

**CITY OF COOS BAY
PLANNING COMMISSION MINUTES**

Tuesday, April 11, 2006
6:00 P.M. CITY COUNCIL CHAMBERS

ATTENDANCE

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

STAFF: Jim Hossley, Director of Community Services
Laura Barron, Planning Administrator
Debbie Erler, Planning/Code Tech.

SIGNED-IN GUESTS: David Sheldon, Trustee Sheldon Family Trust
34 NW Allen Road, Bend OR 97701

APPROVAL OF MINUTES

Approve Planning Commission minutes for March 14, 2006.

MOTION: Commissioner Coles - Approve Planning Commission minutes of February 14, 2006 with a noted correction to the vote on page 7.
SECOND: Commissioner Miller
VOTE: Unanimous

CCI/PUBLIC COMMENTS

PUBLIC HEARINGS

ITEM A: Vacation (ZON2006-00022): Mr. and Mrs. Gary Angell, 10 Crater Lake Avenue, Medford, OR 97504. The applicants are proposing to vacate the 60-foot-wide right of way of H Street, west of 6th Avenue, to its western terminus.

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.

Commissioner Miller declared that he is an abutting property owner. He stated that would not affect his ability to make an impartial decision.

Laura Barron read the disclosure statement and outlined the applicant's request. She stated we received a letter from David Perry, Department of Land Conservation and Development, stating Goal 17 requires public access to or along the water be retained or replaced if sold, exchanged or transferred. He indicated that the right-of-way may be vacated to permit redevelopment of shoreland areas provided public access across the affected site is retained.

Mrs. Barron stated the owner is willing to dedicate an alternative access for public use. She stated she received a letter from Tom Guevara of ODOT indicating they have not identified roadway needs in the area and they do not anticipate a significant right-of-way acquisition cost to reacquire the street if it is deemed necessary for the project. She stated staff proposes the owner dedicate public access to the water prior to issuance of building permits as a condition of approval.

Commissioner Hood stated the existing dedicated right-of-way is not open and it is not suitable for public access.

Commissioner Daily asked if the proposed public access is comparable to the existing dedicated right-of-way. Mrs. Barron stated the proposed public access would be an improvement.

Chairman Harlan closed the public hearing.

- MOTION:** Commissioner Coles - Accept the Statements of Fact, Findings, Conclusions and Conditions of Decision Criteria 1-3 as submitted and recommend the City Council approve Vacation application #ZON2006-00022 allowing the vacation the 60-foot-wide right of way of H Street, west of 6th Avenue, to its western terminus. Subject to the following Condition: *Prior to issuance of building permits for the abutting property owned by the applicants, the H Street 60-foot-wide right of way must be replaced by a 60-foot-wide public dedicated right of way with a centerline approximately 70-feet north of the existing H Street centerline.*
- SECOND:** Commissioner Berg
- VOTE:** Unanimous

The Planning Commission determined that because the issues, testimony and evidence relating to the Conditional Use, Variance and Partition II are comparable, the hearing on all three applications would be opened in order to avoid repetition.

ITEM B: Conditional Use (ZON2006-00011): Richard Ward Associates, 1312 Foster Way, Grants Pass, OR 97526. The applicant is proposing 49 single-family dwellings in the "Multiple Residential (R-3)" zoning district. The property is described as approximately a 17-acre portion of Tax Lot 100, T. 25, R. 13, S. 34DB, west of the western terminus of Johnson Avenue. (Continuation from March 14, 2006.)

ITEM C: Variance (ZON2006-00012): Richard Ward Associates, 1312 Foster Way, Grants Pass, OR 97526. The applicant is proposing 32-foot-wide paved streets within proposed Partition II (ZON2006-00010), except for Kruse Avenue which will be extended to a 38-foot-platted street paved to 28 feet in width. The property is described as a approximately a 17 acre portion of Tax Lot 100, T. 25, R. 13, S. 34DB, west of the western terminus of Johnson Avenue. (Continuation form March 14, 2006.)

ITEM D: Partition II (ZON2006-00010): Richard Ward Associates, 1312 Foster Way, Grants Pass, OR 97526. The applicant is proposing Bay Ridge Phase I, a 49 lot subdivision on property is described as Tax Lot 100, T. 25, R. 13, S. 34DB, west of the western terminus of Johnson Avenue. The residential lots will be accessed off of Johnson and Kruse Avenues extended. (Continuation from March 14, 2006.)

