
City of Florence
Planning Commission Meeting Minutes
250 Hwy 101, Florence, OR 97439
April 23, 2024

CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE

Meeting called to order at 5:33 PM.

Commissioners Present: Chair Kevin Harris, Vice Chair Debbie Ubnoske, Commission Sandra Young, Commissioner Renee LoPilato, Commissioner Wendy Kraus, Commissioner Laurie Green
Excused absence: Comm. Hauptman

Staff Present: Planning Director Wendy FarleyCampbell, Planning Technician Sharon Barker

At 5:34 PM, Chair Harris opened the meeting, Sharon Barker gave the Roll call. Commissioner Green led the flag salute.

1. APPROVAL OF THE AGENDA

Start Time: 5: 34 PM
Action: Approve agenda as presented.
Motion: Comm. Harris
Second: Comm. LoPilato
Vote: Unanimous

2. APPROVAL OF MINUTES OF for March 12, 2024

Start Time: 5: 34 PM
Action: Approve agenda as presented.
Motion: Comm. Green
Second: Comm. LoPilato
Vote: Unanimous

3. PUBLIC COMMENT

Charlene Reid commented on the park on 35th and the improvements of the pickleball court. She asked when they can get this item on an agenda.

Comm. Green said that the Commission will see what can be done to get it moving along.

Associate Planner Kurth let the Commission and the guest know that Mike Miller has submitted an application and as soon as staff has reviewed the application that the goal is to get it on the agenda in either June or July.

- Gary Miller said that the grant has been approved and the money has been set aside for the pickleball court and he said that there is a time limit on when the funds expire. He also said that Mike Miller had mentioned that and he was aware of the situation and that he would get the application moving before it expired in May.
- Kurth explained the application process.
- Charlene Reid asked if they should expect the grant to lapse.
- Chair Young reassured the guest that Mr. Mike Miller is not going to let the grant lapse.
- Kurth said that she can only speak to the planning process because she is involved in that and Mike Miller of Public Works is involved in the grant process.
- Chair Young said that there are grant extensions if they are necessary
- Gary Miller asked the Commission about the application process and what the next steps are.
- Chair Young explained that the Commission either approves it or conditions it and if no one appeals then it will move forward.

Chair Young relayed basic instructions regarding the proceedings and asked if any member wished to disclose a conflict of interest, ex-parte contact, or biases and the right of the public to challenge any commissioner's ability to hear this matter.

There were none

Chair Harris asked the Commissioners if they would like to declare a conflict of interest, ex-parte contacts/communications, or bias. There were no declarations of conflicts of interest.

There were none

Item #4 on the agenda is public hearing Resolution PC 24 04 CUP 04 Single Unit Dwelling in the Highway District.

4. RESOLUTION PC 24 04 CUP 04 – 3581 Hwy 101 – Single Unit Dwelling in the Highway District

An application submitted by David Grisby for a Conditional Use Permit to allow for/reinstate single unit dwelling use in an existing building located at 3581 Hwy 101, Assessor's Map 18-12-23-22, Tax Lots 05900, 06000, and 06100, in the Highway District regulated by Florence City Code Title 10, Chapter 16.

Opened hearing:	5:40 PM
Close Hearing:	6:57 PM
Discussion:	As follows

Community Development Director Wendy FarleyCampbell presented staff report.

FarleyCampbell explained that the application is to reinstate a single unit dwelling building that was built back in the 1950's, that has been used for many commercial businesses, and the applicant would like to have the house regain the residential use.

- The application process was explained and the criteria was read into the record.
- The April 23rd public hearing is for a Condition Use Permit for a single unit dwelling in the Highway District, it is not for a Design Review.
- No public testimony was received in writing.
- Referrals were sent out and Siuslaw Valley Fire and Rescue did not have any concerns.
- Public Works has been working with the applicant on their right of way, permit and utility locates for a new water meter.
- The project location was explained.
- It was explained that the site plan in the packet is being replaced with the new updated site plan that the applicant brought in to the office today.
- The new site plan was explained and that access is proposed to be shifted to the west because historically the property was accessed from a driveway about 20' off of the corner, but that was removed by ODOT ADA sidewalk installation.
- The site plan also reflects a 20-foot setback in front of the future garage building to provide the opportunity for the parking, the paved parking on site to not extend into the right of way as the previous site plan had.
- The properties 3 legal lots were explained
- Also on the dais are revised pages 11 and 12 which were also provided to the applicant and his representative.
- Condition 13 will be added as a proposal adding the requirement of a covenant to be recorded on the deed so that the lots are all sold together so if this dwelling went away, it could have other types of buildings on it in the future.
- The top of page 12 was revised.
- Driveway standards were explained.

