

August 22, 2023

PINE CROSSING RESIDENTIAL SUBDIVISION Design Review - Resubmittal

WRITTEN STATEMENT

In accordance with the Design Review submittal requirements, this written statement describes the proposed development and demonstrates that the proposal complies with the criteria contained in Florence Code 10-6-5. This application is being submitted concurrently with a Tentative Subdivision Application. We request that the two applications be processed concurrently.

I. LAND USE REQUEST

A. Introduction

This application requests approval of a Design Review for the proposed single-family attached units associated with a Tentative Subdivision. The subdivision is for 46 lots, 36 lots for single-family attached units (for which this DR is being submitted), eight (8) lots for single-family units, and two (2) lots for the common open space area. This will require City of Florence approval of two land use applications – a Tentative Subdivision and Design Review. Although relating to the same project, each of these has been submitted as a complete, stand-alone application including application form, city fee, written statement with findings demonstrating compliance with applicable criteria, exhibits, and plans. While each of these is to receive its own decision, to simplify and facilitate the overall process, the two applications have been submitted together for concurrent processing. It is intended that this concurrent submission will provide an opportunity for cross-referencing and parallel review which will assist the city in rendering a decision.

B. Project Directory

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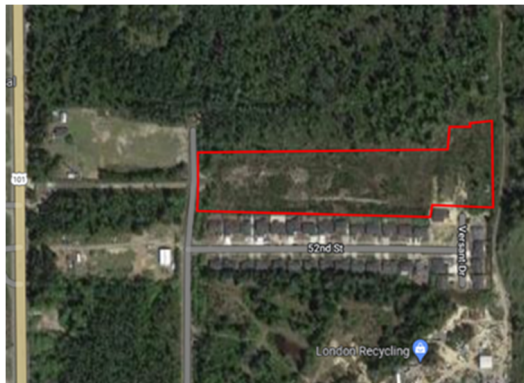
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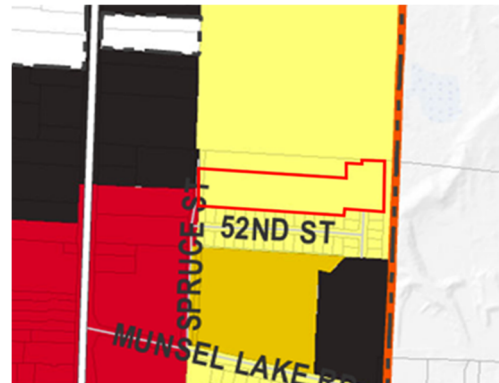
II. THE SITE AND EXISTING CONDITIONS

A. Development Site and Zoning

The site is located on the east side of Spruce Street, north of 52nd Street, and in the north part of the City of Florence. It is comprised of one tax lot (Map 18-12-14-20, Tax Lot 00203) and is approximately 7.61 acres in size. The site abuts vacant land to the north and east, residential to the south, and Commercial to the west; there is no applicable overlay zone.



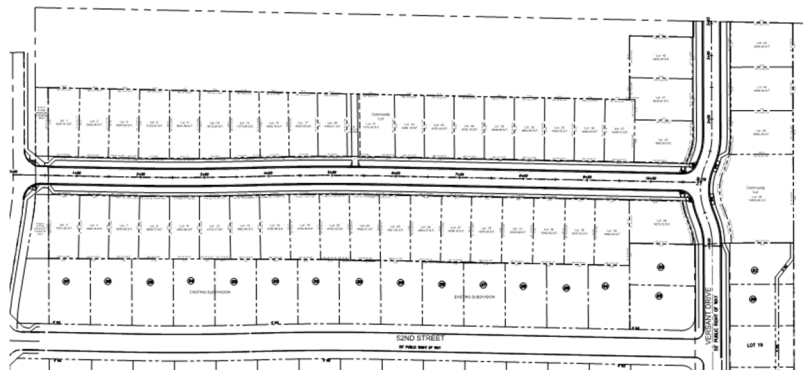
Subject Property
Regional Land Information Database (RLID) 2023



Excerpt
Florence Zoning Map 2023

B. Development Objective

The development objective is to subdivide the property into 46 lots, for the development of 36 attached single-family lots, eight (8) single family large lots, and two (2) open space community lots, along with all associated public improvements. All criteria and their associated findings with this application are addressed below.



