

MINUTES
City of Newport Planning Commission
Regular Session
Newport City Hall Council Chambers
Monday, June 12, 2017

Commissioners Present: Jim Patrick, Bill Branigan, Lee Hardy, Jim Hanselman, and Rod Croteau.

Commissioners Absent: Bob Berman, Mike Franklin (*excused*)

City Staff Present: Community Development Director (CDD) Derrick Tokos, and Executive Assistant Sherri Marineau.

1. **Call to Order & Roll Call.** Chair Patrick called the meeting to order in the City Hall Council Chambers at 7:01 p.m. On roll call, Commissioners Hardy, Croteau, Patrick, Hanselman, and Branigan were present.

2. **Approval of Minutes.**

A. Approval of the Planning Commission regular session meeting minutes of May 22, 2017.

Croteau noted minor corrections and provided them to Marineau.

MOTION was made by Commissioner Croteau, seconded by Commissioner Hanselman to approve the Planning Commission meeting minutes with noted corrections. The motion carried unanimously in a voice vote.

3. **Citizen/Public Comment.** No public comments.

4. **Action Items.**

A. **File No. 1-NCU-17.** Chair Patrick called for a motion to approve the Findings and Final Order for Nonconforming Use Permit 1-NCU-17.

MOTION was made by Commissioner Croteau, seconded by Commissioner Hardy to approve the Final Order for Nonconforming Use Permit number 1-NCU-17. The motion carried unanimously in a voice vote.

B. **File No. 4-CUP-17.** Chair Patrick called for a motion to approve the Findings and Final Order for Conditional Use Permit 4-CUP-17.

MOTION was made by Commissioner Croteau, seconded by Commissioner Hanselman to approve the Final Order for Condition Use Permit number 4-CUP-17. The motion carried unanimously in a voice vote.

5. **Public Notices.** At 7:02 p.m. Chair Patrick opened the public hearing portion of the meeting by reading the statement of rights and relevance. He asked the Commissioners for declarations of conflicts of interest, ex parte contacts, bias, or site visits. Hardy, Hanselman and Branigan reported a drive-by. Patrick called for objections to any member of the Planning Commission or the Commission as a whole hearing this matter; and none were heard.

A. **File No. 1 & 2-PD-17/1-SUB-17.** Patrick called for the staff report for File No. 1 & 2-PD-17/1-SUB-17. Tokos presented the staff report. He noted that the reconfigurations of the street and sewer lines will be done. The City Engineer and Fire Department requires a 32-foot street width. This gives a 24-foot clearance for fire truck access. The applicant is concerned that too much of a narrowing of the footprints will make it a hindrance to residential development on the lots. They need to be careful on easements and sinking up the front yard setbacks will allow them to do the development. Tokos indicated that the applicant will need to submit a reconfiguration for the sewer easements to the City Engineer. Lighting also needs to be reflected on the drawings. Tokos reminded the PC that they would extend the hearing to another PC meeting to address the changes.

PROPOSERS: Jeff Waarvick, PO Box 1144, Newport, OR 97365. Waarvick explained that the site was a failed condo development before. The owner would prefer a 10-foot set back with a 20-foot driveway. The owner agreed to the 4-foot wider road and realigning the road to Yaquina Heights. Waarvick was unsure if they can put in nine parking spots but will meet with the surveyor to see how they would line up.

Michael Kessler reviewed a slide presentation with the PC of aerial views, and drone footage. Hanselman asked what the distance of the curb to the east is. It is about 154 feet from the existing road. It will shift to the east. Rich Belloni (528 NE 10th St, Newport, OR 97365) showed a red markup slide of the adjustment of the road. It illustrated how the new parking spaces would be placed. Patrick asked why some of the parking couldn't be put in track "A". Belloni explained that they could but it is not as big as it looks like. He thinks it is a good idea and will look into it.

Croteau asked if the parking could extend to the lower right area indicated as the hammer head at the end. Belloni said the hammer head area is a lot. The Fire Department has an easement that will go away and will be a part of the subdivision. Hardy asked if Belloni is planning on building spec houses on the lots or selling the lots. Belloni said possibly both. Hardy asked if he would have a hand in enforcing the lot restrictions. Yes, and that is part of how the homeowner association will be set up. Croteau asked if the north corner was a drainage swall. Belloni said it is on the north east side and something that they will need to work with Tim Gross on. Croteau asked how it drains. It drains to the street through the storm drain.

