
**City of Florence
Planning Commission Meeting Minutes
250 Hwy 101, Florence, OR 97439
July 26, 2022**

CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE

Vice Chair Young called the meeting to order at 5:30 PM.

Commissioners Present: Chair Phil Tarvin (via Video Conference) deferred Chair duties to Vice Chair Young for tonight's meeting.
IN HOUSE: Vice Chair Sandra Young, Commissioner Eric Hauptman, Commissioner Andrew Miller, Commissioner Ron Miller, Commissioner John Murphey, Commissioner Clare Kurth

Staff Present: City Manager Erin Reynolds, Management Analyst Peighton Allen, Planning Technician Sharon Barker, and Shirley Gray, Management Analyst

Other: Contract Planner Roxanne Johnston, on behalf of the City of Florence and Henry Hearley LCOG Planner on behalf of the City of Florence

At 5:31 PM, Vice Chair Young opened the meeting, Barker gave the Roll call. All members present. Comm. Andrew Miller led the flag salute.

1. APPROVAL OF THE AGENDA

Start Time: 5:32PM

Action: Approved

Motion: Comm. Murphey

Second: Comm. Hauptman

Vote: 7-0

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

- 2. APPROVAL OF THE MINUTES: 7/12/2022 minutes** – motion Comm. R. Miller, Second- Comm A. Miller. Comm. Hauptman noted that a correction needs to be made to remove the word video conference from commissioners present. Motion was made to approve the minutes with correction being made. Motion carried 7-0

3. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA:

No public Comments:

Vice Chair Young noted that she will be conducting the meeting tonight and that Planning Director FarleyCampbell is not available for tonight's meeting and that Chair Tarvin is attending virtually but will not be conducting the meeting, and that City Manager Erin Reynolds is attending meeting.

4. Action Item: A request from Landon Development LLC for an extension to replace the non-conforming Dairy Queen building located at 125 Highway 101 in accordance with FCC 10-8-4.

VC Young asked that Johnston make the presentation. The Action is a request for Landon Development LLC for an extension for them to replace the non-conforming Dairy Queen located at 125 Hwy 101 in accordance with FCC 10-8-4. FCC 10-8-4 is our building codes when you have a non-conforming use and something happens to that such as a fire, it can typically be replaced without going through a lot of hoopla as long as it is in the same foot print. In this case the group is not going to do this, they are aware that it is legally non-conforming with the current codes, and with the Planning Commission approval they are able to get a one-year extension. They requested this extension in writing which is Exhibit A of the AIS for this item, eventually they will have to submit for a design review before the expiration, should you go ahead and grant them an extension. The AIS states that Dairy Queen experienced a fire last year in August, the building has been demolished, they have been activity on the lot, the applicant met last year to have a predevelopment meeting. The applicant will be coming before you with a design review before the extension has expired. The reason for the delay for starting construction is the covid, and rising construction costs, their event happened after City Council automatically approved extensions, and since there was not an application at that time it was not automatically extended for another year. Applicant is requesting a one-year extension with the expiration of that would be August 19, 2023 should you approve the extension.

There were no questions from the Commission on this matter.

Comm. Murphey made a motion to approve the request from Landon Development LLC for an extension to replace the non-conforming Dairy Queen building located at 125 Highway 101 in accordance with FCC 10-8-4, to expire on August 19, 2023.

Comm. Hauptman: second

There was not further discussion.

Roll Call Vote: Motion carried unanimously

Vice 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.

Vice Chair Young asked the Commissioners if they would like to declare a conflict of interest.

There were no declarations of conflicts of interest.

There were no ex-parte contacts declared:

There were no bias declared. No citizen present wished to challenge any Commissioner.

Vice Chair Young: 5th Item on the Agenda

5. RESOLUTION PC 21 34 DR 02 4701 Hwy 101 Design Review for Fred Meyer Fuel Center.

An application submitted by E.L. Jake Tate of Wahlen & Associates, requesting a design review for a new canopy and larger fuel center kiosk. For property located at 4701 Hwy 101 shown on the Lane County Assessor's Map # 18-12-14-20, TL 01104; and located in the North Commercial District regulated by Florence City Code Title 10, Chapter 30.

