

**ELM PARK PUD**  
**ATTACHMENT TO DESIGN REVIEW APPLICATION**  
**9-1-24**

This document, including its Exhibits, supports the design review application for Elm Park. We incorporate by reference the PUD and Replat Applications and the Combined Attachment and Exhibits thereto, both filed on July 31, 2024, and supplemented with Landscape Plan on August 9 (collectively, the “Prior Application”). Capitalized terms not defined within carry the definitions in the Prior Application. Here, we provide the additional information and documentation required for a design review application.

The Applicants, Owner, design professionals, and consultants for the SDP, the EPA, and the ELF have remained the same from the Prior Application, except as augmented or superseded by documents submitted with this design review application.

We request the termination of the replat application because the site plan submitted in the Prior Application shows that the EPA and the ELF sites now follow previously established lot lines for Lots 1-20. We also request that the paid replat fee of \$1,742.95 be credited to the design review fee or refunded.

**CODE DESIGN REVIEW PROCESS**

Chapter 10-6 defines the design review process. For new structures, the process is intended to “Create an attractive appearance that will enhance the City and promote the general welfare of its citizens.” FCC 10-6-1-A. The Planning Commission acts as the Design Review Board. Planning Commission action and Design Review Board action may co-occur. FCC 10-6-2.

The Planning Commission is to review “new construction” through a “Type III process consistent with FCC 10-1-1-6-3 before issuing a building permit” unless “otherwise directed by the underlying zoning district or subsection B below.” FCC 10-6-3-A. The Planning Director or designee shall review applications for “multi-unit housing in any zone” through a “Type II process consistent with FCC 10-1-1-6-2 before issuance of a building permit.” FCC 10-6-3-B-a-ii. So, the design review of the EPA should be through a Type II process by the Planning Director.

No exception in FCC 10-6-3-B removes new commercial construction from the Type III process requirement of FCC 10-6-3-A. The POI district does not explicitly allow “Type II process design review” in situations beyond FCC 10-6-3-B. So, the ELF requires a Type III process.

Under FCC 10-1-1-5-B-1, this design review application should be consolidated with the Prior Application (No. PC 24 27 PUD 01) and conducted by the Planning Commission.

Because this application involves affordable housing, we request the 100-day review period in FCC 10-1-1-5-A-1 and ORS 197.311.

## **SITE DEVELOPMENT**

The Wetlands Report, attached as Exhibit 1 (the “Wetlands Report”), covers the entire Block 57 and addresses the drainage channel northwest of its northwest corner. It delineates 112.5 square feet of wetland in the extreme northwest corner of Block 57. The water flow through the drainage channel is entirely contained to the rights of way for Fir Street and 11<sup>th</sup> Street and the City’s Elm Park property and will be addressed by the City in its North 9<sup>th</sup> Street Infrastructure Project (the “Infrastructure Project”). We provided the Wetlands Report to KPFF, our civil engineers, who took it into account in preparing the Preliminary Engineering Plans for EPA, which are attached as Exhibit 2 (“EPA Preliminary Engineering”).

We hereby request a modification under the PUD Ordinance of any required wetlands setback to accommodate the setback reflected in the Prior Application’s Site Plan and in the EPA Preliminary Engineering. The water, sewer, stormwater, and transportation improvements for Fir Street and 11<sup>th</sup> Street under the Infrastructure Project are “public facilities.” Under FCC10-7-4-E-3-b, these public facilities “may be installed in significant wetlands or riparian areas, provided that the facilities are designed and constructed to minimize intrusion into the wetland or riparian area; disturbed areas are replanted with native vegetation; and all required federal and state permits are obtained.” Because the City will be resolving the wetlands issues for the public facilities, the Planning Commission should, under the PUD Ordinance, approve a modification to any wetlands setback that would otherwise apply to allow our proposed setbacks on the northwest corner of Block 57.

Before construction begins, we will obtain the National Pollution Discharge Elimination System permit from the Department of Environmental Quality. EPA Preliminary Engineering (Sheet C3.0) and the Preliminary Engineering Plans for the ELF, attached as Exhibit 3 (“ELF Preliminary Engineering”)(sheet C300), provide additional information about erosion control on the site.

