

O. GARY PLUNKETT, P.E.
FRANCES P. PLUNKETT
17 SEA WATCH PLACE
FLORENCE, OR 97439

September 16, 2020

**NOTICE OF INTENT TO APPEAL
PLANNING COMMISSION RESOLUTIONS
PC 20 07 PUD 01
PC 20 08 SUB 01
September 8, 2020**

Wendy Farley-Campbell
City of Florence
Planning Director
250 Highway 101
Florence, OR 97439

Dear Ms. Farley- Campbell,

The purpose of this letter is to request an appeal of the Planning Commission's approval of the proposed PUD development located on Rhododendron Drive immediately North of the intersection with 35th Street.

There are several reasons for this appeal:

1. We are residents of Sea Watch Estates, and would be directly affected by the negative impacts that would result from the proposed development.
2. The current zoning is RMH, Mobile - Manufactured Homes. This zoning allows a density for developments of up to 12 units per acre. The proposed development has planned for 13.65 units per acre. This equates to an additional 15 units more than allowed under the existing zoning. At least 30 more residents, and probably 30 more vehicles, and 60 more vehicle trips per day in and out of the proposed development. These additional 15 units should not be allowed.
3. Since the proposal is to create low cost housing, and if these units will truly be occupied by low income residents, there could easily be many more residents and vehicles than the planners have indicated. It is not uncommon for low income residents to occupy more than one person to a bedroom. This over

occupation will result in many more vehicle parking needs than planned, and more vehicle trips than has been projected. The proposed development has not allowed for adequate vehicle parking.

4. The approval gave no consideration to the fact that any or all of these units could be utilized as vacation rentals. This would be very appealing to owners since the rental value as a vacation rental would far exceed that which could be realized from a low income rental unit. The conditions of approval should include a provision that requires a minimum rental period of 30 days to prevent the use of these units as vacation rentals which would completely defeat the purpose of the proposed development.
5. The proposal shows two entrances onto Rhododendron Drive within what appears to be a short distance. The distance is indeterminable from the schematic drawings, but without left turn lanes from Rhododendron Drive, this design will create the potential for a hazardous condition for left turning traffic into the development from Rhododendron Drive. A left turn lane should be constructed as a condition of approval of this development, but this has not been required. The developer has been required to enter into an agreement to participate in construction of a left turn lane at the intersection of Rhododendron Drive with 35th Street, but there has been no requirement to provide a performance bond to secure this condition. These two items should be included as conditions of approval.
6. Our most significant concern relates to storm water drainage from the proposed development. The conditions of approval included developer submittal of a hydrogeology study to determine the effects of infiltration as it applies to the stormwater disposal plan for this development. This is entirely appropriate since it is factually known that ground water does move from East to West, toward the river at this location. A comprehensive study proving the existence of this condition was performed in 2011 by Gunnar Schlieder, Ph.D., Certified Engineering Geologist. The study and report was performed at the request of our neighbor at 16 SeaWatch Court to develop solutions to the loss of riverbank soil immediately adjacent the West of their house. If not corrected the loss of the riverbank material would have caused their house to collapse down the slope into the river. The study concluded that the erosion of the riverbank soil was caused by precipitation falling onto the dune sands to the east of the home where it percolates downward into the sandy soil until it reaches an impermeable layer, and then moves westward through the base of the dune sand until it reaches the bank of the river where it then escapes and erodes the soils away causing the

bank to collapse. The Coast Guard land to the North of the SeaWatch subdivision has experienced similar problems since the construction of the infiltration drainage system for the Fairway Estates development. The storm water drainage from the area proposed for development already creates erosion of the riverbank where it escapes into the river. Any plan that would include infiltration as a storm drainage solution for this development would cause even greater erosion problems due to the more rapid rate of infiltration that would result from paved areas, and rooftop runoff. Condition Number 31 of the approval provided that no storm water runoff was to be allowed to leave the property. The infiltration proposal does not meet this condition since it has been proven by the highly qualified expert, Dr. Gunnar Schlieder, that storm water does leave the site. Any increase in the rate of that discharge would without doubt cause further damages to riverbank properties.

It is our request that the proposed development be denied as submitted.

Thank you for your consideration,

O. Gary Plunkett and Frances P. Plunkett

Copies to:
City Council Members
3J Consulting
APIC Florence Holdings, LLC

Mailed 9/17/2020