

CITY OF COOS BAY CITY COUNCIL
Agenda Staff Report

MEETING DATE January 7, 2014	AGENDA ITEM NUMBER
---	---------------------------

TO: Mayor Shoji and City Councilors

FROM: Eric Day, Community Development Department
Debbie Erler, Planner

Through: Rodger Craddock, City Manager

ISSUE **VACATION OF A PORTION OF CEDAR AVENUE BETWEEN NORTH BAYSHORE
DR AND NORTH BROADWAY – VACATION APPLICATION #187-ZON13-00043**

BACKGROUND

The proposed vacation was initiated by Council motion on October 1, 2013 at the request of the Urban Renewal Agency. The URA purchased the property to the north of property vacation in 1998 for future development of an access route to the Front Street Redevelopment Project. Due issues related to elevation, car stacking, turning radius, additional land acquisition and development cost, the possibility of an exit ramp was deemed not viable (*per Agenda Staff Report of October 1, 2013*). Vacating the proposed portion of Cedar Avenue will increase the marketability of the abutting URA owned property for commercial development should the URA decide to surplus the property.

On December 10, 2013, the Planning Commission voted unanimously to recommend approval to vacate the Cedar Avenue located between North Bayshore Drive and North Broadway Street; located between North Bayshore Drive and North Broadway Street, abutting Lot 1, Block 9 and Lot 5, Block 10, found in Section 26CA, Township 25, Range 13 West of the Willamette Meridian, Coos County, Oregon. The attached "Notice of Planning Commission Recommendation" addressed the Decision Criteria, Findings and the Conclusion for the proposed vacation.

The Port of Coos Bay and the Coos Bay/North Bend Water Board provided written consent to the proposed vacation without conditions. Pacific Power informed the City that they have overhead lines in the south 15-feet of the proposed vacation area and an easement will be required to allow future maintenance, repair and replacement of the utility lines. As noted in the attached draft ordinance a utility easement has been included to accommodate existing and future utilities in the south 15-feet of the area proposed vacation.

BUDGET

The application fee (\$795) and publishing cost (\$285.72) was paid from urban renewal funds. If the URA decides after the public hearing to surplus the property, determining the fair market value of the property, including the vacated Cedar Avenue right of way, may require an appraisal. If the property is sold it will be put back on the tax rolls.

RECOMMENDATION

If it pleases the City Council, **enact the attached Ordinance** approving the proposed vacation for the portion of Cedar Avenue, between North Bayshore Drive and North Broadway, abutting Lot 1, Block 9 and Lot 5, Block 10, E.B Clement's Plat of a portion of the Town of Marshfield, found in Section 26CA, Township 25, Range 13 West of the Willamette Meridian, Coos County, Oregon.

ATTACHMENTS

- A - Final Recommendation by the Planning Commission with application
- B - Draft Ordinance with exhibits
- C - Port of Coos Bay email of consent
- D - CB/NB Water Board email of consent
- E - Pacific Power email and map
- F - Draft Planning Commission Minutes
- G - Map of proposed vacation area.



City of Coos Bay

Community Development Dept.

500 Central Ave., Coos Bay, Oregon 97420 • Phone (541) 269-8918
Fax (541) 269-8916

NOTICE OF PLANNING COMMISSION RECOMMENDATION

VACATION OF CEDAR AVENUE BETWEEN BAYSHORE DR. & BROADWAY ST.

APPLICATION: 187-ZON13-043

APPLICANT: Coos Bay Urban Renewal Agency, 500 Central Avenue,
Coos Bay, OR 97420

PROPOSAL: Vacate a portion of Cedar Avenue located between the west line
of Bayshore Drive North and the east line of Broadway Street
North.

RECOMMENDATION: Recommend approval as submitted **DATE:** December 10, 2013
Planning Commission Final Vote:

Yea: *Chairman Chris Hood, Commissioners Jim Berg, Christina
Coles, Bruce Harlan, Jeff Marineau, Phil Marler, and Rex
Miller.*

Nay: None **Abstain:** None

APPEAL PROVISIONS: Page 2.

FINAL RECOMMENDATION

Based on the applicant's submittal, attached herein by reference, and the Findings and Conclusions in "Exhibit A", the Planning Commission recommends City Council approve the vacation of the portion of Cedar Avenue located between the west line of North Bayshore Drive and the east line of North Broadway Street. In the Map of Portion of Town of Marshfield By E. B. Clement, between Block 9 Lot 1 and Block 10 Lot 5.

