

**CANNON BEACH PLANNING COMMISSION**

Thursday January 27, 2000 7:00 p.m.

MINUTES

Present: Chairman Herb Schwab and Commissioners Ron Logan, Janet Rekate, Tracy Gardner, Anita Dueber, Betsy Ayres and Sam Steidel

Staff: City Planner Rainmar Bartl, Administrative Assistant Georgia Shives

CALL TO ORDER AND APPROVAL OF AGENDA

Chairman Schwab called the meeting to order at 7:00 p.m. Ayres moved to adopt the agenda as distributed; Rekate seconded the motion which passed with a unanimous roll call vote.

PUBLIC HEARING: MP 99-01, HLB & ASSOCIATES, ON BEHALF OF PROPERTY OWNER JOSEPH HANNA, MINOR PARTITION REQUEST TO PARTITION AN EXISTING PARCEL, MAP 51030DA, TAX LOT 4100, INTO THREE PARCELS. THE 1.4 ACRE PARCEL IS LOCATED WEST OF HEMLOCK STREET AND EAST OF FOREST LAWN ROAD, AND IS ZONED R2, RESIDENTIAL MEDIUM DENSITY.

No one objected to the jurisdiction of the Planning Commission to continue hearing this matter at this time. None of the Commissioners expressed a conflict of interest. As ex parte contacts all Commissioners indicated they had visited the site.

Bartl reviewed his staff report of January 10. He said in 1987, the Planning Commission approved a minor partition for the lot immediately to the south of the applicant's parcel; in approving the partition, the Planning Commission attached a condition that access to the parcels created by the partition have their access restricted to Forest Lawn Road. Bartl explained that the purpose of the condition appears to have been two-fold: 1) a desire to minimize driveways onto the city's main arterial, Hemlock Street, and 2) retaining an uninterrupted area of vegetation and trees along the west side of Hemlock Street. He said staff is asking the Planning Commission to consider the previous decision and whether to apply a similar restriction to this proposal. Bartl said other than the issue of access restriction, staff recommends approval of the minor partition.

Schwab said there was one house built with the access onto Hemlock Street because the restriction was not placed on the plat of the previous partition; Bartl responded that is correct.

Rekate asked which is the correct minimum lot depth in an R-2 zone, 80' or 90'. Bartl responded that

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it is 80' and he will make the correction in the staff report.

Rekate asked if Bartl could explain a quote in the Fire Department's letter citing the Oregon Uniform Fire Code that requires "every facility, building, or portion of a building hereafter constructed or moved into or within the jurisdiction when any portion of the facility or any portion of an exterior wall of the first story of the building is located more than 150' from fire apparatus access as measured by an approved route around the exterior of the building." Bartl explained that it means all structures need to be within 150' of the fire access road. He said if the exterior of the building is more than 150' from a fire access road, the Fire Chief has two options: 1) require that the fire access road be extended to within 150', or 2) require that the building include fire sprinklers. Bartl said there have been a number of situations like this in the recent past and the requirement has been to install sprinklers.

Schwab said this comes up in the building permit process and is not an issue for the Planning Commission.

Bartl said the Fire District letter notes that Forest Lawn Road does not meet fire access road standard and recommends that the responsible party improve the existing roads to minimum standards. He stated that there are several roads in Cannon Beach that do not meet these standards and is not the city's intent to upgrade Forest Lawn Road. Bartl noted he will discuss the comment about the one-way road and posting no parking signs with Dave Rouse. Plannin Commissioners pointed out the road is already one way. Rekate said she had concerns about cutting down trees if the road is widened.

It was noted that there was no other correspondence.

Chairman Schwab opened the public hearing and stated that the appropriate criteria were listed in the staff report and criteria sheets were next to the west door; testimony 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 evidence, arguments and testimony regarding the application; the Planning Commission shall grant such requests by continuing the public hearing or leaving the record open for additional written evidence, arguments or testimony. Chairman Schwab opened the public hearing and called for a presentation by the representative of the applicant.

Dave Seese, 1665 Cooper St, Seaside, of HL&B Associates, stated he is representing of the applicant, Joseph Hanna. He said he had no objections to the staff report but wanted to make a clarification to it in Section II, Paragraph 2, Item D. He said the easterly lot in Parcel 3, if subdivided, would have access onto Hemlock Street rather than Forest Lawn Road.