III. RESPONSES TO STAFF COMMENTS

This section is presented in the same order as the issues letter from the City of Florence, dated July 5, 2023. The City comments are in *italics*, followed by the applicant's responses.

1. *FCC 10-3-8-A-3 – Limits garage and driveway width to 12 feet when driveway and garage access is on the front of the lot for attached single-family housing.*

- *Phase 1 lots, 1, 2, 5, 6, 9, and 10 meet the minimum lot dimension for duets and shall meet driveway design criteria for FCC 10-35-2-12 for 10 feet and a max 24 feet driveway width.*
- *Phase 1 lots, 3, 4, 7, and 8 do not meet minimum lot square footage of 5,000 square feet and therefore would be processed as attached single-family dwellings and are limited to a maximum 12-foot driveway and garage per FCC 10-3-8-A-3.*

A few options available:

- *1) request design review for the lots on the south side of (proposed) 53rd to be reviewed as a Type III quasi-judicial review through a public hearing with Planning Commission.*

Response: The applicant agrees with the staff option above that going to Planning Commission for a modification of the section quoted above is the correct path. There are several reasons for this decision and as a part of the resubmittal, the applicant hopes to show staff and Planning Commission that the intent of the code is being met, while also showing how the code as written is complicated and vague in certain aspects.

Section 10-3-8-A-3 is for parking on attached units, two (2) or more. The issue arises here because there is "Single-Family Attached" (SFA) and "Duets", which both allow two units to be attached on their own lots. The SFA units are allowed on smaller lots, because it is assumed these were to be "Row Houses" or "Townhomes", which the narrow garage on a 25 foot to 35-foot width lot would make sense. This type of housing in other jurisdictions would require that no more than 50% of the frontage be driveway/garage. The type of housing being proposed here is more of an Attached Single-Family residence and not a row home or townhome, which are typically on narrow lots and have three (3) units or more attached.

Staff has pointed out the issues within the code and the applicant would like to provide staff and the Planning Commission discussion points as to why this development meets the intent of the code, and if in the future the code is modified for Single-Family Attached units, why this proposal should be permitted. There are four main points that the applicant contends this project meets the intent. The intent of Section 10-3-8-A-3 is:

- Percentage of lot frontage covered;
- Parking on the street;
- Public safety; and,
- Design.

First, Lot frontage coverage. The last few years the State of Oregon has passed House Bill 2001 which mandates that certain large cities must allow different housing types, including duplexes, triplexes, fourplexes, etc. As part of the overhaul many of the city codes had to be rewritten. Regionally, the cities with "Attached Single-Family" units have codes so that do not allow more than 50% of the frontage to be driveways and garages. This ensures that there will not be a swath of concrete down the entire street. The type of housing proposed here has an average lot size of 4,800 square feet with frontages averaging 48 feet wide. With the narrowed 16 feet entry drive and front yard landscaping the average driveway width is 33% of the frontage. This still allows 2/3rds of the lot for grass, entryways, and pedestrian interaction in the front yards.

Second, is on-street parking. The intention of the code above is to not create a sea of driveways along the street, thus negating any on-street parking for guests and deliveries. The applicant is proposing units that are attached by the garages. The proposal still provides on-street parking, on the south side of the development, that will allow approximately 20 spaces along the east, west street.

There is plenty of separation in the driveways due to the lots being wider than the minimums. Again, rowhomes or townhomes would be on narrower lots and with a two-car garage the whole frontage would be dominated by the garage.

Thirdly, is pedestrian safety. With rowhomes or townhomes, the lots are narrower and if a garage was located within the front the sidewalk would be crossing a large, continuous driveway. The proposed design, with a setback sidewalk as opposed to a curbside sidewalk allows the pedestrian walkways to cross the driveways with good visibility for drivers as well as pedestrians. The driveways are also proposed at 16 feet at the sidewalk crossing which provides for a reduced width driveway with more sidewalk within the right-of-way.

