

**CITY OF COOS BAY
PLANNING COMMISSION MINUTES**

Tuesday, May 9, 2006
6:00 P.M. CITY COUNCIL CHAMBERS

ATTENDANCE

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

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

SIGNED-IN GUESTS: Leonard Deel, 870 Oakway Drive, Coos Bay, OR
Michael Watson, 90907 Windy Lane, Coos Bay, OR
Barbara Stephenson, 59779 Roderick Road #13, Coos Bay, OR
Fely & Hal DeBover, 1365 Fenwick St, Coos Bay, OR
Virginia Marler, 1375 Fenwick, Coos Bay, OR
Rich Catlin, Reece & Associates, 150 Calapooia St SW #A, Albany, Or
Robert L. Laskey Jr., 886 Johnson Ave., Coos Bay
Robert M Wallace, 848 Johnson Ave., Coos Bay

APPROVAL OF MINUTES

Approve Planning Commission minutes for April 11, 2006.

MOTION: Commissioner Coles - Approve Planning Commission minutes of April 11, 2006 as submitted.

SECOND: Commissioner Daily

VOTE: Unanimous

ABSTAINED: Commissioner Marineau

CCI/PUBLIC COMMENTS

PUBLIC HEARINGS

ITEM A: Architectural Design Review (ZON2006-00021): Ms. Earlene Brown, 556 N. Bayshore Drive, Coos Bay. The applicant is proposing wall signage at 556 N. Bayshore Drive which is subject to the design standards of 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. She stated a letter was received just prior to the public hearing from George Gant (*Exhibit 1*) and copies were given to the Planning Commission for review.

George Gant, Myrtle Point, Oregon 97458, stated he is an employee of Prudential Seaboard Properties. He said the ordinance outlines the allowed signage and he believes the proposed sign complies with the ordinance. He submitted color photographs of signage in the surrounding area (*Exhibit 1, Exhibit 2, and Exhibit 3*) at Wayne's Color Centre, Knutson Diesel & Machine and Chevron. He stated he wants equal treatment in the business world. He referred to a letter from Joseph McClay regarding previously approved signage. He described the building location and frontage. He said the segment the HDRC wants them to install the sign would be blocked by the Tug Irene. The proposed location for the sign is more in keeping with traffic flow and is much more readable. There was an accident last month at that location.

Laura Barron stated Mr. Gant is referring to signage previously approved during the last application. Mrs. Barron referred to the exhibit submitted by the applicant with the previous application. The proposed sign is different than what was proposed during the last application. She referred to her letter of March 21, 2006 outlining the applicant's choices. She added that existing signage on surrounding business and business outside the district are not subject to review.

Chairman Harlan stated he is again concerned that there is a total reluctance by the owner to sign on to the design review process required by the ordinance. He stated the sign should emulate the designated historic period. He stated there is a very large pole mounted sign existing that is completely visible from the highway and added the same signage on the building is overkill and is distracting. He stated the ordinance outlines allowed signage.

Commissioner Coles stated she agrees that the applicant seems unwilling to take any direction from the HDRC or adhere to the ordinance.

Chairman Harlan closed the public hearing.

Hilary Baker of the HDRC stated the HDRC recommendation is that only the words "Real Estate" be approved and preferably below the existing pole mounted sign or over the entry door. The Committee believes repeating the verbiage is unnecessary, repetitive and in excess of what the ordinance outlines for allowed signage. It was stated to the committee that they were concerned about people thinking they are an investment firm and adding the words "Real Estate" would eliminate their concern.

Commissioner Daily stated it appears the HDRC would rather see a sign added below the existing pole sign indicating "Real Estate."

Chairman Harlan read the ordinance regarding approved sign locations. He stated their allowed signage is covered by the existing signage.

George Gant stated he is disturbed that Mr. Harlan stated the Chevron signs have nothing to do with this application. Mr. Gant described the Chevron station signage. He stated the car wash sign was just put up. He added that new signs were installed at Wayne's Color Center and it is a lighted sign. He stated the proposed sign does not show up during the day and it is not obnoxious. He stated if the request is denied they will appeal to City Council.

Earlene Brown stated she is fine with just having just the words "Real Estate."

