CITY OF FLORENCE
PLANNING COMMISSION

RESOLUTION PC 20 10 EAP 02

A REQUEST FOR A ONE-YEAR EXTENSION OF APPROVAL PERIOD FOR RESOLUTION PC 18 41 DR 09, A REQUEST FOR DESIGN REVIEW APPROVAL OF LOT 2 TRANSITIONAL COTTAGE HOUSING UNITS WITHIN THE CANNERY STATION PHASE 1 FINAL PUD, AT ASSESSOR'S MAP 18-12-34-12, TAX LOT 7000, IN THE NORTH COMMERCIAL DISTRICT

WHEREAS, application was submitted by Daniel Klute, AIA, on behalf of Charles McGlade, MD, for an extension to the approved design review Resolution PC 18 41 DR 09 as required by FCC 10-1-1-6-3 and FCC 10-6-11; and

WHEREAS, the Planning Commission/Design Review Board met August 25, 2020, as outlined in Florence City Code 10-1-1-6-3 to consider the application, evidence in the record, and testimony received, and

WHEREAS, the Planning Commission/Design Review Board determined per FCC 10-6-11, after review of the application, testimony, and evidence in the record, that the application meets the criteria; 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 one-year extension of approval period for Resolution PC 18 41 DR 09 is approved.

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

1. Approval for shall be shown on:

"A" Findings of Fact
"B" Land Use Application
"C" Resolution PC 18 41 DR 09 (without exhibits)
"D" Site Plan (rev. 05/01/2019)

Findings of Fact attached as Exhibit "A" are incorporated by reference and adopted in support of this decision. 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.

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 prior to issuance of a building permit.

3. 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.

4. The approval for design review **PC 18 41 DR 09** will expire on April 9, 2021.

ADOPTED BY THE FLORENCE PLANNING COMMISSION/DESIGN REVIEW BOARD the 25th day of August, 2020.

_____ _____

JOHN MURPHEY, Chairperson DATE
Florence Planning Commission

FINDINGS OF FACT
FLORENCE PLANNING COMMISSION
Exhibit "A"

Public Hearing Date: August 25, 2020 **Planner:** Dylan Huber-Heidorn
Application: PC 20 10 EAP 02

I. PROPOSAL DESCRIPTION

Proposal: An application for extension of approval PC 18 41 DR 09, an approved design review of a 4-unit transitional cottage housing structure on Lot 2 within the Phase 1 Cannery Station PUD

Applicant: Charles McGlade, MD (rep. by Daniel P. Klute, AIA)

Property Owners: Cannery Station Development LLC

Location: Southeast corner of Munsel Lake Road and US Hwy 101

Site: Map #18-12-14-20, Tax Lot 0700

Comprehensive Plan Map Designation: North Commercial Node

Zone Map Classification: North Commercial

Surrounding Land Use / Zoning:

Site:	Undergoing development / North Commercial (NC)
North:	Undeveloped / North Commercial
South:	Church, apartment buildings, offices / NC, Commercial
East:	Single-family residences / Medium Density Residential
West:	Grocery store, gas station, auto parts / North Commercial

Streets / Classification:
West – US Highway 101 / Major Arterial; North – Munsel Lake Rd. / Minor Arterial; East –None; South – None

II. NARRATIVE:

In April 2019, the Planning Commission approved the Design Review applications for two residential structures in Phase 1 of the Cannery Station PUD. Each of the structures would house four residential units, which would be available for residents transitioning to the kinds of care provided in the adjacent and associated assisted living facility. Those approvals—PC 18 40 DR 08 and PC 18 41 DR 09—were set to expire on April 9, 2020.

As the applicants state in Exhibit B, the early stages of work on the 10-year Cannery Station project have been delayed for a variety of reasons, with the transitional housing units among the most affected. Applications to extend the 2018 design review approvals were received on February 24, 2020, and the applications were deemed complete as of April 16, 2020.

III. NOTICES & REFERRALS:

Notice: On August 5, 2020, notice was mailed to surrounding property owners within 100 feet of the property and a sign was posted on the property on the same date. Notice was published in the Siuslaw News on August 19, 2020.

At the time of publishing this report, the City had not received any written comments on the application.

Referrals: On August 17, 2020, referrals were sent to the Florence Building Department, Florence Public Works, Florence Building Official, and Central Lincoln PUD.

At the time of this report, the City had not received any referral comments.

