

CITY OF FLORENCE PLANNING COMMISSION
April 14, 2015 ** MEETING MINUTES **

CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE

Vice Chairperson Murphey opened the meeting at 7:00 p.m. Roll call: Chairperson Curt Muilenburg, Vice Chair John Murphey, and Commissioner Robert Bare were present. Commissioner Hammon and Commissioner Burns were absent and excused. Also present: Planning Director Wendy FarleyCampbell, Assistant Planner Glen Southerland and Planning Administrative Assistant Vevie PopplewellWalker.

APPROVAL OF AGENDA

Commissioner Bare motioned to approve the Agenda, Vice Chair Murphey seconded. By voice, all ayes, with the exception of Commissioner Hammon and Commissioner Burns, who were not present. The motion passed.

APPROVAL OF MINUTES

Vice Chair Murphey motioned to approve the Minutes of March 24, 2015, Commissioner Bare seconded. By voice, all ayes, with the exception of Commissioner Hammon and Commissioner Burns, who were not present. 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 said that 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.

RESOLUTION PC 15 05 VAR 01 – ALDER STREET GARAGE: An application from Mark Holden for a variance for their rear yard setback on south property line and their front yard setback in order to construct a garage structure. The property is located at 985 Alder Street in the Restricted Residential District, Assessor's Map 18-12-27-32 Tax Lot 05600, 05700.

CP Muilenburg opened the hearing at 7:04 p.m.

CP Muilenburg asked if any of the Planning Commissioners wished to declare any conflicts of interest, ex parte contacts, site visits, or bias. No Commissioner had anything to declare. CP Muilenburg asked if the public had any challenges to any commissioner's impartiality in making this decision.

There were no challenges.

CP Muilenburg asked for the staff report.

Staff Report

AP Southerland delivered staff report, Resolution PC 15 05 VAR 01 – Alder Street garage. AP Southerland presented the applicable criteria for the project, and gave a brief introduction to the project including current use and legal description. He identified aerial maps of the site and showed specific location, site plan with photos, and elevations. AP Southerland explained the history of the vacation of rights-of-way and how it affected the proposed garage/shop. AP Southerland explained that the very steep embankment that extended in to the neighboring property currently prohibited the land use for construction of the garage and that the variance would allow proper setbacks to proceed with the construction. Staff stated that the application met applicable criteria and recommended support and approval with Condition #3 regarding the 10 & 5 foot setbacks, Condition #4 regarding the new site plans with final location, and Condition #5 regarding the permit and building deadline of April 14, 2016. There were no public comments. See attachment.

CP Muilenburg questioned the proposed versus the previous eastern lot line vacated Alder Street adjustment, and wondered if the footage was measured before or after the original lot line.

AP Southerland confirmed measurement was with the vacated portions of the streets.

CP Muilenburg requested clarification of Exhibit C that showed the proposed location and the concern of the possibility of the garage that is moved 10 feet forward may encroach in to the driveway and/or on to Alder Street.

AP Southerland replied that there was not an exact picture to observe, one only to illustrate the approximate location. He added that applicant has an existing garage that they need continue to use, so the driveway would have to remain usable. AP Southerland also assured there would be no concern of encroachment on to Alder Street.

CP Muilenburg questioned the exact 10 foot measurement and wondered if it would be from the top of the bank.

AP Southerland concluded that the variance was no more than a slight shift so that the applicant could avoid the steep embankment and because the property lines are set back quite a ways from Alder street, the variance would not pose any problems of encroachment on to the driveway or on to the street.

Applicant Testimony – Mark Holden P.O. Box 24338, Eugene, OR 97402 Joachim Schoening 997 R Street, Cottage Grove, OR 97424

Mr. Holden and Mr. Joachim had no testimony, however, were prepared to answer questions.

There were no questions.

CP Muilenburg opened up the opportunity for any proponents, opponents, or interested neutral parties to speak.

There were no proponents, opposed or interested and neutral parties to provide testimony.

CP Muilenburg asked for staff's response and recommendation.

AP Southerland responded and recommended that the Planning Commission approve request for variance with the approval met of Conditions as outlined.

CP Muilenburg closed the hearing at 7:23 p.m.

Commission Discussion

CP Muilenburg asked the Commission for any added comments. There were no other Commissioner questions for staff.

Commissioner Bare motioned to approve Resolution PC 15 05 VAR 01 – Alder Street garage. Vice Chair Murphey seconded the motion. By voice, all ayes, with the exception of Commissioner Hammon and Commissioner Burns, who were not present. The motion passed.

CP Muilenburg asked if the applicant agreed to the conditions of approval.

Applicants understood and agreed to the conditions of approval.

