

CITY OF FLORENCE PLANNING COMMISSION
April 9, 2019 ** MEETING MINUTES **

CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE

Chairperson John Murphey called the meeting to order at 5:30 PM. Roll call: Chairperson John Murphey, Vice Chairperson Sandra Young, Commissioner Andrew Miller, Commissioner Ron Miller, Commissioner Eric Hauptman, Commissioner Phil Tarvin, and Commissioner Brian Jagoe were present. Also present: Planning Director Wendy FarleyCampbell, Associate Planner Glen Southerland, LCOG Planner Henry Hearly, City Attorney Ross Williamson, and Planning Technician Dylan Huber-Heidorn

APPROVAL OF AGENDA

Commissioner Ron Miller motioned to approve the agenda. Vice Chairperson Young seconded. By voice, all ayes. The motion carried.

APPROVAL OF MINUTES

Commissioner Jagoe motioned to approve the minutes of February 26 and March 12, 2019; Commissioner Ron Miller seconded. By voice, all ayes. The motion carried.

PUBLIC COMMENTS

There were no comments.

PUBLIC HEARING

The hearing regarding five applications from Cannery Station Development LLC were continued from the initial meeting on March 12, 2019.

RESOLUTION PC 18 33 PUD 02 – Cannery Station, Phase I Final Planned Unit Development (PUD) (continued)

RESOLUTION PC 18 34 SUB 01 – Cannery Station, Tentative Subdivision (SUB) (continued)

An application for approval of Phase 1 Final Planned Unit Development (PUD) and Tentative Subdivision (SUB) from Bryan Cavaness, on behalf of Cannery Station Development, LLC, for a Mixed-Use Development to include a 64-Bed Assisted Living Facility, ten Single-Story Transitional Cottage Units, a 42-Unit Three-Story Apartment Building and two Single-Story Commercial Structures. The 17-acre parcel is located east of Highway 101 across from Fred Meyer, west of Florentine Estates, north of the Community Baptist Church, and south of Munsel Lake Road. Property is located at Map No. 18-12-14-20, Tax Lot 00700, in the North Commercial District regulated by Florence City Code Title 10, Chapter 30.

RESOLUTION PC 18 35 DR 03 – Assisted Living Facility (continued)

RESOLUTION PC 18 40 DR 08 – Transitional Cottage Fourplex #1 (continued)

RESOLUTION PC 18 41 DR 09 – Transitional Cottage Fourplex #2 (continued)

Three applications from Kristen Taylor of TBG Architects, on behalf Cannery Station Development, LLC to request approval of a Design Review Permit to construct a proposed 64-Bed Assisted Living Facility and two Transitional Cottages (8 units total) on Lot 2 of Phase 1 of the Cannery Station Planned Unit Development (PUD). The site is located at Assessor's Map no. 18-12-14-20, Tax Lot 00700, in the North Commercial District regulated by Florence City Code Title 10, Chapter 30.

No Commissioner declared a conflict of interest, ex parte contact, or bias. There were no challenges.

Chairperson Murphey opened the public hearing at 5:37 PM.

PD FarleyCampbell delivered a staff presentation on the five applications being considered in the hearing (see attached).

Materials which had been submitted or revised in the time since the hearing was opened on March 12, 2019, including public testimony, had been added to the record and the Commission's materials. She gave an overview of testimony, City

of Florence Public Works referrals, and notifications from ODOT, some of which had been delivered recently enough to not be included in the meeting packet materials. She elaborated on issues with wetlands on the site, which are under review by the U.S. Army Corps of Engineers.

Henry Hearly, a Lane Council of Governments planner under contract with the City of Florence, presented information on the design review application for Lot 2, including the assisted living facility and the transitional housing cottages (see attached).

PD FarleyCampbell delivered the staff recommendation that the applications can meet the requirements of Florence City Code with conditions of approval. She reviewed changes made to those conditions and the Resolutions for the PUD and SUB applications since the March 12th meeting.

AP Southerland and Henry Hearly detailed conditions of approval pertaining to the design review applications.

Commissioner Jagoe requested clarification of “interior work” as it related to conditions regarding permissible construction hours. Mr. Hearly and Mr. Galloway later clarified the hours of construction and that interior construction hours would not be observed until a given structure had been drywalled.