IV. APPLICABLE REVIEW CRITERIA

Florence City Code, Title 10:
Chapter 1: Zoning Administration, Sections 1-4 & 1-6-3
Chapter 6: Design Review, Section 11

V. FINDINGS

FLORENCE CITY CODE

TITLE 10: CHAPTER 1: ZONING ADMINISTRATION

10-1-1-5: GENERAL PROVISION

A. 120-Day Rule: The City shall take final action on Type I, II, and III permit applications that are subject to this Chapter, including resolution of all appeals, within 120 days from the date the application is deemed as complete, unless the applicant requests an extension in writing. Any exceptions to this rule shall conform to the provisions of ORS 227.178. (The 120-day rule does not apply to Type IV legislative decisions – plan and code amendments – without an applicant under ORS 227.178.)

The applicant agreed to a waiver of the 120-day timeline for land use application processing, with February 15, 2021, as the agreed deadline for a final decision by the City.

10-1-1-6-3: TYPE III REVIEWS – QUASI-JUDICIAL LAND USE HEARINGS:

Per FCC 10-6-11, reviewed below, extensions to design review approvals may be granted by the Planning Commission. This application has been processed as a Type III quasi-judicial review. This criterion is met.

B. Notification of Hearing:

1. **At least twenty (20) days prior to a Type III (quasi-judicial) hearing, notice of hearing shall be posted on the subject property and shall be provided to the applicant and to all owners of record of property within 100 feet of the subject property, except in the case of hearings for Conditional Use Permits, Variance, Planned Unit Development and Zone Change, which notice shall be sent to all owners of record of property within 300 feet of the subject property.**
2. **Prior to a Type III (quasi-judicial) hearing, notice shall be published one (1) time in a newspaper of general circulation. The newspaper's affidavit of publication of the notice shall be made part of the administrative record.**

Notice of the public hearing was posted on the subject property on August 5, 2020. On this same date, notice was mailed to all property owners within 100 feet of the property. Notice was also published within the Siuslaw News one time on August 19, 2020. These criteria are met.

C. Notice Mailed to Surrounding Property Owners - Information provided:

1. **The notice shall:**

   a. **Explain the nature of the application and the proposed use or uses which could be authorized;**

   b. **List the applicable criteria from the ordinance and the plan that apply to the application at issue;**

   c. **Set forth the street address or other easily understood geographical reference to the subject property;**

   d. **State the date, time and location of the hearing;**

   e. **State that failure of an issue to be raised in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes further appeal based on that issue;**

   f. **State that application and applicable criteria are available for inspection at no cost and will be provided at reasonable cost;**

   g. **State that a copy of the staff report will be available for inspection at no cost at least 7 days prior to the hearing and will be provided at reasonable cost;**

   h. **Include a general explanation of the requirements for submission of testimony and the procedure for conduct of hearings.**

i. Include the name of a local government representative to contact and the telephone number where additional information may be obtained.

The provided notice contained all of the information listed in FCC 10-1-1-6-3-C. These criteria are met.

D. Hearing Procedure: All Type III hearings shall conform to the procedures of Florence City Code Title 2, Chapters 3 and 10.

E. Action by the Planning Commission:

1. At the public hearing, the Planning Commission shall receive all evidence deemed relevant to the issue. It shall then set forth in the record what it found to be the facts supported by reliable, probative and substantive evidence.

2. Conclusions drawn from the facts shall state whether the ordinance requirements were met, whether the Comprehensive Plan was complied with and whether the requirements of the State law were met.

3. In the case of a rezoning request, it shall additionally be shown that a public need exists; and that the need will be best served by changing the zoning of the parcel of land in question.

4. There is no duty upon the Planning Commission to elicit or require evidence. The burden to provide evidence to support the application is upon the applicant. If the Planning Commission determines there is not sufficient evidence supporting the major requirements, then the burden has not been met and approval shall be denied.

The Planning Commission held a public hearing on August 25, 2020, which met the standards of FCC 2-3 and FCC 2-10. The Planning Commission received all materials provided by the applicant. The findings state whether the application criteria were met or not. These criteria are met.

TITLE 10: CHAPTER 6: DESIGN REVIEW

10-6-11: LAPSE OF DESIGN REVIEW APPROVAL: Authorization of a design review permit shall be void one (1) year after the date of approval of a either a Type II or III design review application, unless a building permit has been issued and substantial construction pursuant thereto has taken place. Substantial construction shall be considered to be completion of a building foundation. The applicant may apply to the Planning Commission for a one-time extension of one (1) year maximum duration based on compliance with the following criteria:

A. The request for an extension is made in writing prior to expiration of the original approval.

The applicant applied for an extension in an application received February 24, 2020, prior to the April 9, 2020, expiration of the original approval. This criterion is met.