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

Commissioner Hood stated he has a conflict of interest as his employer, Stuntzner Engineering, is working with the applicant. He stepped down from the public hearing.

Chairman Harlan opened the public hearing.

Laura Barron read the disclosure statements for the Conditional Use, Variance and Partition II applications and outlined the applicant's request for the Conditional Use. Laura stated there are three letters in the Planning Commission packet. The first letter from Steve Auer, 1200 Ingersoll Avenue, outlined his concerns with granting a conditional use for single family dwelling on the entire site and the loss of a large area of multiple residential area. The second letter from Mr. James Bergum, 1083 S 11th Street, outlined his concerns regarding his view of wetlands in the area; covenants to prohibit stream alterations; underground utilities in the 10th Street right-of-way; dust and noise levels if Kruse is opened as an "emergency access"; and lighting. The third letter from Mr. and Mrs. Krans, 1011 S 11th Street, indicated they are in favor of the proposed use over a more dense population allowed in the R-3 zone.

Richard Ward of Richard Ward Associates, Grants Pass, Oregon, stated they believe single family development is the best use of the property due to the topography. He added they plan to file CC& R's to limit development on the lot to single family dwellings.

David Sheldon, Trustee Sheldon Family Trust, 34 NW Allen Road, Bend, Oregon (for Dixie Sheldon) stated they own three abutting properties. He stated he is in favor of the development but his concern is that physical access and utility access be provided to his lots. He does not want to be landlocked. He stated Mr. Ward met with him today and it appears everything will be worked out. He stated he is concerned about Decision Criteria 4 and asked if the record could remain open until the survey is completed. He discussed the current and proposed use of his property.

Commissioner Daily stated it appears the lots already have access from an existing street. Mr. Sheldon stated that access is provided but is unlikely due to the topography.

Laura Barron outlined the applicant's Variance request and summarized the submitted information. She stated Steve Auer is concerned that the intersection at South 10th Street and Johnson Avenue is substandard and that Kruse Avenue on-street parking being limited to one side. Mr. and Mrs. Krans are in favor of the Variance request, but are concerned that the setbacks on garages are at least 22-feet and that drive-ways be at least 19-feet wide.

Richard Ward stated they propose to create a secondary access for the subdivision. They would like Kruse Avenue as a twenty foot wide emergency fire access only. They do not want to impact residents in the surrounding area. They propose a "ballard" across the street to detour vehicles but allow pedestrians to use the roadway.

Brian Genovese, JRH Engineering, Eugene, Oregon, stated that the traffic impact for a single family dwelling development is significantly lower than a multiple residential development. He discussed that they used the national average of one trip per hour (10 trips a day per single family dwelling on average) to determine the traffic level. He stated they look at existing conditions and traffic patterns at South 10th Street and Johnson Avenue. He added that the affected intersections (based on the rating system of A through F) fall into the "A" category.

Commissioner Daily asked if there would be parking on both sides of the road. Brian Genovese stated that a 32-foot roadway could handle parking on both sides of the road. He said narrower roads discourage speeding and the national trend is for narrow streets.

Commissioner Daily stated he keeps his kids out of the front yard because there are sidewalks and parking on both sides. Brian Genovese stated the higher speed, the more likely serious injury or death will occur and lower speeds allow for more reaction time. He stated typically a 22-foot wide street would allow 11-foot traffic lanes; and a 28-foot wide street would allow parking on both sides. He concluded that on a narrow street your speed is lower and if you come head on with another vehicle you slow down to pass.

Dave Reece, Reece and Associates (Engineer for the applicant) stated the city street standard is 36-feet wide. The subject property has issues with topography and the wider the street the more water runoff issues. The narrower street would reduce water run off and reduce speed to 20 to 40 miles per hour, with parking on one side. With the proposed development Johnson Avenue will be more of a collector street and they could stay with the 36-foot width. He referred to a map showing cuts and fills on the subject property (*Exhibit 1*).

Commissioner Berg stated you want parking on both sides because of the driveways. He said in subdivisions like "Westgate" you don't see a lot of people parking on the street.