ATTACHMENT - A

APPEAL PROVISION

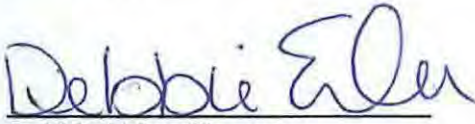
The final decision will be made by the City Council, and this decision may be appealed to the Land Use Board of Appeals pursuant to ORS 197.830.

Questions regarding the appeal procedure may be directed to the Public Works and Development Department, City Hall, 500 Central, Coos Bay, Oregon or phone (541) 269-8918.

DECISION PROCESS - EFFECTIVE DATE

The Planning Commission makes a recommendation to the City Council after hearing public testimony and addressing the decision criteria applicable for the proposed zone change and plan map amendment. The Commission may recommend approval, approval with conditions, or deny the proposals after approving findings or statements which substantiate their conclusions.

The Council shall review the record and affirm, amend, or reverse the Commission recommendation, or remand the matter back for further consideration. Upon approval of the proposed amendments, the City Council shall have prepared an ordinance declaring the changes. The proposed changes will become effective 30 days after the enactment of the ordinance.


Debbie Erler, Planner

Date December 17, 2013

EXHIBIT A

DECISION CRITERIA, FINDINGS & CONCLUSIONS

The following is a list of the decision criteria applicable to the request, Coos Bay Municipal Code 17.375.050. Criteria are followed by findings or justification statements that may be adopted by the Planning Commission to support their conclusions. Although each of the findings or justification statements specifically apply to at least one of the decision criteria, any of the statements may be used to support the Commission's final decision.

Based on their conclusions, the Commission must recommend approval, approval with conditions, or recommend denial of the application. Conditions may be used by the Commission in order to address concerns about how the applicant will meet the criteria applicable to the request.

DECISION CRITERIA #1: (a) Owners of the majority of the area affected have not objected to the vacation in writing prior to the hearing.

DECISION CRITERIA #2: The vacation of a street will not substantially affect the marketability of abutting property in terms of access, utility services, or protective services, unless the owners of the affected property consent or provisions have been made to pay damages.

DECISION CRITERIA #3: Notice has been duly given.

DECISION CRITERIA #4: The proposal does not conflict with the comprehensive plan, including the adopted Coos Bay transportation system plan, or other ordinances.

DECISION CRITERIA #5: The public interest will not be prejudiced by the vacation.

STATEMENTS OF FACT AND FINDINGS:

1. The proposed vacation was initiated by Council motion on October 1, 2013.
2. The Coos Bay Renewal Agency owns tax lot 3600 and the current owner of 777 Bayshore Drive (Raymond M. Penny), submitted a notarized statement of consent.
3. Notice of the hearings in accordance with Coos Bay Municipal Code (CBMC) Chapter 17.300 and state statute. Notice of the time and place of the hearings were:
 - Mailed to all property owners within 250 feet of the area to be vacated on November 20, 2013.
 - Published in "The World" newspaper on November 26, 2013 and December 3, 2013.
 - Posted in two conspicuous locations in the area of the vacation on November 25, 2013 (at each end of the area proposed for vacation) and posted on the bulletin board at Coos Bay City Hall.

4. It is highly unlikely that the short portion of Cedar Avenue will be developed as a street in the future due to the steep topography.
5. According to the Urban Renewal Agency, vacating this portion of Cedar Avenue will make both parcels more marketable both individually and collectively.
6. Tax lot 3600 is zoned C-2 (General Commercial) and the only development of the property has been as a parking lot.
7. Tax lot 5200 (777 Bayshore Drive) is also zoned C-2 and has been developed with a commercial structure.
8. After reviewing the city's comprehensive plan, and other ordinance provisions, city staff did not find any specific conflicts between the city's regulations and the proposed vacation.

CONCLUSION: Required notice was given and the decision criterion has been adequately addressed; therefore, approval of the proposed vacation can be supported.



181-ZON13-043

Community Development • 500 Central Avenue • Coos Bay, Oregon 97420
Telephone 541.269.1181 • Fax 541.269.8916 • coosbay.org

DEVELOPMENT REVIEW APPLICATION

For Office Use Only

STAFF CONTACT

PROJECT NO(S).

Type of Review (Please check all that apply):

- | | | |
|---|---|--|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Lot Line Adjustment | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Appeal and Review | <input type="checkbox"/> Non-Conforming Lots, Uses & Structures | <input type="checkbox"/> Temporary Uses |
| <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Partition | <input checked="" type="checkbox"/> Vacation |
| <input type="checkbox"/> Floodplain Development | <input type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Home Occupation | <input type="checkbox"/> Sign Review Permit | <input type="checkbox"/> Zone Change |
| <input type="checkbox"/> Legislative/Text Amendment | <input type="checkbox"/> Site Plan and Architectural Review | <input type="checkbox"/> Other _____ |

Pre-Application applications require a different application form available on the City website or at City Hall.

