



September 14, 2020

City of Coos Bay
Planning Dept.
500 Central Avenue
Coos Bay, OR 97420
cc: derler@coosbay.org

Re: Placeholder for Stormwater Easement

To Whom It May Concern:

The applicant has received confirmation from the North Bend Airport that they will allow a 15' foot easement for maintenance of the applicant's proposed stormwater overflow.

This easement paperwork will be submitted to the City of Coos Bay and the City of North Bend when it has been completed.

Thank you,

Hailey Sheldon

EASEMENT

RECORDED BY
FIRST AMERICAN TITLE
13-045

Jeff Marineau and Steve Plinski
510 Highland Avenue
Coos Bay, Oregon 97420
First Party

Coos County Airport District
1100 Airport Lane
North Bend, Oregon 97459
Second Party

After recording return to:

Jeff Marineau
510 Highland Avenue
Coos Bay, Oregon 97420

THIS AGREEMENT is made and entered into this 19th day of July, 2013 by and between Jeff Marineau and Steve Plinski, hereinafter called first party and Coos County Airport District, hereinafter called second party, WITNESSETH:

WHEREAS, First party is the record owner of the following described real property in Coos County, Oregon:

Government Lot 4 and the tidelands fronting thereon, in Section 8, Township 25 South, Range 13 West of the Willamette Meridian, Coos County, Oregon APN 3113.00

And the second party is the record owner of the following described real property in Coos County, Oregon:

A parcel of land located in the Southwest corner of Government Lot 5 of Section 9 of Township 25 South, Range 13 West of the Willamette Meridian and also known as a portion of Map and Tax Lot 25S-13W-09-100.

And the two parcels of real estate adjoin one another and the two parties desire to grant to each other an easement and right to use a roadway for ingress and egress purposes to be constructed along and upon a portion of each parcel for the benefit of both parties.

Said easement shall allow the first party to construct said easement for purposes of ingress and egress to the first party's property including but not limited to an easement for street improvements, curbs, all underground and overhead utilities all to be done at the first party's sole cost and expense.

NOW, THEREFORE, in consideration of each party's granting to the other an easement hereinafter described, and other valuable consideration paid to each other, the receipt of which is hereby acknowledged:

Second party conveys to first party a perpetual easement for the purposes as is set forth herein, along and upon that portion of the second party's property described as follows:

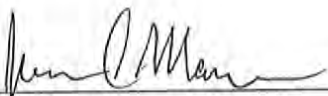
Beginning at a brass cap at the corner of sections 8,9,16, and 17, Township 25 South, Range 13 West, Willamette Meridian, Coos county, Oregon, thence S87°07'02"E along the line between Sections 9 and 16 a distance of 156.02 feet to a point; thence N1°48'11"E a distance of 35.00 feet to a point; thence N87°07'02"W a distance of 156.00 feet, more or less, to the line between Sections 8 and 9; thence South along said line a distance of 35.00 feet to the point of beginning.

Each party may use the whole easement in common with the other party, including that portion thereof situated on the property of the other party for ingress and egress and for the purposes as is set forth herein.

The cost of all maintenance and costs of all improvements shall be the responsibility of the first party; until such time that the city of North Bend takes control of these improvements for purposes of public use.

The parties acknowledge that it is the desire of the first party to develop or have their assigns develop the property for a residential or other form of development and that this agreement is binding upon the heirs, successors and assigns.

IN WITNESS WHEREOF, the parties have executed this instrument on the date stated above.


Jeff Marineau

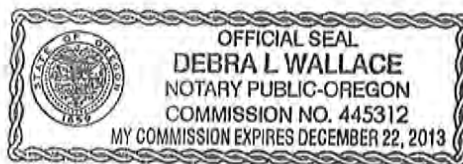
STATE OF OREGON, County of Coos.

This instrument was acknowledged before me on the 19th day of July, 2013

by Debra L Wallace.

Notary Public for Oregon

My commission expires: 12/22/2013




Steve Plinski

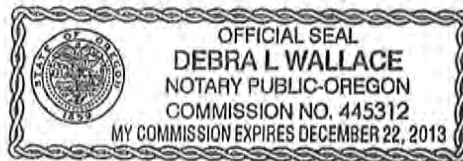
STATE OF OREGON, County of Coos.

