

1 Depoe Bay Planning Commission  
2 Regular Meeting  
3 Wednesday, May 9, 2007 - 6:00 PM  
4 Depoe Bay City Hall

5  
6 PRESENT: President C. Connors, S. McGavock, V. Sovern, B. Bruce, E. Hough

7  
8 ABSENT: B. Taunton, D. Goddard

9  
10 STAFF: City Planner L. Lewis, Recording Secretary C. Duering

11  
12 I. CALL MEETING TO ORDER

13 Connors called the meeting to order and established a quorum at 6:01 PM.

14  
15 II. APPROVAL OF MINUTES: April 11, 2007 Regular Meeting.

16  
17 Motion: Hough moved to approve the Minutes of the April 11, 2007 Regular Meeting as written.  
18 McGavock seconded the Motion.

19  
20 Connors said it was moved and seconded, and called for discussion. There was none.

21  
22 Vote: Motion passed.

23 Ayes: McGavock, Sovern, Connors, Bruce, Hough

24  
25 III ITEMS FROM THE AUDIENCE

26 There were no items from the Audience.

27  
28 IV. NEW BUSINESS

29  
30 A. Case File: #1-LI-PC-07 Applicant: Arthur Moore  
31 Application: Building Permit Application in the L-I Light Industrial Zone  
32 Map and Tax Lot: 09-11-08-CA #7500 Location: 638 S.E. Hwy. 101

33  
34 Lewis reviewed his Memo (copy attached to original of these Minutes). Connors asked if the  
35 Commissioners had any questions to address to the City Planner. There was none. It was the Consensus  
36 of the Planning Commission that the DBZO Standards have been met and to approve the Application  
37 with the Conditions of Approval, Items 1. and 2., as recommended by the City Planner.

38  
39 B. Case File: #2-LI-PC-07 Applicant: Richard Cutler  
40 Application: Building Permit Application in the L-I Light Industrial Zone  
41 Map and Tax Lot: 09-11-08-BD #8000 Location: 418 S.E. Hwy. 101

42

1 Lewis reviewed his Memo (copy attached to original of these Minutes). Lewis noted that the Applicant  
2 has provided an amended Site Plan. Lewis specifically addressed the proposed deck located on the  
3 northeast side of the Subject Property (Original Drawing illustrated the deck 1'-2' from the Property  
4 Line adjacent to a Single-Family Residence revised to 19'-20' from the Property Line). Connors asked  
5 if the Commissioners had any questions to address to the City Planner. There was none. It was the  
6 Consensus of the Planning Commission that the DBZO Standards have been met and to approve the  
7 Application with the Conditions of Approval, Items 1. and 2., as recommended by the City Planner.

8  
9 C. Urban Renewal Feasibility Study - Steering Committee

10 Connors reported that the City Council would like the Steering Committee to consist of at least one  
11 Member from each City Commission and Committee. Connors announced that if anyone is interested in  
12 participating on the Committee to notify Pery Murray, City Recorder. She acknowledged that she and  
13 Valerie Sovern have already expressed their intention to serve on the Committee.

14  
15 V. PUBLIC HEARING ITEMS

16 Connors said Testimony and evidence given must be directed toward criteria described by the City  
17 Planner, or other criteria in the code that the Testifier believes applies to the request. Failure to raise an  
18 issue, accompanied by statements or evidence sufficient to afford the Commission and the parties an  
19 opportunity to respond to the issue precludes appeal to the State Land Use Board of Appeals on that  
20 issue. Application materials or other evidence relied upon by the Applicant had been provided to the  
21 City and made available to the Public. Commissioners will be asked for any declaration of ex-parte  
22 contact, conflict of interest, or bias to declare. The Public will have the opportunity to state objection to  
23 any Planning Commissioner hearing the Case. Applicants will have the opportunity to present  
24 information relevant to their Application, followed by Testimony in support of the Application, then  
25 Testimony in opposition, with the Applicant having the opportunity for rebuttal. Unless there is a  
26 request to hold the Record Open, Testimony will be closed and the Commission will enter into  
27 Deliberations on the Application. Connors reiterated that Agenda Item B. Continued Public Hearing  
28 Case File #1-PD-PC-07 (Applicant: J. Squared, Inc. and Avalon Architecture) has been continued to the  
29 June 13, 2007 Regular Meeting per the Applicant's Written Request (copy attached to original of these  
30 Minutes).

