

PLANNING COMMISSION PUBLIC HEARING

Tuesday, August 9, 2016

6:00 p.m.

CONVENED:

The meeting was called to order by Chair Goeglein at 6:06 p.m.

THE PLEDGE OF ALLEGIANCE WAS RECITED

PRESENT

Chair Evan Goeglein

Commissioner John Schaeffer

Commissioner Cindy England

Commissioner Dean Stirm

Commissioner Don Collins

Commissioner Rick Kempa

Alternate Carolyn Riley

Dick Converse, City Planner

John Krawczyk, City Engineer/Public Works Director

Mark Reagles, City Administrator

Kailin Honea, staff

NEW BUSINESS

Item 1 – A Public Hearing for CUP 2016-02 CONDITIONAL USE PERMIT APPLICATION. Request to allow an existing building located at 5284 N. River Rd. to be used as a medical marijuana facility for use through the first quarter of 2017. Then transitioning to recreational marijuana processing and wholesale.

Open Public Hearing at 6:02 pm

Evan Goeglein read from the required public hearing script.

Contracted City Planner Dick Converse read the staff report and all criterions to the planning commission.

The planning commission had no comments or questions for Dick Converse.

Proponents

Zacceria Michael and Tom Otis the applicant came forth before the commission to introduce themselves and to state their reasoning to go forth with the conditional use permit.

Michael reminded the planning commission that they will be starting with a processing facility for medical marijuana and then converting to recreational. Also that the tax revenue and employment opportunities the city would benefit from.

Otis looked back on the safety concern that was stated in the staff report and commented that the reasoning why butane you see as such an unsafe product is due to facilities using the product improperly. All products used for the said process will be properly operated and classified as one class division 1 and division 2 facility while meeting all OSHA requirements. They will be purchasing all of their equipment from Precision Contracting and Construction. Otis then asked if the planning commission has any question that and they are asked at this time.

Chair Goeglein directed the commission to ask any questions of the applicants.

Goeglein - If they could address the concerns that were brought forward on parking, number of employees that they will accept and how many spaces they are proposing.

Otis - explained that the property already is paved and has access to all three doors to the existing buildings and they are already going to have more spaces than they will ever have working there at once. This property is very limited on space, but that they will have no issues with turning around or maneuvering around the parking lot. They will not be using a tractor trailer to bring in and out supplies, but such size as FedEx vans.

Goeglein – Asked if they will only be using FedEx to ship their products and receive supplies.

Otis – They will be using van like vehicles to transport to and from the property.

Michael – Also will have the occasional box truck with supplies, equipment and other misc. products delivered to them.

Commissioner Stirm – Would they be able to better explain what type of product they will be distributing in and out the facility.

Otis – All products will be mailed out just like another medical facilities. The product will be stuck in what looks like an eye drop container or a syringe. Then sealed in a plastic bag and stuck in a box with proper labeling.

Commissioner England – Will there be waste products and how will you be getting rid of those?

Otis – There will be waste and that will be picked up by a waste management company. The disposal area will be locked.

Chair Goeglein - Asked if the staff members have any questions and understand what the applicant is providing to the planning commission.

City Administrator Mark Reagles – Is this company going to work with butane and then move to CO2?

Otis- Will be working with all sorts of different methods to find out what works best for their facility.

Reagles – who exactly will the dispensaries, be.

Otis – They would be store front businesses that are legal to sell these types of oils.

Reagles – How will the dispensaries receive the products? Will they be coming to the facility or will the product be delivered.

Zacceria – There will be no dispensaries coming to the business location everything will be delivered to the dispensaries in our business vans. There will be no person to person sales only license to license sales.

Reagles – How does it work as far as getting your license through the state? Do you buy your equipment first and then get approval?

Otis – You could buy all your equipment, but that is all a risk depending on whether or not the state approves it or not.

Commissioner Stirm speaking for Commissioner Collins - What will be happening for security on the property?

Otis – First we are going to update all the locks on the buildings then a security system will be installed up to OLCC regulations.

Commissioner Rylie – Where are these plants coming from that you are going to be using in the plant.

Zacceria – We are only allowed to purchase plants from local growers in the state of Oregon.

