

**CITY OF FLORENCE
PLANNING COMMISSION**

RESOLUTION 03-12-30-41

IN THE MATTER OF A REQUEST FOR APPROVAL OF A MODIFICATION TO THE SANDPINES PLANNED UNIT DEVELOPMENT, A TOTAL OF 242 ACRES, LOCATED NORTH OF 35TH STREET, WEST OF OAK STREET, EAST OF RHODODENDRON DRIVE, MAP REFERENCE 18-12-15, TAX LOTS 400-1000, 1400 &1500, AND 18-12-15-33, TAX LOTS 100&700 AND 18-12-22-21, TAX LOTS 1900 AND 18-12-22 BLOCKS 8, 10-13, 3000-5300, 10900-15100 AS APPLIED FOR BY MYHRE GROUP ARCHITECTS FOR ARIKI-OREGON, LTD.

WHEREAS, application was made by Myhre Group Architects for proposed PUD Master Plan to be located at north of 35th Street, west of Oak Street, east of Rhododendron Drive; and

WHEREAS, the Planning Commission/Design Review Board met in public hearing on January 13, 2004 to consider the application, evidence in the record and testimony received; and

WHEREAS, the Planning Commission/Design Review Board determined, after review of the application, testimony and evidence in the record, that the application meets the applicable criteria, or can meet the criteria through compliance with certain Conditions of Approval; and

WHEREAS, the Planning Commission/Design Review Board of the City of Florence finds, based on the Findings of Fact, staff recommendation and evidence and testimony presented to them, that the following conditions are required for full compliance with applicable criteria:

1. Unless appealed, the Planning Commission approval of the Preliminary Development Plan shall become effective 30 days after the resolution is signed. The property owner shall submit to the Community Development Department a signed "Affidavit of Acceptance" of all condition of approval. The signed affidavit must be received by the Community Development Department within this 30-day period.
2. The final development plan for the revised PUD must be submitted within one year following the effective date of their approvals by the Planning Commission.
3. The required improvements shall be completed prior to the filing of the final plat, or a performance agreement or petition for improvements submitted to and approved by the City.

4. The applicant shall support implementation and development of the Stormwater Management Plan (SMP) for the Central Region as described in Chapter 5 “Recommendations” through either an LID or solely as project phases on the western sub-basin are proposed for development. The project phases shall be developed in coordination with the Recommendations and Implementation phases of the SMP.

The applicant shall submit a pre-design investigation for each project (except Phases 1, 2, A, and the driving range portion of Phase 3) as each phase is proposed for development or if an LID is formulated. The storm water drainage phases shall be developed as required in “Next Steps” SMP, pages 5-3 and 5-4 and outlined under “Project Implementation”, pages 6-3 and 6-4. This investigation shall include technical hydrologic and hydraulic analysis and regulatory and development changes supporting the implementation of the City of Florence Storm Water Management Plan.

On site retention shall be implemented wherever possible in the eastern basin. The pre-design investigation reports shall also include engineered plans for storm water drainage for each development phase (special attention paid to Phase A, Phase 3, Phase B & C) and be comprehensive showing relationship if any between phases. It shall demonstrate the best design solution for the proposed absorption basins. The required pre-design investigation reports and engineered drainage plans for each phase of the development shall be submitted to Community Development Department and Public Works Department for approval prior to decision on any subdivision request, design review, site preparation, or submission of building permit application within the PUD for corresponding proposed phases of the project (except C1).

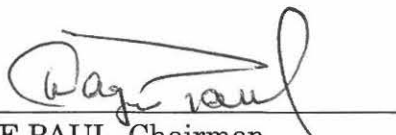
5. The applicant shall provide additional vehicular access for Phase B internally either through Phase C1 or Wisteria, Lot 48.
6. The applicant shall submit storm water drainage plans for Phases “1”, “2”, “A” and the proposed driving range of Phase “3” (in the eastern basin) concurrent with application for design review prior to the development.
7. The applicant shall submit a traffic impact analysis of the intersections at 35th Street and Highway 101, 35th and Rhododendron and the gate on Rhododendron north of 35th is provided prior to start of any phases excepting Phase 1.
8. Vision clearance shall be maintained at all intersections.
9. Each single family lot shall have at least two off-street parking spaces.
10. Proposed building height for the condominium projects shall be not exceed 38’ unless permitted differently by Planning Commission.
11. Grading plans must be submitted and approved by both the Public Works and Community Development Departments prior to any site work for any phase of the proposed PUD. This plan will show soil stabilization measures during construction as

well as proposed grades and any filling. This plan shall be coordinated with the vegetation retention and Public Works approved Sandpines storm water drainage plan for the PUD.

12. Each project phase' land use application shall be accompanied by CC&Rs.
13. A revised utility plan showing all utilities proposed internally and connecting to city service and addressing the issues/recommendations made in Exhibit "A" Findings of Fact above shall be submitted to and approved by the Public Works Department prior to any phase development (except C1) or land use application approval. Utilities shall be placed underground.
14. The applicant shall ensure 20' exists between the Phase B condominiums and the southern property line abutting the rear yards of the lots developed off of Siano Loop North.
15. The applicant shall include in the final plat a pedestrian/golf cart path connecting Phase B with Phase C.
16. The applicant shall submit engineering plans to Public Works Department and request a permanent pedestrian ingress/egress easement from the City of Florence for the pedestrian tunnel under 35th Street prior to development of the access.
17. The applicant shall include in the final plat and pre-design investigation reports culverts/drainage pipes proposed in the Wisteria development as they terminate in the Sandpines final PUD Master Plan.

NOW THEREFORE BE IT RESOLVED by the Planning Commission/Design Review Board of the City of Florence that the proposal is approved and that the Findings of Fact attached as "Exhibit A" and "Revised Exhibit A" revised are hereby incorporated by reference and adopted in support of this decision.

ADOPTED BY THE FLORENCE PLANNING COMMISSION/DESIGN REVIEW BOARD the 13th day of January, 2004.



WAYNE PAUL, Chairman
Florence Planning Commission

**Revised Exhibit "A"
Findings of Fact
January 13, 2004
Resolution 03-12-30-41**

I. PROPOSAL DESCRIPTION

1. Proposal: The applicant is proposing a modification to Sandpines' previously approved PUD Master Plan (approved 9-23-90, final 3-25-92).

2. Applicant: Myhre Group Architects

3. Location: North of 35th Street, between Rhododendron Drive and Oak Street and on the southwest corner of 35th Street and Kingwood Drive:

MR 18-12-15 TL 400-1000, 1400 &1500

MR 18-12-15-33 TL 100 &700

MR 18-12-22-21 TL 1900

MR 18-22-12 Blocks 8, 10 – 13, 3000-5300, 10900-15100

4. Surrounding Land Use--Zoning

Site: Golf Course, Single Family Residences, and Townhouses
--Mobile Home/Manufactured Home Residential, Single Family Residential, and Commercial (tentative) Districts

North: Vacant/Open Space

South: Single Family Residences, Vacant, Public Utilities—Mobile Home/Manufactured Home Residential and Multiple Family Residential Districts

East: Commercial—Highway District

West: Single Family Residences—Single Family Residential Districts

5. Correspondence /Referrals:

Notice was mailed to property owners within 300 feet of the site and published in the Siuslaw News on January 3rd and 10th 2004. Letter received from Richard Sullivan dated January 5, 2004.

II. APPLICABLE CODE SECTIONS:

FCC 10-10	Single Family Residential District
FCC 10-12	Mobile/Manufactured Home District
FCC 10-23	Planned Unit Development

III. NARRATIVE: The applicant proposes to modify the previously approved Planned Unit Development Master Plan (PUD). An amendment to a PUD may be approved if it is required for the continued success of the PUD and if changes in conditions have occurred either in the original PUD or in the City's Comprehensive Plan and/or ordinances. Original approval was September 23, 1990 and a final plan was submitted March 25, 1992, as allowed by an extension granted in 1991.

Originally the PUD was approved for an 18-hole golf course (and accessory uses and structures), single family residences, condominiums, RV campground, and multi-family units as shown in the "Sand Pines--Project Summary – Findings of Consistency with Criteria for Approval, City of Florence Planning Commission March 1992". The Comprehensive Plan has recognized the original master plan through establishing multi-family zoning for Phase 2. The zoning however has not been changed to conform to the 2000/2020 Comprehensive Plan, and is currently single family residential. **In the last 2 years 7 City of Florence zoning and overlay districts have either been modified or created. The multi-family residential zoning district is one of the remaining districts requiring modifications. The proposed PUD use is permitted in the Mobile Home/Manufactured Home Residential and Single Family Residential Districts and in the tentative Commercial District.**

The **PUD modifications** include altering, removing or relocating all proposed developments except the western 143 single family units and the golf course. The project as proposed **includes approximately 646 dwelling units as follows:** 143 (41 currently built) single-family units, 330 condominiums in two developments (located on separate designated lots), and 165 condominium/time-share condominium units. The latter would be built on the site of the existing driving range which is planned to relocate west of the proposed hotel site at the corner of 35th Street and Kingwood. **The original approval included 429 dwelling units**, a difference of 217 units. **The number of units should be acceptable subject to meeting UBC and City of Florence Zoning Code criteria.** The PUD Master Plan also includes modifying the club house and parking **location** and removal of the RV Park. The cottage style homes proposed for Lot 48, the Wisteria project under separate application, will become a part of the Sandpines development at a later time. Included in this proposal are 10.3 (73%) acres proposed to be common open space.

The PUD Master Plan is proposed as a **3 phase development (1, 2, & 3) with 3 additional concurrent phases (A, B, & C).** They are described as follows:

- Phase 1-Club House and associated parking.**
- Phase 2-Oak Street Condominiums**
- Phase 3-Driving Range and Time Share Condominiums**
- Phase A-Hotel**
- Phase B-35th & Rhododendron Condominiums**
- Phase C1, 2, & 3- Single Family Residential**

The current Sandpines West Conditions, Covenants, and Restrictions (CC&R's) would still apply to Myhre Group Architects' proposed future single-family developments (Phases C1-C3). A modified version of the Sandpines CCRs would apply for the condominium projects. **The PUD proposal is conceptual and actual approval of the location of lots/units and design criteria will be addressed during subdivision and design review applications for the various phases of the project.**

IV. REVIEW OF APPLICABLE CRITERIA:

FCC 10-23 PLANNED UNIT DEVELOPMENT

10-23-4: General Criteria:

- A. The proposed development shall be compatible with the general purpose and intent of the Comprehensive Plan.

The proposed PUD master plan is a modification to the previously approved PUD development, upon which the Comprehensive Plan was based. None of the proposed changes to the PUD are incompatible with the Comprehensive Plan. Many actually add to the intent of the comprehensive plan.

- B. The location, design and size are such that the development can be well integrated with its surroundings or will adequately reduce the impact where there is a departure from the character of adjacent land uses.

The applicant has proposed a tree lined perimeter that will act as a buffer for the residential aspect of the PUD. The existence and design of the golf course further enforces the buffer as well as integrates with the dune setting of Florence. Further impact review will be conducted during the major design review process.

- C. The location, design, size and land uses are such that traffic generated by the development will be accommodated safely and without congestion on existing or planned arterial or collector streets and will, in the case of commercial or industrial developments, avoid traversing local streets.

The applicant has designed the various developments within the PUD with circulation and multiple accesses in mind for most cases. Two gated accesses are proposed, one each on the eastern and western boundaries of the PUD. Both of these gates connect to internal streets leading to one southern gate and one access on 35th street. The Phase 3 condominiums (timeshare/existing driving range site) and the Phase B condominiums (previously approved RV campground) are the only developments accessed with a "dead end" street. ~~They however do not share intersections with any~~

~~other part of the development therefore eliminating through traffic in and adjacent to the developments.~~

The applicant submitted a trip generation report from Branch Engineering comparing the previously proposed developments' trip generation and that proposed by this application. A trip generation comparison for the proposed hotel site was conducted by Branch Engineering and submitted by the applicant as Exhibit 6 in the Project summary. It states the traffic will actually be less than the zoning and uses originally proposed for that project site. **The difference for the PUD overall is approximately 900 trips per day (a 594 difference at Phase B).** Spread out over the various phases and the proposed gates and accesses the increased impact is minimal.

However, the trip generation increase from 273 to 867 at Phase B is significant when compared with the single ingress and egress proposed along Siano Loop North. The increase in traffic along Siano Loop North is unacceptable. Based on previous subdivision applications in this area the previously approved southern gated access at the RV site along Rhododendron near 35th Street will be a hazardous access. **The applicant shall provide additional vehicular access for Phase B internally either through Phase C1 or Wisteria, Lot 48. Staff also finds that in addition to the trip generation reports submitted by the applicant a traffic impact analysis of the intersections at 35th Street and Highway 101, 35th and Rhododendron and the gate on Rhododendron north of 35th is provided prior to start of any phases excepting Phase 1.**

- D. The location, design, size and land uses are such that the residents or establishments to be accommodated will be adequately served by existing or planned utilities and services.

The applicant has submitted a site utilities plan. It includes existing and proposed sanitary and pressure sewer, pump stations, water, drainage swales and culverts.

Utilities--Sufficient water lines exist from the water reservoir south of Sandpines, in Oak Street, 35th Street, Kingwood Drive, and Rhododendron Drive to accommodate the water lines proposed to tap in from the all proposed phases of development. Sufficient sanitary sewer lines exist in Oak Street, Kingwood Drive, and Rhododendron Drive, to service the sanitary and pressure lines proposed to tap in from all phases of the development. The applicant will need to provide a utility plan for each phase of development addressing the following recommended on-site improvements:

Phase 1: Water supply from the reservoir. Sanitary Sewer to Oak Street

Phase 2: No new water or sewer lines are required up the length of Oak Street (unless required for fire safety (fire hydrants)). The development will tap in at intervals from the development. Public Works recommends internal water and sewer service under phase 2 development.

Phase 3: Water supply from reservoir. Sewer pump station and lines to Oak

Phase A: Sewer gravity to Kingwood Drive. Water off of Kingwood. **Freeze proof irrigation pipes through tunnel to driving range unless provided on site at Phase A.**

Phase B: Water supply from Rhododendron. No pump Station exists where drawn so install sewer pump station adjacent to Rhododendron Drive and sewer force main to Rhododendron Drive. No sewer line needs to be installed through Phase "C" as proposed.

Phase C: pump station exists at proposed western gated access not adjacent to Phase B as mentioned above.

Storm Water Drainage--There are existing culverts that are proposed to be relocated within Lot 48 which is under separate application. These culverts are not shown on this site utility plan. The applicant shall include these in the final plan as proposed by Rob Trost the applicant for the Wisteria Development.

The applicant proposes to develop the recommendations of the City of Florence Storm Water Drainage Plan in phases as each Sandpines development phase is proposed. **The Storm Water Management Plan (October 2000) recommends for the "Central Region" as follows:**

"Recommendations

The recommended plan for the Central Region consists of two (three) projects, as shown in Figure 5-3. The first project, CEN-A, consists of construction of a permanent channel to the west of the Sandpines Golf Course. The channel should be lined to limit the infiltration of storm water into the ground. The channel would run along Rhododendron Drive in an easement acquired by the City, and would terminate at the corner of 35th Street and Rhododendron Drive. At that point, flows would enter a pipe passing underneath Rhododendron Drive and connect with the large ravine to the west. The ravine's side slopes should be reinforced, as necessary, to stabilize the natural slopes and prevent erosion. This recommendation would improve the hydraulic capacity of the collection system, which will help lessen the potential for flooding. The system should be sized to include flows carried in the channel described as Project CEN-B.

Project CEN-B is a concrete-lined channel extending along the east side of Mariners Village to the northeast corner of the development. Construction of this channel is recommended to provide a pathway for flows originating from public land to the northeast. Project CEN-B should be undertaken only after the downstream improvements are completed. The existing temporary detention pond should be removed from service and flows routed to this new channel.

Project CEN-C is a concrete-lined channel extending from Project CEN-A eastward across the Sandpines Golf Course. This channel would intercept flows before they cause flooding along the Royal Saint Georges Drive. Project CEN-C should be undertaken only after the downstream improvements in Project CEN-A are completed.”

The applicant states they are willing to implement portions of the city's stormwater drainage plan prior to development submittal as may be required by the **Storm Water Management Plan**.

The applicant shall submit a pre-design investigation report for each project (except Phases 1, 2, A, and the driving range portion of Phase 3) as each phase is proposed for development or if an LID is formulated. The storm water drainage phases shall be developed as required in “Next Steps” SMP, pages 5-3 and 5-4 and outlined under “Project Implementation”, pages 6-3 and 6-4. This investigation shall include technical hydrologic and hydraulic analysis and regulatory and development changes supporting the implementation of the City of Florence Storm Water Management Plan.

On site retention shall be implemented wherever possible in the eastern basin. The pre-design investigation reports shall also include engineered plans for storm water drainage for each development phase (special attention paid to Phase A, Phase 3, Phase B & C) and be comprehensive showing relationship if any between phases. It shall demonstrate the best design solution for the proposed absorption basins. The required pre-design investigation reports and engineered drainage plans for each phase of the development shall be submitted to Community Development Department and Public Works Department for approval prior to decision on any subdivision request, design review, site preparation, or submission of building permit application within the PUD for corresponding proposed phases of the project (except C1).

- E. The location, design, size and uses will result in an attractive, healthful, efficient and stable environment.**

The applicant states: "The proposed development will be an attractive, healthful, efficient and safe environment. The project is a high class golf course development that lends itself to an active lifestyle. A direct connection to the clubhouse has been introduced for the east condominiums and the proposed time-share phase for easier resident access. Numerous common spaces far greater than those required by code, and use of cluster development of the PUD allow access to the inherent course beauty for all residents. Clustered developments also create efficient connections to existing public utilities and no extension of utilities by the city is anticipated. In addition the gated entries of the various phases help make this a safe place to live and golf." Staff concurs.

10-23-5: Development Standards:

- A. Minimum Size: The proposed PUD is approximately 270 acres and each project phase is greater than 5 acres. The application therefore meets the requirement that minimum PUD size is 5 acres.
- B. Building Coverage: Code states in a residential PUD, not more than 50% of the land being developed, exclusive of public or private streets, shall be covered by buildings. The Sandpines PUD has a total acreage of about 240 acres, of which about 170 acres are included in the golf course. This is well over 50% of open land not covered by buildings.
- C. Perimeter Yards: Front yard setback requirements are the same as the surrounding development. The applicant proposes adjacent district yard setbacks will be maintained for each phase of the proposed PUD. The setbacks are proposed to not be included in the open space calculation.
- D. Building Height: The applicant proposes 3-story developments (38') for the PUD. The height limit for the corresponding districts is 28'. The applicant requests a height limit increase for the PUD. The applicant appears to propose a 20' setback from abutting developments. **The applicant shall ensure the building footprints on the final plat of Phase B meet the 20' setback from abutting single family residential lots.** Overall, the separation of uses and existing buffers ensure that an increase in height granted to the Sandpines PUD will not adversely affect the surrounding existing communities or the potential of adjacent districts. Additionally approving a 38' height increases the dwelling unit density, thus providing more efficient use of scarce developable land resources.
- E. Off-Street Parking: The requirements for parking and off-street loading must be in accordance with FCC 10-3.

- F. **Underground Utilities:** All utilities (electrical, cable, telephone, fire, street light and other wiring conduits and similar utility facilities and accessories) shall be placed underground by the developer. It is preferable that all above ground utility boxes be screened by landscaping or fencing.
- G. **Open Space:** The golf course consists of approximately 173 acres of open space and at least 20% of the net development area excluding the golf course has been or will be dedicated to public and or private open space. The proposal therefore can meet the 20% open space requirement (public easement or common area).

10-23-6: Dedication and Maintenance of Facilities:

- A. **Required Easements:** Applicant proposes to retain the previously proposed easements and modify as needed for the final plat. The applicant proposes to develop a sub-surface pedestrian tunnel beneath 35th Street. The applicant will need to request a permanent pedestrian ingress/egress easement from the City of Florence. The process starts with submitting preliminary engineering plans to Public Works Department for approval. Following which a staff recommendation will be made to City Council for decision.

- B. **Streets, Bikeways and Pedestrian Paths:**

Streets—Phase “C”: The applicant proposes to retain the 22’ street width and design of those previously approved for the single family portion of the PUD Master Plan development, now Phase “C”. The northern gate off of Rhododendron Drive remains as proposed. **Phase 2:** The applicant proposes to modify the street width and orientation for the Phase 2 (Oak Street) condominium portion of the development to 24’. Overall it appears the impervious surface for this area is reduced by elimination of the cul-de-sacs. Also, with the recent extension of Oak Street north of 35th Street the originally approved gate from the Oak Street terminance is removed and ingress/egress is routed along the southern property line through the club house area. The 43rd Street gate remains as originally approved. **Phase 1:** The applicant proposes to reorient the existing main entry off of 35th Street to a direct north entrance to the club house and Phase 3 condominiums rather than meandering around the city’s water tanks. **Phase B:** The applicant proposes to remove access from Rhododendron Drive and establish access for this condominium development near the westerly terminance of Siano Loop North. All internal streets are private and meet the 20’ minimum width requirement.

Bike paths, Pedestrian Paths--To reduce the amount of impervious surface for this PUD no sidewalks are proposed. However a golf cart/pedestrian lane is proposed within the street design to link the various phases of development. The applicant has not proposed internal pedestrian ingress/egress linking Phase B condominiums with any portion of the Sandpines development. Staff recommends a pedestrian ingress/egress easement connecting Phase B with Phase C either through a lot within Phase C or a lot in Lot 48 (Wisteria).

- C. Common Open Space...: The applicant states the related homeowners associations for each of the residential developments (except Phase 3) will assume responsibility for maintenance, insurance, repair and associated obligations of the designated common open space within each development. Phase 3 responsibility will either be as described above or will be that of a property manager. This proposal meets the intent of the common space requirement.

10-23-11 Approval of the Final Development Plan:

- 1. Timelines: The final plat of the subdivision must be submitted within one year following the effective date of the Tentative Subdivision Plan. The Code requires that the Final Development Plan for the PUD revision be submitted within 6 months following its approval. The Planning Commission may extend that deadline by 6 months. Staff recommends that the PUD deadline be extended by 6 months to be consistent with the filing date of the final subdivision plat.

FCC 10-12 MOBILE HOME/MANUFACTURED HOME REGULATIONS

10-12-1-2: Design Standards

- A. The proposal meets the requirement of "A Mobile Home/Manufactured Home Residential District shall not be less than five (5) acres of contiguous land."
- B. The area within the modified PUD that is affected by this district is the Phase B condominium development. The proposal does not address dwelling sizes, but FCC states: "Each ...allowable living unit must have a total gross area of not less than ...(500) square feet." A PUD allows deviation from specific site development standards while observing general purposes of the zoning regulations.
- C. The proposal meets the requirement of "No building, structure...shall be used for any purpose except for the uses permitted as follows: 2. Single family dwellings. 3. Planned Unit Developments."

