

CITY OF FLORENCE PLANNING COMMISSION

April 25, 2017 ** MEETING MINUTES **

CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE

Chairperson John Murphey called the meeting to order at 7:00 p.m. Roll call: Chairperson John Murphey, Vice Chairperson Robert Bare, Commissioner Clarence Lysdale, Commissioner Sandi Young, Commissioner Brian Jagoe and Commissioner Ron Miller were present. Commissioner Michael Titmus was absent and excused. Also present: Planning Director Wendy FarleyCampbell, Associate Planner Glen Southerland and Admin Assistant Vevie McPherran.

APPROVAL OF AGENDA

Vice Chairperson Bare motioned to approve the agenda. Commissioner Young seconded. By voice, all ayes. The motion passed 6-0.

APPROVAL OF MINUTES

There were no Minutes to approve.

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 **three minutes per person**, with a maximum time of 15 minutes for all items.*

There were no public comments.

PUBLIC HEARING

Chairperson Murphey announced 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 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.

RESOLUTION PC 17 06 MOD 01 – Park Village Open Space Modification: An application from Robert Wieland, President on behalf of the Park Village Homeowners' Association for a Modification Design Review Permit, requesting modification of a Subdivision approval of their Neighborhood Park Common Area Development Plan located behind 40 Park Village Drive. Applicant proposes to replace playground equipment with two benches set in concrete, two picnic tables with attached benches, a trash receptacle, and a five-foot wide path. The property is located at Map #18-12-27-10, Tax Lot 11500 in the Open Space Zoning District, regulated by Florence City Code Title 10, Chapter 22.

Chairperson Murphey asked if any of the Planning Commissioners wished to declare any conflicts of interest, ex parte contacts, site visits, or bias. There were no challenges. Chairperson Murphey opened the public hearing at 7:04 p.m.

PD FarleyCampbell presented the staff report (attached). She concluded that the applicant had met with the Public Works Director regarding the future park development. She stated that the application met requirements of Florence City Code and recommended approval with conditions as outlined. She then stated the alternatives and asked for questions.

Jagoe questioned the entirety of the trail and who would be responsible for the upkeep and maintenance. There was discussion and PD FarleyCampbell explained that the entire open space areas should be maintained by the Homeowners' Association and should be usable. VC Bare asked if the open space area was a green belt, amenity or a common area and PD FarleyCampbell stated that it was a common area owned by the Homeowners' Association. VC Bare then asked if the process had included a review of the Covenants, Conditions and Restrictions (CC&Rs) and PD FarleyCampbell explained that since it was not a PUD it did not have the open space requirement.

Applicant, Robert Wieland –

Mr. Wieland did not have a presentation however, was prepared to answer questions. Vice Chairperson Bare inquired as to the CC&Rs and asked if the open space was a green belt, an amenity or common area. Mr. Wieland responded that the green belt went from house #40 to house #62. VC Bare questioned the percentage of the property owners who voted and stated that most CC&Rs required a 66 percent vote. Mr. Wieland responded that their CC&Rs also stated 66 percent was required of the property owners that voted. VC Bare asked if the applicant if he had provided CC&R or Bylaw documentation to the City as proof of what the Homeowners' Association had approved based upon the CC&Rs and Bylaws. Mr. Wieland explained that the previous Board of Directors violated the City's original playground approval with the intent of alleviating the crime and the homelessness that was taking place at that time. Commissioner Jagoe asked the applicant who maintained the walking trail and Mr. Wieland replied that it was the homeowners and Camp Florence. Mr. Wieland said that he understood and agreed with the modified conditions of approval. Chairperson Murphey asked if there were any proponents, opponents, or neutral parties. There were none. Staff stated that the application met Florence City Code and the Comprehensive Plan and recommended approval with conditions as outlined.

Chairperson Murphey closed the public hearing at 7:34 p.m.

Commissioner Jagoe motioned to approve Resolution PC 17 06 MOD 01 – Park Village Open Space Modification with conditions as stated by Staff. Commissioner Young seconded.

By roll call vote: Commissioner Young, "yes"; Chairperson Murphey, "yes"; Vice Chairperson Bare, "yes"; Commissioner Lysdale, "yes"; Commissioner Jagoe, "yes". Commissioner Miller, "yes". Commissioner Titmus was absent and excused. The motion passed 6 to 0.

