

## STAFF REPORT

### Variance & Site Plan Review (Type III)

**REVIEWER:** Debbie Erler, Planner

**HEARING BODY:** Planning Commission

**DATE & TIME:** November 12, 2019 at 6:00 p.m.

**HEARING LOCATION:** Council Chambers, City Hall, 500 Central Avenue, Coos Bay

**APPLICANT/OWNER:** Coos Bay School District #9  
1255 Hemlock Ave., Coos Bay, OR 97420

**APPLICANT'S REPRESENTATIVE:** Steele Associates Architects  
686 NW York Dr., Bend, OR 97703

**SUBJECT PROPERTY:** 755 S 7<sup>th</sup> Street, Coos Bay, OR 97420 (25-13-34AD – 100)

**SUBJECT:** **VARIANCE & SITE PLAN REVIEW #187-18-058**

**PART I Variences** An eight (8) foot variance to the 35-foot height restriction as outlined in the Urban Public zoning district (CBMC, Chapter 17.372.040) and a 33 space Variance to the number of required bicycle parking spaces

**PART II Site Plan Review** Replace existing “Harding Learning Center” with a new three-story, 50,000 square foot “Marshfield Junior High”.

---

#### I. **APPLICANT'S REQUEST**

The applicant is proposing to construct a new Jr. High School to replace the existing Harding Building. The new structure will be three-story and approximately 50,000 square feet, with associated parking, landscaping, play areas and infrastructure improvements including water, sanitary and storm sewer systems and electrical services.

The proposed structure has a height of 43-feet, which is 8-feet above the 35-foot height regulation; Therefore, an 8-foot variance is required. The applicant is also requesting a 33-space variance to the number of required bicycle parking spaces.

## II. APPLICABLE REGULATIONS (including, but not limited to)

Coos Bay Municipal Code:

- Chapter 15 Building and Construction (including Fire Code)
- Chapter 17.255 Urban Public (UP)
- Chapter 17.330 Off-Street Parking and Loading Requirements
- Chapter 17.335 Supplemental Development Standards
- Chapter 17.365 Site Plan Review
- Chapter 17.372 Variance
- Chapter 18 Engineering Design Standards

## III. STAFF RECOMMENDATION

As there is sufficient evidence in the record upon which an approval can be based; staff recommends approval of land use application #187-19-058 with conditions as found on page 15-18 of this staff report. This staff report was prepared utilizing the applicant's submittal information and related chapters of the City of Coos Bay Municipal Code, available in the Public Works and Community Development Department and on the City's website.

## IV. SECTION 17.372 DECISION CRITERIA, STATEMENT OF FACT/FINDINGS AND CONCLUSIONS

### **PART I – VARIANCE #1** (CBMC Chapter 17.372)

The following is a list of the decision criteria applicable to the request. According to Chapter 17.372 of the City of Coos Bay Municipal Code (CBMC) a Variance request must be supported by the applicable decision criteria. Each criterion is followed by findings or justification statements.

The applicant is proposing an overall height of forty-three (43) feet. The Urban Public and the Commercial zone require a Variance for any structure with a height over 35-feet; Therefore, an eight (8) foot Variance is requested.

**APPROVAL CRITERION A. The variance is the minimum variance necessary to make reasonable use of the property.**

#### **STATEMENTS OF FACT AND FINDINGS:**

- A1. The Coos Bay School District proposes a building height of 43-feet. An eight (8) foot variance is being requested because typical school design requires a floor to floor height of 14'-0". The limited size of the project area makes a three-story structure necessary to accommodate the classrooms necessary for the anticipated 450 students.

**APPROVAL CRITERION B. The variance will not result in violation(s) of any other code standard, and the variance will meet the purposes of the regulation being modified.**



**STATEMENTS OF FACT AND FINDINGS:**

- B1. The proposed eight (8) foot Variance to the 35-foot height restriction, will not result in violations of any other code and the variance will meet the purpose of the regulation being modified.

**APPROVAL CRITERION C. The need for the variance was not created by the applicant and/or owner requesting the variance.**

**STATEMENTS OF FACT AND FINDINGS:**

- C1. According to the applicant, typical school design requires approximately 14 feet floor-to-floor to accommodate mechanical, plumbing, electrical and communication systems. Given the site constraints - relatively small site, adjacent stadium and baseball fields, and adjacent high school - and district requirements for parking, vehicular access and pedestrian circulation, a 3-story solution is proposed for the new middle school on this site.

**APPROVAL CRITERION D. If more than one variance is requested, the cumulative effect of the variances results in a project that is consistent with the overall purpose of the zone**

**STATEMENTS OF FACT AND FINDINGS:**

- D1. There are two variances being requested on this project. The first variance is to the height regulation (As regulated by CBMC 17.255) and the second variance is to the number of required bicycle parking spaces (As regulated by CBMC 17.330.030). With approval of both variances, the project is consistent with the overall purpose of the zone.

**CONCLUSION:** The need for the variance is to provide appropriate floor to ceiling space as required for typical school design. The proposed 43-foot building height is necessary to accommodate the needs of the school districts anticipated student population and the limited area available to the project makes a three-story structure necessary; Therefore, approval can be support.