FarleyCampbell asked the Commission that if they concur also added is an issue decision point, which is discussed under FCC 10-8-5b on page 12 of the item distributed to the Planning Commission.

- Condition 4 was explained regarding the parking pad and its location on the newly submitted site plan.
- Condition 5 was explained to state that Conditional Use Permits are void if no substantial construction has taken place. There is already a building so there is no construction, but staff would be looking for the building to not be occupied until substantial parking is provided, the fence provided and the plantings are in, and the required pedestrian path from 36th to the dwelling, those are the kind of things staff will be looking for.
- Condition 7 on the revised site plan the garage is now meeting the 20-foot site back. Condition 7 is met as shown on the revised site plan.
- The applicant has verbally proposed a wooden site obscuring fence 7' in height and plantings are proposed along the highway frontage Highway District requires 2/3rd view of the buildings and parking are to be obscured from view of the highway, a 7' fence will accomplish this.
- The planting of trees has been conditioned to have the trees to alternate between trees and shrubs, they all have to be irrigated.

- Trash and recycling will need to be enclosed inside the fence, and to not be outside the fence.
- Fencing in commercial districts can be up to 7' in height but it does require that the front yards of other districts be no greater than 4'.
- The location of the mail box will need to be worked out with the post office.
- The applicant will need to ensure that all new utilities be underground.
- Condition 13 is proposed to be added.

The Alternatives were read into the record.

Staff's recommendation is alternative one, as amended to you on the dais with the revised site plan and the revised highlights and the addition of Condition 13.

- Comm. Green asked if the utilities are underground
- FarleyCampbell said that the water and sewer are underground but the Commission would need to ask the applicant about the power.
- Comm. Ubnoske asked about the 3 parcels and if any of the buildings are straddling lot lines.
- FarleyCampbell answered that she is fairly confident that the dwelling is but that the storage building is not.
- Comm. Ubnoske asked if the city has a process for merging parcels to ensure that buildings are straddling lot lines and what is the reason for the covenant instead of a lot line adjustment.
- FarleyCampbell explained that if the current use goes away then the applicant will have 3 individual lots to sell or use.
- Comm. Ubnoske wanted to know how a title can issue title insurance with buildings straddling lot lines.
- FarleyCampbell said that she is unfamiliar with title company process, but the City has done covenants before to tie lots together.
- Comm Ubnoske asked if the storage shed was going to stay and does staff know anything about the parking.
- FarleyCampbell said that the site plan says future garage which means at least three walls
- Comm Ubnoske asked that it is four walls does the fire department have any kind of requirement for a fire wall since the two walls are abutting each other
- FarleyCampbell said that that this would be something that would be reviewed at the building permit review.
- Comm. Green asked if the alleyway to the south is currently undeveloped and what is the future of the alleyway.
- FarleyCampbell said that it is a platted alley and if people wanted to use it, they would have to bring it up to road standards. It could also be vacated.
- Comm. Green asked if the City maintains alleyways.
- FarleyCampbell answered that the city does not maintain alleys or sidewalks they are the responsibility of the abutting property owners.

Chair Young asked if there were any other questions of staff and if not would the applicants representative like to come up to the mic.

Eric Rines applicant's representative was present and came forward to the mic and signed in. In answer to the Commissions questions, he said that the power, phone, and cable are all underground. The transformer in the power meter is on the corner of the building and the sewer line is scoped and is clear and in great shape. The applicant is asking for a 7' tall fence on the 36th Street side rather than the 4' high for safety reasons. A modification on the gate in front of the proposed garage is to be a sliding gate. The existing storage shed is going to be taken out by the owner and if anything is built in that area a firewall would have to be addressed by the building department and that he will be adding the pathway from the parking and/or the garage to the front door or a side door. The applicant plans to plant vegetation on the highway side they are thinking of arborvitae all along the fence and maybe adding a flowering cherry tree. But are mainly thinking of the deciduous tree for breaking up the sound off the highway

Chair Young asked if there were any questions of the applicant.

