

Cannery Station Phase 1 PUD Final Subdivision Conditions Checklist

Resolution PC 18 33 PUD 02 & PC 18 34 SUB 01

- 1) *Any modifications to the approved plans or changes of use, except those changes relating to Building Codes, will require approval by the Community Development Director or Planning Commission/Design Review Board. (Final PUD and Tentative Subdivision Condition of Approval) Staff Comment:* This is a standard condition.

- 2) *Regardless of the content of material presented for this Planning Commission, including application text and exhibits, staff reports, testimony and/or discussions, the applicant agrees to comply with all regulations and requirements of the Florence City Code which are current on this date, EXCEPT where variance or deviation from such regulations and requirements has been specifically approved by formal Planning Commission action as documented by the records of this decision and/or the associated Conditions of Approval. The applicant shall submit to the Community Development Department a signed "Agreement of Acceptance" of all conditions of approval. (Final PUD and Tentative Subdivision Condition of Approval) Staff Comment:* This is a standard condition.

- 3) *The applicant, for any cleared areas within Phase 1 of Cannery Station, shall:*
 - a) *Monitor cleared areas and prevent the planting or establishment as described within Oregon's official Noxious Weed Priority List as designated by the Oregon State Weed Board and Oregon Department of Agriculture as well as those included within Lane County Public Works' Noxious & Invasive Weed Management List.*
 - b) *Manage noxious weeds through mechanical means and only utilize herbicide application as a last resort through consultation with the City of Florence Planning and Public Works Departments.*
 - c) *Manage erosion and soil stabilization through Best Management Practices established through the 2008 Portland Erosion and Sediment Control Manual and where not included in the BMPs exposed soils shall be covered with root mat.(Tentative Subdivision Condition of Approval) Staff Comment:* Applicant shall follow through and meet the specifics of this condition.

- 4) *All finished foundation elevations for buildings are greater than 84'. Buildings and their footings within all of Cannery Station shall be located greater than 84' elevation to avoid inundation with ordinary high ground water. (Tentative Subdivision Condition of Approval) Staff Comment:* All finished foundation elevations for buildings shall be evaluated during permitting phase.

- 5) *The proposed grading plan, prepared by an engineer, did not include engineering evidence of appropriate foundation slope clearance between the stormwater basin in Open Space A and the church building to the south. Either a Phase 2 Site Investigation Report is required to address the slope clearance or the final stormwater infrastructure construction plans shall include evidence of engineering appropriate to meet the foundation slope clearance in accordance with Oregon Building Codes as offered by FCC 10-7-6-A-2. If building codes are not applicable to this scenario then a Phase 2 SIR is required to be submitted to the City Planning Dept. prior to grading the aforementioned area. (Tentative Subdivision Condition of Approval) Staff Comment:* This condition continues to be required.

6) *Condition Deleted*

- 7) *The applicant shall construct a pedestrian activated crossing across Highway 101 near the intersection of 47th and Highway 101. Construction can be performed all at once or divided into two phases whereby markings, signs, islands and/or curb extensions are constructed first and the beacon installed with Phase 2. (Final PUD Condition of Approval) Staff Comment: The first phase of this condition shall be required and bonded to ensure construction is implemented; however, the beacon may be installed prior to Phase 2.*
- 8) *The Cannery Station site is located within a ¼ mile of the Fred Meyer transit stop. Pedestrian connectivity to the transit stop at Fred Meyer is required in accordance with Title 10 Chapter 35-4. This requires demarcation and installation of a pedestrian crossing across Highway 101 from and to improved ADA accessible pedestrian facilities. (Tentative Subdivision Condition of Approval and Final PUD Condition of Approval) Staff Comment: See condition 7.*

9) *Condition Deleted*

- 10) *Final utility, storm, and street light construction plans shall be submitted for review and approval by the City prior to construction of private improvements unless bonding for privately engineered public improvements is provided. The stormwater basin sides shall be constructed with non/low permeable material. (Tentative Subdivision Condition of Approval) Street Light construction & Spec plans located in Exhibit D, Sheets E 1.00 & 1.10; Staff Comment: Plans have been submitted. Bonding is discussed in the Findings.*

11) *Condition Deleted*

- 12) *Phase 1 building permit applications that include impervious open space areas and side street setback exception areas shall include an illustrated true-to color design proposal. The hardscape treatments shall include at least two patterns and colors such as paver border in second color and imprint shape. Alternatively, the previously listed sidewalk treatment minus one color and one pattern and a combination of one element per 15' linear street length of the following shall be incorporated: window planter, planted wall trellis, flower basket on adjacent light pole, wall mural, parklet, or public art such as sculpture or interchangeable poetry pole or sidewalk poetry inscription. (Final PUD Condition) Staff Comment: This condition will be more relevant during the building construction phase.*
- 13) *The Public Works Department is concerned about damage to the streets from the continued development as it is unlike a residential subdivision. The applicant shall ensure construction traffic enters and exits via Munsel Lake Road not Highway 101. Construction access for Lots 5 and 6 shall be from graveled portion of Redwood St. The applicant shall work with Public Works to establish the paving timeline. After paving is completed, a maintenance bond shall be provided at 120% of total public improvement costs within Phase 1. Bond shall not exceed a period of two years after required improvements are completed. (Tentative Subdivision Condition) Staff Comment: The applicant is currently utilizing the Baptist Church property for construction purposes. This condition is a continued requirement.*
- 14) *a. The minimum Munsel Lake Rd. and Highway 101 intersection trip count contribution by all Cannery Station phases combined will be 240 trips, unless an updated TIA demonstrates trip count is decreased due to a PUD modification.*

