
City of Florence
Planning Commission Meeting Minutes
250 Hwy 101, Florence, OR 97439
October 11, 2022

CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE

Chair Young called the meeting to order at 5:31 PM.

Commissioners Present: IN HOUSE: Chair Sandra Young, Vice-Chair Andrew Miller, Commissioner Eric Hauptman, Commissioner Phil Tarvin, Commissioner Kevin Harris
Excused absence: Commissioner John Murphey, Commissioner Ron Miller

Staff Present: Planning Director Wendy FarleyCampbell. Assistant Planner Clare Kurth, Planning Technician Sharon Barker, Management Analyst Shirley Gray

At 5:31 PM, Chair Young opened the meeting, Barker gave the Roll call. Commissioner Harris led the flag salute.

1. APPROVAL OF THE AGENDA

Start Time: 5:32PM

Action: Approved

Motion: Comm. Hauptman

Second: Andrew Miller

Vote: 5-0

There was no discussion on the agenda and it was approved unanimously.

2. APPROVAL OF THE MINUTES: August 23, 2022 (the September 27, minutes were not available)

Start Time: 5:33

Action: Approved

Motion: Comm Tarvin

Second: Comm Hauptman

Vote: 5-0

3. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA:

No public Comments:

Vice Chair Young relayed basic instructions regarding the proceedings and asked if any member wished to disclose a conflict of interest, ex-parte contact, or biases and the right of the public to challenge any commissioner's ability to hear this matter.

Vice Chair Young asked the Commissioners if they would like to declare a conflict of interest, exparte contacts/communications, or bias. There were no declarations of conflicts of interest.

There were no ex-parte contacts declared

There were no bias declared.

No citizen present wished to challenge any Commissioner.

Vice Chair Young: 4th Item on the Agenda tonight is a Public Hearing for Resolution PC 22 17 DR 07

4. **Resolution PC 22 17 DR 07 -- Partial Design Review and Code Interpretation**: An application submitted by Matt Holman of P&B Holman, LLC, requesting a partial design review and code interpretation for a proposed mixed use building related to building height, use of a mezzanine/loft in relation to the number of stories allowed. The property is shown on Lane County Assessor's Map # 18-12-34-11, TL 07500; and is located on Nopal Street, 101' south west of the corner of 1st Street and Nopal Street, in the Old Town District/Area A, District regulated by Florence City Code Title 10, Chapter 17. ; in the Low Density Residential (LDR) District regulated by Florence City Code Title 10, Chapters 10 and 7.

Meeting opened at 5:40

Planning Assistant Kurth presented the staff report. Kurth explained that the application tonight is to determine if the upper most floor is considered a mezzanine, part of the floor below it or if it's something different, criteria were explained. 6 written public testimony were received 3 were in opposition and 3 were proponents, with no neutral testimony. Kurth explained that as it related to the testimony concerns the focus of this meeting is to determine whether or not the building meets 2 stories, parking and noise will not be discussed in this meeting tonight. Staff did consult with Dave Mortier, a third party building official for the City of Florence and the building inspector. He states that the upper most level proposed does not meet the criteria as a mezzanine. The project is on Nopal Street in Old Town District A, Building & structural height limits in Old Town Area A were explained. The Issues and decision points: Does the building design meet the Florence City Code, as a maximum as a 2-story building, does the upper level meet the definition of a half story, a story or a mezzanine? The purpose of the design review code and process is intended to create an attractive appearance and protect the welfare of the citizens to promote architectural compatibility and historic merit. Kurth explained the definitions and definition sources. Webster's Dictionary was used as a standard reference because not all definitions are listed in the City Code. Overall proposed building height of 30' meets the code. Loft and mezzanine definitions are not interchangeable. The approved definition of a mezzanine is from Webster's, and was explained and building code sources for definition was explained. "A mezzanine being a low-ceilinged story between two main stories of a building. An intermediate fractional story that projects in the form of a over the ground story." Webster's includes the term "mezzanine story". In the definition itself it doesn't exclude it from the floor below. OSSC (Oregon Structural Specialty Code) definitions and codes establish minimum requirements to provide a reasonable level of safety health and general welfare. The reason these were included is so that we can see the difference and why we are looking at the Websters definition...to discuss architectural verses structural purposes in the definition origins. City code looks at a design component to see if it is going to fit with the architecture in the neighborhood--in a compatible way. This is why Webster's was being used. OSSC' definition of a mezzanine is "an intermediate level or levels between the floor and ceiling of any story in accordance with Section 505(2019 OSSC). The proposed mezzanine is not an intermediate story and it is not projecting but is fully situated and enclosed above the level below. So, we do not believe that the mezzanine that is being proposed meets the definition in OSSC or the definition in Webster. Staff explained that Mr. Mortier, the City's building official interprets that OSSC to mean that a mezzanine shall open to the floor below and the building design that was submitted by the applicant shows a fully enclosed third floor. The applicant states that not allowing the upper most floor, will not change the building height, but that is not what we are here to decide. Maximum height in Old Town is 30' and that is what the applicant has proposed. What we are here to discuss is that the maximum floors in Old Town is 2, this is a presentation of a building with 3 stories (a rendering of the building was displayed) Staff believes based on the definition that this is either a 2 ½ or 3 story building. What staff is asking is does the upper most story meet the definition a ½ story or a mezzanine?

FarleyCampbell, point of order, explained that the building will be property line tight not like what slide #32 shows.

Kurth: so, the other thing that I wanted to pull up is when I was looking at the Studio E Architecture website earlier today. We have the building being proposed on Nopal Street where the residential levels are on the left and if you look on the right side of the slide there is a two-story house with an estimated completion in 2022. You can see that other than the windows the exterior of the Nopal proposed residential levels look very similar to the one on their website. This building on their website is two story, the Nopal building, based on our definitions, is a 3-story building as it has a 2-story residence above a single-story commercial use. The floor plans were displayed side by side of both buildings , so in conclusion the proposed building design does not meet the definition of a mezzanine or a loft. The uppermost level of the building meets the definitions of either a half story or a story and exceeds the maximum number of stories allowed, the decision will set a precedent for future development within the Old Town Districts.

The Alternatives were displayed (6:01 pm)

Staff recommended Alternative #5 to reject the upper most level as a mezzanine and accept the upper most level as a third story based on the applicable definitions.

Questions of staff:

Comm Hauptman asked what was the reason the cap of the height of 2 stories and yet allow 30' height.

Kurth said that she did not know the answer to that.

FarleyCampbell said that there used to be a greater height limit in Old Town but that was changed somewhere between 2000 and 2010, she guesses that another building was put in down in Old Town that was taller and they didn't like it so it was lowered. FarleyCampbell said she did do a little research because she wondered about the ½ story definition came about with the advent of the Old Town District Code and it did not it was actually in Code back in the 70's.

Applicant Testimony:

All three applicants came forward.

