

**CITY OF COOS BAY
PLANNING COMMISSION MINUTES**

Tuesday, May 11, 2004
7:00 P.M. CITY COUNCIL CHAMBERS

ATTENDANCE

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

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

SIGNED-IN GUESTS: Darleen Bradley, 836 11th Street S.W. Bandon, OR
Joe Slack, HGE, 375 Park Avenue, Coos Bay, OR
Sean & Jessica Sullivan, 1400 Pennsylvania Avenue, Coos Bay, OR

CCI/PUBLIC COMMENTS None

PUBLIC HEARINGS

ITEM A: Architectural Design Review (ZON2004-00026): City of Coos Bay, 500 Central, Coos Bay, OR. The applicant is proposing to site the Tug Irene on property located in the Waterfront Heritage zoning district at 325 Front 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 exparte 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.

Chairman Harlan asked where the Tug Irene project originated. Mrs. Barron stated the project was initiated by a State Representative using excess Federal Transportation funds.

Bob Sassanoff, Chairman of Historical Design Review Committee, outlined the Committee's concerns including seating, pedestrian access from Front Street, parking and Front Street linkage. He stated the Committee's main safety concerns are pedestrian access and not having a sidewalk on Front Street. He said allowing parking on both sides of the site would create a hazard for pedestrians and would create a visual obstruction of the boat. They suggest that parking not be allowed along HWY 101 North. He added that realigning the building more parallel with HWY 101 would create more room on the sides and allow the building to be higher and make the boat more visible.

Chairman Harlan closed the public hearing.

The Planning Commission discussed the Commission's role, and authority to make changes to the proposed project. Commissioner Miller stated he attended a couple of the meetings and the architect had valid reasons for the proposed site plan.

MOTION: Commissioner Marineau – Continue hearing of Architectural Design Review #ZON2004-00026 to the June 8, 2004 Planning Commission hearing.
SECOND: Commissioner Hood
VOTE: Unanimous

ITEM B: Street Vacation (ZON2004-00014): Mr. and Mrs. Johnnie Bradley, 836 11th Street SW, Bandon, OR. The applicants are proposing to vacate a portion of the Oakway Court cul-de-sac located in Block 3 of the Crestview Addition to Coos Bay.

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 and outlined the applicants' request.

Mrs. Bradley, 836 11 Street SW, Bandon stated they are planning to place a single family dwelling on the lot. She said the dwelling will cross all property lines in order to avoid a drop off. She stated they are not opposed to the lots being tied together in a deed restriction.

Chairman Harlan closed the public hearing.

MOTION: Commissioner Coles – Accept the Statement of Facts, Findings and Conclusions for Decision Criteria 1-3 and recommend the City Council approve Street Vacation #ZON2004-00014 allowing the proposed vacation of a portion of the Oakway Court cul-de-sac located in Block 3 of the Crestview Addition to Coos Bay, subject to the following Condition: *A deed restriction must be filed tying Lots 5, 6 and 7, Block 3, for the purpose of planning. The deed restriction must state that planning approval is required prior to separation of the lots to ensure adequate public access for the remainder of the subject lots.*
SECOND: Commissioner Coles
VOTE: Unanimous

ITEM C: Plan Amendment and Rezone (ZON2004-00017): Joe Slack, HGE, Inc., 375 Park Avenue, Coos Bay, for School District 9. The applicant is proposing to re-designate approximately .5 acre from "Public Educational Facilities (QP-3)" to "Single-family and Duplex Residential (R-2)" zone designation and from "Quasi-Public (QP)" to "Residential Low-density (R-L)" plan designation. The property is located on Pennsylvania Avenue, east of the Englewood School.

Chairman Harlan stated he has a conflict of interest and turned the hearing over the Vice-Chairman Coles.

Vice-Chairman Coles asked if there were any objections to the Planning Commission hearing the item on jurisdictional grounds. She asked if any other Planning Commissioner had exparte contact or conflict of interest to report.

Vice-Chairman Coles opened the public hearing.

Laura Barron read the disclosure statement and outlined the applicant's request. She entered into the record an aerial photograph of the subject property (*Exhibit 1*).

Joe Slack, Architect of record, stated that four months ago the School District asked him to pursue zone changes for the subject property.

Jeff Hill of Coos Bay is concerned there is not enough water pressure in the area to help fight a fire in the area.

Commissioner Hood stated water pressure is a development issue and not a land use issue. Future development would be required to meet current codes regarding fire protection and water pressure.

Commissioner Daily stated a new development would be required to upgrade the current system.

Vice-Chairman Coles closed the public hearing.

MOTION: Commissioner Marineau – Accept the Statement of Facts, Findings and Conclusions for Decision Criteria 1-5 and recommend the City Council approve the Rezone portion of application #ZON2004-00017 for approximately .5 acre changing the zone from “Public Educational Facilities (QP-3)” to “Single-family and Duplex Residential (R-2)” zone designation.

