

**CITY OF FLORENCE
PLANNING COMMISSION**

**RESOLUTION PC 20 07 PUD 01
RESOLUTION PC 20 08 SUB 01**

A REQUEST FOR PRELIMINARY PLANNED UNIT DEVELOPMENT PLAN AND TENTATIVE SUBDIVISION PLAT, A PROPOSED MIXED RESIDENTIAL DEVELOPMENT AT THE NORTHEAST INTERSECTION OF RHODODENDRON DRIVE AND 35TH STREET

WHEREAS, applications from Mercedes Serra, 3J Consulting, on behalf of APIC Florence Holdings, LLC, seeking approvals for a proposed PUD which include 31 detached single-family residences, 49 single-family attached residences, and 46 multi-family units were made as required by FCC 10-1-1-4, FCC 10-1-1-6-3, FCC 10-23, and FCC 11-3; and

WHEREAS, the Planning Commission met in a duly-advertised public hearing on August 25, 2020, as outlined in Florence City Code 10-1-1-6-3, to consider the application, evidence in the record, and testimony received; and

WHEREAS, the Planning Commission on August 25th closed the public hearing, left the written record open until September 4, 2020 and scheduled deliberations to a date certain of September 8, 2020; and

WHEREAS, the Planning Commission of the City of Florence, per FCC 10-1-1-4, FCC 10-1-1-6-3, FCC 10-23, and FCC 11-3, on September 8, 2020 finds, based on the Findings of Fact, application, staff recommendation, evidence and testimony presented to them, that the application meets the applicable criteria through compliance with certain Conditions of Approval.

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

The request for a Preliminary PUD Plan and Tentative Subdivision Plat for 31 detached single-family residences, 49 single-family attached residences, and 46 multi-family units at the northeast intersection of Rhododendron Drive And 35th Street 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:

The application, as presented, meets or can meet applicable City codes and requirements, provided that the following conditions of approval are met.

Approval shall be shown on conditions of approval as supported by the following record:

A	Findings of Fact
A1	Supplemental Findings of Fact
B	Prelim. PUD and Tent. Subdivision Plan Application
C	Applicant Narrative
C1	Applicant Letter to Planning Commission
C2	Applicant Continuance Request and Emails
C3	Applicant Letter to Planning Commission 9-3-2020
D	Master Plans Sheets A-1 thru A-19
E	Landscape Plans Sheets L-1 thru L-4
F	Prelim. Stormwater Management Report
F1	Geotechnical Evaluation of Groundwater Hydraulics
G	Traffic Impact Analysis
G1	Revised Traffic Impact Analysis
G2	TIA Memo 9-4-2020
G3	Harmelink
H	Tent. Plat Sheets C-0 Thru C-8
I	Confederated Tribes Response Letter
J	Excerpt from 2011 Parks and Rec. Plan, Fig. 4.4 Map
K	Traffic Peer Review Letter 7/7/2020
K1	TIA Peer Review Comments
M	Century Link Response Letter
N	SVFR Referral Comments
O	Civil West Review Analysis Stormwater
P	Water Solutions Inc. Stormwater Review
Q	Applicant Westland Delineation Study
Q1	DSL Wetland Notification and Reply
R	Resolution PC 07 21 MOD 01

1. 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, 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. Upon encountering any cultural or historic resources during construction, the applicant shall immediately contact the State Historic Preservation Office and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians. Construction shall cease immediately and shall not continue until permitted by either a SHPO or CTCLUSI representative.

Title: 10 Chapter 3

4. For the Final PUD application, the applicant shall submit to the Planning Department an updated dimensioned parking lot plan on Sheet C-5.
5. Because the proposal calls for internal street parking within turnouts adjoining the private street, which will contain utilities, sidewalks and landscaping; the easements and maintenance plan for these shall be properly dedicated through the Conditions, Covenants and Restrictions. Additionally, these easements shall be noted on the Final Plat.
6. On-site signage indicating bicycle parking areas shall be required per Title 10, Chapter 3 with signage plans submitted and approved prior to permitting.

Chapter 6: Design Review

7. A Type II Design Review for the multi-family and attached residential units shall be applied for and associated fees paid so the design review standards may be better evaluated.
8. The applicant shall provide architectural details meeting Old Town and Mainstreet Architectural Standards or higher concurrently with the building permits for the single-family detached housing. An associated review fee shall be will be required unless determined otherwise by the Planning Director.

Chapter 7: Special Development Standards

- 8.a. The applicant shall record a Covenant of Release which outlines the hazard, restrictions and/or conditions that apply to the property as outlined in subsection (D) of FCC 10-7-7, Review and Use of Site Investigation Report, and shall state "The applicant recognizes and accepts that this approval is strictly limited to a determination that the project as described and conditioned

herein meets the land use provisions and development standards of the City Code and Comprehensive Plan current as of this date. This approval makes no judgement or guarantee as to the functional or structural adequacy, suitability for purpose, safety, maintainability, or useful service life of the project.” This shall be recorded prior to submittal of any building permit applications or prior to final Subdivision Plat.

Chapter 10: Residential Districts

9. The applicant shall submit a draft statement that outlines the maintenance easements to the Planning Department with the Final PUD and Final Subdivision plat applications. This agreement may be incorporated within the draft Conditions, Covenants, and Declarations document, which will also be required, per Chapter 23, Section 10-23-6 of this Title.
10. All single-family attached units will have rear-loaded garages accessible from private alleyways. The porch areas shall be labeled and dimensioned within the Final PUD application.