## HIGH-DENSITY RESIDENTIAL CONSTRUCTION

General standards for residential design review are in FCC 10-6-5-2. Those standards are:

*A. "Setbacks, yards, height, density, lot area, dimensions, percentage of coverage, and similar design features according to the underlying zoning district."*

The Prior Application and its Site Plan addressed these standards and requested modification of "setbacks" and "yards" under the PUD Ordinance. The EPA Preliminary Engineering and the Preliminary Architectural Plans for the EPA, attached as Exhibit 4 (the "EPA Preliminary Architectural"), are consistent with prior submissions.

*B. "For multi-unit dwellings . . . the project must comply with the "Multi-unit Dwelling Standards in FCC 10-10-9."*

The Prior Application and its Site Plan discussed these standards and requested modification of the "building separation" standard under the PUD Ordinance, to the extent the Planning Commission determines both (a) that Buildings A and C are "Multi-unit Dwellings" (they are not because they do not have five or more apartments per building) and (b) that Buildings A and C are not "end to end" with Building B. The EPA Preliminary Engineering and the EPA Preliminary Architectural are consistent with the prior submissions, except that the separation between Building A and Building B, and between Building B and Building C, are reduced by six inches from 19' 1" to 18' 7". We amend our request for modification to include the building separations shown in the Site Plan included in the EPA Preliminary Architectural.

FCC 10-10-9-B-4 incorporates the standards of FCC 10-6-6-4 and 10-6-6-5. The more detailed EPA elevation drawings included in EPA Preliminary Architectural (sheets A-1 to A-7) show (and label) the various building materials and combinations of building materials for the EPA. We believe these drawings satisfy all applicable requirements of FCC 10-6-6-4 and 10-6-6-5, as stated below.

The EPA's visible building materials are all "permitted" under FCC 10-6-6-4: (a) siding (lap, board and batten, and shingle, all fiber cement based) on walls; (b) asphalt shingle roof, coated metal rain gutters, and downspouts; (d) vinyl windows, fiberglass entry doors; (e) porch and balcony railings of powder coated steel; (f) optional walls and fences of wood, masonry, or painted metal; and (g) color finishes are of muted coastal Pacific Northwest palette.

The EPA's material applications and configurations are all permitted under FCC 10-6-6-5: (a) the clearly dominant building material is siding – lap or shingle (maximum 6" exposed to elements) or board and batten (maximum 8" on center) and 4" minimum corner, rake and eave trim; (b) roofs have the minimum pitch of 5:12, shed roofs have a minimum 3:1 slope, overhangs are 18" and visibly supported by rafters, gutters are ogee profile and both gutters and down spouts are metal covered with plastic; (c) vinyl windows are square or vertical rectangular in shape (and dimensions are given), no single lite glass panel visible from the street is greater than 24 square feet, and window groupings in the same horizontal opening are separated by 4" minimum wide vertical trim; (d) balconies attached to building faces are visibly supported by vertical and

horizontal wood beams at least 5½ inches in cross section; (e) optional visible walls and fences (i) if masonry, will be 8” nominal thickness with a concrete cap (ii) if wood, will be generally compatible with the adjoining building materials; (f) mechanical equipment is not visible on walls, rooftops, or ground.

*C. “Installation and maintenance of fences, walls, hedges, screens, and landscaping according to standards outlined in FCC 10-34 Landscaping, and any requirements of the underlying zoning district.”*

The Prior Application and its Site Plan covered these standards and requested modification of the “fences, walls, hedges, and screens” standards under the PUD Ordinance. The EPA Preliminary Engineering and the EPA Preliminary Architectural are consistent with the prior submissions.

*D. “The location and design of access and egress points for vehicles and pedestrians, including access points along State highways according to standards outlined in FCC 10-35 Access and Circulation, and any requirements of the underlying zoning district.”*

The Prior Application reviewed these standards and sought no modifications under the PUD Ordinance. The EPA Preliminary Engineering (sheet C1.0) provides additional information on the location and design of access and egress points for vehicles and pedestrians and satisfies the Chapter 10-35 standards.

