

MINUTES

Creswell Planning Commission
Creswell City Hall Council Chambers – 13 South First Street
Creswell, Oregon

April 17, 2014
6:30 p.m.

PRESENT: Dennis Grice, Vice-Chair; David Christopher, Robert Grand, Gary Ludeke, and Lloyd Safley, commissioners; Denise Walters, staff.

ABSENT: Blake Oelke, Dan Stockbarger

GUESTS: Renee Clough, Engineer, Branch Engineering; Nathan Marple, Craig Estates; Ken Marquess (trustee), Tony Marquess (partner), and Troy Marquess (partner), the Marquess Trust; and Ron Rice, GeoMax Inc.

Mr. Grice called the meeting of the Creswell Planning Commission to order at 6:32 p.m.

I. MINUTES OF DECEMBER-VISION SESSION

There were no minutes.

II. AUDIENCE

There were no comments from the audience.

III. COMMISSIONER COMMENTS

There were no comments from commissioners.

IV. POLL MEMBERS FOR CONFLICTS OF INTEREST

No conflicts of interest were reported at the time. However, Ms. Walters later addressed Mr. Oelke's absence from the meeting when she presented a staff report on "Application B" (see below); she indicated that Mr. Oelke's absence was not related to this item, and that Mr. Oelke wanted her to inform the commissioners that, had he been present at the meeting, he would have declared a conflict of interest on the matter and recused himself from discussions and voting on "Application B."

V. OLD BUSINESS

There was no old business.

VI. NEW BUSINESS

“Application A: Quasi-Judicial Decision (PUBLIC HEARING) on Case No. CUP-2013-02, Ken Marquess has submitted a Conditional Use Permit application for a mixed-use building with commercial use on the first floor and residential use on the second floor. Mixed-use building with residential use requires a conditional use permit. The subject site is Assessor’s Map 19-03-14-40 Tax Lot 2200. This is the lot south of Oregon Avenue near the I-5 [Interstate 5] interchange.”

[See staff report: “Creswell Planning Commission – REVISED Proposed Final Order / Findings of Fact and Decision – April 17, 2014 – Marquess Mixed Use Building Conditional Use Permit (CUP-2013-02).” 41 pp.]

Mr. Grice summarized “Application A” and read the boilerplate applicable procedures, provisions, and standards under which the application would be considered. Ms. Walters added a boilerplate provision before making her staff report.

Ms. Walters presented the Creswell PC’s revised findings of fact and proposed final order for “Application A.” Apart from what she indicated were spelling and grammar changes, she highlighted revisions and modifications as follows:

- p. 33: In re cleaning of any storm structures – Public Works has volunteered to vacuum out obstructions, and thus the applicant would not have to do this.
- p. 34: In re replacement of a manhole – The manhole would be ODOT’s responsibility; and Public Works had contacted ODOT to coordinate the replacement.
- p. 40: In re condition #35 – Staff proposed to delete this condition, because it duplicated condition #34.

Ms. Walters said staff recommended approval of “Application A,” with conditions and as revised/amended.

Mr. Ken Marquess, trustee of the Marquess Trust, stated the purpose of the application was to replace the building that burned down in September 2013. He asked Ms. Walters about conditions #2 and #8 (see p. 38). He said that some sidewalks were eight-feet wide, while some others were four-feet wide. Ms. Walters reaffirmed, per code requirements, the need for six-foot-wide sidewalks. She said that any planned four-foot-wide sidewalks would require another process of approval via a code variance or minor modification.

Ms. Clough, Branch Engineering, said she was in agreement with everything as proposed. She said that she and Ms. Walters talked out a few minor details concerning conditions 18, 23, (last bullet), 24, 25, 27, 34, and 35.

Ms. Walters summarized the changes that were discussed, which amended the following enumerated conditions (see pp. 38-40): 2,18, 23 (the last bulleted item), 24, 25, 27 (to be deleted), and 35 (to be deleted).

MOTION: Mr. Ludeke moved, seconded by Mr. Christopher, to approve “Application A,” as amended, and with conditions as proposed and amended.

VOTE: The motion carried unanimously (5:0).

“Application B: Quasi-Judicial Decision (PUBLIC HEARING) on Case No. SUB-2014-01, Geomax Inc. has submitted a subdivision application in the Low Density Residential zone. The subject site is south of Creswood Drive and east of North Fifth Street (Harvey Road). The subject site includes Assessor’s Map 19-03-11-00 and tax lots 4100, 4101, and 151000.”

[See two staff reports: (1) “Creswell Planning Commission – REVISED Final Order / Findings of Fact and Decision – April 17, 2014 – Craig Estates 2nd Addition Tentative Subdivision Plat (SUB-2014-01).” 25 pp.; and (2) “Creswell Planning Commission – REVISED Staff Report – April 17, 2014 – Craig Estates 2nd Addition Tentative Subdivision Plat (SUB-2014-01).” 4 pp.]

Ms. Walters noted Commissioner Chair Oelke’s absence, and that if present, he would have declared a conflict of interest and recused himself from discussion and voting on this agenda item.

Ms. Walters presented the staff report on “Application B” and recommended approval with conditions. She referred members to the “Revised Staff Report” and discussed resolution of issues and standards in order to meet code requirements [See “Deed Gap and Lot 5,” p. 3.] She also referred members to the finding of fact concerning public use areas and potential future park area [see “Revised Final Order,” p. 15-16], thus, she said, with staff not requiring any park space dedication from the subdivision.

Ms. Walters said staff recommended approval of “Application B,” with conditions and as amended.

Mr. Rice, GeoMax Inc., said he had reviewed the staff report and had no issues, but noted that GeoMax would like to have flexibility to widen the right-of-way up to 56 feet if they add parking. Ms. Walters said she would amend the application to reflect that option.

MOTION: Mr. Christopher moved, seconded by Mr. Safley, to approve “Application B,” as amended and with conditions.

VOTE: The motion carried unanimously (5:0).

VII. OTHER

--Medical Marijuana and Land Use

Ms. Walters informed commissioners that the Creswell City Council would address the issue of whether to adopt a moratorium and consider rules to site medical marijuana

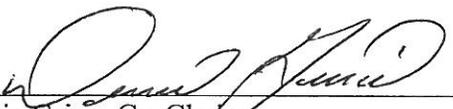
dispensaries. She presented commissioners the Oregon Legislative Assembly draft of Senate Bill 1531 [see Enrolled Senate Bill 1531 (SB 1531-C)], and referred them to highlighted portions [Section 5(3)(a), (d), and (e)] that defined some conditions to site (and not to site) a dispensary—e.g., not to site a dispensary within 1,000 feet of a school.

On another topic, Mr. Safley wondered about the upcoming considerations on the “sign code,” and, once the Creswell City Council had approved the new code, then what would be the effective date imposing the new rules. Members informally discussed the issue. At least one commissioner believed that the signs not already approved under the “old” code would have a period of leeway to get such signs approved under the new code.

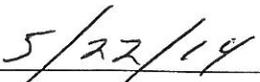
VIII. ADJOURNMENT

Mr. Grice adjourned the meeting at 7:18 p.m. The next meeting of the Creswell Planning Commission was scheduled for May 15, 2014, at 6:30 p.m.

(Recorded by Bo Adan)



Dennis Grice, Co-Chair



Date