The April 9, 2020, approval date for Resolutions PC 18 40 DR 08 and PC 18 41 DR 09 is the date used to calculate the allowable extension, not the date of April 23, which was when the Planning Commission Chairperson physically signed the amended resolution document.

The approval for design review PC 18 41 DR 09 will expire on April 9, 2021. **(Condition 4)**

B. There are special or unusual circumstances that exist which warrant an extension.

In application documents, the applicant provided the narrative below as reasons for the requested extension:

> *"Applicant requests a one year extension on the Design Review approval for the Transitional Cottage Housing structure on Lot 2 at Cannery Station Development.*
>
> *"Throughout the past six months, the project team (as well as City Building and Planning staff) have been working through the building permit approval of the +/-59,000 sf Assisted Living Facility on Lot 2. The complexity of this building required extended review time by City staff, as well as collaborative effort to fulfill comment responses. In addition to this, the project team has been working to complete the Public Improvement scope for Phase 1 of the Final PUD. The roads, sidewalks, utilities, street lights, stormwater, and Tract design was a top priority to create the infrastructure of this development. We have submitted comment responses to the City for this Public Improvement scope and anticipate permit approval in the near future. Additional complexities that required the project team to adjust the overall development schedule included ODOT access, Lane County access, wetland determination, bringing utilities to the site, and managing expectations with neighboring properties.*
>
> *"No material changes of surrounding land uses or zoning has occurred. No new land use regulations have been adopted that affect the applicant's proposal. The design intent of the structure described in the Design Review application remains current. Our adjusted schedule is to begin construction documents on the Cottage structure following permit approval of the Public Improvement scope, and anticipate building permits and the foundation complete prior to the April 23, 2021 requested deadline (per FCC 10-6-10)."*

The applicant has focused efforts since April 2019 on site preparation activities and on the assisted living facility (ALF) portion of Phase 1 plans for Cannery Station. They state that unexpected additional time spent on infrastructure development, wetland determination, securing access, and other issues have delayed the start of development of the transitional cottages, which were a lower priority for the overall project than the assisted living facility.

The structural permit application for the ALF was received July 17, 2019. After fire review, infrastructure review, structural review, and other types of plan analysis were completed, the

building permit for the ALF was ready to issue on December 5, 2019. The permit has not been requested by the applicant. The expiration date for the building permit was extended at the request of the applicant from June 6, 2020, to October 20, 2020. Plumbing and mechanical permits for the ALF have similarly been extended to October 2020.

The applicant has been involved with various time-consuming activities and working with a variety of public agencies associated with beginning a project as large as Cannery Station. Much of that work was completed in 2019. However, when the applicant was considering the culmination of those plans in 2020 and writing the narrative above, they likely were not expecting the delays many projects have faced in the past few months stemming from the Covid-19 pandemic. The applicant still intends to begin significant construction of the cottages prior to April 23, 2021, as requested in the application.

Staff finds that—given the 10-year scope of the project, the complexity of the early stages of development, and the impacts of the pandemic on the industries and processes involved—there are special circumstances which warrant an extension. This criterion is met.

C. No material changes of surrounding land uses or zoning has occurred.

No changes to surrounding land uses or zoning has occurred that would impact the original DR approval or this extension request. This criterion is met.

The Planning Commission may deny the request for an extension of a design review permit if new land use regulations have been adopted that affect the applicant's proposal. (Ord 26, 2008)

The most notable change to land use regulations has been the recent adoption of zoning code text amendments for building height and residential uses in commercial zones (Resolution PC 20 20 TA 02 and Ordinance No. 9, Series 2020). While these changes impact the North Commercial zone, their effect was to relax zoning restrictions, not tighten them in any way that would affect the transitional cottages' original design review approval. This criterion is met.

VI. CONCLUSION

The proposed application meets the requirements of City Code with conditions.

