

CITY OF COOS BAY
PLANNING COMMISSION MINUTES
Tuesday, May 8, 2018 at 6:00 P.M.
Coos Bay Fire Department, 450 Elrod Avenue, Coos Bay

ATTENDANCE

COMMISSIONERS: Chairman Rex Miller, Commissioners Jim Berg, Christine Coles, Bill Davis, Chris Hood, John Peery

ABSENT: Commissioner Jeff Marineau

STAFF: Tom Dixon, Community Development Administrator
Debbie Erler, Planner 1
Jennifer Wirsing, City Engineer

SIGNED-IN GUESTS: Joe Slack (HGE); Steve Skinner, 2310 Lombard, North Bend; Jeff Whitey, 1465 I St., Coos Bay; Steve Sanden (representing Bay Area First Step); Don Wilkinson, 115 S. Empire Blvd., Coos Bay; Tasha Walter, 1942 Sheridan Ave., North Bend; Roger Wilson, 275 S. Wall St., Coos Bay; William Deschler, 63678 SW 10th Rd., Coos Bay; Ruth Gallagher, 2290 Hayes St., North Bend; Randy Baer, 649 S. Wall St., Coos Bay; Tom Greaves, 155 S. Mill St., Coos Bay; Janice Martin, N. Broadway, North Bend); Deborah Gray, 665 S. Cammann St., Coos Bay; Jackie Shay, 63506 Grand Rd., Coos Bay; Will Wright, 62399 Hwy, 241, Coos Bay; Linda Pearson, 155 S Mill St., Coos Bay; Joseph Nunes, 680 S. 11th St., Coos Bay; Anna Marie Slate, 768 Virginia Ave., North Bend; Tyler Davidson, 920 Newmark Ave., Coos Bay.

CCI/PUBLIC COMMENTS None

APPROVAL OF MINUTES Postponed.

PUBLIC HEARING

ITEM B: SITE PLAN REVIEW #187-ZON18-016 – 1988 Newmark Avenue: SWOCC is requesting approval of a Site Plan Review (SPR) for improvements to its campus including a remodel of the existing Umpqua Hall building and a new 20,890 square foot new building to be constructed adjacent to Umpqua Hall.

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. Commissioner Coles stated she teaches part time at SWOCC, but that would not affect her ability to make an impartial decision.

Chairman Miller opened the public hearing. Debbie Erler read disclosure statement and summarized the applicant's request.

Joe Slack, with HGE, gave a presentation with additional details on the project. Mr. Slack stated that improvements that are identified by a traffic engineer as one of the project conditions would be best accomplished as a phased-in portion of the project, and should be considered to be

baseline improvements, suggesting that the improvements could be expanded upon. Discussion took place regarding the priority of these improvements.

Jennifer Wirsing addressed the Commission regarding the potential postponement of the traffic improvements. The transportation consultant that conducted the study was not present to comment on whether or not postponement is acceptable.

Steve Skinner asked if parking on campus might be impacted by the proposed addition.

Jeff Whitey responded that the current building will house programs that are already in place at the College. There is a plan to re-purpose some of the additional space that the project will provide, but this will not be immediate.

Commissioner Coles asked if the traffic improvement condition can be re-worded to come in at a later phase.

MOTION: Commissioner Coles – Through the Decision Criteria one through nine, and based on the statement of facts, findings, conclusions under each; and the recommendations on page 6, approve the application #187-ZON18-016 as submitted.

SECOND: Commissioner Berg

VOTE: Unanimous

Ms. Erler stated that there is a 15-day appeal period that begins the date the decision put in writing.

ITEM A: CONDITIONAL USE #187-ZON18-007 – 155 South Empire Blvd: The applicant is requesting approval to convert the Empire Pacific Motel as an adult residential rehabilitation facility.

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. Commissioner Hood mentioned that he visited the site prior to this hearing.

Chairman Miller opened the public hearing.

Ms. Erler read disclosure statement and read several documents into the record, including a petition signed by 89 people, titled “Just say No to Drugs.” The petition opposes the project as it assumes an increase in crime and drug activities in the area, which also has a school located nearby. There were also two letters of opposition from nearby property owners who state that approval of the application will intensify the homelessness and drug issues in the area, and deter tourism. Ms. Erler summarized the applicant’s request and the Decision Criteria.

Commissioner Hood asked about the current use of the property. Ms. Erler responded that it’s official use is still that of a motel; there are occupants onsite, but whether they are transient or long-term is unknown at this time. Commissioner Hood asked if the current occupancy is in keeping with the permitted uses for this zone (long-term occupancy). Ms. Erler responded that multi-family uses are permitted. Commissioner Hood made the comment that when there are differing opinions about an application, this situation often creates an environment where participants become very emotional in expressing their opinions; he urged those present to be respectful of those addressing the Planning Commission.