Traci Holman Smith introduced herself and how it came about that she and her brother Matt Holman decided to take on this project, they are not developers, they were born and raised in Florence. She said that in order for the project to pencil in for them that they had to expand the rentable square footage. With the help of the Studio E team that has come up with a design to make it work.

Jan Fillinger an architect with Studio E Architecture, explained that design is his passion. The City has certain codes for the Old Town District of Florence and that they look at all of them to see how they could actually utilize the street front. Jan's PowerPoint explained the City's goals of revitalization of deteriorating sections of the Old Town, enhancement, main street character, walkability, bike ability, and mixed-use development for living, working, shopping and recreation. He mentioned that Florence has a serious need for more housing and that they are trying to provide more housing. Jan said that they are not talking about whether or not it is a third story or a mezzanine but that one of the things that are important is that the design is complex and when you look at 4 different apartments next to each other a bedroom has to have an exit, we are up a against a property line there is not exit there, that a fire and the only place is in the front on the south of the building and the reason that we have a mezzanine is so that we can have a bedroom in the interior two apartments, 2 out of 4. Two of them have outside walls and two of them don't and that is why you see a variation in the exterior view and that

is why we wanted to have a mezzanine because since the mezzanine is set back, we can have exiting windows and daylight and natural ventilation. We have a bedroom upstairs on the mezzanine that has a window for daylight or safety so that when exiting for an emergency or natural ventilation which is hard to do, or is impossible on a zero-lot line, so that is one reason why we want a mezzanine. This is a design criterion that we have to meet. And that is why we need a bedroom within a mezzanine.

Cameron Ewing discussed code issues. Cameron wanted the Commission to know that he respects codes because they set parameters. Cameron explained that the site development provisions OSSC Section 505.2 and 505.2.1 definitions of a mezzanine is what pushed them to provide a mezzanine. There two pieces of the OSSC that talk about mezzanines and they have different criteria for an open mezzanine and a closed mezzanine. As you all know we are here to discuss this item in particular and that he feels the intent of the code is to not prohibit a building such as this, it checks off all the boxes and goes above and beyond in the FURA plan for Old Town District A. The parking tally was explained. Building Geometry FCC 10-17-4-A articulation requires the meeting of 2 out of 4 options. This proposal meets or exceeds all 4 design options. If we are not allowed to make the mezzanine work it is going to be a longer building just to accommodate the room that is needed.

Questions from Commissioners:

Comm Hauptman asked if they wanted the mezzanine in order to make this a more viable project, and if they need the extra space of the mezzanine in order to make this work.

Traci Smith answered, yes, in order for us to make it financially feasible we just need to have more rentable space. Also, she feels that adding more space would benefit the community.

Comm Hauptman said they are right that Florence is in need of more affordable workforce housing and he would like to know the projected rent amounts they would be charging for these apartments.

Traci Smith; explained that the numbers they will be using will be inline with what is being charged in the rental market.

Comm Hauptman said that he would like to know if they would be considered affordable housing for this community.

Jan Fillinger said that the reason the building is not designed for seniors is because City Code says that there needs to be retail on the bottom floor.

Public Testimony:

Gayle Collins spoke in favor of the application and the applicants

Dick Tully of the Masonic Lodge spoke as a neutral party he doesn't care what the applicant does on their property but is concerned parking and if they build close to the property line how can they maintain their building.

Carol Ward, rents adjacent building on Nopal, the Joy of Quilting, and spoke in opposition. She did not mention the mezzanine.

Heather Burnham owns Lovejoy's Restaurant and Tea Room. She spoke in opposition but did not mention the mezzanine.

Staff Comments:

FarleyCampbell said that she wanted to clarify for the Commissioners that the applicants have not requested a variance, adjustment or an exception, they are only looking for a ruling on the definition requested with this application, a code exception, that is not to say from what I've heard tonight that they couldn't go that way, the opportunity exists in code but that is not what we are here to discuss tonight. It is only an interpretation.

Applicant Rebuttal:

Jan Fillinger wanted to know if he should rebut the public comments, since none of the comments addressed the mezzanine.

Chair Young told him that the Commission would not be discussing their comments, that they would only be discussing the interpretation and that they are just here to determine whether it is a mezzanine or a story.

Jah Fillinger that he thought it was unfair for staff to go to their website to find their definition of the second story. He wanted to clarify the way things are written on their website. A mezzanine is a technical term defined in the OSSC so we are not talking about that on their website. When they are talking about that their website about a two-story house, it is not a multi-family or multi use unit. It is not the same thing and they are not trying to change or pull the wool over anybody's eyes they are trying to approach it as Cameron says to the code. It is not a comparison between some other single-family residence out in the forest.

Tracy Smith mentioned that there was nothing mentioned about the mezzanine in the comments but wanted to add that this is a 4-unit apartment mixed use building.

Cameron Ewing wanted to add that this building is crime prevention through design and that any kind of housing alleviates the strain on housing stock.

Jan Fillinger, he wanted to talk about the scale of the building, at the street level the building is only 13' tall which is the railing in the front, the building itself is set back intentionally to create this beautiful space. They are intentionally not building on the façade.

Staff's recommendation and response:

Kurth says that per Code the maximum allowed is a 2-story building and that staff believes that this is a three-story building and that the recommendation is to reject the upper most level as a mezzanine and accept the upper most level as a third story based on the applicable definitions.

FarleyCampbell: For the sake of conversation and because this code is not used very often, there is a section in the code that says that we use Websters if it is not defined in our code. That is the standard we use. This doesn't mean that you cannot look at other definitions. As you go into deliberations and decide that you would like to look at other definitions other than Websters, I will be making a recommendation that we continue so that staff can evaluate. This seems to be the direction that the analysis went.

Chair Young: Now is the time that we talk about wanting to close the public hearing and the written record we can close the public hearing this evening if we have additional questions and we wish to hear additional evidence the Commission may elect to either continue you the public hearing to a future meeting or to close the hearing but to keep the written record open for a set period of time in with the public can submit other written evidence or argument

Do we want to close the hearing do we want to continue to a time certain for additional information or do we just want to leave the written record open? What do we want to do?

Comm Tarvin: If we are being polled, I believe the specific question that we are here for tonight, we should go into deliberation, and close the hearing.

Chair Young: Do you we have enough information to close the meeting?

Comm Tarvin: yes, to answer the question that we are here for.

Comm Hauptman: I agree

Comm A. Miller: I agree

Comm Harris: I agree

Chair Young: We will close the hearing on PC 22 17 DR 07 at 7:00pm.

Before we deliberate the applicant has the right to submit an argument that will be included in the record, this submission must be made withing 7 days and must not contain any new evidence. If it contains any new evidence the Planning Commission will reject the new evidence. The applicant has the right to waive the final written argument, if they do not than the Commission will not be able to make a decision tonight. So, do you wish to waive the submission of the final written argument?