Chairman Harlan asked Ms. Brown if having a sign indicating "Real Estate" is acceptable to her. Mr. Brown confirmed that she agrees with the change.

Commissioner Marineau stated that if they are willing to accept the compromise, he is not opposed to the revision.

Commissioner Hood stated I would want to put the sign where it is most visible.

MOTION: Commissioner Coles – Based on the applicant’s revised proposal, attached hereto and incorporated herein by reference as Attachment A, and the adopted Findings and Conclusions, approve Architectural Design Review #ZON2006-00021, allowing the wall signage on the northern-most southern-facing fascia on the west elevation of the building. The signage must be white upper and lower case lettering, where the tall letters are a maximum of 12 inches in height. The font must be Helvetica. The signage is limited to the words, “Real Estate.”

SECOND: Commissioner Marineau
VOTE: Yea – Commissioner Berg, Coles, Daily, Hood, Marineau, and Miller
Nay – Chairman Harlan

ITEM B: Cultural Resource (ZON2006-00031): Mr. Merlin Wisby, 275 N. Broadway, Coos Bay. The applicant, represented by Coastline Signs, is proposing two digital reader boards on the Tioga Hotel at 275 N. Broadway. The structure is listed on the National Register of Historic Places and as a cultural resource by the Coos Bay Comprehensive Plan.

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 summarized letters and the petition received from surrounding residents that was included in the Planning Commission packet. She stated the City also received a letter from Wim de Vriend, owner of the Blue Heron Bistro at 100 Commercial indicating his support for the proposed project.

Leonard Deel of Coast Line Signs, representing Mr. Wisby, stated the owner intends to advertise businesses within his building and civic events. He stated the reader board is similar to the electronic board at Farr’s.

Ron Tavernier, Market Street Properties, stated they have 23 apartments and a couple houses and they are concerned about the glare into the apartments. He does not think it is the right type of signage for Coos Bay.

Chairman Harlan closed the public hearing.

Chairman Harlan stated the history of the Tioga goes way back and is a significant part of Coos Bay’s history.

Commissioner Berg stated he has a concern about a changeable reader board placed that high and people watching for the next message and not watching traffic.

Commissioner Daily asked if the building is still on the National register. Laura Barron stated it is still on the register but is no longer receiving tax credits. The City's review is only on the exterior of the building.

Commissioner Marineau stated he is opposed to the reader board being placed on the Tioga Building.

Commissioner Miller stated he is intrigued by the technology and it has a place in Coos Bay, but he feels it is not appropriate for the Tioga. He added that the refurbished "Tioga" sign looks great.

MOTION: Commissioner Coles - Based on the Statements of Fact, Findings, Conclusions of Decision Criteria 1-3 deny Cultural Resource application #ZON2006-00031 for the placement of two 5-foot X 40-foot electronic readers boards on the Tioga building at 275 North Broadway.

SECOND: Commissioner Daily

VOTE: Unanimous

ITEM C: Site Plan and Architectural Review (ZON2006-00032): Ms. Debra Scott and Mr. John Messinger, 20400 SE Ridgecrest Drive, Sandy, OR. The applicants are proposing seven multi-family dwelling units at 1350 Seagate Avenue. The property lies in the "Restricted Waterfront Residential (R-W)" 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.

Commissioner Hood and Marineau declared a conflict of interest and stepped down from the hearing.

Chairman Harlan opened the public hearing.

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

Bill Whitney, 320 N Main, Gresham, Oregon, stated they are making a good effort with the development. He outlined the site improvements including landscaping. The owner feels the improvement to the roads will benefit the neighboring areas. He stated the colors are earth tones and the majority of landscaping is on the west side of the property.

Commissioner Miller stated the landscape looks good. He is concerned about the choice of using Monterey Pine and recommended it be replaced with Austrian Black Pine (pinus nigra) because of a deeper root system.

Virginia Marler, 1375 Fenwick Street, Coos Bay stated she is opposed to development. She said she is concerned about losing her view and the increase in traffic. She is also concerned about her taxes going up because of the paved streets. She said there are a lot of animals and native plants on the property.

Hal DeBover, 1365 Fenwick St, Coos Bay stated he lives across from subject property it is very private. He said that will be lost with apartments and the traffic will increase.

Chairman Harlan closed the public hearing.

