

**CITY OF COOS BAY**  
**PLANNING COMMISSION MINUTES**  
**Tuesday, November 12, 2013 at 6:00 P.M.**  
**Coos Bay City Hall, 500 Central Avenue, Coos Bay**

**ATTENDANCE**

**COMMISSIONERS:** Chairman Chris Hood, Commissioners Jim Berg, Christine Coles, Bruce Harlan, Phil Marler, Rex Miller and Jeff Marineau

**ABSENT:** Commissioners Phil Marler and Jeff Marineau

**STAFF:** Eric Day, Director of Community Development  
Aaron Harris, Planner

**SIGNED-IN GUESTS:** None

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**CCI/PUBLIC COMMENTS**

**APPROVAL OF MINUTES**

Approval of the Planning Commission minutes of October 12, 2013.

Chairman Hood commented that Commissioner Marineau had quite a bit of discussion that was not reflected in the October 12<sup>th</sup> minutes.

**MOTION:** Commissioner Berg – Approve the Planning Commission minutes of October 8, 2013 as submitted.

**SECOND:** Commissioner Coles

**VOTE:** Unanimous

**PUBLIC HEARING**

**ITEM A: Amendment #187-ZON13-020 (Continuation)**

The applicants, Jon and Patricia Webster, are requesting approval to expand the existing parking lot assessment district to include 165 North 5<sup>th</sup> Street and 540 Anderson Avenue.

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

Chairman Hood opened the public hearing.

Aaron Harris read the disclosure statement. Director Day outlined the applicant's request. The applicants, Jon and Patricia Webster applied for a code amendment to Coos Bay Municipal Code 17.200.040 in order to expand the existing parking lot assessment district to include tax lots 6700 and 6900. The tax lots are located at the northwest corner of South 5<sup>th</sup> Street and Anderson Avenue. The amendment was first considered by the Planning Commission on October 8<sup>th</sup>, 2013. The Planning Commission voted to continue the hearing on November 12<sup>th</sup>, 2013 to allow time for reviewing additional information submitted by the applicant at the October hearing.

Chairman Hood, Commissioner Berg, and Commissioner Coles discussed the previous Planning Commission meeting and options that had been considered for a work session regarding the downtown lot assessment district. Commissioner Berg commented that the Planning Commission went through an exhausting discussion in October regarding how property owners in the downtown parking lot assessment paid extensive taxes 40 years ago. Commissioner Berg noted that he does not think there are any owners that are the same from 40 years ago. He stated he believes it to be a moot point. Commissioner Coles agreed with Commissioner Berg's sentiments. Commissioner Berg continued by stating that the City currently has a business that needs a little more parking. He acknowledged that the letter of the stature is not being met, but the spirit of creating an opportunity for business in downtown Coos Bay seems like a reasonable thing to do.

Chairman Hood asked if the applicant would like to speak at this time.

Andrew Locati, the applicant's representative, introduced Troy Turner from Outlaw Photography. Mr. Locati described the circumstances leading the applicant to apply for an expansion of the downtown parking assessment district. Mr. Locati recalled a similar application approved by the Planning Commission in 2012 to allow an expansion to the downtown parking assessment area. Mr. Locati then referenced goals within the City's comprehensive plan to justify the applicant's request

Chairman Hood asked if current parking spaces are only being used by employees.

Mr. Locati responded, stating no. There are five off-street spaces and one handicap space on the west side of the property, and employees do not use them. He added that Memories of Time did a parking count in October and the average is 10 customers a day for the other businesses on the lot.

Troy Turner stated that he owns Outlaw Photography. Mr. Turner described his October parking count. He said he was surprised by how few customers come into his business. He said he only does about 5% of his shooting in-house and that he does the vast majority of his work outside the studio. Mr. Turner said he only needs one parking spot for his business. Mr. Turner added that none of his employees have any issues with parking.

Chairman Hood closed the public hearing.

Commissioner Harlan commented that it seems the parking district was established for a particular reason in a past time. He does not think that adding one property at a time seems to be the answer. The commissioner added that the issue needs a detailed, lengthy process by staff. While the property in question may not be an issue at all in its current circumstance, whoever moves there in the future could change that all together. More needs to be done than add one property at a time.

Commissioner Berg expressed his agreement with Commissioner Harlan. He commented that his bottom line is that parking currently is not an issue in that part of town. Expanding the parking district will not create a hardship for anyone.

Commissioner Coles expressed partial agreement. She commented that perhaps the entire issue needs revisiting since some files regarding the parking district history cannot be located.

Commissioner Miller expressed concerns regarding employee parking. If employees are using customer parking that would be a bit of a concern, but he does not see an issue in that area. It seems like there is lots of parking in that area.

Chairman Hood commented that he appreciated looking at the history of the downtown parking district. The parking district was developed for a specific reason when downtown was the City's commercial area. There was a purpose at that time, but it has kind of gone away. It doesn't make sense to look at an antiquated comprehensive plan and try to apply reason when the issues that drove the initial plan no longer exist.