**PART I – VARIANCE #2** (CBMC Chapter 17.372)

The following is a list of the decision criteria applicable to the request. According to Chapter 17.372 of the City of Coos Bay Municipal Code (CBMC) a Variance request must be supported by the applicable decision criteria. Each criterion is followed by findings or justification statements.

According to the applicant’s submittal the anticipated student population is 450. Based on the submitted site plan, the applicant is proposing to provide 12 bicycle parking spaces. CBMC Chapter 17.330.030 requires one spaces for every 10 students; Therefore, the applicant is requesting a 33 bicycle parking spaces variance.



**APPROVAL CRITERION A. The variance is the minimum variance necessary to make reasonable use of the property.**

**STATEMENTS OF FACT AND FINDINGS:**

- A1. (4) All uses, except for single-family dwellings and duplexes, required to provide off-street vehicle parking shall provide bicycle parking consistent with the standards in Table 17.330.030.

Table 17.330.030 – Bicycle Parking

Type of Use	Number of Bicycle Parking Spaces
Industrial, institutional and public uses	Schools – One space per 10 students

- A2. According to the Traffic Impact Analysis the Coos Bay School District anticipates an occupancy of approximately 450 students; Therefore, 45 bicycle parking spaces is required (Per CBMC 17.330.030). According to the submitted site plan 12 bicycle parking spaces are proposed.
- A3. A letter received on November 5, 2019 from Bryan Trendell, Coos Bay Public Schools Superintendent, indicates that the district has very few students who ride bikes to school. Most of the students ride the bus or are dropped off by someone. The remainder who live near the school walk and a few ride skateboards, but bike riders have declined to almost none (*Attachment B*).

**APPROVAL CRITERION B. The variance will not result in violation(s) of any other code standard, and the variance will meet the purposes of the regulation being modified.**

**STATEMENTS OF FACT AND FINDINGS:**

- B1. The proposed variance to the number of bicycle parking spaces provided will not result in violations of any other code and the variance will meet the purpose of the regulation being modified.

**APPROVAL CRITERION C. The need for the variance was not created by the applicant and/or owner requesting the variance.**

**STATEMENTS OF FACT AND FINDINGS:**

- C1. According to the applicant (Coos Bay School District), the need for the variance is created by the lack of students that ride their bikes to school, making 45 bicycles parking spaces unnecessary (*As outlined in Approval Criterion A3*).



**APPROVAL CRITERION D. If more than one variance is requested, the cumulative effect of the variances results in a project that is consistent with the overall purpose of the zone**

**STATEMENTS OF FACT AND FINDINGS:**

- D1. There are two variances being requested on this project. The first requested variance is to the height restriction (As regulated by CBMC 17.255). The second variance is to the number bicycle parking spaces being provided (As regulated by CBMC 17.330.030). With approval of both variances, the project is consistent with the overall purpose of the zone.

**CONCLUSION:** The proposed variance to the number of bicycle parking spaces as addressed by the applicant is the minimum necessary to accommodate the need for the project and the continued decline in the number of student that ride bikes to school; Therefore, approval can be support.

**PART II – SITE PLAN REVIEW** (CBMC Chapter 17.365)

The following is a list of the decision criteria applicable to the request. According to Chapter 17.365 of the City of Coos Bay Municipal Code (CBMC) a Site Plan Review request must be supported by the applicable decision criteria. Each criterion is followed by findings or justification statements.

**APPROVAL CRITERION A. The proposed use is permitted within the district in which it is located.**

**STATEMENTS OF FACT AND FINDINGS:**

- A1. The Urban Public (UP) district is intended for land uses that are desirable and/or necessary for public use that benefit the community. Education service and related buildings, which includes schools and ancillary buildings and facilities, is a permitted use in the UP district. Therefore, this criterion is satisfied.

**APPROVAL CRITERION B. The proposal meets the lot, yard, building, height and other dimensional requirements of the district within which it is located.**

**STATEMENTS OF FACT AND FINDINGS:**

- B1. Coos Bay Municipal Code 17.255 regulates development in the Urban Public zoning District as follows: It was determined by the Community Development Administrator that the dimensional and development standards of the commercial zoning district shall apply.

*17.255.030 Development standards.*

- (1) *All development proposal requests shall participate in the pre-application process.*



- (2) In general, the dimensional and development standards of the commercial zoning district shall apply. At the time of pre-application conference, the director shall determine which base zone standards shall be required or whether additional standards are necessary.
- (3) The following development standards apply to all land and structures in the UP district:
- (a) *Building Height.* No building shall have a height greater than three stories, not to exceed 35 feet in height.
- (b) *Riparian Vegetation.*
- (i) *Riparian vegetation surrounding Empire Lakes is considered significant habitat in the comprehensive plan. This habitat shall be protected by leaving the existing vegetation undisturbed to its full width, if possible, but at least to a width of 50 feet measured horizontally from the shoreline. If there is less than 50 feet of vegetation, all of it shall be protected. The shoreline shall be the line of nonaquatic vegetation.*
- (ii) *Water access, trails/paths, picnicking areas, or other recreation uses may be permitted if the activities are part of a master plan for the park, and if they constitute no more than a 20 percent cumulative reduction in the total vegetation surrounding the lake within the zoning designation.*
- (iii) *The riparian vegetation along the shoreline in the Eastside area will be protected based on Policy 23 of the Coos Bay estuary management plan.*

- B2. A Pre-Application Conference was held on July 22, 2019 to review the proposed project. It was determined by the Community Development Administrator that the dimensional and development standards of the commercial zoning district shall apply, which includes the regulation that no building shall have a height greater than three stories, not to exceed 35-feet in height. It was also determined that no riparian vegetation is present on the proposed project site.
- B3 Based on the submitted plans, the structure is proposed to be 43-foot in height, which exceeds the 35-foot height restriction by 8-foot. The applicant requested an 8-foot Variance to the 35' height regulation (Part I Variance #1).



