

**CITY OF COOS BAY  
PLANNING COMMISSION MINUTES  
Tuesday, February 11, 2014 at 6:00 P.M.  
Coos Bay City Hall, 500 Central Avenue, Coos Bay**

**ATTENDANCE**

**COMMISSIONERS:** Vice-Chairman Jeff Marineau, Commissioners Jim Berg, Christine Coles, Bruce Harlan, Phil Marler and Rex Miller

**ABSENT:** Chairman Chris Hood

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

**SIGNED-IN GUESTS:** John Spurgin, 364 Pacific Ave. & 800 S. Empire Blvd., Coos Bay

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**CCI/PUBLIC COMMENTS** None

**APPROVAL OF MINUTES**

Approval of the Planning Commission minutes of January 14, 2014.

**MOTION:** Commissioner Coles - Approve the Planning Commission minutes of January 14, 2014 as submitted.

**SECOND:** Commissioner Miller

**VOTE:** Unanimous                      **ABSTAIN:** Commissioner Marineau

**PUBLIC HEARINGS**

**ITEM A: Variance #187-ZON13-050.** The applicant is requesting a 6.5 foot variance to the 10-foot front yard setback requirement for a rebuilt porch that was previously damaged by fire. Approval of the variance would allow the newly rebuilt porch, which was rebuilt on the same footprint as the fire damaged porch, to remain on the property with a 3.5 foot setback from the property line abutting 4<sup>th</sup> Avenue.

Vice-Chairman Marineau 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.

Vice-Chairman Marineau opened the public hearing.

Aaron Harris read the disclosure statement and outlined the applicant's request. The applicant is requesting approval of a 6.5 foot variance to the 10 foot setback requirement for a dwelling from street frontage. Approval would allow a 3.5 foot setback from the property along 4<sup>th</sup> Avenue. The structure at 418 4<sup>th</sup> Avenue suffered significant fire damage on August 9<sup>th</sup>, 2012 which damaged the house's interior and front porch.

Applicant Larry Tavernier stated that in August of 2012 a fire burned the front of the house. Upon submittal of plans for the repairs, the City notified him that based on their maps the structure appeared to be in the right of way. He was not aware that 4<sup>th</sup> Avenue was platted to be 80-foot wide. The City required a survey, which revealed that while the porch was not in the right of way, it does not meet the 10-foot setback requirement.

Vice-Chairman Marineau closed the public hearing.

Commissioner Marler asked about the aerial map in the staff report. Mr. Harris stated that the overlay is an aerial map with the tax lot map overlaid.

- MOTION:** Commissioner Coles - Based on the applicant's submittal and the Statements of Facts, Findings, and Conclusions, approve Variance application #187-ZON13-050 and allow the requested 6.5 foot variance to the 10 foot setback requirement from street frontage at 418 4<sup>th</sup> Avenue, Coos Bay, Oregon.
- SECOND:** Commissioner Marler
- VOTE:** Unanimous

**ITEM B: VARIANCE #187-ZON14-002.** The applicant is requesting approval of three variances to the property development standards outlined in the Coos Bay Municipal Code (CBMC) Chapter 17.127 Hollering Place District (HP): A variance to the 1500 square foot limitation for a single structure. A variance to commercial uses opening onto Empire Boulevard and a variance to the 35-foot height restriction at the project site at 213 Newmark Avenue, Coos Bay, Oregon.

Vice-Chairman Marineau 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.

Vice-Chairman Marineau opened the public hearing.

Debbie Erlen read the disclosure statement and outlined the applicant's request. The *Village at Hollering Place* project is a concept developed for an RFQ for development of the subject property. The requested variances are essential to the realization of the concept design; therefore, the applicants are requesting the variance review prior to the development of the design and formal land use application for the entire development. The renderings they provided are illustrative only and do not reflect the future appearance of the building. On the Lower Bench the applicant proposes a lodge with 48 units and six suites, six guest cottages, a restaurant, spa, commercial building; and covered parking area. On the Upper Bluff the applicants propose a gateway building to accommodate visitor services, public restrooms and a cultural museum. They propose public parking and a roof top promenade to provide pedestrians with a safe connection to the waterfront. The applicant is requesting approval of three variances to the property development standards outlined in the Coos Bay Municipal Code (CBMC) Chapter 17.127 Hollering Place District (HP). Approval would allow a proposed *Visitor Services Cultural Museum* on the Upper Bluff (HP1) area to be 2,400 square foot with a main entrance on the south elevation. Approval would also allow a 41'.6" building height for two elevator towers and three wind shelters on the Lower Bench (HP2) area.

Commissioner Berg declared a conflict of interest.

Phil Brubaker, Confederated Tribes of the Coos, Lower Umpqua and Siuslaw, thanked the Planning Commission for reviewing their variance request prior to submittal of the final design and additional land use application. He introduced their representative, Hillary Baker of Crow/Clay and Associates.

