



LAND USE PLANNING AND CONSULTING SERVICES

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## Memorandum:

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### Substantive: Fairway Estates Phase II PUD/Subdivision Application

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Date: January 10, 2023  
To: City of Florence, Planning Department  
From: Metro Planning, Inc.  
Subject: Substantive Comments for PC 21 39 SUB 03 & PC 21 40 PUD 02

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Agency File No.: PC 21 39 SUB 03 & PC 21 40 PUD 02  
Agency Contact: Wendy Farley Campbell, Planning Director, AICP  
Determination: March 25, 2022  
120 Day Rule Waiver: January 4, 2023

Property Owner/Applicant: Joseph M. Pearson, Pacific Golf Communities LLC  
PO Box 3094  
Florence, OR 97439

Subdivision Name: Fairway Estates Phase 2  
Map/Lot: 18-12-15-00, TL 1500  
Site Address: Florence Oregon 97439

Applicant File No.: 21-051 Pearson-Fairway  
Applicant's Rep: Jed Truett, AICP, Principal  
(jed@metroplanning.com)

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Wendy Farley Campbell,

This memo and attached material address substantive issues from the city, from discussion during our November 30<sup>th</sup> meeting, from feedback regarding the September 2022 completeness submittal package, and from correspondence related to the initial application package submitted January of 2022.

Below city code and substantive review comments (notes) are in ***bold italics*** or enclosed in boxes. Applicant responses are in plain text.

A cross reference table is provided on last page of this document to cross reference footnoted attachments with electronic file submittals.

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**1. Open Space and Parkland Requirements:**

<b>OPEN SPACE</b>	Any publicly or privately owned land that is retained in a substantially natural condition and incorporates an adjacent parkland improved for recreational uses such as, picnicking, nature interpretive trails or multi-use paths. Open spaces may also include seasonal lakes, lands protected as important natural resources such as wetlands or riverine areas, and lands used as buffers when such lands incorporate areas for the design features mentioned above. Open space does not include residential lots or yards, streets or parking areas. (Ord. No. 2, 2011)
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A - FLORENCE CITY CODE TITLE 10.2 - GEN'L ZONING PROV, pp. 19

Response: Consistent with the definition above, revised plans propose nature trails around the edge of the site, connecting lots within the site, connecting parkland within the site, and providing a connection to a large tract of city owned Parkland north of the site. Please attached Parklands & Open Space Plan<sup>1</sup> and illustrations below.

<b>PARKLANDS</b>	Provide for human development and enrichment, and include, but are not limited to: open space and scenic landscapes that provide a place for people to exercise and interact; active recreational lands; historical, archaeology and natural science resources that incorporate a combination of interpretive signage, trails, picnicking and seated areas, and viewing areas; sports and cultural facility areas; picnicking; trails; waterway use facilities; active and passive activities. (Ord. No. 2, Series 2011)
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B - FLORENCE CITY CODE TITLE 10.2 - GEN'L ZONING PROV, pp. 20

Response: Consistent with the definition above, TRACT A provides 11, 241 SF dedicated to Parklands. Please attached plan referenced below.

E.	Open Space: A minimum of 20% of the net development area shall be open space and must be platted for that purpose. (Easements are not acceptable). At least 25% of the 20% shall include an area designated and intended for recreation use and enjoyment. The required recreation area may be provided as: <ul style="list-style-type: none"><li>• Public dedication for use by public in general, and/or</li><li>• Property owned by the Home Owners Association (or other legal entity) for use by residents of the development.</li></ul>
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C - FLORENCE CITY CODE TITLE 10.23.5.E - PUD, pp.3