10-12-1-4: LOT AND YARD REQUIREMENTS

- A.** Minimum Lot Dimensions: The above mentioned Phase B site meets the 50' x 80' requirements under this code. Specific development will be addressed during design review.
- B.** Minimum Lot Area: The above mentioned Phase B site meets the 6,000 sq. ft. requirements under this code. Specific development will be addressed during design review.
- C.** Lot Coverage: Individual lot coverage is limited to 65%. Lot coverage will be reviewed at the time building permits are issued or during design review.
- D.** Yard Regulations:
 - 1.** Front Yard: Minimum front yard setback requirement is 20'. Front yard is defined as "an area lying between side lot lines, the depth of which is a specific horizontal distance between a street line and a line parallel thereto on the lot." For the Phase B the site's front yard is then determined to be the area of the lot abutting both 35th and Siano Loop North and the rear yards of properties developed off of Siano Loop North. The applicant has proposed a front yard setback far exceeding 20' off of both Siano Loop North and 35th Street. A PUD is allowed to deviate from specific site development standards while observing general purposes of the zoning regulations. While exact placement is not proposed for the condominiums in Phase B, it is recommended the applicant ensure 20' exists between the condominiums and the southern property line abutting the rear yards of the lots developed off of Siano Loop North.
 - 2.** Side Yards: Minimum side yard setback is 5'. The applicant's design as proposed appears to exceed the side yard setback requirement. They further state that no more than any two adjacent lots may contain attached buildings. A PUD allows deviation from specific site development standards while observing general purposes of the zoning regulations.
 - 3.** Rear Yard: Rear yard minimum setbacks are 10' from the rear property line for dwellings units and 5' for accessory structures. The applicant proposes more than 10 feet from the rear property line which abuts lots 45-47. However a PUD is allowed deviation from specific site development standards while observing general purposes of the zoning regulations.
 - 4.** Patio structures and swimming pools shall be a minimum of 5' from side and rear property lines. .

10-12-1-5: SITE AND DEVELOPEMENT PROVISIONS:

- A. Building or Structural Height Limitations: Addressed above.
- B. Fences: All fences shall meet FCC 10-2-15.
- C. Vision Clearance: All lots shall meet FCC 10-1-4 and 10-2-16.
- D. Off –Street Parking: FCC 10-23-5-E allows one parking space for single family dwellings in PUDs. FCC 10-3-3-A requires single family residential dwellings to have at least two covered permanent parking spaces accommodating standard size automobiles. Parking for the other project phases will be reviewed during design review.

V. Conclusions and Recommendations:

Staff finds that the Tentative Plan for Sandpines meets the requirements of the Florence Zoning and Subdivision Code, or can meet those requirements through conditions, and recommends approval of the Preliminary Development Plan revision for the PUD and the Tentative Subdivision Plan subject to the following conditions:

1. Unless appealed, the Planning Commission approval of the Preliminary Development Plan ~~and the Tentative Subdivision Plan~~ shall become effective 30 days after the resolution is signed. The property owner shall submit to the Community Development Department a signed "Affidavit of Acceptance" of all condition of approval. The signed affidavit must be received by the Community Development Department within this 30-day period.
2. ~~The final plat of the subdivision and the~~ Final Development Plan for the revised PUD must be submitted within one year following the effective date of their approvals by the Planning Commission.
3. The required improvements shall be completed prior to the filing of the final plat, or a performance agreement or petition for improvements submitted to and approved by the City.
4. **The applicant shall support implementation and development of the Stormwater Management Plan (SMP) for the Central Region as described in Chapter 5 "Recommendations" through either an LID or solely as project phases on the western sub-basin are proposed for development. The project phases shall be developed in coordination with the Recommendations and Implementation phases of the SMP.**

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6. The applicant shall submit storm water drainage plans for Phases "1", "2", "A" and the proposed driving range of Phase "3" (in the eastern basin) concurrent with application for design review prior to the development.
7. The applicant shall submit a traffic impact analysis of the intersections at 35th Street and Highway 101, 35th and Rhododendron and the gate on Rhododendron north of 35th is provided prior to start of any phases excepting Phase 1.
8. Vision clearance shall be maintained at all intersections.
9. Each single family lot shall have at least two off-street parking spaces.
10. Proposed building height for the condominium projects shall be not exceed 38' unless permitted differently by Planning Commission.

11. Grading plans must be submitted and approved by both the Public Works and Community Development Departments prior to any site work for any phase of the proposed PUD. This plan will show soil stabilization measures during construction as well as proposed grades and any filling. This plan shall be coordinated with the vegetation retention and Public Works approved Sandpines storm water drainage plan for the PUD.
12. Each project phase' land use application shall be accompanied by CC&Rs.
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Exhibit "A"
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January 6, 2004
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2. Applicant: Myhre Group Architects

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MR 18-12-15 TL 400-1000, 1400 &1500

MR 18-12-15-33 TL 100 &700

MR 18-12-22-21 TL 1900

MR 18-22-12 Blocks 8, 10 – 13, 3000-5300, 10900-15100

4. Surrounding Land Use--Zoning

Site: Golf Course, Single Family Residences, and Townhouses --Mobile Home/Manufactured Home Residential, Single Family Residential, and Commercial (tentative) Districts

North: Vacant/Open Space

South: Single Family Residences, Vacant, Public Utilities—Mobile Home/Manufactured Home Residential and Multiple Family Residential Districts

East: Commercial—Highway District

West: Single Family Residences—Single Family Residential Districts

5. Correspondence /Referrals:

Notice was mailed to property owners within 300 feet of the site and published in the Siuslaw News on January 3rd and 10th 2004. Letter received from Richard Sullivan dated January 5, 2004.

II. APPLICABLE CODE SECTIONS:

FCC 10-10	Single Family Residential District
FCC 10-12	Mobile/Manufactured Home District
FCC 10-23	Planned Unit Development

III. NARRATIVE: The applicant proposes to modify the previously approved Planned Unit Development Master Plan (PUD). Original approval was September 23, 1990 and a final plan was submitted March 25, 1992, as allowed by an extension granted in 1991. Originally the PUD was approved for an 18-hole golf course (and accessory uses and structures), single family residences, condominiums, RV campground, and multi-family units as shown in the "Sand Pines--Project Summary -- Findings of Consistency with Criteria for Approval, City of Florence Planning Commission March 1992". The Comprehensive Plan has recognized the original master plan through establishing multiple family zoning for the project area. The zoning however has not yet been changed to conform to the 2000/2020 Comprehensive Plan, and is currently mobile home/manufactured home residential and single family residential.

An amendment to a PUD may be approved if it is required for the continued success of the PUD and if changes in conditions have occurred either in the original PUD or in the City's Comprehensive Plan and/or ordinances

The modifications to the PUD include altering, removing or relocating all proposed developments except the western 143 single family units and the golf course. The project as proposed would include approximately 143 (41 currently built) single-family units, 330 condominiums in two developments (located on separate designated lots), and 165 condominium/time-share condominium units. The latter would be built on the site of the existing driving range which is planned to relocate west of the proposed hotel site at the corner of 35th Street and Kingwood. The PUD Master Plan also includes modifications to the club house and parking and removal of the RV Park. The cottage style homes proposed for Lot 48, the Wisteria project under separate application, will become a part of the Sandpines development at a later time. Included in this proposal are 10.3 (73%) acres proposed to be common open space.

The PUD Master Plan is proposed to be an overall 2 phase development with 3 sub-phases each. The current Conditions Covenants, and Restrictions (CC&R's) of Sandpines West would still apply to future single-family developments proposed by Myher Group Architects. A modified version of the Sandpines CCRs would apply for the condominium projects. The proposed use is permitted in the Mobile Home/Manufactured Home Residential and Single Family Residential Districts and in the tentative Commercial District.

IV. REVIEW OF APPLICABLE CRITERIA:

FCC 10-23 PLANNED UNIT DEVELOPMENT

10-23-4: General Criteria:

- A.** The proposed development shall be compatible with the general purpose and intent of the Comprehensive Plan.

The proposed PUD master plan is a modification to the previously approved PUD development, upon which the Comprehensive Plan was based. None of the proposed changes to the PUD are incompatible with the Comprehensive Plan. Many actually add to the intent of the comprehensive plan.

- B. The location, design and size are such that the development can be well integrated with its surroundings or will adequately reduce the impact where there is a departure from the character of adjacent land uses.

The applicant has proposed a tree lined perimeter that will act as a buffer for the residential aspect of the PUD. The existence and design of the golf course further enforces the buffer as well as integrates with the dune setting of Florence. Further impact review will be conducted during the major design review process.

- C. The location, design, size and land uses are such that traffic generated by the development will be accommodated safely and without congestion on existing or planned arterial or collector streets and will, in the case of commercial or industrial developments, avoid traversing local streets.

The applicant has designed the various developments within the PUD with circulation and multiple accesses in mind for most cases. Two gated accesses are proposed one each on the eastern and western boundaries of the PUD. Both of these gates connect to internal streets leading to one southern gate and one access on 35th street. The Phase 3 condominiums (timeshare/existing driving range site) and the Phase B condominiums (previously approved RV campground) are the only developments accessed with a "dead end" street. They however do not share intersections with any other part of the development therefore eliminating through-traffic in and adjacent to the developments.

The applicant submitted a traffic analysis from Branch Engineering comparing the previously proposed developments' impact and impact proposed from this application. The difference is just over 900 trips per day. Spread out over the various phases and the proposed gates and accesses the increased impact is minimal. Also a trip generation comparison for the proposed hotel site was conducted by Branch Engineering and submitted by the applicant as Exhibit 6 in the Project summary. It states the traffic will actually be less than the zoning and uses originally proposed for that project site. Staff finds the arterial and connector streets are adequately developed to handle the trip generation proposed for this development.

- D. The location, design, size and land uses are such that the residents or establishments to be accommodated will be adequately served by existing or planned utilities and services.

The applicant has submitted a site utilities plan. It includes existing and proposed sanitary and pressure sewer, pump stations, water, drainage swales and culverts. Sufficient water lines exist from the water reservoir south of Sandpines, in Oak Street, 35th Street Kingwood Drive, and Rhododendron Drive to accommodate the water lines proposed to tap in from the all proposed phases of development. Sufficient sanitary sewer lines exist in Oak Street, Kingwood Drive, and Rhododendron Drive, to service the sanitary and pressure lines proposed to tap in from all phases of the development. The applicant will need to provide a utility plan for each phase of development addressing the following recommended on-site improvements:

Phase 1: Water supply from the reservoir. Sanitary Sewer to Oak Street

Phase 2: No new water or sewer lines are required up the length of Oak Street (unless required for fire safety (fire hydrants)). The development will tap in at intervals from the development. Public Works recommends internal water and sewer service under phase 2 development.

Phase 3: Water supply from reservoir. Sewer pump station and lines to Oak

Phase A: Sewer gravity to Kingwood Drive. Water off of Kingwood. Irrigation through tunnel to driving range or from onsite pond.

Phase B: Water supply from Rhododendron. No pump Station exists where drawn so install sewer pump station adjacent to Rhododendron Drive and sewer force main to Rhododendron Drive. No sewer line needs to be installed through Phase "C" as proposed.

Phase C: pump station exists at proposed western gated access not adjacent to Phase B as mentioned above.

There are existing culverts that are proposed to be relocated within Lot 48 which is under separate application. These culverts are not shown on this site utility plan. The applicant shall include these in the final plan as proposed by the Rob Trost the applicant for the Wisteria Development.

The applicant proposes to develop the recommendation of the City of Florence Storm Water Drainage Plan in phases as each Sandpines development phase is proposed. The applicant states they are willing to implement portions of the city's stormwater drainage plan prior to development submittal as may be required by the Public Works Department.

The applicant shall submit an engineering hydrology report supporting the implementation of the City of Florence Storm Water Management Plan. On site retention shall be implemented wherever possible. The hydrology report shall also include plans for storm water drainage for each development phase (special attention paid to Phase A, Phase 3, Phase B & C) and be comprehensive showing relationship if any between phases. It shall demonstrate the best solution (lined or unlined) for the proposed

absorption basins. The hydrology report, Sandpines master stormwater drainage plan and specific drainage plan for each phase of the development shall be submitted to Public Works Department for approval prior to decision on any land use design review for any proposed phase of the project (except C1), site preparation, or submission of building permit application within the PUD.

- E. The location, design, size and uses will result in an attractive, healthful, efficient and stable environment.

The applicant states: "The proposed development will be an attractive, healthful, efficient and safe environment. The project is a high class golf course development that lends itself to an active lifestyle. A direct connection to the clubhouse has been introduced for the east condominiums and the proposed time-share phase for easier resident access. Numerous common spaces far greater than those required by code, and use of cluster development of the PUD allow access to the inherent course beauty for all residents. Clustered developments also create efficient connections to existing public utilities and no extension of utilities by the city is anticipated. In addition the gated entries of the various phases help make this a safe place to live and golf." Staff concurs.

10-23-5: Development Standards:

- A. **Minimum Size:** The proposed PUD is approximately 270 acres and each project phase is greater than 5 acres. The application therefore meets the requirement that minimum PUD size is 5 acres.
- B. **Building Coverage:** Code states in a residential PUD, not more than 50% of the land being developed, exclusive of public or private streets, shall be covered by buildings. The Sandpines PUD has a total acreage of about 240 acres, of which about 170 acres are included in the golf course. This is well over 50% of open land not covered by buildings.
- C. **Perimeter Yards:** Front yard setback requirements are the same as the surrounding development. The applicant proposes adjacent district yard setbacks will be maintained for each phase of the proposed PUD. The setbacks are proposed to not be included in the open space calculation.
- D. **Building Height:** The applicant proposes 3-story developments (38') for the PUD. The height limit for the corresponding districts is 28'. The applicant requests a height limit increase for the PUD. The applicant appears to propose a 20' setback from abutting developments. The applicant shall ensure the final plat of Phase B meets the 20' setback from the abutting rear property lines of the developments on Siano Loop North. Overall, the

separation of uses and existing buffers ensure that an increase in height granted to the Sandpines PUD will not adversely affect the surrounding existing communities or the potential of adjacent districts. Additionally approving a 38' height increases the dwelling unit density, thus providing more efficient use of scarce developable land resources.

- E. Off-Street Parking: The requirements for parking and off-street loading must be in accordance with FCC 10-3.
- F. Underground Utilities: All utilities (electrical, cable, telephone, fire, street light and other wiring conduits and similar utility facilities and accessories) shall be placed underground by the developer. It is preferable that all above ground utility boxes be screened by landscaping or fencing.
- G. Open Space: The golf course consists of approximately 173 acres of open space and at least 20% of the net development area excluding the golf course has been or will be dedicated to public and or private open space. The proposal therefore can meet the 20% open space requirement (public easement or common area).

10-23-6: Dedication and Maintenance of Facilities:

- A. Required Easements: Applicant proposes to retain the previously proposed easements and modify as needed for the final plat. The applicant proposes to develop a sub-surface pedestrian tunnel beneath 35th Street. The applicant will need to request a permanent pedestrian ingress/egress easement from the City of Florence. The process starts with submitting preliminary engineering plans to Public Works Department for approval. Following which a staff recommendation will be made to City Council for decision.

- B. Streets, Bikeways and Pedestrian Paths:

Streets—Phase “C”: The applicant proposes to retain the 22' street width and design of those previously approved for the single family portion of the PUD Master Plan development, now Phase “C”. The northern gate off of Rhododendron Drive remains as proposed. **Phase 2:** The applicant proposes to modify the street width and orientation for the Phase 2 (Oak Street) condominium portion of the development to 24'. Overall it appears the impervious surface for this area is reduced by elimination of the cul-de-sacs. Also, with the recent extension of Oak Street north of 35th Street the originally approved gate from the Oak Street terminance is removed and ingress/egress is routed along the southern property line through the club house area. The 43rd Street gate remains as originally approved. **Phase 1:** The applicant proposes to reorient the existing main entry off of 35th Street to a direct north entrance to the club house and Phase 3 condominiums

rather than meandering around the city's water tanks. **Phase B:** The applicant proposes to remove access from Rhododendron Drive and establish access for this condominium development near the westerly terminance of Siano Loop North.

All internal streets are private and meet the 20' minimum width requirement. Bike paths, Pedestrian Paths--To reduce the amount of impervious surface for this PUD no sidewalks are proposed. However a golf cart/pedestrian lane is proposed within the street design to link the various phases of development. The applicant has not proposed internal pedestrian ingress-egress linking Phase B condominiums with any portion of the Sandpines development. Staff recommends a pedestrian ingress/egress easement connecting Phase B with Phase C either through a lot within Phase C or a lot in Lot 48 (Wisteria).

- C. Common Open Space...: The applicant states the related homeowners associations for each of the residential developments (except Phase 3) will assume responsibility for maintenance, insurance, repair and associated obligations of the designated common open space within each development. Phase 3 responsibility will either be as described above or will be that of a property manager. This proposal meets the intent of the common space requirement.

10-23-11 Approval of the Final Development Plan:

- 1. Timelines: The final plat of the subdivision must be submitted within one year following the effective date of the Tentative Subdivision Plan. The Code requires that the Final Development Plan for the PUD revision be submitted within 6 months following its approval. The Planning Commission may extend that deadline by 6 months. Staff recommends that the PUD deadline be extended by 6 months to be consistent with the filing date of the final subdivision plat.

FCC 10-12 MOBILE HOME/MANUFACTURED HOME REGULATIONS

10-12-1-2: Design Standards

- A. The proposal meets the requirement of "A Mobile Home/Manufactured Home Residential District shall not be less than five (5) acres of contiguous land."
- B. The area within the modified PUD that is affected by this district is the Phase B condominium development. The proposal does not address dwelling sizes, but FCC states: "Each ...allowable living unit must have a total gross area of not less than ...(500) square feet." A PUD allows

deviation from specific site development standards while observing general purposes of the zoning regulations.

- C. The proposal meets the requirement of "No building, structure...shall be used for any purpose except for the uses permitted as follows: 2. Single family dwellings. 3. Planned Unit Developments."

10-12-1-4: LOT AND YARD REQUIREMENTS

- A. **Minimum Lot Dimensions:** The above mentioned Phase B site meets the 50' x 80' requirements under this code. Specific development will be addressed during design review.
- B. **Minimum Lot Area:** The above mentioned Phase B site meets the 6,000 sq. ft. requirements under this code. Specific development will be addressed during design review.
- C. **Lot Coverage:** Individual lot coverage is limited to 65%. Lot coverage will be reviewed at the time building permits are issued or during design review.
- D. **Yard Regulations:**
 - 1. **Front Yard:** Minimum front yard setback requirement is 20'. Front yard is defined as "an area lying between side lot lines, the depth of which is a specific horizontal distance between a street line and a line parallel thereto on the lot." For the Phase B the site's front yard is then determined to be the area of the lot abutting both 35th and Siano Loop North and the rear yards of properties developed off of Siano Loop North. The applicant has proposed a front yard setback far exceeding 20' off of both Siano Loop North and 35th Street. A PUD is allowed to deviate from specific site development standards while observing general purposes of the zoning regulations. While exact placement is not proposed for the condominiums in Phase B, it is recommended the applicant ensure 20' exists between the condominiums and the southern property line abutting the rear yards of the lots developed off of Siano Loop North.
 - 2. **Side Yards:** Minimum side yard setback is 5'. The applicant's design as proposed appears to exceed the side yard setback requirement. They further state that no more than any two adjacent lots may contain attached buildings. A PUD allows deviation from specific site development standards while observing general purposes of the zoning regulations.
 - 3. **Rear Yard:** Rear yard minimum setbacks are 10' from the rear property line for dwellings units and 5' for accessory structures. The applicant proposes more than 10 feet from the rear property line which abuts lots 45-47. However a PUD is allowed deviation from specific

site development standards while observing general purposes of the zoning regulations.

4. Patio structures and swimming pools shall be a minimum of 5' from side and rear property lines. .

10-12-1-5: SITE AND DEVELOPEMENT PROVISIONS:

- A. Building or Structural Height Limitations: Addressed above.
- B. Fences: All fences shall meet FCC 10-2-15.
- C. Vision Clearance: All lots shall meet FCC 10-1-4 and 10-2-16.
- D. Off –Street Parking: FCC 10-23-5-E allows one parking space for single family dwellings in PUDs. FCC 10-3-3-A requires single family residential dwellings to have at least two covered permanent parking spaces accommodating standard size automobiles. Parking for the other project phases will be reviewed during design review.

V. Conclusions and Recommendations:

Staff finds that the Tentative Plan for Sandpines meets the requirements of the Florence Zoning and Subdivision Code, or can meet those requirements through conditions, and recommends approval of the Preliminary Development Plan revision for the PUD and the Tentative Subdivision Plan subject to the following conditions:

1. Unless appealed, the Planning Commission approval of the Preliminary Development Plan and the Tentative Subdivision Plan shall become effective 30 days after the resolution is signed. The property owner shall submit to the Community Development Department a signed "Affidavit of Acceptance" of all condition of approval. The signed affidavit must be received by the Community Development Department within this 30-day period.
2. The final plat of the subdivision and the Final Development Plan for the revised PUD must be submitted within one year following the effective date of their approvals by the Planning Commission.
3. The required improvements shall be completed prior to the filing of the final plat, or a performance agreement or petition for improvements submitted to and approved by the City.
4. A hydrology report, a Sandpines master stormwater drainage plan and specific drainage plans for each phase of the development shall be

submitted to Public Works Department for approval prior to decision on any land use design review for any proposed phase of the project (except C1), site preparation, or submission of building permit application within the PUD. The City of Florence Storm Water Drainage Plan shall be implemented as required in Chapter 6 except where the engineered Sandpines drainage report recommends a solution having less impact on affected properties.

5. Vision clearance shall be maintained at all intersections.
6. Each single family lot shall have at least two off-street parking spaces.
7. Proposed building height for the condominium projects shall be 38' unless required differently by Planning Commission.
8. Grading plans must be submitted and approved by both the Public Works and Community Development Departments prior to any site work for any phase of the proposed PUD. This plan will show soil stabilization measures during construction as well as proposed grades and any filling. This plan shall be coordinated with the vegetation retention and Public Works approved Sandpines storm water drainage plan for the PUD.
9. Each project phase' land use application shall be accompanied by CC&Rs.
10. A revised utility plan showing all utilities proposed internally and connecting to city service and addressing the issues/recommendations made in Exhibit "A" Findings of Fact above shall be submitted to and approved by the Public Works Department prior to any phase development (except C1) or land use application approval. Utilities shall be placed underground.
11. The applicant shall ensure 20' exists between the Phase B condominiums and the southern property line abutting the rear yards of the lots developed off of Siano Loop North.
12. The applicant shall include in the final plat a pedestrian/golf cart path connecting Phase B with Phase C.
13. The applicant shall submit engineering plans to Public Works Department and request a permanent pedestrian ingress/egress easement from the City of Florence for the pedestrian tunnel under 35th Street prior to development of the access.
14. The applicant shall include in the final plat the culverts/drainage pipes proposed in the Wisteria development as they terminate in the Sandpines final PUD Master Plan.

APPROVED BY THE FLORENCE PLANNING COMMISSION, this 13th day
of January, 2004.

