

Planning Commission
Hearing Minutes
Zoom/In-Person

Wednesday, September 6, 2023

6:00 p.m.

City Hall: Second Floor Assembly Room 206 N.5th Street

Call to Order/ Roll Call 6:00pm

Present: Councilor Liaison Steve Casaleggio, Commissioner Roger Thom, Commissioner Michael Schwartz, and Commissioner Diane Barr

Absent: Vice Chair Michael Card, and Chair Mark Thomas

Staff Present: Planning Director Ian Foster, and Planning Technician Diane Oliver

Seeing that the Chair and Vice Chair are absent tonight, the Roberts Rules of order applying to the JMC, the Secretary Oliver conducted an election of the members present for Chair Pro-Temp for this meeting only-

Is there a nomination for Chair Pro Temp?

Move to: Elect Roger Thom as Pro Temp

Motion by: Commissioner Schwartz Second by: Commissioner Barr

All ayes, none opposed

Roger Thom is Chair Pro Temp

Introductions and Review of Agenda:

Minutes: July 12, 2023 stand as submitted

General Public Comment: None

Public Hearing Opened: 6:02 pm

Ian Foster, Planning Director presented his staff report for the record and submitted a letter of testimony that was submitted to the planning department on September 5th, 2023 Ian Foster entered into the record exhibit K and it is at all of the commissioners' desks to read.

(Questions between commissioners and Staff)

Agent:

Clark Stevens with Richard Stevens and Associates located at 244 South Grape Street in Medford, OR 97501 presented his Land Use case for the record representing the First Presbyterian Church of Jacksonville to amend the wetland boundary on the subject property. The Church hired a professional wetland scientist by the name of Paul Benton who is here tonight for questions. Mr. Benton visually evaluated the existing conditions on the property and did not agree with what was actually mapped for these wetlands in the meadow area. Upon Mr. Benton's delineation he submitted his report to the Department of State Lands, and upon reading this report, they scheduled a site visit. DSL confirmed the methodology study and the results of the delineation report and provided a letter which is exhibit G. Basically DSL accepted the new delineation as accurate and re-mapped this area on the State maps. This will not yet be updated to the original maps, but this is what is reflected.

Mr. Stevens answered questions from the commissioners, and spoke to the letter that was entered into the record as exhibit K. He also addressed exhibit G which answered the walking path questions.

(Discussion between agent, commissioners and Staff)

Paul Benton, agent 750 South Oregon Street in Jacksonville, OR 97530 spoke on behalf of the applicants and answered questions of the commissioners on his methodology of the wetland study and how he mapped it

Mark Offord, 870 West drop, Central Point OR 97502 spoke in favor of the proposal, is a member of the church and answered questions regarding the irrigation pipes on the property that have not been in use for several years

Paul Benton, agent 750 South Oregon Street in Jacksonville, OR 97530 answered more questions from Commissioners

Public Comment: Stacy Thomas, 180 Offord Circle Jacksonville, OR 97530 asked if someone could just break it down for her really simple as to why the wetlands need to be changed. What does the church want to do on the back of the property being a neighbor with concerns.

Planning Director Foster did clarify that this application is only requesting an amendment of the previously acknowledged wetland boundary, so if the church wanted to build anything back on the property there is a Conditional Use Permit and part of that is to offer certain mitigations to the neighborhood, so any future development that the church would want to make on the property would be an amendment to that Conditional Use Permit, and the neighbors would be notified prior to the Planning Commission's decision.

Agent: Clark Stevens at 244 South Grape Street in Medford, OR 97501 addressed the questions regarding developing on the property. The church will invite all of the neighbors to see what their future plans are. They would like to expand the parking lot as well as other things, so before amending the conditional use permit, the neighborhood will be invited to see those plans and provide input.

(Question from Commissioners to staff)

Planning Director: As seen in the conditions the applicant will need to record and update the revised wetland boundary and provide that document to the city in its final product.

Commissioner Barr asked that it to be clear that this application is only for the study area, and not a re-mapping of the 1997 wetland maps-both inventories will be with the State inventory with just one proportion of the map being revised

Planning Director: That is correct

Move to: Close the public hearing

Motion by: Commissioner Barr

Seconded by: Commissioner Schwarts

Vote: All Ayes, none opposed, public hearing is closed at 6:40PM

(Discussion between commissioners and staff)

Chair Pro Temp Thom- we didn't discuss the conditions prior to closing the public hearing

Question from Commissioner Barr to staff regarding condition number two and why it's there relating to the remapping of the delineation

Planning Director Foster- we wanted to make sure there would be further protections of that area so we wouldn't see future problems with the delineated wetland area

Commissioner Barr that seems like an engineering decision and we have no information in the application to

determine that it's needed, so how did we conclude that further subsurface drainage could or could not impact the wetland area?

