

**CITY OF COOS BAY  
PLANNING COMMISSION MINUTES**

**Tuesday, August 13, 2013 at 6:00 P.M.  
Coos Bay City Hall, 500 Central Avenue, Coos Bay**

**ATTENDANCE**

**COMMISSIONERS:** Chairman Chris Hood, Commissioners Jim Berg, Christine Coles, Bruce Harlan, Phil Marler and Jeff Marineau

**ABSENT:** Commissioner Rex Miller

**STAFF:** Eric Day, Director of Community Development  
Debbie Erler, Planner 1  
Aaron Harris, Planner 1

**SIGNED-IN GUESTS:** None

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**CCI/PUBLIC COMMENTS**

Eric Day introduced the new Planner 1, Aaron Harris. Mr. Harris recently graduated from the University of Oregon with a Master's Degree in Planning. The Planning Commission welcomed Mr. Harris to the City.

**APPROVAL OF MINUTES**

Approval of the Planning Commission minutes of June 11, 2013 and July 9, 2013.

Commissioner Harlan noted a correction to the minutes of June 11, 2013 where he was identified as "Chairman Harlan". Commissioner Coles noted a correction to the minutes of July 9, 2013 where she was identified as "Chairwoman Coles".

**MOTION:** Commissioner Berg – Approve the Planning Commission minutes of June 11, 2013 and July 9, 2013 as revised.  
**SECOND:** Commissioner Marineau  
**VOTE:** Unanimous  
**ABSTAIN:** Commissioner

**PUBLIC HEARING**

**ITEM A: Conditional Use and Variance 187-ZON13-022** -The applicant is requesting approval to establish a church at 625 Commercial Avenue, Coos Bay. "Religious Assembly - Large" is a conditionally permitted use in the Central-Commercial (C-1) zoning district. The applicant is also requesting approval of a variance to the off-street parking requirements for the proposed use.

Chairman Hood 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 Hood opened the public hearing.

Debbie Erler read the disclosure statement and outlined that applicant's request. The applicant, Refuge Church of God, is requesting approval to establish a church at 625 Commercial Avenue, which is located in the Central-Commercial (C-1) zoning district. "Religious Assembly - Large" is a conditionally permitted use in the zone; therefore, approval of a conditional use permit is required. Staff has recommended conditions of approval regarding construction permits (if needed) and the need to secure off-street parking within 300-feet to comply with the Off-Street Parking requirement. Based on a revised floor plan (which was just provided to the Planning Commission) and input from the Building Official, Staff is proposing the PC adopted a revised Finding "J". There are no changes to the first paragraph. The second paragraph would read: *The 2010 Oregon Structural Specialty Code (Table 1004.1.1) indicates that seven square feet of space is required for each non-fixed chair and the required width for the front, rear, sides and middle isles were subtracted from the area available for seating. Based on the revised floor plan, staff has determined that the sanctuary floor area which may potentially be used for seating is 34' x 40' (1,360 square feet); therefore, the required off-street parking for the proposed use is 49 off-street parking spaces. According to the site plan, six off-street parking spaces are provided on-site; therefore, the requested variance is for 42 off-street parking spaces.* Ms. Erler stated the applicant is also requesting approval of a variance to the off-street parking requirements for the proposed use. The site has six off-street parking spaces and staff has determined that based on the area which may potentially be provided in the main room of a church (using revised floor plan) 42 additional spaces would be required. Due to the impact on the surrounding area staff is recommending the variance be denied. The City received two letter of concern that was emailed to the PC this afternoon and a copy was provided before you. On August 7, 2013 staff received a letter of concern from Jack Brown of Web Marketing located at 620 Commercial Avenue (*Exhibit 1*). Mr. Brown expressed concern about encroachment on their property (foot or vehicles traffic) and the security risk and litter. He also expressed concern about a homeless shelter or other overnight activities, which might increase crime/noise. The second letter also received on August 7, 2013 was from Rose Harris, owner of property currently leased to "Green Lightning Laundry" (*Exhibit 2*). Mrs. Harris is opposed to the variance due to the existing demand for on-street parking.

