

CITY OF FLORENCE PLANNING COMMISSION

June 12, 2018 ** MEETING MINUTES **

CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE

Chairperson John Murphy called the meeting to order at 5:30 p.m. Roll call: Chairperson John Murphy, Vice Chairperson Sandra Young, Commissioner Michael Titmus, Commissioner Ron Miller, Commissioner Phil Tarvin, Commissioner Brian Jagoe, and Commissioner Eric Hauptman were present. Also present: Planning Director Wendy FarleyCampbell, Associate Planner Glen Southerland, Administrative Assistant Vevie McPherron, and Planning Technician Dylan Huber-Heidorn.

APPROVAL OF AGENDA

VC Young motioned to approve the agenda; Commissioner Miller seconded. By voice, all ayes. The motion passed.

APPROVAL OF MINUTES

There were no minutes to approve.

PUBLIC COMMENTS

*This is an opportunity for members of the audience to bring to the Planning Commission's attention any items **NOT** otherwise listed on the agenda. Comments will be limited to **three minutes per person**, with a maximum time of 15 minutes for all items.*

There were no public comments.

PUBLIC HEARING

Chairperson Murphy announced there were four public hearings before the Planning Commission that evening. The hearings would be held in accordance with the land use procedures required by the City in Florence City Code Title 2 Chapter 10 and the State of Oregon. Prior to the hearings tonight, staff will identify the applicable substantive criteria which have also been listed in the staff report. These are the criteria the Planning Commission must use in making its decision. All testimony and evidence must be directed toward these criteria or other criteria in the Plan or Land Use Regulations which you believe applies to the decision per ORS 197.763 (5). Failure to raise an issue accompanied by statements or evidence sufficient to afford the Planning Commission and parties involved an opportunity to respond to the issue may preclude an appeal of this decision based on that issue. Prior to the conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments or testimony regarding the application. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval without sufficient specificity to allow the Planning Commission to respond to the issue that precludes an action for damages in circuit court. Any proponent, opponent, or other party interested in a land use matter to be heard by the Planning Commission may challenge the qualifications of any Commissioner to participate in such hearing and decision. Such challenge must state facts relied upon by the party relating to a Commissioner's bias, prejudgment, personal interest, or other facts from which the party has concluded that the Commissioner will not make a decision in an impartial manner.

RESOLUTION PC 18 11 CUP 02 - Seventh Day Adventist Modular Building: A continuance of an application from Donald Large on behalf of the Oregon Conference of Seventh Day Adventists requesting approval of a Conditional Use Permit to place a modular building for use as a preschool classroom. The site is located at 4465 Hwy 101, Assessor's Map no. 18-12-14-32, Taxlot 03200, in the Highway Zoning District regulated by Florence City Code Title 10, Chapter 16.

Chairperson Murphey opened the public hearing at 5:35 PM.

AP Southerland presented the staff report (attached) on the subject of Mr. Large's application. Criteria for this development and conditional use: Florence City Code Title 10 Chapter 1 Section 6-3; Chapter 3 Sections 2 through 5 and 8 through 11; Chapter 4 Sections 3 through 11, 12(A), and 12(C); Chapter 6 Sections 5 and 6; Chapter 16 Sections 2, 4, 5, and 7; Chapter 34 Sections 2 and 3; Chapter 35 Sections 2 and 3; Chapter 37 Sections 2 through 4. Since the initial hearing, the applicant had submitted reworked site plans that addressed many issues with the application. No public testimony was received regarding this application prior to the public hearing. City staff recommended approval with numerous conditions.

Commissioner Titmus asked whether preschool uses require a loading/unloading area. AP Southerland clarified that they do not.

VC Young asked about the playground visible on the site plans and whether it is part of this property. She also asked for information regarding the access points along Highway 101.

Applicant – Don Large, representing the Oregon Conference of Seventh Day Adventists

Proponent – Nathan Large, SDA church member and organizer

Mr. Nathan Large clarified that the playground is affiliated with the church's school and will not be used by the tenants of the new modular building without additional fencing.

