**CITY OF FLORENCE PLANNING COMMISSION**
**October 25, 2016 ** MEETING MINUTES ****

## CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE

Chairperson Curt Muilenburg called the meeting to order at 7:00 p.m. Roll call: Vice Chair John Murphey, Chairperson Curt Muilenburg, Commissioner Ron Miller and Commissioner Robert Bare were present. Commissioner Clarence Lysdale and Commissioner Michael Titmus were absent and excused. Also present: Planning Director Wendy FarleyCampbell, Assistant Planner Glen Southerland and Administrative Assistant Vevie McPherren.

## APPROVAL OF AGENDA

Vice Chair Murphey motioned to approve the Agenda. Commissioner Bare seconded. By voice, all ayes. The motion passed.

## APPROVAL OF MINUTES

Commissioner Miller motioned to approve the Minutes of September 27 and October 11, 2016. Commissioner Vice Chair Murphey seconded. By voice, all ayes. The motion passed.

## PUBLIC COMMENTS

*This is an opportunity for members of the audience to bring to the Planning Commission's attention any items **NOT** otherwise listed on the agenda. Comments will be limited to **3 minutes per person**, with a maximum time of 15 minutes for all items.*

There were no public comments.

## PUBLIC HEARING

*Chairperson Muilenburg announced there were two public hearings that included two resolutions before the Planning Commission that evening. The hearing would be held in accordance with the land use procedures required by the City in Florence City Code Title 2 Chapter 10 and the State of Oregon. Prior to the hearing(s) tonight, staff will identify the applicable substantive criteria which have also been listed in the staff report. These are the criteria the Planning Commission must use in making its decision. All testimony and evidence must be directed toward these criteria or other criteria in the Plan or Land Use Regulations which you believe applies to the decision per ORS 197.763 (5). Failure to raise an issue accompanied by statements or evidence sufficient to afford the Planning Commission and parties involved an opportunity to respond to the issue may preclude an appeal of this decision based on that issue. Prior to the conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments or testimony regarding the application. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval without sufficient specificity to allow the Planning Commission to respond to the issue that precludes an action for damages in circuit court. Any proponent, opponent, or other party interested in a land use matter to be heard by the Planning Commission may challenge the qualifications of any Commissioner to participate in such hearing and decision. Such challenge must state facts relied upon by the party relating to a Commissioner's bias, prejudgment, personal interest, or other facts from which the party has concluded that the Commissioner will not make a decision in an impartial manner*

**RESOLUTION PC 16 08 CUP 02 – Goodwill Storage:** An application from Joy Murphy on behalf of Goodwill Industries of Lane and South Coast Counties for a Conditional Use Permit, seeking approval for a storage container and a trailer in the parking lot of the store located at 1665 Highway 101 that will be used as additional temporary dry storage only. The site is located on the west side of Highway 101, Map #18-12-26-22, Tax Lot 11000, 11100 & 11200. The proposed project is in the Commercial Zoning District, regulated by Florence City Code Title 10 Chapter 15.

Chairperson Muilenburg opened the public hearing at 7:03 p.m.

Chairperson Muilenburg asked if any of the Planning Commissioners wished to declare any conflicts of interest, ex parte contacts, site visits, or bias. Commissioner Bare stated he had made a site visit and Vice Chair Murphey stated that he had driven by. There were no challenges to Commissioner impartiality.

Chairperson Muilenburg asked for the staff report.

### Staff Report

AP Southerland presented the staff report with information regarding the applicant requested continuance and the applicable criteria. He showed the aerial of the site and the site plan that included proposed locations of the fenced dumpster, storage container and parked semi-trailer. He reported there had been no public testimony and no referrals. AP Southerland stated the changes to Conditions: to delete Condition #3.2 and #3.3, to change "above" to "in FCC 10-34-5-F" in Condition #6.2, and to delete the last sentence in Condition #7.5 along with the date change in Condition #7.1 from October 9, 2016 to January 25, 2016. He said that Staff recommended approval with those changes and with the following conditions of approval: Condition #3 regarding storage/loading to be prohibited during business hours, Conditions #4.1 – 4.4 regarding CUP timelines, Condition #5 regarding building color approval, Conditions #6.1 – 6.3 regarding fencing and the possible future option of the use of barbed wire, Conditions #7.1 – 7.6 regarding landscaping to include four trees and nineteen shrubs and Condition #8 regarding vision clearance. AP Southerland also pointed out

that a building permit would be required to install fencing over 7 feet. He stated the alternatives and asked for questions from the Commissioners. There were no questions for Staff. Chairperson Muilenburg asked the applicant for their presentation.