*E. “Parking and outside display areas, dimensions, surfacing, and on-site traffic circulation according to standards outlined in FCC 10-3 Parking and Loading.”*

The Prior Application treated these standards and requested no modifications under the PUD Ordinance. The EPA Preliminary Engineering (sheet C1.0) provides additional details on the surfacing of driveways and parking areas. We believe it shows compliance with the Chapter 10-3 standards. Nothing further is required for this standard.

*F. “Exterior Lighting according to the standards outlined in FCC 10-37 Lighting.”*

The Lighting Plan is included in EPA Preliminary Engineering (sheets E101 and E102). We believe it meets the standards of FCC 10-37.

*G. “Provision of public and private facilities and infrastructure according to standards outlined in FCC 10-36 Public Facilities . . . .”*

The EPA Preliminary Engineering (sheet C1.0) details the sidewalks, parking, and pavement standards in FCC 10-36. We believe it shows compliance with those standards.

The EPA Preliminary Engineering (sheet C2.0) details the water, sanitary sewer, and storm sewer required under FCC 10-36. The EPA Stormwater Report is attached as Exhibit 5.

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The POI district has its own design criteria. The EPA Preliminary Architectural (sheets A-1 to A-7) shows that the EPA meets the POI design standards of FCC 10-25-5, as summarized below:

1. Visibly exposed sides are attractively detailed with regard to style, materials, colors, and details, with wall offsets and projections that give architectural interest and variety to the massing of the buildings, and changes in gable ridgeline direction relieve the effect of a single long roof.
2. All buildings include architectural detail and embellishments.
3. No blank walls or service area treatments of a side or rear elevation are visible from the public viewshed.
4. Given the variety in the walls and rooflines, other architectural embellishments are unnecessary to add visual interest.
5. Facades are lit from the exterior, and no low-pressure sodium, fluorescent, or mercury vapor lighting is proposed.
6. Significant HVAC and other equipment are appropriately screened.

#### *High-Density Residential Conclusion*

In conclusion, the EPA satisfies the residential design review standards as proposed to be modified through the PUD.

## COMMERCIAL CONSTRUCTION

FCC 10-6-6-4 and 10-6-6-5 contain design standards applicable to all uses. The ELF Preliminary Architectural (sheet A201) shows (and labels) the various exterior building materials and combinations of building materials for the ELF. As stated below, we believe these drawings satisfy all applicable requirements of FCC 10-6-6-4 and 10-6-6-5.

The ELF's visible building materials are all "permitted" under FCC 10-6-6-4: (a) siding (lap, board and batten, and shingle, all fiber cement based or wood) on walls; (b) standing seam metal roof, coated metal rain gutters and downspouts; (d) vinyl windows, storefront entry door, painted hollow metal on other doors; (e) porch and balcony railings of powder coated steel; (f) optional walls and fences of wood, masonry, or painted metal; and (g) color finishes are of muted coastal Pacific Northwest palette.

The ELF's material applications and configurations are all permitted under FCC 10-6-6-5: (a) the clearly dominant building material is siding – lap or shingle (maximum 6" exposed to elements) or board and batten (maximum 8" on center) and 4" minimum corner, rake and eave trim; (b) roofs have the minimum pitch of 5:12, shed roofs have a minimum 3:1 slope, overhangs are 24" and visibly supported by brackets, gutters are ogee profile, and gutters and downspouts are powder coated metal; (c) vinyl windows are square or vertical rectangular in shape (and dimensions are given), no single lite glass panel visible from the street is greater than 24 square feet, and window groupings in the same horizontal opening are separated by 4" minimum wide vertical trim; (d) optional visible walls and fences (i) if masonry, will be 8" nominal thickness with a concrete cap (ii) if wood, will be generally compatible with the adjoining building materials; (e) mechanical equipment is not visible on walls, rooftops, or ground.

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General design standards for commercial uses are in FCC 10-6-5-1. These standards are:

A. *"Setbacks, yards, height, density, and similar design features according to the underlying zone."*

The Prior Application, including the Site Plan, noted these standards and requested modification of "setbacks" and "yards" under the PUD Ordinance. The ELF Preliminary Engineering and the ELF Preliminary Architectural Plans attached as Exhibit 6 (the "ELF Preliminary Architectural") are consistent with the prior submissions. The ELF building, at its highest point, with a roof slope increased to 5:12, is just under 35'.

