

1 Depoe Bay Planning Commission
2 Regular Meeting
3 Monday, April 18, 2016 – 6:00 P.M.
4 Depoe Bay City Hall
5

6 PRESENT: G. Steinke, J. Speer, P. Leoni, J. Hayes, B. Taunton
7 ABSENT: R. Hageman
8 STAFF: Recording Secretary C. Duering
9 VACANCY: One vacant seat
10

11 I. CALL MEETING TO ORDER

12 Vice-President Leoni called the Meeting to order and established a Quorum at 6:05 P.M.
13

14 II. APPROVAL OF MINUTES: March 9, 2016 Regular Meeting.

15
16 Motion: Hayes moved to approve the Minutes of March 9, 2016 Regular Meeting as written. Speer seconded.
17

18 Vote: Motion passed.

19 Ayes: Steinke, Speer, Leoni, Hayes, Taunton
20

21 III. ITEMS FROM THE AUDIENCE

22 There was none.
23

24 IV. PUBLIC HEARING ITEMS

25
26 A. Case File: #1-CS-PC-16

27 Applicant: David and Penny Grau

28 Application: Coastal Shorelands Development

29 Zone, Map and Tax Lot: Residential R-1, 09-11-08-CB #04400

30 Location: 525 S.W. Point Street
31

32 Leoni noted that the following statement applies to all Public Hearing Items (Agenda Items A. & B.)
33

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

40 Leoni explained the Public Hearing procedure: She will call for Planning Commissioner ex-parte contact, conflict
41 of interest or bias to declare. There will be an opportunity to object to any Planning Commissioner hearing the
42 Case. Applicants will have the opportunity to present information relevant to their Application, followed by
43 Testimony in support of the Application, then Testimony in opposition, with the Applicant having the opportunity
44 for rebuttal. Unless there is a request to hold the Record Open, Testimony will be closed and the Commission
45 will enter into Deliberations on the Application.
46

47 Leoni asked if any Commissioner had ex-parte contact, conflict of interest, or bias to declare. There was none.
48 Leoni then asked if anyone had objection to any Planning Commissioner hearing the Case. There was no
49 objection.
50

51 The Recording Secretary announced the City Planner was not able to attend the Meeting and suggested the
52 Planning Commission address/discuss any questions amongst themselves regarding the Staff Report.
53

1 Leoni briefly summarized the Staff Report (copy attached to original of these Minutes). The Recording Secretary
2 noted that after preparation of the Staff Report Written Testimony was received from Sonia Angell Schmitt (copy
3 attached to original of these Minutes). Leoni addressed Schmitt's comments.
4

5 The Applicant was given an opportunity to testify and answer questions from Commissioners. The Applicants,
6 David and Penny Grau, and Agent, Tom Golden, were present and did not testify.
7

8 The Planning Commission discussed/clarified with the Applicant and the Applicant's Agent (in the audience): (1)
9 Application meets the R-1 Standards for Yard Setbacks and Building Height; (2) Request is to replace a Single-
10 Family Dwelling with a new Single-Family Dwelling; (3) Area of Visual Concern Standard is 25 ft. landward
11 from the Top of the Bluff and the Applicant is proposing the Building be located 12.5 ft. from the Top of the
12 Bluff with a 5 ft. wide Concrete Walk extending 7.5 ft. from the Top of the Bluff; and (4) Topography and
13 geological state of the Coastal Shoreline adjacent to the Subject Site.
14

15 An Audience member asked the Planning Commission to confirm the proposed Building Height measurement.
16

17 There was no Testimony in support of the Application. There was no Testimony in opposition to the Application.
18 There was no request to keep the Record Open.
19

20 Leoni called for a Motion.
21

22 Motion: Steinke moved to approve the Coastal Shorelands Development Application (Case File #1-CS-PC-16)
23 and adopt the Conditions of Approval (Items 1. thru 3.) as recommended by the City Planner. Hayes seconded
24 the Motion.
25

26 Vote: Motion passed.

27 Ayes: Speer, Leoni, Hayes, Taunton, Steinke
28

29 It was the consensus of the Commission to direct L. Lewis to prepare the Findings, Conclusion and Final Order
30 for Leoni's signature.
31

32 B. Case File: #2-CS-PC-16

33 Applicant: Steve and Mary Kay Campbell

34 Application: Coastal Shorelands Development and Variance to Setback Standard

35 Zone, Map and Tax Lot: Residential R-4 PD (Little Whale Cove Planned Development)

36 09-11-18-AA #00106

37 Location: 560 S.W. Cove Point
38

39 Leoni asked if any Commissioner had ex-parte contact, conflict of interest, or bias to declare. There was none.
40 Leoni then asked if anyone had objection to any Planning Commissioner hearing the Case. There was no
41 objection.
42

43 Leoni briefly summarized the Staff Report (copy attached to original of these Minutes).
44

45 The Applicant was given an opportunity to testify and answer questions from Commissioners.
46

47 Steve Campbell distributed a photograph (copy attached to original of these Minutes) for the Planning
48 Commission review and discussion.
49

50 The Planning Commission discussed/clarified with the Applicant and the Applicant's Agent (in the audience): (1)
51 Proposal includes demolition of existing Single-Family Dwelling including foundation; (2) 6-7 ft. rear Block Wall
52 is existing; (3) Applicant doesn't know his Neighbors (Property Owner to the north lives in Europe – never seen
53 them); (4) Proposed Home is designed to reduce negative impact to adjacent Property Owners (i.e. north elevation
54 average Building Height is 25 ft. 10 in. – Single level at the 5 ft. Setback).

