

**CITY OF FLORENCE
PLANNING COMMISSION**

RESOLUTION PC 15 17 PUD 01

A REQUEST FOR PRELIMINARY PUD AND TENTATIVE SUBDIVISION APPROVAL FOR FAIRWAY ESTATES, A 40-LOT SINGLE-FAMILY PLANNED UNIT DEVELOPMENT.

WHEREAS, application was made by J. Michael Pearson, representing Pacific Golf Communities, Roberts Land Co., and Sandpines West Lot Owners Association for a preliminary PUD and tentative subdivision approval as required by FCC 10-1-1-5, and FCC 10-23-1; and

WHEREAS, the Planning Commission/Design Review Board met in a public hearing on September 9, 2015 as outlined in Florence City Code 10-1-1-5 and 10-23-10, to consider the application, evidence in the record, and testimony received, and

WHEREAS, the Planning Commission/Design Review Board determined per FCC 10-1-1-5 and 10-23-10, 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

WHEREAS, the Planning Commission/Design Review Board of the City of Florence finds, based on the Findings of Fact, staff recommendation and evidence and testimony presented to them, that the application meets the applicable criteria.

NOW THEREFORE BE IT RESOLVED that the Planning Commission/Design Review Board of the City of Florence finds, based on the Findings of Fact and the evidence in record that:

The request for a preliminary PUD and tentative subdivision approval for Fairway Estates, a 40-lot single-family Planned Unit Development meets the applicable criteria in Florence City Code and the Florence Realization 2020 Comprehensive Plan with the conditions of approval as listed below.

Conditions of Approval:

1. Approval for shall be shown on:
 - "A" Findings of Fact
 - "A1" Supplemental Findings of Fact
 - "B" Land Use Application
 - "C" Preliminary Plat & "Proposed Geometry"
 - "D" Stormwater Plan
 - "E" TIA Review by Civil West
 - "F" Traffic Impact Analysis
 - "G" SVFR Comments
 - "H" PW Comments
 - "I" Phase I Site Investigation Report

“J” Access Easement

“K” Modified and Resubmitted Plans & Tentative Plan

Findings of Fact attached as Exhibit “A” are incorporated by reference and adopted in support of this decision. Any modifications to the approved plans or changes of use, except those changes relating to Building Codes, will require approval by the Community Development Director or Planning Commission/Design Review Board.

2. Regardless of the content of material presented for this Planning Commission, 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 conditions of approval prior to issuance of a building permit.
3. The applicant shall investigate the possibility of wetlands in these locations and shall inform the Department of State Lands of any proposed fill or other activities involving those wetlands. The applicant shall discuss stormwater plans with the Public Works Director and submit final plans for approval prior to site disturbance and approval of final PUD and final subdivision.
4. **Zoning**
 - 4.1 Each dwelling shall meet the requirements of the Single Family Residential District with regard to maximum allowed lot coverage, described by FCC 10-11-4-C and yard regulations, described by FCC 10-11-4-D.
 - 4.2. Subsections A through I of FCC 10-11-5 shall be met by developments within the Fairway Estates Planned Unit Development and shall be reviewed at the time of submission of building permits application.
 - 4.3. Manufactured homes which may be built within the PUD shall comply with Florence City Code minimum standards regarding manufactured homes.
5. **Parking**
 - 5.1. Each residence shall be required to provide parking counting toward the minimum required number of parking spaces for single-family residences in garages or carports.
 - 5.2. The applicant has proposed single-family dwellings for each proposed lot, consistent with zoning for the Single Family Residential District. Each dwelling unit shall be required to provide at least two spaces of covered

parking.

- 5.3. The applicant shall ensure that each single-family dwelling provides covered parking spaces suitable in area and dimension for two vehicles. No encroachments (such as water heaters, steps, door swings, etc.) into the required parking spaces shall be allowed.

