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**City of Florence**  
**Planning Commission Meeting Minutes**  
**250 Hwy 101, Florence, OR 97439**  
**May 10, 2022**

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**CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE**

Chairperson Phil Tarvin called the meeting to order at 5:30 PM.

Commissioners Present: (VideoConference) Chairperson Phil Tarvin, Commissioner Eric Hauptman, Commissioner Andrew Miller, Commissioner Ron Miller, Commissioner John Murphey, and Commissioner Clare Kurth  
Excused Absence: Vice Chair Young

Staff Present: (In House) Planning Director Wendy FarleyCampbell, Senior Planner Roxanne Johnston, Administrative Asst. Peighton Allen, Planning Technician Sharon Barker

At 5:30 PM, Chair Tarvin opened the meeting, Sharon Barker did a Roll call. All members present except for Vice Chair Young (excused absence). Commissioner Eric Hauptman led the flag salute.

**1. APPROVAL OF THE AGENDA**

Start Time: 5:31PM

Action: Approved

Motion: Commissioner Murphey

Second: Commissioner A. Miller

Vote: 6-0

There was no discussion on the agenda and it was approved unanimously.

**2. APPROVAL OF THE MINUTES: Minutes were not available**

**3. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA:**

None were noted

No Speaker's cards were received nor public comments made.

Chairperson Tarvin relayed basic instructions regarding the proceedings and asked if any member wished to disclose a conflict of interest, ex-parte contact, or biases. No citizens present wished to challenge any commissioner.

Chair Tarvin asked the Commissioner's if they would like to declare a conflict of interest.

There were no other declarations of conflict of interest.

There were exparte' contacts declared: Chair Tarvin did declare that he made a site visit.

There were no bias declared. No citizens present wished to challenge any commissioner.

Chair Tarvin introduced the 4<sup>th</sup> Item on the Agenda.

**4. RESOLUTION PC 22 07 DR 05 – 1567 1<sup>st</sup> Street – Design review for balcony & deck with a 5' front yard setback, and a change of use.**

An application submitted by Frank Romero requesting a change of use from a group home facility to a multifamily and a design review and a 5' setback for an addition of an exterior covered porch and balcony to front of existing building. For property shown on the Lane County Assessor's Map # 18-12-34-11, TL 06100; and located at 1576 1<sup>st</sup> Street, in the Old Town District/Area B, District regulated by Florence City Code Title 10, Chapter 17.

Hearing opened 5:38 pm

Johnston presented Staff Report stating that there are a variety of requests with this Resolution and application. Johnston discussed the Change of Use to multi-family was really back to original use as this was a multi-family housing structure to begin with. The criteria from FCC Title 10 were discussed. The application was a consolidated application. Introduction slide was displayed. Proposed Resolution was in the Planning Commission packet.

There was not testimony or referrals:

Johnston spoke about scale of the project and that this project is not going to stick out from the other uses in the neighborhood. The proposed balcony will be facing 1<sup>st</sup> Street. The private parking across the street was mentioned.

FarleyCampbell: A point to note is that the tax lot maps don't directly over lay so the property lines are not exact on the aerial photo. There is an alley to the west of the structure.

Johnston discussed the property background. The structure was first multi-family and then changed to a group home which required fewer parking spaces. There are parking spaces there not marked out but they will be considered pre-existing parking spaces. Applicant seeks to revert property back to multi-family which will require 7 parking spaces and 2 long-term bicycle parking areas. There wasn't a specific request with the application that asked for reduced number of parking spaces. We did not recommend that they ask for a reduced number because they are within a ¼ mile of a transit stop, they would be eligible for a reduction in parking. You did receive tonight a parking plan from the applicant demonstrating the existing parking there and how it can be configured to fit at least 6 parking spaces. We need one space that is van accessible. Applicant is proposing 1 – one bedroom room apt and 2-two bedroom apartments on 1<sup>st</sup> floor, and 2-two bedroom apartments on the 2<sup>nd</sup> floor, so altogether 5 apartment units. Parking is determined by how many bedrooms are in an apartment building. They are also proposing a covered balcony and deck addition facing 1<sup>st</sup> St., the depth of deck and balcony requires approval to encroach 5' into front yard and the balcony would be 5' from the parking face and not the eaves.

The decision points are Change of Use from group living back to multi-family and 5' front yard encroachment. Pressure treated wood and wire fencing for deck and balcony materials, in keeping with Downtown Architectural Guidelines was discussed. An elevation except was shown denoting where the eaves extend into the 5' are on the building. The roofing material on the balcony is going to match the roofing material on the rest of the building. The proposed materials are pressure treated wood, and it can be surround by other materials that might be more in line with keeping with the area, and other hog wire fencing.