Steve Sanden presented on behalf of Bay Area First Step (BAFS), the applicant, in favor of the application. He presented information to counter the idea that the proposed use would be a detriment to the community. Commissioner Hood asked if there would be someone onsite that would police the facility for people coming and going; Mr. Sanden responded that there would be a resident manager. Commissioner Coles asked what would happen with the former restaurant building; Mr. Sanden said that it would be a community center for the facility. She also asked if there was really a need for another rehabilitation facility. Mr. Sanden replied that one does not have to look too hard to see that there is a need for more of these types of resources in this community. There was more discussion about existing facilities and the need for more housing, as well as how residents are accepted into the facility, and the general set up of the facility. Commissioner Hood expressed some surprise that BAFS had not spoken with area business owners prior to proposing the facility. Commissioner Berg speculated whether or not this type of facility is a good fit for the commercial interests that are developing in that area.

Don Wilkinson, the owner of the property spoke in favor of the application. He said that over the past 24 months, there have been no issues with the occupants, and that the fulfillment of this application will only be an improvement to this property, just as BAFS has improved the value and the look of their other facilities. Commissioner Hood asked about how engaged the owner of the property will be in the improvements; and Commissioner Berg asked about the likelihood of the availability of grants for BAFS improvements for a property that they do not own. Mr. Wilkinson stated that residents at this facility are serious about their sobriety, and when they are engaged in treatment, they are not perpetrating crimes.

Mr. Skinner spoke again; he said that he is impressed with the success BAFS has had in the community with their other facilities. He does question however, if this facility would be a good fit for that area of town. He expressed some concerns regarding the condition of the building and its structural stability. Commissioner Hood asked Mr. Skinner if he would rather see the property continue "as is" or be under the control of an entity like BAFS that can improve the buildings and take control of the property. Mr. Skinner said that although he is not necessarily in favor of having this type of facility located there, he believes BAFS can bring more resources to improve the property than the current owner has available to him.

Tasha Walter spoke in favor of the application. She shared her personal experience of recovery and the way BAFS has changed her life.

Commissioner Coles expressed her appreciation for the members of the public who showed up to the meeting to participate in this process.

Roger Wilson spoke in opposition of the application. He mentioned the plan for the rehabilitation facility to have a residential manager, as well as on-call support. Mr. Wilson said that his concern is for the potential frequency for police involvement, citing the frequency for such at the Nancy Devereux Center (located a short distance away). He said that if this becomes the case, nearby neighbors (such as himself) will be stuck with the situation.

William Deshler spoke in opposition of the application. Mr. Deshler identified himself as one of the people who wrote a letter of opposition, which Ms. Erler read into the record earlier. He described multiple crimes and trespass against his nearby property just since he wrote the letter in opposition. He said he is not in opposition to the facility, just in opposition to the location.

Ruth Gallagher spoke in opposition of the application. Ms. Gallagher said that she and her husband own a nearby property at 180 S Empire Blvd, and although what BAFS does is admirable, the recent infrastructure improvements in the area make it more attractive for tourism, and that is what she hopes to see more of in this area.

Commissioner Hood asked Ms. Gallagher how she thought a better use could happen with the property in light of its current use. She responded that although it may take time, the property is better suited for commercial use than residential because of its location.

Randy Baer spoke in opposition of the application. He said that he owns several properties in the Empire area, and works to keep them in good repair. He said that he has observed an increase in crime in the area since the Nancy Devereux Center was established. Mr. Baer said that the corner that the application property inhabits is located at the gateway to the Ocean and Beaches. He said that he had been involved in the Mission years ago when it was located in Empire, but was ultimately glad to see it leave. He said that the City allows people to reside in camp trailers in Empire, and the criminal element is ever present. He said that he has lost family members to drug and alcohol addiction. He does not believe that a rehabilitation facility located in that area will improve the issues in Empire. Chairman Hood asked Mr. Baer if he believed that a facility that is designed to take people off the street and assist them in housing, employment, and treatment needs will make the situation worse in Empire. He responded that it would because the more assistance a community provides, the more it attracts people who need that assistance. He suggests a different location would be better. Mr. Baer expressed dismay that although he works to keep up his rentals and business, and make his tenants feel secure, the local police cannot keep up with the local crime.

Tom Greaves spoke in opposition of the application. He said that he owns several properties nearby and that he has worked for a long time to elevate the character of Empire. He said he was involved in the petition that was submitted.

Janice Martin spoke in opposition of the application. She spoke about the downturn in employment, housing, and businesses in the area since 1990. She said that she has worked in many non-profit organizations in the area and that they are poorly managed. She said that this facility will bring the area down.