Commissioner Daily asked about allowed building heights. Laura Barron stated the allowed building height is 35-feet and the proposed use is permitted in the zone.

Commissioner Daily stated while he appreciates the neighbor desires to have to property remain vacant, it is property zoned for the proposed use.

Chairman Harlan stated the proposed use is outright permitted. The review is regarding how it will be placed on the property.

MOTION: Commissioner Coles - Accept the Statements of Fact, Findings, Conclusions and Conditions of Decision Criteria 1-8 with the following changes: Remove the Condition of Decision Criteria #5 and add a Condition to Decision Criteria #7 indicating the area between the proposed driveway and new sidewalk on Seagate must be landscaped and maintained by the landowner or homeowners association.

Approved Site Plan and Architectural Review application #ZON2006-00032 as revised allowing the proposing seven multi-family dwelling units at 1350 Seagate Avenue as proposed, subject to the following Conditions:

1. A geotechnical report from a person qualified in the field is required at the time building plans are submitted to insure the structures are setback an adequate distance from the western edge where the property drops off rapidly;
2. Seagate Avenue, abutting the subject property, and Fenwick Avenue, from Seagate to Virginia, must be improved to 36-feet-in-width with curb and gutters on both sides. Sidewalks must be installed on the west side of Seagate, abutting the subject property, and on both sides of Fenwick to Virginia Avenue. Improvements must extend to the boundaries of the subject property; and
3. The area between the proposed driveway and new sidewalk on Seagate must be landscaped and maintained by the landowner or homeowners association.

SECOND: Commissioner Berg
VOTE: Unanimous

ITEM D: Variance (ZON2006-00035): Mr. and Mrs. James Berg, 1177 N. 10th Court, Coos Bay. The applicants are requesting approval of a 6-foot variance to the 10-foot setback from the street frontage along N. 10th Court in order to site an addition to their dwelling at the above referenced location.

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.

Commissioner Berg declared a conflict of interest and stepped down from the hearing

Chairman Harlan opened the public hearing.

Laura Barron read the disclosure statement and outlined the applicant's request. Mrs. Barron stated the City received a letter from Loretta McIntire expressing her support of the request.

The Commission discussed the topography of the right of way and lack of development potential.

Commissioner Hood asked if a vacation of the right of way has been considered. Mr. Berg stated they may consider it at a later date.

Chairman Harlan closed the public hearing.

MOTION: Commissioner Coles – Accept the Statements of Fact, Findings, Conclusions of Decision Criteria 1-3 as submitted and approve Variance application #ZON2006-00035 allowing a 6-foot variance to the 10-foot setback from the street frontage along North 10th Court to allow an addition to the existing dwelling four-feet from the property line fronting North 10th Court.
SECOND: Commissioner Daily
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 April 11, 2006.)

ITEM C: Variance (ZON2006-00012): Richard Ward Associates, 1312 Foster Way, Grants Pass, OR 97526. The applicant is proposing 28-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 from April 11, 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 47 lot subdivision on property 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 April 11, 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 hearings.

Laura Barron read the disclosure statements for the Conditional Use, Variance and Partition II applications and updated the applicant's request. She stated the latest proposal received in April changed proposed the street width from 32-feet wide to 28-feet wide with parking on one side. The latest plan shows 47 residential lots rather than 49 as previously proposed. At this time Johnson Avenue is improved to 10th Street and the applicant is proposing to extend Kruse Avenue. She stated HBH reviewed traffic increases resulting from the proposed development and determined that requiring off-street improvements would not be unreasonable. The City would like to insure that the post development rate of storm water runoff is no greater than the current rate, or predevelopment runoff rate. HBH recommends final storm water runoff calculations be included with construction plans prior to insurance of a grading permit and includes the size of the detention facilities and outflow control structures. She suggested as a condition of approval that Kruse Avenue be paved to 20-foot in width.

Commissioner Berg asked about the proposed ballards across Kruse Avenue. Laura Barron stated the Fire Chief is not in favor of the ballards.

Chairman Harlan asked if the Conditional Use for single-family dwellings is approved, would they need to come back to us before placing Multiple residential units on the site.

Commissioner Marineau stated you could have CC and R's to restrict multiple residential construction which would be regulated by a Home Owners Association.

