

CITY OF COOS BAY
PLANNING COMMISSION MINUTES
Wednesday, September 13, 2017 at 6:00 P.M.
Coos Bay City Hall, 500 Central Avenue, Coos Bay

ATTENDANCE

COMMISSIONERS: Chairman Rex Miller, Commissioners Jim Berg Christine Coles, Katherine Flores, Chris Hood, Jeff Marineau, and John Peery.

ABSENT: None

STAFF: Tom Dixon, Planning Administer
Debbie Erler, Planner

SIGNED-IN GUESTS: None

APPROVAL OF MINUTES

Approval of the Planning Commission minutes of May 9, 2017 and June 13, 2017 Planning Commission hearings.

MOTION: Commissioner Berg – Approve the Planning Commission’s minutes of May 9, 2017 and June 13, 2017 Planning Commission hearings as submitted.

SECOND: Commissioner Coles

VOTE: Unanimous

CCI/PUBLIC COMMENTS None

PUBLIC HEARING

ITEM B: Subdivision – Marple Street #187-ZON17-045

The applicant is requesting approval for the Marple Street Subdivision that would allow four lots on a 1.72-acre parcel and a Variance to allow average lot sizes of approximately 18,733 square feet in the LDR-6 zoning district where the maximum average lot size is 7,500 square feet. Chairman Miller asked if there were any objections to the Planning Commission hearing the item on jurisdictional grounds. He asked if any Planning Commissioner had ex-parte contact or conflict of interest to report.

Chairman Miller opened the public hearing.

Planning Administrator Tom Dixon read disclosure statement and summarized the applicants request through a Power Point Presentation.

Commissioner Berg stated he has concerns about new max lot size regulation.

Tom Dixon, Community Development Administrator, stated the maximum lot size regulation forces development to create more lots and maximize development. But what it does not consider is that the remaining vacant lots often have topography issues.

Commissioner Berg asked how do we remove the restriction. Mr. Dixon stated the regulation can be removed through an ordinance amendment.

Commissioner Marineau asked if it is something we can correct in the near future. Mr. Dixon stated early next year staff will be working on a packet of proposed amendments. Commission Marineau asked that staff include the removal of the setback in the commercial zone in those amendments (as discussed with the Natural Grocers issue).

Commissioner Hood stated variances are touchy issues and easy to fight. He said the City should not put people in the situation that they unnecessarily need a variance. The appeal process is lengthy and costly.

Will Dawson, Civil West, stated the staff report addressed the issues and he is available to answer questions.

Chairman Miller asked Mr. Dawson why they want larger lots? Mr. Dawson stated the size of the lots has to do with the topography of the property.

Chairman Miller closed the public hearing.

MOTION: Commissioner Coles - Based on the Findings and Conclusions and the applicant's submittal, attached hereto and incorporated herein by reference as Attachments "A" and a Building Envelope Plan as Attachment 'B', approve land use application #187-ZON17-045 allowing a Subdivision to with four (4) lots on a 1.72-acre parcel and a Variance allowing an increase to the average lot sizes from 7,500 square feet to an average of 18,733 square feet in the LDR-6 district, with the following conditions:

1. The applicant shall secure all building and other applicable permits, as required, from the City of Coos Bay or the State of Oregon for finishing out the project and is responsible for obtaining all approvals though outside agencies that include but are not limited to: Department of Environmental Quality, Department of State Lands, Army Corps of Engineers, and local tribes.
2. Prior to issuance of building permits, applicant shall submit maintenance procedures for the swale. These maintenance procedures shall be documented in declaration of real covenant that shall be signed by the owner. The declaration shall state that it will be the responsibility of the owner to clean and maintain both these swales in perpetuity. Applicant shall be responsible for the recording fees.
3. The applicant shall make a payment in lieu. This payment will be placed in a fund that will go directly to the Marple Street Sanitary Sewer upgrade. This payment shall be required prior to issuance of a building payment.

The payment shall be made to the City of Coos Bay. This payment will be based on the methodology already established in the 2006 City report titled, "Wastewater Collections and Storm Drainage System Development Charge Study". The payment in lieu will be \$6,700 for each equivalent dwelling unit.

4. A maintenance agreement for the shared responsibility of all common improvements such as the access road and any private utilities shall be provided to the City of Coos Bay's Public Works and Community Development Department prior to the final plat recording and such maintenance agreement must be incorporated into each of the four property deeds.
5. The approved subdivision development of individual lots shall be limited to the identified building envelopes, as proposed by the developer.
6. Approval of the final plat or map shall be conditioned on its recordation within 60 days with the Office of the County Clerk after securing all other official approvals.
7. Within seven (7) days of recording of the final plat or map, a myler copy shall be returned to the Community Development Division.

