

**CITY OF FLORENCE
RESOLUTION NO. 28, SERIES 2020**

**A Resolution Affirming Planning Commission Approval of Appealed Resolution PC 20 07
PUD 01 and PC 20 08 SUB 01, Florence Golf Links, Except Those Relating to Density and
Landscape Review.**

RECITALS:

1. Mercedes Serra of 3J Consulting representing APIC Florence Holdings, LLC submitted applications for a 126-unit Preliminary Planned Unit Development and Tentative Plat on 9.28 acres at the NE corner of Rhododendron Drive and 35th St.
2. The Planning Commission deliberated in duly publicized meetings on August 25, 2020, September 8, 2020, to review applications for said Preliminary Planned Unit Development and Tentative Plat.
3. The Planning Commission/Design Review Board determined per FCC 10-1-1-6-3 and 10-23-11, after review of the application, testimony and evidence in the record, that the application meets the criteria through compliance with certain Conditions of Approval and adopted Resolution PC 20 07 PUD 01 and PC 20 08 SUB 01.
4. Steve Williams, Darryl and Debra Fisher, and O. Gary and Frances Plunkett filed appeals per FCC 1-1-7 related to timing, design, and installation of Rhododendron Drive and its intersection with 35th St, density, stormwater plan design and infiltration, native vegetation retention, quality of life, internal parking, short term rental mitigation, neighborhood compatibility, required setbacks, wetland mitigation, and construction bonding.
5. The City Council met in a properly noticed public hearing on October 19, 2020 and received evidence in the record including the staff report dated August 25, 2020 and the testimony presented therein;
6. The October 19, 2020 public hearing was thereby closed to a date certain of November 9, 2020 to allow applicant the right to written rebuttal and final arguments in response to the appeal items;
7. The applicant submitted written rebuttal and final arguments on October 26, 2020 before 4:00 P.M. in response to the appeals; and
8. The City Council reconvened on November 9, 2020 in a special meeting to review the applicant's written rebuttal and final arguments, and to consider, deliberate and determine its final decision on this matter.

Based on these findings,

THE CITY COUNCIL OF THE CITY OF FLORENCE RESOLVES AS FOLLOWS:

A. Affirm the Planning Commission's decision on all appeal items except:

1. Density:

- a. Applicant shall recalculate the net density to exclude the area proposed for dedication of public facilities within easements and provide with Final PUD application process as a part of FCC 10-23-11.
- b. Require a reduction of six units from Planning Commission's approval PC 20 07 PUD 01 and PC 20 08 SUB 01.

2. Vegetation Buffer: On Condition 36 change "should" to "shall" related to the landscape plan.

3. Parking: Off-Street Parking Review.

- a. Accept one parking space allowance for the five one-bedroom single story townhome units.
- b. To address the parking deficiency in the northern multi-family complex, require the applicant to provide the information listed in FCC 10-3 related to parking reductions for shared facilities for evaluation and decision by the Planning Commission in conjunction with Final PUD application.

B. Retain all other conditions based on the Planning Commission's findings of fact as provided within the minutes of September 8, 2020 herein, thereby upholding the Planning Commission's overall decision on the Preliminary Planned Unit Development and Tentative Plat. The Planning Commission shall review any modifications related to density, landscaping, and stormwater design in a public hearing.

C. Deny all appeals except those related to density, vegetation buffer, and the off-street parking review.

D. Reject testimony submitted on October 19, 2020 by Mr. Kenneth Dobson regarding the Needed Housing Statute (ORS 197.307.4) (Attachment 12) and the topic of School Buses discussed by Mr. Alan Matisoff as these topics were not directly related to the items raised in the Petitions to Appeal, found in Attachments 1 through 3 per FCC 10-1-1-7 E.

E. The final decision on these appeals is attached hereto as Exhibit A and its Supplement and is hereby adopted by City Council.

F. This Resolution shall become effective on November 9, 2020.

ADOPTION:

This Resolution is passed and adopted on the 9th day of November, 2020.



Joe Henry, Mayor

Attest:



Kelli Weese, City Recorder