

CITY OF FLORENCE PLANNING COMMISSION
February 25, 2014 ** MEETING MINUTES **

CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE

Chairperson Cheryl Hoile opened the meeting at 7:00 p.m. Roll call: Commissioners: Curt Muilenburg, John Murphey, and Robert Bare. Commissioner Alan Burns was absent. Also present: Interim Planning Director Kelli Weese and Senior Planner Wendy FarleyCampbell.

APPROVAL OF AGENDA

Commissioner Bare moved to approve the agenda as presented; second by Commissioner Murphey; by voice all ayes, with the exception of Commissioner Burns, who was absent and excused, Motion approved.

APPROVAL OF MINUTES

Meeting of January 14, 2014

Commissioner Murphey moved to approve the minutes without changes, second by Commissioner Muilenburg, by voice all ayes, with the exception of Commissioner Burns, who was absent, Motion approved.

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 HEARINGS:

Chairperson Hoile said there were two public hearings 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 qualification 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.

CHURCH ON THE ROCK – RESOLUTION PC 14 01 CUP 01: Carl Palinkas, Pastor for Church on the Rock, represented by Scott Marshall of Straightline Architecture, applied for a conditional use permit and design review for the following: 1750 18th St – remodel and expand the sanctuary, construct new classrooms and demolish the existing classroom building, 1723 17th Street – convert building to church offices and construct new meeting room, 1723 & 1749 Highway 101 – improve parking behind buildings and at Southeast corner of 17th & Pine Streets--construct a new parking lot. (Map Reference No. 18-12-26-22, tax lots 7000, 7100, 7300, 7301 and 10,900).

Chairperson Hoile opened the hearing at 7:04 p.m. and asked if any of the Planning Commissioners wished to declare any conflicts of interest, bias, ex-parte contact or site visits. Chairperson Hoile and Commissioners Bare, Muilenburg and Murphey declared site visits. Commissioner Bare declared that he had spoken briefly with the contractor while making a site visit. Chairperson Hoile asked if the public had any challenges to any commissioner's impartiality in making this decision. There were no challenges. Chairperson Hoile asked for the staff report.

Staff Report

SP FarleyCampbell listed the Florence City Code criteria applicable to the application for a Conditional Use Permit.

SP FarleyCampbell summarized the application before the Commission as a multi-phase construction project for the Church to remodel existing sanctuary space, demolish existing classroom space and add new classroom space onto the south of the expanded sanctuary space, the conversion of the existing home into office space, the addition of a meeting area, and the conversion of a vacant lot south of the existing home into additional parking area. She listed the addresses where this project was taking place and described the area as one where redevelopment had been taking place recently.

SP FarleyCampbell stated that the Church on the Rock received their original approval in 2000 to locate into what was previously a transmission shop, which they converted into a sanctuary space. She said that the house on the site was also converted into office and classroom space at that time. SP FarleyCampbell said that there were many different aspects to this application with regard to dimensioning and site ownership. She stated that the Church had purchased the office site and pointed out to the Planning Commission that the parking shown on the plans is actually the western portion of the lot abutting Highway 101. SP FarleyCampbell also stated that the southern lot proposed to be converted into parking was owned by Tim Sapp of TR Hunter.

SP FarleyCampbell stated that as part of the 2000 approval, the applicant was permitted to use the TR Hunter and W.G. Peterson Woodworking parking through a Shared Parking Agreement. She pointed out that this application has not proposed making any changes to that agreement, but rather to improve the parking that is currently gravel.

SP FarleyCampbell stated that she did not find the Shared Parking Agreement that was required by the 2000 approval, so Staff recommended requiring that the applicant provide that agreement for this approval. She stated that Condition 4 required that a Private Use of Right-of-Way agreement be submitted for two parking spaces that were approved in 2000 and will continue to be used by the applicant. SP FarleyCampbell stated that Condition 6 regarded bicycle parking signage for the proposed bicycle parking between the two buildings. She stated that Condition 7 required that the applicants obtain the proper permits from Public Works for the requisite new and removed utilities. SP FarleyCampbell stated that Condition 9 regarded the pedestrian path from the TR Hunter shared parking lot to the Church site. She said that this path was currently gravel, but the proposed trash enclosure and landscaping would block the pedestrian pathway and that there was not currently sidewalk along 17th or 18th Streets.