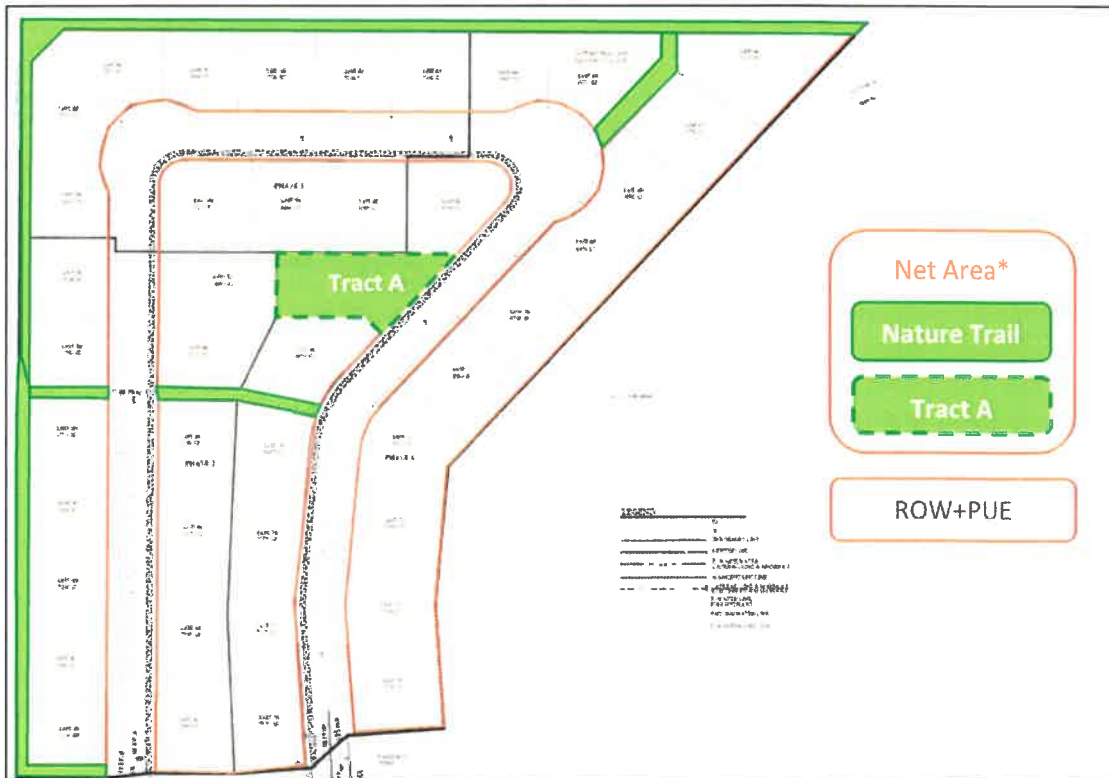
<sup>1</sup> Attachment: Parklands & Open Space Plan

Response: Please see table below for Open Space (and Parkland) area breakdown.

Open Space		Square Feet
1. Net Area (Overall Area - (PUE+ROW))	100%	342,353 SF
2. Total Open Space required - 20% of the Net Area	20%	68,470 SF
3. Total Open Space provided – (10% of the Net Area)		
a. Open Space provided by Nature Trail	7%	23,027 SF
b. Open Space provided by Tract A	3%	11,241 SF
	<b>Subtotal:</b>	<b>10%</b> <b>34,268 SF</b>
4. Fee-in-lieu of Open Space for 10% of the Net Area, an area which is also less than 50% of open space	10%	34,202 SF

Table 1 - Proposed PUD Open Space Calculations. Please see Attached Open Space and Parkway Plan.<sup>2</sup>

Table above lists proposed Open Space by percent of Net Area. Net Area is the overall site area (extending to the plat boundary) minus the sum of public utility easement (PUE) and right-of-way (ROW) areas. Please see illustration below.



Map 1- Open Space and Parkway Areas, please see attached plan linked below.

<sup>2</sup> Attachment: Parklands & Open Space Plan

5. A portion not to exceed 50% of open space and recreation area requirements may be met with a fee-in-lieu if the proposed PUD is within one quarter (1/4) mile of underdeveloped parkland as measured on public rights-of-way with reasonable pedestrian and bicycle connections to the parkland. The fee for open space shall be calculated by multiplying the sq. ft. of open space area being met with fee-in-lieu multiplied by the average square foot value of abutting real property as shown on the current Lane County assessment roll, less a percentage for easement retained for public use. The fee for recreation area will include the open space methodology and additional fee for improvements planned for the underdeveloped parkland as identified in the Parks and Recreation Master Plan or in a City Council approved community park plan for that park.

D - Table 2 - FLORENCE CITY CODE TITLE 10.23.5.E.5 - PUD, pp.4

Response: Applicant requests that less than 50% of open space and recreation area (34,202 SF) requirements be met with a fee-in-lieu, according to FCC 10.23.5.E.5. Proposed PUD is within one quarter (1/4) mile of underdeveloped parkland, to the north of the site, and connects to the Parkland via the nature trail.