Commissioner Daily stated the CC and R's can be changed by a Home Owner's Association.

Commissioner Beg asked who would be responsible for the maintenance and repair of the detention ponds. Laura Barron stated the home owner's association would be responsible for the cost of maintenance and operation of the ponds, spillway boxes and anything outside of the right of way involved with the detention and release of storm water. The developer and city must negotiate these details in a written agreement prior to final plat.

Darin Nicholson of HBH Consulting Engineers stated the maintenance could be handled by the City via a cost levied to the homeowner's association, to insure that ponds are maintained without incurring cost to the City.

Richard Ward of Richard Ward Associates, Grants Pass, Oregon, stated they are here to answer questions. He stated the Kruse Avenue paving is acceptable to them and they are willing to participate with homeowners along Johnson Avenue if they want to make improvements.

Commissioner Daily asked how many acres are involved in the project. Mr. Ward stated 17 acres for this phase of development, but there is about 240 acres total. He added they want the entire area to be developed with single family dwelling and are willing to include that in CC and R's.

Dave Reece, Reece and Associates (Engineer for the applicant) stated they are willing to answer questions. They are trying to put together development that will limit the impact on the environment.

Chairman Harlan asked if the sidewalks are above or below the road system. Mr. Reece stated they are proposed varying sidewalk locations and that it has been done in other areas. He stated they would have a bench way from the street to the sidewalk area. It allows them to raise or lower the sidewalk with a planter area and that the slope would be either three-to-one or four-to-one slope, which is a gentle slope.

Commissioner Miller asked it that can be done without retaining walls. Mr. Reece stated that it would be done without retaining walls.

Commissioner Daily stated he understands the applicants concerns about Johnson Avenue at South 10th Street and South 7th Street. He stated it has been determined that Johnson could handle 3,000 vehicles a day. He said there is a potential of adding 500 home to that area which would increase the traffic to 5,000. He asked what would be done to mitigate traffic with that size of development.

Mr. Reece stated the over all development will take place over the next 12 or so years and that you will begin to see connections to other areas as other property and streets are improved and that would alleviate the traffic on 10th Street. He stated the City could maintain the ponds at the expense of the home owner in the subdivision. There could be a certain cost per lot assessed or a monthly or yearly fee. He added they do understand that there are homes along 10th Street that will be impacted.

Commissioner Berg stated he is impressed with the idea of sidewalks of varying heights. He asked how that compiles with ADA requirements. Mr. Reece stated the reality is that the streets are built to the standards that allow vehicles and pedestrians to navigate. The ADA standards have more to do with commercial developments. He stated proposed sidewalks varying in width from four to seven feet.

Brian Genovese, 4755 Village, Eugene, Oregon of GRH stated they looked a three locations (*Exhibit A - 3 graphs & one photo*) for the traffic study. He summarized the submitted traffic report and stated Johnson Avenue is operating under an "A" level. He outlined how a 50-unit single family development would affect the surrounding road system during peak hours.

Commissioner Daily asked if any consideration was given to the high school traffic. Mr. Genovese stated that there are false peaks (like high school) that change the standard, but they are for short periods of time each day.

Commissioner Daily asked how a growth rate is determined. Mr. Genovese stated they use the ODOT mythology. It depends on the area some grow more rapidly then others. He described the ODOT methodology of peak hours and vehicles per household.

Brian Genovese stated a 28-foot wide street with parking on one side has the same passage width as a 36-foot wide street with parking on both sides. If Johnson Avenue were to be widened 8-feet, it would be on the north side.

Robert L Laskey Jr., NE corner of 10th and Johnson, stated he is opposed to widening Johnson Avenue. If the street is widened 8-feet on the north side the street would be right at his front door and he does not feel it is necessary. He has been a home owner in that area for 33 years and the traffic has increased tremendously and kids fly down South 10th Street but he is against widening the street. He said the traffic would just go faster.

Debbie Long, 886 Johnson Coos Bay, asked about the power poles being relocated if Johnson is widened 8-feet on the north side. Commissioner Berg stated the poles would be relocated in the right of way, but in the older subdivision the dwellings are placed very close to the front property lines.

Robert Wallace, 848 Johnson Avenue stated that if Johnson Avenue is widened he might as well sleep outside, because the road would be right outside his window. He said there are short periods of time each day that traffic is bad because of the high school.