Donald Large elaborated that there are two access points, including the drive that enters the church's flag lot. The preschool property will have an access agreement with the property to the north, and the church is willing to have one if necessary.

VC Young asked staff about the application of FCC 10-34-6, which requires screening of parking areas and was not included in the staff report. AP Southerland responded that the code applies to parking areas with more than 20 spaces.

AP Southerland delivered the staff recommendation that the resolution be approved with the suggested conditions.

Chairperson Murphy closed the public hearing at 6:03 PM. Commissioner Jagoe motioned to approve **Resolution PC 18 11 CUP 02** with the stated conditions and a clerical amendment to a date in the conditions; Vice Chairperson Young seconded.

By roll call vote: Vice Chairperson Young, "Yes;" Commissioner Miller, "Yes;" Commissioner Titmus, "Yes;" Commissioner Hauptman, "Yes;" Commissioner Jagoe, "Yes;" Commissioner Tarvin, "Yes;" Chairperson Murphy, "Yes." Motions passed 7-0.

RESOLUTION PC 18 16 CPA 01 – Housing Comprehensive Plan Amendments: A recommendation to the City Council to amend the Florence Realization 2020 Comprehensive Plan, Chapter 9: Economic Development and Chapter 10: Housing Opportunities to address current trends in housing and the need to strengthen the local economy.

Chairperson Murphy opened the public hearing at 6:05 PM.

AP Southerland presented a staff report (attached) which included a set of recommended changes to the Comprehensive Plan. The proposed changes were recommendations from work performed on updating Florence' Buildable Lands Inventory, Housing Needs Analysis and Economic Opportunities Analysis in 2017. Criteria for the updates stem from Florence City Code Title 10, Chapter 1, Section 1-3-C; Florence Realization 2020 Comprehensive Plan Chapter 1, Policies 4 through 6; Chapter 2, Policies 1, 2, and 5; Residential Policies 2 and 8; Oregon Revised Statutes ORS 197-610 Sections 1 through 6; Oregon Administrative Rules OAR 660-015-000 Subsections 1, 2, 9, and 10. The proposed housing amendments add objectives and policies to maintain and upgrade the city's housing stock, ensure fair housing practices, provide for workforce housing, improve housing options for elderly residents, annex land into the city where needed to provide land for housing, coordinate with a broader range of agencies and organizations, and turn several statements in the Comprehensive Plan into active policies.

Staff received a joint comment from Housing Land Advocates and the Fair Housing Council of Oregon stating they would submit testimony before the City Council hearing date for these issues.

AP Southerland delivered the staff recommendation to approve Resolution PC 18 16 CPA 01.

Commissioner Jagoe remarked on the amendment related to annexation and that it could appear to contradict the city's policy of annexation at the request of landowners. PD FarleyCampbell replied that the policy of only pursuing voluntary annexation was set by a resolution of a previous City Council and has been superseded; the current Council has not expressed a new or changed policy on that topic. The proposed changes to the Comprehensive Plan would effectively be setting new policy.

Chairperson Murphy expressed a desire to change the wording of the amendment to exclude language pertaining to annexation-as-needed and change the phrasing to a policy of "annexation when requested."

AP Southerland delivered the staff recommendation to approve Resolution PC 18 16 CPA 01 with the stated change to the proposed Policy 3 if desired and with textual corrections.

Chairperson Murphy closed the public hearing at 6:18 PM. Commissioner Miller motioned to approve **Resolution PC 18 16 CPA 01 with changed wording to the policy related to annexation and corrections to text.** Commissioner Titmus seconded.

By roll call vote: Vice Chairperson Young, "Yes;" Commissioner Miller, "Yes;" Commissioner Titmus, "Yes;" Commissioner Hauptman, "Yes;" Commissioner Jagoe, "Yes;" Commissioner Tarvin, "Yes;" Chairperson Murphy, "Yes." Motions passed 7-0.

