

**CITY OF COOS BAY
PLANNING COMMISSION MINUTES**

Tuesday, June 13, 2006
6:00 P.M. CITY COUNCIL CHAMBERS

ATTENDANCE

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

STAFF: Debbie Erler, Planning/Code Tech.

SIGNED-IN GUESTS: Kenneth Scott, 1119 Laurel Avenue, Coos Bay, OR
Jeff Givens, 1257 Laurel Avenue, Coos Bay, OR

APPROVAL OF MINUTES

Approve Planning Commission minutes for May 9, 2006.

MOTION: Commissioner Coles - Approve Planning Commission minutes of May 9, 2006 as submitted.

SECOND: Commissioner Hood

VOTE: Unanimous

CCI/PUBLIC COMMENTS

PUBLIC HEARINGS

ITEM A: Architectural Design Review (ZON2006-00042): Mr. Jacques DePlois, PO Box 3159, Coos Bay. The applicant is requesting approval of the design for the exterior of the building at 650 Newmark Avenue which is located 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 exparte contact or conflict of interest to report.

Chairman Harlan opened the public hearing.

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

Hilary Baker, Crow/Clay and Associates, 125 Central Avenue, outlined the project. She described the proposed stages of the project, which includes a slight relocate of the previously approved signage.

Chairman Harlan and the Commission thanked Ms. Baker for her complete submittal and outline of the project.

Chairman Harlan closed the public hearing.

MOTION: Commissioner Hood - Accept the HDRC recommendation, Statements of Fact, Findings and Conclusions of Design Review Goals and Standards 1-3 as submitted and approve Architectural Design Review application #ZON2006-00042, as proposed for redesigning the exterior of the building at 650 Newmark Avenue

SECOND: Commissioner Coles

VOTE: Unanimous

ITEM B: Vacation (ZON2006-00037): Mr. and Mrs. Jeff Givens, 1257 Laurel Avenue, Coos Bay. The applicants are requesting the vacation of the west 150 feet of the alley in Block 6, Bayview Addition, located south of Laurel Avenue, east of N. 13th Street and north of Kingwood Avenue.

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.

Debbie Eler read the disclosure statement and outlined the applicants' request.

Mr. Jeff Givens, 1257 Laurel Avenue Coos Bay, stated they wish to extend their yard for a play area and may later develop a detached accessory building. He described the topography in the area.

Commissioner Hood asked about access to the lower lots. Mr. Givens stated there is no physical access to the lower lot (south of the subject property) due to the topography, except through the lots on the north side of the alley.

Kenneth Scott, 1119 Laurel Avenue, Coos Bay, stated he is not opposed to vacating the alley. He described the utilities and access to the area. He added that he is concerned that if that end of the alley is vacated he may not be able to vacate his end of the alley. He is concerned that the lot south of the alley may be land locked.

Chairman Harlan stated that vacating the entire alley makes sense, but that the request before the Planning Commissioner is just the west end of the alley. They can not expand the vacation area because published and mailed notice was based on only the west portion.

Commissioner Hood stated that if the east end of the alley was proposed to be vacated, an easement for utilities would be required. He asked why the neighborhood did not go together to vacate the entire alley.

Mr. Scott stated he spoke with Mr. Givens about vacating the entire alley. He stated Mr. Givens was not interested in delaying his vacation request.

Chairman Harlan stated he is not sure what vacating the west end of the alley has to do with Mr. Scott's property.

Commissioner Hood stated that vacating the west end of the alley does not affect Mr. Scott's property or access to his property.

Commissioner Berg asked why Mr. Scott does not just submit his own vacation request. Mr. Scott stated he is concerned that a future request would be denied based on the lots on the south of the alley being land locked.

Debbie Erler stated the lots south of the alley have platted access from a dedicated street. She said that an alley can only provide secondary access to a lot. The main access needs to be provided from a platted street or from an access easement through private property from a platted street.

Mr. Givens stated he did talk to the abutting property owner when he was gathering signatures for his vacation application. He said the three owners on the north side of the alley, own the lots on the south side of the alley and any future access could be provided from Laurel Avenue through an easement. He said they want to expand their yard area, which is used by the children in the neighborhood. He stated that including the entire alley in his request would have expanded his public notice area tremendously and would have required many more notarized signatures, which would have significantly delayed his vacation request.

