

SALISHAN PLANNED DEVELOPMENT AMENDMENT NARRATIVE

APPLICANT: AWI Salishan, LLC
23046 Avenida de la Carlota
Suite 600
Laguna Hills, California 92653

APPLICANT'S PROJECT MANAGER: Brody Percell
Allied Partners
PO Box 156
Bend, Oregon 97709
brody@allied-partners.net
(541) 508-7755

APPLICANT'S ATTORNEY: Steven Hultberg
Radler White Parks & Alexander, LLP
PO Box 2007
Bend, OR 97709
shultberg@radlerwhite.com
(541) 585-3697

LOCATION: The subject properties have a mailing address of 7760 N Highway 101, Gleneden Beach, Oregon 97388. The tax lots subject to the request are Map Tax Lots 08-11-10-00-00803-00, 08-11-10-CC-00100-00, 08-11-10-CB-00107-00, 08-11-15-B0-00301-00 and 08-11-10-00-00800-00. The subject property is the location of the Salishan Resort—a planned development originally approved by Lincoln County in 1968.

REQUEST: The Applicant proposes to amend the Salishan Planned Development to convert underutilized commercial space in the Salishan Marketplace on the west side of Highway 101 to workforce housing, with a maximum number of 25 units. Additionally, the Applicant proposes to add up to 12 new lodging units on the east side of Highway 101 in a wooded area within the larger golf course area of the resort. The new lodging units will be constructed as “glamping” units, with a permanent deck, an enclosed, permanent bath and toilet structure, a tent frame and luxury tent. The tent structure is tentatively planned to be seasonal, with the tent being removed in the fall and replaced each spring. Lastly, the Applicant proposes several low-intensity recreation features on the east side of Highway 101, including a ropes challenge course, an observation deck and associated trail features, landscaping improvements and a new entry monument. An amendment to the Salishan Planned Development is required because the original resort approval did not include lodging units within the area proposed by the Applicant, nor did it include workforce housing on the west side of Highway 101. Under Lincoln County Code (“LCC”) 1.1380(2)(b) only those uses, structures and other forms of development that have been set forth in an authorized planned development may be established. Consequently, the Applicant seeks to amend the resort approval to include the proposed uses.

APPLICABLE CRITERIA: LCC 1.1380—Planned Development; LCC 1.1310 R-1 (Single Family Residential), LCC 1.1415—Off-Street Parking and Loading, LCC 1.1405—Sign Requirements; Lincoln County Comprehensive Plan.

ZONING AND COMPREHENSIVE PLAN DESIGNATION: The comprehensive plan designates the entire property RCC—Rural Community Center. The subject property is zoned R-1/PD-- (Residential Planned Development).

SURROUNDING PROPERTIES: The subject property comprises the entirety of the Salishan Resort property, including the lodging component, the golf course and the Salishan Marketplace on the west side of Highway 101. Surrounding properties include the Salishan Wastewater Treatment Plant, the Salishan Golf Course, residential development and The Island multifamily development. The resort is served by utilities delivered by the Salishan Sanitary District, the Kernville-Gleneden-Lincoln Beach Sanitary District and Pacificorp.

I. RESPONSE TO APPROVAL CRITERIA

LCC 1.1380 Planned Development (PD)

(1) Purpose: The purpose of the planned development procedure is to encourage and promote creativity and innovation in site planning, design and development through the application of flexible land development standards. Application of the planned development procedure is intended to:

- (a) Allow for and encourage development designs which provide suitable recognition of the physical, topographic, cultural, historical and natural resource values and constraints present on a particular site;
- (b) Permit greater flexibility in the siting of buildings and other physical improvements and in the mixing of housing types and other compatible non-residential uses in order to accomplish desirable design objectives; and
- (c) Ensure that development occurs in a manner consistent with the intent and purpose of the goals and policies of the comprehensive plan

Response: As discussed above, the Salishan Planned Development was originally approved in 1968. There have been very few revisions to the Planned Development since original approval in 1968. The most recent amendment occurred in 2004 with the County's approval of the Spa at Salishan (Case File 2-PD-PC-04). As is the case here, in 2004 the County found that the original Planned Development approval in 1968 demonstrated compliance with the purposes of the Planned Development chapter.

(2) General Requirements: The following requirements shall govern planned developments:

(a) A planned development may be established in any zone other than a T-C zone or an A-C zone.

Response: The subject property is zoned R-1/PD (Residential Planned Development). Consequently, a Planned Development is permitted on the subject property.