RESOLUTION PC 18 17 CPA 02 – Beat the Wave Comprehensive Plan Amendments: A recommendation to the Florence City Council to amend the Florence Realization 2020 Comprehensive Plan, Introduction and Chapters 7 (Development Hazards and Constraints), 11 (Utilities, Facilities, and Services), 12 (Transportation), and 14 (Urbanization) to address Tsunami threats and development patterns within areas subject to these natural hazards. These proposed changes are implementations of model policies from the Department of Land Conservation and Development (DLCD).

Chairperson Murphy opened the public hearing at 6:22 PM.

AP Southerland presented a staff report (attached). In 2015, the DLCD received grant funding from NOAA to promote tsunami disaster planning. DLCD research indicated that many coastal communities, including Florence, lacked strong tsunami preparedness codes or policies. In 2016, DLCD conducted modeling based on inundation maps to identify evacuation routes, facilities, and other preparedness processes. The proposed changes to the Comprehensive Plan would translate this work and the work of local agencies and city staff into new plan sections. Criteria for this decision are based in Florence City Code Title 10, Chapter 1, Section 1-3-C; Florence Realization 2020 Comprehensive Plan Chapter 1, Policies 4 through 6; Chapter 2, Policy 7; Chapter 7, Policies 1, 2, and 5; Chapter 11, Policy 5; Oregon Revised Statutes ORS 197-175; ORS 197-610, Sections 1 through 6; Oregon Administrative Rules OAR 660-015-0000, Sections 1, 2, and 7; OAR 660-015-0010, Section 3.

Staff received no public testimony on this application.

Commissioner Jagoe asked whether the tsunami hazard overlay zones proposed in the application would impact a specific residential development project on 4th Avenue and whether the Comprehensive Plan amendments could hamper high density residential development more generally.

AP Southerland stated that the proposed changes would not impact the specific project mentioned by the Commissioner and that, in any case, current zoning would need to change for high density development to occur in areas most affected by the overlay zone.

Staff finds that the application is consistent with the applicable criteria, and AP Southerland delivered the staff recommendation to approve Resolution PC 18 17 CPA 02.

Chairperson Murphy closed the public hearing at 6:39 PM. Vice Chairperson Young motioned to approve **Resolution PC 18 17 CPA 02**. Commissioner Miller seconded.

By roll call vote: Vice Chairperson Young, “Yes;” Commissioner Miller, “Yes;” Commissioner Titmus, “Yes;” Commissioner Hauptman, “Yes;” Commissioner Jagoe, “Yes;” Commissioner Tarvin, “Yes;” Chairperson Murphy, “Yes.” Motions passed 7-0.

RESOLUTION PC 18 12 PUD 01 – Cannery Station Preliminary PUD: An application for a Preliminary Planned Unit Development from Cannery Station Development, LLC for an 8-phase, mixed-use development with 31 proposed lots to be developed over a 10-year period. 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 FCC Title 10, Chapter 30.

Commissioner Titmus declared a site visit. There were no challenges to any commissioner’s impartiality.

Chairperson Murphy opened the public hearing at 6:51 PM.

PD FarleyCampbell presented a staff report. Criteria related to this decision include the following:

Florence City Code:

Title 10: Zoning Regulations

Chapter 1: Zoning Administration, Sections 1-4-E, 1-5, & 1-6-3
Chapter 3: Off-Street Parking and Loading, Sections 1 thru 6, & 8 through 11
Chapter 7: Special Development Standards, Sections 2, 3, 5, & 6
Chapter 23: Planned Unit Development, Sections 1 through 13
Chapter 30: North Commercial District, Sections 1 through 6
Chapter 34: Landscaping, Sections 2 through 5
Chapter 35: Access and Circulation, 2 through 4
Chapter 36: Public Facilities, 2 through 9

Title 9: Utilities

Chapter 5: Stormwater Management Requirements, Sections 1 through 7

Realization 2020 Florence Comprehensive Plan:

Chapter 1: Citizen Involvement: Policies 1, and 4 through 6

Chapter 2: Land Use: Residential Section, Policies 1 and 4 through 8 and Recommendation 6, Land Use Section, Policies 1, 3, 7, 8, 8¹, 10, 11 & Recommendation 7; Commercial Section, Policies 3, 4 and 6, 7, 8, 9, and Recommendations 3 through 6 and 10 & NCN Section, Specific Plans Section-NCN

