

**CITY OF COOS BAY
PLANNING COMMISSION MINUTES**

Tuesday, October 12, 2004
7:00 P.M. CITY COUNCIL CHAMBERS

ATTENDANCE

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

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

SIGNED-IN GUESTS: None

APPROVAL OF MINUTES

Approval of Planning Commission minutes of September 14, 2004.

Commissioner Hood requested the sentence (page 3) indicated he believed the metal roofing was not an issue be deleted.

MOTION: Commissioner Daily - Approve Planning Commission minutes of September 14, 2004 as revised.

SECOND: Commissioner Miller

VOTE: Unanimous **ABSTAIN:** Commissioner Coles

Laura Barron requested an addition to the Administrative portion of the agenda regarding a request for a three month extension to approval for Conditional Use Application # ZON2002-00063.

CCI/PUBLIC COMMENTS None

PUBLIC HEARINGS

ITEM A: Architectural Design Review (ZON2004-00071): WSCO Petroleum, 997 Newmark Avenue, Coos Bay. The applicant is represented by Kristen Everson/Kevin Jones, ES&A Sign & Awning, 1210 Oak Patch Road, Eugene, OR. The applicant is requesting to alter signage at the Astro Gas Station in the Empire Waterfront Settlement Design Review area.

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 applicant's request.

Chairman Harlan closed the public hearing.

Commissioner Daily stated he does not think the proposed change in signage is significant. He said the new sign will not have interior lighting or exterior lighting which will lessen the overall effect. He added any proposed change to the pole mounted sign would require compliance.

The Planning Commission discussed the application and determined the proposed signage is acceptable as proposed. They agreed that significant alterations would be required for any proposed changes to the pole mounted signage.

MOTION: Commissioner Coles – Accept the Findings of fact and Conclusion as submitted and approve Architectural Design Review application #ZON2004-00071, allowing the proposed change in signage at 997 Newmark Avenue for the Astro Gas Station in the Empire Waterfront Settlement Design Review area.
SECOND: Commissioner Hood
VOTE: Unanimous

ITEM B: Conditional Use (ZON2004-00076): Scott and Kathleen Lange, 625 Telegraph Drive, Coos Bay. The applicants are requesting approval to establish a preschool in their home.

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 applicants' request.

Commissioner Hood recommended a limit of ten children be a condition of approval.

Kathleen Lange, 625 Telegraph Drive, stated she is not opposed to setting a limit on the number of children.

Chairman Harlan asked the applicant about the designated drop off/pick-up area. Mrs. Lange stated there is undeveloped right-of-way along their property that would be used for the loading and unloading area. She stated the area leads to the back of the house, which is the entrance of the preschool.

Chairman Harlan closed the public hearing.

MOTION: Commissioner Coles – Accept the Statements of Facts, Findings, and Conclusions as submitted for Conditional Use (ZON2004-00076) and allow the establishment of a preschool in the Single Family Residential District (R-1), subject to the following Conditions:

1. *The area designated for the preschool must be in full compliance with the Uniform Building Code prior to operation of the preschool.*
2. *The preschool will be limited to 10 children for 3 hours per day, 3 days a week.*

SECOND: Commissioner Hood
VOTE: Unanimous

ITEM C: Subdivision (ZON2004-00077): Jerry Hampel, PO Box 5555, Charleston. The applicant is proposing to subdivide approximately 5.2 acres into 18 residential lots. The property is located on the northeast corner of Pennsylvania Avenue and 17th 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 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.

Stuart Woods, McSwain and Woods Architects, outlined the project and stated they do not have a conflict with staff's conclusions. He discussed the fire sprinkler system which was chosen in lieu of the installation of a hydrant where they would not have sufficient flow to meet the minimum requirements of 1,000 gpm. He stated the city street does encroach on the subject property; he suggested an easement be filed.

Chairman Harlan questioned the portion of Lot 1 that appears to be a paved portion of Pennsylvania Avenue. Stuart Woods stated a portion of the paved area of Pennsylvania Avenue is on Lot 1. He suggested a utility easement may be able to address the encroachment and they are not opposed to an easement.

Commissioner Hood questioned the access from Pennsylvania Avenue and how it complied with the ordinance requirements of Article 3, Chapter 3.11 that indicate *"At intersections, no part of the centerline of one street within 50 feet of the near curb line of the other street shall have a slope above the intersection in excess of 6 percent or below the intersection in excess of 8 percent. The maximum grade of either street within an intersection shall be 6 percent."* Civil Engineer Greg Solarz of Koos Engineers and Architect Stuart Woods discussed the access options and related slopes with the Planning Commission.

