Minutes
City of Newport Planning Commission
Regular Session
Newport City Hall Council Chambers
Monday, July 8, 2013

Commissioners Present: Jim Patrick, Jim McIntyre, Rod Croteau, Mark Fisher, Gary East, and Bill Branigan.

Commissioners Absent: Glen Small *(excused).*

City Staff Present: Community Development Director Derrick Tokos and Executive Assistant Wanda Haney.

A. Roll Call. Chair Patrick called the meeting to order in the Council Chambers of Newport City Hall at 7:01 p.m. On roll call, McIntyre, Croteau, Patrick, Fisher, East, and Branigan were present; with Small absent but excused.

B. Approval of Minutes.

1. Approval of the Planning Commission work session and regular session meeting minutes of May 28, 2013, and the work session minutes of June 24, 2013.

MOTION was made by Commissioner Fisher, seconded by Commissioner McIntyre, to approve the Planning Commission minutes as presented. The motion carried unanimously in a voice vote.

C. Citizen/Public Comment. No comments on non-agenda items.

D. Consent Calendar. Nothing on the consent calendar.

E. Public Hearings.

Patrick opened the public hearing portion of the meeting at 7:03 p.m. by reading the statement of rights and relevance. He asked the Commissioners for any declarations of conflicts of interest, bias, ex parte contacts, or site visits; of which none were declared. Patrick asked for objections to any of the Commissioners or the Commission as a whole hearing this matter; and none were heard.

Legislative Actions:

1. File No. 1-CP-13: Consideration of proposed legislative text amendments to the "Port Facilities" section of the "Public Facilities" element of the Newport Comprehensive Plan to incorporate projects in the Port of Newport's January 2013 Capital Improvement Plan (CIP) update. The amendments also include goals and policies for how the City and the Port will collaborate on implementation of the CIP. The Planning Commission will make a recommendation on this matter to the City Council.

Patrick opened the public hearing for File No. 1-CP-13 at 7:04 p.m. by reading the summary of the file from the agenda; and he called for the staff report. Tokos noted that as mentioned this is an amendment to the City's Comprehensive Plan. Two sections are being revised. One is the Port Facilities section, which was last updated in 1986 via Urban Renewal funding for the Port's CIP at the time. Tokos said these are pretty straight-forward changes, and the importance is noted here. Tokos noted that Don Mann is present to give more context in the relationship between the City and the Port and their role with the City. Tokos said this is important collaboration, and there is a long history of collaboration. By encapsulating this in our plan, it shows well as we push for limited resources. As we prioritize, partner, and leverage our own limited resources, it helps to move those along as best we can. The code is written to reflect the Port's CIP that was adopted in January. Also we have added a goal and a couple of policies to the Public Facilities element. He said that was an oversight in the past. We had goals for other types of public facilities. This provides that we will collaborate with the Port and will work together to leverage resources to achieve mutually beneficial outcomes. It also provides that we will assist the Port in its efforts to secure funding for capital projects.

Proponents: Don Mann, Port General Manager, 600 SE Bay Blvd, came forward to testify. To reiterate, Mann said that the Port has been working closely with the City for many years. He noted that if there was interest, he had brought copies of the CIP and the Strategic Business Plan; which are on line as well. Mann had provided a small handout to the Commissioners for a quick sketch of the Port and some of the facilities their CIP identified as part of their future planning. There are $15 million in capital improvements they still need at the Port. They have completed some. The major infrastructure for NOAA and the International Terminal was $70 million in build-out combined, which is an asset to the City as well. As a result of NOAA, the Port worked closely with the City and the transportation system in South Beach for road improvements and helping each other in seeking grant funding where available. With the importance of NOAA, transportation planning over there was made possible. Mann said that these are the kinds of collaboration that can occur as we continue through planning processes. The Port is hoping to continue that with the City. They

also work closely with the County, which is another important partner. Mann said that the Port will continue to work with the City in planning processes. They appreciate being part and made part of the Comprehensive Plan so they can continue that partnership. He said that Tokos covered this well; and with the information the Commissioners have before them under goals and policies and public facilities that they plan on implementing into the City's plan, the two will continue to work together for the betterment of the community.