Applicants

Zach Galloway, AICP, TBG Architects & Planners, Eugene, OR – Mr. Galloway presented on behalf of the applicant and the project’s design team. Regarding the fence between Cannery Station and Florentine Estates, he explained that the fence was proposed to be eight feet high. He also expressed willingness to participate in the proportionate share methodology which may be applied to provide a traffic signal at the intersection of Hwy 101 and Munsel Lake Road.

The Cannery Station team presented a memorandum, newly submitted to the Commission, which proposed alternative or clarified conditions of approval (see attached).

Commissioner Hauptman asked for details of the proposed construction of the fence. Mr. Galloway clarified that the fence was proposed to be gaplessly constructed of wood boards.

Commissioner Tarvin pointed out that conditions pertaining to medians would be beside the point, since no medians are proposed. He also asked about timing for construction of the fence and the proposed delay to account for ongoing processes related to wetlands on the site. The fence and other infrastructure were proposed to be built up to the boundary of a wetland on the northeast portion of the site, to be completed at such time as the wetland issues are resolved.

Chairperson Murphey asked about the proposal for a maintenance bond and the implications for infrastructure maintenance cost responsibilities.

Bryan Cavaness, Director of Legal & Compliance, American United Development Group, Portland, OR – Mr. Cavaness stated that the preliminary PUD discussions in 2018 included dedication of public rights-of-way (ROW) throughout the project rather than maintenance of any private streets. Chairperson Murphey pointed out that dedication of the ROW might result in the City bearing responsibility for damage to street infrastructure caused by construction. Mr. Cavaness stated that a performance bond and other measures would ensure those costs would be borne appropriately. He volunteered that he would hold contractor’s responsible if they cause damage, and suggested monitoring devices could help ensure construction traffic enters the site from Munsel Lake Road as required.

Kelly Sandow, Sandow Engineering, Eugene, OR – Ms. Sandow elaborated on desired changes to conditions related to paving throughout the site.

Kristen Taylor, AIA, TBG Architects & Planners, Eugene, OR – Ms. Taylor further elaborated on how bond measures would be applied to cover infrastructure-related costs.

Mr. Galloway stated that the applicants did not intend to extend Redwood Street as a public way during Phase 1.

Chairperson Murphey asked the applicants if they had read the staff report and understood the conditions of approval. Mr. Galloway responded in the affirmative.

There were no public comments.

PD FarleyCampbell described the implications of the discussion on the conditions of approval and answered hanging questions, including requirements for bonding. Mr. Cavaness explained standard practices in the construction industry regarding truck movement, paving, and access points.

Vice Chairperson Young asked about the desired strategy for sand management and revegetation, pointing out that the conditions could be simplified if root mat is applied as the treatment. She also asked for clarification of the issues of bonding and street maintenance and attempted to secure assurances that construction traffic would never need to operate over finished street surfaces. There was discussion of how construction bonds and maintenance bonds would operate throughout the construction process to ensure responsibility for maintenance would be clear for all parties. Mr. Cavaness stated the assisted living facility and transitional cottages would be constructed at the same time, which would allow the streets to receive their final paving lift after construction traffic had ceased. Later construction phases, including the apartment buildings, would use construction roads on Tract D. He clarified that the commercial pad in the southwest corner of the development may not be built due to wetland concerns and permitting, which would remove the possibility of construction traffic moving on a section of 47th Street after the streets are completed.

PD FarleyCampbell shared rewritten conditions of approval stemming from the discussion, including hardscaping details and landscaping. Mr. Galloway gave greater detail on vegetated berms along Hwy 101 and streetscapes in the commercial areas.

Chairperson Murphey closed the public hearing at 8:05 PM.

The commissioners discussed issues regarding wetland mitigation banking and application to the project. Commissioner Jagoe expressed a desire for a local contractor and the city to collaborate on road building, since out-of-town builders may not be familiar with road construction on local sandy soils.

PD FarleyCampbell gave a comprehensive review of changes made to the conditions of approval for the PUD and SUB applications.

Commissioner Jagoe motioned to approve **RESOLUTION PC 18 33 PUD 02 – Cannery Station Phase 1 Final PUD – and RESOLUTION PC 18 34 SUB 01 – Cannery Station Tentative Subdivision** – with additional conditions of approval as discussed; Commissioner A. Miller seconded.