_____ without modification

___XXX_ with the following modification(s):

see attached which was read into the record January 13, 2004

**Revised Exhibit "A"
Findings of Fact
January 13, 2004
Resolution 03-12-30-41**

Modifications in bold (except where used to delineate information through headings, subheadings or to separate categories of information within text or between paragraphs ie: "Utilities:" and "Stormwater Drainage")

**CITY OF FLORENCE
PLANNING COMMISSION**

RESOLUTION PUD 05 03

IN THE MATTER OF AN APPLICATION FOR A REQUEST FOR APPROVAL OF A 127 LOT PLANNED UNIT DEVELOPMENT AND SUBDIVISION CONTAINING SINGLE FAMILY HOMES , TO BE LOCATED AT MAP REFERENCE 18-12-15-33 TAX LOTS 100, 18-12-15-34 TAX LOTS 100 AND 200 AND 18-12-15-00 TAX LOTS 400, 1300, 1400, 1500; LOCATED WEST OF SANDPINES GOLF COURSE; NORTH OF ROYAL ST. GEORGE DRIVE; SOUTH OF 40 ACRES OF VACANT PUBLIC OWNED LAND; EAST OF RHODODENDRON DRIVE/MARINERS VILLAGE; AS APPLIED FOR BY MYHRE GROUP ARCHITECTS AS AGENT FOR PACIFIC LIFESTYLE HOMES.

WHEREAS, application was made by Myhre Group Architects as agent for Pacific Lifestyle Homes; and

WHEREAS, the Planning Commission/Design Review Board met in a public hearing on September 27, 2005 to consider the application, evidence in the record and testimony received, and

WHEREAS, the Planning Commission/Design Review Board determined, after review of the application, testimony and evidence in the record, that the application meets the applicable criteria, or can meet the criteria through compliance with certain Conditions of Approval; and

WHEREAS, the Planning Commission/Design Review Board of the City of Florence finds, based on the Findings of Fact, staff recommendation and evidence and testimony presented to them, that the following conditions are required for full compliance with applicable criteria:

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

1. **Approval** shall be shown on:

"A" Findings of Fact	"E" Typical Site Plan
"A-1" Supplemental Findings of Fact	"F" Land Use Narrative
"B" Map and Tax Lot Designation	"G" Agency Communication
"C" Site Layout/Master Plan	"H" Resolutions
"D" Utility Plans	"I" Written Communication

2. **Findings of Fact:** Findings of Fact attached as Exhibit “A and A-1” are incorporated by reference and adopted in support of this decision. Any modifications to the approved plans or changes of use, except those changes relating to the criteria regulated by the Uniform Building Code, will require approval by the Community Services Director (CSD) or the Planning Commission/Design Review Board.
3. **Approvals:** Unless appealed, the Planning Commission approval of the Tentative Subdivision Plat/Planned Unit Development shall become effective 30 days after the resolution is signed. The property owner shall submit to the Community Services Department a signed Agreement of Acceptance of all conditions of approval. The signed agreement must be received by the Community Services Department within 30-days of the date of the final City approval.
4. **Minimum Lot Dimensions:** All residential lots shall comply with the district regulations requiring a minimum width of sixty five feet and depth of eighty feet (65' x 80').
5. **Architectural Review Manual:** Prior to the issuance of any building permits, the applicant shall submit for review and approval a copy of the proposed architectural manual prepared by the architectural review board that shall be at least as restrictive as the City of Florence' Single Family Residential district regulations.
6. **Transportation Improvements:** Based on the applicant prepared traffic impact analysis, impacts related to the development were identified. Impacts that resulted in level of service to drop below standards or to create safety concerns shall be mitigated. The applicant shall:
 - A. Mitigate intersection deficiencies at 35th Street/Oak Street and 35th Street/Kingwood Drive by installation of 4-way stop controlled intersections. Rather than constructing such improvements now, the applicant shall, prior to final plat approval, contribute \$12,000 to the cost of installing 4-way stop control improvements.
 - B. Construct turn lanes at Rhododendron Drive and 35th Street as part of the public improvements for the subdivision. The conceptual design for such turn lanes is shown in Appendix I. Details regarding the exact alignment within the right-of-way shall be determined as part of the design phase and be approved by the Community Services Director prior to final plat approval.
 - C. Construct turn lanes at the West Entrance and Rhododendron as part of the public improvements for the subdivision. The conceptual design for such turn lanes is shown in Appendix I – Turn Lanes at West Entrance and Rhododendron. Details regarding the exact alignment within the right-of-way shall be determined as part of the design phase and be approved by the Community Services Director prior to final plat approval.
 - D. Construct sidewalks along both sides of 35th Street from Myeena Loop to Rhododendron Drive (the area impacted by the turn lane construction) as part of the public improvements.
7. **Rhododendron Drive Improvements:** The applicant shall improve Rhododendron Drive to full urban standards as identified in the City’s Transportation System Plan

(TSP) This includes 2 travel lanes, curb, gutter, sidewalks, and bike lanes from the north side of the proposed site access to the south side of 35th Street, including intersection improvements. Rhododendron Drive improvements shall be included within the public improvement plan and installed as part of the public improvements.

8. **Gate/entrance Plan:** A street improvement and gate/entrance plan shall be submitted showing the details of the Rhododendron Drive access. The gate shall include remote control operation for emergency vehicle access, adequate vehicle storage and accommodations for passenger vehicle turn-around movements outside of the gate.
9. **Required Street Width:** The east-west portion of the new private road shall be improved to 34' in width and the north and south arms be improved to 28 feet in width. All roads shall be improved to city standards, including sidewalks on both sides of the road.
10. **Residential Sprinkler Systems:** All dwelling units shall be constructed with residential sprinkler systems.
11. **Access Easement:** The access easement connecting Phase II to Phase III at the north end of the project shall include a 20 foot all weather surface (gravel, grass-crete, asphalt, or other approved materials) to ensure that emergency service vehicles can traverse the connection.
12. **Public Improvement Plan:** Prior to any site disturbance, the applicant shall submit for review and approval by the Community Services Department a detailed public improvement plan for all public improvements (e.g. sewer, water, roads, drainage, etc). All piping, fitting and design, configuration, materials and services will conform to the City of Florence's standards. The sewer collection system and water distribution system will be publicly owned and maintained
13. **Water Extension:** The applicant shall extend water lines through the development in such a manner that all water lines are looped thereby ensuring an adequate domestic supply and appropriate fire flow. New fire hydrants will need to be provided at approximate 300 foot intervals.
14. **Emergency Access Connection:** The applicant shall provide a pedestrian emergency access connection to Rhododendron Drive in the northwest section of Phase II.
15. **Stormwater Management** - Due to the sensitive groundwater conditions in the area, and the unimproved status of the downstream conveyance system, the applicant shall revise the stormwater plan to improve the downstream conveyance system extending from the site to the outfall at the Siuslaw River. This improvement can be designed to allow the development to increase the surface water runoff from the site.
16. **Easements:** A 15' wide utility maintenance easement shall be recorded adjacent to the proposed variable width public drainage easement (easement ranges from 20'-50' on the northerly site boundary and 15'-20' on the westerly site boundary.) Fencing and

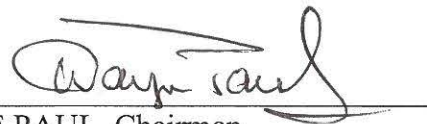
landscaping shall not be permitted within the access or public drainage easements. If a pipe is installed in lieu of an open channel, the easement area can be reduced.

17. **Calculated Flows:** The applicant's revised stormwater plan shall include calculated flow rates from the dewatering system, and a description of the significance of these flows to the downstream system.
18. **Maintenance Access Easements:** Maintenance access easements shall be provided to flow control structures and infiltration/detention basin outlets that are not located adjacent to roadways.
19. **Operation and Maintenance Plan:** Prior to recording the Final Plat, the applicant shall submit an operations and maintenance plan for the stormwater retention and detentions systems.
20. **Pre-design Investigation Report:** In conjunction with the revised stormwater plan, the applicant shall submit a comprehensive pre-design investigation report showing the stormwater relationship, if any, between the project site and all other Sandpines phases. In accordance with the Condition #4 of Planning Commission Resolution 03-12-30-41, this shall be submitted as required and augmented as identified in the below conditions of approval.
21. **Hold Harmless:** If a private drainage system is installed, the applicant shall take full responsibility for designing and constructing drainage improvements that effectively control all water drainage leaving their site. The applicant shall sign a hold harmless agreement relieving the city of any responsibility for this water or any resulting damages.
22. **Signage:** Prior to installation of any signage, a sign permit shall be acquired. All signage shall comply with Title 10, Chapter 26.
23. **Mailbox:** Before a mailbox location is chosen, the applicant shall coordinate location of mailboxes with the postmaster.
24. **Site Disturbance:** Prior to any site disturbance, the applicant shall submit to the Community Services Department for review and approval, a sand management plan for any area that is disturbed by construction activities. The sand management plan shall be consistent with FCC requirements. Additionally, since the total area of disturbance for the grading plan will disturb more than one acre, the applicant shall secure an NPDES 1200-C stormwater permit from the Oregon Department of Environmental Quality (DEQ). Erosion and sediment control Best Management Practices (BMP) will be included on the detailed civil engineering plans for site improvements.
25. **Street Lights:** Street lights shall be provided in accordance with City regulations on all streets within the city. It is the developer's responsibility to install needed streetlights. A street light plan shall be submitted as part of the utility plan and the developer responsible for installation and maintenance of required streetlights.

26. **Utilities:** The development shall be served with all other franchise utilities typical to an urban area (electric, telephone, cable, etc...). All utilities, to include but not limited to, electrical, telephone, cable television, fire alarm, street light and other wiring, conduits and similar utility facilities and accessories shall be within easements and installed underground.
27. **Landscape Plan:** A landscape plan of the open space areas shall be submitted for review and approval prior to the final plat. The landscape plan shall cover all areas in common ownership. Staff recommends a spray or drip irrigation system, 3" compost depth and 3" bark mulch depth in all planting areas. Street trees are required and shall be spaced 30' or less on center and all shrubs should meet the 5' spacing criteria. All landscaping and pervious surfaces shall be maintained in a healthy and weed free condition.
28. **Legal Entity:** Prior to the issuance of any certificate of occupancy, the applicant shall file for, and be approved for, a Planned Community consistent with ORS Chapter 94, and shall file for a subdivision of the subject property consistent with the creation of the proposed Planned Community .
29. **Parking:** Each unit shall unit will have at least a two car garage as well as the ability to park two cars on the driveway apron.
30. **Vision Clearance:** The applicant shall ensure the vision clearance requirements are met in which the vision clearance area shall be measured from 10' from each driveway intersection and contain "no planting, walls, structures or temporary or permanent obstruction from two and one-half (2 ½') above the street grade to a height of eight feet (8').
31. **Required Common Open Space:** The applicant shall ensure a minimum of 20% open space is provided through ether public easement area or common open space. A minimum of 8 benches shall be installed, 3 along each leg of the private road and one for each right-of-way island. These main common areas shall be cleared of nearby under-brush leaving the native trees, rhododendrons, and huckleberries. The sitting areas shall be provided using industry approved park furniture.
32. **Landscaping and Common Open Space:** Prior to any site work, the applicant shall be required to submit for Community Services Department approval a landscaping plan for all common open areas. Landscaping shall be installed per the approved landscaping plan prior to issuance of a certificate of occupancy. Landscaping and open space improvements may be phased based on a phasing plan approved by the Community Services Department. All landscaping shall be consistent with the clear vision requirements.
33. **Homeowners Association:** The applicant shall create an association of owners or tenants, created as a nonprofit corporation under the laws of the state, which shall adopt and impose articles of incorporation and bylaws and adopt and impose a declaration of covenants and restrictions (CC&R) for the protection and maintenance of property, buildings, structures, and the common open spaces that is acceptable to the Planning Commission as providing for the continuing care of the above.

34. **Grading Plan:** A street construction plan and a grading plan must be submitted to the Community Services Department and approved prior to any site work. The grading plan will show soil stabilization measures during construction as well as proposed grades and any filling. The grading plan shall be coordinated with both the Street Construction Plan and storm water drainage layout delineated on the Master Utility Plan required under. The grading plan shall delineate any proposed cut or fill areas on a topographic survey as necessary to construct a street with a 2% cross-slope. In areas of cut or fill, slope easements are necessary if the final grade extends on a lot and shall be annotated on the final subdivision plat. Finish grades for side slopes should not exceed 1:2 unless a retaining wall is used. If retaining walls are required, plans must be submitted for approval prior to any site disturbance in areas impacted by or for the retaining wall.
35. **Street Naming:** The applicant's street naming proposal shall conform to established street naming patterns. No duplication is allowed except with street extensions.
36. **Wetlands:** The applicant shall complete a wetland delineation study with a follow-up mitigation study if warranted. The applicant shall receive agency approval from DSL prior to impact to any wetland areas.
37. **Phasing Plan and Financial Assurances:** Prior to final plat approval, a phasing plan shall be submitted to the Community Services Department for review and approval identifying the timing of all proposed public improvements. For those improvements that are not installed at the time of final plat, the city may require that the development provide a bond or other adequate assurances that the buildings, structures, and/or improvements will be completed.
38. **Approvals:** All required improvements shall be approved by the Community Services Department prior to submission of the final plat and a performance agreement must be approved for installation of such improvements.
39. **Agreement of Acceptance:** The applicants will present to the Community Services Department a signed "Agreement of Acceptance" of all conditions prior to issuance of building permits.

**ADOPTED BY THE FLORENCE PLANNING COMMISSION/DESIGN
REVIEW BOARD** the 27th day of September, 2005.



WAYNE PAUL, Chairman
Florence Planning Commission

**CITY OF FLORENCE
PLANNING COMMISSION**

RESOLUTION PC 07 21 MOD 01

A REQUEST FOR A MODIFICATION TO CONDITIONS OF APPROVAL (#6 Transportation Improvements AND #7 Rhododendron Drive Improvements) OF RESOLUTION PUD 05 03 FOR RESIDENTIAL DEVELOPMENT AROUND SANDPINES GOLF COURSE. CHANGES TO THESE CONDITIONS OF APPROVAL WOULD ALLOW FOR IMPROVEMENTS TO RHODODENDRON DRIVE TO BE IN CONFORMANCE WITH THE DRAFT RHODODENDRON DRIVE INTEGRATED TRANSPORTATION PLAN.

WHEREAS, the Planning Commission/Design Review Board met in a duly advertised public hearing on July 24, 2007 to consider the application, evidence in the record and testimony received, and

WHEREAS, the Planning Commission/Design Review Board determined, after review of the application, testimony and evidence in the record, that the application meets the applicable criteria, or can meet the criteria through compliance with certain Conditions of Approval; and

WHEREAS, the Planning Commission/Design Review Board of the City of Florence finds, based on the Findings of Fact, staff recommendation and evidence and testimony presented to them, that the following conditions are required for full compliance with applicable criteria:

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

The project, as presented meets or can meet applicable city codes and requirements, provided that it is the intent of the city to adopt the Rhododendron Drive Integrated Transportation Plan to establish unique street standards applicable to Rhododendron Drive, with the following conditions:

1. **Approval** shall be shown on:


Findings of Fact
Preliminary Traffic Plans

2. **Findings of Fact:** Findings of Fact attached as Exhibit "A" are incorporated by reference and adopted in support of this decision. Any modifications to the approved plans or changes of use, except those changes relating to the criteria regulated by the Uniform Building Code, will require approval by the Community Services Director (CSD) or the Planning Commission/Design Review Board.
3. **Approvals:** Unless appealed, the Planning Commission approval of the Modifications to Conditions of Approval shall become effective immediately after the resolution is signed.
4. **Transportation Improvements:** Condition No. 7 is modified as follows:

Rhododendron Drive Improvements: The applicant shall improve Rhododendron Drive to urban standards as identified in the City's

Rhododendron Drive Integrated Transportation Plan - Final DRAFT prepared by Parametrix, June, 2007. *This includes 2 travel lanes, curb, gutter, and a multi-use path that is a minimum of 12 feet wide, from the north side of the proposed site access to the south side of 35th Street, including intersection improvements. Rhododendron Drive improvements shall be included within the public improvement plan and installed as part of the public improvements.*

ADOPTED BY THE FLORENCE PLANNING COMMISSION/DESIGN REVIEW BOARD the 24^h day of July 2007.



DONNA LEE, Chairperson
Florence Planning Commission



DATE

STAFF REPORT & FINDINGS
FLORENCE COMMUNITY SERVICES DEPARTMENT
Planning Commission
Exhibit A

Public Hearing Date: July 24, 2007
Date of Report: July 17, 2007
Application: Resolution PC 07 21 MOD 01

I. PROPOSAL DESCRIPTION

REQUEST FOR MODIFICATION TO CONDITION OF APPROVAL

1. Proposal: A REQUEST FOR A MODIFICATION TO CONDITIONS OF APPROVAL (Rhododendron Drive Improvements, Condition #7) OF RESOLUTION PUD 05 03 FOR RESIDENTIAL DEVELOPMENT AROUND SANDPINES GOLF COURSE. CHANGES TO THE CONDITION OF APPROVAL WOULD ALLOW FOR IMPROVEMENTS TO RHODODENDRON DRIVE TO BE IN CONFORMANCE WITH THE DRAFT RHODODENDRON DRIVE INTEGRATED TRANSPORTATION PLAN.

2. Discussion: The Sandpines Phase I and II, PUD 05 03 was approved with conditions, by the Florence Planning Commission, on September 27th, 2005. The approved subdivision will create 127 lots for single family residential units on 36.78 acres located on the west and south side of the Sandpines Golf Course.

The Rhododendron Drive Integrated Transportation Plan - Final DRAFT was completed by Parametrix for the city of Florence in June, 2007. The subdivision approval requires improvements to Rhododendron Drive to full urban standards including sidewalks and bikelanes. The proposed plan for Rhododendron Drive envisions a multi-use path in lieu of sidewalks and bikelanes along this section of Rhododendron Drive.

This application seeks to modify Condition No. 7, to allow the improvements to Rhododendron Drive to be constructed in accordance with the Rhododendron Drive Integrated Transportation Plan - Final DRAFT.

3. Applicant / Request for Modification:

City of Florence
Public Works Department
989 Spruce Street
Florence, OR 97439

4. Owner: RL Bocci Sandpines Resort LLC
205 SE Spokane St, Suite 350
Portland, OR 97202

5. Owners Representative:
Fred Wright, PE Consulting Engineers, Inc.
101 SW Western Boulevard
Corvallis, OR 97333

6. Location: Map 18-12-15-33, TL 100, Map 18-12-15-34, TL 100,
200, 1300, 1400 and 1500, East of Rhododendron
Drive and south and east of Mariners Village
Development.

7. Correspondence /Referrals:
Notice was mailed to property owners within 300 feet of the site and published in the Siuslaw News on July 11 and July 21, 2007. As of this writing, no written comments had been received.

II. NARRATIVE:

The Planning Commission approved, PUD 05 03, on September 27th, 2005, with the following condition required to improve Rhododendron Drive:

Condition #7, Rhododendron Drive Improvements: *The applicant shall improve Rhododendron Drive to full urban standards as identified in the City's Transportation System Plan (TSP). This includes 2 travel lanes, curb, gutter, sidewalks, and bike lanes from the north side of the proposed site access to the south side of 35th Street, including intersection improvements. Rhododendron Drive improvements shall be included within the public improvement plan and installed as part of the public improvements.*

Parametrix, of Portland, Oregon has completed the Rhododendron Drive Integrated Transportation Plan - Final DRAFT, a Transportation and Growth Management (TGM) Program funded effort sponsored by the city of Florence. A joint public hearing of the city council and planning commission was held on June 12, 2007, for the purpose of initiating an amendment to the city of Florence TSP to incorporate the Rhododendron Drive Integrated Transportation Plan.

The Sandpines owners have preliminary drawings prepared for the improvements to Rhododendron Drive consistent with the original condition of approval incorporating sidewalks and bike lanes into the street improvements. At city staff's request the owner's representatives have revised the preliminary drawings to reflect the Integrated Transportation Plan recommendation of a multi-

use path in lieu of sidewalks and bikelanes. The revised drawings are attached to the Staff Report as Exhibit B.

The owners wish to complete the public improvements at this time and are willing to improve Rhododendron Drive to either of the configurations:

Option 1) Construct road improvement consistent with the existing approval and TSP (per condition #7 on page 2, above); *or*

Option 2) Construct road improvements consistent with the Final Draft of the Rhododendron Drive Integrated Transportation Plan.

If constructed per the existing approval and standards, the road and pedestrian design would not be consistent with the proposed multi-use path in the Rhododendron Drive Integrated Transportation Plan. Further, the improvements would ultimately create discontinuities in the pedestrian and bicycle facilities along Rhododendron Drive.

III. REVIEW OF APPLICABLE CRITERIA:

CRITERIA APPLYING TO THIS MATTER:

FCC, TITLE 10, CHAPTER 23, SECTION 4 GENERAL CRITERIA

FCC 10-23: PLANNED UNIT DEVELOPMENT (PUD)

10-23-4: GENERAL CRITERIA: Applicant must demonstrate that the development conforms to all the following criteria:

10-23-4(C) The location, design, size and land uses are such that traffic generated by the development will be accommodated safely and without congestion on existing or planned arterial or collector streets and will, in the case of commercial or industrial developments, avoid traversing local streets:

The following review from the August 2005 staff report discusses the applicant's proposal followed by the original staff recommendations.

OFF-SITE IMPACTS: If this project is to be improved Rhododendron Drive needs to be improved to urban standards as identified the TSP this includes travel lanes, curb, gutter, sidewalks, and bike lanes from the north side of the proposed site access to the south side of 35th Street, including intersection improvements. Other improvements to Rhododendron Drive such as turn pockets, acceleration, deceleration lanes shall be provided based on additional study. If the study determines

they are needed then they shall be noted on the public improvement plan and installed as part of the public improvements. (Condition 7¹)

The Rhododendron Drive Integrated Transportation Plan was completed because the city recognized the unique character of Rhododendron Drive and wishes to preserve the scenic qualities along with meeting the transportation system needs along this critical corridor. It is expected that adoption of the Draft Plan will result in amendment to the TSP.

The proposed multi-use path of the Rhododendron Drive Integrated Transportation Plan is 12 feet wide and adjacent to the east curb line of Rhododendron Drive. The street width is proposed to be 28 feet between the curbs providing for two 12 foot wide travel lanes and a two foot gutter. The total improvement width of 40 feet is 8 feet narrower than improvement required under the original approval. The narrower width of the proposed modified street cross section will allow for greater preservation of the roadside vegetation. The preservation of the native vegetation along the Rhododendron Drive corridor has been established to be a critical element of preserving the scenic qualities of the roadway.

