

CITY OF FLORENCE PLANNING COMMISSION
August 9, 2016 ** MEETING MINUTES **

CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Commissioner Bare motioned to approve the Minutes of June 14, 2016 with the spelling correction on page 3. Commissioner Miller seconded. By voice, all ayes. The motion passed..

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARING:

Vice Chair Murphey announced there were three 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 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.

PUBLIC HEARING

RESOLUTION PC 16 08 CUP 02 – Goodwill Temporary Building Space: An application 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. Map #18-12-26-22, Tax Lot 11000, 11100 & 11200.

Vice Chair Murphey opened the public hearing at 7:03 p.m.

AP Southerland reported that Jim Martin, President and CEO of Goodwill Industries requested a continuance of the meeting to a date in October and waived the 120-day review period requirement. AP Southerland suggested that the date be continued to October 25, 2016.

Commissioner Bare motioned to continue the hearing to the suggested date of October 25, 2016. Commissioner Titmus seconded the motion. All ayes. Motion passed 5 to 0.

RESOLUTION PC 16 10 CUP 03 – MMJD to Recreational Retail: An application to change use from a medical marijuana dispensary to a retail recreational facility. The building is located at 1480 Rhododendron Drive on the east side of Highway 101, Map #18-12-27-44, Tax Lot 11500.

Vice Chair Murphey opened the public hearing at 7:06 p.m.

Vice Chair Murphey declared a conflict of interest due to business with Buds4U and requested that Commissioner Bare conduct the meeting. Commissioner Bare asked if any of the other Commissioners wished to declare a conflict of interest, ex parte contact, site visit or bias. Commissioner Titmus declared a site visit. There was no public challenge to Commissioner impartiality. Commissioner Bare asked for the staff report.

Staff Report

AP Southerland presented the staff report and recommended approval of the application with noted conditions (see attachment). He then asked for questions.

Commissioner Titmus inquired about additional parking across the street and AP Southerland stated that the applicant did have a parking agreement. There was discussion regarding parking, possible signage that should be put in place and the upkeep of the landscape. Commissioner Lysdale questioned the wording in Condition #5.2 and asked if manufacturer “information” would guarantee “installation”. AP Southerland stated that “installation” could be added to the condition.

There were no further questions for Staff. Commissioner Bare asked the applicant for his presentation.

Applicant – Dustin Foskett, Buds4U – 940 D Street, Springfield, OR 97477

Mr. Foskett gave a brief presentation about the installation of the OLCC and the City of Florence required bi-carbon filtration system. He acknowledged the conditions of approval and asked for questions.

Commissioner Titmus inquired regarding the future of the medical dispensary and Mr. Foskett indicated there was a possibility the Mapleton location would remain a medical dispensary. Commissioner Lysdale suggested there should be signage to direct people to the overflow parking and Mr. Foskett said that he would comply.

Commissioner Bare asked the applicant if he understood and agreed with the conditions. The applicant stated he understood and agreed. Commissioner Bare then asked for proponents, opponents, or interested neutral parties. There were none.

Commissioner Bare asked for staff recommendation. AP Southerland stated that Staff recommended approval with noted language modification to Condition #5.2, added overflow parking signage to Condition #6.1 and modification to add landscaping bark and trash enclosure.

Commissioner Bare closed the public hearing at 7:30 p.m.

There was no Commission deliberation.

Commissioner Lysdale motioned to approve Resolution PC 16 10 CUP 03 – MMJD to Recreational Retail with Staff’s recommended conditions of approval with noted changes. Commissioner Miller

seconded the motion.

By roll call vote: Commissioner Lysdale “yes”; Commissioner Titmus “yes”; Commissioner Miller “yes”; Commissioner Bare “yes”. Vice Chair Murphey was excused. Chairperson Muilenburg and Commissioner Hammon were absent and excused. Motion passed.

RESOLUTION PC 16 09 DR 02 – Options Counseling: An application from Tracy Bacon of Johnson Broderick Engineering LLC on behalf of Options Counseling requesting approval of a Design Review to construct a new 4,165 square foot office building in the Mainstreet District.

Vice Chair Murphey opened the public hearing at 7:32 p.m.

Vice Chair Murphey asked if any of the Planning Commissioners wished to declare any conflicts of interest, ex parte contacts, site visits, or bias. There were none. Vice Chair Murphey asked if any member of the public challenged Commissioner Impartiality in making this decision. There were no challenges.