Site Location/Address:

**CEDAR AVENUE, BETWEEN THE WEST LINE OF BAYSHORE DRIVE
NORTH AND THE EAST LINE OF BROADWAY STREET NORTH.**

Assessor's Map No.:

Tax Lot(s):

Total Land Area:

Detailed Description of Proposal: **BOTH THE COOS BAY URBAN RENEWAL AGENCY (OWNER OF TL3600, AKA REDNECK MOTORS LOT) AND THE CURRENT OWNER OF 777 BAYSHORE DRIVE DESIRE TO SELL THEIR LOTS WHICH ARE ADJACENT TO THE UNDEVELOPED STREET, CEDAR AVE. VACATING THIS PORTION OF CEDAR AVE WILL MAKE BOTH PARCELS MORE MARKETABLE BOTH INDIVIDUALLY AND COLLECTIVELY. THE URA PROPERTY, TL 3600, IS ZONED C2 (GENERAL COMMERCIAL) AND THE ONLY DEVELOPMENT OF THE PROPERTY HAS BEEN A PARKING LOT. TL 5200 (777 BAYSHORE DRIVE) IS ALSO ZONE C2 AND HAS BEEN DEVELOPED WITH A COMMERCIAL STRUCTURE ON IT.**

IN ADDITION BECAUSE OF THE TOPOGRAPHY THIS SHORT PORTION OF CEDAR AVE. IT IS HIGHLY UNLIKELY THAT IT BE DEVELOPED AS A STREET IN THE FUTURE.

Applicant/Owner Name: **COOS BAY URBAN RENEWAL AGENCY**

Phone: **541-269-8912**

(please print)

Address: **500 CENTRAL AVE**

Email:

City State Zip: **COOS BAY, OR 97420**

Applicant's Representative: **RODGER CRADDOCK**

Phone: **541-269-8912**

(please print)

Address: **500 CENTRAL AVE**

Email: **RCRADDOCK@COOSBAY.ORG**

City State Zip: **COOS BAY, OR 97420**

1. The owner/applicant or their representative should be present at all public hearings.
2. A denial or approval may be reversed on appeal. No permit will be in effect until the appeal period has expired.
3. Three (3) complete hard-copy sets (single sided) of application materials must be submitted with this application.
One (1) complete set of digital application materials must also be submitted electronically or on CD in PDF format.

The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes on site review by authorized staff. I hereby agree to comply with all code requirements applicable to my application. Acceptance of this application does not infer a complete submittal. All amendments to the Coos Bay Development Code and to other regulations adopted after the application is approved shall be enforced where applicable. Approved applications and subsequent development is not vested under the provisions in place at the time of the initial application.


Applicant's signature

10-30-13

Date



Owner's signature (required)

10-30-13

Date

AN ORDINANCE PROVIDING FOR THE VACATION OF CEDAR AVENUE, BETWEEN NORTH BAYSHORE DRIVE AND NORTH BROADWAY, ABUTTING LOT 1 IN BLOCK 9 AND LOT 5 IN BLOCK 10 OF THE E. B. CLEMENTS PLAT OF A PORTION OF THE TOWN OF MARSHFIELD, SECTION 26CA, TOWNSHIP 25 SOUTH, RANGE 13 WEST OF THE WILLAMETTE MERIDIAN, COOS COUNTY, OREGON.

The City of Coos Bay ordains as follows:

Section 1. The Urban Renewal Agency of the City of Coos Bay filed a petition for the vacation of a portion of Cedar Avenue, between North Bayshore Drive and North Broadway, more particularly described as follows:

From the true point of beginning at the Southeast corner of Lot 1, Block 9, of the E.B. Clement's Plat of a Portion of the Town of Marshfield, West along the northerly right of way line of Cedar Avenue a distance of 90.00 feet more or less to the southwest corner of Lot 1; thence, South a distance of 60.00 feet more or less to the northwest corner of Lot 5, Block 10 of the E.B. Clement's Plat of a Portion of the Town of Marshfield; thence, East, along the southerly right of way line of Cedar Avenue, a distance of 90.00 feet more or less, to the northeast corner of Lot 5; thence, North a distance of 60.00 feet more or less to the TRUE POINT OF BEGINNING.