VII. EXHIBITS

"A" Findings of Fact
"B" Land Use Application
"C" Resolution PC 18 41 DR 09 *(without exhibits)*
"D" Site Plan (rev. 05/01/2019)

City of Florence
Community Development Department
250 Highway 101
Florence, OR 97439
Phone: (541) 997 – 8237
Fax: (541) 997 – 4109
www.ci.florence.or.us

Type of Request

Extension of Approval Period

Applicant Information

Name: Charles McGlade, MD

Phone 1: [redacted]

E-mail Address: [redacted]

Phone 2:

Address: [redacted]

Signature: CMcGlade

Date: 2/19/2020

Applicant's Representative (if any): Daniel P. Klute, AIA - GMA Architects

Property Owner Information

Name: Cannery Station Development LLC

Phone 1: [redacted]

E-mail Address: [redacted]

Phone 2: 2/19/2020

Address: [redacted]

Signature: CMcGlade

Date:

Applicant's Representative (if any): Daniel P. Klute, AIA - GMA Architects

NOTE: *If applicant and property owner are not the same individual, a signed letter of authorization from the property owner which allows the applicant to act as the agent for the property owner must be submitted to the City along with this application. The property owner agrees to allow the Planning Staff and the Planning Commission onto the property. Please inform Planning Staff if prior notification or special arrangements are necessary.*

(Attach Additional Sheets as Necessary)

For Office Use Only:

Received	Approved	Exhibit
		Exhibit B

Revised 5/6/15

Property Description

Resolution Number: PC 18 41 DR 09 Approval Date: April 23, 2019

Property Address: 87344 Munsel Lake Rd. Florence, OR 97439 (Lot 2 of Tentative Subdivision Plan)

General Location (example: City Hall is at the SE corner of 2nd and Highway 101):
Cottage is located in the north eastern quadrant of Lot 2 of Cannery Station Development, at the corner of 47th street and Spruce street.

Assessor's Map and Tax Lot: Map: 18-12-14-20. Lot: 700

Original Expiration Date: April 23, 2020 Revised Expiration Date: April 23, 2021

List the reasons for the extension request (please be specific):

Applicant requests a one year extension on the Design Review approval for the Transitional Cottage Housing structure on Lot 2 at Cannery Station Development.

Throughout the past six months, the project team (as well as City Building and Planning staff) have been working through the building permit approval of the ±59,000 sf Assisted Living Facility on Lot 2. The complexity of this building required extended review time by City staff, as well as a collaborative effort to fulfill comment responses. In addition to this, the project team has been working to complete the Public Improvement scope for Phase 1 of the Final PUD. The roads, sidewalks, utilities, street lights, stormwater, and Tract design was a top priority to create the infrastructure of this development. We have submitted comment responses to the City for this Public Improvement scope and anticipate permit approval in the near future. Additional complexities that required the project team to adjust the overall development schedule included ODOT access, Lane County access, wetland determination, bringing utilities to the site, and managing expectations with neighboring properties.

No material changes of surrounding land uses or zoning has occurred. No new land use regulations have been adopted that affect the applicant's proposal. The design intent of the structure described in the Design Review application remains current. Our adjusted schedule is to begin construction documents on the Cottage structure following permit approval of the Public Improvement scope, and anticipate building permits and the foundation complete prior to the April 23, 2021 requested deadline (per FCC 10-6-10).

Date Submitted: _____ Fee: _____

Received by: _____

Paid

CITY OF FLORENCE
PLANNING COMMISSION

RESOLUTION PC 18 41 DR 09
(Revised April 9, 2019, Exhibits Revised April 22, 2019)

A REQUEST FOR DESIGN REVIEW APPROVAL OF LOT 2 TRANSITIONAL COTTAGE HOUSING UNITS WITHIN THE CANNERY STATION PHASE 1 FINAL PUD.

WHEREAS, application was made by Charles T. McGlade and Kristen Taylor, representing Cannery Station Development LLC, for a Design Review as required by FCC 10-1-1-4, and FCC 10-1-1-6-3; 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 10-1-1-5, to consider the application, evidence in the record, and testimony received, and

WHEREAS, the Planning Commission/Design Review Board determined per FCC 10-6, 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 Design Review to construct transitional cottage housing units within the Cannery Station Phase 1 final PUD 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	March 5, 2019 Rev. March 6, 2019

