

**CITY OF COOS BAY
PLANNING COMMISSION MINUTES**

Tuesday, August 9, 2005
6:00 P.M. CITY COUNCIL CHAMBERS

ATTENDANCE

COMMISSIONERS: Chairman Bruce Harlan, Commissioners Jim Berg, Chris Coles, Mark Daily, Chris Hood, Rex Miller and Jeff Marineau

STAFF: Laura Barron, Planning Administrator
Debbie Erler, Planning/Code Spec.

SIGNED-IN GUESTS: Harold D. Gregory
Matt Breiter
Larry Breiter
Larry Comer, 350 N Marple St., Coos Bay
Floyd Montiel, 2640 N 15th Ct., Coos Bay
Jessie Ainsworth, 1643 Bayview, Coos Bay
Elton Thompson, PO Box 565, Coos Bay
Mike Gaul, Port of Coos Bay
Howard Suymys, 314 Merchant, Coos Bay
Clint Haynes, 150 Jackson St., Coos Bay
Barney White, 284 Merchant St., Coos Bay

OATH OF OFFICE

City Recorder Joyce Jansen administered the oath of office to Planning Commissioners Jeff Marineau and Jim Berg.

APPROVAL OF MINUTES

Approve Planning Commission minutes for July 12, 2005.

MOTION: Commissioner Coles - Approve Planning Commission minutes of July 12, 2005 as submitted.

SECOND: Commissioner Daily

VOTE: Unanimous

CCI/PUBLIC COMMENTS

PUBLIC HEARINGS

ITEM A: Architectural Design Review (ZON2005-00106): Kristen Lochen, ES&A Sign & Awning, 1010 Oak Patch Road, Eugene. The applicant, representing WSCO Petroleum, is proposing to replace the existing signage at 997 Newmark Avenue. The site lies in the Empire Waterfront Settlement Design Review area. The applicant is requesting a continuance.

Chairman Harlan asked if there were any objections to the Planning Commission hearing the item on jurisdictional grounds. He asked if the Planning Commission had ex parte contact or conflict of interest to report.

Chairman Harlan opened the public hearing.

Laura Barron read the disclosure statement and updated the applicant's request. Mrs. Barron stated a letter was received from ES&A Sign & Awning requesting that the pole-mounted sign request be withdrawn and requested the Planning Commission consider approving only the proposed canopy signage (*Exhibit 1*).

Chairman Harlan closed the public hearing.

MOTION: Commissioner Coles – Accept the Statements, Findings of Fact and Conclusions for Design review standards 1-3 and approve Architectural Design Review application #ZON2005-00106 allowing the canopy signage only to be replaced as proposed.

SECOND: Commissioner Berg

VOTE: Unanimous

ITEM B: Vacation (ZON2005-00047): Harold Gregory, 333 N. Empire Boulevard, Coos Bay. The applicant is requesting approval to vacate Kelly Avenue, approximately 200 feet north of Jackson Avenue, between Empire Boulevard and Marple Street.

Chairman Harlan asked if there were any objections to the Planning Commission hearing the item on jurisdictional grounds. He asked if the Planning Commission had ex parte contact or conflict of interest to report.

Chairman Harlan opened the public hearing.

Laura Barron read the disclosure statement and outlined the applicant's request. She stated that there is a lot in the proposed vacation area that would not have legal access if the entire right of way is vacated.

Harold Gregory, 333 N. Empire Boulevard, Coos Bay, submitted a letter from the owner of Lot 2 indicating that she does not plan to develop the property and she wants the right of way vacated. Mr. Gregory stated the neighbors want the entire right of way vacated.

Laura Barron read in to the record the letter from Betty Oyler, 363 Empire Blvd. (*Exhibit 1*) which indicated she would like the right of way vacated and she does not intend to develop on the vacant lot.

Matt Breiter, 360 N Marple, Coos Bay stated he does not see how Mrs. Oyler could develop the vacant lot.

Chairman Harlan closed the public hearing.

Commissioner Hood asked if legal access could be provided at a later date if a future owner wants to develop the property.

Laura Barron stated that access could be gained from an easement or a property line adjustment.

Commissioner Marineau stated the lots could be re-platted so that an additional dwelling could be built with legal access.

