



LA
2-24-2022

ROSEBURG CITY COUNCIL AGENDA – FEBRUARY 28, 2022

Electronic Meeting

Public Access:

City website at <https://www.cityofroseburg.org/your-government/mayor-council/council-videos>

Facebook Live at www.Facebook.com/CityofRoseburg

Comments on Agenda Items and Audience Participation can be provided in person electronically via Zoom. See next page for instructions on how to participate in virtual meetings.

7:00 p.m. Regular Meeting

1. **Call to Order – Mayor Larry Rich**
2. **Pledge of Allegiance**
3. **Roll Call**

Shelley Briggs Loosley	Beverly Cole	Bob Cotterell	Alison Eggers
Sheri Moothart	Brian Prawitz	Patrice Sipos	Andrea Zielinski
4. **Mayor Reports**
5. **Commission Reports/Council Ward Reports**
 - A. Public Works Commission Appointment
6. **Audience Participation – In Person via Zoom/See Information on the Reverse**
7. **Consent Agenda**
 - A. Minutes of February 14, 2022 Work Study Meeting
 - B. Minutes of February 14, 2022 Council Meeting
 - C. OLCC New Outlet Application for Full On-Premises, Commercial License for Draper Draft House located at 620 SE Jackson Street
8. **Public Hearing**
 - A. Resolution No. 2022-03 – Community Development Block Grant Regional Housing Rehabilitation Project
 - B. Ordinance No. 3569 – Amending a Portion of the City’s Zoning Map from C2 (Community Commercial) to C3 (General Commercial), First Reading
9. **Ordinances**
 - A. Ordinance No. 3566 – Amending Certain Sections of Title 12 of the Roseburg Municipal Code to Allow Mini-Retail Businesses as Permitted Uses in the Public Reserve (PR) Zone, Second Reading
 - B. Ordinance No. 3567 – Amending RMC Section 7.04.005 “Definitions” and 7.04.170 “Inoperable, Wrecked, Dismantled or Abandoned Vehicles,” First Reading
 - C. Ordinance No. 3570 – Granting a Telecommunications Franchise for Fusion Clouds LLC, First and Second Reading
10. **Department Items**
 - A. 24-inch Transmission Main, Project 22WA11 – Consulting Services Task Order No. 4 Authorization
 - B. Surface Transportation Block Grant (STBG) Funds Exchange Authorization
11. **Items from Mayor, City Council and City Manager**
12. **Adjourn**

13. Executive Session ORS 192.660(2)

Informational

A. City Manager Activity Report

AUDIENCE PARTICIPATION INFORMATION

The Roseburg City Council welcomes and encourages participation by citizens at all our meetings, with the exception of Executive Sessions, which, by state law, are closed to the public. To allow Council to deal with business on the agenda in a timely fashion, we ask that anyone wishing to address the Council follow these simple guidelines:

To provide comment during virtual meetings, contact the City Recorder by phone (541-492-6866) or email (info@cityofroseburg.org) by 4:00 p.m. the day of the meeting. Provide your name, address, phone number and which item on the agenda you wish to speak. You will then be provided with a link and phone number to the Council meeting. Log or call in prior to the start of the meeting using the link or phone number provided.

- When accessing the meeting through the **ZOOM link**, you will be asked to enter your email and name. After entering your email and name, click “Join Webinar” to join the meeting as an attendee.
- When accessing the meeting through the **phone**, call the number provided.
- All attendees will be held in a “waiting room” until called on to speak.

Persons addressing the Council must state their name and address for the record, including whether or not they are a resident of the City of Roseburg. All remarks shall be directed to the entire City Council. The Council reserves the right to delay any action requested until they are fully informed on the matter.

TIME LIMITATIONS

With the exception of public hearings, each speaker will be allotted a total of 6 minutes. At the 4-minute mark, a warning bell will sound at which point the Mayor will remind the speaker there are only 2 minutes left. All testimony given shall be new and not have been previously presented to Council.

A total of 30 minutes shall be allocated for the “Audience Participation” portion of the meeting.

CITIZEN PARTICIPATION

Anyone wishing to speak regarding an item on the agenda may do so when Council addresses that item.

Anyone wishing to speak regarding an item on the Consent Agenda, or on a matter not on the evening’s agenda, may do so under “Audience Participation.”

PROVIDING COMMENTS

If you join the meeting via Zoom, please select the “raise hand” button when the Mayor calls for speakers. You will be moved out of the “waiting room” to speak. After you have provided your comments, you will be moved back into the “waiting room”.

If you join the meeting on the phone number you provided to the City Recorder, you will be brought into the meeting to speak when the Mayor calls for speakers, then moved back to the “waiting room”.

If a matter presented to Council is of a complex nature, the Mayor or a majority of Council may:

1. Postpone the public comments to “Items From Mayor, Councilors or City Manager” after completion of the Council’s business agenda, or
2. Schedule the matter for continued discussion at a future Council meeting.

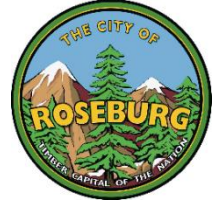
The Mayor and City Council reserve the right to respond to audience comments after the audience participation portion of the meeting has been closed.

The City Council meetings are on Facebook Live and available to view on the City website the next day at:

<https://www.cityofroseburg.org/your-government/mayor-council/council-videos>

The full agenda packet is available on the City’s website at:

<https://www.cityofroseburg.org/your-government/mayor-council/council-agendas>.



ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

PUBLIC WORKS COMMISSION APPOINTMENT

Meeting Date: February 28, 2022

Agenda Section: Commission Reports

Department: Administration

Staff Contact: Koree Tate, Management Assistant

www.cityofroseburg.org

Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

There was a vacancy on the Public Works Commission after Mr. Vern Munion resigned effective December 13, 2021. The Council accepted the resignation on January 13, 2022.

BACKGROUND

A. Council Action History. n/a

B. Analysis.

The Municipal Code requires the current vacancy be filled by someone who resides in the city limits or by someone who owns property or a business within Roseburg's urban services boundary.

Upon Council's acceptance of the resignation, Staff began soliciting from interested parties through the local news media, social media and the City's website. Five applications have now been received from Mike Baker, William Christensen III, John Haugen, Ashley Hicks and Tim Swenson.

C. Financial and/or Resource Considerations. n/a

D. Timing Issues. It is recommended an appointment be confirmed as soon as practical.

RECOMMENDATION: Pursuant to the Municipal Code, Staff has not made a recommendation in regard to appointment as that responsibility lies with the Committee Chair and the Mayor.

ATTACHMENTS:

Attachment #1 - Mike Baker's Application

Attachment #2 - William Christensen III's Application

Attachment #3 - John Haugen's Application

Attachment #4 - Ashley Hicks's Application

Attachment #5 - Tim Swenson's Application



CITY OF ROSEBURG COMMISSION APPLICATION

Application for Appointment to: **PUBLIC WORKS COMMISSION**

Meets at 3:30 p.m. on the second Thursday of the month to provide long-range planning and strategies for financing of capital improvements including sidewalks, lighting and storm drainage; and to consider rules governing operations of the water system and its rate structure.

Name: Mike Baker

Last

First

Home Address: 1522 NW Rachel Ave., Roseburg, OR 97471

Street

Zip Code

Phone Number: (541) 215-5990 Cell Phone: (541) 215-5990

Email Address: mjbaker65@mydfn.net

Occupation Regional Transportation Planning Manager / ODOT

Place of Employment

Business Address 3500 NW Stewart Parkway

Phone

1. Do you reside within the Roseburg city limits? Yes No
2. Do you own property or a business within the City? Yes No
3. How did you learn about this vacancy?
Newspaper Social Media City Website Word of Mouth
Other Please Specify: _____

4. The Municipal Code requires a minimum attendance rate of 75% each calendar year.
Can you meet this requirement? Yes No

5. What experience/training do you have that qualifies you for this particular appointment and what specific contributions do you hope to make?

Have 27 years in transportation. Oversee system planning, active transportation and financing of ODO construction projects. Currently serve on the Umpqua Public Transportation Board. Budget chair for RI Interested in seeing improved connectivity amongst all modes. Also would like to see more done arour routes to school.

6. Please give a brief description of your involvement in community groups and activities.

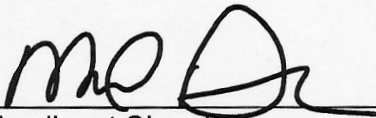
Served 4 years on Roseburg Planning Commission, 4 years on city council which included chairing public works, parks, urcog, and as a member boards For HADCO and UPTD.. I am currently the chair of city budget committe, having served ther for more than 16 years. I am the chair for the a city parks volunteer for the last 13 years, assisting with Movies in the Park and geocaching.

7. Please list community topics of particular concern to you that relate to this appointment.

Safe routes to school, ADA improvements, financing of improvements, bike lanes and intero of modal systems and neighborhoods. Pavement management is also a topic of interest.

8. Please list your reasons for wishing to be appointed.

I am familiar with the commission and public works. I would also like to refamiliarize myself with city goals, to learn, and to provide a voice in making recommendations to council .



Applicant Signature

02/09/2022

Date

Return completed application to the City Administration Office, 900 SE Douglas, Roseburg, OR 97470, e-mail to info@cityofroseburg.org or drop off at the City Hall Lobby Finance Window.

If applicable, the Commission Chair or Mayor may contact you to conduct a phone, zoom or in-person interview to further discuss your application. The Commission Chair will present applications during a City Council meeting to make an appointment. The Council will endeavor to make its selection at that meeting; however, it may wish to take more time to deliberate before making the appointment. The City Administration Office will provide information regarding the process and outcome of the decision.

Information on this form is public information.
Thank you for your expression of interest in serving the community.

Note: City of Roseburg employees may not serve on an elected body.



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Name: CHRISTENSEN III WILLIAM

Last

First

Home Address: 1025 W LUELLEN DR ROSEBURG OR 97471
Street Zip Code

Phone Number: 541-817-9436 Cell Phone: 541-817-9436

Email Address: willnc3@live.com

Occupation INDEPENDENT CARPENTER / SELF EMPLOYED
Place of Employment

Business Address 1025 W LUELLEN DR ROSEBURG OR 97471
Phone

1. Do you reside within the Roseburg city limits? Yes No

2. Do you own property or a business within the City? Yes No

3. How did you learn about this vacancy?

Newspaper Social Media City Website Word of Mouth

Other Please Specify: _____

4. The Municipal Code requires a minimum attendance rate of 75% each calendar year.

Can you meet this requirement? Yes No

5. What experience/training do you have that qualifies you for this particular appointment and what specific contributions do you hope to make?

I HAVE 20+ YRS OF CONSTRUCTION BUILDING WORK &
I'M WANTING TO FURTHER MY KNOWLEDGE & HELP MY
COMMUNITY.

6. Please give a brief description of your involvement in community groups and activities.

I'VE WORKED ALONG SIDE WITH JOB CORP TEACHING
THE KIDS WORK BASED LEARNING SKILLS.

7. Please list community topics of particular concern to you that relate to this appointment.

URBAN DEVELOPMENT & FUTURE PLANNING.

8. Please list your reasons for wishing to be appointed.

I HAVE A STRONG DESIRE TO HELP MY COMMUNITY.


Applicant Signature

2-11-22
Date

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Name: Haugen John

Last

First

Home Address: 1662 NW Flora Ave. Roseburg, OR. 97471

Street

Zip Code

Phone Number: (541) 391-3929 Cell Phone: (541) 391-3929

Email Address: jcocn5@gmail.com

Occupation Millwright Oregon Linen Inc.

Place of Employment

Business Address 608 SE Lane Ave. Roseburg, OR. 97471 (541) 672-1663

Phone

1. Do you reside within the Roseburg city limits? Yes No
2. Do you own property or a business within the City? Yes No
3. How did you learn about this vacancy?
Newspaper Social Media City Website Word of Mouth
Other Please Specify: _____
4. The Municipal Code requires a minimum attendance rate of 75% each calendar year.
Can you meet this requirement? Yes No
5. What experience/training do you have that qualifies you for this particular appointment and what specific contributions do you hope to make?
I have a strong working knowledge of infrastructure, Construction and Material processing. I have been a Journeyman Millwright for over 30 yeas in addition to a long career in Mechanics, Industrial electrics, Fabrication, construction and other professional occupations.

I hope to lend my knowledge to the community in a way that will help Roseburg thrive and regain some of the beauty it once had.

6. Please give a brief description of your involvement in community groups and activities.
I am active on local social media and have been a member of the community for 45 years. As I get older, I find myself wanting to give more of my time to Roseburg hope this will lead to more involvement in the future.

7. Please list community topics of particular concern to you that relate to this appointment.
Road management. construction and community impact. City planning and public works.

8. Please list your reasons for wishing to be appointed.
I want to make use of my knowledge and serve the community to help it grow and thrive.

John P. Haugen

Feb. 8th 2022

Applicant Signature

Date

Return completed application to the City Administration Office, 900 SE Douglas, Roseburg, OR 97470, e-mail to info@cityofroseburg.org or drop off at the City Hall Lobby Finance Window.

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Name: Hicks Ashley

Last First

Home Address: 730 Se Flint Street 97470
Street Zip Code

Phone Number: (541) 673-0416 Cell Phone: (541) 530-1460

Email Address: ashleynroseburg@hotmail.com

Occupation Self Employed / Superior Drywall (Construction Company)
Place of Employment

Business Address 730 Se Flint Street 541-673-0416
Phone

1. Do you reside within the Roseburg city limits? Yes No
2. Do you own property or a business within the City? Yes No
3. How did you learn about this vacancy?
 Newspaper Social Media City Website Word of Mouth
 Other Please Specify: _____
4. The Municipal Code requires a minimum attendance rate of 75% each calendar year.
 Can you meet this requirement? Yes No
5. What experience/training do you have that qualifies you for this particular appointment and what specific contributions do you hope to make?
 My experience as a city council member, community volunteer, combined with my lifetime residency, and over twenty years in the construction industry I have a broad amount of experience. Add that with a great amount of time walking the city sidewalks, bike paths, and downtown. I notice when a burnt-out light fixture needs to be replaced or when the city emblem is removed from the public trash bins. My contribution includes sharing those experiences when the time is appropriate. Actively listening, learning, along with providing excellent attendance.

6. Please give a brief description of your involvement in community groups and activities.

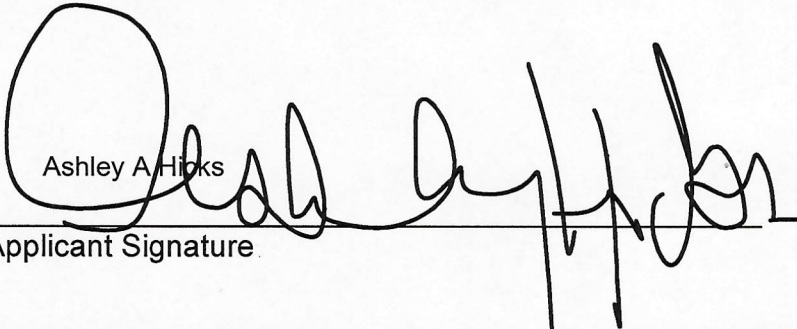
My involvement in community activities includes listening to the areas residents, picking up litter on my walks, and following public policy developments that ultimately impact our livability and way of life.

7. Please list community topics of particular concern to you that relate to this appointment.

A list of topics I am concerned with are impacts of homelessness on public spaces, vandalism to city buildings, park sprinkler systems, graffiti throughout the city, on walls, fences, light posts, city signage, retaining walls, the parking garage. Removing trees and power poles from the center of sidewalks. Providing lighting along the pedestrian routes; sidewalks and public paths. Cleaning up and replacing dead landscaping along streets and sidewalks.

8. Please list your reasons for wishing to be appointed.

I wish to be appointed to this position because I want to better understand the inner workings of our local government and public works policies. Plus, I have the time and genuine interest to serve.

Ashley A. Hicks


Applicant Signature

02/11/2022

Date

Return completed application to the City Administration Office, 900 SE Douglas, Roseburg, OR 97470, e-mail to info@cityofroseburg.org or drop off at the City Hall Lobby Finance Window.

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CITY OF ROSEBURG COMMISSION APPLICATION

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Name: Swenson Tim

Last First

Home Address: 239 Winchester Creek Ave, Winchester, OR 97495
Street Zip Code

Phone Number: (541) 580-6079 Cell Phone: (541) 580-6079

Email Address: tim@westerntestingllc.com

Occupation Business Owner Western Testing LLC & Pinnacle Engineering, Inc
Place of Employment

Business Address 3329 NE Stephens St, Roseburg, OR 97470 (541)957-1233
Phone

1. Do you reside within the Roseburg city limits? Yes No

2. Do you own property or a business within the City? Yes No

3. How did you learn about this vacancy?
Newspaper Social Media City Website Word of Mouth

Other Please Specify: Radio

4. The Municipal Code requires a minimum attendance rate of 75% each calendar year.
Can you meet this requirement? Yes No

5. What experience/training do you have that qualifies you for this particular appointment and what specific contributions do you hope to make?
As a co-owner of Western Testing, LLC and Pinnacle Engineering, Inc., I have a solid background and understanding of the fiscal management, planning, and execution of public infrastructure projects. Additionally, I have sizeable experience in the trucking, construction, and forestry industries and retired from local law enforcement.

6. Please give a brief description of your involvement in community groups and activities.

As a former Police Officer, I was fortunate to work with multiple groups such as ADAPT, Douglas County Community Corrections, and MADD throughout the state. I also spent considerable time as an adjunct professor (2004-2018) at Umpqua Community College in the Criminal Justice Department and was tasked as the director of the Regional Reserve Police Academy during my tenure.

7. Please list community topics of particular concern to you that relate to this appointment.

The ability to maintain and improve our city's public infrastructure for future growth, while working within the constrained budgets so commonly encountered is a major concern. Additionally, the facilitation of industry and jobs attracted to the region that our infrastructure improvements could make are critical to allow our city to prosper.

8. Please list your reasons for wishing to be appointed.

In my current status and life experience, I believe now is the right time to pay-back to the community that has provided myself and my family with an excellent life, lifestyle, and multiple community partners that I am happy to call friends.



Applicant Signature

01/16/2022

Date

Return completed application to the City Administration Office, 900 SE Douglas, Roseburg, OR 97470, e-mail to info@cityofroseburg.org or drop off at the City Hall Lobby Finance Window.

If applicable, the Commission Chair or Mayor may contact you to conduct a phone, zoom or in-person interview to further discuss your application. The Commission Chair will present applications during a City Council meeting to make an appointment. The Council will endeavor to make its selection at that meeting; however, it may wish to take more time to deliberate before making the appointment. The City Administration Office will provide information regarding the process and outcome of the decision.

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Thank you for your expression of interest in serving the community.

**MINUTES OF THE WORK STUDY MEETING
OF THE CITY COUNCIL
February 14, 2022**

Mayor Larry Rich called the Work Study Meeting of the Roseburg City Council to order at 6:00 p.m. on February 14, 2022 electronically via Zoom in Roseburg, Oregon.

ROLL CALL

Present: Councilors Shelley Briggs Loosley, Bob Cotterell, Beverly Cole, Alison Eggers, Sheri Moothart, Brian Prawitz, Patrice Sipos and Andrea Zielinski.

Absent: None

Others Present: City Manager Nikki Messenger, Assistant City Manager/ Recorder Amy Sowa, City Attorney Jim Forrester, Finance Director Ron Harker and Management Assistant Koree Tate.

CHARTER UPDATE

Ms. Sowa reported that the Charter as currently written went into effect January 1, 1983. In 1994, following approval by the electors of the City of Roseburg, Section 6.8 was added stating the "State of Oregon ethics laws shall govern the conduct of all city officers, employees, appointees and agents." No other revisions have been made since that time.

Over the years, Council had brought up amending several sections in the Charter for more clarity and effectiveness. Amendments considered and researched in 2012 included:

- Adding language that the term for persons appointed to Council to fill a vacancy would be for the remainder of the full term. The Charter was currently silent on that and therefore followed ORS 236.325(6).
- Updating the language regarding City Manager residency.
- Updating the language regarding the Municipal Court having the jurisdiction and authority of a justice of the peace.

Additional considerations that had been discussed more recently included:

- Authority for the Council to remove the Council President from that position.
- Updating pronouns throughout the Charter.

If the Council chose to move forward with amendments to the Charter, and if Charter amendments were approved by the electors of the City of Roseburg, staff would conduct an audit of the Roseburg Municipal Code to update references to Charter sections that may be affected by the amendments. If Council chose to move forward, staff suggested forming a committee made up of staff, two Councilors, two members of the public and the City Attorney to assist in reviewing the Charter and recommended amendments. The committee should meet at least 3-4 times over an approximate 6-month time period. If Council chose to move forward with amending the Charter and placing it on the November 8, 2022, ballot, there would be no cost to the city.

If it was delayed to the May 16, 2023, ballot, there would be a special district election, so the City would share the cost of the election. According to the Douglas County Elections Office,

02/28/2022

the City's share would be between \$1,500 and \$2,000, plus the cost for any informational materials provided by the City. The current budget for elections was \$2,000. To meet the September 8, 2022 deadline to submit a measure for the November 8, 2022, election, Council would need to take action during a regular Council meeting no later than August 8, 2022. To meet the March 16, 2023, deadline to submit a measure for the May 16, 2023, election, Council would need to take action during a regular Council meeting no later than February 20, 2023. Those dates allowed time for the 7-day ballot title challenge period and review. To meet the deadline for the November 8, 2022, election, work would need to begin immediately.

Councilor Cotterell questioned the impact for Staff workload to push this item through to the September deadline. Ms. Sowa explained Staff was also trying to open a Navigation Center and hoped the extra time spent towards that would be lessened after its opening. In response to Mayor Rich, Ms. Sowa confirmed the Charter could go to the November 2023 election or any special elections. The cost could increase if it was not a shared election. The election in May 2023 would be shared with districts such as the school district, UCC, RUSA and Douglas ESD. Councilor Cole asked if the material could be condensed or in a pamphlet form for easier reading by the public. Ms. Sowa noted it would depend on the changes brought forward, but the full Charter still had to be provided. In response to Mayor Rich, Ms. Messenger confirmed regardless of the number of amendments, the voters would be approving the new Charter in its entirety. Attorney Forrester added that it was correct if voters did not approve of one item it could risk losing the votes for the changes.

In response to Councilor Cole, Ms. Sowa explained the committee would identify items to change, but it would go back to Council for a final decision before going to the voters. Councilor Cole suggested Mayor Rich make appointments for the committee. Mayor Rich suggested an application for citizens to complete if interested in being on the committee, with appointments made by the full Council. In response to Councilor Prawitz, Ms. Messenger said the City was not out of compliance at this time for any items within the Charter. She had heard from Council about potential updates for years and since it had not been revised in forty years, it was time to review. Mayor Rich and Councilor Sipos agreed it was a good time to review the Charter and provide updates. Councilor Cotterell agreed the Charter needed updated and suggested the May 2023 election.

Council agreed and directed staff to move forward with the process and timeline of amending the Charter in preparation of the May 16, 2023 Election and to appoint a Charter revision committee. Mayor Rich asked Council to provide suggestion to Ms. Sowa and let her know of those who wanted to participate on the committee.

ADJOURNMENT

The meeting at 6:20 p.m.



Koree Tate
Management Assistant

**MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL MEETING
February 14, 2022**

Mayor Rich called the regular meeting of the Roseburg City Council to order at 7:00 p.m. on February 14, 2022 electronically via Zoom in Roseburg, Oregon. Councilor Eggers led the Pledge of Allegiance.

ROLL CALL

Present: Councilors Shelley Briggs Loosley, Beverly Cole, Bob Cotterell, Alison Eggers, Sheri Moothart, Brian Prawitz, Patrice Sipos and Andrea Zielinski.

Absent: None

Others Present: City Manager Nikki Messenger, Assistant City Manager/ Recorder Amy Sowa, City Attorney Jim Forrester, Community Development Director Stuart Cowie, Finance Director Ron Harker, Police Chief Gary Klopfenstein and Management Assistant Koree Tate.

MAYOR REPORTS

Mayor Rich announced that Ordinance No. 3567 was removed from the agenda. Police Chief Klopfenstein recently found additional information that he wanted to include in the ordinance and would present it to Council at the February 28, 2022 Council Meeting. The next Work Study Meeting was scheduled for February 23, 2022 at 6:00 p.m. to discuss ARPA funding.

COMMISSION REPORTS

Councilor Cotterell had a Public Works Commission Meeting on February 10, 2022 and discussed a task order award recommendation and a Surface Transportation Block Grant that would go before Council at a future meeting. He was in process of reviewing five applications submitted for the Public Works Commission vacancy.

Councilor Eggers had a Parks and Recreation Commission Meeting on February 2, 2022 and discussed updated Parks Rules and Regulations. They congratulated Val Ligon as the recently appointed Parks and Recreation Manager and Tracy Moser as the new Parks and Recreation Coordinator.

SPECIAL PRESENTATION – ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) – AUDITOR JEFF COOLEY

Mr. Harker introduced Jeff Cooley, Neuner Davidson and Company Auditor, who provided an overview of the Annual Comprehensive Financial Report for fiscal year ending June 30, 2021. Mr. Cooley indicated the City once again earned an unmodified opinion known as a clean audit, with the City holding financially steady. Overall, the City audit went very well and an unmodified opinion was the best he could give. Mr. Cooley noted the City once again received a certificate of achievement for financial reporting. New GASB requirements included a new line item for lease receivables that were reviewed. In comparison to four years ago, the City went from \$24 million in cash to \$38 million. As an auditor, Mr. Cooley said it was his job to fully search and review details to find something wrong. The City did an excellent job putting together the report, and in turn, it made his job easier.

The City was in a very solid position by having 24% ending fund balance; anything above 20% was great news. The Diamond Lake Urban Renewal District would bring in extra dollars in the future to help that section of the city. Mr. Cooley had a single audit due to the City receiving money for the CARES funds. There were no findings or issues and all was spent per requirements of the grant. Councilor Prawitz asked how much time was spent on the audit. Mr. Cooley explained they started in June and spent 30-40 hours going through everything, plus the time put in by staff. The City Finance Department had very knowledgeable staff, which made the auditors' job easier.

SPECIAL PRESENTATION – QUARTERLY REPORT – QUARTER ENDED DECEMBER 31, 2021

Mr. Harker reported the City once again produced the Popular Annual Financial Report, which was geared to a more understandable version of the audit report. He then presented information on multiple sections of the financial report for the quarter ended December 31, 2021. It had been another unique year for the City due to the COVID-19 pandemic. The General Fund was his highest concern as it supported most operations of the City. Property taxes were a major component and revenue source with funds coming in during November and December. The City had currently received 86% of property taxes. 40% of the \$3 million budgeted was received for annual revenue from licenses, permits and fees collected. Intergovernmental revenues were primarily state collected taxes allocated to cities that included revenue sharing, tobacco, marijuana and liquor, and was at 57% of the budgeted amount. In response to Councilor Cotterell, Mr. Harker explained the miscellaneous section was for odd items that came in such as insurance reimbursement on a claim.

Mr. Harker continued that general fund expenditures for all departments were below 50%. Capital projects were planned expenditures, but the revenue growth was strong. Transportation fund revenues were from state gas taxes, transportation SDC's, federal STP funds and franchise fees. The current spending was at 49% and everything looked well for the transportation fund. The Water fund account was at 56%, which was to be expected as water rates were more seasonal and consumption was higher in the summer months. At the same time, collections were primarily due to the termination of COVID-19 policies, which allowed for suspended payments without penalty. For the economic forecast, Mr. Harker explained inflation was beginning to impact the real economy. Higher prices were eating into household budgets, eating into the strong wage gains workers experienced and firms had to face the decision to pass costs to consumers, all of which contributed to the overall inflation. Should inflation slow then there would not be much risk, but if it remained higher for a longer period, it historically meant a recession and a hard landing for the economy. During the pandemic, there had been personal income growth while unemployment rates continued to drop. Mr. Harker said it was going to be interesting to see how things came out in the months ahead. Councilor Eggers thanked Mr. Harker and Staff for all their hard work for the budget.

SPECIAL PRESENTATION – 2022-2023 BUDGET CALENDAR

Mr. Harker provided the budget calendar for the current fiscal year in preparation for the budget cycle and upcoming meetings for the City Council and Budget Committee. Budget Committee Online Training Sessions would be available to the Council and Budget Committee members on April 21, 2022. The budget document and presentation would be available on May 3, 2022 at City Hall for the Budget Committee with available delivery. The first Budget Committee

meeting was scheduled for May 10, 2022 at 6:00 p.m. On June 13, 2022, the budget would be presented to City Council for adoption. Councilor Cotterell said he remembered when the budget would take three days to complete and appreciated the ability to recommend approval in one evening. Mr. Harker explained it attributed to the committee having the ability to ask questions prior to the meeting for Staff to respond.

AUDIENCE PARTICIPATION

Maria Crince, 539 SE Jackson Street business owner, discussed continued homeless activity that took place in the downtown parking garage. She appreciated the recent cleaning efforts for the garage, but there were new issues with the elevator, a broken window, new graffiti, a skate ramp being chained to light poles and homeless sleeping on the stairwell. Another concern were bricks that appeared damaged or were removed creating holes and hazards. Ms. Crince shared her safety concerns for those who needed to utilize the second and third floor of the parking garage. She had not met with or heard from ACE Parking and worried about the time limit zones for customers and what impact it might create. She appreciated the Roseburg Police Department for checking the area, but asked if they could start driving through the parking garage. She also appreciated the idea of the parking garage, but for part-time employees, they did not want to pay the fee for an area that was not safe.

In response to Mayor Rich, Ms. Sowa confirmed that questions or concerns about parking could be directed to ACE Parking at their downtown office. If Ms. Crince was unsuccessful reaching them, she could contact City Administration to assist connecting to the appropriate person. Ms. Messenger added that maintenance issues were handled by the City Public Works Department. They did replace the broken glass, but it was broken the next day. They were looking at other solutions, but appreciated Ms. Crince for bringing forward her concerns.

CONSENT AGENDA

Councilor Cotterell moved to approve the following Consent Agenda items:

- A. Special Meeting Minutes of January 24, 2022
- B. Meeting Minutes of January 24, 2022
- C. Meeting Minutes of January 31, 2022 Work Study
- D. OLCC Change of Ownership - Abraham Inc. dba Brix 527 located at 519-527 SE Jackson Street

The motion was seconded by Councilor Briggs Loosley and approved with the following vote: Councilors Briggs Loosley, Cole, Cotterell, Eggers, Moothart, Prawitz, Sipos and Zielinski voted yes. No one voted no.

PUBLIC HEARING – ORDINANCE NO. 3566 – AMENDING CERTAIN SECTIONS OF TITLE 12 OF THE ROSEBURG MUNICIPAL CODE TO ALLOW MINI-RETAIL BUSINESSES AS PERMITTED USES IN THE PUBLIC RESERVE (PR) ZONE FILE NO. LUDR-22-001, FIRST READING

Mayor Rich read the procedures for the Quasi-Judicial hearing. None of the parties established during the Planning Commission Public Hearing had requested to speak, and no other requests for public comment were requested. During the course of the deliberation, the Council may affirm, reverse or modify the recommendation of the Planning Commission and could grant approval subject to conditions necessary to carry out the purpose and intent of the Roseburg

Municipal Code. In response to Mayor Rich, Council did not have any ex parte contacts or conflicts of interest identified. Mayor Rich opened the Public Hearing at 7:49 p.m. regarding amending certain sections of Title 12 of the Roseburg Municipal Code to allow mini-retail businesses as permitted uses in the Public Reserve (PR) zone, File No. LUDR-22-001.