Applicant: We do not want to waive the submission of final written argument. They would like the opportunity to respond in writing.

We have closed the hearing so there will be not new evidence, it will just be about the existing evidence and we will need to continue our deliberations to the next meeting.

FarleyCampbell, because they want to submit final written argument we will keep the record open, they are choosing to keep the record open.

Chair Young but there will be no new evidence, are you suggesting that we reopen the meeting the hearing and continue to the next meeting?

Farley Campbell: The code reads that the presiding officer shall allow the applicant or his or her representative to offer additional evidence and testimony which shall be confined to rebutting the evidence and testimony offered by interested persons, opponents and City Staff. So, they can provide additional testimony and evidence, so that is why it is confined to what other people already provided. They get to have the last say in writing, so you will keep the record open because they want to provide, open or closed in not in the record so they want to provide. FarleyCampbell, you can close the hearing but leave the record open.

Chair Young we will need to revisit, we closed the hearing but we will need to keep the record open for seven days, but since we closed the meeting will we need to vote on that?

FarleyCampbell: To close the hearing?

Young: No, to keep the record open.

FarleyCampbell: Go ahead and vote. You can never go wrong with a vote.

Chair: (asks the Commissioners) Are we agreeable to keeping the record open for 7 days, Commissioners answered yes.

Chair: The written record is open for the applicant to submit additional information as Planning Director FarleyCampbell just read out from the code. We will consider that; we will hold our deliberations at our next meeting?

FarleyCampbell: asked what the question is.

Young: The applicant will additional testimony within 7 days and we will consider the record plus the new information at the next meeting?

FarleyCampbell, presently you do not have anything scheduled for your next meeting in October, or if you wish to continue it until November 8th, you have one item on that agenda.

Chair Young asked if the Commissioners would like to continue the deliberations and the new information to the second meeting in October 25th. Commissioners agreed that they want to continue the deliberations and written argument until October 25th.

7:38 meeting was continued until October 25, 2022

Reports and Discussion Items:

Comm Tarvin provided a Vegetation Preservation update.

Chair Young asked if we are getting results on the housing survey.

Directors Report and Discussion Items:

Director FarleyCampbell discussed the housing implementation program. She said that it has been a tremendous response. The next housing open house is November 10, 2022.

The Transportation Systems update is going to be November 3, 2022

Benedick annexation was finaled the zoning assignment was appealed to LUBA, the remanded and the City Council held a meeting where they adopted a supplemental ordinance to the findings acknowledging and remedying the reason for the remand.

Calendar:

October 25th is your next meeting the continuation of the hearing tonight.

On November 8th is an Annexation

November 7, 2022 the City Council will be hearing an application on a mural.

November 22, 2022, we do not have anything on that date but expect to have something for that date.

The meeting adjourned at 7:24 PM.

ATTEST:



Sharon Barker, Planning Technician



Sandra Young, Chair

Holman-Nopal Street Mezzanine Partial Design Review

PC 22 17 DR 04





Introduction

- Type III Land Use decision
- Applicant requested a partial Design Review and Code Interpretation regarding the proposed mezzanine
- Application received Aug 16, 2022
- Notice of Hearing
 - Posted on property and mailed to property owners within 100' Sept. 21, 2022
 - Published in Siuslaw News Sept. 28, 2022

Review Criteria

Florence City Code:

Title 10 Chapters:

- 1: Zoning Administration, Sections 1-6-2-A and 1-6-3
- 2: General Zoning Provisions, Sections 2-4 and 2-13
- 5: Zoning adjustments and Variances, Sections 5-2-B, 3, 4, 5-B, 6, and 7
- 6: Design Review, Sections 3, 5-1, 5-2, 6, 6-1, 6-3, 6-6, 8, and 11
- 17: Old Town District/Area A, Sections 10-17-2 and 10-17A-4

Testimony

Total Testimony Received: 6

- Neutral: 0
- **Opposition: 3**
 - The size and style does not fit in this area
 - Maximum number of stories is 2 (10-17A-4-A)
 - Building is illustrated as a 3 story building
 - Increased traffic and noise on the street
 - Parking concerns (not the subject of this DR)
- **Proponents: 3**
 - Additional residential units more important than Code requirements for maximum stories and height
 - Has know the Holman family for 20 years and find them to be fair landlords and supportive of local businesses.
 - Conforms to the 30' height limit, less boxy, and more attractive then buildings on the block

Referrals

Referrals Sent:

- Referrals were not sent or necessary
- Consulted with Dave Mortier, Building Official and Building Inspector
 - States that the upper most level of the proposed building does not meet criteria for a mezzanine.
 - *More information on later slides*

Vicinity Map

Old Town District A

- Proposed building site; Nopal Street between 1st Street and Bay Street.

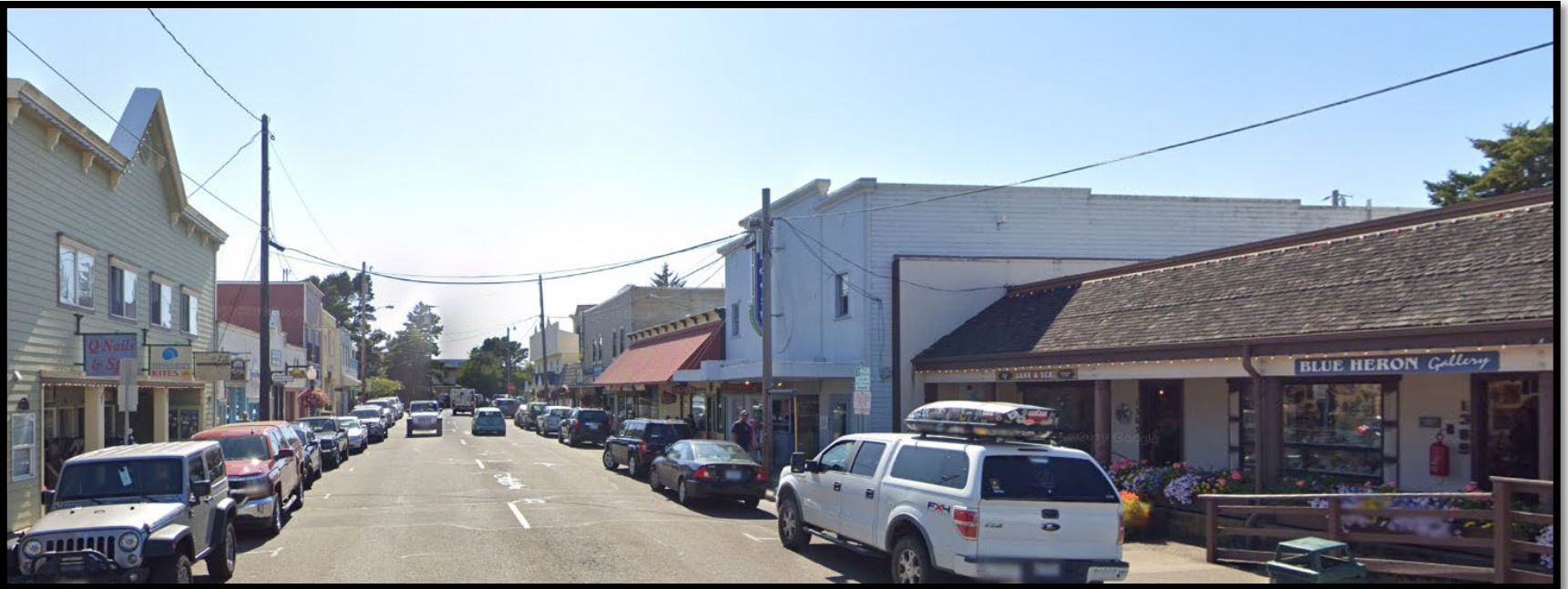


Title 10: Chapter 17:

Old Town District

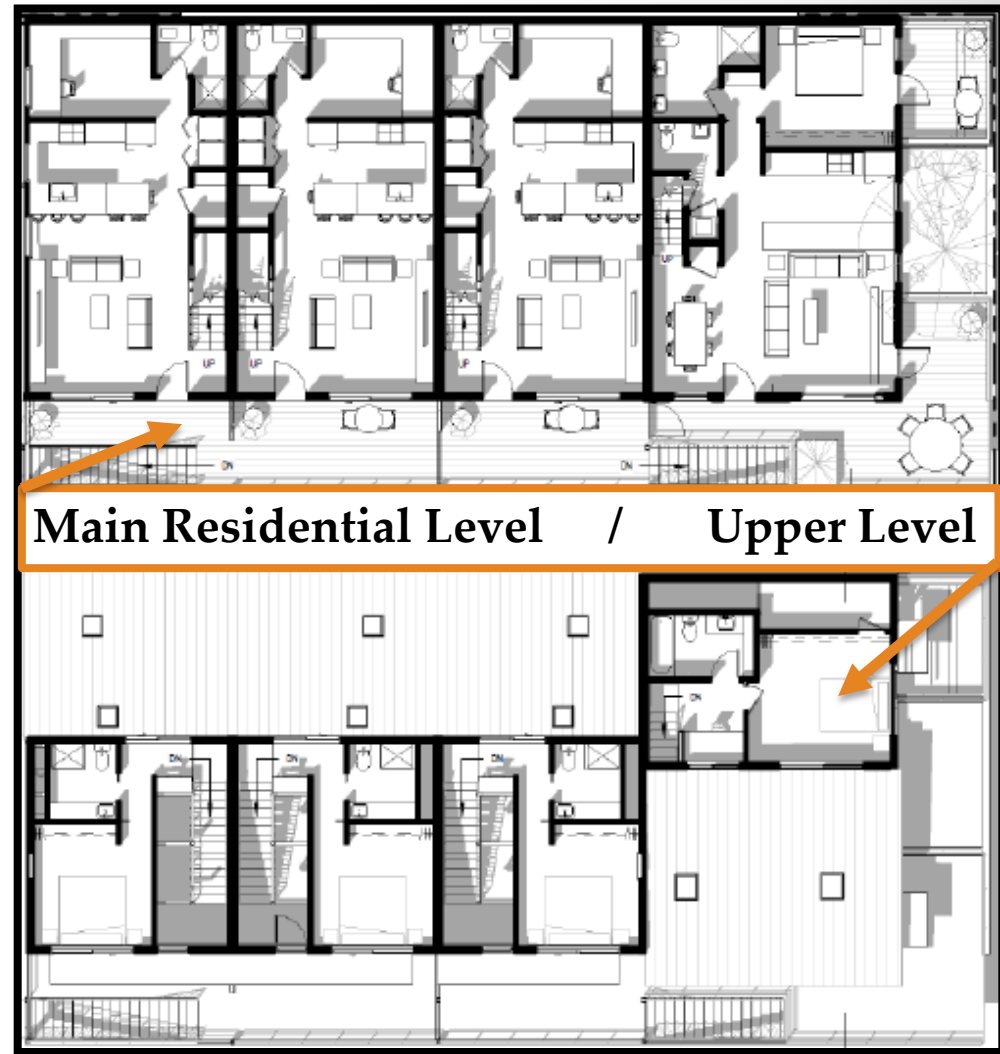
10-17-A-4 Site and Development Provisions for Area A

- A. Building or Structural Height Limitations: The maximum height for buildings or other structures in the Old Town District Area A shall be two (2) Stories above grade with a maximum of thirty feet (30').**



Issues & Decision Points

- Does this building design meet Florence City Code Old Town District A as a maximum of a 2 story building
- Does the upper most level meet the definition of a half story.
- Does the upper most level meet the definition of a mezzanine or loft.



Design Review

Purpose and Intent

10-6-1: PURPOSE: The design review process is intended to:

- A. Create an attractive appearance that will enhance the City and promote the general welfare of its citizens.
- B. Provide property owner the means to protect and conserve the architectural tone of their neighborhood.
- C. Recognize areas of existing or potential scenic value.
- D. Protect and preserve buildings and sites that are of significant architectural or historic merit. (Ord. 625, 6- 30-80)

Definitions Introduction

10-2-13: DEFINITIONS: Terms not defined in this Code shall have their ordinary accepted meaning within the context in which they are used. Webster's Third New International Dictionary of the English Language, Unabridged shall be considered a standard reference.

Words Defined

- Building Height
- Story
- Half Story
- Floor
- Loft
- Mezzanine

Definition Sources

- FCC 10-2
- Approved edition of Webster's
- Reviewed definitions from the 2019 OSSC as provided by the applicant

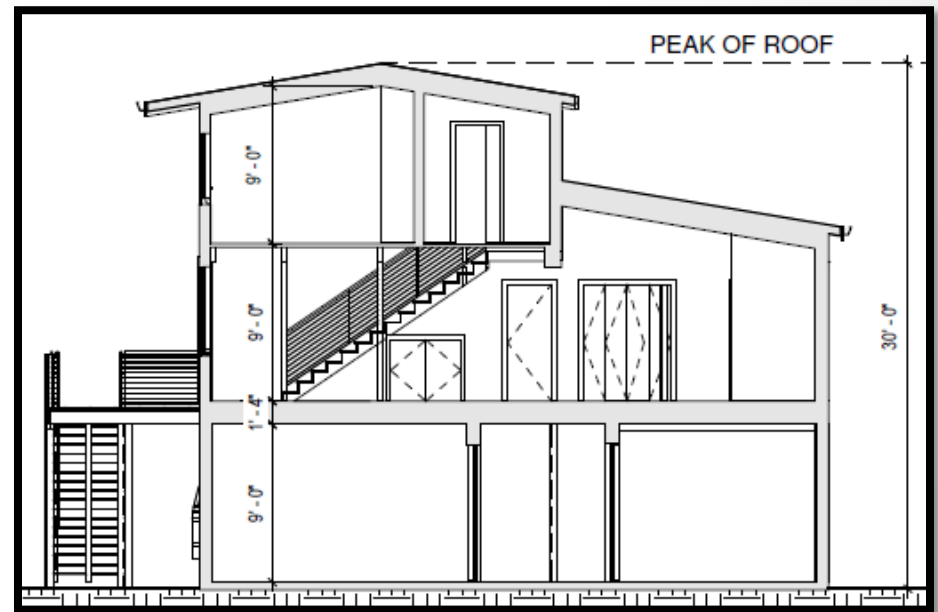
Definitions Cont'd

Building Height

Building Height: Vertical Distance from the average finished grade at the front of a building to the peak height of the highest gable (*FCC 10-2*).