Chairman Harlan closed the public hearings.

The Planning Commission discussed the potential of widening Johnson Avenue for this phase of development. It was discussed that the proposed 47 lot subdivision would not increase traffic in the area enough to justify the widening of Johnson Avenue and that widening the street would not improve traffic lane width, but would allow parking on both sides of the street. They proposed that the traffic situation would be reviewed again at the next phase of development to determine if widening is more justified.

MOTION: Commissioner Coles - Accept the Statements of Fact, Findings, Conclusions and Conditions of Decision Criteria 1-3 as submitted revised and approve Conditional Use application #ZON2006-00011 allowing the proposed 49 single-family dwellings in the "Multiple Residential (R-3)" zoning district, subject to the following Conditions:

1. The final plat for Partition II ZON2006-00010 must be approved prior to the issuance of building permits.
2. A geotechnical report from a licensed geotechnical engineer is required during plans review for each dwelling to ensure a stable foundation. This requirement must appear on the final plat for ZON2006-00010.

SECOND: Commissioner Marineau
VOTE: Unanimous

Commissioner Daily asked if Kruse Avenue would have curb and gutter on one side.

MOTION: Commissioner Marineau – On Variance application #ZON2006-00012 revise Statements of Fact and Finding "3c" to read "*Kruse Avenue extended is proposed to be improved to a 28-foot paved surface for the area abutting the subdivision and then a 20-foot-wide strip paved road constructed to 10th Avenue. Kruse Avenue is intended to be an emergency access although it is an opened public road. Coos Bay Fire Chief Stan Gibson requires an unobstructed 20-foot-wide all weather travel surface east of the area proposed for paving. Or, as an alternative, residential sprinklers are required for each dwelling. Chief Gibson's letter is at Attachment C.*"

SECOND: Commissioner Coles

Commissioner Daily stated he thinks we are missing an opportunity to bring Kruse Avenue to 28-foot wide.

VOTE: Yea: Chairman Harlan, Commissioner's Berg, Coles, Marineau and Miller
Nay: Commissioner Daily

MOTION: Commissioner Daily - Improve Kruse Avenue to 28-feet wide with curb on north side.

SECOND: No second.

MOTION: Commissioner Coles- Accept the Statements of Fact and Finding for Decision Criteria 1-3 as revised and approve Variance application #ZON2006-00012 allowing 28-foot wide paved streets in proposed subdivision ZON2006-00010, with the exception of Johnson Avenue. Kruse Avenue will be extended west to a 37.5 right of way with a 28-foot-wide paved street with curb, gutter and sidewalk on the north side only, subject to the following Conditions:

1. The final plat for Partition II ZON 2006-00010 must be approved;
2. Kruse Avenue: Pavement must be 28 feet in width for the area abutting the subdivision (Lots 13 and 14); curb, gutter and sidewalk is required on the north side. From the eastern edge of the subdivision to 10th Street, Kruse must be paved to a minimum of 20 feet in width;
3. The developer shall install "No Parking" signs on the cul de sac for Little Bear Court;
4. The cul de sac in the northeast corner of the subdivision must have curb, gutters and a sidewalk; and
5. Parking is limited to one side for streets with less than 36 foot wide pavement and must be signed by the developer.

SECOND: Commissioner Daily
VOTE: Unanimous

The Commission discussed revisions to the proposed Conditions of approval. They discussed the removal of Condition #4 and the replacement of Condition #9 for Decision Criteria #3; and the removal of the word "maximum" from Condition #15 in the Final Recommendation.

MOTION: Commissioner Coles- Accept the Statements of Fact, Findings, Conclusions of Decision Criteria 1-3 as revised and recommend the City Council approve Partition II application #ZON2006-00010, allowing the creation of a 47-lot subdivision, subject to the following revised Conditions:

1. Variance ZON2006-00012 must be approved;
2. A through-curb-return, 36 feet in width with curb and gutter, must be extended north and south on 11th Street at the intersection of Johnson Avenue to accommodate existing and future landowners accessing Johnson;
3. Existing ingress and egress for landowners along Johnson and Kruse Avenue must be replaced by the developer in a manner that is safe and suitable to the landowner and the developer.

