

**MINUTES**  
**City of Newport Planning Commission**  
**Regular Session**  
**Newport City Hall Council Chambers**  
**Monday, February 27, 2017**

**Commissioners Present:** Jim Patrick, Lee Hardy, Bob Berman, Rod Croteau, and Jim Hanselman.

**Commissioners Absent:** Bill Branigan and Mike Franklin (*all 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 7:00 p.m. On roll call, Hardy, Croteau, Berman, Patrick, and Hanselman were present.

2. **Approval of Minutes.**

A. Approval of the Planning Commission work and regular session meeting minutes of January 9, 2017 and approval of the Planning Commission work session meeting minutes of January 23, 2017.

Hanselman notes a correction to the January 9, 2017 Regular Session meeting minutes. Jim Hanselman was listed in attendance but was not present. **MOTION** was made by Commissioner Berman, seconded by Commissioner Hanselman to approve the Planning Commission meeting minutes with correction. The motion carried unanimously in a voice vote.

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

4. **Action Items.** No action items.

5. **Public Notices.** At 7:02 p.m. 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, Croteau, Patrick and Hanselman report site visits. 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-VAR-17.** Patrick called for the staff report for File No. 1-VAR-17. Tokos presented staff report for File 1-VAR-17. Tokos noted there are updated exhibits that were printed and distributed to the Commissioners by applicants at this PC meeting. Staff concluded that the PC should approve the request with the two conditions noted.

Croteau asked if any written comments have been received for this application. No. Berman asked what the origin of the 200-foot compared to a percentage. Tokos didn't know but thinks with percentages, there was recognition that very large buildings could lead to very large mechanical enclosures. He thinks it was an attempt by policy makers to weigh the two. Patrick asked if the Fire Department has concerns. Tokos said since it is not a space that can be occupied, they are not.

**PROPONENTS:** Chris Minor, Attorney & Jim Shepard, Attorney. Address: 236 W Olive St, Newport, OR 97365. Minor introduces proponents in attendance including Joe Ashcroft, Project Architect; Joe Kunkle, Project Manager; Jon Conner, Facilities Manager; Dr. David Bigelow, Senior Administrator; Dr. Ralph Breitenstein, Chairman of the Board; Bonnie Saxton, Kath Schonau & Fred Postlewait, Members of the Board; and Ursula Marinelli, Director of the Pacific Communities Foundation.

Minor thinks the 200-foot limitation is a holdover from days when they built smaller buildings. The hospital's mechanics will fall within the 5 percentage for height limitations but the 200 square foot limitation doesn't work for this building. He asked that the materials presented to the PC at this meeting be included in application materials.

Jim Sheppard introduced himself. He discussed different criteria that doesn't apply to a hospital. These include the 19-foot drop in elevation that causes design problems; a need to preserve some of existing structures; the hospital is unique and highly regulated; and the size of hospital facilities and air handlers. The circumstances have to do with outside agency's requirements and regulations. The hospital cannot change the size of air handlers. Sheppard noted that there were no written comments or objections to the application. The City and hospital have worked to make sure there are no impact on utilities caused by the expansion. There is no evidence of any adverse impacts requiring mitigation. He quoted Newport City Code 14.22.010 which calls for flexibility on numerical standards.

Joe Ashcroft presented architectural drawing slide presentation. He pointed out all of the main elements to the building and their elevations for West, East, North & South. Berman noted that typography has drop offs but drawings are shown flat. Ashcroft said the drawings are shown by the grade right at the building. He explained the next animation drawings he will present will show what it will actually look like at street view. The ambulance entrance will be relocated to the South side. 3D animated imaging is presented. The stair and elevator tower is pointed out to Commissioners. The tiered design is done to help reduce shadows and to help the structure not look too large. The plans were reviewed with the Fire Department and they did a site visit to confirm proper access.

Berman asked if the East side will have phased work done to match up with the new expansion. Yes. It is currently a two-story brick structure. The coastal climate is hard on the bricks and mechanicals and is why they are enclosing the units. They will remove brick on old two-story building and add something that will blend in with the new building. Architectural elements will be added to the existing building as well.