By roll call vote: Commissioner Andrew Miller, “Yes;” Commissioner Hauptman, “Yes;” Commissioner Ron Miller, “Yes;” Vice Chairperson Young, “Yes;” Chairperson Murphey, “Yes;” Commissioner Tarvin, “No;” Commissioner Jagoe, “Yes.” Motion passed 6-1.

Mr. Hearly reviewed changes made to the conditions of approval for the design review applications.

Commissioner Jagoe motioned to approve **RESOLUTION PC 18 35 DR 03 – Cannery Station Assisted Living Facility DR, RESOLUTION PC 18 40 DR 08 – Cannery Station ALF Transitional Cottages 1, and RESOLUTION PC 18 41 DR 09 – Cannery Station ALF Transitional Cottages 2** – with additional conditions of approval as discussed; Commissioner R. Miller seconded.

By roll call vote: Commissioner Andrew Miller, "Yes;" Commissioner Hauptman, "Yes;" Commissioner Ron Miller, "Yes;" Vice Chairperson Young, "No;" Chairperson Murphey, "Yes;" Commissioner Tarvin, "Yes;" Commissioner Jagoe, "Yes."
Motion passed 6-1.

PLANNING DIRECTOR REPORT & DISCUSSION ITEMS

PD FarleyCampbell gave an update on the development of the City Council's Work Plan and changes to housing codes. She gave an overview of upcoming applications which the Commission may see in future hearings.

Upcoming meetings:

April 23, 2019 - Planning Commission Work Session

May 14, 2019 - Planning Commission Public Hearings

PLANNING COMMISSION REPORTS & DISCUSSION ITEMS

There were none.

Chairperson Murphey adjourned the meeting at 8:30 P.M.

Chairperson, John Murphey
Florence Planning Commission

Date



MEMORANDUM

TO: Florence Planning Commission and Wendy FarleyCampbell, Planning Director
FROM: Zach Galloway, AICP
DATE: April 9, 2019
SUBJECT: Cannery Station – Proposed Alternative Conditions of Approval for Phase 1 Final PUD, Tentative Subdivision, and Design Review applications (201823/1.3)

INTRODUCTION

The following memo proposes alternative conditions of approval for the subject applications. The alternative conditions maintain code compliance, and after several conversations with City Planning staff, the conditions should also meet the city's expectations for development in Florence. The alternative language addresses clarity and consistency, with the goal of avoiding unintended complications during future permitting phases. The following list of proposed alternatives includes the applicable numbered condition in bold text as presented in the resolution followed by the Applicant's response in normal text.

PROPOSED ALTERNATIVE CONDITIONS OF APPROVAL

FINAL PUD (PC 18 33 PUD 02)

3.a. This condition addresses the City's concern regarding sand stabilization. The City's proposed 5 year timeframe is inconsistent with the 10 year timeframe that the Planning Commission approved previously. The Applicant proposes a simpler approach to replanting that is limited to beach grass reseeding and other erosion control measures. Providing a consistent 10-year timeframe will also simplify implementation and monitoring.

9 & 12. Applicant requests that the requirement to provide an enhanced hardscape design, as described in condition 9, is applied in both conditions 9 and 12. The conditions relate to different code criteria affecting the development site, but treating both similarly creates a cohesive design across the development.

SUBDIVISION (PC 18 34 SUB 01)

13. The Applicant proposes the following alternative condition to address the Public Work Department's concern that dedicated public rights-of-way are well maintained and constructed.

Not less than 60 days after the issuance of the certificate of occupancy for the Assisted Living Facility, with reasonable flexibility allowed for weather-related complications, the Applicant shall apply the final asphalt paving (e.g., top lift) to the public streets. A 2-year maintenance bond shall be provided to ensure proper construction and maintenance of the dedicated public infrastructure.

27. As written, this condition addresses both design details of the proposed recreational path and potential block length. The Applicant requests that this condition is deleted for the following reasons. First, the Planning Commission approved the Preliminary PUD along with associated conditions of approval. The block lengths were not addressed at that time. In the absence of a condition of approval, the Applicant's design team proceeded with plans based on the Preliminary PUD site plan. Implementing the block length standards at this time could have major ripple effects throughout the project site.

