

CITY OF COOS BAY CITY COUNCIL
Agenda Staff Report

MEETING DATE August 6, 2013	AGENDA ITEM NUMBER
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TO: Mayor Shoji and City Council

FROM: Jim Hossley, Public Works Director

Through: Rodger Craddock, City Manager

ISSUE: Consideration of Rain Garden on City Property

BACKGROUND:

David Ford, owner of the building at 245 S 2nd, has requested the City consider allowing the installation of a rain garden on public property south of his building. The proposed garden would be on the City parking lot. Some portions of the total improvements would also be incorporated into the adjacent sidewalk.

The rain garden would consist of various plantings and a channel conveying roof drainage and runoff. Old steel railing from the McCullough Bridge together with concrete columns, including a concrete rail end from Highway 101/Boardwalk, are proposed to enclose the rain garden. Tables and seating, are proposed to be included within the enclosure and on the sidewalk. Other features proposed to accompany the rain garden are a serpentine trench drain, sidewalk pavers, a boardwalk bridge, benches, bike rack arms, and an electric car charging station.

The proposed project would cause the elimination of 6 parking spaces on the south side of the building. One of the building tenants would like to be able to serve alcoholic beverages at the tables in the garden area.

Due to City ownership of the property in question there are municipal policy issues that the Council needs to consider. Some of the issues that require the further consideration:

Alcohol consumption on public property

Coos Bay Municipal Code 9.15.020 Drinking in public places

No person shall drink or consume any alcoholic liquor in or upon any street, alley, or other public place unless the place has been licensed for that purpose by the Oregon Liquor Control Commission.

While it appears that the city code might allow for consumption of alcohol on public space with appropriate OLCC licensing, per the City's insurance carrier, as the property owner the City would assume all liability for the consumption of alcohol in the garden and any subsequent issues regarding the rain garden or alcohol consumption.

Use of public property

Utilization of public property for the sole benefit of a private business owner is of concern. Use

of public property can't be restricted and must be open to all. Caution should be exercised when considering certain private improvements and uses on public property. Consideration must be given to the possibility of providing unfair competitive advantage to adjacent businesses. In addition, how will similar, future requests for use of City property in other areas of the City be addressed.

Surplus and sale of the property is an option to remedy this issue. This in turn would alleviate the issues related to alcohol consumption. Note, procurement law anyone can bid to purchase the property, thus no guarantee Mr. Ford would end up with the property.

Parking

There are parking considerations associated with repurposing the six parking spaces given the presence of the call center, the approved transit station, a possible trash enclosure, current use/needs, future use/needs of the general area (including the new uses in Mr. Ford's building) and the overall shortage of vehicular parking spaces in the Downtown Business District should there be substantial increase in occupancy of existing buildings. The transit station will result in the elimination of 20 parking spaces, while the trash enclosure could eliminate around six.

The replacement value of each parking spot should be considered – land, labor and construction material costs per space. The monetary replacement value could be collected for each parking space eliminated and the funds “banked” for future parking improvements or expansion.

ADVANTAGES:

The proposed concept would be an attractive amenity to the parking lot. The improvements are proposed to be privately installed and maintained.

DISADVANTAGES:

This type of private use of public property is not good policy. The proposed use appears to benefit only the adjacent building owner/tenants. The proposal would eliminate 6 parking spaces.

BUDGET:

No immediate cost to the City or the URA is expected.

RECOMMENDATION:

Provide staff direction how Council wishes to proceed with this proposal.

ATTACHMENTS:

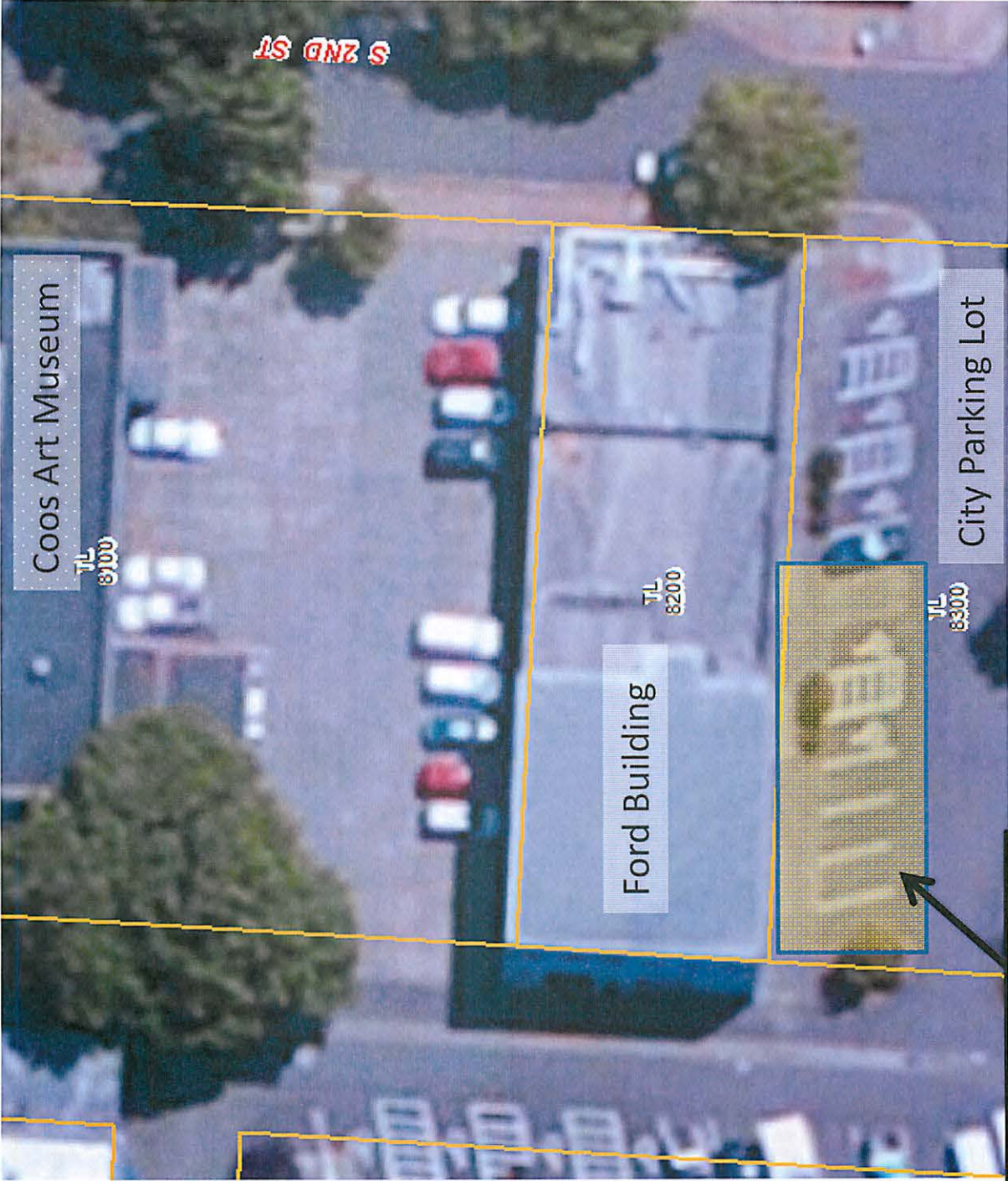
Location Aerial Photos
Transit Transfer Station Concept
Rain Garden Concept Plan





Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Geopartner

Proposed Rain Garden
Location



Coos Art Museum

TL
8100

Ford Building

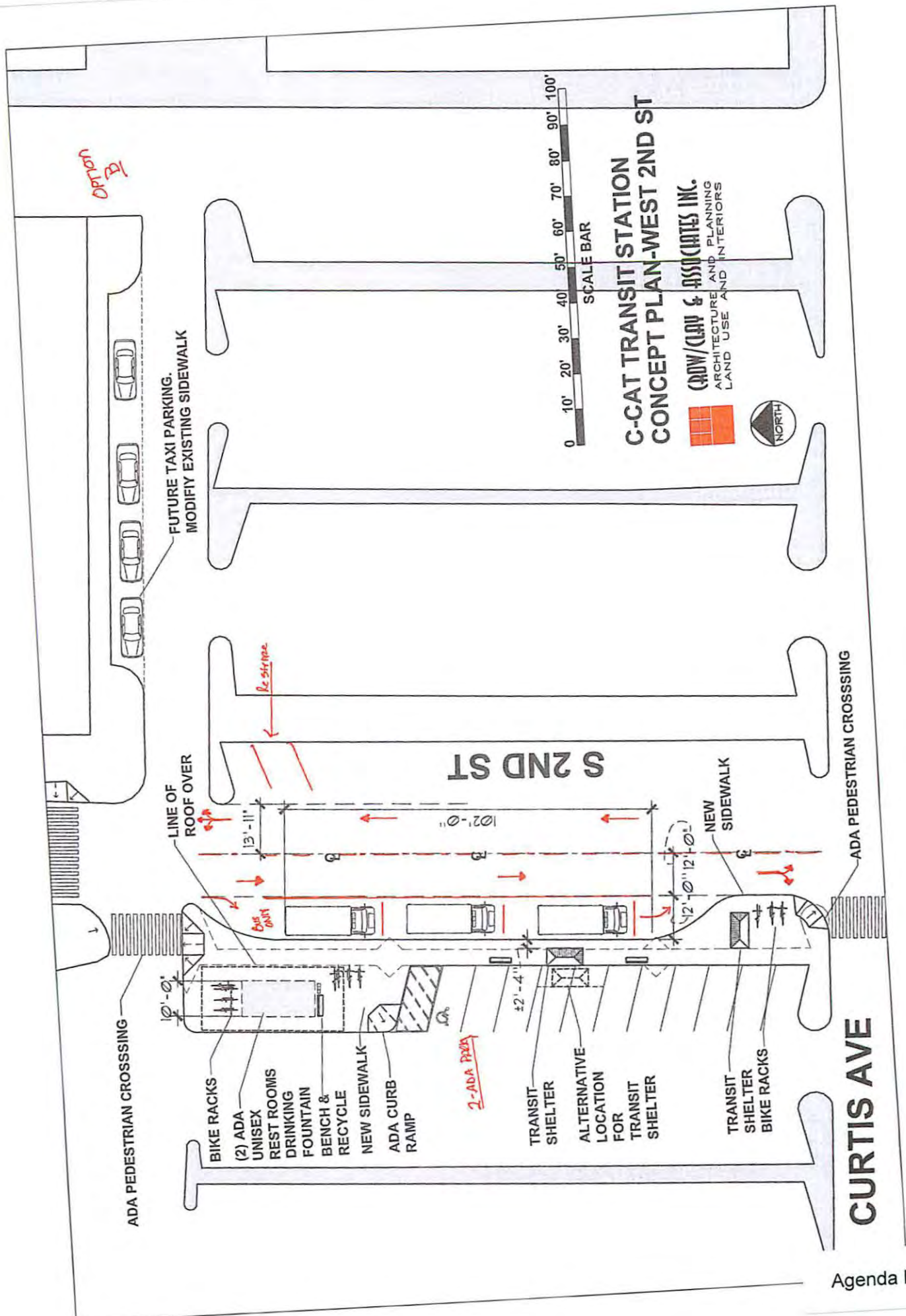
TL
8200

City Parking Lot

TL
8300

Proposed Rain Garden
Location

Option B



FUTURE TAXI PARKING.
MODIFY EXISTING SIDEWALK

S 2ND ST

ADA PEDESTRIAN CROSSING

ADA PEDESTRIAN CROSSING

- BIKE RACKS
- (2) ADA UNISEX REST ROOMS
- DRINKING FOUNTAIN
- BENCH & RECYCLE
- NEW SIDEWALK
- ADA CURB RAMP

2-ADA RAMP

- TRANSIT SHELTER
- ALTERNATIVE LOCATION FOR TRANSIT SHELTER

- TRANSIT SHELTER
- BIKE RACKS

CURTIS AVE

C-CAT TRANSIT STATION
CONCEPT PLAN-WEST 2ND ST

CAW/CAP & ASSOCIATES INC.
ARCHITECTURE AND PLANNING
LAND USE AND INTERIORS