Staff finds the functional requirements of the street improvements to Rhododendron Drive that are required in the original approval and the TSP can be met with the alternative street cross section (Exhibit B) that replaces the sidewalks and bike lanes with a multi-use path adjacent to the easterly curb line of the street. Therefore, based upon the communities stated desire to preserve the scenic qualities of Rhododendron Drive to the greatest extent possible while providing a transportation facility adequate to fulfill the transportation needs in the corridor, it is recommended that Condition No. 7 be modified as follows:

Rhododendron Drive Improvements: *The applicant shall improve Rhododendron Drive to ~~full~~ urban standards as identified in the City's Transportation System Plan (TSP) Rhododendron Drive Integrated Transportation Plan - Final DRAFT prepared by Parametrix, June, 2007. This includes 2 travel lanes, curb, gutter, ~~sidewalks, and bike lanes~~ a multi-use path from the north side of the proposed site access to the south side of 35th Street, including intersection improvements. Rhododendron Drive improvements shall be included within the public improvement plan and installed as part of the public improvements.*

¹ **Condition #7, Rhododendron Drive Improvements:** *The applicant shall improve Rhododendron Drive to full urban standards as identified in the City's Transportation System Plan (TSP). This includes 2 travel lanes, curb, gutter, sidewalks, and bike lanes from the north side of the proposed site access to the south side of 35th Street, including intersection improvements. Rhododendron Drive improvements shall be included within the public improvement plan and installed as part of the public improvements.*

IV. CONCLUSIONS AND RECOMMENDATIONS:

Staff finds that the application, as presented meets or can meet applicable city codes and requirements, provided that it is the intent of the city to adopt the Rhododendron Drive Integrated Transportation Plan to establish unique street standards applicable to Rhododendron Drive. Staff recommends the Planning Commission approve the proposed amendment to Condition 7 of the original approval for Sandpines Phase I and II, PUD 05 03, with the following conditions:

1. **Approval** shall be shown on:

"A" Findings of Fact
"B" Preliminary Traffic Plans

2. **Findings of Fact:** Findings of Fact attached as Exhibit "A" are incorporated by reference and adopted in support of this decision. Any modifications to the approved plans or changes of use, except those changes relating to the criteria regulated by the Uniform Building Code, will require approval by the Community Services Director (CSD) or the Planning Commission/Design Review Board.
3. **Approvals:** Unless appealed, the Planning Commission approval of the Modifications to Conditions of Approval shall become effective immediately after the resolution is signed.
4. **Transportation Improvements:** Condition No. 7 is modified as follows:

Rhododendron Drive Improvements: *The applicant shall improve Rhododendron Drive to urban standards as identified in the City's Rhododendron Drive Integrated Transportation Plan - Final DRAFT prepared by Parametrix, June, 2007. This includes 2 travel lanes, curb, gutter, and a multi-use path that is a minimum of 12 feet wide, from the north side of the proposed site access to the south side of 35th Street, including intersection improvements. Rhododendron Drive improvements shall be included within the public improvement plan and installed as part of the public improvements.*

PASSED BY THE FLORENCE PLANNING COMMISSION, this 24th day of July 2007.

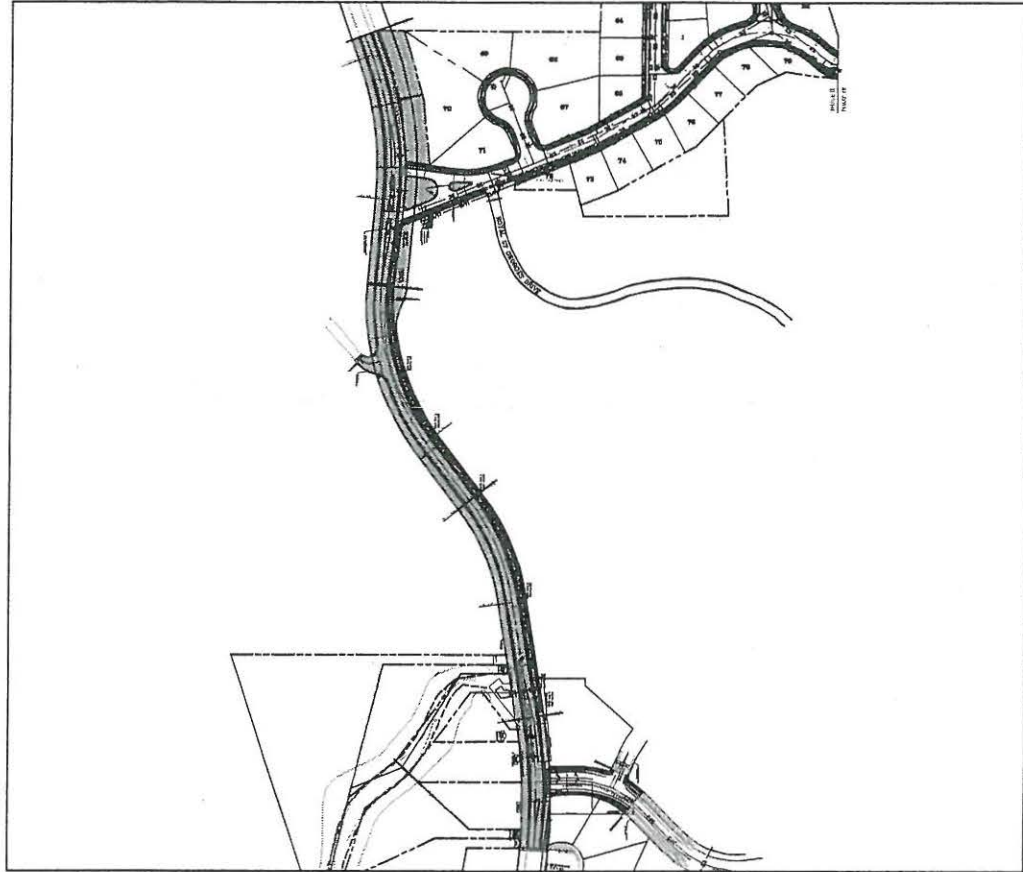
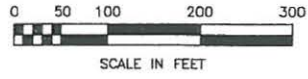
_____ without modification

~~_____ with the following modification(s).~~

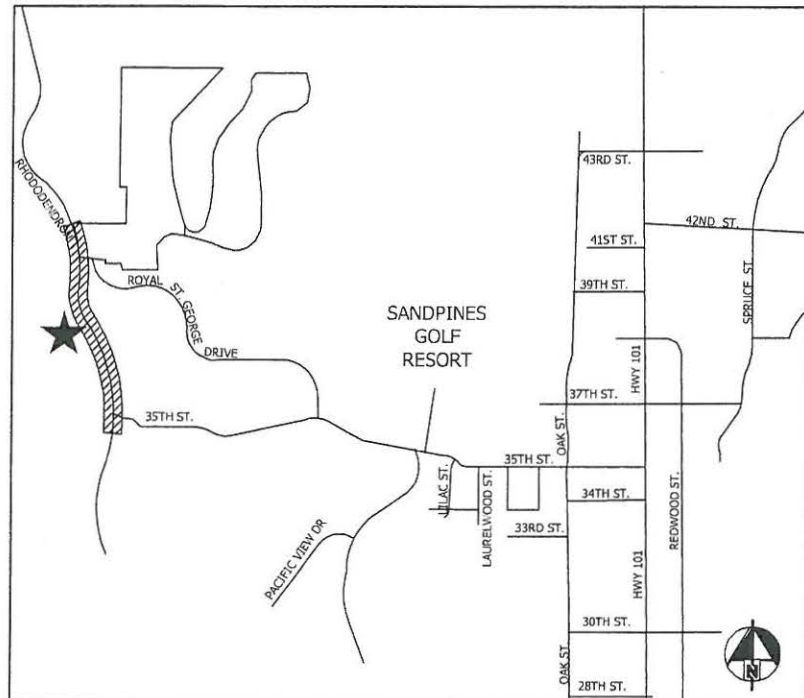
~~X~~ _____ with the modifications indicated above (deletions with strike-out and additions in bold)

Exhibit B
Modifications to Condition of Approval
Sandpines II and III
Preliminary Traffic Plans

SITE MAP



VICINITY MAP



FLORENCE, OREGON

SANDPINES RESORT RHODODENDRON DRIVE IMPROVEMENTS TRAFFIC CONTROL PLAN

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LAND USE APPROVALS

CITY OF FLORENCE RESOLUTION FUD 05 03, AUGUST 30, 2005

INFRASTRUCTURE

STREETS & SHARED-USE PATH: PUBLIC
 SANITARY SEWER: CITY MAIN, SERVICE TO ROW LINE
 WATER MAIN: CITY MAIN & SERVICE TO METERS
 STORM DRAIN: PUBLIC
 ELECTRIC, GAS & COMMUNICATIONS: FRANCHISE UTILITY SERVICES

PROJECT DESCRIPTION

PERMANENT TRAFFIC CONTROL

CONSTRUCTION NOTES

ALL CONSTRUCTION OF PUBLIC IMPROVEMENTS IS SUBJECT TO CITY OF FLORENCE STANDARDS

PORTIONS OF THE PUBLIC STREET IMPROVEMENTS REFERENCE OREGON DEPARTMENT OF TRANSPORTATION SPECIFICATIONS AND STANDARD DRAWINGS, COPIES OF THE OREGON STANDARD SPECIFICATIONS FOR CONSTRUCTION 2002 AND STANDARD CONSTRUCTION DRAWINGS ARE AVAILABLE FROM THE OREGON DEPARTMENT OF TRANSPORTATION, CONTRACTOR PLANS OFFICE, ROOM 2B, TRANSPORTATION BUILDING, SALEM, OREGON 97310 (TEL 503-986-3720). (WEBSITE www.odot.state.or.us/ContractorPlans)

GENERAL CONTRACTOR SHALL PREPARE AND MAINTAIN A DETAILED CONSTRUCTION TRAFFIC CONTROL PLAN FOR ALL WORK IN RHODODENDRON DRIVE RIGHT-OF-WAY.

CONSTRUCTION ACCESS TO AND FROM THE SITE IS LIMITED TO THE APPROVED CONSTRUCTION ENTRANCE SHOWN ON THE DRAWINGS AT THE WEST END OF THE SITE. RHODODENDRON DRIVE ABUTTING THE PROJECT SHALL BE FLUSHED AND SWEEPED CLEAN OF ALL CONSTRUCTION DEBRIS AND DIRT AT THE END OF EACH DAY'S CONSTRUCTION ACTIVITIES.

ALL UNDERGROUND UTILITY CROSSINGS REQUIRE A MINIMUM OF 12 INCHES OF VERTICAL SEPARATION.

ALL TESTING PROCEDURES AND RESULTS FOR PUBLIC IMPROVEMENTS CONSTRUCTION SHALL BE SUBMITTED TO THE ENGINEER-OF-RECORD FOR CERTIFICATION PRIOR TO ACCEPTANCE BY CITY OF FLORENCE.

ALL REQUIRED PUBLIC EASEMENTS AND RIGHTS-OF-WAY DEDICATIONS SHALL BE RECORDED AND COPIED TO CITY OF FLORENCE PRIOR TO CITY'S FINAL ACCEPTANCE OF PUBLIC IMPROVEMENTS.

CONTRACTOR SHALL MAINTAIN A SET OF AS-BUILT CONSTRUCTION DRAWINGS FOR PUBLIC IMPROVEMENTS. THE ENGINEER-OF-RECORD WILL ORDER A FIELD SURVEY AND PREPARE FORMAL AS-BUILT DRAWINGS FOR THE PUBLIC IMPROVEMENTS WITH APPROPRIATE SURVEY DOCUMENTATION FOR INCORPORATION INTO CITY OF FLORENCE MAPPING SYSTEM REPRODUCIBLE DIGITAL DATA WILL BE PROVIDED ON FIXED MEDIA PRIOR TO CITY'S FINAL ACCEPTANCE OF PUBLIC IMPROVEMENTS.

OWNER/ DEVELOPER

SANDPINES RESORT CORPORATION
 1201 35th Street
 Florence, OR 97439
 PH: (503) 653-3300
 FAX: (503) 653-8023
 EMAIL: rlbocci@sandpines.com
 CONTACT: BOB BOCCI

PACIFIC LIFESTYLE HOMES, INC.
 11815 NE 99th Street, Suite 1200
 Vancouver, WA 98682
 PH: (360) 573-8001 ext.306
 FAX: (360) 574-6401
 EMAIL: bobb@pacificlifestylehomes.com
 CONTACT: BOB BAILEY

ARCHITECT

MYHRE GROUP ARCHITECTS
 105 SE Taylor Street, Suite 301
 Portland, OR 97214
 PH: (503) 236-6000
 Fax: (503) 236-1500
 E-mail: dons@myhregroup.com
 CONTACT: DON SOWIEJA, Project Manager

CIVIL ENGINEER

FRED WRIGHT,
 P.E. CONSULTING ENGINEERS, INC.
 101 SW Western Blvd, Suite 105
 Corvallis, Oregon 97333
 PH: (541) 753-5644
 Fax: (541) 753-9640
 E-mail: fredwright@proaxis.com
 CONTACT: FRED WRIGHT, PE

SURVEYOR

WOBBE & ASSOCIATES
 P.O. Box 3093
 510 Kingwood Street
 Florence, OR 97439
 PH: (541) 991-8411
 EMAIL: wobbe4associates@ml.com
 CONTACT: EUGENE WOBBE, FS

LEGEND

- NEW UNDERGROUND UTILITY
- EXISTING UNDERGROUND UTILITY
- WATERLINE VALVE
- CURB INLET
- WATERLINE BLOWOFF ASSEMBLY
- WATER METER
- AIR RELEASE VALVE
- FIRE HYDRANT
- STREET LIGHT
- WATER LINE
- SS SANITARY SEWER LINE
- SD STORM DRAIN LINE
- P8 8" ADS PERFORATED
- S8 8" PVC SOLID WALL
- PVC STORM DRAIN PIPING
- EXISTING WATER LINE
- EXISTING SANITARY SEWER
- EXISTING STORM DRAIN
- RD ROOF DRAIN
- FD FOUNDATION DRAIN
- UL WATERLINE
- PVC POLYVINYL CHLORIDE PIPE
- DIP DUCTILE IRON PIPE
- SEDIMENT FENCE
- TOPOGRAPHIC LINE
- R350 REINFORCED CONCRETE CULVERT PIPE
- U/G UNDERGROUND
- TAG TONGUE AND GROOVE
- LF LINEAL FEET
- PUE PUBLIC UTILITY EASEMENT
- AC ASPHALTIC CONCRETE
- FCC PORTLAND CEMENT CONCRETE
- PVMT PAVEMENT
- CITY CITY OF FLORENCE, OREGON
- AD6 ADVANCED DRAINAGE SYSTEMS
- CBP CORRUGATED STEEL PIPE
- P86 PUBLIC SANITARY SEWER EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- FSDE PUBLIC STORM DRAIN EASEMENT
- FULE PUBLIC WATER LINE EASEMENT
- CI CAST IRON
- FL FLOW LINE INVERT
- INV INVERT
- EL ELEVATION
- IE INVERT ELEVATION
- STA STATION
- CO CLEANOUT
- MH MANHOLE
- CB CATCH BASIN
- CL CLASS
- S SLOPE
- R RADIUS
- WH WEEPHOLE
- CLFUD CENTERLINE
- CLFUD CENTRAL LINCOLN PUBLIC UTILITY DISTRICT

SAND MANAGEMENT

CONSTRUCTION ACCESS TO AND FROM THE SITE IS LIMITED TO THE APPROVED CONSTRUCTION ENTRANCE SHOWN ON THE DRAWINGS AT THE WEST ENTRY OF THE SITE. RHODODENDRON DRIVE ABUTTING THE PROJECT SHALL BE FLUSHED AND SWEEPED CLEAN OF ALL CONSTRUCTION DEBRIS AND SAND AT THE END OF EACH DAY'S CONSTRUCTION.

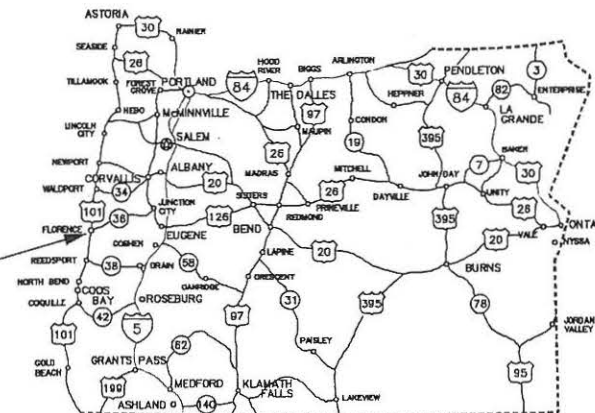
GRADING LIMITS ARE CONFINED TO STREET SECTIONS ONLY. PRESERVATION OF EXISTING VEGETATION IS REQUIRED FOR SAND MANAGEMENT, EXCEPT WHERE SHOWN, EXISTING VEGETATION SHALL REMAIN UNDISTURBED.

INDEX

- SHEET T1: TRAFFIC CONTROL INFORMATION
- SHEET T2: TRAFFIC CONTROL PLAN STA 0+00 TO STA 5+44
- SHEET T3: TRAFFIC CONTROL PLAN STA 5+44 TO STA 10+86
- SHEET T4: TRAFFIC CONTROL PLAN STA 10+86 TO STA 15+40
- SHEET T5: TRAFFIC CONTROL PLAN STA 15+40 TO STA 18+20
- SHEET T6: TRAFFIC ROADWAY SECTIONS

APPROVED
 Florence Planning Commission
 Design Review Board
 Exhibit **PC 07 21 Mod 01**
 Resolution Number

PROJECT



BY	DATE
Designed	JH
Drawn	JH
Checked	FU
Rev.	FU

REGISTERED PROFESSIONAL LAND SURVEYOR
 OREGON
 FRED W. WRIGHT
 No. 1253
 Renewal: 08-30-08

FRED WRIGHT, P.E.
 CONSULTING ENGINEERS, INC.
 101 SW WESTERN BOULEVARD, STE. 105
 CORVALLIS, OREGON 97333
 TEL: 541-753-5644 FAX: 541-753-9640
 E-MAIL: fredwright@proaxis.com

Sandpines Resort Rhododendron Drive Improvements Traffic Control Information

SHEET
T1
 Dwg. 1 OF 6

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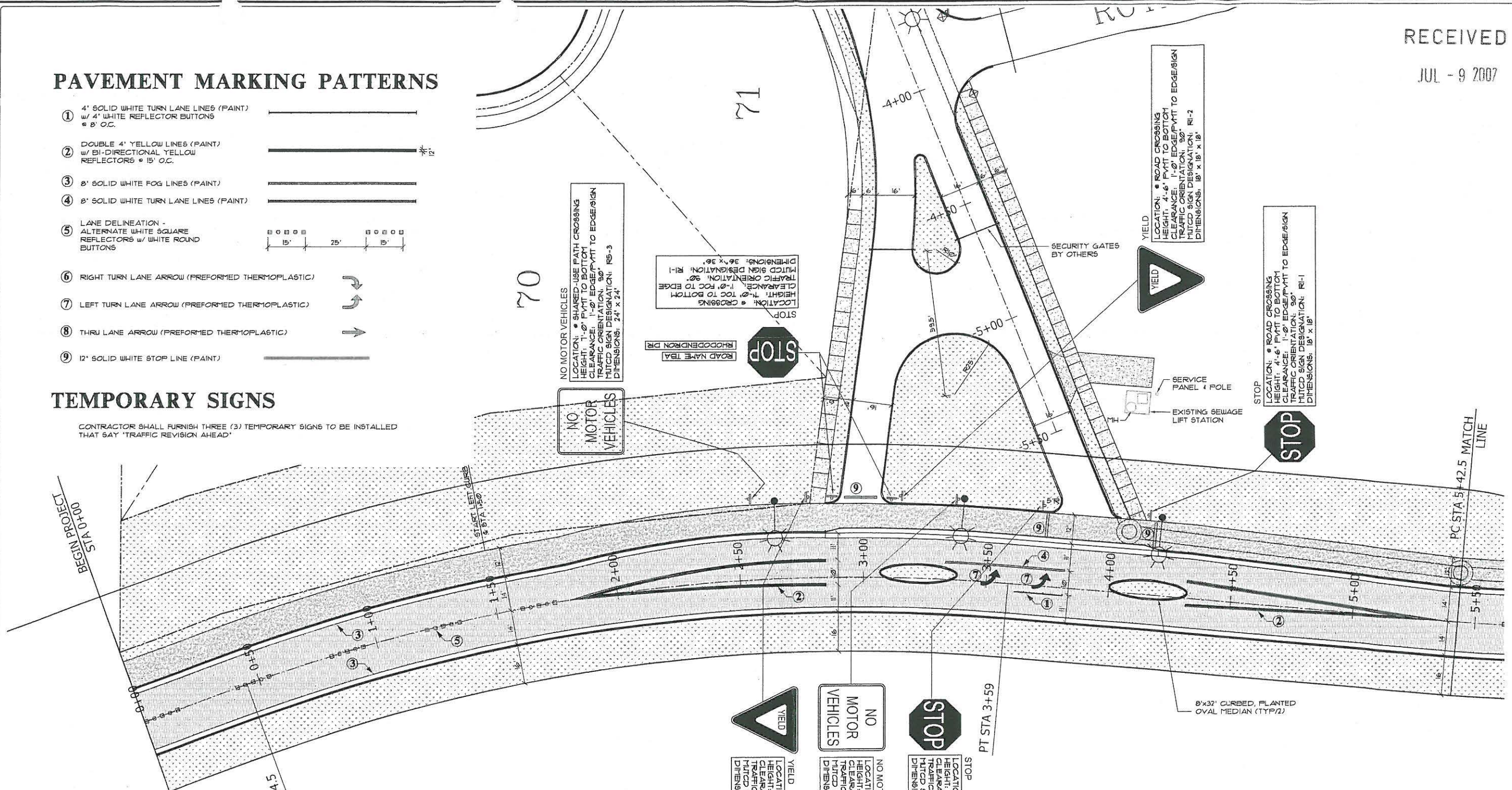
JUL - 9 2007

PAVEMENT MARKING PATTERNS

- ① 4' SOLID WHITE TURN LANE LINES (PAINT)
w/ 4' WHITE REFLECTOR BUTTONS @ 8' O.C.
- ② DOUBLE 4' YELLOW LINES (PAINT)
w/ BI-DIRECTIONAL YELLOW REFLECTORS @ 15' O.C.
- ③ 8' SOLID WHITE FOG LINES (PAINT)
- ④ 8' SOLID WHITE TURN LANE LINES (PAINT)
- ⑤ LANE DELINEATION - ALTERNATE WHITE SQUARE REFLECTORS w/ WHITE ROUND BUTTONS
- ⑥ RIGHT TURN LANE ARROW (PERFORMED THERMOPLASTIC)
- ⑦ LEFT TURN LANE ARROW (PERFORMED THERMOPLASTIC)
- ⑧ THRU LANE ARROW (PERFORMED THERMOPLASTIC)
- ⑨ 12" SOLID WHITE STOP LINE (PAINT)

TEMPORARY SIGNS

CONTRACTOR SHALL FURNISH THREE (3) TEMPORARY SIGNS TO BE INSTALLED THAT SAY 'TRAFFIC REVISION AHEAD.'