The Planning Commission continued discussing the downtown parking district. Commissioner Berg noted that off-street parking was eliminated in previous years when the mall was fully active and that it was never replaced. Chairman Hood expressed his agreement. Commissioner Coles recommended greater facts and findings on the matter, and an overall reassessment of the parking district. Commissioner Harlan expressed concern that the parking district issue could go on for the next 25 years, picking up one lot at a time.

Chairman Hood commented that he thinks there needs to be some comprehensive plan work on this issue. To postpone the applicants' business is silly, and the Planning Commission can recommend to City Council that the issue be addressed in detail.

- MOTION:** Commissioner Coles – Based on the applicant's submittal, the Findings, Conditions and Conclusions attached hereto and incorporated herein by reference as "Attachment A", approve Amendment application #187-ZON13-020 regarding expansion of the existing parking lot assessment district to include 165 North 5<sup>th</sup> Street and 540 Anderson Avenue.
- SECOND:** Commissioner Berg
- VOTE:** Unanimous

## **ADMINISTRATIVE**

**ITEM B: EXTENSION REQUEST:** Request for one-year extension to 2007 land use approvals for Charleston View subdivision application #ZON2007-00086; Site Plan and Architectural Review (Planned Unit Development) application #ZON2007-00087; and Variance application #ZON2007-00088.

Aaron Harris summarized the project for Charleston View LLC, applicant for Pacific Crest Heights, a planned unit development comprised of 154 condominium units and one 3,200 square foot community building. 16 buildings total are being proposed on site: 124 units in three-story condominium buildings, 12 units in two-story townhouses, 6 units in one-story duplexes, and 12 units in one-story tri-plexes. The planned unit development is located in Township 25, Range 13, Section 29AB, on tax lot 100, in an area south and east of Pacific Crest Planned Community and Nautical Lane. On November 13, 2007 the Planning Commission voted unanimously to grant conditional approval for a SPAR and subdivision for the proposed 15-lot subdivision. Approval for a variance was granted at the same time for a 7-foot variance to the 35-foot height limitation for functional chimneys and elevator shafts as designed in the site plan and architectural review. A three year time period was granted from the date the decision was finalized. The applicant has received three one-year extensions to date. The applicant is currently requesting a fourth one-year extension for the subdivision, site plan and architectural review, and variance.

Chairman Hood asked if any changes have occurred that would affect approval.

Director Day responded that no substantial changes have been made, and that the area has remained substantially the same.

**MOTION:** Commissioner Berg - Approve the applicant's request for a one-year extension.  
**SECOND:** Chairman Hood  
**VOTE:** Unanimously.

**ITEM C:** Discussion regarding proposed revisions to the land use fee schedule.

Director Day provided a brief summary of the previous Planning Commission meeting. He noted that the Planning Commission had requested changes to the comparison jurisdictions spreadsheet and that those changes had been made. Director Day explained the fee schedules and informed the Planning Commission they may choose to make any sort of recommendation to City Council.

The Planning Commission asked questions and expressed their discontent with the proposed fee schedule. Commissioner Coles noted that a rate increase from \$375 to \$1,400 was a steep jump.

Director Day responded that proposed rate increases were based on the City's expected costs to review and process applications.

Commissioner Harlan questioned how application costs are covered if they are not born by the applicant.

Director Day responded that costs not covered by the applicant must be covered by the general fund. He added that when you take into account staff hours for processing an application, site visits, etc., the hours can stack up quickly. While some land use permits are relatively simple, others can literally take hundreds of hours. Staff is trying to find an average and attach costs as adopted on a per hour fee.

Commissioner Harlan expressed concerns that substantial cost bumps could discourage land use development.

Commissioner Berg expressed his discontent with the lengthy process required for many conditional use permits. Some issues are trivial and require little time for Planning Commission review. He expressed his astonishment that such issues might require a \$1,400 permit.

Director Day expressed his agreement and noted that the City requires a conditional use permit for a number of things that should not necessarily require one.

Chairman Hood noted that he has yet to see any of the City's land use issues appealed. He noted that Coos County raised rates in a similar fashion. He expressed his desire to identify means of streamlining the land use application process as the majority of the City's applications are from mom and pop businesses. He would like to see funding out of the general fund like the police and fire departments. He sees the costs as a backdoor tax that he's adamantly opposed to because not a lot of people go through the process, resulting in the individuals being charged. The Planning Commission and Director Day continued discussing the land use fee schedule. Director Day responded to questions from the Planning Commission. Director Day explained circumstances that would require additional fees due to extensive staff time.

Director Day explained how 20 hours could be spent on an application process. He explained the purpose and process for a pre-application conference. Director Day noted the general fund deficit, how staff cannot raise taxes, and that staff has been tasked with making land use processes a user-fee application. Director Day noted that he will pass on the Planning Commission's general sentiments to City Council.

**COMMISSION COMMENTS**

Commissioner Coles made comments concerning Parks Plans.

Commissioner Berg requested information regarding Ocean Grove and Hollering Place. Director Day provided answers.

Chairman Hood made comments concerning Empire review standards and the Design Review Board.

**ADJOURNMENT**      7:51 p.m.



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Chris Hood, Chairman  
City of Coos Bay  
Coos County, Oregon



ATTEST:

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Aaron Harris, Planner, City of Coos Bay