31  
32 A. Case File: #1-CS-PC-07 Applicant: Bruce and Janice Prunk  
33 Application: Coastal Shorelands Overlay and Variance  
34 Map and Tax Lot: 09-11-05-CA #6400 Location: 565 N.W. Spencer Avenue  
35

36 Connors asked if any Commissioner had ex-parte contact, conflict of interest, or bias to declare. There  
37 was none. Connors then asked if anyone had objection to any Planning Commissioner hearing the Case.  
38 There was no objection. Lewis summarized the Staff Report (copy attached to original of these  
39 Minutes). Written Testimony was received after preparation of the Staff Report from Donna Ford (copy  
40 attached to original of these Minutes). Lewis clarified the City Field Superintendent's comment  
41 recommending a 10' wide Storm Drainage Easement along the south side of the Subject Property and the  
42 Applicant's willingness to shift the Building Footprint to the north (towards the Harney St. Right-Of-  
43 Way). He explained the R-4 Standards and the Applicant's Variance Request: South Side Setback –

1 Standard 11'8" – Proposed 10'; Harney St. Side Yard Setback – Standard 10' – Proposed 1' from the  
2 Harney St. Right-Of-Way at the closet points. Connors asked if the Commissioners had any questions to  
3 address to the City Planner. There was none. The Applicant was given an opportunity to testify and  
4 answer questions from Commissioners. Bruce Prunk, 8275 S.W. Mariners Dr., Wilsonville, stated he  
5 had over 30 years experience working in State and Federal Government and would like to recognize and  
6 compliment the Staff in Depoe Bay for their patience and assistance in meeting the challenges of this  
7 very unique Lot. He testified that Mr. Lewis summarized very well all of the issues that they had  
8 discussed. He acknowledged the Storm Drainage Easement along the south side of the Subject Property  
9 and will coordinate with the City Superintendent regarding Storm Drainage Improvement issues or  
10 concerns. The Architect will be designing their primary residence to fit within the proposed feasible  
11 footprint. They are looking forward to moving to Depoe Bay. A Commissioner asked if he was familiar  
12 with the State Park Land at the end of Harney St. and what his thoughts were pertaining to the increased  
13 usage of Public Access as more Park Benches are placed. He replied that he had discussed this with Mr.  
14 Lewis and understands that conceivably it could become a popular Public Access Way. A Realtor  
15 suggested proposing to the City to vacate the street, but that is not their intention. They lived on N.E.  
16 20<sup>th</sup> and Freemont in Portland and are very familiar with heavy pedestrian traffic. Connors called for  
17 Testimony in support of the Application. Donna Ford, 446 S.W. Colony Dr., Portland and 555 Spencer  
18 Ave. (where she and her family lived since 1950). She stated she was probably sitting where she did in  
19 grade school and if any archeological items are found they probably belong to her. She thanked Mr.  
20 Lewis and Carla for helping her when she called and expressed her concerns (i.e. view impact). She  
21 reiterated her support for the Proposal and the Findings and Conclusions as presented in the Staff  
22 Report. She did not feel very many people were aware of the City Park and hasn't seen or doesn't  
23 anticipate much use unless it is publicized. She thanked the Commission for their time. There was no  
24 further Testimony in support of the Application and no Testimony in opposition. There was no request  
25 to keep the Record Open. The Public Hearing was closed and Deliberations began.

26  
27 Motion: McGavock moved to approve Case File #1-CS-PC-07 and adopt the Conditions of Approval,  
28 Items 1. thru 6. as recommended by the City Planner. Hough seconded the Motion.

29  
30 Connors said it was moved and seconded, and called for discussion. There was none.

31  
32 Vote: Motion passed.

33 Ayes: Sovern, Connors, Bruce, Hough, McGavock

34  
35 VI. UNFINISHED BUSINESS

36 There was none.

37  
38 VII. CITY COUNCIL LIAISON REPORT

39 There was none.

40  
41 VIII. PLANNER'S REPORT

42 Lewis reviewed his Report (copy attached to the original of these Minutes). He announced the CZM  
43 201: Coastal Zone Management in Oregon Class on Friday, May 18<sup>th</sup>, 8:30 a.m. to 4:30 p.m., at the

1 Hallmark Resort, 744 S.W. Elizabeth St., Newport, and if anyone is interested in attending to notify Pery  
2 Murray, City Recorder. Lewis encouraged the Commissioners to let Pery know if they would like to  
3 participate on the Urban Renewal Feasibility Study - Steering Committee as soon as possible. A  
4 Commissioner asked if it were true that a quorum of any one Committee/Commission would not be  
5 allowed. Lewis replied that is correct. There will be Representatives from the various City  
6 Commissions/Committees but we do not want a quorum. Sovern said she approached City Council  
7 regarding the concept of Urban Renewal and will be serving on the Steering Committee as a Member of  
8 the Near-Shore Action Team. She articulated that it is critical that Carol Connors as Chair of the  
9 Planning Commission also be a participant; it is going to be an exciting adventure with so much  
10 potential; Depoe Bay is a poster child for Urban Renewal – A positive way to involve local folks in  
11 making decisions regarding the direction of our Community and having funds to make dreams happen;  
12 this is a Committee that should be steered and directed by the Planning Commission.

13

14 IX. PLANNING COMMISSION CONCERNS

15 There was none.

16

17 X. ADJOURN

18 There being no further business, the meeting was adjourned at 6:35 PM.

19

20

21

22

23

\_\_\_\_\_  
Carol Connors, President

24

25

26

27 \_\_\_\_\_  
Carla Duering, Recording Secretary