

1 Depoe Bay Planning Commission
2 Regular Meeting
3 Wednesday, June 15, 2005 - 7:00 PM
4 Depoe Bay City Hall

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7 PRESENT: S. McGavock, C. Connors, B. Taunton, D. Johnson, D. Davilla (arr. 7:05 p.m.)

8

9 ABSENT: B. Langdon, E. Placido

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11 STAFF: City Planner L. Lewis, Recording Secretary C. Duering

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13 I. CALL MEETING TO ORDER

14 Johnson called the meeting to order and established a quorum at 7:00 PM.

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16 II. APPROVAL OF MINUTES: May 18, 2005 Regular Meeting

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18 Motion: Connors moved to approve the Minutes of the May 18, 2005 Regular Meeting as written.

19 McGavock seconded the motion.

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21 Johnson said it was moved and seconded, and called for discussion. There was none.

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23 Vote: Motion passed.

24 Ayes: McGavock, Connors, Taunton, Johnson

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26 III. ITEMS FROM THE AUDIENCE

27 There were no items from the audience.

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29 IV. PUBLIC HEARING ITEMS

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31 A. Case File #5-CS-PC-05

32 Applicant: Pete Tuana

33 Agent: Jay Middleton

34 Application: Coastal Shorelands and Variance

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36 Johnson said testimony and evidence given must be directed toward criteria described by the City
37 Planner, or other criteria in the code that the testifier believes applies to the request. Failure to raise an
38 issue, accompanied by statements or evidence sufficient to afford the Commission and the parties an
39 opportunity to respond to the issue precludes appeal to the State Land Use Board of Appeals on that
40 issue. Application materials or other evidence relied upon by the Applicant had been provided to the
41 City and made available to the Public. He asked if any Commissioner had ex-parte contact, conflict of
42 interest, or bias to declare. McGavock declared as a property owner in Little Whale Cove he is familiar
43 with the subject property. Johnson then asked if anyone had objection to any Planning Commissioner
44 hearing the case. There was no objection. Lewis summarized the Staff Report (copy attached to original
45 of these Minutes). Written testimony was received from Ruth Moreland (copy attached to original of

1 these Minutes). In response to written testimony Lewis stated all development is well outside the
2 Riparian Vegetation Zone (defined in the Zoning Ordinance as the area between the point of mean
3 higher high water and fifty (50) feet landward measured on the horizontal) and would not impact
4 shoreline stabilization. Johnson asked if the Commissioners had any questions to address to the City
5 Planner. There was none. The Applicant was given an opportunity to testify and answer questions from
6 Commissioners. Jay Middleton, Agent, 1420 N.W. 14th St., Corvallis, Oregon and 6619 132nd Ave.,
7 N.E., Suite 112, Kirkland, Washington stated that he and the Applicant developed a process of
8 compromise with the neighbors, Al and Jan Gleason, to determine what would be an acceptable building
9 parameter/appearance in relationship to past conflicts with the previous owner. He gave a detailed
10 presentation and submitted photographs of the existing structure (copies attached to original of these
11 Minutes). Johnson called for testimony in favor of the Application. Al Gleason, 510 Cove Point,
12 testified (written copy attached to original of these Minutes) in support of the Application and submitted
13 photographs (copies attached to original of these Minutes). He and his wife, Jan, asked that the Variance
14 Approval be conditioned on following the window placement proposed in Exhibit A-1 (copy attached to
15 original of these Minutes). Johnson asked, when was a prior Variance Application for the subject
16 property rejected by the Planning Commission? Gleason replied 1996 or 1997. Patricia Neal, 1075
17 Walking Wood, a member of the Board of Directors of Little Whale Cove, declared their support of the
18 Variance Application. The proposed Plan will put the two buildings farther apart, be safer from the
19 standpoint of fire, and will come closer to meeting the setback requirements. The builder that
20 constructed the existing structure had a great deal of trouble finding lot lines. The present owners were
21 not responsible for the encroachment. She stated the Board is very happy that the Applicant worked so
22 well with their neighbors. Middleton asked Neal to clarify whether the Homeowners Association and
23 Architectural Committee had approved the proposed Plan. Neal said yes. Pete Tuana, Applicant, stated
24 that obviously he and his wife, Rosemary, never thought that the house was not properly placed on the
25 property and believes that the proposed design will really compliment the neighborhood. He thanked the
26 Little Whale Cove Homeowners Association, Al Gleason, and the Planning Commission. He feels that
27 they have a package that will be good for Depoe Bay. There was no testimony in opposition and no
28 request to keep the record open. The Public Hearing was closed and deliberations began.

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30 Motion: Davilla moved to approve the Coastal Shorelands and Variance Application for Case File #5-
31 CS-PC-05 with the Conditions of Approval as recommended by the City Planner and the Condition of
32 the Window Placement as proposed in Exhibit A-1. McGavock seconded the motion.

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34 Johnson said it was moved and seconded, and called for discussion

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36 Johnson directed City Planner to review the 5th Condition of Approval. City Planner stated *The two*
37 *windows originally proposed on the east side, second level, south end, shall be deleted (Note: Gleason*
38 *Testimony Exhibit A-1).*

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40 Vote: Motion passed.

41 Ayes: McGavock, Connors, Taunton, Johnson, Davilla

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43 Johnson then excused Larry Lewis, City Planner and welcomed Larry Lewis, Consultant.