**APPROVAL CRITERION C. The proposal meets the screening, buffering and landscape strip requirements, as set forth in Chapter 17.335 CBDC, Supplemental Development 17.362 Standards.**

**STATEMENTS OF FACT AND FINDINGS:**

- C1. CBMC 17.362.020 Height of fences and hedges.

The existing chain link fence will remain.

- C2. CBMC 17.362.030 Solid waste requires refuse containers shall be screened from view from off-site by a sight-obscuring fence and/or evergreen landscaping and the area kept clean of all litter.

*An enclosed trash area is proposed.*

- C3. CBMC 17.362.040 Lighting notes lights will not cast glare into the residential zone. They do not rotate, glitter or flash. They will not conflict with traffic signs or control signals and the lights shall not cause more than one foot-candle measured at any property line.

*Details of the parking lot lighting was not provided. At the time of submittal of construction plans, verification of this requirement will be verified.*

- C4. CBMC 17.362.050 Noise limits noise from the property.

*The project must comply with the City's noise standards, during construction and while in operation.*

- C6. CBMC 17.362.060 Landscaping specifies landscaping requirements for the proposal.

1. Fifteen percent of the site must be landscaped.

*The project site is only a small portion of the overall subject property. The existing and proposed landscaping for the project area, is sufficient to meet this requirement.*

2. Flexible and aesthetic compatibility with the existing site is required for landscaping.

*The submitted landscape plan indicates that landscape improvements are intended to be simple in design and will require a minimal level of maintenance.*

3. Whenever possible the existing landscape will be preserved and when necessary, due to construction disturbance, replaced with new landscape material of equal character.

*Existing landscaping is incorporated into the new proposal, along the southern project line.*

4. Regarding a Conditional Use or PUD development, does not apply to the proposed project.
5. Landscaped areas required for stormwater management purposes may be used to satisfy the landscaping area requirements of this chapter, even though those areas may be inundated by surface water.

*The sites stormwater management is addressed by the City's Engineering Department in detail in "Approval Criteria G".*

6. Landscaping and screening shall be located on the perimeter of a lot or parcel and screening shall not be located on a public right-of-way or private street easement, unless authorized by the city's public works department. A minimum five-foot-wide landscaped strip shall be provided where vehicle parking or loading adjoins a public road right-of-way. Parking areas that contain at least seven spaces are required to provide landscaping islands throughout the development. A landscape island shall contain at least 25 square feet, shall be at least four feet wide, and shall prevent vehicles from damaging trees, by using a wheel stop or curb.

*The submitted landscape plan does not comply with some elements of this standard, although alterations can be made prior to submittal of construction plans to verify compliance. This could include widening landscape elements that are under 4-feet in width and/or 25 square feet in size and providing landscape islands to break up the larger parking areas.*

7. Parking and loading areas shall be landscaped with a minimum five-foot-wide landscaped strip shall be provided where vehicle parking or loading adjoins a public road right-of-way. The parking areas that contain at least seven spaces are required to provide landscaping islands throughout the development. A landscape island shall contain at least 25 square feet, shall be at least four feet wide, and shall prevent vehicles from damaging trees, by using a wheel stop or curb.

*The submitted landscape plan complies with the standards.*

8. The applicant shall install required landscaping and screening consistent with the approved site plan or development, or an approved modification thereto, before the city issues an occupancy permit or final inspection for the development in question;



provided, the city may defer installation of plant materials for up to six months after the city issues an occupancy permit or final inspection for the development in question if doing so increases the likely survival of plants.

*This requirement shall be a condition of approval.*

9. All required ground cover plants and shrubs must be of sufficient size and number to meet the required standards within three years of planting. Mulch (as a ground cover) must be confined to areas underneath plants and is not a substitute for living ground cover plants, lawn or approved flowers.

*The submitted landscape plan appears to comply with this requirement.*

10. Shrubs shall a minimum of two-gallon containers or equivalent burlap balls, with a minimum spread of three inches.

*The submitted landscape plan verifies compliance with this requirement.*

11. Trees shall be measured from the ground level at final planting to the top of the tree. Trees required for parking and loading areas shall be a minimum caliper of two inches and a minimum height of 10 feet at the time of planting. Required deciduous trees (other than street trees) shall be fully branched, have a minimum caliper of one and one-half inches and a minimum height of eight feet at the time of planting. Required evergreen trees (other than street trees) shall be fully branched and a minimum of six feet high at the time of planting. The review authority may reduce the minimum size of trees (other than street trees) if the applicant submits a written statement by a landscape architect registered in Oregon or expert in the growing of the tree(s) in question certifies that the reduction in size at planting will not decrease the likelihood the trees will survive.