Greg Solarz discussed the required hammerhead turn-a-round and the need to restrict on-street parking in that area.

Commissioner Miller questioned the need to restrict tree height to 20-feet. Mr. Woods stated the restriction can be removed.

Chairman Harlan closed the public hearing.

MOTION: Commissioner Coles – Revise Finding "3d" to read *"There is an existing fire hydrant at the northeast corner of 17th Street and Pennsylvania. Department records indicate the hydrant is capable of producing 500 gallons per minute at 20 psi. The Uniform Fire Code requires a minimum flow of 1,000 gallons per minute. The applicant has provided information from Jerry Farless of Omlid & Swinney, Fire Protection Consultants of Springfield. Mr. Farless states that 50 psi would be adequate for fire sprinklering if the meters are upsized to 1" and the water line to the house upsized to 1 ½"*.

Accept Statements of Facts, Findings, Conclusions and Conditions as revised for Subdivision application #ZON2004-00077 for 18 residential lots and recommend City Council approve the application, subject to the following Conditions:

1. All changes/corrections/additions to the preliminary plat addressed in the staff report must be made prior to City Council review in order to meet the submittal requirements;

2. All dwellings must install a fire sprinkler system professionally engineered to current standards. A minimum 1" meter and 1 1/2" diameter water line is required. This requirement must appear on the final plat;
3. Street lights must be installed at the end of each hammerhead and at the intersection of Pennsylvania Court and Pennsylvania Place (on the east side). A light must also be installed at the intersection of Pennsylvania Avenue and Pennsylvania Place;
4. An additional manhole must be installed on Pennsylvania Place in the vicinity of the property line between Lots 12 and 13;
5. Parking is prohibited on the hammerheads. This impacts on-street parking for Lots 9 and 10, and Lots 15 and 16. These lots require 4 off-street parking spaces. This requirement must appear on the final plat;
6. The final plat must contain a reference to the applicant's deed restrictions included with the application. Number 8, regarding the size of trees, has been eliminated;
7. It must be stated on the final plat that this is a re-plat of Lots 5, 6, 19 and 20, Block 28, First Addition to Marshfield;
8. All owners need to be shown;
9. The initial point, description, signature block and street dedication must be shown on the final plat;
10. Street widths of all streets and curve data must be shown;
11. Previous plat vacations must be noted on the map;
12. Distances on the North, East and some on the West do not add up to the total distance given; this must be corrected; and
13. The encroachment of Pennsylvania Avenue onto Lot 1 must be resolved prior to approval of the final plat.

SECOND: Commissioner Daily
VOTE: Unanimous

ADMINISTRATIVE

Request for a three-month extension to Variance #MIS2002-00063 approved on November 12, 2002 with a one-year extension granted in 2003. The extension would allow additional time to complete the engineered plans. The area has remained unchanged.

Laura Barron outlined the applicant's request. She stated the variance was approved on November 12, 2002, with the condition that if the building is reduced, removed, or destroyed, off-street parking requirements must be met in their entirety. A one-year extension was granted in 2003. She said the applicant is asking for a three-month extension in order for the architect and structural engineer to complete their plans. She added the area has remained unchanged since the variance was granted.

Commissioner Coles declared a conflict of interest.

Howard Willett, P.O. Box 1817, Coos Bay, stated their plans are about 75-percent complete.

MOTION: Commissioner Daily- Approve a final one-year extension for Variance ZON2002-00063 that will expire on November 12, 2005.
SECOND: Commissioner Hood
VOTE: Unanimous **ABSTAIN:** Commissioner Coles

COMMISSION COMMENTS

Commissioner Coles stated she thinks the variance approval for 1415 N Bayshore Drive was a slam dunk for the applicant. She said there are no off-street parking requirements for that development and no requirements to provide light for on-street parking. She said the streets in that area are very dark and she suspects that the customers will use the Red Lion parking lot to avoid parking on the dark street. She added a variance is not intended to wipe out a requirement, but to justify a reduction in the requirements. She concluded she has never seen a variance where it was a total wipe out.

Commissioner Miller stated the lack of water pressure in Englewood, Eastside and parts of the north end of Coos Bay are an issue for new development in Coos Bay. The Water Board needs to improve the systems in these areas. The Planning Commission discussed system development fees and the cost of development.

STAFF COMMENTS

Laura Barron informed the Planning Commission that the decision for Earleen Brown's Architectural Design Review has been appealed to City Council.

ADJOURNMENT 9:30 p.m.

ATTEST:

Debbie Erler, Planning/Code Specialist
City of Coos Bay

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

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