6. Planned Unit Development

- 6.1. Staff finds that the one under-sized (by FCC standards) proposed lot, Lot 31, shall be able to utilize the maximum 50% enclosed building coverage allowance made for PUDs as part of FCC 10-23-5-B. Lot 31 shall have a maximum impervious surface coverage of 65%.
- 6.2. Any additional utilities not already installed within the area of the proposed Planned Unit Development shall be placed underground by the developer prior to final PUD and final subdivision.
- 6.3. The applicant shall provide a statement ensuring that the proposed areas of Open Space do not contain any of the listed conditions of FCC 10-23-5-G-4 as part of the required PUD recreation areas.
- 6.4. Slope easements may be necessary for the Rhododendron Drive Multi-Use Path and will be required to be included with the final plat. The applicant shall consult with the Public Works Director to determine if these easements are necessary.
- 6.5. Reservation easements shall be provided at the end of each street leading to Phase II of Fairway Estates and Phase III of unknown PUD. The reservation easement shall measure the width of the street and meet City of Florence standards.
- 6.6. It is not known if other individuals with the required credentials have been involved in the planning process for Fairway Estates. The applicant shall submit this information with application for Final PUD and Subdivision.
- 6.7. The applicant shall provide a copy of the agreements, provisions, or covenants for the Fairway Estates Homeowners Association prior to approval of final PUD and final subdivision.
- 6.8. A landscaping and tree plan shall be provided to the Planning Department prior to application for approval of final PUD and final subdivision.
- 6.9. Any private or public improvements to include utilities, open space, or similar improvements not completed prior to application for final PUD and subdivision shall require a cash deposit, surety bond, or other similar guarantee reviewed and approved by the Public Works Director in order to

insure the full and faithful performance by the parties involved not to exceed a period of two years after required improvements are completed.

7. Access and Circulation

- 7.1.** The streets, though privately-owned, are required to meet the standards of the City of Florence. Additionally, access approval is required for the development. Access Plans to Rhododendron Drive shall be submitted with application for final PUD and final subdivision approval. Construction permits will be required for all work within the public right-of-way along Rhododendron Drive.
- 7.2.** A reciprocal access easement will be required and granted for the separately owned PUD to the east of Fairway Estates at which time that area (formerly Sandpines West Shore Phase III or Sandpines Master Plan Phase C3) is developed.
- 7.3.** Prior to approval for preliminary PUD and tentative subdivision, the applicant shall provide greater detail regarding planned access onto Rhododendron Drive. The applicant shall submit information regarding the width of private right-of-ways, street improvements, layout and detail of lanes, curbs, and of entrance gate area, information regarding intersection with Royal St. Georges Drive, typicals demonstrating that City-approved standards for ADA accessibility will be met, as well as a plan illustrating connections to the Rhododendron Drive Multi-Use Path.
- 7.4.** Since no specific development has been proposed by the applicant, driveways constructed following approval of final PUD and final subdivision shall meet the requirements of FCC 10-37-2-7.
- 7.5.** The applicant shall provide information regarding pedestrian and bicycle connections and amenities prior to approval of preliminary PUD and tentative subdivision.
- 7.6.** The applicant and subsequently the Fairway Estates Homeowners Association shall provide similar joint and cross access to the planned Phase II of Fairway Estates and Phase III held under separate ownership.
- 7.7.** Driveways within Fairway Estates and the main entrance shall comply with the minimum standards of FCC 10-35-2-12.
- 7.8.** The applicant shall design the gated entrance driveway onto Rhododendron Drive to meet the vision clearance requirements of Florence City Code 10-35-2-14. Future driveways within Fairway Estates shall also meet the vision clearance requirements.
- 7.9.** The applicant shall provide sidewalks for the PUD entrance and all

common and Open Space areas prior to approval for final PUD and final subdivision.

- 7.10.** Fairway Estates interior sidewalks (those adjacent lots) shall be constructed as those lots receive building permits for single-family residences.
- 7.11.** Should the issues listed in FCC 10-35-3-1-D prevent construction of sidewalks within or adjacent to the Fairway Estates PUD, the applicant or homeowner shall consult with the Public Works Director.
- 7.12.** The applicant shall submit plans illustrating a sidewalk connection between the interior sidewalks of Fairway Estates and those public or private facilities near the gated entrance. The applicant shall construct sidewalks along Lot 1 and Open Space 1 for connectivity and accessibility throughout Fairway Estates prior to applicant for approval of final PUD and final subdivision.
- 7.13.** The applicant shall provide for walkways which are safe, reasonably direct, and convenient. Each residence built within Fairway Estates shall be required to have an entry walkway leading to the front door.
- 7.14.** The applicant shall be responsible for the construction and maintenance internal sidewalks and entry walkways provided as shown to the greatest extent practicable.
- 7.15.** Private pedestrian walkways within Fairway Estates leading to Open Space areas shall meet the requirements for pedestrian access and circulation contained within FCC 10-35.

