



Minutes of the
CANNON BEACH DESIGN REVIEW BOARD
March 21, 2024
6:00 p.m.
Council Chambers

Present: Chair Dave Doering and Board Members Anita Dueber, Michelle Valigura, Harvey Claussen, and Tim Ramey attended in person.

Excused:

Staff: City Manager Bruce St. Denis, Community Development Director Steven Sokolowski, City Planner Robert St. Clair, and Administrative Assistant Tessa Pfund, and IT Director Rusty Barrett, and Special Counsel Bill Kabeiseman.

CALL TO ORDER

Chair Doering called the meeting to order at 6:00 pm.

1) Approval of Agenda

Motion: Valigura moved to approve the agenda; Ramey seconded the motion.

Vote: Doering, Dueber, Valigura, Claussen, and Ramey voted AYE; the vote was 5:0 in favor and the motion passed.

2) Approval of minutes from the February 21, 2024, Design Review Board Meetings

A list of corrections to the minutes were provided.

Motion: Ramey moved to approve the minutes; Valigura seconded the motion.

Vote: Doering, Dueber, Valigura, Claussen, and Ramey voted AYE; the vote was 5:0 in favor and the motion passed.

PUBLIC COMMENT

Chair Doering opened the floor for public comment on a non-agenda item. There were no comments.

NON-HEARING ITEMS

- 3) DRB 24-05** Jen Dixon, applicant, on behalf of the Cannon Beach Library for freestanding signage. The property is located at 131 N. Hemlock St. (Taxlot 7301, Map 51019DD) in a Limited Commercial (C1) zone. The application will be a non-hearing item reviewed against the criteria of Municipal Code, Chapter 17.56, Signs.

Chair Doering asked if there was additional correspondence. There was none.

Chair Doering asked if there was a presentation by the applicant.

Jen Dixon, Library Manager, PO Box 486 Cannon Beach, OR

Came forward to discuss the library sign application, and the need to update the current aging sign. This will be a double facing sign. Ms. Dixon invited questions from the board. Dueber complimented the proposed plans.

Chair Doering asked for presentations by proponents. There were none.

Chair Doering asked for presentations by opponents. There were none.

Chair Doering asked if there were comments from the staff. There were none.

Motion: Valigura moved to approve the application; Dueber seconded the motion.

Vote: Doering, Dueber, Valigura, and Claussen, Ramey voted AYE; the vote was 5:0 in favor and the motion passed unanimously.

- 4) **DRB 24-08, CONSIDERATION OF A FREESTANDING SIGNAGE APPLICATION,**
DRB 24-08 Friends of Haystack Rock application for freestanding signage. The property is located at 1190 S. Pacific St. (Taxlot 10200, Map 51030DA) is a Residential Motel (RM) zone. The application will be a non-hearing item reviewed against the criteria of Municipal Code, Chapter 17.56, Signs.

Chair Doering Requested the staff report. St. Clair read the staff report.

Chair Doering asked if there was additional correspondence. There was not.

Chair Doering asked if there was a presentation by the applicant.

Angela Benton, Representative of Friends of Haystack Rock, PO Box 1222

Gave a presentation on the proposed sign location and existing environmental challenges to the site. The Friends of Haystack Rock are excited for this opportunity to educate the public.

Chair Doering called for presentations from proponents. There were none.

Chair Doering called for presentations from opponents. There were none.

Chair Doering asked if there was a staff response. There was none.

Doering asked if the new installation would block the bench. Dueber posed questions regarding the footprint of the signs and expressed concern for ADA access. She was also concerned this might obstruct the view.

Conversation followed. Valigura expressed a concern with her relationship with the Friends of Haystack Rock, but it was agreed that was unnecessary. Questions followed regarding the content of the signs. Doering asked if the existing signs could be updated. Ramey suggested they require the applicant meet ADA requirements.

Motion: Ramey moved to approve the sign as presented with the proviso that it is ADA compliant; Valigura seconded the motion.

Vote: Doering, Dueber, Valigura, and Claussen, Ramey voted AYE; Dueber Voted NAY. The vote was 4:1 in favor and the motion passed.

ACTION ITEMS

- 5) **Continuation of DRB 24-04 WRB Construction LLC**, on behalf of Tolovana Sands Condominiums, Application for exterior alterations to existing buildings. The property, 160 E. Siuslaw, TAXLOTS 51032CB70001, 70002, 70003, 70102, 70103, 70104, 70105, 70106, and 70201 consists of multiple owners within a homeowner's association and is in a Residential Motel (RM) Zone. The application will be reviewed against the criteria of municipal code chapter 17.44.080 – 17.44.100, design review criteria.

