

Minutes of the
CANNON BEACH PLANNING COMMISSION

Thursday, December 17, 2009
Council Chambers

Present: Chair, Ron Logan; Vice-Chair, Brandon Ogilvie; Commissioners John Holden, Larry Peters, Malcolm Reed, Les Wierson and Herb Florer

Excused: None

Staff: City Planner Rainmar Bartl and Administrative Assistant Brandy Brien

CALL TO ORDER AND APPROVAL OF AGENDA

Chair Logan called the meeting to order at 7:00 p.m.

Motion: Holden moved to approve the agenda; Wierson seconded the motion.

Vote: Holden, Ogilvie, Reed, Wierson, Peters, Florer and Chair Logan voted AYE; the vote was 7/0 in favor and the motion passed unanimously.

DISCUSSION ITEMS

(1) Consideration of the Minutes of the Planning Commission Meeting of October 29, 2009.

Motion: Holden moved to approve the minutes of the Planning Commission meeting of October 29, 2009 as presented; Reed seconded the motion.

In response to a question from Wierson, staff replied that the typo under item #2 with regard to the legal description was revised.

Vote: Holden, Ogilvie, Reed, Wierson, Florer and Chair Logan voted AYE; the vote was 6/0 in favor and the motion passed unanimously. (Peters abstained from the vote since he was not present at the meeting.)

(2) Public Hearing and Consideration of CU 09-05, City of Cannon Beach Request for a Conditional Use, Replacement of Public Restrooms, 2nd and Spruce Street.

No one objected to the jurisdiction of the Planning Commission to hear this matter at this time. No Commissioner stated a conflict of interest or bias. As ex parte contacts, Commissioners indicated they had visited the site.

Bartl summarized his staff report, noting that the applicant, the City of Cannon Beach, is requesting a conditional use permit to replace the two existing buildings with a new restroom facility. The new restroom facility will increase capacity by approximately 25%. He noted that the current building's functionality is problematic and the structures are older and more difficult to maintain. Bartl also reviewed a number of sustainable building design elements, to save energy and conserve water, that are incorporated into the proposed project. The request meets all the relevant criteria and staff recommends approval. Bartl also recommended that any decision should be tentative to allow time for the Commission's consideration of a variance to permit the replacement of the restroom within the required 25-foot setback adjacent to N. Spruce Street. That variance application will be considered at the next meeting.

Chair Logan opened the public hearing and stated that the pertinent criteria were listed in the staff report and criteria sheets next to the west door; testimony arguments and evidence must be directed toward those criteria or

other criteria of the Comprehensive Plan or Municipal Code which the person testifying believes to apply to the decision; failure to raise an issue accompanied by statements or evidence sufficient to afford the decision-makers and parties an opportunity to respond to the issue precludes appeal based on that issue; prior to the conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional testimony, arguments or evidence regarding the application; the Planning Commission shall grant such requests by continuing the public hearing or leaving the record open for additional written testimony, arguments or evidence.

It was noted that there was no additional correspondence.

Chair Logan called for presentation by the applicant, testimony from proponents and testimony from opponents. There was no testimony.

Chair Logan asked for staff response. There was none. Chair Logan closed the public hearing.

Motion: Wierson moved to approve conditional use request for the replacement of public restrooms at 2nd and Spruce Street, subject to final consideration at the next meeting in order to permit consideration of the request for a variance; Peters seconded the motion.

In response to a question from Holden, Jay Raskin, the Project's Architect, reviewed specific elements of the new facility's design.

Vote: Holden, Ogilvie, Reed, Wierson, Peters, Florer and Chair Logan voted AYE; the vote was 7/0 in favor and the motion passed unanimously.

(3) Authorization for the Chair to Sign the Appropriate Orders.

Motion: Reed moved to approve the agenda; Wierson seconded the motion.

Vote: Holden, Ogilvie, Reed, Wierson, Peters, Florer and Chair Logan voted AYE; the vote was 7/0 in favor and the motion passed unanimously.

INFORMATIONAL ITEMS

(4) Ongoing Planning Items

Bartl provided an update on the status of the appeal of CU09-03 to the Council.

Bartl thanked outgoing Planning Commissioner Mick Reed for his common sense and objectivity throughout his tenure on the Planning Commission, Commissioners concurred. Reed stated that his eight years on the Commission have been interesting; he has appreciated City staff, his colleagues and has enjoyed serving the City of Cannon Beach.

(5) Good of the Order

There was none.

ADJOURNMENT

The meeting adjourned at 7:30 p.m.

Administrative Assistant Brandy Brien