8. Public Facilities

- 8.1.** The applicant shall submit, prior to approval of final PUD and final subdivision, a plat map designating the front lot line of each residential lot 1 through 40.
- 8.2.** The applicant shall provide information regarding proposed streets, width, and improvements to the Public Works Director.
- 8.3.** For access and maintenance of public utilities which will be located under private streets within Fairway Estates, the applicant shall record access easements created and maintained in accordance with Oregon Fire Code and City of Florence Standards and Specifications.
- 8.4.** The proposed Public Utility Easements shall also grant public access to the residents of Fairway Estates.
- 8.5.** The applicant shall work with the City further to determine which option

regarding the Rhododendron Drive Multi-Use Path would be equitable and effective for each involved party.

- 8.6.** Materials submitted by the applicant do not state the throat length of the “Ironwood Circle” cul-de-sac nor the radius or lane width of the landscaped island or circular turnaround. The applicant shall submit this information prior to approval of preliminary PUD and tentative subdivision.
- 8.7.** The applicant shall provide private streets with sidewalks and pathways which conform to City standards of construction. The applicant shall submit legal assurance for the construction and maintenance of the private streets, sidewalks, and pathways of Fairway Estates.
- 8.8.** The applicant shall provide, at the discretion of the Fire Marshal, a temporary turnaround meeting Oregon Fire Code for all street stubs over 150 feet in length (at the north end of “Deer Haven Lane” and east end of “Tournament Road”). The applicant shall also install a Type III barricade at the end of each street stub (outside of the turnaround area) which shall not be removed until authorized by the City.
- 8.9.** The applicant shall provide intersection information such as corner radii, intersection angles, grades, and centerline measurements prior to approval of preliminary PUD and tentative subdivision.
- 8.10.** The applicant shall specify and make clear where sidewalks will be located, either adjacent to the street or at the property line for future residents of Fairway Estates by including the item in the PUD CC&Rs. Sidewalks to be completed in common areas shall be provided on plans submitted prior to application for approval for final PUD and final subdivision.
- 8.11.** Monumentation and street signage shall be required upon completion of street and other improvements within Fairway Estates.
- 8.12.** The applicant shall coordinate with the Florence Postmaster to determine the best location and regulations for mail boxes within Fairway Estates or the entrance area.
- 8.13.** The applicant shall provide information regarding street lights which may already be installed prior to submission of an application for final PUD and final subdivision.
- 8.14.** Plans regarding public improvements, lighting, stormwater, open space, and any other like plan shall be submitted to the Planning Department and Public Works for review and approval prior to installation or site disturbance and prior to application for final PUD and final subdivision.
- 8.15.** The applicant shall submit an application for an NPDES permit and obtain

approval prior to application for final PUD and final subdivision.

9. Lighting

- 9.1.** The applicant shall submit a plan demonstrating the location of lighting fixtures, the number of luminaires, the number of lamps in each luminaire, a photometric report for each type of luminaire and a site plan with the photometric plan of the lumen output prior to application for approval of final PUD and subdivision.
- 9.2.** The applicant shall submit landscape lighting information prior to final approval of PUD and subdivision which demonstrates that those lights will be extinguished after hours.
- 9.3.** The applicant shall be subject to a 30-day review period following the approval of final PUD and subdivision or following the operation of the lighting system to ensure that the lighting system does not need adjustment. The applicant shall inform staff when the lighting system becomes operational.
- 9.4.** The applicant has not provided any information regarding their entrance or roadway signage, but any lighting for signage with Fairway Estates or at the entrance or in common areas shall meet the standards of FCC 10-37.

- 10.** The applicant shall provide a tentative plan which provides all of the information listed in FCC 11-3-2-C.
- 11.** The applicant shall submit a Comprehensive Plan Amendment application with application for preliminary PUD and tentative subdivision for Phase II of Fairway Estates to change the designation of this area from Private Open Space to Medium Density Residential, in keeping with the proposed character of the PUD and surrounding areas.

ADOPTED BY THE FLORENCE PLANNING COMMISSION/DESIGN REVIEW BOARD the 9th day of September, 2015.

JOHN MURPHEY, Vice Chairperson
Florence Planning Commission

DATE