NOT TO BE MOVED OR DELETED UNLESS SPECIFICALLY NOTED OTHERWISE.
6. ALL NEW UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
7. ALL FOUNDATIONS SHALL BE CONSTRUCTED ON UNDISTURBED SOIL OR OVER AN APPROPRIATELY DESIGNED FOUNDATION.
8. ALL ROADS SHALL BE CONSTRUCTED TO MEET THE REQUIREMENTS OF THE CALIFORNIA HIGHWAY PAVEMENT DESIGN MANUAL.
9. ALL DRIVEWAYS SHALL BE CONSTRUCTED TO MEET THE REQUIREMENTS OF THE CALIFORNIA HIGHWAY PAVEMENT DESIGN MANUAL.
10. ALL PAVED AREAS SHALL BE CONSTRUCTED WITH A MINIMUM 2% DRAINAGE SLOPE.
11. ALL UNPAVED AREAS SHALL BE CONSTRUCTED WITH A MINIMUM 2% DRAINAGE SLOPE.
12. ALL EXISTING AND NEW CONSTRUCTION SHALL BE MAINTAINED AND KEPT CLEAR OF ALL UTILITIES AND STRUCTURES.
13. ALL EXISTING AND NEW CONSTRUCTION SHALL BE MAINTAINED AND KEPT CLEAR OF ALL ADJACENT PROPERTIES.
14. ALL EXISTING AND NEW CONSTRUCTION SHALL BE MAINTAINED AND KEPT CLEAR OF ALL PUBLIC ROADS AND DRIVEWAYS.
15. ALL EXISTING AND NEW CONSTRUCTION SHALL BE MAINTAINED AND KEPT CLEAR OF ALL PUBLIC UTILITIES AND STRUCTURES.

1
1162 SITE PLAN - OPT 2
1" = 50'



Total Site Area:		3,917,867 / 1,655,853.6 sq ft
Areas to be developed:		
Studios	6,521 sq ft / 19 units	
Cabins	6,000 sq ft / 9 units	
Micro cabins	2,100 sq ft / 8 units	
Garaging space	2,225 sq ft	
Roads and parking	26,470 sq ft	
Total developed area:	46,235 sq ft / 1,655,853.6 sq ft	46,235 sq ft
LD coverage:	27.9%	
Dedicated open space:	66,355.4 sq ft / 1,655,853.6 sq ft	66,355.4 sq ft
Open space percentage:	40.0%	
Max density at 13 foot/cross acre	3.81 ac x 13 units	50 units
Total hotel rooms:	19 + 9 + 6	34 units
Unused density:		18 units
Provided parking:		53 spaces
Minimum required parking:		43 spaces
Surplus:		10 spaces

MANZANITA LOFT
SITE PLAN

To the Council Members:

You will find my letter from the May hearing attached. Please read.

In the current Notice of Public Hearings it says "No new evidence will be accepted at the hearing, but anyone desiring" How can no new evidence be admissible from the public but Mr. Cerelli has redrawn his plan completely and it is submitted? Something is not right with this. It seems like if he wants to redo this he should have to go through the process again and at the same time clear up other things that were not completed in the original PUD.

Mary Ruef
355 Jackson Way
Manzanita

May 14, 2023

To: Manzanita Planning Commission

From: Mary Ruef

355 Jackson Way

Manzanita

Full Time Resident

RE: PUD, Vito Cerelli

I will address two of the three remanded decisions regarding the Lofts.

MZO 4.136(3)(c)(5)

Traffic: I was part of a group of people who have sat and counted the traffic going through the intersection of Dorcus and Classic streets. On Friday, May 12, 2023 from 4:00 P.M. to 5:00 P.M. there were 99 cars/trucks/cars with trailers that passed through this intersection. It is a busy intersection even though Dorcus is basically closed at this time. With another street/driveway for 34 dwellings entering this intersection just 100' west of the western stop sign, there will be even more traffic. The configuration of 5 stops in a short space is not safe.

MZO 4.136(3)(c)(3) "The area around the development can be planned to be in substantial harmony with the proposed plan."

"Substantial harmony." These words do not apply to what is proposed. The harmony of the neighborhood is quiet, peaceful, and welcoming to birds and other animals. Building a hotel here and cutting down the natural habitat for those creatures is not harmony for them or for the people who live around this property. The golf course is another issue with golf balls coming off of the 5th hole at high speed and frequently ending up on Classic Street or in the yard of those of us who live above classic.

I ask that you take these things into consideration when making a decision on this project.

From: [Sandy Wood](#)

Sent: Sunday, May 21, 2023 9:18 PM

To: planning@ci.manzanita.or.us

Subject: Manzanita Lofts

To all the members of the City of Manzanita Planning Commission:

Thank you all for your careful consideration of the Manzanita Lofts project.