SP FarleyCampbell suggested revising plans to allow that pathway to continue to be used or to provide a sidewalk along 18th Street that would allow pedestrians easy access to the sanctuary from the shared parking. She stated that the applicant had provided different drawings of options they could choose to solve the pathway issue. SP FarleyCampbell went on to describe Condition 10, regarding trash screening, she said that the applicant had proposed appropriate trash screening, but that the owner of TR Hunter, Tim Sapp, stated that he would like to keep his own trash container and propane tank next to his building. SP FarleyCampbell stated that she had not consulted with Terry Sullivan, the owner of the W.G. Peterson Woodworking building.

SP FarleyCampbell presented the site plan for the south parking lot. She pointed out that the southern portion of the property proposed for parking was currently a non-vacated alleyway. She stated that Public Works had commented that it was interested in vacating the alleyway, but that the conversation about vacation would take place at a later date. SP FarleyCampbell stated that the proposed parking space and landscaping or irrigation that would encroach upon the alley would require a Private Use of a Public Right-of-Way Agreement to be filed and any appropriate permitting for utility or curb cuts be obtained. SP FarleyCampbell went on to explain Condition 10, regarding a fence modification. She said that the applicant proposed to add fencing in order to separate the commercial use from adjacent residential, but that the fence proposed was only five feet in height, whereas Code requires six feet for that purpose. She said that Staff asked the applicant to increase the height of the fence or replace the fence.

SP FarleyCampbell stated that the applicant has proposed to construct the facility in phases and sub-phases. She said that they have already begun remodeling the former home into office space. She described the phases planned for the Church. SP FarleyCampbell mentioned that Staff has recommended a five year limit for the phased construction to be completed. She stated that the Lighting Plan considered the possibility of the adoption of a Dark Sky Ordinance, which was a 2014 City Council Goal. She stated that the application was the first Dark Sky lighting plan to be submitted that would be considered by the Planning Commission. She said that the Planning Commission, through the existing Code, did have the authority to require something different than what is stated in City Code. SP FarleyCampbell said that the lighting ratio to the north of TR Hunter was insufficient and that Staff was requesting that lighting be added here, though it was possible that lighting exists here that was not pictured in the Lighting Plan. She also asked that the applicant add adequate lighting to the bicycle parking area by either changing the lighting fixture or the settings that would operate it. She said that Staff has also added the condition that the limit of 20 feet be observed for all lighting fixtures. SP FarleyCampbell went on to say that the applicant had stated that Code requirements would be met, but that Staff wanted a condition applied so that the applicant would be aware of that specific requirement. She stated that as part of the Conditions of Approval, a 30-day Review Period was included, which would allow the Planning Commission to require a change in lighting such as requiring more or less lighting.

SP FarleyCampbell stated that the applicant exceeded their landscaping requirements and met their coverage requirement. She said that the applicant proposed on-site storm water retention as required by City Code and the applicant submitted final storm water plans for approval by Public Works. SP FarleyCampbell said that there were a total of eight swales and basins being proposed in addition to a planted swale in the 15-foot buffer in the auxiliary parking lot.

SP FarleyCampbell said that since the printing of the Staff Report, Staff had received written testimony from Carol Martin dated February 20, 2014. She said that Ms. Martin's chief complaints regarded the density of the proposal and the parking being located far away from the site. SP FarleyCampbell also said that Ms. Martin was concerned about pedestrian safety and increased congestion in the area. She said that there were also several walk-ins in the Planning Department regarding this application which dealt mostly with whether there was adequate parking.

SP FarleyCampbell stated that Staff's recommendation was to approve the proposal as submitted with the Conditions as indicated in the Resolution.

Questions from Commissioners

Commissioner Bare asked about the drainage solution provided by the architect. He asked SP FarleyCampbell to confirm the number of swales being provided. SP FarleyCampbell stated that there were eight swales being provided. Commissioner Bare stated that he would read further about the storm water plans and possibly ask a question later in the hearing.