This instrument was acknowledged before me on the 19th day of July, 2013

by Debra L Wallace.

Notary Public for Oregon

My commission expires: 12/22/2013



Theresa Cook
Theresa Cook, Executive Director

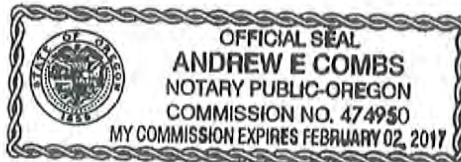
STATE OF OREGON, County of Coos.

This instrument was acknowledged before me on the 25th day of July, 2013

by Theresa Cook.

Notary Public for Oregon

My commission expires: February 2, 2017



Joe Benetti
Joe Benetti, Chairman of the Board
John Briggs, Vice Chairman

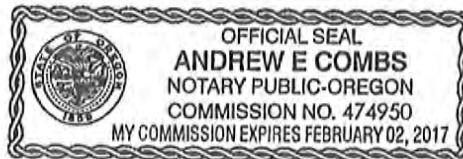
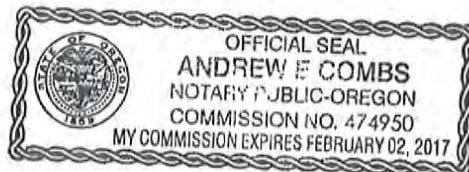
STATE OF OREGON, County of Coos.

This instrument was acknowledged before me on the 25th day of July, 2013

by John Briggs.

Notary Public for Oregon

My commission expires: February 2, 2017





2305 Ocean Boulevard
P. O. Box 539, Coos Bay, Oregon 97420-0108
Telephone: (541)267-3128 Fax: (541)269-5370

Ivan Thomas, General Manager

August 12, 2020

Justin C. Wilson, P.E.
JC Wilson Engineering & Consulting, LLC
P.O. Box 162
North Bend, OR 97459

SUBJECT: Water Service for The Bluffs subdivision

Dear Eric:

This letter is to advise you that Coos Bay-North Bend Water Board has adequate supply and pressure to serve the proposed The Bluffs subdivision in Coos Bay, Oregon. The new service lines can be connected to the existing 8-inch diameter main at the intersection of Roosevelt and Connecticut Avenue in North Bend, and the 6-inch diameter main on Maxwell Road in Coos Bay.

Connecting at both available locations would maximize fire flow to the subdivision. Connection at both locations is not a requirement unless your design shows that fire flows will be insufficient to afford the level of protection required by the Coos Bay Fire Department.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matt Whitty".

Matt Whitty, PE, PLS
Engineering Manager

**CITY OF NORTH BEND
CITY COUNCIL AGENDA ACTION SHEET**

Date : June 23, 2020

Agenda Number : 7

Agenda Title : Agreement to serve with Utilities, and allow opening (full improvements) of 156 feet of Connecticut Ave. in North Bend.

Presented By : Ralph Dunham- Public Works Director.

Explanation :

In summer of 2019 City staff was approached by a prospective buyer of TL 200 T25S R13W S8 which is the property west of the airport in the City of Coos Bay (old Navy Trap Range) north and west of the westerly end of Connecticut St. The purchaser advised he was looking at sanitary sewer services options, along with access to the property. Currently Connecticut Ave. is unimproved from the end of Roosevelt Ave., west to Coos Bay City Limits. The parcel is currently accessed over an existing gated gravel road in Connecticut Ave. right of way approximately 120 feet in length, or through Maxwell Ln in Coos Bay through a gated gravel road approximately 870 feet in length. The site elevation is such that sanitary sewer would require pumping to either City, North Bend system approximately half the distance from the property, and similar features with all other utilities. Brad Woodruff of Red Moon Development therefore during his due diligence in purchasing the property contacted staff to see if, and with what requirements if known, the property could be served through connection to the City of North Bend. Mr. Woodruff was told at that time that it would require City Council approval, and development would be required to meet City Standards, however with Council approval, and after I conducted preliminary investigation into capacity issues (none found at that time), with agreement from the City of Coos Bay he could conceivably connect utilities and street improvements to the City of North Bend. Coos Bay staff indicated they had no issues

either way he chose to connect. Mr. Woodruff subsequently purchased the property.