		Revised Findings of Fact – Cannery Station Phase 1 Final PUD	April 8, 2019
A2.1	-	**Findings of Fact – Cannery Station Tentative Subdivision** Revised Findings of Fact – Cannery Station, Phase 1 Tentative Sub.	March 5, 2019 Revised April 8, 2019
A5.1	-	**Findings of Fact – Lot 2 – Transitional Cottage Housing South** Resolution PC 18 41 DR 09 Revised Findings of Fact – TCH South	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 Revised March 6, Apr. 8, Apr. 19, Apr. 22, 2019
B	-	**Applications, Application Narratives**	-
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
C		**Application Attachments**	-
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,	Feb. 8, 2019

		dated July 26, 2018, Updated January 23, 2019 [REPLACEMENT]	
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
D	**-**	**Subdivision Drawings**	-
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
E	**-**	**Design Review Site Plans**	-
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
E3.1	A2.00	Phase 1 – Lot 2 – Design Review Site Plan	Feb. 8, 2019
E3.7	A2.20	Lot 2 – Cottage North	Feb. 8, 2019
F	-	**Civil Plans**	-
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
G	-	**Landscaping Plans**	-
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
H	-	**Lighting Plans**	-
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
I	-	**Referral Comments**	-

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
K	**-**	**Applicant Memo-Conditions of Approval Response**	-
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

Revised Findings of Fact attached as Exhibit "A5.1" 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 Planning Director or Planning Commission/Design Review Board.

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 prior to issuance of a building permit.

3. 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.

4. Within 30 days of Planning Commission approval, applicant shall revise parking and loading plan in accordance with FCC 10-3-10 BICYCLE PARKING REQUIREMENTS A thru H. Revised plan shall be submitted to City of Florence Planning Department for review and approval.

5. 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.

6. Condition DELETED.

7.

a. The applicant shall be allowed construction access via Munsel Lake Road/Redwood Street, with future access through possible jurisdictional wetland to be determined. Alternate primary or secondary emergency access, as required by Fire Code or USACE disapproval of applicant's Joint Permit Application shall require submittal of amended PUD application with special consideration of amended TIA, amended site plans, amended access and circulation plans, and amended stormwater plans and calculations. Certificate of Occupancy for the ALF shall not be issued until secondary emergency access is provided.

b. The applicant shall not commence any development activities in the southwest corner of the site where the wetlands are located, unless and until the US Army Corps of Engineers (USACE) issues a Jurisdictional Determination that concludes the Wetlands are not Waters of the United States and not subject to the Corps' jurisdiction. If the USACE determines that the wetlands in the southwest corner of the site are Waters of the United States and subject to the Corps' jurisdiction, Applicant shall not commence any development activity in the southwest corner of the site where the wetlands are located unless and until Applicant (1) submits evidence that the USACE has approved and issued a fill permit for the wetlands located in the southwest corner of the site, or (2)

the Planning Commission approves an amendment to the Final PUD Plan and Tentative Subdivision for the southwest portion of the site that is affected by wetlands.

c. Prior to receiving a jurisdictional determination from the USACE, the wetlands in the SW corner of the site are not Waters of the US or obtaining any required fill permit from the USACE, the applicant may commence development activities in upland areas of the site only. Permitted activities in upland areas may include vegetation clearing, site grading, installation of public infrastructure improvements, and other development activities required by the land use code or the conditions of approval.

d. Construction of the Assisted Living Facility may proceed prior to the applicant receiving a jurisdictional determination or a fill permit from the USACE. Prior to issuance of the Certificate of Occupancy, applicant shall meet all stormwater management standards of the City of Florence by one of the following means: providing mechanical treatment on Lot 2 for all stormwater which can be treated and managed in this way; amending the PUD to re-locate the stormwater facility; and/or, after a USACE determination or permit is issued, placing the stormwater facility in Open Space A as proposed in the Final PUD.

8. Prior to the issuance of building permits in areas where steep slopes greater than 12 percent have been identified, the applicant shall submit a foundation and grading design plan that also addresses drainage and revegetation. Plan shall be prepared by a registered engineer and approved by the City Engineer or his or her designee.

9. Prior to the issuance of building permits or commencement of work, in areas with seasonal standing water, construction of a drainage system and/or placement of fill material shall be required according to plans prepared by a registered engineer and approved by the City.

10. Prior to issuance of building permits, the applicant shall submit for review and approval by the City of Florence Planning Department or their designee an erosion control plan that addresses elements as described in FCC 10-7-7 REVIEW AND USE OF SITE INVESTIGATION REPORTS.

11. Condition DELETED – Moved to PUD Resolution.

12. Within 30 days of Planning Commission approval, the applicant shall submit a revised plan that shows the fence in Open Space Tract "C" will be an 8-foot high solid fence as required in the North Commercial District. Fences greater than 7-feet high shall require a building permit.

13. Condition DELETED.

14. Living plant materials shall cover a minimum of 70 percent of the required landscape area within 5 years of planting. This requirement shall be noted on the final landscape plans.