B. *"Lot area, dimensions, and percentage of coverage according to the underlying zoning district."*

The Prior Application, including the Site Plan, showed compliance with these standards and requested no modifications under the PUD Ordinance. The ELF Preliminary Engineering and the ELF Preliminary Architectural are consistent with the prior submissions.

C. *“Installation and maintenance of fences, walls, hedges, screens, and landscaping according to standards outlined in FCC 10-34 Landscaping, and any requirements of the underlying zoning district.”*

The Prior Application, which included the Landscaping Plan, covered these standards and requested modification of “fences, walls, hedges,” and “screens” under the PUD Ordinance. The ELF Preliminary Engineering and the ELF Preliminary Architectural are consistent with the prior submissions.

D. *“The location and design of access and egress points for vehicles and pedestrians, including access points along State highways according to standards outlined in FCC 10-35 Access and Circulation, and any requirements of the underlying zoning district.”*

The Prior Application addressed these standards and requested no modifications under the PUD Ordinance. The ELF Preliminary Engineering (sheet C100) provides additional detail.

E. *“Noise, vibration, smoke, dust, odor, light intensity and electrical interference.”*

The proposed ELF use does not create any significant risk of noise, vibration, smoke, dust, odor, light intensity, or electrical interference except during construction. As shown on ELF Preliminary Engineering (sheet C300), the required mitigation steps will be taken during construction.

F. *“Parking and outside display areas, dimensions, surfacing and on-site traffic circulation according to standards outlined in FCC 10-3 Parking and Loading.”*

The Prior Application treated these standards and requested no modifications under the PUD Ordinance. The ELF Preliminary Engineering (sheet C100) provides additional detail showing compliance with the Chapter 10-3 standards relating to materials and construction of the drive path and parking spaces.

G. *“Architectural quality and aesthetic appearance, including compatibility with adjacent buildings.”*

The ELF Preliminary Architectural (sheet A201 and rendering) contains additional information on architectural quality and aesthetic appearance, which are discussed below.

The ELF site presently has only two adjacent buildings.

The first is the Justice Center at the NEC of 9th Street and Greenwood. Like the ELF, it is a Community-Building type. Like the ELF, it is a one-story structure. The Justice Center has a flat roof with a small gable roof over one portion, a shed roof over another, a *porte cochere* on the Greenwood Street entrance, and a smaller covered porch on the Hemlock Street entrance. The Justice Center walls have a base of about 2 feet of split face masonry block with a brick cap and then long horizontal panels about 2 feet high of an EIFS material with indentations between the panels. The southeast corner of the Justice Center is curved rather than square, and it has some

wall articulations at intervals around the building. The ELF's mass is divided into a wider middle section with a high shed roof and two narrower side sections with a lower shed roof. Wall articulations surround the ELF, where the roof levels change. The roof is standing seam metal. The ELF has horizontal lap siding on the center mass – front and rear. On the outer masses, it has vertical lines (board and batten with battens at 8” on center). The ELF has several wall articulations and a covered entrance recessed into the building. The ELF has an architectural quality and aesthetic appearance that is compatible with the Justice Center.

The second adjacent building is the two-story office building at the NWC of 9<sup>th</sup> Street and Greenwood Street. It is a long, narrow building with asphalt shingled hip roofs. The only variation in roofline or exterior walls is projecting covered entrances, one on each building wall. The walls are a 2-foot brick base with a brick cap above which an EIFS material is applied to create the appearance of wall panels of varying heights. It has little architectural interest. The ELF provides horizontal lap siding on the front and back walls of the center mass but strong vertical lines through board and batten siding on the outer masses. Significant variations in roof lines add interest to the ELF structure, as does a large grouping of windows from the top of the door to the roof at both ends of the building's entrance hall. The clerestory windows high on the front elevation add architectural interest, as does the roof extension over the entrance. The ELF has a higher architectural quality and aesthetic appearance than the office building.

