

CITY OF COOS BAY
PLANNING COMMISSION MINUTES
Tuesday, February 14, 2017 at 6:00 P.M.
Coos Bay City Hall, 500 Central Avenue, Coos Bay

ATTENDANCE

COMMISSIONERS: Chairman Rex Miller, Commissioners Jim Berg, Christine Coles, Jeff Marineau, Katherine Flores and John Perry.

ABSENT: Commissioner Chris Hood

STAFF: Tom Dixon, Planning Administer
Debbie Erler, Planner

SIGNED-IN GUESTS: None

APPROVAL OF MINUTES

Approval of the Planning Commission minutes of the December 13, 2016 and January 10, 2017 meetings.

MOTION: Commissioner Coles – Approve the Planning Commission’s minutes of December 8, 2016 as submitted.

SECOND: Commissioner Marineau
VOTE: Unanimous

MOTION: Commissioner Coles - Approve the Planning Commission’s minutes of January 10, 2017 as submitted.

SECOND: Commissioner Marineau
VOTE: Unanimous

CCI/PUBLIC COMMENTS None

PUBLIC HEARING

ITEM A: Site Plan Review and Variances #187-ZON16-070

514, 522, 530, 562, 576 North Broadway Street and 525, 599 North Bayshore Drive.

The owner and applicant are requesting approval of a Site Plan Review (SPR) to allow a new one-story specialty retail grocery store of some 13,560 square feet in size. The applicant is also requesting the following variances: 1) reduce the rear yard on the south side of the building from the required 10 feet to six (6) feet, 2) a reduction in the required 15% site landscaping to 12.48%, and 3) a reduction in the number of required off-street parking spaces from 55 to 45. The site is located in the Commercial (C) zone district.

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

Chairman Miller opened the public hearing.

Tom Dixon read the disclosure statement and outlined the applicants' request Site Plan Review (SPR) to allow a new one-story specialty retail grocery store of some 13,560 square feet in size. The applicant is also requesting a variance to reduce the rear yard on the south side of the building from the required ten feet to six; a variance to reduce the required percentage of landscaping from 15 percent to 12.48 percent; and a reduction in the number of required off-street parking spaces from 55 to 45. The site is located in the Commercial (C) zone district.

Commissioner Marineau asked about the prior codes setback requirements. Ms. Erler stated that the prior code left the setback in commercial and industrial zones to State Building Codes due to fire wall requirements. Mr. Dixon stated the new code requires a ten-foot rear yard setback. The Planning Commission discussed the need for the setback commercial zone and the possible need to remove the restriction.

Commissioner Peery asked if there are any concerns about traffic flow. Mr. Dixon stated that because the development is along a State Highway, The Department of Transportation will determine access standards. Commissioner Berg stated that you are going from multiple businesses to one, so the traffic flow and visibility should improve.

Chairman Miller closed the public hearing.

- MOTION:** Commissioner Berg - Based on the Findings, Conclusions and proposed conditions of approval, as supported by the applicant's submittal, attached hereto and incorporated herein by reference as Attachments A, approve Site Plan Review and Variances #187-ZON16-070, allowing a new one-story specialty retail grocery store, with the requested variances, subject to the following Conditions:
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.
 2. The project development shall occur in substantial conformance with the submitted site & grading plan and the landscaping plans dated 12/2016.
 3. An inside drop for the sanitary sewer is required and the applicant takes full responsibility for any damage to the public manhole associated with the connection. The contractor must core drill into the manhole and use a flexible rubber boot KOR-N-SEAL or an equivalent, as approved by the Engineering Division.
 4. The applicant takes full responsibility for any damage to the public catch basin associated with connection to the City's storm sewer system. The contractor must core drill into the catch basin and use a flexible rubber boot KOR-N-SEAL or an equivalent, as approved by the Engineering Division.
 5. Applicant shall obtain sign permits from the City of Coos Bay prior to installation of any regulated signage. The mural design for the building frontage along North Broadway shall be submitted to staff for review, consideration, and acceptance prior to its final approval.

