

Minutes
City of Newport Planning Commission Regular Session
Monday, August 23, 2010

Commissioners Present: Jim Patrick, Melanie Sarazin, Mark Fisher, Rod Croteau, John Rehfuss, and Gary East.

Commissioners Absent: Glen Small.

City Staff Present: Community Development Director (CDD) Derrick Tokos and Senior Administrative Assistant Wanda Haney.

Chair Patrick called the meeting to order in the Council Chambers of Newport City Hall at 7:05 p.m. Commissioner Rehfuss had not yet joined the Commissioners on the dais.

A. Approval of Minutes.

1. Approval of the joint City Council/Planning Commission work session and regular session Planning Commission meeting minutes of August 9, 2010.

MOTION was made by Commissioner Fisher, seconded by Commissioner Sarazin, to approve the minutes of both Planning Commission meetings of August 9, 2010, as presented. The motion carried unanimously in a voice vote.

B. Consent Calendar.

1. **Final Order for File No. 2-VAR-10.** Final Order denying a variance request submitted by Dale & Mary Brewster for approval of a variance to allow construction of an addition to an existing garage that would result in a garage setback of 6 feet rather than the required 20 feet and a variance to the second front yard for a yard of 6.1 feet rather than the required 10 feet for property located at 907 NE Eads St. because the request fails to meet the variance criteria. The Planning Commission held a public hearing on this matter on August 9, 2010.

MOTION was made by Commissioner Fisher, seconded by Commissioner Sarazin, to adopt the Final Order denying the variance as requested in File No. 2-VAR-10. Commissioner Rehfuss joined the Commissioners on the dais. The motion carried 5-0 in a voice vote, with Commissioner Rehfuss abstaining because he had not attended that meeting.

C. Citizen/Public Comment. No comments regarding non-agenda items.

D. New Business. No new business to discuss.

E. Public Hearings.

Quasi-Judicial Land Use Actions:

Chair Patrick opened the public hearing portion of the meeting at 7:06 p.m. by reading the statement of rights and relevance. He asked the Commissioners for declarations of conflicts of interest, ex parte contact, bias, or site visits. Fisher recused himself from this hearing and stepped down from the dais. Rehfuss and Croteau both declared site visits. Patrick asked for objections to any of the Planning Commissioners or the Commission as a whole hearing this matter; and no objections were heard.

1. **File No. 7-CUP-10.** A request submitted by the Church of Jesus Christ of Latter Day Saints (Dennis McBride, authorized representative) per Newport Zoning Ordinance Section 2-2-1.025/"Residential Uses" of the Newport Zoning Ordinance, for a conditional use permit in order to construct a 40' x 60' picnic shelter on church grounds in an R-1/ "Low Density Single-Family Residential" zoning district in which the subject property is located. Per NZO Section 2-2-1.025(D)(8), church uses are permitted in the R-1 zone following the issuance of a conditional use permit. The subject property is located at 2229 NE Crestview Dr (Lincoln County Assessor's Map 10-11-32; Tax Lot 1901).

Chair Patrick opened the public hearing for File No. 7-CUP-10 at 7:08 by reading the summary of the request from the agenda. He asked for the staff report. Tokos noted that as Patrick had described, the application is for a conditional use for a 40' x 60' picnic shelter on the church grounds. The property is roughly 5 acres in size. Displayed on the overhead Tokos had an aerial map pinpointing the approximate location of the shelter. Tokos read through the criteria for conditional use permit approval found in the zoning code. He explained that the applicant has put together findings that have been incorporated in the staff report that the Commissioners had received in advance of tonight's meeting. These findings establish compliance with the criteria.

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Tokos said that the public facilities are adequate for the area on the property where they propose to locate the shelter. He said that water, sewer, and electric services will not be extended to it. There is ample parking for the use. Tokos said that there are no overlay zones. He noted that the property is fairly well screened with vegetation. He ran through other photos on the overhead. If the Commission approves the request, there is one thing the applicant needs to address. They would need to make sure the structure is accessible for the handicapped. We would address that in reviewing the building plans. The staff recommendation is to approve this application. There are two suggested conditions; one that the approval is based on information submitted, and one that the applicant complies with applicable codes. Rehfluss wanted to see the photo pinpointing the area of the structure, and Tokos noted that the staff report contains a site plan that the applicant put together that shows that area as well.

Proponents: Dennis McBride, 484 NE 1st, Toledo, OR, the applicant's agent, came forward. McBride said that everything in the staff report is in order. The only issue he has is that in the future they probably will want to put lighting out there, and he wants to make sure that it is okay. They may possibly run a cold water line and an electrical line out there. Rehfluss asked if the lights would be directed away from the residences. McBride said that the area is pretty secluded. The area can't be seen unless you are in the parking lot, and even then it is difficult. They would be lower than the lights that Rite Aid has, and would be under cover. Tokos said that the water wouldn't be an issue. The lighting could be approached by including a condition that they be downward directed and away from neighboring properties. McBride summed up by expressing that they have wanted to do this for a while and are anxious to get started. Croteau asked why they decided to site it there instead of closer to the parking lot. McBride said that the area is flat, and there is not enough room between the sidewalk and the roadway to put something of this size. Here it is out of the way and has privacy.

Richard Dammeier, 447 NE 10th, Newport, was next to testify as a proponent. Dammeier said that the church is big on boy scouts. They hold roundtables for the leaders of boy scouts in Lincoln County, and it would be great to have this area so they could have more activities. He noted that scouting is a dying thing in the county. There is not much activity. If the church could have this, maybe they would have more scouts joining the scouting program. Dammeier said that it would be good not only for the church but for scouting so that they could hold functions.

Stuart Cowie, 317 NE 6th St, Newport, also testified as a proponent. Cowie said that he feels the request is compatible with the criteria and compatible with the residential use. He noted that, although it will be outside, it isn't going to increase the number of people already attending church. As far as parking their vehicles, it will be the same as for the people going to church now. As far as noise, he feels it is far enough off the road and is so secluded with trees that they will act as a barrier to the sound. The area abuts a commercial zone with Rite Aid being right behind it. He said that there is a lot more noise from there than from the church itself.

There were no other proponents present wishing to testify.

Opponents or Interested Parties: There were no opponents or interested parties present wishing to testify.

Patrick closed the hearing at 7:20 p.m. for deliberation. Croteau didn't see any issues and felt that all criteria are met. He was in favor. Rehfluss said that it meets the requirements, and he feels it is a good use of the land. He also was in favor. East was in favor, and he also thought it was a good use. Sarazin said that it meets the criteria if the wheelchair accessibility issue and the provision with the lights can be addressed. She believed it should pass. Patrick also felt it met the criteria.

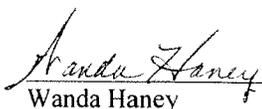
MOTION was made by Commissioner Sarazin, seconded by Commissioner Croteau, to approve the conditional use request in File No. 7-CUP-10 with the added provision concerning lighting that if lights are added, they shall be directed downward and away from neighboring residences and including the staff recommendations. The motion carried unanimously in a voice vote.

Fisher returned to join the Commissioners on the dais.

F. Unfinished Business. There was no unfinished business to discuss.

G. Adjournment. There being no further business to come before the Planning Commission, the meeting adjourned at 7:22 p.m.

Respectfully submitted,



Wanda Haney
Senior Administrative Assistant