

## **MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL**

**October 30, 2000**

The minutes of the proceedings of Joint City Council Planning Commission work session held on October 30, 2000 at 7 p.m. in the library auditorium, 525 Anderson Avenue, Coos Bay, Coos County, Oregon.

### **Those Present**

City Council members present were Mayor Joanne Verger and Councilors Joe Benetti, Jeff McKeown, Don Spangler, Kevin Stufflebean, and Judy Weeks. Planning Commissioners present were Christine Coles, Bruce Harlan, Jeff Marineau, Verena Matthews, and Susan Spargo. City staff present were City Manager Bill Grile, Deputy Recorder Joyce Jansen, Planning Administrator Laura Barron, City Attorney Randall Tosh, Police Chief Chuck Knight, and Fire Chief Stan Gibson.

### **Implementation of Design Standards**

Mayor Verger called the meeting to order and thanked the commission for the work they have done in reviewing the proposed design standards. Mayor Verger explained standards are being prepared for two areas of Coos Bay; North Front Street and a portion of Newmark Avenue.

Planning Administrator Laura Barron reported the Planning Commission has held several meetings to review the design standards and is close to making a recommendation to the City Council. Ms. Barron reported the land use process requires standards or criteria on which to base a decision and the Commission has prepared goals and standards.

Commissioner Harlan commented during this process it became apparent that to write an ordinance for the design of structures is very complicated. It is important to leave room for the architect to use imagination, while meeting the intent of the ordinance. Mr. Harlan cited the City of Florence as an example of using much diversity in design while keeping certain things in common such as the use of materials. He commented the Commission sees the Empire area as a pioneer community and explained the goals in general describe the intent of the ordinance, coupled with standards that can be used in developing the design. Mr. Harlan noted the Design Review Board has the option of determining whether the design meets the standards.

Councilor McKeown asked if the Planning Commission was comfortable with the proposed ordinance and Mr. Harlan responded in the affirmative and noted the ordinance has been reviewed by the city attorney. Councilor Stufflebean commented the area should include from the Y intersection to the actual city limits as that was part of the Urban Renewal Plan and he would like to see the whole area improved. He noted the area proposed by the Commission excludes the waterfront and is only a three block section. Mr. Harlan commented the smaller area is a suggestion because the Y area is characterized by existing buildings and the core area is more likely to be positively affected by the standards.

Commissioner Spargo commented there are two different kinds of people approaching this area; from the Y to Morrison people will be in cars and in the core area there will be pedestrians. For this reason the Commission narrowed the design standards area to the core of the Empire District. Councilor Spangler said it was a mistake to narrow the area; people have put money in the area and the standards are flexible and certainly could apply to the Y. He also noted the theme had been changed from the one adopted by the City Council to Historical Settlement. Commissioner Harlan reported the theme was changed by the Planning Commission because they felt Historic Settlement more accurately describes the area. He noted the design standards will come to the Council for adoption and the theme could be changed at that time.

Councilor Stufflebean cautioned awnings would be problematic in the Empire area because of the

## City Council Minutes – October 30, 2000

weather. Commissioner Harlan reported they would avoid rigid plastic awnings in preference to canopies. Councilor McKeown expressed the importance of being flexible with the standards as well as taking public input before adopting the design standards. He commended the Planning Commission on the task of developing the standards and noted it was an easy task. Councilor Spangler commented the Commission should not be able to change the area for the standards. Commissioner Harlan commented the area is not the key issue in the development of the ordinance; regardless of the boundaries, decisions will need to be made when an applicant submits a design for approval. The Commission recommends the review board include three people experienced and trained in architecture or architecture history/art.

Mayor Verger commented by changing the scope of the projects, there may be a concern about raising the level of expertise of the Design Review Board. Commissioner Harlan reported if the City retained an architect to help the applicant with their design and it was submitted to the Design Review Board with enough information to determine if it meets the standards, the Board could make the decision. Appeals would go to the Planning Commission.

City Manager Bill Grile explained the two scenarios would be that expansion of existing buildings would be required to meet the standards and the other would be a facade program. The Urban Renewal Agency would select an architect of record to be available to the property owners. The architect would be familiar with the ordinance and work with the owner on developing their design. Once the design was prepared, the applicant would present it to the City for review. Mayor Verger commented the area should look planned and be inviting. The City needs to be able to help the property owners and that takes cooperation from the citizens as well as thoughtful planning. Mayor Verger further commented the City needs to keep the vision of where we want to go with urban renewal.

Councilor Benetti commended the Planning Commission on their diligent work on the reviewing the standards and suggested looking at including the Y intersection in the plan as well as taking public input. He noted the facade program would help the improvements move forward quickly and give property owners the financial help they need. Councilor Stufflebean commended the Commission on developing the same standards for both the Empire District and Front Street and thereby helping to make the city look as one. Commissioner Spargo commented the document must be a living document and once the standards and facade program are in place, people are ready to go. Commissioner Marineau reported the Commission is not stuck on the boundaries and recommended the Council change them if they desire. Mayor Verger commented the key to success does not depend on the area, the key is that we enthusiastically support the program.

Commissioner Harlan reviewed the statement of purpose, goals and design standards and noted the goals are general statements, the standards are more specific and include details on how to accomplish the goals. Mr. Grile commented the Council is concerned about the business climate and one of the things staff has discussed is how the appeals process would work. The standards are a land use action and certain due process requirements are in the statutes. From the time the application is complete, a final decision must be made within 120 days. The application can be appealed to the Planning Commission which then can be appealed to the City Council. The 120 day limit presents some logistical challenges and the City could be criticized as not being business friendly. To fit within the 120 days, the ordinance could state the Planning Commission is the final decision making body. The applicant could still appeal to LUBA. Councilor McKeown supported the suggestion. Councilor Spangler stated he would not support the Planning Commission making the final decision. Mr. Grile commented that either the Planning Commission or the Design Review Board could be dropped from the process. An appeal from the Design Review Board would go to the Council, however, the Board would need to learn the land use ordinance. Councilor McKeown suggested further study on this matter. Commissioner Marineau commented the Design Review Board would need to be more capable of dealing with planning issues.

Commissioner Coles stated the Planning Commission worked very hard on the standards and commended Ms. Barron on her work as well. Mayor Verger asked if some of the design problems could be

**City Council Minutes – October 30, 2000**

prevented with upfront work with the architect and the Design Review Board prior to the owner putting in their application. Commissioner Spargo commented if the architect is familiar with the ordinance and is guiding people through the process, then the Design Review Board would not be so critical. Commissioner Harlan expressed concern that the current Design Review Board does not have the expertise to make decisions on design standards. Mayor Verger commented the process should not be difficult for applicants and the first two projects in Empire will be extremely important. Commissioner Spargo stated the Commission worked hard to make the document user-friendly.

Commissioner Harlan reported the next Planning Commission meeting will be held November 14<sup>th</sup> and they will take testimony on the design standards. The Commission will then present their recommendations to the City Council.

**Adjournment**

There being no further business to come before the Council, Mayor Verger adjourned the meeting.

\_\_\_\_\_  
Joanne Verger, Mayor

ATTEST:

\_\_\_\_\_  
Joyce Jansen, Deputy Recorder