MEMORANDUM

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Secondly, the Applicant's interpretation is that the standards under FCC 10-36-2-9-C do not apply because the residential private open spaces and the associated recreational paths within the Cannery Station PUD project are not public facilities, and if strictly applied, would cause unique and unnecessary hardship to the Applicant in subdividing or partitioning the subject area because the recreational paths are part of comprehensive private dedicated open space areas. Therefore, if the Planning Commission does delete the condition, per FCC 11-7-1-A, the Applicant is requesting a modification to the Subdivision criterion requiring compliance with FCC 10-36-2-9-C because these criteria are not applicable.

Although the Applicant is requesting a modification because the standards in FCC 10-36-2-9-C do not apply, the design and modification of these provisions would not be contrary to the purpose of this Title and meets the general intent of these standards as follows.

The proposed connections to the private recreational paths within the open space areas from the street system are provided at varying distances, which are all less than a standard 600' block length for a public facility. Within the larger Cannery Station PUD, the greatest distance between the recreational path connections to a street is about 594' (from the private recreational path located off Spruce Street just north of Lot 3, which heads north along Open Space C and then west to another connection on Spruce Street north of Lot 14). See Sheet A0.10. Referencing the Phase 1 Subdivision Sheet 2, the distance from Munsel Creek Road along Track C to the intersection at 47th Street and Spruce Street is about 585', which is less than a standard 600' block length for a public facility.

The planned private recreational paths within the open space areas range from about 5' to 8' wide, which can accommodate the proposed recreational uses. The recreational paths/areas are proposed to be bark chips for running, walking and exercising on a softer, more natural surface. Where the private recreational paths connect with a public right-of-way, the Applicant proposes a concrete transition strip from the public sidewalk to the bark surface to prevent bark from directly spilling over into the public right-of-way. The designation of open space areas with associated easements within the Cannery Station PUD meet the intent of the easements required within this code section.

31. There are no medians proposed in the applications. Therefore, the Applicant requests references to median are removed or the intent clarified.

DESIGN REVIEW (PC 18 35 DR 03, PC 18 40 DR 08, PC 18 41 DR 09)

23 & 42. Due to the wetlands in the northwest corner of the site, the fence cannot extend to Munsel Lake Road until USACE permitting is resolved. The Applicant requests that these two conditions are revised to account for the wetlands issues on the site. The Applicant will comply with the Preliminary PUD condition to erect fencing along the eastern property line prior to commencing building construction. The fence will be 8-feet in height.

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Cannery Station

Final PUD, Tentative Subdivision, and Lot 2 Design Reviews

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



Final PUD & Tent. Subdivision Criteria

Florence City Code, Title 10:

- Chapter 1: Zoning Administration, Section 1-6-3
- Chapter 3: Off-Street Parking and Loading, Sections 2 through 5, & 8 through 11
- Chapter 7: Special Development Standards, Sections 2, 3, 6 and 7

• Cannery Station Final PUD, Tent SUB, Lot 2 DRs

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PUD/SUB Criteria, cont.

Florence City Code, Title 10:

- Chapter 23: Planned Unit Development, Sections 1 through 14
- Chapter 30: North Commercial District, Sections 2, 5 and 6
- Chapter 34: Landscaping, Sections 3 through 5
- Chapter 35: Access and Circulation, Sections 2-4, 2-6 through 2-9, 2-12, 2-14 & 3
- Chapter 36: Public Facilities, Sections 2-16 through 2-18, and 3 through 8

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PUD/SUB Criteria, cont.

Florence City Code, Title 9:

- Chapter 5: Stormwater Management Requirements, Sections 1 through 7

Florence City Code, Title 11:

- Chapter 1: Subdivision Administration Provisions
- Chapter 3: Major Partition, Tentative Plan Procedure
- Chapter 5: Platting and Mapping Standards

Previous Conditions of Approval from PC 18 12 PUD 01

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Design Review Criteria

Florence City Code, Title 10:

- Chapter 1: Zoning Administration, Section 1-6-3
- Chapter 3: Off-Street Parking and Loading, Sections 2 through 5, & 8 through 11
- Chapter 6: Design Review, Sections 3 through 5, 6-7, 7 and 10
- Chapter 7: Special Development Standards, Sections 2, 3, 6 and 7

• Cannery Station Final PUD, Tent SUB, Lot 2 DRs

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DR Criteria, cont.