- 2. SUB: Findings for FCC 11-5 (e.g. 10-36: block length and perimeters, intersection angles, etc.) According to 10-36-2-10. A: Block Length and Block Perimeter: Residential Districts: Minimum of 100-foot block length and maximum 600-foot length; maximum 1,400-foot block perimeter ...**

Response: Applicant seeks exception to Block Length and Block Perimeter requirements as the shape of the site and the lack of connecting streets on adjacent properties make it impracticable to conform with FCC 10.36-2-10. (Please see written statements below under FCC 11-7 that address exception/modification criteria.)

Although the revised design meets the intent of FCC 10.36 to provide standards for attractive and safe streets that can accommodate vehicle traffic from planned growth and provide a range of transportation options, including options for driving, walking, transit and bicycling, the block length exceeds the maximum 600-foot length by approximately 145 feet, and exceeds the maximum 1,400-foot block perimeter by approximately 680 feet.

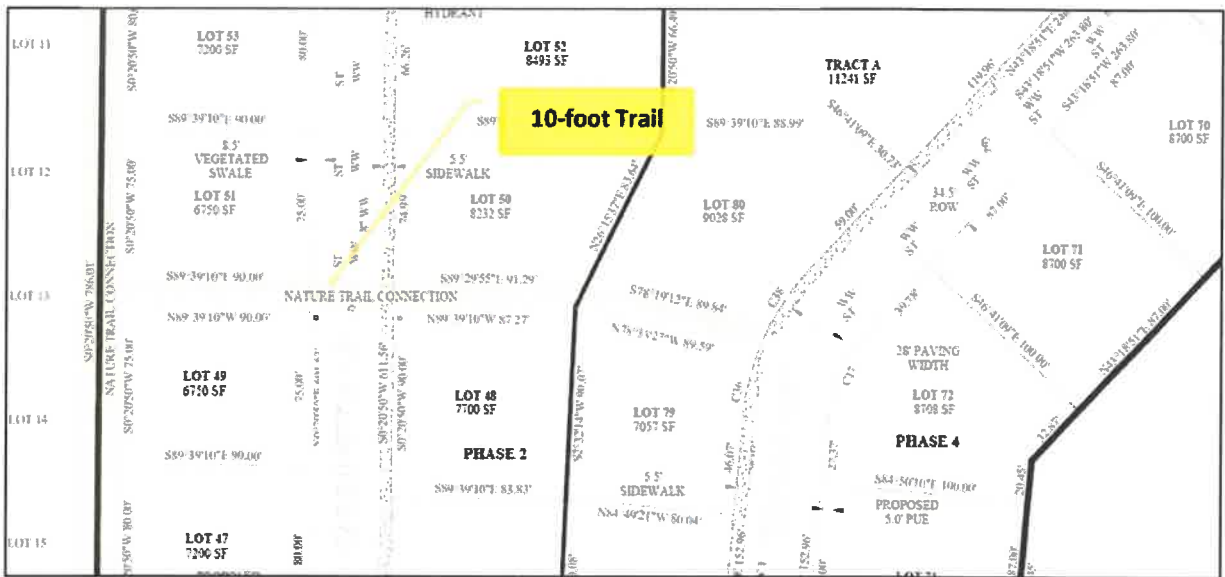
BLOCK LENGTH	The distance measured along all that part of one side of a street which is between two (2) intersecting or intercepting streets, or between an intersecting or intercepting street and a watercourse, body of water or undivided acreage.
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E - Table 2 - FLORENCE CITY CODE TITLE 11.1.3 - DEFINITIONS, pp.1

In support of the purpose of FCC 10-36-2-10, applicant proposes a nature trail near the middle of a block in-lieu-of a street connection and also seeks Planning Commission consideration with a request for exception/modification to block length requirement. (Please see written statements below under FCC 11-7 that address exception/modification criteria.)