Mr. Cowie reported that a few years ago, the Municipal Code was amended to deregulate the process for food trucks, but was now back again to make additional changes. The proposed code amendments would change three separate sections of the Roseburg Municipal Code:

1. RMC Section 12.02.090 – Definitions

The “mini-retail business” definition would be amended to indicate that one of these types of businesses (e.g. food truck, coffee stand, vendor cart) may occur on an existing parking lot within the public reserve zone.

2. RMC Section 12.04.020 – Public Reserve and Residential Open Space Districts

The use of a mini-retail business would be added as a use category to Table 2-2 within Section 12.04.020, subject to the standards identified in RMC 12.08.040(M).

3. RMC Section 12.08.040(M) – Mini-Retail Businesses

The definition included in this section that mirrored the definition in RMC Section 12.02.090 would be amended to provide the same definition in each section. Subsection (3) of RMC Section 12.08.040(M) would be amended to only identify commercial or industrial zones as locations in which the permanent placement of mini-retail businesses could occur.

The purpose of the code amendment was to allow more freedom and flexibility for mini-retail businesses to locate in parks, around government buildings, schools, churches, and other public oriented uses found in the PR zone. In most instances, the use of mini-retail businesses or food trucks within PR zoned properties had already occurred. This was not only about parks, but to also think about schools and churches that would have events and bring in a food truck. This change would help the City catch up where it needed to be. One person, Lan Ha, claimed party status and provided information to the Planning Commission.

Mr. Cowie continued that one of the standards identified for the placement of a mini-retail business in RMC Section 12.08.040(M) required that the operator of the mini-retail business provide documented property owner permission to operate the business at its proposed location. Property owners may have additional requirements beyond the City’s standards outlined in the Municipal Code. The City of Roseburg’s Parks Division was currently working on policy involving the operation of food trucks on City park property. This process was separate from the proposed amendments currently being presented. The proposed amendments went before the Planning Commission on January 3, 2022. The Planning Commission moved to recommend City Council adopt the proposed amendments. Adoption of the proposed amendments would help to align the Roseburg Municipal Code with the current use of mini-retail businesses in the PR zone throughout the City.

Councilor Prawitz questioned if food trucks for a church or school would be different from a vendor deciding to find a location on their own to park and were the proposed changes going

to allow them freedom to park wherever they wanted. Mr. Cowie explained that the property owner, whether the City or not, would be the one to provide permission for a vendor or food truck to be located. If someone wanted to set up in a park, that person would need to go through the City's permit process. The Parks and Recreation Commission was working on policy changes and standards around food trucks. A vendor was not always a food truck and could be someone setting up a table with a canopy, but still needed permission from the owner. This was the first step in the process. In response to Mayor Rich, Mr. Cowie said the food truck court between the Oak and Washington Street bridges was owned by the Cow Creek Band of Umpqua Tribe of Indians and was not subject to local standards. For another food truck court, it would need to be in a commercial and industrial zone.

As no one else wished to speak, Mayor Rich closed the Public Hearing at 8:00 p.m. Councilor Cotterell moved to adopt the Findings of Fact and Order approved by the Planning Commission for File No. LUDR-22-001. The motion was seconded by Councilor Zielinski and approved with the following vote: Councilors Briggs Loosley, Cole, Cotterell, Eggers, Moothart, Prawitz, Sipos and Zielinski voted yes. No one voted no.

Council agreed to a first reading of Ordinance No. 3566. Ms. Sowa read Ordinance No. 3566, entitled, "An Ordinance Amending Certain Sections of Title 12 of the Roseburg Municipal Code to Allow Mini-Retail Businesses as Permitted Uses in the Public Reserve (PR) Zone," for the first time.

RESOLUTION NO. 2022-02 – AMENDING REQUIREMENTS WITHIN THE VEHICLE CAMPING PROGRAM

Mr. Cowie reported that on January 13, 2020, Council adopted Resolution 2020-01, prioritizing the need to explore strategies to address issues related to unhoused individuals within the community as one of six goals the City should focus on through 2022. On August 31, 2020, Council directed staff to begin working on code updates related to vehicle camping. On October 12, 2020, Council was asked specific questions about rules involving vehicle camping and was advised of progress being made toward a future vehicle camping pilot program. On November 9, 2020, Council adopted Resolution 2020-20, establishing a vehicle camping pilot program that would operate until November 30, 2021.

On December 13, 2021, Council adopted Resolution 2021-27 re-authorizing the vehicle camping program, with a March 31, 2022 expiration date, with the intention of revisiting the policy requirements prior to that date. Council held a work-study meeting January 31, 2022, to discuss modification of requirements to better facilitate and limit challenges with opening an approved vehicle camping location. Direction was provided to staff about changes Council wanted. The Roseburg Municipal Code Section 7.02.100 prohibited vehicle camping. In 2020, staff researched what other cities were doing to allow vehicle camping in limited situations to temporarily assist the City's homeless population. Policy surrounding vehicle camping was created and patterned after the City of Salem's program.

Mr. Cowie stated that based on Council input provided at the work-study meeting, the following modifications were proposed for the vehicle camping program.

- Eliminating time frames for operation, meaning a vehicle could stay parked at the location without having to move on a daily basis.
- Removing language prohibiting vehicle camping adjacent to a residential zone and allowing vehicle camping locations on church properties that exist within a residential zone.
- Enabling more than three possible locations to exist within the City limits at a given time.
- Requiring access to only one restroom/portable toilet per location, rather than two.
- Enabling up to ten vehicles to be located per site.
- Removing language indicating the vehicles must be licensed and registered.

Costs associated with hosting vehicle camping were the responsibility of the property owner. However, the City had offered to provide financial assistance utilizing American Rescue Plan Act (ARPA) funding to those operating facilities designed to assist the community's homeless population. Funding assistance would be evaluated on a case-by-case basis. In response to Mayor Rich, Mr. Cowie explained the license and registration removal was similar to a person going camping at a campground. Most were not asked for proof of vehicle license and registration, but that did not mean someone could drive around uninsured or without a license. If the City were to receive a complaint, he would have to make sure the standards were being met, but most likely, a complaint would be derived from noise, trash, an area unattended or RV leaks. Councilor Prawitz clarified that the concept was to have property owners sign up to participate in the program, invite campers to park in their lot as a place to be and it would help keep RVs out of public lots or places like the Art Center parking lot. Mr. Cowie agreed the purpose was to move people away from places that were not legal and have an area that is sanctioned with rules and parameters in place. In response to Mayor Rich, the property owner would be responsible for their area and not hold the City liable. The property owner would be provided an information sheet outlining everything.

Councilor Zielinski moved to adopt Resolution No. 2022-02, entitled, "A Resolution Amending Requirements within the City of Roseburg's Vehicle Camping Program." The motion was seconded by Councilor Prawitz and approved with the following vote: Councilors Briggs Loosley, Cole, Cotterell, Eggers, Moothart, Prawitz, Sipos and Zielinski voted yes. No one voted no. Mayor Rich declared Resolution No. 2022-02 as adopted.

ORDINANCE NO. 3565 – AMENDING RMC SECTION 7.02.140, NOISE DISTURBANCES, SECOND READING

Ms. Sowa read Ordinance No. 3565, entitled, "An Ordinance Amending Section 7.02.140 of the Roseburg Municipal Code," for the second time. Councilor Cotterell moved to adopt Ordinance No. 3565. The motion was seconded by Councilor Briggs Loosley. Roll call vote was taken: Councilors Briggs Loosley, Cole, Cotterell, Eggers, Moothart, Prawitz, Sipos and Zielinski voted yes. No one voted no. Mayor Rich declared Ordinance No. 3565 as adopted.

ORDINANCE NO. 3568 – GRANTING A TELECOMMUNICATIONS FRANCHISE TO WEAVE COMMUNICATIONS, INC., FIRST READING

Ms. Sowa discussed a franchise agreement was received on January 31, 2022 from Weave Communications, Inc. They had begun serving customers October 1, 2021. Weave Communications, Inc. was required to pay 5% of the gross revenues derived from customers within the City and had been making those payments since October 2021. The initial term of

the franchise would be two years and three months with a renewal option of three years each for a total of five terms.

Council agreed for Ms. Sowa to read Ordinance No. 3568. Ms. Sowa read Ordinance No. 3568, entitled, "An Ordinance Granting a Telecommunications Franchise to Weave Communications, Inc. Effective Retroactively on October 1, 2021," for the first time. Councilor Cotterell moved to suspend the rules and proceed with a second reading of Ordinance No. 3568, granting a Telecommunications Franchise to Weave Communications, Inc., effective retroactively to October 1, 2021. The motion was seconded by Councilor Cole and approved with the following vote: Councilors Briggs Loosley, Cole, Cotterell, Eggers, Moothart, Prawitz, Sipos and Zielinski voted yes. No one voted no.

Ms. Sowa read Ordinance No. 3568, entitled, "An Ordinance Granting a Telecommunications Franchise to Weave Communications, Inc. Effective Retroactively on October 1, 2021," for the second time. Councilor Cotterell moved to adopt Ordinance No. 3568. The motion was seconded by Councilor Zielinski. Roll call vote was taken: Councilors Briggs Loosley, Cole, Cotterell, Eggers, Moothart, Prawitz, Sipos and Zielinski voted yes. No one voted no. Mayor Rich declared Ordinance No. 3568 as adopted.

ITEMS FROM MAYOR/CITY COUNCIL/CITY MANAGER

Councilor Eggers thanked the City and Fire Department for funeral procession involvement for St. Paul, Oregon firefighter Austin Smith, her cousin, who recently passed away. Five thousand people attended the funeral with over 400 first responders. It was very emotional and she had not experienced a procession like that before. She would provide information to Ms. Sowa to share with Council.

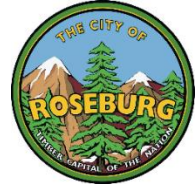
ADJOURNMENT

The meeting adjourned at 8:18 p.m.



Koree Tate
Management Assistant

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



OLCC NEW OUTLET FOR FULL ON-PREMISES, COMMERCIAL LICENSE DRAPER DRAFT HOUSE LOCATED AT 640 SE JACKSON STREET

Meeting Date: February 28, 2022

Agenda Section: Consent Agenda

Department: Administration

Staff Contact: Koree Tate, Management Assistant

www.cityofroseburg.org

Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

Roseburg Municipal Code Chapter 9.12 requires staff review of all applications submitted to the Oregon Liquor Control Commission for a license to sell alcoholic beverages within the City. Upon completion of staff review, the City Recorder is required to submit the application and a recommendation concerning endorsement to the Council for its consideration. Changes to existing licenses must be processed in the same manner.

BACKGROUND

OLCC has received a New Outlet application from Samuel Eslinger, owner for Draper Draft House, located at 620 SE Jackson Street for a full "On-Premises, Commercial" license.

- A. Council Action History.** Chapter 9.12 requires Council to make a recommendation to OLCC on the approval or denial of all liquor license applications submitted by any establishment located inside City limits.
- B. Analysis.** The Police Department previously conducted a background investigation on the applicant and found no reason to deny the application.
- C. Financial and/or Resource Considerations.** The applicant has paid the appropriate fee for City review of the application.
- D. Timing Issues.** The applicant is requesting endorsement from the Council for immediate submittal to OLCC.

COUNCIL OPTIONS

Council may recommend OLCC approval of the application as submitted or recommend denial based on OLCC criteria.

STAFF RECOMMENDATION

Staff recommends Council approval of the application as submitted.

SUGGESTED MOTION

"I MOVE TO RECOMMEND APPROVAL OF THE NEW OUTLET FOR A FULL ON-PREMISES, COMMERCIAL LICENSE APPLICATION FOR DRAPER DRAFT HOUSE LOCATED AT 620 SE JACKSON STREET IN ROSEBURG, OREGON."

ATTACHMENTS

Attachment #1 - Subject Application

cc: License Applicant w/copy of agenda
Jonathan Crowl and Amanda Cooper, OLCC Representatives
OLCC License File

RESET FORM



OREGON LIQUOR CONTROL COMMISSION

LIQUOR LICENSE APPLICATION

1. Application. **Do not include** any OLCC fees with your application packet (the license fee will be collected at a later time). Application is being made for:

License Applied For:	CITY AND COUNTY USE ONLY
<input type="checkbox"/> Brewery 1 st Location	Date application received and/or date stamp: February 23, 2022
Brewery Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/>	
<input type="checkbox"/> Brewery-Public House (BPH) 1 st location	Name of City or County: City of Roseburg
BPH Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/>	
<input type="checkbox"/> Distillery	Recommends this license be:
<input checked="" type="checkbox"/> Full On-Premises, Commercial	<input type="checkbox"/> Granted <input type="checkbox"/> Denied
<input type="checkbox"/> Full On-Premises, Caterer	By: _____
<input type="checkbox"/> Full On-Premises, Passenger Carrier	Date: _____
<input type="checkbox"/> Full On-Premises, Other Public Location	
<input type="checkbox"/> Full On-Premises, For Profit Private Club	
<input type="checkbox"/> Full On-Premises, Nonprofit Private Club	
<input type="checkbox"/> Grower Sales Privilege (GSP) 1 st location	
GSP Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/>	
<input type="checkbox"/> Limited On-Premises	OLCC USE ONLY
<input type="checkbox"/> Off-Premises	Date application received: 1/7/22
<input type="checkbox"/> Warehouse	Date application accepted: 1/7/22
<input type="checkbox"/> Wholesale Malt Beverage & Wine	
<input type="checkbox"/> Winery 1 st Location	License Action(s):
Winery Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/>	A/Priv, Address Update
(4 th) <input type="checkbox"/> (5 th) <input type="checkbox"/>	

2. Identify the applicant(s) applying for the license(s). **ENTITY (example: corporation or LLC) or INDIVIDUAL(S)¹** applying for the license(s):

SAMUEL DRAPER ESlinger
App #1: NAME OF ENTITY OR INDIVIDUAL APPLICANT

App #2: NAME OF ENTITY OR INDIVIDUAL APPLICANT

App #3: NAME OF ENTITY OR INDIVIDUAL APPLICANT

App #4: NAME OF ENTITY OR INDIVIDUAL APPLICANT

3. Trade Name of the Business (Name Customers Will See)
DRAPER DRAFT HOUSE

4. Business Address (Number and Street Address of the Location that will have the liquor license)
640 SE JACKSON ST

City	County	Zip Code
ROSEBURG	DOUGLAS	97478

¹ Read the instructions on page 1 carefully. If an entity is applying for the license, list the name of the entity as an applicant. If an individual is applying as a sole proprietor (no entity), list the individual as an applicant.



OREGON LIQUOR CONTROL COMMISSION

LIQUOR LICENSE APPLICATION

5. Trade Name of the Business (Name Customers Will See)			
DRAPER DRAFT HOUSE			
6. Does the business address currently have an OLCC liquor license? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
7. Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
8. Mailing Address/PO Box, Number, Street, Rural Route (where the OLCC will send your license certificate, renewal application and other mailings as described in <u>OAR 845-004-0065[1].</u>)			
7752 Highway 42			
City	State	Zip Code	
TENMILE	OREGON	97481	
9. Phone Number of the Business Location		10. Email Contact for this Application and for the Business	
541-672-5417		Slinger 9584@Yahoo.com	
11. Contact Person for this Application		Phone Number	
SAM SLINGER		541-580-5585	
Contact Person's Mailing Address (if different)	City	State	Zip Code
" "	" "		

Please note that liquor license applications are public records. A copy of the application will be posted on the OLCC website for a period of several weeks.

ATTESTATION: **READ CAREFULLY AND MAKE SURE YOU UNDERSTAND BEFORE SIGNING THIS FORM**

I understand that marijuana is prohibited on the licensed premises. This includes marijuana use, consumption, ingestion, inhalation, samples, give-away, sale, etc. I attest that all answers on all forms and documents, and all information provided to the OLCC as a part of this application are true and complete.

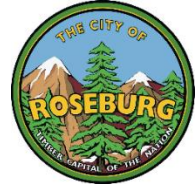
I affirm that I have read OAR 845-005-0311 and all individuals (sole proprietors) or entities with an ownership interest (other than waivable ownership interest per OAR 845-005-0311[6]) are listed as license applicants in #2 above. I understand that failure to list an individual or entity who has an unwaivable ownership interest in the business may result in denial of my license or the OLCC taking action against my license in the event that an undisclosed ownership interest is discovered after license issuance.

Applicant(s) Signature

- Each individual (sole proprietor) listed as an applicant must sign the application below.
- If an applicant is an entity, such as a corporation or LLC, at least one **INDIVIDUAL who is authorized to sign for the entity** must sign the application.
- An individual with the authority to sign on behalf of the applicant (such as the applicant's attorney or an individual with power of attorney) may sign the application. If an individual other than an applicant signs the application, please provide written proof of signature authority. Attorneys signing on behalf of applicants may list the state of bar licensure and bar number in lieu of written proof of authority from an applicant. **Applicants are still responsible for all information on this form.**

SAM SLINGER	SAM SLINGER	1-5-22	
App. #1: (PRINT NAME)	App. #1: (SIGNATURE)	App. #1: Signature Date	Atty. Bar Information (if applicable)
App. #2: (PRINT NAME)	App #2: (SIGNATURE)	App #2: Signature Date	Atty. Bar Information (if applicable)
App. #3: (PRINT NAME)	App #3: (SIGNATURE)	App #3: Signature Date	Atty. Bar Information (if applicable)
App. #4: (PRINT NAME)	App #4: (SIGNATURE)	App #4: Signature Date	Atty. Bar Information (if applicable)

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



COMMUNITY DEVELOPMENT BLOCK GRANT REGIONAL HOUSING REHABILITATION PROJECT

Meeting Date: February 28, 2022
Department: Community Development
www.cityofroseburg.org

Agenda Section: Public Hearing
Staff Contact: Stuart Cowie
Telephone Number: 541-492-6750

ISSUE STATEMENT AND SUMMARY

Business Oregon administers regional housing rehabilitation loan funds by financing loans to low-and moderate-income homeowners to repair their owner-occupied homes, using contractors licensed by the Oregon Construction Contractors Board (CCB). Up to \$500,000 in Community Development Block Grant (CDBG) funds and an additional \$500,000 in CDBG CARES act funding are available to eligible jurisdictions in order to assist in local housing rehabilitation. In total, the City will apply for \$1,000,000 in funding through two separate grant processes. Providing local residents with the ability to make necessary home restoration/repairs through licensed contractors and funding aligns with City Council goals to enhance housing, community development, and livability.

BACKGROUND

A. Council Action History.

None.

B. Analysis.

The City of Roseburg is eligible to apply for a 2022 Community Development Block Grant from the Oregon Business Development Department. Staff is proposing to apply for \$1,000,000 in funding through two separate CDBG grant processes. Community Development Block Grant funds come from the U. S. Department of Housing and Urban Development. The grants can be used for housing improvements for home owners with low and moderate incomes.

The City will partner with NeighborWorks Umpqua (NWU) in order to run the program. NWU will act as the subgrantee within the grant process. NWU will be responsible for writing the grant application, determining qualifying home owners and potential rehabilitation projects, lining up contractors to complete work, and allocating money to cover the costs of each project. NWU is authorized by the State to carry out housing rehabilitation activities on behalf of the city.

Staff is proposing that the grant be a joint project that will serve to benefit the City of Roseburg and Douglas County. The City will act as the “lead applicant” as part of the grant application, while Douglas County will be referred to as a “participating county”. If funded, an IGA will be established.

Although NWU will operate the housing rehabilitation program, ultimately the City will be responsible for all aspects of the CDBG project as the grant funding will be awarded to the City.

It is estimated that the proposed project will benefit at least 60 households, all of whom will be low or moderate income. No activities are likely to displace residents; this program will help low-and moderate-income citizens remain in their homes.

The City successfully partnered with NWU in 2018, utilizing this same program in which the City was awarded \$400,000 in CDBG funding. At that time, Roseburg partnered with the cities of Winston and Myrtle Creek to help provide assistance to each jurisdictions respective citizens.

Thirty-two homeowners received financial assistance in order to complete repair projects involving their homes. Of these 32 homes, 21 were located within the City of Roseburg. Home repair projects were completed to address health and safety concerns, as well as accessibility issues. Projects included the following types of repairs:

- Roofs
- Bathroom repairs
- Steps, ramps, decking
- Door replacements
- Window replacements
- Minor plumbing
- Minor electrical

If awarded funding again, it is anticipated that these same types of home repairs will occur to qualifying citizens in and outside the city limits of Roseburg. The purpose of this evening’s hearing regarding this matter is for Council to obtain citizens’ views about the project and to respond to comments about the grant. Staff is requesting City Council move to adopt Resolution 2022-03 directing staff to coordinate with NWU to move forward with the CDBG application process.

C. Financial/Resource Considerations.

This program has no matching fund requirement. Other than staff time needed to monitor the grant, no City funds would be used for this application.

D. Timing Considerations.

Council approval at this meeting allows City staff and NWU to continue forward with the CDBG application process.

COUNCIL OPTIONS

1. Adopt Resolution No. 2022-03 and direct Staff to proceed with the application for CBDG funds.
2. Take no action.

STAFF RECOMMENDATION

Staff recommends Council adopt attached Resolution 2022-03 and approve the request to complete an application with NWU for CBDG funds involving Business Oregon's Regional Housing Rehabilitation Program.

SUGGESTED MOTION

"I move to adopt Resolution 2022-03 and direct staff to move forward with the CDBG application process involving Business Oregon's Regional Housing Rehabilitation Program."

ATTACHMENTS:

- Attachment #1 – Legal Notice
- Attachment #2 – Resolution 2022-03

**CITY OF ROSEBURG PUBLIC NOTICE AND NOTICE OF PUBLIC HEARING
REGARDING 2022 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

NOTICE IS HEREBY GIVEN, the City of Roseburg will conduct a public hearing on **Monday, February 28, 2022**, regarding the city's intent to apply for a 2022 Community Development Block Grant.

The City of Roseburg is eligible to apply for a 2022 Community Development Block Grant from Business Oregon. Community Development Block Grant (CDBG) funds come from the U.S. Department of Housing and Urban Development. The grants can be used for public facilities and housing improvements, primarily for persons with low and moderate incomes. The maximum grant funding that may be requested for a regional housing rehabilitation project is \$500,000. However, in 2022 Business Oregon is administering an additional CDBG grant program funded through the Federal Cares Act, which will allow the City to apply for an additional \$500,000, potentially totaling \$1,000,000 for a total project request.

The City of Roseburg is preparing an application for a 2022 Community Development Block Grant from Business Oregon for a regional housing rehabilitation program for persons residing within Douglas County, Oregon. It is estimated that the proposed project will benefit approximately 60 persons or 30 households, of whom 100% will be low or moderate income. If awarded additional amounts through the CDBG Cares Act Funding, an additional approximately 60 persons or 30 housing will benefit, whom 100% will be low or moderate income.

The Roseburg City Council will hold its regularly scheduled meeting at 7:00 p.m. on Monday, February 28, 2022 via Zoom. A public hearing will be held by the Roseburg City Council at that meeting. The purpose of this hearing is for the Roseburg City Council to obtain citizen views and to respond to questions and comments about: community development and housing needs, especially the needs of low- and moderate-income persons, as well as other needs in the community that might be assisted with a Community Development Block Grant project; and the proposed project.

Written comments are also welcome and may be emailed to the City Recorder at info@cityofroseburg.org by **4:00 p.m. on February 28, 2022**. Any person who wishes to speak during the hearing may do so by contacting the City Recorder at 541-492-6866 or info@cityofroseburg.org by 4:00 p.m. on February 28, 2021 to receive a link to the meeting. Both oral and written comments will be considered by the Roseburg City Council in deciding whether to apply. Please contact the City Recorder's Office at 541-492-6866 if you will need any special accommodations to participate in the meeting.

More information about Oregon Community Development Block Grants, the proposed project, and records about the City of Roseburg's past use of Community Development Block Grant funds is available for public review at the Community Development Department, 900 SE Douglas Avenue, Roseburg, Oregon during regular office hours. Advance notice is requested. If special accommodations are needed, please notify City Recorder's Office so that appropriate assistance can be provided.

PUBLIC HEARING A
ATTACHMENT #1

Permanent involuntary displacement of persons or businesses is not anticipated as a result from the proposed project. If displacement becomes necessary, alternatives will be examined to minimize the displacement and provide required/reasonable benefits to those displaced. Any low- and moderate- income housing that is demolished or converted to another use will be replaced.

*** * * AMERICANS WITH DISABILITIES ACT NOTICE * * ***

Please contact the City Recorder's Office, Roseburg City Hall, 900 SE Douglas, Roseburg, OR 97470-3397 (Phone 541-492-6866) at least 48 hours prior to the scheduled meeting time if you need an accommodation. TDD users please call Oregon Telecommunications Relay Service at 1-800-735-2900.

RESOLUTION NO. 2022-03

A RESOLUTION AUTHORIZING AN APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR BUSINESS OREGON'S REGIONAL HOUSING REHABILITATION PROGRAM.

WHEREAS, the City of Roseburg is eligible to apply for a 2022 Community Development Block Grant from Business Oregon for funds from the U.S. Department of Housing and Urban Development to be used for housing improvements, primarily for persons with low to moderate incomes; and

WHEREAS, the City of Roseburg is qualified to submit an application for \$500,000 in grant funds for a regional housing rehabilitation program for persons residing within the City of Roseburg and Douglas County; and

WHEREAS, the City desires to participate in this grant program to the greatest extent possible and is willing to act as the lead applicant, partnering with Douglas County, to sub-grant said grant funds to NeighborWorks Umpqua, a certified non-profit organization authorized by the State to carry out housing rehabilitation activities on behalf of the City; and

WHEREAS, the City Council held a public hearing on February 28, 2022 to hear comments regarding the City's intent to apply for said grant funds for housing needs of low and moderate income persons in the community; and

WHEREAS, the regional housing rehabilitation program promotes decent affordable housing and directly aligns with Roseburg City Council's goal to enhance housing, community development and livability;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROSEBURG that:

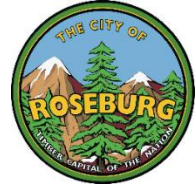
Section 1. Authorization is hereby granted to apply for a 2022 Community Development Block Grant for funds from the U.S. Department of Housing and Urban Development for Business Oregon's Regional Housing Rehabilitation Program.

Section 2. This resolution shall become effective immediately upon adoption by the Roseburg City Council.

**ADOPTED BY THE ROSEBURG CITY COUNCIL AT ITS REGULAR MEETING
ON THE 28TH DAY OF FEBRUARY, 2022.**

Amy L. Sowa, Assistant City Manager/ Recorder

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



AN ORDINANCE AMENDING A PORTION OF THE CITY'S ZONING MAP FROM C2 (COMMUNITY COMMERCIAL) TO C3 (GENERAL COMMERCIAL)

Meeting Date: February 28, 2022
Department: Community Development
www.cityofroseburg.org

Agenda Section: Public Hearing
Staff Contact: Stuart Cowie
Contact Telephone Number: 541-492-6750

ISSUE STATEMENT AND SUMMARY

The proposed zone change would amend the City's official Zoning Map by re-designating a 3.30+/- acres unit of land at 1802 W Harvard Avenue from Community Commercial (C2) to General Commercial (C3).

BACKGROUND

A. Council Action History.
None.

B. Analysis.

Harvard Medical Park, LLC, on behalf of the applicant Cordell Smith, Board President of Thundering Water, submitted a zone change application to the Community Development Department to amend the zoning designation on property at 1802 W Harvard Avenue from C2 (Community Commercial) to C3 (General Commercial). The subject property currently has a Commercial Comprehensive Plan designation and, therefore, the request to change the zoning from C2 to C3 does not trigger a Comprehensive Plan amendment, as the Commercial designation is consistent with both zoning designations.

The applicant's goal for the proposed zone change from C2 to C3 is to enable the use of "Places of Amusement" and "Outdoor Recreational Facilities," specifically for a future miniature golf course, pump track, splash pad, boulder/climbing wall, games pavilion area, and recreation center. The current C2 zoning does not allow for "Places of Amusement" or "Outdoor Recreational Facilities" as use categories allowed within the zone. By changing the zoning to C3, it would allow for the desired development to be a permitted use on the subject property.

Zone change requests must be evaluated based on criteria identified in Roseburg Municipal Code (RMC) Section 12.10.040. Information provided by the applicant's land use consultant, Teresa Bishow, Bishow Consulting, LLC, provided justification for how the proposed zone change and future development would satisfy the criteria necessary for a zone change approval. An analysis of the differences in the two zones, specifically the impacts of the future Thundering Water use at the property, was completed in order

to demonstrate compliance with specific policies identified in the Roseburg Comprehensive Plan. A site specific Traffic Impact Study (TIS) was performed by Sandow Engineering to ensure that the proposed rezone would be consistent with safety and performance measures of the transportation system.

A zone change is a quasi-judicial land use action, as listed within Section 12.10.010(R) of the Roseburg Municipal Code (RMC). Therefore, Zone Change requests are required to be heard by the Planning Commission prior to going before City Council for a decision. The Planning Commission held a public hearing regarding the proposed zone change on January 3, 2022.

Prior to the hearing, letters of support from adjacent property owners and businesses were submitted, including Dr. Kiran Kaul, Kaul Family Chiropractic; Alan Liesenger, Managing General Partner of Harvard Medical Park LLC; and Patricia Koch, Executive Director of Riverview Terrace. Additional letters of support were also provided by Natasha Atkinson, Executive Director of Umpqua Homes, Inc.; Jessica Hunter, Program Manager Douglas County Child Welfare; and Juliete Palenshus, UC-VEG Executive Director.

In addition, letters of concern and opposition were submitted by Brad Phillips, VA National Cemetery Administration Executive Director, Pacific District, and Jerry and Chrissy Matthews, whose son is buried in the adjacent National Cemetery.

During the hearing, the Planning Commission heard from the applicant, Cordell Smith and their representative, Teresa Bishow, concerning the requested zone change. They also heard from Thundering Water board member Jared Cordon and property owner representative Knut Torvik, both in favor of the application.

In addition, they also heard testimony in opposition to the application from Greta Hamilton, Acting National Cemetery Director, and Chrissy Matthews.

Based upon issues raised by both Ms. Hamilton and Ms. Matthews, specific conditions were proposed by city staff and the applicant in an effort to mitigate concerns surrounding the compatibility of the proposed zone change and future use of Thundering Water with the neighboring cemetery. Section F of the Planning Commission's Findings of Fact and Order list the issues raised, followed by findings and conditions that the Planning Commission has recommended Council require if the zone change is to be approved.

As indicated in the Findings of Fact and Order, the Planning Commission found that the application was consistent with the criteria for a zone change as provided in RMC Section 12.10.040. The Planning Commission approved a motion to adopt the Findings of Fact as presented to them, and refer the request to Council, recommending that Council approve the zone change from C2 to C3, subject to conditions identified in the Planning Commission's Findings of Fact and Order.

C. Financial/Resource Considerations.

None.

D. Timing Considerations.

Land use application decisions are required to be issued within 120 days from the time an application is submitted and deemed complete. This application was deemed complete October 28, 2021.

COUNCIL OPTIONS

1. Adopt the Planning Commission's Findings of Fact and Order for File No. ZC-21-003, approving the zone change from C2 to C3, subject to the conditions identified in the Findings, followed by first reading of Ordinance 3569; or
2. Modify the proposed action or continue the matter for further consideration; or
3. Decline to proceed with the proposed action.

STAFF RECOMMENDATION

Staff recommends the Council adopt the Planning Commission's Findings of Fact and Order for File No. ZC-21-003, approving the zone change from C2 to C3, subject to the conditions identified in the Findings and proceed with the first reading of Ordinance 3569.

SUGGESTED MOTION

"I MOVE TO ADOPT THE FINDINGS OF FACT AND ORDER APPROVED BY THE PLANNING COMMISSION FOR FILE NO. ZC-21-003, APPROVING THE ZONE CHANGE FROM C2 TO C3, SUBJECT TO THE CONDITIONS IDENTIFIED IN THE FINDINGS."