Chapter 5: Open Spaces and Scenic, Historic, and Natural Resources: Wetlands Section, Policies 3, 4, and 8

Chapter 7: Development Hazards and Constraints: Policies 1 and 2

Chapter 8: Parks, Recreation and Open Space: Open Space Section, Policy 15

Chapter 9: Economic Development: Policy 1

Chapter 10: Housing Opportunities: Policies 1, 3, and 4 and Recommendation 3

Chapter 11: Utilities, Facilities, and Services: Stormwater Management Section, Policies 1 through 30; Public Safety Section, Policies 2, 5, & 7

Chapter 12: Transportation: Policies 6, 8 through 14, 16, 22, 23, and 27 through 29

Chapter 13: Energy Facilities and Conservation: Policy 3, Recommendation 4

A preliminary PUD was approved for this project in 2008. In response to the recession, a 2-year extension was granted in 2009. A 6-month extension was granted in 2011. The applicant came before the Planning Commission in 2013 for a Final PUD for phase 1, a tentative subdivision, and design review. Key approvals are set to expire later this year. This application was deemed complete as of April 10, 2018.

The proposal is for a 70-acre, mixed-use development with commercial space, multiple residential densities, and institutional uses over 8 phases. This application is for approval of the overall shape of the development, with more specific applications for the design of the project's individual phases to come later.

The development would include street construction throughout the site. The stormwater plan shows that the applicant remapped the wetlands on the site as part of their preparation. The Oregon Department of State Lands will contribute testimony regarding the project, including wetlands, within 10 days of this hearing. The proposals landscaping plans detail stormwater basins and management features, some of which double as recreational space, including walking paths. Other open space is located throughout the development. Loading and circulation plans, as presented, have been discussed with Siuslaw Valley Fire & Rescue; details to allow for better fire engine access may need to be worked out.

The final design of buildings and other elements of the development will be up for review at later stages. Current proposals indicate the use of board-and-batten siding which, despite its prevalence, is not an outright allowed material for commercial structures. Staff recommends granting an exception.

The applicant has requested an exception to the 35' setbacks along the border of the development, specifically in regards to vertical encroachment along the eastern portion of the project, which abuts Florentine Estates. The exception is requested to allow residential units in this area to have rear decks. The floor of the decks would be roughly the same height as the 8' wall proposed between the properties.

Testimony was received from Jason Nelson, representing Florentine Estates, regarding the setback issue, stormwater and flooding, and traffic signal timing.

Testimony from Pamela Lowe of Florentine Estates reflected concern with setback encroachment, traffic, and stormwater as well as issues stemming from the location of the property fence and construction that could conceivably stretch over 10 years.

The City of Florence contracts with Civil West Engineering to provide peer review for engineered plans. Civil West provided testimony regarding the applicant's transit analysis. Testimony was also received from City of Florence Public Works, Siuslaw Valley Fire & Rescue, ODOT, and Lane County.

PD FarleyCampbell summarized conditions of approval included in the staff report presented to the Planning Commission, including:

- An exception to the timing requirements for PUD proposal;
- an exception to the 35' setback between the project site and Florentine Estates;
- an exception to the 15' setback between several residential units within the development;
- an exception to allow reduced lot sizes for several attached residential units;
- an exception to allow reduced lot sizes for several commercial units;
- an exception to allow parking spaces along a segment of Hwy 101 within the usual highway setback;
- a reduction in setbacks to allow buildings along the proposed Redwood commercial area to approach the street;
- a condition to either request an exception or lengthen several driveways to mitigate parked vehicle encroachment;
- a condition to modify the Travel Impact Analysis to reflect bed count rather than unit count in several areas;
- a condition to address the apparent need for a loading zone between the two apartment structures;
- an amendment to a condition specifying that a traffic signal will be added at Munsel Lake Road if a certain level of traffic is created by the development;

PD FarleyCampbell presented the staff finding that the application meets the requirements of applicable city codes with the addition of the conditions and amendments presented in the staff report.