*The submitted landscape plan appears to comply with this requirement.*

12. Landscape materials should be selected and sited to produce a hardy and drought-resistant landscape area. Selection should include consideration of soil type and depth, the amount of maintenance required, spacing, exposure to sun and wind, the slope and contours of the site, compatibility with existing native vegetation preserved on the site, water conservation where needed, and the impact of landscaping on visibility of the site for purposes of public safety and surveillance.

Landscaping materials shall be selected in accordance with a list of plant materials adopted by reference as the Sunset Western Garden Book.

*The submitted landscape plan appears to comply with this requirement, with proposed Pin Oak, Red Maple, Red Twig Dogwood, Western Azlea and Tufted Hairgrass.*

13. Plant materials shall be installed to current nursery industry standards and plant materials shall be properly supported to ensure survival. Support devices such as guy wires or stakes shall not interfere with vehicular or pedestrian movement.

Existing trees and plant materials to be retained shall be protected during construction, such as by use of chain link or other sturdy fence placed at the drip-line of trees to be retained. Grading, topsoil storage, construction material storage, vehicles and equipment shall not be allowed within the drip-line of trees to be retained.

*The submitted landscape plan does not fully address this requirement and it shall be a condition of approval.*

14. Maintenance of landscaped areas is the ongoing responsibility of the property owner. Required landscaping must be continuously maintained in a healthy manner. Plants that die must be replaced with in-kind materials unless otherwise authorized by the review authority. Vegetation shall be controlled by pruning, trimming or otherwise so that it will not interfere with the maintenance or repair of any public utility, restrict pedestrian or vehicular access, or obstruct sight distance at intersections.

*This requirement shall be a condition of approval.*

15. Irrigation. The intent of this standard is to ensure that plants will survive the critical establishment period when they are most vulnerable due to lack of watering.

A permanent built-in irrigation system with an automatic controller will serve the landscape area in question, and the system will be installed and operational before the city grants an occupancy permit or final inspection for the development in question; or a temporary irrigation system will be acceptable, provided the applicant must submit a statement from a landscape architect registered in Oregon or expert in the growing of the vegetation in question which certifies that the proposed temporary irrigation system will provide sufficient water to ensure that the plant materials to be planted will survive installation and, once established, will survive without watering other than natural rainfall; or a permanent or temporary irrigation system.



*According to the submitted plans, all landscape lawn and planting beds will be irrigated with permanent automatic irrigation system. All planted areas will utilize high efficiency spray head and rotors or temporary irrigation during establishment*

**APPROVAL CRITERION D. Minimum parking and loading space requirements are met, as required by Chapter 17.330 CBDC, Off-Street Parking and Loading Requirements.**

**STATEMENTS OF FACT AND FINDINGS:**

- D1. The off-street parking requirement of Coos Bay Municipal Code, Chapter 17.340.010 indicates that two spaces per classroom and one space per additional office is required.

*According to the applicants submitted floor plans the proposed school will have 18-classrooms and 5-offices, which would require 41- off-street parking spaces. The submitted site plan indicates 100 off-street parking spaces will be provided.*

- D2. The City of Coos Bay has received the Traffic Impact Analysis (TIA) from the applicant. This analysis was performed by Sandow Engineering and is dated October 18, 2019. The TIA has been revised by the Traffic Engineer and resubmitted to the City for Review.

The TIA is found to be in conformance with CBMC 18.40. Traffic impact analysis requirements. The report further states that:

- All intersections operate within the mobility standards for Coos Bay.
- Queuing near the school will not cause any significant safety concerns.
- There are no off-site capacity improvements needed as part of this project.

**APPROVAL CRITERION E. Improvement requirements are provided in accordance with the applicable sections of the Coos Bay development code.**

**STATEMENTS OF FACT AND FINDINGS:**

- E1. *As proposed and conditioned, all requirements of the Coos Bay Development Code will be met. The requirements of all Oregon and Coos Bay statutes/Codes not referenced in the Development Code, Title 17, must also be met. These include but are not limited to the State of Oregon Specialty Codes and Fire Code, Coos Bay Municipal Code Title 12 (Streets, Sidewalks and Public Places); Title 13 (Public Utilities and Services); Title 15 (Buildings and Construction); Title 18 (Engineering Design Standards) and all applicable State of Oregon statutes.*

- E2. The proposed monument sign must be located on private, unless otherwise approved by the City through a “Public Works” Permit for work proposed in the right-of-way.
- E2. It is the responsibility of the applicant to obtain approvals and permits from the regulatory agencies, this can include but not limited to (Department of Environmental Quality, Army Corps of Engineers, Department of State Lands, State Historic Preservation Office, local tribes, etc.).

**APPROVAL CRITERION F. All conditions of any applicable previous approvals, e.g. conditional use, have been met.**

**STATEMENTS OF FACT AND FINDINGS:**

- F1. There are not previous conditional uses.

