

# Attachment 6

## CITY OF FLORENCE PLANNING COMMISSION



### RESOLUTION PC 18 33 PUD 02 & PC 18 34 SUB 01

A REQUEST FOR PHASE 1 FINAL PUD AND TENTATIVE SUBDIVISION APPROVAL FOR CANNERY STATION, A MULTI-USE PLANNED UNIT DEVELOPMENT, LOCATED AT THE SOUTHEAST CORNER OF HIGHWAY 101 AND MUNSEL LAKE ROAD.

**WHEREAS**, application was made by Chuck McGlade, MD., Bryan Cavaness of American United, and Kristen Taylor of TBG Architects, representing Cannery Station LLC, for a Phase 1 Final PUD approval as required by Florence City Code 10-1-1-5, 10-23-1, 11-3-1 & 11-3-2; and

**WHEREAS**, the Planning Commission/Design Review Board met in a public hearing on March 12, 2019 and April 9, 2019, as outlined in Florence City Code 10-1-1-6-3 & 10-23-11 to consider the application, evidence in the record, and testimony received, and

**WHEREAS**, the Planning Commission/Design Review Board determined per FCC 10-1-1-5, 10-23-11, and 11-3-4 after review of the application, testimony and evidence in the record, that the application meets the criteria through compliance with certain Conditions of Approval; and

**WHEREAS**, the Planning Commission/Design Review Board of the City of Florence finds, based on the Findings of Fact, staff recommendation and evidence and testimony presented to them, that the application meets the applicable criteria.

**NOW THEREFORE BE IT RESOLVED** that the Planning Commission/Design Review Board of the City of Florence finds, based on the Findings of Fact and the evidence in record that:

The request for a preliminary PUD approval for Cannery Station Planned Unit Development meets the applicable criteria in Florence City Code and the Florence Realization 2020 Comprehensive Plan with the conditions of approval as listed below.

#### Conditions of Approval:

The application, as presented, meets or can meet applicable City codes and requirements, provided that the following conditions of approval are met.

Approval shall be shown on:

Exhibit	Sheet / Attachment	Title/Description	Submission Date
A	-	Findings of Fact	
A1.1	-	Findings of Fact – Cannery Station Final PUD Resolution PC 18 33 PUD 02 Revised Findings of Fact – Cannery Station Phase 1 Final PUD	March 5, 2019 Rev. March 6, 2019 April 8, 2019

A2.1	-	<b>Findings of Fact – Cannery Station Tentative Subdivision</b> Revised Findings of Fact – Cannery Station, Phase 1 Tentative Sub.	March 5, 2019 Revised April 8, 2019
A6.0	-	Exhibit List – Resolutions PC 18 33 PUD 02, PC 18 34 SUB 01, PC 18 35 DR 03, PC 18 40 DR 08, PC 18 41 DR 09	March 5, 2019 Rev. March 6, & April 9 & 22nd 2019
<b>B</b>	-	<b>Applications, Application Narratives</b>	-
B1.0	-	Applications – Final PUD, Tentative SUB, and Lot 2 DRs	Sept. 19, 2018
B2.1	-	Application Narrative – Final PUD and Tent. SUB	Feb. 8, 2019
B2.2	-	Application Narrative – Final PUD and Tent. SUB	Dec. 10, 2018
B2.3	-	Application Narrative – Final PUD and Tent. SUB	Sept. 19, 2018
B2.4	-	Application Narrative – Lot 2 DRs	Feb. 8, 2019
B2.5	-	Application Narrative – Lot 2 DRs	Dec. 10, 2018
B2.6	-	Application Narrative – Lot 2 DRs	Sept. 19, 2018
B2.7	A	Tax Assessor's Map	Dec. 10, 2018
B2.8	B	Legal Description	Dec. 10, 2018
B2.9	C	Property Deed	Dec. 10, 2018
B2.10	D	Property Title	Dec. 10, 2018
<b>C</b>		<b>Application Attachments</b>	-
C1.1	E	Wetland Determination dated July 11, 2018	Sept. 19, 2018
C1.2.1	J	City of Florence Phase I Site Investigation Report, dated December 10, 2018	Dec. 10, 2018
C1.2.2	J	City of Florence Phase I Site Investigation Report, dated April 10, 2018	Sept. 19, 2018
C1.3	N (Prev. L)	Infiltration: Wetland W-E, Technical Memorandum, KPFF Engineering, dated October 22, 2018	Dec. 10, 2018
C2.1	F	Cannery Station Traffic Impact Analysis, dated July 26, 2018, Updated January 23, 2019 [REPLACEMENT]	Feb. 8, 2019
C2.2	G	Cannery Station Final PUD Phase 1 Traffic Review Tech Memo, dated September 7, 2018	Sept. 19, 2018
C2.3	H	ODOT Completeness Determination: Application Deemed Complete Letter, dated August 16, 2018	Sept. 19, 2018