Commissioner Titmus inquired about potential placement of a bus stop for the Rhody Express. He also expressed concern that the design of curbs and sidewalks could impede circulation for emergency vehicles. PD FarleyCampbell replied that these details would be addressed in final PUD and subdivision hearings.

Applicant – Brian Cavaness, Project Manager, representing Cannery Station Development LLC (CSD)

Mr. Cavaness indicated that, if this application is approved, CSD would be prepared to present a final PUD for either the entire project or phase 1 of the development and a preliminary subdivision in September or October. He introduced the designers, engineers, analysts, and other contributors available for questions.

Mr. Cavaness stated that the project site could be a potential location for various big-box commercial developments, but the current proposal calls for less intense, mixed uses. He described the residential character of various parts of the proposed development, including apartments, assisted living, and 6-plex transitional housing. He also described that retail businesses on the site would be owner operated (rather than national franchises) and pointed out areas where offices would be located. Each of the 3-story apartment buildings would be age-restricted and contain roughly 40 units. The first phase of the project would include a 70-unit assisted living facility with specialized memory care facilities.

Mr. Cavaness pointed out that the project includes roughly 30% open space, which is greater than what is required by code. He also stated that Cannery Station would help the city meet a significant portion of housing needs identified by the recent Housing Needs Analysis.

The conceptual parking facilities include roughly 476 parking spaces, 388 of which would be off-street. The area would be connected by an extensive pedestrian path system. He expressed understanding that parking for the duplex units may need to be changed from the proposal to meet the parking requirements of code. He welcomed additional conditions for design review to be required for the duplex units.

39% of the open space in the proposal would be dedicated to recreational use, which exceeds code requirements. Native plants would be preferred throughout. Design themes can be decided in later proposal stages. Addressing concerns regarding setbacks along Florentine Estates, Mr. Cavaness stated the area will not be open to public access and that various facilities will be maintained by a property manager and/or HOA. Stormwater facilities may be placed in the public right-of-way in various locations. These facilities would sometimes accompany walking paths that would form a loop around the property.

Mr. Cavaness requested that the phasing of the 8 stages of the project not be mandated by the city's approval. It would benefit the project to have the flexibility to develop in whatever order might be called for by economic concerns. He asked that the 10-year limit on development be implemented as a deadline for a final development plan for the entire project, with development phase applications submitted with no more than 18 months between them (after an initial 12-month limit on the first phase). He briefly described the reasoning behind requests for certain exceptions, including setbacks, compact parking spaces, and reduced lot size.

The exception to setback requirements between the transitional housing units and the property line with Florentine Estates was requested to allow decks to be added for those units. The proposal still includes a significant vegetation buffer, much of which is created by Florentine's 40' green belt.

Mr. Cavaness read from the project's traffic impact analysis, which states that, even when the project is fully built-out, traffic impacts would not trigger a requirement from ODOT to add a traffic signal. When the first PUD application and the potential for a traffic signal were being discussed in 2008, traffic counts were higher.

CSD consulted with Pacific Habitat Services (PHS) to analyze the wetlands on the site. PHS and DSL identified a 2000 wetland delineation study which claimed that the wetland areas along Hwy 101 are not naturally occurring. CSD's research indicates that a 30-year old culvert installed by ODOT has been blocked, and the blockage is causing water to accumulate in parts of the property. CSD is meeting with relevant agencies the week after this meeting to determine whether those wetlands will need to be compensated for using the local wetland bank.

Mr. Cavaness stated that the specifics of this property will require the development to result in less stormwater leaving the site than the current condition; most developments are simply required to ensure that no additional water flows out compared to the pre-development condition. CSD is skeptical that floodwater issues in Florentine Estates stem from the proposed PUD property. According to Mr. Cavaness, more than 90% of rainwater landing on the Cannery property will be directed west to either city stormwater systems or systems in the Hwy 101 right-of-way. The 35' setback area abutting Florentine will be the only area that does not drain to the west. CSD's surveys indicate water from as much as ¼ mile to the north and east of Munsel Lake Road collects and drains to the northwest corner of Florentine Estates. At some point, the drainage ditch under the road was constricted to two 18" pipes, which are not sufficient for large stormflows. The proposed development would add new drainage infrastructure to catch additional overflow, which may improve drainage for the area.

