

**CITY OF COOS BAY**  
**PLANNING COMMISSION MINUTES**  
**Tuesday, February 12, 2008**  
**6:00 P.M. CITY COUNCIL CHAMBERS**

**ATTENDANCE**

**COMMISSIONERS:** Chairman, Bruce Harlan, Vice-Chairman Chris Coles, Commissioners Chris Hood, Steve Donovan, and Rex Miller

**ABSENT:** Commissioner Berg and Marineau

**STAFF:** Laura Barron, Planning Administrator  
Debbie Erlen, Planner 1

**SIGNED-IN GUESTS:** Ryan Fall, 64065 Seven Devils Rd., Coos Bay  
Alden Miller, 486 Schetter Ave., Coos Bay  
Dr. Gerald Miller, 657 Newmark Ave., Coos Bay

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**APPROVAL OF MINUTES**

Approval of Planning Commission minutes of January 8, 2008.

**MOTION:** Commissioner Coles – Approve the minutes of January 8, 2008 as submitted.

**SECOND:** Commissioner Hood

**VOTE:** Unanimous

**PUBLIC HEARINGS**

**ITEM A: Ordinance Text Amendment (ZON2007-00107):** The City, as applicant, is proposing the creation of a parking district in the Empire area. The parking district would eliminate the off-street parking requirement for development and redevelopment of property within the proposed area. The proposed area is described as follows: First Addition to Empire, Blocks 30-35; Second Addition to Empire; Blocks 1-2; Plat of Empire City, the west half of Block 28, Blocks 29-32 and 47 and, the east half of Blocks 22-27 and 48.

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

Chairman Harlan opened the hearing.

Mrs. Barron read the public hearing disclosure and outlined the proposed amendment. She stated the City is proposing to create a parking district in the Empire area. The purpose of the parking district is to encourage economic development and redevelopment in the area. At this time when a property is developed or redeveloped they are responsible for providing off-street parking spaces if the new use is more intensive than the previous use.

Mrs. Barron stated the creation of the parking district is intended to exempt properties within the parking district from providing off-street parking for uses on their property. She said two letters were forwarded to the Planning Commission on February 6, 2008. The first letter was from Shawn Frost, owner of Empire Mercantile, who wrote in support; and second letter was from Norma Frost, who owns property within the proposed district also wrote a letter of support. Mrs. Barron stated a letter dated February 6, 2008 from Alden Miller, 486 Schetter Avenue, was forwarded to Planning Commission on February 7, 2008. The letter outlined Mr. Miller's objections to the lenient intent of the proposal. He is concerned it may have a regressive impact on the Empire area. Mr. Miller feels that before moving on the proposal, consideration should be given to relocate the school bus and shop facilities which create problems in the area ranging from environmental issues to litter. Mrs. Barron noted that the Planning Commission will make a recommendation to the City Council.

Commissioner Hood asked if available on street parking was taken into consideration when the off-street parking ordinance was created. Mrs. Barron read the intent statement from the off-street parking ordinance. *"The provisions of this section are intended to guarantee that adequate parking is provided by each business or residence for the convenience and safety of the user, and to reduce traffic congestion caused by on-street parking. The standards which address the improvement of parking areas are designed to enhance their appearance, make them safe for public use, control dust, and reduce the amount of damage to improved streets, sidewalks, and storm sewerage system from debris."* She stated that on-street parking may have been considered when the ordinance was originally created.

Commissioner Hood stated the proposal is a "blanket" and it applies to any development in the proposed area without consideration of the use, size of structure or the size of the property. The General-Commercial (C-2) zone allows a wide range of uses and some of the uses have high off-street parking demands.

Chairman Harlan stated currently the only parking district is in the core downtown area. He stated the existing parking district was created using assessment funds and those funds paid for the parking lots that were provided. He stated what is proposed is not a "Parking District" it is an anything goes district. Mrs. Barron stated the current proposal does not include parking lots.

Commissioner Donovan asked if there is a plan to create a parking lot. Mrs. Barron stated currently there are no plans to provide public parking lots. Commissioner Donovan asked if the platting of the lots in Empire is unique. Mrs. Barron stated some of the commercial lots are rather small to accommodate commercial development and it is likely that it would take more than one lot to establish a commercial business if off-street parking was required.