Mr. Woodruff submitted a letter last week requesting connection to the City of North Bend utilities, and approval to submit plans for improving Connecticut Ave. to access his property. Mr. Woodruff's intended development now is a 14-unit residential subdivision development (see attached preliminary plan). The obvious reason for this request is the extent of development required – North Bend is developed much closer to the property. Terence discussed possible annexation with Mr. Craddock, City of Coos Bay, however Coos Bay is not interested in giving up the tax income.

I have reviewed this preliminary proposal in relation to potential impacts to the City of North Bend. Utility services provided by the City of North Bend are sanitary sewer and storm water. We have a 24" storm line directly adjacent to the property (approx. 15' east on airport property) and a sanitary sewer pump station located 120 feet east of the property which was originally constructed by Mag 7 Enterprises (Sea Breeze Subdivision), and was designed to serve their 60 lot subdivision, Benny Hempstead's 11 lot subdivision, and included 20 dwellings on Wayne Shrunk's property south of Palm Island (Benny's subdivision), which all 3 provided proportionate funding for the pump station in 2006 (91 dwelling units). To date, 56 lots are developed, and the pump station is running at less than half capacity (theoretical capacity is 150-170 units). The capacity of the pump station as well as the collection system and treatment plant allow for this additional connection. Our agreement with Coos Bay indicates who ever supplies service collects fees, and is responsible for maintenance of the utility. Initial connection fees for 15 units would be \$9,600 and annual sewer fees over \$5,400/year. I assume we could collect our storm water fees also – as we are serving the property and could make it a condition of approval (approx. \$800/year).

Coos Bay would receive the property taxes from this project, as well as franchise fees and gas tax revenues, supply police and fire protection. The portion of Connecticut Ave. improved would be ours to maintain. Based upon a pavement replacement plan every 20 years, minor maintenance of curb etc. Current pavement costs and miscellaneous maintenance for the short extension of Connecticut Ave. would be

approximately \$20,000 every 20 years (bid cost on Sherman is \$3.75/sf for removal & replacement). A sinking fund value (3% inflation, 5% earnings rate) would require an annual payment of \$823.20 per year for the maintenance cost associated with this street. We should add however a minimum of \$300/year for annual maintenance activities associated with owning a street. Traffic generated from this development will obviously be utilizing North Bend streets, however other than additional use of Roosevelt Ave., would likely be using our streets anyway. Estimated daily volume of traffic is 148 vehicles per day, less than the 500 vpd which triggers a traffic study in our ordinance.

Assuming appropriate user fees (sewer and drainage) are charged, no initial cost to the City (developer funds all improvements) and a condition of the development paying an annual street maintenance fee of approximately \$1,100/year, I see no issues with authorizing the opening of Connecticut Ave. and providing utility service to this property.

Fiscal Impact : Current value \$6,200 per year in utility fees, and \$1,100 per year in street maintenance fees.

Staff Recommendation: To allow Red Moon Development to open City of North Bend right of way to City standards and connect to City of North Bend Utilities based upon the condition of a street maintenance fee and storm user fees be paid to the City of North Bend (sanitary sewer is already addressed in our IGA with the City of Coos Bay).

Council Action: Connecticut Ave. Improvements & Connection.

_____ Passed

_____ Tabled

_____ Failed

PLANNING FOR COMMUNITY AND ECOSYSTEM RESILIENCE ON THE OREGON COAST

The Oregon Coastal Management Program sought the City's support for a National Fish and Wildlife project titled "Planning for Community and Ecosystem Resilience on the Oregon Coast. Public Works Director Ralph Dunham explained that the project would leverage existing efforts and partnerships in coastal zone land use planning to draft Estuarine Resilience Action Plans.