RESOLUTION PC 17 07 CUP 04 – 18th Street Single Family Residence: An application from Roger Center of Center Brothers Construction for a Conditional Use Permit, seeking approval to demolish the existing residence at 1620 18th Street and construct a new 1,825 square foot single family residence with garage. This use is permitted conditionally within the Commercial Zoning District. The site is located on the corner of Oak and 18th Streets, east of Miller Park at Map #18-12-26-22, Tax Lots 06500 & 06600 in the Commercial Zoning District, regulated by Florence City Code Title 10, Chapter 15.

Chairperson Murphey asked if any of the Planning Commissioners wished to declare any conflicts of interest, ex parte contacts, site visits, or bias. There were no challenges. Chairperson Murphey opened the public hearing at 7:37 p.m.

AP Southerland presented the staff report (attached). He concluded that the application met requirements of Florence City Code and recommended approval with the following changes: Regarding Condition #5.4, *"The applicant shall provide a revegetation plan demonstrating revegetation of the site approximating the previous amount of vegetation, both by tree and shrub count."*; Regarding Condition #6.3, *"The applicant shall ensure that the building permit materials submitted indicate the height of the structure and that they meet the requirements of FCC 10-15-5-A."*; Regarding Condition #7.1, *"The applicant shall submit a site plan showing the relocation of the driveway leading to the two-car garage."*; Regarding Condition #7.2, *"The applicant shall, at the determination of the Public Works Director following modification or addition to the exiting one-car detached garage or the addition of residential infill to the property, modify their driveway from the existing one-car garage structure to obtain access onto Oak Street from the alley to the south of the property in order to minimize the number of accesses onto Oak Street, such as through the use of a combined curb cut for the alley and one-car garage."*; Regarding Condition #7.8, *"If not constructing Oak Street adjacent to the property, the applicant shall provide a fee in-lieu or nonremonstrance agreement for their share of improvements to Oak Street: one lane-width with sidewalk adjacent to the property. Construction of Oak Street facilities is not required at this time, but may be required in the future in accordance with triggers listed in Condition 7.2 (modification of garage, addition of residential infill, etc.)."* AP Southerland presented the alternatives and asked for questions.

Commissioner Young questioned whether the move of the driveway away from Oak Street would be from the street pavement or at the back of the sidewalk and AP Southerland clarified it would be from the street pavement. CP Murphey questioned the access to the single-car garage and AP Southerland stated it was from Oak Street. There was Commission discussion regarding a combined curb cut on to Oak Street, the pre-existing, non-conforming setbacks for accessory buildings and garages, stormwater and the signing of a nonremonstrance agreement for any proposed future development or infill. There was also discussion about the issues of parking on Oak Street.

Applicant, Roger Center –

Mr. Center did not have a presentation but gave a brief background and explanation of the property. CP Murphey questioned the feasibility of access to the existing garage from the alley and Mr. Center replied it would need to be a couple of additional feet than the typical residential requirements.

Staff stated that the application met Florence City Code and the Comprehensive Plan and recommended approval with the restated modifications and changes to the conditions that included Condition #7.1 with the Commissioners authorized separation recommendation that would reflect the five-foot shift of the site plan. There was discussion regarding the recommendation and it was agreed to establish a ten-foot setback from the western property line.

Chairperson Murphey closed the public hearing at 8:11 p.m.

Commissioner Young commented that the conditions should be very clear and AP Southerland restated the modifications that included the Commissioners recommendation regarding Condition #7.1 with the language *“ten-foot setback from the western property line.”*

Mr. Center said that he understood and agreed with the modified conditions of approval. Chairperson Murphey asked if there were any proponents, opponents, or neutral parties. There were none. Staff stated that the application met Florence City Code and the Comprehensive Plan and recommended approval with the modifications and changes to the conditions as outlined.

Vice Chairperson Bare motioned to approve **Resolution PC 17 07 CUP 04 – 18th Street Single Family Residence** with modifications to conditions as stated by Staff. Commissioner Miller seconded.

By roll call vote: Commissioner Miller, “yes”; Vice Chairperson Bare, “yes”; Chairperson Murphey, “yes”; Commissioner Young, “yes”; Commissioner Jagoe, “yes”; Commissioner Lysdale, “yes”. Commissioner Titmus was absent and excused. The motion passed 6 to 0.

PLANNING COMMISSION DISCUSSION ITEMS

There were no discussion items.