Section 2. The City Council of the City of Coos Bay set the hour of 6:00 p.m. on December 10, 2013 in the Coos Bay City Council Chambers in Coos Bay, Oregon as the time and place for a public hearing before the Coos Bay Planning Commission on the matter of the vacation at which time and place all persons having any objections were invited to be heard.

Section 3. The City of Coos Bay Community Development Department provided notice of the hearing as prescribed in ORS Sections 271.080 - 271.120, which notice declared the Council's intention to consider, upon recommendation by the Planning Commission, to vacate the above-described street within the City of Coos Bay, Coos County, Oregon as follows:

(1) The Community Development Department gave notice of time and place of the hearing before the Planning Commission by posting notice on November 25, 2013 labeled "Notice of Street Vacation" at each end of the area proposed for vacation in a conspicuous place where they could be easily read; and posting on the bulletin board in the City Hall for the City of Coos Bay.

(2) Notice of time and place of the hearing before the Planning Commission was mailed to all the affected property owners, as defined by Oregon law, on November 20, 2013 and was also published in The World, a newspaper of general circulation printed and published in Coos Bay, Oregon, once a week for two consecutive weeks on November 26, 2013 and December 3, 2013, as shown on the affidavit of publication which is attached hereto as "Exhibit A" and incorporated herein by reference.

Section 4. Public hearing was held before the Coos Bay Planning Commission on December 10, 2013, in the Coos Bay Council Chamber at the hour of 6:00 p.m. at which time and place all persons had an opportunity to appear and object to the vacation of the above-described real property.

RETURN TO: City of Coos Bay 500 Central Avenue, Coos Bay OR 97420

Section 5. After careful consideration of all evidence and testimony presented during the public hearing, the Planning Commission found that the public interest would not be prejudiced by the vacation of the above-described real property and recommended the City Council vacate the above-described area.

Section 6. On December 18, 2013, the Coos Bay/North bend Water Board consented to the vacation of the above-described right of way indicating they do not have water facilities within the proposed vacation area, nor are future facilities planned.

Section 7. On December 18, 2013, Pacific Power consented to the vacation of the above-described right of way with the condition that a utility easement be provided for the existing overhead distribution line located in the south half of the proposed right of way.

Section 8. On December 19, 2013, the Port Commission of the Port of Coos Bay consented to the vacation of the above-described right of way as regulated in Resolution 90/91 -14 adopted March 20, 1991.

Section 9. The City Manager has prepared an intelligible map of the property hereby vacated and the City Recorder shall cause the map to be filed with this ordinance in the office of the County Clerk, Coos County, Oregon incorporated herein by reference as "Exhibit B".

Section 10. Having reviewed the Planning Commission's findings of fact, conclusions, and final recommendation, and the record of the public hearing held on January 7, 2014, the City Council hereby adopts the following findings of fact and conclusions of the Commission:

- (1) The Coos Bay City Council initiated the proposed vacation by a majority vote on October 1, 2013 as allowed by CBMC, Chapter 17.375.020(2).
- (2) Notice procedures under ORS 271.110 have been complied with.
- (3) The proposal does not conflict with the comprehensive plan, including the adopted Coos Bay transportation system plan or other ordinances.
- (4) Granting the requested street vacation will not prejudice the public interest.

Section 11. It is hereby declared that public interest will not be prejudiced by the vacation of the above-described street, that such vacation is in the best interests of the City of Coos Bay, and that the City of Coos Bay does hereby vacate the entire area described in Section 1 of this ordinance, subject to the following Condition:

A fifteen (15) foot perpetual, non-exclusive easement for the purpose of the installation, repair, replacement or maintenance of utilities and all necessary appurtenances thereto on, under, over and across the south 15 feet of the portion of Cedar Avenue proposed for vacation as described above, must be provided by the property owner.

Section 12. This Ordinance shall take effect 30 days after enactment by the Council and signature by the Mayor, whichever is later.

The foregoing ordinance was enacted by the City Council of the City of Coos Bay this _____ day of January 2014 by the following vote:

Yes:
No:
Absent:

Crystal Shoji, Mayor of the City of Coos Bay
Coos County, Oregon

ATTEST:

Susanne Baker, City Recorder
City of Coos Bay, Coos County, Oregon

State of OREGON)
County of COOS)
City of Coos Bay)

On this _____ day of January 2014 before me personally appeared Crystal Shoji, Mayor of the City of Coos Bay, and Amy Kinnaman, Deputy Recorder of the City of Coos Bay, and the seal affixed hereto is the official seal of the City of Coos Bay.