PAVEMENT MARKING NOTES

- 1. ALL PAVEMENT MARKINGS AND MARKING MATERIALS SHALL CONFORM TO CITY OF FLORENCE STANDARDS FOR SHAPE LOCATION AND DIMENSION. CONTACT FRANK DIETZ, CITY OF FLORENCE PUBLIC WORKS DEPARTMENT, TELEPHONE 541-937-4100.
- 2. ALL EXISTING PAVEMENT MARKINGS SHALL BE REMOVED BY SAND OR HYDRO-BLASTING. SAND AND DEBRIS SHALL BE COLLECTED, REMOVED AND DEPOSITED LEGALLY AT AN APPROVED DISPOSAL SITE. CONTRACTOR ASSUMES RESPONSIBILITY FOR OWNERSHIP AND DISPOSAL OF ALL DERIS. WARNING: PAINT DEBRIS MAY CONTAIN LEAD.

YIELD
LOCATION: • ROAD CROSSING
HEIGHT: 4'-6" P/MT TO BOTTOM
CLEARANCE: 1'-0" EDGE/P/MT TO EDGE/SIGN
TRAFFIC ORIENTATION: 90°
MUTCD SIGN DESIGNATION: R1-2
DIMENSIONS: 18" x 18" x 18"

NO MOTOR VEHICLES
LOCATION: • SHARED USE PATH CROSSING
HEIGHT: 1'-0" P/MT TO BOTTOM
CLEARANCE: 1'-0" EDGE/P/MT TO EDGE/SIGN
TRAFFIC ORIENTATION: 90°
MUTCD SIGN DESIGNATION: RS-3
DIMENSIONS: 24" x 24"

STOP
LOCATION: • ROAD CROSSING
HEIGHT: 4'-6" P/MT TO BOTTOM
CLEARANCE: 1'-0" EDGE/P/MT TO EDGE/SIGN
TRAFFIC ORIENTATION: 90°
MUTCD SIGN DESIGNATION: R1-1
DIMENSIONS: 18" x 18"

STOP SIGN WARRANTS

MUTCD 2B.05 A, INTERSECTION OF A LESS IMPORTANT ROAD WITH A MAIN ROAD WHERE APPLICATION OF THE NORMAL RIGHT OF WAY RULE WOULD NOT BE EXPECTED TO PROVIDE REASONABLY SAFE OPERATION.

MUTCD 2B.05 B, STREET ENTERING A THROUGH HIGHWAY OR STREET.

APPROVED
Florence Planning Commission
Design Review Board

B **PC 07 01 M001**
Exhibit Resolution Number

BY DATE
Designed RU
Drawn RU
Checked RU
Rev. RU

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON REG. NO. 1253
FRED WRIGHT, P.E.

REGISTERED PROFESSIONAL ENGINEER
OREGON REG. NO. 1253
FRED WRIGHT, P.E.

RENEWAL: 06-30-08

FRED WRIGHT, P.E.
CONSULTING ENGINEERS, INC.
101 S.W. WESTERN BOULEVARD, STE. 105
CORVALLIS, OREGON 97333
TEL: 541-393-5644 FAX: 541-393-9640
E-MAIL: fwright@proconline.com

Sandpines Resort
Rhododendron Drive Improvements
Traffic Control Plan Sta 0+00 to Sta 5+44

RECEIVED

JUL - 9 2007

PAVEMENT MARKING PATTERNS

- ① 4" SOLID WHITE TURN LANE LINES (PAINT) w/ 4" WHITE REFLECTOR BUTTONS @ 8' O.C.
- ② DOUBLE 4" YELLOW LINES (PAINT) w/ BI-DIRECTIONAL YELLOW REFLECTORS @ 15' O.C.
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- ⑦ LEFT TURN LANE ARROW (PREFORMED THERMOPLASTIC)
- ⑧ THRU LANE ARROW (PREFORMED THERMOPLASTIC)
- ⑨ 12" SOLID WHITE STOP LINE (PAINT)

STOP SIGN WARRANTS

MUTCD 2B.05 A, INTERSECTION OF A LESS IMPORTANT ROAD WITH A MAIN ROAD WHERE APPLICATION OF THE NORMAL RIGHT OF WAY RULE WOULD NOT BE EXPECTED TO PROVIDE REASONABLY SAFE OPERATION.

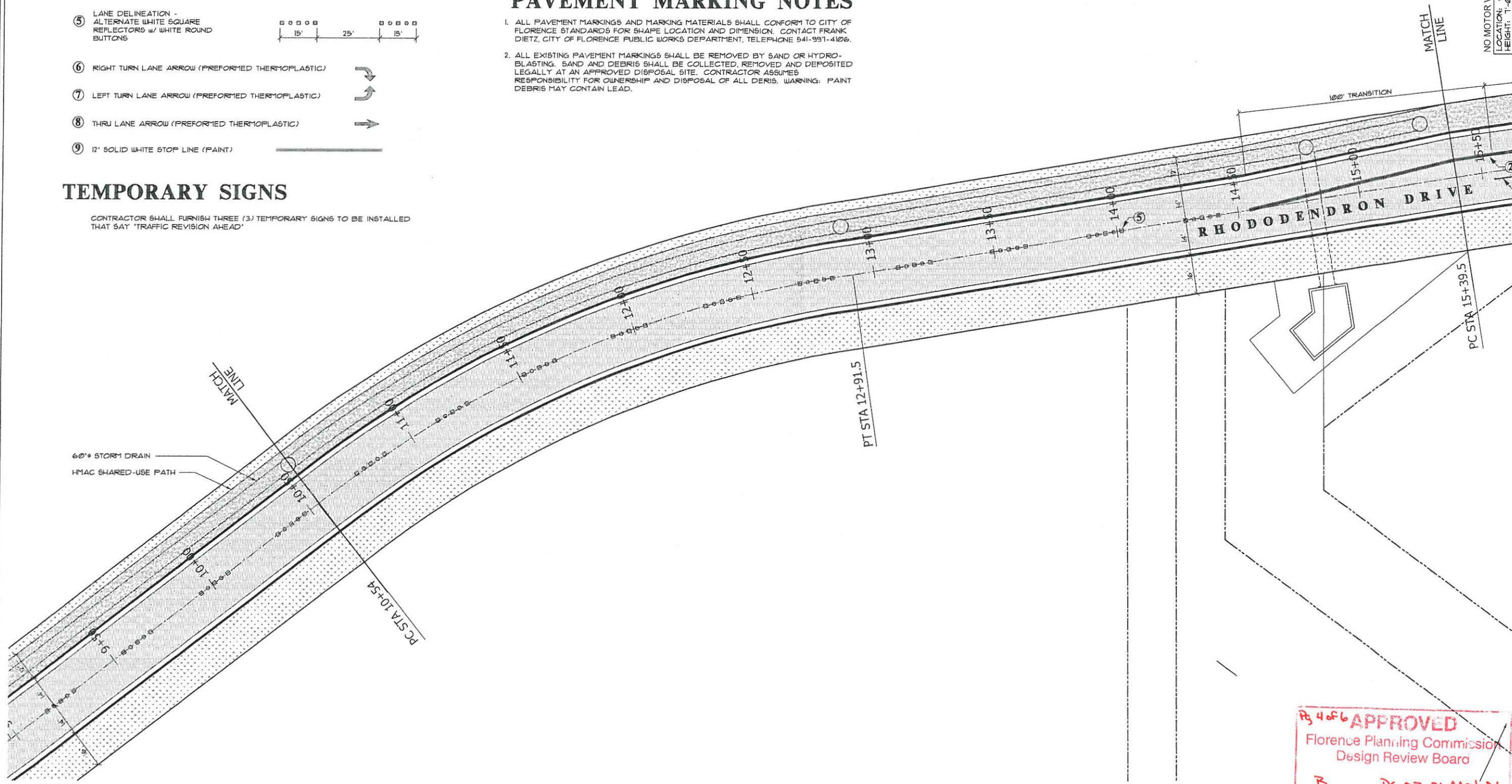
MUTCD 2B.05 B, STREET ENTERING A THROUGH HIGHWAY OR STREET.

PAVEMENT MARKING NOTES

1. ALL PAVEMENT MARKINGS AND MARKING MATERIALS SHALL CONFORM TO CITY OF FLORENCE STANDARDS FOR SHAPE, LOCATION, AND DIMENSION. CONTACT FRANK DIETZ, CITY OF FLORENCE PUBLIC WORKS DEPARTMENT, TELEPHONE 541-991-4100.
2. ALL EXISTING PAVEMENT MARKINGS SHALL BE REMOVED BY SAND OR HYDRO-BLASTING. SAND AND DEBRIS SHALL BE COLLECTED, REMOVED AND DEPOSITED LEGALLY AT AN APPROVED DISPOSAL SITE. CONTRACTOR ASSUMES RESPONSIBILITY FOR OWNERSHIP AND DISPOSAL OF ALL DEBRIS. WARNING: PAINT DEBRIS MAY CONTAIN LEAD.

TEMPORARY SIGNS

CONTRACTOR SHALL FURNISH THREE (3) TEMPORARY SIGNS TO BE INSTALLED THAT SAY "TRAFFIC REVISION AHEAD"



NO MOTOR VEHICLES
LOCATION: SHARED-USE PATH CROSSING
HEIGHT: 10' PAVT TO BOTTOM
REVISION: 11/11/06

BY	DATE
Designed	
Drawn	
Checked	
Rev.	

REGISTERED PROFESSIONAL ENGINEER
FRED WRIGHT, P.E.
CORVALLIS, OREGON 97333
TEL: 541-153-5644 FAX: 541-153-9640
E-MAIL: fredwright@proconet.com

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Sandpines Resort
Rhododendron Drive Improvements
Traffic Control Plan Sta 10+56 to Sta 15+40

APPROVED
Florence Planning Commission
Design Review Board
Exhibit **B** Resolution Number **PC 07 01 Mod 01**

1 RHODODENDRON DRIVE STA 10+56 TO STA 15+40
T4 SCALE: 1" = 20'

SHEET
T4
Dwg. 4 of 6

PAVEMENT MARKING PATTERNS

- ① 4' SOLID WHITE TURN LANE LINES (PAINT)
w/ 4' WHITE REFLECTOR BUTTONS @ 8' O.C.
- ② DOUBLE 4' YELLOW LINES (PAINT)
w/ BI-DIRECTIONAL YELLOW REFLECTORS @ 15' O.C.
- ③ 8' SOLID WHITE FOG LINES (PAINT)
- ④ 8' SOLID WHITE TURN LANE LINES (PAINT)
- ⑤ LANE DELINEATION - ALTERNATE WHITE SQUARE REFLECTORS w/ WHITE ROUND BUTTONS
- ⑥ RIGHT TURN LANE ARROW (PERFORMED THERMOPLASTIC)
- ⑦ LEFT TURN LANE ARROW (PERFORMED THERMOPLASTIC)
- ⑧ THRU LANE ARROW (PERFORMED THERMOPLASTIC)
- ⑨ 12' SOLID WHITE STOP LINE (PAINT)

TEMPORARY SIGNS

CONTRACTOR SHALL FURNISH THREE (3) TEMPORARY SIGNS TO BE INSTALLED THAT SAY 'TRAFFIC REVISION AHEAD'

STOP SIGN WARRANTS

MUTCD 2B.05 A, INTERSECTION OF A LESS IMPORTANT ROAD WITH A MAIN ROAD WHERE APPLICATION OF THE NORMAL RIGHT OF WAY RULE WOULD NOT BE EXPECTED TO PROVIDE REASONABLY SAFE OPERATION.

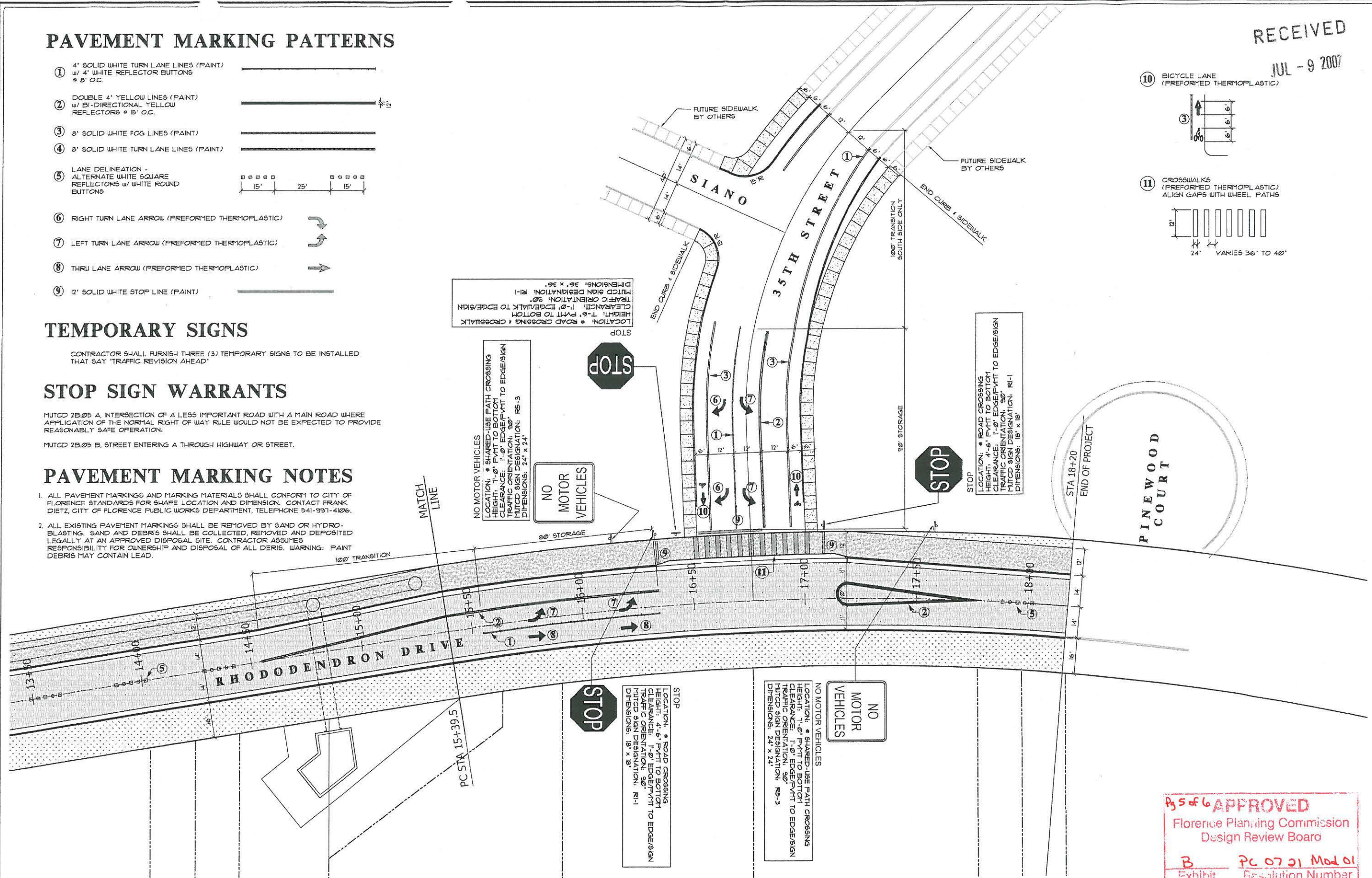
MUTCD 2B.05 B, STREET ENTERING A THROUGH HIGHWAY OR STREET.

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RECEIVED
JUL - 9 2007

- ⑩ BICYCLE LANE (PERFORMED THERMOPLASTIC)
- ⑪ CROSSWALKS (PERFORMED THERMOPLASTIC)
ALIGN GAPS WITH WHEEL PATHS



STOP
LOCATION: • ROAD CROSSING & CROSSWALK
HEIGHT: 1'-6" P/YMT TO BOTTOM
CLEARANCE: 1'-0" EDGE/P/YMT TO EDGE/SIGN
TRAFFIC ORIENTATION: 90°
MUTCD SIGN DESIGNATION: R1-1
DIMENSIONS: 36" x 36"

NO MOTOR VEHICLES
LOCATION: • SHARED-USE PATH CROSSING
HEIGHT: 1'-0" P/YMT TO BOTTOM
CLEARANCE: 1'-0" EDGE/P/YMT TO EDGE/SIGN
TRAFFIC ORIENTATION: 90°
MUTCD SIGN DESIGNATION: R8-3
DIMENSIONS: 24" x 24"

STOP
LOCATION: • ROAD CROSSING
HEIGHT: 4'-6" P/YMT TO BOTTOM
CLEARANCE: 1'-0" EDGE/P/YMT TO EDGE/SIGN
TRAFFIC ORIENTATION: 90°
MUTCD SIGN DESIGNATION: R1-1
DIMENSIONS: 18" x 18"

STOP
LOCATION: • ROAD CROSSING
HEIGHT: 4'-6" P/YMT TO BOTTOM
CLEARANCE: 1'-0" EDGE/P/YMT TO EDGE/SIGN
TRAFFIC ORIENTATION: 90°
MUTCD SIGN DESIGNATION: R1-1
DIMENSIONS: 18" x 18"

NO MOTOR VEHICLES
LOCATION: • SHARED-USE PATH CROSSING
HEIGHT: 1'-0" P/YMT TO BOTTOM
CLEARANCE: 1'-0" EDGE/P/YMT TO EDGE/SIGN
TRAFFIC ORIENTATION: 90°
MUTCD SIGN DESIGNATION: R8-3
DIMENSIONS: 24" x 24"

APPROVED
Florence Planning Commission
Design Review Board
B PC 07 01 Mod 01
Exhibit Resolution Number

DESIGNED	DATE
DRAWN	
CHECKED	
REVISED	

REGISTERED PROFESSIONAL LAND SURVEYOR
FRED WRIGHT, P.E.
CONSULTING ENGINEERS, INC.
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E-MAIL: fred@wright-engineers.com

Sandpines Resort
Rhododendron Drive Improvements
Traffic Control Plan Sta 15+40 to Sta 18+20

SHEET
T5
Dwg. 5 of 6

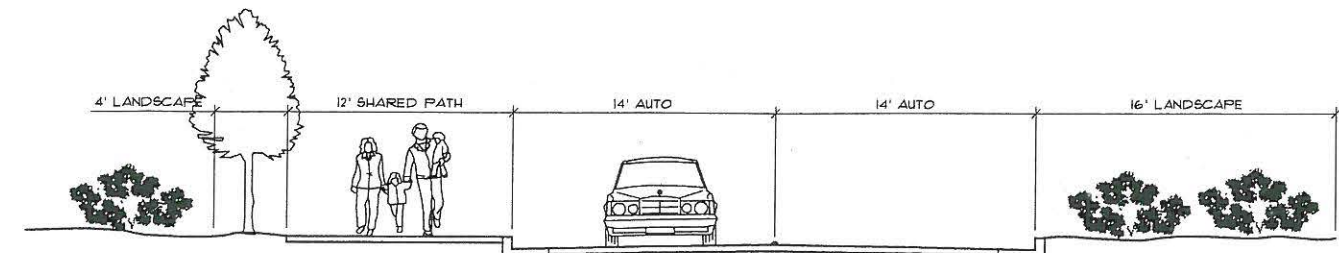
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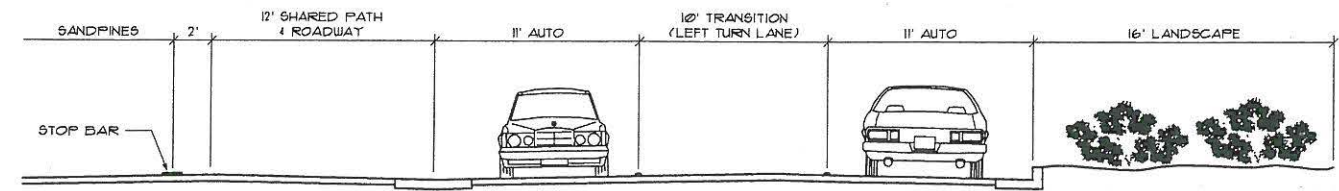
BY	DATE
Designed	RU
Drawn	JH
Checked	RU
Rev.	RU

REGISTERED PROFESSIONAL LAND SURVEYOR
 OREGON
 No. 1343
 Fred Wright, P.E.
 Renewal: 05-30-08

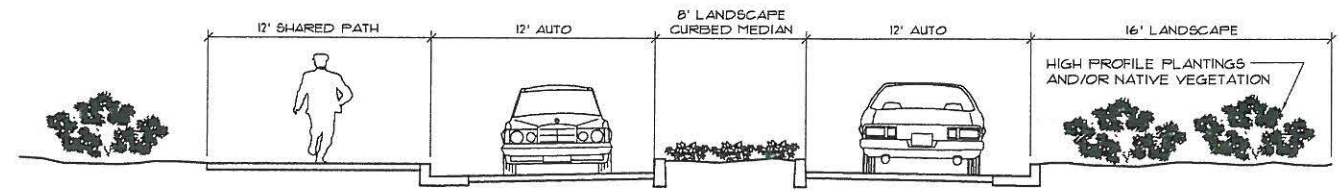
FRED WRIGHT, P.E.
 CONSULTING ENGINEERS, INC.
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 CORVALLIS, OREGON 97333
 TEL: 541-753-5644 FAX: 541-753-9640
 E-MAIL: fred@fredwright.com



STA 0+50
(STA 5+50 SIM)

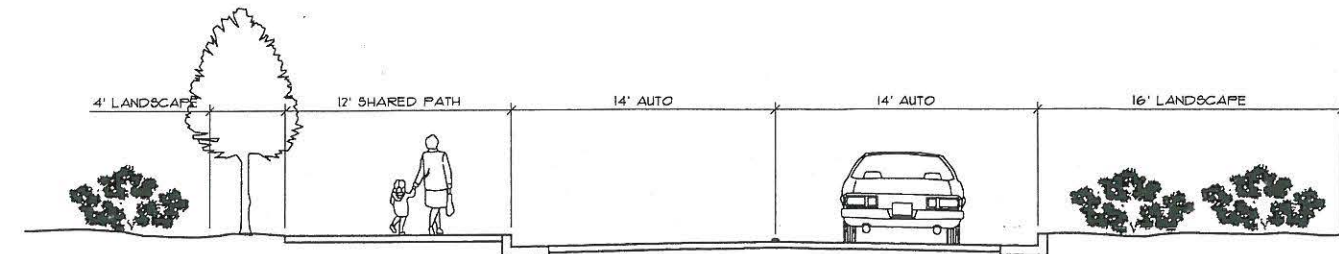


STA 2+85
(STA 3+85 SIM)

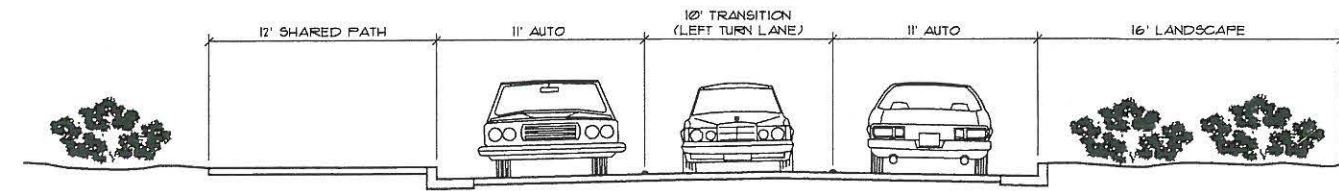


STA 3+25

1 ROADWAY TRAFFIC SECTIONS @ SANDPINES LOOKING SOUTH
T6 SCALE: 1" = 5'



STA 14+50



STA 16+00
(STA 17+20 SIM)

2 ROADWAY TRAFFIC SECTIONS @ 35th STREET LOOKING SOUTH
T6 SCALE: 1" = 5'

Pg 6 of 6 APPROVED
 Florence Planning Commission
 Design Review Board
B **PG 07 21 Mod 01**
 Exhibit Resolution Number

SHEET
T6
 Page 6 of 6

Sandpines Resort
Rhododendron Drive Improvements
Traffic Roadway Sections

**CITY OF FLORENCE
PLANNING COMMISSION**

RESOLUTION PC 08 19 MOD 06

A REQUEST FOR AMENDMENT OF THE APPROVED TENTATIVE SUBDIVISION OF SANDPINES PHASES 2 & 3, VIA THE ADDITIONAL PHASING OF PHASE 2, REVISION OF THE STORMWATER MANAGEMENT PLAN, AND INSURING ACCESS TO ALL INVOLVED TAXLOTS VIA THE FINAL PLAT, LOCATED AT MAP # 18-12-15-33 TL 4700, MAP # 18-12-15-34 TL 100, AND MAP # 18-12-15-00 TL 1300, 1400, AND 1500, AS APPLIED FOR BY CLAYSTONE LLC. THE REQUEST ALSO INCLUDES AN APPLICATION FOR MODIFICATION, PER FCC 11-7-1, OF FCC 11-3-6 REQUIREMENTS FOR THE EFFECTIVE DATE OF THE TENTATIVE PLAN TO ALLOW FOR PHASING OF CONSTRUCTION NECESSITATING LONGER TIMELINES.

