
AGENDA ITEM SUMMARY / STAFF REPORT
FLORENCE PLANNING COMMISSION

ITEM NO:
Meeting Date: October 8, 2024

ITEM TITLE:

PC 24 32 DR 09 – *US Market Design Review*

OVERVIEW:

Background/Application: A Design Review request for a 5,729 sq. ft. single-story retail store on an undeveloped 0.99-acre parcel on the east side of Highway 101, immediately north of the Burger King restaurant and south of Chens Family Dish restaurant. In recent years, ODOT installed a driveway approach on the southwest side of the subject property, which the proposed project is designed to use. It is shown on the Assessor’s Map #. 18-12-23-22, tax lot 06800.

Process and Review: This application request represents a Type III land use application review requiring a quasi-judicial public hearing. The Florence Planning Commission is the review body as set out in [Florence City Code Title 10 Chapter 6](#). The resolution, findings of fact, and application materials are attached to this AIS. The applicable criteria are listed in the “Applicable Criteria” section of the findings. Only the code sections, comprehensive plan policies, and appendices are the policy considerations that may be applied in the decision-making process. Application materials, public testimony, and agency referrals that speak to the criteria may also be considered. The agenda hearing will include the staff’s overview of the application and presentation of any written testimony received, Planning Commission deliberations, and their vote.

Testimony/Agency Referrals: No public testimony has been received. Agency Referrals are included in the Exhibits.

ALTERNATIVES:

1. Recommend approval of the Design Review request for PC 23 08 DR 02 based on the Commission’s findings that the application meets the requirements of the City Code subject to conditions,
2. Recommend denial of the requested extension of PC 23 08 DR 04 based on the Commission’s findings that the application does not meet the requirements of the City Code.
3. Continue deliberations and defer the decision.

RECOMMENDATION:

The evidence in the record demonstrates that the proposed Design Review request for PC 24 32 DR 09 is consistent with the policies outlined in state statutes, administrative rules, and Florence City Code based on the findings. Staff recommends that the Planning Commission approve the Design Review request for PC 24 32 DR 09 as shown in Alternative 1.

AIS PREPARED BY:

Jacob Foutz, Planning Manager

ATTACHMENTS:

Attachment 1 - Resolution PC 24 32 DR 09

- Exhibit A Findings of Fact
- Exhibit B Land use application
- Exhibit C Civil improvement plans
- Exhibit D Site plan
- Exhibit E Elevations
- Exhibit F Photometric plan
- Exhibit G Landscape plan
- Exhibit H Floor plan
- Exhibit I Geotechnical report
- Exhibit J ODOT access permit
- Exhibit K Cut sheets lighting
- Exhibit L Stormwater report
- Exhibit M TIA
- Exhibit N Referral Comments

**CITY OF FLORENCE
PLANNING
COMMISSION**

RESOLUTION PC 24 32 DR 09

A REQUEST FOR DESIGN REVIEW OF A 5,729 SQ. FT. SINGLE-STORY RETAIL STORE ON AN UNDEVELOPED 0.99-ACRE PARCEL AS SHOWN ON ASSESSOR’S MAP # 18-12-23-22, TL 06800, LOCATED NEAR THE NORTHEAST INTERSECTION OF HIGHWAY 101 AND 36TH ST.

WHEREAS, US Market made an application for a Design Review approval as required by FCC 10-1-1-4, FCC 10-1-1-6-3, and FCC 10-6; and

WHEREAS, the Planning Commission met in a duly-advertised public hearing on October 8, 2024, 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 of the City of Florence, per FCC 10-1-1-4, FCC 10-1-1-6-3, FCC 10-6, and FCC 10-7 finds, based on the Findings of Fact, application, staff recommendation, evidence, and testimony presented to them, that the application meets the applicable criteria through compliance with certain Conditions of Approval.