b. The applicant shall contribute the associated proportionate share of the construction of the signal in conjunction with each building permit certificate of occupancy. If by December 31, 2021 a Phase 1 project's certificate of occupancy has not been issued then a supplemental TIA is required to update traffic, intersection, and trip data, etc. for the revised build-out date and incorporate any changes from the TSP or jurisdictional standards.

c. The following formula shall be used to determine the Phase 1 proportionate cost share of the Munsel Lake Road and Highway 101 signal for those projects receiving Certificate of Occupancy permits by December 31, 2021:

1. Commensurate with FCC Title 8 Chapter 5, adjust TSP or Capital Improvement Plan (as applicable) signal cost by Engineering News Record (ENR) 20-City Composite Construction Cost Index (CCI), by the difference between the ENR CCI for the month in which the signal cost is estimated, and the ENR CCI for the month in which the certificate of occupancy is issued.

2. Divide adjusted signal cost by the number of trips needed to meet signal warrant. (e.g. 2012 cost of 490,000 divided by 2,195 trips = \$223.24 per trip).

3. Determine number of Phase 1 project signal contribution trips by calculating corresponding percentage of total Phase 1 pm peak hour trips (e.g. ALF/Lot2: 21 trips / 146 total trips = 14.4% of total Phase 1 trips and applying that percentage to the total number of Phase 1 signal trips. $48 * .144 = 6.912$ trips).

4. Multiply the number of signal trip contributions by the cost per trip calculated in "2" (e.g. $6.912 \text{ Lot 2 trips} * 2012 \text{ trip cost } \$223.24 = \$1,543.04$)

(Final PUD and Tentative Subdivision Condition of Approval) Staff Comment: This condition will be applicable during the building construction phases.

15) The existing curbcut along Munsel Lake Rd. shall be removed and the right-of-way blended to match the existing right of way design (storm ditch). **(Tentative Subdivision Condition of Approval)** Staff Comment: This condition relates to the current application.

16) The applicant shall within 30 days of PUD approval provide a continuity plan for the Tract C path to connect to Munsel Lake Road in conjunction with issuance of the Certificate of Occupancy for the Assisted Living Facility. Once and if the jurisdictional wetland concurrence and mitigation is approved in the NE corner of the Cannery Station project Tract C shall be installed west of Tract D as proposed in the Preliminary PUD. Coordination and permitting with the Lane County shall be required prior to construction. **(Final PUD condition of approval)** Staff Comment: This condition is not applicable to Final Plat approval.

17) Condition DELETED.

18) Final infrastructure construction plan review and approval shall include continued coordination efforts with the applicable agencies. All development and design standards shall be met except where Planning Commission has specifically listed and acknowledged a change or the approving agency has granted approval or exception. **(Final PUD and Tentative Subdivision**

Condition of Approval) Staff Comment: This condition is applicable to infrastructure development. Bonding will ensure that this work is done and has been conditioned in the Findings.

- 19) If the applicant proposes to change any of the approved land uses in a manner that deviates significantly from the uses described in the approved Traffic Impact Analysis, the deviations are found to be greater than 10% of those within the approved Traffic Impact Analysis (e.g. trips), or the changes are found to trigger criteria described within FCC 10-1-1-4-E-2, the applicant shall prepare a supplement to the TIA and submit the new analysis with the associated land use or building permit application, as appropriate. **(Final PUD Condition of Approval)** Staff Comment: Changes related to this condition will be addressed through future phase approvals.
- 20) Condition 46 in the Preliminary PUD requires the construction of the fence prior to construction commencement of any building or prior to final plat recording. The following condition is necessary to address fence sections that would be built later after wetland mitigation. Open Space C to include its fence shall be constructed in conjunction with clearing of that adjacent area within the tract. **(Final PUD Condition of Approval)**. Staff Comment: The applicant shall construct said fence prior to recording of the Final Plat.
- 21) The applicant shall record a Covenant of Release which outlines the hazard, restrictions and/or conditions that apply to the property as outlined in subsection (D) of FCC 10-7-7, Review and Use of Site Investigation Report, and shall state "The applicant recognizes and accepts that this approval is strictly limited to a determination that the project as described and conditioned herein meets the land use provisions and development standards of the City Code and Comprehensive Plan current as of this date. This approval makes no judgement or guarantee as to the functional or structural adequacy, suitability for purpose, safety, maintainability, or useful service life of the project." This shall be recorded prior to submittal of any additional building permit applications or prior to final Subdivision Plat. **(Final PUD and Tentative Subdivision Condition of Approval)** Staff Comment: Complete as of 11/09/19.
- 22) All proposed streets will be eventually be dedicated as public right-of-way. For Phase I, this includes the southern-most sections of Spruce and Redwood Streets and 47th Street. The applicant shall include the ownership of the street rights-of-way on the final plat. **(Tentative Subdivision Condition of Approval)** Staff Comment: The streets have not been publicly dedicated on the final plat draft. The applicant has been conditioned to correct the street names on the Final Plat. If it is the intent of the applicant to dedicate the streets as public, then this condition shall be met.
- 23) There is no numerical naming of contour intervals proposed or existing other than those within Phase 1. The data provided is incomplete. A grading plan shall be resubmitted that includes the required information in 11-3-2-C-7. **(Tentative Subdivision Condition of Approval)** Staff Comment: The applicant shall confer with Public Works to ensure that the grading plan meets this condition.
- 24) The applicant provided no timing plan for the proposed improvements. A timing plan for infrastructure improvements will need to be provided and approved prior to the issuing of any