SECOND: Commissioner Berg
VOTE: Unanimous

ITEM B: COMPREHENSIVE PLAN AND ZONING MAP AMENDMENT

#187-ZON2017-049. Change the Comprehensive Plan Map designation of the north 100-feet of the subject property at 2610 Ocean Blvd. from "Commercial (C)" to "Residential-Low (R-L)"; and, change the Zone Map designation from "Commercial (C)" to "Low-Density Residential (LDR-6)". Tax Lot 900 in Section 21DC, Township 25, Range 13 West of the Willamette Meridian, Coos County, Oregon.

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

Chairman Miller opened the public hearing.

Debbie Eler, Planner 1, read the disclosure statement and outlined the applicant's request.

The Planning Commission discussed zoning and development in the area.

Chairman Miller closed the public hearing.

- MOTION:** Commissioner Coles - Based on the Findings and Conclusions set forth above, the Planning Commission recommends the City Council approve application #187-ZON17-049, to change the Comprehensive Plan Map designation of the north 100-feet of the subject property at 2610 Ocean Blvd. from "Commercial (C)" to "Residential-Low (R-L)"; and, change the Zone Map designation from "Commercial (C)" to "Low-Density Residential (LDR-6)". Tax Lot 900 in Section 21DC, Township 25, Range 13 West of the Willamette Meridian, Coos County, Oregon.
- SECOND:** Commissioner Marineau
- VOTE:** Unanimous

ITEM C: SITE PLAN REVIEW (SPR) #187-ZON17-055.

Improvements to the south side bleacher area of Marshfield High School's Susick Stadium including: the installation of permanent seating, a roof cover over the spectator and bleachers area, a new press box, restrooms, a memorial plaza, and enhanced access for ADA mobility in the Urban Public district.

Chairman Miller opened the public hearing.

Planning Administrator Tom Dixon read disclosure statement and summarized the applicants request through a Power Point Presentation.

Joe Slack, H.G.E., applicant's representative, summarized the project and provided additional photos. He stated the applicant does not have a problem with Conditions #1 or #2. He stated the applicant is not opposed to the proposed easement agreement mentioned in Condition #4 if it is determined to be needed. He discussed the storm and sanitary sewer lines that are a subject of Condition #3 and Conditions #5 and #6. He stated the City has determined that a four 4-inch concrete walkway is a "permanent structure" and that is what they are basing the line replacement conditions on. He said he asked for the definition of "Improvement" but has not received one. Mr. Slack stated we are getting close to working the issue out with the City. He said the applicants don't want to replace 100 feet of storm line.

Commissioner Hood stated that the Waterfall Clinic property is owned by the School District. He asked about ADA parking. Mr. Slack stated the parking lot at the Waterfall Clinic will become the ADA parking during events. He said they will post signs during games and other events that indicate the lot is for ADA only.

Commissioner Marineau stated whether the storm and/or sewer line gets replaced is an engineering issue between the Architect and the City of Coos Bay and he doesn't think it is an issue for the Planning Commission. He is interested in seeing it done economically for both parties.

Mr. Dixon stated there has been some adjustment to the Conditions. The Planning Commission and staff discussed that they are reluctant to approve conditions that may make the project cost prohibitive. Mr. Slack stated they don't want to replace the lines, but he understands the City desire to not have to remove improvements to make future repairs. The City wants to share the cost of the line replacement, but the school district doesn't know what cost would be. Mr. Slack stated they have offered to be financially responsible for the cost of replacing improvement (sidewalk) should work be required, which they thought was reasonable. He said he thinks we are getting close to an agreement.

The Planning Commission and staff discussed possible revised Conditions. Mr. Dixon stated staff is proposing to eliminate Condition #6. He said Condition #4 addresses the sewer line being crossed. He said the City is willing to share fifty percent of the replacement cost at this time. If the line fails in the future, the school district would be responsible for the entire cost of replacement.

Jennifer Wirsing, Engineering stated the 150-foot storm sewer line was built in 1976 and it has leaking joints. The City has \$100 million dollars in current planned projects, but the City is willing to look at current projects and find the funds to cover fifty percent of the cost of replacing the storm sewer line so this project can move forward. The sanitary line was constructed in 2010 and there are two private lines.

Commissioner Hood asked if the storm sewer line is a public line and if it is the City's responsibility to maintain that line? Ms. Wirsing stated the storm sewer line is a public utility, but is only serves Marshfield High School. She stated the School District has the option to take over the line and make it a private line. Commissioner Hood stated the only reason we are having this discussion is because they are building a sidewalk over the line and it will impend your ability to fix the line when and if you go in and fix it. Ms. Wirsing stated yes.

