

**CITY OF FLORENCE  
PLANNING  
COMMISSION**

**RESOLUTION PC 24 38 DR 12**

A REQUEST FOR DESIGN REVIEW OF A 5,500 SQ. FT. EARLY LEARNING FACILITY LOCATED ON A 0.37-ACRE SITE WITHIN THE ELM PARK PLANNED UNIT DEVELOPMENT, AS SHOWN ON ASSESSOR’S MAP # 18-12-27-31, TL 01100 & 01200, LOCATED AT THE SOUTHEAST CORNER OF GREENWOOD STREET AND 10TH STREET.

**WHEREAS**, Chestnut Management, LLC 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 December 17, 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 the record, that:

The request for a Design Review for the Elm Park Early Learning Facility meets the applicable criteria in the Florence City Code and the Florence Realization 2020 Comprehensive Plan with the conditions of approval as listed below.

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:**

Findings of Fact attached as **Exhibit AA2** are incorporated by reference and adopted in support of this decision.

**ELM PARK PUD  
COMBINED RECORD**

PC 24 27 PUD 01 (PUD)  
PC 24 28 SUB 01 (Replat)  
AR 24 04 DR 03 (Apartments)  
PC 24 38 DR 12 (Early Learning)

| <b>Id. No.</b> | <b>Date</b> | <b>Description</b>                           |   | <b>Status</b> | <b>Comments</b>                           |
|----------------|-------------|--|---|---------------|---|
| 1              | 6-12-24     | <i>Pre-Application</i>                       |   | Good          |   |
| 2              | 6-12-24     | <i>Attachment to Pre-Application</i>         |   | Good          | Property details and POI/Comp. Plan HDR.  |
| 3              | 6-12-24     | Ex. A  | Block 47 Legal Description and Plat             | Superseded    | See No. 16 and No. 17.                    |
| 4              | 6-12-24     | Ex. B  | FATCO Property Report                           | Superseded    | See No. 18.                               |
| 5              | 6-12-24     | Ex. C  | Topographical Map                               | Superseded    | See No. 19.                               |
| 6              | 6-12-24     | Ex. D  | Lane County Property Info.                      | Good          |   |
| 7              | 6-12-24     | Ex. E  | Enhanced Parcel Map                             | Superseded    | See No. 21 and No. 22.                    |
| 8              | 6-12-24     | Ex. F  | Colored Site Plan                               | Superseded    | See No. 21 and No. 22.                    |
| 9              | 6-12-24     | Ex. G  | Photos of Architectural Style                   | Superseded    | See No. 23.                               |
| 10             | 6-12-24     | Ex. H  | Clemow Traffic Study                            | Good          | See No. 26.                               |
| 11             | 6-12-24     | Ex. I  | Traffic Calculations                            | Superseded    | See No. 27.                               |
| 12             | 6-12-24     | Ex. J  | Dimensioned Site Plan                           | Superseded    | See No. 21 and No. 22.                    |
| 13             | 6-12-24     | Ex. K  | Rendered Site Plan                              | Good          |   |
| 14             | 7-31-24     | <i>PUD and Replat Application Form</i>       |   | Good          |   |
| 15             | 7-31-24     | <i>Combined Attachment to PUD/Replat App</i> |   | Good          |   |
| 16             | 7-31-24     | Ex. A-1                                      | Parcel Map With Existing 20 Lots                | Good          |   |
| 17             | 7-31-24     | Ex. A-2                                      | Parcel Map with Replat of Three Lots            | Superseded    | See No. 65 for tent. part. plats No. 1-2. |
| 18             | 7-31-24     | Ex. B  | Title Reports on EPA Lots and ELF Lot           | Good          |   |
| 19             | 7-31-24     | Ex. C  | ALTA Survey on EPA Lots and Elf Lot             | Superseded    | See No. 44.                               |
| 20             | 7-31-24     | Ex. D  | Map of North 9 <sup>th</sup> St. Infra. Project | Superseded    | See No. 66.                               |
| 21             | 7-31-24     | Ex. E-1                                      | EPA Dimensioned Site Plan                       | Superseded    | See No. 32 and No. 34.                    |
| 22             | 7-31-24     | Ex. E-2                                      | ELF Dimensioned Site Plan                       | Superseded    | See No. 33 and No. 36.                    |
| 23             | 7-31-24     | Ex. F  | EPA Preliminary Architectural                   | Superseded    | See No. 34.                               |
| 24             | 7-31-24     | Ex. G  | ELF Preliminary Architectural                   | Superseded    | See No. 36.                               |
| 25             | 8-9-24      | Ex. H  | Landscape Plan                                  | Superseded    | See No. 50 and No. 67.                    |
| 26             | 7-31-24     | Ex. I  | Clemow Parking Study                            | Good          |   |
| 27             | 7-31-24     | Ex. J  | Parking Demand Calcs. Clemow Data               | Superseded    | See No. 52.                               |
| 28             | 7-31-24     | Ex. K  | Open Space and Recreational Space               | Good          |   |
| 29             | 9-1-24      | <i>Design Review Application Form</i>        |   | Good          |   |
| 30             | 9-1-24      | <i>Attachment to Design Review Form</i>      |   | Good          |   |
| 31             | 9-1-24      | Ex. 1  | Block 57 Wetlands Report                        | Questioned    | See No. 78 and No. 79.                    |
| 32             | 9-1-24      | Ex. 2  | EPA Preliminary Engineering                     | Superseded    | See No. 69.                               |
| 33             | 9-1-24      | Ex. 3  | ELF Preliminary Engineering                     | Superseded    | See No. 73.                               |
| 34             | 9-1-24      | Ex. 4  | EPA Preliminary Architectural                   | Superseded    | See No. 70.                               |
| 35             | 9-1-24      | Ex. 5  | EPA Stormwater Report                           | Superseded    | See No. 71.                               |
| 36             | 9-1-24      | Ex. 6  | ELF Preliminary Architectural                   | Superseded    | See No. 74.                               |
| 37             | 9-1-24      | Ex. 7  | ELF Stormwater Report                           | Superseded    | See No. 75.                               |
| 38             | 9-16-24     | <i>NOIC PUD</i>                              |   | Good          |   |
| 39             | 9-26-24     | <i>Response to NOIC PUD</i>                  |   | Good          |   |
| 40             | 9-26-24     | <i>NOIC Revised Combined Attachment</i>      |   | Good          |   |
| 41             | 9-26-24     | Ex. A-1                                      | Parcel Map With Existing Twenty Lot             | Good          |   |

