

**CITY OF COOS BAY
PLANNING COMMISSION MINUTES**

Tuesday, June 8, 2004
7:00 P.M. CITY COUNCIL CHAMBERS

ATTENDANCE

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

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

SIGNED-IN GUESTS: George Gant, 556 N Bayshore Drive, Coos Bay
Herb Black, 556 N Bayshore Drive, Coos Bay
Mike George, 94218 Bone Creek Lane, Coos Bay
Keith Riley, 920 Tower, North Bend
Seymour Glassman, 1006 Maryland Avenue, North Bend
Bob Everetts, 770 Prefontaine Drive, Coos Bay
Norman Fraser, 2690 35th Street, Coos Bay
Mark Skaar, 3425 Vine Street, Coos Bay

APPROVAL OF MINUTES

Approval of Planning Commission minutes of April 13, 2004 and May 11, 2004.

Chairman Harlan noted a correction in paragraph 6 on page 3 – The name should be changed from John Latten to John Menton.

MOTION: Commissioner Hood - Approve Planning Commission minutes of April 13 2004 as corrected.
SECOND: Commissioner Daily
VOTE: Unanimous

Approval of Planning Commission minutes of May 11, 2004.

MOTION: Commissioner Hood - Approve Planning Commission minutes of May 11, 2004 as submitted.
SECOND: Commissioner Daily
VOTE: Unanimous

CCI/PUBLIC COMMENTS None

PUBLIC HEARINGS

ITEM A: Architectural Design Review (ZON2004-00026): Continued from May 11, 2004. 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, south of Taco Time.

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. She stated a revised site plan was received today (*Item A, Exhibit 1*). She said the plan differs in that the sidewalk has been relocated. Coming from the south, the sidewalk extends north along Front Street, crosses the plaza to the west and tires into both Bayshore Drive and North Front Street. No changes have been made to the boat location or roof structure.

George Gant, 556 N. Bayshore Dr., Coos Bay stated he is opposed to the proposed location of the Tug Irene. He stated the late Mr. Sause was told it would be placed on the south side of the boardwalk. He added parking is a problem on the east side of HWY 101 and there are no restrooms for a quarter of a mile. He suggested the boat be moved to the Boardwalk.

Laura Barron stated Margie Sause has been involved in the process from the beginning.

Chairman Harlan closed the public hearing.

Commissioner Hood asked about parking on HWY 101. Commissioner Daily stated it was discussed that the curb would be painted yellow up to the point of the sidewalk. Commissioner Hood stated the site is not necessarily a site where people will be spending a lot of time. It is more of a gateway to the downtown and Front Street.

Mark Daily stated a RV parked on HWY 101 would block the view of the Tug Irene.

MOTION: Commissioner Daily – Approve Architectural Design Review application #ZON2004-00026 as revised at Exhibit 1, allowing the placement of the Tug Irene at 325 Front Street under a 16' X 37' roof structure located in the Waterfront Heritage zoning district, with the following recommendation: The City consider designating the area along the east side of HWY 101 to the beginning of the sidewalk as "No Parking".

SECOND: Commissioner Miller

VOTE: Unanimous

ITEM B: Architectural Design Review (ZON2004-00042): Earlene Brown, 556 N Bayshore Drive, Coos Bay. The applicant is proposing to join two buildings (520 and 556 N. Bayshore) and remodel portions of the exterior. The property lies in the Waterfront Heritage zoning district.

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. The applicant provided color photographs of the building (*Item B - Exhibit 1*), showing the exterior of the buildings and the work that has been completed.

George Gant, 556 N Bayshore Drive, Coos Bay, stated he was at the HDRC meeting. He said they went over the application and plans. He stated they asked for questions or suggestions. He stated the building is similar to other buildings in the district (like the Kings Table, Century 21). Mr. Gant added there is no tourist attraction in the Front Street District. He stated that today a mechanical permit was refused and that cost them money. He said that they are under a time element and a monthly Planning Commission meeting does not help them. Mr. Gant stated they did not intend to evade the system.

Chairman Harlan stated the building should reflect the historic period identified. He said there is a binder available to anyone with sample colors and designs. He added that none of the elements of the submitted design has any historical reference. He added that it appears no effort was made to comply with the design standards

Commissioner Daily stated the owner hired an architect that did not know the ordinance or standards in that zone. He stated it appears most of the construction has been completed and according to staff no permits have been issued for exterior work.

George Gant stated they are not building a new building just remodeling two existing buildings. He said the buildings are not and would never be historic buildings.

Commissioner Hood asked why there is such urgency in completing the work.

Mike George, contractor of record, stated they began six months ago when the building was purchased. He stated they called and ask if the building could be joined. He said there is nothing in the title that says the buildings are in a historical district. He said they never agreed to the zone and never received notice of the change in zone. He said they have invested thousands of dollars in the project.