Proceed with first reading of the Ordinance. No motion is needed, only consensus to proceed by the Council.

ATTACHMENTS:

- Attachment #1 Planning Commission Findings of Fact and Order File No. ZC-21-003
- Attachment #2 Application & Applicant's Submitted Materials
- Attachment #3 Letters of Opposition
- Attachment #4 Ordinance No. 3569

In the matter of the)
Zone Change) Zone Change
request by Cordell Smith) File No. ZC-21-003
on behalf of Thundering Water)

**BEFORE THE ROSEBURG PLANNING COMMISSION
FINDINGS OF FACT AND ORDER**

I. NATURE OF APPLICATION

Cordell Smith, on behalf of Thundering Water, submitted an application for approval of a zone change of a 3.30+/- ac. unit of land from Community Commercial (C2) to General Commercial (C3). The subject properties have a Commercial Comprehensive Plan designation. The property is comprised of two (2) separate parcels, addressed as 1802 W Harvard Avenue. The properties can further be described on Douglas County Assessors Map as Township 27 South, Range 06 West, Willamette Meridian, Section 23AA, Tax Lot 0200 and Section 14DC, Tax Lot 1700; R14193 and R14201.

The applicant's goal for the proposed zone change is to allow for a wider variety of commercial uses on the property, specifically for a future miniature golf course/outdoor recreation area. The current C2 zoning does not allow for Places of Amusement or Outdoor Recreational Facilities as use categories allowed within the zone. By changing the zoning to C3, it would allow for the desired development to be a permitted use on the subject property.

The zone change request will be evaluated pursuant to Land Use and Development Regulations Chapter 12.10.040 and all other applicable sections of the Roseburg Municipal Code.

II. FINDINGS OF FACT

A. EXISTING CONDITIONS

1. The Planning Commission takes official notice of the Roseburg Urban Area Comprehensive Plan adopted by City Council Ordinance No. 2980 on December 9, 1996 and of Title 12, Land Use and Development Regulations (LUDR) of the Roseburg Municipal Code (RMC), as originally adopted July 1, 1984, and re-adopted in Ordinance No. 3497 on May 1, 2018.
2. Notice of the public hearing was given by publication in The News Review, a newspaper of general circulation, at least 20 days prior to the hearing. Notice of the public hearing was mailed to all owners of property within 300 feet of the property 20 days prior to the hearing.
3. The subject property is described on Douglas County Assessors Map as Township 27 South, Range 06 West, Willamette Meridian, Section 23AA, Tax Lot 0200 and Section 14DC, Tax Lot 1700; R14193 and R14201.

4. The subject property is 3.30+/- acres, is designated by the Comprehensive Plan as Commercial and is currently zoned Community Commercial (C2). The property previously had a dilapidated single-family dwelling on the south end nearest W. Harvard Blvd. that has recently been demolished and removed. The only other development on this property is an existing 7,600 +/- sq. ft. parking lot.
5. Cordell Smith, on behalf of Thundering Water, applied for a Zone Change to change the zone of the subject property from Community Commercial to General Commercial.

B. AGENCY COMMENTS

Comments regarding the zone change request were solicited from the Fire Department, Public Works Department, Douglas County Building Department, County Public Works Department, and Roseburg Urban Sanitary Authority. All comments received are part of the record and have been incorporated, where appropriate, into the conditions of approval at the end of these findings of fact.

C. PUBLIC COMMENTS

The Community Development Department notified all owners of adjacent and neighboring properties per ORS 197.610 and RMC 12.10.030.

Public Testimony in Support

Letters of support received by City staff were included in the Planning Commission January 3, 2022 agenda packet as Exhibit F and are summarized below:

1. Letter from Dr. Kiran Kaul dated December 14, 2021 owner of Kaul Family Chiropractic and Massage located adjacent to the site at 1844 West Harvard Avenue. Letter states Dr. Kaul has *“eager anticipation for the success of this project and welcome its proximity.”*
2. Letter from Patricia Koch dated December 16, 2021, Executive Director of River Terrace located at 1970 West Harvard Avenue. Letter states, *“Riverview Terrace has many residents that would enjoy the nearby location and amenities to stay fit and healthy. We appreciate the safety and accessibility of the proposed park for our senior community. We are excited and looking forward to the reimagined approach to enjoying the outdoors with innovate and health minded activities.”*
3. E-mail from Alan Liesinger DMD, Harvard Medical Park LLC, forwarded by Cordell Smith dated December 16, 2021. E-mail states, *“As a managing general partner of Harvard Medical Park LLC I would like to endorse the concept and development of Thundering Waters. Any concept that enhances the growth of our youth and their families is worthy of consideration and support.”*
4. Letter from Natasha Atkinson, CEO/Executive Director of Umpqua Homes, Inc. located at 662 SE Jackson Street. Letter states, *“We believe that Douglas County will be greatly served by the addition of a recreation and wellness center. . . we believe Thundering Water will be a great partner to UHI and those we serve.”*
5. Letter from Jessica Hunter, Program Manager, Douglas County Child Welfare dated

November 23, 2021. Letter states, *“As we look to have children visiting with their parents, caregivers, sibling, and extended family members in the least restrictive setting possible, while promoting a positive experience, the recreation center will offer an alternative location and activity to what is currently available to us.”*

6. Letter from Juliete Palenshus, UC-VEG Executive Director, dated September 23, 2021. Letter on behalf of Umpqua Community Veg Group states, *“Thundering Water will foster social connectedness, improve the quality of life for its patrons, increase property values in the West Harvard area, and exhibit a myriad of healthy behaviors including consuming plant-based foods, incorporating movement, connecting with neighbors and community members, and putting loved ones first.”*
7. Thundering Water Newsletter December 2021 stating, *“We now have a fiscal sponsor, and we have received several sizable donations towards Douglas County’s new recreation and wellness park!”*

At the Planning Commission’s January 3, 2021 public hearing, public testimony in support of the application was provided by Cordell Smith, President of Thundering Water Board, Teresa Bishow representing the applicant, Knut Torvik representing the property owner, and Jared Cordon, Thundering Water Board Member and Roseburg Public Schools Superintendent.

Public Testimony in Opposition

Letters of opposition received by City staff were included in the Planning Commission January 3, 2022 agenda packet as Exhibit G and are summarized include:

1. Letter from Brad Phillips, VA National Cemetery Administration Executive Director, Pacific District dated December 21, 2021 stating, *“Based on our initial understanding of the rezoning being requested for a potential adjacent project, NCA has concerns about the close proximity, viewshed, and direct adjacency of that development from within Roseburg National Cemetery. Specifically, that the proposed rezoning and associated development may seriously diminish the contemplative landscape, peaceful serenity, and dignified respectful setting for those we honor with this national shrine final resting place.”*
2. Letter from Jerry and Chrissy Matthews dated December 27, 2021 stating, *“Our son was deployed to Afghanistan and served his country with pride. We chose the Historic Roseburg National Cemetery for our son’s final resting place because of the honor, dignity, respect and tranquility this Cemetery provides. . . We do not believe the zone change to C3 has been proven to be compatible to warrant the approval. The Planning Commission should be considering the zone change in relation to ALL uses permitted within the C3 zone.”*

At the Planning Commission’s January 3, 2022 public hearing, public testimony in opposition was provided by Greta Hamilton, VA National Cemetery Administration and Chrissy Matthews. Section F lists issues raised followed by findings and conditions.

D. PUBLIC HEARING AND PROCESS

A public hearing was held on January 3, 2022 regarding the matter of the zone change request. The January 3, 2022 staff report summarized the project, procedures, and applicable criteria for this application. The staff report also included draft Findings of Fact and Order. Prior to the Planning Commission's public hearing, a supplemental staff report was distributed December 30, 2021 recommending specific conditions be applied as allowed in RMC Section 12.10.040(D) to address and attempt to mitigate concerns raised in the two letters of opposition.

E. APPLICABLE CRITERIA

The applicable approval criteria for the subject zone change is contained within Roseburg Municipal Code 12.10.040(D):

- a. The rezoning will conform to the Roseburg Urban Area Comprehensive Plan, including the land use map and written policies.

Findings: The property is located within the Roseburg Growth Boundary in an area that is designated Commercial in the Comprehensive Plan. Regarding zoning designations, the current zoning for the property is Community Commercial (C2) and it is surrounded by Professional Office (PO) zoned parcels to the south across W. Harvard, and directly west, and Public Reserve (PR) parcels to the north across the South Umpqua River as well as directly east. The proposed C3 zone conforms to the Comprehensive Plan under the Commercial Comprehensive Plan designation, and therefore does not require a Comprehensive Plan amendment. Findings provided below demonstrate how the proposal conforms to applicable policies, goals and objectives.

In addition, the Roseburg Comprehensive Plan provides the following policies, goals and objectives identified in the Roseburg Comprehensive Plan.

Natural Resources Policy No. 10

The City shall cooperate with the Department of Environmental Quality in developing and implementing ongoing plans and programs necessary to assure compliance with adopted air quality standards, water quality standards, and noise level standards.

The proposed zone change from C2 to C3 will allow for a wider range of commercial uses on the property. With greater commercial opportunity, future development will necessitate compliance with the standards listed in order to protect the natural resources of the City.

Noise levels generated from the property will be in compliance with DEQ standards and will be comparable to the types of noise generated from nearby Fir Grove Park and Stewart Park.

With the property's close proximity to the South Umpqua River, the applicant indicates that plans to discharge stormwater runoff from future development of the property into the South Umpqua River will occur in compliance with DEQ regulations.

Natural Resources Policy No. 11

The South and North Umpqua Rivers, Newton Creek and Deer Creek are major waterways that are scenic, recreational, and natural resources of the community. They are, however, to be protected, preserved, and maintained for their primary function as drainage courses first. Any measures taken to sustain their primary function shall minimize adverse impacts on scenic, recreational, and natural values.

The applicant states:

"The site is in the AE Floodway area which is the main conveyance channel for the South Umpqua River. Floodways can be dangerous in a flood event as water moves through the area at high velocities. Therefore, the applicant will keep the area clear of buildings. Planned improvements in the floodway will be designed to account for potential flooding.

The Site Plan shows a potential future extension of the existing Riverfront Park trail system in Fir Grove Park extending to the northeast corner of the subject property. Extending the Riverfront Park trail system from Fir Grove Park to the subject property would encourage patrons to use alternative transportation and improve the community's access to nature and the outdoors. Currently, this section of the riverbank is difficult to monitor making it attractive to transients and subject to illegal camping and dumping of trash and debris. To address public safety concerns and to allow Thundering Water to be closed after hours, a gate may be constructed if the public bike/pedestrian path is extended and connects to Thundering Water."

In addition to this, the City of Roseburg Municipal Code requires a minimum setback of any structure, impervious surface, retaining wall, or channel alterations to the South Umpqua River of 50 feet (riparian vegetation setback). This required setback would be implemented during any future development on the site. This will minimize adverse impacts on scenic, recreational, and natural values found along this stretch of the South Umpqua River.

Natural Resources Policy No. 13

The development of uses relating to the rivers for public recreation and scenic enjoyment should be encouraged.

The proposal to change the zoning of the subject property from C2 to C3 will create the opportunity for greater commercial uses, specifically the outdoor recreational use of a miniature golf course. With fewer limitations on the type of use, it should encourage and promote development on the subject property that will enhance public recreation along the South Umpqua River.

The applicant indicates that the zone change and future development of the Thundering Water commercial development will provide opportunities for the community to have improved access to the river for recreation and scenic enjoyment.

Natural Resources Policy No. 14

Mature ground cover and trees, wildlife habitats, and the natural contours of identified significant stream banks shall be preserved. This shall be accomplished with a setback of structural and any other physical development such as parking lots, retaining walls, channel alterations, etc., from identified stream banks unless findings are made, after consultation with the Oregon Department of Fish and Wildlife, that any such activity:

- a. Will not have a significant adverse effect on streambank erosion, water temperature and quality, or wildlife; or*
- b. Is required for flood control and actions are taken to mitigate such impacts as much as is possible; or,*
- c. Is not required for flood control and will include all actions as are necessary to prevent or sufficiently mitigate any significant immediate or potential streambank erosion, adverse effect on water temperature and quality, or wildlife.*

As mentioned above in the Natural Resources Policy No. 11 Finding, Roseburg Municipal Code requires a minimum setback of 50 feet from the top of a stream bank to any development. This will be enforced with any future projects on the subject property, regardless of the zoning classification. According to the applicant,

“The policy above is directed towards preserving natural contours and riparian habitats along significant stream banks including the South Umpqua River. The subject property is adjacent to South Umpqua River and design consideration will be given to help preserve wildlife habitats and the natural contours of the riverbank. The applicant will work with the appropriate agencies to determine the top of the riverbank and the 50-foot riparian setback.

As shown on two conceptual Site Plans (L1.0 Site Plan and L4.0 Site Plan Alternative), no buildings are proposed within the Floodway. Any site grading or improvements in the Floodway, such as the bike pump track, will be designed to avoid significant adverse effects on streambank erosion, water temperature and quality, or wildlife. Any site grading will take into consideration applicable standards for the Floodway and the riparian setback.”

Economic Growth Policy No. 3

The City shall encourage economic activities which strengthen the urban area’s position as a regional distribution, trade, and service center.

The subject property, which sits vacant, is surrounded by a variety of developments and uses, from multi-family development to the west, professional office use to the west and south, and the Roseburg National Cemetery and Fir Grove Park to the east. By changing the zoning from C2 to C3, it would open up the possibility for development on a property that has not been utilized in a commercial capacity for the entirety of its existence. This allowance for greater commercial development

would strengthen the surrounding area's diverse uses, and in regards to the specific desired use of an outdoor recreation center, would attract more service and entertainment-oriented business to this area of West Harvard.

The applicant expounds on this idea further and states:

"The key amenities such as the miniature golf course will provide additional opportunities for residents to learn about and engage in healthful living and strengthen community resilience. For example, the miniature golf course will:

- Include a public education campaign on food choices and healthy eating*
- Offer an affordable outdoor community recreation space that involves physical movement and appeals to all generations and ages.*

The community's bowling alley, roller skating rink, YMCA, Boys/Girls Club, movie theaters, virtual arcade, etc. are indoor activities that offer alternative opportunities for healthy activities. Thundering Water will give families in Douglas County in-town, affordable, wholesome, and outdoor family-friendly recreation. Thundering Water will provide jobs and volunteer opportunities that will strengthen the local economy."

Economic Growth Policy No. 4

Through the planning process, the City and County shall continue to monitor the supply of developable commercial and industrial sites to ensure opportunity for the expansion of existing and the establishment of new economic enterprises throughout the urban area.

As already mentioned, the request to change the zoning on the subject property from C2 to C3 is to allow for the establishment of an outdoor recreation attraction. The supply of commercial zoning throughout the city is being monitored, and the change from C2 to C3 will not reduce the amount of developable commercially zone properties, rather allow for a wider variety of commercial uses. This proposed change will hopefully spur on development on this site which the applicant has pointed out will create new job opportunities while helping diversify the local economy.

Economic Growth Policy No. 9

The City shall encourage the development of convention and tourist related facilities in the urban area.

This proposed zone change is being made by a local corporation to allow for the establishment of an outdoor recreation facility that would consist of a miniature golf course, bicycle pump track, as well as an event building and food cart area. If the zone change is approved and the business is then able to proceed with their plans for the property, it would attract not only local residents, but also individuals visiting the area from out-of-town and could be classified as a tourist-related facility.

The applicant states:

“Thundering Water will provide a variety of educational programs and recreation amenities attractive to residents living in the City of Roseburg and the region. Some of the uses, such as the miniature golf, will promote tourism.”

Transportation Development Policy No. 3

Transportation facilities shall be designed and constructed to minimize noise, energy consumption, neighborhood disruption, cost, and social, environmental, and institutional disruptions, and to encourage the use of public transit, bikeways, and walkways.

The subject property is located in a well-established part of town with existing roadway infrastructure that handles traffic volumes adequately. With the zone change and subsequent development on the subject property, there will undoubtedly be an increase in traffic volumes on the W Harvard corridor and surrounding roadways. As part of this application submittal, the applicant plans to alleviate some of this traffic generation in order to reduce traffic volumes by encouraging alternate modes of transportation, such as biking with bicycle parking on-site, as well as walking to and from the site with pedestrian-friendly routes on and off of the property. While vehicles are the main beneficiary of the surrounding streets, the existing sidewalks also serve as a reliable mode of transportation for pedestrians. During the time of development, it will be a requirement that these sidewalks meet all city/ADA standards to ensure their safety and functionality for all members of the community.

The applicant states:

“Development of the site will require the existing access on W Harvard to be eliminated to prevent queuing and to minimize access connections to the street. Listed below are planned public street improvements:

- Remove and replace the existing ramp at the NW quadrant of the W Harvard @ Keady Court intersection to comply with current city and ADA standards.*
- Remove and replace sidewalk panels on W Harvard that do not meet cross slope standards (2% or less).*
- Remove the existing driveway access on W Harvard and replace with new curb and new 7-foot-wide sidewalk.*

The improvements listed above will be designed and constructed to minimize noise, neighborhood, social, environmental, and institutional disruptions to the area. Given the site’s proximity to nearby commercial uses, parks, and schools, the improvements to the intersection will encourage the public to bike and walk to the site and nearby amenities.”

Transportation Development Policy No. 4

Traffic movement on arterial streets should be facilitated by limiting or controlling access wherever possible.

As mentioned in Transportation Development Policy No. 3, it will be a requirement of any future development on the subject property to eliminate the existing access that leads to the paved parking area on the lot, which will require the primary access to be located on the north stub-out of W Keady Ct. This portion of W Keady Ct. is currently owned by the City of Roseburg, and will require dedication to Public Right-of-Way as part of development on the property. W. Harvard is classified as an Arterial street in the Roseburg Comprehensive Plan, while W Keady Ct. is a designated Cul-De-Sac. This will limit the amount of trips directly accessing W Harvard Ave; a street that already contains a high number of access points in this area. By accessing off W Keady Ct. and having the control of a traffic signal, future development on the subject property will minimize the amount of traffic movement directly onto W Harvard Ave.

Transportation Development Policy No. 10

New developments shall include consideration of improvements which would accommodate public transit and other modes.

As part of the development criteria for this site, it will be a requirement to designate a portion of this property closest to the river as a future multi-use path via an easement. This path, called the Riverfront Park trail, is outlined in the City of Roseburg's Parks Master Plan. While the timeline of this path extension is unknown, the applicant has indicated that their plans for development have taken this pathway plan into consideration and will accommodate its future installation.

Additionally, the applicant indicates the proximity of the UTRANS bus lines and improvements made to the W Keady/W Harvard intersection will improve pedestrian and bicycle access.

The applicant states:

"The Umpqua Public Transit District provides service near the site via the Roseburg Greenline bus route and the intersection improvements noted above will encourage more foot traffic on Keady Court. If in the future, the city extends the existing Riverfront Park trail system from Fir Grove Park to Thundering Water it would enhance bike and pedestrian movements."

Energy Conservation Policy No. 2

The City shall incorporate into its land use and ordinance provisions which encourage new development to utilize density and location, in balance with the requirements of other planning policies, in order to reduce the need to travel, increase access to transit, and permit building configurations which increase the efficiency of space heating in residences.

The proposed zone change will allow for a greater opportunity for commercial development than the current C2 zoning. By providing this opportunity to the subject property, it will result in better utilization of what is a vacant piece of land in the center of town that is surrounded by already-developed properties. Because of its close proximity to existing infrastructure and access to transit, it will not require extensions of services that would otherwise be costly to developers and city maintenance.

Additionally, the location of the subject property and its proximity to existing parks and walking/bicycle paths make it an ideal location for commercial development that would benefit the surrounding area.

The applicant states:

“The proximity of Thundering Water to other family activities in the area makes this location highly compatible for an amusement park. The site is located near Fir Grove Fields and Stewart Park which contain soccer fields, a splash pad, disc golf, tennis court, and the Riverfront Park trail system. The site is also close to schools reducing the travel distance to recreational amenities. The location of Thundering Water will encourage patrons to use alternative transportation and improve the community access to nature and the outdoors.”

Energy Conservation Policy No. 5

The City will encourage and support the development of a resource recovery program as an energy conservation measure.

The applicant indicates:

“The applicant plans to carefully consider both energy and water conservation measures in the design of the project. It is anticipated that any water features in the miniature golf course will be recycled and recirculated to support resource recovery and energy conservation.”

Parks and Recreation Policy No. 5

The City shall take an active role in promoting both the public and private recreation industries in the Roseburg urban area.

The proposed zone change would allow for “places of amusement” which would allow for the applicant’s proposed development on the property. This zone change would be a decision that would promote a private recreation establishment and would add to the recreation industry within the city of Roseburg. The applicant has pointed out that aside from parks around the city, there is a lack of outdoor options for outdoor family entertainment and recreation. Approving the zone change from C2 to C3 and developing the subject property with the miniature golf course and bicycle pump track would fill a need and provide members of the community as well as tourists with an outdoor option for recreation.

The applicant states:

“Thundering Water will be operated by a private, nonprofit organization striving to increase recreational opportunities for all ages and provide education on healthy lifestyle and eating choices. The proposed uses will compliment other nearby public and private recreational amenities.”

Public Facilities and Services Policy No. 8

All new residential plans, industrial and commercial development in the urban area shall make provisions for fire hydrants and fire lanes where applicable.

The proposed zone change does not allow or approve site development that would trigger fire safety mitigation. Instead, this requirement would be part of a future Site Review application process conducted by the City of Roseburg. However, to provide the applicant with as much helpful information as early as possible in their inquiry to the site and its feasibility for development, the City of Roseburg Fire Department outlined what improvements would be necessary in order to meet this policy. During the time of development, it shall be required that all future facilities be served by adequate level of fire hydrants and fire lanes. If approved, it has been determined that appropriate fire hydrants and fire access to the proposed development would be feasible.

The applicant indicates:

“There is an existing fire hydrant on the corner of Keady Court and West Harvard Avenue. If additional fire hydrants are required, they will be located no more than 100 feet from the fire department connection, no closer than 40 feet from the building, and no further than 12 feet from an approved Fire Department access road per the National Fire Protection Association requirements.

Regarding fire separation and access, the proposed parking lot drive aisle will have a minimum width of 24’ and a fire turnaround where the length of the aisle exceeds 150’. The proposed food trucks will also maintain a 10’ setback from each other and any buildings.”

Urban Growth Policy No. 10

New developments shall make maximum use of available land areas with minimal environmental disturbance and be located and designed to minimize such public costs as extension of sewer and water services, schools, parks, and transportation facilities.

As stated in the Energy Conservation Policy No. 2, new development on the subject property would require minimal service extension due to its close proximity to existing infrastructure. The proposal to change the property zoning from C2 to C3 would maximize the potential use on the property and allow for a wider range of commercial uses on a property that is already provided public services.

The applicant states:

“The subject property is within the City limits and development can occur with the efficient extension of public infrastructure and minimal impacts on schools, parks, and transportation facilities.

Stormwater: *City of Roseburg storm water requirements state that any new impervious area greater than 3,000 square feet will require stormwater detention treatment, adequate pipe size, materials, and markings per City standards. Based on the site’s natural grade, stormwater runoff primarily flows to the South Umpqua River. The applicant will obtain DEQ approval for any proposed discharge of stormwater runoff to the South Umpqua River. The applicant also expects to provide*

all catch basins with an approved infiltration device and a marking of "Do Not Dump, Drains to Stream".

Sewer: *The parcel was previously served by a non-conforming sewer service. The new development will need to find a new way to provide sewer service in conformance with existing standards. The applicant is exploring the viability of obtaining an easement from the neighboring property on Homewood Court to extend an existing 8" sewer line. Only if necessary, will the applicant consider a direct connection to the sewer line trunk that parallels the river and goes through the subject property.*

Water: *There is an existing 2" water line that extends to the north leg of the W Harvard @ Keady Court intersection. The site is currently served with an active 5/8" water meter. There is an existing 12" water main along the south side of Harvard Avenue. To increase the water service to the site, the applicant is exploring obtaining an easement from the adjacent property owner west of the site to allow a new water line to connect to the existing 8" water line that runs along Homewood Lane.*

Schools & Parks: *The site is located near Fir Grove Park and Stewart Park and the nearest public school is Fremont Middle School. Thundering Water will enhance outdoor recreational opportunities in the area and complement existing facilities.*

Transportation: *The site has historically been underutilized based on the existing Commercial plan designation and C2 zoning. Any development of the site will require some level of improvements such as the removal of the existing driveway on W Harvard Avenue and the construction of a new driveway on the north leg of Keady Court. Please refer to findings on page 7 related to Transportation Development Policy No. 3 and the Sandow Engineering Traffic Impact Analysis prepared for this zone change application."*

Commercial Development Policy No. 4

Community shopping and service facilities shall be located close to major arterials and shall provide adequate parking and service areas. The zoning ordinance, subdivision ordinance, and other appropriate regulations shall include provisions as to siting and development which discourage major customer traffic from outside the immediate neighborhoods from filtering through nearby residential streets.

The subject property fronts W. Harvard Ave., which has a classification of Major Arterial in the Roseburg Comprehensive Plan. Future development on the subject property will access onto W. Keady Ct. and although it has a lower street classification (cul-de-sac), it terminates at the subject property and will therefore not have a direct impact on nearby residential streets. By requiring access to come off of W. Keady Ct., it will eliminate the existing access on W. Harvard, which will improve the areas already cluttered access points, as well as utilize the existing traffic signal - thus allowing for safer transportation on and off the site by vehicles, bicycles, and pedestrians.

In addition to this, the applicant states:

"The applicant intends to comply with required off-street parking with the potential use of a shared parking agreement with a nearby property owner. West Harvard

Avenue is a major thoroughfare in the City of Roseburg and uses fronting the street are primarily commercial, professional office, or public uses. Therefore, the development will discourage customer traffic from filtering through nearby residential streets as there are none in the vicinity."

Commercial Development Policy No. 10

Adequate off-street parking and buffer strips shall be provided for all commercial development. When appropriate, transit services and shelters may be provided in lieu of some off-street parking. Parking and loading facilities shall be designed so that ingress and egress driveways do not disrupt the efficient flow of traffic on arterial streets, intrusion into abutting uses is minimized, and safe and convenient pedestrian circulation is provided.

The subject property currently sits vacant, with no developed improvements to note other than the existing parking lot with access onto W. Harvard Ave. The proposed zone change does not trigger site improvements as mentioned above. Rather, the purpose of the zone change is to determine whether uses allowed in the new zone will be compatible with existing surrounding uses and those uses being proposed are feasible at the proposed location. Future development of the site will occur upon approval of a Site Review and Building Permit to ensure municipal code will be satisfied. These code requirements include adequate off-street parking spaces for the proposed use, as well as proper screening and buffering from adjacent properties zoned Residential and public right-of-way.

The applicant states:

"Thundering Water anticipates providing sufficient parking on-site to accommodate typical daily use with overflow parking available off-site for peak times or use by employees.

The new driveway connection to Keady Court will not disrupt the efficient flow of traffic or pedestrian circulation as it will be the only driveway connection to the right-of-way. Improvements to the intersection will promote walking and should the extension of the Riverfront Park trail system occur, the site and nearby amenities can expect an increase in patrons biking or walking to the site."

Staff recognizes that because of the zoning of the adjacent properties, buffered parking areas would not be required on the east (Public Reserve zoning) or the west (Professional Office zoning) property lines. However, to respect the privacy of the existing use of the Roseburg National Cemetery (Public Reserve zoning) directly adjacent to the subject property, and with the understanding that the proposed zone change from C2 to C3 could increase the intensity of commercial usage on the property in the future, Staff recommends requiring screening be in place along the east property line of the subject property adjacent to the Roseburg National Cemetery. The existing laurel hedge along the east property line is located on the Roseburg National Cemetery and provides some level of screening. Based on testimony regarding potential noise impacts, Staff recommends requiring the applicant to install a sound wall along the east property line adjacent to the Roseburg National Cemetery and vegetation between the east side of the parking lot and the

Cemetery. The applicant shows this additional mitigation on the Preliminary Site Plan dated February 7, 2022.

Commercial Development Policy No. 11

Zoning regulations governing the siting of commercial development shall take into consideration the relationship of adjacent development in terms of building height, mass, and activity.

As mentioned previously in Commercial Development Policy No. 10, the subject property is directly adjacent to Professional Office zoning to the west, and Public Reserve zoning to the east. The proposed zone change from C2 to C3 will increase the types of commercial operations that could occur on this property, and that increase ought to be taken into consideration while looking at the existing adjacent development.

Directly east of the subject property is a chiropractic office at 1844 W Harvard Ave., a single-family dwelling at 543 W Homewood Ct., and an assisted living facility at 523 W Homewood Ct.. Directly east is the Roseburg National VA Cemetery.

Per Roseburg Municipal Code, the Community Commercial (C2) classification is intended to provide areas for community shopping facilities. It is intended to preserve and enhance areas with a wide range of retail sales and service establishments serving both long and short term needs on a community-wide basis (RMC12.04.040).

Per Roseburg Municipal Code, the General Commercial (C3) classification is intended to provide areas within which a variety of retail and wholesale business occurs. These areas serve general community-wide and regional commercial needs (RMC12.04.040).

Directly east of the Roseburg National Cemetery is Fir Grove Park, which hosts sporting events and other public uses on a regular basis, including adolescent soccer games. This existing use and its proximity to the Roseburg National Cemetery have operated successfully in conjunction with each other for several years. The cemetery parking lot to the east of the cemetery grounds offers as a buffer from the park's soccer fields. The proposed zone change is to allow for a similar type use as the Fir Grove Park and Steward Park (across the South Umpqua River to the north). In similar fashion as the cemetery, the applicant has indicated their site development designs will include a parking lot between their outdoor recreation facilities and the cemetery grounds to act as a buffer. Based on public testimony, the applicant revised the Preliminary Site Plan to include a sound wall along the east property line adjacent to the Roseburg National Cemetery and vegetation along the east side of the parking lot.

Additionally, the nearby uses to the south - from the Farmer's Market located directly south across W Harvard Ave at the First United Methodist Church, to the medical offices and Freemont Middle School - generate traffic and noise to the surrounding area greater than what would be generated with a new commercial use on the subject property.

The applicant indicates:

“To minimize impacts to these abutting uses, the site will be screened with fences and landscaping along the property boundaries. There is an existing tall hedge on the Roseburg National Cemetery that provides a dense, vegetative screen along the east side of the subject property. Any development of the subject property will be required to comply with code standards related to building setbacks, parking lot landscaping, and open space. In addition, the building height and mass will be comparable with other commercial buildings in the vicinity.”

As shown on the Preliminary Site Plan dated February 7, 2022, the applicant will install a sound wall along the east property line adjacent to the Roseburg National Cemetery in addition to a vegetative screen along the east side of the parking lot.

Resource Area and Hazardous Area Development Policy No. 2

Development in the floodplain shall be regulated to preserve and maintain the capability of the floodplain to convey floodwaters discharges and to minimize danger to life and property.

Resource Area and Hazardous Area Development Policy No. 3

New subdivisions and other development which occurs on property extending into the floodplain should be encouraged to utilize only that portion of the property lying outside the floodplain by employment Planned Unit Development or cluster-type development techniques.

Both of these policies require proper floodplain mitigation in order to ensure safety of life and property. The applicant has been made aware of the floodplain mapping in the area and how it will affect future development on the property. The proposed zone change would not approve any specific development, and these floodplain mitigation requirements would be enforced during the Site Review process.