The Planning Commission discussed the proposed boundaries. Commissioner Donovan asked how the boundaries were determined. Mrs. Barron stated the boundaries take in all the commercial area in Empire and a small portion of Residential-Professional (R-4P) district. Mrs. Barron stated the proposed area can be reduced to meet the needs of the area. She stated the maximum area is proposed in the notice and to State, because you can approve a smaller area, but not a larger area.

Commissioner Miller stated it appears that the boundaries follow the roads, except on the northwest side, where the block west of Cape Arago (Hollering Point) Hwy is split. Mrs. Barron stated the line is intended to take in the property that is level with Cape Arago. She stated the west half of that block is below the level of Newmark and South Empire Blvd and is accessed from Mill Street. Commissioner Miller suggested the line at Newmark and South Empire Blvd may need to be moved to the west to take in the flat lands west of Newmark Avenue.

Commissioner Donovan asked what would happen if someone purchased six lots and half of the lots are in the district and half are out of the district. Mrs. Barron stated that off-street parking is determined by the building, so the parking requirement would depend on where the building was located.

Commissioner Hood stated that the purpose of creating the downtown parking district was that there was so many properties built property line to property line, so new business could not meet off-street parking standards and there was no area to provide off-street parking. The intent was that there was enough off-street parking provided in the public parking lots. He stated that even with public parking lots there is a perception that there is not enough off-street parking.

Chairman Harlan stated the need for off-street parking in the downtown area has changed over the years and the types of business have changed in the area. Commissioner Hood stated the parking lots were full 20 years ago, but there was a lot more retail back then.

Commissioner Donovan asked who created the proposal. Mrs. Barron stated the City brought it to the table. She stated it has been an item of discussion with the Empire Business Association for some time and they are encouraging the proposal. Mrs. Barron stated there may not be a parking problem at this time, but there will be as more businesses located in the area. She stated what they don't want to happen is for a business to want to locate in the area and the off-street parking requirements hinder the development. She added that in the core area of Newmark Avenue most of the buildings are built property line to property line. The current ordinance allows shared parking within 300-feet. As you go east on Newmark Avenue some of the businesses do have small parking lots.

Steve Skinner, Co-President of the Concerned Citizens of Empire, stated they have been trying to get the proposal moved in this direction for some time. He stated he read the language of the proposal and conducted a quick survey of their membership and there are concerns about going from having restrictions which were an impediment to growth for a lot of people to having no restriction. He said the proposal does not address larger developments (big box or large retail development). Mr. Skinner stated the Coos Bay School District's bus barn is also a concern. He stated the City Manager has attended their meeting and they have encouraged the City to contact the School District and suggest they begin long range planning to relocate the facility. He stated it is not the best use of the land, particularly with the proposed "Hollering Point" development. Mr. Skinner stated it is a major problem with the bus traffic twice a day, with employees parking in front of dwellings instead of in front of their own property or on their own property. He added that if a parking lot is provided the vacant lot behind the Fire Department would be the best location for a parking lot, because of its size and because the City already owns the property. He concluded that they are in favor of the amendment, with a large cautionary note that we do not want to go so far in the other direction that a large scale developer can come in and do what they want to the detriment of the community. The way the proposal is written it's a "Blank Check" for developers/retailer, but we could avoid that with regulation that address that scenario.

Dr. Jerry Miller, Star of Hope, stated he is in the same boat as Steve Skinner, in that he is in support and not in support of the proposed district. He stated he is in support of the City having listened to the community and businesses in the area about parking issues they have. He is not in support of the "blanket" parking district with no restrictions, particularly with the development of the "Hollering Place". He could see a big box development with no parking requirements. He said parking is at a premium now and without additional parking it would be a challenge.

Commissioner Hood commented to Dr. Miller that you say they have listened to the group, but yet you have conflict with what they are proposing. Commissioner Hood stated that if they listened to you why did they proposed this "Blanket" elimination of requirements instead of something that is in between and with some controls. Dr. Miller stated he was not included in the creating of the proposal.