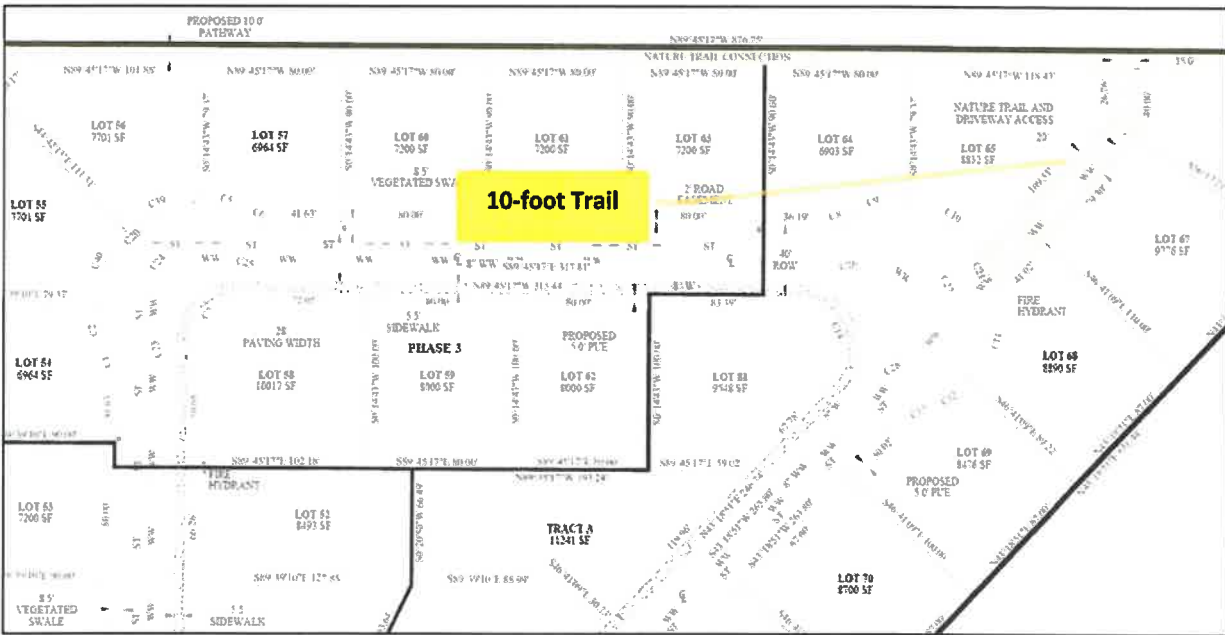
Please see attached Plans for more detail<sup>3</sup>. Please see illustrations of Nature Trail Connection on Revised Utility Map below.

<sup>3</sup> Attachment: Parklands & Open Space Plan



Map 2 - Nature Trail Connection, Revised Utility Map<sup>4</sup>

The ten 10-foot Nature Trail Connection provides a connection mid-block, connecting to right-of-way of both Caddington Lane and Dunbar Way. It connects to the Nature Trail around the perimeter of the subdivision, and (via the perimeter trail) links to the Nature Trail and Driveway Access (illustrated below). The perimeter trail also connects a large tract of city owned Parkland north of the site.



Map 3 - Nature Trail Connection to norther property with park lands, please see Revised Utility Map referenced below

<sup>4</sup> Attachment: Revised Utility Plan

**3. Exception for Elbow and Knuckle,**

**10-36-2-14: Intersection Angles: Streets shall be laid out so as to intersect at an angle as near to a right angle as practicable, except where topography requires a lesser angle. In no case shall the centerline angle be less than 80°; elbow or knuckle corners are not allowed ...**

Response: Applicant seeks an exception to this standard and concurrently submits application for Planning Commission consideration and approval for modification to 10-36-2-14 (and 10-36-2-10).

- B. Exceptions:
1. Subdivisions and Partitions Developed as a Unit: The Planning Commission may in its discretion authorize the relaxation of the lot size and frontage requirements specified herein where the applicant presents a plan satisfactory to the Planning Commission whereby the entire subdivision or partition will be designed and developed with provision for proper maintenance of open space, recreation and parklands and will be commonly available for recreation and park purposes to the residents of the subdivision or partition, and which the Planning Commission determines will be of such benefit to said residents as is equal to that which would be derived from observance of the lot size and frontage requirements otherwise specified, and will be in accordance with the purpose of this Title.