MOTION: Commissioner Coles – Accept the Findings and Conclusions for Decision Criteria 1 and 2; Accept Findings 3A-3f; Add Finding 3g “A letter from Ms. Betty Oyler, 363 N. Empire Boulevard, dated August 9, 2005, was received stating it is her “intent to keep the property intact as it is today –using Lots 1 and 2 as one home and yard.” Ms. Oyler is the owner of Lots 1 and 2, Block 36, Empire City Subdivision, which abuts Kelly Avenue on the north.”; Amend the Conclusion for Decision Criteria 3 to read “The decision criterion has been adequately addressed and approval of Kelly Avenue can be supported with the following condition: A deed restriction must be completed tying Lots 1 and 2, Block 36, Empire City Subdivision, together for the purpose of planning. The deed restriction is to ensure legal access is made available when Lot 2 is conveyed separately from Lot 1.” and recommend City Council approve Vacation application #ZON2005-00047 to vacate Kelly Avenue, approximately 200 feet north of Jackson Avenue, between Empire Boulevard and Marple Street, subject to the noted condition.

SECOND: Commissioner Hood
VOTE: Unanimous

ITEM C: Conditional Use (ZON2005-00054): Elton Thompson, PO Box 565, Coos Bay. The applicant is requesting approval to site four (4) single-family dwellings on four (4) lots in the “Multiple Residential (R-3)” zoning district

Chairman Harlan asked if there were any objections to the Planning Commission hearing the item on jurisdictional grounds. He asked if the Planning Commission had exparte contact or conflict of interest to report.

Chairman Harlan opened the public hearing.

Laura Barron read the disclosure statement; outlined the applicant’s request.

Elton Thompson, PO Box 565, Coos Bay, stated he is here to answer questions.

The Planning Commission discussed zoning in the area and street development standards.

Commissioner Berg asked if the Port has plans to develop the Port property. Mike Gaul stated that the Port is not sure at this time what direction they will take in development of the property.

Mike Gaul, Port of Coos Bay, stated the Port is concerned about site drainage from residential lots in the area. In the past drainage from the residential lot has been directed towards the Port of Coos Bay property. They are not opposed to the application, but they do not want the sites drainage to impact the abutting property owners.

Clint Haynes, 150 Jackson Avenue stated he is in favor of the proposed use, but drainage is an issue. He stated that water from Mr. Thompson’s previous development has affected abutting property and has created standing water in the area. The existing pavement between Jackson and Merchant is mostly gravel.

Commissioner Miller asked if there was water in the area before Mr. Thompson's development. Mr. Haynes stated there was water in the area, but it went straight down Merchant to the Port of Coos Bay Property. He thinks the line may be plugged.

Barney White, 284 Merchant St., Coos Bay, stated he is in favor of use, but drainage along the street is an issue (stagnant water). Merchant Street is 270-feet long and the previous development added a lot of traffic on the road.

Howard Sams, 314 Merchant, Coos Bay, stated traffic from the previous development is causing a dust problem. When they put in the 11 homes they should have paved Merchant.

Mr. Thompson discussed the drainage problems in the area. He said he contacted the owner along Merchant to see if they wanted to contribute to having Merchant improved. He stated they were not interested in participating in the improvement.

Chairman Harlan closed the public hearing.

Commissioner Jeff Marineau stated that the Planning Commissioner can not force a property owner to pave off site areas.

Commissioner Miller asked what the difference is in paving requirement between new subdivision and existing subdivisions.

Commissioner Berg questioned why a property owner is not required to properly dispose of site drainage.

The Planning Commission discussed the ordinances in regards to paving and drainage regulations.

MOTION: Commissioner Coles - Accept the Statements of Facts, Findings and Conclusions for Decision Criteria 1, 2 and 3a-c; Eliminate Finding 3d; and revise the Condition to read: "*Prior to development, Jackson Street, lying between Merchant and Whitty Streets, must be paved to 28 feet in width with curb and gutter on both sides. In addition, storm water runoff must be directed into a public storm drainage system.*"

SECOND: Commissioner Daily

VOTE: Yea – Chairman Harlan, Commissioners Berg, Coles, Daily, Hood and Marineau

Nay - Commissioner Miller

MOTION: Commissioner Coles – Accept the Statements of Facts, Findings and Conclusions for Decision Criteria 4 and approve Conditional Use application #ZON2005-00054 as revised, allowing a single-family dwelling on each of the four (4) lots in the "Multiple Residential (R-3)" zoning district, subject to the noted condition.