- Comm. Green said that she questions the use of arborvitae next to a wood fence she said she would look for something that grows faster and is not as flammable.
- Rines said that he did discuss using a laurel along there, but the owner is afraid of maintenance but will find something that is not going to cause damage to the fence. The owner is also talking about a horizontal fence because it could be less expensive on the owner and they look nice. The applicant is open to whatever kind of vegetation needs to go in there to help the esthetics and help him with his sound deadening.
- Comm. Green asked if staff had any thought on the 7' fence on 36th St.
- FarleyCampbell said that she definitely agrees that 4' is too low.
- Comm. Green asked if a 7' fence would set a precedent that the Commission would have to honor for other residences.
- FarleyCampbell said that the Commission would evaluate on its own merit.
- Comm. Ubnoske asked about the code section that says it shall be or shall not exceed 4' and if staff was referencing something under that section.
- FarleyCampbell said that under 10-34-5-b-2, a commercial and industrial zones except as provided below the height of fences and walls in any required front yard. There is no required front yard for the highway district. The code says the height of fences and walls in any required front yard shall not exceed 4ft as measured from the grade and no higher than 8ft elsewhere on site. The applicants propose a 7' fence along the highway, along the alley, and along 36th street.
- Comm. Green asked if the chain link fence on the back side is being replaced.
- Eric Rines said that they will not be replacing at this time and is asking the Commission, to approve a 7' fence on the 36th St. side for safety purposes.
- Comm. Ubnoske said that she is still confused on the front setback and how we're allowing them to have a fence over 4' tall.
- FarleyCampbell explained that the Highway District does not have a front yard setback requirement and that her interpretation then on B-2 is that for the Highway District anybody can have up to an eight-foot fence in their front yard. Because there is no required front yard. It could be zero setback.
- Comm. Ubnoske asked about the two homes to the west and if they had fences in the front.
- FarleyCampbell said that she does not know.
- Comm. Ubnoske said that in order to not set a precedent that she would be more comfortable approving the fence height if the Commission states that because of the history with this particular parcel being adjacent to the highway the fence height is able to be approved.

- Comm. Green agreed.
- Eric Rines said that their safety aspect is related to being so close to the highway.
- Chair Young asked the applicant if the fence along Hwy 101 is wood.
- Eric Rines said his client is proposing a horizontal cedar.
- Chair Young said that it is good that it is horizontal because it will not seem as tall and if there is a reason why the fence on 36th side is chain link instead of wood.
- Eric Rines said that the fence is not chain link it is wood also.
- Chair Young asked it was a wooden fence all the way around.
- Eric Rines says that it is wood all the way around.
- Chair Young asked if they could make the fence 6' tall on 36th
- Eric Rines said that the dimensions are close to 6' due to the lumber widths.
- Chair Young: And if there was a way make the 36th street side a little shorter as a concession to the residential nature of the neighborhood on 36th Street.
- Eric Rines that he doesn't see why he couldn't and that it would be a good thing esthetically where the two would join. Maybe a decorative post in that corner. He thinks that this is a concession that they could definitely concede too.

Chair Young asked for public testimony.

Public Testimony

Ron Schreiber testified that he is the owner of the property on the corner of 35th and Hwy 101 and that he is neutral on the project, but he wants to know if anything has been said regarding the fencing there and if the alley is going to be fenced because at some point the corner will be sold and that there is going to be some kind of a highway district facility in there, and he wonders about there being a single-family dwelling on the Grigsby property. He had hopes that there are not a lot of opposition when the buyers of his property put something there, because of the lighting, and those kinds of things.

Chair Young asked if anyone else wishes to provide testimony on this issue and if not, the applicant will come back up.

Eric Rines said that the owner would like the fence on the south side of the property to come straight into the side of the house as noted on the site plan, and the house would serve as a barrier between there and the property pin. There's also an east fence that would meet the alley corner. There's a vision clearance area that they will stay out of. The chain link fence is at the southwest corner that chain link fence is 6' tall and go to the wooden fence that divides the two properties.