1 There was no Testimony in support of the Application. There was no Testimony in opposition to the Application.
2 There was no request to keep the Record Open. The Public Hearing was closed and Deliberations began.

3
4 Leoni called for a Motion.

5
6 Motion: Speer moved to approve the Coastal Shorelands Development Application and Variance Request (Case
7 File #2-CS-PC-16) and adopt the Conditions of Approval (Items 1. thru 4.) as recommended by the City Planner.
8 Taunton seconded the Motion.

9
10 Vote: Motion passed.

11 Ayes: Leoni, Hayes, Taunton, Steinke, Speer

12
13 It was the consensus of the Commission to direct L. Lewis to prepare the Findings, Conclusion and Final Order
14 for Leoni's signature.

15
16 IV. UNFINISHED BUSINESS

- 17
18 A. Case File: #1-CU-PC-15 (One-Year Review of Conditional Use Approval)
19 Applicant: Lawrence Ciuffo
20 Application: Conditional Use – Craft Fair and Coffee Drive-Thru
21 Zone, Map and Tax Lot: Light Industrial, L-I, 09-11-08-BD #08100 and #08201
22 Location: 474 S.E. Hwy. 101

23
24 The Planning Commission reviewed the City Planner's Memorandum dated April 6, 2016 and attached Findings,
25 Conclusions, and Final Order (copy attached to original of these Minutes) and discussed/commented on the
26 following:

27
28 (1) The City has not received any complaints about the Craft Fair or Coffee Drive-Thru Service; (2) The City has
29 received complaints regarding removal of the debris/junk dumped on the Cutler Property; (3) The Applicant's
30 property is presently for sale; (4) Craft Fair Parking is provided on the adjacent lot to the north which is currently
31 for sale; (5) The Owner/Applicant was unable to attend the Meeting; (6) Owner/Applicant has paid the annual
32 \$500 Business License to operate the Craft Fair in 2016; (7) Car Audio 101 has expanded their use to include a U-
33 Haul dealership – Planning Commission directed Staff to research and report whether they were required to obtain
34 a second Business License or amend their existing Business License and were the surrounding Property Owners
35 notified of the City's determination; (8) A Conditional Use approval is pertinent to the Property not the
36 Applicant/Owner; (9) To date the Craft Fair has not reached its goal of 15 to 20 booths.

37
38 Motion: Hayes moved to approve the Conditional Use Application (Case File #1-Cu-PC-15) with the
39 understanding if the adjacent lot to the north is sold the Applicant shall provide proof to the Planning Commission
40 that adequate Off-Street Parking per DBZO has been procured. Speer seconded the Motion.

41
42 Vote: Motion passed.

43 Ayes: Hayes, Taunton, Steinke, Speer, Leoni

- 44
45 B. Sign Ordinance – Proposed Amendments

46
47 The Planning Commission agreed to postpone the Agenda Item to the next Planning Commission Meeting.

48
49 VI. NEW BUSINESS

50 There was none.

1 VII. CITY COUNCIL LIAISON SCHEDULE AND REPORT

2 Speer reported the Urban Renewal Agency is identifying property to purchase as potential Public Parking Lots.
3 Brief discussion followed.

4
5 VIII. PLANNER'S REPORT

6 The Planning Commission reviewed the Planner's Report – Land Use Activity March 3, 2016 thru April 6, 2016
7 (copy attached to the original of these Minutes).

8
9 The Planning Commission discussed the following: (1) The “Pirate Coffee Customer Parking” sign located on
10 the telephone pole in O.D.O.T. right-of-way (Staff noted the City Superintendent has received a complaint but
11 was not aware of the status); (2) Business License Application for Tourist Accommodation at 29 N.E. Combs –
12 Zoning; and (3) The LUBA appeal deadline has passed - Appellant Brian Plechaty Plechaty Properties, L.L.C.
13 (Case File #1-APPEAL-CC-15 - Appeal of Planning Commission Decision) – Subject Site is for sale
14 (marketing as potential for 32 unit apartments/townhomes).

15
16 Lengthy discussion ensued regarding Lincoln County's shortage of affordable (\$700-\$800/month)
17 housing/apartments for the workforce in a tourist and hospitality industry. In conclusion it was
18 suggested this is an issue for the Urban Renewal District to focus their efforts versus Parking Lots.

19
20 IX. PLANNING COMMISSION CONCERNS

21 There was none.

22
23 X. ADJOURN

24 There being no further business, the Meeting was adjourned at 6:52 p.m.

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26
27
28
29 _____
30 Peggy Leoni, Vice-President

31
32
33 _____
34 Carla Duering, Recording Secretary