The proposed conditions of approval are #4 If this Design Review is approved, it will expire on May 10, 2023, with exceptions; #5- Provide parking per FCC 10-3-8-7 (7 spaces), you can adjust that today, if you would like too, considering that there is a pre-existing space available there; #6- Provide long term bicycle parking (2 spaces). #7 - No extra nuisance via noise, dust, odor; #8 - Submit a lighting plan, because we do know that there needs to be lights out there; #9- Provide a trash enclosure; #10- Provide Landscape Plan; #11 Submit list of materials i.e., windows, exterior doors, gutters and roofing per FCC 10-6-6-5. (Design Review Chapter). I do

want to make that in the Resolution on lines 12 and 13 state the same thing and that I am going to be revising that, it is in my recommendation to delete Condition 12 because it is a duplicate. An Alternatives slide was displayed. Staff recommended approving the request with conditions as amended.

Comm. Hauptman: Asked if the alley was dedicated to the City. Is there going to be parking on the alley side? Do we know what the dimensions are from the alley to the building?

Johnston confirmed it is an alley. Staff is going to request a parking plan. We do not know the dimensions at this time.

Comm. Kurth mentioned that starting in July that multi-family dwellings with more than 5 units are going to require electric vehicle parking. Did we discuss that?

Comm. Murphey: Asked if it was diagonal parking on the alley side and if they have to back up onto 1<sup>st</sup> Street, or do they have to leave the alley.

Johnston: Backing up onto 1<sup>st</sup> Street is not an option. We will be reviewing the parking plan.

Applicant testimony 5:57 PM:

Ron Moore provided applicant testimony. Representing Gary and Loretta Hoagland Foundation the current owners of the property. There are other buildings in this area that have no off-street parking, the plan that we have given the City does show that parking is available in at least 6 spots and possibly 7 if we double lane one spot that can be used for a single apartment and those guests would have to figure out which car moves first. Because of the downtown area it is virtually impossible to meet the parking requirements for this type of structure. We are planning a 5 plex it was previously a 4 plex. We ask for maximum leniency on the parking, because of these conditions. There is plenty of off-street parking in the front of the building and across the street from the building, that would not impede anybody. As far as the materials on the front of the building we can wrap the pressure treated wood so that it can look good to the Planning Department. If this will not work then we need to know what will work. Based on the parking that was being used by the other use there was no indication that this would not be unacceptable.

Comm Hauptman asked if hog fencing that is planning to be used is that a decision based on cost?

Ron Moore stated that it was based on aesthetics to the front of the building. We believe that it will add to the overall appearance of the facility. He also plans on taking the wiring underground to start getting rid of the overhead wiring. He also said he is willing to work with the City to do whatever they can do. The distance from the side of the building to the lot line is 12' 11" - at 10' you can make a 60-degree angle and get the 19'6" and get 3 cars along the side of that building on a diagonal, behind the building is a covered carport that has more than enough room for an ADA van parking spot, we can put 2 additional spaces in next to car port we can get 6 spaces for sure, 7 spaces would be tough. There is a lean-to where the garbage cans can be stored before garbage pick up day. We are trying to make this work because the previous use is no longer allowed in the City.

Comm. Murphey asked applicant if he would consider changing the pressure treated wood on the front balcony to redwood to make it more appealing. Applicant stated he would if that is what the Commission wants.

Chair Tarvin asked if the applicant has read the staff report and finding of facts and if he understands it. Applicant said he has and that he does understand.

Frank Romero applicant: For Comm Hauptman, the dimensions of the alley way is 16' and between the edge of the alley way to the building is 12'11" and that is the property line. Comm. Hauptman: stated that for a parking

space you need 19'2". Romero said that at the angle we have proposed on the plan that I submitted I thought that we can get four but I just submitted 3.

There was not public testimony:

Staff was asked if they had anything else that they would like to add. Johnston responded to Mr. Moore that anytime we have any development downtown we strive to bring everything up to code. I have not had time to go through the parking plan that you provided today. We may be able to fit all the spaces that you need, but that is something that we need to review either with a Type I or a Type II review and that applicant will not have to come back to Planning Commission for review. Any other materials that you would suggest during deliberations that would tie into staff recommendations #2 because we would be approving the request with conditions that are recommended, which could change as you are talking.

FarleyCampbell explained the process and clarified what was before the Planning Commission tonight, this is a Type III process to review the exception requested for the setback, the Old Town District requires a 10' setback, but with Planning Commission approval they can approve a 5' setback without requiring a Variance per FCC 10-5. The materials that were proposed, Planning Staff wants the Commission to make a decision on pressure treated four by fours, the staff will know how to respond in the future. Staff also would like a decision on the welded wire, the code says you can have wood, or welded wire as your balcony or fence material, is the square fencing suitable to be considered to be welded metal? For the purposes of the Architectural Guidelines staff is looking for your opinion on that matter. Applicant is also doing a change of use which is a Type II process, through the expediting process we bundled this application the noticing process was included in the Type III process. The need for the extra parking was discovered after we received the building plan. The parking situation was explained. Because there were two properties joined that there may be a pre-existing parking situation that exists for this lot. We usually go back to the original land use and see how parking was determined at that time. Staff is going to see if the original plan can be located.