Chairman Harlan stated the Planning Commission is responsible to see that the design standards of the district as outlined in the Land Development Ordinance are complied with. He stated that no effort has been made to comply with the standards in the material choice or design.

Commissioner Daily stated it is the owner's responsibility to check the properties zoning and development standards.

The Commission discussed the two to three year process leading to the adoption of the ordinance. They stated that it is a property owner's responsibility to verify with the regulating authority what development standards or restrictions are in place on a property. All title reports clearly state that it is the owner's responsibility. Commissioner Daily stated the current owner is a realtor and as a realtor she should know her responsibilities.

Earlene Brown stated she never received a letter regarding the zone change from the City.

Robert Sasonoff, Chairman of the Historic Design Review Committee (HDRC), apologized for the Committee not doing their job. He stated the Committee did not like the submitted plans. He said the applicant and her supporters were very determined to get an approval as submitted, since the material has already been purchased and a good portion of the work had already been completed. As an advisory committee they were not prepared to deal with such aggressiveness and determination. It was clear to them the applicant did not plan to make any changes to the submitted plans. He is sorry they dumped the issue on the Planning Commission and they should have been much firmer with the applicant.

Chairman Harlan stated the HDRC is an advisory committee to the Planning Commission. He said if the HDRC was approached with the same attitude that is present at this time, he understands why the HDRC chose to let the Planning Commission deal with the application. Choose should be Chose

Commissioner Hood thanked the HDRC for their service to the City of Coos Bay.

Janita Lawrence, 525 Park Avenue, Coos Bay, stated she has been into the City offices requesting information on property and the Community Services Department was very helpful and gave her all the information she needed. She added that as a home owner in Coos Bay she was aware of the process to rezone the area and develop design standards. She added it is hard to believe that a property owner or business owner in that area did not know about the process. She recommended the standards be upheld.

Gordon Ross stated buildings in the specified era were constructed of shake or shingle with corrugated roofing. He had seen 400 year old buildings with copper roofs and the siding is similar to a historic design.

Chairman Harlan closed the public hearing.

Commissioner Daily stated the applicant should come back with a rendering of the site that would meet the design standards.

Commissioner Hood stated the area is improving and tourism is an industry. He said the City of Bandon has been tough on development and because of that the area looks great. He added that during the year he has been on the Commission they have bent over backwards to help an applicant through the process.

Commissioner Daily stated the newly installed windows are of a contemporary design and the signs do not meet the ordinance.

- MOTION:** Commissioner Daily – Continue the hearing of Architectural Design Review application #ZON2004-00042 to the July 13 2004 hearing, to allow the applicant time to resubmit design plans that show compliance with design standards of the Waterfront Heritage zoning district.
- SECOND:** Commissioner Hood

The applicant stated that she prefers the Planning Commission deny her application.

- VOTE:** Yea – Commissioner Daily
Nay – Chairman Harlan, Commissioner Hood and Miller.
- MOTION:** Commissioner Hood – Deny Architectural Design Review application #ZON2004-00042, at the request of the applicant.
- SECOND:** Commissioner Miller
- VOTE:** Unanimous

ITEM C: Conditional Use (ZON2004-00044): Floyd and Rose Roe, 1616 Lund Avenue, Coos Bay. The applicants are proposing to site a single-family dwelling in the Multiple Residential (R-3) zoning district on property located at the southeast corner of Norman and Stark Avenues.

Chairman Harlan asked if there were any objections to the Planning Commission hearing the item on jurisdictional grounds. He asked if any other Planning Commissioner 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.

Janita Lawrence, 525 Park Avenue, Coos Bay, representing the applicants, stated everything was addressed in the staff report and she would answer any questions.

Vice-Chairman Coles closed the public hearing.

MOTION: Commissioner Hood - Approve Statements of Finding Conditional Use application #ZON2004-00044 allowing the placement of a single family dwelling on property at 1616 Lund Avenue, Coos Bay which is located in the Multiple Residential (R-3) zoning district.
SECOND: Commissioner Daily
VOTE: Unanimous

ITEM D: Remand of Conditional Use (ZON2004-00015): Continued from April 13, 2004. Myhre Group Architects, 105 SE Taylor, Suite 307, Portland, OR. The applicant is proposing to satisfy criteria set forth in the remand of a conditional use to allow a planned unit development on property lying south of Prefontaine Drive.

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

Commissioner Hood declared a conflict of interest because he works for Stuntzer Engineering and is working with the applicant.

Chairman Harlan opened the public hearing.

Laura Barron read the disclosure statement and outlined the applicant's request. Mrs. Barron outlined the process up to this point. She stated that ten letters were received and copies were provided to the Planning Commission and the applicant.

Chairman Harlan stated a SPAR would be required for the development prior to building plans being submitted.

Seymour Glassman, 1006 Maryland Avenue, North Bend stated the Astro Station has a current count of 4,000 vehicles on Morrison Street. He stated Morrison is at capacity and we need to look at the total picture. He added there are two schools in the area and we should also consider what the Indians might request in the future.