**Applicant – Dave Robison – 1010 Green Acres Drive, Eugene, OR**
Mr. Robison had no presentation but was prepared to answer questions. There were no questions for the applicant.

Chairperson Muilenburg asked for proponents, opponents, or interested neutral parties. There were none.

Chairperson Muilenburg asked for staff recommendation and AP Southerland said that staff recommended approval with the noted changes and conditions of approval.

Chairperson Muilenburg closed the public hearing at7:13 p.m.

**COMMISSION DELIBERATION**
There was no Commission discussion

Commissioner Bare motioned to approve **Resolution PC 16 08 CUP 02 – Goodwill Storage CUP** with the noted changes and conditions of approval. Commissioner Miller seconded.

By roll call vote: Commissioner Miller "yes"; Commissioner Bare "yes"; Vice Chair Murphey "yes"; Chairperson Muilenburg "yes"; Commissioner Lysdale and Commissioner Titmus were absent and excused.

**RESOLUTION PC 16 22 CUP 06 – Public Works Facility:** An application from Megan Messmer, Project Manager on behalf of the City of Florence requesting approval of a Conditional Use Permit to construct a public works facility within the Pacific View Business Park. Proposed site is located on the southwest corner of the Kingwood and 27th Street intersection, Assessors Map 18-12-22-42 Tax Lots 00300, 00400 & 00500.

Chairperson Muilenburg opened the public hearing at 7:15 p.m.

Chairperson Muilenburg asked if any of the Planning Commissioners wished to declare any conflicts of interest, ex parte contacts, site visits, or bias. Commissioner Bare stated he had made a site visit and Vice Chair Murphey stated that he had driven by. There were no challenges to Commissioner Impartiality.

Chairperson Muilenburg asked for the staff report.

**Staff Report**
AP Southerland presented the staff report with the introduction and the applicable criteria that included Title 4, Chapters 1 and 6 and Title 10, Chapters 1, 3, 4, 6, 21, 28, 34 through 37, Realization 202 Florence Comprehensive Plan, Chapters 2 and 12 and ORS 227.100. He showed the aerial of the site and pointed out the locations of the proposed office building, maintenance building, storm water facilities, and parking lots. AP Southerland showed a current photograph of the street view of the site with site renderings that included elevations, parking lot entrances, building siding and colors and landscaping that included details of planned dense vegetation. He also gave a brief over-view of the vegetation removal and erosion control plan in preparation for the building phase of construction and pointed out the standards that applied to the lighting plan. AP Southerland stated that the testimony delivered on the Dias was from property owner, Brian Holmes regarding concerns about vegetation and paved parking prior to occupancy. There was one referral comment received from the Oregon Department of Aviation indicating that the applicant must submit a form FAA for review. AP Southerland pointed out the changes that included: Title 10, section 10-28-4 regarding the change from "%" to read "85%"; Comprehensive Plan, Chapter 14 regarding the removal of the sentence regarding Condition 6.2; New Exhibit/Condition with the addition of Exhibit H regarding ODA referral comments and the submission of the FAA form 7460-1 for review. He then stated that staff found that the application met the applicable criteria and recommended approval with the changes recommended by staff and the following conditions of approval: Conditions #3.1 – 3.3 regarding parking that included the bicycle space dimensions, Conditions #4.1 – 4.3 regarding CUP/DR timelines, Conditions #5.1 – 5.3 regarding airport overlay and coordination with ODA and FAA, Conditions #6.1 & 6.2 regarding zoning provisions specific to CMU wall height and trash recycle area enclosure, Conditions #7.1 – 7.11 regarding landscaping, Condition #8 regarding vision clearance and Conditions #9.1 – 9.3 regarding lighting and the repositioning of lighting fixtures for the north parking spaces. He stated the Alternatives and asked for questions from the Commissioners.