Response: The Highest building Height allowed in Old Town District A is 30 feet

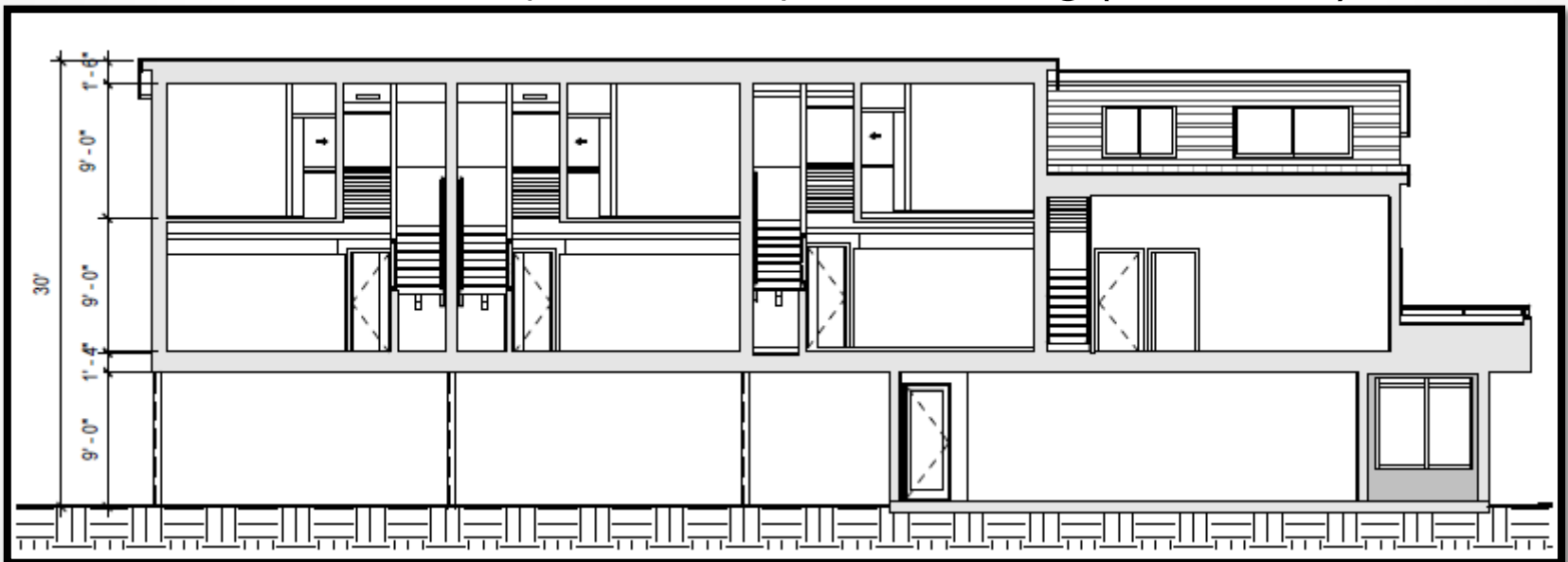
- The Building Height proposed in 30'



Definitions Cont'd

Story

Story: That portion of a building included between the upper surface of any floor and the upper surface of the floor next above or, for the topmost story, the ceiling (FCC 10-2).



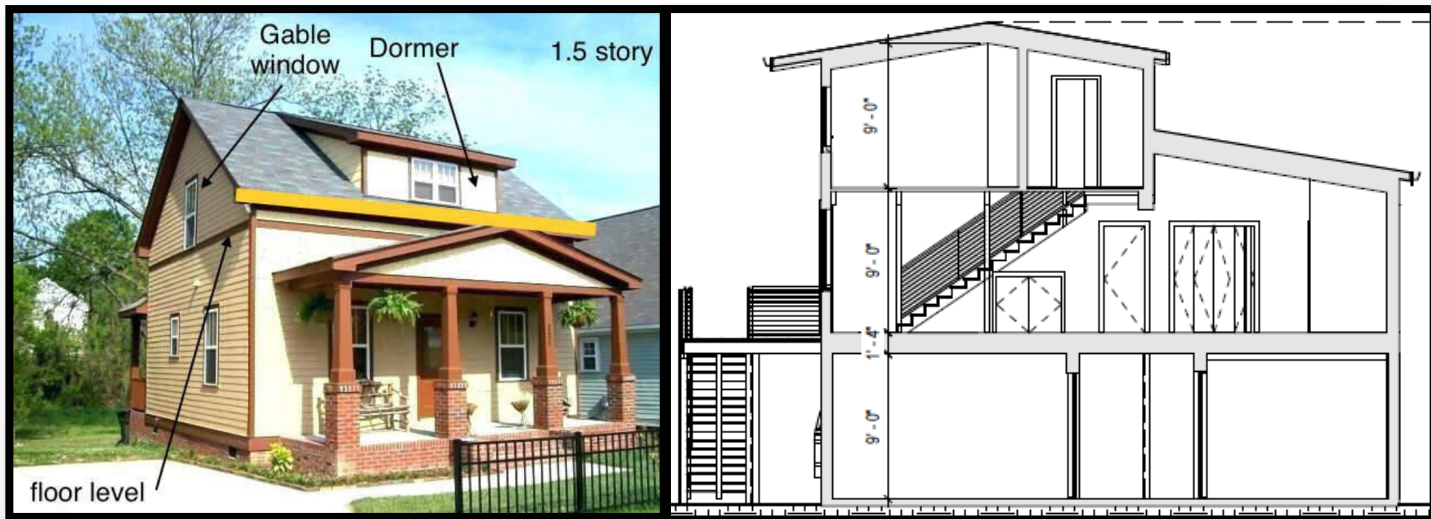
Webster's definition of mezzanine included "low-ceilinged" story between 2 main stories. Please note the same height of all three levels.

Definitions Cont'd

Half Story

Half Story: The part of any building wholly or partly within the roof frame and not occupying more than $\frac{2}{3}$ of the floor immediately below (*FCC 10-2*).