Chair Young asked if he knew the layout of the house.

- Eric Rines said that he did not.
- Chair Young asked if Rines has read the staff report and the findings of facts.
- Rines said that he has.

Chair asked for staff recommendation.

FarleyCampbell said that on page 18 of the Findings, Title 10 Chapter 34 staff will add 10-34-5 and will be adding language there for the Findings to state that a taller fence is permitted based on the history of security issues with the site, and that the preference is for something shorter than 7' tall. Staff will also add the other points that are before you, and will be adding Condition 13.

Staff's recommendation is number 2. Originally it was number 1 now it is number 2 to add your recommendations for the Findings as stated

Comm. Ubnoske made the motion. I move to approve Resolution PC 24 04 CUP 04 application located at 3581 Highway 101 for a single unit dwelling in the Highway District with the Findings as changed this evening and the change to Condition #10.

Chair Young closed the hearing at 6:57.

Motion: Comm. Ubnoske

Second: Comm. Harris

Vote: Chair Young: yes
VC Harris: yes
Commissioner Green: yes
Commissioner Ubnoske: yes
Commissioner LoPilato: yes
Motion carried 5-0

10-minute break

Agenda Item #5 Resolution PC 24 11 CUP 08 Siuslaw Elementary School play structure.

5. RESOLUTION PC 24 11 CUP 08 – 97 J Siuslaw Elementary School Covered Play Structure:
An application submitted for Design Review of a covered play structure located on the Siuslaw Elementary School property. This project is to be located at 2221 Oak Street, Assessor's Map 18-12-22-00, Tax Lot 003000, in the High-Density Residential District regulated by Florence City Code Title 10, Chapter 10.

Opened hearing: 7:13 PM
Close Hearing: 7:56 PM
Discussion: As follows

Associate Planner Clare Kurth presented staff report as a proposal for a covered play structure at the Siuslaw Elementary School and associated developments with the purpose of semi outdoor play space when the weather doesn't allow for outdoor playing.

- Valley Fire and Rescue reported no issues or concerns with this development as per proposed.
- Referrals were also sent out to CTSUI, public works, and Central Lincoln there were no responses.
- The area where the play structure was going to be constructed was shown on the screen.

- File number PC 24 14 DR 03 is a Design Review number that we're recommending a change to the file was originally given the file number PC 24 11 CUP 08 because schools are allowed and require a CUP in the high-density residential district but because it is an existing use and already has a CUP and the total expansion is about 5% of building square footage the code only requires a new CUP for expansions of greater than 25%. Staff is recommending a move to just a Design Review versus CUP.
- The media publication was set to be published on April 17th but the newspaper failed to publish, which was caught by staff and was able to be published in the Register Guard newspaper on April 22. The Findings will be revised to reflect the change.
- The project is behind the main school and is the covered structure with the walkways to connect it to the existing school site the rain garden is being proposed on that southeastern corner by the administration office.
- One point for interpretation is when looking at FCC 10-10 -5 site development provisions. Originally staff interpreted the code to be that accessory structures could only be 20' high, but upon research found that 30' is allowed for non-residential structures. Staff would like to bring this up as an issue and discussion point in case the Planning Commission has a different interpretation.
- The building exterior colors were discussed as being red brick.
- The parking calculations were explained to be based on the number of classrooms so there is an informational in the resolution, that if the building is changed to classrooms staff would need to reassess parking based on codes.
- The building is 62' x 88'8" and is less than 30' tall and meets FCC 10-10-5
- The Findings will need to be corrected because it mentions CMU blocks on the north and south elevations, the blocks are only on the north elevation.
- Minimum parking requirements are met.
- The landscaping plan was received the night before the meeting and was printed and put on the dais. The applicant is proposing to plant 125 compact ink berry tree and 14 Japanese Snowball trees and there are existing trees on the site and the applicant is going to do a full inventory and bring it up to code with the required number of shrubs.
- The applicant proposed more than the 5% additional landscaping as required by code.
- The site has 6,707' of impervious surface.
- Rain garden typical was shown and explained.
- The proposed rain garden plantings will include to be seven trees, plus the herbaceous plants and the shrubs.
- Changes to Resolution Conditions 1 through 4.1 through 4.4. Condition 4.1 is to say that they'll be planted per FCC 10-34.
- The Condition 3 will also include pocket planting with compost soil to ensure survival.
- Condition 4.2 will condition a time line of all planting and irrigation to be installed within 6 months, staff would recommend that we bump that out to twelve months and give them a bigger window to have a successful planting time.
- Condition 5.1 Roof needs to be constructed of antiglare matte finished materials.
- There is no Condition for external lighting and not lighting is proposed
- The Resolution contains an informational that if exterior lights are proposed in the future, that they meet code.