Planning Director Foster again the intent was to keep and protect that area further based on the comments we received in the past about drainage issues, so would you suggest a revision to that condition or would you recommend striking it?

Commissioner Barr I don't want to speak for the applicant, but it seems restrictive without an engineering evaluation to back it up. While our code requires us to put a buffer zone on it and make sure we map our wetlands, which the applicant has given us that information tonight to make a decision, but condition two seems like an over reach that could potentially affect the applicant in the future even though they could demonstrate the subsurface drainage wouldn't impact the wetland, but this condition tells them it doesn't matter because its subsurface drainage.

Planning Director Foster procedurally if you want to amend or change the condition you should re-open the public hearing at this point

Move to: reopen the public hearing

Motion by: Chair Pro Temp Thom

Seconded by: Commissioner Barr

No discussion

Vote: All Ayes, none opposed, public hearing is re-opened

Planning Director Foster so procedurally, the applicant should be able to speak to that condition again and we'll open it up to the public for comments as well to speak for or against that one condition

***Agent: Clark Stevens** at 244 South Grape Street in Medford, OR 97501 of course we would not oppose you eliminating condition number two because it does entail additional studies and engineering and it is a bit over-kill. Maybe we could soften the language in this condition?*

***Mark Offord**, 870 West Drop, Central Point OR 97502 asked if the city would have scope to evaluate the neighboring property in the County to look at the retention pond to see if it's leaking on the church's property like we think it is?*

Planning Director Foster the role of the city engineer would be to take the plans from your engineering team and evaluate them to make sure everything works well, but looking at the other property would be out of their scope.

Chair Pro Temp Thom does anyone from the public want to speak on the application, or to the condition?

None

Move to: Close the public hearing

Motion by: Commissioner Barr

Seconded by: Commissioner Schwartz

Vote: All Ayes, none opposed, public hearing is closed

Move to: Adopt the findings of fact from the staff report dated August 29th, 2023 and direct staff to prepare a final order of approval for file number 2023-099 with staff recommended conditions with the revision of condition number two stating that any subsurface drainage improvements are required to be reviewed and approved by the city engineer

Motion by: Commissioner Barr

Seconded by: Commissioner Schwatz

No discussion on the motion

Roll Call Vote:

Commissioner Schwartz-yes
Commissioner Barr- yes
Chair Pro Temp Thom-yes

Business from Commissioners and Staff

City Council Liaison Report: Last night’s council was very exciting; we increased the proposed wildfire resistance burn in the Britt woods from 8 acres to about 40 acres, and this is all contingent on the weather, ODF, and the air quality people, and the divine providence to provide us opportunity towards the end of fire season. It needs a lot of cleaning up. In an executive session on a proposed inter-governmental agreement with the County sheriff’s office to provide additional police support for our police department. We then brought it to the principle agenda and agreed to defer a final decision on the contract until a future meeting. We are still figuring out a way. It seems to be the consensus of the council and certainly the ones in attendance last night that the city should continue to pursue its own street police department. In the mean time we do need some extra help, so we’re considering what we call a hybrid or interim contract with the sheriff’s office to provide officers mainly in the evening like swing shift and the graveyard shift, and it’s not a done deal yet. We would like to look at ideas for replenishing our own police department first.

We approved the continuance of Las Palmas food truck in the middle of town and offered them the opportunity to put some tables out so that you can sit and eat. There have been some challenges with the insurance company, and the contractors regarding rebuilding the building, so time will tell.

Planning Director we do have an application now that just came in to rebuild the Las Palmas building, so they will go before HARC because of their desire to tear the building down due to the fire damage and re-build.

The city council has approved another year of a management promotion agreement with the chamber of commerce to take care of the information center and the continued work promoting Jacksonville as a tourist destination. The big one for the night with the biggest crowd was the pickleball court at Pheasant Meadows, and the council decided to repair the court and will restrict the number of courts by reducing the number from four to two. This did not sit well with the pickle ballers, and we have yet to hear the recall. We first read the ordinance of title two of our code which provides for a cleanup of the administrative and personnel provisions of the Jacksonville Municipal code, as our goal will be to clean all 14 titles of the JMC.

Planning Director Report we are in the final development code rewrites, the CAC is on hiatus while staff works through the drafting side of things. We should have a final draft for the CAC to review and then it will make its way to the Planning Commission and then to the City Council. It’s been a long process. We are interviewing for another planner tomorrow which is our second interview with this person. It’s been challenging to fill that role.

Adjourned at 6:50 PM

Chair Pro Temp Thom- Planning Chair

Diane Oliver, Building/Planning Technician



Date of Approval: 10-11-2023