The ELF will also be adjacent to the EPA apartment buildings. The ELF will provide an attractive focal point for traffic heading north from 9<sup>th</sup> Street on Greenwood Street, with the taller apartment buildings rising behind it to the west and the north. The ELF's shed roofs provide a contrast to the gable roofs of the EPA, but the front shed roof of the ELF, in combination with the higher opposite sloping shed roofs, suggests on the west and east elevations the gable roofs of the EPA. The pronounced vertical lines of portions of the ELF building in dark blue are echoed in the more subtle vertical lines in the lighter blue of the apartment buildings. The ELF has an architectural quality and aesthetic appearance that are compatible with the EPA.

*H. “Color, building materials, and exterior appearance in accordance with the policies established by the City in the Downtown Implementation Plan and in applicable zoning districts.”*

The ELF Site is not in the Downtown District. The POI District has its design standards. The Prior Application articulated those standards and requested no modifications under the PUD Ordinance.

The ELF Preliminary Architectural (sheet A201 and rendering) meets the POI design standards of FCC 10-25-5, as shown below:

1. Visibly exposed sides are attractively detailed with regard to style, materials, colors, and details, with wall offsets and projections that give architectural interest and variety to the massing of the building, and changes in rooflines relieve the effect of a single long roof.
2. The ELF includes architectural detail and embellishments.



3. No blank walls or service area treatments of a side or rear elevation are visible from the public viewshed.
4. Given the variety in the walls and rooflines, other architectural embellishments are unnecessary to add visual interest.
5. Facades are lit from the exterior, and no low-pressure sodium, fluorescent, or mercury vapor lighting is proposed.
6. Significant HVAC and other equipment are appropriately screened.

*I. "Exterior lighting and security."*

The Lighting Plan for the ELF, contained in ELF Preliminary Engineering (sheets E101 and E102), shows that exterior lighting is adequate for the neighborhood's safety and security and complies with the Chapter 10-37 standards.

*J. "Public health, safety, and general welfare."*

Nothing about the ELF presents any hazard to public health, safety, and general welfare. The Health Department and the Department of Early Learning and Care will regulate the ELF operations to protect the health, safety, and welfare of the children and adults present in the ELF.

*K. "Provision of public facilities and infrastructure according to standards set forth in FCC 10-36 Public Facilities."*

The ELF Preliminary Engineering (sheet C100) provides additional details on the sidewalks, parking, pavement, and infrastructure standards in FCC 10-36 and shows compliance with those standards.

The ELF Preliminary Engineering (sheet C200) and the ELF Stormwater Report, attached as Exhibit 7, provide additional details concerning water supply, sanitary sewer, and storm sewer required for compliance with FCC 10-36, all independent of the EPA.

The City will be constructing the streets and related infrastructure in the right of way for 10<sup>th</sup> Street, Elm Street, and 11<sup>th</sup> Street, and it, not the Applicants, must construct those public facilities.

*L. "Requiring a period within which the proposed use or portions thereof shall be developed."*

Based on the anticipated development timeframe and the factors that could extend it, we propose that the ELF use be completed by September 1, 2028.

M. *“Requiring bonds to insure the performance of special conditions.”*

The City is using legislatively appropriated funds to construct all of 10th Street, Fir Street, 11th Street, surrounding, and associated utilities and infrastructure on the south, west, and north lines of Block 57. Because these are not special conditions of approval for Elm Park PUD, no bond is required to ensure performance.

N. *“Such other conditions as are necessary to implement policies contained in the Florence Comprehensive Plan.”*

The ELF Applicant knows no other conditions for implementing the Florence Comprehensive Plan policies.

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Commercial construction is also subject to more specific standards. FCC 10-6-6-3-C imposes the following standards for facades.<sup>1</sup> Building elevations that “orient to a street or civic space” must have “not less than one break for every 30 feet of building length or width, as applicable.” FCC 10-6-6-3-C; FCC 10-6-6-3-C-4. “Break,” for this purpose, is “a change in wall plane of not less than 24 inches in depth. Breaks may include, but are not limited to, an offset, recess, window reveals, pilaster, frieze, pediment, cornice, parapet, gable, dormer, eave, coursing, canopy, awning, column, building base, balcony, permanent awning or canopy, marquee or similar architectural feature.” FCC 10-6-6-3-C-1-d. Changes in paint color or other non-permanent features do not count for the 24-inch-break-in-wall-plane standard. FCC 10-6-6-3-C-3.

