

Statement in Opposition
To
P# 22-01 & CU# 22-02
Application for Three Lot Partition and Conditional Use Permit
(Tax Lot 04100, Map 51030DA)

My name is Andrew Morrow. My address is 1221 SW 10th Avenue, Unit 811, Portland, Oregon 97205. I oppose the proposed application.

Prior to the pandemic, for ten years I was a regular visitor to Cannon Beach and, having walked in the area many times, I am familiar with the subject property, including the value of the wetlands on the property to the neighborhood and the City; values that have been discussed in testimony by a number of opponents to this application. Land use, development and construction are not my areas of expertise, but I submit these observations being familiar with property, having reviewed the video of the June 23 hearing and having reviewed portions of the extensive document file in the record.

I would urge the Commission, the City Planning staff, and, during the course of development of this project, other elements of City government, to carefully monitor the Applicant's compliance with all City requirements. There are aspects of this development not at issue before the Commission at this time, but on which the Commission and staff may have input including the issue of removal of the Plat restriction prohibiting access to the property from Hemlock Street (an issue which also affects access by the owners of other properties subject to the Plat restriction, not just the Applicant) and construction issues to be addressed in the building permit process.

The Applicant asserts that the wetlands on the subject property have been delineated by their consultant; that no construction will occur on the wetlands and therefore that the project will have no impact on the wetlands. In my opinion, I do not find credible the Applicant's assertion that the partition and development of the three proposed lots will have no impact on the wetlands given the complexity of the construction that will be required as described in the Applicant's own geotechnical report.

The Applicant states its desire to cooperate, but when the City refers to the standards applicable to its wetlands and the protection of trees on the site, the Applicant appears to shift to the assertion that any requirements it might find inconvenient are not "clear and objective" and therefore trumped by the State preference for development of "housing," irrespective of whether the housing in question is what is needed by the City's residents and workforce.

I challenge the Commission and staff to evaluate the Applicants compliance carefully to protect the integrity of the standards included in the City's zoning ordinances and other elements of its Code. Otherwise, the concept of a "Wetlands Overlay Zone" and requirements for a Conditional Use Permit seem irrelevant to protecting the limited wetlands within the City.

Thank you.