Public works director John Krawczyk – How much butane will be stored at the facility and how is it received/delivered?

Otis – It is just like any other small cylinders or co2 bottles. A qualified delivery service that provides compressed gas will be our source location and the quantity that will be stored is less than the H3 occupancy requirements and a level below the F 10 requirement.

Krawczyk – With the size of delivery trucks for the trash and cylinder of any kind, the site plan provided is inaccurate if all parking spaces are full. The delivery truck will not be able to turn around in the parking lot and the companies are not allowed to back into public streets. John suggested that they have two access points to the building to make it more accessible and that they have the site plan engineered before the planning commission approve this conditional use permit.

Reagles – Will there just be oils processed or will there be edibles included too.

Otis – They will only be processing oils. It is the same permit to do eatables, but we will not have the equipment on site.

Collins – Security on the delivery vehicles and if that will have any effect on public safety.

Otis – Not trying to get attention from our delivery van. Our products that we are bringing in have no high value.

Stirm – What impacts will this have on police, fire and public servicing services?

Otis – It will have the exact same impact as any other type of business coming in with valuables inside the delivery vehicle or business.

Krawczyk – Is the site itself going to be gated?

Otis – No we will not have any gates for this location.

Reagles – Does the state have any regulation or rules set about transportation of the product?

Otis – Yes we have to provide the route the vehicle will be taking and what it will be delivering. We are un able to receive insurance if our vehicles don't have the proper equipment to deliver these products.

Commissioner England – Who will be monitoring the product and production day by day?

Otis – I will be chief of the operation and will be monitoring all production for the facility.

Reagles – Will the state be doing onsite inspection and operation to production?

Otis – It is a part of their conditional approval. There will be random inspections on our procedures and make sure that we do have control of the processes.

There were no proponents in favor of this application.

Opponents – None

Chair Geoglein then asked the commission if they have any further question of the applicant or staff members.

Geoglein – Proceed to ask Krawczyk about his concerns of the site plan review of the application?

Krawczyk – Would like to set conditions and requirements with the fire district on the trash enclosure and the ADA access from the handicapped parking that leads to stairs into the proposed office space.

City Planner Converse – Conditional use permit narrative there was a question about government oversight and there was a note in the narrative that said that the government employment would increase to 10 employees. But then we were talking about 8 spaces. Not sure exactly what state employment means?

Zacceria – Believes that it would not be a frequent visit maybe once a year and would not have an effect of the parking limitations.

Commissioner Stirm – A question for Converse was if he fully understands what the process and business was going to be.

Converse – I refer a lot to the OLCC that are primarily involved in the medical marijuana side of it and have learned that many of the applications will not qualify per regulations. These safety standard and regulation are very highly maintained and regulated.

Reagles – We didn't really get clarification from the fire district about the requirement, but the applicants have been in contact with the fire marshal. Between building codes, fire district and OLCC regulation will all be addressed.

Close Public Hearing at 7:21 p.m.

A motion was made (Kempa) to close the public hearing (Englend) seconded.

Chair Goeglein then asked the commission if they would like to deny, approve, approve with conditions or continue the public hearing.

Commissioner Kempa – If the parking is going to be an issue and still has yet to be determined if it will work or not, shouldn't we wait and continue the meeting till we get further information from the applicants?

Reagles – From Krawczyk's view point he stated that this issue needs to be resolved before the planning commission votes for approval. Should not take long to get an engineer on board to help design the parking spaces to meet requirements and suggested that the planning commission continue this public hearing till the applicant can provide that information.

Commissioner England – Agreed with Reagles and said that the planning commission should continue the public hearing to a further time where the applicant can provide staff with the engineering for the circulation of vehicles in their parking lot.

Commissioner Stirm moved that the planning commission continue this public hearing till September 13, 2016 @ 6:00 pm. (Kempa) seconded the motion. All were in favor.

Staff Comments

All staff comments will be given during the planning commission meeting on September 13, 2016.

Next Planning Commission Meeting Tuesday, September 13, 2016 at 6:00 p.m.

ADJOURN

There being no further business to come before the Planning Commission and with a motion duly made (Kempa) and seconded (Rylie) meeting was adjourned at 7:30 p.m.

ATTEST:



Chair Evan Goeglein