**APPROVAL CRITERION G. Development subject to site plan review has provided underground public and private utility lines including but not limited to those for electricity and communication.**

**STATEMENTS OF FACT AND FINDINGS:**

- G1. Comments provided by the City of Coos Bay, Engineering Division on October 31, 2019.
  - a) The City does not have jurisdiction over the following utilities:
    - Electricity- Pacific Power*
    - Internet, cable and telephone- Charter Communications*
    - Internet and telephone- Frontier*
    - Natural gas -Northwest Natural*
    - Potable water – Coos Bay North Bend Water Board*
  - b) *General Comments: General Note: Comments provided below are based on information provided by applicant and/or applicant’s representative. Comments are subject to change if City staff is presented with more detailed information.*
  - c) *Site Development: Project narrative or plans do not specify if it is the intention of the applicant to place fill on the site. However, if fill is to be placed then the fill material and methods of installation shall be constructed per all requirements as described in Coos Bay Municipal Code (CBMC) 18.30: Site Grading and Erosion Control.*
    - If fill material is placed within the footprint of future structures then the applicant may be required to submit a geotechnical report, per CBMC 18.30.30 Grading and Fill Requirements which states that*



*“A report prepared by an Oregon licensed geotechnical engineer, or (depending on the nature of the project) a certified engineering geologist is required when fills in excess of 12 inches are planned within future building areas. The specified fill material shall be placed and compacted in accordance with the recommendations of the report. Any required testing shall be as recommended in the report”. This report is required prior to any structural permit issuance.*

- d) Drainage: *Modifications to the existing drainage and storm collection systems are proposed. Drainage and the storm collection systems are to be installed and shall adhere to CBMC Chapter 18.25 STORMWATER MANAGEMENT SYSTEMS. Site must maintain historic drainage conditions. If historical drainage conditions are not maintained, project will be required to submit a stormwater analysis for review and approval prior to issuance of Building Permits.*

*This support must be prepared by a professional engineer. Site must mitigate for any adverse impacts, and post project flows shall not exceed pre-project levels drainage from the site cannot adversely affect adjacent neighbors or downstream system. Project narrative states that it is the intention of the applicant to discharge storm water to the Northeast corner of the property. The stormwater will discharge to a proposed stormwater swale that is 50' x 6' x 2'. Stormwater design and installation is required to follow CBMC 18.25 Stormwater Management Systems Post Construction Water Quality measures must be installed onsite and maintained into perpetuity. Applicant must submit for review and approval an inspection and maintenance procedure manual for the permanent water quality features. Once approved, these procedures will be recorded with a Declaration. The City will prepare the Declaration and the owner will be responsible for recording fees. Design and manual for the permanent storm water control do not need to be included with land use applications but will be required prior to issuance of Site Development permit.*

- e) Sanitary Sewer: *Project narrative states that it is the intention of the applicant to tie into the Public Sanitary Sewer System line located on S. 7<sup>th</sup> Street as well as the installation of a new SSMH. Any replacement of a portion of the public sewer system will require to be inspected by a third-party inspector. The applicant is required to pay for full time inspection of the installation or modification of the publicly owned system.*

*Prior to Building Permit issuance, detailed plans shall be submitted to the city for review and approval. The Private lateral connection shall be designed and installed per CBMC 13.25 & 18.20, & 18.35.*

*Project narrative also indicates that there will be a grease trap interceptor installed on the branch of the private sanitary sewer system that will service the kitchen. While the City does not have jurisdiction over this aspect of the private system, the City is requesting that an Operation and Maintenance manual be provided to the city for review. This manual should include prescribed maintenance and a detailed cleaning schedule. This schedule is necessary to help prevent Fats, Oils, & Grease (F.O.G.) from entering the public sanitary sewer system which could have an adverse effect on the efficiency of the downstream system. Once approved, these procedures will be recorded with a Declaration. The City will prepare the Declaration and the owner will be responsible for recording fees. Design and manual for the grease trap interceptor do not need to be included with land use applications but will be required prior to issuance of Site Development permit.*

**APPROVAL CRITERION H. Public water, sewer and stormwater lines have been installed in conformance with the standards of the city code. Public water, sewer and stormwater lines within or along the frontage of a development have been extended to the extreme property lines of that development unless it can be demonstrated to the public works department that such extensions are impractical or infeasible or inappropriate.**

#### **STATEMENTS OF FACT AND FINDINGS:**

- H1. The Coos Bay Engineering Division provided the following comments on October 31, 2019 (*Attachment C*):

*Water: Applicant shall contact the Coos Bay North Bend Water Board.*

*Storm Sewer & Sanitary Sewer: Applicant is proposing both private and public sanitary sewer improvements. See Approval Criteria G for comments.*

- H2. Comments received on October 29, 2019, from Matt Whitty, Engineering Manager Coos Bay-North Bend Water Board, are as follows:

*The applicant's engineer, Flagline Engineering, has coordinated the necessary relocation of a 10-inch diameter water main.*



*The new main is being designed by the applicant's engineer and will be installed by the applicant's contractor. The applicant's engineer has also coordinated the location of the water services for the new building and for irrigation. I believe all of the bases are covered at this time with respect to coordination with the water utility. The Fire Chief may have additional input regarding the fire service and hydrant locations.*

**APPROVAL CRITERION I. Proposed phasing plans do not exceed six years and all required public infrastructure is installed in the first phase of the development.**

**STATEMENTS OF FACT AND FINDINGS:**

11. Phasing is not proposed with this proposal; Therefore, this criterion does not apply.

**CONCLUSIONS:** The proposed use is permitted in the zone and dimensional requirements, except for the requested Variance to the height of the Eastside school, have been determined to comply with the approval criteria. The proposal meets the screening, buffering and landscape strip requirements and the Supplemental Development Standards. The minimum off-street vehicle parking has been met, but the applicant has requested a Variance to the number of required bicycle parking spaces. The underground utilities and site development have been addressed and no phasing is proposed; Therefore, approval can be support, subject to approval of the two requested Variances and the Conditions of approval listed on Page 15-18.

