

OPTION 1

**CITY OF FLORENCE
PLANNING COMMISSION**

RESOLUTION PC 16 15 CUP 05

A REQUEST FOR A CONDITIONAL USE PERMIT TO CONVERT A RESIDENCE TO AN OFFICE USE AT 1684 29TH STREET WITHIN THE MULTI-FAMILY RESIDENTIAL ZONING DISTRICT, ASSESSOR'S MAP 18-12-23-32 TAXLOT 01401.

WHEREAS, application was submitted by Larry Porter of SolvIT International for a conditional use permit, as required by FCC 10-1-1-5, and FCC 10-4; and

WHEREAS, the Planning Commission/Design Review Board met December 13, 2016, 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 10-4-6, 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 conditional use permit may be approved subject to the following conditions of approval.

1. Approval for shall be shown on:

”A” Findings of Fact

”B” Land Use Application

”C” Site, Landscaping, Parking Plans

”D” Referral Comments from SVFR, Building, Public Works

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. Parking

- 4.1. The applicant shall provide off-street parking meeting the requirements of FCC 10-3. No on-street parking will be counted towards meeting the required parking spaces. The applicant shall also submit a revised parking plan for review which meets the requirements of FCC 10-3 and the conditions of approval. The applicant shall provide a parking plan which includes the information listed in FCC 10-3-8-K.
- 4.2. The parking spaces shall be maintained and shall not be eliminated, used for the storage of materials of any type, or used for loading or unloading operations during business hours.
- 4.3. The applicant shall provide two paved, off-street parking spaces, not including those needed to meet the minimum accessible parking requirement.
- 4.4. The applicant, with two parking spaces, shall provide one van-accessible ADA parking space.
- 4.5. The applicant shall choose either:
 1. to provide covered parking for both non-accessible and accessible parking within the covered parking area,
 2. to provide only ADA-accessible parking within the covered parking area, or
 3. to not utilize the garage for parking at all.
- 4.6. The applicant shall submit a parking plan including paved driveways within the first 50 feet of each entrance from a public right-of-way.
- 4.7. The applicant shall submit a parking plan with grading details which demonstrate that the parking lot and driveways will be graded as to not drain storm water over public sidewalks. The drainage systems shall be connected to bio-swales to infiltrate the storm water rather than directing it to a storm sewer system to be conveyed off-site.
- 4.8. The applicant shall provide a parking plan which demonstrates location or sufficient

screening as to not shine onto adjacent residential uses.

- 4.9. Proposed parking shall not be located in a required front or side yard (five feet setbacks within the Multi-Family Residential District).
- 4.10. The applicant shall provide marked parking spaces and drive aisle widths meeting the requirements of FCC 10-3-9.
- 4.11. The applicant shall provide two bicycle parking spaces, which are also shown on a required revised parking plan, meeting the criteria of FCC 10-3-10.

5. Conditional Use Permit/Design Review Requirements

- 5.1a. Since the building has already been constructed and the use has already commenced on-site, the applicant shall complete all required conditions of approval within six months (June 13, 2017).
- 5.2. Authorization of a conditional use permit shall be void one (1) year after the date of approval, December 13, 2017.
- 5.3. The approval for Design Review of the proposed facility shall expire on December 13, 2017.

6. Zoning Provisions

- 6.1. The applicant, through parking requirements or other building onsite, shall not surpass the 75% coverage maximum for the Multi-Family Residential zone.
- 6.2. The applicant shall ensure that the required parking plan does not encroach onto the required five foot front, side, or rear setbacks.

7. Landscaping

- 7.1. The applicant shall provide a landscape plan including all information listed as part of FCC 10-34-3-2 for review by the Planning Department prior to the deadline for completion of conditions of approval.
- 7.2. The applicant shall provide a minimum of 15% of the lot area as landscaped area.
- 7.3. The applicant shall provide an additional three trees (for a total of six trees) located within the first 20 feet of street-abutting lot lines and which are listed on the Tree and Plant List for the City of Florence and meet the planting standards therein.
- 7.4. The applicant shall provide an additional 35 shrubs (for a total of 36 shrubs) located within the first 20 feet of street-abutting lot lines and which are listed on the Tree and

Plant List for the City of Florence and meet the planting standards therein.