Chair Doering asked if anyone objected to the jurisdiction of the Design Review Board to hear this matter at this time. Doering asked if any Commission member believes they have a conflict of interest or personal bias. Doering asked if any Commission member had any ex parte contacts or made a site visit. Valigura and Doering declared a site visit.

St. Clair read the staff report.

Chair Doering asked if there was additional correspondence on this matter. There was none.

Chair Doering opened the public hearing and stated the pertinent criteria were posted; testimony and evidence must address those criteria or other applicable criteria; failure to raise an issue accompanied by statements or evidence sufficient to permit the decision makers to respond to the issue would preclude appeal based upon that issue; prior to the conclusion of the initial evidentiary hearing, any party may request that the hearing record remain open for at least seven days for the submission of additional testimony or evidence; persons who testify shall first receive recognition from the chair, state their full name and mailing address, and if appearing in a representative capacity, identify whom they represent.

Chair Doering asked for a presentation from the applicant.

Brian Mullen, Representative of WRB Construction 12705 SW Herman Rd. Tualatin, OR
Mr. Mullens expressed sincere thanks for the opportunity to come back to present the application again on behalf of Tolovana Sands Condominiums. Mr. Mullen provided a physical example of the proposed siding update for the Tolovana Sands. He also provided a back up sample of the proposed coloring for the condos. Mr. Mullen prepared a material data cost presentation for the board's reference and provided paint samples.

Dueber said she was happy with the proposed shades. Valigura expressed doubt with the white trim.

Chair Doering asked for testimony from proponents. There were none.

Chair Doering asked for testimony from opponents. There were none.

Chair Doering asked for additional staff response. Sokolowski reminded the board that last month they granted conditional approval to begin limited construction.

Chair Doering asked for a motion.

Motion: Claussen moved to approve the architectural design; Valigura seconded the motion.

Vote: Doering, Dueber, Valigura, and Claussen, Ramey voted AYE; the vote was 5:0 in favor and the motion passed unanimously.

- 6) **DRB 24-06** David Bisset, applicant, on behalf of Cannon Beach Conference Center for exterior alterations to existing structures and landscaping changes. The property is located at 289 N. Spruce St.

(Taxlot 100, Map 51020CC) in a Residential Motel (RM) zone. The application will be reviewed against the criteria of Municipal Code, Chapter 17.44.080 – 17.44.100, Design Review Criteria.

Chair Doering asked if anyone objected to the jurisdiction of the Design Review Board to hear this matter at this time. Doering asked if any Commission member believes he or she has a conflict of interest or personal bias. Doering asked if any Commission member had any ex parte contacts or made a site visit. Board members acknowledged they walk by the site often.

Chair Doering asked for the staff report. St. Clair read the staff report.

Chair Doering asked if there was additional correspondence. There was none.

Chair Doering opened the public hearing and stated the pertinent criteria; testimony and evidence must address those criteria or other applicable criteria; failure to raise an issue accompanied by statements or evidence sufficient to permit the decision makers to respond to the issue would preclude appeal based upon that issue; prior to the conclusion of the initial evidentiary hearing, any party may request that the hearing record remain open for at least seven days for the submission of additional testimony or evidence; persons who testify shall first receive recognition from the chair, state their full name and mailing address, and if appearing in a representative capacity, identify whom they represent.

Chair Doering asked for testimony from the applicant.

David Bissett, Architect on behalf of the CBCC, 4788 Sheridan Dr. Gearhart Oregon 97138

Mr. Bissett appeared via Zoom and thanked the board for their time. He explained the Conference Center's intention for the updates to their buildings. The goal is to clean up their front facing access to make it more identifiable and accessible. All color schemes are intended to complement and match the Conference Center grounds.

Chair Doering pointed out that the front doors would open into the landscaping. This doesn't appear compatible. Bissett explained there were time constraints to the presented plans, and there is an intent to come back with further design plans. In general, this plan was intended to have the room open to a direct view of the landscaping and sunshine.