Chairperson Murphy clarified for the audience that some concerns regarding details of the development would be better addressed at later hearings on final PUD, subdivision, and design review. Setbacks and other exceptions will be included in the vote at the end of this hearing.

Commissioner Hauptman requested clarification on a payment made to the City of Florence. Mr. Cavaness indicated the payments were related to the Local Improvement District agreement. The commissioner also asked about timelines for groundbreaking and financing. Mr. Cavaness replied that CSD would be aiming to begin construction in February 2019. Lenders attached to the project will not make final decisions until city approvals are granted.

Commissioner Jagoe asked about traffic circulation and turn lanes at the proposed intersection at 47th Street and Hwy 101. Mr. Cavaness replied that both left and right turn lanes would be present for traffic entering and exiting the development. ODOT previously approved a full-access, unsignalized intersection at this location. Construction traffic would be directed onto the site off of Munsel Lake Road. Commissioner Jagoe expressed incredulity that a second story would be sensible for residential units designated for transitional housing for older residents. Mr. Cavaness stated that depth restrictions on those lots called for a second story to gain square footage. The commissioner asked whether CC&Rs could be written to prevent storage on the contentious deck spaces and the accompanying visual nuisance. Mr. Cavaness insisted that CC&Rs could prevent this. Commissioner Jagoe asked for consideration for a dedicated ambulance parking space at the assisted living facility.

VC Young asked about the material standards written into the proposed CC&Rs that would allow T1-11 siding on exterior walls not facing a street. Mr. Cavaness expressed openness to a new condition to explicitly exclude T1-11 siding throughout the development. VC Young pointed out the inadequate spacing between the development's primary proposed entrance at 47th Street and the access at the church to the south. Access point proximity could also be an issue between the intersection of Hwy 101 and Munsel Lake Road and the proposed access to the development site at Redwood Street and Munsel Lake Road. Kelly Sandow of Sandow Engineering described an application that was made to ODOT requesting a variance to access spacing standards, which included a traffic safety analysis. She also pointed out that Munsel Lake Road is subject to Lane County's shorter access proximity standards, and the proposed development does not violate that standard. VC Young stated that, regardless of standards, traffic conflicts would be likely along this stretch of Hwy 101. She moved on to state that reductions of the required berm and landscaping between Hwy 101 and the parking areas on the western edge of the proposed development would be unsightly, especially given the importance of visual appeal in this entrance area to the city.

Commissioner Tarvis asked for clarification on the timing of vegetation clearing on the property. Mr. Cavaness believed that clearing would not begin until grading was set to begin. A vegetation clearing permit had already been obtained for the first phase of the development; later phases were not slated for clearing until later dates. Some clearing will occur to allow utilities to be installed. At the request of the commissioner, Mr. Cavaness elaborated on stormwater flows, but directed the commission to the stormwater study for details. He stated that the area of land draining east to Florentine Estates will gradually shrink as development proceeds.

Chairperson Murphy asked for clarification of the role of Open Space designations B and D in the landscaping plans, which are described to meet both stormwater retention and open space requirements. Mr. Cavaness explained that facilities are allowed by city code to double as open space and water retention as long as the open space is not designated as required recreation area.

Commissioner Titmus called attention to the May 11, 2018 letter from ODOT, which calls for additional review and traffic analysis. Ms. Sandow stated that CSD and its engineers are in the process of addressing ODOT's comments. The commissioner went on to point out that Florence becomes significantly busier and more congested during summer months. He was concerned that the traffic study, which was conducted in February, would not be a sufficient basis for analysis. Ms. Sandow described the process used to extrapolate summer traffic counts based on historical relationships between traffic counts during different months of the year. ODOT may call for new traffic counts to be used.

