

**CITY OF COOS BAY  
PLANNING COMMISSION MINUTES  
Tuesday, May 13, 2014 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 Rex Miller

**ABSENT:** Commissioner Jeff Marineau

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

**SIGNED-IN GUESTS:** None

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**APPROVAL OF MINUTES**

Approval of the Planning Commission minutes of April 8, 2014

**MOTION:** Commissioner Coles- Approve the Planning Commission minutes of April 8, 2014 as submitted.

**SECOND:** Commissioner Miller

**VOTE:** Unanimous                      **ABSTAIN:** Commissioner Phil Marler

**CCI/PUBLIC COMMENTS**

Don Hinerman, 1185 Salmon Avenue, Coos Bay, informed the Planning Commission that the roof structures on the Boardwalk are in need of repair/maintenance. He said the roofs are buckling and warped.

**PUBLIC HEARINGS**

**ITEM B: Architectural Design Review Application #187-ZON14-032 - 997 Newmark Avenue, Coos Bay, Oregon 97420.** The applicant is requesting approval to make alterations to the existing canopy over the gas pumps (including signage) and replace/relocate the existing pole mounted sign.

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 ex parte contact or conflict of interest to report.

No objections were made and no Commissioners announced ex parte contacts.

Chairman Hood opened the public hearing.

Debbie Erler read the disclosure statement and outlined the applicant's request. The applicant is requesting approval to make alterations to the existing canopy and replace the signage on the canopy and over the gas pumps. They also propose to replace/relocate the existing pole mounted sign to reflect the new brand "Chevron" and paint the booth to match the new color scheme. The Design Assistance Team (DAT) reviewed the proposed changes and recommended the request be approved. The DAT thought the overall change was an improvement to the visual impacts on the property. The DAT did have a concern with individual canned letters and logo, when the updated canopy has down lighting on the fascia.

Ryan Baker, 1227 South Cobb Street, Roseburg, Oregon, indicated he is representing the applicant. Mr. Baker submitted a revised pole mounted sign plan to include diesel fuel. Mr. Baker outlined the applicant's request. He requested that the canned light on the canopy fascia be allowed to be lighted.

Chairman Hood closed the public hearing.

The Planning Commission discussed the proposed changes. They determined that the proposed change to the color scheme and the proposed signage is an improvement. They agreed that because the existing canopy is lighted over the pump area, lighting the proposed signage over the gas pumps would not add a significant amount of lighting.

Commissioner Harlan stated that he attended the DAT meeting and he agrees with their recommendation. He noted that the revision just submitted would put the bottom of the pole mounted sign below eight feet above grade. Ms. Erler stated that because the proposed pole location is in a landscaped area and not in a pedestrian pathway or right of way would be permitted.

Commissioner Hood verified with the owner's representative that no portion of the pole mounted sign will extend over the sidewalk. Mr. Baker confirmed that the sign structure does not extend into the right of way.

Commissioner Marler asked what problem the DAT had with the fascia lighting on the canopy. Commissioner Harlan stated that since the fascia was already lighted, lighting the individual letters canned letter and the logo was not necessary. Ms. Erler added that since the canned letters stand out from the fascia the fascia light would not light the canned letters/logo, but the applied letters would be lit by the fascia lighting.

The Commission discussed the interior illuminated signage and exterior lighted signage. They noted that companies with exterior lighted signs are experiencing problems with the wind continually damaging the bulbs, causing a maintenance/replacement issue.

Commissioner Marler stated that there is so much light on the property already, that he believes additional lighted canned lights on the fascia would not even be noticed.

**MOTION:** Commissioner Harlan - Based on the findings, conclusions, Design Assistance Team recommendation and the applicant's submittal, attached hereto and incorporated herein by reference, approve Architectural Design Review Application #187-ZON14-032 at 997 Newmark Avenue as revised, allowing signage, lighting and color changes as follows:

1. Replace/relocate the existing interior illuminated pole mounted signage as proposed with the addition of "Diesel" added and the height above grade to 5.66 feet above the existing landscape area;

2. Replace the existing canopy ACM (Aluminum Composite Material) fascia material from the 76 image with new ACM material in Chevron image colors. The fascia on the east and west elevation will include a blue stripe at the bottom. The fascia on the north and south elevation will be blue with LED down lighting at the top;
3. Replace the canopy signage on the east and west elevation with Hallmark logo (red and blue bow tie) 22 inches in height as proposed **without** interior illumination or change proposed signage to pressure sensitive vinyl material;
4. Replace the canopy signage on the north and south elevation with individual white "Chevron" letters 21 inches in height as proposed **without** interior illumination or change proposed signage to pressure sensitive vinyl material.
5. Replace existing non-illuminated sign panels over each set of gas pumps with larger interior illuminated signage with Chevron color scheme as proposed;
6. Change the color of the existing booth from white with a red boarder to stone grey and white and change the existing bollards from red to white with safety reflective tape at the top.

