

**City of Florence
Planning Commission Meeting Minutes
250 Hwy 101, Florence, OR 97439
September 17, 2024**

CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE

Meeting called to order at 5:30 PM.

Commissioners Present in house: Vice Chair Ubnoske, Commissioner Green,
Commissioner LoPilato,
Commissioners Virtual: Commissioner Krause
Commissioners Absent: Chair Harris, Commissioner Young; Commissioner
Hauptman

Staff Present: Planning Director Wendy FarleyCampbell, Planning Manager Jacob Foutz, Associate Planner Clare Kurth

At 5:30 PM, Vice Chair Ubnoske opened the meeting, Jacob Foutz gave the roll call. Commissioner Green led the flag salute.

1. APPROVAL OF THE AGENDA

Start Time: 5: 31 PM
Action: Approve agenda as presented.
Motion: Comm. Green
Second: Comm. LoPilato
Vote: Unanimous

2. APPROVAL OF MINUTES OF – August 17, 2024

Action: Approve agenda as presented.
Motion: Comm. Green
Second: Comm. LoPilato
Vote: approved as presented

3. PUBLIC COMMENT – one

Ron Moore CEO and president of Hoagland Properties spoke about the need for short term rentals and that the Planning Commission should approve more of them.

VC Ubnoske 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 no disclosures

VC Ubnoske 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.

VC Ubnoske informed the Commission that Agenda Item #4 **Resolution PC 24 02 CUP 02 withdrew their hearing request in writing.**

VC Ubnoske read the information regarding tonight's hearing into the record.

RESOLUTION PC 24 30 DR 08– 5321 HWY 101- Design Review for Storage Rental Warehouse:

An application submitted by David Twombly requesting approval for a five-phase rental warehouse facility as allowed by Florence City Code (FCC), Title 10, Chapter 31, regulated by FCC 10-31-2. This proposed project will be located west of Hwy 101, east of Central Coast Disposal, and 350 feet north of the intersection of 53rd St. and Hwy 101, Assessor's Map 18-12-11-33, Tax Lot 01600 and 02000.

- The staff report was presented by Planning Manager Jacob Foutz.
- Foutz explained about the procedures that were followed to accept the application and the state procedures that were followed regarding the noticing of the hearing to interested parties.
- The location of the project was explained.
- The criteria were explained and it can be found in the Findings of Facts.
- The applicant plans to construct the warehouses in 5 different phases with about 2 years in between each phase.
- The referral comments were: The Western Lane Fire and EMS did not have any issues with the project. Public Works had comments for applicant awareness: There is enough water and sanitary sewer capacity for the development.
- Public Works has some requirements for the developer on different phasing where in Phases 3 and 4, things will need to be paved.
- Stormwater facilities, a stormwater management plan is required and has suggestions for making a connection for the property and for landscaping.
- The applicant proposes the building roof to be Kelly green and the actual building itself to be Desert Brown. Both of these meet our criteria of a muted Pacific Coast colors and would fit in well with existing warehouses in the surrounding areas.
- The floor plan was shown and has 13 bays and will be utilized as contractor warehousing which does not mean that when a contractor comes in to occupy the space that they are exempt from land use.
- The elevations were shown and explained.
- The building height is proposed at 23'9", and the total building dimensions would be 8,000 sqft.
- The landscaping plan was shown and explained and the plants that applicant proposes are rhododendrons, azaleas, some grass, lavender and sedges. The applicant also has some native vegetation areas that were kept when the lot was cleared.
- The lighting plan was explained to have been received yesterday and that staff did not have time to incorporate it into the staff report.
- There are 22 Conditions of approval.

- It was explained that there are two different tax lots and that a covenant is required to ensure that stormwater is not being drained off on one property onto another tax lot, if the tax lots get split in the future.
- The code requires a minimum of 15 parking spaces. There is an option for the commission to change this going forward but staff can only require the minimum that is legally adopted by code.
- The exterior lighting was discussed.
- The three architectural elements on were explained and there is a requirement of 3 architectural features by code. Code has a list of 6 and the applicant is required to provide 3 of the 6 a condition has been added that the applicant has to decide which three he would like to add.
- The vegetation buffer along Hwy 101 was discussed.
- Condition #7 and #8 are regarding for the landscape and underground irrigation.
- The photometric plan was not submitted in time to be added to the Findings, but it was shown on a previous slide.
- The warehouses are not a mini storage but is a place for contractors to store their materials.
- Staff explained that there are some parts of code that make it hard for what staff referred to as mom and pop operations.
- Staff asked the Commissioners if they are setting a new standard and if this is treating a mom and pop venture differently than a more professional development team.
- Staff feels that they are not because at the time of development all standards must be met.

The alternatives were read.

Staff's recommendation was approval.

VC Ubnoske asked if Commissioners had any questions for staff.

Comm. LoPilato asked if they were going to be open, 24 hrs a day and will there be traffic in and out of the bays.