15. Prior to issuance of Certificate of Occupancy, applicant shall utilize a pocket-planting method with a soil-compost blend around plants and trees to ensure healthy growth.

16. Within 30 days of approval by Planning Commission, applicant shall submit a final plant and tree selection plan in accordance with FCC 10-34-3-4 and FCC 10-34-4 (Street Trees) for review and approval by the City of Florence Planning Department.

17. The applicant shall maintain their landscaping and replace any failed plantings with an equivalent specimen within six months of their dying or removal.

18. Prior to issuance of certification of occupancy, the applicant shall plant the proposed street trees with root guards to preserve the adjacent sidewalks, as well as pocket-plant the trees with a soil-compost blend in order to ensure healthy growth.

19. Condition DELETED.

20. Condition DELETED.

21. Condition DELETED.

22. Condition DELETED.

23. Condition DELETED.

24. Within 30 days of Planning Commission approval, applicant shall submit plans for review and approval by City Engineer or his or her designee in accordance with FCC 10-36-2-18, Curbs, Curb Cuts, Ramps, and Driveway Approaches.

25. Final Certificate of Occupancy for Cottage 2 is conditioned upon completion and acceptance of public and private infrastructure and utility improvements necessary to serve the Site. Public and private infrastructure improvements shall be submitted and accepted by the Public Works Department and City Engineer or his or her designee prior to construction of said infrastructure and utility improvements.

26. Condition DELETED.

27. Condition DELETED.

28. The application for design review will expire following one (1) year **(April 9, 2020)** from the date of approval, April 9, 2019.

29. The fence between Florentine Estates and the project site shall be constructed up to the point of delineated wetlands in Open Space Tract "C" until final determination provided by USACE at which time, if approved, the fence shall be extended the remainder to Munsel Lake Road.

30. Within 30 days of Planning Commission approval, the applicant shall submit preliminary construction plans for driveways with each Final PUD, tentative subdivision, or design review and approval prior by the Florence Public Works Dept.

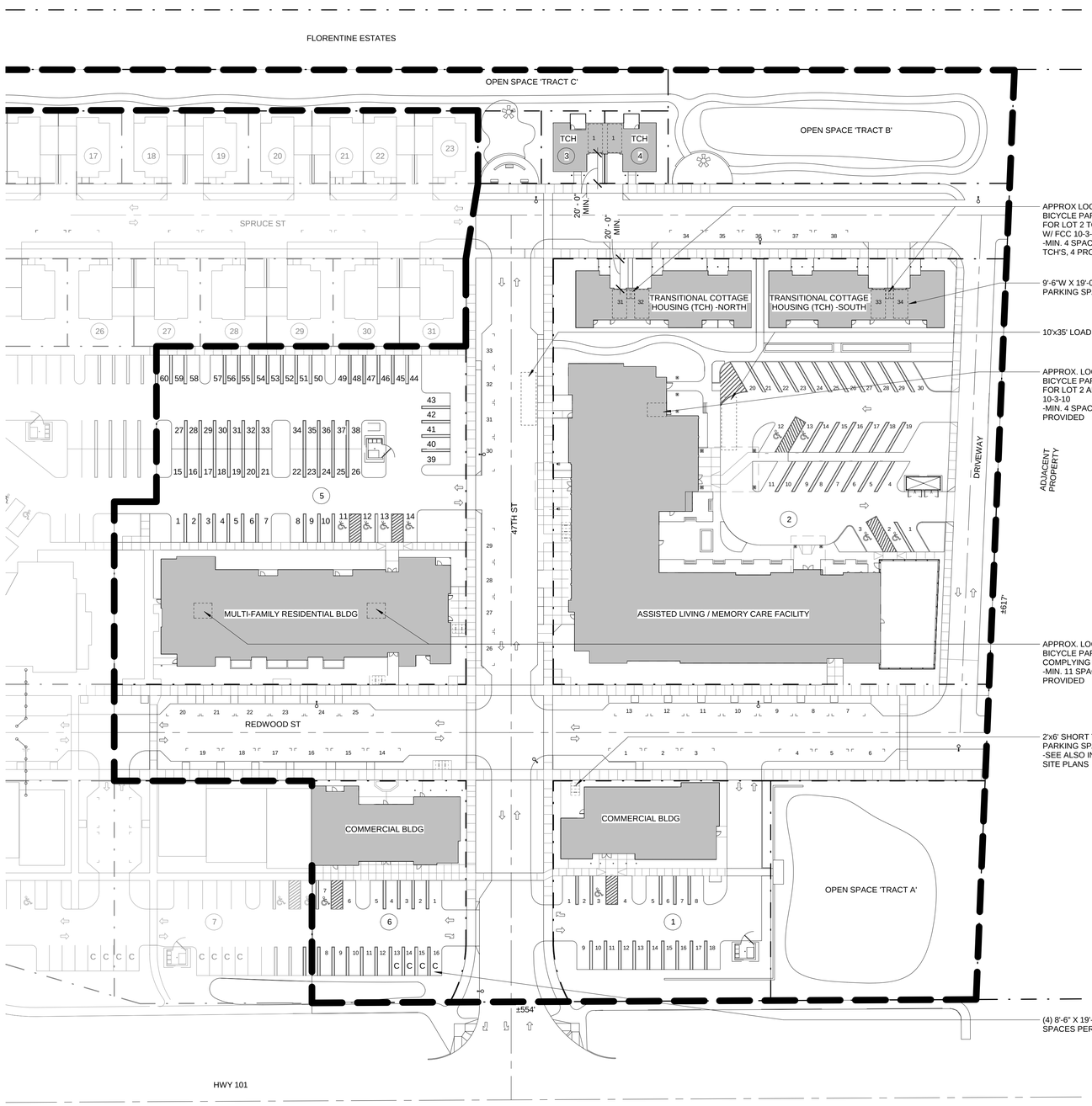
31. Walkway and Multi-Use Path design and construction shall be addressed and meet the requirements contained within FCC 10-35-3-3 during Design Review and building permit applications. All future building improvements will be required to comply with sidewalk and pedestrian access design and construction standards as a final condition of occupancy for all buildings.