Finally, the design. As stated above the intent of Section 10-3-8-A-3, which limits the driveway and garages to 12 feet on single-family attached units is primarily driven for the reasons above. The design of rowhomes or townhomes is traditionally driven to put parking in the rear and have pedestrian gathering places in the front. The single-family attached unit that is proposed is a type of housing that falls in-between having several homes attached (townhomes) and single-family detached. The unit is single story, allows parking in the garages which are front loaded, with generous porches and includes pedestrian gathering spaces in the front yards. These homes are in demand for the empty nesters who are downsizing, an ageing population who can no longer navigate stairs, or a potential starter home for new home buyers. The proposed design meets the intent of the section above but also allows flexibility for a new housing type that will assist with the housing shortage that is happening nationally.

2. *FCC 10-10-7 – Attached Housing. Please provide details and specifications on the exterior building materials to be used.*

Response: Siding will be Hardie® Plank and include a variation of styles to meet customer request. The siding styles will include lap siding, board and baton and cottage style. Another design option available for all units is a stone veneer wainscoting. There are multiple color options available using the Hardie Plank color chart and may include white, blue grey, green and an earth color, with trim colors primarily white or dark brown.

There are several variations of design with the options of colors, trim colors, siding, wainscoting, and the designs of the two proposed units, a three-bedroom or the four-bedroom units. The garages and windows will all be trimmed and there is an option of white garage doors or brown colored garage doors. The front porches have the option of a decorative truss element that would be painted the same trim color as the house.

IV. DESIGN REVIEW – APPROVAL CRITERIA AND FINDINGS

This section is presented in the same order of applicable requirements found in Sections 10-6-1 to 10-6-11, Title 10 Design Review Regulations for the City of Florence. Applicable sections of the Code are in *italics*, followed by proposed findings of facts in normal text.

10-6-3 *General Applicability.* (B) *The Planning Director or designee shall:*

1. *Unless otherwise directed by the underlying zoning district, review the following through a Type II process consistent with FCC 10-1-1-6-2 prior to issuance of a building permit:*
 - a. *Construction or expansion of a residential or mixed-use building that includes residential uses, but not limited to:*
 - i. *Single-family attached dwellings in the Medium Density Residential and Manufactured Home Park Districts.*

Finding: The project is proposing 36 attached single-family structures (18 buildings), which are attached at the garages, on property zoned Medium Density Residential.

10-6-5-2: GENERAL STANDARDS FOR RESIDENTIAL DEVELOPMENT: Residential projects and mixed-use buildings with a residential component shall meet the following standards. The Planning Director shall approve or approve with conditions the proposed development based on compliance with the following standards:

- A. *Setbacks, yards, height, density, lot area, dimensions, percentage of coverage, and similar design features according to the underlying zoning district.*

Finding: All lots and the units proposed meet or exceed the minimum setbacks, lot coverage, heights, lot area, and density. As part of the subdivision and this Design Review application a matrix is being submitted showing that all lots meet the lot dimensions, setbacks, lot coverage, and impervious lot coverages (see attachment 5A). According to Section 10-10-4 (E) the maximum density for the MDR zone is 12 units per acre and the proposed Pine Crossing development is 7.61 acres with 44 total units. This equates to approximately 5.78 units per acre, which is well below the maximum allowed. The proposed units are all one-story and are approximately 16-18 feet tall.

10-10-7: ATTACHED HOUSING - C. Approval Criteria.

1. *Construction Criteria:*

- a. *Maintenance easement: No building permit shall be issued for an attached development unless the applicant provides a copy of a recorded easement from the owner(s) of contiguous properties providing for reasonable ingress, egress, and use of such properties for the purpose of maintaining, repairing and replacing the premises. The easement shall be in a form approved by the City Attorney.*

Finding: The Single-Family attached units are connected at the garages. Each unit will be on its own lot and as such will not require an access easement. If an easement is required for the roofs or other maintenance areas that cannot be maintained without access to the neighboring unit's property, then an agreement shall be drawn up prior to building permits. The homeowners associations will identify and manage the maintenance of shared roofs and walls for all units.