Patrick asked if the streets were increased by four feet, would it decrease the utility easements by 10-feet on either side. Belloni said it will be done on the west and the south sides. If there is a 10-foot setback instead of the 15-feet, that would make up for the four feet that would be lost. They would also do a 10-foot easement. Croteau asked if there is a minimum lot size. It is 5,000 square feet and each lot is a little over this size. Hanselman asked why they are postponing the sidewalks. Belloni explained that while doing construction, equipment can damage them and it is cleaner to do them at the end of the project. Hanselman asked if houses would be built all at the same time or will they wait until buyers are found. Belloni said it could go both ways. They will probably sell. Hanselman stated that he is concerned about sidewalks being done in sections. Belloni said if they had to do it at the same time, they would. Hanselman would like to see them finished instead of a promise to put them in. Patrick asked if they had an option to bond. Tokos explained it was an option on the subdivision code to defer it. He believed it was a 3-year deferment.

Branigan asked what the size of the spec houses would be. Belloni said between 1,500 to 1,800 square feet and cost around \$245,000 to \$300,000. Croteau asked if Belloni saw any deal breakers because of the issues brought up by the City Engineer and the Fire Marshall. No, he didn't see any issues.

Tokos asked the proponents if they have any preference in a continuance date for the hearing. Belloni said they would be ready for the next PC meeting on June 26th. The PC agrees to close the hearing for public testimony and continue the matter so the PC can consider the revised plans along with the final order and findings on that date.

OPPOSERS: There were no opposers present wishing to testify; so rebuttal was waived.

Deliberations started at 7:30p.m.

Hardy didn't have a problem if the developers are making the adjustments to conform with City requirements. Croteau is comfortable with it. Hanselman said he was pleased with the size of the development and that it is affordable. He was concerned about the Yaquina Heights and traffic. He was also concerned about sidewalks and would like to see them put in at the beginning. Branigan said it sounds like the developer and the City is working together well. He was looking forward to the final plan. Patrick felt it met the criteria and the needs. Doesn't have a problem with it.

MOTION was made by Commissioner Croteau, seconded by Commissioner Hanselman, to close the public testimony for File No. 1 & 2-PD-12/1-SUB-17 and continue the public hearing on June 26, 2017. The motion carried unanimously in a voice vote.

6. New Business.

- A. **Potential Amendments to NMC Chapter 9.85.045 – Numbering of Properties.** Chair Patrick called for a motion to initiate amendments to the NMC Chapter 9.85.045.

MOTION was made by Commissioner Croteau, seconded by Commissioner Hanselman, to initiate amendments to NMC Chapter 9.85.045 for addressing. The motion carried unanimously in a voice vote.

7. **Unfinished Business.** No unfinished business.

8. **Director Comments.**

A. **Route Studies Initiate Meeting:** Tokos informed the PC that there will be a route studies initiative at the Hatfield Marine Science Center on June 15th. He encouraged the PC to attend.

B. **Open House for the Highway 101 Improvements from 32nd to 35th.** Tokos said that there was an open house held the previous week on the Hwy 101 improvements project from 32nd to 35th Street. There was around 45 people who attended. There were community members who were concerned on the move of the light from 35th to 32nd. There was also a concern about the Candy Shop access. Tokos said that they would be doing the project bid in the fall of 2018 and construction would begin in the spring of 2019.

Croteau asked if the left turn would be taken out. Tokos said the left turn pocket is gone because it would be channelized. There will be a center holding lane that would allow a left turn into the Candy Shop. Branigan asked if there have been any objections from the two hotels in the area. Tokos said they have been silent. There are 12 months programed in for right-of-way acquisition. Toyota of Newport is happy even though they may lose a little bit of land. Arrow Heating is securing another location. Others knew this was coming and are working on contingency plans. Tokos said he doesn't feel like the project will significantly affect traffic.

Hanselman asked what was happening with the Anchor Way and Camp Gray property. Tokos explained this was Investors 12. They were instrumental, along with other people, to get OMSI at the location they are at now. They are holding on to the property until they find a use that compliments OMSI.

Patrick asked about traffic in the area. Tokos explained that Abalone will get more traffic. Pacific Way will get signage saying no large vehicles. Rogue is using 32nd already and they could switch to 35th as well.

9. **Adjournment.** Having no further business, the meeting adjourned at 7:46 p.m.

Respectfully submitted,



Sherri Marineau
Executive Assistant