SECOND: Commissioner Daily

VOTE: Yea – Chairman Harlan, Commissioners Berg, Coles, Daily, Hood and Marineau

Nay - Commissioner Miller

ITEM D: Site Plan and Architectural Review (ZON2005-00056): Floyd Montiel, 2640 N. 15th Court, Coos Bay. The applicant, acting on behalf of School District 9, is requesting site plan approval for upgrades to the existing ball field located along N. 15th Street, between Thompson Road and Teakwood Avenue, next to the ESD Building on Teakwood Avenue.

Chairman Harlan asked if there were any objections to the Planning Commission hearing the item on jurisdictional grounds. He asked if the Planning Commission had *ex parte* contact or conflict of interest to report.

Chairman Harlan opened the public hearing.

Laura Barron read the disclosure statement and outlined the applicant's request. Mrs. Barron read into the record a letter from Mrs. Crouse, 2375 N 14th Street, Coos Bay (*Exhibit 1*) indicating she was against the expansion because she is afraid it will bring more and larger events to the area. She wants the neighborhood to remain the same. The letter also indicated that the visiting team bus runs their motor for extended period of time.

Floyd Montiel, 2640 N. 15th Court, Coos Bay (representing Coos Bay School District 9) stated he is a teacher at MHS and the varsity baseball coach. He stated the district has used the field for ten years and their goal is to make improvements to the site, not expand the field or use. He stated they do not plan to add additional games to the schedule, or increase the number or size of the events. He stated Mrs. Crouse is on the paved part of Teakwood and she has a laurel hedge that separates her property from the baseball field. He said he was not aware that there was a problem with the buses. They have adequate off-street parking (30 to 42 existing). He added he lives in the neighborhood. He said they will ask the visiting team to use the parking lot and asked the bus driver to turn off the engine. He concluded that they are the only midwestern team that does not have their own field and at Mingus Park there are drainage and scheduling problems.

Commissioner Miller asked that the traffic pattern be evaluated for safety and efficiency. He suggested they look into using the church parking lot for parking the buses or extra parking.

Mrs. Barron stated there will be an electronic score board on the south side of the field and they are requesting two years to complete the improvements.

The Planning Commission discussed off-street parking (5C). They concluded the existing parking area must remain.

Chairman Harlan closed the public hearing.

MOTION: Commissioner Coles - Accept the Statements, Findings of fact for Decision Criteria 1-8 as submitted revised and approved Site Plan and Architectural Review application #ZON2005-00056 allowing the siting of two dugout structures with a concession stand and storage buildings at the existing ball field located along North 15th Street, between Thompson Road and Teakwood Avenue.
SECOND: Chairman Berg
VOTE: Unanimous

ADMINISTRATIVE

Request for extension from Charleston View, LLC for Planned Unit Development application #ZON2004-00062 (T. 25, R. 13, S. 29 - Tax Lot 201).

Commissioner Chris Hood stepped down from the vote.

- MOTION:** Commissioner Marineau – Approve the one-year extension request for Planned Unit Development application #ZON2004-00062 (T. 25, R. 13, S. 29 - Tax Lot 201).
- SECOND:** Chairman Coles
- VOTE:** Unanimous

COMMISSION COMMENTS

Commissioner Coles stated the Farmer’s Market is doing very well. The market brings between 2,000 and 2,500 people to the downtown area during peek season.

Commissioner Hood stated the City needs to step forward and develop street development standards. The value of lots in the area has increased and it warrants improvements.

The Commission discussed street development standards.

Commissioner Daily stated August 20, 2005 the “Out-Door-In” is hosting a “Kids I.D. Kit” day. They expect to I.D. approximately 500 children.

Commissioner Marineau stated that metal building need to have facade improvements.

ADJOURNMENT 8:15 P.M

Bruce Harlan, Chairman
 City of Coos Bay
 Coos County, Oregon

ATTEST: _____
 Debbie Erler, Planning/Code Specialist
 City of Coos Bay

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