- b. *Number of attached units allowed: No more than 4 consecutive units that share a common wall or walls, roof, or foundation are permitted. A set of 4 attached units is allowed to be adjacent to a separate set of 4 attached units.*

Finding: These are single-family attached units on their own lots. There are no more than two consecutive units that share a common wall.

2. *Dimensional Standards: In addition to the standards listed in 10-10-4, attached housing must meet the following:*

- a. *Interior side setback: Any exterior wall or portion thereof which faces but is not contiguous to an interior side lot line shall be setback a minimum of five feet. This standard shall also apply to accessory structures.*

Finding: All units have an interior side yard setback of at least 5 feet. See Matrix attachment 5A for each unit's setbacks.

3. *Open Space: Developments of four (4) or more units shall provide and maintain open space for the use of all occupants. Open space shall have the following characteristics:*

- a. *Not less than ten feet (10') in width or depth at any point.*
b. *Located on land with grade less than five percent (5%) slope.*
c. *Cleared sufficiently of trees, brush, and obstructions so that intended recreational use proposed is possible.*
d. *Not used for temporary or regular parking of automobiles or other vehicles.*

- e. *Includes at least one hundred (100) square feet of area for each dwelling unit. (Ord. 625, 6-30-80).*
- f. *Includes one or more of the following: indoor or outdoor recreation area, protection of sensitive lands (e.g., trees or bank vegetation preserved), play fields, outdoor playgrounds, outdoor sports courts, swimming pools, walking fitness courses, pedestrian amenities, or similar open space amenities for residents.*
- g. *Open space may be provided as private open space for single-family attached dwellings.*

Finding: There are 44 lots proposed, 36 attached units and 8 single family lots. The design review is for the attached units, as there are no structures proposed for the large detached single-family lots. Two open space community lots are proposed, one natural open space lot (primarily wetland) and one community lot with amenities. With 44 units, the open space would require 4,400 square feet at a minimum and the proposed community space lot is 7,315 square feet in size. This lot is larger than the 10 x 10 space required, there is less than 5% slope on the lot, it will be cleared for recreational use, and no parking of automobiles will be allowed on it. The community space is proposed with a sports court, playground, and benches for the residents.

4. *Architectural Details*

- a. *Approved exterior building wall materials:*
 - i. *Lap siding, board and batten siding, cottage style. Metal siding shall not be permitted.*

Finding: Siding variations are proposed on both the 3 bedroom and 4-bedroom units. There is also an option for a stone veneer wainscoting for all units. The architectural plans show a variety of select siding options and colors from a portion of the approved manufacturer color list.

- b. *Single-family attached and duet dwellings shall include an area of transition between the public realm of the right-of-way and the entry to the private dwelling with one of the following options:*
 - i. *A covered porch or patio of at least sixty square feet with a minimum depth of five feet (5') between the main entrance and the street.*
 - ii. *Uncovered stairs that lead to the front door or front porch of the dwelling. The stairs shall rise at least three feet (3'), and not more than six feet (6'), from grade.*

Finding: Both the three-bedroom and the four-bedroom models have an entryway porch that is larger than 60 square feet (approximately 114 sq ft). The depth is proposed at 6 feet deep, therefore exceeding the 5-foot minimum.

- 5. *Off-Street Parking: Attached Housing must meet all of the applicable standards outlined in Section 10-3 of this Title.*

Finding: Parking is discussed below in Section E. The units are proposing a two-car garage with each unit and an additional two spaces are provided in front of the garages.

- 6. *Fences: Attached Housing must meet all of the applicable standards outlined in Section 10- 34-5 of this Title.*

Finding: Fences are also discussed below in Section C. The attached units meet or exceed the applicable standards in Section 10-34-5. There are no fences proposed in the front yards and all fences in the side and rear yards are six feet or less in height. The fences will be constructed of wood or one of the other allowed materials listed in Section 10-34-5 (F) – Materials. Therefore, these criteria are met.