4. Permanent 20-foot-wide utility easements for the installation, maintenance and repair of the storm and/or sewer lines must be secured by the developer from the impacted landowners. Storm and sewer main lines which are located outside of the public right of way must have maintenance easements and agreements between the property owners who will be utilizing the line. The city is not responsible for maintenance of main lines on private property. Reference to these easements must appear on the final plat.
5. Documentation must be provided by the developer that the proposed development will not increase the existing flooding problem downstream from the development. That is, post-development runoff rate and volume must be no more than pre-development run-off rate and volume.

Final storm water runoff calculations must be included with construction plans prior to the issuance of a grading permit and include sizing of detention facilities and outlet flow control structures as outlined in Section 3.12.9 of the Storm Drain System Design Standards of the City's Storm Water Master Plan, Appendix D.
6. Recommendations must be provided by a geotechnical engineer, or other qualified expert, for the feasibility and stabilization of cut and fill slopes, and controlling all surface water and drainage paths (creeks, etc.), including erosion control measures and slope stabilization devices to ensure the stability of the slope and must be included with the detailed engineering design for the streets and retaining walls.
7. A geotechnical report from a licensed geotechnical engineer is required during plans review for each dwelling to ensure a stable foundation.
8. All changes/corrections/additions to the preliminary plat addressed in the County Surveyor's February 23, 2006 letter and the County Assessor's Department, dated February 17, 2006, must be reflected on the final plat prior to approval by the City Council.
9. Provide verification from Verizon that telephone service will be available to the development.
10. The final plat must contain a written explanation of the purpose of the area for recreational spaces, commonly owned or held for common use, a description of any improvements to be made and a description of the manner in which the area will be perpetuated, maintained and administered.

The preservation and continued maintenance of property and/or structures commonly owned and/or held for common use shall be guaranteed by a restrictive covenant running with the land specifying the description of the area, its designated purpose(s), and maintenance assurances. Copies of these legal documents must be filed with the Department of Community Services before occupancy of any dwelling.

The deed reference number of the document creating the homeowner's association must be referenced on the final plat.

11. The final plat must contain a reference to any deed restrictions that will pertain to development of the subdivision (Conditions, Covenants and Restrictions).
12. The Homeowners Association is responsible for the cost of maintenance and operation of the detention ponds, spillway boxes and anything outside of the right of way involved with the detention and release of storm water. The developer and city must negotiate these details in a written agreement prior to final plat.
13. Streets intended to be posted with a stop sign or signalization, shall provide a landing area of at least 20 feet long and averaging 5% grade or less. 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% or below the intersection in excess of 8%. The maximum grade of either street within an intersection shall be 6% (LDO Chapter 3.11(3)(6)).
14. To the extent practicable, sidewalks must be at the same level as the curb.
15. A sidewalk is required around the cul de sac at the north end of Little Bear Court.
16. Fire hydrants must be within 400 feet of each dwelling. The distance from a hydrant is measured on the path of vehicular access. Each hydrant must have a minimum flow of 1,000 gallons/minute. In addition, a looped water system with a minimum flow of 1,000 gallons per minute is required.
17. Development on the subject property is limited to 47 single-family dwellings.
18. The final plat must reflect the remainder of the subject property as "Potential Future Development," but exclude additional information that is not pertinent at this time (lots, easements, roads, utilities).

SECOND: Commissioner Daily
VOTE: Unanimous

ADMINISTRATIVE

Laura Barron updated the Planning Commission on the Verizon Wireless Variance appeal regarding the siting of a 70-foot-high monopole on Seagate was reversed. She also stated the City Council affirmed the Planning Commissioner decision to approve the Christ Lutheran Church and School addition on N. 15th.

COMMISSION COMMENTS

Commissioner Coles stated the Commission made a good decision on Ms. Brown’s request, but the Commissioner should not ask what would suite them, but what is best for the city.

The Planning Commission discussed the proposed holding ponds for the new subdivision and how they would function.

Commissioner Daily stated he feels the Commission missed an opportunity to require more improvements to the road system along Johnson Avenue, which could have a negative impact on the city in the future

Commissioner Berg stated we need to help progress without unnecessary regulations and requirements.

ADJOURNMENT 9:30 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 JUNE 13, 2006

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