Half Story: An uppermost story is usually lighted by dormer window and in which a sloping roof replaces the upper part of the front wall (*Webster's*).



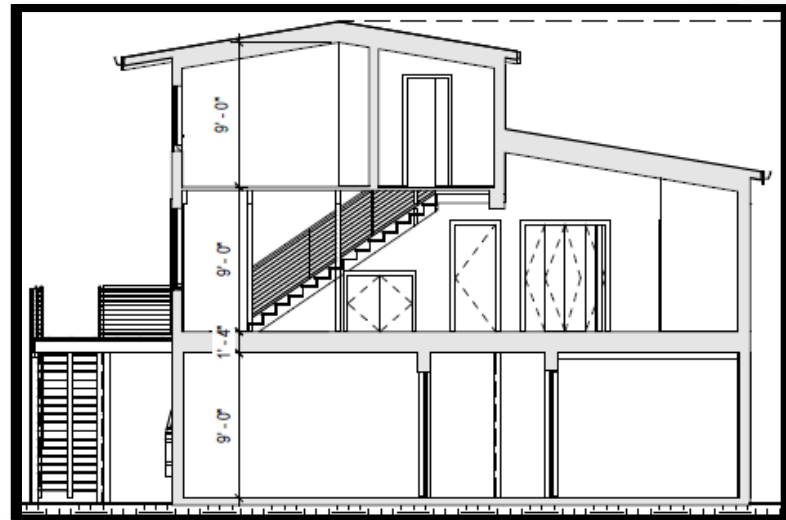
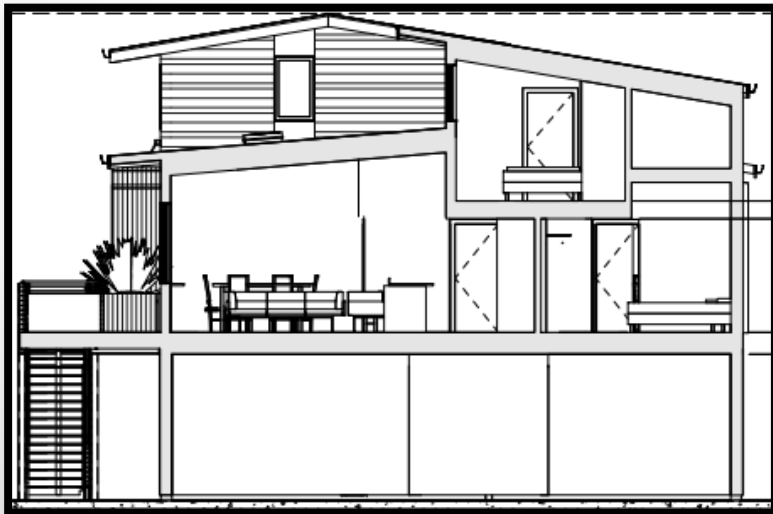
Definitions Cont'd

Half Story Continued

Calculation on % of upper level floor space:

- Units 2-4: $720/240 = 33\%$ or $1/3$
- Unit 1: $864/288 = 33\%$ or $1/3$

Response: Upper most level can meet the definition of a half story as they are less than $2/3$ the main floors square footage and are wholly or partly within in the roof frame of the floor area below.

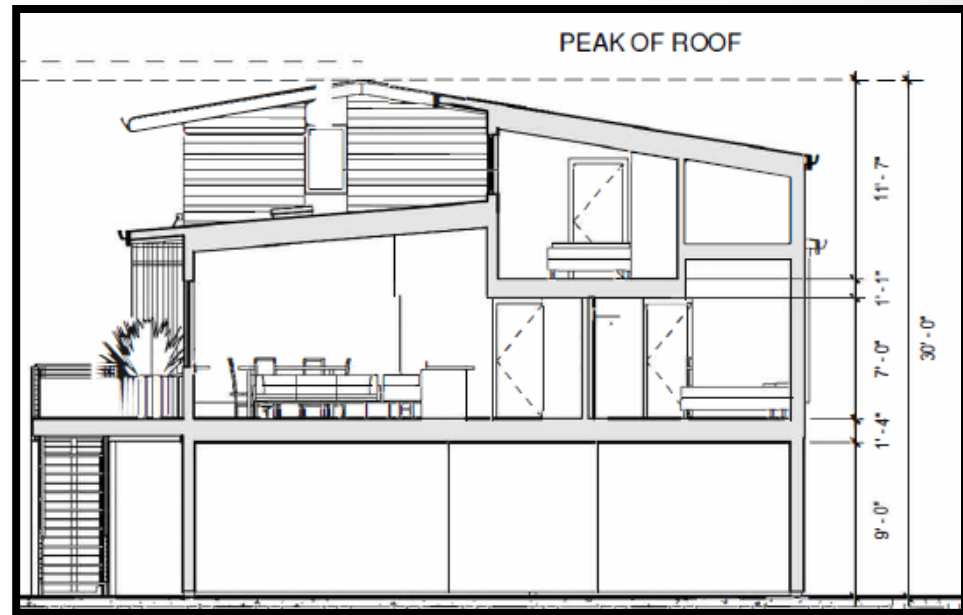


Definitions Cont'd

Floor

Floor: The structure of supporting beams, girders, and coverings that divide a building horizontally; broadly : a story of a building (*Webster's*).

Response: The structure supporting the upper most level of this building is defined by Webster's as a floor and therefore a story.



Definitions Cont'd

Loft

Loft: A room or floor above another: an upper room or story : an attic one of the upper floors or a business or warehouse especially when not partitioned(*Webster's*).

Response: This definition does not include the loft in the story below and states it can be an upper story.

- Mezzanine and Loft are not interchangeable.



Definitions Cont'd

Mezzanine

Mezzanine: Also , mezzanine floor or mezzanine story. 1 a : a low-ceilinged story between two main stories of a building : an intermediate or fractional story that projects in the form or a balcony over the ground story (*Webster's*).

Response:

- The approved definition from Webster's includes the term "mezzanine story."