Branigan wondered if the CIP didn't put in the new Port offices. Mann said when the Port rebuilt the South Beach RV Park in '05 and '06, it included new offices over there. Branigan noted that the Port is replacing Port Dock 7 and 5, and he asked how old those are. Mann said they possibly date back 25-30 yeas. The Port has done bits and pieces. They had to replace the piling in there. Mann said that although the Port is operating in the black, it goes into general operations and not into infrastructure. About every year they have replaced a dock at the South Beach Marina. There are new water service, power, whalers and sinkers. Now Port Dock 7 will get an electrical upgrade, and they have started stockpiling electrical materials. Getting the International Terminal up and going will be beneficial. They are having a really good year in the RV Park and Marina. Funding will be in place. The Port is in one of the best positions now for infrastructure repair. Branigan asked if these facilities have reached the end of their life, and Mann confirmed that. Mann answered Branigan's question that the Rogue leases their building and the Servin Building.

Patrick asked if one project is to fill in the old boat ramp on the north side. Mann said that was part of the mitigation for putting in the new ramp at the center of the marina. The DSL and ODFW wants a revetment. The Port ended up cleaning out all of the old concrete ramps and created dynamic revetment in there. It is used for launching kayaks. It is becoming more useful. It creates an added interest in the water. The Port doesn't charge for it; it's just part of the marina. It's a gravel entrance into the Bay now.

Fisher noted that the Port also had a problem in that they owed quite a bit of money to purchase the South Beach Marina a number of years ago, and they had to pay that back. Mann said it was paid back two years ago, which leave more money for work. Fisher agreed that was a couple of thousand dollars to pay off bonded debt; and that also helped.

Croteau asked about the status of the revetment along the south trail that runs along the Hatfield. Mann said Hatfield is still working on it in bits and pieces. They are losing a lot of that bank; it keeps falling into the Bay. They did get part of it repaired with dynamic revetment. The agencies weren't on line to put rip rap on the bank. Hatfield will have to move the trail back to the southwest some or not have a trail. Tokos confirmed they have been working on it. He said that the State agencies cooled to the concept of cobble revetment and didn't permit them to put it on the entire stretch. They monitored what they did put in, and Hatfield thinks they have enough monitoring information to seek to extend that revetment. They would like to reconstruct the trail, but they have no firm plans at this point. Mann agreed that it is a work in progress.

There were no other proponents present to testify.

Opponents: There were no opponents present to testify.

Patrick closed the hearing at 7:18 p.m. for Commission deliberation. Branigan thought the request and the work that has been done at prior meetings and what the Port has worked on updating is straight forward, and he believed the Commission should recommend going forward with it. East thought everything was on track and agreed with recommending it. Fisher agreed. Croteau thought it was necessary and a forward-looking document and was in favor of moving it forward. McIntyre agreed and thought the Commission should move it forward. Patrick agreed. He noted that this updates the CIP, and we now have goals.

MOTION was made by Commissioner Croteau, seconded by Commissioner East, to recommend that the City Council consider adopting the proposed text amendments to the "Port Facilities" element of the Newport Comprehensive Plan to incorporate projects in the Port of Newport's January 2013 Capital Improvement Plan as presented in File No. 1-CP-13. The motion carried unanimously in a voice vote.

F. <u>New Business</u>. No new business.

G. <u>Unfinished Business</u>. No unfinished business.

H. <u>Director's Comments</u>.

1. Tokos confirmed that the Commission will not have a meeting on July 22nd. He will be attending the County Planning Commission that night. They are holding the hearing for our UGB expansion for the reservoir site and on the TSP that the City adopted a year ago. He expects the County to move these along.

2. Tokos noted that on July 10th he will be in Albany to help score the STIP grant applications. He said that Newport has one big one, which is the 35th and Hwy. 101 intersection and finishing off Ferry Slip. We will be closing the access to 101 at Ferry Slip where there is that odd angle. The signal will be relocated to 35th. There will be added bicycle and pedestrian facilities on 101 and Ferry Slip. Tokos said it is a $2.6 million project; and we are asking for $1.1 million from the State. He expects that our project

will come out high for our area and will be competitive with the area; especially since we are bringing close to a 60% fund match to the table.