I hope that you have all had the time to study the original materials, both written and orally testified, that the Planning Commission considered before their decision on June 20, 2022.

The many hours of careful consideration shown on that date at the public meeting, were an example of their diligence and of their listening to the public input, before they bravely voted for denial of this project.

The appeal to the City Council on July 22, 2022, honored all that work, as they, too, unanimously voted to deny the project.

Hopefully you have also read all the testimony from the public to the City Council at that time.

The appeal of the decisions of the Planning Commission and the City Council to LUBA and their response on February 7, 2023, has resulted in this hearing.

We hope that all of you will honor the concerns presented.

Again, the City is required to represent the public, not the developer.

If you choose to deny our objections, we request that the record will remain open for 7 days.

To avoid any problems with the language of the findings, we also request that the ORCA attorney who defended the case before LUBA be allowed to assist with the writing of the findings, so they are well written and defensible.

The golf course and the homes around it were designed with the understanding that golf balls do not always travel as the golfer wishes. The signature hole #5 is especially important to the golf course and the golfers.

The trees add to the beauty of that hole, as well as being homes for birds.

The proposed hotel will be in line of the golf balls hit by 75% of the golfers who slice right.

This is not in substantial harmony!

Will golfers decide to go to another course to avoid the potential of hitting people, cars, windows?

Who is responsible for damage or injury?

Since the City of Manzanita is aware of the potential problems, isn't the city liable?

Several of us, walking down one of the lanes with our dogs, talked with a group of golfers getting ready to head to the golf course for the tournament on Friday, May 19th. They were unaware of the potential buildings, and were very much opposed. They planned to talk with other golfers and express their concerns.

Not in substantial harmony!

Traffic in the area is already a challenge, with RV's, tow vehicles with their large camping trailers, horse trailers, mixing with regular cars, business vehicles, golf carts, pedestrians with children and dogs, joggers, bicyclers, scooters, motorcycles, skate boards.

Visibility isn't good already, especially if cars are parked along Classic or Dorcas.
Traffic will increase with the opening of Dorcas, post construction.

Several of us watched the traffic at the intersection of Classic and Dorcas for long hours on Friday, Saturday, Sunday (May 12 to 14) in the heat.

We watched vehicles slide through stop signs, or blow rapidly through them.

We watched pedestrians struggle to stay safe along Classic Street; the lack of sidewalks or a marked area of safe passage are of concern. Some had traffic moving over for safety, only to have a vehicle coming the opposite direction.

We listened to their concerns, and their worry about increase in traffic when Dorcas is open again.

We heard their disbelief that anyone would approve a hotel and a fifth intersection in the area, especially since it is the only entrance and exit for the hotel.

Not one person expressed any approval of the project.

The anticipated additional 300 plus trips to and from the hotel at least doubles the traffic, meaning a recipe for disaster.

Not in substantial harmony!

The applicant, to our knowledge, hasn't addressed any of our objections of a year ago.

He has agreed, in the written remand request, that the development will comply with the density standards outlined in MZO 3.030(4)(a).

Where is said amended application?

He has not met the burden of proof. He MUST provide the specifics of HOW he will comply with these standards.

The brief application he provided early in this process does not give the Planning Commission the knowledge you require to make a decision.

Manzanita Zoning Ordinance 4.136.3.c.(3) states "The area around the development can be planned to be in substantial harmony with the proposed plan."

If the city approves the project, while knowing the location is inherently dangerous, the CITY takes on the liability if anyone is hurt.

The area around the proposed development is a RESIDENTIAL area, not allowing Short Term Rentals in at least 3 of the surrounding HOA's.

Dorcas has 33 homes between Classic Street and the Post Office on Laneda. The hotel would double the number of dwellings.

The hotel is a group of STR's in reality, with a community center, gathering place, firepits, keyless entry, need for housekeeping trips, etc. How can this be defined in substantial harmony with the neighborhood or with the golf course?

This project is NOT in "substantial harmony" with the standard, and must be denied.

Thank you for listening.

Sandy Wood
120 Beeswax Lane
Manzanita, Oregon

From: Sandy Wood <columbiagrove@msn.com>

Sent: Tuesday, June 6, 2023 4:34 PM

To: City Planning <planning@ci.manzanita.or.us>

Cc: Deb Simmons <dsimmons@ci.manzanita.or.us>; brad mayerle <mayerleformanzanita@gmail.com>; Jenna Edginton <jedginton@ci.manzanita.or.us>; Jerry Spegman <jspegman@ci.manzanita.or.us>; Linda Kozlowski <lkozlowski@ci.manzanita.or.us>; Leila Aman <laman@ci.manzanita.or.us>; City Of Manzanita <cityofmanzanita@ci.manzanita.or.us>

Subject: Manzanita Lofts testimony

I am writing in opposition to the Manzanita Lofts project.