Hanselman asked what the structure behind the ambulance entrance on the SE view is and if the mechanicals could be put on this. Ashcroft explained it is the central utility plant and something they looked into. Because of the size of the units and ducts, it would have to be moved and is too far. Hanselman is concerned about noise of units. He asked about mitigation of sound. Ashcroft explained that OAR rules require that there is stringent mitigation for noise. It takes into consideration vibration and size of unit. The air is slowed down, which will reduce whistling and is code driven. They are utilizing fan wall units which have numerous fans (up to 12). It modulates fan speed and slows fans down to reduce noise and vibration. Hanselman asked what the decibels would be outside. Ashcroft doesn't know but can get the PC this information. His firm has done projects without mitigation and the noise can be heard while projects with mitigation are considerably quieter. Berman asked if sound mitigation material would be inside enclosure. Yes, the ducts will be lined with acoustic vibration materials. The ducts outside will be isolated to reduce vibration. Jon Conner pointed out that only the air handlers will be in the mechanical space. Other mechanicals have been taken down to ground level. Your largest noise generators will be down below.

Patrick asked about street level being 15 feet above parking lot. This is some of the constraints when sighting the building. Ashcroft pointed out the grade drop areas and explained the constraints. The rotation of building minimizes constraints. There will be a few small retaining walls. Propane and O<sup>2</sup> tanks will be there. Minor said the map illustrates how the penthouse is in the center of four solid blocks and is not in proximity of anything else. Noise will be reduced due to the distance it would have to travel.

**Opponents:** There were no opponents present wishing to testify; so rebuttal was waived.

Deliberations start at 7:40 pm.

Hardy wanted it noted that salt isn't in the air. She said that humidity is in the air and something that buildings can be protected from. Croteau disagrees and feels fog carries salt. Hardy feels the applicants have submitted a reasonable presentation and doesn't have a problem with it. Berman feels they have done their due diligence and doesn't have a problem with approval of application. Croteau thought all criteria had been met. Hanselman prefers to see mechanicals off of the roof but feels the applicants have shown they can do it in a safe method. Architecturally it looks good and he noted limitations with duct work. He stated that nothing presented matches his experience with sound units on a roof and noise. He hopes engineers mitigate the noise and applicants take this to heart. He feels they have met the criteria otherwise. Patrick thinks they have met criteria and did a nice job.

**MOTION** was made by Commissioner Croteau, seconded by Commissioner Berman, to approve File No. 1-VAR-17 as presented. The motion carried unanimously in a voice vote.

Tokos asked Ashcroft to send PDFs of presentation to him to include in the records. Ashcroft confirmed.

6. **New Business.** No new business.

7. **Unfinished Business.** Tokos reviewed the Vision 2040 events which had a good outreach. 130 attended the family night. There was half as many people on the all-day Saturday activity. Tokos appreciates PC participating on the Thursday event. The Food and Wine Festival had good feedback. Tokos said they will have another advisory meeting in March or April. They will review initial vision statements.

There was a second advisory meeting for System Development Charges. The primary focus was to go through capital projects. Tokos covered revenues collected since starting in 2008. He walked through the rationale for various projects that should be included and how best to deal with challenging issues. Tokos discussed methodology. The Committee wants to forge ahead with methodology based on sizing instead of groupings. They don't want grouping because some applicants may try to base projects just below to pay less charges. Croteau asked how utility support differences works. Tokos said there are different methodologies to support SDCs. You can do meter size based on flow or by fixture base, which is more reasonable. It includes assumptions. The point is there is a rational basis that we can distinguish between smaller and larger dwellings. At the next meeting, the Committee will work through the commercial realm and restaurants. They will also look at construction excise tax and how it will interplay with SDCs.

There is concern with doing a square foot basis for SDCs. Easement is where the problems arise. Berman asked if net collections will be roughly the same. Tokos doesn't know. Transportation is paired down. There may be a modest reduction on SDCs. There will be language in the methodology that speaks to what the maximum SDCs will be.

Berman asked about parking study. Tokos said it is slow and behind schedule. One staff member has a new job. It has been a struggle to get another advisory meeting scheduled.

8. **Director Comments.**

A. **Oregon Government Ethics Commission Required Statement of Economic Interest Filing.** Tokos reminds the Commissioners that the Oregon Government Ethics Commission Required Statement of Economic Interest will come in March and is due by April 15th.

9. **Adjournment.** Having no further business, the meeting adjourned at 8:00 p.m.

Respectfully submitted,



Sherri Marineau  
Executive Assistant