Chapter 23: Planned Unit Developments

11. The applicant shall enter into a development agreement with the City for the construction of a southbound left-hand turn lane at the intersection of 35th Street and Rhododendron Drive and its intersection reconstruction. Improvements would be funded in a combination of proportional SDC funding and/or credits with City participation and developer contribution. *(As modified by Planning Commission on 9/8/2020 and as discussed under 10-23-4 in Exhibit A).*
12. The applicant shall apply for a Phase 1 Site Investigation which will explain the treatment of the Yaquina Soils, prior to the Final PUD approval. A Phase 2 with Conditional Use permit may be required prior to Final PUD if warranted from the Phase 1 Site Investigation outcomes.
13. The applicant shall be required to obtain a Construction Permit in Right-of-Way prior to their construction of their access to and improvements for Rhododendron Drive.
- 13.a. Since greater than 25% of the open space area is to be designated for recreational use (because of the exceptions/modifications requests), upon submittal of the Final PUD application, the applicant shall demonstrate that additional recreational uses, both passive and active, be provided throughout the open spaces.

Chapter 36: Public Utilities:

- 14.** Lot 22 shall be platted with street (Lane) frontage or reclassified as a Tract with no dwelling.
- 14a.** Sheet C-4 of Exhibit H depicts ROW cross sections. What shows as an alleyway cross section should be labeled as a Lane. Additionally, this same cross section is labeled "Tract" at the top of the illustration and should be labeled as "Proposed Right-of-Way."
- 15.** The applicant shall construct the cross-section standard for Rhododendron Dr. or as modified by the Public Works Director or enter into a non-remonstrance agreement for proportionate contribution to near future improvements to Rhododendron Dr. in conformance with the TSP.
- 16.** With final plat applications the materials shall provide notation or easement illustrating access ownership and conveyance
- 17.** Prior to submittal of construction plans for review and approval by the Public Works Director, the applicant shall coordinate with the City on street cross-section proposals.
- 18.** Final plat materials shall indicate the corner curb return radii meeting city code standards, unless modified by the Public Works Director.
- 19.** *(Removed by Planning Commission unanimous vote on 9/8/2020 due to conflict with Condition 34)*
- 20.** Verification of existing and proposed water service mains and hydrant flow supporting the site will be required to be submitted for review and approval by the Building Official and Fire Marshall.
- 20a.** All streets, lanes or tracts shall allocate no parking areas, per State requirements, around all fire hydrants located within the development.
- 21.** Because the proposed project exceeds one acre, the applicant shall apply and receive required State permitting prior to site disturbance.
- 22.** Prior to construction of streets or utilities, an engineered construction plan shall be submitted for review and approval by the Public Works Director.

Chapter 37: Lighting

- 23.** A revised photometric plan shall be provided for review and approval in conjunction with applications for the Final PUD or with an associated design review or building permit in the case of the Single Family Detached dwellings.

24. The revised lighting plan shall provide no greater than 5 foot-candles over parking spaces and walkways and no greater than 7-foot candles directly under light fixtures.
25. Light mounting heights shall be no greater than 20'.

Chapter 34: Landscaping

26. A final Landscape Plan associated with the rights-of-way (plantings such as street trees), the on-site swale proposed along Rhododendron Drive, and the swale proposed within the Rhododendron Dr. right-of-way need to be provided with Public Improvement Plans for review and approval by Public Works prior to site disturbance and prior to Final PUD or Final Plat approvals. Plans shall include the street tree planting location, size, species, root guard, irrigation, and evidence of planting within a 4' by 4' tree well. Landscape plans shall also be provided for review and approval in conjunction with each associated design review for the Type II single family attached and apartment developments. Final Stormwater planting and construction details shall be submitted for review and approval prior to application for building permits for the single family attached and detached proposals.
27. An Irrigation Plan shall be supplied with the Final PUD application or in conjunction an associated landscape plan submittal.

Title 11: Chapter 3: Subdivision Tentative Plan Procedure and Misc.

28. In addition to providing a name for the Final Plat, a name for the proposed internal drive shall be provided to the Planning Department who will ensure that the name is not a duplicate and in keeping with named area streets per Title 10, Section 8-2-1-1.
29. The application packet does not include an affidavit of services. An affidavit of services shall be provided in accordance to this criterion.
30. Prior to receiving approvals for final PUD or final plat the developer shall obtain the services of a qualified hydrogeologist (not only a geologist) and perhaps someone that is a coastal geomorphologist to supplement the proposed Stormwater plan and assist in preparation of the Phase 1 Site Investigation Report that can bring a better understanding of all the factors in play related to how infiltrated groundwater affects hydrology in this sub-basin and those adjacent up and down-grade.
31. There is no capacity available in the public storm systems within Rhododendron Dr. The stormwater system shall be designed to accommodate all on-site stormwater with no additional water being conveyed outside of the property.

- 33. Several Lots labeled on Sheets C 2.2 through C 2.4 contain setbacks that are mislabeled. These include Lots 22, 54, 55, 62 63, 70, 71, 78, and 79, respectively. They are labeled as having 10' rear setbacks when they should be labeled "10' Side Setbacks. This applies to the east side of Lot 54, and not the south side as that side is labeled correctly.
- 34. The single-family detached water meters shall be located along the loop road and be public. Water lines running to the homes from those meters shall be private.
- 35. Applicant shall provide a revised open space/recreation space plan addressing 10-23-5-E-4-e. and ensure they are useable for open spaces.
- 36. Applicant shall submit a vegetation planting plan with native plantings along Rhododendron Dr. for a width of ten (10) feet on the applicant's property. Such plan shall be provided in conjunction to or with the Final PUD and/or Final Plat application.

ADOPTED BY THE FLORENCE PLANNING COMMISSION/DESIGN REVIEW BOARD the 8th day of September, 2020.



John Murphey, Chairperson
Florence Planning Commission

9/8/2020

Date