The Alternatives were read and explained with staff recommending Alternative 2, the recommendation would be to revise based on the landscaping analysis and the revised resolution conditions.

Kurth said that that the building does not have articulations and breaks in elevations because this building doesn't face a street or a civic space and because schools are defined as public facilities and key facilities, and that there are no conditions requesting awnings or extra window or breaks in articulation because code criteria does not apply to this building.

- Comm. LoPilato wanted to know how much light will be let in by the translucent panels and why aren't there windows in the structure, considering that children will be playing in the structure.
- Planner Kurth said that she will defer this question to the applicant.
- Comm. LoPilato asked if the building colors were muted coastal colors.
- Planner Kurth explained that there will be reddish terracotta and that she would like it to the Planning Commission's discretion to say if it matches existing materials.
- Comm. Green asked if there is a covered walkway from the existing school building. Kurth said that there isn't one shown and would defer this question to the applicant.

Chair Young asked the applicant to come forward: Marlene Gillis of Soderstrom Architects and Andrew Grzeskowiak.

Marlene Gillis of Soderstrom Architects explained that the reason they want to construct this play structure is to help kids battle the weather conditions in Florence. The existing play structure is small and has a wall in the center of it, which makes it very problematic for the kids to use. To address some of the questions.

- There isn't a walkway connecting it, but along the west side of the existing building face is a covered walkway but the building will be placed very close to the existing building.
- The color palette will blend in with the existing buildings character.
- Regarding the windows the regular use of the building is going to typically be with all of the roll up doors open because it is a covered open air play structure.
- Windows were added because windows don't do well and from a facilities management standpoint they don't hold up.

Superintendent Grzeskowiak explained that they are trying to place the building somewhere on the property where it makes sense for students to have the most access and that it has to have a clean entry without having to modify current roof lines.

Chair Young asked if there were any questions for the applicants

- Comm. Ubnoske asked if the applicant could use some other plant, other than salal in the rain garden, since it is pretty invasive and tends to take over.
- Gillis said that they will vet the plant list with the district to get their feedback on a low maintenance, durable, hearty noninvasive plants and doesn't see an issue with swapping it out but would need to get approved for whatever plant they use.
- Comm. Green asked about the use of compact inkberry, and if it's a good thing to have around elementary students or if they might find a plant better suited to Florence's climate and soil types

- Comm. LoPilato asked what is the intended use of the rain garden by the district and why is it placed so far away from the play structure.
- Grzeskowiak said they need to offset the permeable surface and they wanted a spot where the natural directional flow is located and where it is going to be safe and not to near where the kids play. We can control all of the rainwater coming across the lots in that area as well.
- Gillis explained that that the idea is be as far away from the children as possible while still being on the site which will help the plants to survive.

Chair Young asked the applicants if they have read the staff report and the Findings of Facts.

Gillis said they have read the Findings and understands them.

Chair Young asked staff for their recommendation.

Staff's recommendation is the alternative to approve with revised Findings of Fact as it related to the rain garden and the landscaping with the note about a preference of the selecting of plants other than inkberry and salai for the rain garden. The recommendation is still going to be the alternative to approve with revised findings of fact as it relates to the rain garden and the landscaping with the note about a preference

Comm. Ubnoske asked if the Findings need to be revised to reflect the change of public notice.

Kurth said that she would make the change and that the hearing was over noticed because it was noticed for a Conditional Use Permit at 301 feet but that a Design Review only requires a 100' buffer, so it was over noticed

Chair Young asked if any of the Commissioners see any reason to keep the public hearing open.

No Commissioners responded.