Sokolowski commented that those commercial doors, without a sidewalk, would still have ADA requirement to meet. Bissett explained that these doors are not so much meant for access, but to be a location to look out from, like a cafe. The doors swing out, and the nearest tree is six feet away. The actual access to the building is on the other side, and there are ADA accessible entries. Claussen asked if these doors should be considered as large opening windows? Bissett responded and expressed they would be willing to make them large windows, so long as they could maintain that open view. Ramey posed questions relating to the doors and boarding structure, highlighting that the presented plans couldn't pass the building departments requirements. Conversation followed. Bissett tried to accommodate the applicants desired updates and address concerns that will need to be made. Chair Doering stepped out of the room for a few moments. Sokolowski continued to converse with Mr. Bissett.

Dueber asked if they would need a new application for landscaping. Sokolowski said yes. Ramey expressed concerns with the building requirements. Chair Doering returned. Ramey pointed out that there must be a landing to go with the door, and that couldn't be approved by a building official. Bissett understood. Claussen said since there's no real access to those doors at all it would appear this is an incomplete plan. Bissett asked if they would not deny the whole application, but maybe approve a portion of it or let him come back and present again.

Ramey asked what the plan included beyond doors and windows. Bissett said there are interior changes that involve non-structural wall elements. The goal is to refurbish the Coash House interiors and to make the space more open, airy, and friendly. Bissett described other exterior updates proposed in the plans.

Glen Miller, Maintenance Manager for the CBCC, PO Box 943

Shared that they are focusing on the other side of the building too. They would like to see if they can begin working on that part of the building if the Coach House needs to be put on pause.

Doering commented that he wanted to propose something similar. Conversations followed. Valigura asked if they are changing the door colors. Bissett said yes, they are moving from red solid panel doors and move to a white french doors with all glass. This will have a residential look. Ramey directed the board's attention to the plans on A2, the existing Coach House and the fire rating of that room. Bissett's understanding, at this time, is that they are not required to be egressed. Ramey stated that they are considering approving the plans on A2.1, and continuing the rest of the application. Dueber shared that we must be very clear on what we want to see on the resubmittal. Doering asked that they include the landscaping design with the application.

Motion: Ramey moved to approve the plans on A2.1 only, and the plans on A2.2 will be continued at a later meeting; Valigura seconded the motion.

Vote: Doering, Dueber, Valigura, Ramey and Claussen voted AYE; the vote was 5:0 in favor and the motion passed unanimously.

Sokolowski stated that he will work with Bissett on the resubmittal of their plans and landscaping designs.

The board took a five-minute break.

- 7) **DRB 24-07** CIDA Inc., applicant, on behalf of the City of Cannon Beach for a new City Hall building. The property is located at 163 E. Gower St. (Taxlots 11900 and 12000, Map 51030AD) in a Limited Commercial (C1) zone. The application will be reviewed against the criteria of Municipal Code, Chapter 17.44.080 – 17.44.100, Design Review Criteria.

Chair Doering asked if anyone objected to the jurisdiction of the Design Review Board to hear this matter at this time. Claussen objected to the Design Review Board hearing this item. Claussen read a prepared statement. Claussen moved that we waive our judgement and assume only an advisory role. Dueber seconded his statement. Kabeiseman interjected, and shared that Oregon State Law says that city law must still comply. The DRB tonight is acting in a regulatory fashion. They have the authority to review the application, and they do have jurisdiction. If they choose not to, that would be an interesting conundrum. It invites the question to the extent you feel uncomfortable making board decisions and so on. He suggested they might approve the application with advice to go along with it. He invited the board to talk it out with him. Claussen asked if they may waive jurisdiction. Kabeiseman was unsure if they could choose not to decide. He recommended that they approve the application with recommendations to the council. Claussen said this is a charade as the council can overrule the DRB's decision, and it would put them in a difficult position as well. Kabeiseman reminded him that they do have authority to make a decision.

Ramey reminded the board that there was motion on the floor, and it was seconded, would that need to be withdrawn? Conversation followed. It was mentioned that the two previous projects they decided on, the midtown restrooms and the elementary school, were overruled by the council. Claussen said maybe they could give their best advice but not rule. Claussen mentioned that some cities don't even have design review boards. Ramey said the advice is to withdraw the motion, accept the jurisdiction, then make a motion to approve. Conversation followed. Valigura reminded them they can set conditions. Dueber wasn't sure about setting conditions for CIDA or city council. It might be the best compromise to move forward as an advisory group. Claussen said he didn't want it noted that they rubber stamped the project. Claussen did not understand why, legally, they couldn't waive jurisdiction. Kabeiseman reminded them that they are appointed to this board and have a specific role. The practical piece of this is that if you do this and make no decision then it leaves this application in limbo. If there is no approval or denial, then there's nothing to get to City Council. Claussen asked another clarifying question. Kabeiseman said they have the authority to approve. Claussen said it could go to council by the council appealing it themselves. Kabeiseman was confused. Ramey asked how planning handles the permitting process if a DRB approval was required and that didn't happen? Sokolowski answered.