C2.4	I	ODOT Revised Cannery Station PUD (Florence) TIA Review Comments Letter, dated July 31, 2018	Sept. 19, 2018
C2.5	O (Prev. M)	ODOT, Notice of Conditional Approval for State Highway Approach, Without Permission to Construct, dated Sept. 7, 2018	Sept. 19, 2018
C2.6	R	Lane County Access Permit application (January 24, 2019) [REPLACEMENT]	Feb. 8, 2019
C3.1	P	Stormwater Report, KPFF Engineering (December 2018 (Revised)) and Memorandum, Stormwater Drainage: Lot 2 ALF/MC (January 15, 2019) [REPLACEMENT]	Feb. 8, 2019
C3.2	Q (Prev. O)	Operations and Maintenance Plan (for stormwater facilities), KPFF Engineering, dated December 5, 2018	Feb. 8, 2019
C4.1	K	Signed City of Florence Agreement of Acceptance	Sept. 19, 2018
C4.2	L	Florence Comprehensive Plan Findings	Dec. 10, 2018
C4.3	M	Draft Cannery Station CC&Rs	Dec. 10, 2018
<b>D</b>	-	<b>Subdivision Drawings</b>	-
D1.1	COV	Phase 1 – Final PUD/Tent. Subdivision Cover Sheet	Feb. 8, 2019
D1.2	COV	Phase 1 – Lot 2 – Design Review Cover Sheet	Feb. 8, 2019
D2.1	-	Tentative Subdivision	Feb. 8, 2019
D2.2	-	Tentative Subdivision – Cannery Station, Phase 1	Feb. 8, 2019
D2.3	A0.02	Preliminary PUD Conditions of Approval (PC 18 12 PUD 01)	Feb. 8, 2019
<b>E</b>	-	<b>Design Review Site Plans</b>	-
E1.1	A0.10	Phase 1 Site Plans	Feb. 8, 2019
E1.2	A0.20	Phase 1 Open Space Plan	Feb. 8, 2019
E1.3	A0.30	Phase 1 Parking Plan	Feb. 8, 2019
E2.1	A1.00	Lot 1 Site Plan	Feb. 8, 2019
E2.2	A1.10	Lot 1 Elevations and Floor Plan	Feb. 8, 2019
E3.1	A2.00	Phase 1 – Lot 2 – Design Review Site Plan	Feb. 8, 2019
E3.2	A2.10	Phase 1 – Lot 2 – Ground Floor Plan	Feb. 8, 2019
E3.3	A2.11	Phase 1 – Lot 2 – Level 2/3 Floor Plan	Feb. 8, 2019

E3.4	A2.12	Phase 1 – Lot 2 – ALF Unit Types	Feb. 8, 2019
E3.5	A2.13	Lot 2 – ALF Exterior Elevations	Feb. 8, 2019
E3.6	A2.14	Lot 2 – ALF Exterior Elevations	Feb. 8, 2019
E3.7	A2.20	Lot 2 – Cottage North	Feb. 8, 2019
E4.1	A3.00	Lot 3 & 4 – Site Plan	Feb. 8, 2019
E4.2	A3.10	Lot 3 & 4 – Elevations and Floor Plan	Feb. 8, 2019
E5.1	A5.00	Lot 5 – Site Plan	Feb. 8, 2019
E5.2	A5.13	Lot 5 – Elevations	Feb. 8, 2019
E5.3	A5.14	Lot 5 – 3D Views	Feb. 8, 2019
E6.1	A6.00	Lot 6 – Site Plan	Feb. 8, 2019
E6.2	A6.10	Lot 6 – Elevations and Floor Plan	Feb. 8, 2019
<b>F</b>	-	<b>Civil Plans</b>	-
F1.1	C1.0	Existing & Off-Site Conditions Plan	Dec. 10, 2018
F1.2	C2.0	Grading Plan	Feb. 8, 2019
F1.3	C3.0	Utility Plan	Feb. 8, 2019
F1.4	C3.01	Utility Plan – Lot 2	Feb. 8, 2019
F1.5	C3.1	Water Plan	Feb. 8, 2019
F1.6	C3.2	Storm Drainage Plan	Feb. 8, 2019
F1.7	C3.3	Sewer Plan	Feb. 8, 2019
F1.8	C5.01	Grading & Drainage – Lot 2	Feb. 8, 2019
F2.1	C6.0	Street Plan	Feb. 8, 2019
F2.2	C6.1	Street Typical Sections	Feb. 8, 2019
F2.3	C6.2	Street Intersection Details/Sections	Feb. 8, 2019
F2.4	C6.3	Street Intersection Details/Sections	Feb. 8, 2019
F2.5	C6.4	Turning Movement Details	Feb. 8, 2019
F3.1	C7.0	Conceptual Stormwater Treatment Plan	Feb. 8, 2019
F3.2	C7.1	Stormwater Treatment Options	Dec. 10, 2018
<b>G</b>	-	<b>Landscaping Plans</b>	-
G1.1	LA-1	Ex. Vegetation Plan	Dec. 10, 2018
G1.2	LA-2	Landscape Master Plan	Feb. 8, 2019
G1.3	LA-2	Landscape Master Plan – Lot 2	Feb. 8, 2019
G1.4	LA-3	Lot 1 Landscape Plan	Feb. 8, 2019
G1.5	LA-4	Lot 2 Landscape Plan	Feb. 8, 2019
G1.6	LA-4	Lot 2 Landscape Plan	Feb. 8, 2019
G1.7	LA-5	Lots 3 & 4 Landscape Plan	Feb. 8, 2019