**SECOND:** Commissioner Berg  
**DISCUSSION:** Ms. Erler asked for clarification that the motion is to approve as discussed with the lighted individual canned letters/log or as recommended by staff. Commissioner Harlan and Chairman Hood verified that the motion was too approved as revised with the "diesel" signage and as noted in the staff's recommendation.  
**VOTE:** Unanimous

**ITEM A: Conditional Use #187-ZON14-023 1165 Newmark Avenue STE B, Coos Bay, Oregon 97420.** The applicant is requesting approval for a cat and dog animal kennel on the above referenced property, located in the General-Commercial (C-2) zoning district. Animal kennels are a conditionally permitted use within this zone.

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 ex parte contact or conflict of interest to report.

No objections were made and no Commissioners announced ex parte contacts.

Chairman Hood opened the public hearing.

Aaron Harris read the disclosure statement and outlined the applicant's request. The applicant is requesting approval for a cat and dog animal kennel on the above referenced property, located in the General-Commercial (C-2) zoning district. Animal kennels are a conditionally permitted use within this zone. Mr. Harris provided with Planning Commission with letters of support and objection received just before the hearing.

Tamara McCuiston, 132 N Wasson St., Coos Bay, Oregon 97420, apologized for the last minute submits of support. They were just informed there was a letter opposing the project and they wanted to show support for the project. Ms. McCuiston introduced the volunteers and foster family members that were in attendance. She stated that their web site had about 2,500 friends and community supports. Their overall approval rating is 4.7. She explained the difference between Oregon and California's rate of euthanized animals and that the hope is to have no animals euthanized in the near future.

Ms. McCuiston stated they do transport dogs from California and other groups help pay the transport cost. She said the dogs that are coming in are helping to keep the doors open. She stated that during transport all crates have chewy toys and they stop for food and water and to walk the dogs on a regular base. She said a drive that is usually 12 hours takes them about 18 hours.

Ms. McCuiston stated that at the existing clinic on North Wasson they have had complaints regarding barking dogs, but that the barking is from other dogs in the neighborhood. She described the different levels/types of controlling barking, including "no bark collars" and "stop that" spray. She said they also work with the animals. If there continues to be a barking problem, the animal is removed from the location. Ms. McCuiston stated the goal is to get the animals ready for adoption.

Commissioner Coles stated she is concerned about the cleanness of the kennel facility and the effect on the abutting businesses and surrounding neighborhood.

Ms. McCuiston explained what services are provided at the existing clinic in regards to local cats and dogs. She also explained the services provided to the animals that are transported to the facility to get them ready for adoption or foster families. She explained the proposed improvement to the new facility regarding the flooring and existing air conditioning unit and the proposed ventilation system.

Ms. McCuiston stated the animals at the proposed facility will not be kenneled and they will only have three large dogs at a time. There is about a 10 x 16 foot area allotted to each large dog. She said volunteers will walk the dogs in the residential area on the south side of Salmon Avenue. She stated there is a strip of grass between the curb on each side and an "L" shaped landscape area on the property. She said the volunteers have been informed that all dog feces is to be picked up and properly disposed.

Commissioner Marler stated if he was one of the property owners on Salmon he would be concerned about the dog walking activity, since they are responsible to keep the undeveloped right of way maintained. He said the number of dogs being walked in one area will create a problem and smell.

Commissioner Harlan expressed concern for the surrounding property owners because of the number of dogs being walked in the area multiple times a day.

Ms. McCuiston explained that the animals are currently being housed with foster families. She said the current shelter has limited hours and is not very accessible due to the location. They do not intend to house the number of animals stated in the land use application, but they want the option should the need arise. She said she talked with the groomer located in the facility and she supports the proposal. They currently trade services.

Rhonda Adams, 649 S 11<sup>th</sup> Street, Coos Bay and Savanna, stated they work at the existing S/Nipped facility and there is never a sick dog smell and they keep the facility clean. They stated they foster animals and help with adoptions. They said S/Nipped provides the community with free services, including spay/neuter of feral cats. Savanna added that the strip mall where they want to locate is a good area. The dogs could be walked in the area abutting the facility and kept out of the residential area, and noise would not be a problem. It was added that they will still have foster families.