WHEREAS, the Planning Commission approved Resolution PUD 05 03 Sandpines Phases II and III (referred to as West Shore PUD) on September 27, 2005 with the conditions of approval that read, "Condition 15: Stormwater Management - Due to the sensitive groundwater conditions in the area, and the unimproved status of the downstream conveyance system, the applicant shall revise the stormwater plan to improve the downstream conveyance system extending from the site and to the outfall at the Siuslaw River. This improvement can be designed to allow the development to increase the surface water runoff from the site" and "Condition 17: Calculated Flows - The applicant's revised stormwater plan shall include calculated flow rates from the dewatering system, and a description of the significance of these flows to the downstream system"; and

WHEREAS, the applicant has not been able to fully met the above conditions of approval because of environmental impacts that are not of their control; and

WHEREAS, the neighboring property owner, Mr. Hubele, found that there are two easements on the West Shore PUD property and presented that information to the Planning Commission in January 2008; and

WHEREAS, the Planning Commission agreed with Mr. Hubele not to look at final plat of the subdivision until the West Shore PUD applicants addressed the issue of the access the Hubele Property; and

WHEREAS, the Planning Commission met in a duly advertised public hearing on September 23, 2008 to consider the application, evidence in the record and testimony received as per FCC 10-1-1-5; and

WHEREAS, the Planning Commission determined per FCC Title 9, 10 and 11 and Realization 2020 Florence Comprehensive Plan and after review of the application, testimony and evidence in the record, that the application meets the criteria;

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

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

1. Approval for shall be shown on:

"A" Findings of Fact
"B" Stormwater Plan Map
"C" Application for Modification
"N" West Shore Preliminary Plan Phase I (enlargement of a section on Exhibit J)

Findings of Fact attached as Exhibit "A" are incorporated by reference and adopted in support of this decision. Any modifications to the approved plans or changes of use will require approval by the Community Development Director or Planning Commission.

2. Regardless of the content of material presented for this Planning Commission, including application text and exhibits, staff reports, testimony and/or discussions, the Applicant and Owners agree 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 property owners shall submit to the Community Development Department a signed "Agreement of Acceptance" of all conditions of approval within 30 days after signing the resolution.

3. Prior to each final plat application, all lots shall be at least 65 feet wide and 80 feet deep as required by FCC 10-11-4-A.

4. Prior to each final plat application, all lots within a curve section of street shall have 35 feet of street frontage as required in FCC 11-5-2-A-3.

5. Prior to each final plat application, the final plat shall add "PUD" to the title of the plat.

6. Prior to each final plat application, a warranty bond will be required to guarantee the construction of all public improvements. The applicant shall include the final costs of each public improvement with final plat application.

7. Prior to final plat application for West Shore PUD Phase I, the construction along Rhododendron Drive and all transportation improvements outlined in Resolution PUD 05 03 will need to be completed prior to application of final plat or the applicant shall provide financial guarantee for the improvements.

8. **Phasing:** The applicant shall submit complete final plat application for phase I within one year of the signing of this resolution (September 2009). The applicant shall submit construction drawings for phases II and III within 18 months of the signing of the plat for approval. The applicant shall submit a complete final plat application for phases II and III within three years of this resolution (September 2011). No additional extensions will be granted. Any additional modifications to the PUD 05 03 will also have to follow this timeline.

9. This resolution replaces conditions 15 and 17 of Resolution PUD 05 03. The Revised Stormwater Plan shall also show how the stormwater will be addressed in each phase.

10. The final plat application shall address the criteria outlined in Title 11, Chapter 4 and the conditions outlined in Resolution PUD 05 03, Resolution PC 07 21 MOD 01, and Resolution PC 08 19 MOD 06.

11. Access: The applicant and neighboring property may decide between the alley or tract option as located on Exhibit N, Tract D.

APPROVED BY THE FLORENCE PLANNING COMMISSION the 23rd day of September 2008.

	
DONNA LEE, Chairperson Florence Planning Commission	DATE

**EXHIBIT A: FINDINGS OF FACT
FLORENCE PLANNING COMMISSION**

Planning Commission Hearing Date: September 23, 2008
Application: PC 08 19 MOD 06
Planner: Michelle Pezley

I. PROPOSAL DESCRIPTION

Proposal: Three requests:

- A. Request to amend Condition 15 from PUD 05 03, to amend the stormwater system.
- B. Request the subdivision and PUD to developed in phases (modification under FCC 11-7)
- C. Request to amend the lot design to allow access to neighboring property.

Applicant: Bob Bailey of Claystone LLC

Property Owners: Claystone LLC, JTP Sandpines Resort LLC and R.L. Bocci Sandpines Resort LLC.

Location: West of Sandpines Golf Links, East of Mariner's Village, North of Royal St. George Drive.
Map No. 18-12-15-00, Tax Lots 1200, 1400, and 1500;
Map No. 18-12-15-33, Tax Lot 4700; and
Map No. 18-12-15-34, Tax Lot 100

Comprehensive Plan Map Designation: Medium Density Residential

Zone Map Classification: Single Family Residential

Surrounding Land Use/Zoning

Site: Vacant/ Single Family Residential
North: City and County property/ Open Space
South: Royal St. George Drive/ Mobile Home/ Manufactured Home
East: Sandpines Golf Links/ Single-Family Residential
West: Mariner's Village/ Single-Family Residential

Notice: Notice was mailed to property owners within 100 feet of the site on August 25 and published in the Siuslaw News on September 17 and 20, 2008. As of this writing, one written comment was received. Mr. Curt Hubele stated that he believes that the application is incomplete since the applicant has not submitted a finalized version of a revised tentative subdivision plat. He also goes

on to comment on the four options that the applicant has submitted to provide access to the Hubele property (See Exhibit L).

Staff encouraged the applicant to submit the design ideas that have been discussed with Mr. Hubele, which staff accepted as a complete application. For more on those options please see Section IV of this report.

Mr. Hubele also stated that the development does not follow City Codes in pertaining to his lot. Mr. Hubele is referring to access to his property. His property is not part of the tentative plat or application. The subdivision and PUD was reviewed by the Planning Commission in 2005 and it was found that the subdivision and PUD did meet City Codes with conditions of approval. The Hubele property is a non-conforming legal lot. If the Hubele property was part of the PUD plat, then the City staff would want to make sure the lot conformed to the City Codes.

II. NARRATIVE

In 2005, the Planning Commission approved the tentative plat (PUD 05 03) of Sandpines Phases II and III. In August 2007, the Planning Commission approved the modification to the street designs to be consistent with the Rhododendron Drive Integrated Transportation Plan. The Resolution was signed on August 7, 2007. The modification application was deemed complete on August 4, 2008 prior to the tentative plan approval which expired on August 7, 2008. The applicant also requested that Planning Commission extend the tentative plan approval for an addition six months if you decide to deny the application. (See Exhibit K)

Stormwater modification request: The tentative plan's conditions of approval required the applicants to make sure that the stormwater system was based on full conveyance of runoff to the river. Full conveyance is where all the rainwater in the PUD would not enter the soils but be quickly collected and piped to the Siuslaw River. The problem that the applicants face is once the water left the site, the stormwater would be piped to a ravine. With the other stormwater that is being piped to the ravine, the ravine is currently eroding threatening at least one residence. The ravine contains jurisdictional waters and wetland areas; therefore, stabilizing the ravine requires a Joint Permit Application with Army Corp of Engineers and Department of State Lands. From conversations with Army Corps of Engineers and experience with other permit applications City Staff and City consultants, Staff has conclusion that additional permits to allow for an increased stormwater discharge to the ravine are not likely to be issued. Storm water best management practices thought the country always include measures to prevent increased storm runoff rates. With the relisting of the Coho Salmon, an exception to this policy is highly unlikely to be granted. The need to rock the ravine to control erosion would require offsite mitigation for the wetlands impacts. Staff has encouraged the applicant to seek a modification of the condition of

approval which requires 100% conveyance (PUD 05 03 Condition 15, See Exhibit D).

Phases: The tentative design approval (PUD 05 03) was did not address phasing, although the name suggests otherwise. The applicant is requesting that the subdivision and PUD be divided into the three phases. The applicant was asked to not use the "Sandpines" name for the development; therefore, the applicant is also proposing the name to be West Shore.

Lot Design Amendment/ Neighboring Access: West Shore has two easements located on the property that provide access to Map # 18-12-00 Tax Lot 1200, referred to as Hubele property (see Exhibit H) In the application for PUD 05 03, the applicant provided a title report on the property, as required. The original title search did not find the access easements for the Hubele property. In December 2007, Mr. Hubele notified the City of Florence and the applicant of the easements to his property.

Mr. Hubele came before the Planning Commission on January 8, 2008 requesting the Planning Commission to direct staff to address Mr. Hubele's property's access before the tentative plan moved forward. Staff found that the applicant was aware of the access issue and was working on different design options for providing access to Hubele's property. Staff conducted a legal lot verification and found that the Hubele property is a non-conforming legal lot. The applicant has not come to complete agreement with Mr. Hubele, as shown in Exhibit I and Exhibit L. Although the agreement between Mr. Hubele and Claystone LLC is a civil matter, the application still has to follow city codes. Staff has encouraged Claystone LLC to submit each option, and staff would raise those options as an issue for the Planning Commission for discussion.

III. REFERRALS

Referrals were sent to the Florence Police Department, Central Lincoln PUD, Qwest, Charter Communications, Florence Public Works Department, Siuslaw Valley Fire and Rescue, Florence Code Enforcement, Lane County Health Department, Florence Postal Service, Branch Engineering, Department of Environment Quality, Department of State Lands, and Florence City Manager.

Scott Olson from Branch Engineering (City Contract Engineer) recommends approval of the modification to the tentative plan and Stormwater Plan (see Exhibit G)

IV. ACCESS OPTIONS:

As mentioned in the beginning of this report, the applicant and neighboring property owner have not come to an agreement for providing access to the Hubele property. There are three easements that are on Mr. Hubele's property

and within West Shore PUD. As shown in Exhibit H, Easement A overlap's lot 2 and lot 6 and part of lot 7. This easement may be moved by the property owner at any time. Easement B starts in Lot 7 and overlaps lots 6 and 5 unto Hubele property. Easement C is over the Hubele property. The easement gives the right for Clayton LLC to access Mr. Hubele's entire property, but it does not limit Mr. Hubele from building on the property.

In Exhibit I, the applicant has provided narrative of the four options that they have been discussing to with Mr. Hubele. Furthermore, Mr. Hubele has provided counter argument for each option and has provided his own solution to the access.

The Hubele property is a non-conforming legal lot. The Hubele property will not be re-platted as part of the West Shore development; therefore, the findings of fact will only pertain to the West Shore.

The Planning Commission will allow two options to deal with this access issue **(Condition 11)**.

Option 1: 30 foot wide tract of land to provide access to Mr. Hubele's property: The City agrees to the recording of a document denoting the front lot line to be the southern property line to make Mr. Hubele's property more buildable if Mr. Hubele gained ownership of Tract D as shown in Exhibit N. It provides a clear access to a street without encumbering other properties with easements. This 30 foot tract, while a separate lot would access only. It would not be a legal buildable lot.

Option 3: 30 foot alley: Alleys within the City are not maintained by the City but are maintained by the property owners that have access from them. Since the tentative plat was approved with private streets, the City will not maintain any of the streets or alleys within the PUD. Alley maintenance would need to be worked out between the developer and Mr. Hubele. The Planning Commission found that the alley option is acceptable as long as the Alley would stay at the location of Tract D as shown in Exhibit N.

IV. APPLICABLE REVIEW CRITERIA

Florence City Code (FCC):

FCC, Title 9, Chapter 5, Stormwater Management Requirements, Sections 3-1 and 3-2;

FCC, Title 10, Chapter 11, Single Family Residential District, Sections 1, 2, and 4;

FCC, Title 10, Chapter 23, Planned Unit Developments, Sections 1, 4, 10, 13, and 14;

FCC, Title 11, Chapter 1, Subdivision Administration, General Provisions, Section 2;
FCC, Title 11, Chapter 3, Major Partition, Tentative Plan Procedure, Sections 3, 4, 5, and 6;
FCC, Title 11, Chapter 5, Platting and Mapping Standards, Section 2;
FCC, Title 11, Chapter 6, Required Improvements, Section 7;
FCC, Title 11, Chapter 7, Modifications, Subdivision Regulations Sections 1, 2, and 3;

Realization 2020 Florence Comprehensive Plan

Chapter 11 Utilities and Facilities: Stormwater Management
Policies 1, 5, 6, and 7

V. FINDINGS

The criteria are listed in bold followed by the findings of fact.

FCC TITLE 9: CHAPTER 5: STORMWATER MANAGEMENT REQUIRMENTS

9-5-2-3: STORM WATER MANAGEMENT PLANS

- A. Storm Water Management Plans are required for larger development projects: major partitions, subdivisions, land disturbing activities affecting over one (1) acre, projects involving the construction or extension of the public storm water system, or where the project is deemed by the City to present a special risk to the public health, safety, and general welfare.**

The applicant provided a new stormwater plan for a subdivision which includes 127 lots on 36.78 acres.

- B. The plan shall include as a minimum the following:**
- 1. A vicinity map indicating a north arrow, scale, boundary lines of the site, and other information necessary to locate the project site.**
 - 2. The existing and proposed topography of the development site except for individual lot grading associated with the construction of each single family residence, unless the single family residence construction is a part of the overall development of the subdivision.**

3. **Physical improvements on the site, including existing and proposed development.**
4. **Location, dimensions, elevations, and characteristics of existing and proposed storm water drainage and management facilities.**
5. **All areas within the site that will be included in the land disturbing activities shall be identified and the total disturbed area calculated.**
6. **The total quantity of impervious surface added by the project.**
7. **The location and dimensions of stream and wetlands buffers and regulatory setbacks shall be shown.**
8. **A determination that no occupied first floor elevation of any structure is below the 100-year plus one foot flood elevation. The 100-year flood elevation to be used in this determination is as established by the Federal Emergency Management Agency (FEMA).**
9. **The required easements shall be shown for all public facilities along with all dedicated tracts of land for storm water management facilities.**
10. **A landscaping plan shall be provided in accordance with the current City of Florence Site Design Policies and Standards (Originally adopted 4-24-90 and amended 1992).**
11. **The Storm Water Management Plan shall include all engineering calculations needed to design the drainage system and associated structures including the pre-and post-development flow rates and velocities, peak rates of discharge at all existing and proposed points of discharge from the site, and the up gradient and down gradient analysis as required by Section 9-5-3-2-H Storage volumes and infiltration rates shall be shown for the applicable facilities.**
12. **Description or site conditions at the existing and proposed discharge points from the development site.**
13. **Construction and design details for all storm water drainage and management facilities.**
14. **A description and plan of erosion prevention and sediment control practices to be implemented during construction and prior to landscaping becoming established.**
15. **A schedule showing the construction timing of the major components of the storm water system.**
16. **The site Storm Water Management Plan or Drainage Plan shall contain certification by the persons responsible for the land disturbing activity that the**

proposed activities will be accomplished pursuant to the plan. The certification shall include an assurance that impacts to wetlands, streams, or their buffers will be mitigated in accordance with the requirements of all the applicable regulatory agencies.

- 17. An Operations and Maintenance Plan shall be submitted for all storm water quantity control and treatment facilities.**

According to Scott Olson's letter dated May 28, 2008, the applicant met criteria with a few areas that needed clarification (See Exhibit F). Those clarifications were provided at the time the applicant submitted the modification application.

- C. Storm Water Management Plans shall be prepared, certified, and stamped/sealed by a qualified registered Professional Engineer licensed by the State of Oregon. The engineer must follow the standards of practice for the engineering community and verify that the plans have been designed in accordance with this Code, along with all standards and criteria stated or referred to in this Code.**

The Storm Water Management Plan was prepared, certified and stamped by Fred Wright, a registered professional Engineer. In the Revised Stormwater Plan submitted by Fred Wright, he states that he believes that the plan meets the goals and requirements of the City of Florence.

9-5-3: STORM WATER DESIGN CRITERIA

9-5-3-1: GENERAL

- A. The criteria within this section shall be used in the design of public and private storm water drainage and management systems.**

9-5-3-2: STORM WATER QUANTITY

- A. A 25-year, return period storm shall be used for the design of all private and public storm water drainage systems.**
- B. Acceptable hydrologic methods include the Rational Method, Soil Conservation Service (SCS) unit hydrograph methods and the Santa Barbara Urban Hydrograph Method. Use of HEC-1, HECRAS, HSPF, HYDRA, SWMM and other hydro-logic/hydraulic models may be used if prior approval is provided by the City.**

The methods above are known for Best Management Practices. Appendix E of the City of Florence Storm Water Management Plan explains the models listed above.

- C. Structures for proposed pipe systems must be demonstrated to provide a minimum of 12-inches of freeboard between the hydraulic grade line and the top of the structure or finished grade above the pipe for the 25-year post-developed conditions. Surcharging of the piped system shall not be allowed if it will cause flooding in buildings including crawl spaces.**
- D. Open channel systems shall be designed with a minimum 6-inch freeboard for systems conveying up to 10 cubic feet per second and a minimum 12-inch freeboard for flows over 10 cubic feet per second. Under no conditions shall public or private buildings or structures be impacted by the design water elevation.**
- E. A secondary outlet or emergency spillway is required for all storm water storage facilities. The secondary outlet or emergency spillway shall be designed to safely pass without danger to the public, property, or the facility the 100-year, storm while assuming that the normal outlet structure is plugged.**
- F. Onsite storm water management facilities shall be required to prevent the post-development runoff rates from a project site from exceeding the pre-development runoff rates from the site, based on a 2 through 25-year storm. Exemptions to this requirement may be approved by the City Manager or his/her designee if it is determined that a more effective solution is available and that downstream capacity will accommodate the increase in flow.**
- G. Each new development project is responsible for mitigating its impacts on the storm water system. This mitigation requirement can be satisfied through the use of any of the following techniques, subject to the other limitations identified by this Code:
 - 1. Construction of onsite facilities to limit the flow rate of storm water runoff leaving the development site,**
 - 2. Enlargement or improvement of the down gradient conveyance system in accordance with the requirements of this Code and the City of Florence Storm Water Management Plan or as approved by the City.****
- H. The development of any land requiring a Storm Water Management Plan shall address onsite and off-site drainage**

concerns, both up gradient and down gradient (a minimum of 1/4-mile) of the project, including:

1. **Modifications to the existing onsite storm water drainage and management facilities and drainage patterns shall not restrict or redirect flows creating backwater or direct discharge onto off-site property to levels greater than the existing condition unless approved by the affected offsite property owners and the City. Proof of off-site property owners approval shall be provided by having the affected property owner(s) sign an easement identifying the location of the backwater storage or impoundment area. This area shall be clearly shown on the submitted Storm Water Management Plan site sheet(s). The easement shall be in a form approved by the City and recorded with the Lane County Deeds and Records Office.**
 2. **Storm water facilities shall be designed and constructed to accommodate all flows generated from the project property in accordance with the land use zoning as shown in the most recent approved City Code.**
 3. **Capacity of the downstream drainage system to determine if increases in peak flow rates resulting from the proposed development can be accommodated.**
- I. **The types of storm water management controls presented in the appendix of the City of Florence Storm Water Management Plan are available for owners and developers to use in satisfying the pre-developed and post-development runoff requirement. More than one of these types of controls may be needed to satisfy the runoff requirement. In areas where the runoff requirement in Section 9-5-3-2-F are exempt or partially exempt, the City may require improvements to the down gradient conveyance system.**

According to Scott Olson, PE from Branch Engineering, the applicant has met the above criteria (see Exhibit F). In his review of the Revised Stormwater Plan for the City of Florence and agreed with the plan and Mr. Wright that it does meet City Code for storm quantity. The change in stormwater design will require a new Stormwater permit from DEQ.

FCC TITLE 10: CHAPTER 11: SINGLE FAMILY RESIDENTIAL DISTRICT

10-11-1: PURPOSE: The Single-Family Residential District is intended to provide a quality environment for medium density, urban, single-family residential uses and other compatible land uses determined to be desirable and/or necessary.

10-11-2: PERMITTED BUILDINGS AND USES:

- A. Single-family dwellings.
- B. Planned Unit Developments (Chapter 22 of this Title).
- C. Home occupations.
- D. Gardens and greenhouses for the raising and harvesting of fruit and vegetables and flowers for noncommercial use.
- E. Accessory buildings and uses to the extent necessary and normal in a residential neighborhood. Accessory buildings are not permitted in the front yard.

The PUD is a permitted use within the zoning district which the development is part of.

10-11-4: LOT AND YARD PROVISIONS:

- A. **Minimum Lot Dimensions:** To be designated a building site; a lot must be at least fifty feet wide and at least eighty feet in depth (50' x 80'). For new subdivisions and newly platted lots, the minimum width shall be sixty-five feet (65').

Resolution PUD 05 03, Conditions of Approval #4 requires each lot to have at least 65 feet width and 80 feet depth. The applicant has not requested a modification to this requirement. As shown on the updated West Shore PUD preliminary plat, there are lots that have not met this requirement yet. **(Condition 3)**

- B. **Minimum Lot Area:** To be designated a building site, a lot must be comprised of at least six thousand (6,000) square feet. For new subdivisions and newly platted lots, the minimum square feet shall be six thousand five hundred (6500).