Notary Public for Oregon
My Commission Expires: _____

EXHIBIT "A"

AFFIDAVIT OF PUBLICATION

The World

Lee Enterprises - Coos County
350 Commercial Ave. Coos Bay, OR 97420
P.O. Box 1840, Coos Bay, OR 97420

STATE OF OREGON - COUNTY OF COOS

City of Coos Bay
500 Central Ave.
Coos Bay, Oregon 97420

REFERENCE 60005035 / 20242934

I, Valerie Henson, first duly sworn, depose and say that I am the Legal Advertising Clerk for THE WORLD, a newspaper of general circulation published at Coos Bay, Oregon, in the aforesaid county and state; that I know from my personal knowledge that the notice for Public Notice of Application #ZON2013-043 annexed, was published in the entire issue of said newspaper two time(s) in the following issue(s):

PUBLISHED: November 26 and December 03, 2013

TOTAL COST: \$ 285.72

Valerie Henson
Legal Clerk, Valerie Henson

Subscribed and sworn to before this 03rd day of December, 2013

Joanna McNeely
Notary Public of Oregon
My Commission expires: 19th day of July 2014



FILED ON 12/03/2013

RECEIVED

DEC 05 2013

City of Coos Bay

CITY OF COOS BAY PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Coos Bay Planning Commission and City Council will conduct public hearings at the times and locations noted below for the purpose of taking testimony on the matter of vacating a portion of Cedar Avenue located between Bayshore Drive and North Broadway Street, found in Section 26CA, Township 25, Range 13 West of the Willamette Meridian, Coos County, Oregon.

Land Use Application #ZON2013-043 was filed by Coos Bay Urban Renewal Agency, 500 Central Avenue, Coos Bay Oregon 97420 on October 30th, 2013.

The Planning Commission will make a recommendation to the City Council following a public hearing on the matter. The hearing will take place on December 10, 2013 at 6:00 p.m. in the City Council Chambers at 500 Central Avenue, Coos Bay.

The City Council will consider the matter and the Planning Commission's recommendation at a public hearing which will occur on January 7, 2014 at 7:00 p.m. at the same location.

The hearings are open to the public and all interested parties are encouraged to attend. Written objections may be filed with the Community Development Department, City Hall, 500 Central Avenue, Coos Bay, prior to the hearings and will be considered at the time of the hearings. The final decision by the City Council may be appealed to the Land Use Board of Appeals pursuant to ORS 197.830.

Those wishing further information shall contact Eric Day, Community Development Director at (541) 269-8924.

PUBLISH: The World on November 26, 2013 and December 3, 2013

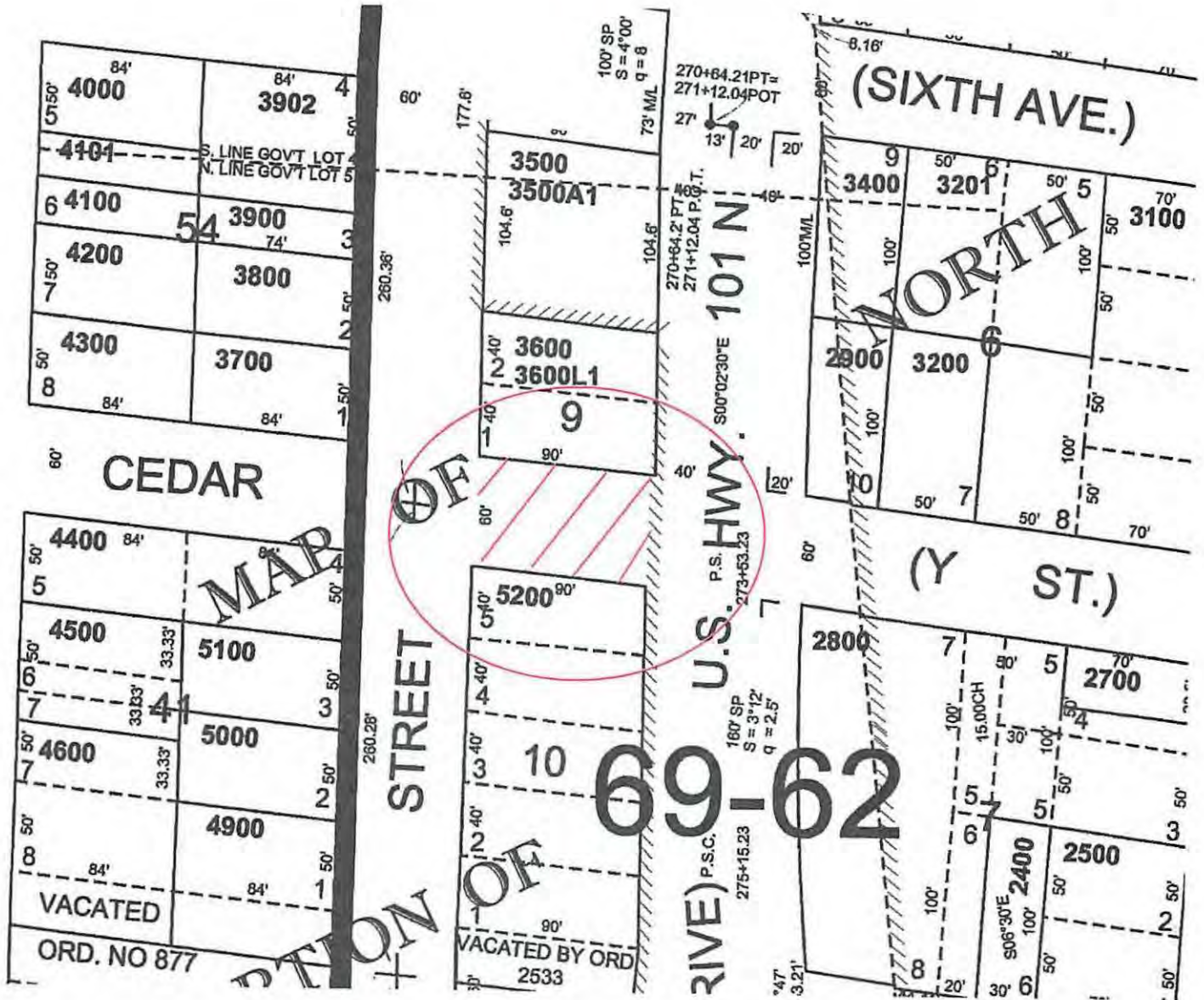
PUBLISHED: The World- November 26 and December 03, 2013 (ID-20242934)