Commissioner Bare asked if the detention ponds would be lined and AP Southerland responded that because of the standards of the storm water facilities a lining may hinder the filtration system. There was brief discussion about the two additional storm water facilities that would be constructed when the paved parking complete. VC Murphey questioned the muted earth tone of 'robust orange' and AP Southerland stated that it was technically an earth tone color and a very minor accent to an earth tone compliant building. VC Murphey asked for and explanation of guidelines regarding solar panels. AP Southerland explained that solar panels were regulated by the state and the City would only have a say if it impacted a historic building as mentioned in Title 10, Chapter 28. VC Murphey asked if there was anything in code to address metal accent panels and AP Southerland responded that it was up to the Commissioner's judgement to decide whether the accent panels met the intent of the code. VC Murphey questioned the suggested five year time frame and AP Southerland indicated it was his opinion that it was a sufficient and appropriate amount of time to budget and complete the expensive project.

There were no further questions for Staff. Chairperson Muilenburg asked the applicant for their presentation.

**Applicant – Megan Messmer – Project Manager, City of Florence – 250 Highway 101, Florence, OR 97439**
**Applicant – Mike Miller – Public Works Director, City of Florence – 250 Highway 101, Florence, OR 97439**
Ms. Messmer stated she and Mr. Miller did not have a presentation but were prepared to answer questions.

Commissioner Miller questioned the function of the water station and Mr. Miller explained that it would be a fully automated station with a stem pipe and card reader. VC Murphey questioned the possible future move of the station from Kingwood to 27th Street and Mr. Miller stated that it could be moved in the future but it would have to be located at the throat of a cul-de-sac to eliminate difficult access for trucks and tankers and not to interfere with driveways or sidewalks. There was brief discussion regarding the choice of the Kingwood pull-out and that it would not impede any flow of traffic. VC Murphey asked why the vegetation clearing was necessary and Mr. Miller explained that it provided more building area on an already tight property site and added details of vegetation that would remain on the property along with additional proposed landscaping and the gravel dust control plan. CP Muilenburg asked if the gravel area would be used. Mr. Miller responded yes and indicated that although there was a significant savings by constructing the office and the shop at the same time, paving would occur in phases as monies were provided. There was discussion regarding the addition of shed parking and continued build out of modular buildings with the goal of eventually having all rolling stock covered to protect from the damaging coastal weather. Commissioner Bare asked about the old growth Rhododendrons and Mr. Miller responded they would try to salvage as many as possible. In addition, they would use the proposed demonstration project storm water facilities, green roof, the state mandated solar component and the alternate hybrid lighting system all as an energy savings show case. VC Murphey asked if there had been any thought given to alternatives to the proposed metal accent siding and Mr. Miller responded that they could use an alternate material.

Chairperson Muilenburg asked for proponents, opponents, or interested neutral parties.

**Proponent – Alan Burns – 2765 Kingwood Street, Florence, OR 97439**
Mr. Burns stated that he was in favor but had some concerns that included where he believed the original location of the maintenance building was to be and questioned the property line placement of the maintenance building. Mr. Burns questioned the code regarding the vegetation clearing permit in relationship to the building permit. He expressed concerns about the ingress and egress and a possible no parking policy established on 27th Street by the City. He asked AP Southerland if the applicant was requesting anything to do through the fence into the airport with the FAA and AP Southerland replied not at this time. Mr. Burns questioned the CMU wall and AP Southerland explained it was a concrete masonry wall that would be installed at the south patio. Mr. Burns questioned if the trucks would be pumping water inside or outside of the yard? Mr. Burns questioned the reflective roofing and AP Southerland indicated that the applicant would be required not to install reflective roofing. Mr. Burns was concerned about the position of solar panels and questioned the process of pocket planting of trees and AP Southerland explained the process. Mr. Burns was concerned about the proposed metal siding facing the street and pavement of the entire area.