Dave Reece stated he is concerned about the noted condition that the streets are 28-feet wide from curb to curb. He said the existing right-of-way could be widened on one side. The street width may be a problem for school busses turning left.

Commissioner Miller asked if the "future" subdivisions would use the same emergency access. He is concerned that all the traffic would flow down to Johnson Avenue and he would like to see an alternative access to help break-up the traffic. Mr. Reece stated they agree that Johnson Avenue remain 36-foot wide to handle the future traffic. Mr. Genovese stated that the current traffic flow show that the traffic disperses at Johnson Avenue and 10th Street.

Richard Ward stated they are not opposed to making the improvements the Planning Commission thinks is appropriate. He stated they are willing to do something to improve Johnson Avenue beyond their development, but they do not want to make off-site improvements and pay system development fees.

Commissioner Berg and Mr. Reece discussed street width in relation to cul-de-sacs. Mr. Reece stated that if the cul-de-sac access is less than 200-feet long you never gain enough speed to pose a problem and the code requires that you maintain a minimum diameter for emergency vehicles.

Commissioner Daily asked Mr. Genovese if varying width of the streets creates problems. Mr. Genovese stated it sends a message to slow down because it is a narrower street. He added that if you are in an unfamiliar area you drive slower. There is a subtle difference between 28-foot wide and 32-foot wide and it would not create a safety hazard.

Jeff Snodgrass, 1029 S 10th Street, Coos Bay stated that Johnson Avenue is not equipped to handle more traffic. He said when the school lets out the traffic is real bad. He suggested an alternative access to break up the traffic. He said if you widen Johnson Avenue they will loose more of their yards and the traffic problems would get worse.

Laura Barron outlined the applicants request for the Partition II. She stated reference to "Future Development" should be removed from the map as they are not part of this review process. She said utility lines were not included on the submitted map and staff is concerned about the surface water and the retention ponds. She said the area south of the development proposed has experienced flooding problems. The applicant is proposing an easement for new sewer lines and a pond with a 24" culvert. She stated staff has suggested conditions of approval, but thinks a hydrology report would be needed. The Fire Chief wants a turn-a-round at the west end of Johnson Avenue. She stated Beryl Krans stated he is concerned about access to his property and James Bergum is concerned about Kruse being gravel and lighted. She recommended a continuance to allow time for additional information to be submitted.

Chairman Harlan agreed with staff that additional information is need before a decision could be made.

Dave Reece stated they have reviewed the proposed conditions and agree with them. There is sufficient information in the conditions to cover the noted issues. He stated they used design standard for the 25 year storm for the ponds. He explained "Net Zero" and how a storm event would affect the system.

Commissioner Berg asked what maintenance is involved and who will be responsible for the system. Mr. Reece stated they are looking at the ponds as natural streams and flushing will occur naturally, but they would require some maintenance. Commissioner Miller asked what are the capacity of each pond. Mr. Reece stated 20-thousand cubic feet for the lower ponds and 50 - thousand cubic feet for the upper pond. He said nature will take its course on vegetation and nice walking trails will develop. Commissioner Berg asked who will provide the maintenance. Mr. Reece stated the home owners could contract with the City or an independent contractor to maintain the ponds. Mr. Reece stated the proposed storm water facilities would need to be approved by the City.

Commissioner Miller asked if they have taken into consideration what will happen when the upper lots are developed. Mr. Reece stated they have included that area in making their determinations. He said he has met with the Fire Chief and discussed required street grades. He said the development will included cuts and fills with some retaining walls. He stated the future development is shown on the maps to help explain proposed development of the roads and ponds. He said the utilities are on the maps and they plan to loop the water lines. He added they have provided a hydrology report from Stuntzner Engineering and they would like to have an approval with the staff's recommended conditions.

Mr. Sheldon stated Decision Criteria 2 also relates to access. He request that the record be left open on this item regarding vehicle and utility access or a condition be imposed to retain and improve his access from what it is now.

Chairman Harlan stated the proposed development would not change access to Mr. Sheldon's lots. He suggested Mr. Sheldon check with the County to see if there is a recorded easement. He stated that if there was a platted right-of-way to the property it could not be vacated without Mr. Sheldon's approval.

Chairman Harlan closed the public hearings.