Florence City Code, Title 10:

- Chapter 30: North Commercial District, Sections 2, 5 and 6
- Chapter 34: Landscaping, Sections 3 through 5
- Chapter 35: Access and Circulation, Sections 2-4, 2-6 through 2-9, 2-12, 2-14 & 3
- Chapter 36: Public Facilities, Sections 2-16 through 2-18, and 3 through 8
- Chapter 37: Lighting, Sections 2 through 4

Previous Conditions of Approval from PC 18 12 PUD 01

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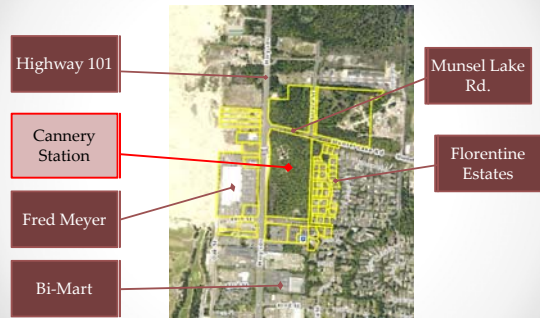
Introduction

- **Feb. 8, 2019** – Resubmittal of materials for consideration, completeness forced by applicant
- **March 12, 2019** – First evidentiary hearing
- March 12 – April 9:
 - Additional materials received from community members
 - Additional comments received from agencies
 - Responses and input received from applicant
- **April 9, 2019** – Continued Hearing

• Cannery Station Final PUD, Tent SUB, Lot 2 DRs

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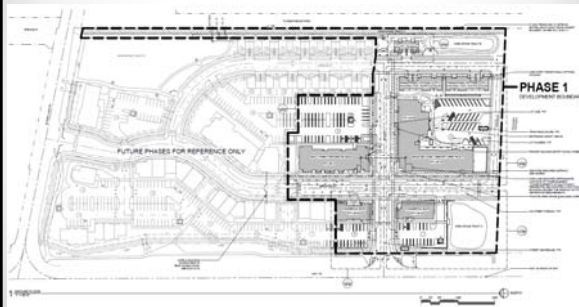
Aerial of Site



• Cannery Station Final PUD, Tent SUB, Lot 2 DRs

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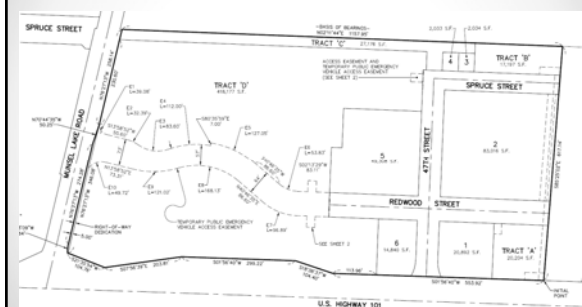
Phase 1 Site Plan



• Cannery Station Final PUD, Tent SUB, Lot 2 DRs

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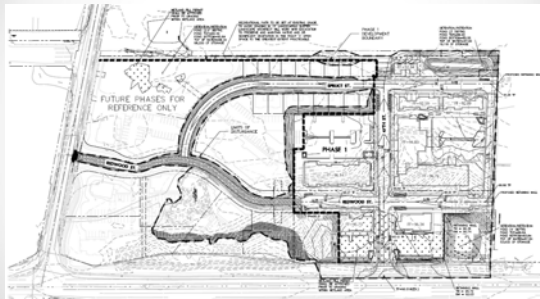
Phase 1 Tentative Plat



• Cannery Station Final PUD, Tent SUB, Lot 2 DRs

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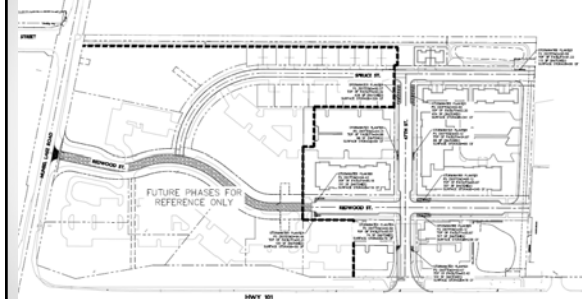
Phase 1 Grading Plan