Meeting was closed 7:56 pm

Comm. Ubnoske moved to approve PC 24 14 DR 03 Siuslaw Elementary School, covered play structure with the revision to the Findings of Fact stated by staff.

VC Harris: second

Motion: Comm. Ubnoske

Second: Comm. Harris

Vote:

Chair Young: yes
 VC Harris: yes
 Commissioner Green: yes
 Commissioner Ubnoske: yes
 Commissioner LoPilato: yes

Motion carried 5-0

6. PLANNING COMMISSION REPORTS & DISCUSSION ITEMS DIRECTOR'S REPORT & DISCUSSION ITEMS

Comm. LoPilato wanted to point out that there is a section in the newspaper called City Notes and that she wanted to give kudos to whomever is keeping the public informed

Comm. Green that she participated in a listening session for the Lane County Estuary Resilience and found it to be extremely useful.

Comm. Green reported that she went out with the Watershed Council on Saturday to do cleanups on Bull Island and Wilbur Island, and that it was interesting to see what they looked like.

Comm. Ubnoske said that she would like to thank the staff for the volunteer appreciation luncheon, and it was really nice to be recognized.

Director's Report

Director FarleyCampbell said that on Saturday, 4/27/2024 – 10-2 Arbor Day Celebration at the Senior Activity Center

- Monday, 4/29/2021 the City Council is holding a special session at the Florence Event center at 5:30pm on the temporary sheltering proposal.
- The City is recruiting for the Transportation Committee and EMAC.
- The Planning Commission should have received an email regarding state reporting, if you do not know how to do the contact either Wendy or Lindsey. You will be so on the tail end of the recruitment for committees, we will be getting some training scheduled in June 1 of the items that we're adding to training for our committees is the Public Information Officer training.

Comm. Green asked if this was regarding ethics reporting.

FarleyCampbell said that it yes, it is. Estuary Resilience Action Plan emails were sent a few weeks ago about taking the survey, also Associate Planner Kurth is going to talk to you about transportation bottlenecks and anything else you may be interested in.

Associate Planner Kurth explained about the work on the Transportation Committee and are ready to launch the Rhody Express Ridership Survey. To help improve service in an effort to increase ridership and surveys return to us, the transportation committee is using some of the community service hours.

- On Saturday 4/27 10-2 and Monday 4/29 all day the bus will be no cost for rides.
- Arbor Day celebration 4/27 at the senior center.
- Outdoor play shop at the FEC.
- May is national bike month.
- Received an email from, from a woman named Megan Scholl at LCOG, and she will be helping put on a bike month kickoff event at Miller Park next Friday, May 3, from 1 to 4.
- National walk and ride to school day is May 8.
- Oregon Friendly Driver Course coming up May 15 at the Siuslaw library.

7. PLANNING COMMISSION CALENDAR

Planning Technician Sharon Barker spoke about the upcoming Planning Commission hearings.

May 14 annexation of the Heceta Beach County Park, also at the hearing will be the Boys and Girls Club Design Review. The continued hearing for the Twombly Hwy 101 storage buildings will also be that night.

Comm. Green asked that since she will be recusing herself for the Boys and Girls Club hearing should she leave the room during the discussion.

Comm. Green Since I'm on the board of the boys and girls Club, should I be literally out of the room during that discussion? I certainly won't take part in it. Well, I think.

Director Farley Campbell said that she should probably leave the room.

Barker asked the Commission if they are going to be available on May 28th, the day after Memorial Day.

The Commission were not sure at that time if they would be available, so staff said that they will ask them again on May 14th, if they will be available.

FarleyCampbell explained that she would be on vacation the first part of May and that Roxanne and Clare would be the Planner for the May 14th hearings.

Barker told the Commission that staff is also working on the Rolling Dunes Pickleball application.

Kurth told the Commission that Peyton Allen built the Transportation Committee a web page where they are going to list all of the resources for bike month and some links to the American League of Bicyclists and other resources.

Comm. Ubnoske said that the video of the City Council meeting was not very clear and that the audio was not very audible.

FarleyCampbell said that they are working on getting all that corrected.

Meeting adjourned at 8:26 PM.

ATTEST :


Sandra Young, Chair


Sharon Barker, Planning Technician