EXHIBIT "B"

VACATION AREA

Cedar Avenue

between North Bayshore Drive and North Broadway Street.
abutting Lot 1, Block 9 and Lot 5, Block 10, found in Section 26CA, Township
25, Range 13 West of the Willamette Meridian, Coos County, Oregon.



Debbie Erler

From: Donna Nichols <DNichols@PortofCoosBay.com>
Sent: Friday, December 20, 2013 10:46 AM
To: Debbie Erler
Subject: RE: Proposed Vacation of Cedar Avenue - Between N Bayshore and N Broadway

Hi Debbie

The vacation was approved during the Port's Regular Commission Meeting last night, December 19, 2013..

I will send you a copy of the minutes reflecting the vote and approval once they are completed.

Thanks!
Donna

From: Debbie Erler [<mailto:deberler@coosbay.org>]
Sent: Wednesday, December 18, 2013 1:51 PM
To: Donna Nichols
Subject: RE: Proposed Vacation of Cedar Avenue - Between N Bayshore and N Broadway

An email indicating the decision is all I need for the report I am writing to City Council for their January 7, 2013 meeting. Then once the minutes are approved if I can just get a copy for our file that would be great. I know what you mean about searching for the actual resolution. I know we had a copy and that I scanned it into our computer, but I cannot find it anywhere. Sounds like a project for after the new year.

Thank you again for all your help.

Debbie Erler, Planner
City of Coos Bay
Community Development
derler@coosbay.org
phone 541.269.1181 x 2259
fax 541.269.8916

From: Donna Nichols [<mailto:DNichols@PortofCoosBay.com>]
Sent: Tuesday, December 17, 2013 8:38 AM
To: Debbie Erler
Subject: RE: Proposed Vacation of Cedar Avenue - Between N Bayshore and N Broadway

Hi Debbie

Attached is a copy of our policy on street vacations and we will have to dig a little deeper to find the actual resolution...
!!

We will walk this vacation request on at the Port's Commission Meeting this Thursday, Dec 19th...

Martin Callery will do the write up and if he has any questions, I'll have him contact you.

I can provide you minutes from the meeting, but they won't be done until mid-January with the holidays...will that work for you?

Thanks!
Donna

Debbie Erler

From: ron hoffine <ron_hoffine@cbnbh2o.com>
Sent: Wednesday, December 18, 2013 2:00 PM
To: Debbie Erler
Subject: RE: Proposed Vacation of Cedar Avenue - Between N Bayshore and N Broadway

Debbie:

We do not have water facilities within the proposed vacation area, nor are future facilities planned. We do not object to the proposed vacation.

Thank you for the opportunity for review.

