

**CITY OF COOS BAY
PLANNING COMMISSION MINUTES**

Tuesday, November 14, 2006
6:00 P.M. CITY COUNCIL CHAMBERS

ATTENDANCE

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

ABSENT: Commissioner Hood

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

SIGNED-IN GUESTS: None

APPROVAL OF MINUTES

Approve Planning Commission minutes of Tuesday, October 10, 2006.

MOTION: Commissioner Coles - Approve Planning Commission minutes of October 10, 2006 as submitted.

SECOND: Commissioner Berg

VOTE: Unanimous

ABSTAIN: Commissioner Marineau

CCI/PUBLIC COMMENTS

PUBLIC HEARINGS

ITEM A: Alley Vacation (ZON2006-00089): Mr. and Mrs. Jack Gillhoover, 783 Faymar Drive NE, Keizer, OR 97303. The applicants are requesting approval to vacate the east 195 feet of the alley located in Block 2, Flanagan Addition to Empire. The alley is located south of Edwards Avenue and east of Lakeshore Drive.

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 applicants' request. She stated the applicants own all the property abutting the proposed vacation. The request is based on topographical issues. There are steep slopes at both ends of the alley. The land rises from Lakeshore Drive to about the middle of the applicant's ownership and then starts to declines gradually going west and then drops at Patrick Avenue. Only a portion of the alley is proposed to be vacated. The adjacent landowners choose not to have their portion of the alley be vacated.

Mrs. Gillhoover stated they need to vacate the alley in order to place a home on the property with sufficient setback from the steep bank. They agreed with the staff report's findings.

Tina Amatisto, 795 Patrick Street, Coos Bay stated they are not interested in vacating the alley that abuts their property. She wanted to verify that their taxes would not be increased by the vacation. She added that if Patrick Avenue is used to access the property, she would like to see the road paved.

Commissioner Daily asked if taxes go up when there is a vacation. Laura Barron stated that the vacated area is added to their property and it would be included in their property tax calculation.

Chairman Harlan closed the public hearing.

MOTION: Commissioner Coles - Accept the Statements of Fact, Findings, Conclusions of Decision Criteria 1-3 as submitted and recommend City Council approved Vacation application #ZON2006-00089 vacating the east 195-feet of the alley located in Block 2, Flanagan Addition to Empire.
SECOND: Commissioner Daily
VOTE: Unanimous

ITEM B: Variance (ZON2006-00093): Mr. John Peek, 9406 N. Mohawk Avenue, Portland, OR 97203. The applicant is requesting approval of a 5-foot variance to the 20-foot setback requirement in order to allow the reconstruction of a garage with direct vehicular access from N. Cammann Street. The property is located at 534 N. Cammann 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 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.

John Peek, 9406 N. Mohawk Avenue, Portland, Oregon (landowner's son) stated the house and garage are all part of one monolithic pour. He described the engineering and construction of the 18-foot high retaining wall.

Commissioner Daily asked how far the garage extends past the house. John Peek stated the garage extends two-feet past the existing dwelling.

Chairman Harlan stated it is unlikely the street would ever be expanded beyond 36-feet wide and even with a sidewalk there will be a 20-foot driveway to allow a vehicle to park without extending over the sidewalk.

Commissioner Miller asked if the suggested footing was used to construct the wall. John Peek stated that the wall was constructed as designed.

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 #ZON2006-00093 allowing a 5-foot variance to the 20-foot setback requirement in order to allow the reconstruction of a garage with direct vehicular access from N. Cammann Street
SECOND: Commissioner Berg
VOTE: Unanimous

ITEM C: Conditional Use (ZON2006-00097): Joel Smallwood, Coos Bay School District 9, PO Box 509, Coos Bay, OR 97420. The applicant is proposing to site a radio tower in the “Single-family Duplex Residential (R-2)” zoning district. The property is located at T. 25, R. 13, S. 26D, Tax Lot 100 which is west of 1st Avenue and north of B 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 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 and proposed conditions.

Joel Smallwood, Coos Bay School District outlined the project. He stated they held a neighborhood meeting to discuss the possible locations on the Port’s property.