Commissioner Muilenburg stated that he had several questions. He began by asking whether the previous application had considered the two north parking spots in the right-of-way and if they had been permitted as

part of that approval. SP FarleyCampbell stated that staff had not required the parking spaces as part of that approval, so it was being addressed now. She said Public Works Director Miller had not thought it was a concern and stated that he did not want to add sidewalks to disturb the existing landscaping because of previous drainage issues. Commissioner Muilenburg asked if the applicant would be required to complete the sidewalk on Pine Street along their property. SP FarleyCampbell confirmed that they would be completing the sidewalks along Pine Street.

Commissioner Muilenburg asked if the TR Hunter shed moving to the south would allow the parking lot aisle way to be usable at its current width. SP FarleyCampbell stated that it was currently one foot over the minimum. Commissioner Muilenburg asked if this was the location with the "Do Not Enter" sign. SP FarleyCampbell stated that it was and that Staff had asked that they place signage to prevent confusion. Commissioner Muilenburg asked if the aisle ways and parking met City Code. SP FarleyCampbell stated that all of the widths and dimensioning met Code, though she commented that from a Planning perspective, it was not ideal to have the two-way parking aisle end mid-block for anyone travelling north. Commissioner Muilenburg asked about the curb cut in front of the office building on Pine Street. SP FarleyCampbell stated that the applicants were proposing sidewalk along Pine Street, so they would have to remove the curb cut.

Commissioner Muilenburg inquired about Exhibit D being obscured in their packets and asked that it be readable in the final packet. He also asked about the auxiliary parking lot should the shared parking be unavailable. SP FarleyCampbell stated that that was made clear through the entry Informational 1.

Commissioner Muilenburg asked if the fire protection was resolved at the time of the Planning Commission meeting and if that needed a Condition of Approval or if it would be taken care of through the Building process. SP FarleyCampbell stated that the applicant would not be able to obtain building permits if the issue was not resolved, but it could be added as an Informational entry or as a Condition of Approval. Commissioner Muilenburg stated that he had seen Conditions regarding fire protection previously. IPD Weese stated that it is usually included as an informational item to the applicant, but the applicant would need to meet building and fire codes.

Commissioner Murphey asked that there be protection for the propane tank behind TR Hunter in the event of a car collision. Chairperson Hoile suggested bollards or a similar protection.

Commissioner Murphey asked if Carol Martin had a property that was affected by the proposed building. IPD Weese stated that Ms. Martin did not give an address or phone number to contact her and does not have appeal rights because of this.

Commissioner Bare stated he had found the answer he was looking for on Exhibit C.

Commissioner Muilenburg asked if on-street parking was counted on Pine Street. SP FarleyCampbell stated that it was permitted, but it did not count towards the Church's parking.

Chairperson Hoile stated that her main concern was the sidewalks because of the traffic that neighborhood sees, but that her questions had been answered.

Commissioner Muilenburg asked if Tim Sapp was present at the meeting. Chairperson Hoile stated that it did not appear so. He asked if the propane tank in question was presently located in the shed. SP FarleyCampbell stated that it was adjacent to the shed. He asked if Mr. Sapp was proposing to move the propane tank. Chairperson Hoile stated that he was proposing to move both the shed and the propane tank. SP FarleyCampbell pointed out where Mr. Sapp was proposing to move the shed and clarified that he was not proposing to move the propane tank far if it needed to be moved at all. Commissioner Muilenburg commented that he would like to see protection for the propane tank as well.

SP FarleyCampbell stated that the applicant proposed to provide 15 on-site parking spaces and 25 shared spaces approved in 2000. She said that they were currently required to provide 37 parking spaces by code,

so the loss of the two parking spaces would not adversely affect the proposed parking. Commissioner Muilenburg commented that the woodworking shop stored 55-gallon drums outside. He asked how the City would make sure that the parking spaces were not used for storage after construction. SP FarleyCampbell stated that the applicant may have more information, but she asked that Mr. Terry Sullivan be consulted prior to this meeting to determine what they would do with the trash container and the drums. She stated that it was possible for the applicant and owners of the shared parking to replace a parking space in order to share a trash container. Commissioner Muilenburg asked what phase the shared parking was. SP FarleyCampbell stated that it appeared to be around Phase 7.