SECOND: Commissioner Daily
VOTE: Unanimous

MOTION: Commissioner Daily – Accept the Statement of Facts, Findings and Conclusions for Decision Criteria A-D and recommend the City Council approve the Plan Amendment portion of application #ZON2004-00017 to re-designate approximately .5 acre from “Quasi-Public (QP)” to “Residential Low-density (R-L)” plan designation.

SECOND: Commissioner Marineau
VOTE: Unanimous

ITEM D: Plan Amendment and Rezone (ZON2004-00018): Joe Slack, HGE, Inc., 375 Park Avenue, Coos Bay, for School District 9. The applicant is proposing to re-designate approximately 1.9 acres from “Single-family and Duplex Residential (R-2)” and “Public Educational Facilities (QP-3)” to “Residential Professional (R-4P)” zone designation and from “Residential Low-density (R-L)” and “Quasi-Public (QP)” to “Residential High-density (R-H)” plan designation. The property is located on the northwest corner of Pennsylvania Avenue and 15th Street and includes the Englewood School.

Vice-Chairman Coles noted Chairman Harlan's conflict of interest and asked if there were any objections to the Planning Commission hearing the item on jurisdictional grounds. She asked if any other Planning Commissioner had exparte contact or conflict of interest to report.

Vice-Chairman Coles opened the public hearing.

Laura Barron read the disclosure statement and outlined the applicant's request. She read into the record a letter from Joan Morrison of 1480 Illinois Avenue, Coos Bay (*Exhibit 1*) regarding her concerns of possible futures use. Mrs. Barron outlined other uses allowed in the zone.

Commissioner Daily asked if the current use of dance school and gym is classified as an educational facility. Mrs. Barron stated a dance school and gym would be a personal service as defined by the LDO.

Joe Slack stated the School District recently sold the building to Mr. and Mrs. Sullivan. He said when the school district used the building it was an alternative school program for high school students and was also used for maintenance and storage. He added the building is in good shape and the roof is only 10 to 15 years old.

Commissioner Coles asked if the applicant intends to use the building for multiple residential. Mr. Slack stated that is not their intent.

Commissioner Daily asked if this request would be considered spot zoning. Mr. Slack stated QP-3 zone was assigned to all property that contained a school building no matter where their location.

Commissioner Hood stated the Commission should consider all uses that could be allowed on the site.

Sean Sullivan stated the site has over 60 off-street parking spaces. He said they choose the property to make it a home. He stated he does have an extensive personal shop, but they do not intend to operate a commercial business on the site, because they would not want a commercial business in the neighborhood. He said they are now moved in and they want to be good neighbors. He added they might purchase items on E-Bay refurbish them and put them back on the E-Bay, but when that happens the sound level will be very low.

Commissioner Daily asked if they were doing business at the site. Mr. Sullivan stated they are not operating a business on the site.

Mrs. Sullivan stated they were required to file for a rezone because the property is no in private ownership. They intend to allow the dance studio and gymnastics to remain on the site.

Mr. Sullivan stated the Boys and Girls Club will eventually relocate the dance studio and gymnastics to the building on Walnut Avenue. He said at time they may rent out a portion of the building for office use.

Commissioner Hood stated he is concerned about future development. He asked the applicants if they would have a problem with placing restrictions on the property to limit the future uses.

Commissioner Marineau stated the R4-P zone is intended to be a buffer between the commercial and residential uses and he does not see the need to restrict the uses.

Commissioner Daily stated restriction future uses would mean for some uses like multiple residential the Planning Commission would require approve.

Mrs. Barron stated for the record that the City does not have any record of a business on the site, including a home occupation.

Gary Hampel, Charleston, Oregon stated the zone change is appropriate and he does not have any problem with the application.

Joan Morrison, 1480 Illinois Avenue, Coos Bay, stated she is concerned with uses two or three owner down the line and she would like protection for owners in the area.

Helen Doving, Coos Bay asked what is meant by R-H. She said multiple residential is not appropriate for the area. Laura Barron stated residential high is a comprehensive plan designation.

Mr. Sullivan stated he is not apposed to restricting the use.

Vice-Chairman Coles closed the public hearing.

Vice-Chair Coles stated she is concerned about multiple residential uses on the site. She recommends a condition that proposed multiple residential and group residential be required to come before the planning commission for approval.

Mrs. Barron outlined permitted uses and conditionally permitted uses in the R4-P zone. The Planning Commission discussed possible uses in the zone. Mrs. Barron stated we need to consider the location of the property and that location alone may limit the uses.

