

ITEM A: Site Plan & Architectural Review (ZON2003-00032 - Continued from April 8/April 23, 2003): PacWest Group, LLC, 1159 Mira Mar Avenue, Medford, OR 97504. The Applicant is requesting approval of a site plan and architectural review for two (2) retail structures located on the southeast corner of Newmark Avenue and LaClair 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 did not read the disclosure statement as this was a continuation from April 8, 2003, and April 23, 2003.

Laura Barron stated the Commission had requested the applicant pursue input from a traffic engineer regarding the safety of the proposed access on Newmark and the internal traffic circulation of the project site. A letter from JRH Engineering addressing ingress and egress and the internal circulation of the site was included in a staff memo to the Commission dated May 9, 2003. Staff recommends that the proposed driveway at Newmark allow right-in and right-out movement only.

Ms Barron discussed a letter from DKS Associates, provided to the Commission this evening. Ms Barron pointed out that the letter recommended right-in/right-out from Newmark Avenue based on future traffic volume. The letter stressed the need to design accesses for long term needs on Newmark pointing out that the JRH letter focuses on present traffic volumes. Access decisions should be made with future travel demands in mind.

Randall Rands, Architect for PacWest Group LLC stated, JRH Transportation Engineering has performed a site plan review of the proposed site as requested by the Commission; Mr. Rands said he saw no problem for full access off Newmark, and his concerns are for the present and not the future; modifications may need to be done then. He is requesting full access to Newmark at this time.

Chairman Harlan commented, people will use the center turn lane as a refuge lane while waiting for traffic to clear; his major concern is traffic turning left out of SWOCC and the traffic turning left into Walgreen's at the same time.

Commissioner Marineau stated, people will use the center land as a refuge lane regardless if its legal or not.

Commissioner Daily agreed this is not uncommon for the center lane to be used for a refuge lane.

Chairman Harlan said he is concerned because the site is laid out showing full access. He questioned whether there has been conversations about shared access.

Andy Nasburg asked the Commission for a conditional use permit with a 5 year review date attached. Changes could be made at that time if traffic problems arose. Commissioner Hood asked who would be responsible for resolving any unforeseen problems. Nasburg said the property owner should have to take care of any problems, and also thought SWOCC should share in the responsibility. He has spoken with SWOCC and they will not give up this access.

Laura Barron said a SPAR is required, for those properties zoned commercial to the east and south. She has concerns about a conditional use permit with an attached review date. She questioned responsibility and enforcement, stating it would be very difficult to implement and define problems.

The Commission asked if Staff could get an opinion from the City Attorney whether or not a decision could be recalled up in a specific time.

Randall Rands said a third option could allow a left turn in from Newmark to the property and no left turn out onto Newmark.

Donna Mangham, 534 Taylor, Coos Bay, stated her concern was if on the first day the store is opened someone is killed, who will take responsibility, who deals with the problem and pays the price?

Commissioner Daily responded society would look at whoever violated the law.

Chairman Harlan closed the public hearing.

MOTION: Commissioner Spargo - Approve right-in/right-out and left in movement from Newmark, with the condition that it will be re-evaluated after a period of two years. This is a tentative approval and will be continued to the next Planning Commission meeting on June 10th at which time the landscaping and drainage site plan will need to be submitted.

SECOND: Commissioner Marineau

VOTE: AYE: Commissioner Spargo, Commissioner Hood, Commissioner Marineau, and Commissioner Coles.

VOTE: NAY: Chairman Harlan and Commissioner Daily

Architectural Design Review (ZON2003-00038): Mr. John Pundt, PO Box 1482, Coos Bay, OR. The applicant is requesting approval of a projecting sign and a wall mounted sign at 787 Newmark Avenue which lies in the Empire Waterfront Settlement Design Review area.

an 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.

an opened the public hearing.

read the disclosure statement and outlined the applicant's request.

ted he met with the Historic Design Review Committee and has submitted three designs for signs. He would like to use design 3.1 and would also like to keep the smaller letters on the bottom of the sign. He indicated he would like to comply and complete the process as soon as possible as his business was being hurt by not having any signage on the building.

an asked if design 3.1 was satisfactory to Pundt. Pundt agreed, and said the supplementary designs would be more expensive.

off, Historic Design Review Committee Chairman thought the design 3.1 was pretty good, but still didn't know if the structure was strong enough, and if the materials proposed would withstand winds. He also asked if the color of the lettering would be black or green. Pundt replied green.

aid a building permit will be required for the sign and will be reviewed by the building inspector.

an closed the public hearing.

MOTION: Commissioner Coles - Accept the Findings of Fact and Conclusions for Decision Criteria 1-4 and approve Architectural and Design Review (ZON2003-00038)
SECOND: Commissioner Daily
VOTE: Unanimous

: **Conditional Use (ZON2003-00039):** Mr. and Mrs. Michael Stanger, 69262 Wildwood Rd #42, North Bend, OR. The applicants are requesting approval to site a single-family dwelling in the "Multiple Residential (R-3)" zone.

an 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.

an Harlan opened the public hearing.