**Opponent – None**

**Neutral – None**

**Rebuttal – Megan Messmer – Project Manager, City of Florence**
Ms. Messner stated that the location water station was currently on Kingwood because if it was moved 27th Street would have to be re-designed. There was brief discussion between Mr. Miller, Ms. Messner and VC Murphey regarding the current location. CP Muilenburg ask if there currently was parking on both sides of 27th Street and questioned how that might be impacted if the water station was moved to that location. Mr. Miller responded that parking was allowed and

added that the funeral home would not be disrupted if the water station were to be moved in the future. VC Murphey asked if the maintenance shop currently met the set-backs and PD FarleyCampbell responded that it did. Mr. Miller reiterated that there were no through the fence plans with the airport and that area would be used to keep materials used by Public Works to include bark dust, gravel and so forth. Commissioner Bare questioned the installation of two driveways and Mr. Miller explained the general delivery use of the Kingwood Street driveway and the more secure use of the second driveway and he added that they met the standard commercial driveway width requirements. CP Muilenburg asked for clarification regarding the non-reflective roofing and AP Southerland explained that the applicant would be required to use non-reflective material. There was brief discussion about alternate siding and enforcement. Mr. Miller reviewed the request for the vegetation clearing permit and explained the need to be able to conduct the prep work for construction so that tied together time frames and schedules could be met. He also explained the five year project phasing and completion goal.

Chairperson Muilenburg asked for staff recommendation. AP Southerland stated the vegetation clearing permit criteria that included the requirement of approval when a valid building permit had not already been issued. AP Southerland added that the driveways meet the three lot size requirements. He stated that the metal siding was not listed as an allowed material and would be left up to the decision of the Planning Commissioners. He pointed out that the proposed application did meet the paved parking requirements and as Kingwood was the front of the property it met the side yard set-backs also. He noted that the Kingwood Street and 27th Street would be the building sides to replace the exterior siding with alternate material. AP Southerland added that the solar panels were proposed on the south side of the construction to gain optimum light advantage. AP Southerland concluded that staff recommended the approval of the application with noted changes and conditions of approval.

Chairperson Muilenburg closed the public hearing at 8:30 p.m.

**COMMISSION DELIBERATION**

There was discussion regarding an alternate siding on the street facing sides of the building. Consensus was to direct staff to change the accents on the street facing sides of the building to an alternate building material. AP Southerland indicated he would make those changes by adding Condition 6.3 and renumbering Conditions 6.1 and 6.2.

Commissioner Bare motioned to approve Resolution **PC 16 22 CUP 06 – Public Works Facility** noted changes and conditions of approval. Commissioner Miller seconded.

The applicant agreed to the changes.

By roll call vote: Commissioner Miller "yes"; Chairperson Muilenburg "yes"; Vice Chair Murphey "yes"; Commissioner Bare "yes"; Commissioner Lysdale and Commissioner Titmus were absent and excused.

**PLANNING COMMISSION DISCUSSION ITEMS**

VC Murphey asked about the replacement of Commissioner Hammon and a possible return date for Commissioner Titmus. FarleyCampbell responded there was not a return date yet regarding Commissioner Titmus and a January 2017 time line was discussed to replace Commissioner Hammon. VC Murphey suggested that until the positions were secured, the Commissioners be polled prior to scheduling a meeting to ensure there would be a quorum.

**CALENDAR**

- **Tuesday, November 8, 2016** – Regular Session, 7:00 p.m. at City Hall
- **Tuesday, November 22, 2016** – Regular Session, 7:00 p.m. at City Hall

Chairperson Muilenburg adjourned the meeting at 8:38 p.m.

Curt Muilenburg 11-8-16

Chairperson, Curt Muilenburg — Date

**Florence Planning Commission**

# Goodwill Storage
# Temp. Mobile Building Space

**PC 16 08 CUP 02**

## Introduction

- Application for Conditional Use Permit w/ Design Review
- Application received on June 8, 2016.
- Application deemed complete on July 6, 2016.
- Public Hearing was continued at the request of the applicant on August 9, 2016.