Applicant Tom Osborn stated they have a good relationship with the neighboring property at their existing location (353 S 2<sup>nd</sup> Street) and they are pursuing parking agreement with property owners within 300-feet that look promising. He said the building was used as a church in 1982 and he could find no issues regarding the use. He asked if they cannot get approval of a variance for most of the parking, could they get a variance for a portion of the required off-street parking.

Chairman Hood, asked the applicant to describe the hours of operation. Mr. Osborn stated they have three staff member on site daily with some small meetings (10-15 people) during the week (Monday through Saturday between 8:00 a.m. and 5:00 p.m.). He said they have youth and bible study in the evening with no more than 25 people. The main parking demand would be on Sunday mornings with a congregation of approximately 85 people.

Commissioner Berg stated the issue to him is having an occupied building. He said the building was built as an assembly hall and it can accommodate this type of use.

Director Day stated the variance code addresses three criteria and the applicant must satisfy two of the criteria. He said staff is recommending approval of the conditional use permit.

The Planning Commission discussed the availability of on-street parking in the area and existing uses.

Chairman Hood closed the public hearing.

**MOTION:** Commissioner Marineau – continue the hearing on application #187-ZON13-014 to the September 11, 2013 Planning Commission meeting to allow the applicant time to secure parking agreements.

**SECOND:** Commissioner Berg

**DISCUSSION:** Applicant requested that the Planning Commission consider making a decision on the Conditional Use portion of the application so that they may proceed with securing financing.

**WITHDRAWN:** Commissioner Marineau withdrew his motion.

**MOTION:** Commissioner Marineau – Based on the applicant’s submittal, the Findings, Conditions and Conclusions attached hereto and incorporated herein by reference as “Attachment A”, continue the hearing on the Variance request to the September 11, 2013 Planning Commission hearing; and approve the Conditional Use request of application #187-ZON13-014 allowing the proposed “Religious Assembly - Large” use in the Central-Commercial C-1 zone, subject to the following Conditions:

1. Applicant must apply for and receive all applicable building and engineering permits for the proposed renovation before renovation work is commenced.
2. Applicant must apply for and receive a Floodplain permit, if applicable, before building permits will be issued.
3. The applicants obtain off-street parking within 300 feet of the subject property, as allowed in Chapter 17.200.030 of the CBMC, to comply with the Off-Street Parking Requirement and deny the variance portion of the application at 625 Central Avenue

**SECOND:** Commissioner Berg  
**VOTE:** Unanimous

#### **ADMINISTRATIVE**

- A. Discussion regarding amendments to the Development Code (Title 17) of the City of Coos Municipal Code.

Director Day stated that our current development code could use updating. He said they would like to proposed amendments in the near future. He asked the Planning Commission to let staff know if there are sections of the code they would like to see updated.

Commissioner Berg stated he is for anything that smooth's the process. Director Day stated staff will be adding pre-application meetings to the process.

- B. Discussion regarding amendments to land development and land use fees.

Director Day stated the land use fees at the City of Coos Bay are very low and in the last two years the City has taken in only 12,000 dollars in application fees. He said he would like to review existing land use application fees and discuss revisions.

Commissioner Hood stated that land use is state mandated and there is a notion that people that are required to go through the land use process should have to pay for the process. He said land use was not established for the benefit of developers or people that want to open business. He said land use was established for the protection of the public. He said public has continued to support the regulations and they should continue to pay the cost of the process. He said he has always opposed exuberant fees for land use to try to balance budgets. He said land use has evolved into a monster and the average citizen cannot afford large application fees.

Commissioner Marineau stated the fees need to be clearly defined.

- C. Upcoming Planning Commission training. Director Day informed the Planning Commission of upcoming training in Portland.

### **COMMISSION COMMENTS**

Commissioner Berg expressed concern that the regulations regarding dogs off leashes in public parks are not being enforced.

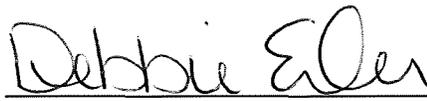
Chairman Hood stated he enjoyed see all the people in Mingus Park for the annual swim met.

**ADJOURNMENT** 7:10 p.m.



Chris Hood, Chairman  
City of Coos Bay  
Coos County, Oregon

ATTEST:

  
Debbie Eler, Planner, City of Coos Bay

**APPROVED AS SUBMITTED OCTOBER 8, 2013**