Commissioner Berg asked if cell phone companies could co-locate. Mr. Smallwood stated they have no intention of allowing cell phone companies to co-locate on the pole.

Commissioner Daily asked if A.M. Stations can share towers. Mr. Smallwood stated that A.M. stations do not share towers because of the signals.

Commissioner Berg asked how the A.M. tower on the Tioga worked. Mr. Smallwood stated he is not sure how that worked. Commissioner Marineau stated that the surrounding properties received radio transmissions through their phone lines.

Mike Gaul, Port of Coos Bay, stated they support the School District request. He stated that of the three proposed sites the one being presented had an 80-percent approval rate. They do propose to develop the remainder of the property at some later date.

Chairman Harlan closed the public hearing.

MOTION: Commissioner Coles - Accept the Statements of Fact, Findings, Conclusions of Decision Criteria 1-4 as submitted and approve Conditional Use application #ZON2006-00097 allowing the placement of a radio tower in the “Single-family Duplex Residential (R-2)” zoning district, subject to the following Conditions:

1. Interference to electronic equipment that is a result of the radio tower operation must be resolved by the School District;
2. The tower must be sited in compliance with FAA regulations; and
3. Variance application #2006-00096, an application for a variance to the 35-foot height limitation in the R-2 zoning district, must be approved

SECOND: Commissioner Marineau
VOTE: Unanimous

ITEM D: Variance (ZON2006-00096): Joel Smallwood, Coos Bay School District 9, PO Box 509, Coos Bay, OR 97420. The applicant is requesting approval of a 155- foot variance to the 35-foot height limitation in the R-2 zone in order to site a 190- foot-high radio tower.

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

Commission Miller asked if the residents had any concerns regarding possible lighting on the pole as may be required by F.A.A. Mr. Smallwood stated they do not intend to light the pole unless they are required to by F.A.A. He added that if the pole is over 200-feet it would be required to be lighted, but since the pole is under 190-feet they hope they will not be required to light the pole.

Commissioner Miller asked if they knew that that property used to be the airport for small aircraft.

Commissioner Daily asked if other property was considered. Mr. Smallwood stated they looked at a number of sites throughout the city including Sause Brother's property; a lot by DMV; Coos Bay/North Bend Water Board property; and other Coos Bay School District property. They had to consider direct line of site from Marshfield High School to maintain a good signal.

Chairman Harlan closed the public hearing.

Commissioner Daily stated he believes the site is not suitable for a tower of this size. He believes there are other options.

Commissioner Berg stated he believes the tower will be out there by its self for a long time. There are a number of development issues on the property including wetlands.

MOTION: Commissioner Coles - Accept the Statements of Fact, Findings, Conclusions of Decision Criteria 1-3 as submitted and approve Variance Application #ZON2006-00096 allowing a 155-foot variance to the 35-foot Height limitation in the R-2 zone in order to site a 190- foot-high radio tower on the subject property.

SECOND: Commissioner Marineau

VOTE: Yea – Chairman Harlan, Commissioners Berg, Coles, Marineau, Miller
No – Commissioner Daily

ADMINISTRATIVE

Laura Barron outlined the agenda for the December meeting.

COMMISSION COMMENTS

Commissioner Coles stated she has information on the recently approved facade improvement program. She passed out copies of the façade improvement program. She said she is concerned that there are not design standards. The Planning Commission discussed the past Design Review Committee and the past awning program.

Commissioner Daily stated that he has enjoyed his time on the Planning Commission. He said it was a great start in the political process. He thanked the Planning Commission for their continued service.

The Planning Commissioners each thanked Commissioner Daily for his service to the City and the Planning Commission.

Commissioner Berg stated the real estate market in Coos Bay is down. He stated that real estate is a good indicator of what is going on in the area. Commissioner Marineau stated there are projects still in the process; they just had a number of development issues.

The Planning Commission expressed how pleased they are with how the Empire Café has been completed. They agreed that it will continue to be a great example of how the design review standards can work.

ADJOURNMENT 7:30 p.m.

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

ATTEST: _____
Debbie Erler, Codes/Planning Tech
City of Coos Bay

APPROVED AS SUBMITTED: 12/12/06

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