Foutz explained that this project is similar to a storage unit and would be accessible 24 hrs a day, and that as far as the lighting is concerned it will be motion activated.

Comm. LoPilato asked about mom and pop shop and would it be initially to cost prohibitive to keep them from going forward.

Foutz said that the Planning Department operated on how we get to a yes, but that it is the Planning Commission's decision.

Comm. LoPilato said that she wants to understand the distinction between a mom and pop business getting some kind of discretion from city staff versus a well-resourced developer.

Foutz explained the difference.

Comm. LoPilato asked if the Vegetation Clearing Permit that was completed in 2023 was a condition of approval for this project going forward.

Foutz said that the permit was to clear property and is not directly tied to this application.

Comm. Green asked that if by phasing of this project are they doing a Design Review tonight of the entire project, or just Phase A plus stormwater and the ODOT Hwy 101 frontage or if they'll have subsequent design reviews of subsequent phases.

Foutz explained that the applicant submitted plans for 4 phases and not the 5th and that this phase will have to be brought back for review to ensure that it meets criteria.

Comm. Green asked if all the buildings being proposed tonight have identical features

Foutz said that all the actual exteriors will look the same.

Exhibit D was shown on the screen showing the different buildings and that the actual structures will look identical other than the number of bays that they will have.

VC Ubnoske asked if they are approving all phases in its entirety tonight.

Foutz said all but the northernmost building because it does not have the required details and that will need to come back for design review.

VC Ubnoske asked about the difference between a mom and pop and other applications and that it doesn't seem like the Commission is approving it and that we are turning it over to staff to be approved at a later point in time. She said that she would like to know what the whole building is going to look like she doesn't want to see what a part of the building looks like.

Foutz said that staff agrees and that staff would like to see everything up front that staff is operating on how do we get to yes, but that what Ubnoske stated is within the Planning Commission's purview.

Comm. Green asked if Phase one can proceed without the sidewalks and hydrants and are public works and okay with that.

Foutz said that ODOT did not submit any written comment regarding this and that public works is okay with moving forward.

VC Ubnoske said that she has a concern about the additional parking because of the impervious surface that is added and that she would rather see softscape, but will ask the applicant why they are providing more parking than the code requires.

Comm. Green said that this project is adjacent to the northern dunal aquifer and would like to have time of flight of contaminants because it is the only aquifer that Florence has.

VC Ubnoske asked the applicant to come forward

Applicant David Twombly said that he was confused about the questions regarding the elevations because he has Wobbe and Associates and McAllister engineering prepare the elevations.

Comm. Ubnoske said that the question she had was that the code requires 3 architectural features on the elevations and only 2 were submitted.

Twombly said that there is no Service and in that case his change in siding would be supplemental or one more added feature and if that is not satisfactory then he will expense the change in siding and that he is going to make his building visually nice.

- Twombly explains that he breaks the outline with a 2' eave over the door and that he has snap block and siding which he thinks is a physical alteration and that it looks good.

- Twombly said that the reason the last phase wasn't on the plans is because it may take 8 years to build the other buildings and by then there may be changes in state and City code.
- He said that he will provide the lighting photometric plan.
- Twombly said that he is not going to put an irrigation system in front of the building where the native vegetation is because native vegetation grows without help. He plans on a hardy ground covering, such as lavender, appropriate size azaleas, rhododendrons, and sedges.
- Twombly says that as far as the mom-and-pop thing goes but that he thinks there should be an opportunity for somebody that isn't a developer to have an opportunity to develop properties in the City without overburdening expenses.

VC Ubnoske asked why he was providing so many parking spaces.

Twombly explained that is because you do know what kind of businesses will end up there because there are a lot of different uses in the Service Industrial District.

VC Ubnoske said that was an appropriate answer to that question.

Comm. Green asked Planner Foutz to weigh in on the six architectural elements that could be used.

Twombly said that one of the elements are the eaves, and that the buildings have that.

Comm. Green answered that the Commission doesn't really want to get into the business of eaves they want to keep things straight up and clean cut, and they don't want to overburden the applicant with unnecessary stuff, but they still have to follow the code.

Twombly said that is why he is suggesting that the City make a Service Industrial Code because it is not a commercial district.

VC Ubnoske explained that the Commission as a body approve an application and that they have to be consistent with the codes that is already in place and if the code says there have to be three architectural elements to the building and we get something that just has two, this puts the commission in a difficult position to make a decision to recommend approval.

Foutz asked the Commission if they would like him to read the possible elements:

1. Covered front entrance not less than 6ft in depth and not less than 10% the width of the building, excluding the landing for entrance.
2. Windows not less than 30% of surface area of all street facing elevations with the following features. a. Trim reveals recesses or similar detailing of not less than four inches in width or depth as applicable. b. The use of decorative detailing and ornamentation around windows.
3. Pedestrian shelters as described in FCC 10-6-6-G.
4. Eaves (where applicable): overhang of not less than twelve inches.
5. Decorative top: e.g. cornice or pediment with flat roof or brackets with pitched roof. Towers may be included where building height limitations and surrounding structures them appropriated.
6. Awnings and canopies: extending not less than 30% of the elevation where applied.