*F - FLORENCE CITY CODE TITLE 11.5, PLATTING & MAPPING pp. 2*

- 11-7-1: APPLICATION FOR MODIFICATION:**
- A. Time for Submitting Application: Concurrently with submitting a tentative plan to the Planning Director for Planning Commission consideration and approval, an applicant may submit to the secretary of the Planning Commission an application for a modification of any provision of Chapters 2 through 6 of this Title and Chapter 36 of Title 10. (Amd. Ord 30, Series 1990).
  - B. Contents of Application: An application for a modification shall be a verified petition stating the provision sought to be modified and stating facts showing that:
    1. Such provision, if strictly applied, would cause unique and unnecessary hardship to the applicant in subdividing or partitioning the subject area; and that
    2. Modifications of such provision(s) would not be contrary to the purpose of this Title for the reason that:
      - a. Where the application is for a modification of any provision of Chapters 5 or 6 of this Title, unusual topographic conditions or previous layout of the partition or subdivision area or neighboring area reasonably require such modification and such modification will not be substantially injurious to the public interest and the best use and value of property in the neighboring area; or
      - b. Where the application is for a modification of any provision of Chapters 2 through 4 of this Title, the purpose of such provision has been fulfilled without a strict application thereof, and the interest of the public in efficient transaction of public business will best be served by such modification.
  - C. Concurrent with its consideration of the application for tentative plan approval and subject to the same procedures and effective dates, the Planning Commission or its designee shall consider the application for modification. Approval of the application for modification shall be granted provided affirmative findings can be made for the criteria in paragraph B of this section and provided the tentative plans are also approved.

*G - FLORENCE CITY CODE TITLE 11.7, MODIFICATIONS, SUBD. REG., pp. 1*

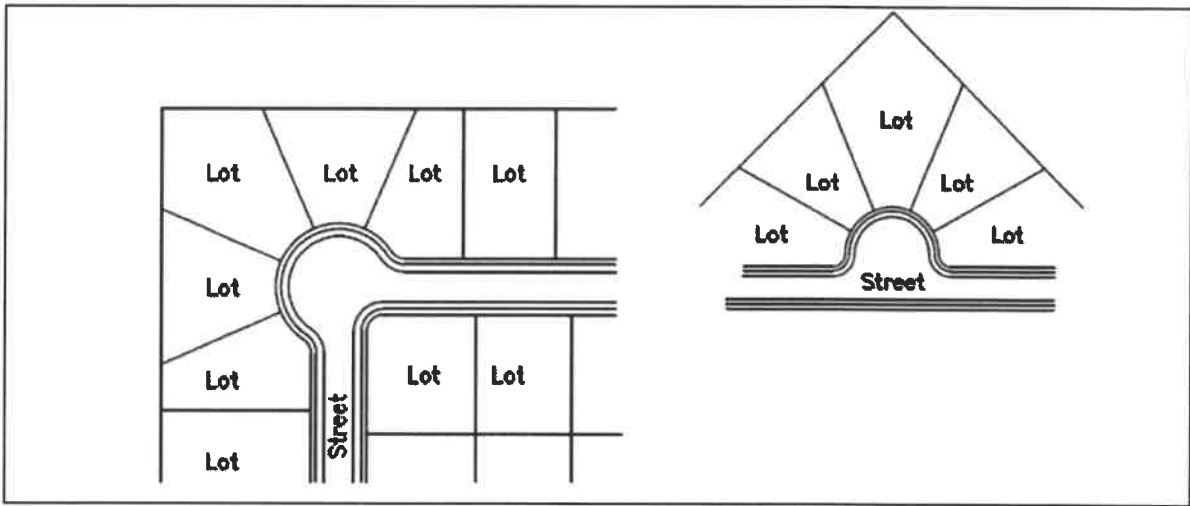


Response: Applicant provides a valid petition that states the provision sought to be modified and facts showing that code provisions cause unique and unnecessary hardship, that proposed modifications of code provision would not be contrary to code purpose and that proposed modifications enhance emergency access.

Provision sought:

1) Allow knuckle corners and modified intersection angles, 2) allow exception to 600-foot block maximum length with modification of approximately 145 feet, and 3) allow exception to maximum 1,400-foot block perimeter with modification of approximately 680 feet.