The applicant states:

“The proposed zone change will allow additional uses on the subject property and stimulate redevelopment for Thundering Water. The northern portion of the subject property is in the Floodway. Preliminary Site Plans do not contain any buildings or intensive uses within the Floodway. Instead, the north portion of the site along the river is envisioned for use as a new bike/pedestrian paths, stormwater treatment facilities, and a bike pump track. There may be some intrusion of the parking lot but no permanent enclosed structures. Prior to any grading or improvements within the Floodway, the proposed development will be required to demonstrate compliance with applicable standards.”

- b. The site is suitable to the proposed zone with respect to the public health, safety, and welfare of the surrounding area

Finding: By proposing a zone change from C2 to C3, the applicant shall address whether or not the change in zoning may cause any compromise to the existing

conditions of public health, safety and welfare to the surrounding area. Both C2 and C3 zones allow for commercial development in some capacity. Many of the permitted uses listed in Roseburg Municipal Code are either the same or similar between these two zones, with the exception of some higher-intensity commercial uses, such as places of amusement, department store, auto dealer, etc. With the potential for a more intense commercial use if the zone change were approved, the applicant has indicated how these criteria regarding public health, safety, and welfare will be met and states:

“The proposed site is especially suited for Thundering Water based on its location near many local schools, the soccer fields/park, and other commercial uses along W Harvard. The proposed site is also in an ideal location along the south side of the South Umpqua River. Located on the river, the site offers a unique opportunity for Thundering Water to provide views and access to the river. Studies have shown a strong positive correlation between personal health and access to nature. The proposed site is one of the few remaining vacant sites in Roseburg with river frontage and the use will help enhance public health. The proposed use will also address existing public safety issues by cleaning up debris along the riverbank, select thinning of trees and removal of invasive, non-native plants. The proposed use will also result in public street improvements that will enhance safety for all motorists, bicyclists, and pedestrians.

The site is of a suitable size and configuration to allow C3 permitted uses that meet fire access circulation requirements. The applicant prepared fire access circulation plans for the two different Site Plans. Both plans meet fire truck turnaround standards.”

It is determined that the proposed use will help to enhance the welfare of the surrounding area, by providing additional economic opportunities to the vicinity, creating the extension of recreational opportunities provided at nearby Fir Grove Park, and enhancing traffic safety by eliminating a direct access point from the property onto Harvard and instead utilizing the adjacent Harvard/Keaty Court intersection.

The Preliminary Site Plan dated February 7, 2022 and conditions of approval including a sound wall and additional vegetation, provide further mitigation for the welfare of the Roseburg National Cemetery, by still enabling a tranquil spot where people can visit their deceased loved ones.

- c. The zone change is consistent with the safety and performance measures of the transportation system.

Finding: The subject property is served by established roadways and existing utility services. The proposal to convert the zoning to C3 will not compromise the existing roadways this property benefits, but the zone change and future development will lead to greater trip counts and traffic generated as a result. Because of this, it was

required of the applicant to conduct a Traffic Impact Study (TIS) to determine if any traffic mitigation strategies were needed during the time of development.

The applicant summarizes the results of the TIS in the following paragraph:

“The applicant hired Sandow Engineering to prepare a Traffic Impact Analysis (TIA) for the zone change application. The TIA evaluated the transportation impacts per the City of Roseburg criteria, evaluating adjacent roadway and intersection operations with the addition of development traffic for the year of completion and a 20-year future analysis. Since this is a zone change application, the TIA also included an evaluation to show compliance with OAR 660-012-0060, Transportation Planning Rule. The full TIA has been submitted as part of the record.

The Sandow Engineering TIA concluded that the zone change would not require any major transportation system improvements. The TIA contained the following findings:

- *The proposed new zone, C3, is consistent with the Comprehensive Plan. As per OAR 660-012-0060(9), the TPR findings can be found to be met.*
- *The study area intersections will meet the mobility standards with the development in place.*
- *The addition of development trips does not increase queuing conditions at study area intersections.*
- *The site access, the intersection of Harvard and Keady, will operate safely and efficiently for all modes of travel.*
- *The site will have safe and adequate access for pedestrians and bicycles to and within the site.”*

Based on the TIS findings, there will be no required improvements or alterations to the existing intersections and roadways in the area, aside from the required improvements per Public Works standards at the time of site development (which may include a new gutter valley, W. Keady Ct. improvements, sidewalk improvements, lane striping, etc.). The proposed zone change and future development will not create enough of an increase in traffic to warrant further traffic mitigation to what is already in place. Public Works has reviewed the submitted TIS and concurred with the determinations made. Because the existing infrastructure already sees a fair amount of traffic from the surrounding uses, the proposed zone change and future development will not pose any traffic overload because it has already been designed to handle the numbers this future development will generate.

Because of the existing infrastructure’s adequacy that is stated in the submitted TIS, Staff finds that the zone change as proposed is consistent with safety and performance measures of the Transportation System. Please note that if the zone change is approved, upon submittal of a Site Plan Review Application, revisions or additional analysis specific to the design of the future building may be required as part of the TIS.

F. FINDINGS & CONDITIONS ADDRESSING SPECIFIC ISSUES RAISED

RMC 12.10.040(D) states, “Reasonable conditions may be imposed, as are necessary to ensure the compatibility of a zone change to surrounding uses and as are necessary to fulfill the general and specific purposes of this Code.” The Code lists examples of conditions including those addressing fences and walls, landscaping, and control of noise or other similar nuisances.

Based on issues raised regarding the proposed zone change, the Supplemental Staff Report presented to the Planning Commission on January 3, 2022, and the Planning Commission’s motion for the applicant to generate additional findings, the following findings have been drafted in an attempt to mitigate the issues raised.

As noted in Section D above, issues were raised that the proposed C3 zoning would allow uses and development that would not be compatible with the adjacent Roseburg National Cemetery and would impact the privacy and tranquility the cemetery currently provides. This section contains a list of the Issues in *italics*, following by Findings and Conditions.

Issue 1: *The C3 zone would allow more intensive uses than the current C2 zone that may seriously diminish the dignified and respectful setting of the adjacent historic Roseburg National Cemetery.*

Findings:

According to RMC Table 2-7, the C2 zone permits uses that could generate more noise, odor, vibrations or other similar nuisances than the proposed “Places of Amusement” or “Outdoor Recreational Facilities”. Some of these uses include schools, automobile service station, grocery/hardware/variety stores, manufacturing of handicraft goods, motel/hotel, small scale recycling center, and restaurant/café/ tavern.

According to RMC Table 2-7, the C3 zone permits uses not otherwise permitted in the C2 zone that could generate more off-site impacts. Some of these uses include agricultural supplies/machinery sales rooms, automobile dealers/garages/service stations, brewery, builder’s supplies, mobile home/RV sales, and plumbing/heating/electrical/sheet metal shop.

In accordance with RMC 12.10.040(D)8, Condition 1 below addresses concerns that some of the land uses allowed in C3 could generate noise, vibration, odors, or similar nuisances.

Condition:

1. The zone change to C3 shall only expand the existing C2 zone Permitted or Conditionally Permitted uses to include “Places of Amusement” and “Outdoor Recreational Facilities” as identified on the Thundering Water Preliminary Site Plan revised February 7, 2022 (See Exhibit A), namely miniature golf course, pump track, splash pad, boulder/climbing wall, games pavilion, recreation center, and other ancillary uses necessary to assist in these core activities.

Issue 2: *The proposed development by Thundering Water may generate visual, noise, and other operational impacts that detract from the peaceful setting of the Roseburg National Cemetery.*

Findings:

According to RMC Table 2-8, the C2 and C3 zones both allow 100% lot coverage with zero setbacks unless the property abuts a district other than commercial or industrial in which case the side and rear setbacks shall be the same as the abutting zone.

Land abutting the subject property on the west is zoned commercial (Professional Office) so there is no required setback along the west property line regardless of whether the subject property is zoned C2 or C3.

According to RMC Table 2-3, the PR Public Reserve zone has a minimum 5 foot Side (interior) setback. Land abutting the subject property on the east is zoned PR so the subject property has a minimum 5 foot Side yard setback adjacent to the Roseburg National Cemetery regardless of whether the subject property is zoned C2 or C3.

According to RMC 12.06.030(3)c, parking areas shall be buffered from the interior lot line when abutting residential zones with a landscape strip. The subject property does not abut a residential zone, so regardless of whether the property is zoned C2 or C3 there is no requirement for parking lot buffering along interior lot lines.

In accordance with RMC 12.10.040(D) subsections 1, 2, 3, 7 and 8, Conditions 2, 3, 4, and 5 below address concerns regarding potential off-site impacts from future development of the subject property.

Conditions:

2. The parking lot shall be constructed along the eastern portion of the property in a manner similar to the Thundering Water Preliminary Site Plan dated February 7, 2022.
3. The storm water detention areas shall be constructed and maintained along the eastern portion of the north area of the property in a manner similar to the Thundering Water Preliminary Site Plan dated February 7, 2022.
4. A minimum 5-foot-wide vegetative screen shall be constructed and maintained along the eastern edge of the parking area adjacent to the shared property line between the subject property and the Roseburg National Cemetery in a manner similar to the Thundering Water Preliminary Site Plan dated February 7, 2022. Vegetative screening in this area shall meet the requirements as identified in RMC Section 12.06.030(T)(5) & (6).
5. A minimum 7-foot-tall sound wall shall be constructed along the entire length of the shared property line between the subject property and the Roseburg National Cemetery in a manner similar to the Thundering Water Preliminary Site Plan dated February 7, 2022.

Issue 3: *The zone change from C2 to C3 will increase the maximum building height from 45 feet to 80 feet which may cause development that is incompatible with the Roseburg National Cemetery.*

Findings:

According to RMC Table 2-87, the maximum building height in C2 is 45 feet and in C3 is 80 feet. For parcels zoned C3 that abut residentially zoned properties the maximum allowed building height at the property line is 35 feet. Height may be increased above 35 feet by increasing the setback and/or by incorporating step-backs into the design of the building.

Land adjacent to the subject property is zoned PO Professional Office and PR Public Reserve. According to RMC Table 2-87 and Table 2-3, the PO and PR zones have a building height limit of 35 feet. In the PR zone, there is an increased height limit allowance of 60 feet for hospitals, public buildings and religious institutions.

A new 80-foot-tall building on the subject property could diminish the views and peaceful serenity within the Roseburg National Cemetery.

According to RMC 12.10.040(D), *“Reasonable conditions may be imposed, as necessary to ensure the compatibility of a zone change to surrounding uses... such conditions may include, but are not limited to, the following: . . .”* The RMC list of the types of conditions of approval do not prevent other “reasonable conditions” from being imposed that address the specific land uses surrounding the subject property. The Roseburg National Cemetery is a historic property with unique characteristics, and it is reasonable to impose special conditions.

Condition 6 below addresses a concern that the C3 maximum building height would allow new development that could negatively impact the views and tranquility of the Roseburg National Cemetery.

Condition:

6. Development on the subject property shall have a maximum building height of 45 feet.

Issue #4: *The proposed Thundering Water development does not have adequate parking.*

Findings:

The zone change application included two Preliminary Site Plans to illustrate potential development for Thundering Water. The primary difference between the two Preliminary Site Plans was the amount of area dedicated to parking. One Preliminary Site Plan L1 & L2 contained sufficient parking spaces to meet typical weekday use with peak parking demand on the weekends to be met with an off-site shared parking agreement. The other Preliminary Site Plan L3 & L4 contained sufficient parking spaces to meet the peak parking demand and eliminate the need for off-site parking.

The Supplemental Staff Report to the Planning Commission included the Thundering Water Preliminary Site Plan L3 & L4 dated 10/15/21. The Supplemental Staff Report also included an e-mail sent on behalf of Thundering Water dated 12/30/2021 and attaching a Parking Demand Estimate prepared by Sandow Engineering. The Parking Demand Estimate concluded that the total parking demand for peak weekend use was 56 parking spaces.

The Thundering Water Preliminary Site Plan dated February 7, 2022 provides 56 parking spaces meeting the Sandow Engineering Parking Demand Estimate without the need for an off-site parking agreement. According to RMC 12.06.030, any new development on the subject property will require compliance with minimum off-street parking requirements. (Refer to Conditions 7 and 8 in response to Issue #5.)

Issue #5: Thundering Water does not yet own the property. How will the City review proposed development to ensure zone change conditions are met?

Findings:

According to RMC Section 12.06.010, Site Plan Review approval will be required prior to development of the vacant site. According to RMC Section 12.06.010.D, Site Plan Review includes a review the RMC and other applicable ordinances. Regardless of ownership, the Zone Change ordinance including the conditions, will be considered by City staff during the Site Plan Review and Building Permit process. Thundering Water is in the process of acquiring funds to purchase and develop the subject property. Based on fundraising efforts, Thundering Water may develop the site in phases.

As noted above, RMC 12.10.040 allows “reasonable conditions” beyond the list of conditions provided in the Code, Conditions 7, 8, and 9 below address concerns about property ownership and City enforcement of Zone Change approval conditions and compliance with the Roseburg Municipal Code.

Conditions:

7. Any future development of the property shall fully conform to all applicable standards and requirements of the Roseburg Municipal Code.
8. Any future development of the property shall be subject to an approved Site Plan Review and Building Permit approval.
9. The vegetative screen set forth in Condition 4 and the sound wall set forth in Condition 5 shall be installed prior to City issuance of a certificate of occupancy for any new development on the site.

III. CONCLUSION

Upon review of the application, and other materials referenced as File ZC-21-003 and after conclusion of the Public Hearing and all testimony provided herein, the Planning Commission concludes that the application by Cordell Smith, on behalf of Thundering Water, satisfies the approval criteria, therefore warranting the approval of the zone change as requested subject to the conditions listed in Section IV.

IV. ORDER

Based on the Findings and Conclusions above, the Planning Commission refers the zone change request to the City Council recommending **APPROVAL** of the zone change, as contained within file ZC-21-003 and subject to the following Conditions:

1. The zone change to C3 shall only expand the existing C2 zone Permitted or Conditionally Permitted uses to include “Places of Amusement” and “Outdoor Recreational Facilities” as identified on the Thundering Water Preliminary Site Plan dated February 7, 2022, namely miniature golf course, pump track, splash pad, boulder/climbing wall, games pavilion, recreation center, and other ancillary uses necessary to assist in these core activities.
2. The parking lot shall be constructed along the eastern portion of the property in a manner similar to the Thundering Water Preliminary Site Plan dated February 7, 2022.
3. The storm water detention areas shall be constructed and maintained along the eastern portion of the north area of the property in a manner similar to the Thundering Water Preliminary Site Plan dated February 7, 2022.
4. A minimum 5-foot-wide vegetative screen shall be constructed and maintained along the eastern edge of the parking area adjacent to the shared property line between the subject property and the Roseburg National Cemetery in a manner similar to the Thundering Water Preliminary Site Plan dated February 7, 2022. Vegetative screening in this area shall meet the requirements as identified in RMC Section 12.06.030(T)(5) & (6).
5. A minimum 7-foot-tall sound wall shall be constructed along the entire length of the shared property line between the subject property and the Roseburg National Cemetery in a manner similar to the Thundering Water Preliminary Site Plan dated February 7, 2022.
6. Development on the subject property shall have a maximum building height of 45 feet.
7. Any future development of the property shall fully conform to all applicable standards and requirements of the Roseburg Municipal Code.
8. Any future development of the property shall be subject to an approved Site Plan Review and Building Permit approval.
9. The vegetative screen set forth in Condition 4 and the sound wall set forth in Condition 5 shall be installed prior to City issuance of a certificate of occupancy for any new development on the site.



Ronald Sperry, Planning Commission Chair

Feb. 7, 2022
Date



Stuart Cowie, Community Development Director

2/7/2022
Date

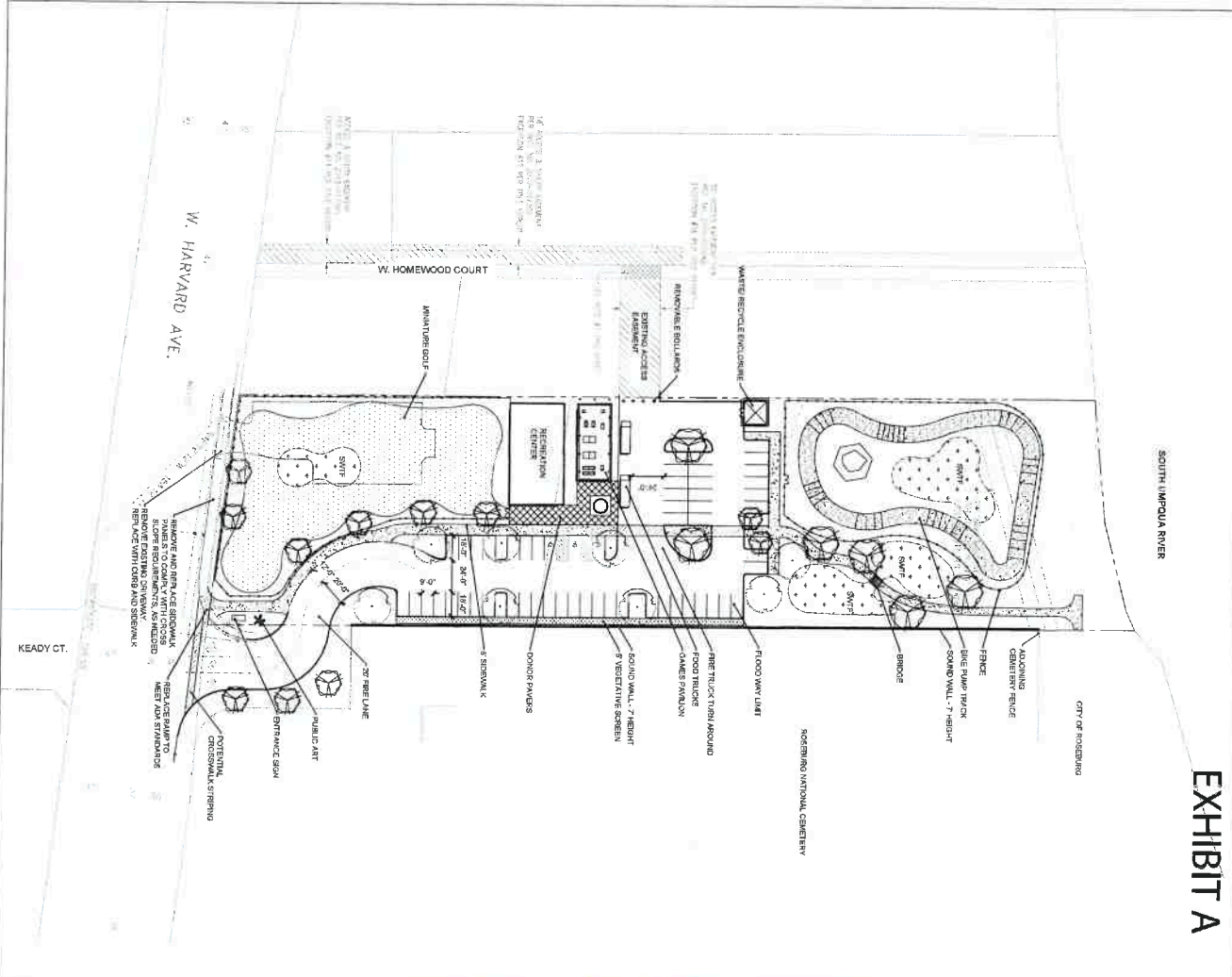
Planning Commission Members:

- Ronald Sperry, Chair
- Daniel Onchuck, Vice Chair
- Victoria Hawks
- Jamie Yraguen
- Shelby Osborn

Exhibit A – Thundering Water Site Plan Dated February 7, 2022

1/3/2022 9:12:50 AM

EXHIBIT A



MAP and TAX LOT/ZONING



KEY AMENITIES

MINI GOLF	1,500 SQ. FT.
BOULDER CLIMBING WALL	3,000 SQ. FT.
PUMP TRACK	22,000 SQ. FT.
PUBLIC ART	51,000 SQ. FT.
GAMES PAVILION (OUTDOOR)	65,000 SQ. FT.
RECREATION CENTER	65,000 SQ. FT.
ADJOINING CEMETERY FENCE	6 SPACES (LOCATION TO BE DETERMINED)

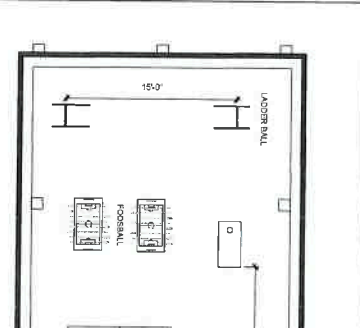
NOTES

1. ALL NEW UTILITIES SHALL BE PLACED UNDERGROUND.
2. EXISTING CONCRETE AT ACCESSWAYS TO HARVARD AVENUE SHALL BE REMOVED AND REPLACED WITH CITY CODE.
3. EXISTING CONCRETE AT ACCESSWAYS TO HOMEWOOD COURT SHALL BE REMOVED AND REPLACED WITH CITY CODE.
4. EXISTING CONCRETE AT ACCESSWAYS TO KEYDYE AVENUE SHALL BE REMOVED AND REPLACED WITH CITY CODE.
5. EXISTING CONCRETE AT ACCESSWAYS TO HARVARD AVENUE SHALL BE REMOVED AND REPLACED WITH CITY CODE.
6. EXISTING CONCRETE AT ACCESSWAYS TO HOMEWOOD COURT SHALL BE REMOVED AND REPLACED WITH CITY CODE.
7. EXISTING CONCRETE AT ACCESSWAYS TO KEYDYE AVENUE SHALL BE REMOVED AND REPLACED WITH CITY CODE.

LEGEND



GAMES PAVILION



N.T.S.

Project Number	308
Drawn By	nd
Checked By	nd
Date	1/17/22
Scale	AS SHOWN
Drawn By	nd
Checked By	nd
Date	1/17/22
Scale	AS SHOWN

PRELIMINARY SITE PLAN 2-7-22
THUNDERING WATER

1802 WEST HARVARD AVENUE
ROSEBURG, OR 97471

THE SATRE GROUP
370 West 4th, Suite 201, Eugene OR 97401
Phone: 541-388-4544 Fax: 541-541-4377
www.satregroup.com



ZC-21-003

APPLICANT'S SUBMITTED MATERIALS

TABLE OF CONTENTS

1. LAND USE APPLICATION (SUBMITTED 9/10/2021)

2. APPLICATION NARRATIVE (SUBMITTED 10/18/2021)

3. EXECUTIVE SUMMARY OF TRAFFIC IMPACT STUDY (SUBMITTED 9/24/2021)

3. DRAFT SITE PLANS (SUBMITTED 9/10/2021)

4. LETTERS OF SUPPORT (SUBMITTED 12/14 -12/20 2022)

5. REVISED SITE PLAN (SUBMITTED 2/7/2022)

CITY OF ROSEBURG
COMMUNITY DEVELOPMENT DEPARTMENT
LAND USE APPLICATION

LAND USE(S) REQUESTED:

(Please check all that apply)

- | | | |
|---|---|---|
| <input type="checkbox"/> Amendment | <input type="checkbox"/> Annexation | <input type="checkbox"/> Boundary Line Adjustment |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Partition |
| <input type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Vacation |
| <input type="checkbox"/> Variance | <input checked="" type="checkbox"/> Zone Change | <input type="checkbox"/> Temporary Use Permit |

PROPERTY INFORMATION:

Property Address/Location: 1802 W Harvard Avenue, Roseburg OR

Township 27 Range 06W Section 23 Lot Number _____ Tax Account R14201

Township 27 Range 06W Section 23 Lot Number _____ Tax Account R14193

**BRIEFLY DESCRIBE THE PROPOSED LAND USE ACTION
AND ANY ADDITIONAL INFORMATION PERTINENT FOR THE REVIEW:**

This is a request to amend the zoning of the subject property from C2 Community Commercial
to C3 General Commercial. The change is zoning will allow the development of the
Thundering Water Recreation Center.

APPLICANT/AUTHORIZED AGENT:

Name: Thundering Water

Mailing Address: 2300 NW Steward Parkway
Roseburg OR 97471

Phone Number: 541-673-7322

E-mail: csmith@roseburgpodiatry.com

PROPERTY OWNER: (if different)

Name: Harvard Medical Park LLC

Mailing Address: 1813 W Harvard Ave
Roseburg, OR 97871

Phone Number: 541-672-8541

E-mail: ktorvik@abct.com

PROPERTY OWNER 2: (for B.L.A.)

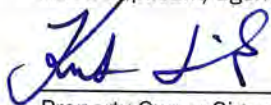
Name: _____

Mailing Address: _____

Phone Number: _____

E-mail: _____

I hereby certify that the information furnished herein is the data and information required for the project and the facts, statements, and information presented is true and correct to the best of my knowledge. My signature authorizes the listed applicant/agent to act in my behalf relative to the processing of this application.



Property Owner Signature

9-10-2021

Date

Property Owner Signature

Date

LAND USE APPLICATION SUBMITTAL REQUIREMENTS

The following checklist will be used to determine completeness: (depending on the land use action you are requesting, some items below may not apply to your submittal)

ONE PAPER COPY IF 11" X 17" OR SMALLER. IF LARGER, AN ELECTRONIC SUBMITTAL IS REQUIRED.

Site Plan shall include:

- Title block
- North arrow and scale of drawing
- Vicinity map showing property location within the City of Roseburg
- Adjacent existing and proposed streets and name of each street, dimensioned to show width and distance from centerlines
- All property lines and their dimensions and total lot area
- All existing and proposed building(s) and setback footage from property lines
- All existing and proposed paved surfaces, including walkways, driveways, etc.
- All existing and proposed parking spaces, loading spaces, and bicycle parking, and their dimensions
- All existing and proposed pad, ground or wall mounted equipment, utility vaults, transformers, backflow devices, gas meters, fire hydrants, mail boxes, light poles
- All existing and proposed fences including height and types
- All existing and proposed easements and their purpose
- Existing contour lines at two-foot intervals

Elevations that include*

- Elevations labeled appropriately north, south, east and west of all existing and proposed building(s)
- Height from top of nearest adjacent curb at the front property line to the highest point of the structure(s)
- General architectural features (windows, door, trim, roof pitch, etc.)

Floor Plans that include*

- Use and dimensions of all existing and proposed areas
- All entrance and exit points
- All enclosed and/or covered parking areas
- Supportive Findings of Fact statement** - The applicant shall submit a written statement to support the application based on the applicable criteria provided in the LUDR. (See Review/Approval Criteria for appropriate type of land use action)
- Legal Description** - It may be necessary to submit a metes and bounds legal description. Staff will advise as a part of the completeness check.
- Electronic copy of plans** for applications that are to be reviewed by the Planning Commission and/or City Council as PowerPoint or PDF presentation. (Slides are not to be animated or have large borders)
- Appropriate Fee**
- Owner Authorization form** (If someone other than the property owner(s) have signed on the application form)

**If the proposal does not include any structures and/or buildings, elevations and floor plans are not required.*



PLANNING & DEVELOPMENT SERVICES

375 West 4th Ave., Ste 204, Eugene
PO Box 50721
Eugene, OR 97405
541-514-1029
www.bishowconsulting.com

October 18, 2021

Caleb Stevens
City of Roseburg
Community Development
Department 900 SE Douglas Ave
Roseburg, OR 97470

Sent via e-mail: cstevens@cityofroseburg.org

RE: Thundering Water Zone Change REVISED Written Narrative and Site Plans

Thank you for facilitating the Thundering Water Pre-Application conference held on October 13, 2021. Please accept this revised written narrative and Site Plans (L1.0, L 2.0, L 3.0, and L4.0). All other Zone Change application materials remain the same.

Address: 1802 W Harvard Avenue, Roseburg OR 97871

Assessor's Map: 27-06W-23 **Tax Account:** R14193

Assessor's Map: 27-06W-14 **Tax Account:** R14201

Site Size: 3.3 Acres

Comp. Plan Designation: Commercial

Existing Zoning: C2 Community Commercial

Proposed Zoning: C3 General Commercial

Pre-Application Mtgs: PRE- 21-032 **Date:** June 23, 2021
PRE- 21-042 **Date:** October 13, 2021

Property Owner: Harvard Medical Park LLC - Knut Torvik
1813 W Harvard Ave, #431
Roseburg, OR 97871
k.torvik@abct.com

Applicant: Thundering Water
Cordell B. Smith, DPM
2300 NW Stewart Parkway
Roseburg, OR 97471
csmith@roseburgpodiatry.com

**Applicant's
Representative
Land Use Planner:** Teresa Bishow, AICP
Bishow Consulting LLC
PO Box 50721
Eugene, OR 97405
teresa@bishowconsulting.com

Engineers: Alex Palm, PE
Nick Jones, PE
i.e. Engineering
809 SE Pine Street
Roseburg, OR 97470
palm@ieengineering.com
jones@ieengineering.com

Traffic Engineer: Kelly Sandow, PE
Sandow Engineering
160 Madison St, Suite A
Eugene, OR 97402
Kellysandow@sandowengineering.com

Architect: Paul L. Bentley, AIA NCARB LEED AP
Paul L. Bentley Architect
615 SE Jackson St
Roseburg, OR 97470
paul@paulbentleyarchitect.com

Landscape Architect: John Anderson, ASLA, LEED AP
The Satre Group
375 West 4th Avenue, Suite 201
Eugene, OR 97401
johna@satregroup.com

General Contractor: Pete Pappas
Victory Builders
428 Industrial Drive
Roseburg, OR 97471
pete@victorybuilders.com

ZONE CHANGE APPLICATION CONTENTS

Application Form Signed 9/10/21
Written Narrative, Revised 10/18/2021
L1.0 Preliminary Site Plan, Revised 10/15/2021
L1.1 Fire Access Circulation Plan 9/17/2021
L2.0 Preliminary Site Plan overlaid on aerial photo, Revised 10/15/2021
L3.0 Preliminary Site Plan Alternative, Revised 10/15/2021
L3.1 Fire Access Circulation Plan Alternative 9/17/2021
L4.0 Preliminary Site Plan Alternative overlaid on aerial photo, Revised 10/15/2021
Boundary & Topo Maps (Sheets 1 and 2) 9/28/2020
Sandow Engineering Traffic Impact Analysis, 9/24/2021
Title Report with Legal Description, 9/15/2020

WRITTEN STATEMENT

This written statement provides findings that demonstrate the requested zone change complies with the approval criteria.

I. Project Summary

This is a request to change the zoning of the subject property from C2 Community Commercial to C3 General Community to allow development of Thundering Water.

This zone change request is submitted on behalf of Thundering Water, a non-profit organization. Established in 2021, the organization's mission statement and foundational principles provide the framework for the requested zone change and proposed development.

Thundering Water Mission Statement: *To utilize upstream, preventive, proactive and sustainable approaches in providing affordable, wholesome recreational opportunities and lifestyle/nutrition education in Douglas County to bridge generational gaps, boost inter/intra-family relationships and strengthen community resilience.*

Thundering Water Foundational Principles: *Successful marriages, families and communities are established and maintained on principles of respect, love, forgiveness, compassion, faith, work, and wholesome recreational activities. Wholesome recreational activities should be meaningful and have greater purpose than just pure diversion and entertainment. There is no such thing as private choice. All private choices have public consequences. All educated and informed individuals and families must set a solid example for those who lack similar educational opportunities and resources. Leaders who genuinely seek to make upstream improvements in their communities must first live these foundations principles themselves.*

As shown on L1.0 Preliminary Site Plan, the project contains the following key amenities:

- **Recreation Center** providing space for a small office, social gatherings, teaching kitchen, lifestyle/nutrition center, and restrooms. The open floor plan will provide a space for between 30 to 40 people.
- **Game Pavilion** providing outdoor space for activities, such as table tennis.
- **Miniature Golf** with educational component.
- **Bike Pump Track** offering fun for different age groups and ability levels.
- **Parking** with landscaping.
- **Food Trucks and Plaza**

Basis for Zone Change

At an initial pre-application conference, the Community Development Director determined that the proposed development best aligned with the Roseburg Municipal Code (RMC) zoning use “*Places of amusement (e.g., billiard parlors, bowling alleys, drive-in theaters, dance halls, video arcades, miniature golf, etc.)*”.