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45 B. Adoption of Highway 101/Downtown Refinement Plan

1 Johnson reminded the Commissioners that tonight they would be making a decision on their
2 recommendation to City Council of the Hwy. 101/Downtown Refinement Plan. Lewis gave a synopsis
3 of the Hwy. 101/Downtown Refinement Plan process, which began last August. He acknowledged it
4 was a State funded project administered by O.D.O.T. The purpose of the study is to look primarily at the
5 Hwy. 101 corridor including travel, pedestrian and bicycle lanes and recommend improvements. The
6 project limits extend from the north end at Lane St. south to Schoolhouse St. and also includes the
7 Harbor area. An Advisory Committee was established and held 3 Public Open Houses to review some
8 of the initial alternatives and narrowed it down to the preferred improvements. City Staff, the
9 Consultant Team as well as several O.D.O.T. members have met to review any potential fatal flaws in
10 the proposed alternatives. Due to contract language the final written product (an Executive Summary
11 identifying all the recommendations and an Appendix containing the technical analysis, studies, and
12 results of the public input) will not be available until the end of June. Lewis identified the primary
13 improvements (detailed Rendering available for review at City Hall), which included *3 new crosswalks;*
14 *pedestrian refuge islands; reconstruction of sidewalks; Collins St. – one way westbound from Combs to*
15 *Hwy. 101 with the local street system loop; improved crosswalk and upgraded traffic signal at Bay St.;*
16 *widen sidewalks on Bridge; landscape medians; bicycle lanes; landscape strip reserved for parking;*
17 *maintain diagonal parking on the west side of the highway from the bridge south to Ellingson St.*
18 *(O.D.O.T. recommended changing this diagonal parking to parallel parking); pedestrian promenade*
19 *from Highway 101 to Bay St. around the Harbor, Park, and south of the Bridge; sidewalk along the*
20 *south side of Bay St. with Harbor overlooks, city gateway sign and landscaping, boat trailer and RV*
21 *parking...* Johnson asked if the Commissioners had any questions to address to Lewis. Lewis and
22 Commissioners ensued in discussion concerning the planned growth of Depoe Bay above Collins St. and
23 how the potential safety issues are being addressed. Johnson called for testimony on the Hwy.
24 101/Downtown Refinement Plan. John O'Brien, 270 N.E. Bensell Ave., testified that there was
25 significant public input at the 3 Open Houses preceding this Public Hearing and advised the Commission
26 to take that into consideration in making their decision. Ruth Moreland, 30 S.W. Hawkins St., testified
27 that she was in favor of the Plan but expressed concern that it is real conceptual at this point and will be
28 implemented in different stages and there needs to be an established method to keep the Public informed
29 of its progress. This Plan offers great opportunities for the citizens of Depoe Bay and they will want to
30 mesh appropriately with it. Patricia Neal, 1075 Walking Wood, recalled when O.D.O.T. mistakenly put
31 crosswalks in town and then removed them. She stated her pleasure in seeing the additional crosswalks
32 in the proposed Plan. It has definitely been a safety issue in this town. Lou Trapani, 1475
33 Tintinnabulary, declared his support of the Plan. It will have a positive effect on both the economic and
34 private life of Depoe Bay. There was no further testimony. The Public Hearing was closed and
35 deliberations began.

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37 Motion: Connors moved to approve the Adoption of the Highway 101/Downtown Refinement Plan with
38 two modifications *Diagonal parking in the 2 blocks south of the bridge be retained, and safety issues be*
39 *addressed at the intersections at Combs, Conway, and Collins.* McGavock seconded the motion.

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41 Johnson said it was moved and seconded, and called for discussion. There was none.

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43 Vote: Motion passed.

44 Ayes: McGavock, Connors, Taunton, Johnson, Davilla

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1 VI. CITY COUNCIL LIAISON REPORT.

2 Johnson reported that (1) Appeal of the Planning Commission Decision on the Warren and Jean Ford
3 Case (File #3-CS-PC-05) was denied by City Council (2) Public Hearing/Continue Deliberations on the
4 Proposed Amendments to the Comprehensive Plan, Zoning Ordinance and Zoning Map Relating to Uses
5 and Standards in the City will be held at a Special Meeting tomorrow at 7:00 PM (3) E. Placido's
6 resignation was accepted by the City Council effective June 16.

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8 VII. PLANNER'S REPORT

9 Lewis reviewed his written report (copy attached to original of these Minutes).

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11 VIII. UPCOMING EVENTS

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13 IX. PLANNING COMMISSION CONCERNS

14 Taunton expressed her distress at the lack of adequate warning in regards to the recent Tsunami Alert.
15 Davilla informed the Commissioners of a recently established Depoe Bay Emergency Preparedness
16 Committee who is focusing on identifying different neighborhoods from Boiler Bay to Otter Rock and
17 distinguishing their specific needs as well as informing the residents of what they can do to be prepared.
18 Davilla extended an invitation to their next meeting, June 28th, 6:30 PM. at the Community Hall. A
19 representative from the committee will be speaking at the June 21st City Council Meeting to discuss
20 updating the Depoe Bay Emergency Operations Plan. Further discussion occurred. Duering commented
21 that the Commissioners were receiving their copy of the codified Comprehensive Plan and Zoning Code
22 (per Resolution No. 352) this evening and old binders could be returned for recycling.

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24 X. ADJOURN

25 There being no further business, the meeting was adjourned at 8:40 PM.

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Richard Johnson, Chairman

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34 Carla Duering, Recording Secretary