Deborah Gray spoke in opposition of the application. Ms. Gray said that she is a lifetime resident of this area; she said that she has seen this area decline over time, and she is concerned with the location of such a facility, especially its proximity to nearby schools.

Jackie Shay spoke in opposition of the application. She said that she works in the Empire area, and believes it would be a mistake to approve a rehabilitation facility in that location. She spoke of the prevalent drug and homeless problems in the area. Commissioner Hood asked Ms. Shay why she believes that this facility will exacerbate the drug problem in the area. Ms. Shay responded that putting a rehabilitation facility for people who are seeking sobriety in the middle of an area so rampant with drug abuse is why the location is a bad choice.

Will Wright spoke in opposition of the application. Mr. Wright said that he purchased property in Empire 30 years ago in hopes of having a good investment. He said that the location is a problem for this facility because it would require high security to keep criminals from trespassing on the grounds. He would like to know if other locations have been considered. He believes that a facility like this will bring nearby property values down.

Linda Pearson spoke in opposition of the application. She said that she is concerned with the success rate of the program that is being proposed. She speculates that people who are not able to stick with the rules will join the numbers of already displaced people in the area, which will further exacerbate the problems in the area.

Joseph Nunes spoke in opposition of the application. He states that he believes that previously homeless residents in the facility will draw other homeless individuals to the area, which will increase trespass and other criminal activities.

William Deschler asked about the length of the lease for the facility. He stated that it is naïve to think that the residents won't be confronted frequently with the temptation to drift back into drug activity when there is so much of that type of activity in the immediate area.

Tom Greaves commended both Steve Sanden and Tasha Walter for their sobriety and their work in the community. He states, however, that the rehabilitation facility will have a negative effect on commerce in the Empire District, and area business owners are in agreement, as evidenced by the petition against the application. He states that there is enough reasonable opposition for the Planning Commission to vote against the application.

Anna Marie Slate spoke in favor of the application. She said that this type of rehabilitation facility makes an area better and BAFS will improve the situation in Empire. She urged that the Commission assist in making that possible.

Steve Sanden rebutted the notion that people trying for sobriety will fail in an area heavily impacted by drugs. He said that drug activity can be found in many parts of the City, not just Empire. He said that recovery can happen anywhere. Guest activity is closely monitored, but not discouraged. He disagrees that the rehabilitation facility would not be a good fit for the area; and the structure would be brought up to current building code standards, and beautified. He said that although the police do get involved on occasion at other resident facilities, it is not on a regular basis and BAFS has a good relationship with the area police departments. He said that the approval of the application will not be the entire solution, but it is part of it. Commissioner Hood asked Mr. Sanden about BAFS' success rate. Mr. Sanden said that a success rate is hard to define, it depends on what length of sobriety would be used to define success, or what other personal accomplishments in a person's recovery would qualify as a success. Commissioner Hood asked if the Devereux Center provides a similar service. Mr. Sanden replied that he does not believe that they are a resident rehabilitation facility, rather that they provide basic resources to area homeless. Commissioner Hood asked how often in the past 12 months the police have made an appearance at a BAFS facility. Mr. Sanden said that he doesn't know the exact number, but it is very rare for the police to show up on a call of criminal activity. Commissioner Hood asked what Mr. Sanden felt was the reason there is such a substantial drug impact in the Empire District. Mr. Sanden said he does not know why, but the area is known for a more concentrated number of low-income housing. He went on to explain some of the management policies that BAFS uses to assist residents in recovery.

Tyler Davidson spoke in favor of the application. He speculated that the main concern of those in opposition is the image and beautification of the Empire District, as well as the potential economic growth. He said that he does not believe that this rehabilitation facility will hinder any of those goals.

Chairman Miller closed the Public Hearing. During Planning Commission discussion, the consensus was that although the rehabilitation facility has a positive place in the community, this use runs counter to the land use goals of the Empire District in this particular location.

MOTION: Chairman Coles – Deny Conditional Use application 187-ZON18-007 based on the findings of the testimony heard tonight, that includes the potential for the negative impact to the general welfare of the community, and to persons residing and working in the area, as well as to the schools and businesses in close proximity.

SECOND: Commissioner Peery
VOTE: Yea: Chairman Rex Miller, Commissioners Jim Berg, Christine Coles,
Chris Hood and John Peery.
Nay: Commissioner Bill Davis.

Ms. Erler stated that there is a 15-day appeal period from the date the decision is put in writing.

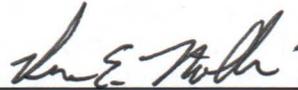
ADMISTRATIVE:

ITEM C: Draft Proposed Ordinance Amendments.

This item was tabled.

COMMISSION COMMENTS

ADJOURNMENT 8:59 p.m.



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

ATTEST:



Debbie Erler, Planner I

APPROVED AS SUBMITTED 01/12/2021