Each lot on the preliminary West Shore PUD plat meets this requirement.

- C. **Lot Coverage:** The maximum coverage by all enclosed buildings shall not exceed thirty five percent (35%) of the lot area. The maximum coverage by all structures, driveways,

parking spaces and surfaced areas shall not exceed sixty five percent (65%) of the lot area.

D. Yard Regulations: Unless a variance is granted in accordance with Chapter 5 of this Title, minimum setbacks and yard regulations shall be indicated below:

1. **Front Yards: No garage or parking structures shall be closer than twenty feet (20') from the front property line. All other buildings shall be set back at least twenty feet (20') in new subdivisions and twenty feet (20') in older, established neighborhoods.**
2. **Side Yards: A yard of not less than five feet (5') shall be maintained on each side of the lot. Corner side yards shall not be used for clotheslines, incinerators, permanent storage of trailers, boats and recreational vehicles or of any materials, nor shall said yard be used for the regular or constant parking of automobiles or other vehicles.**
3. **Rear Yards: Dwelling units shall be set back not less than ten feet (10') from the rear property line. Accessory buildings shall be set back not less than five feet (5') from the rear property line. All patio structures and swimming pools shall be a minimum of five feet (5') from any side or rear property line.**

The applicant did not request deviation from the setback criteria. The setbacks required above apply to all phases of this development.

TITLE 10, CHAPTER 23: PLANNED UNIT DEVELOPMENT (PUD)

10-23-1: PURPOSE: The Planned Unit Development authorization is intended to:

- A. **Encourage the coordinated development of unplatted land.**
- B. **Encourage innovative land utilization through a flexible application of zoning regulations.**
- C. **Preserve the natural amenities of land and water.**
- D. **Create opportunities for a wide variety of life styles.**
- E. **Provide for the efficient use of public utilities, services and facilities.**
- F. **Result in a comprehensive development equal to or better than that resulting from traditional lot-by-lot land use development, in which the design of the overall unit permits increased freedom in the placement and uses of buildings and the**

location of open spaces, circulation facilities, off-street parking areas and other facilities.

10-23-4: GENERAL CRITERIA: Applicant must demonstrate that the development conforms to all the following criteria:

- A. The proposed development shall be compatible with the general purpose and intent of the Comprehensive Plan.
- B. The location, design and size are such that the development can be well integrated with its surroundings or will adequately reduce the impact where there is a departure from the character of adjacent land uses.
- C. The location, design, size and land uses are such that traffic generated by the development will be accommodated safely and without congestion on existing or planned arterial or collector streets and will, in the case of commercial or industrial developments, avoid traversing local streets.
- D. The location, design, size and land uses are such that the residents or establishments to be accommodated will be adequately served by existing or planned utilities and services.
- E. The location, design, size and uses will result in an attractive, healthful, efficient and stable environment.

The requested for modification will not change the original findings of fact as outlined in Exhibit A of PUD 05 03 (See Exhibit E).

10-23-10: PRELIMINARY APPROVAL: The Planning Commission shall hold a public hearing, and any continuance thereof, to discuss the PUD proposal. The public hearing shall not be held until the complete information listed below has been available for review by the Planning Commission's staff for at least thirty (30) days. Preliminary Development Plan: A preliminary development plan shall be prepared and shall include the following information:

1. A map showing street systems, lot or partition lines and other divisions of land for management, use or allocation purposes.
2. Areas proposed to be conveyed, dedicated or reserved for public streets, parks, parkways, playgrounds, school sites, public buildings and similar public and semi-public uses.
3. A plot plan for each building site and common open space area, showing the approximate location of buildings, structures, and other improvements and indicating the open spaces around buildings and structures, excepting private single-family lots in a residential PUD.
4. Elevation and perspective drawings of proposed structures.
5. A development schedule indicating:

- a. The approximate date when construction of the project can be expected to begin.
 - b. The stages in which the project will be built and the approximate date when construction of each stage can be expected to begin.
 - c. The anticipated rate of development.
 - d. The approximate dates when each stage in the development will be completed.
 - e. The area, location and degree of development of common open space that will be provided at each stage
6. Agreements, provisions or covenants which govern the use, maintenance and continued protection of the planned unit development and any of its common open space areas.
7. The following plans and diagrams, insofar as the reviewing body finds that the planned unit development creates special problems of traffic, parking and landscaping.
- a. An off-street parking and loading plan.
 - b. A circulation diagram indicating proposed movement of vehicles, goods and pedestrians within the planned unit development and to and from thoroughfares. Any special engineering features and traffic regulation devices needed to facilitate or insure the safety of this circulation pattern shall be shown.
 - c. A landscaping and tree plan.

The above criteria were addressed in PUD 05 03 Exhibit A: Findings of Fact (see Exhibit E). The modification request only changed 10-23-10-5. The applicant requests three phases. The applicant anticipates applying for final plat within one year of the approval of modification for Phase I. Phases II and III will be constructed and request for final plat within three years. This request is contrary to 11-3-6, which requires final plat approval within one year for the entire subdivision (see Exhibit C).

Furthermore, at the time of final plat application, the applicant shall include "PUD" into the title of the plat (Condition 5).

After the public hearing, the Planning Commission shall determine whether the criteria and general intent of this section have been fulfilled. The Planning Commission may require such changes and impose such conditions as they determine to be prudent and desirable. The Planning Commission may, at its discretion, authorize submission of the final plan in stages, corresponding to the different

phases or elements of the development, after receiving evidence assuring completion of the entire project on schedule.

The applicant did not request Sandpines II and III to be completed in Phases; therefore, at the first Public Hearing for Sandpines Phases II and III the Planning Commission did not address the authorize the submission of the final plan in stages. At this time, the applicant is requesting the phases to be incorporated into the development. The final plat for phase one shall be applied for within one year. The Final plat for phases II and III shall be applied for within three years. No additional extensions will be granted. The public improvements for Rhododendron Drive and other transportation improvements shall be completed prior to final plat of Phase I. The sidewalks for phase one shall also be completed. **(Condition 7)**

10-23-13: GUARANTEE OF PERFORMANCE: For public improvements, the City may require that a cash deposit, surety bond or other similar guarantee be posted to insure the full and faithful performance by the parties involved, not to exceed a period of two years after required improvements are completed.

The City will require a Warranty Bond for all public improvements. The applicant shall submit the construction costs of all public improvements with each final plat application. A financial guarantee will also be required for all improvements (public or private) that have not been completed prior to final plat request **(Condition 6)**.

10-23-14: EXPIRATION OF APPROVAL FOR A PUD:

- A. If the PUD includes creation of a subdivision, and approval of the subdivision has expired or is rejected as provided in Chapter 11-4 of this Code, the PUD approval is revoked as of the expiration or rejection date for the proposed subdivision.**
- B. If substantial construction or development of the PUD has not occurred in accordance with the approved final development schedule, said approval shall lapse at 18 months from the date of approval and shall no longer be in effect. The Planning Commission may, upon showing of good cause by applicant, extend approval for a period not to exceed 18 months.**

Substantial construction has begun on for the first two phases. The applicant is ready to begin paving the streets for the two phases; however, the construction along Rhododendron Drive will need to be complete prior application of final plat or provide financial guarantee for the improvements **(Condition 7)**.

**TITLE 11, CHAPTER 3: MAJOR PARTITION, TENTATIVE PLAN
PROCEDURE**

11-3-3: REVIEW OF TENTATIVE MAJOR PARTITION OR SUBDIVISION:
Within five (5) working days after the major partition or subdivision tentative plan is duly submitted, the Planning Director shall distribute copies thereof to the City Manager, to each public utility, the County Health Department, and to each government subdivision that may be affected by the major partition or subdivision proposal for review, comments and recommendations. If no written response is received by the Planning Director within thirty (30) days, it shall be assumed that the agency(s) approves of the proposal as submitted unless an extension is requested. (Amd. Ord 30, Series 1990).

This criterion has been met. Staff sent referrals for the modification to the City Manager, Quest, Lincoln PUD, Charter Communications, and County Health Department on August 21, 2008.

11-3-4: APPROVAL OF TENTATIVE MAJOR PARTITION OR SUBDIVISION:
After giving notice as required by subparagraph 10-1-1-5-B-1 of this Code, the Planning Commission or its designee shall grant approval or deny the major partition tentative plan. The hearing decision and further consideration of a similar application shall be governed by paragraphs 10-1-1-5-D and E of this Code. If approval involves implications of new or modified standards or policy, the Planning Commission and not its designee shall render a decision. The Planning Commission may require its designee to submit any tentative approval to the Commission for review prior to notification of the applicant. In the event of a denial, the application shall be reviewed by the Planning Commission within forty five (45) days. Approval shall be granted, provided affirmative findings can be made that: (Amd. Ord 30, Series 1990).

- A.** The approval does not impede the future best use of the remainder of the property under the same ownership or adversely affect the safe and healthful development of such remainder or any adjoining land or access thereto.

The original title search for Sandpines Phases II and III did not find that the property has two access easements. The adjoining neighbor gave the City and the applicant notice that there were two easements on the property in December 2007. The applicant will move the easement to provide access to the Hubele property though the PUD and over Tract D or create Tract D as an alley (see Exhibit N). It is concluded that the

approval will not have an adverse affect on the adjoining land. The Planning Commission found that the Tract D was the most reasonable solution to the options for providing access for Hubele's property. **(Condition 11)**

- B. The tentative plan complies with the requirements of this Title, all applicable provisions of the Oregon Revised Statutes, the Florence Zoning Ordinance, the Florence Comprehensive Plan and Policies, as well as the intent and purpose of this Title.**

Please refer to the remaining sections.

11-3-5: ACKNOWLEDGING TENTATIVE PLAN DECISIONS: Notice of the Planning Commission's decision shall be given as provided in paragraph 10-1-1-5-F of this Code. Approval of a tentative plan for a major partition or subdivision shall be noted thereon by the chairman of the Planning Commission with the effective date of said approval. Unless appealed, a copy of the tentative plan as approved and so noted thereon shall be furnished the applicant following the effective date of approval. Where the Planning Commission has appointed a designee to take action on a major partition, the action may be evidenced by the signature of said designee. (Amd. Ord 30, Series 1990).

Staff will mail a notice of decision to the applicant and others who have provided testimony once the resolution is signed by the Planning Commission Chairperson.

11-3-6: TENTATIVE PLAN, EFFECTIVE DATE: Unless appealed, the Planning Commission decisions under this chapter shall become effective on the thirty first day after rendered. The applicant may then proceed with final surveying and preparation for final approval consideration of the major partition map or subdivision plat, as the case may be. Tentative plan approval shall be effective for one year within which time the application and major partition map or application and subdivision plat must be submitted as required by this Title. An applicant may apply to the Planning Commission for one (1) extension of six (6) months, due to extenuating circumstances which prevent application for final partition map or subdivision plan within the required one year period. Otherwise the entire procedure must be repeated for reconsideration in light of changed conditions that may exist. (Amd. Ord 30, Series 1990). (Amd. Ord. 12, Series 1999).

The approval for the subdivision is also tied with the approval of the PUD. The applicant requests Phase I final plat submittal within one year (9/09) and Phases II and III final plat submittal within three years (9/11).
(Condition 8)

TITLE 11, CHAPTER 5: PLATTING AND MAPPING STANDARDS

11-5-2: LOTS AND PARCELS:

A. Size and Frontage:

1. **General Requirements: Each lot shall have a minimum width and depth consistent with the lot width and depth standards for the appropriate zoning district.**

As listed in the criteria for the Single Family Residential District, the subdivision has not met the width and depth standards of the zoning district. The applicant has not requested deviation from this code requirement. The width and depth shall be met by final plat application. **(Condition 3)**

2. **Area: Minimum lot size shall be in conformance with the provisions of the Florence Zoning Ordinance. Where either a community water supply or sewer system are not presently provided, the lot area shall be sufficient to meet State and County health standards and the lot area shall be at least twice the number of square feet normally required in the zoning district where the lot is located. Where an oversize lot as described above is required due to lack of services, the Planning Commission may require the developer to submit a plan for later division of said lot(s) into standard six thousand five hundred (6,500) or nine thousand (9,000) square foot lots.**

Public water and sewer are available for the development. The lots do meet the Single Family Residential District's minimum lot size as addressed above.

3. **Frontage: Each lot shall have frontage of not less than fifty feet (50') upon a street, except that a lot on the outer radius of a curved street or facing the circular end of a cul-de-sac shall have frontage of not less than thirty five feet (35') upon a street, measured on the arc. Where either a public water supply or public sewers are not presently provided, the lot frontage shall be sufficient to insure an adequate sized lot to meet State and County requirements**

The buildable lots on the preliminary plat do meet the above criteria with the exception of a few lots along a curved street which will need to be adjusted to have 35 feet measured on the arc. **(Condition 4)**

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 recreation and park area which 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.**

The applicant has not provided recreation and park area developed as indicated above; therefore, is ineligible for a relaxation of lot size and frontage criteria. Resolution PUD 05 03 outlines the Planning Commission decision for the lot size and frontage criteria (See Exhibit D).

TITLE 11, CHAPTER 6: REQUIRED IMPROVEMENTS

11-6-7: PERFORMANCE AGREEMENT: If all improvements required by the Planning Commission and this Title are not completed according to specifications as required herein prior to the time the final or finished map or plat is duly submitted for consideration and approval, the Planning Commission may accept in lieu of said completion of improvements a performance agreement executed by the land divider and his surety company with the Common Council conditioned on faithful performance and completion of all such improvements within a period of time stated in such performance agreement and approved by the Planning Commission. (Ord. 626, 6-30-80)

As mentioned in the PUD criteria, the applicant shall provide construction costs for all public improvements and costs for incomplete public and

private improvements at the time which applicant submits the final plat application. **(Condition 6)**

TITLE 11, CHAPTER 7: MODIFICATIONS, SUBDIVISION REGULATIONS

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. (Amd. Ord 30, Series 1990).

The applicant submitted a modification to FCC 11-3-6 to allow phasing (See Exhibit C). The applicant requests a schedule as follows:

Final plat application Phase I	September 2009
Final plat application phase II	September 2011
Final plat application phase III	September 2011

- 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.

The applicant's application (see Exhibit C) demonstrates the unique situation that they are in and the applicant's reason for requesting the phasing. The request is not contrary to the purpose for Title (FCC 11-1-1), which is:

A. To provide rules, regulations and standards to govern the approval of subdivisions and partitions of land and to carry out the development pattern and plan of the City.

B. To promote the public health, safety and general welfare; lessen congestion in the streets; secure safety from fire, flood, pollution and other dangers; provide adequate light and air; prevent overcrowding of land and facilitate adequate provision for transportation, water supply, sewerage, drainage, education, recreation and other needs of the people of the City; to prescribe procedures to be followed in submitting plans and plats of subdivisions for approval.

- 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. Amended by Ord 30, Series 1990**

As stated in FCC 11-3-6, the tentative plan approval shall be effective for one year within which time the application and subdivision plat must be submitted as required by this title. The applicant's request is to add phasing which is outlined in **Condition 8**.

REALIZATION 2020 FLORENCE COMPREHENSIVE PLAN

Chapter 11: Utilities and Facilities: Stormwater Management

Policy 1: The City shall encourage on-site retention of stormwater. However, in instances where flows are in excess of that generated on-site, or where site conditions make this physically impracticable, a combination of piped systems and natural drainage systems may carry stormwater off-site to approved collection or dispersion facilities.

The original stormwater plan required all the stormwater to be carried off-site and to the Siuslaw River. The revised stormwater plan for West

Shore PUD is a retention system. The system is proposed to retain run-off from a 25 year storm event.

Policy 5: Stormwater drainage facilities, as approved by the City, may include culverts, drywells, catchment basins, pretreatment facilities, natural or surface channel systems or pipelines, or other facilities developed with accepted engineering practices and standards. Such facilities shall be a part of all subdivisions, planned unit developments, street construction or improvements, commercial and industrial development or other developments which may impact storm drainage patterns.

Sandpines II and III proposed pipelines, to collect and retain the stormwater from the buildings as it will be slowly released into the ground and each lot will have a natural bio swell also.

Policy 6: Stormwater shall be managed to protect water quality or streams, rivers, and other water bodies.

The revised stormwater plan will reduce the amount of sediment that will reach the Siuslaw River. Sediment is the largest pollutant for a stream or river. The proposed bio swells will provide water treatment for each property in the subdivision.

Policy 7: Stormwater management shall be consistent with the City's adopted Stormwater Management Plan.

The City of Florence Storm Water Management Plan encourages Best Management Practices for stormwater systems. Appendix E from City of Florence Storm Water Management Plan outlines the Best Management Practices.

Conclusion:

The proposed modification requests are consistent with the applicable criteria in Florence City Code Title 9, 10 and 11 with the Conditions of Approval set out in Resolution PC 08 19 MOD 06.

VI. EXHIBITS

- A. *Finding of Fact*
- B. Stormwater Plan Map
- C. Application for Modification
- D. Resolution PUD 05 03

- E. Resolution PUD 05 03 Exhibit A: Findings of Fact
- F. Letter from Scott Olson Dated May 28, 2008
- G. Email from Scott Olson dated September 2, 2008
- H. Easement Map
- I. Options for Neighbor's Access
- J. Preliminary Subdivision Plan for West Shore
- K. Extension letter request dated August 4, 2008 from Henry Gerhard
- L. Email and attachment dated August 20, 2008 from Curt Hubele
- M. Letter from Michael Robinson dated September 22, 2008
- N. West Shore Preliminary Plan Phase I (enlargement of a section on Exhibit J)





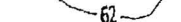
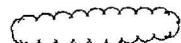
VII. ADDITIONAL RESOURCE:

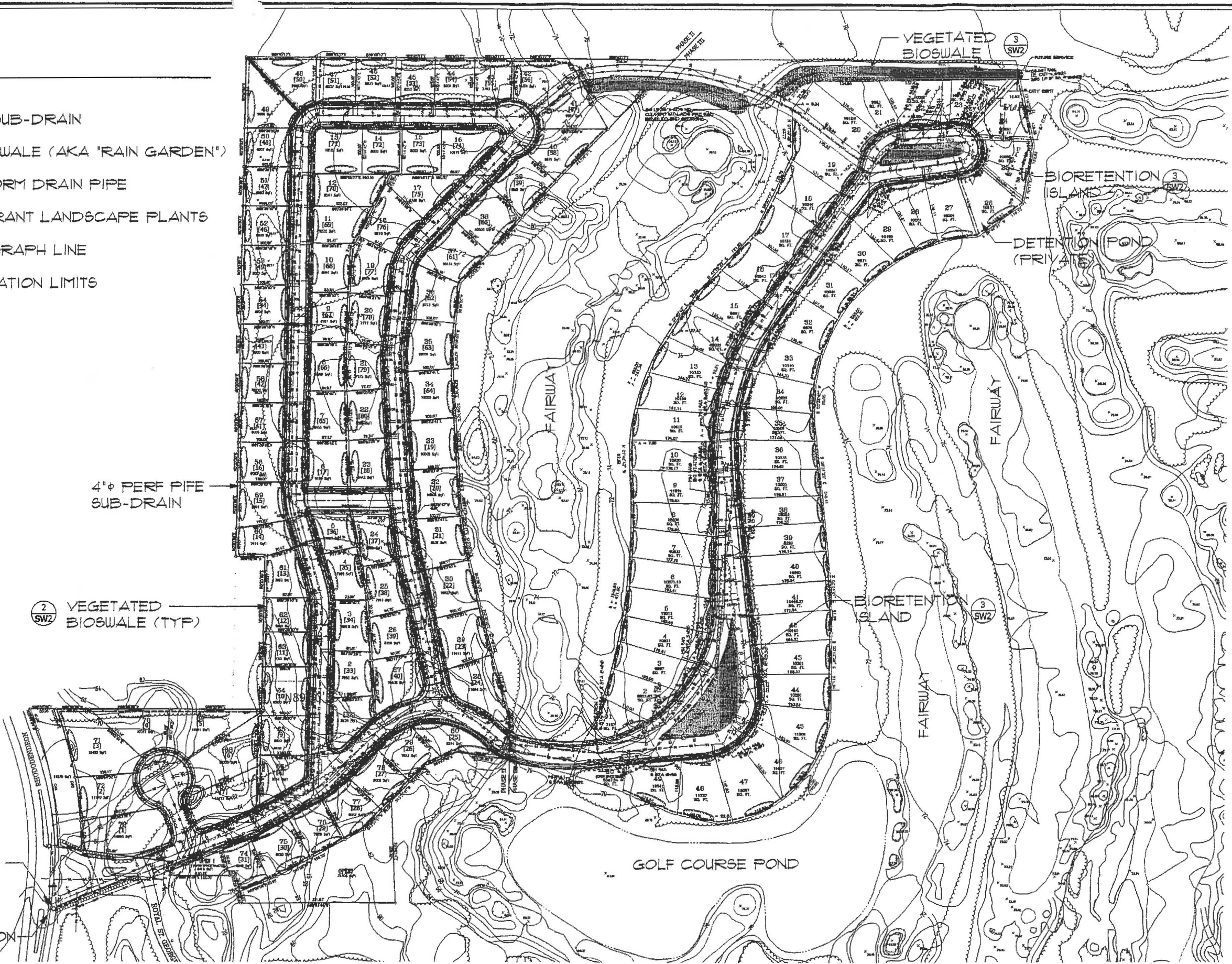
- 1. Appendix E from the City of Florence Storm Water Management Plan, 2000

VIII. REVIEW UPON REQUEST

- A. Complete Revised stormwater plan for Sandpines Phases II and III

LEGEND

-  4" φ PERF PIPE SUB-DRAIN
-  BIORETENTION SWALE (AKA 'RAIN GARDEN')
-  SOLID WALL STORM DRAIN PIPE
-  MOISTURE TOLERANT LANDSCAPE PLANTS
-  EXISTING TOPOGRAPHY LINE
-  EXISTING VEGETATION LIMITS



4" φ PERF PIPE SUB-DRAIN

2 SW2 VEGETATED BIOSWALE (TYP)

5 SW2 FLOW CONTROL MANHOLE

RHODODENDRON STORM DRAIN

1 SW1 STORMWATER MANAGEMENT PLAN
SCALE: 1" = 100'

DATE	BY
DESIGNED	DR
CHECKED	DR
APPROVED	DR

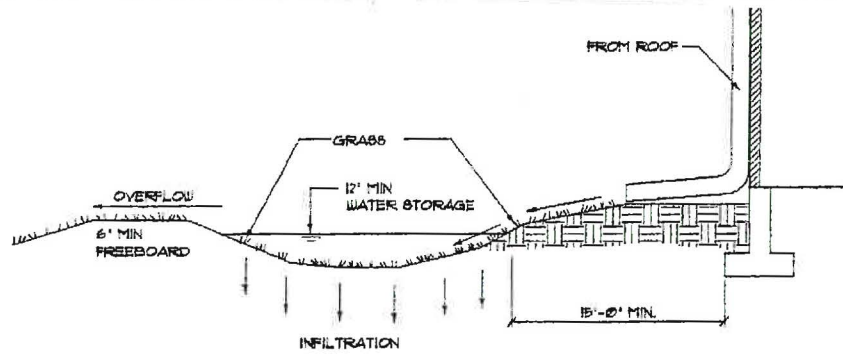
REGISTERED PROFESSIONAL ENGINEER
CORVALLIS, OREGON
FRED WRIGHT, P.E.
CONSULTING ENGINEERS, INC.
2535 NW KINGS BOULEVARD
CORVALLIS, OREGON 97330
TEL: 541-753-5644 fredwright@proavis.com