Commissioner Berg asked what more information is needed to make a determination regarding street width. Mr. Genovese stated the proposed street development can handle the amount of traffic proposed. He added there would be approximately 100 more vehicles heading North and South. He said peak levels usually represent 10-percent of the daily traffic flow. Commissioner Daily stated there are also aesthetic issues.

Richard Ward stated they have submitted preliminary drawings that show the development is feasible and they agree to the proposed conditions of approval. He stated they are requesting approval so that they can proceed with completing the engineered drawings.

Chairman Harlan stated there is a large amount of information for the Planning Commission to review before making a decision. He stated information that they need to help make a decision is not on the provided map and they need information for clarification of utilities and drainage. There is a condition that Johnson from South 7th Street to South 10th Street be improved. He stated the property owners along Johnson Avenue need to be notified of the proposed development and be given an opportunity to comment on the proposed street improvements. Laura Baron stated she will contact the property owners and notify them of the proposed development.

MOTION: Commissioner Coles - Continue the hearing on Conditional Use application #ZON2006-00011; Variance application #ZON2006-00012; and Partition II application #ZON2006-00010 to May 9, 2006 to allow the applicants time to provide additional information and documentation on drainage and utilities as discussed and outlined by staff. The applicant must provide a map with all of the information; that is, street names, utilities, proposed finished grades of the property and streets showing all cut and fill areas, general slope of the property, location of proposed retaining walls or slope protection, proposed storm drainage systems or drainage ways and remove information that is not pertinent to the subdivision under review such as the streets and lots of the future phase on the remainder of the property.

SECOND: Commissioner Daily
VOTE: Unanimous

ADMINISTRATIVE

Laura Barron stated prior applicant Christopher Sheridan, 649 11th Avenue, Coos Bay, is requesting an extension to Conditional Use approval, #ZON2005-00049, allowing a single-family dwelling in the R-3 zoning district

MOTION: Commissioner Miller - Approve the requested one year extension.
SECOND: Commissioner Hood
VOTE: Unanimous

COMMISSION COMMENTS

Commissioner Hood stated he agrees with the Planning Commission that we need to have more time to review large projects. He stated the applicants for the subdivision have a very good reputation, but the information needed to be better.

Commissioner Berg stated we are always glad to see new business in the downtown area. He said the proposed "Call Center" will put over 100 additional vehicles in the downtown area. It will create a parking problem overnight. The City needs to develop more off-street parking or a parking structure.

Commissioner Hood stated one problem is that employees are parking in the good on-street parking spaces, which does not leave spaces for the customers.

Commissioner Miller stated he is encouraged by the retention ponds on the proposed subdivision. He would want to avoid a situation like Bi-Mark in North Bend that dumps into a canyon.

Commissioner Hood stated we are given technical information, we are not experts in the area and we need time to review the information.

Jim Hossley stated he would like to have time to help in the review process and we have funds under contractual to have the plans reviewed by the engineering firm on retainer. He added that water volume is an issue and a lot of people will be affected by the decision.

Commissioner Hood stated he would rather have a wide collector street than a narrow collector street. Commissioner Coles stated we need to make our best determination with the information provided. Commissioner Hood stated there is a lot that goes into determining if the proposed ponds are adequate. He said there is a big difference in surface water between a 2,000 square foot home and a 4,000 square foot home.

Chairman Harlan asked if someone can review the submitted reports on the City's behalf prior to the next meeting. Laura stated the City does have access to an engineer that could review the information on the City's behalf.

Commissioner Hood stated Stuntzner Engineering has done work on Kruse and the right-of-way may not be where it appears. They are in the process of surveying the property, but the survey has not been completed. He added that the Planning Commission would be approving a tentative plan that will come back for a final plat. He is concerned about the entire hillside.

Commissioner Berg stated it seems unreasonable to ask for improvements for something that might happen in the future on the rest of the property.

Commissioner Hood stated the most important thing we can do is make decisions that allows for future expansion and if the right-of-way could be widened, it is up to the City to determine when the widening will occur

Commissioner Hood stated that for every three or four residential streets you need a collector street to help disperse traffic.

STAFF COMMENT

Laura Barron updated on the LUBA appeal of Edge Wireless.

ADJOURNMENT 8:45 P.M

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

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

APPROVED AS SUBMITTED: May 11, 2006

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