Vice Chair Murphey asked for the staff report.

Staff Report

PD FarleyCampbell presented the staff report of Phase One. She presented details of the site plan and landscaping with special note of set-back requirements. She showed the floor plan with special note of the proposed conference rooms to be limited to tenant use during business hours and covered the conditions review that included the explanation of the private use of ROW permit. Staff recommended approval of the application with the noted conditions and modification of Informational Item #8 (see attachment). She then asked for questions.

Commissioner Miller inquired about the sidewalk and PD FarleyCampbell said that it would be extended. Commissioner Bare asked if it was the first time infiltration systems had been used in the City and PD FarleyCampbell replied that it was. Commissioner Lysdale asked about the maintenance of the alley and PD FarleyCampbell said that it was the responsibility of the adjoining property owners. Commissioner Titmus asked about parking requirements and PD FarleyCampbell stated that parking had been based on the interpretation of office calculations for Phase One and Two. Vice Chair Murphey asked about the time frame for Phase Two in regards to sand management and PD FarleyCampbell indicated there was no specific time frame, but that bark was the preferred coverage over gravel. There were no further questions for Staff. Vice Chair Murphey asked for the applicant presentation.

Applicant – Tracy Bacon, Johnson Broderick Engineering LLC – 325 West 13th Ave, Eugene, OR
Ms. Bacon did not have a presentation but was available for questions.

Applicant – Robert Johnson, Civil Engineer, Johnson Broderick Engineering LLC
325 West 13th Ave, Eugene, OR

Mr. Johnson explained the infiltrator system and answered Commissioner questions regarding dimensions, drainage, maintenance and inspection agreement and process for the system.

Applicant – Adam Faulk, Chief Information Officer, Options Counseling
1255 Pearl Street – Eugene, OR

Mr. Faulk explained staff and client parking and office space needs and answered Commissioner questions regarding expectations of the Phase Two construction.

Applicant – Tracy Bacon, Johnson Broderick Engineering LLC – 325 West 13th Ave, Eugene, OR
Ms. Bacon challenged the roof pitch requirement and stated the motivation behind the proposed pitch.

Vice Chair Murphey asked for proponents, opponents, or interested neutral parties.

Proponent – Tedra Stewart, Regional Director & Florence Clinical Manager
1255 Pearl Street – Eugene, OR

Ms. Stewart reported numbers served and services needed in the community and expressed her appreciation for the new facility.

Proponent – Lisa Walters, Laurel Bay Gardens – 85276 Glenada Road, Florence, OR

Ms. Walters stated her support for the proposed infiltrator system.

Neutral party – Diane Burch – 1523 8th Street, Florence, OR

Ms. Burch expressed concern over the possible damage of roots and vegetation at her property. She requested more information from PD FarleyCampbell regarding the replacement of pipe from Highway 101 to Maple Street and PD FarleyCampbell presented details of the proposed line replacement.

Rebuttal – Tracy Bacon & Robert Johnson

Ms. Bacon and Mr. Johnson indicated the current proposed plan had some revisions and that Ms. Burch's vegetation should not be disrupted.

Vice Chair Murphey asked for staff recommendation and PD FarleyCampbell stated that Staff recommended approval with noted conditions and modifications. She made suggestions regarding the option of a parking reduction analysis for the Phase Two parking.

Vice Chair Murphey closed the public hearing at 8:50 p.m.

There was Commission deliberation regarding the proposed parking, potential needs and personal concerns regarding Phase Two. There was Commission division regarding the parking concerns and the option of a parking reduction analysis (FCC 10-3-6, Common Facilities for Mixed Uses) for the Phase Two parking.

Commissioner Bare motioned to approve Resolution PC 16 09 DR 02 – Options Counseling Office with Staff's recommended changes in Condition #7 regarding lighting, addition of Condition #8 regarding roof overhang and Condition #9 regarding a parking reduction analysis. Commissioner Titmus seconded the motion.

Vice Chair Murphey asked the applicant if they agreed with the noted changes and modifications. The applicant expressed disapproval regarding a parking reduction analysis prior to Phase Two. Vice Chair Murphey asked PD FarleyCampbell to explain the parking reduction analyses and she explained the FCC 10-3-6, Common Facilities for Mixed Uses. There was brief staff and Commission discussion regarding Condition #9.