Closing of the public hearing was discussed.

Hearing closed 6:16 pm

Applicant waived his right to submit final written testimony, after explanation from the Chair Person. Applicant asked if the Commission had seen the parking plan and if the plan would be considered in their decision tonight.

Chair Tarvin explained that the parking was not an item on the agenda and that the only thing they are considering tonight is that applicant would have a requirement to submit a parking plan to staff and work with them to come up with a solution.

FarleyCampbell says that staff does not know if the applicant needs an exception or a Variance to the parking because we haven't found any records to support what is existing on site. If it does not need an exception either by design or because it is pre-existing non-conforming situations on site. It was explained that it is a gray area and that it could be processed as a Type II or we could bring the decision to the Planning Commission. If parking does need special consideration than it will need special notice.

Ron Moore does not believe there is any more space to develop more parking. We have been clear in our argument. And will waive my right to written argument.

6:23 PM deliberation continued.

Comm Murphey said that he doesn't want to see pressure treated vertical posts or horizontal handrails. He asked staff if the Commission could make a Condition of approval that finds if they need a Variance, can the

Commission make a condition that they have the 6 because they are within so many feet of public transportation? Can we make that a condition if needed?

FarleyCampbell explained that the transit exception already exists in code and is clear and objective, and will be applied to the review of their parking plan. Also, if applicant needs a Variance or an exception you can't condition it, to give it to them now, because it will need a public hearing.

Comm. R. Miller asked if staff has looked down stairs for the parking plan.

Johnston & FarleyCampbell replied that they have looked but have not been able to find yet. The plan may be on the card file for the properties to the East if it exists.

Comm Kurth explained that the loss of one parking space to the amount of housing will be gaining doesn't seem like that should be a problem.

Chair Tarvin said that he does not want to see raw pressure treated wood. More concerned with the color and the coordination of the rest of the building and would like to see wood painted. He has no objection to the use of hog wire as welded wire.

Comm Murphey said he thinks wire is good for a safety concern.

Chair Tarvin said that there are some wires on the market that at 4" on the center of the actual steel rod, it is legal for a baluster. He asked staff if Commission has to condition tonight about the raw wood.

FarlyCampbell said that staff will adjust the findings to reflect the Commissions deliberations that redwood would be acceptable, painted wood would be acceptable, if this is included in the motion.

Comm Murphey made a motion that the Commission pass PC 22 07 DR 05 at 1567 1<sup>st</sup> Street Design Review for a balcony and a 5' front yard setback with the conditions of approval as presented and to also revise the findings as per our conversation.

Second: Comm. R. Miller

Roll Call vote:

Comm Kurth: yes

Comm Murphey: yes

Comm A. Miller: yes

Comm R. Miller: yes

Comm Hauptman: yes

Vice Chair Young: absent

Chair Tarvin: yes

Motion carried: 6-0

Hearing Opened: 5:38

Hearing Closed: 6:16

There were no Commissioner reports of discussion items.

Chair Tarvin recognized Planning Director Wendy Farley Campbell for Director's Report

FarleyCampbell started with the Planning Commission Calendar - next meeting, May 24, 2022 tentative, June 14 and 28 are tentative. On June 28<sup>th</sup> hoping to bring some code update for marijuana uses, which is the same as you have reviewed before that has not been made into the code, it needs to go back through the process. Specifically, it is the definitions for the uses.

Director's Report: we do have LCC in the process of interior and exterior report a Type II process. New parking lot, new landscaping and new swales, and new pedestrian areas. Planning Department is also working on the Quince Street microtel, that is across from the Florence Event Center. Also waiting for a Type III process for a property in Shelter Cove that has sloughing happening on adjacent lots. Fairway Estates Phase II - they have submitted an application but it is not complete, we are still waiting on a traffic study and a storm water plan. On Spruce Street we had an assisted living facility application for North of Munsel Lake Rd that application is also incomplete. Application in stages of review is: the Economy Inn vegetation clearing, Cannery Station really close to being ready to go and so is Shore Pines. We should start to see some construction happening here in the next few months. Linda Wilcox at 37<sup>th</sup> Street laundry has applied for a change of use to convert part of the building into a deli.

Chair Tarvin spoke about the housing committee. He was nominated for Vice Chair. They had first meeting and it was well attended.

FarleyCampbell: Roxanne Johnston will be leaving the City.

Johnston spoke about her time with the City.

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The meeting adjourned at 6:44 PM.

**ATTEST:**

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Sharon Barker, Planning Technician

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Phil Tarvin, Chairperson