CALENDAR

PD FarleyCampbell announced that the Housing and Economic Opportunities Project Committee was looking for representation from various backgrounds. She reported that there was a vacancy in the Public Arts Committee, the Environmental Management Advisory Committee and the Budget Committee with a close date of the 28th. She invited the Commissioners to attend the Siuslaw Watershed Council meeting to be held on Wednesday the 26th at the Library and AP Southerland announced the Stakeholder meeting in the council chambers Thursday the 27th to discuss the Florence/Yachats bus service connection. PD FarleyCampbell concluded with details of the Planning Commission meetings scheduled through June that included the Public Arts Council request for a work session to update the City mural code.

Chairperson Murphey adjourned the meeting at 8:26 p.m.



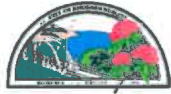
Chairperson, John Murphey
Florence Planning Commission

5-1-17

Date

Park Village HOA Neighborhood Park Modification

PC 17 06 MOD 01



Introduction

- Application for Modification to Approved Neighborhood Park Common Area Development Plan
- Application received on March 1, 2017
- Deemed complete on March 31, 2017
- Property Owner Notice on April 4, 2017

• Park Village HOA Neighborhood Park MOD

04/25/2017 • 2

Criteria

Florence City Code, Title 10:

- Chapter 1: Zoning Administration, Sections 1 through 5
- Chapter 3: Off Street Parking & Loading, Sections 2 through 4 and 8
- Chapter 6: Design Review, Sections 4 and 5
- Chapter 22: Open Space District, Sections 2 and 3
- Chapter 35: Access and Circulation, Sections 2-14
- Chapter 37: Lighting, Sections 3 through 6

• Park Village HOA Neighborhood Park MOD

04/25/2017 • 3

Criteria

Realization 2020 Florence Comprehensive Plan:

- Chapter 2: Land Use, Other Plan Designations, Private Open Space Description
- Chapter 8: Parks, Recreation, and Open Space, Open Space Policies 15, 17 and 18

Florence Park Master Plan, 2011

• Park Village HOA Neighborhood Park MOD

04/25/2017 • 4

Vicinity Map

Neighborhood Park—3.34 Acres
Mini Park — .76 acres



• Park Village HOA Neighborhood Park MOD

04/25/2017 • 5

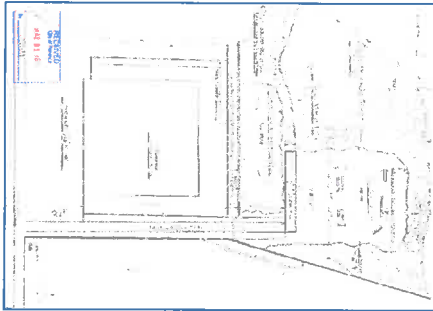
Aerial of Site



• Park Village HOA Neighborhood Park MOD

04/25/2017 • 6

Site Plan



• Park Village HOA Neighborhood Park MOD

04/25/2017 • 7

Park Entrances



• Park Village HOA Neighborhood Park MOD

04/25/2017 • 8

Testimony

Public Testimony:

- Wieland 4-15-17: HOA make-up & voting, application process, reasoning

Referral Comments:

- None Received

• Park Village HOA Neighborhood Park MOD

04/25/2017 • 9

Staff Recommendation

Staff finds that the application meets the applicable criteria of City Code and **recommends approval** of the application with the following conditions of approval:

• Park Village HOA Neighborhood Park MOD

04/25/2017 • 10

Conditions of Approval

3. Bicycle rack for at least 2 bicycles
4. Lighting Plan required if proposed
5. Extend path to a picnic table
6. Secure picnic tables
7. Approval ends: April 25, 2018

Informational

1. Lighting 2023
2. Provide ADA compliant picnic table

• Park Village HOA Neighborhood Park MOD

04/25/2017 • 11

Alternatives

1. **Approve the application with conditions;**
2. Deny the application;
3. Modify the findings, reasons, or conditions & approve the proposal; or
4. Continue the Public Hearing to a date certain if more information is needed.

• Park Village HOA Neighborhood Park MOD

04/25/2017 • 12

Questions?

• Park Village HOA Neighborhood Park MOD

04/25/2017 #13

Center 18th Street Single-Family Residence

PC 17 07 CUP 04



Introduction

- Application for Conditional Use Permit received on March 13, 2017.
- Application deemed complete on April 3, 2017.

Criteria

Florence City Code, Title 10:

- Chapter 1: Zoning Admin., Section 1-6-3
- Chapter 3: Off Street Parking & Loading, Sections 2 through 4 and 8
- Chapter 4: Conditional Uses, Sections 3 and 5 through 11
- Chapter 15: Commercial District, Sections 3 through 6
- Chapter 35: Access and Circulation, Sections 2 and 3

Criteria – Cont.