According to RMC Table 2-7: Commercial – Allowed Uses, the C3 zone is the only commercial zone that lists “*Places of amusement*” as a Permitted Use. The site is suitable for an amusement park based on the existing land uses and zoning in the vicinity. A place of amusement will include attractively designed outdoor facilities that are compatible with the Roseburg National Cemetery and compliment recreation uses at Fir Grove Park.

The C3 zone is the only commercial zone that lists: “*Outdoor recreational facilities (e.g., golf/country/swimming/tennis clubs, skateboard parks, etc.)*” as a Permitted Use, subject to a Conditional Use Permit (CUP). Since Thundering Water does not contain any outdoor recreational facilities for exclusive use by a membership club or uses, such as a skateboard park, that generate excessive noise, the city staff determined a CUP would not be required.

II. Site Description and Surrounding Area

The site address is 1802 W Harvard Avenue and is located at the northwest corner of W Harvard Avenue and Keady Court. The site currently has an existing driveway onto W Harvard Avenue, an asphalt parking lot and concrete pads remaining from a house demolished on the site. The site has a natural slope towards the river with the northern portion of the site within the Floodway Boundary. For further information regarding the site, see the survey prepared by i.e. Engineering (Sheets 1 / 2 and 2 / 2.)

Surrounding land uses include South Umpqua River to the north, Roseburg National Cemetery to the east, Harvard Medical Park to the south, and Umpqua Homes for Handicapped to the west. Other uses in the vicinity include Fir Grove Park, Umpqua Valley Arts Association, Riverview Terrace, First Community Credit Union and St Joseph School and Catholic Church.

III. Zone Change Approval Criteria – Supporting Findings

The applicable approval criteria for the zone change is contained within the Roseburg Municipal Code 12.10.040(D):

- 1. The rezoning will conform to the Roseburg Urban Area Comprehensive Plan, including the land use map and written policies.***

The property is designated Commercial in the Comprehensive Plan and zoned Community Commercial (C2) in the Roseburg Zoning Map. The subject site is surrounded by Professional Office (PO) parcels to the west and south and Public Reserve (PR) parcels to the east. The South Umpqua River abuts the property to the north. The proposed C3 zone conforms to the Comprehensive Plan as both the C2 and C3 zone have the “Commercial” Comprehensive Plan designation, and therefore does not require a Comprehensive Plan amendment. The zone change will also conform to the Zoning Map and applicable policies.

The Roseburg Comprehensive Plan contains the following applicable policies:

Natural Resources Policy No. 10: *The City shall cooperate with the Department of Environmental Quality in developing and implementing ongoing plans and programs necessary to assure compliance with adopted air quality standards, water quality standards, and noise level standards.*

The policy above is directed towards the City and has been implemented through a variety of measures. Prior to development of the site, the property owner will need to demonstrate the project will comply with City and DEQ air quality standards, water quality standards and noise level standards. Any plans to discharge stormwater runoff into the South Umpqua River will also require coordination with DEQ and compliance with any State regulations.

Natural Resources Policy No. 11: *The South and North Umpqua Rivers, Newton Creek and Deer Creek are major waterways that are scenic, recreational, and natural resources of the community. They are, however, to be protected, preserved, and maintained for their primary function as drainage courses first. Any measures taken to sustain their primary function shall minimize adverse impacts on scenic, recreational, and natural values.*

The site is in the AE Floodway area which is the main conveyance channel for the South Umpqua River. Floodways can be dangerous in a flood event as water moves through the area at high velocities. Therefore, the applicant will keep the area clear of buildings. Planned improvements in the floodway will be designed to account for potential flooding.

The Site Plan shows a potential future extension of the existing Riverfront Park trail system in Fir Grove Park extending to the northeast corner of the subject property. Extending the Riverfront Park trail system from Fir Grove Park to the subject property would encourage patrons to use alternative transportation and improve the community’s access to nature and the outdoors. Currently, this section of the riverbank is difficult to monitor making it

attractive to transients and subject to illegal camping and dumping of trash and debris. To address public safety concerns and to allow Thundering Water to be closed after hours, a gate may be constructed if the public bike/pedestrian path is extended and connects to Thundering Water.

Natural Resources Policy No. 13: The development of uses relating to the rivers for public recreation and scenic enjoyment should be encouraged.

The proposed zone change will allow recreational uses on land adjacent to the South Umpqua River. Thundering Water will provide opportunities for the community to have access to the river for recreation and scenic enjoyment.

Natural Resources Policy No. 14: Mature ground cover and trees, wildlife habitats, and the natural contours of identified significant stream banks shall be preserved. This shall be accomplished with a setback of structural and any other physical development such as parking lots, retaining walls, channel alterations, etc., from identified stream banks unless findings are made, after consultation with the Oregon Department of Fish and Wildlife, that any such activity:

- a. Will not have a significant adverse effect on streambank erosion, water temperature and quality, or wildlife; or*
- b. Is required for flood control and actions are taken to mitigate such impacts as much as is possible; or,*
- c. Is not required for flood control and will include all actions as are necessary to prevent or sufficiently mitigate any significant immediate or potential streambank erosion, adverse effect on water temperature and quality, or wildlife.*

The policy above is directed towards preserving natural contours and riparian habitats along significant stream banks including the South Umpqua River. The subject property is adjacent to South Umpqua River and design consideration will be given to help preserve wildlife habitats and the natural contours of the riverbank. The applicant will work with the appropriate agencies to determine the top of the riverbank and the 50-foot riparian setback.

As shown on two conceptual Site Plans (L1.0 Site Plan and L4.0 Site Plan Alternative), no buildings are proposed within the Floodway. Any site grading or improvements in the Floodway, such as the bike pump track, will be designed to avoid significant adverse effects on streambank erosion, water temperature and quality, or wildlife. Any site grading will take into consideration applicable standards for the Floodway and the riparian setback.

Economic Growth Policy No. 3: The City shall encourage economic activities which strengthen the urban area's position as a regional distribution, trade, and service center.

Thundering Water will provide a diverse range of activities that encourage economic growth by enhancing the quality of life in Roseburg. The key amenities such as the miniature golf course will provide additional opportunities for residents to learn about and engage in healthful living and strengthen community resilience. For example, the miniature golf course will:

- Include a public education campaign on food choices and healthy eating
- Offer an affordable outdoor community recreation space that involves physical movement and appeals to all generations and ages.

The community's bowling alley, roller skating rink, YMCA, Boys/Girls Club, movie theaters, virtual arcade, etc. are indoor activities that offer alternative opportunities for healthy activities. Thundering Water will give families in Douglas County in-town, affordable, wholesome, and outdoor family-friendly recreation. Thundering Water will provide jobs and volunteer opportunities that will strengthen the local economy.

Economic Growth Policy No. 4: Through the planning process, the City and County shall continue to monitor the supply of developable commercial and industrial sites to ensure opportunity for the expansion of existing and the establishment of new economic enterprises throughout the urban area.

The Policy above is directed to the City and County to monitor the supply of developable commercial sites. The proposed zone change does not remove land from the inventory of available commercial sites. The change from C2 to C3 will allow a different range of uses but will allow a new economic enterprise to be developed for the Thundering Water non-profit organization.

The proposed use is permitted in the C3 zone and will result in the creation of new jobs helping to diversify the local economy.

Economic Growth Policy No. 9: The City shall encourage the development of convention and tourist related facilities in the urban area.

The zone change will increase the range of uses permitted on the subject property including tourist related uses. Thundering Water will provide a variety of educational programs and recreation amenities attractive to residents living in the City of Roseburg and the region. Some of the uses, such as the miniature golf, will promote tourism.

Transportation Development Policy No. 3: Transportation facilities shall be designed and constructed to minimize noise, energy consumption, neighborhood disruption, cost, and social, environmental, and institutional disruptions, and to encourage the use of public transit, bikeways, and walkways.

Development of the site will require the existing access on W Harvard to be eliminated to prevent queuing and to minimize access connections to the street. Listed below are planned public street improvements:

- Remove and replace the existing ramp at the NW quadrant of the W Harvard @ Keady Court intersection to comply with current city and ADA standards.
- Remove and replace sidewalk panels on W Harvard that do not meet cross slope standards (2% or less).
- Remove the existing driveway access on W Harvard and replace with new

curb and new 7-foot-wide sidewalk.

The improvements listed above will be designed and constructed to minimize noise, neighborhood, social, environmental, and institutional disruptions to the area. Given the site's proximity to nearby commercial uses, parks, and schools, the improvements to the intersection will encourage the public to bike and walk to the site and nearby amenities.

Transportation Development Policy No. 4: Traffic movement on arterial streets should be facilitated by limiting or controlling access wherever possible.

W Harvard Avenue is classified as an arterial street. The proposed zone change will stimulate redevelopment of the subject property that will result in the removal of the existing driveway on W Harvard Avenue. Access to the site will come from the north leg of Keady Court, thereby providing access from a lower street classification.

Transportation Development Policy No. 10: New developments shall include consideration of improvements which would accommodate public transit and other modes.

The Umpqua Public Transit District provides service near the site via the Roseburg Greenline bus route and the intersection improvements noted above will encourage more foot traffic on Keady Court. If in the future, the city extends the existing Riverfront Park trail system from Fir Grove Park to Thundering Water it would enhance bike and pedestrian movements.

Energy Conservation Policy No. 2: The City shall incorporate into its land use and ordinance provisions which encourage new development to utilize density and location, in balance with the requirements of other planning policies, in order to reduce the need to travel, increase access to transit, and permit building configurations which increase the efficiency of space heating in residences.

The Policy above is directed toward the City and is not a mandatory approval criterion for the proposed zone change.

The proximity of Thundering Water to other family activities in the area makes this location highly compatible for an amusement park. The site is located near Fir Grove Fields and Stewart Park which contain soccer fields, a splash pad, disc golf, tennis court, and the Riverfront Park trail system. The site is also close to schools reducing the travel distance to recreational amenities. The location of Thundering Water will encourage patrons to use alternative transportation and improve the community access to nature and the outdoors.

Energy Conservation Policy No. 5: The City will encourage and support the development of a resource recovery program as an energy conservation measure.

This policy is directed towards the City taking steps to support energy conservation and is not directly applicable to the proposed zone change. The applicant plans to carefully consider both energy and water conservation measures in the design of the project. It is

anticipated that any water features in the miniature golf course will be recycled and recirculated to support resource recovery and energy conservation.

Parks and Recreation Policy No. 5: *The City shall take an active role in promoting both the public and private recreation industries in the Roseburg urban area.*

The proposed zone change will support both the public and private recreation industries that serve the Roseburg urban area. Thundering Water will be operated by a private, non-profit organization striving to increase recreational opportunities for all ages and provide education on healthy lifestyle and eating choices. The proposed uses will compliment other nearby public and private recreational amenities.

Public Facilities and Services Policy No. 8: *All new residential plans, industrial and commercial development in the urban area shall make provisions for fire hydrants and fire lanes where applicable.*

There is an existing fire hydrant on the corner of Keady Court and West Harvard Avenue. If additional fire hydrants are required, they will be located no more than 100 feet from the fire department connection, no closer than 40 feet from the building, and no further than 12 feet from an approved Fire Department access road per the National Fire Protection Association requirements.

Regarding fire separation and access, the proposed parking lot drive aisle will have a minimum width of 24' and a fire turnaround where the length of the aisle exceeds 150'. The proposed food trucks will also maintain a 10' setback from each other and any buildings.

Urban Growth Policy No. 10: *New developments shall make maximum use of available land areas with minimal environmental disturbance and be located and designed to minimize such public costs as extension of sewer and water services, schools, parks, and transportation facilities.*

The zone change will maximize use of the subject property by increasing the range of uses permitted on the property. The subject property is within the City limits and development can occur with the efficient extension of public infrastructure and minimal impacts on schools, parks, and transportation facilities.

Stormwater: City of Roseburg storm water requirements state that any new impervious area greater than 3,000 square feet will require stormwater detention treatment, adequate pipe size, materials, and markings per City standards. Based on the site's natural grade, stormwater runoff primarily flows to the South Umpqua River. The applicant will obtain DEQ approval for any proposed discharge of stormwater runoff to the South Umpqua River. The applicant also expects to provide all catch basins with an approved infiltration device and a marking of "Do Not Dump, Drains to Stream".

Sewer: The parcel was previously served by a non-conforming sewer service. The new development will need to find a new way to provide sewer service in conformance with existing standards. The applicant is exploring the viability of obtaining an easement from

the neighboring property on Homewood Court to extend an existing 8" sewer line. Only if necessary, will the applicant consider a direct connection to the sewer line trunk that parallels the river and goes through the subject property.

Water: There is an existing 2" water line that extends to the north leg of the W Harvard @ Keady Court intersection. The site is currently served with an active 5/8" water meter. There is an existing 12" water main along the south side of Harvard Avenue. To increase the water service to the site, the applicant is exploring obtaining an easement from the adjacent property owner west of the site to allow a new water line to connect to the existing 8" water line that runs along Homewood Lane.

Schools & Parks: The site is located near Fir Grove Fields and Stewart Park and the nearest public school is Fremont Middle School. Thundering Water will enhance outdoor recreational opportunities in the area and compliment existing facilities.

Transportation: The site has historically been underutilized based on the existing Commercial plan designation and C2 zoning. Any development of the site will require some level of improvements such as the removal of the existing driveway on W Harvard Avenue and the construction of a new driveway on the north leg of Keady Court. Please refer to findings on page 7 related to Transportation Development Policy No. 3 and the Sandow Engineering Traffic Impact Analysis prepared for this zone change application.

Commercial Development Policy No. 4: Community shopping and service facilities shall be located close to major arterials and shall provide adequate parking and service areas. The zoning ordinance, subdivision ordinance, and other appropriate regulations shall include provisions as to siting and development which discourage major customer traffic from outside the immediate neighborhoods from filtering through nearby residential streets.

Thundering Water fronts on West Harvard Avenue, a major arterial, but access will come from the north leg of Keady Court, a local street. The applicant intends to comply with required off-street parking with the potential use of a shared parking agreement with a nearby property owner. West Harvard Avenue is a major thoroughfare in the City of Roseburg and uses fronting the street are primarily commercial, professional office, or public uses. Therefore, the development will discourage customer traffic from filtering through nearby residential streets as there are none in the vicinity.

Commercial Development Policy No. 10: Adequate off-street parking and buffer strips shall be provided for all commercial development. When appropriate, transit services and shelters may be provided in lieu of some off-street parking. Parking and loading facilities shall be designed so that ingress and egress driveways do not disrupt the efficient flow of traffic on arterial streets, intrusion into abutting uses is minimized, and safe and convenient pedestrian circulation is provided.

Development of the site will be done according to City standards regarding off-street parking and buffer strips. Given the unique nature of the use and the likelihood that patrons will participate in more than one activity, the amount of needed parking will vary.

Thundering Water anticipates providing sufficient parking on-site to accommodate typical daily use with overflow parking available off-site for peak times or use by employees.

The new driveway connection to Keady Court will not disrupt the efficient flow of traffic or pedestrian circulation as it will be the only driveway connection to the right-of-way. Improvements to the intersection will promote walking and should the extension of the Riverfront Park trail system occur, the site and nearby amenities can expect an increase in patrons biking or walking to the site. Please refer to specific planned street improvements shown on the Site Plans (L1.0 and L3.0).

Commercial Development Policy No. 11: Zoning regulations governing the siting of commercial development shall take into consideration the relationship of adjacent development in terms of building height, mass, and activity.

The site abuts the Roseburg National Cemetery to the east and Homewood Court to the west. To minimize impacts to these abutting uses, the site will be screened with fences and landscaping along the property boundaries. There is an existing tall hedge on the Roseburg National Cemetery that provides a dense, vegetative screen along the east side of the subject property. Any development of the subject property will be required to comply with code standards related to building setbacks, parking lot landscaping, and open space. In addition, the building height and mass will be comparable with other commercial buildings in the vicinity.

Resource Area and Hazardous Area Development Policy No. 2: Development in the floodplain shall be regulated to preserve and maintain the capability of the floodplain to convey floodwaters discharges and to minimize danger to life and property.

Resource Area and Hazardous Area Development Policy No.3: New subdivisions and other development which occurs on property extending into the floodplain should be encouraged to utilize only that portion of the property lying outside the floodplain by employment Planned Unit Development or cluster-type development techniques.

The proposed zone change will allow additional uses on the subject property and stimulate redevelopment for Thundering Water. The northern portion of the subject property is in the Floodway. Preliminary Site Plans do not contain any buildings or intensive uses within the Floodway. Instead, the north portion of the site along the river is envisioned for use for new bike/pedestrian paths, stormwater treatment facilities, and a bike pump track. There may be some intrusion of the parking lot but no permanent enclosed structures. Prior to any grading or improvements within the Floodway, the proposed development will be required to demonstrate compliance with applicable standards.

2. The site is suitable to the proposed zone with respect to the public health, safety, and welfare of the surrounding area.

The mission of Thundering Water is to promote public health awareness for healthy eating

and active lifestyles. The conceptual design includes multi-generational activities so that all ages can play together:

- Each mini golf course hole may highlight one of Douglas County’s many beautiful waterfalls, lakes or mountains, including early native tribes and local veterans. Each tee spot would also have a flip lid trivia game that educates participants on a variety of nutritional, environmental, or preparedness topics.
- A bike pump track will be located in the northern area of the site that will include circular bends with both inner and outer rims. The applicant expects that there will be many different types of bikes to rent and that children can bring their own bikes to race. Staff will be present to organize races and allow visitors to win vouchers for the food trucks and admission discounts.
- The food trucks at Thundering Water will offer delicious nutritional meals to dispel the myth that eating healthy means “just eating salad”. The applicant hopes the food trucks will offer farm to pantry staples and low-cost recipes.

Safety and security at the center are tantamount to helping visitors feel like they can make a positive change in their lives. Thundering Water is working closely with DHS social workers and Aviva medical residents to help engage their services, especially during peak times. Finally, as needed, security fencing will be installed with additional safety measures such as alarms and cameras to discourage illegal activities such as camping, littering or vandalism.

The proposed site is especially suited for Thundering Water based on its location near many local schools, the soccer fields/park, and other commercial uses along W Harvard. The proposed site is also in an ideal location along the south side of South Umpqua River. Located on the river, the site offers a unique opportunity for Thundering Water to provide views and access to the river. Studies have shown that a strong positive correlation between personal health and access to nature. The proposed site is the last remaining vacant site in Roseburg with river frontage and the use will help enhance public health. The proposed use will also address existing public safety issues by cleaning up debris along the riverbank, select thinning of trees and removal of invasive, non-native plants. The proposed use will also result in public street improvements that will enhance safety for all motorists, bicyclists, and pedestrians.

The site is of a suitable size and configuration to allow C3 permitted uses that meet fire access circulation requirements. The applicant prepared fire access circulation plans for the two different Site Plans. Both plans meet fire truck turnaround standards. Please refer to [L1.1 Fire Access Circulation Plan](#) and [L3.1 Fire Access Circulation Plan](#).

3. *The zone change is consistent with the safety and performance measures of the transportation system.*

The applicant hired Sandow Engineering to prepare a Traffic Impact Analysis (TIA) for the zone change application. The TIA evaluated the transportation impacts per the City of Roseburg criteria, evaluating adjacent roadway and intersection operations with the addition of development traffic for the year of completion and a 20-year future analysis.

Since this is a zone change application, the TIA also included an evaluation to show compliance with OAR 660-012-0060, Transportation Planning Rule. The full TIA is available under separate cover.

The Sandow Engineering TIA concluded that the zone change would not require any major transportation system improvements. The TIA contained the following findings:¹

- The proposed new zone, C3, is consistent with the Comprehensive Plan. As per OAR 660-012-0060(9), the TPR findings can be found to be met.
- The study area intersections will meet the mobility standards with the development in place.
- The addition of development trips does not increase queuing conditions and study area intersections.
- The site access, the intersection of Harvard and Keady, will operate safely and efficiently for all modes of travel.
- The site will have safe and adequate access for pedestrians and bicycles to and within the site.

In closing, the applicant has demonstrated that the proposed zone change meets the approval criteria. If you have any questions or need further information, please contact me.

Sincerely,

Teresa Bishow

Teresa Bishow, AICP

cc: Dr. Cordell Smith, Thundering Water
Knut Torvik, Harvard Medical Park LLC

¹ Page 1, Sandow Engineering Thundering Water Traffic Impact Analysis, September 24, 2021.

THUNDERING WATER
Traffic Impact Analysis

ROSEBURG, OREGON

September 24, 2021

TRAFFIC IMPACT ANALYSIS

160 Madison Street, Suite A
Eugene, Oregon 97402
541.513.3376

SANDOW
ENGINEERING

Traffic Impact Analysis

Thundering Water



RENEWAL 06/30/22

Roseburg, Oregon
September 24, 2021

Kelly Sandow PE

**SANDOW
ENGINEERING**
160 Madison Street, Suite A
Eugene Oregon 97402
541.513.3376
sandowengineering.com
project # 5915

EXECUTIVE SUMMARY

This report provides the Traffic Impact Analysis and findings prepared for the proposed Thundering Water recreational center in Roseburg, Oregon. The subject site is located at 1802 West Harvard Avenue at the northwest corner of Harvard Ave and Keady Court. The site is approximately 3.3 acres, is currently vacant, and is found at Tax Lot R14193 of Map 27-06W-23 and Tax Lot R14201 of Map 27-06W-14.

The applicant is proposing:

1. Change the zoning from C2 Community Commercial to C3 General Commercial
2. To develop the site into a family recreation center that will contain mini-golf, bike pump track, food trucks, game pavilion, and small recreation center.

Access to the site will be via an upgraded access connection to the north approach at the intersection of Harvard Ave at Keady Ct.

The analysis evaluates the transportation impacts per the City of Roseburg criteria, evaluating adjacent roadway and intersection operations with the addition of development traffic for the year of completion and a 20-year future analysis. As the applicant is proposing a zone change, an evaluation to show compliance with OAR 660-012-0060, Transportation Planning Rule is required.

The following report recommendations are based on the information and analysis documented in this report.

FINDINGS

- The proposed new zone, C3, is consistent with the Comprehensive Plan. As per OAR 660-012-0060 (9), the TPR findings can be found to be met.
- The study area intersections will meet the mobility standards with the development in place.
- The addition of development trips does not increase queuing conditions and study area intersections.
- The site access, the intersection of Harvard and Keady, will operate safely and efficiently for all modes of travel.
- The site will have safe and adequate access for pedestrians and bicycles to and within the site.



THE S A I R E G R O U P
775 West 4th Street 201 Engineer OR 97101
Phone: 503.586.4580 Fax: 503.586.4777
www.sairlgroup.com

THE S A I R E G R O U P
775 West 4th Street 201 Engineer OR 97101
Phone: 503.586.4580 Fax: 503.586.4777
www.sairlgroup.com

PRELIMINARY SITE PLAN
THUNDERING WATER
1802 WEST HARVARD AVENUE
ROSEBURG, OR 97171

Project Number	L3.0
Client	SAIRL GROUP
Drawn By	PROJECT
Checked By	
Date	
Scale	AS SHOWN
Sheet	1 OF 1

MAP and TAX LOT/ ZONING

MAP # 27-29A-23
TAX LOT# 814163
EXISTING ZONING: C2 COMMUNITY COMMERCIAL
MAP # 27-29B-14
EXISTING ZONING: C2 COMMUNITY COMMERCIAL
PROPOSED ZONING: C3 GENERAL COMMERCIAL

KEY AMENITIES

- GAMES PAVILION (OUTDOOR) 1,500 SQ. FT.
- TABLE TENNIS
- SHUFFLE BOARD
- LADDER BALL
- RECREATION CENTER
- CLUBHOUSE
- TEACHING KITCHEN
- RECREATION CENTER
- RESTROOMS
- MINIATURE GOLF 22,000 SQ. FT.
- BIKE PUMP TRACK 71,000 SQ. FT.
- 400 LINEAR FT.
- PARKING 60 SPACES
- BIKE PARKING 6 SPACES (LOCATION TO BE DETERMINED)

NOTES

1. ALL NEW UTILITIES WILL BE PLACED UNDERGROUND.
2. EXISTING DRIVEWAY ACCESS ON HARVARD AVENUE WILL BE ELIMINATED.
3. WALL BE REMOVED AND REPLACED TO COMPLY WITH CITY CODE.
4. FOOD TRUCKS WILL BE LOCATED TO THE EAST OF THE RECREATION CENTER. FOOD TRUCKS WILL BE REMOVED FROM THE EXISTING ASPHALT WILL BE REMOVED.

LEGEND

	STORMWATER TREATMENT FACILITY (STP)
	MINIATURE GOLF
	BIKE PUMP TRACK
	FLAZA
	CONCRETE WALKWAYS
	ADA PARKING SPACE
	DIRECTION OF TRAVEL
	SPARKING
	BOULDER CLIMBING WALL
	FENCE
	PROPERTY LINE

MINI GOLF



SPLASH PAD



BOULDER CLIMBING WALL



PUMP TRACK



WILDLAND FIREFIGHTERS MONUMENT



GAMES PAVILION

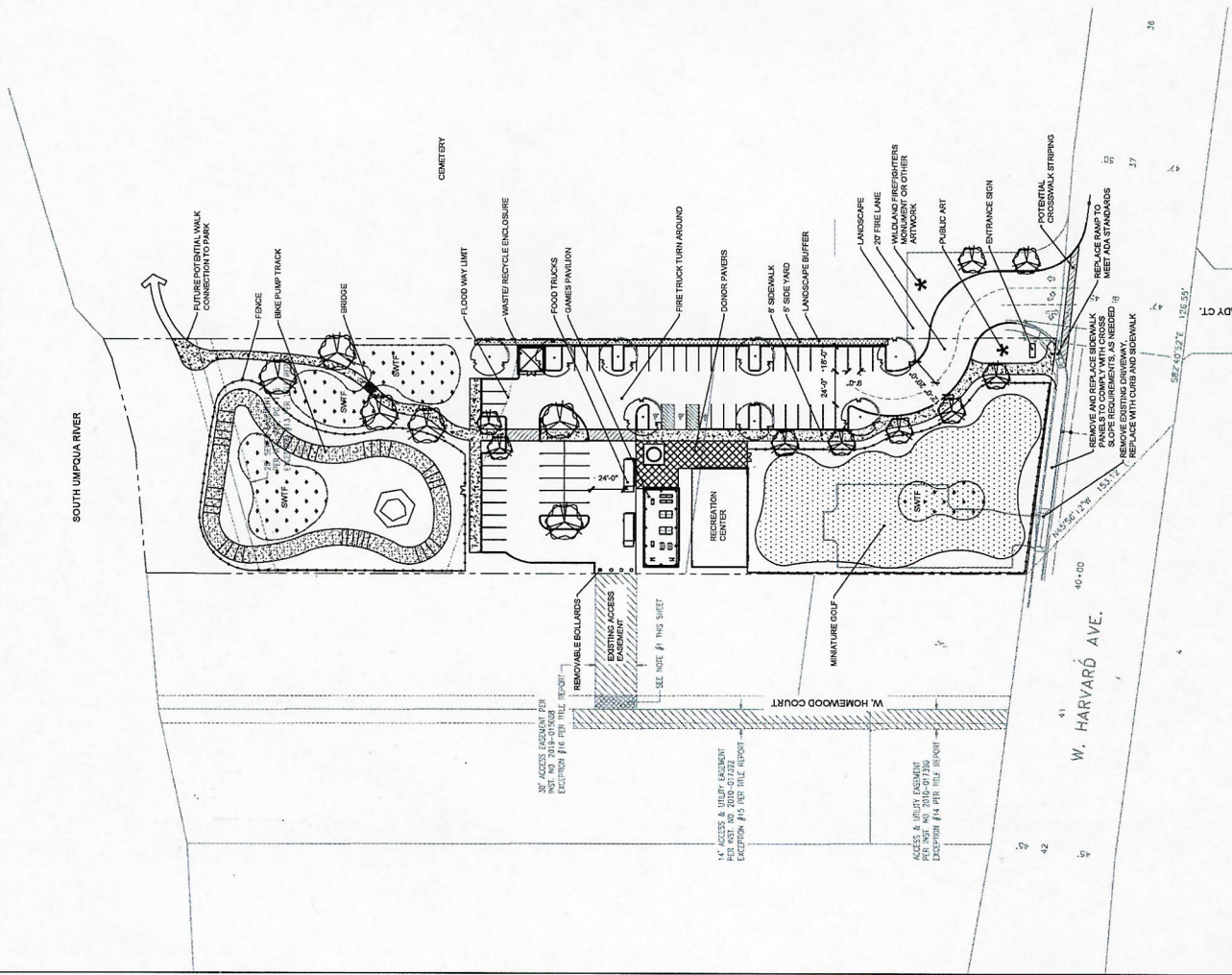
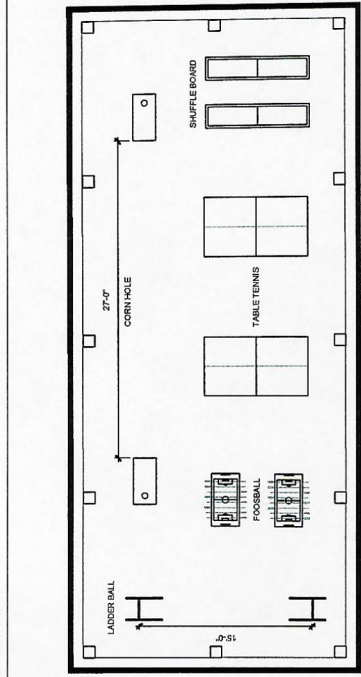


EXHIBIT E

**LETTERS OF SUPPORT COLLECTED BY THE APPLICANT
AND SUBMITTED TO ROSEBURG COMMUNITY DEVELOPMENT**



December 14, 2021

To whom it may concern;

Hello, my name is Dr. Kiran Kaul and I'm the owner of a business and two properties adjacent to proposed recreation site called Thundering Waters. At first, when I heard a miniature golf course was being planned for next door, I must admit I had some reservations. However; after watching the project develop and seeing who the contributors and leaders of the project were, my concerns have been assuaged. Thundering Waters has solid, community based and healthy ideals that it is based upon.

In light of the values and companies supporting this project, I have eager anticipation for the success of this project and welcome its proximity.

Should further questions arise, please feel free to ask.

Sincerely,

A handwritten signature in black ink that reads "Dr. Kiran Kaul". The signature is written in a cursive, flowing style.

Dr. Kiran Kaul



Retirement Living at its Best

12/16/21

This letter is in support of the Thundering Water recreation and wellness park proposed near our facility on Harvard Avenue. This would be a wonderful addition to our beautiful city and to the nearby area.

Riverview Terrace has many residents that would enjoy the nearby location and amenities to stay fit and healthy. We appreciate the safety and accessibility of the proposed park for our senior community.

We are excited and looking forward to the reimagined approach to enjoying the outdoors with innovative and health minded amenities.

Thank you so much for your hard work and making this all happen.

Most Sincerely,

A handwritten signature in cursive script, appearing to read "Patricia Koch".