Commissioner Marineau asked if a wooden deck can be built over the line so that it would not be considered a structure. He said this situation is silly. Ms. Wirsing stated the cost of construction is not cheap and this line is eight to ten feet deep, the deeper it is the more it cost. Commissioner Berg stated the Planning Commission can't arbitrate the issue now, because all the people involved are not present. He suggested the city and school district come to a compromise and bring it back to the Planning Commission.

Commissioner Marineau asked if there is a specific time frame. He said the Planning Commission could hold a special hearing if additional time is needed to get the issues resolved.

Beverly Segner, 1000 Ingersoll Ave., Coos Bay, stated she had concerns about the project and now she is even more concerned. She said city dollars and school dollars come from tax payers. In this era when there is not enough money to repair our school we should not be putting this kind of money toward bleaches and a press box. As the Planning Commission you are representing me and you should know what your obligations are. We are not taking about health or safety issues like asbestos, we are talking about extra improvements. I had to replace the sewer line on my property years ago and it was over 15,000 dollars. She said staff has indicated that this line will fail and now to have the school and the city spend money on for this project when it is not necessary and the structure will only be used during certain times of the year. She stated last time they were driving pilings they caused cracks in her house. She would like to see the cost of the project and the cost for replacing the sewer line. We don't even have the final design, so the public doesn't have the proper drawings to comment on or make a final decision. She discussed the Decision Criteria and stated she is concerned about the condition of the school and the surrounding landscaping is nonexistent or not maintained. She urged the Planning Commission to hold off on a decision until all the information is received.

Ms. Segner stated lot size is a big factor in communities. When you start putting people window to window it is not good. She commended the Planning Commission for wanting to address the lot size restriction.

Mr. Slack stated the intent is that when the south side improvement is done it will be the home side. The stadium currently has no ADA compliant seating, they only have a couple poorly arranged spaces.

Mr. Slack added that the project is privately funded and they have been working on fund raising for years. The school district is not paying for the improvements. He said piling was complete with the prior project.

Commissioner Berg asked if all cost associated with the project will be covered by the group of private investors. Mr. Slack stated yes. Commissioner Berg asked if infrastructure improvements are required would those improvements be covered by the school district. Mr. Slack stated he does not know the answer.

Commissioner Chris stated the storm drain is old and it's going to fail someday with or without this project, who's paying for it then. If the school district and the city come to some agreement and come back before the Planning Commission we can get the issue addressed.

Ms. Segner stated the City already has \$100 million in current projects and this project is not on the list. Other projects are being affected by diverting funds to this project. She said the school has a lot of other needs that should take precedence for a structure that would only be used a few times a year. She added that every time city staff or school district employees meeting regarding this project, it is costing the city and school district money.

Chairman Miller stated that while the landscape is very well done, he suggested they take a good walk through MHS and the Waterfall Clinic to see the lack of maintenance on the sites. He said if you can't use a mower or weed eater on an area it does not get maintained. He recommends the applicant consider different ground cover and revisit the landscape design for one that would require less maintenance.

MOTION: Commissioner Coles – Continue the hearing on Site Plan Review application #187-ZON17-055 to a special meeting on September 20, 2017 at 6:00 p.m. in the City Council Chambers to allow the applicant to do further research on issues related to the noted conditions of approval.

SECOND: Commissioner Marineau

VOTE: Unanimous

ADMISTRATIVE

Mr. Dixon stated that the ribbon cutting for the "Pedway" being renamed "Preway" will be held tomorrow at 5:30 p.m.

Mr. Dixon provided the Draft "Front Street Action Plan" from the Brownfield Grant. He thanked Committee members Berg and Coles for their work on the committee. He stated that the recent open house was well received by the public. The consultants took into consideration the input from the first open house in creating the action plan. He said in the last six months, two of the larger properties have been purchased and two other sites have sold and the new owners are in the process of making façade improvements.

COMMISSION COMMENTS

Commissioner Flores informed the Planning Commission that she is moving to Washington and will be resigning as of this meeting.

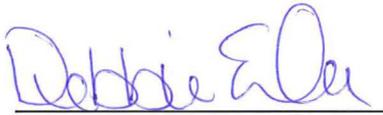
Commissioner Coles stated ribbon cutting on "Preway" has been a long time coming (15 years) and it is a wonderful addition. She said she is excited about the "Front Street Action Plan".

Chairman Miller stated his dad was a plumber at Marshfield High School for 40 years. On his retirement he told the new plumber, that in the girl's gym behind the boiler there is a shovel. In the fall you need to go clean the leaves off the drain behind the girl's gym or the whole stadium is going to go down the hill. He said his dad retired, the drain never got cleaned and that's the year the south stadium when down the hill.

ADJOURNMENT 8:00 p.m.



Rex Miller, Chairman
Planning Commission
City of Coos Bay
Coos County, Oregon



ATTEST:

Debbie Erler, Planner

APPROVED AS SUBMITTED NOVEMBER 14, 2017