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

The request for a design review for the 5,729 sq. ft. retail store meets the applicable criteria in the 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 conditions of approval as supported by the following record:

Exhibit A	Findings of Fact
Exhibit B	Land use application
Exhibit C	Civil improvement plans
Exhibit D	Site plan
Exhibit E	Elevations

Exhibit F	Photometric plan
Exhibit G	Landscape plan
Exhibit H	Floor plan
Exhibit I	Geotechnical report
Exhibit J	ODOT access permit
Exhibit K	Cut sheets lighting
Exhibit L	Stormwater report
Exhibit M	TIA
Exhibit N	Referral Comments

1. Findings of Fact attached as Exhibit “A” are incorporated by reference and adopted to support this decision. Any modifications to the approved plans or changes of use, except those relating to the structural integrity or ADA access regulated by Building Codes, will require approval by the Community Development Director or Planning Commission/Design Review Board.
2. Regardless of the content of the material presented, 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 approval conditions before issuing 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 not continue until a SHPO or CTCLUSI representative permits.
4. All comments from the City of Florence Public Works Director shall be addressed and included in associated plans and submitted for review by public works prior to issuance of a building permit.
5. Required 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.
6. Fencing and evergreen hedges shall be well-kept and maintained.

7. The width of the striping line used in the parking areas shall be a minimum of 4" wide.
8. The applicant shall move the bike parking to within 9'6" of the main entrance.
9. The bicycle parking area shall not create a hazard to pedestrians and be clearly marked and reserved for bicycle parking only in accordance with FCC 10-3-10G.
10. The proposed windows shall be modified to include the features outlined in FCC 10-6-7-B-2(a&b).
11. The request for Design Review approval shall expire on October 8, 2025, unless substantial construction has taken place or an extension request is received in accordance with FCC 10-6-11(A-C).
12. Shrubs not proposed for 3-gallon containers shall be changed on the landscape plan to 3-gallon containers unless otherwise specified in the tree and plant list for the city of Florence, and evidence of this change shall be submitted before issuance of any building permits.
13. A tree shall be added to the parking island along the east property line, and shall be selected from the tree and plant list for the City of Florence.
14. Landscape plantings shall be 3-4 feet in height for screening on HWY 101 and be maintained so as not to interfere with pedestrian and bicycle access in accordance with FCC 10-35-2-13.
15. Prior to obtaining City building permits, the applicant shall provide evidence of ODOT access permissions required for the proposed access and circulation plans.
16. An easement and maintenance agreement addressing all shared access shall be created with the Burger King property owners. Proof of this agreement shall be submitted to the City before building permit issuance.
17. Signage for proper RIRO operations shall be installed before the issuance of CO.
18. Florence Public Works must approve the construction plans before constructing driveway improvements and other improvements, including the pedestrian sidewalk connection to Highway 101.
19. Landscaping shall be maintained so that plants do not grow to obstruct vision clearance areas at internal intersections or intersections with public streets per FCC 10-34-2-14.
20. The walkway from Highway 101 shall be extended along the north property line to the east parking area with associated crosswalks.
21. A walkway shall be installed along the southern portion of the building to connect to the east parking area with associated crosswalks.
22. Pedestrian crosswalks shall be marked with contrasting paving materials, such as light-colored concrete between the asphalt.
23. All pedestrian walkways shall be five feet wide, not including the curb width.
24. Before obtaining plumbing permits, the applicant shall provide evidence of final approval from the Florence Public Works Department for all water and wastewater improvements.
25. Per FCC 10-36-4, the applicant shall obtain a National Pollution Discharge Elimination (NPEDS) permit from the Department of Environmental Quality prior to issuance of a development permit of land use permit as the site is equal to one acre in size.
26. Lighting shall be adjusted so that no foot candles on site are greater than five footcandles or lesser than two footcandles, and a lighting plan that reflects the changes shall be submitted before the issuance of building permits. The fuel station canopy lights shall be shielded or changed to a full cutoff fixture.
27. All lighting not required for safety and security shall be extinguished at the end of

- business hours.
28. All externally lit commercial signs shall shine from the top and point down toward the ground. Signs with uplighting shall be shielded so that illumination is restricted to the sign face and glare is eliminated.
 29. An Operations and Maintenance Agreement shall be submitted before the issuance of a building permit.

ADOPTED BY THE FLORENCE PLANNING COMMISSION/DESIGN REVIEW BOARD the 8th day of October 2024.

Kevin Harris, Chairperson
Florence Planning Commission

DATE