**V. RECOMMENDATION**

*Based on the adopted Findings and Conclusions, as supported by the applicant's submittal, attached hereto and incorporated herein by reference as Attachments "A", approve **Part I (Variances)** of land use application #187-19-058 allowing an eight (8) foot Variance to the 35-foot height standard and a 33-space Variance to the required bicycle parking spaces; then approve **Part II (Site Plan Review)** of land use application #187-19-058 allowing the proposed three-story, 50,000 square foot "Marshfield Junior High", subject to the following Conditions:*

**General /Planning Requirements**

1. The applicant shall secure all building, site development, and other applicable permits, as required, from the City of Coos Bay or the State of Oregon, and in particular City of Coos Bay Municipal Codes Chapters 13.15, 18.20 and 18.25.
2. The proposed monument sign must be located on private, unless otherwise approved by the City through a "Public Works" Permit for work proposed in the right-of-way.

3. Maintenance of landscaped areas is the ongoing responsibility of the property owner. Required landscaping must be continuously maintained in a healthy manner. Plants that die must be replaced with in-kind materials unless otherwise authorized by the review authority. Vegetation shall be controlled by pruning, trimming or otherwise so that it will not interfere with the maintenance or repair of any public utility, restrict pedestrian or vehicular access, or obstruct sight distance at intersections.
4. It is the responsibility of the applicant to obtain any approvals and permits from the regulatory agencies, this can include but not limited to (Department of Environmental Quality, Army Corps of Engineers, Department of State Lands, State Historic Preservation Office, local tribes, etc.).

### **Required Prior to issuance of a Site Development Permit**

#### Engineering

5. Site must employ Permanent water quality features. Applicant will be required to submit for review and approval an inspection and maintenance procedure manual for the permanent water quality features for storm water as well as the proposed grease interceptor. Once approved, these procedures will be recorded with a Declaration of Real Covenant, the owner will be responsible for recording fees. This Operation and Maintenance Manual must be submitted prior to Site Development permit Issuance.
6. City is requesting that an Operation and Maintenance manual be provided to the city for review for the grease trap interceptor. This manual should include prescribed maintenance and a detailed cleaning schedule. Once approved, these procedures will be recorded with a Declaration of Real Covenant, the owner will be responsible for recording fees. Design and manual for the grease trap interceptor do not need to be included with land use applications but will be required prior to issuance of Site Development permit.

### **Prior to issuance of a Building Permit**

#### Building/Fire

7. All fire and life safety aspects of building design (i.e. extinguishers, door hardware, exit lighting and signage, etc.) will be held to Oregon Fire Code requirements and will be subject to approval at the time of official plan review.
8. Project shall be in compliance with all the current Oregon Specialty Codes (building, energy, mechanical, plumbing and electrical) as adopted by the State of Oregon. <https://www.oregon.gov/bcd/codes-stand/Pages/adopted-codes.aspx>



## Engineering

9. If fill material is greater than 12 inches placed within the footprint of future structures then the applicant will be required to submit a geotechnical report prior to building permit issuance.
10. Project will be required to submit a stormwater analysis for review and approval prior to issuance of Building Permits. This support must be prepared by a professional engineer. The stormwater analysis must include at a minimum analysis of post construction water quality measures, increased run-off and on-site storm water analysis.
11. Prior to Building Permit issuance applicant to provide engineered plans for the public portions of the sanitary sewer main. Applicant shall also provide third party inspection for the portions of the sanitary sewer main that will be public. The Private lateral connection shall be designed and installed per CBMC 13.25 & 18.20, & 18.35.

## Planning

12. Compliance with CBMC 17.362.040 Lighting shall be verified. *lights will not cast glare into the residential zone. They shall not rotate, glitter or flash. They shall not conflict with traffic signs or control signals and the lights shall not cause more than one foot-candle measured at any property line.*
13. Revised landscape plan must be submitted that complies with CBMC 17.362.060 Landscaping
  - a) Parking areas that contain at least seven spaces are required to provide landscaping islands throughout the development.
  - b) A landscape island shall contain at least 25 square feet, shall be at least four feet wide,

## **PRIOR TO FINAL OR OCCUPANCY**

### Engineering

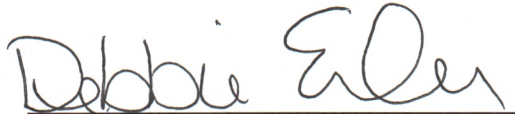
14. Prior to Final Inspection or Occupancy. The applicant shall install required landscaping and screening consistent with the approved site plan or development, or an approved modification thereto, before the city issues an occupancy permit or final inspection for the development in question; provided, the city may defer installation of plant materials for up to six months after the city issues an occupancy permit or final inspection for the development in question if doing so increases the likely survival of plants.

### Planning

15. The project design shall substantially adhere to the site and elevation plans presented with the original application except as modified by necessity to address conditions of approval.

16. Plant materials shall be installed to current nursery industry standards and plant materials shall be properly supported to ensure survival. Support devices such as guy wires or stakes shall not interfere with vehicular or pedestrian movement.