Hearing opened 5:48 pm

Henry Hearly contract LCOG Planner, presented Staff Report as authored by himself for the City of Florence. Hearly discussed the introduction slide explaining that the hearing was with regards to a Design Review on the Fred Meyer canopy and fuel center kiosk located at 4701 Hwy 101. The canopy over fuel center is being completely replaced occupying the exact same place, the kiosk is being remodeled and replaced it will be 77' larger. The concrete barrier at the entrance is being replaced. Landscaping was reviewed under a separate application. ODOT had no issues with the concrete barrier removal. Criteria was read into the record. When Fred Meyer was built 20 years ago it was built under a different zoning under that zoning an automobile service station were an out right permitted use; however, when the zoning was changed to North Commercial district those uses were changed to a Conditional Use, this makes the fuel center a non-conforming use at this time, code says you can enlarge a non-conformity if it is less than 25% anything greater than that requires a conditional use permit, staff did the calculations on this and the canopy and kiosk involves an only 1.84% expansion. The concrete island at the top of the site plans is being removed. Site circulation is not changing, no new fuel stations are being added, the colors will be the same as what is already there. Design of the fuel station and kiosk was explained. Staff condition of approval 3.2 will require an ADA accessible parking space. The plans do not have enough bicycle parking condition of approval will require additional bicycle parking. Pedestrian walkway connected to the fuel center be brought up to current ADA standards Condition of approval 5.1. Conditions of approval slides were discussed. 3.3 Planning review is required for all parking lot construction and resurfacing. 3.4 two bicycle spaces shall be required. 4.1 Applicant will submit plan for signage to building department. Unless permits have not been issued and significant construction is underway the approval for the Design Review shall expire on July 26, 2023.

Comm Hauptman: Are any of the tanks or pumps touched or moved or anything?

Hearly: said that he did not believe so.

Jake Tate applicant, attended meeting virtually, he said that he did not have a presentation but that he was available to answer and questions from the Commissioners. He added that no tanks or dispensers are being added or removed or changed at this time in this project. I reviewed the staff report and I do not have any problem with any of the Conditions of Approval.

Chris Taylor, project manager for Fred Meyer, applicant attended meeting virtually, he said that he did not have a presentation but that he was available to answer any questions from the Commissioners.

Vice Chair Young asked applicant and Chris Taylor if they had read the Resolution and the Findings of Fact and if he understood them as proposed. Applicant and Chris Taylor said that they had and that he understood them.

There was no public testimony.

Vice Chair Young: asked for Staff's recommendation.

Hearley responded that staff's recommendation is Recommendation Alternative Number 1, Staff finds that the proposed Design Review application meets the requirements of City Code with conditions of approval and findings of fact as written.

Commission did not see any reason to leave the record open.

Hearing closed 6:05 pm

Deliberation commenced.

Comm Murphey made a motion to approve Resolution PC 21 34 DR 02, Fred Meyer Design Review at 4701 Hwy 101 for Fred Meyer Fuel Center with alternative #1 with method 2 to determine the percentage of expansion (Vice Chair Young with method 2 being including the canopy, so we are clear that there is not a need for another Conditional Use).

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: yes

Chair Tarvin: yes

Motion carried: 7-0

Hearing Opened: 5:48

Hearing Closed: 6:05

Vice Chair Young introduced the next item on the Agenda. Nomination and vote on new chair and vice chair of the Commission

Comm Murphey nominated Comm Andrew Miller for Vice Chair;

Comm A. Miller said he would except the nomination for Vice Chair. There were no other nominations

Comm. R. Miller nominated Sandra Young for Chair Person. Vice Chair accepted the nomination.

Both nominations were voted on at the same time.

Roll Call vote was held nominations carried 7-0

Sandra Young: Chairperson Andrew Young: Vice Chairperson

Comm. Kurth asked Chair Tarvin about the metal building presentation that he had been working on the designs for.

Chair Tarvin: said that along with that presentation and a vegetation plan update, will now start to move forward.

Johnston notified the Commission that Commissioner Kurth has tendered her resignation from the Planning Commission and will now be a City Employee.

Peighton Allen reported that on Thursday July 28, 2022 the Florence Housing Implementation Plan Stakeholder Advisor Team will be meeting at the Florence Events Center at 3:00pm.

Johnston gave an update on the Calendar: August 9th – Cancelled because Staff has to get Benedick’s remand back to Council on August 15, 2022. Next PC meeting will be August 23 – Quince Street Microtel – Henry Hearley and Roxanne Johnston are working of the Findings. There may be one more item for that hearing. Possibly 56 Shoreline Drive will be on September 13th maybe on the 13th or the 27th of September we will be looking at an annexation/zoning request.

Comm Hauptman: we talked last meeting about the meeting that is being held on the 23rd of August are we still having that meeting.

Barker mentioned that on the 13th of September HIPP Open House at the FEC.

Allen said she will confirm the date of the open house.

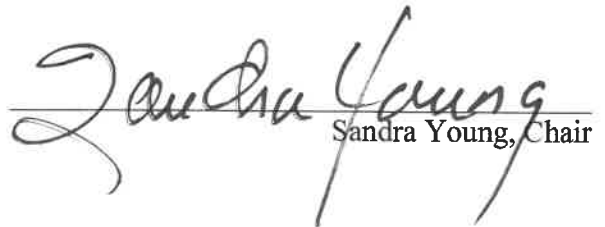
Vice Chair Young: said there will be an Open House meeting on the 1st Tuesday and a regular PC meeting on the 4th Tuesday. But that we will get an email from staff.

Comm Kurth said that she will be starting her new position with the City on August 8, 2022

The meeting adjourned at 6:17 PM.

ATTEST:

Sharon Barker
Sharon Barker, Planning Technician


Sandra Young, Chair