RESOLUTION PC 14 28 CUP 11- OSP STORAGE BUILDING: A Conditional Use Permit application submitted by Kevin Fredinburg of Santiam Barns & Supply Inc. Proposed is the construction of a 1,440 sq. ft. State Police Storage Building located at 4480-E Highway 101, Florence, OR, Assessor's Map 18-12-14-32 Tax Lot 00109. The proposed use for this building is for storage use by the Oregon State Police and Oregon Department of Fish and Wildlife.

CP Muilenburg stated that all public hearing procedures continued to apply.

CP Muilenburg opened the Public Hearing at 7:27 p.m.

CP 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 for the record that he was a retired 23 year law enforcement veteran and that it would not affect his decision. CP Muilenburg asked if the public had any challenges to any commissioner's impartiality in making this decision.

There were no challenges.

CP Muilenburg asked for the staff report.

Staff Report

PD FarleyCampbell delivered staff report, Resolution PC 14 28 CUP 11 – OSP Storage Building. PD FarleyCampbell presented legal description, applicable criteria for the project and gave a brief introduction. She continued with the aerial photos and site map, site plan, and elevations. PD FarleyCampbell pointed out that the proposed utility building which will also be used for evidence storage is located at an already fenced compound area that is currently being used to store the boat. She went on to say that the applicant had satisfied Public Works sewer system requirements in their plan to install a game cleaning area. PD FarleyCampbell concluded that staff found the proposed application met city code and recommended approval with conditions that they meet Condition #3 regarding the possibility of adding future car washing stations, Condition #4 regarding proposed colors, Condition #5 to find exact property corner in advance to ensure there is no encroachment on neighboring property, Condition #6 regarding the required buffers that

need to be applied with a 40' stretch of slat, Condition #7 regarding lighting with revised full cut off replacing a partial cut off, Condition #8 regarding additional lighting, and Condition #9 regarding the requirement to screen the trash enclosures. There were no public comments. See attachment.

CP Muilenburg opened up opportunity for Commissioners to direct questions to Staff.

CP Muilenburg questioned whether or not the property was completely fenced, specifically to the north end.

PD FarleyCampbell responded that yes it was, however, she was not certain that the property line was actually fenced. PD FarleyCampbell indicated that the concrete goes all the way to the property line. She concluded that Staff requested that applicant find one corner pin and measure off of that.

Applicant Testimony - Kevin Fredinburg 9007 River Road North, Salem, OR 97303

Mr. Fredinburg had no testimony, however, was prepared to answer questions.

There were no questions.

CP Muilenburg asked applicant if they had read and were in agreement with all of the conditions of approval.

Mr. Fredinburg indicated he was in agreement.

CP Muilenburg opened up opportunity for any proponents, opponents, or interested neutral parties to speak.

There were no proponents, opposed or interested and neutral parties to provide testimony.

CP Muilenburg asked for Staff response and recommendation.

PD FarleyCampbell responded and recommended that the Planning Commission approve request for conditional use permit with the approval met of Conditions as outlined.

CP Muilenburg closed the hearing at 7:23 p.m.

CP Muilenburg closed the hearing at 7:41 p.m.

Commission Discussion

CP Muilenburg asked the Commission for any added comments. There were no other Commissioner questions for staff.

Commissioner Bare motioned to approve Resolution PC 14 28 CUP 11 – OSP Storage building. Vice Chair Murphey seconded the motion. By voice, all ayes, except for Commissioner Hammon and Commissioner Burns, who were not present. The motion carried.

PLANNING COMMISSION DISCUSSION ITEMS

PD FarleyCampbell gave a reminder that City Council was still accepting Planning Commission applications until April 24, 2015 at 5:00 p.m., Environmental Management Advisory Committee was currently looking for one position to be filled and Urban Renewal was looking for three positions to be filled and that applications could be found on the City of Florence website.

PD FarleyCampbell also shared that the City had been working with John Morgan with Chinook Institute to bring Planning 101 to Florence area sometime in June or July 2015 and extended the invitation to the Planning Commission. She went on to explain that the nuts and bolts type of Building & Planning sessions

are part of the City of Florence movement to improve communication and build better awareness of ‘what is planning’ and ‘why do we do this’.

Calendar

PD FarleyCampbell announced the upcoming Planning Commission meeting with three Resolutions scheduled for April 28, 2015.

PD FarleyCampbell informed Commission of the upcoming APA training April 18 – 22nd held in Seattle, Washington that she and AP Southerland would be taking advantage of.

PD FarleyCampbell concluded that there were plans of conducting some grant funded, online training with the Planning Commission during a possible reprieve in the month of May.

CP Muilenburg set the next meeting for April 28, 2015 at 7:00 p.m.

CP Muilenburg adjourned the meeting at 7:47p.m.

Curt Muilenburg, Planning Commission Chairperson