I am in agreement with testimony\letters sent by Jim Miller, Mica Russell, Bill Grupenberger, Paul Hughes, Barbara Lee, Yvana Lovino, Cameron La Follette, Sean Malone.

Without the plans, promised by the attorney for the project in 10 minutes at the last hearing, we have no way of knowing what the 40% "park" design is. Pretty drawings don't work.

If the applicant cannot produce the plans, and have them available to the public, we cannot make accurate observations or objections to those plans in the time required.

We, as the public, have the right to see and comment on the plans before the end of the 7 days, and before the hearing on June 16. If oral arguments aren't allowed, we need time to provide written comments.

At this point, the applicant cannot meet the required 40% of park area, public or private, without substantial infrastructure, planning, and proof.

He has not met the density standard.

His application MUST be denied.

Again, the city works for the public, not for the developer.

Sandy Wood

From: Sandy Wood <columbiagrove@msn.com>

Sent: Tuesday, July 25, 2023 1:23 PM

To: City Of Manzanita <cityofmanzanita@ci.manzanita.or.us>; Deb Simmons <dsimmons@ci.manzanita.or.us>; Brad Mayerle <bmayerle@ci.manzanita.or.us>; Jerry Spegman <jspegman@ci.manzanita.or.us>; Linda Kozlowski <kozlowski@ci.manzanita.or.us>; Leila Aman <laman@ci.manzanita.or.us>

Subject: July 26, 2023 remand hearing Manzanita Lofts

The community again thanks all of you for your time and careful consideration of the appeal by Vito Cerelli and hopes that you will honor and respect the measured and thoughtful and unanimous denial by the Planning Commission both in 2022 and again this year.

For those who don't feel qualified to make a legal decision, the Planning Commission gave you the blueprint, as it did the City Council last year. The City Council last year voted to deny unanimously.

The community requests that you vote to again DENY the application, adopting the Planning Commission's findings.

We also request that ORCA be permitted to help write the findings.

The community has not responded positively when asked to testify about the project in public hearings; the community has been against the project in both oral and written testimony.

No one has testified in favor of the project, in multiple hearings.

In the over a year application and revisions, denials and appeals, the project remains vague and without answering the traffic and density concerns.

The latest site plan dated 7\10\2023 does not show anything "new", just a variation to distort the reality.

The "open space park" is still a steep gully, not a walking area, or biking area.

The semantics of "hotel" or STR's does not change the doubling of the density of the area or the traffic involved.

Manzanita is seeing more tourists, more aggressive driving, less consideration of the local residents, and this project will only multiply the problems and stress of the surrounding neighborhoods.

Please deny this project!

Sandy Wood
120 Beeswax Lane
Manzanita

From: erick.opd@gmail.com <erick.opd@gmail.com>

Sent: Tuesday, July 25, 2023 2:10 PM

To: City Planning <planning@ci.manzanita.or.us>; Building <building@ci.manzanita.or.us>

Subject: Manzanita Loft Open Space

Hello, Vito Cerelli asked me to do some calculations for him and supply this letter to you.

Thank you

Erick White, PLS

Survey Manager

Onion Peak Design

11460 Evergreen Way

Nehalem, OR 97131

Cell 503-440-4403

erick.opd@gmail.com

www.onionpeakdesign.com

ONION PEAK DESIGN

11460 Evergreen Way Nehalem OR 97131

PH 503-440-4403

July 24, 2023

Vito Cerelli

Vito.cerelli@gmail.com

Re: Manzanita Loft Open Space

At your recent request, our firm has calculated potential open space scenarios based on the site plan Manzanita Loft. Our firm has performed the previous boundary work for the subject property. Therefore, we imported the site plan provided by the client into our cad file and overlaid the proposed project.

The overall square footage of the property is 167,003 square feet. The contiguous area labeled "Natural Open Space Park w/ Native Planting" combined with the portion of the property lying East of the proposed access road and parking totals 74,349 sq. ft. (44.5% of the total property).

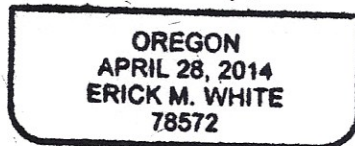
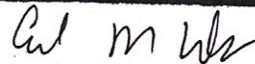
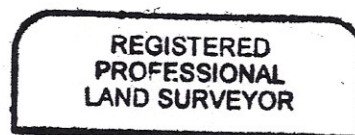
Adjacent zoning per Ordinance No. 12-01 (Classic Street Cottages) utilized all areas outside of the lots, roadway and parking as open space and common space. If the same standards were applied to this project, all of the areas outside of the buildings, roadway and parking could be utilized as open space. The proposed improvements would cover 46,235 square feet leaving 120,768 square feet (72%) as potential open space.

Sincerely,

Onion Peak Design



Erick M. White, PLS 78572
Survey Manager



RENEWS: 8/30/20 24