Commissioner Muilenburg asked, if the property owners could not come to an agreement or that phase was never constructed, if the auxiliary parking lot would provide enough parking for the facility. SP FarleyCampbell stated that the auxiliary parking lot would be a later phase than the parking behind the TR Hunter and W.G. Peterson Woodworking buildings. Commissioner Muilenburg clarified, asking what effect the lack of shared parking would have on the project. Commissioner Murphey stated that he thought they would have to come to an agreement before they started the project. SP FarleyCampbell confirmed Commissioner Murphey's statement. She stated that it was possible for a parking space to be converted to storage for the trash container and drum storage, but she did not include a Condition of Approval for the drum storage. She offered to add language to the Conditions of Approval to include outdoor storage as part of the trash screening requirement. Commissioner Muilenburg stated that he was concerned about the elimination of parking, but that any changes would have to be addressed by Administrative Review.

Chairperson Hoile asked if anyone wanted to discuss the five-year phasing. Commissioner Murphey stated that he agreed with SP FarleyCampbell's recommendation.

Applicant Testimony

Scott Marshall – Straightline Architecture – 4521 S. Cloverdale Road, Boise, ID 83709

Mr. Marshall introduced himself and stated that he appreciated the efforts of the Planning Commission and SP FarleyCampbell. He stated that he wanted to clarify on a few of the Conditions of Approval. He began by stating that the emergency lighting between the two buildings actually operate normally, but include an emergency lighting ballast in them so that they turn on if the power goes out. He stated that there is a similar light at the main entrance as well.

Mr. Marshall addressed the parking concerns by providing sketches he had done of different options for the walkway and parking. He stated that the development site was challenging when trying to consider the required parking and requirements of each of the site owners. Mr. Marshall stated that the Planning Commission did not receive an Option #3 because he did not like it after he finished it. He stated that Option #4 was an illustration of a No Parking Area replacing a parallel parking space behind the TR Hunter and W. G. Peterson Woodworking buildings that he was confident could easily contain three dumpsters, a shed, and a propane tank easily. He addressed Commissioner Muilenburg's concern that a number of parking spaces may be lost to trash and storage enclosures. Mr. Marshall stated that Option #2 was the desired approach and addressed the creation of a sidewalk to allow access between the TR Hunter parking lot and the Church parking lot by removing the planter adjacent to the south parking space to the north of the TR Hunter building and reducing the planter size in front of the south parking space. He stated that he felt that Option #1 would work the best on the site, allowing the trash enclosures to remain where planned and moving pedestrian access between the highway adjacent parking and the Church slightly to the north.

Mr. Marshall asked the Planning Commission for comments or questions. Commissioner Bare asked if the applicant preferred Option #1 as labelled or Option #2 as stated. Mr. Marshall stated that Option #1 would work best on the site, but Option #2 would work best with the adjacent property owner. Commissioner Muilenburg stated that Option #1 would have people walking from the TR Hunter parking lot across the parking lot of the building to the north which the Church does not have any agreements with. Mr. Marshall stated that that was correct, which made that option less than desirable.

Commissioner Muilenburg stated that he was not sure if he understood the issue of losing the two parking spots behind TR Hunter. He asked how wide the landscaping was behind the TR Hunter and W.G. Peterson Woodworking buildings. Mr. Marshall stated the landscaping was five feet deep and served two purposes: providing a required buffer and counting towards the percentage of landscaping required by City Code. Commissioner Muilenburg stated that the landscaping would eliminate that business storing items behind their building. Mr. Marshall agreed and stated that it would also look nice. Commissioner Muilenburg asked if the elimination of some of the landscaping for the pedestrian walkway would allow them to meet the Code requirements for percentage of coverage. SP FarleyCampbell stated that she excluded that section of landscaping because it was on a lot not owned by the Church and was not counted towards their landscaping requirements. Commissioner Murphey asked if they still had more than required. SP FarleyCampbell stated that they did have more landscaping than required, but not much more.