Patricia Koch
Executive Director / Health Care Administrator
Riverview Terrace

Caleb P. Stevens

From: Cordell Smith, DPM <csmith@roseburgpodiatry.com>
Sent: Thursday, December 16, 2021 12:39 PM
To: Caleb P. Stevens; Teresa Bishow; Heidi Marks
Subject: HMP letter of support

Hello Caleb,
Please see below letter of support from Dr Liesinger:

To Whom it may concern

As a managing general partner of Harvard Medical Park LLC I would like to endorse the concept and development of Thundering Waters. Any concept that enhances the growth of our youth and their families is worthy of consideration and support. I have had the opportunity to read the proposal as set forth by the organization and believe it possesses the necessary foundation for enhancing the quality of life of our community youth. It further connects the activities associated with Thundering Waters with community health and continued growth. Any organization with such stated goals is certainly worthy of our support.

It is my hope that Thundering Waters will meet the necessary criteria with any organization that can assist in the advancement of this concept.

Alan Liesinger DMD
Harvard Medical Park LLC

Cordell B. Smith, DPM
Roseburg Foot & Ankle Specialists, PC
2300 NW Stewart Pkwy
Roseburg, OR 97471
(541)673-7322



Please update your records to reflect that my email address has been changed to:
csmith@roseburgpodiatry.com

THIS ELECTRONIC COMMUNICATION (EMAIL) MAY CONTAIN PROTECTED HEALTH INFORMATION (PHI). IF YOU ARE NOT THE INTENDED RECIPIENT, YOU CANNOT USE OR FURTHER DISCLOSE THE PHI. STATE AND FEDERAL LAWS PROVIDE FOR SUBSTANTIAL PENALTIES AGAINST THOSE WHO INAPPROPRIATELY USE OR DISCLOSE PHI. INADVERTENT RECEIPT OF THIS EMAIL DOES NOT GRANT A LICENSE OR OWNERSHIP INTEREST IN THE PHI CONTAINED HEREIN. IF YOU HAVE RECEIVED THIS EMAIL IN ERROR, PLEASE CONTACT THE SENDER IMMEDIATELY AT (541) 673-7322 TO ARRANGE FOR THE RETURN OR DESTRUCTION OF THE PHI



To Whom It May Concern,

Umpqua Homes (UHI) is proud to give their endorsement for Thundering Water. We believe that Douglas county will be greatly served by the addition of a recreation and wellness center.

Wellness is an important factor for those that experience intellectual and developmental disabilities. At UHI we often find ourselves searching for new and improved ways to increase wellness. Thundering Waters will be a place where those we serve can gain increased knowledge regarding health, exercise and overall lifestyle.

As stated in our mission, "UHI's reward is your growth. We are united in providing a foundation on of independence and choice. Engaging all people to explore a lifestyle that makes them proud", we believe Thundering Water will be a great partner to UHI and those we serve.

A handwritten signature in black ink, appearing to read 'Natasha Atkinson', is written over a faint, light-colored background.

Natasha Atkinson (She/Her/Hers)

CEO/ Executive Director

Umpqua Homes, Inc.

541-673-2240 Office

541-430-0055 Cell



Oregon

Kate Brown, Governor

Department of Human Services

Child Welfare

738 W. Harvard Ave
Roseburg, OR 97471-2969
541-440-3373
Fax: 541-673-9938
TTY: 541-440-3308

November 23, 2021

Dr. Cordell B Smith, DPM
2300 NW Stewart Pkwy
Roseburg OR 97471



DHS, Child Welfare Program in Douglas County is interested in our families, both bio and foster (resource), having passes to the recreation center to promote and address the following:

Meaningful community visitation

As we look to have children visiting with their parents, caregivers, siblings, and extended family members in the least restrictive setting possible, while promoting a positive visit experience, the recreation center will offer an alternative location and activity to what is currently available to us. This could have a direct impact on our ability to reunify children with their parents and families as quickly as possible. There is a direct correlation between frequency and quality of visitation, and parent/child reunification. The more time a family spends together, the better, and we don't want families visiting in the restrictive environment of the Child Welfare office, unless it is absolutely necessary due to safety concerns.

Family preservation work- as we, as any agency, move forward in our work to prevent children from being removed and placed in substitute care in the first place, and instead make diligent efforts to wrap around the family with safety and support resources, I can see the recreation center having a role. Oftentimes as families contend with the underlying issues resulting in a decreased capacity to safely parent, they learn how to parent in new ways which are unfamiliar. One example of this is a parent who struggles with substance abuse issues and has not ever parented sober for any length of time. Part of our efforts to support and help the family repair would be to introduce some parents to a whole new way of parenting, inclusive of healthy family activities. There are parents and families who have not experienced this type of family activity, or this sort of parenting, due to poverty, lack of access, or conditions that greatly reduce the capacity of a parent to meet the holistic needs of their child or children. It is to the benefit of these families, and our communities, to teach these parents a different way, and support their incredible and brave efforts at making difficult changes in their lives.

Foster care recruitment- One of my longer-term goals is to eventually offer foster parents for teens, sibling groups, and other hard-to-place populations of youth, a benefits package of sorts. We are currently exploring the possibility of writing a grant or requesting sponsorship of this project. I would like passes to the recreation center to be a part of a benefits package, to also include movie passes, Wildlife Safari passes, YMCA memberships, etc. Rec center passes would be such a great addition to a benefits package. I'm hopeful that the positive outcomes of this project will include placement preservation (stabilization for kids working through trauma), pro-social skill building in our older youth, and an increase in the number of foster parents willing to take youth who are experiencing trauma-related behavior challenges, which is something we see often in our pre-teens and teens and is one of the reasons why they can be an underserved population.

Sincerely,

Jessica Hunter
Program Manager
Douglas County Child Welfare
Jessica.hunter@dhsola.state.or.us
(541) 464-2109 desk
(541) 643-1805 cell



September 23, 2021

On behalf of UC-VEG, I'd like to share a letter of support for the Thundering Water Outdoor Recreation Center.

Considering the historically, comprehensively poor state of Douglas County's health, we are in desperate need of effective intervention. As a local, grassroots, non-profit, UC-VEG has been providing nutrition and lifestyle education throughout Douglas County, free of charge, for over 10 years. Through our work with thousands of people within the community, we've seen how health transformations, including the reversal of disease, are possible through simple lifestyle changes.

We believe education is only a part of the battle and subscribe to the statement that "you can't put a changed person in an unchanged environment" ...and expect continuity or positive outcomes. Creating spaces that cultivate, support, and nudge it's patrons toward healthy behaviors is critical. Thundering Water will foster social connectedness, improve the quality of life for its patrons, encourages physical activity, recreation and economic development opportunities, increase property values in the West Harvard area, and exhibit a myriad of healthy behaviors including consuming plant-based foods, incorporating movement, connecting with neighbors and community members, and putting loved ones first.

Through our programs, UC-VEG has been able to see some of these benefits first hand and we're eager to see efforts augmented and expanded across the community. The Lifestyle & Nutrition Course has seen thousands of participants transform their health, with a consistent participant decrease in cholesterol, HbA1c markers, weight, and waist circumference, and consistent increase in kidney function, participant attested increases in energy, mobility, and improved mood. In-person offerings of the Lifestyle & Nutrition Course require a space that can serve an audience of 100 people, with an adjacent cooking demonstration area and storage closet. UC-VEG would be pleased to host the Course at Thundering Water, to station the Loan Library there, to host cooking classes, and to use the location as a pickup site for Veggie Rx Vouchers. If a small office space is available, UC-VEG can also locate a staff member at Thundering Waters to provide onsite nutrition education and to receive community members interested in utilizing the Loan Library.

As the Thundering Water Board explores opportunities for the recreation center, please be assured that UC-VEG will do our part to help these efforts find success and longevity to the extent we are capable.

With the work of Thrive Umpqua, formerly Blue Zones Project-Umpqua, our efforts over the past 10 years, and many other community organizations, we hope that Thundering Water will take us one step closer to mitigating some of the gaps in well-being within our community. Furthermore, we believe that this collaboration will inspire further integration amongst health and community-oriented organizations and work to secure the ability for members of our community to live long, healthy, happy lives.

Thank you for the opportunity to support this effort.

Sincerely,

A handwritten signature in cursive script that reads "Juliete Palenshus".

Juliete Palenshus
UC-VEG Executive Director



Newsletter December 2021

***Thundering Water* has big news to share!**

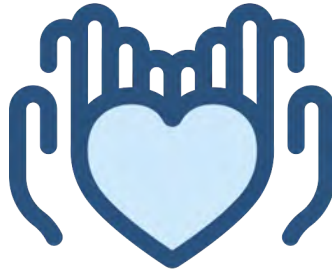
We now have a fiscal sponsor, *and* we have received several sizable donations towards Douglas County's new recreation and wellness park!



Morning Rotary has graciously offered to be *Thundering Water's* fiscal sponsor until our 501(c)(3) status is active. Also, donors have begun to answer our call. Our campaign for this new facility where recreation is completely reimagined now has over \$100,700.00 in donations! This means that you and the entire Douglas County community just passed a huge milestone towards having a park unlike any other in existence!



***Thank you Morning Rotary, donors, and Douglas County!
From all of us on the Thundering Water team!***



***Thundering Water* is a recreation and wellness park that aims to disrupt less effective downstream “disease care” with upstream preventative health care, the effects of which will ripple through communities, changing lives for good.**

Your donation will help *Thundering Water* achieve our dream of a happier and healthier Douglas County by coupling health and wellness recreation with evidence-based nutrition. The park will feature unique amenities and a Lifestyle and Nutrition Course, directed by UC-VEG.

To learn more search Thundering Water Outdoor Recreation Center on Facebook. There you will find a News Review article, KQEN radio interview, and a write up about us on the Facebook page Roseburg Tracker. Our website is coming soon!

Regarding IRS tax benefits:

Taxpayers, including married individuals filing separate returns, can claim a deduction of up to \$300 for cash contributions to qualifying charities during 2021. The maximum deduction is \$600 for married individuals filing joint returns. Taxpayers who itemize can generally claim a deduction for charitable contributions to qualifying organizations. The deduction is typically limited to 20% to 60% of their adjusted gross income and varies depending on the type of contribution and the type of charity; however, the law now allows taxpayers to apply up to 100% of their AGI for calendar-year 2021 qualified contributions.

Be sure to write "donation for Thundering Water" in the memo section of your check and make it payable to "Morning Rotary, Inc".

The mailing address for donations is:

Morning Rotary, Inc.
P.O. Box 849
Roseburg, OR 97470

If you have any questions please contact Heidi Marks (541) 680-8833 hmarks@thunderingwater.org.

THUNDERING WATER

Help us create a multi-generational, multi-faceted recreation center in the heart of Roseburg.

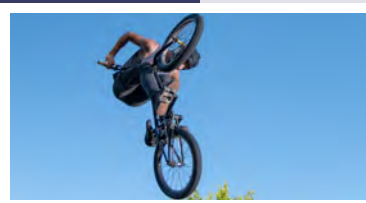
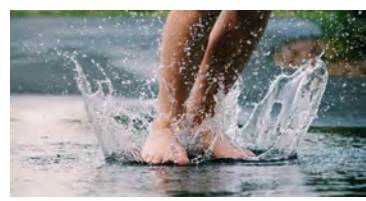
RECREATION REIMAGINED

60%

of Douglas County residents live with one or more severe chronic diseases. **Let's change that.**

A HEALTHIER COMMUNITY, IN EVERY WAY

Thundering Water will provide affordable, wholesome recreational opportunities and lifestyle/nutrition education in Douglas County to bridge generational gaps, boost inter/intra-family relationships, improve health/wellness and strengthen community resilience.



POTENTIAL FEATURES

- A locally inspired miniature golf course
- BMX track & mountain bike pump track
- Climbing bouldering walls
- Outdoor games pavilion (concrete table tennis, foosball, cornhole, shuffleboard, ladder ball)
- Recreation center building
- 30-seat classroom, loan library, teaching kitchen
- Toddler splash pad
- Food truck courtyard
- River view seating
- Wildland firefighter's monument
- Emergency preparedness resources

YOUR DONATION WILL HELP MAKE THIS HAPPEN!

LEARN MORE AT THUNDERINGWATER.ORG

SEND DONATIONS TO Thundering Water, P.O. Box 176, Roseburg, OR 97470

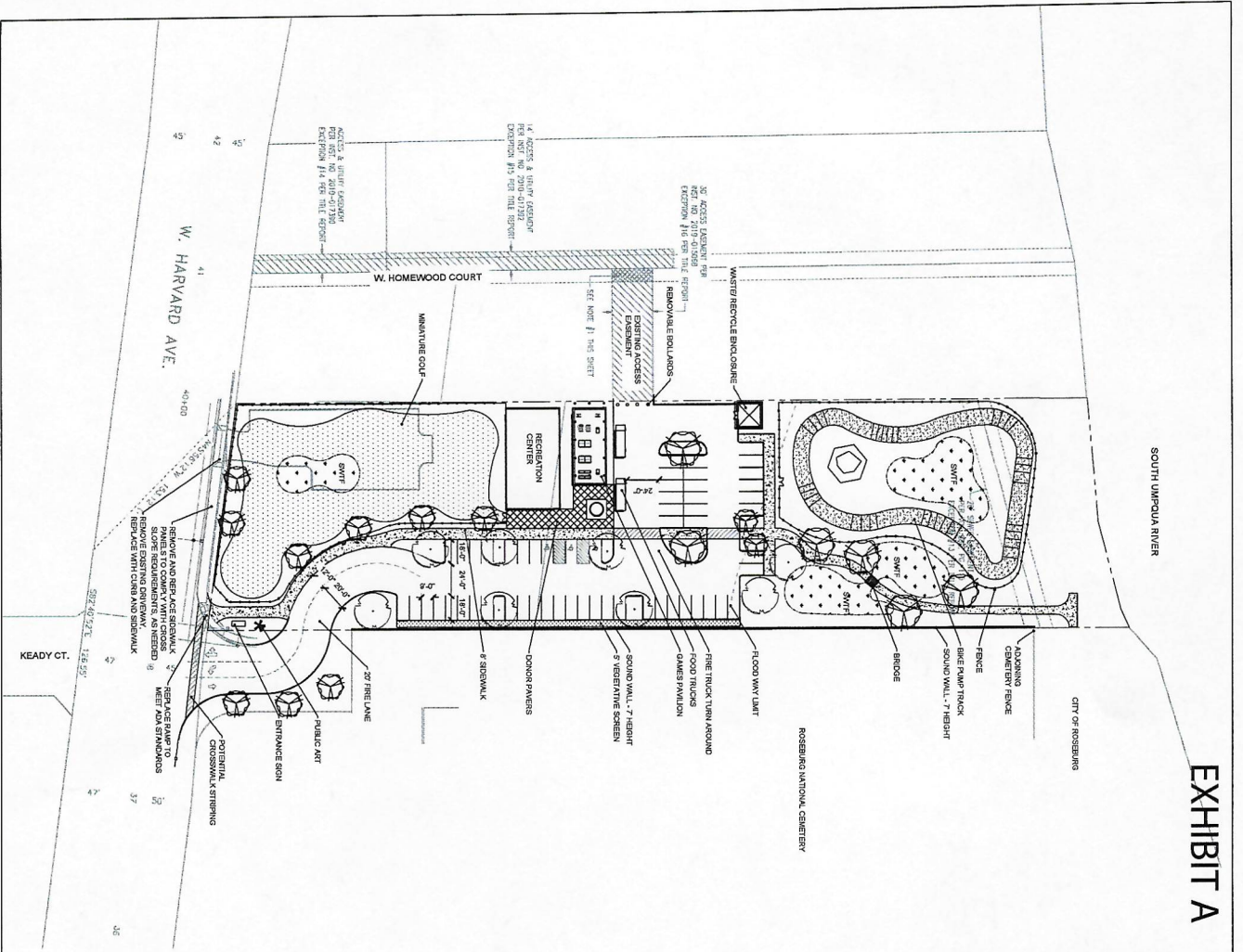


EXHIBIT A



MINI GOLF



SPLASH PAD



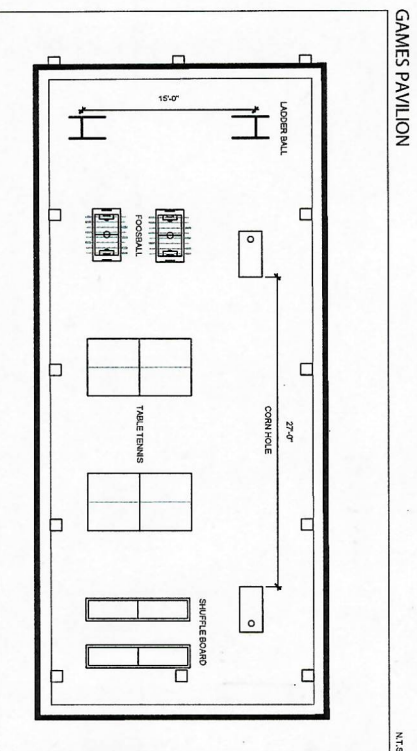
BOULDER CLIMBING WALL



PUMP TRACK



PUBLIC ART



GAMES PAVILION

MAP and TAX LOT ZONING

MAP # 21.08M-23
 EXISTING ZONING: COMMUNITY COMMERCIAL
 MAP # 21.08M-14
 TAX LOT# R1-K01
 EXISTING ZONING: COMMUNITY COMMERCIAL
 PROPOSED ZONING: GENERAL COMMERCIAL

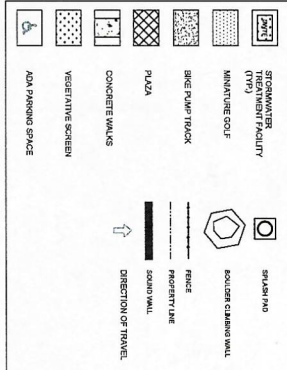
KEY AMENITIES

GAMES PAVILION (OUTDOOR)	7,150 SQ. FT.
FOOSBALL	
CORN HOLE	
SHUFFLEBOARD	
RESERVATION CENTER OFFICE	3,000 SQ. FT.
CLUBHOUSE	
RESTROOMS	
RESTRICTION NUTRITION CENTER	
MINIATURE GOLF	22,000 SQ. FT.
BIKE PUMP TRACK	21,000 SQ. FT. 400 LENGTH FT.
PARKING	80 SPACES
BIKE PARKING	8 SPACES (LOCATION TO BE DETERMINED)

NOTES

1. ALL NEW UTILITIES WILL BE FACED UNDERGROUND.
2. EXISTING ADA RAMP AT THE NW CORNER OF KEADY COURT/HARVARD AVE WILL BE REMOVED AND REPLACED WITH A NEW ADA RAMP.
3. EXISTING CONCRETE PAVES REMAINS ON DEMOLISHED HOME AND EXISTING ASPHALT WILL BE DEMOLISHED.
4. EXISTING CONCRETE PAVES REMAINS ON DEMOLISHED HOME AND EXISTING ASPHALT WILL BE DEMOLISHED.
5. ASPHALT WILL BE DEMOLISHED.

LEGEND



THE SATRE GROUP
 375 West 1st Street, Suite 202, Roseburg, OR 97401
 Phone: 541.686.4540 Fax: 541.686.4577
 www.satregroup.com

PRELIMINARY SITE PLAN 2-7-22 THUNDERING WATER

1802 WEST HARVARD AVENUE
 ROSEBURG, OR 97471

PROJECT # 21-08M-23

DATE: 1/27/2022

PROJECT: PRELIMINARY PHASE

PROJECT NUMBER: 2124

DESIGNED BY: M

CHECKED BY: M

DATE: 1/27/22

PHASE: PRELIMINARY PHASE

**LETTERS OF OPPOSITION RECEIVED BY
ROSEBURG COMMUNITY DEVELOPMENT**



DEPARTMENT OF VETERANS AFFAIRS
NATIONAL CEMETERY ADMINISTRATION
Pacific District Office
1301 Clay Street, Suite 1230 N
Oakland, CA 94612-5209
(510) 637-6270

December 21, 2021

Stuart Cowie
Director
Community Development Department
City of Roseburg
900 SE Douglas Avenue
Roseburg OR 97470

RE: NCA Concerns Regarding Proposed Property Zoning Change Directly Adjacent to Historic Roseburg National Cemetery

Dear Mr. Cowie:

The Department of Veterans Affairs, National Cemetery Administration (VA NCA) is writing to the City of Roseburg regarding a rezoning request that is being considered for property located directly adjacent to historic Roseburg National Cemetery. At this point in the project, please accept this letter as NCA's objection to the rezoning as proposed. Please enter this letter into the record for any Public Hearings, and/or Section 106 review processes which may be occurring in conjunction with the proposed rezoning request.

NCA is concerned that the requested zoning change to General Commercial (C3), if approved, will allow development uses that will not be compatible with the adjacent historic Roseburg National Cemetery. It is our understanding that the current zoning change is being proposed to allow for a family fun center with various recreational features including miniature golf, bicycle tracks, etc.

Roseburg National Cemetery is listed in the National Register of Historic Places (NRHP). The historic significance, physical character and cultural landscape of Roseburg National Cemetery are all criteria which contribute to the cemetery's NRHP status. Established with first burials in 1897, the national cemetery is a national shrine, with over 6,300 veterans interred therein, representing service to the Nation in conflicts from the Civil War to present. NCA maintains this property and the historic features that contribute to its significance in perpetuity to honor and serve today's veterans with time-honored burial benefits. Based on our initial understanding of the rezoning being requested for a potential adjacent project, NCA has concerns about the close proximity, viewshed, and direct adjacency of that development from within Roseburg National Cemetery. Specifically, that the proposed rezoning and associated development may seriously diminish the contemplative landscape, peaceful serenity, and dignified respectful setting for those who we honor with this national shrine final resting place.

NCA requests a meeting with the City of Roseburg officials so that we may have a clearer understanding of the proposed rezoning and development, and possible measures that would likely be required to mitigate NCA concerns and buffer the historic Roseburg National Cemetery

from potential adverse impacts posed by this development. We are copying the Oregon State Historic Preservation Officer as the responsible entity for compliance with the National Historic Preservation Act, which protects federal historic properties.

NCA staff is available to discuss this important matter and to meet with City officials as needed. Please contact the Acting Cemetery Director Greta Hamilton, email: greta.hamilton@va.gov; phone: 541-677-3152.

Thank you,

Brad Phillips
NCA Executive Director, Pacific District

cc:
John Lazur, Associate Planner
Hector Abreu, VA Deputy Historic Preservation Officer

December 27, 2021

City of Roseburg
Community Development Department
900 SE Douglas Ave
Roseburg, OR 97470

RE: Letter of Objection for Zone Change ZC-21-003, 1802 W Harvard Ave

Dear Planning Commissioners,

My husband and I are submitting a letter of objection for the zone change application for 1802 W Harvard Ave, R14193 & R14201 as our Son, Sr. Airman Ryan Matthews is laid to rest in the Historic Roseburg National Cemetery which borders the W Harvard properties. Our son was deployed to Afghanistan and served his country with pride. We chose the Historic Roseburg National Cemetery for our son's final resting place because of the honor, dignity, respect and tranquility this Cemetery provides. These hallowed grounds are like no other. We visit there to find peace and comfort at the only place left to visit our son.

It is critical that this zone change request not be considered with the Thunder Water fun center/amusement park as the primary focus because this is not a conditional use application. We do not believe that the zone change to C3 has been proven to be compatible to warrant the approval. The Planning Commission should be considering the zone change in relation to ALL uses permitted within the C3 zone.

This C3 zone change is strictly for 1802 W Harvard Ave, R14193 & R14201 properties and if approved, would allow more intense uses as indicated in the Roseburg Municipal Code Table 2-7: Commercial – Allowed Uses. **The following uses are not allowed in the current C2 zone but would be allowed in the more intense C3 zone.** **These are permitted uses outright:** *mobile home parks, nursing home, agriculture supplies/machinery sales rooms, athletic/health clubs (including racquet sports and spas) (indoors only), automobile, truck, and motorcycle dealers/garages/service stations/washes/detailers, auto parts/tools supply stores, brewery, micro-, builders supplies (including retail sales of lumber), commercial storage units, department store, dry cleaning facility, mobile home and recreational vehicle sales, motion picture production/distribution/services, places of amusement (e.g., billiard parlors, bowling*

alleys, drive-in theaters, dance halls, video arcades, miniature golf, etc.), plumbing/heating/electrical/sheet metal shop, store (retail and wholesale) and business uses similar to other permitted uses and typically found in commercial districts, provided that: a) where there is manufacturing, compounding, processing or treatment of products for whole-sale, a minimum of 25 percent of the total floor area shall be used for retail sales. And b) use is not objectionable due to odor, dust, smoke, noise, vibration or appearance.

The following uses are not allowed in the current C2 zone but would be allowed in the more intense C3 zone. These are conditional uses: boarding/rooming houses, homeless shelters, adult entertainment or adult bookstore, automobile body shop in conjunction with an auto sales agency, brewer, macro-, crematory or mausoleum, outdoor recreational facilities (e.g., golf/country/swimming/tennis clubs, skateboard parks, etc.), stadium/coliseum.

The Maximum Building Height (feet) for C3 is 80'; C2 is 45'.

According to the city zoning map, C3 zone does not surround, or is near 1802 W Harvard parcels. These two parcels are not the only pieces of property in the city limits that are left to be developed that would warrant the C3 zone change. Especially in an area that is surrounded by Public Reserve, Professional Office, Multi-residential and C2 Community Commercial. The Diamond Lake corridor is zoned C3 and has recently experienced an increase in development.

It is saddening that the examples of compatibility in the Findings mention schools and parks but didn't address the compatibility of the Historic Roseburg National Cemetery which shares a property line. What about the families and friends that visit their loved ones at the Cemetery for the peace, comfort and tranquility. In our opinion this is overlooked in the analysis of compatibility. We understand that the property owner has a right to development under the current C2 zoning; however, a more intense C3 zone change is what is proposed and what is being opposed.

Because the Findings focus on Thundering Water, I wanted to express the following: The Findings and Staff Report compare the positives of Thundering Water fun center/amusement park to parks and schools; however, this zone change isn't for Thundering Water, it is for 1802 W Harvard, R14193 & R14201. If approved the C3 zone change uses would remain permanently on the parcels whether Thundering Water was interested in the parcels or not.

If the zone change is approved for the properties, Thundering Water is expressing interest in the parcels but there is no guarantee that they will purchase the properties or build. The Findings indicate Thundering Water does not have adequate parking according to the plans they submitted which they stated they **intend** to comply with a shared parking agreement with the neighboring property. Additionally, they do not have adequate sewer or water lines which they stated they **will try** to obtain easements from neighboring properties. At the time of writing this letter, Thundering Water does not own the properties. According to the Douglas County Assessor's office webpage, the properties are owned by Harvard Park Medical LLC since 2007.

On page 5 of the Findings, in part, it states "By changing the zoning from C2 to C3, it would open up the possibility for development on a property that has not been utilized in a commercial capacity for the entirety of its existence. This allowance for greater commercial development would strengthen the surrounding area's diverse uses, and in regards to the specific desired use of an outdoor recreation center, would attract more service and entertaining-oriented business to this area of West Harvard."

The existing community commercial zone is sufficient for the immediate area. The Historic Roseburg National Cemetery, as well as the families and friends of loved ones laid to rest there deserve to not be overlooked when analyzing the compatibility of a more intense zone. C3, a more intense zone, is not compatible.

The Historic Roseburg National Cemetery was established in the 1800's long before zoning was established and designated. There was a reason why the C3 zone was not designated for these parcels next to the Historic Roseburg National Cemetery.

In conclusion, if this zone change was presented in a different manner to justify ALL the permitted and conditional uses in the C3 zone, would it even be before the Planning Commission? In actuality, this proposed C3 zone change is to allow ALL of the permitted and conditionally permitted uses in that zone which are more intense uses like, mobile home and recreational vehicle sales, mobile home parks, adult entertainment or adult bookstore, to name a few. This zone change is not specifically to allow Thundering Water to operate. It is for ALL C3 uses.

We feel like the original zoning of the property as C2 "Community Commercial" was deliberate. The property is positioned between open space uses, low intensity professional office uses, and residential. The C2 zone is a recognition that commercial

uses should be limited to a certain intensity and scope within the specific area to ensure long-term compatibility with the surrounding uses.

We ask that you deny the C3 zone change for 1802 W Harvard Ave, R14193 & R14201 because compatibility was not proven. Thank you for your time.

Jerry and Chrissy Matthews

Attachments

12.04.040 - Commercial Districts.

- A. Purpose. Roseburg's commercial districts are primarily intended to provide economic opportunity for business owners and a suitable market of goods and services for the public by establishing zones and standards appropriate for certain types of business respective of surrounding Zoning Districts, uses and infrastructure.
 - 1. The Professional Office District is intended to provide areas for low intensity office uses, which utilize harmonious exterior design and landscaping to serve as a transition or buffer between residential and more intensively developed properties. It is intended that the administrative, professional, and limited business office uses permitted in the PO District will provide for more compatible land uses in close proximity to residential areas than would otherwise be permitted by other commercial districts.
 - 2. The Limited Commercial classification is provided for a desirable mixing of the residential land uses with limited commercial land uses. The C1 Zone is intended to serve local neighborhood needs rather than an entire community. The limited commercial uses allowed in this district are selected for their compatibility with residential uses and their ability to meet the needs of the neighborhood. Normally, the district is to be applied as a small compact area conveniently located in or near residential areas, and may be applied to areas designated as "Residential" or "Commercial" by the Comprehensive Plan.
 - 3. The Community Commercial classification is intended to provide areas for community shopping facilities. It is intended to preserve and enhance areas with a wide range of retail sales and service establishments serving both long and short term needs on a community-wide basis.
 - 4. The General Commercial classification is intended to provide areas within which a variety of retail and wholesale business occurs. These areas serve general community-wide and regional commercial needs.

List and Map Symbols

DISTRICT NAME	MAP SYMBOL
Professional Office	PO
Limited Commercial	C1
Community Commercial	C2
General Commercial	C3

B. Allowed uses and standards.

1. Permitted Uses. Uses identified with a "P" in Table 2-7 are permitted as-of-right in the subject zoning district, subject to compliance with any use standards identified in the final column of the table and all other applicable standards of this Code. Uses not specifically listed but similar to other permitted uses may be approved by the Director.
2. Conditional Uses. Uses identified with a "C" in Table 2-7 may be allowed if reviewed and approved in accordance with the Conditional Use Permit procedures of Section 12.10.080 of this Code. Conditional uses are subject to compliance with any use standards identified in the final column of the table and all other applicable standards of this Code. Uses not specifically listed but similar to other conditional uses may be applied for through the Conditional Use Permitting process.
3. Prohibited Uses. Uses identified with a "-" are expressly prohibited. Uses not identified are also prohibited.
4. Use Standards. The "use standards" column of Table 2-7 identifies use-specific standards that apply to some uses. Unless otherwise expressly stated, compliance with such standards is required regardless of whether the use is permitted as-of-right or requires conditional use approval.
5. Development Standards. Development of land within these Districts must comply with the standards referenced in Table 2-8, as well as other applicable development standards contained within this Code. If standards for specific aspects of development are not provided, such as minimum lot size, other required standards will dictate unspecified standards (i.e., setbacks and coverage).