Specified types of architectural elements must occur “at a minimum interval of 30-40 feet, such as “varying rooflines, offsets, balconies, projections . . . recessed or covered entrances, window reveals, or similar elements that break up otherwise long uninterrupted elevations.” FCC 10-6-6-3-C-1.

In addition, “each floor shall contain at least two elements meeting the following criteria: (a) “Recess (e.g., porch, courtyard, entrance, balcony, or similar feature) that has a maximum depth of 4 feet”; (b) “Extension (e.g., floor area, porch, entrance, balcony, overhang, or similar feature that projects a minimum of 2 feet and runs horizontally for a minimum length of 4 feet; (c) Offsets or breaks in roof elevation of 2 feet or greater in height.” FCC 10-6-6-3-C-1-a, -b, and -c.

The ELF Preliminary Architectural (sheets A001, A201, and rendering) show the required (a) breaks at 30-foot intervals, (b) architectural elements at minimum intervals of 30-40 feet, and (c) the ground floor has (i) an extension over the front entrance, and (ii) roof breaks in elevation of 2 feet or greater in height.

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<sup>1</sup> Commercial storefront buildings must comply with FCC 10-6-6-3-A and -B. The ELF is a Community Building not a Storefront Building. Prior Application, p. 20.

Section 10-6-7 imposes additional non-residential design requirements in districts other than Main Street and Old Town, as follows:

- A. *“All commercial buildings shall meet the standards of FCC 10-6-6-3 and 10-6-6-4-G.”*

The FCC 10-6-6-3 standards are discussed above. The ELF's color palette meets the requirements of FCC 10-6-6-4-G, as shown by ELF Preliminary Architectural (sheets A201 and rendering).

- B. *“All commercial buildings shall incorporate not fewer than three [of the best suited] types of architectural features from 1 through 6 below:”*

1. *“Covered front entrance. Not less than six feet in depth and not less than 10% of the width of the building, excluding the landing for entrance.”*

The ELF has a covered front entrance 17 feet deep and 10 feet wide, or 10% of its 100-foot width.

2. *“Windows: not less than 30 percent of the surface area of all street-facing elevations with the following features:*
- a. *“Trim, reveals, recesses, or similar detailing of not less than four inches in width or depth, as applicable.”*
  - b. *“The use of decorative detailing and ornamental construction around windows (e.g., corbels, medallions, pediments, or similar features.”*

The ELF does not meet the 30% windows standard.

3. *“Pedestrian Shelters: as described in FCC 10-6-6-6-G.”*

The ELF is not a “storefront-type building,” so we provide no pedestrian shelters.

4. *“Eaves (where applicable): overhang of not less than 12 inches.”*

The ELF has a 24” overhang all around the building.

5. *Decorative top: “e.g., cornice or pediment with flat roof or brackets with pitched roof. Towers may be included where building height limitations and surrounding structures deem them appropriate.”*

The ELF incorporates roof brackets on its pitched roofs.

6. *“Awnings and canopies: extending not less than 30% of the elevation where supplied.”*

Awnings and canopies are not suited to the ELF’s Community Building type.

The ELF satisfies three of the six items in FCC 10-6-7-B, namely items 1, 4, and 5.

Section 10-6-6-6 applies to the Storefront Building type but does not apply to the ELF, which is a Community Building type. See Prior Application, p. 20.

#### *Commercial Conclusion*

The ELF meets the applicable commercial design review standards, which are proposed to be modified through the PUD.

## **OVERALL CONCLUSION**

The Applicants respectfully request that the Planning Commission, acting as the Design Review Board, grant design review approval for the EPA and the ELF.

**List of Exhibits**  
**For**  
**Attachment to Design Review Application**  
**Elm Park PUD**

<b><u>Exhibit</u></b>		<b><u>Description</u></b>
1		Block 57 Wetlands Report
2		EPA Preliminary Engineering
3		ELF Preliminary Engineering
4		EPA Preliminary Architectural
5		EPA Stormwater Report
6		ELF Preliminary Architectural
7		ELF Stormwater Report