Barron read the disclosure statement and outlined the applicant's request.

an Harlan closed the public hearing.

MOTION: Commissioner Coles - Accept the Findings of Fact and Conclusions for Decision Criteria 1-4 and approve Conditional Use ZON2003-00039.
SECOND: Commissioner Daily
VOTE: Unanimous

: **Conditional Use (ZON2003-00040):** Hank Westbrook, HW3, PO Box 2767, Harbor, OR 97415-0327. The applicant is requesting approval to proceed with a Planned Unit Development on 40-acres located south of Prefontaine Drive.

an 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.

ssioner Hood said he will step down from the Commission on this item as he is working for the applicant. Commissioner Coles said Mr. Westbrook is a frequent guest at Red Lion, her place of employment, but does not believe this would create a conflict of interest. Commissioner Spargo said she has worked with some of the persons involved as did Commissioner Marineau, but neither considered it a conflict.

an Harlan opened the public hearing.

Barron read the disclosure statement and updated the Commission on the applicant's request, then pointed out the different zoning areas located in and around the subject property.

Barron, read a letter presented to her at the meeting from Wilfried Schubert (Exhibit 1). Twenty-one letters were received by the Department of Community Services and copies included with the staff report.

Myhre, Myhre Group Architects, did a PowerPoint presentation describing what a Planned Unit Development is, and how they work.

Good, Stutzner Engineering, talked about the planning and review process.

Myhre stated a Planned Unit Development is a creation of a community theme and lifestyle, which includes clubhouses, pools, and other amenities shared by all in the PUD community. They are not proposing any retail or commercial operations, only residential. PUD's target a specific market, pre-retirees and retirees. Economic analysis done on the area show county population continues to grow and the majority of people are retirees and pre-retirees. Housing demands represent greatest growth in this community. This site is good because the use is allowed with a conditional use permit. There would be minimal environmental impact and several options for entrances to the property. The next step would be a traffic study, and compiling an economic analysis.

an Harlan said the major issue will be access, and if granted approval needs to be the first issue to deal with.

Myhre stated they accept the burden of these issues.

Commissioner Marineau said he has no problem with the concept of a PUD, but the issues of density and access would have to be approved.

Commissioner Coles agreed and appreciated the issues being addressed up-front.

Myhre said his company doesn't want to waste time and money, and if this site won't work he does not want to mislead his client.

Commissioner Spargo asked Mr. Myhre if he had a time-line. He replied they would like a two year approval period, as they want to do a through investigation, but could possibly have a package together as early as six months.

an Harlan asked the audience if anyone in support of the project would like to come to the podium and address the commission.

Cooley, 725 Prefontaine, stated without this project the area would never be developed. The only place Coos Bay has to grow is Empire, and we need new taxes, and jobs for people. She said she is all in favor of this project.

ndel, 735 Prefontaine, said he has sold the property on the east side of the old Elk's Building to the applicant.

Mathis, 505 Shorepines, said he thought the project was an appealing idea. He stated he had also sent a letter, and believed there were several possibilities for access to and from the property.

Harlan asked the audience if anyone not in support of the project would like to come to the podium and address the Commission.

Mangham, 534 Taylor, said she objected to traffic on Prefontaine and thought there would be too many dwellings; she does not want a glorified trailer park. This will not create jobs for our area. What is the benefit to the residents of Prefontaine and Coos Bay.

Myhre responded, building requirements for PUD's are more stringent making them more defined and further control how PUD's are built and look.

Glassman, 1006 Maryland, has previously submitted a 5 page document; he went over some of the highlights of his letter, and voiced his concerns regarding traffic.

Matthews, 242 S. Morrison, said he purchased his house 45 years ago and cannot back out of his driveway because of all the traffic; he also said the 25 mile per hour speed limit is not obeyed.

Triner, 765 Prefontaine, commented he thought Mr. Myhre put on a fine presentation; looking at the size of the proposed PUD, he has major concerns with traffic and potential residential demand. Since there are no thru ways people will be forced into residential areas.

Thornton, 690 Radar Rd, stated the impact for Radar Rd. will be great, the volume of traffic will change the neighborhood. She would like the project reconsidered.

Rainey, 835 Prefontaine, passed out color drawings (Exhibit 2) to the Commissioners. He said traffic will create a safety problem.

Myhre stated he is in complete agreement that all aspects need to be investigated and thanked everyone for their input and comments.

Harlan closed the public hearing.

MOTION: Commissioner Coles - Accept the Findings of Fact and Conclusions of Decision Criteria 1-4 and approve Conditional Use ZON2003-00040 effective for 2 years.

SECOND: Commissioner Dailey

VOTE: Unanimous

Laura Barron stated this will have a 15 day appeal period.

ADMINISTRATIVE

Laura reminded the Commission there is a joint transportation work session scheduled for June 10, at 6 p.m., with the Planning Commission following at 7 p.m.

COMMISSION COMMENTS

Commissioner Coles thought Mr. Myhre gave an extremely good presentation.

STAFF COMMENTS

ADJOURNMENT 10:20 p.m.

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

ATTEST:

Julie LaPram, Code Specialist
City of Coos Bay

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