*Ron A. Hoffine, P.E., Operations Director
Coos Bay - North Bend Water Board
P.O. Box 539
Coos Bay, Oregon 97420
541-267-3128
541-269-5370 fax
ron_hoffine@cbnbh2o.com*

From: Debbie Erler [<mailto:deberler@coosbay.org>]
Sent: Tuesday, December 17, 2013 3:24 PM
To: ron_hoffine@cbnbh2o.com; eric.wirfs@pacificorp.com
Subject: Proposed Vacation of Cedar Avenue - Between N Bayshore and N Broadway
Importance: High

Ron and Eric, It was just discovered that we neglected to send you notice of a proposed street vacation (documents attached). Please review the attached document and submit your comments regarding any utilities (current or future) in the proposed vacation area. Sorry for the inconvenience.

If you need any additional information, please let me know.

Happy Holidays

Debbie Erler, Planner
City of Coos Bay
Community Development
derler@coosbay.org
phone 541.269.1181 x 2259
fax 541.269.8916

Debbie Erler

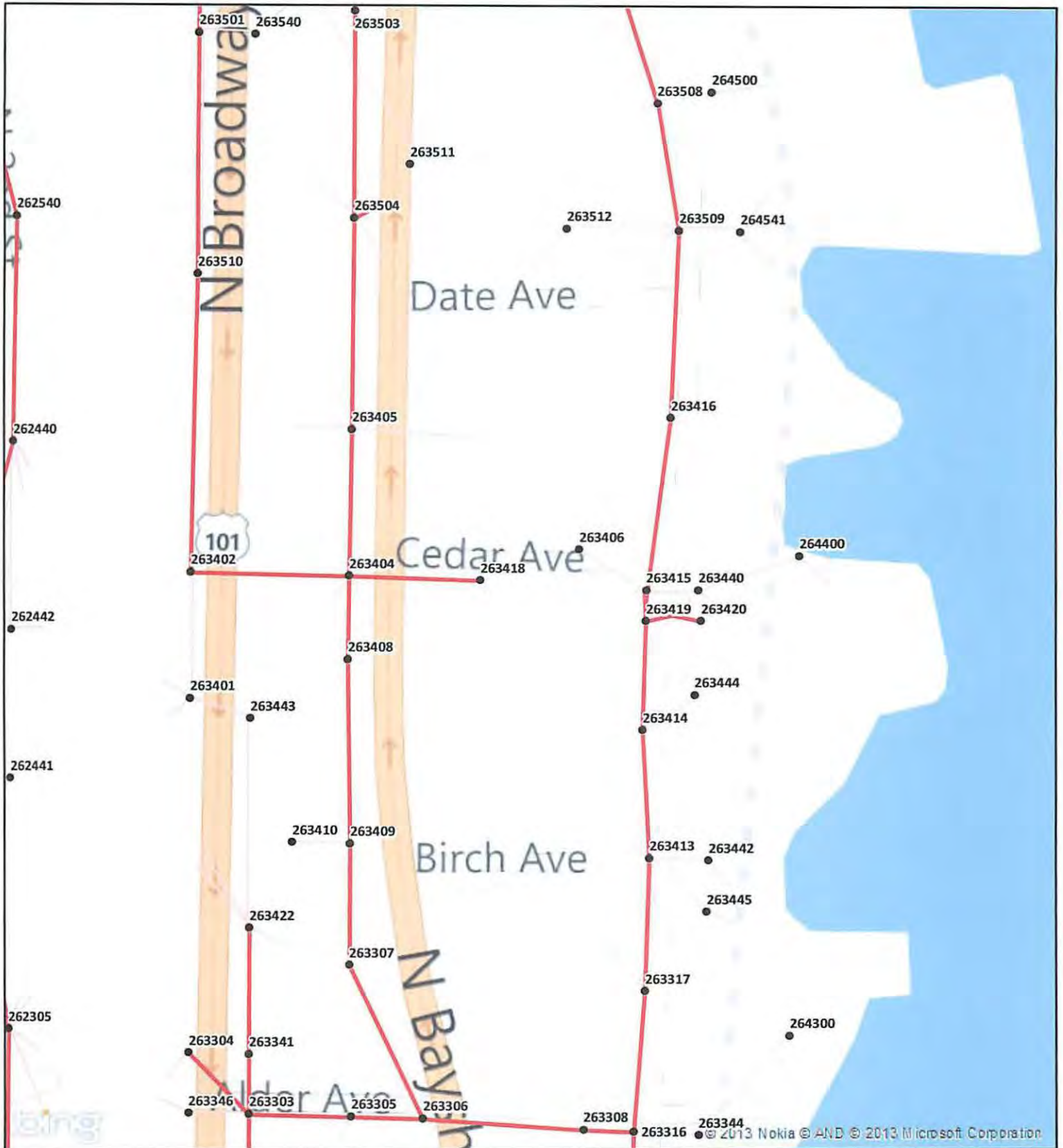
From: Mott, Florence <Florence.Mott@pacificorp.com>
Sent: Wednesday, December 18, 2013 9:40 AM
To: Debbie Erler
Cc: Wirfs, Eric
Subject: Vacation of Cedar Avenue