Any existing trees and plant materials to be retained shall be protected during construction, such as by use of chain link or other sturdy fence placed at the drip-line of trees to be retained. Grading, topsoil storage, construction material storage, vehicles and equipment shall not be allowed within the drip-line of trees to be retained.



DATE MAILED: November 5, 2019

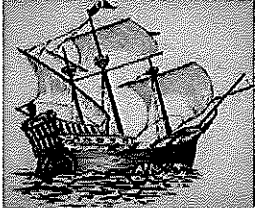
Debbie Eler, Planner 1  
Public Works and Community Development

cc: Owner/Representative

**ATTACHMENTS:**

- A Applicants submittal, including site plans & elevations drawings (previously provided)
- B November 5, 2019 letter from Bryan Trendell
- C October 31, 2019 comments of Coos Bay Engineering Division





# COOS BAY PUBLIC SCHOOLS

One Team, One Goal!

“Preparing all of our kids for a successful future.”

---

November 5, 2019

To whom it may concern,

This letter is intended to be information for the planning and construction of the new Marshfield Junior High School located at 755 S. 7<sup>th</sup> in Coos Bay. The question was asked about bicycle racks and the number required. We have very few students who ride bikes to our schools. Most of our students ride the bus or are dropped off by someone. The remainder who live near the school will walk but very few ride bikes. In my 22 years with the district I have seen the number of bike riders decline to almost none. We do have a few that ride skateboards as that seems to be more popular than bicycles. The need for multiple bike racks is just not there. I hope this provides clarifying information to help with the planning and construction of our new Junior High School.

Sincerely,

A handwritten signature in black ink that reads "Bryan Trendell". The signature is written in a cursive, flowing style.

Bryan Trendell  
Coos Bay Public Schools  
Superintendent

---

**ATTACHMENT B**



### Engineering Comments for Site Plan Review

Date: October 31, 2019  
Project Name: CBSD #9 Marshfield Middle Schools  
Project Representative: Steele Associates Architects  
Project Rep's Email: dolson@steele-arch.com  
Project Rep's Contact Number: 541-508-7502

Commercial/Industrial/Residential Project: Commercial  
Date of Pre-Application Meeting<sup>(1)</sup>: July 22, 2019  
Preparer of Staff Report: Greg Hamblet

(1) Reference pre-application comments/notes if pre-app meeting was performed. Otherwise State that no pre-app occurred.

The following comments are from the Engineering Department for the above referenced project as it relates to City of Coos Bay Municipal Code Section 17.320.060 Not all criteria were commented on because it does not pertain to the Engineering Department:

Site Plan Review 17.320.060 Criteria for site plan approval.

1. It is the responsibility of the director or designee to review each plan for compliance with the applicable provisions of this chapter and any other applicable regulations.
2. The city shall not approve an application for site plan review unless the director finds that the proposed plan meets all applicable provisions of this subsection. Failure to meet one or more of the requirements of this subsection and other applicable CBDC regulations is grounds for denial. The applicant shall demonstrate compliance with all of the following criteria:
  - a. The proposed use is permitted within the district in which it is located;  
*Engineering did not comment on this criterion.*
  - b. The proposal meets the lot, yard, building, height and other dimensional requirements of the district within which it is located;  
*Engineering did not comment on this criterion.*
  - c. The proposal meets the screening, buffering and landscape strip requirements, as set forth in Chapter 17.362 CBDC, Supplemental Development Standards;  
*Engineering did not comment on this criterion.*
  - d. Minimum parking and loading space requirements are met, as required by Chapter 17.340 CBDC, Off-Street Parking and Loading Requirements;  
*Engineering did not comment on this criterion.*



- e. Improvement requirements are provided in accordance with the applicable sections of the Coos Bay development code;  
*Engineering did not comment on this criterion.*
- f. All conditions of any applicable previous approvals, e.g. conditional use, have been met;  
*Engineering did not comment on this criterion.*
- g. Development subject to site plan review has provided underground public and private utility lines including but not limited to those for electricity and communication;  
*The City of Coos Bay does not have jurisdiction over the following utilities:*
  - Electricity- Pacific Power*
  - Internet, cable and telephone- Charter Communications*
  - Internet and telephone- Frontier*
  - Natural gas -Northwest Natural*
  - Potable water – Coos Bay North Bend Water Board*

*General Comments:*

*General Note: Comments provided below are based on information provided by applicant and/or applicant's representative. Comments are subject to change if City staff is presented with more detailed information.*

*Site Development:*

*Project narrative or plans do not specify if it is the intention of the applicant to place fill on the site. However, if fill is to be placed then the fill material and methods of installation shall be constructed per all requirements as described in Coos Bay Municipal Code (CBMC) 18.30: Site Grading and Erosion Control. If fill material is placed within the footprint of future structures then the applicant may be required to submit a geotechnical report, per CBMC 18.30.30 Grading and Fill Requirements which states that "A report prepared by an Oregon licensed geotechnical engineer, or (depending on the nature of the project) a certified engineering geologist is required when fills in excess of 12 inches are planned within future building areas. The specified fill material shall be placed and compacted in accordance with the recommendations of the report. Any required testing shall be as recommended in the report". This report is required prior to any structural permit issuance.*