32. Preliminary construction plans for interior and off-site vehicular, bicycle, pedestrian and utility infrastructure are required to be submitted for review and approval with application for Final PUD, and tentative subdivision for each phase of development. All facilities whether proposed by the applicant or found during land use review to be needed are required to meet and are subject to applicable Florence City Code standards, Florence Stormwater Design Standards, Florence Comprehensive Plan policies, most specifically, Chapters 11 & 12, Lane County Code Standards, Highway Standards, U.S. Postal Standards and other policies and regulations as appropriate unless specific exception is granted by the agency and included in the Planning Commission approval specifically listed and documented in the findings of fact. The applicant is responsible to pay for their share of costs of development or improvement to transportation facilities which will serve the proposed development. Bonding and performance agreements may be required. This condition was previously listed as Condition 43 from PC 18 12 PUD 01.

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

JE Murphey 4-23-19

JOHN MURPHEY, Chairperson DATE
Florence Planning Commission



APPROX LOCATION/LONG TERM BICYCLE PARKING STORAGE FOR LOT 2 TCH'S COMPLYING W/ FCC 10-3-10
-MIN. 4 SPACES REQ'D AT LOT 2 TCH'S, 4 PROVIDED

9'-6"W X 19'-0"L GARAGE PARKING SPACE, TYP

10'x35' LOADING ZONE

APPROX. LOCATION/LONG TERM BICYCLE PARKING STORAGE ROOM FOR LOT 2 ALF COMPLYING WITH FCC 10-3-10
-MIN. 4 SPACES REQ'D AT LOT 2 ALF, 4 PROVIDED

APPROX. LOCATION/LONG TERM BICYCLE PARKING STORAGE ROOMS COMPLYING WITH FCC 10-3-10
-MIN. 11 SPACES REQ'D AT LOT 5, 13 PROVIDED