Good Morning Debbie,

Eric forwarded your e-mail on to me, together with attachments with regard to the above referenced proposed vacation. Please be advised that we do have facilities in Cedar Avenue and that we need to have those rights reserved. This can be done either by granting us an easement or by reserving all existing utility rights as part of the vacation.

If you have any questions, please feel free to give me a call and thank you for letting us know about the vacation.

Florence M. Mott
Manager, Right of Way
Pacific Power
825 NE Multnomah St, Ste. 1700
Portland, OR 97232
Phone: 503-813-5238
Fax: 503-813-6596



Proposed Vacation of Cedar Avenue

- Structure
- Distribution Line
- Secondary Distribution Line



GIS Support Services
Solutions Group
gisdept@pacificorp.com

Data is projected in
UTM Zone 12, NAD83, meters.

No Warranty. With respect to any information, including but not limited to the Confidential Information, which a Party furnishes or otherwise discloses to another Party for the purpose of evaluating Compliance, it is understood and agreed that the Disclosing Party does not make any representations or warranties as to the accuracy, completeness or fitness for a particular purpose thereof. It is further understood and agreed that no Party or its representatives shall have any liability or responsibility to another Party or to any other

0 25 50 100 150



**CITY OF COOS BAY
PLANNING COMMISSION MINUTES
Tuesday, December 10, 2013 at 6:00 P.M.
Coos Bay City Hall, 500 Central Avenue, Coos Bay**

DRAFT

ATTENDANCE

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

STAFF: Debbie Erler, Planner 1 & Aaron Harris, Planner 1

SIGNED-IN GUESTS: None

ITEM C: Vacation #187-ZON2013-043 - Cedar Avenue between North Broadway Street and Bayshore Drive).

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 and outlined that applicant's request. The Coos Bay Urban Renewal District is the applicant for the vacation of a portion of Cedar Avenue located between North Broadway Street and Bayshore Drive. The Coos Bay Urban Renewal Agency and the owner of 777 Bayshore Drive, desire to sell their lots adjacent to the undeveloped portion of Cedar Avenue. According to the Urban Renewal Agency, vacating this portion of Cedar Avenue will make both parcels more marketable both individually and collectively. The lots are zoned General-Commercial (C-2) and the Agency's lot is vacant and 777 North Bayshore Drive is developed with a commercial structure. It is highly unlikely that this short portion of Cedar Avenue will be developed as a street in the future due to the steep topography of the site.

Rodger Craddock, City Manager, stated the proposed vacation was initiated by Council motion on October 1, 2013 (*Exhibit 1- Agenda Staff Report of October 1, 2013*) at the request of the Urban Renewal Agency (URA). The URA purchased the property to the north of property in question in 1998 for future development of an access route to the Front Street Redevelopment Project. The Oregon Department of Transportation indicated that an exit ramp would not meet the warrants due to issues related to elevation, car stacking, turning radius, additional land acquisition and development cost. Vacating the proposed portion of Cedar Avenue will increase the marketability of the abutting URA owned property for commercial development should the URA decide to surplus that property. Commissioner Hood closed the public hearing.

Commissioner Marler asked staff if this would be a typical process where the right of way line is divided down the center. Ms. Erler stated that unless there is a subdivision line that includes the entire right of way, the area proposed for vacation is typically divided equally between abutting property owner.

MOTION: Commissioner Miller - Based on the applicant's submittal and the Statements of Facts, Findings, and Conclusions, recommend the City Council approve Vacation application #187-ZON13-043 to vacate Cedar Avenue between North Broadway Street and North Bayshore Drive.

SECOND: Commissioner Marineau

VOTE: Unanimous



Disclaimer:
This document is produced using a Geographic Information System (GIS). The data contained herein is intended to be a graphical representation only and is by no means an official survey or legal interpretation thereof. The City of Coos Bay provides this data in good faith and makes no warranties, guarantees or representations of any kind, either expressed or implied, as to the content, accuracy, completeness or reliability of this data.

Date: 12/23/2013

ATTACHMENT - G



1 inch = 94 feet