Twombly explained that the elements that his buildings have proposed.

VC Ubnoske asked if there are any windows in the buildings.

Twombly said no because windows would be a vulnerable access point.

Comm. Green said that this same discussion held on your previous application that windows would be a serious security risk.

Twombly said that is why he changed everything from the last application but that he does have 3 changes to the elements.

Foutz said that he is referring to 10-6-6-3, and according to code, you have to be one of the six.

FarleyCampbell suggested that the windows could be up top to allow the light inside and won't create a security issue.

Foutz answered that is correct.

Twombly said this would be doable to put the windows on the top, that it's expensive but if he took out the expense and made it so it would snap lock straight to the ground and if he put windows in it could save money from the hardy plank.

Comm. Green asked Planner Foutz if this would meet the requirements.

Foutz said yes and that it is already met through a Condition of Approval requiring 3 of the 6, and since it is already built into the report, staff could get there.

Comm. Green asked if having the metal cladding down to the ground would remove something.

Foutz said no, that would remove design elevation and that would affect a different code and that the Conditions of approval are currently written for this application and would have to come back as a Type I design review.

VC Ubnoske asked the applicant if they have read the findings of fact and if they understand them.

Twombly said that he has read them and that he understands them, but that he is not quite there yet but that for all practical purposes will say yes.

VC Ubnoske asked if he was in agreement with them.

Twombly said yes and that he won't have a problem communicating with Planner Foutz it need be.

There was no public testimony.

Comm. Krause said that maybe one of the six conditions could be a cornice.

Comm. Green told the applicant that the Commission will leave the discussion between the applicant and the planners to come to something that meets City code without putting an undue burden on the applicant.

VC Ubnoske asked there were any more questions for the applicant and since not seeing any asked for a motion and/or the decision to leave the hearing open.

Hearing Closed 6:33

Comm. LoPilato motioned to approve Resolution PC 24 30 DR 08 Design Review for storage rental warehouse with the 22 Conditions attached from staff.

Comm. Green: second

A motion by Commissioner LoPilato and a second by Commissioner Green

Vote: VC Ubnoske: yes
Comm. Green: yes
Comm. LoPilato
Comm. Kraus
Motion carried 4-0
Hearing Opened: 5:43
Hearing Closed: 6:33

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

Comm. Green mentioned the Black and White recycling event that is coming up this weekend 10-2.

Director FarleyCampbell talked about the Black and White Event and that Flo Grow will be available that day.

- The hazardous waste event is scheduled for October 4th and 5th.
- At the City Council work session last Thursday, the Council met to discuss short term rentals and Associate Planner Kurth presented the proposed code and presented the first draft of the code. The item will be scheduled for a public comment period and an addition hearing so the public will have an opportunity to comment on the proposed code, probably in late October.
- Recruitment for EMAC was opened up by the City Council.

Comm. Green asked if EMAC is open to the people in the Urban Growth boundary or just the city limits.

FarleyCampbell said that EMAC is open to anybody but that the majority need to live within the city limits. Comm. LoPilato asked if composting would fall under EMAC.

FarleyCampbell said that yes it would.

- FarleyCampbell informed the Commission that the Planning Department has an incomplete application for the Elm Park PUD and the Lotus Comp Plan and rezone applications.
- The crow building at 3120 HWY 101 is proposing an expansion. They've been issued a notice of incomplete.
- The Lotus building is looking for a comp plan change and zone change
- Starbucks is looking for a grand opening on the 27 September.
- Staff worked heavily with the Dairy Queen development team to try and get their conditions met.

- The City attorney is offering to provide the Commission with training land use training and would like a list of the Commission's questions so that he knows how to best prepare and respond to questions, we will be looking for probably October 22th or November 12th.
- Planning Month consideration was discussed and the Planner Kurth has been working ideas on things that can be done and has come up with a proclamation so that the mayor could designate October as Community Planning Month and the Council's October 7th meeting.

6. PLANNING COMMISSION CALENDAR

September 24th is the next meeting date and will have the Heceta mobile home park design review.

They will be having a meeting or a topic at their October 7th meeting on where the goals are for the present work plan. There is an application for a proposed service station north of Burger King. Siuslaw Bay View aka Butter Clam a 10-unit subdivision application on Hwy 126 has been moved to possibly October. There is an annexation to be heard on October 22nd for a property at the corner of 4th Ave. and Lookout Street.

Mike Miller is interested in providing an update for the estuary trail and the Rolling Dunes project, we will get him on the calendar to make those presentations.

VC Ubnoske said that she will not be at the meeting on September 24th and October 7th, and also is wondering if the commission could somehow get a workshop planned to discuss code changes.

Comm. Green asked if there have been any applications for short term rentals and camping.

There are none.

The meeting adjourned at 6:58 PM.

ATTEST:

Debbie Ubnoske,

Vice Chair

Sharon Barker,

Planning Technician