By roll call vote: Commissioner Titmus "yes"; Commissioner Miller "yes"; Commissioner Lysdale, "no"; Vice Chair Murphey, "yes"; Commissioner Bare, "yes". Commissioner Hammon and Chairperson Muilenburg were absent and excused. Motion passed.

PLANNING DIRECTORS REPORT

PD FarleyCampbell presented the Directors report. She also provided an update on the new Public Works construction and City Hall remodel schedule.

PLANNING COMMISSION DISCUSSION ITEMS

There were no discussion items.

CALENDAR

Tuesday, August 23, 2016 – Regular Session

Tuesday, September 13, 2016 – Regular Session

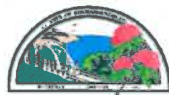
Vice Chair Murphey adjourned the meeting at 9:18 p.m.

Vice Chair, John Murphey
Florence Planning Commission

Date

MMJD to Recreational Retail

PC 16 10 CUP 03



Introduction

- CUP for MMJD was granted April 29, 2015.
- Dustin Fosskett of Buds4u applied for Conditional Use Permit w/ Design Review on June 20, 2016.
- Application to convert MMJD to Retail Recreational Marijuana Facility.
- Application deemed complete on July 18, 2016.

MMJD to Recreational Retail

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Criteria

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 & 12-1
Chapter 6: Design Review, Sections 5, 6 & 9
Chapter 27: Mainstreet District, Sections 3 through 5
Chapter 34: Landscaping, Section 3
Chapter 35: Access and Circulation, Sections 2-12, 2-14 & 3
Chapter 37: Lighting, Sections 2 through 4

Florence Realization 2020 Comprehensive Plan:

Chapter 2: Land Use, Commercial Policies 3, 4, 6, & 9

MMJD to Recreational Retail

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Aerial of Site



MMJD to Recreational Retail

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Site/Landscaping Plan



MMJD to Recreational Retail

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Current Site



MMJD to Recreational Retail

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Testimony

Public Testimony:

- None Received

Referral Comments:

- None Received

• MMJD to Recreational Retail

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Staff Recommendation

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

• MMJD to Recreational Retail

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Conditions of Approval

3. Storage in parking prohibited
- 4.1. Authorization of CUP valid until 8/9/17
- 4.2. Discontinuance of use
- 4.3. Cigarette receptacle
- 5.1. Conditions completed prior to 2/9/17
- 5.2. Installation of odor control system, documentation
- 5.3. OLCC licensure documentation

• MMJD to Recreational Retail

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Conditions of Approval

- 6.1. Signage encouraging use of parking in front/rear of business
- 6.2. No modification of color without Planning approval
- 7.1. Trash enclosure required
- 7.2. Outdoor storage, odors prohibited
- 8.1. One additional shrub planted
- 8.2. Irrigation
- 8.3. Maintenance and replacement of landscaping
9. Vision clearance area free of obstructions

• MMJD to Recreational Retail

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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.

• MMJD to Recreational Retail


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Questions?



• MMJD to Recreational Retail

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Design Review: Phase 1: Options Counseling & Family Services

PC 16 09 DR 02

PC 16 09 DR 02 08/09/2016

Criteria

Florence City Code, Title 10, Chapters:

- 1: Zoning Administration, Sections 1-1 through 1-5
- 31: Parking, Sections 2 through 5, 8 through 10
- 6: Design Review, Sections 5 & 9
- 27: Main Street District/Area B, Sections 2, 4 & 5
- 34: Landscaping, Sections 3-2, 3-3, 3-4, 3-5, 3-7&8 & 5
- 35: Access and Circulation, Sections 2-2, 2-3, 2-7, 2-8, 2-12, 2-13, 2-14 & 3
- 36: Public Facilities, Sections 2-1, 2-16, 2-18, 2-21, 3, 7 & 8
- 37: Lighting, Sections 2 through 4

PC 16 09 DR 02 08/09/2016

Site Location

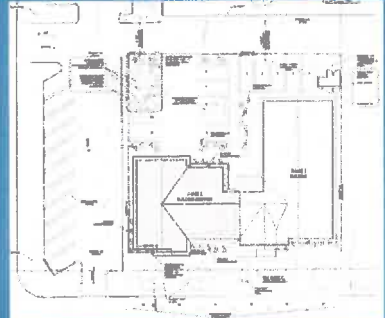


Zoning: Mainstreet District, Area B

Address, Map & Tax:
1457 8th St.
Map #: 18-12-27-41
Tax Lots: 8900, 9000, 9200

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Proposed Phased Site Plan



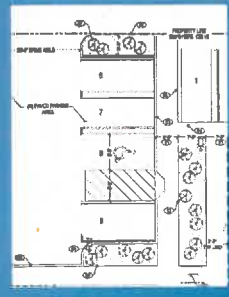
Site Information:

MD: 2500 sq. ft.
90%/10%

Lot: 15,847sq. ft.
Phase 1: 67%
Phase 2: TBD


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Conditions Review



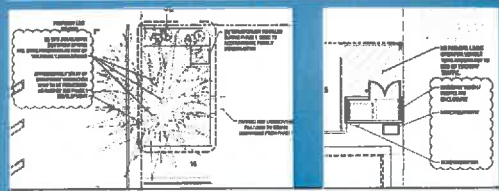
Conditions:

- 3: ADA Signage
- 7: Parking Lot Lighting Style & Height
- 12: Vision Clearance at Alley Planter



PC 16 09 DR 02 08/09/2016

Conditions Review




Conditions:

- 4: 6" curb along eastern property line
- 8: Trash Enclosure: Gate & masonry 8" w/cap
- 10: Protect Preservation Area
- 11: Alley Driveway ROW Permit

Informational: 3, 4, & 5: Alley construction, signage, and curbing

PC 16 09 DR 02 08/09/2016

Conditions Review




Conditions:

- 5 Bicycle Parking Private Use of ROW Permit
- 5 ADA Pathway Private Use of ROW Permit
- 9 Stormwater Private use of ROW Permit
- 13 ROW Permits Sidewalk and ADA transitions

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Conditions Review

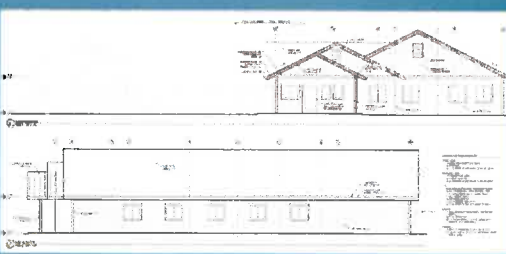


Conditions:

- 5 Bicycle Parking Private Use of ROW Permit
- 5 ADA Pathway Private Use of ROW Permit
- 9 Stormwater Private use of ROW Permit
- 13 ROW Permits Sidewalk and ADA transitions

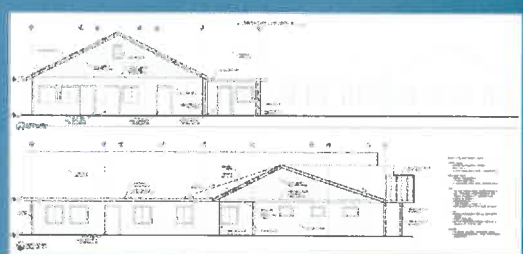
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Elevations



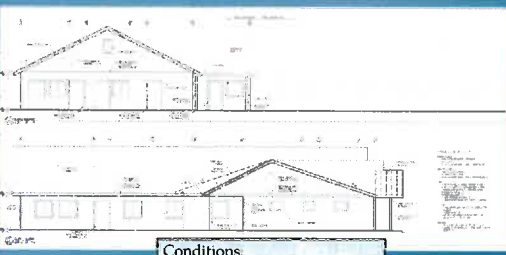
PC 15-09-08-02 08/09/2016

Elevations



PC 15-09-08-02 08/09/2016

Elevations

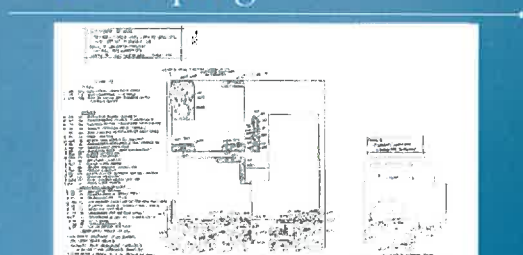


Conditions:

- 14 Shingle 6" exposure
- 15 Gutters round or ogee
- Informational: 6:4:12 roof pitch

PC 15-09-08-02 08/09/2016

Landscaping



PC 15-09-08-02 08/09/2016

Floor Plan



PC 14-09 DR 02

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Staff Recommendation

Approve the Design Review Application for Phase 1 of Office Building for counseling and family support services with conditions

PC 14-09 DR 02

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Questions?

PC 14-09 DR 02

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