Commissioner Muilenburg asked the applicant to address the two-way to one-way traffic flow. Mr. Marshall stated that the existing structures dictated how much room was available for the Church site and that this was the only arrangement that met requirements. He stated that he agreed with SP FarleyCampbell's assessment that the function of the parking flow was not ideal, but required because of the site. He said that he felt that this arrangement took advantage to place the most parking spots on the site. Chairperson Hoile asked if Mr. Marshall felt that it would be viable if the Planning Commission required that the parking lot just flow north instead of partially being two-way. Mr. Marshall stated that from a design standpoint, he would not have a problem with that, but would like to discuss with the Church beforehand.

Commissioner Muilenburg asked if the parking lot aisle was 23 feet wide to accommodate the straight-in ADA Accessible parking spaces. SP FarleyCampbell stated that the access aisle by Code is required to be 23 feet. Commissioner Muilenburg stated that his opinion was that the people using the parking lot would be able to make use of the flow, and that it may be more convenient for some people coming off of 18th Street. He asked Mr. Marshall if the Church had received any complaints from neighbors thus far regarding the parking. Mr. Marshall stated he did not know and would have to defer to the Pastor of Church on the Rock, Carl Palinkas.

Carl Palinkas – Church on the Rock – 2440 17th Street, Florence, OR 97439

Commissioner Muilenburg asked Pastor Palinkas if he had received any complaints from neighbors regarding parking or had received any complaints from parishioners about having to walk from the highway adjacent parking in front of TR Hunter or W.G. Peterson Woodworking. Pastor Palinkas stated that he had not received any complaints regarding either question. He stated that currently, parishioners are parking along the street, but they have not received any complaints from the surrounding homeowners.

Commissioner Murphey asked if placing the ADA Accessible parking spaces further to the north in the angled parking would free up more space in the tighter area. Mr. Marshall stated that he originally had the accessible parking in this location in order to allow the main entrance to have more open space. Commissioner Muilenburg asked if Commissioner Murphey was talking about moving the accessible parking spaces to the spaces that were located in the right of way. Commissioner Murphey stated he was talking about moving them to the northern section of angled parking.

Chairperson Hoile asked Pastor Palinkas if the five-year phasing was appropriate or if they needed more or less time to complete the project. Pastor Palinkas stated that he would like the project mostly done within a year and minor parts done within two years. Mr. Marshall stated that past church projects he has completed usually have their building funds drawn from parishioners throughout the process, and require the long timeline. He stated that other projects receive more funding than expected after the project begins, so construction is completed sooner than expected. Mr. Marshall recommended keeping the five-year timeline in order to give the Church the opportunity to raise the money they need for construction.

Pastor Palinkas thanked the Commission and Staff for their work on the project.

Public Hearing

Chairperson Hoile asked for testimony from the public whether they were an opponent, proponent or neutral, but have a comment.

James Booth – 1790 W Park Drive, Florence, OR 97439

James Booth, a congregant of Church on the Rock, testified that he believed that the project was an improvement to the neighborhood.

Chairperson Hoile asked for a show of hands for those in agreement with the public testimony.

There were no opponents or neutral members of the public present.

Chairperson Hoile asked SP FarleyCampbell to read the Conditions of Approval with amendments as decided by the Planning Commission.

SP FarleyCampbell read the amendment to Condition 10 as “any trash containers and outdoor storage on-site shall be enclosed or screened.” She read Condition 5 to strikethrough from “change” in the third line and through the rest of the sentence in response to the statement by Mr. Marshall. Chairperson Hoile asked about the propane tank protection. SP FarleyCampbell stated that Condition 12 would be added, reading “the applicant shall ensure a steel or concrete post or other measure is installed to protect the propane tank adjacent to the parking east of the Church office site.” Chairperson Hoile asked if any changes needed to be made to the agreement dealing with parking agreements. SP FarleyCampbell stated that the phasing plan should be reprinted and the applicant’s submittals provided during the hearing at the end of the list of exhibits. She said that Planning Commission needed to weigh in on the Options provided by the applicant. Commissioner Muilenburg asked if the phasing SP FarleyCampbell brought up was Exhibit D. SP FarleyCampbell stated that it was, but that it didn’t need a Condition, it was for the record. Commissioner Muilenburg asked that Condition 5 read “along Highway 101” instead of “on Highway 101.”