Hilary Baker, Crow/Clay Associates Inc., 125 Central Avenue, summarized the proposed project, including the proposed building on the Upper Bluff being designed with three separate building masses and covering less than 15 percent of the property. She addressed the access from South Empire Boulevard and the intersection at Empire/Newmark. She described the design of the promenade and access to the site.

Vice-Chairman Marineau thanked Ms. Baker for submitting excellent exhibits for their review.

Commissioner Miller asked how the applicants will address the bank below the upper bluff. Mrs. Baker stated the bank will be stabilized and landscaped. She stated there is a seasonal spring in the area and they intend to install a bio swale.

Commissioner Harlan asked if the walkway and elevator will be open to the public. Ms. Baker stated the walkway and elevators will be open to the public at all times, because the elevators will not open into the hotel. She said that with the wind screens being transparent, there will be great views from the roof top.

Vice-Chairman Marineau closed the public hearing.

**MOTION:** Commissioner Coles - Based on the applicant's submittal and the Statements of Facts, Findings, and Conclusions, approve Variance application #187-ZON14-002 as submitted authorizing the following:  
A 2,400 square foot Visitor Services Cultural Museum on the Upper Bluff (HP1) with a main entrance on the south elevation; and a 41'.6" building height for two elevator towers and three wind shelters on the Lower Bench (HP2) area

**SECOND:** Commissioner Marler

**VOTE:** Unanimous

**ITEM C: Code Amendment application #187-ZON2013-00049.** The City of Coos Bay, 500 Central Avenue, Coos Bay, OR 97420, is proposing to amend the Coos Bay Municipal Code Chapter 17.195, Flood Damage Prevention in order to comply with the National Flood Insurance Act of 1968, including the adoption of updated Flood Insurance Rate Maps by reference and other language updates that regulate development on property located in the floodplain.

Vice-Chairman Marineau 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.

Vice-Chairman Marineau opened the public hearing.

Debbie Erler read the disclosure statement and outlined the applicant's request. The City of Coos Bay is proposing amendments to Coos Bay Municipal Code Chapter 17.195, Flood Damage Prevention, including adopting updated Flood Insurance Rate Maps dated March 17, 2014, by reference as "Exhibit A" and the proposed Text Amendments as "Exhibit B". The maps have been developed using new technology to increase accuracy. The proposed text amendments are necessary in order to remain in compliance with the National Flood Insurance Act of 1968 and to continue to be eligible for the National Flood Insurance Program.

Will Wright, property owner in Coos Bay, stated that the flooding at Blossom Gulch has been made worse by development upland. He stated there is a problem with willow and beavers that have created dams in the area. He said he would like to see flood control measures be taken. He said he built a berm to help with flooding, but that a single gopher hole can create a problem. He is concerned about overloading the berm or opening up the channel. He said maybe it's time for Shutter Creek to have a work crew clean up the area again.

Commissioner Marler asked staff how many properties were adversely affected by the map updates. Ms. Erler stated staff has been asked to review about 20 properties since the notice was mailed. Of the 20 properties researched, the floodplain extended onto three properties. She stated the prior "Letter of Map Amendments" are still valid but are not reflected on the updated maps.

Commissioner Miller asked if our community is paying for disasters in other areas. Ms. Erler stated that FEMA does disburse the disaster relief across the country. It is in part because of the large number of disasters that FEMA is eliminating subsidies and increasing rates. If our community did not participate in the program, property owners in our community would pay even higher flood insurance premiums.

Vice-Chairman Marineau closed the public hearing.

**MOTION:** Commissioner Berg - Based on the applicant's submittal and the Statements of Facts, Findings, and Conclusions, recommend City Council approve the proposed amendment to Coos Bay Municipal Code Chapter 17.195, Flood Damage Prevention application #187-ZON2013-00049, including adopting updated Flood Insurance Rate Maps dated March 17, 2014, by reference as "Exhibit A" and the proposed Text amendments as "Exhibit B".

**SECOND:** Commissioner Marler

**VOTE:** Yea: Vice-Chairman Marineau, Commissioners Jim Berg, Christine Coles, Bruce Harlan, and Phil Marler

Nay: Commissioner Rex Miller

### **COMMISSION COMMENTS**

Commissioner Harlan asked where the City is going with changes proposed for the Design Review Committee. Ms. Erler stated the City Council has scheduled a work session to review the proposal.

Commissioner Coles thanked the Design Review Committee for all the work they have done for the City. She stated the Planning Commission really appreciates their expertise.


**ADJOURNMENT**

6:55 p.m.



Jeff Marineau, Vice-Chairman  
City of Coos Bay  
Coos County, Oregon

ATTEST:



Debbie Eler, Planner, City of Coos Bay

**APPROVED AS SUBMITTED APRIL 8, 2014**