## Criteria

**Florence City Code, Title 10:**

Chapter 1: Zoning Administration, Section 1-5

Chapter 3: Off Street Parking & Loading, Sections 3 through 6, 10 and 11

Chapter 4: Conditional Uses, Sections 3, 5 through 8, 10, 11 and 12E Temporary Mobile Building Space

Chapter 15: Commercial District, Section 2, 4, 5 and 6 A & C

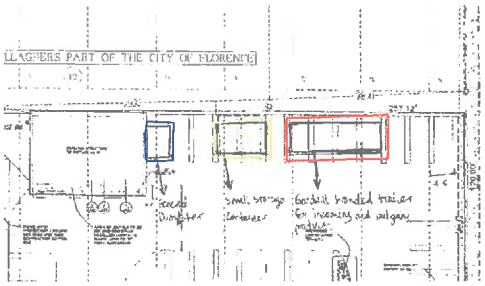
Chapter 34: Landscaping, Sections 3-3 through 3-8 and 5

Chapter 35: Access and Circulation, Section 2-14 and 3-2



## Aerial of Site

## Site Plan



## Testimony

**Public Testimony:**
- None Received

**Referral Comments:**
- Oregon Dept. of Aviation



## Changes

**Condition Changes:**
- Condition 3.2: Delete
- Condition 3.3: Delete
- Condition 6.2: "above" to "in FCC 10-34-5-F"
- Condition 7.5: Delete last sentence

**Date Change:**
- Condition 7.1: Change October 9, 2016 to January 25, 2016



## Staff Recommendation

Staff finds that the application meets the applicable criteria of City Code and the Florence Realization 2020 Comprehensive Plan and **recommends approval** (with the changes recommended by staff) of the application with the following conditions of approval:



## Conditions of Approval

**3.** Storage/Loading prohibited during business hours

**4. CUP Timelines**

**4.1.** CUP – Oct. 25, 2017

**4.2.** Six months for conditions from approval

**4.3.** Approval for container ends – Oct. 25, 2019

**4.4.** DR – Oct. 25, 2017

**5.** Building colors approved by Planning



## Conditions of Approval

**6. Fencing**

**6.1.** Fencing around converted parking spaces 6' tall

**6.2.** Fencing must screen

**6.3.** Barbed wire not permitted with this application, but can be approved through Admin. Review

**7. Landscaping**

**7.1.** Landscaping plan by Jan. 24, 2016

**7.2.** Four trees & 19 shrubs



## Conditions of Approval

**7. Landscaping**

**7.3.** Landscaping within 20' of a ROW. Plants within ROW okay due to site constraints.

**7.4.** FCC 10-34-3-4 for all new plantings

**7.5.** Drought-tolerant or irrigated

**7.6.** Replacement of plantings within 6 months

**8.** Vision clearance area clear of obstructions

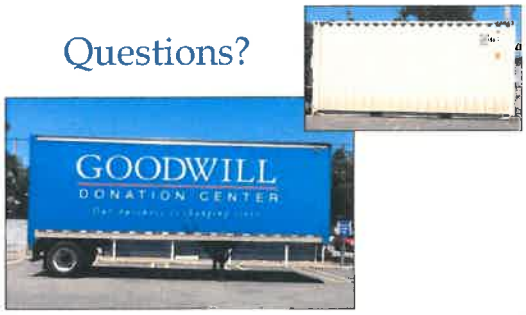
**Informational 1.** Building permits for 7' fencing

## Alternatives

1. **Approve the application;**
2. Deny the application;
3. Modify the findings, reasons, or conditions and approve the proposal; or
4. Continue the Public Hearing to a date certain if more information is needed.



## Questions?



# Public Works Facility

**PC 16 22 CUP 06**

## Introduction

- Application for Conditional Use Permit w/ Design Review & Vegetation Clearing
- 5,942 sq. ft. office building and 7,754 sq. ft. maintenance building.
- Application received on Sept. 12, 2016.
- Application deemed complete on Sept. 19, 2016.



## Criteria

**Florence City Code, Title 4:**

Chapter 1: Building Regulations, Section 15-3

Chapter 6: Vegetation Preservation, Sections 2 through 4 and 6

**Florence City Code, Title 10:**

Chapter 1: Zoning Administration, Section 1-5

Chapter 3: Off-Street Parking and Loading, Sections 2 through 5 & 8 through 10

Chapter 4: Conditional Uses, Sections 3 through 11

Chapter 6: Design Review, Sections 5, 6 & 9



## Criteria – Cont.

**Florence City Code, Title 10:**

Chapter 21: Public Use Airport Zone, Sections 1-7, 2-3, 2-5, 2-7 and 2-11

Chapter 28: Pacific View Business Park District, Sections 2 through 5

Chapter 34: Landscaping, Sections 3 through 5

Chapter 35: Access and Circulation, Sections 2-4, 2-6 through 2-9, 2-12, 2-14 & 3

