
AGENDA ITEM SUMMARY / STAFF REPORT
FLORENCE PLANNING COMMISSION

ITEM NO: 6
Meeting Date: February 14, 2023

ITEM TITLE: Fairway Estates Phases 2-4
PC 21 39 SUB 03 – Tentative Subdivision Plan
PC 21 40 PUD 02 – Preliminary Planned Unit Development (PUD)
AR 21 21 SIR 14 – Site Investigation Report

OVERVIEW:

Background: Fairway Estates Phase 1 is south of this proposed project and received Final Plat approval May 18, 2017. The plat was recorded in September 2018 and has at least 34 of the 40 platted lots developed or under construction. It received approval in its configuration due to much of the infrastructure being put into place before the recession of 2007/2008. The code changed substantially in 2010. The current project site does not contain any infrastructure.

After receiving a vegetation clearing permit the site was cleared in preparation for surveying in December 2020. It then went through a public process in 2021 with Planning Commission related to violations of their conditions of approval. The applicant submitted application materials on November 22, 2021 in an effort to meet the obligations of their Planning Commission violation ruling.

In accordance with City Code 10-1, the November 2021 application was deemed accepted on March 28, 2022 after receipt of application fees and deemed incomplete on March 25th. Due to the state's 180-day submittal deadline the applicant forced the application complete on September 23, 2022 as permitted under state law.

Noticing was mailed to surrounding property owners and the public hearing was set for November 22nd. The applicant was advised of the inadequacy of the record (application) and a likely denial recommendation and they subsequently requested continuance to January 10th in order to provide evidence into the record to support a staff review. Staff met with the consultant team to discuss the missing elements of the application on November 30th. On January 3rd the consultant provided an open space plan with calculations and block compliance plan and an updated utility plan. On January 5th the consultant waived the city's 120-day processing deadline. At the time of writing the consultant was preparing their narrative to support the criteria of [Title 11 Chapter 7](#) subdivision modifications (variances).

Due to the late receipt of the additional application materials and anticipated receipt of the variance narrative the findings of fact were not available for review for the Public Hearing Continued to a date certain of January 10, 2023. The applicant and representatives agreed to sign a 120-day waiver through April 3, 2023 to allow for continuance of the public hearing to a date certain of February 14, 2023. Additional materials were received February 8, 2023 without adequate time for review. This public hearing is being requested to remain open and continue to a date certain of February 28,

2023. The applicants are being requested to complete another 120-day waiver to allow an additional continuance.

Application: Request by Metro Planning representing Pacific Golf Communities LLC for Preliminary Planned Unit Development, Tentative Subdivision Plan and Site Investigation Report. The project site is approximately 10.36 acres and abuts Mariners Village on the west and Florence Golf Links on the east. To the north is undeveloped City Open Space which abuts Lane County's Three Mile Prairie undeveloped park land. This proposal includes 40-detached single-family residences. Amenities to support this PUD include a looped street. Open space includes a bark walking path abutting Mariners Village and accessing city-owned open space to the north. They also propose a fee-in-lieu for the balance of the required open space as available under [10-23-5-E-5](#). There are a number of code criteria that are proposed to not be met and addressed under Title 11 Chapter 7. Namely these are intersection angles explained in [10-36-2-14](#).

Process and Review: The PUD and Subdivision applications follow a Type III land use procedure requiring a quasi-judicial public hearing. The application materials available as of writing are attached to this AIS. The applicable criteria are listed below. Only code sections and comprehensive plan policies and appendices are policy considerations that may be applied in the decision-making process. Application materials, public testimony, previous approvals, and research that speak to the criteria may also be considered.

Additional public testimony in opposition was received from the Sandpines HOA February 9, 2023 regarding emergency exit requirements, security, and Tract A/Open Space and also from Renee LoPilato on February 7, 2023 regarding the inadequacy of the natural trails and open space in Phase 1.

The Planning Commission will reopen the public hearing, accept public testimony and cote on allowing the continuance of this public hearing to a date certain to allow for adequate time for review of materials or the Planning Commission may close the public hearing and keep the written record open for 7 days and hold deliberations on February 28, 2023.

ISSUES/DECISION POINTS: To be provided later in conjunction with the findings.

ALTERNATIVES:

1. Recommend denial based on the Commissions' findings that the application does not meet the requirements of City Code.
 2. Continue the public hearing to a date certain and request the applicant extend their 120-day waiver.
 3. Close the hearing and keep the written record open 7-days and holding deliberations on February 28, 2023.
-

RECOMMENDATION: Option 2 or 3

AIS PREPARED BY: Wendy FarleyCampbell, Community Development Director

ATTACHMENTS:

C2-Written Narrative Memo-Initial
H1-Utility Plan Revised
I1-Park and Open Space Revised
J1-Stormwater Mgmt Plan Revised
K1-TIA Response to Peer Review
P4-Public Works Referral Memo
R4a—Renee LoPilato Testimony
R5-Fairway Estates HOA Testimony