Chris Rainy stated he thinks we are putting the cart before the horse. He referred to his submitted letter and the April 6th meeting when staff recommended denial of the application. He can't believe now staff is recommending approval.

Bob Everetts, 770 Prefontaine Drive, Coos Bay stated that he has stressed that they are not apposed to the project but they need to address the issues. He stated he lives in this area because of the traffic and he does not want the traffic to increase to 1,000 vehicles a day. Most of the residents in the area are retired and choose to live here. He does not want the project piece mealed.

Chairman Harlan closed the public hearing.

Chris Hood, Stuntzer Engineering, stated they have an existing easement through the Tribal lands and had agreement with the City to access through their property. They need a final easement with the water board to complete the connection. The city said they want the easement to be made public. He said that a condition could be put on the approval that it be completed prior to development. If we don't get the public access then the project will not proceed. He stated he has heard a lot of testimony about traffic, but he has not seen anything in writing to support the testimony. He added the proposed developed would have a traffic demand about half of that of a single family dwelling development.

Mr. H. Lee, traffic engineer for the applicant, stated traffic engineers have standards they must comply with. He said they have met those standards. The traffic that is currently on Radar is what could be expected on Prefontaine Drive, which is within the standards.

Seymour Glassman, 1006 Maryland Avenue, North Bend stated Morrison has only two inches of blacktop and will not hold up to increased traffic.

Commissioner Daily stated that conditions are used in an approval to regulate specific issues or concerns. The owner of a property has a right to develop the property. He said when the residents in the area developed their property, did they think the land behind them was a national park. Surely they had to know that the property would be developed someday. He added that as far as disputing the traffic study, the only personal here that is qualified to talk about standards is hired by the applicant. He said he is inclined to approve the request with a condition regarding the other access.

Commissioner Miller stated he is fine with traffic and density issues. He understands that everyone would like to be the last guy in a development. He added he still has concerns regarding access.

- MOTION:** Commissioner Daily - Continue the review for the Remand of Conditional Use application #ZON2004-00015 to the July 13, 2004 hearing, to allow the applicant to finalize access issues.
- SECOND:** Commissioner Miller
- VOTE:** Unanimous

Chairman Harlan stated he would like to have a traffic study reviewed by someone representing the city of Coos Bay.

ITEM E: Plan Amendment and Rezone (ZON2004-00030): Jack Jacobson, 1806 Thomas, Coos Bay. The applicant is proposing to re-designate property located at 3485 Vine Avenue to "Residential Professional (R-4P)" zone and plan designation.

Chairman Harlan asked if there were any objections to the Planning Commission hearing the item on jurisdictional grounds. He asked if any other Planning Commissioner 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. She stated she received a letter and a petition signed by residents in the area that was given to the Planning Commission, prior to the hearing. She listed other uses permitted and conditionally permitted uses in the R-4P zone.

Jack Jacobson stated he wants to occupy the entire building as a residence. He added that he just sold apartments and he does not want any more. He said he is not opposed to a condition restricting multiple residential uses.

Mark Scaar, 2034 Vine Avenue, stated he would rather the zone be changed to single family and Duplex Residential (R-2).

Norm Frazier, 2690 35th Street, stated that some of the residents are truck drivers and they are opposed to the high residential designation. They have several young children in the area. He added there is a hedge on 35th street that blocks the view of on-coming traffic.

Jack Jacobson stated that currently the church holds meeting three times a week. If the request is approved, it will reduce the amount of traffic to the area.

Chairman Harlan closed the public hearing.

MOTION: Commissioner Miller – Add Statement of Fact “3e” indicating “*Concerns have been raised over the compatibility of multi-family dwellings on the subject property. The additional traffic would have a negative impact on the residential nature of the neighborhood.*” Then accept the Statements of Fact and Findings for Decision Criteria 1-5 for and recommend the City Council approve the Rezone portion of application #ZON2004-00030 changing the zone designation of the subject property from “General Commercial (C-2)” to “**Qualified Residential Professional (Q-R-4P)**”, subject to the City Council approving the corresponding Comprehensive Plan Map Amendment portion of the application, with the following Condition: No multi-family dwellings are permitted.

SECOND: Commissioner Daily
VOTE: Unanimous

MOTION: Commissioner - Accept the Statements of Fact and Findings for Decision Criteria Plan A-D and recommend the City Council approve the Comprehensive Plan Map Amendment portion of application #ZON2004-00030 changing the plan map designation from “Commercial (C)” to “Residential High-density (R-H).

SECOND: Commissioner Daily
VOTE: Unanimous

ADMINISTRATIVE

Laura Barron informed the Planning Commission of upcoming appeal items.

COMMISSION COMMENTS

ADJOURNMENT 11:15 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 CORRECTED ON JULY 13, 2004

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