TABLE 2-7: COMMERCIAL—ALLOWED USES

USE CATEGORY		PO	C1	C2	C3	STANDARDS
Specific Use						
RESIDENTIAL						
1)	Dwellings Units subject to MR14	P [1], C	P [1]	-	-	<u>12.04.030(B)</u>

2)	Dwellings Units subject to MR29	-	C	P ^[1] , C	C	12.04.0030(B)
3)	Dwelling units above commercial structures (one (1) dwelling unit per 800 sq. ft. of lot area)	C	C	P	P	-
4)	Boarding/Rooming Houses, Homeless Shelters	C	-	-	C	-
5)	Mobile Home Parks	-	-	-	P	<u>12.10.120</u>
6)	Residential Facility	-	P	P	P	-
7)	Residential Home	C	C	C	C	-
8)	Nursing Home	-	-	-	P	-
9)	Severe Event Shelter	P ^[7]	P ^[7]	P ^[7]	P ^[7]	<u>12.08.060</u>
PUBLIC/CIVIC						
10)	Library, Museums and Galleries	C	-	P	P	-
11)	Parking Lots or Structures	C	-	P	P	<u>12.06.020</u>
12)	Parks and Playgrounds	P	-	-	-	-
13)	Police, fire and rescue services	-	C	P	P	-
14)	Public and semi-public buildings and uses	-	-	C	P	-
15)	Religious Institutions	C	C	C	P	-
16)	Schools	-	-	P	P	-

ATTACHMENT #3						
17)	Social Services (e.g., job training centers, individual/family services)	C	-	-	-	-
18)	Youth/senior/community centers	P	P	-	-	-
COMMERCIAL						
19)	Adult entertainment or adult bookstore	-	-	-	C	-
20)	Agricultural supplies/machinery sales rooms	-	-	-	P	-
21)	Ambulance Service	C	C	P	P	-
22)	Art, music, dance school/studio/gallery/supplies	P	-	P	P	-
23)	Athletic/Health clubs (including racquet sports and spas) (indoors only)	-	-	-	P	-
24)	Automobile body shop in conjunction with an auto sales agency	-	-	-	C	-
25)	Automobile service station	-	C	P	P	-
26)	Automobile, truck, and motorcycle dealers/garages/service stations/washes/detailers	-	-	-	P	-
27)	Auto parts/tools supply stores	-	-	-	P	-
28)	Bank, credit/insurance agency, brokerage house, etc.	-	-	P	P	-
29)	Bed and Breakfast Facility	-	P	P	P	<u>12.08.040(K)</u>

30)	Brewery, Macro-	-	-	-	C	-
31)	Brewery, Micro-	-	-	-	P	-
32)	Builders supplies (including retail sale of lumber)	-	-	-	P	-
33)	Business services or offices (e.g., corporate offices, radio/TV stations, answering or dispatch services, insurance offices, etc.)	P	-	P	P	-
34)	Commercial storage units	-	-	-	P	-
35)	Crematory or mausoleum	-	-	-	C	-
36)	Day Care Facility	C	P	P	P	-
37)	Delivery services	-	-	P	P	-
38)	Department store	-	-	-	P	-
39)	Drive-up window service for permitted use	-	-	C	P	-
40)	Liquor store	-	-	P	P	-
41)	Dry cleaning facility	-	-	-	P	-
42)	Dry goods/notions store or meat market	-	-	P [4]	P [4]	-
43)	Family Day Care Home	P	P	P	-	-
44)	Food services within an office complex	C	-	-	-	-
45)	Funeral Home (no crematories)	-	-	P	P	-

ATTACHMENT #3						
46)	Grocery, hardware, garden supply, cafe, deli, bakery, florist, gift, video, variety store/shop, etc.	-	P [3]	P	P	-
47)	Laundromat	-	P [2]	P	P	-
48)	Manufacturing of handicraft goods for sale on premises only, such as wood, pottery, tile, archery, and shell	-	-	P	P	-
49)	Marijuana Dispensary, Medical	-	-	P [6]	P [6]	-
50)	Marijuana Retailer	-	-	P [6]	P [6]	-
51)	Membership associations or clubs	P	-	-	-	-
52)	Mini-Retail Business	P	P	P	P	<u>12.08.040(M)</u>
53)	Mobile home and recreational vehicle sales	-	-	-	P	-
54)	Motel/Hotel	-	-	P	P	-
55)	Motion picture production/distribution/services	-	-	-	P	-
56)	Outdoor recreational facilities (e.g., golf/country /swimming/tennis clubs, skateboard parks, etc.)	-	-	-	C	-
57)	Personal Service providers (e.g., barbershop, beauty/tanning salon, massage parlor, tailor shop)	P	-	P	P	-
58)	Pharmacy	-	P [2]	P [2]	P	-

59)	Places of amusement (e.g., billiard parlors, bowling alleys, drive-in theaters, dance halls, video arcades, miniature golf, etc.)	-	-	-	P	-
60)	Plant nursery/greenhouse	-	-	C	P	-
61)	Plumbing/heating/electrical/sheet metal shop	-	-	-	P	-
62)	Printing and publishing	-	-	P	P	-
63)	Professional offices	P	P [2]	P	P	-
64)	Recycling Center	C	P [2]	P [5]	P [5]	-
65)	Restaurant, Cafe, Tavern, Confectionery, Catering	-	-	P	P	-
66)	Retail Stores: sporting goods, clothing/hats, jewelry, books/stationary, antiques/curios, furniture, household/office supplies, surgical supplies/equipment, etc.	-	-	P	P	-
67)	Secondhand store	-	-	P	P	-
68)	Sidewalk Cafes	-	-	C	C	<u>12.08.040(l)</u>
69)	Stadium/coliseum	-	-	-	C	-
70)	Store (retail and wholesale) and business uses similar to other permitted uses and typically found in commercial districts, provided that:	-	-	-	P	-

	a) Where there is manufacturing, compounding, processing or treatment of products for whole-sale, a minimum of 25 percent of the total floor area shall be used for retail sales.					
	b) Use is not objectionable due to odor, dust, smoke, noise, vibration or appearance.					
71)	Telecommunications Facilities	C	C	C	C	<u>12.08.030</u>
72)	Telephone/telegraph exchanges	-	-	P	P	-
73)	Theaters (indoor)	-	-	P	P	-
74)	Veterinarian clinic (no outside animal runs/pens)	-	C	P	P	-

[1] Dwelling unit above or behind a permitted use.

[2] Limited to 1,500 square feet in area.

[3] Limited to 2,500 square feet in area.

[4] Limited to 25,000 square feet in area.

[5] Limited to 5,000 square feet in area.

[6] Location shall not be within 1,000 feet of a school or pre-school; 500 feet from any property zoned Public Reserve or 200 feet from any property zoned Residential except when an arterial street lies between a dispensary and Residential or Public Reserve zoned property. A marijuana retailer (non-medical) shall not be within 1,000 feet of another marijuana retailer; a medical marijuana dispensary shall not be within 1,000 feet of another medical marijuana dispensary. In addition, any and all Medical Marijuana Dispensaries must be registered with the Oregon Health Authority under ORS 475B.858 and comply with all OHA rules. In addition, any and all Marijuana Retailers must be licensed by OLCC and comply with all OLCC rules.

[7] Severe event shelters provide short-term relief from severe events, such as extreme weather. Severe event shelters shall be within an existing institutional building or other buildings, typically not intended for residential uses, and not currently classified as a Residential

Occupancy per Building or Fire Code. It is the intent of these standards to ensure that any conflicts with the severe event shelters and the surrounding land uses are mitigated through the special regulations set forth in this Section 12.08.060.

TABLE 2-8: COMMERCIAL PARCEL AND BUILDING STANDARDS

DISTRICTS	PO	C1	C2	C3
Minimum Lot Area (sq. ft.)				
Any use not specified below	-	7,500	-	-
Residential Facility or Home (Min. Lot Area/Lot Area per five (5) beds) ^[1]	-	10,000/4,700	10,000/4,700	10,000/4,700
Coverage	80%	60%	100% ^[4]	100% ^[4]
Setbacks (feet) ^[2]				
Front	10	20	0	0
Rear	0 ^[6]	0 ^[6]	^[4]	^[4]
Side (interior)	5 ^[5]	5	0 ^[4]	0 ^[4]
Side (exterior)	10	10	0 ^[4]	0 ^[4]
Maximum Building Height (feet)	35	35	45	80 ^[6]

^[1] Residential Facility/Home buildings shall contain more than 20 beds.

^[2] Alleys contiguous to or within the property being used may be included in the required setback.

^[3] A Residential Facility or Home shall have maximum coverage equal to that allowed in the MR18 district.

[4] When abutting a district other than commercial or industrial, the side and rear setbacks shall be the same as those established for the abutting zone. A separation of parcels by an alley shall not exclude the application of this provision.

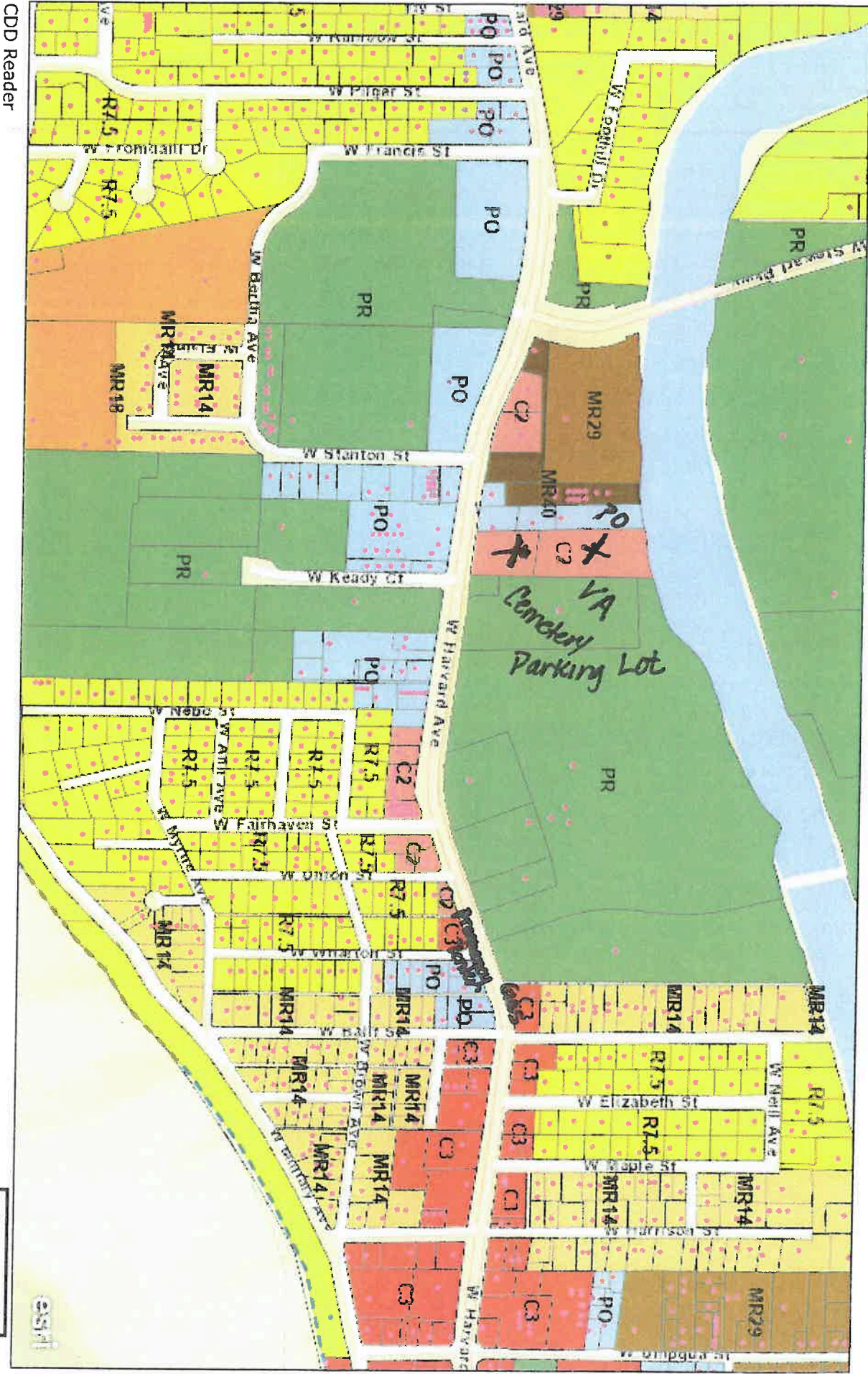
[5] Minimum Distance between Buildings. Where office buildings are grouped as one (1) project on one (1) tract of land, the minimum distances between any two (2) buildings at any given point shall not be less than the sum of the required side yards computed separately for each building.

[6] For parcels within the C3 district that abut residentially zoned properties with a maximum allowed building height of 35 feet, the maximum building height at the property line is 35 feet. Height may be increased above 35 feet by increasing the setback and/or by incorporating step-backs into the design of the building, the ratio for each shall be one (1) foot vertical for each six (6) inches horizontal. A separation of parcels by an alley shall not exclude the application of this provision.

C. Screening. All nonresidential development abutting a residential zone or use shall be screened by a minimum six (6) feet-high sight-obscuring fence or hedge along the abutting property lines. Fences shall be subject to the standards set forth in Subsection 12.08.040(G) of this Code. Nonresidential development to which this applies includes, but is not limited to:

1. Religious Institutions
2. Day Care Centers

(Ord. No. 3514, § 2, 11-26-2018; Ord. No. 3538, § 2, 3-23-2020; Ord. No. 3545, § 4, 12-14-2020)



CDD Reader

600ft

See web site for license constraints. | Bureau of Land Management, State of Oregon GEO, State of Oregon, Esri, HERE, Garmin, INCREMENT P, Intermap, NGA, USGS, U.S. Forest Service

ORDINANCE NO. 3569

**AN ORDINANCE AMENDING A PORTION OF THE CITY'S ZONING MAP FROM C2
(COMMUNITY COMMERCIAL) TO C3 (GENERAL COMMERCIAL).**

WHEREAS, a land use application (ZC-21-003) was submitted to the Community Development Department September 10, 2021, by the owners of the property Harvard Medical Park LLC, on behalf of the applicant, Cordell Smith, Board President of Thundering Water, for property identified as 1802 W Harvard Avenue to re-zone 3.30+/- acres of property from C2 to C3; and

WHEREAS, the Planning Commission held a Public Hearing on File No. ZC-21-003 after duly and timely notice on January 3, 2022; and

WHEREAS, the Planning Commission adopted Findings of Fact and Order supporting a recommendation to approve the Zone Change on February 7, 2022; and

WHEREAS, the City Council held a Public Hearing on File No. ZC-21-003 after duly and timely notice on February 28, 2022;

NOW, THEREFORE, THE CITY OF ROSEBURG ORDAINS AS FOLLOWS:

SECTION 1: The City Council hereby takes official notice of the Planning Commission's Findings of Fact dated February 7, 2022, recommending approval of the proposed Zone Change.

SECTION 2: Based on the evaluation detailed in the Planning Commission's Findings of Fact and Order, it has been determined that the proposal complies with the standards identified within Roseburg Municipal Code Section 12.10.040 (Zone Change).

SECTION 3: The City Council hereby adopts the Planning Commission's Findings of Fact and Order regarding the proposed Zone Change.

SECTION 4: The City Council hereby approves the Zone Change from C2 (Community Commercial) to C3 (General Commercial) as indicated on the map on attached Exhibit "A" and subject to the following conditions continuing in perpetuity:

1. The zone change to C3 shall only expand the existing C2 zone Permitted or Conditionally Permitted uses to include "Places of Amusement" and "Outdoor Recreational Facilities" as identified on the Thundering Water Preliminary Site Plan dated February 7, 2022 (see Exhibit "B"), namely miniature golf course, pump track, splash pad, boulder/climbing wall, games pavilion, recreation center, and other ancillary uses necessary to assist in these core activities.
2. The parking lot shall be constructed along the eastern portion of the property in a manner similar to the Thundering Water Preliminary Site Plan dated February 7, 2022.
3. The storm water detention areas shall be constructed and maintained along the eastern portion of the north area of the property in a manner similar to the Thundering Water Preliminary Site Plan dated February 7, 2022.

4. A minimum 5-foot-wide vegetative screen shall be constructed and maintained along the eastern edge of the parking area adjacent to the shared property line between the subject property and the Roseburg National Cemetery in a manner similar to the Thundering Water Preliminary Site Plan dated February 7, 2022. Vegetative screening in this area shall meet the requirements as identified in RMC Section 12. 06. 030(T)(5) & (6).
5. A minimum 7-foot-tall sound wall shall be constructed along the entire length of the shared property line between the subject property and the Roseburg National Cemetery in a manner similar to the Thundering Water Preliminary Site Plan dated February 7, 2022.
6. Development on the subject property shall have a maximum building height of 45 feet.
7. Any future development of the property shall fully conform to all applicable standards and requirements of the Roseburg Municipal Code.
8. Any future development of the property shall be subject to an approved Site Plan Review and Building Permit approval.
9. The vegetative screen set forth in Condition 4 and the sound wall set forth in Condition 5 shall be installed prior to City issuance of a certificate of occupancy for any new development on the site.

ADOPTED BY THE CITY COUNCIL THIS 14TH DAY OF MARCH 2022.

APPROVED BY THE MAYOR THIS 14TH DAY OF MARCH 2022.

LARRY RICH, MAYOR

ATTEST:

AMY L. SOWA, ASSISTANT CITY MANAGER/RECORDER

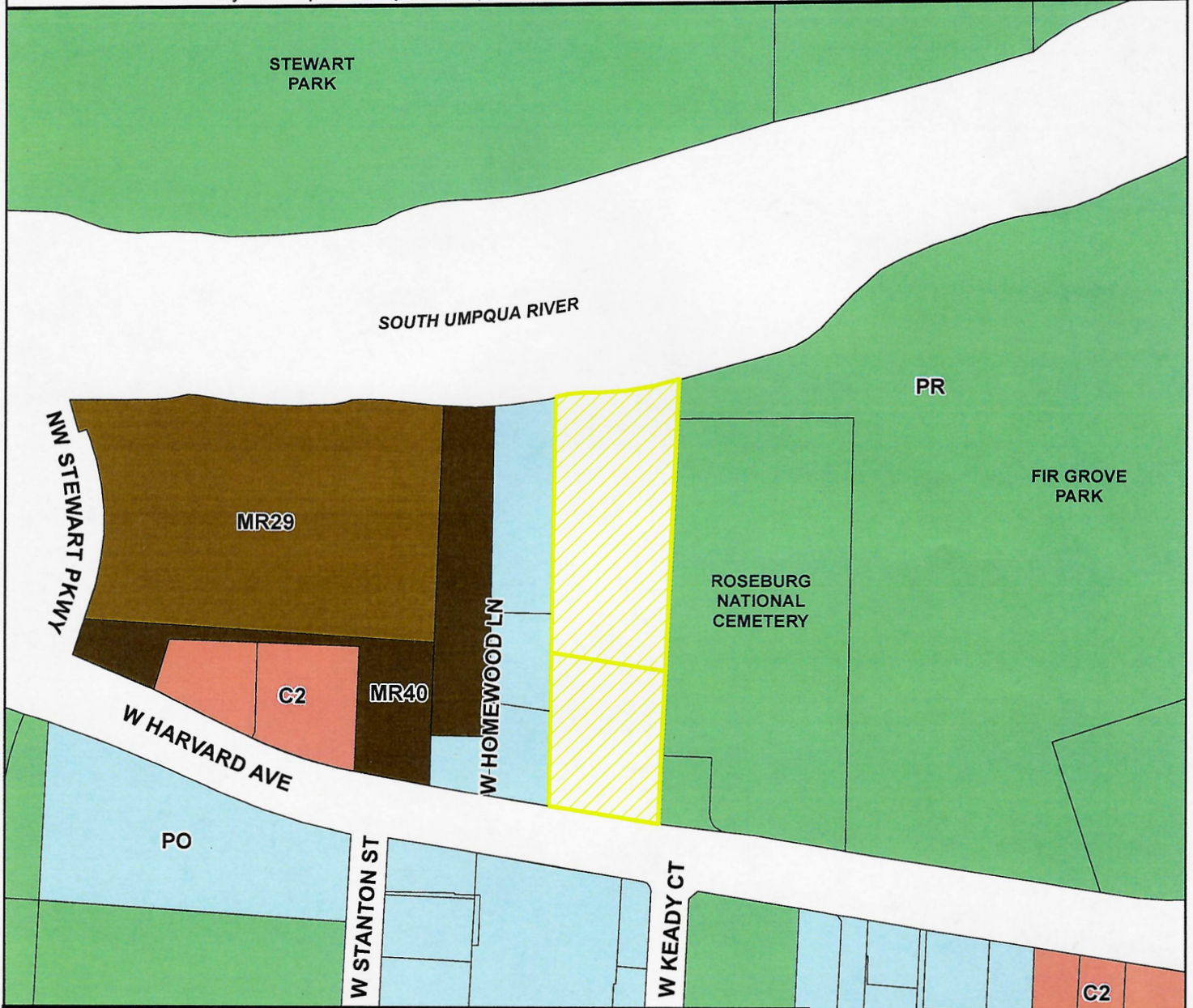
ZC-21-003 EXHIBIT "A"








Zone Change from

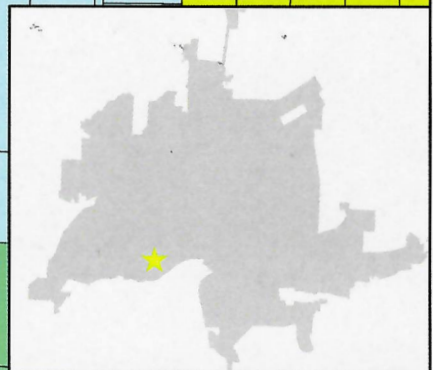
Community Commercial (C2) to General Commercial (C3)

1802 W Harvard Ave., Roseburg, OR 97471
T27S R06W SEC23AA TL00200 & SEC14DC TL01700
R14193 & R14201

Community Development Department | 900 SE Douglas Ave., Roseburg, Oregon 97470 | 541-492-6750



	Subject Property
	PR [Public reserve]
	PO [Professional Office]
	C2 [Community Commercial]
	MR29 [Multiple-Family Residential]
	MR40 [High Density Multiple-Family Residential]
	R7.5 [Single-Family Residential]



Map is for informational purposes only and is not suitable for legal, engineering or surveying purposes. The City of Roseburg is not responsible for map errors, omissions, misuse, or misinterpretation. Not for determining legal ownership or identification of property boundaries.

ORDINANCE NO. 3566

AN ORDINANCE AMENDING CERTAIN SECTIONS OF TITLE 12 OF THE ROSEBURG MUNICIPAL CODE TO ALLOW MINI-RETAIL BUSINESSES AS PERMITTED USES IN THE PUBLIC RESERVE (PR) ZONE.

WHEREAS, after reviewing the recommendation of the Planning Commission after conducting a public hearing on January 3, 2022.

NOW, THEREFORE, THE CITY OF ROSEBURG ORDAINS AS FOLLOWS:

SECTION 1. Section 12.02.090 entitled “Definitions” is hereby amended to read as follows:

"Mini-retail business (MRB)" means a commercial operation from a small permanent or temporary structure, vehicle or cart (e.g. Food truck, coffee stand, vendor cart) in an existing ~~the~~ parking lot—within the public reserve, commercial or industrial zones. A certificate of occupancy and/or a business registration shall not be issued until all conditions of approval from various departments are satisfactorily met.

SECTION 2. Section 12.04.020, entitled “Public reserve and residential open space district” is hereby amended as follows:

TABLE 2-2: RO AND PR—ALLOWED USES

USE CATEGORY	RO	PR	STANDARDS
Specific Use			
RESIDENTIAL			
1) Single-Family Dwelling	-	C ^[1]	-
2) Family Day Care Home	P	-	-
3) Residential Home	P	-	-
4) Residential Facility	C	-	-
5) Day Care Facility	C	-	-
6) PUD	P	-	12.12.020
7) Severe Event Shelter	P ^[2]	P ^[2]	12.08.060
PUBLIC/CIVIC			
8) Public/Semi-public Uses and Activities	C	P	-

ORDINANCES A
02/28/2022

USE CATEGORY	RO	PR	STANDARDS
Specific Use			
9) Parks and Playgrounds	P	P	-
10) Schools	-	P	-
11) Botanical, Zoological and other types of Gardens	-	P	-
12) Cemeteries	-	P	-
13) Fairgrounds	-	P	-
14) Fire prevention/detection/suppression facilities	-	P	-
15) Fish and wildlife management	-	P	-
16) Golf Course	-	P	-
17) Hospital and nursing homes	-	P	-
18) Children's Group Home and charitable institutions	-	P	-
19) Campgrounds/boating facilities/lodges/camps and other such recreational facilities	-	P	-
20) Public airport/heliport/landing strips	-	C	-
21) Hydroelectric, solar wind, geothermal facilities, transmission lines or pipes, and substations	-	C	-
22) Religious Institutions	C	C	-
COMMERCIAL			
23) Mini-Retail Business	-	P	12.08.040(M)
24) Private airport/heliport/landing strips	-	C	-
25) Solid waste transfer/disposal sites & recycling centers	-	C	-
26) Telecommunications Facilities	C	C	12.08.030
27) Mining operations	-	C	12.08.050

SECTION 3. Section 12.08.040(M) entitled "Mini-Retail Businesses" is hereby amended as follows:

M. Mini-Retail Businesses.

1. Definition: A commercial operation from a small permanent or temporary structure, vehicle or cart (e.g. Food truck, coffee stand, vendor cart) in an existing the parking lot within the public reserve, commercial or industrial zones. A certificate of occupancy and/or a business registration shall not be issued until all conditions of approval from various departments are satisfactorily met.
2. The following standards shall apply to all mini-retail businesses:
 - a. Shall not obstruct or be located in the public right-of-way, fire lane, private access way (e.g. driveway, parking aisle, pedestrian walkway, bike lane) or restrict access to any parking facilities (auto, motorcycle, or bicycle) or loading zones.
 - b. Shall allow for unobstructed access from the nearest active driveway by locating further than 20 feet from any local or collector driveway entrance or 40 feet from any arterial driveway entrance, respectively.
 - c. Drive-up windows for temporary businesses that require the stacking and idling of vehicles awaiting service are prohibited.
 - d. Shall provide documented property owner permission to operate the business.
 - e. Any appurtenances associated with the business (e.g. Tables, chairs, trash bins, wash stations) shall be removed from the site when the vendor vacates the site.
3. A site which allows the placement of mini-retail businesses to be placed permanently for more than 7 days or the placement of more than two (2) vendors at a time in a commercial or industrial zone:
 - a. Shall meet the applicable standards of the base zone, including conformance with the site review standards of RMC 12.06.010.
4. All food service vendors shall follow local fire, health and sanitation standards including:
 - a. Obtain a Roseburg Fire Department annual vendor permit.
 - b. Provide documentation from RUSA indicating an approved wastewater/graywater disposal method to ensure fats, oils and grease (FOG) do not enter the RUSA sanitary system.
 - c. Vendors requiring the provision of restroom facilities shall utilize permanently constructed facilities or have documented permission to

access restroom facilities from an adjacent business. The use of temporary restroom facilities is prohibited.

- d. Shall comply with Douglas County Health standards and obtain appropriate licenses prior to operation.

SECTION 4. All other Chapters, Sections and Subsections of Title 12 of the Roseburg Municipal Code shall remain in full force and effect as written.

ADOPTED BY THE ROSEBURG CITY COUNCIL THIS ____ DAY OF _____, 2022.

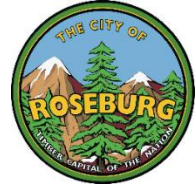
APPROVED BY THE MAYOR THIS ____ DAY OF _____, 2022.

LARRY RICH, MAYOR

ATTEST:

AMY L. SOWA, ASSISTANT CITY MANAGER/RECORDER

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



ORDINANCE NO. 3567 AMENDING RMC SECTION 7.04.005 “DEFINITIONS” and 7.04.170 “INOPERATIVE, WRECKED, DISMANTLED OR ABANDONED VEHICLES”

Meeting Date: February 28, 2022
Department: Police Department
www.cityofroseburg.org

Agenda Section: Ordinances
Staff Contact: Chief Gary Klopfenstein
Contact Telephone Number: 541-492-6760

ISSUE STATEMENT AND SUMMARY

Staff proposes to amend Roseburg Municipal Code Section 7.04.005, titled “Definitions,” and Section 7.04.170, titled “Inoperative, wrecked, dismantled or abandoned vehicles” to reflect both current practice/procedures and needed updates.

BACKGROUND

A. Council Action History.

Council last made amendments to Section 7.04.005 in 1999 and Section 7.04.170 in 1996.

B. Analysis.

Staff has identified areas in Section 7.04.005 and Section 7.04.170 of the Municipal Code that need to be updated. Additionally, procedures for handling abandoned vehicles need to be added to Section 7.04.170. Staff reviewed the Abandoned Vehicle ordinances of multiple cities and used applicable language from their ordinances to draft the updates to the attached ordinance. Below are the main proposed amendments to Section 7.04.005 and Section 7.04.170:

- Defined *Abandoned Vehicles*.
- Added *Unlawful* (vehicles) language.
- Differentiated between Abandoned Vehicles on private and public property.
- Changed the allowed time for Abandoned Vehicles on public property to 24 hours.
- Added language allowing for property retrieval for 30 days.
- Added a Vehicle Compliance section to ensure abandoned vehicles leave the city for at least 30 days following a pre-tow notice.
- Added the procedures that the Police Department currently utilize during the pre- and post-tow process.

C. Financial/Resource Considerations.

There is no financial impact.

D. Timing Considerations.

There is no timing impact.

COUNCIL OPTIONS

Council has the following options:

- Move forward with first reading of the proposed ordinance; or
- Direct Staff to make changes; or
- Do nothing.

STAFF RECOMMENDATION

Staff recommends Council proceed with first reading of Ordinance No. 3567.

SUGGESTED MOTION

No motion is required at this time. First Reading.

ATTACHMENTS:

Attachment #1 - Ordinance No. 3567

ORDINANCE NO. 3567

**AN ORDINANCE AMENDING SECTIONS 7.04.005 AND 7.04.170 OF THE
ROSEBURG MUNICIPAL CODE**

WHEREAS, Sections 7.04.005, "Definitions," and 7.04.170, "Inoperative, wrecked, dismantled or abandoned vehicles," of the Roseburg Municipal Code need amending to reflect both current practice and needed updates; and

WHEREAS, the proposed amendments will bring Roseburg Municipal Code more in line with other Oregon cities, and provide clarity to the inoperative, wrecked, dismantled, unlawful or abandoned vehicles ordinance.

NOW, THEREFORE, THE CITY OF ROSEBURG ORDAINS AS FOLLOWS:

SECTION 1. Section 7.04.005, "Definitions," is hereby amended as follows:

- A. "Abandoned vehicle" means a vehicle that has been deserted, relinquished or has one or more of the following existing conditions:
1. The vehicle license plate or registration sticker has expired or has been canceled or altered, or the vehicle has a license plate from another vehicle;
 2. The vehicle has no license plates or registration sticker;
 3. The vehicle appears to be inoperative or disabled;
 4. The vehicle appears to be wrecked, partially dismantled or junked; including but not limited to vehicles that lack an engine, transmission, wheel, tire, door, body panel, windshield, window, or any other part or equipment necessary to operate safely on the highway of this state;
 5. The records of the Oregon Department of Transportation identify the vehicle as sold and the current owner of the vehicle has not registered the vehicle as required by state law.

* * * * *

P. "Vehicle" means a device in or by which a person or property is or may be transported or drawn upon a public highway, excluding a device moved by human power or used exclusively upon stationary rails or tracks, and including, but not limited to, a vehicle body, engine, transmission, frame or other major part.

SECTION 2. Section 7.04.170, "Inoperative, wrecked, dismantled, ~~unlawful~~ or abandoned vehicles," is hereby amended as follows:

- A. Storage. No person shall cause or allow an ~~inoperative, wrecked, dismantled,~~ neglected or discarded vehicle to remain upon ~~public or~~ private property within the City for more than five days unless the vehicle is completely enclosed within a legally permitted building, or unless it is stored by a licensed business enterprise dealing in junked vehicles lawfully conducted within the City.

- B. Abandoned Vehicles. No person shall cause or allow a vehicle to be abandoned upon public ~~or private~~ property within the City for more than 24 hours. This section shall not apply to a vehicle that has been abandoned as defined by state law nor to a vehicle that constitutes a hazard as defined by state law. A vehicle that is abandoned or that constitutes a hazard shall be dealt with pursuant to the provisions of state law.