Definitions Cont'd

OSSC 2019 Purpose and Intent

101.3 Purpose.

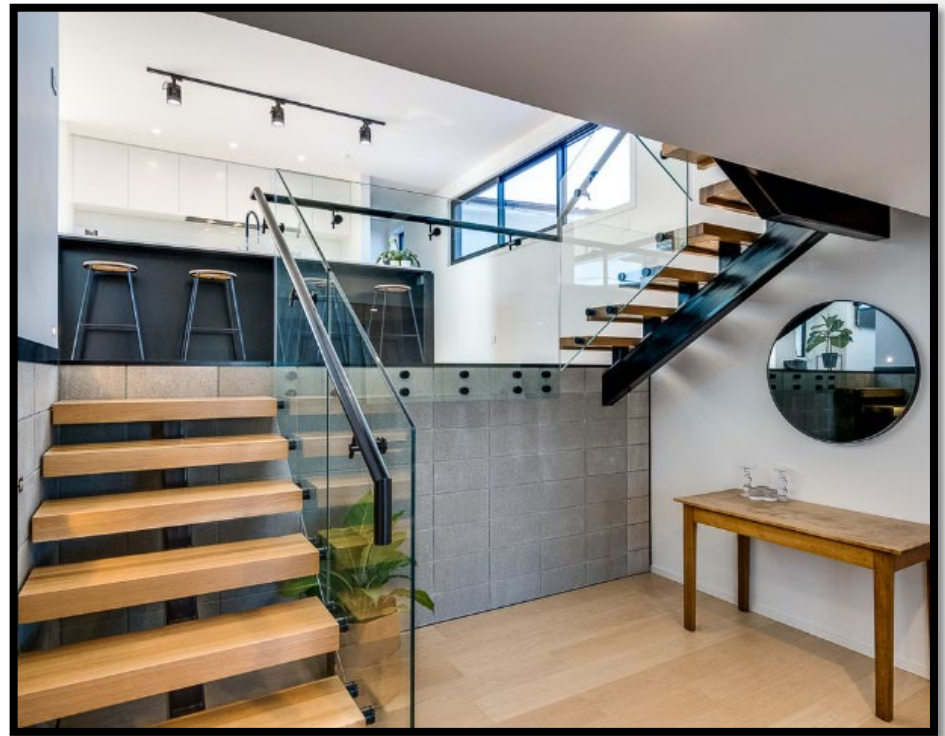
The purpose of this code, as provided in ORS 455.020(1) and noted in Section 101.2, is to establish the minimum requirements to provide a reasonable level of safety, health and general welfare through structural strength, *means of egress* facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations. It is not the purpose of this code to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code.

Definitions Cont'd

Mezzanine Cont'd

Mezzanine: An intermediate level or levels between the floor and ceiling of any story in accordance with Section 505 (2019 OSSC).

Response: The proposed *mezzanine* is not an intermediate story, it is not projecting but fully situated and enclosed above the level below.



Definitions Cont'd

Mezzanine Cont'd - 2019 OSSC Section 505

505.2.1 Area Limitation.

The aggregate area of a *mezzanine or mezzanines* within a room shall be not greater than 1/3 of the floor area of that room or space in which they are located. The enclosed portion of a room shall not be included in a determination of the floor area of the room in which the *mezzanine* is located. In determining the allowable *mezzanine* area, the area of the *mezzanine* shall not be included in the floor area of the room.

Exceptions:

1. The aggregate area of *mezzanines* in buildings and structures of Type I or II construction for special industrial occupancies in accordance with Section 503.1.1 shall be not greater than two-thirds of the floor area of the room.
2. The aggregate area of *mezzanines* in buildings and structures of Type I or II construction shall be not greater than one-half of the floor area of the room in buildings and structures equipped throughout with an *approved automatic sprinkler system* in accordance with Section 903.3.1.1 and an *approved emergency voice/alarm communication system* in accordance with Section 907.5.2.2.
3. The aggregate area of a *mezzanine* within a *dwelling unit* that is located in a building equipped throughout with an *approved automatic sprinkler system* in accordance with Section 903.3.1.1 or 903.3.1.2 shall not be greater than one-half of the floor area of the room, provided that:
 - 3.1. Except for enclosed closets and bathrooms, the *mezzanine* shall be open to the room in which such mezzanine is located;
 - 3.2. The opening to the room shall be unobstructed except for walls not more than 42 inches (1067 mm) in height, columns and posts; and
 - 3.3. Exceptions to Section 505.2.3 shall not be permitted.

Further Consideration

- Mr. Mortier, the City's Building Official and Building Inspector interpreted OSSC to mean that a mezzanine shall be open to the floor below.
- The building design submitted by the applicant shows a fully enclosed third floor.



Considerations Cont'd

- Applicant states not allowing the upper most floor will not change the height of the building.
 - Maximum height of a building in Old Town District A is 30'.
 - Maximum number of stories in Old Town District A is 2. This is a building with the presentation of 3 stories.



Considerations Cont'd

- The upper most level does not meet the 2019 OSSC definition or the Webster's definition on a mezzanine.
- Based on approved definitions this is either a 2 ½ or 3 story building design.
 - Does the upper most level meet the definition of a ½ story or a story?



Considerations Cont'd

- Similar residential structure by Studio.e Architecture Described on their website as having 2nd Stories.



Proposed Building on Nopal St

Complying with the strict height constraints of the area, the building is devised as a three-story structure assembling one tightly designed 2-bedroom and three one-bedroom apartments stacked above two small street-level commercial anchor spaces and the code-required parking and utility spaces.

Single Family Renovation

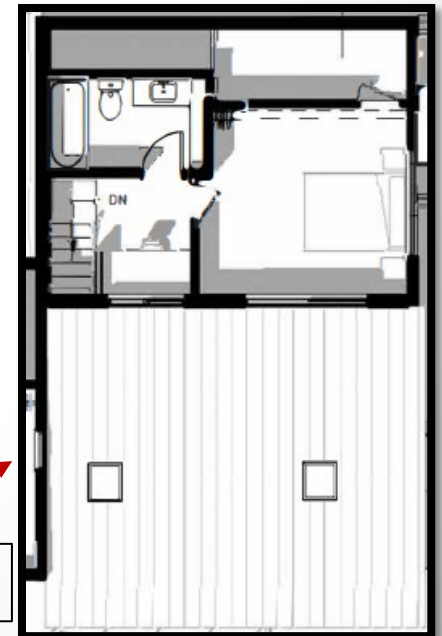
- est. completion in 2022
- Similar exterior design as proposed Nopal St.
- Webpage states the upper most level as a 2nd story.

Considerations Cont'd

- Similar residential structure by Studio.e Architecture
Described on their website as having 2nd Story



Main Residential Floor



Upper Residential Floor

Conclusions

- The uppermost level of the proposed building design does not meet the definition for mezzanine or loft.
- The uppermost level of this building meets the definition of either a half story or a story.
 - Exceeds maximum number of stories allowed in the underlying zoning district, Old Town District A.
- This decision will set a precedent for future development within the Old Town Districts.



Alternatives

1. Approve definition of mezzanine as proposed by the applicant, allowing the use of the interior mezzanine to be included as part of the second story residential units, or
2. Review and recommend changes to the proposed Findings of Fact for the partial design review and approve as amended, or
3. Continue the Public Hearing to a date certain if more information is required, or
4. Reject the upper most level as a mezzanine and accept the upper most level as a half-story based on applicable definitions, or
5. Reject the upper most level as a mezzanine and accept the upper most level as a third story based on applicable definitions.

Staff Recommendation

Alternative 5: Reject the upper most level as a mezzanine and accept the upper most level as a third story based on applicable definitions.