- 7.5. Living plant materials shall cover a minimum of 70 percent of the required landscape area within 5 years of planting.
- 7.6. Plants and trees shall be pocket-planted with a soil-compost blend to ensure healthy growth.
- 7.7. The applicant shall remove all invasive or noxious weeds from the site and shall not plant invasive or noxious species.
- 7.8. The applicant shall select all plants from the Tree and Plant List for the City of Florence.
- 7.9. Storm water facilities shall be reviewed by the Planning, Building, and Public Works Departments prior to approval and necessary permits shall be obtained for their construction.
- 7.10. Irrigation shall be installed for all landscaping, except existing native, preserved vegetation and new drought tolerant plants. Drought tolerant plants shall have temporary irrigation necessary for plant establishment.
- 7.11. The proposed screen shall meet the requirements of FCC 10-34-3-7-A and shall not intrude into a vision clearance area.
- 7.12. The applicant, if pursuing Option 1, shall propose a parking area, if adjacent to a building, which meets the requirements of FCC 10-34-3-7-B.
- 7.13. The trash/recycle containers for the office shall be enclosed by a solid fence or wall not less than five feet in height or stored out-of-view inside the building.
- 7.14. The applicant shall provide, in addition to required plantings within 20 feet of an adjacent street, a 15-foot vegetated buffer and no less than a six foot tall solid fence or wall to screen the office building and provide a buffer for abutting residences.
- 7.15. The applicant shall maintain their landscaping and replace any failed plantings with an equivalent specimen within six months of their dying or removal.
- 7.16. If the applicant proposes street trees as part of their landscaping plan, 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.
- 7.17. The applicant has not proposed fencing surrounding the office building. Fencing other than that required above as part of Condition 7.15 shall meet the requirements listed as part of FCC 10-34-5-B.

7.18. Any proposed fencing or walls shall comply with the vision clearance standards of FCC 10-35-2-14.

8. Access Standards

8.1. The applicant shall submit a site and parking plan with driveway and street access which meets the requirements of FCC 10-35-2-7.

8.2. The applicant shall provide a parking plan which demonstrates adequate bicycle and pedestrian connections and which conforms to the provisions of FCC 10-35-3.

8.3. The applicant shall provide a site and parking plan which demonstrates that the driveway requirements of FCC 10-35-2-12-A and -B are met.

8.4. The driveways proposed by the applicant shall meet the criteria of FCC 10-35-2-12-C.

8.5. The applicant shall maintain the vision clearance area free of visual obstructions from 2' 6" to 8' in height.

9. Pedestrian Access and Public Improvements

9.1. The applicant shall provide sidewalks meeting the requirements of FCC 10-35-3 along the 29th Street frontage of the property.

9.2. The applicant shall provide a non-remonstrance agreement for improvements to Pine Street. If the applicant is required to develop Pine Street due to a need for parking, the applicant shall construct sidewalks along the portion of the street developed to City standards.

9.3. The applicant shall either provide a non-remonstrance agreement or construct sidewalks adjacent to the property prior to final inspection and Certificate of Occupancy.

9.4. The applicant shall propose walkways which meet the applicable requirements of FCC 10-35-3-2 and -3.

9.5. The sidewalks shall be constructed at the property line with planter strips adjacent and will meander around existing trees where possible. The applicant shall be the maintaining property owner of sidewalks and planter strips adjacent to the property.

10. The applicant shall consult with the Public Works Director and determine his course of action, including whether street improvements will be required and to what extent those improvements will be required.

11. Lighting

- 11.1.** Any additional lighting installed on the exterior of the building shall be evaluated by the Planning Department.
- 11.2.** The applicant shall ensure that lighting fixtures do not project light onto adjacent or nearby property.
- 11.3.** The applicant shall add lighting fixtures or reposition proposed fixtures to provide at least two foot-candles of illumination for all required parking spaces.
- 11.4.** The applicant shall extinguish all exterior lighting other than the minimum needed for safety and security at the end of business hours. Motion-activated lights are encouraged.

Informational

- 1.** Any parking area which is proposed by the applicant that will extend into the public right-of-way will require an agreement with the City.
- 2.** The structure is in excess of the 280 feet from a fire hydrant. Typically, for non-sprinklered commercial structures, all portions of the building must be within 250 feet of a fire hydrant. The required footage from a fire hydrant can be increased to 500 feet by adding a fire sprinkler system. More details concerning fire suppression requirements can be addressed by the Fire Marshal.
- 3.** Any access from the undeveloped Pine Street right-of-way will require a separate review and approval. Access from the undeveloped Pine Street right-of-way will require surface and drainage improvements along the lot frontage as a minimum.
- 4.** Building permits are required. A ramp and pathway from an approved ADA parking space to the entry will be required. Any changes inside will need to address removing architectural barriers up to the 25% rule see attached.

ADOPTED BY THE FLORENCE PLANNING COMMISSION/DESIGN REVIEW BOARD the 13th day of December, 2016.

CURT MUILENBURG, Chairperson
Florence Planning Commission

DATE