building permits. **(Tentative Subdivision Condition of Approval)** Staff Comment: The applicant has provided the information outlined in this condition. See Exhibit B.

- 25) The applicant will be expected to proceed with final survey and to make preparations for final subdivision approval within the timeframes outlined in Title 11 Chapter 3-6 & Chapter 4-4 & 4-6 unless otherwise provided for through approved and allowed extensions from the Planning Commission. **(Tentative Subdivision Condition of Approval)** Staff Comment: The applicant applied for extension and received an extension to 2023 as discussed in the Findings. The applicant has submitted the Final Plat application for Phase 1.
- 26) Crosswalks shall be designated with striping and crossbar at intersections and travel lanes shall have sharrow markings as required by Public Works. **(Tentative Subdivision Condition of Approval)** Staff Comment: The applicant shall confer with Public Works to ensure that This condition is met with submission of final street construction plans.
- 27) Condition Deleted.
- 28) Condition Deleted.
- 29) Condition Deleted
- 30) Additional right-of-way width may be required for Highway 101 TSP improvements Project 15 and Project 9. Prior to final plat submittal the applicant shall coordinate with ODOT to determine if right-of-way width is required. Additional dedications if needed shall be included in the final plat submittal. **(Tentative Subdivision Condition of Approval)**. Staff Comment: The applicant shall continue working with ODOT to ensure whether or not additional right-of-way width is required.
- 31) In accordance with FCC 10-36-2-9-B the pavement for Redwood and Spruce Sts. shall extend to the northern edge of the phase. Street stubs greater than 150' in length shall be provided a temporary turn-around (hammerhead or bulb-shaped configuration) constructed to Oregon Fire Code Standards unless specifically exempted by the Fire Marshall. A Type III barricade shall be installed at the end of the street stubs, except the northern end of Redwood St. **(Tentative Subdivision Condition of Approval)** Staff Comment: Tony Miller of SVFR has been contacted to review the final plat draft and ensure that this condition has been met.
- 32) Final construction plans and utility facility specifications are required to be submitted for City review and approval prior to commencing construction. Stamped approval will be shown on the utility plans. **(Tentative Subdivision Condition of Approval)** Staff Comment.: This is a standard comment and construction shall not commence until this condition has been met.
- 33) Upon encountering any cultural or historic resources during construction, the applicant shall immediately contact the State Historic Preservation Office and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians. Construction shall cease immediately and shall not continue until permitted by either a SHPO or CTCLUSI representative. **(Tentative**

Subdivision Condition of Approval) Staff Comment: This is a standard comment and construction shall not commence until this condition has been met.

- 34) Any fence, wall, or hedge installed for screening or buffering purposes shall be well-kept and maintained. **(Final PUD Condition of Approval) Staff Comment:** This is a standard condition.
- 35) Perimeter sides of drainage basins/ponds shall be constructed with a non/low-permeable material in order to prevent infiltration through the berm and onto neighboring properties. **(Tentative Subdivision Condition of Approval) Staff Comment:** To be addressed during construction.

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8. Construction, demolition, alteration, or repair of any building or the excavation of streets associated with Phase 1 of the PUD, shall occur during the following timeframes:

- Weekdays (Monday – Friday) from 7:00 a.m. to 7:00 p.m.
- Weekends (Sat.-Sun.) from 9:00 a.m. to 5:00 p.m.
- Interior work may occur seven days a week from 7:00 a.m. to 7:00 p.m.

In cases of emergency, as determined by either the Public Works or Planning Departments, construction or repair noises are exempt from this condition. **Staff Comment:** This condition shall be observed as written, beginning with the installation of utilities and streets.