John Pundt, Co-Chair of the Concerned Citizens of Empire, stated they started the process about three years ago. He said there were some business owners that were not able to use a commercial building on Newmark Avenue for lease or for expansion of their business because of the off-street parking requirements. He said the driving force was that the current ordinance does not allow flexibility. He stated he and his wife own three businesses in the area and the on-street parking is full on a regular basis. He said they had not considered the possibility of a big box not being required to provide off-street parking at the time the proposal was written. He stated the parking district is necessary, but restrictions are needed. He said they have started to see positive development in the area in the last few years, but if that is going to continue a parking district is necessary. He said maybe a provision or exception could be written into the ordinance for business that would put pressure on the district to provide parking. He said he does not fully understand the process, but assumes a business would be required to go through all the same hoops as everyone else. He added that he does not know how that would be written into the ordinance, but there is a real need for a parking district and they want business owners to start looking at Empire as a viable investment.

Alden Miller, 486 Schetter Avenue, Coos Bay, stated he owns the "Tower House" and he is opposed to the district as presented. He described the residents in the neighborhood (they do the best they can do don't protest) and talked about how the area has improved over the years. He said in the last couple years the City has been a great help to residents in the area. He said what we have is change that has started to develop. He ask that we take a look now (dig a deep enough hole before you do the foundation). He thinks there are problems with how this is presented that could be fixed and there needs to be more discussion. This area will tolerate some give, but this to lenient. There are issues with the School District. He said this proposal threatens the future of development in Empire and we need to take more time in developing a district so that business and residents can live together.

Chairman Harlan closed the hearing.

Chairman Harlan stated the testimony confirmed what he was thinking, that there is concern that the proposal is not a parking district, but a district that takes parking away rather than solve any problems. He added there is a lot of very good reasons for the district if it were in conjunction with developing parking lots in the area, with a method (such as assessments) to pay for the parking lots.

Commissioner Hood stated he is shocked at the concept. He said this is an opportunity to create a needed parking district, but this proposal is a knee jerk reaction to a situation, but the reaction does not need to be so extreme. He said this is an opportunity to do what we do, which is land use planning. We need to go in and take a look at this area. He said he is shocked that someone just proposes to solve the problem by removing off-street requirements. He stated if you want to encourage business, the last thing you want is to not provide parking for businesses in the area. He said the testimony heard tonight indicate that there is already an on-street parking problem and yet we are saying lets not require parking for new business. He agrees there are problems with existing structures in the area (built property line to property line) and establishing new business in these structures with no off-street parking. He said we need to solve that problem instead of eliminate parking requirements. He added that we need to allow variance for existing structures or take existing situations into inconsideration, while we work towards establishing parking in the area.

Commissioner Hood stated he drove the area and found a lot of vacant land or properties with structures that could be removed in the area to make room for new business or parking lots for new business. He said that to not provide parking is suicide for existing and new business. He said he was further shocked that South Empire Blvd (Cape Arago Hwy) was included in this district. He said to put commercial development that could be very intensive and not provide parking is not even feasible. He said that area will be a very high traffic area over time. He added that short term solutions are needed, but long range planning is vital to look at the future and what could be developed (permitted uses in the C-2 zone), which will include high traffic generating businesses.

Commissioner Hood stated we could look at each development as it occurs and judge each one on its merits and look at the surrounding on-street parking at that time. He said to allow development to cover the lot and allow them to use street parking would not work (employees would take the on-street parking). He said with this proposal he could see parking wars, between the people who do have parking lots and the people who don't and it will be a mess. He said we need to take a step back and take a comprehensive look at the area based on what is and could be established, then come up with a solution, which should include public parking lots. He added that the City needs to step-up and provide a parking lot on the land that is available.

Commissioner Coles stated that conceptually it's a necessary plan because there is a parking problem. She said there is a very active business group in the area. She stated the ODDA report is complete and should be reviewed by the City Council in March. She said that before a decision is made, that report needs to be reviewed and considered. She said there should be standards and the worse case scenario needs to be reviewed.

The Planning Commission discussed that they cannot recommend approval of the parking district as proposed. The Commission thinks the proposal needs a lot more thought and consideration. They said ODDA's report needs to be reviewed and a study of the area, including available lands needs to be completed, before they make a decision. Commissioner Hood stated a proposal should address short term solutions and achieve long term goals; it does not have to be one or the other. Commissioner Hood said he sees this proposal as one sided and in the wrong direction. The Commission discussed the possibility of continuing the hearing to allow the needed studies to be complete. The Commission determined that more than a couple months would be needed to complete adequate studies. Commissioner Coles stated that at a minimum she would want to review the ODDA report, because she believes traffic for Coos Bay and Empire's downtown was included in the report. She stated the report was funded by Urban Renewal Funds and the results would be pertinent.