Commissioner Berg stated that the testimony from this application is on file and can be used in the future by Mr. Scott for his own vacation request.

MOTION: Commissioner Coles - Based on the Statements of Fact, Findings, Conclusions of Decision Criteria 1-3 recommend the City Council approve Vacation application #ZON2006-00037, allowing the vacation of the west 150-feet of the alley in Block 6, Bayview Addition, located south of Laurel Avenue, east of N. 13th Street and north of Kingwood Avenue.

SECOND: Commissioner Hood

VOTE: Unanimous

ITEM C: Site Plan and Architectural Review (ZON2006-00044): Mr. Ted McLean, representing Verizon Wireless, 12815 133rd Place NE, Kirkland, WA. The applicant is proposing a 70-foot-high monopole cell tower and equipment building at 1875 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.

Chairman Harlan opened the public hearing.

Debbie Erler read the disclosure statement and outlined the applicant's request. She stated that the City Council overturned the Planning Commission's decision to deny the variance to the height restrictions.

Mr. McLean stated the company agrees with the findings of the staff report. He stated that at the City Council meeting Mr. Opitz spoke on behalf of the airport and stated they are against placement of the tower on airport property.

Commissioner Berg stated that personally he is not satisfied with that answer from the airport. He said a cell tower in that area would be better suited on airport property.

Commissioner Coles asked Mr. McLean what reason they gave. Mr. McLean stated they did not give a reason. Mr. McLean stated the airport administrator directed him to Mr. Opitz.

Commissioner Miller asked how a tree that grows to 8-feet wide will fit in a 3-foot wide landscape area. Mr. McLean stated he is not familiar with landscaping. Mr. Miller stated the area is not sufficient for that species of tree and there will be a lot of brown because of over crowding.

Chairman Harlan closed the public hearing.

Chairman Harlan stated Decision Criteria 1 speaks to compatibility and a 70-foot high tower is not compatible.

Debbie Erler stated that the Planning Commission approved the Conditional Use request for the tower, and since the City Council approved the variance to the height limitation by overturning the Planning Commission denial she is under the assumption that the SPAR would regulate how rather than "if" the tower is placed.

Commissioner Berg stated he is irritated that there is an alternative location in the area, which is properly zoned for the tower. He stated a tower on this site is a wrong choice.

Chairman Harlan stated he can not approve the application.

Commissioner Coles stated that Decision Criteria 1 asked if the use is compatible with the site and surroundings.

MOTION: Commissioner Coles – Deny Site Plan and Architectural Review application #ZON2006-00044 for the placement of a 70-foot-high monopole cell tower and equipment building at 1875 Seagate Avenue.
SECOND: Commissioner Hood
VOTE: Unanimous

Mr. McLean stated for the record that no one spoke in opposition of the request.

ADMINISTRATIVE

Geographic Expansion - The City is requesting the Commission to consider the geographic expansion of a rezone proposed for "General Industrial (G-I)" zoned property.

Debbie Erler outlined the request, including the response from the abutting property owner indicating he does not want to be included in the rezone as he intends to utilize his property for an industrial use in the future. Mrs. Erler added that Mr. David Matthews of 91740 Cameron Lane, Coos Bay (abutting property owner to the west) met with her today to voice his concern with existing drainage problems on the subject property. He asked that a condition of approval be placed on the upcoming rezone application to insure that adequate drainage facilities are installed at the time of development to protect abutting properties from flooding.

Siegfried Munding stated he purchased his property about 12 years ago. He said a light industrial zone is ideal for his sheet metal business. He said his business does not make a lot of noise but if the area is rezoned to residential, people always complain about something. He has a 40 X 60 building on his property and he already has plenty of restriction regarding his use. He said there is plenty of other residentially zone property in the area. He does not think the area should be rezoned.

Larry Wingert, 91707 Wingert Lane, Coos Bay stated for the last 50 years the area has been residential.

MOTION: Commissioner Hood - Based on written and verbal testimony from Abutting property owners, deny the request to expansion the rezone area and proceed with the original rezone request.

SECOND: Commissioner Miller

VOTE: Unanimous

ADJOURNMENT 7:20 p.m.

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

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

APPROVED AS REVISED JULY 11, 2006

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