Chapter 36: Public Facilities, Sections 2-1, 2-2, 2-5, 2-6, 2-9, 2-16 through 2-18 and 3 through 5

Chapter 37: Lighting, Sections 2 through 4



## Criteria – Cont.

**Realization 2020 Florence Comprehensive Plan:**

Chapter 2: Land Use, Industrial Policies 1 and 6

Chapter 12. Transportation, Policy 14

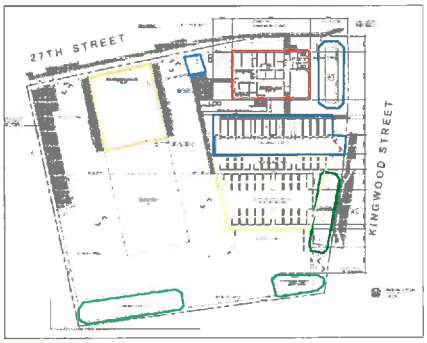
**Oregon Revised Statutes**

ORS 227.100



## Aerial of Site

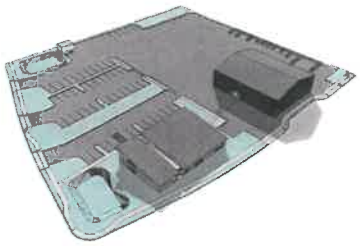
## Site Plan






## Current Site

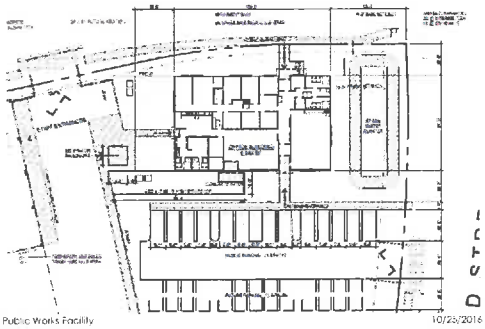
## Site Rendering



Bird's Eye view looking southeast



## Office Building





## Office Elevations

Looking northwest from Kingwood Street



## Office Elevations

Looking north from the parking lot

## Office Elevations

Looking south from 27th Street

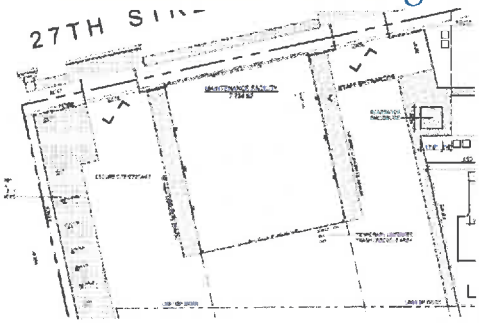


## Office Elevations

Looking southeast from 27th Street

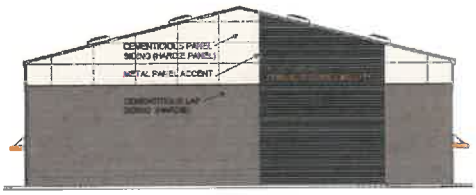


## Maintenance Building





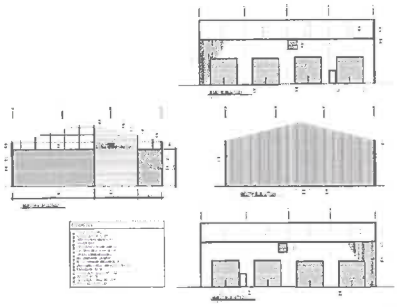

## Maint. Bldg. Elevations




27th Street

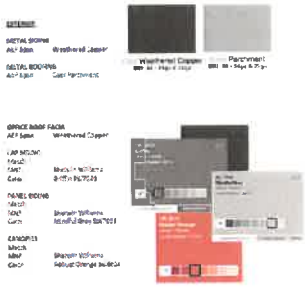


## Maint. Bldg. Elevations

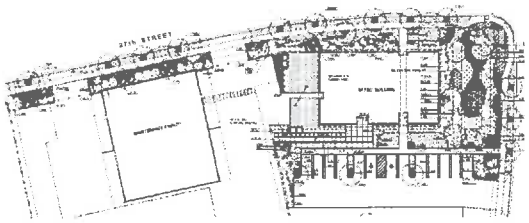




## Building Colors



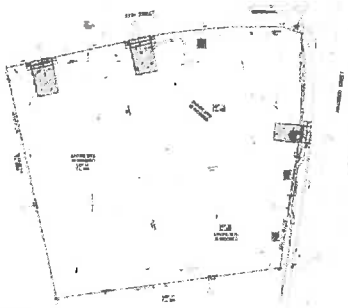
## Landscaping





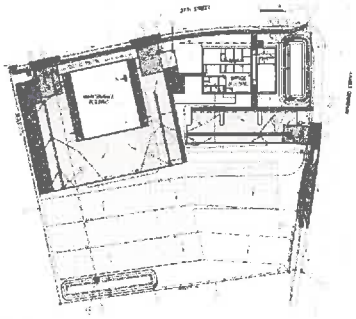
## Landscaping

## Erosion Control



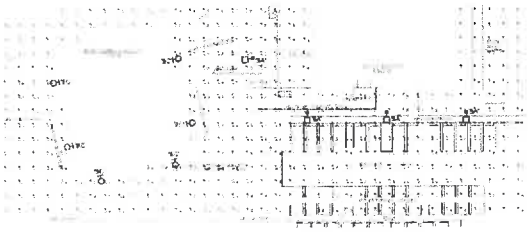


## Erosion Control





## Lighting





## Testimony

**Public Testimony:**

- Brian Holmes (10/25/16 – on dias)

**Referral Comments:**

- Oregon Dept. of Aviation

## Changes

**Title 10:**
Section 10-28-4:
- Change C from "%" to read "85%"

**Comprehensive Plan:**
Chapter 14:
- Remove sentence regarding Condition 6.2.

**New Exhibit/Condition:**
- Addition of Exhibit H: ODA Referral Comments
- Condition 5.4: Submit FAA Form 7460-1 for Review