- B. *Design standards set forth in FCC 10-10 for the proposed residential type, if applicable, except buildings with residential uses in the Old Town or Main Street Districts shall meet Downtown*

Architectural Design Standards of 10-6-6 subsections: 3-C, 4 and 5 as implemented by the Comprehensive Plan, Multi-family dwellings and mixed-use buildings with a residential component located in any zone other than Old Town or Mainstreet Districts shall comply with the Multi-Family Dwelling Standards in FCC 10-10-9.

Finding: The applicable design standards in FCC 10-10 for the attached single-family units are discussed in detail above in the applicable design review sections. The proposed project is not located within the Old Town or Main Street districts. Therefore, this criterion is met.

- C. *Installation and maintenance of fences, walls, hedges, screens, and landscaping according to standards set forth in FCC 10-34 Landscaping, and any requirements of the underlying zoning district.*

Finding: Section 10-34-3-1 states that single-family and duplexes are exempt from these standards. With that said, the project meets or exceeds the landscape requirements. A Landscape plan has been submitted with this package (see sheet L5.0) and the plans show all fences, walls, and screening materials. Street trees and plantings as part of the stormwater facility are indicated within the planting plan. The planting plan also includes additional planting within the right of way to match the character of the stormwater planting creating a fully planting landscape strip along the east/ west roadway. Therefore, this criterion is met.

- D. *The location and design of access and egress points for vehicles and pedestrians, including access points along State highways according to standards set forth in FCC 10-35 Access and Circulation, and any requirements of the underlying zoning district.*

Finding: The site is not adjacent to Highway 101, a State Highway. The new public street, 53rd Street, is designed similar to the adjacent 52nd Street and connects Spruce Street to Verdant Avenue. All proposed driveways are designed to standards in FCC 10-35. All proposed driveways have more than the 25-foot distance separation from any intersection. All driveways are approximately 18 to 20 feet wide, and all driveway aprons will be designed per Section 10-35-2-12, therefore, this criterion is met.

- E. *Parking and outside display areas, dimensions, surfacing and on-site traffic circulation according to standards set forth in FCC 10-3 Parking and Loading.*

Finding: Parking is set forth in FCC 10-3 and according to 10-3-1 (A) Single Family Attached requires two (2) spaces per unit. In short, each unit will be provided with two garage spaces and spaces in the driveway. The on-site circulation is handled with the newly proposed public street and meets or exceeds the criteria in FCC 10-3. Therefore, this criterion is met.

- F. *Exterior lighting according to the standards set forth in FCC 10-37 Lighting.*

Finding: There are three (3) streetlights proposed in the new street (53rd St.), one new light on Versant Drive, and three low wattage lights for the new community area pocket park. The new streetlights are proposed below the 20-foot standard per Section FCC 10-37-4-(C) using the Central Lincoln Peoples Utility District street light standard. The pocket park lighting will be shielded from the residences and will be less than the 20-foot height standard. See Section 10-37 below.

- G. *Provision of public facilities and infrastructure according to standards set forth in FCC 10-36 Public Facilities, or issuance of a performance bond or suitable substitute as agreed upon by the City has been filed with the City in an amount sufficient to assure the completion of all required public facilities and infrastructure.*

Finding: The public facilities plan will meet or exceed the standards in FCC 10-36. All plans will

be vetted by the City and conditioned to build or bond the infrastructure. All public infrastructure being proposed is discussed in the Tentative Subdivision application. The applicant is proposing 60 feet of right-of-way for the new street with setback sidewalks. This criterion is met.

IV. Conclusion

Based on the information and findings contained in this written statement, associated exhibits, and plan set, the proposed development meets the design review criteria of approval contained in the City of Florence Code. Therefore, the applicant requests that the City of Florence approve the proposal. The applicant and their representatives are available for questions. We look forward to working with staff to ensure this project meets the goals and objectives of the applicant and the City of Florence.

If you have any questions about this written statement, please do not hesitate to contact John Schmidt at (541) 686-4540 or email john@satregroup.com.

Sincerely,



John Schmidt, ASLA
The Satre Group