He mentioned that The City already supports similar efforts, having adopted the Coos Bay Estuary Management Plan along with special estuary, floodplain, and tsunami hazard overlays and land use regulations. This project would expand upon those efforts but is not something that they necessarily should do and they do not need our support to go through with the grant but being a cosigner would allow the City to potentially shape rules and regulations

Councilors Graham and Erberle expressed their concerns about such a partnership as information from other meetings ~~had led them to understand~~ it could add another level of bureaucracy to doing anything in the coastal zone.

Item died for lack of a motion.

AGREEMENT TO SERVE WITH UTILITIES, AND ALLOW OPENING (FULL IMPROVEMENTS) OF 156 FEET OF CONNECTICUT AVE. IN NORTH BEND.

Public Works Director Dunham received a request to open 156 ft of Connecticut off the end of Roosevelt and the connection of sewer utilities from the City of North Bend. He explained this was the first step in a project for Red Moon Development to develop up to 15 single family units. The development would still need to go through Planning Commission and the development process.

Councilor Mike Erberle recused himself. Councilor Larry Garboden moved, and Jessica Engelke seconded, to agree to serve with utilities and allow opening of 156 feet of Connecticut Ave. The motion carried unanimously.

AUTHORIZATION TO AWARD MADRONA ST. #1 PAVING & UTILITY REHABILITATION PROJECT

Public Works Director Dunham explained that all bids were complete. Bids received ranged from \$478,828 - \$491,950 with the apparent low bidder being Laskey Clifton Inc. Work was stipulated to be completed prior to Oct. 15, 2020. In review of the bids, the only anomaly noted was the site restoration bid item (\$1) by Laskey Clifton Inc., all other items appeared reasonable. He noted that while cleanup & site restoration is at the end of the project, we also would be holding approximately \$24,000 in retainage at that time to insure site is properly restored. The project would be \$478,828.40 split amongst funds 02-0079841, 12-00-79840, and 14-00-79870 based upon the bid schedule items split. Public

From: Ralph Dunham rdunham@northbendcity.org
Subject: RE: Next Steps: Bluffs Subdivision
Date: September 23, 2020 at 3:27 PM
To: Hailey Sheldon hailey@sheldonplanning.com, Derek Windham emap@northbendcity.org
Cc: Dan Kyelberg mdkconst12@hotmail.com

RD

Hailey:

Steps are as follows:

Submit with a right of way use application the street design for Connecticut, including drainage plan for the public portion of the street, and any utilities to be located within the public street, including details for any required signage, ADAAG accessibility, etc.

Submit with DEQ approval the sanitary sewer design, connection details to our system, and clearly demarking the publicly maintained portion.

Submit connection details to our storm sewer for the drainage line from the subdivision.

Submit specifications for construction related to any of the public improvements.

Next we review, comment, require modifications as necessary, and approve for construction.

You then build these facilities, with required documentation and city inspection as necessary.

You then submit record drawings of the constructed facilities, any O & M information necessary and the City does a final inspection.

You then complete any items noted as deficient, and City staff forward to City Council with a recommendation for acceptance (or not if improperly constructed) for maintenance. At that point you are complete.

Ralph Dunham, PE, PLS, CWRE
Director of Public Works
P.O. Box B, North Bend OR, 97459
(541) 756-8586
rdunham@northbendcity.org

From: Hailey Sheldon <hailey@sheldonplanning.com>
Sent: Wednesday, September 23, 2020 12:59 PM
To: Ralph Dunham <rdunham@northbendcity.org>; Derek Windham <emap@northbendcity.org>
Cc: Dan Kyelberg <mdkconst12@hotmail.com>
Subject: Next Steps: Bluffs Subdivision

Ralph and Derek: please let me know what additional steps Red Moon Development must complete in order to do the work they have proposed in the Connecticut ROW, to serve the Bluffs subdivision. I've attached the June 23rd agreement from the North Bend

City Council, to serve the proposed development w/ utilities and allow the improvement of 156 feet of Connecticut Ave. We've submitted our application for subdivision, site development, and the vacation of Maxwell Street to the City of Coos Bay; that application is [here](#).

Let me know what's next with North Bend.

Thanks for your help.

Best,

hs

Hailey Sheldon
Sheldon Planning
444 N 4th Street | Coos Bay Oregon
(541) 968-4686 | hailey@sheldonplanning.com