3. Tokos said that the ADU code was unanimously adopted by the City Council on June 17th. It will be effective July 17th, and then those are allowed throughout the City.

4. Tokos noted that the recruitment for a City Manager is ongoing. At their last meeting, the City Council adopted a resolution outlining a schedule. Tokos expects they will be doing interviews sometime in October. If they have a good pool, they should make an offer shortly thereafter. The City also has a vacant position for Finance Director. Tokos anticipates that the Council will want to have that position filled before a new City Manager comes on board. We want to position ourselves for the new budget. If we wait, we won't have a Finance Director on board to assist. The Council will be talking about that.

5. The Planning Commission's next meeting will be August 12th. There will be a hearing on the changes to the manufactured dwelling code to make it easier to site park models within RV parks and manufactured dwelling parks. There will be a work session on reviews to SDCs; the credits section particularly. Tokos did the PowerPoint presentation with the City Council and they agree there is a need to make changes to the credits section. The Council agreed with the Commission's recommendation that we adjust the methodology for water and transportation and hold off on storm and sewer until those updates catch up.

6. Tokos said that the workforce housing has not been adopted by the Council. There was an issue with the CDC; but those have been resolved and the final changes are being drawn up. The County will back up the CDC. Tokos expects it to go to City Council at one of their August meetings.

Branigan asked about the status of the appeal of the Teevin TIA. Tokos said that we submitted the record on Wednesday by sending copies to the petitioner and to LUBA, which is required by administrative rules. They have fourteen days to object to the record. There were twenty-one days for intervening on behalf of Teevin or to join the appellants; and that deadline is Friday. Tokos said that he expects that the Port is going to intervene and possibly Teevin to support and help defend the decision. He said he doesn't know who might join the appellants. Tokos will be talking to the City Council some more in executive session on the 15th. That is where they will talk about how they want to defend it.

Fisher recalled that when we approved the Wilder development, there was going to be a very small strip mall near the entrance to the college. There was also a conditional use permit for a taco truck or similar use. He wondered if nothing was going on. Tokos said that he recently met with Bonnie Serkin to go over the project. Right now Will Emery is really focused on industrial and looking to partition off and create industrial sites off 50th Street south of the sewer treatment plan. Work is being done on getting a right-of-way in place to loop 62nd back into 101 opposite of Southshore. Bonnie is looking to pursue a plat of the next residential phase to the west of the current development; and those would be view lots. They haven't made a decision just yet because it will require further investments in infrastructure; and they are unsure if they want to do that just yet. They are also looking at an apartment development, which would be east of what they are doing right now. They don't have to build additional infrastructure for that so that might be an easier route for them. Tokos said there is nothing new at this point; it's not economically viable at this juncture. They feel they are better getting additional residential going in the initial phase and hire someone full time to promote it.

East asked about the property down on the corner of 40th and 101. Tokos noted that the little piece by the boat is outside the City limits. The GVR Property owned by the Tryons is an industrial site opposite Ash Street and is within the City. There is a bunch of fill on it as part of the Ash Street project. They are just looking to level off their site. They are trying to make the site more attractive for development; likely retail. There is about 14.5 acres total; some is encumbered with wetlands. There is a pond there. They recently harvested timber on the property. They are trying to get the property positioned for new development. Tokos said the City did a huge water and sewer project from 40th to 50th Streets that was funded by Urban Renewal dollars. Most of those properties are unincorporated but in our UGB. One City Council goal is to discuss the City's annexation policy and how aggressive we want it to be. McIntyre noted that the entrance to Southshore was finally repaired, but they missed one street internally; and Tokos said that they are aware of that.

I. **Adjournment.** Having no further business to discuss, the meeting adjourned at 7:33 p.m.

Respectfully submitted,

Wanda Haney

Wanda Haney
Executive Assistant