

**ITEM TITLE:** PC 24 30 DR 08 – *Twombly storage rental warehouse*

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**OVERVIEW:**

Background/Application: A Design Review request for a new construction contractor’s storage rental warehouse complex and associated improvements. David Twombly applied for this request on behalf of Twombly Investments, LLC. The subject site includes two tax lots located east of Central Coast Disposal dba County Transfer and Recycling, approximately 600 feet north of the intersection of Highway 101 and 53<sup>rd</sup> St. as shown on Assessor’s Map #. 18-12-11-33, tax lot 01600 and 02000.

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, and Planning Commission deliberations, and their vote.

Testimony: No public testimony was received before publishing the Findings of Facts.

Referrals:

On September 10, 2024, Michael Schick, Western Lane Fire and EMS authority, Fire & EMS Chief, submitted a comment stating he had no issues or concerns with the application and it is included in the FOF and as an exhibit attached.

On September 12, 2024, Mike Miller, public works director, submitted comments regarding Sanitary Sewers, Streets, Stormwater, and water, which are included in the FOF and attached as an exhibit.

**ISSUES/DECISION POINTS:**

The applicant's submittal lacks some of the plans and information the code requires. The missing information is subject to clear and objective criteria, allowing the planning department to make an administrative decision on those missing items and allowing the Planning Commission to move forward with approval, giving the applicant surety of the decision. The condition of approval list below includes the required missing information.

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Due to the development process, some of these conditions are conditioned before a building permit is issued, and some are conditioned prior to the issuance of a Certificate of Occupancy (CO).

Staff has found that some design review criteria require an extensive financial investment that applicants are unlikely to want to complete before the Planning Commission approves a project, but following a guarantee of ability to construct and being clear and objective, are willing to provide for City review and approval, according to code.

Generally, these extensive financial investments are simple for a large corporation or development firm to make prior to the planning commission hearing, but a more local resident of Florence or the surrounding area (a mom-and-pop shop) may find them cost-prohibitive without approval from the Planning Commission.

Staff feel that this application can be approved with the attached conditions of approval. This would allow the applicant to move forward with the more expensive project investments in a clear and objectionable staff review and assure the applicant that the proposed use has received entitlement as conditioned by the Planning Commission.

#### **V. CONDITIONS OF APPROVAL:**

1. The applicant shall provide a copy of the combining covenant linking the two tax properties due to the proposed development across property lines prior to the issuance of a building permit.
  2. Bike parking shall be as well-lit as vehicle parking. The bike rack area shall be marked in accordance with FCC 10-3-10-G, and barriers shall be erected to prevent vehicles from encroaching within the bicycle parking areas.
  3. A photometric plan meeting the FCC 10-37 criterion shall be submitted before a building permit is issued. It may be processed as a Type I Administrative Review.
  4. The proposed building shall incorporate at least three architectural features from 10-6-7-B types and submit them before a building permit is issued.
  5. Applicant shall submit a Phase I Site Investigation Report (SIR) demonstrating that the conditions in the Comprehensive Plan do not exist, or that the applicant will have a drainage system constructed, or to provide placement of fill materials which are required according to plans prepared by a registered engineer and approved by the City in accordance with FCC 10-7-6 before issuance of Building Permits.
  6. Applicant shall map and flag Significant vegetation species and areas to be preserved in support of the site development application. Significant trees shall be mapped individually and identified by species and diameter before issuance of a building permit.
  7. Plantings and irrigation shall be installed within one year of approval.
  8. Permanent underground irrigation shall be installed in all new landscaping.
  9. Six shrubs per 30 lineal feet as measured along the west property line adjacent to HWY 101 shall be installed before issuance of final CO.
  10. The property owner shall replace plantings that fail to survive within six months of dying or removal.
  11. The applicant shall provide ODOT with stamped engineered plans for the proposed highway sidewalk and related improvements for their review and approval and shall provide a copy to the City.
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12. Per FCC 10-35-2-12 B, the applicant shall submit full construction plans for the driveway aprons, sidewalks, and ramps for the Public Works Director to review and approve.
13. 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.
14. The applicant shall install sidewalks and ramps along the Highway 101 frontage in accordance with the City code.
15. The proposed pathway shall include pedestrian access through sidewalks from HWY 101 to the property adjacent to the west.
16. A lighting plan and specifics on the proposed lighting fixtures, including heights to which the fixtures will be installed, have not been submitted. Before or in conjunction with the submittal of building plans, this information, including full-cut-off light fixtures in compliance with the code section above, shall be submitted to the City Planning Department for review.
17. Prior to any land-disturbing activity, the developer shall certify that the proposed activities will be accomplished pursuant to the approved plan.
18. The applicant shall conduct ongoing maintenance of the stormwater facility; an Operations and Maintenance Agreement shall be provided prior to the issuance of a building permit.
19. Construction and inspection of the stormwater facilities according to FCC 9-5-6-1 and FCC 9-5-6-2 shall be applied before the issuance of CO.
20. The site's stormwater plan shall be updated to comply with the presumptive approach prior to the issuance of a building permit. It may be processed as a Type I Administrative Review.
21. All stormwater shall be retained on site. None shall be directed offsite.
22. Swale SW-3, on page C1 of the submitted proposed site plan, must be a rain garden, following the City of Florence's Stormwater Manual.

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**ALTERNATIVES:**

1. Recommend approval of the Design Review request for PC 24 30 DR 08 based on the Commission's findings that the application meets the requirements of the City Code or can meet them through conditions of approval.
2. Recommend denial of the Design Review request of PC 24 30 DR 08 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 to a time and date certain, requiring the applicant to provide ALL code-required information prior to a Commission decision.

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**RECOMMENDATION:**

The evidence in the record demonstrates that the proposed Design Review request for PC 24 30 DR 08 is or can be, through conditions of approval, consistent with the policies set forth in state statutes and administrative rules and Florence City Code based on the findings. Staff recommends that the Planning Commission approve the Design Review request for PC 24 30 DR 08, with the outline conditions of approval as shown in Alternative 1 above.

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Jacob Foutz, Planning Manager

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**AIS PREPARED BY:**

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**ATTACHMENTS:**

**Attachment 1 - Resolution PC 24 30 DR 08**

- Exhibit A Findings of Fact
  - Exhibit B Land Use Application Materials and Narrative
  - Exhibit C Proposed building details and Elevations
  - Exhibit D Site Drainage Plan and Site Plan
  - Exhibit E Referral Comments
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