Valigura asked if the staff received a copy of the letter Claussen gave to the board right before the meeting. They did not. Conversation followed.

Claussen withdrew his motion. Ramey asked if he withdrew his objections to jurisdiction which is on the record. Claussen did not want to withdraw that objection. Kabeiseman spoke to that. Claussen withdrew his objection to their jurisdiction.

Doering asked if they wish to close the hearing. Sokolowski asked that they proceed with all the steps.

Doering asked if any Commission member believes he or she has a conflict of interest or personal bias. Doering asked if any Commission member had any ex parte contacts or made a site visit. Board members declared their site visits.

Chair Doering asked for the staff report. Steve Sokolowski provided a brief report.

Chair Doering asked for testimony from the applicant.

Leslie Jones, CIDA

Expressed that she was happy to accept any questions the board may have. Doering asked what the garage was for. She responded with the intended uses for the garage.

Doering wanted more information on the arborist's report. Others said they wanted to see more native plants. Jeff Gerhardt commented that he was available on Zoom for questions. No questions were asked. Dueber expressed hesitations with the hard landscaping around the building, and the signage.

Conversation ensued about what the board wanted to review today.

Jeff Gerhardt, Cannon Beach City Arborist

Gerhardt shared that it was a good time to update this urban forest and phase in new trees. He proceeded to describe the proposed landscape with native plants.

Dueber asked if the patio was brick or cement. CIDA said they will use pavers.

Gerhardt asked if there were questions on the trees? Claussen asked if they were removing the flowering cherry trees. He said yes, they have multiple structural defects.

Chair Doering asked for testimony from proponents. There was none.

Chair Doering asked for testimony from opponents. There was none.

Chair Doering asked for additional staff response. There was none.

Chair Doering asked if the applicant would like to make additional statements.

Jones said that in terms of the plaza area, their consideration is as a staff amenity and for the community, especially for the farmers market as a gathering area. As for signage, they were trying to match what is permitted by the code and are happy to work with whatever advice they receive. Distaste for the sign was expressed. Dueber mentioned that she would've liked to have operated in an advisory role. Ramey encouraged her to express these ideas, as they will be included in the minutes.

Doering asked if there were samples of the solar energy panels. Jones shared their intention for roof solar panels and pulled up images to reflect the layout. The landscaping design and plant selection was very intentional as they won't get too big and interfere with the solar panels.

Chair Doering closed the hearing.

Doering asked to entertain a motion.

Motion: Ramey moved to approve the plans; Dueber seconded the motion.

Vote: Doering, Dueber, Valigura, and Ramey, voted AYE; Claussen abstained. The vote was 4:0 in favor and the motion passed.

Doering asked for a motion of approval for the architectural designs. Valigura commented that she does not like the lettering. It was suggested these be added as a condition and stated for the minutes.

Motion: Valigura moved to approve the architectural design with the understanding that the board does not like the sign; Ramey seconded the motion.

Vote: Doering, Dueber, Valigura, and Ramey voted AYE; Claussen abstained. The vote was 4:0 in favor and the motion passed.

Chair Doering led the board to discuss the landscaping.

Ramey moved to approve the landscape design, but there was no second. Chair Doering asked if there was a motion to deny the landscape design. Dueber asked a clarifying question. Ramey asked what they did not like. Valigura said she wanted them to use all native plants. The board engaged in conversation. It was repeated that they did not want to put conditions on their approvals. Dueber asked if they could approve the landscape design with the condition of them using as many native plants as possible. Ramey volunteered to amend his motion.

Motion: Ramey moved to approve the landscape design with use of as many native plants as possible; Valigura seconded the motion.

Vote: Doering, Dueber, Valigura, and Ramey voted AYE; Claussen abstained. The vote was 4:0 in favor and the motion passed.

Doering asked for another motion for the chair to sign.

Motion: Valigura made the motion for the chair to sign; Claussen seconded the motion.

Vote: Doering, Dueber, Valigura, Claussen, and Ramey voted AYE. The vote was 5:0 in favor and the motion passed.

DISCUSSION ITEMS

8) Good of the Order

There was none.

9) ADJOURNMENT

Chair Doering adjourned the meeting at 8:11pm

Tessa Pfund, Community Development and Planning
Department Administrator