2'x6' SHORT TERM BICYCLE PARKING SPACE, TYP
-SEE ALSO INDIVIDUAL LOT SITE PLANS

(4) 8'-6" X 19'-0" COMPACT SPACES PER EXCEPTION

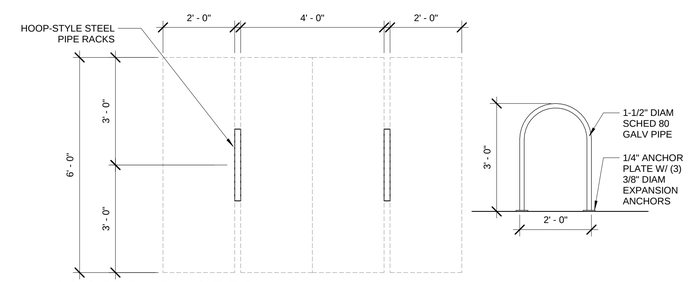
GENERAL NOTES

1. ARCHITECTURAL DETAILS, DIMENSIONS, FINISHES, WINDOW CONFIGURATIONS, AND MECHANICAL EQUIPMENT LOCATIONS ARE CONCEPTUAL AND GENERALLY PROVIDED TO ADDRESS THE DESIGN REVIEW STANDARDS AND PRELIMINARY PUD. ADDITIONAL DIMENSIONS AND DETAILS NOT SUBJECT TO DESIGN REVIEW AND PRELIMINARY PUD CONDITIONS OF APPROVAL ARE PROVIDED FOR REFERENCE ONLY. DETAILS WILL BE PROVIDED AT THE TIME OF BUILDING PERMIT SUBMITTAL IN COMPLIANCE WITH ALL APPLICABLE CITY CODE REQUIREMENTS, FINAL PUD CONDITIONS OF APPROVAL, AND DESIGN REVIEW CONDITIONS OF APPROVAL.
2. PARKING SPACES SHALL NOT BE USED FOR PRODUCT DISPLAY OR STORAGE TO INCLUDE THE USE OF CARGO CONTAINERS
3. DETAILS, DIMENSIONS FOR DRIVE AISLES, STREET, AND PARKING SPACES ARE SHOWN ON INDIVIDUAL LOT SITE P LAN SHEETS.
4. PEDESTRIAN ACCESS AND BICYCLE AMENITIES SHOWN ON INDIVIDUAL LOT SITE PLANS

PARKING SCHEDULE

	LOT	PROPOSED USE		VEHICLE PARKING REQ'D	ADA PARKING REQ'D	OFF-STREET VEHICLE PARKING PROVIDED	ADA PARKING PROVIDED	ON-STREET VEHICLE PARKING PROVIDED	EXAMPLE OF MAXIMUM SF PER USE			
									RESTAURANTS 1/125	MEDICAL OFFICE 1/200	GENERAL OFFICE 1/400	RETAIL 1/333
PHASE 1	1	COMMERCIAL (OFFICE)	4650 SF	12	1	18	1	6	2250	3600	7200	5994
	2	INSTITUTIONAL (ASSISTED LIVING, MEMORY CARE & SINGLE-STORY TRANSITIONAL COTTAGES)	MC: 20 UNITS ALF: 44 UNITS RES: 8 UNITS TOTAL: 72 UNITS	1/3 BEDS: 24 SPACES REQ'D + EMPLOYEE PARKING	2	30 (ALF) + 4 (COTTAGES) = 34 SPACES	2	12				
	3	INSTITUTIONAL (TRANSITIONAL COTTAGES)	1-BED RES	1	_	1	_	0				
	4	INSTITUTIONAL (TRANSITIONAL COTTAGES)	1-BED RES	1	_	1	_	0				
	5	MULTI-FAMILY RESIDENTIAL (APARTMENT BUILDING)	42 UNITS STUDIO: 10 UNITS 1-BED: 19 UNITS 2-BED: 13 UNITS	49	3	60	3	14				
	6	COMMERCIAL (RETAIL)	4370 SF	14	1	17	1	6	2,000	3,200	6,400	5,328
	TOTALS			**101**		**131**		**38**				

		BICYCLE PARKING REQ'D		BICYCLE PARKING PROVIDED	
		SHORT TERM	LONG TERM	SHORT TERM	LONG TERM
PHASE 1	Lot 1	2	_	4	_
	Lot 2 ALF	4	4	6	4
	Lot 2 TCH	-	4	_	4
	Lot 3	_	_	_	_
	Lot 4	_	_	_	_
	Lot 5	_	11	2	13
	Lot 6	2	_	4	_



1 PARKING & LOADING PLAN
1" = 40'-0"

NORTH

0' 20' 40' 80' 160'

2 BICYCLE PARKING LAYOUT, TYP
1/2" = 1'-0"

Exhibit D

GMA ARCHITECTS
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Eugene, Oregon 97401
(541) 344 9157
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REGISTERED ARCHITECT JOSEPH E. MOORE EUGENE, OREGON 6033 STATE OF OREGON

REVISIONS

CANNERY STATION
87344 MUNSEL LAKE RD. FLORENCE, OREGON 97439

JOB NO: 17986
ISSUE DATE: 01 MAY 2019

PARKING & LOADING PLAN

PHASE 1
LOT 2
DESIGN
REVIEW

A0.30

GMA ARCHITECTS © 4/25/2019 2:43:15 PM