*Drainage:*

*Modifications to the existing drainage and storm collection systems are proposed. Drainage and the storm collection systems are to be installed and shall adhere to CBMC Chapter 18.25 STORMWATER MANAGEMENT SYSTEMS. Site must maintain historic drainage conditions. If historical drainage conditions are not maintained, project will be required to submit a stormwater analysis for review and approval prior to issuance of Building Permits. This support must be prepared by a professional engineer. Site must mitigate for any adverse impacts, and*

*post project flows shall not exceed pre-project levels drainage from the site cannot adversely affect adjacent neighbors or downstream system. Project narrative states that it is the intention of the applicant to discharge storm water to the Northeast corner of the property. The stormwater will discharge to a proposed stormwater swale that is 50' x 6'x 2'. Stormwater design and installation is required to follow CBMC 18.25 Stormwater Management Systems Post Construction Water Quality measures must be installed onsite and maintained into perpetuity. Applicant must submit for review and approval an inspection and maintenance procedure manual for the permanent water quality features. Once approved, these procedures will be recorded with a Declaration. The City will prepare the Declaration and the owner will be responsible for recording fees. Design and manual for the permanent storm water control do not need to be included with land use applications but will be required prior to issuance of Site Development permit.*

**Sanitary Sewer:**

*Project narrative states that it is the intention of the applicant to tie into the Public Sanitary Sewer System line located on S. 7<sup>th</sup> Street as well as the installation of a new SSMH. Any replacement of a portion of the public sewer system will require to be inspected by a third-party inspector. The applicant is required to pay for full time inspection of the installation or modification of the publicly owned system. Prior to Building Permit issuance, detailed plans shall be submitted to the city for review and approval. The Private lateral connection shall be designed and installed per CBMC 13.25 & 18.20, & 18.35.*

*Project narrative also indicates that there will be a grease trap interceptor installed on the branch of the private sanitary sewer system that will service the kitchen. While the City does not have jurisdiction over this aspect of the private system, the City is requesting that an Operation and Maintenance manual be provided to the city for review. This manual should include prescribed maintenance and a detailed cleaning schedule. This schedule is necessary to help prevent Fats, Oils, & Grease (F.O.G.) from entering the public sanitary sewer system which could have an adverse effect on the efficiency of the downstream system. Once approved, these procedures will be recorded with a Declaration. The City will prepare the Declaration and the owner will be responsible for recording fees. Design and manual for the grease trap interceptor do not need to be included with land use applications but will be required prior to issuance of Site Development permit.*

**Transportation:**

*The City of Coos Bay has received the Traffic Impact Analysis (TIA) from the applicant. This analysis was performed by Sandow Engineering and is dated October 18, 2019. The TIA has been revised by the Traffic Engineer and resubmitted to the City for Review. The TIA is found to be in*



*conformance with CBMC 18.40. Traffic impact analysis requirements. The report further states that:*

- *All intersections operate within the mobility standards for Coos Bay.*
- *Queuing near the school will not cause any significant safety concerns.*
- *There are no off-site capacity improvements needed as part of this project*

- h. Public water, sewer and stormwater lines have been installed in conformance with the standards of the city code. Public water, sewer and stormwater lines within or along the frontage of a development have been extended to the extreme property lines of that development unless it can be demonstrated to the public works department that such extensions are impractical or infeasible or inappropriate; and

*Water: Applicant shall contact the Coos Bay North Bend Water Board.*

*Storm Sewer & Sanitary Sewer: Applicant is proposing both private and public sanitary sewer improvements (See Approval Criteria G for comments).*

- i. Proposed phasing plans do not exceed six years and all required public infrastructure is installed in the first phase of the development.

*Per information submitted, there is no phasing proposed with this application*

Conditions of approval:

1. *If fill material is greater than 12 inches placed within the footprint of future structures then the applicant will be required to submit a geotechnical report prior to building permit issuance.*
2. *Site must employ Permanent water quality features. Applicant will be required to submit for review and approval an inspection and maintenance procedure manual for the permanent water quality features for storm water as well as the proposed grease interceptor. Once approved, these procedures will be recorded with a Declaration of Real Covenant, the owner will be responsible for recording fees. This Operation and Maintenance Manual must be submitted prior to Site Development permit Issuance.*
3. *City is requesting that an Operation and Maintenance manual be provided to the city for review for the grease trap interceptor. This manual should include prescribed maintenance and a detailed cleaning schedule. Once approved, these procedures will be recorded with a Declaration of Real Covenant, the owner will be responsible for recording fees. Design and manual for the grease trap interceptor do not need to be included with land use applications but will be required prior to issuance of Site Development permit.*
4. *Project will be required to submit a stormwater analysis for review and approval prior to issuance of Building Permits. This support must be prepared by a professional engineer. The stormwater analysis must include at a minimum analysis of post construction water quality measures, increased run-off and on-site storm water analysis.*

5. *Prior to Building Permit issuance applicant to provide engineered plans for the public portions of the sanitary sewer main. Applicant shall also provide third party inspection for the portions of the sanitary sewer main that will be public. The Private lateral connection shall be designed and installed per CBMC 13.25 & 18.20, & 18.35.*
6. *It is the responsibility of the applicant to obtain approvals and permits from the regulatory agencies, this can include but not limited to (Department of Environmental Quality, Army Corps of Engineers, Department of State Lands, State Historic Preservation Office, local tribes, etc.)*