• Cannery Station Final PUD, Tent SUB, Lot 2 DRs

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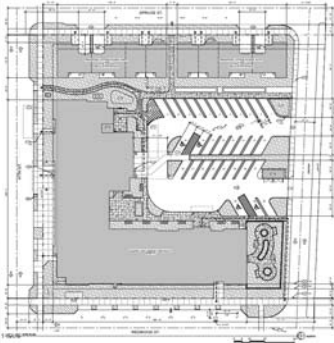
Phase 1 Stormwater Plan



• Cannery Station Final PUD, Tent SUB, Lot 2 DRs

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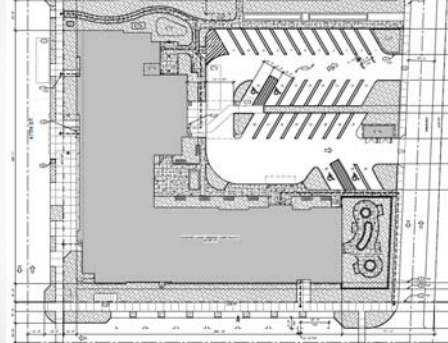
Lot 2 Site Plan



• Cannery Station Final PUD, Tent SUB, Lot 2 DRs

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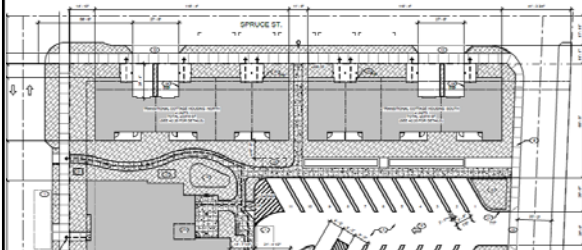
Lot 2 – ALF Site Plan



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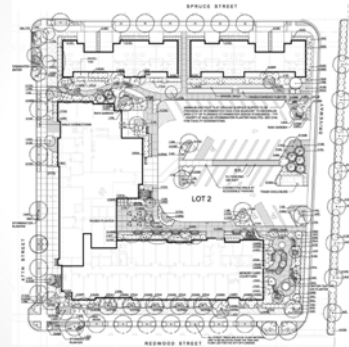
Lot 2 – TCH Site Plan



• Cannery Station Final PUD, Tent SUB, Lot 2 DRs

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Lot 2 Landscaping Plan



• Cannery Station Final PUD, Tent SUB, Lot 2 DRs

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Testimony

Public Testimony Received:

Jones – Munsel Lake Road intersection (traffic light)
Jason Nelson, Florentine Estates – Stormwater
Numerous-signal, fence, Change in occupants, stormwater

Referral Comments:

Civil West – Stormwater, water service, stormwater 2
JRH – Traffic Impact Analysis review, bike/ped facilities, transit connection, truck/emergency vehicle circulation
Lane County Transportation – Munsel Lake Road impacts
ODOT – Traffic Impact Analysis review, traffic signal, ped/transit connection, pedestrian 2
SVFR – Road widths, fire access & turnaround, hydrant and FDC locations, building sprinklers
PW – Utilities, Streets, Streets 2

• Cannery Station Final PUD, Tent SUB, Lot 2 DRs

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Staff Recommendation

Staff finds that the applicant meets the criteria provided by Florence City Code and the Florence Realization 2020 Comprehensive Plan and can be approved with the conditions of approval as listed in the revised Resolutions.

• Cannery Station Final PUD, Tent SUB, Lot 2 DRs

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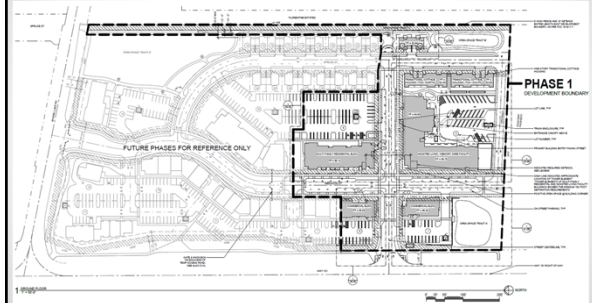
Alternatives

1. Approve the applications;
2. Deny the application;
3. Modify the findings, reasons, or conditions and approve the proposal, or
4. Continue the Public Hearing to a date certain if requested or if more information is needed.

• Cannery Station Final PUD, Tent SUB, Lot 2 DRs

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Questions?



• Cannery Station Final PUD, Tent SUB, Lot 2 DRs

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