

1 Depoe Bay Planning Commission  
2 Regular Meeting  
3 Wednesday, September 11, 2013 – 6:00 P.M. Depoe Bay City Hall  
4

5 PRESENT: G. Steinke, B. Taunton, P. Leoni, R. Hageman, J. Hayes, M. Kiefer  
6 ABSENT: B. Blessinger  
7 STAFF: City Planner L. Lewis, Recording Secretary C. Duering  
8

9 I. CALL MEETING TO ORDER

10 Hageman called the Meeting to order and established a Quorum at 6:00 P.M.  
11

12 II. APPROVAL OF MINUTES: August 14, 2013 Regular Meeting.  
13

14 Motion: Hayes moved to approve the Minutes of the August 14, 2013 Regular Meeting as written.  
15 Steinke seconded.  
16

17 Vote: Motion passed.

18 Ayes: Leoni, Hageman, Hayes, Kiefer, Steinke

19 Abstain: Taunton  
20

21 III. ITEMS FROM THE AUDIENCE

22 There was none.  
23

24 IV. PUBLIC HEARING ITEMS  
25

26 A. Case File: #1-GEO-PC-13

27 Applicant: Bruce Fraser, Pacific Shore Construction

28 Owner: Ernie and Jean Matlock

29 Application: Geologic Hazards Permit

30 Zone, Map and Tax Lot: Residential R-5 PD, 09-11-05-DC #05300

31 Location: 145 N.E. Spring Avenue – View of the Bay Planned Development  
32

33 Hageman explained the Public Hearing procedure: The City Planner will review the Staff Report.  
34 Applicants will have the opportunity to present information relevant to their Application, followed by  
35 Testimony in support of the Application, then Testimony in opposition, with the Applicant having the  
36 opportunity for rebuttal. Unless there is a request to hold the Record Open, Testimony will be closed  
37 and the Commission will enter into Deliberations on the Application.  
38

39 Hageman said Testimony and evidence given must be directed toward Criteria described by the City  
40 Planner, or other Criteria in the Code that the Testifier believes apply to the request. Failure to raise an  
41 issue, accompanied by statements or evidence sufficient to afford the Commission and the parties an  
42 opportunity to respond to the issue precludes appeal to the State Land Use Board of Appeals on that  
43 issue. Application materials or other evidence relied upon by the Applicant had been provided to the  
44 City and made available to the Public.  
45

1 Hageman asked if any Commissioner had ex-parte contact, conflict of interest, or bias to declare.  
2 Hageman declared he drove to the location of the Subject Site (standard procedure). There was no  
3 objection to any Planning Commissioner hearing the Case.  
4

5 Lewis summarized the Staff Report (copy attached to original of these Minutes). No Written Testimony  
6 was received. He noted the Engineering Geologist has already provided a Letter to the City stating that  
7 Final Site and Building Plans are in conformance with the recommendations described in the April 15,  
8 2013 Update to a Geotechnical Investigation.  
9

10 Hageman asked the Commissioners if they had any questions. Brief discussion ensued regarding the  
11 following: (1) Availability of Natural Gas to the Subject Development. Typically the Staff Report only  
12 identifies the following utilities serving a Subject Property: Water, Sewer, and Electricity; (2)  
13 Clarification of Page 2 of 10 Section 4.030 Off-Street Parking and Off-Street Loading Requirements  
14 Item 4. *Off-Street parking spaces for dwellings, hotels, motels, resorts and time-shares shall be located*  
15 *on the same lot or on a lot immediately adjacent to the lot served by such parking.*  
16

17 The Applicant was given an opportunity to testify and answer questions from Commissioners. Bruce  
18 Fraser, Pacific Shore Construction, P.O. Box 845, Newport, OR 97365, stated he would be happy to  
19 answer any questions the Planning Commission may have concerning the Application and reiterated he  
20 would like to get approval so he can proceed with construction. The Applicant and Planning  
21 Commission further discussed (1) the issue of Natural Gas being available at the Street and (2) Lincoln  
22 County Tax Assessor generally determines a Walk-Out Basement to be utilized living space with  
23 assessed value.  
24

25 There was no Testimony in support of the Application and no Testimony in opposition. There was no  
26 deliberation and no request to keep the Record Open.  
27

28 Motion: Steinke moved to approve Case File #1-GEO-PC-13 (Geologic Hazards Permit) and adopt the  
29 Conditions of Approval (Items. 1. Thru 7.) as recommended by the City Planner. Hayes seconded.  
30

31 There was no discussion.  
32

33 Vote: Motion passed.

34 Ayes: Taunton, Leoni, Hageman, Hayes, Kiefer, Steinke.  
35

#### 36 V. UNFINISHED BUSINESS

37 The Planning Commission and City Planner briefly discussed the Training Video Schedule.  
38

#### 39 VI. NEW BUSINESS

40 There was none.  
41

#### 42 VII. CITY COUNCIL LIAISON SCHEDULE AND REPORT

43 Leoni reported on the following items: (1) Fish Plant Facility; (2) Audit Review Committee - Analysis  
44 of the Harbor Budget.  
45  
46

1 VIII. PLANNER'S REPORT

2 Lewis reviewed the Planners Report – Land Use Activity August 8<sup>th</sup> thru September 3<sup>rd</sup> (copy attached  
3 to the original of these Minutes).

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5 IX. PLANNING COMMISSION CONCERNS

6 There was brief discussion regarding: (1) Construction activity at Kitty Brown's former residence (20  
7 S.E. Conway Avenue); (2) Signage and Parking concerns; (3) Joint Planning Commission/City Council  
8 Kickoff Meeting for the Transportation System Plan (TSP); (4) Depoe Bay Transportation System Plan  
9 (TSP) Community Advisory Committee (CAC) Membership and Meeting Schedule (next Meeting  
10 Wednesday, October 16<sup>th</sup>, 3-5 p.m. and Public Open House 6-8 p.m.)

11  
12 X. ADJOURN

13 There being no further business, the Meeting was adjourned at 6:22 p.m.

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Roy Hageman, President

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Carla Duering, Recording Secretary