| <u><b>Id. No.</b></u> | <u><b>Date</b></u> | <u><b>Exhibit</b></u> | <u><b>Description</b></u>                                      | <u><b>Status</b></u> | <u><b>Comments</b></u>  |
|-----------------------|--------------------|-----------------------|--|----------------------|---|
| 42                    | 9-26-24            | Ex. A-2               | Parcel Map with Proposed Replat of Three Lots                  | Superseded           | See No. 65 for tentative partition plats.                           |
| 43                    | 9-26-24            | Ex. B                 | Title Reports on EPA Lots and ELF Lot                          | Good                 |   |
| 44                    | 9-26-24            | Ex. C(1)              | ALTA Survey on EPA Lots and Elf Lot (Rev)                      | Good                 | Adds wetland setback NW corner.                                     |
| 45                    | 9-26-24            | Ex. D                 | Map of North 9 <sup>th</sup> Street Infrastructure             | Superseded           | See No. 66.   |
| 46                    | 9-26-24            | Ex. E-1(1)            | EPA Dimensioned Site Plan (Rev)                                | Good                 |   |
| 47                    | 9-26-24            | Ex. E-2(1)            | ELF Dimensioned Site Plan                                      | Good                 |   |
| 48                    | 9-26-24            | Ex. F                 | EPA Preliminary Architectural                                  | Good                 |   |
| 49                    | 9-26-24            | Ex. G                 | ELF Preliminary Architectural                                  | Good                 |   |
| 50                    | 9-26-24            | Ex. H(1)              | Landscape Plan (Rev)   | Superseded           | See No. 67.   |
| 51                    | 9-26-24            | Ex. I                 | Clemow Parking Demand Study                                    | Good                 |   |
| 52                    | 9-26-24            | Ex. J(1)              | Parking Demand Calc Clemow Data                                | Good                 |   |
| 53                    | 9-26-24            | Ex. K                 | Open Space and Recreational Space                              | Good                 |   |
| 54                    | 9-26-24            | Ex. L                 | Traffic Impact Study (New)                                     | Good                 |   |
| 55                    | 9-26-24            | Ex. M                 | Dept. Env. Qlty LUCS (New)                                     | Good                 |   |
| 56                    | 9-26-24            | Ex. N-1               | Preliminary Eng. Plans for EPA (New)                           | Good                 |   |
| 57                    | 9-26-24            | Ex. N-2               | Preliminary Eng. Plans for ELF (New)                           | Good                 |   |
| 58                    | 10-18-24           |                       | <i>NOIC – Replat Application</i>                               | Good                 |   |
| 59                    | 10-18-24           |                       | <i>NOIC – EPA Design Review</i>                                | Good                 |   |
| 60                    | 10-21-24           |                       | <i>NOIC – ELF Design Review</i>                                | Good                 |   |
| 61                    | 11-1-24            |                       | <i>Response to NOIC – Replat Application</i>                   | Good                 |   |
| 62                    | 11-1-24            |                       | <i>Response to NOIC – EPA Design Review</i>                    | Good                 |   |
| 63                    | 11-4-24            |                       | <i>Response to NOIC – ELF Design Review</i>                    | Good                 |   |
| 64                    | 11-4-24            |                       | <i>Supplemental PUD/Replat Exhibits</i>                        |                      |   |
| 65                    | 11-4-24            | Ex. A-2(1)            | Tentative Partition Plans                                      | Good                 |   |
| 66                    | 11-4-24            | Ex. D(1)              | 50% Plans for City Infrastructure                              | Good                 |   |
| 67                    | 11-4-24            | Ex. H(2)              | Landscape Plans  | Good                 | Changes plants on soaking trenches                                  |
| 68                    | 11-4-24            |                       | <i>Supplemental DR Exhibits</i>                                |                      |   |
| 69                    | 11-4-24            | Ex. 8                 | EPA Civil  | Good                 |   |
| 70                    | 11-4-24            | Ex. 9                 | EPA Architectural  | Good                 |   |
| 71                    | 11-4-24            | Ex. 10                | EPA Stormwater Report  | Good                 |   |
| 72                    | 11-4-24            | Ex. 11                | EPA Electrical   | Good                 |   |
| 73                    | 11-4-24            | Ex. 12                | ELF Civil  | Good                 |   |
| 74                    | 11-4-24            | Ex. 13                | ELF Architectural  | Good                 |   |
| 75                    | 11-4-24            | Ex. 14                | ELF Stormwater Report  | Good                 |   |
| 76                    | 11-4-24            | Ex. 15                | ELF Electrical   | Good                 |   |
| 77                    | 12-6-24            |                       | <i>Supplemental PUD Exhibits Regarding Wetlands and SHPO</i>   |                      |   |
| 78                    | 12-5-24            | Ex. O                 | City Wetlands Report ROWs                                      | Good                 | Two Wetlands are in City ROW  |
| 79                    | 12-5-24            | Ex. P                 | Email Chain 12-5-24 and 12-6-24                                | Good                 | City Takes Responsibility for Wetlands Compliance                   |
| 80                    | 12-4-24            | Ex. Q                 | Letter from SHPO regarding site                                | Good                 |   |
| 81                    | 12-9-24            | Ex. R                 | Email from Mike Miller regarding 8 ELF parallel parking spaces | Good                 | Space for parallel spaces is being included in infrastructure plans |
|                       |                    |                       |  |                      |   |
|                       |                    |                       |  |                      |   |