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Rekate said that since there is a separation between Parcel #2 and undivided Parcel #3, there could be east-west access to Forest Lawn Road. Seese said that would be a possibility, but it would reduce the buildable area due to the wetlands and minimum lot width requirement.

Ayres asked about the applicant's letter where it states that "Parcel 3 may be further subdivided into two parcels in a future calendar year, if the owner so directs." She questioned if this was to come before the Planning Commission; Seese responded affirmatively. Ayres asked to get clarification about the next paragraph where it states "The client wishes to minimize any additional traffic on Forest Lawn and would locate the driveways on Hemlock Street." Seese responded that the client is proposing that Parcel 1 be accessed from Hemlock Street if approved.

Schwab said the Planning Commission only has two questions before them: 1) whether to accept the provisions of Parcels 1, 2, and 3; and 2) whether to accept any driveways accessing Hemlock Street.

Seese said Parcel 1 in this proposed partition has frontage on both Hemlock Street and Forest Lawn Road. He stated that the clients prefer to see the driveway off Hemlock Street since Forest Lawn is unimproved and also to minimize traffic on that street.

No one else wished to testify.

The public hearing was closed.

### CONSIDERATION OF MP 99-01.

Gardner moved to grant the minor partition request as presented; the motion failed for lack of a second.

Rekate moved to grant the minor partition request by adding the condition that all three lots are accessed from Forest Lawn Road; Steidel seconded the motion which passed with a unanimous roll call vote.

### AUTHORIZATION FOR CHAIRMAN TO SIGN APPROPRIATE ORDERS.

Logan moved to authorize the Chairman to sign the appropriate orders; Rekate seconded the motion which passed with a unanimous roll call vote.

### CORRESPONDENCE

Barl said a letter was received from Peter A. Anderson concerning the inclusion of his property into the city's urban growth boundary. Barl said that Mr. Anderson and his partner own 2-2.5 acre lots

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on the southeast corner of Haystack Heights, and are in the County's Forest 80 zone. He said in recent years they have discussed inclusion into the urban growth boundary, but have never made a formal application. Bartl said it is staff's opinion that it is unlikely that it would be included into the urban growth boundary in the near future since the city has a 20 year supply of vacant land in the city and a 30 supply in the urban growth boundary.

Gardner stated that he has been contacted by Mr. Anderson, at his real estate office, regarding his professional opinion about the property. Gardner asked if he should step down from the discussion. Bartl responded that Gardner he needs to determine whether that conversation biased him in any way. Gardner said he felt it did not. No other commissioners objected to Gardner participating in the discussion.

Bartl said this is not a formal request. The reason it is in the packets is because the letter was addressed to the City Council and Planning Commission, and the last portion of the letter asks for a response.

Ayres said staff should write a response to the letter referring to the dates that staff has previously written them stating a formal application needs to be made to be considered.

Schwab asked Bartl to prepare a letter stating Mr. Anderson has the same options as anyone else and to note it in the file.

### **APPROVAL OF MINUTES.**

Logan moved to approve the Minutes of the meeting of December 16, 1999; Ayres seconded the motion which passed with a unanimous roll call vote.

(Gardner, Dueber and Steidel abstained from voting since they were not present at the previous Planning Commission meeting.)

### **INFORMATION AGENDA:**

#### **ONGOING PLANNING ITEMS.**

Bartl said that a Planning Commission training worksession is planning to be held in Seaside on March 11 and asked if anyone was interested in attending. Steidel and Dueber indicated that they would like to attend.

Bartl stated that the Steve Martin Surfsand application for an addition to the Surfsand Motel, denied by the Design Review Board, appealed to the City Council, and remanded back to the Design Review Board, will have a conceptual review next week before the Design Review Board.

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Bartl said the City Council approved an amendment to the sidewalk policy to extend the sidewalk south of Sunset on the east side of Hemlock Street, adjacent to Wallace property.

Bartl said that at an ODOT design team meeting, it was determined that the work contract would not be granted in September of 2000 as planned, but the following February; ODOT said this change will not affect the actual construction start date.

Bartl said that City Council had a worksession on Cannon Beach build out and wanted time to think about the alternatives before scheduling another meeting. The next Planning Commission worksession was scheduled on February 7 at 8:30 to continue discussing the Cannon Beach build out project.

### **ADJOURNMENT.**

The meeting adjourned at 7:30 p.m.

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Georgia Shives, Administrative Assistant