Commissioner Titmus also took issue with the exception for vertical encroachment within the 35' setback along the eastern edge of the property. Mr. Cavaness described the requested exception for 6' of deck and stairs, which would allow access to the backyards and walking paths between the row of houses and property fence.

Chairperson Murphy pointed out that the deck and stairs would allow for an additional egress in the case of fire or other hazard. Commissioner Jagoe expressed a preference for first-floor bedrooms from a standpoint of fire and life safety.

When asked by Commissioner Titmus about age restrictions in the development, Mr. Cavaness pointed out that the commission does not have the authority to require the housing be provided for certain demographics; the developer is permitted by federal law to place age restrictions on the residential units. In response to stated concerns of Florentine Estate residents, he intends to require, via CC&Rs, that the properties not be used for short-term rentals. The CC&Rs will likely be enforced by the property manager of the assisted living facility, who will double as manager for the entire property.

Commissioner Titmus discussed additional conditions he would like to see attached to a potential approval. The first was a requirement to preserve a band of natural vegetation along the northern portion of Hwy 101 and following Munsel Lake Road along the northern edge of the property. Mr. Cavaness and an engineer attached to the project described that preserving natural vegetation is desirable, but sidewalks, naturally occurring ditches, curb ramps, and other factors might limit how much can be preserved in that part of the project. Mr. Cavaness volunteered phrasing for a new condition to the effect that, "applicant shall preserve native vegetation on the north side of the site to the greatest extent practicable." Commissioner Jagoe expressed skepticism that significant vegetation could be reasonably preserved, particularly Shore pines. Mr. Cavaness suggested that grading plans for final PUD applications would be the best opportunity to involve arborists or other experts to call for vegetation preservation.

Mr. Cavaness explained the Local Improvement District established to fund stormwater improvements in this area. This property is included as part of the agreement between the city and several local properties, and payments are being made biannually to cover the cost of improvements. He also described that a performance bond is included in the PUD application, which will be posted prior to authorization of building permits for the final PUD and will ensure the completion of certain public infrastructure. A 2-year maintenance bond will then be put in place which will cover potential costs of failed infrastructure in that period.

VC Young questioned Ms. Sandow about the traffic modelling software used in the traffic analysis, specifically whether it can generate visualizations that could be helpful to the commission in reaching a decision. She also asked for broader traffic analysis to include multiple intersections and their interactions.

Chairperson Murphy closed the public hearing at 6:39 PM. Vice Chairperson Young motioned to approve **Resolution PC 18 17 CPA 02**. Commissioner Miller seconded.

By roll call vote: Vice Chairperson Young, "Yes;" Commissioner Miller, "Yes;" Commissioner Titmus, "Yes;" Commissioner Hauptman, "Yes;" Commissioner Jagoe, "Yes;" Commissioner Tarvin, "Yes;" Chairperson Murphy, "Yes." Motions passed 7-0.

Opponent – Rod Stowe of Florentine Estates

Mr. Stowe expressed concern that the exceptions being considered for this development are mainly aimed at increasing density. He stated that housing is an important concern, but not all the demand needs to be addressed on this single property. He also objected to construction traffic impacting Florentine Estates. Traffic safety on and off Hwy 101 was also a major concern.

Opponent – Chuck Wade of Florentine Estates

Mr. Wade agreed with Mr. Stowe, and also expressed disbelief that the townhouses along the western portion of the development property would be functional as transitional housing for residents who may have difficulty climbing stairs.

Opponent – Mollie Smith of Florentine Estates

Ms. Smith agreed with concerns relating to traffic safety. She was pleased with discussion of retaining native vegetation and would like native vegetation to be retained in the 35' setback area.