Kitty Tilton, 90780 Sanddollar, Coos Bay stated that dogs don't need grass to use the bathroom and there is no reason to use the neighbor's grass strips.

Commissioner Miller stated his company mows landscape areas every day and they find dog feces in grass, not in the mulch. He said a grass area should be created and they may want to look into a street vacation to open up more area for grass.

Rita Holder, 93592 Ranch Lane, Coos Bay, stated the new facility will be a good place to allow families an area to bond with animals.

Commissioner Berg stated that the Planning Commission must consider the impact on abutting properties and considering all issues.

LaDonna Hinerman, 1185 Salmon, Coos Bay, submitted photos of the neighborhood (Exhibit 1). She said they have lived in the area for 19 years. She said the entire street is occupied by renters, so they did not get notice. She said she talked to everyone in the strip mall and found that the groomer is not in favor of the project and the gentleman in the front did not care. She said she walked in front of the pet grooming business and could hear barking dogs. She stated there is not a sidewalk. The area of landscape on the property they are talking about is very small, barked and heavily vegetated. She said there are not that many dogs in the area and even if they only walk a couple dogs at a time the smell of urine will become a problem. She concluded that she has nothing against the group but she is concerned that this is not a good area and the smell and barking will be a problem.

Commissioner Berg asked if someone will be at the facility all night. Ms. McCuiston stated that no one will be at the facility at night, but there will be a contact number to report barking complaints and they will respond to the complaint.

Chairman Hood closed the public hearing.

The Planning Commission discussed the need for the facility within the City limits, as opposed to the current facility, with more hours of operation.

Chairman Hood stated if other businesses in the commercial complex have a problem with the kennel (noise/smell), they will report it to the property owner and he will need to resolve the issues. He believes the residential properties are located at such a distance that any barking should not be an issue.

Commissioner Berg stated that if a nuisance is created by the use, the City has a method in the Coos Bay Municipal Code to deal with the concern or violation.

**MOTION:** Commissioner Coles - Based on the findings, conclusions and applicant's submittal, attached hereto and incorporated herein by reference, approve Conditional Use application #187-ZON14-023 allowing a cat and dog animal kennel at 1165 Newmark Street STE B, Coos Bay, subject to the following Conditions:

1. A maximum of 22 dogs and 8 cats may be kept on-site overnight.
2. The applicant shall adhere to, and remain in compliance with, all city, county, and state codes and licenses that pertain to the conditional use of animal shelters.
3. Litter and fecal matter shall be removed from the site. The site shall be cleaned as needed and on a continual basis to mitigate odor.
4. The applicant shall adhere to all city, county, and state codes that pertain to unreasonable noise.

**SECOND:** Commissioner Berg

**VOTE:** **Yea:** Chairman Hood, Commissioners Berg, Coles, Harlan and Miller

**Nay:** Commissioner Marler

#### **DEVELOPMENT CODE (CBMC, Title 17) REWRITE**

Director Day explained the proposed re-write of the development code. He said the first code section under review is "Administrative Provisions." He explained the time constraints of the grant and the proposed schedule of review. Director Day explained what type of applications would be grouped in the Type 1 through IV land use actions.

Commissioner Coles stated she would like more than a week to review the packet or to schedule a work session.

Director Day explained the intent of the re-write includes eliminating unused zoning designations (like the Buffer Zone) and consolidate other zoning categorizations where appropriate. He proposes to expand the notice area for most application types to 300 feet.

Commissioner Berg stated he would like to see the land use process streamlined and to have more decisions made at the staff level.

Commissioner Coles stated that once this process is completed, she would like to see the City's comprehensive plan updated. Director Day agreed that it is outdated and that he would like to complete a comprehensive plan update in the next couple years.

Commissioner Hood stated "where appropriate" on page 6 needs to be removed. Director Day agreed.

Commissioner Hood asked about the R-5 and R-3 zones. Commissioner Marler asked about uses in the R-4P zone. Director Day stated that an objective of the re-write is to combine residential zones where applicable. He said the zoning districts will be the next section under review.

Director Day stated that specialized zoning, like Hollering Place, will not be altered. He plans to combine some of the commercial zones and eliminate most of the "Q" designated zones.

Commissioner Marler stated he would be concerned about "unintended consequence" especially in regards to lenders in regards to residential uses in commercial zones.

**COMMISSION COMMENTS**

None

**ADMINISTRATIVE**

None

**ADJOURNMENT** 8:20 p.m.



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

ATTEST:



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Debbie Erler, Planner  
City of Coos Bay

APPROVED AS SUBMITTED JUNE 10, 2014