(b) Notwithstanding the provisions of the applicable use zone or zones, on land subject to an approved planned development, only those uses, structures and other forms of development which have been set forth and authorized in a preliminary development plan approved in accordance with the provisions of this section may be established.

Response: The purpose of this application is to obtain approval to modify the existing Planned Development to include new lodging units in the form of “glamping” units, the conversion of an underutilized retail space to workforce housing and the addition of low-intensity recreational facilities on the property. Once approved, these uses will then be authorized in the Salishan Planned Development.

(c) A planned development may include any uses permitted outright or conditionally in any zone, except that uses permitted only in an I-P, or M-P zone shall not be permitted in an R-1, R-2, R-3, R-4, C-1, C-2, C-T, or M-W zone.

Response: The proposed uses can be classified as lodging units and residential housing. Both uses are permitted in multiple zones within the County and none of the uses are permitted only in the I-P or M-P zone. Consequently, the requested uses are permitted in the Planned Development.

(d) Overall residential density shall be as provided for in the applicable use zone or zones. Density shall be computed based on the total gross land area of the subject property, excluding area devoted to commercial or other nonresidential uses.

Response: The underlying zone is R-1, and the property is served by sewer, water and other public facilities. In the R-1 zone there is no established density standard applicable to workforce/employee housing units. Tax Lot 107, on the west side of Highway 101 is approximately 3.28 acres in size. With the maximum number of 25 units, the overall density would be 7.62 units per acre.

(e) No building shall exceed a height of 45 feet.

Response: No new structures are proposed in connection with the workforce housing units, and the new “glamping” lodge units are well under the 45-foot maximum.

(f) For a planned development in a residential zone, the total land area devoted to industrial and commercial uses, including required off street parking, other than hotel, motels, trailer parks, resorts, and similar accommodations, shall not exceed five percent

of the total land area of the development. Any commercial and industrial uses shall be directly related in purpose and function to the remainder of the planned development.

Response: In 2004 in connection with the spa approval, the County found that the total land area of the Salishan Planned Development was approximately 460 acres. Under this standard, the resort could include up to 23 acres of qualifying commercial and industrial development. Given that the Market Place is the only commercial element of the project the current acreage devoted to commercial uses (including the spa and Market Place) is approximately 4.78 acres—well below the 23-acre threshold. Given that the existing commercial building will be repurposed to workforce/employee housing, there is no change to the commercial ratio.

(g) In a residential zone, where commercial or industrial uses are being developed in conjunction with residential uses, construction of the commercial or industrial uses shall not be initiated until 25 percent of the residential units have been developed.

Response: At this point all residential uses within Salishan have been developed. This standard does not apply to the present application.

(h) Yards, setbacks, lot area, lot coverage and similar dimensional requirements may be reduced, adjusted or otherwise modified consistent with the design objectives of the proposed development.

Response: The Applicant does not propose to adjust any applicable development standard as part of this application.

(i) In the event of a conflict between any applicable use zone provision and the allowances, limitations or requirements of an approved preliminary plan, the approved preliminary plan shall control.

Response: The Applicant is not aware of any conflict between the underlying zones.

(3) Preliminary Plan: The initial step in the establishment of a planned development shall be the submission of a preliminary plan, which shall be reviewed and acted upon in accordance with the provisions of this section:

(a) Preliminary Plan Review Procedure: The procedure for application and review of a preliminary plan of a planned development shall be as set forth in LCC 1.1210 (3).

Response: Through the submission and review of the present application, the Applicant is complying with the required review procedure.

(b) Content of the Preliminary Plan: Application for preliminary plan approval of a planned development shall include, in addition to the forms prescribed by the division, a

preliminary plan consisting of the following:

(A) A site plan map or maps depicting all proposed residential and nonresidential land uses, including typical architectural detail, and also including location of all proposed lot or parcel boundaries, if the proposal involves a division of land, all proposed roads and pedestrian access, location of significant natural features such as wetlands, stream courses, environmental hazards, and fish and wildlife habitat areas, location of any proposed open space, recreation areas or other common elements, and approximate topography with contour intervals of not more than 10 feet.

(B) A written narrative describing the character of the proposed development, the manner in which it has been designed to conform to the purpose of the planned development procedure, including detailed discussion of how the proposal conforms to the requirements of paragraph (c) of this subsection, proposed methods of providing sewer, water and other utility services, the method proposed for ownership and maintenance of private common areas, buildings, structures, roads or other facilities, proposed covenants, restrictions and bylaws of any homeowners association, and the proposed time schedule of development, including plans for phasing, if any.