6. All landscaping must be maintained in a healthy, growth condition and landscaping material that become diseased and/or die shall be replaced within 30 days of the growth season. It is the responsibility of the owner to clean and maintain the rain garden in order for it to function properly.
7. A new sidewalk shall be provided along the south side of Alder Avenue along with ADA- standard corner flares with truncated cone mats at the intersections with North Broadway and Bayshore Drive. Sidewalk shall be constructed per the City of Coos Bay adopted Engineering Design Standards.
8. Two bicycle racks with at least five spaces each shall be provided at separate locations on the site and within 50 feet of the store entrance. If possible, decorative or thematic-styled racks would be preferred.
9. All utilities and services coming onto the site shall be located underground.

SECOND: Commissioner Marineau
VOTE: Yea – Commissioners Berg, Coles, Flores, Marineau, Peery
 Nay – Chairman Miller

Commissioner Marineau asked about the proposed revisions to the Floodplain maps. Ms. Erler stated that according to our Engineering Department only three properties in the City of Coos Bay are affected by the most recent map updates. The Planning Commission discussed problem areas in Coos Bay and property development standards in the floodplain.

ADMINISTRATIVE

COMMISSION COMMENTS

Commissioner Marineau stated the stop light at the Pony Village Mall will be done in approximately 30 days and the street improvements will take another 30 days.

Commissioner Flores expressed concern that every school day, between 2:00 and 3:00, you can't see oncoming traffic on South 10th Street (from Anderson Avenue), because of all the vehicles parked on street and in the yellow zone. Ms. Erler stated that she would pass along the concern to our Operations Administrator.

Commissioner Coles stated for the past year and half, she has been subbing at the schools and she has learned where she can park and cannot park in residential zones.

Chairman Miller summarized a recent article regarding the land use approval in the Corvallis, to allow the growing, manufacturing and sales of Marijuana products in Industrial zoned properties. The Planning Commission discussed the City limits and the Urban Growth Boundary/City limit line.

ADJOURNMENT 7:33 p.m.

Rex Miller, Chairman
Planning Commission
City of Coos Bay
Coos County, Oregon

ATTEST:

Debbie Erler, Planner
City of Coos Bay

DRAFT

CITY OF COOS BAY
PLANNING COMMISSION MINUTES
Tuesday, March 14, 2017 at 6:00 P.M.
Coos Bay City Hall, 500 Central Avenue, Coos Bay

ATTENDANCE

COMMISSIONERS: Chairman Rex Miller, Commissioners Jim Berg, Christine Coles, Jeff Marineau, Katherine Flores and John Perry.

ABSENT: Commissioner Chris Hood

STAFF: Tom Dixon, Planning Administer
Debbie Erler, Planner

SIGNED-IN GUESTS: Dan Robertson, 62535 Catching Slough, Coos Bay

APPROVAL OF MINUTES

Approval of the Planning Commission minutes of February 14, 2017 postponed to the April 11, Planning Commission hearing.

CCI/PUBLIC COMMENTS None

PUBLIC HEARING

ITEM A: Development Code Text Amendment #187-ZON17-001

An application has been initiated by the City of Coos Bay to allow marijuana processing uses in the I-C district where presently it is not listed as a use category. If approved as a land use category, future marijuana processing facilities would be reviewed through either a Type II or Type III process; a Type II is an administrative review for a structure up to 4,000 square feet and a Type III review applies to businesses exceeding 4,000 square feet of floor area and requires approval by the Planning Commission after a public hearing.

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

Chairman Miller opened the public hearing.
Tom Dixon read the disclosure statement and outlined proposed amendment.

The Planning Commissioner asked which area of town have IC. Tom showed the areas that contain IC zone.

Commissioner Peery asked if land use approval for proposed uses. Mr. Dixon stated a proposed change of use for processing would be treated as any other change of use. If the structure is 4,000 square feet or less it would be an administrative review. If it is over 4,000 square feet it would be a review before the Planning Commission.

Commissioner Marineau stated that grow operations are not permitted, the city is proposing processing only.

Dan Robertson 555 Lockhart, opposed the proposed amendment. He said in Eagle Point they are having a lot of problems with disposal of unused marijuana. He said the unused vegetation is left to rot and is creating a real odor problem. Rotting unused vegetation. He stated they have had problems with processing.

Commissioner Marineau stated that the city has an ordinance that regulates obnoxious smells and anything beyond their authority would be referred to DEQ. Ms. Erler stated that when a concern is reported the City's Code Enforcement Officer would inspect to verify the violation and send the owner a letter. If the violation is not abated, she can refer the issue to DEQ.