G1.8	LA-6	Lot 5 Landscape Plan	Feb. 8, 2019
G1.9	LA-7	Lot 6 Landscape Plan	Feb. 8, 2019
G2.0	LA-8	Plant Lists and Details	Feb. 8, 2019
<b>H</b>	-	<b>Lighting Plans</b>	-
H1.1	LG1.0	Overall Photometric Lighting Plan	Feb. 8, 2019
H1.2	Q	Lighting Cut Sheets (Submitted as part of PUD application)	Dec. 10, 2018
<b>I</b>	-	<b>Referral Comments</b>	-
I1.1	-	Civil West Comments	Jan. 11, 2019
I1.2	-	Civil West Comments	Jan. 16, 2019
I1.3	-	Civil West Detention Worksheet	Jan. 16, 2019
I1.4	-	Civil West Comments	Feb. 26, 2019
I1.5	-	Civil West Comments	March 27, 2019
I2.1	-	JRH Response to Sandow	Jan. 20, 2019
I2.2	-	JRH Completeness Review	Oct. 18, 2019
I3.1	-	Lane County Comments	Jan. 14, 2019
I3.2	-	Lane County Comments	Feb. 6, 2019
I3.3	-	Lane County Comments	Feb. 6, 2019
I4.1	-	ODOT Response Form	Oct. 19, 2018
I4.2	-	ODOT Conditional Approval	Sept. 7, 2018
I4.3	-	ODOT Ped Crossing Requirement	March 8, 2019
I4.4	-	ODOT Updated TIA 01-23-19	March 8, 2019
I4.5	-	ODOT Ped Crossing Requirement Supplemental	April 2, 2019
I5.1	-	SVFR Comments	Aug. 31, 2018
I5.2	-	SVFR Comments	Oct. 17, 2018
I5.3	-	SVFR Comments	Dec. 18, 2019
I6.1	-	PW Comments	March 5, 2019
I6.2	-	PW Comments	April 9, 2019
<b>K</b>	-	<b>Applicant Memo-Conditions of Approval Response</b>	-
K1.1	-	Final PUD & Tentative Subdivision	April 3, 2019
K2.1	-	Lot 2 Design Review	April 3, 2019
K3.1	-	Proposed Alternate Conditions of Approval	April 9, 2019

Findings of Fact attached as Exhibit "A1.1" & "A2.1" are incorporated by reference and adopted in support of this decision.

- 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)**
- 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)**
- 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 matte. **(Tentative Subdivision Condition of Approval)**
- 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)**
- 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)**
- 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)**
- 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)**
- 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)**
- 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)**
- 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)**
- 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)**

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)**

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)**

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)**

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)**

20) Condition 46i 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)**

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)**

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 47<sup>th</sup> Street. The applicant shall include the ownership of the street rights-of-way on the final plat. **(Tentative Subdivision Condition of Approval)**

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)**

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)**

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)**

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)**

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)**

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)**

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)**

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)**

34)Any fence, wall, or hedge installed for screening or buffering purposes shall be well-kept and maintained. **(Final PUD Condition of Approval)**

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)**

**ADOPTED BY THE FLORENCE PLANNING COMMISSION/DESIGN REVIEW BOARD** the 9<sup>th</sup> day of April, 2019.

  
JOHN MURPHEY, Chairperson  
Florence Planning Commission

4-23-19  
DATE