(C) Other maps or narrative materials needed to determine compliance with any applicable provisions of this chapter, as determined by the division.

Response: The application materials submitted by the Applicant include all of the required information.

(c) Preliminary Plan Approval Criteria: Approval by the planning commission of a preliminary plan of a planned development shall be based on findings that the following criteria are satisfied:

(A) All of the applicable general requirements in LCC 1.1450(2) are met;

Response: The Applicant believes that the reference to LCC 1.1450(2) is in error. The Applicant believes that the proper reference is to LCC 1.1380(2), which are the “general requirements” for Planned Developments. The narrative above demonstrates compliance with the general requirements of LCC 1.1380(2).

(B) The proposed development will not be inconsistent with the comprehensive plan provisions or zoning objectives for the area;

Response: The subject property carries a comprehensive plan designation of “rural community center.” An exception to Goal 14 was authorized for the rural community of Gleneden Beach many years ago. As a result, commercial uses

and resort-related development is permitted through the Planned Development standards of LCC 1.1380. Given that Planned Developments are permitted by the underlying zone (R-1/Planned Development), resort-related development, including lodging units and employee/workforce housing are wholly consistent with the underlying zoning and the comprehensive plan designation.

(C) The proposed development will provide the following amenities or protections at a higher level than would otherwise be provided under conventional land development procedures: Protection of significant natural and cultural features and resources, such as historical, scientific and cultural resources, fish and wildlife habitats, stream corridors, riparian areas, and wetlands; maintenance, enhancement or establishment of natural vegetation, especially indigenous plant communities; protection of scenic and aesthetic qualities; and creation of a high quality built environment which harmonizes with the natural and physical features of the site and includes design features such as suitably located open space, recreation facilities, and other public and common facilities, and also includes pedestrian oriented development which reduces reliance on automobile travel, provision of solar access or similar measures to promote energy conservation, or avoidance of risks and costs associated with environmental hazards.

Response: As discussed above, in connection with the 1968 approval, the County found that the Planned Development provided amenities at a higher level than would be allowed under conventional development procedures. The existing resort, including fine dining, lodging, golf, spa services and other recreational facilities provide a level of amenities in one location that would be difficult to replicate under standard zoning standards. Salishan has evolved over time, and continues to meet the requirements of this section. The modest addition of housing and lodging units will only serve to enhance the Resort's compliance with this standard. Given the extremely low density of the overall project, natural features, vegetation and wildlife habitats have been preserved. Nothing in the present application will jeopardize the preservation of these important features.

(D) In acting to approve a preliminary plan, the commission may impose any conditions or limitations it finds necessary to achieve compliance with any provisions of this chapter.

Response: The Applicant is aware that the planning commission may impose reasonable conditions of approval.

(4) Final Plan: Upon completion of all conditions and requirements of a preliminary plan of a planned development, application may be made for final plan approval, in accordance with the provisions of this section:

(a) Final Plan Review Procedure: The procedure for application and review of a request for final plan approval of a planned development shall be as set forth in LCC 1.1210(1).

(b) Certifications Required for Final Plan Approval: Requests for final plan approval of a planned development shall be accompanied by the following certifications:

(A) A copy of all covenants and restrictions.

(B) Copies of legal documents required for dedication of public facilities or for the creation of a homeowner's association.

(C) The certification, performance agreement or statement regarding the availability of water and sewerage services.

(D) As-built certifications for all required roads and utilities unless otherwise guaranteed by a performance agreement.

(E) If the planned development involves a division of land, the certifications required by LCC 1.1337(7).

(F) Other certifications required as a condition of the preliminary plan approval.

Response: Given the limited nature of the present application, the Applicant is specifically requesting both preliminary and final approval of the amendment to the Salishan Planned Development.

(c) **Final Plan Approval Criteria:** The director or commission shall approve a final plan of a planned development, provided that:

(A) The submitted final plan is in substantial conformance with the approved preliminary plan; and

(B) All of the certifications required by paragraph (b) of this subsection have been submitted in proper form.

Response: Again, the Applicant is requesting both preliminary and final approval of the proposed amendment. Any conditions imposed by the Planning Commission may be evaluated at the building permit stage. Moreover, the Applicant's materials are in sufficient detail to allow for a single stage approval. Lastly, given the limited nature of the amendment, it is wholly appropriate to combine both the preliminary and final approval stages into a single application.