Commissioner Miller asked where the use would be permitted. Mr. Dixon stated the use would only be permitted in the Industrial Commercial (I-C) zone. He added that he conducted research on other coastal communities and two communities were much more liberal approach than what we are proposing. He stated the uses are still new, but those communities have not experienced any of the ordinary issues.

Chairman Miller closed the public hearing.

MOTION: Commissioner Coles - Based on the Findings, Conclusions and proposed conditions of approval, as supported by the applicant's submittal, attached hereto and incorporated herein by reference as Attachments A, recommend City Council approve Development Code Text Amendment #187-ZON17-001, allowing allow marijuana processing uses in the I-C district where presently it is not listed as a use category

SECOND: Commissioner Berg
DISCUSSION: Commissioner Berg stated the paper mill smelled really bad and no one complained about that because it brought revenue to the community. He said a brewery also smells bad. He added that retail sales and processing of marijuana is large industry and we need to consider that. Commissioner Marineau stated the last thing the business wants is a lot of neighbor's complainants or having DEQ at your door. He said the industry is already heavily regulated by the State. Commissioner Flores said she likes the skunky smell and the citizens voted to allow the retail sale within the City. Commissioner Berg stated the use has a medical value and there is a positive side to the industry. Commissioner Peery stated there are adequate controls from State.

VOTE: Yea – Commissioners Berg, Coles, Flores, Marineau, Peery
Nay – Chairman Miller

ADMINISTRATIVE

Mr. Dixon stated that staff is looking for guidance regarding a request by the North Bend Medical Center to expand their south parking lot, which will result in the removal of the existing landscape buffer along Myrtle Avenue. They intend to install new fencing, landscaping and a sidewalk. Because landscape buffering was an issue with the original development staff is asking the Planning Commission for feedback on whether the application should be processed as a Type II or Type III application.

Commissioner Marineau stated he was on the Planning Commission when the original land use development application was reviewed and he remembers the buffering being an issue.

Mac McSwain, 800 N Bayshore Drive, representing the applicant stated that reconfiguring the south parking to add another row of parking spaces which will result in 30 additional off-street parking spaces that is needed for staff to free up the north parking lot spaces for clinic patients. He said they intend to install a new sidewalk which will be a benefit to pedestrian traffic and install a new 7-foot high sold fence with a planter and landscaping on the street side of the fence. He said on-street parking on Myrtle Avenue should be reduced. He referred to the submitted drawing showing the street view with the new design.

The Planning Commissioner discussed the proposed changes. They determined that as long as the required fire lane is maintained they do not have an issue with staff processing the application as a Type II, which still requires mailed notice to property owner within 300 feet of the property boundary, but not a public hearing. They stated an appeal would come before them.

Mr. Dixon stated that Director Eric Day is no longer with the City. He stated the position was eliminated due to budget constraints and the Community Development Department has been joined with the Public Works Department under Department Head Jim Hossley.

The Planning Commission discussed the changes in development regulations. Commissioner Berg stated the people that he hears concerns from dissatisfied citizens, but they will not come and talk to staff about their dissatisfaction with the department. Perhaps the change in administration is a good time to talk about some of the issues.

Chairman Miller stated he recently had a project on his commercial site that involved demolition of two buildings. He said it would have been help if staff would have asked what he planned to do with/to the site when he received the permit. He said when he started to fill the hole left by the demolition and pave the area, he was informed that he needed permits for the work been done. He said any time someone comes in for a demo permit staff needs to ask what the next step is so they can provide information/guidance at that time. The Planning Commission discussed the permit process, including the right-of-way use permit.

Commissioner Berg stated congratulated Mr. Dixon on his promotion. He said this might be an opportunity to make changes.

COMMISSION COMMENTS

Commissioner Marineau stated the stop light at the Pony Village Mall is 75 percent complete.

Commissioner Berg stated the posters are out for the festivals of sails for the first weekend in June. He said it will be a challenge for the community to accommodate the large amount of people coming to the area. He said the current plan is to have a number of barges near the Mill Casino and have the Tall Ships park at a barge. The event will be a great event for the area.

ADJOURNMENT 7:12 p.m.

Rex Miller, Chairman
Planning Commission
City of Coos Bay
Coos County, Oregon

ATTEST: _____
Debbie Erler, Planner
City of Coos Bay