## Staff Recommendation

Staff finds that the application meets the applicable criteria of City Code and the Florence Realization 2020 Comprehensive Plan and **recommends approval** (with the changes recommended by staff) of the application with the following conditions of approval:



## Conditions of Approval

**3. Parking**
**3.1.** Storage/Loading prohibited during business hours
**3.2.** Mark parking spaces (15)
**3.3.** Bike parking dimensions
**4. CUP/DR Timelines**
**4.1.** CUP – October 25, 2017
**4.2.** Six months for conditions from C of O
**4.3.** DR – October 25, 2017



## Conditions of Approval

**5. Airport Overlay**
**5.1.** No lighting pointing upward
**5.2.** Non-reflective roofing
**5.3.** Coordinate with ODA and FAA
**6. Zoning Provisions**
**6.1.** CMU wall six feet in height
**6.2.** Trash recycle area enclosed by 5' fence or wall



## Conditions of Approval

**7. Landscaping**
**7.1.** Landscape Plan for green roof
**7.2.** 70% of required area in 5 years
**7.3.** Pocket-planted
**7.4.** Grading, paving, stormwater, landscaping plans for future parking lots
**7.5.** Parking lot landscaping meets req. at time of construction
**7.6.** Hard surface all proposed paved areas within 5 years



## Conditions of Approval

**7. Landscaping**
**7.7.** Parking adjacent plant selection
**7.8.** Chain-link/Cyclone fencing with slats
**7.9.** Maintenance of landscaping
**7.10.** Root guard/pocket-plant street trees
**7.11.** Vision clearance compliance for fences/walls
8. Vision clearance areas kept clear

## Conditions of Approval

**9. Lighting**

9.1. Lighting information submitted

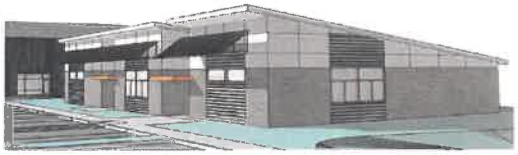
9.2. No projection onto adjacent properties

9.3. Reposition lighting fixtures for north parking spaces



## Alternatives

1. **Approve the application;**
2. Deny the application;
3. Modify the findings, reasons, or conditions and approve the proposal; or
4. Continue the Public Hearing to a date certain if more information is needed.



## Questions?