*H - FLORENCE CITY CODE TITLE 11.7, MODIFICATIONS, SUBD. REG., pp. 1*

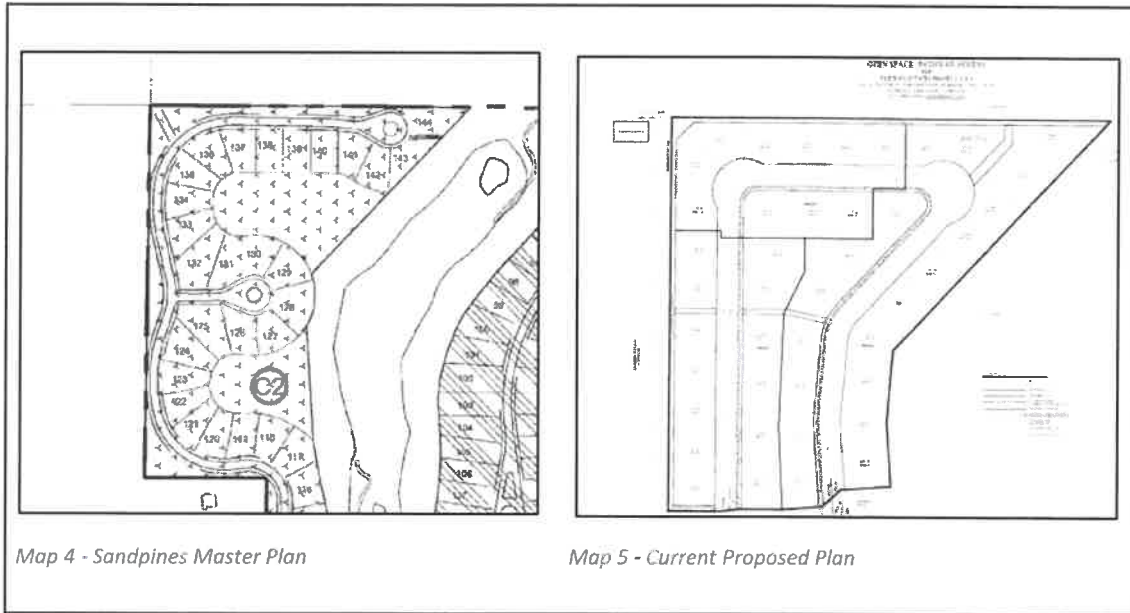


*I - FLORENCE CITY CODE TITLE 10.36 - Elbow and Knuckle Corners*

Facts:

1. Unusual topographic conditions, previous layout of the partition or subdivision area, and neighboring area reasonably require such modification. Site is constrained by golf course to east, city owned Parkland property to north, a built-out subdivision to west, and no adjacent connecting streets. As a result, full compliance with FCC 10-36-2-14 and FCC 10-36-2-10 is impracticable, would cause unique and unnecessary hardship, and would be contrary to code purpose.
2. Revised block perimeter layout closely approximates a compliant block perimeter, (prior layout did not have a block perimeter at all). Layout promotes better secondary emergency access and improves traffic flow through a looped connection of streets rather than dead-end cul-de-sacs. Nothing involved in this project is injurious to the public. Revised layout is designed to meet fire code and is more amenable to emergency vehicle access as it provides two ingress-egress locations instead of one (proposed in the initial layout).

3. Revised site and design are consistent with the neighboring properties, consistent with the original PUD, and consistent with Sandpines Master Plan. Proposed design modifications increase street connectivity, improve traffic flow, and enhance alignment with the purpose of FCC 10-36. Previous street design (Sandpines) included spiraling streets ending in cul-de-sacs and as mentioned above, no block perimeter. Consistent with the purpose of FCC 10-36, revised design provides well connected pedestrian and vehicular circulation, provides attractive and safe streets, and provides a range of transportation options, including options for driving, walking, transit, and bicycling. (Please see map figures below.)



Should this application be lacking in validity or facts, please clarify needs, and applicant will provide additional information as soon as possible.

**Attachment Cross Reference Table:**

This table cross references attachment names found in page footers to files names found in the electronic submittal package.

Attachment Name	New File Name (*.PDF)
Memorandum	21-051_FairwayEstates_R2_Memo_20230103
Parklands & Open Space Plan	21-051_FairwayEstates_R2_ParkLand-Pathway OpenSpace_122722
Revised Utility Plan	21-051_FairwayEstates_R2_Utility Plan_122722
Street Detail	21-051_FairwayEstates_R2_Details_061422