- Chapter 36: Public Facilities, Section 2
- Chapter 37: Lighting, Sections 2 through 5

Realization 2020 Florence Comprehensive Plan:

- Chapter 2: Land Use, Residential Policies 7, 8 and 10, Recommendation 2

Aerial of Site



Site Photos (2012)



Site Photos (2012)



• Center 18th Street SFR

4/25/2017 • 7

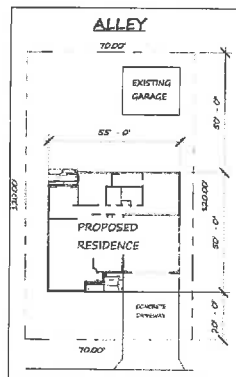
Site Photos (2012)



• Center 18th Street SFR

4/25/2017 • 8

Site Plan



• Center 18th Street SFR

4/25/2017 • 9

Front Elevation



• Center 18th Street SFR

4/25/2017 • 10

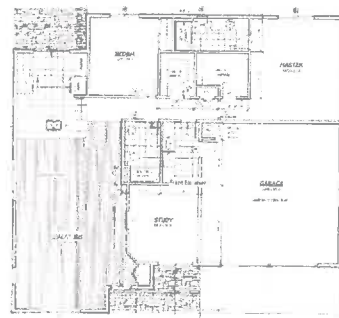
Rear Elevation



• Center 18th Street SFR

4/25/2017 • 11

Floor Plan



• Center 18th Street SFR

4/25/2017 • 12

Testimony

Public Testimony:

- None Received

Referral Comments:

- PWD Mike Miller – Sidewalks along 18th Street, construction of Oak Street

• Center 18th Street SFR

4/25/2017 • 13

Staff Recommendation

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

• Center 18th Street SFR

4/25/2017 • 14

Conditions of Approval

4. **Parking**
 - 4.1. 1-Car garage brought up to code when modified
 - 4.2. Req. parking maintained, not converted.
5. **CUP Requirements**
 - 5.1. April 25, 2018.
 - 5.2. Discontinuance.
 - 5.3. 5' Sidewalk along 18th Street.
 - 5.4. ~~Landscaping~~ Revegetation Plan required.

• Center 18th Street SFR

4/25/2017 • 15

Conditions of Approval

6. **Zoning District Requirements**
 - 6.1. SFR District coverage standards apply.
 - 6.2. Setback clarification on permit site plan.
 - 6.3. ~~Trash~~ Height clarification on building plans.
 - 6.4. Accessory height no greater than 15 ft.
 - 6.5. No storage, display or sale. No unreasonable odor, dust, smoke, noise, vibration, appearance.

• Center 18th Street SFR

4/25/2017 • 16

Conditions of Approval

7. **Access and Circulation Requirements**
 - 7.1. ~~Relocation of the driveway.~~
 - 7.2. Modification or addition to 1-car garage, addition of infill – modify driveway to obtain access ~~from alley.~~
 - 7.3. PWD approval for approach and grade.
 - 7.4. Driveway 10-24 feet in width. <15% grade.
 - 7.5. PWD approval for driveway apron prior to C of O.
 - 7.6. Vision clearance area maintained.

• Center 18th Street SFR

4/25/2017 • 17

Conditions of Approval

- 7.7. Sidewalks meeting standards on 18th.
- 7.8. Oak Street non-remonstrance.
8. **Lighting Requirements**
 - 8.1. Lighting fixture information.
 - 8.2. All lighting fixtures below 20 ft. in height.
- Informational**
 1. Water, sewer, other utility connections may need updating.
 2. Check with PWD prior to ROW permit.

• Center 18th Street SFR

4/25/2017 • 18

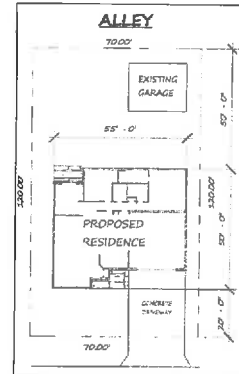
Alternatives

1. Approve the application;
2. Deny the application;
3. **Modify the findings, reasons, or conditions and approve the proposal**
(Modify Conditions 6.3, 7.1, 7.2, 7.8); or
4. Continue the Public Hearing to a date certain if more information is needed.

• Center 18th Street SFR

4/25/2017 • 19

Questions?



• Center 18th Street SFR

4/25/2017 • 20