Commissioner Hood stated we don't have many opportunities to create good things for this area. There needs to be focus group comprised of business owners in the area and the City.

- MOTION:** Commissioner Hood – Recommend the City Council deny Ordinance Text Amendment application #ZON2007-00107as proposed to form a parking district, based on the testimony received from business owners in the proposed district and determination by the Planning Commission that the proposal would be a short term fix that would create parking problems for existing business.
- SECOND:** Commissioner Coles
- VOTE:** Unanimous

The Planning Commission directed staff to include additional findings in the final recommendation to City Council that supports their decision, based on the testimony received at the hearing.

**ITEM B: Site Plan and Architectural Review (ZON2007-00072):** Ryan Fall, Alder Acres, 1800 N 28<sup>th</sup> Court, Coos Bay, OR. The applicant is proposing the addition of a storage area for recreation vehicles at 1800 N 28<sup>th</sup> Court. This item was continued from the September 11, 2007 and October 9, 2007 hearings.

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

Chairman Harlan opened the hearing.

Mrs. Barron read the public hearing disclosure. She stated the applicant is proposing a recreational vehicle and vehicle storage area, about 5 acres in size, on the 41 acre subject property which is zoned I-C. She stated the request came to the PC on Sept 11, 2007 and at that time it was requested a professional hydrogeologic report be made to determine the long and short term effects, if any, from seepages of contaminates from vehicles that may be stored at the site, or from herbicides that may be used to maintain vegetation on or around the site. On October 9, 2007 the Planning Commission granted another continuance at the request of the applicant. Then on November 13, 2007 a continuance was granted to February 12, 2008 meeting. The applicant would like to propose the storage area in the southwest corner, rather than the southeast corner of the property. This will change the drainage and enable usage of the existing storm water system. The applicant is choosing not to pursue the hydrogeologic report which would be cost prohibited. She concluded that the applicant is requesting a continuance to the March 11, 2008 hearing in order to complete elevations and plans for the storage area in the southwest corner of the property.

Ryan Fall, 1800 N 28<sup>th</sup> Court, Coos Bay stated they were able to find a contractor to do the study; it would be very costly and time consuming. He stated moving the development to the west side allows site drainage to be connected to their existing storm water system. He stated they would also be providing drip pans for all vehicles and would regulated the age and condition of the vehicles proposed for storage. He said they have found there is a large demand for enclosed storage units for large motor coaches, motor homes, etc. He said they would like a one month extension in allow time to provide elevation drawings and proposed drainage plans for the west side of the property. Chairman Harlan closed the hearing.

Commissioner Hood asked if new notice should be sent, because of the relocation and the addition of the storage buildings.

**MOTION:** Commissioner Coles – Approved a continuance to the March 11, 2008 hearing to allow the applicant time to pursue relocation of the proposed storage facility and the addition of fully enclosed storage buildings. The revised application will require new notice to surrounding properties.

**SECOND:** Commissioner Hood

**VOTE:** Unanimous

### **ADMINISTRATIVE**

The approval of Site Plan and Architectural Review Application #ZON2007-00105 for Coos Bay Toyota has been appealed to the City Council.

## COMMISSION COMMENTS

Commissioner Coles stated the Vicki Dugger has completed the ODDA report and it will be presented to the City Council in March. She said that reports includes the Empire area and she believes that the report needs to be included in any future planning of a parking assessment district. She added the report will address new and existing business and it could be used as an "Action Plan" for the area.

Commissioner Hood stated he thinks the Planning Commission made a good call on requiring additional testing for the storage facility that was proposed near the water board dam and Merritt Lake.

Commissioner Donovan stated he thinks the Planning Commission did the right thing regarding the proposed parking district. He said eliminating all parking or all uses is not the answer and he would like to see parking lots are provided.

Commissioner Miller stated some of the business have area behind there business to provide off-street parking. He said people seem to think the parking must be right in front of the doors to be useful. There are many areas that place the parking behind the business or in parking lots so that the focus is on the business.

**ADJOURNMENT**      7:27 p.m

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

ATTEST: \_\_\_\_\_  
Debbie Erler, Planner 1  
City of Coos Bay

**APPROVED AS REVISED 3/11/08**

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