**Conditions of Approval:**

- 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.
- 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. The applicant shall submit a plan to the Florence Building Department showing that the bicycle parking spaces are at least two feet by six feet.
5. The proposal includes placement of an ADA parking space west of the ELF facility along and parallel to the drop off driveway. Placement of a hedge along the driveway is not feasible in the configuration provided. The applicant has applied for a PUD and this item will require approval of a modification to this standard.
6. Prior to the issuance of certificates of occupancy, the applicant shall submit evidence to the Florence Planning Director that the local post office authority having jurisdiction over the area has reviewed and approved the plan for mailboxes to serve ELF.
7. NPDES permits shall be obtained and provided to the City of Florence Building Department prior to any development occurring on the subject property.
8. Final stormwater drainage, treatment and facility plans shall meet the requirements of the Stormwater Design Manual (SWDM) and the City of Portland Erosion and Sediment Control Manual unless the findings specifically state the parts of the systems and/or design aspects which have been granted an exemption and such exceptions are permitted in accordance with the city code and/or SWDM.
9. In conjunction with Final Plat, the applicant shall resubmit stormwater facility typical drawings and other materials to reflect conformance with City of Florence SWDM standards.
10. The EPA storm treatment and infiltration facilities are not labeled on sheet C2.0. Drainage plans shall be resubmitted with all systems labeled. Additionally, the plans shall illustrate the trench drain and catch basin outfalls to show which systems the parking lot runoff is going to.
11. In conjunction with Final PUD application, the applicant shall submit and obtain City approval of a completed Operations and Maintenance Agreement. The agreement shall be recorded prior to issuance of certificate of occupancy. The applicant shall bear the costs associated with having the Agreement recorded with Lane County.

**Informationals:**

1. 4” Kinnikinnic Point Reyes is proposed for ground cover. Prior to issuance of building permits, the final planting plan shall be submitted to the Florence Planning Director, or their designee for review and final approval of the planting spacing.

2. Two of the proposed shrubs for ELF are not on the Tree and Plant List for the City of Florence - Sumak Fineline and Nandina Moyers Red. Prior to issuance of building permits, the final planting list shall be submitted to the Florence Planning Director, or their designee for review and final approval of the planting sizes.

2.1. The applicant is proposing a Weeping Alaska Cedar, which is not on the suggested Tree List. Prior to issuance of building permits, the final planting list shall be submitted to the Florence Planning Director, or their designee for review and final approval of the planting sizes.

3. Medium fir bark mulch is proposed. The grade of placement was not provided. Prior to issuance of building permits, the final landscape plan shall be submitted to the Florence Planning Director, or their designee for review and final approval of the placement of non-plant ground covers.
4. FCC 10-34-3-8, requires maintenance of plantings and replacement of dead or dying plantings in perpetuity.
5. As discussed, the applicant must apply for public infrastructure permits and submit plans for review and approval with the Public Works Dept. prior to commencement of construction.
6. As part of the building permit review process, fire flow analyses, hydrant plans, and water service details shall be subject to review and approval by the Building Official and Fire Marshal.

**ADOPTED BY THE FLORENCE PLANNING COMMISSION/DESIGN REVIEW BOARD** the 17<sup>th</sup> day of December 2024.

\_\_\_\_\_  
Kevin Harris, Chairperson  
Florence Planning Commission

\_\_\_\_\_  
DATE