MOTION: Commissioner Coles – Accept the Statement of Facts, Findings and Conclusions for Decision Criteria 1-5 and recommend the City Council approve the rezone portion of application #ZON2004-00018 allowing the subject property to be rezoned from “Single-family and Duplex Residential (R-2)” and “Public Educational Facilities (QP-3)” to Qualified “Residential Professional (R-4P)” zone designation, subject to the following Condition: *“In order to insure compatibility with adjacent and nearby residential uses, proposals for “multi-family dwelling” and “group residential,” currently listed as permitted by Land Development Ordinance 93, are required to obtain Planning Commission approval pursuant to Chapter 5.13.”*

SECOND: Commissioner Daily
VOTE: Unanimous

MOTION: Commissioner Daily – Accept the Statement of Facts, Findings and Conclusions Of Decision Criteria A-D and recommend the City Council approve the Plan Amendment portion of application #ZON2004-00018 allowing the Comprehensive plan designation to be changed from “Residential Low-density (R-L)” and “Quasi-Public (QP)” to “Residential High-density (R-H)”.

SECOND: Commissioner Hood
VOTE: Unanimous

ITEM E: Site Plan and Architectural Review (ZON2004-00025): Richard Turi, PO Box 1107, North Bend, for Dara Parvin, Oregon Coast Development. The applicant is proposing to site 2 medical facilities at 1957 Thompson Road.

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.

Jeff Marineau stated that he and Mr. Turi are currently working together on an unrelated project, but that would not affect his ability to make an impartial decision on the application.

Commissioner Hood stated he was unaware that his employer, Stuntzner Engineering, had done work on this project. He stated it would not impact his ability to make an impartial decision.

Chairman Harlan opened the public hearing.

Laura Barron read the disclosure statement and outlined the applicant's request. Mrs. Barron discussed staff's recommendation for changes and conditions for the use.

Richard Turi, architect of record, outlined the applicant's proposal. There are no plans for future development at this time. He referred to colored drawings (*Exhibit 1 & 2*). He stated he does not have a problem with any of the proposed conditions.

Commissioner Miller stated he would like to have more detail on the irrigation plan and the sprinkler system, including gallons per minute. Mr. Turi stated that at the time the plans are submitted for development and detailed plan on sprinkler systems, irrigation and landscaping will be submitted. Commissioner Miller stated he is concerned about the survival rate of plants in the entry pod. He stated the area may need to be irrigated to insure survival.

Dorothy Beasley, P.O. Box 4174, Coos Bay, asked about the area to be developed. Mr. Turi stated about 2.5 to 3 acres will be developed. Ms. Beasley asked if the plan has been approved by DEQ. Mr. Turi stated their erosion control plan must be approved by DEQ prior to development. Ms. Beasley stated the entry wall proposed to be located off Thompson Road needs to be moved back, because a four-foot wall is too high to see over and a ten-foot setback is not enough. Mr. Turi stated they are willing to move the wall back another five-foot. Ms. Beasley stated she would like to see the hospital connection road pursued.

Chairman Harlan closed the public hearing.

The Planning Commission discussed if the development needed sidewalk to Ocean Blvd. They determined that pedestrians to and from the site would be minimal.

MOTION: Commissioner Coles— Accept the Statement of Facts, Findings and Conclusions for Decision Criteria 1-8 and approve Site Plan and Architectural Review #ZON2004-00025 the proposed medical facilities at 1957 Thompson Road, subject to the following Conditions:

1. Prior to the issuance of grading/fill or building permits, evidence of compliance with the Division of State Lands and US Army Corps of Engineers requirements for the piping of the creeks must be provided to the city;
2. All surface water must be directed to the creeks. It must be verified that the existing culvert under Thompson Road is adequate for the additional volume of water that will be generated by the impervious surfaces added to the site. The applicant is responsible for any upgrades required;
3. The area and notation labeled "future drive" must be removed from the site plan; and
4. Due to the amount of traffic generated by the development, the vision clearance triangle at the driveway entrance on Thompson Road must be a minimum of 15-feet.

SECOND: Commissioner Daily
VOTE: Unanimous
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ITEM F: Amendment to the text of the Land Development Ordinance (ZON2004-00009): City of Coos Bay, 500 Central, Coos Bay. Updated floodplain regulations to comply with National Flood Insurance Program and Statewide Planning Goal 7.

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.

Chairman Harlan closed the public hearing.

MOTION: Commissioner Coles – Continued hearing of application #ZON2004-00009 to the June 8, 2003 Planning Commission hearing.

SECOND: Commissioner Daily

WITHDRAWN: Commissioner Coles

MOTION: Commissioner Hood – Accept the Statement of Facts, Findings and Conclusions for Decision Criteria 1-4 and recommend to the City Council to approve Amendment to the text of the Land Development Ordinance application #ZON2004-00009 as proposed to updates to the floodplain regulations to comply with the National Flood Insurance Program and Statewide Planning Goal 7.

SECOND: Commissioner Coles

VOTE: Unanimous

ADMINISTRATIVE

Laura Barron stated the Empire Lakes Community Building rezone and the assisted living facility decisions have been appealed.

COMMISSION COMMENTS

The Commission discussed their role in the Architectural Design Review process.

ADJOURNMENT 10:00 p.m.

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

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

APPROVED AS SUBMITTED: JUNE 8, 2004

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