Chairperson Hoile asked if the Planning Commission was okay with preferred Option #2. Commissioner Murphey stated that he was okay with that Option. Commissioner Muilenburg asked if the Options should be selected now or during deliberation. SP FarleyCampbell stated that the Option should be selected now and they would be added as Exhibits at the end of the Staff Report and if they agree to them being part of the approval.

SP FarleyCampbell reviewed Option #4, which the Planning Commission had received. Commissioner Murphey asked if it had been determined if one or two parking spaces were required for the storage. Mr. Marshall stated that he thought it would only take one space. SP FarleyCampbell reviewed Option #2 as addressing the connectivity between the shared parking and the sanctuary. She said that this option affected landscaping, but did not affect the percentage of landscaping coverage, as it was not counted. SP FarleyCampbell stated that if the Planning Commission agreed with the Options, they would be added as Exhibit “K” and “L” in the Resolution.

Commissioner Muilenburg stated that he did not understand why the trash was being moved. Chairperson Hoile stated that from what she understood, each business’ trash enclosures would be moved to the proposed parallel parking space. Commissioner Muilenburg said that the propane tank was currently in one of the parallel parking spaces and would not be moving, so both of the parallel parking spaces would be removed. Commissioner Muilenburg asked if Option #2 was the sidewalk along the TR Hunter building. The Commission confirmed. SP FarleyCampbell stated that instead of being Exhibits, the applicant would just be asked to modify their site, landscaping and storm water plan to reflect the changes.

Chairperson Hoile closed the hearing at 8:12 p.m.

Commission Discussion

Chairperson Hoile asked the Planning Commission if they were comfortable with issuing an approval good for five years. Commissioner Muilenburg, Bare, and Murphey indicated that they were comfortable with the phasing.

Chairperson Hoile asked the Planning Commission about the directional traffic. Commissioner Murphey and Bare stated that they thought that SP FarleyCampbell could handle. Commissioner Muilenburg asked if they meant that the applicant should apply for Administrative Review if the Church wanted to change anything. Commissioner Murphey confirmed that he believed that Administrative Review would be sufficient for any changes to the on-site traffic flow. Commissioner Muilenburg stated that the applicant could determine that as they saw fit as they met Code.

Chairperson Hoile stated that the propane tank, trash, and the parking agreements had been covered. Commissioner Muilenburg stated that fire protection would be dealt with through building and fire codes. Chairperson Hoile asked if Commissioner Bare was satisfied with the swales provided. Commissioner Bare stated that he was satisfied.

Commissioner Muilenburg wanted to confirm that the Condition would reflect the option selected by the Planning Commission regarding the placement of the pathway from the shared parking lots. SP FarleyCampbell stated that that was correct.

Commissioner Murphey moved to adopt Resolution PC 14 01 CUP 01 with the amendments as presented by SP FarleyCampbell to the Conditions of Approval as follows: Condition 10: as “any trash containers and outdoor storage on-site shall be enclosed or screened”; Condition 5: change “along Highway 101” to “along Highway 101” and delete the third line beginning with “change” and through the rest of the sentence; and Condition 12 would be added, reading: “the applicant ensure a steel or concrete post or other measure is installed to protect the propane tank adjacent to the parking east of the Church office site.” Commissioner Muilenburg seconded the motion. By voice all ayes, with the exception of Commissioner Burns, who was absent, the resolution was passed.

PEACE HARBOR MODULAR STATUS – RESOLUTION PC 14 02 CUP 02: A request for approval of a Permanent Conditional Use and Design Review Permit for a temporary mobile building placed at Peace Health Hospital in 2007 under Resolution PC 07 46 CUP 07 and granted extension in 2011 under Resolution PC 11 02 EAP 01, located at 400 9th St., Map Reference 18-12-27-34 Tax Lot 1800, as applied for by Philip Farrington of Peace Health Hospital.

Chairperson Hoile opened the hearing at 8:17 p.m. Chairperson Hoile asked if any of the Planning Commissioners wished to declare any conflicts of interest, bias, ex-parte contact or site visits. Commissioner Burns declared a site visit. Chairperson Hoile asked if the public would like to challenge any commissioner’s impartiality in making this decision. There were no challenges. Chairperson Hoile asked for the staff report.