Opponent – Jenny Valinty of Florentine Estates

Ms. Valinty was glad that research uncovered the story of the ditch which once drained the Cannery/Florentine area and was replaced with inadequate pipes. She pointed out that several ponds on the property are already connected to the flooding area in Florentine, and things may get worse unless the issue is ameliorated. She described being given a map in 1992 that showed a lake stretching from the area of Florentine across the highway to the present Fred Meyer location. She was opposed to approving the project with exceptions for decks or stairs inside the discussed 35' setback. She also believed the residences adjacent to Florentine would not be age restricted and, in addition, each of those homes could potentially be rented to two different families, each occupying a different floor. She requested additional consideration for wind protection, light pollution, trash storage, and sand management. Traffic was also a concern. Ms. Valinty expressed worry that the dunes present on the development property would act similarly to the dunal area behind Fred Meyer, with sand and water acting in ways not anticipated by the project's engineers.

Neutral Party – Jason Nelson, General Manager of Florentine Estates

Mr. Nelson stated he has never seen the pond areas overflow as described by the applicant. He was concerned that the townhouse units, especially if granted exceptions for decks, would represent sound disruption that would escape the Cannery property to a greater extent than had been discussed. Earlier discussions about the project had included a block wall between the development and Florentine Estates, and Mr. Nelson voiced a preference for this barrier over the cedar fence in the current proposal. He requested that the barrier be constructed in conjunction with the work occurring to clear and develop Open Space area C (the 35' setback buffer). He pointed out that the description of the path system in the proposal sounded distinctly welcoming of access by people other than Cannery residents, which would be at odds with its stated private status.

Opponent – Judy Thibault of Florentine Estates

Ms. Thibault was generally supportive of the development but shared several concerns. She criticized the hearing's procedures, which left this issue until late in the evening and robbed many citizens of their opportunity to comment. She would like to see a separate hearing dedicated to this issue. Ms. Thibault also restated concerns regarding the decks and the inadequacy of the fence.

Opponent – Sally Ahlas of Florentine Estates

Ms. Ahlas supported the testimony of Jason Nelson and the written testimony of Pamela Lowe. She stated that she was present for the 2008 discussions of the first form of this application, including the consideration for erecting a 10' solid wall between the development and Florentine Estates and the completion of that wall in its entirety during the first phase of the project. She pointed out that older folks would have trouble with the stairs proposed for the potential transitional housing units.

Applicant – Brian Cavaness, Project Manager, representing Cannery Station Development LLC (CSD)

Mr. Cavaness responded to public comments. Regarding a block wall, he stated a desire to avoid gated access between Cannery and Florentine Estates, which he believes might be required by state planning rules under certain circumstances. He also stated the proposed 8' fence exceeds the city's requirements. He addressed concerns over noise disruption with a suggestion that an acoustical engineer could be brought in to show that traffic noise is lower than casual conversation would present. He does not believe blowing sand will be an issue when the project is completed. Mr. Cavaness also stated a belief that visual impacts will not be an issue once Florentine's green belt and the proposed fence are taken into account.

Chairperson Murphy asked whether patios could be substituted for the contentious decks to alleviate potential visual issues.

Daniel Klute of GMA Architects, an architect for the project, supported the current proposal for usable deck space easily accessible from the main living area, but stated that a design change to ground-level patios would be possible.

Planning Director FarleyCampbell addressed several issues. As proposed, all improvements would be made to Open Space area C at the same stage of development, including the fence. She clarified that differences in the setback distances from one source to another stem from lot line differences; the unimpeded open space distance is 29'. She gave a summary of changes and corrections to the written conditions of approval. There were discussions of timing for implementation of conditions and the process going forward.

Staff recommends that the proposal can meet the requirements of Florence City Code with the conditions of approval as amended.

Four of the seven commissioners expressed a desire to continue the hearing to June 26, 2018. The hearing remains open to written and verbal testimony.

PLANNING COMMISSION DISCUSSION ITEMS

There were none.

PLANNING DIRECTOR'S REPORT/CALENDAR

The Planning Commission meeting on June 26th will include, in addition to the continuation of PC 18 12 PUD 01, a design review for a 4-unit residential cluster.

Chairperson Murphy adjourned the meeting at 10:27 p.m.

John Murphy, Chairperson
Florence Planning Commission

Date