A vehicle so parked or left standing may be taken into custody by the Police Chief or their designee and shall be held at the expense of the owner of the vehicle. The Police Chief or their designee may use department personnel, equipment, and facilities for removal and storage of the vehicle or may hire other personnel, equipment, and facilities for that purpose.

A vehicle that is believed or known to be actively used as a form of temporary occupancy that is towed under this section will be held at the tow yard or a secured location for a period of at least 30 days. During that time, upon furnishing proof of ownership, or authorization from the Police Chief or their designee, valuables and personal property contained within the vehicle will be released. Retrieval of the vehicle will require owner compliance with rules established by the tow company and state law.

1. Vehicle compliance

- a. It is no defense to any of the prohibited acts of this ordinance that the vehicle has moved to a different location in the City of Roseburg.
 1. Vehicles that have been subjected to the pre-tow investigation and notice for a violation of this ordinance, that have not complied, that have moved to a different location within the City of Roseburg, that are within 30 days of the initial pre-tow investigation and notice, and that are still on public property in the city limits, will not require a second pre-tow investigation and notice prior to being towed.

2. Towing and storage liens

- a. A person who, at the request of the Chief of Police or their designee, takes a vehicle into custody under the provisions of this chapter shall have a lien on the vehicle and its contents for reasonable towing and storage charges, may retain possession of the vehicle until the charges are paid, and may sell the vehicle to satisfy the lien. The lien that attaches to the vehicle and its contents shall be a possessory chattel lien in accordance with ORS 87.152 and may be foreclosed in the manner provided in ORS 87.152 to 87.212. If the appraised value of the vehicle is \$500 or less, the vehicle may be disposed of in the manner provided in ORS 819.215.
- b. If the vehicle is taken into custody under the provisions of this chapter and held by the City rather than by a private entity, the vehicle and its contents shall be disposed of in the manner provided in ORS 819.210 to 819.110.

3. Pre-tow investigation and notice.

- The Police Chief or their designee investigating a violation of RMC 7.04.170 shall:
- a. Conduct a routine investigation to identify the owner and request removal of the vehicle;
 - b. Failing to discover the owner by such process, make a diligent inquiry as to the name and address of the owner by examining the vehicle for a license plate, vehicle identification number (VIN), make, model, style, or any other information that will aid in the identification of the owner. When such vehicle is required by law to be registered with the Oregon Department of Transportation, the Chief of Police or their designee shall inquire by license and/or VIN number with the appropriate division for the name and address of the owner;
 - c. Whether or not the owner is identified, affix a pre-tow notice upon the vehicle where it can be easily seen;
 - d. A vehicle found in violation of RMC 7.04.170 may be taken into custody with authorization of the Chief of Police or their designee.
4. Contents of pre-towing notice.
- Notices placed under RMC 7.04.170 shall contain the following information:
- a. The name of the officer or other City employee issuing the notice;
 - b. That if the vehicle is not removed within the date/time specified, the vehicle will be towed and taken into custody for violation of this chapter;
 - c. The vehicle will be subject to towing and storage charges and that a lien will attach to the vehicle and its contents;
 - d. The vehicle and its contents may be sold to satisfy the towing and storage charges if they are not paid;
 - e. The owner may request a hearing before the vehicle is towed to contest the proposed custody and removal;
 - f. The owner may challenge the reasonableness of any towing and storage charges at the hearing;
 - g. Contact the Roseburg Police Chief in writing not more than five days (excluding Saturday, Sunday, and holidays) from the date of the notice. The request must state grounds as to why the custody and removal is not justified;
 - h. If the vehicle is towed, its location may be obtained by contacting the Roseburg Police Department.
5. Post-towing notice.
- a. After an abandoned or hazardous vehicle has been towed pursuant to this chapter, notice shall be mailed within 48 hours of removal (excluding Saturday, Sunday, and holidays) to the owner. The notice shall contain the following information:
 - i. That the Roseburg Police Department has removed the vehicle. The applicable statute or ordinance by which the vehicle was towed is cited;
 - ii. The location of the vehicle;

- iii. That the vehicle is subject to towing and storage charges, the amount of charges that have accrued to the date of notice and daily storage charges;
 - iv. That the vehicle and its contents are subject to a lien for payment of the towing and storage charges and that the vehicle and its contents will be sold to cover the charges if the charges are not paid by the date specified;
 - v. That the owner is entitled to a prompt hearing to contest the validity of taking the vehicle into custody and to contest the reasonableness of the towing charges if a hearing is timely requested;
 - vi. If a hearing is desired, the owner must request a hearing within five days (excluding Saturday, Sunday, and holidays) from the mailing date of the notice. The request must be made in writing to the Police Chief. The request must state the grounds as to why the custody and removal is not justified;
 - vii. That the vehicle and its contents may be reclaimed by presenting proof of ownership, payment of towing and storage charges, or the deposit of cash security, or a bond equal to the charges, with the appropriate authority.
- b. If the vehicle is registered in Oregon Department of Transportation records, notice may be addressed to the owner at the latest respective address shown by those records. If the vehicle is not registered, reasonable efforts shall be made to ascertain the name and address of the owner so that notice may be mailed, if reasonably possible, within the time period outlined in this section.
 - c. Notice is considered given when a certified letter addressed to the owner of the vehicle, return receipt requested, and postage prepaid is mailed within 48 hours (excluding Saturday, Sunday, and holidays) after the vehicle is taken into custody.
6. Tow Hearing.
- a. Upon request of the owner, a hearing shall be held before the Municipal Judge. If the vehicle has not been taken into custody before the hearing request, it will not be removed unless it is a hazard;
 - b. A hearing shall be set within 72 hours (excluding Saturday, Sunday, and holidays) of receipt of the request and the owner shall be notified;
 - c. Towing and storage charges set by law, ordinance, or rule or that comply with law, ordinance, or rule are reasonable for purposes of this hearing;
 - d. Hearings may be informal in nature, but the presentation of evidence shall be consistent with the presentation of evidence required for contested cases under ORS 183.450.
7. Decision of hearing.
- If the Municipal Judge finds that:
- a. The action of the Police Chief or their designee is valid:
 - i. The vehicle will be held in custody until the costs of the hearing, towing, and storage are paid by the owner;
 - ii. If the vehicle has not yet been towed, its removal shall be ordered.

- b. The action of the Police Chief or their designee is invalid:
 - i. Order the immediate release of the vehicle to the owner;
 - ii. Find that the owner is not liable for towing or storage charges incurred prior to the hearing;
 - iii. Order the City to satisfy towing and storage charges incurred prior to the hearing.
 - c. The Municipal Judge shall provide a written statement of the results of the hearing to the person requesting the hearing;
 - d. The action of the Municipal Judge is final.
8. Failure to appear.
If the person requesting the hearing does not appear at the scheduled hearing, the Judge shall enter an order supporting the removal and assessment of towing and storage costs.
9. Exemption from notice and hearing requirements.
A vehicle that is being held as part of any criminal investigation is not subject to any part of this chapter.

SECTION 3. All other Sections, Subsections and Paragraphs of Chapter 7.04 of the Roseburg Municipal Code shall remain in full force and effect as currently written.

ADOPTED BY THE ROSEBURG CITY COUNCIL THIS ____ DAY OF _____, 2022.

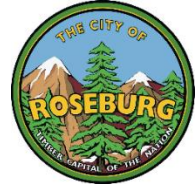
APPROVED BY THE MAYOR THIS ____ DAY OF _____, 2022.

LARRY RICH, MAYOR

ATTEST:

AMY L. SOWA, ASSISTANT CITY MANAGER/RECORDER

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



ORDINANCE GRANTING A TELECOMMUNICATIONS FRANCHISE TO FUSION CLOUD SERVICES, LLC.

Meeting Date: February 28, 2022
Department: Administration
www.cityofroseburg.org

Agenda Section: ORDINANCES
Staff Contact: Amy L. Sowa
Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

The City has received an application for a telecommunications franchise from Fusion Cloud Services, LLC located in Atlanta, GA.

BACKGROUND

A. Council Action History.

Council has not acted on this particular application.

B. Analysis.

The subject application and application processing fee were received on February 14, 2022. Service to Roseburg customers began on May 1, 2020. Therefore, the provider has requested that the franchise agreement be granted effective retroactively to May 1, 2020.

C. Financial/Resource Considerations.

Under our definitions of telecommunications “provider” and telecommunication “service,” Fusion Cloud Services, LLC is required to pay a franchise fee of 5% of the gross revenues derived from customers within the City. Fusion Cloud Services, LLC has been making payments since May 2020.

D. Timing Considerations.

As noted above, Fusion Cloud Services, LLC began serving Roseburg in May of 2020; therefore, the franchise needs to be made effective retroactively to that date. Such effective date will make the initial term of the franchise 2 years and 8 months, with an expiration date of December 31, 2022. The ordinance will also allow renewal options of three years each, for a total of five terms.

COUNCIL OPTIONS

Council has the following options:

- Proceed with first reading of the ordinance, followed by second reading and adoption; or
- Request additional information; or
- Do nothing

STAFF RECOMMENDATION

Staff recommends that Council proceed with first reading of the ordinance, followed by suspension of the rules, second reading and adoption at the February 28, 2022, meeting in order to avoid further delay in granting the franchise.

SUGGESTED MOTION

If Council concurs with Staff's recommendation, Council will need to request first reading of the ordinance granting a telecommunications franchise to Fusion Cloud Services, LLC effective May 1, 2020, after which the following motions would be appropriate:

"I MOVE TO SUSPEND THE RULES AND PROCEED WITH SECOND READING OF ORDINANCE NO. 3570, GRANTING A TELECOMMUNICATIONS FRANCHISE TO FUSION CLOUD SERVICES, LLC, EFFECTIVE RETROACTIVELY TO MAY 1, 2020."

"I MOVE TO ADOPT ORDINANCE NO. 3570."

ATTACHMENTS:

Attachment #1 – Proposed Ordinance

Cc: Fusion Cloud Services, LLC, 210 Interstate North Parkway SE, Suite 200, Atlanta, GA 30339
Subject Franchise File

ORDINANCE NO. 3570

**AN ORDINANCE GRANTING A TELECOMMUNICATIONS FRANCHISE
TO FUSION CLOUD SERVICES, LLC
EFFECTIVE RETROACTIVELY ON MAY 1, 2020**

SECTION 1. Grant of Franchise. The City of Roseburg, hereinafter called “City,” hereby grants Fusion Cloud Services, LLC, hereinafter called “Franchisee,” the non-exclusive right to use and occupy all public ways within the Franchise Territory, solely for the purposes described herein, for a period of three years, retroactively beginning May 1, 2020, and ending December 31, 2022, following Franchisee’s acceptance of the Franchise as provided in Section 11 of this Ordinance.

SECTION 2. Incorporation of Roseburg Municipal Code. This Franchise is granted pursuant to Chapter 9.25 of the Roseburg Municipal Code (“RMC”), entitled “Telecommunications Providers,” and shall be interpreted to include all provisions of Chapter 9.25, as it now exists and as it may be amended during the term of the Franchise, and all other provisions of the Roseburg Municipal Code and City regulations with which Chapter 9.25 requires compliance, as set forth in writing herein. A copy of Chapter 9.25, as it exists and is in effect on the effective date of this Franchise, is attached to this Franchise as Exhibit “A.” It shall be the responsibility of the Franchisee to keep itself informed of any amendments to applicable provisions of the Roseburg Municipal Code and all related regulations.

SECTION 3. Amendment and Renewal. The Franchise granted by this Ordinance may be amended in accordance with RMC 9.25.120 and may be renewed in accordance with RMC 9.25.100.

SECTION 4. Franchise Territory. The “Franchise Territory” is all territory within the boundaries of the City of Roseburg, as currently existing or as the boundaries may be adjusted during the term of this Franchise.

SECTION 5. Services to be Provided. Franchisee shall provide telecommunications services as authorized by law to residents, businesses and other entities within the City of Roseburg.

SECTION 6. Franchise Fees. Franchise fees shall be based on Franchisee’s annual use of the City’s public ways, as provided below:

A. Fee Base. For the privileges granted by this Franchise, Franchisee shall pay five percent (5%) of its gross revenue derived from services provided to customers within the City limits of Roseburg.

B. Payment. All payments due hereunder shall be paid to the City of Roseburg by check or money order delivered to the address of the City for notices as set forth herein.

C. Due Date. Franchise fees shall be paid to the City on a quarterly basis, based on the revenues derived from the quarter just passed, not more than 30 days following the end of each quarter.

D. Late Fee. If Franchisee fails to pay the Franchise fee when due, Franchisee shall be charged a penalty of ten percent (10%), and the legal rate of interest established by state statute on the unpaid balance.

SECTION 7. Notices and Authorized Representatives.

A. Except for emergency notification of Franchisee, all notices or other communications between the parties shall be deemed delivered when made by certified United States mail or confirmed express courier delivery to the following persons and locations:

If to City:

City of Roseburg
ATTN: Amy L. Sowa, City Recorder
900 SE Douglas
Roseburg, OR 97470
E-mail: asowa@cityofroseburg.org
Phone: (541) 492-6866

If to Franchisee:

Fusion Cloud Services, LLC
Attn: Brax Watkins
210 Interstate N Parkway SE, Ste 200
Atlanta, GA 30339
E-mail: tax@fusionconnect.com
Phone: (678) 424-2400

Either party may change the identity of its authorized representative(s) or its address or phone number for notice purposes by delivering written notice of the change to the other party.

B. In case of an emergency that causes or requires interruption of service, City shall give Franchisee emergency notification by hand delivery or telephone, as appropriate to the nature of the emergency, to the following:

Contact Person's Name: Brax Watkins

Mailing Address: 210 Interstate N Parkway SE, Ste 200, Atlanta, GA 30339

Telephone: (404) 442-0202

SECTION 8. Location, Relocation and/or Removal of Facilities. RMC Chapter 4.02, along with RMC Sections 9.25.290 – 9.25.320, sets forth the conditions for the construction, installation, location, relocation and removal of Franchisee's facilities. There are no exceptions or additions to these regulations unless Franchisee is exempted by statute.

SECTION 9. Representation and Warranty of Franchisee. By executing this document, Franchisee represents and warrants that it is familiar with all provisions of this Franchise, including those contained in this Ordinance, and that it accepts and agrees to

be bound by all terms, conditions and provisions set forth herein.

SECTION 10. Franchise Effective Date. Franchisee submitted an application requesting a telecommunications franchise and paid the application processing fee on February 14, 2022, and is currently serving Roseburg customers. The Roseburg City Council approved such request at its meeting on February 28, 2022; and hereby authorizes this Franchise to take effect retroactively on May 1, 2020, and expire on December 31, 2022, provided Franchisee satisfies the acceptance requirements of Section 11 of this Ordinance.

SECTION 11. Acceptance of Franchise. Upon receipt of this Ordinance, Franchisee shall sign in the space below to indicate its unconditional acceptance of the terms and conditions upon which City has offered the Franchise described herein, and immediately return such acceptance to the City. If Franchisee fails to accept the Franchise and return acceptance to City within 30 days of the adoption of this Ordinance, this Ordinance and the Franchise granted herein shall become void and have no force or effect.

ADOPTED BY THE CITY COUNCIL ON THIS 28TH DAY OF FEBRUARY, 2022.

APPROVED BY THE MAYOR ON THIS 28TH DAY OF FEBRUARY, 2022.

MAYOR

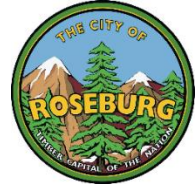
Larry Rich

ATTEST:

Amy L. Sowa, Assistant City Manager/Recorder

(Franchisee's Acceptance on Following Page)

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



24-INCH TRANSMISSION MAIN, PROJECT 22WA11 CONSULTING SERVICES TASK ORDER NO. 4 AUTHORIZATION

Meeting Date: February 28, 2022
Department: Public Works
www.cityofroseburg.org

Agenda Section: Department Items
Staff Contact: Brice Perkins, PW Director
Contact Telephone Number: 541-492-6730

ISSUE STATEMENT AND SUMMARY

In 2020, staff completed a qualifications-based selection process for design, bidding, and construction management services related to the 24-inch transmission main replacement project. The issue for the Council is whether to authorize Task Order No. 4 for design and bidding services for Phase III of the project.

BACKGROUND

A. Council Action History.

On September 28, 2020, Council awarded a master engineering services contract for Phases II and III of the 24-inch transmission main project to Murraysmith to provide design, bidding, and construction management services.

B. Analysis.

The City of Roseburg utilizes two major water transmission mains that are located along Stephens Street between the water treatment plant in Winchester and the main reservoir complex on Bellview Court. The older of the two original transmission mains was installed in 1934.

In 2010, the City adopted a new Water System Master Plan, which recommends replacement of the 1934-era, 20-inch diameter transmission main in phases. The first phase of the project, from the Water Treatment Plant to Hooker Road, was completed in 2013. The second phase from Hooker Road to Isabell Avenue is currently under construction. The third phase scheduled for replacement is from Isabell Avenue to Newton Creek Drive.

Each task order under the master contract is individually negotiated, based on an agreed upon scope of work. Task Order No. 4 has been negotiated with Murraysmith and includes design and bidding services for Phase III of the 24-inch transmission main installation from Isabell Avenue to Newton Creek Drive at a cost not to exceed \$267,577.

C. Financial/Resource Considerations.

Task Order No. 4 for design and bidding services has been negotiated with Murraysmith at a cost not to exceed \$267,577. The FY 2021-2022 Water Fund budget includes \$325,000 for the design of Phase III of the transmission main.

D. Timing Considerations.

If authorized, notice to proceed with Task Order No. 4 will be issued as soon as possible. Murraysmith estimates ten months to complete the design.

COUNCIL OPTIONS

The Council has the following options:

1. Authorize Task Order No. 4 for design and bidding services for Phase III of the 24-inch transmission main project; or
2. Request additional information; or
3. Not authorize this task order and not move forward with the project at this time.

STAFF RECOMMENDATION

The Public Works Commission discussed this task order at their February 10, 2022 meeting. The Commission unanimously recommended authorizing Task Order No. 4 with Murraysmith for design and bidding services for Phase III of the 24-inch transmission main from Isabell Avenue to Newton Creek Drive at a cost not to exceed \$267,577. Staff concurs with this recommendation.

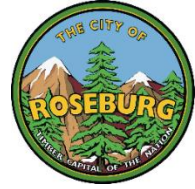
SUGGESTED MOTION

“I move to authorize Task Order No. 4 with Murraysmith for design and bidding services for Phase III of the 24-inch transmission main from Isabell Avenue to Newton Creek Drive at a cost not to exceed \$267,577.”

ATTACHMENTS:

None

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



SURFACE TRANSPORTATION BLOCK GRANT FUNDS EXCHANGE AUTHORIZATION

Meeting Date: February 28, 2022
Department: Public Works
www.cityofroseburg.org

Agenda Section: Department Items
Staff Contact: Brice Perkins, PW Director
Contact Telephone Number: 541-492-6730

ISSUE STATEMENT AND SUMMARY

The Oregon Department of Transportation (ODOT) has an agreement with the Association of Oregon Counties and the League of Oregon Cities that provides Federal Surface Transportation Block Grant (STBG) funds to Cities and Counties. The issue for the Council is whether to authorize the City Manager to submit a fund exchange request for STBG funds.

BACKGROUND

A. Council Action History.

On February 22, 2021, the City Council authorized the City Manager to sign an intergovernmental agreement with ODOT for the STBG Fund Exchange program. This agreement expires September 30, 2024.

B. Analysis.

Each year the City of Roseburg is allocated federal funds for transportation projects. The funds can be used for any transportation related purpose. The STBG Fund Exchange program provides local agencies a flexible funding option for delivering transportation improvements without being constrained by federal requirements. The program provides an opportunity for the City to exchange our Federal STBG dollars for State Highway Fund dollars.

The STBG Fund Exchange agreement allows the City of Roseburg to request funds via the fund exchange program by submitting a letter of request for funds up to the full amount of the City's accumulated annual allocations.

Historically the City has allowed our annual STBG allocations to accumulate for several years prior to accessing the funds as needed for large scale projects. In anticipation of these projects, the City has been very selective on spending its annual allocation of STBG funds, allowing the available balance to grow to approximately \$1.33M.

In January 2021, ODOT made changes to the STBG Fund Exchange program, limiting the balance that local agencies can accumulate to four years of STBG allocations. Any funds allocated to the City would lapse if not utilized within four years. Rather than face this four-year limit each year, staff recommends withdrawing all of the available funds at this time. This would then allow the City to begin accumulating annual allocations for another four year window. The funds can be utilized for the Pavement Management Program in both FY22 and FY23.

C. Financial/Resource Considerations.

At this time the City may request exchange of \$1,038,634.30 in federal STBG funds for state funds at a ratio of 94 cents in state funds for each dollar of STBG funds. Accordingly, the City would receive \$976,316.24 from ODOT.

Additionally, the City may request exchange of \$293,372.00 in federal STBG funds for state funds at a ratio of 90 cents in state funds for each dollar of STBG funds. Accordingly, the City would receive \$264,034.80 from ODOT.

The total Transportation Fund revenue from these exchanges is \$1,240,351.04.

D. Timing Considerations.

The City of Roseburg recently received notice that \$117,423.30 of STBG funds will lapse if not utilized by December 31, 2022.

COUNCIL OPTIONS

The Council has the following options:

1. Authorize the City Manager to submit a fund exchange request for the full amount of available STBG funds; or
2. Authorize the City Manager to submit a fund exchange request for less than the full amount of available STBG funds; or
3. Request additional information; or
4. Not authorize a fund exchange request at this time.

STAFF RECOMMENDATION

The Public Works Commission discussed this task order at their February 10, 2022 meeting. The Commission unanimously recommended authorizing the City Manager to submit an STBG fund exchange request in the amount of \$1,332,006.30, which would result in a net revenue to the City of \$1,240,351.04. Staff concurs with this recommendation.

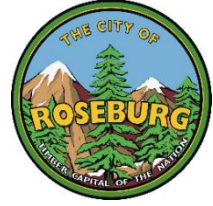
SUGGESTED MOTION

"I move to authorize the City Manager to submit an STBG Fund Exchange request in the amount of \$1,332,006.30."

ATTACHMENTS:

None

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



CITY MANAGER ACTIVITY REPORT

Meeting Date: February 28, 2022

Department: Administration

www.cityofroseburg.org

Agenda Section: Informational

Staff Contact: Nikki Messenger, City Manager

Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

At each meeting, the City Manager provides the City Council with a report on the activities of the City, along with an update on operational/personnel related issues which may be of interest to the Council. These reports shall be strictly informational and will not require any action on the Council's part. The reports are intended to provide a mechanism to solicit feedback and enhance communication between the Council, City Manager and City Staff. For your February 28, 2022, meeting, the following items are included:

- Department Head Meeting Agendas
- Tentative Future Council Agenda Items
- City Manager Weekly Messages



Agenda
Department Head Meeting
Electronically via Zoom
February 15, 2022 - 10:00 a.m.

1. February 14, 2022 City Council Work Study & Regular Meeting Synopsis
2. February 23, 2022 City Council Work Study Meeting Agenda
3. February 28, 2022 City Council Meeting Agenda
4. Review Tentative Future Council Meeting Agendas
5. Documents, Events, or Grants to review and/or sign
6. Department Items
 - A. COVID Updates (NM/JV)
 - B. KMTR Updates (SH)
 - C. 150th Anniversary (AS)



Agenda
Department Head Meeting
PSC Umpqua Conference Room
February 22, 2022 - 10:00 a.m.

1. February 23, 2022 Work Study (distributed last week, not included in this packet)
2. February 28, 2022 City Council Meeting Agenda
3. Review Tentative Future Council Meeting Agendas
4. Documents, Events, or Grants to review and/or sign
 - A. Police Grant Checklists for:
 - Crosswalk safety
 - Seatbelts
 - Bulletproof vests
 - Distracted Driving
 - DUII
 - Speed
5. Department Items
 - A. COVID Updates (NM/JV)
 - B. KMTR Updates (SH)

TENTATIVE FUTURE COUNCIL AGENDA



Unscheduled

- IAFF Contract
- Umpqua Basin Urban Services Agreement
- Urban Growth Boundary Swap

March 14, 2022

Mayor Reports

- A. American Red Cross Month Proclamation

Special Presentation

- A. Floodplain Mapping Presentation

Consent Agenda

- A. Minutes of February 23, 2022 Work Study
- B. Minutes of February 28, 2022

Resolutions

- A. Resolution No. 2022-04 - Parks and Recreation Rules Update
- B. Resolution No. 2022-05 - Authorizing the Dedication of City Owned Real Property for use as Public Right-of-Way
- C. Resolution No. 2022-06 – Approving a Property Tax Exemption for NeighborWorks Umpqua Property

Ordinances

- A. Ordinance No. 3567 – Amending RMC Section 7.04.005 “Definitions” and 7.04.170 “Inoperable, Wrecked, Dismantled or Abandoned Vehicles,” Second Reading
- B. Ordinance No. 3569 - ZC-21-003 – 1802 W Harvard Avenue Zone Change from C2 to C3, Second Reading

Informational

- A. City Manager Activity Report

March 28, 2022

Mayor Reports

- A. Child Abuse Prevention Month Proclamation
- B. National Library Week Proclamation

Consent Agenda

- A. Minutes of March 14, 2022

Department Items

- A. Broccoli Street Storm Drain Improvements Bid Award, Project 21PW16
- B. ADA Ramp Improvements Bid Award Recommendation, Project 22PW05
- C. 18-inch Water Main, Diamond Lake Boulevard – Kester to Sunshine Design
- D. Calkins/Troost/Harvard Storm Projects Design, Project 21PW08

Informational

- A. City Manager Activity Report

April 11, 2022

Mayor Reports

- A. Recognition of City Volunteers and Volunteer Recognition Month Proclamation
- B. Arbor Day Proclamation

Consent Agenda

- A. Minutes of March 28, 2022
- B. 2022 OLCC Annual License Renewal Endorsement

Informational

- A. City Manager Activity Report
-

April 25, 2022

Mayor Reports

- A. Historic Preservation Month Proclamation
- B. Bike to School Day Proclamation
- C. Blue Zones Day Proclamation

Consent Agenda

- A. Minutes of April 11, 2022
- B. 2022 OLCC License Renewal Endorsement

Special Presentation

- A. Umpqua Economic Development Partnership Annual Report

Department Items

- A. Stephens Street ADA Ramp Upgrade Bid Award Recommendation, Project 22PW01

Informational

- A. City Manager Activity Report
 - B. Finance Quarterly Report
 - C. Municipal Court Quarterly Report
-

May 9, 2022

Mayor Reports

- A. EMS Week Proclamation
- B. National Public Works Week Proclamation

Consent Agenda

- A. Minutes of April 25, 2021

Informational

- A. City Manager Activity Report
-

May 23, 2022

Consent Agenda

- A. Minutes of May 9, 2021

Resolutions

- A. Annual Fee Adjustments
 - Resolution No. 2022- -- - General Fees
 - Resolution No. 2022- -- - Water Related Fees

Informational

- A. City Manager Activity Report
-

June 13, 2022

Consent Agenda

- A. Minutes of May 23, 2022

Public Hearing

- A. Resolution No. 2022 - - - 2022-2023 Budget Adoption

Informational

- A. City Manager Activity Report

Urban Renewal Agency Board Meeting

Consent Agenda

- A. Minutes of June 14, 2021

Public Hearing

June 27, 2022

Consent Agenda

- A. Minutes of June 13, 2022

Informational

- A. City Manager Activity Report
-

July 11, 2022

Mayor Reports

- A. Parks and Recreation Month Proclamation

Special Presentation

- A. Roseburg Public Library UCAN AmeriCorps Member Presentation by Lydia Rathe

Consent Agenda

- A. Minutes of June 27, 2022

Executive Session ORS 192.660(2)(i) – City Manager Evaluation

Informational

- A. City Manager Activity Report
-

July 25, 2022

Consent Agenda

- A. Minutes of July 11, 2022

Informational A

- A. City Manager Activity Report
-
- B. Quarterly Financial Report
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- C. Municipal Court Quarterly Report
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August 8, 2022

Consent Agenda

- A. Minutes of July 25, 2022

Informational

- A. City Manager Activity Report
-

August 22, 2022

Consent Agenda

- A. Minutes of August 8, 2022

Informational

- A. City Manager Activity Report
-

September 12, 2022

Mayor Reports

- A. Constitution Day and Week Proclamation

Consent Agenda

- A. Minutes of August 22, 2022

Informational

- A. City Manager Activity Report
-

September 26, 2022

Consent Agenda

- A. Minutes of September 12, 2022

Informational

A. City Manager Activity Report

Friday Message
February 18, 2022

- No message last week, so a brief recap of that week's (2/7-2/11) activities included attending the Oregon Airport Management Association's spring conference (virtually), a meeting with the golf course vendors, a virtual meeting with a consultant with expertise on renovating structures for navigation center/homeless shelters, attending the LOC's weekly statewide call, and attending the virtual public hearing and submitting written comment to the Joint Committee on Ways and Means Capital Construction to support the medical education college.
- The Public Works Commission met last week and discussed two items that will appear on your next Council agenda; a design task order for the next phase of the 24-inch transmission main and authorization to "fund exchange" STBG funds from ODOT.
- On Monday, I met with representatives from NeighborWorks Umpqua. They own a number of properties that provide low-income housing. The initial 20-year term for property tax exemptions for these various properties have expired and we talked through the process of requesting future property tax exemptions. I would expect this to come to Council in the near future for your consideration.
- The Library Commission met on Tuesday and received updates regarding various library programs and progress on meeting goals outlined in the strategic plan.
- On Thursday, I attended the quarterly CCD Development Corporation board meeting as a guest. Thank you to Theresa Haga for the invite. The CCD has a lot going on and it is helpful to be included in these meetings to hear about the various programs happening in the three counties.
- K9 Axel retired last week after 6 years of service. Thank you to Axel and his handler, Officer Bonebrake, for your service to the department. A retirement celebration is being planned. Given that we are down a number of officers at the moment, and the fact that new officers will require training, we do not plan to immediately replace the K9's. There is a significant amount of training that goes into becoming a K9 handler and we do not have that capacity right now. We look forward to a time when the staffing levels are appropriate and we can add a K9 officer back into the ranks.
- Speaking of retirement celebrations, Water Superintendent Tony Dietrich is retiring March 1st after 23 years of service. If you would like to come by and wish Tony well on his next adventures, a reception is being held at the Fulton Street shop from 11:00 a.m. to 1:00 p.m. on March 1. Current Water Maintenance 3 employee Dan Forrest has been promoted to take over as the next Water Superintendent.
- Fire Battalion Chief Tyler Christopherson has been promoted to replace retiring Assistant Fire Chief Merrill Gonterman. Merrill plans to quietly step away from his



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CITY MANAGER ACTIVITY REPORT

position this spring, but deserves a huge shout out for his dedication to the Roseburg Fire Department over the past five plus years. Enjoy your well-earned retirement Merrill!

- The weather is predicted to turn colder this weekend and Kimetha Stallings let us know that she will be opening the warming center on Winchester Avenue Monday night and plans to remain open through Thursday night/Friday morning. If you know anyone interested in volunteering, they can call (541) 236-2089 to sign up for shifts.



- Meetings next week:
 - City Council work-study session – Wednesday, 2/23 @ 6:00 p.m. electronically via Zoom
- Press Releases: <https://www.cityofroseburg.org/news>
 - Warming shelter reopens next week
 - City buildings to close Monday, Feb. 21, 2022
 - Behind the scenes at the Roseburg Public Library
 - Green Bridge to close overnight Thursday

City Offices will be closed Monday, February 21 in observance of Presidents Day.