Staff Report

SP FarleyCampbell presented the Florence City Code criteria applicable to the application.

SP FarleyCampbell stated that the applicant received initial approval for a temporary mobile building in March 2008. She said that that approval lasted until 2011, at which time the applicant applied for an extension, which ends April 2014. SP FarleyCampbell stated that the building is located at 400 9th Street, roughly southeast of the main hospital building. She said that the zoning is the Professional Office/Institutional District.

SP FarleyCampbell stated that hospital parking is based on bed count and the number of doctors. She said that bicycle parking code has been added since the original approval. SP FarleyCampbell said that the applicant had stated that it was unlikely that the bicycle parking would be used because most of the people parking there would be there for day surgeries. She said that in talking with their maintenance department, it would seem that they were planning on installing bicycle parking in the future as part of another part of the project.

SP FarleyCampbell stated that Condition 4 addressed the need for pedestrian access, requiring an external walkway to connect an exterior door to the existing walkway. She said that the applicant may choose to connect to the deck or another pedestrian access, as long as the access was improved or paved.

SP FarleyCampbell stated that the building did not meet the required criteria for professional offices architecturally, but that there had been number of changes to the Code since the building was approved. She said that the roofline Code was changed, requiring gabled or hip roofs rather than flat roofs. She stated that the building in question did not meet this criterion. She said that if the building were to become visible to the public, the applicant should make some attempt to meet the criteria required.

SP FarleyCampbell stated that Staff had received one public comment since the publication of the Staff Report, from Gene Hand of Spruce Point Partnership in support of the proposal. She stated that Staff recommended the approval of the Conditional Use as a permanent use, subject to the Conditions of Approval outlined in the Resolution.

Questions from Commissioners

Commissioner Muilenburg asked if fire sprinklers, required by the Fire Marshal, needed to be Conditioned or would be handled through building and fire codes. SP FarleyCampbell stated that the sprinkling had been completed already. Commissioner Muilenburg stated that when the temporary building was approved, the Planning Commission thought that it would eventually become permanent. He said that because it was a temporary structure that is now becoming permanent, SP FarleyCampbell must have gone back to review what was originally concerns of the Planning Commission. She stated that they were going to have to add fascia, but that Code changed. She said that the applicant installed pedestrian access despite the Code changing and the issue not being proposed at the time. SP FarleyCampbell also stated that the applicant met landscaping and parking requirements. Commissioner Muilenburg stated that he did not want these details to be lost as the projects progressed according to the Peace Harbor Master Plan. SP FarleyCampbell stated that there was an addition proposed for the emergency room that the applicant would apply for this summer. She stated that there was a condition that Staff be provided with updated bed and doctor counts.

Commissioner Muilenburg asked if the rear doors that led to metal stairs needed to comply with ADA standards. SP FarleyCampbell stated that she spoke with Fire Marshal Sean Barrett and his understanding was that it was designed to meet ADA requirements and met fire code. Commissioner Muilenburg asked if the doorway would be required to connect to the ramp and walkway. SP FarleyCampbell stated that her understanding was that if the applicant was required to install a ramp, they would have, as the building was placed according to what would have been required of a permanent structure, and it met present building code. Commissioner Muilenburg stated that he understood.

Chairperson Hoile asked if the restrooms met ADA requirements. SP FarleyCampbell stated that she did not know. Commissioner Muilenburg said that it was probably a single stall according to the floor plan.

Applicant Testimony

Rick Yecny – Peace Harbor Hospital – 06088 Mercer Lake Road, Florence, OR 97439

Mr. Yecny stated that the 3-year extension for the modular building expires in April and the hospital would like the building to be granted permanent status. He stated that the sprinkler installation was completed

before the land-use application was submitted. He stated that they had no objections to the conditions as presented and will be installing bicycle parking. Mr. Yecny stated that the building was screened from view more now than when it was originally approved because of the construction of the Central Utility building. He said that in conferring with his Facilities Director, he did not believe that connecting the building via paving to the rest of the facility would be a problem. He stated that all of the Conditions would be fulfilled within a year.