Questions?



Applicant's Power Point Presentation for
October 11, 2022 PC Meeting

NOPAL MIXED-USE



Florence Urban Renewal Plan Objectives

The Nopal Street Mixed-Use building was carefully designed to accommodate the specific goals of the Florence Downtown Urban Renewal Plan.

Goals of the renewal plan include:

- Revitalization of deteriorating sections
- Enhancement
- Mixed-use “with Main St character”
- Revitalization of waterfront
- Walkability and bikeability
- Mixed-use devt for living, working, shopping and recreation

2

Street Engagement

Many deteriorating streets in cities across the country share the lack of accommodation to pedestrians, and the delicate balance between population growth, and amenities provided within a short walking distance.

Mixed-use buildings create spaces that contribute to needed housing while providing additional amenities within the same building. In addition, the proposal takes care to provide the following:

- Mixed-use retail and residential
- “Eyes on the street”
- Short-term bike storage
- Pedestrian amenities
- Public patio and sidewalk seating
- Street-side vegetative plantings
- Human-scaled bldg massing w/ attractive articulated planes & balconies
- Rich variety of colors, patterns, and textures of exterior finish materials

3

Needed Housing & Living Amenities

Florence is growing and expanding. As a prime destination for both tourists and new residents, Florence needs to expand its housing supply and living amenities to meet this growing demand.

- The proposal provides needed, attractive housing that supports living, working, recreating, and shopping within the primary tourist destination of Florence’s Old Town district.
- The proposal provides new opportunities for retail, food and drink options

4

Resiliency and Sustainability

Many buildings fall into a state of disrepair if building material aren't chosen carefully for their qualities of low maintenance and durability. This requires resources and time to keep the building in good working order and is less sustainable and less resilient. The proposed design incorporates carefully chosen materials and construction strategies that are durable and require little maintenance.

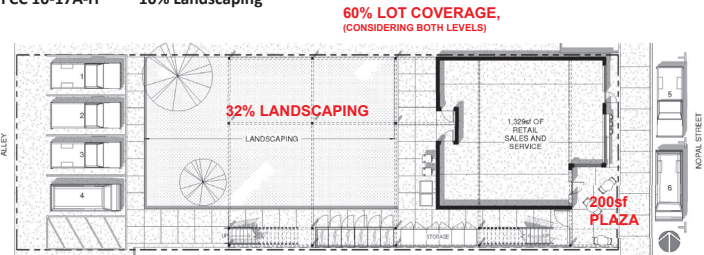
Sustainability features will include:

- Long-lasting, low-maintenance, durable materials
- Enhanced energy-efficiency
- Enhanced access to natural daylighting and natural ventilation
- On-site management of stormwater
- Low-maintenance and low-water landscaping
- Longterm bike storage lockers

5

FCC: Site and Development Provisions

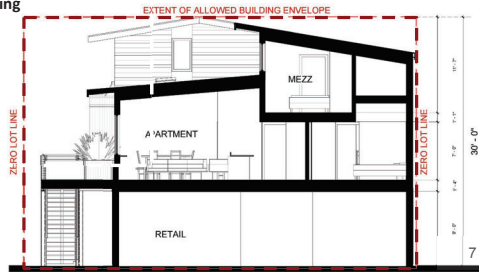
FCC 10-17A-3-C Site Lot coverage up to 90% with planning commission approval
FCC 10-17A-4 30' Height limit and two stories
FCC 10-17A-H 10% Landscaping



6

FCC: Site and Development Provisions

FCC 10-17A-3-C Site Lot coverage up to 90% with planning commission approval
FCC 10-17A-4 30' Height limit and two stories
FCC 10-17A-H 10% Landscaping



7

OSSC CODE: Mezzanine

The proposal's mezzanine levels are in compliance with the Oregon Structural Specialty Code's definition.

OSSC, section 505.2, Definition of Mezzanine: "An intermediate level or levels between the floor and ceiling of any story and in accordance with Section 505."

OSSC, 505.2 and 505.2.1 Mezzanine criteria:

- The clear height above and below the mezzanine floor construction shall be not less than 7 feet.
- The aggregate area of a mezzanine or mezzanines within a room shall be not greater than one-third of the floor area of that room or space in which they are located.

Studio.e Architecture has successfully complied with the OSSC, Section 505 on two previous projects in Lane County that have restrictions for building stories. In both cases, it was determined that the proposed mezzanines were in accordance to building code and were to be considered a level between floors. These precedent projects were 522 Main Street in Cottage Grove, OR and The Friendly Garden in Eugene OR

8

PARKING: Parking Tally

Spaces	Proposed parking	Florence City Code Req't
3 apartments	3	1 per 1-bed apartment
1 apartment	+ 1.5	1.5 per 2-bed apartment
Retail – 1329 sf	+ 4	1 per 333 sf (Table 10-3-1-C)
Retail 50% reduction	– 2	per 10-17A-4
Total spaces	= 6.5	
Final Total (Rounded down)	= 6	per FCC 10-3-4

The proposal provides 4 on-site spaces (including 1 ADA space)
+ 2 permitted on-street spaces (FCC 10-3-7)

Building Geometry and Articulation (FCC 10-17A-4)

FCC 10-17-4-A Design Options

Requirement: Requires meeting 2 out of 4 design options

The proposal meets or exceeds all 4 design options



Building Geometry and Articulation (FCC 10-17A-4)

Design Option 1: Pitched or gable roofs, with offsets to break up the roof plane

The proposal is designed with a variety of roof angles and offset roof planes

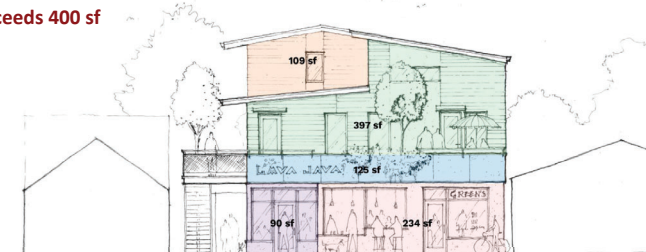


ELEVATION - EAST

Building Geometry and Articulation (FCC 10-17A-4)

Design Option 2: Building broken into shapes and planes of less than 750 sf

The proposal is designed with varied articulation of planes, none of which exceeds 400 sf



ELEVATION - EAST

Building Geometry and Articulation (FCC 10-17A-4)

Design Option 3: Windows, balconies, entryways, and arcades shall be used to create visual interest and break up the building mass.

The design proposal provides a great variety of wall planes, window types and sizes, recessed entryways and staircases, and multiple material colors and textures at the street.



Building Geometry and Articulation (FCC 10-17A-4)

Design Option 4: Public plaza, minimum 100 sf

The proposal offers an inviting public plaza that is twice the required size, and includes landscaping and seating protected from the weather



NOPAL MIXED-USE



THANK YOU