Philip Farrington – Peace Health – 770 E. 11th Ave., Eugene, OR 97401

Mr. Farrington stated that the plan as the hospital expanded was to move non-patient care functions of the hospital out of the main building. He said that this building was added as part of the project to expand the surgery space. He stated that the space provided a large conference room that would hold around 80 people, some Human Resources offices and the 1-stall restrooms. Mr. Farrington also said that the building housed offices for the Biomedical Technicians that serviced the hospitals equipment on a day-to-day basis. He stated that the building does not house patients.

Mr. Farrington stated that the hospital has fulfilled its obligations with the City, including signing a non-remonstrance agreement for future improvements along Rhododendron Drive, participating in the development of the Transportation System Plan, developing a comprehensive Traffic Impact Analysis that fits into the TSP, developing a Pedestrian Improvement Plan to improve internal access and circulation, improving bicycle parking, and adding sprinklers to the modular building and laboratory building. He said that the hospital would like the building to be granted permanent status so that they may better focus on other projects that will improve care at the facility. Mr. Farrington outlined future plans for the hospital and thanked the Planning Commission.

Commissioner Murphey asked if the restrooms in the building were ADA compliant. Mr. Farrington stated that he did not know, but they were larger than they appeared on the floor plan.

Chairperson Hoile stated that the landscaping was still from 2008 and the plan probably was not updated.

The Planning Commission had no other questions for the applicants.

Public Hearing

There were no members of the audience present.

Chairperson Hoile closed the hearing at 8:43 p.m.

Commission Discussion

Chairperson Hoile stated that the Planning Commission had expressed concerns about the future visibility of the structure, but felt that it was addressed within the Conditions. Commissioner Muilenburg agreed.

Commissioner Muilenburg moved to adopt Resolution PC 14 02 CUP 02 with no changes. Second by Commissioner Murphey. By voice all ayes, with the exception of Commissioner Burns, who was absent, the resolution passes.

ELECTION OF CHAIR AND VICE-CHAIR

Chairperson Hoile asked if the Commission was electing a Chair and Vice-Chair because Curt was re-appointed or for some other reason. IPD Weese stated that it happens yearly regardless of appointments.

Commissioner Bare motioned to re-elect Chairperson Hoile as Chairperson of the Planning Commission. Commissioner Murphey seconded the motion. By voice all ayes, except for Commissioner Burns who was absent.

Commissioner Murphey motioned to re-elect Commissioner Muilenburg as Vice-Chair of the Planning Commissioner. Chairperson Hoile seconded the motion. By voice all ayes, except for Commissioner Burns who was absent.

DISCUSSION ITEMS

Chairperson Hoile asked for discussion items from the Planning Commission. Chairperson Hoile gave the Commission an update regarding the ODOT Maintenance Yard trailer. Chairperson Hoile asked for other discussion items from the Planning Commission.

Commissioner Murphey stated that the Florence Kiwanis has adopted Wilbur's Crest Park. He said that the group would be taking care of that park.

DIRECTOR'S REPORT

IPD Weese stated that the Planning Department was currently in the process of hiring Patrick Paternostro as a Code Enforcement Officer, starting March 17th.

IPD Weese stated that the department had recently completed a vacant commercial buildings map with contact information for the realtors or companies selling or leasing the buildings.

Commissioner Muilenburg asked about the merchandise display on Highway 126. IPD Weese stated that the vacation procedure was not followed-up on and the vacation was never completed. She also stated that merchandise was being displayed on City property because of this. SP FarleyCampbell stated that the ATVs are currently parked on what used to be landscaping. She said that the applicant would submit a revised landscape plan rather than pursuing the vacation.

Commissioner Muilenburg asked if a building beyond the Florence Yamaha site was in the City Limits. Commissioner Bare asked what the history of that building was. SP FarleyCampbell stated that the building has never housed anything because the owner has not been able to obtain septic permits. Chairperson Hoile stated that she believed the owner wanted to hook up to sewer, but was not able to.

CALENDAR

The Planning Commission discussed the upcoming calendar. Cancelling the meeting scheduled for March 11, 2014 and March 25, 2014.

Chairperson Hoile adjourned the meeting at 8:55 p.m.

Cheryl Hoile, Planning Commission Chairperson