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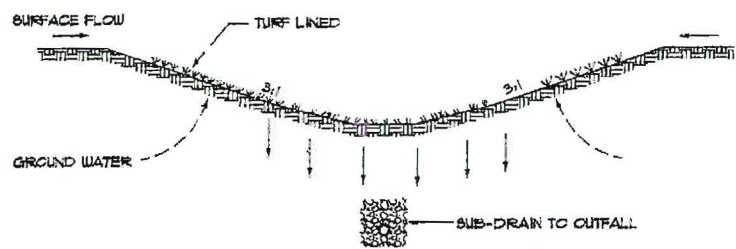
**Sandpines Residential Phases II & III
Revised Stormwater Management Plan**

SHEET
SW1
Dwg. 1 of 2

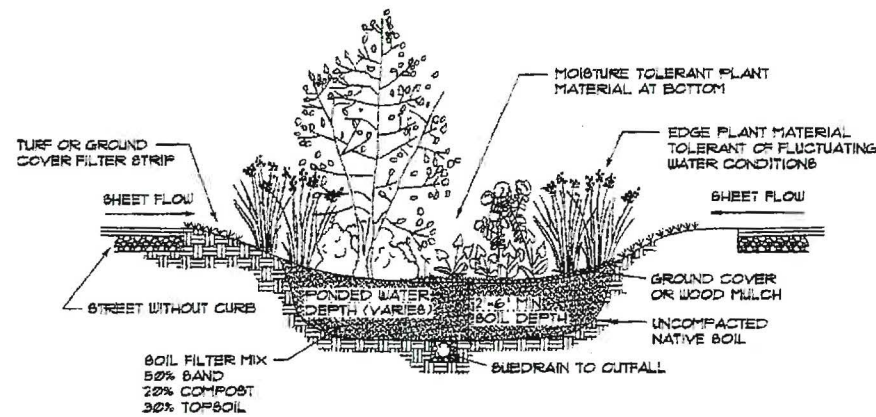
Exhibit B



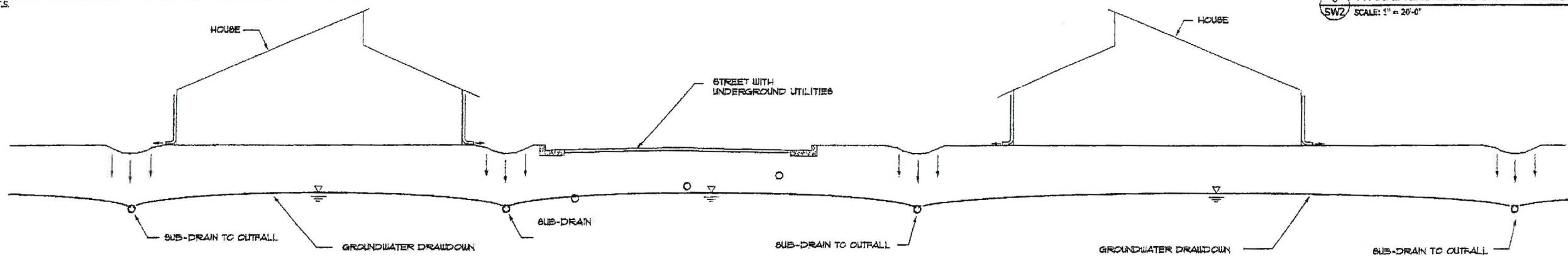
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SCALE: N.T.S.



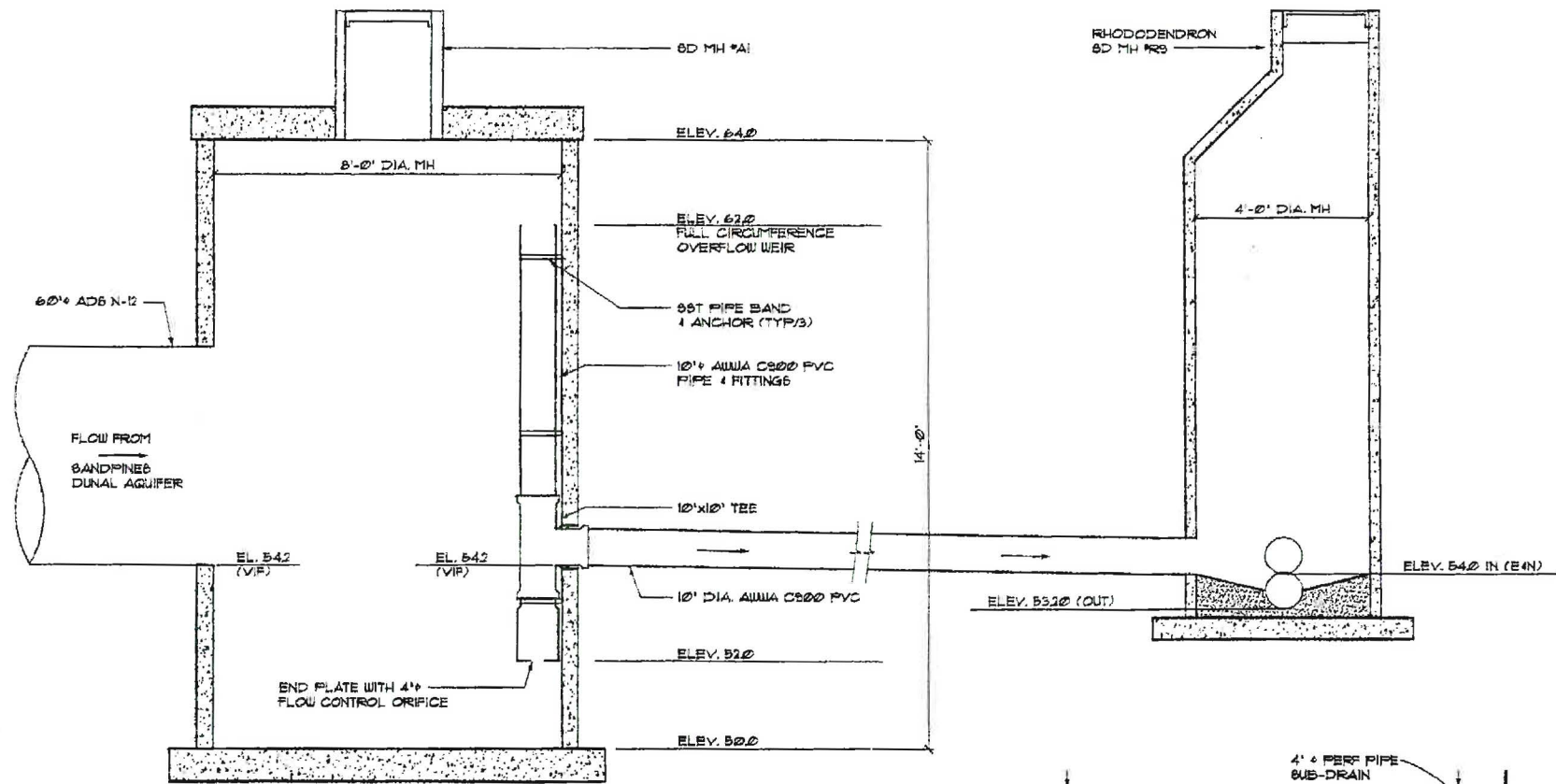
2 VEGETATED BIOSWALE (OPTIONAL PLANTING, DET. 3)
SCALE: N.T.S.



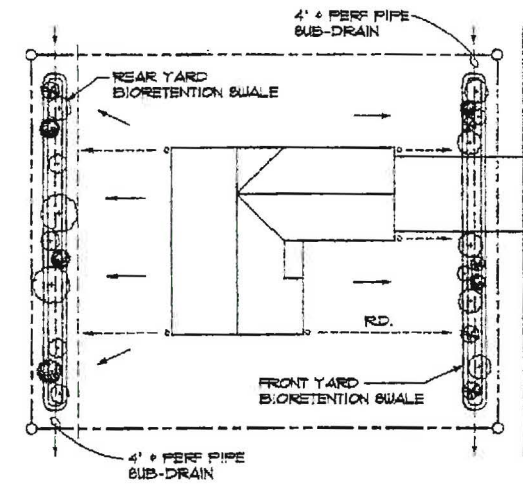
3 BIORETENTION ISLAND
SCALE: N.T.S.



4 GROUNDWATER DRAWDOWN SYSTEM
SCALE: N.T.S.

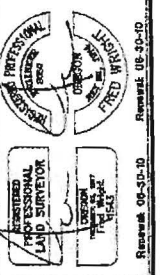


5 FLOW CONTROL STRUCTURE
SCALE: 1/2" = 1'-0"



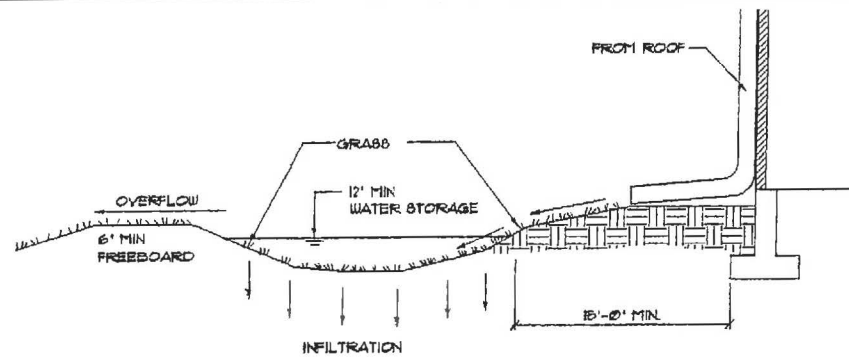
6 TYPICAL RESIDENTIAL SITE DRAINAGE PLAN
SCALE: 1" = 20'-0"

DATE	BY	CHK	APP
DESIGNED	DRN	CHKD	APP'D
DATE	BY	CHK	APP
DESIGNED	DRN	CHKD	APP'D

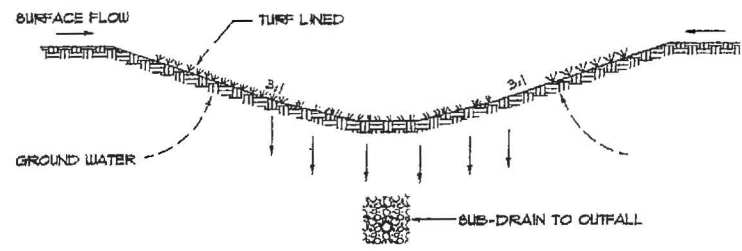


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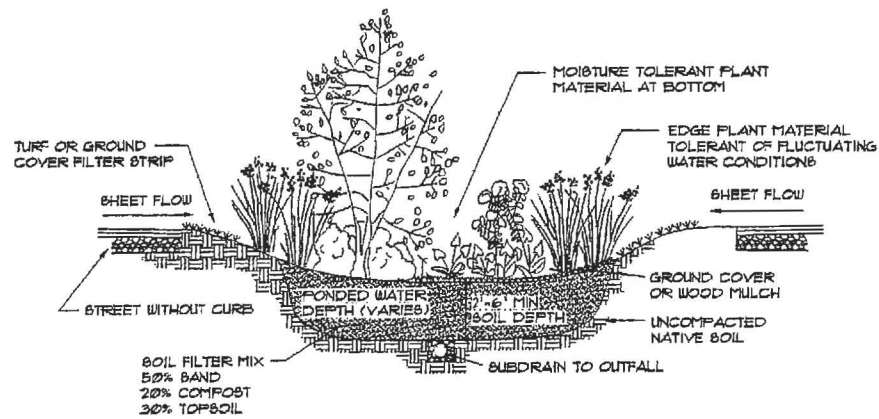
**Sandpines Residential Phases II & III
Stormwater Management Details**



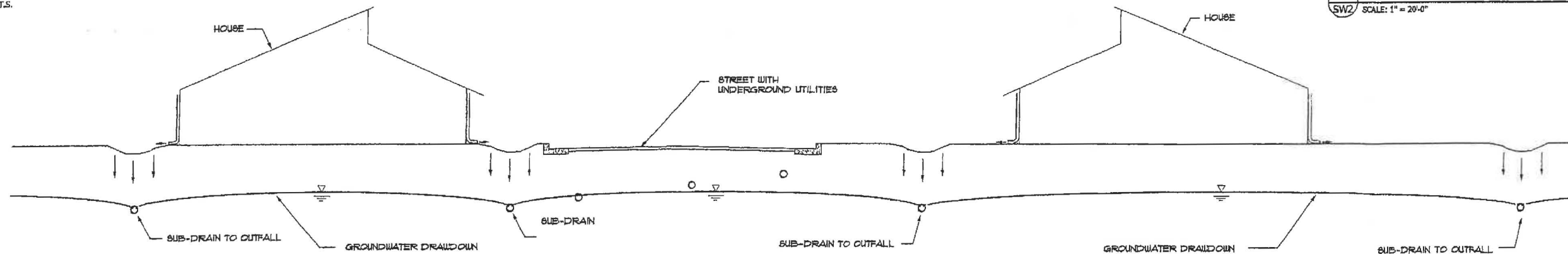
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SCALE: N.T.S.



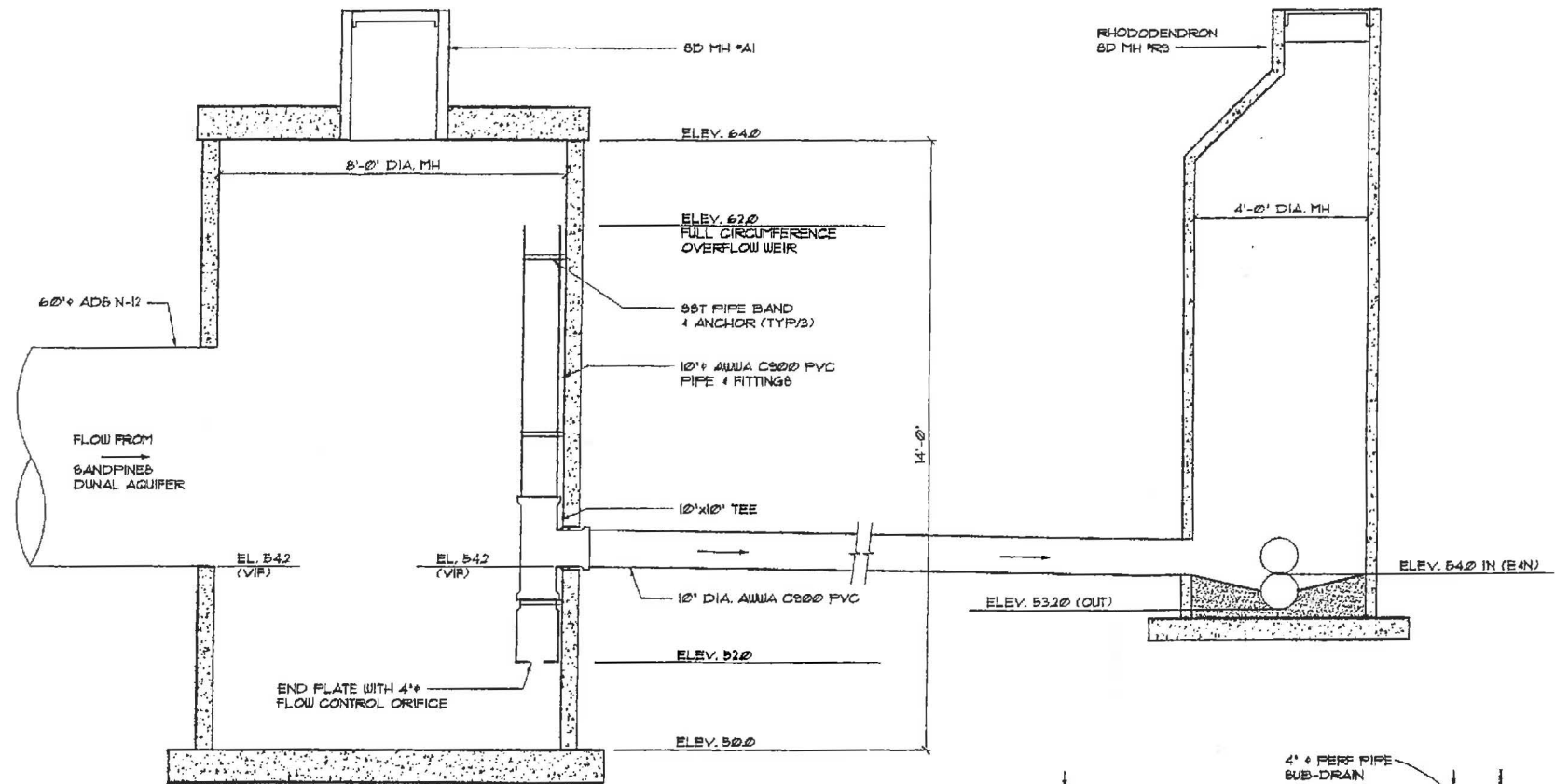
2 VEGETATED BIOSWALE (OPTIONAL PLANTING, DET. 3)
SCALE: N.T.S.



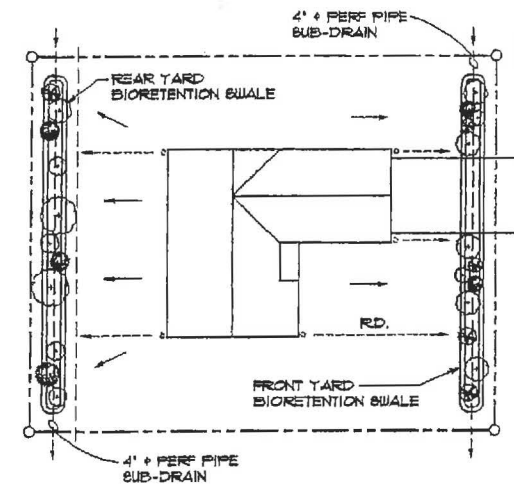
3 BIORETENTION ISLAND
SCALE: N.T.S.



4 GROUNDWATER DRAWDOWN SYSTEM
SCALE: N.T.S.



5 FLOW CONTROL STRUCTURE
SCALE: 1/2" = 1'-0"



6 TYPICAL RESIDENTIAL SITE DRAINAGE PLAN
SCALE: 1" = 20'-0"

BY	DATE
DESIGNED	JH
CHECKED	JH
DATE	11-24-05
BY	DATE
DESIGNED	JH
CHECKED	JH
DATE	11-24-05

FRED WRIGHT, P.E.
CONSULTING ENGINEERS, INC.
2535 N.W. KING'S BOULEVARD
CORYALLIS, OREGON 97330
TEL: 541-753-5644 fred@wrightprova.com

Sandpines Residential Phases II & III
Stormwater Management Details

**Application for Modification to
Allow Phasing and Extend the Effective Dates
of the Approved Tentative Plan
for
Sandpines Phases 2 and 3.**

Provide phasing in the approved Tentative Plat

Applicant requests that phases, as shown in Exhibit 2, be added to the current Tentative Plat so that Final Plats can be approved and recorded separately. The current phase 2 will be divided into two phases, 2a (the southern 36 lots) and 2b (the northern 44 lots) as shown in Exhibit 2 and Phase 3 will be its own separate phase.

Timeframe of the Sandpines Phase 2 and 3 Tentative Plat

Specific extensions being requested are as follows.

- a. Phase 2A is currently under construction awaiting only the approval and installation of the off-site improvements for completion. The final plat will be submitted within one (1) year from the approval of this modification.
- b. Phase 2B will be constructed as market conditions dictate. We are asking that the Tentative Plat be extended for not more than Three (3) years from the approval of this modification.
- c. Phase 3 will be constructed as market conditions dictate. It is anticipated that completing construction and submitting for Final Plat will also be within Three (3) years from the approval of this modification.

Claystone LLC (Applicant), an affiliate company of Pacific Lifestyle Homes, respectfully requests the Planning Commission of the City of Florence, Oregon to modify the effective dates of the approved Tentative Plan for Sandpines Phase 2 and 3.

1. The Tentative Plan was approved September 27, 2005 and extended due to modification for one year on September 8, 2007.
2. Applicant submitted engineering plans for Phase 2 in November 2005 and obtained approval from the City of Florence in February 2006 to begin on-site construction. On-site construction was begun in May of 2007 and halted in August 2007 prior to

completion as the curbing and paving could not be completed until the storm water had a place to go.

3. The engineering for the off-site construction has gone through a series of revisions. One was a redesign to address the city's plan for the pathway along Rhododendren Dr. The most recent change is to move from the city's previous storm water management plan calling for all water to be piped to the river to the new storm water management plan of on-site disposal of storm water. We now need Planning Commission approval of the Application for Plat Amendment in order to obtain approval of these plans.
4. As the home building market continued to deteriorate in the time since the Tentative Plan Approval the applicant made an economic decision to only improve the south portion of Sandpines Ph 2 (Phase 2a in the Plat Amendment) until a sufficient number of the completed lots were sold.
5. While Phases 2 and 3 of Sandpines were approved as a single entity with no formal phasing is recognized by the City. Phase 3 of Sandpines has been retained by Bob Bocci and John Pearson.

In light of the above history, we are requesting that Phase 2 be divided into Phase 2a and Phase 2b as shown on the attached Exhibit 2, and that Phase 3 as shown in Exhibit 3 be recognized as a wholly separate phase. Having these Phases recognized by the City allows the City to accept the improvements by phase and to record the plat of each phase in it's own time.

Impact of the Modification

The approval of this Modification will have no negative effect on the surrounding properties nor on the City of Florence itself. It will allow the owners of the properties to adjust their rate of investment to the market activity without losing the time and capital that has already been invested in obtaining the approvals.

WEST SHORE PHASE 1

SW 1/4, SEC. 15, T18S, R12W, W.M.
FLORENCE, LANE COUNTY, OREGON
APRIL 24, 2008

RECORDED

DATE: COUNTY CLERK

BY:

LANE COUNTY SURVEYORS OFFICE
C.S. FILE NO. _____
FILING DATE: _____

PRELIMINARY

CURVE DATA CHART

CURVE	BEARING	HORIZ DIST	ARC	DELTA	RADIUS
C1	S47°06'19"W	25.61	25.63	7°43'38"	193.00
C2	N87°47'50"W	35.37	45.20	136°17'20"	19.00
C13	S31°06'38"W	56.13	62.22	88°07'18"	40.00
C14	S65°43'44"W	78.84	79.21	22°53'06"	190.00
C16	S41°56'35"E	87.18	89.50	56°53'56"	80.00
C18	S37°29'17"E	84.66	85.39	25°44'49"	100.00
C17	S83°00'15"E	23.47	23.56	16°52'22"	80.00
C23	S30°43'28"W	14.16	14.85	60°45'17"	14.00
C24	S64°37'07"W	9.81	9.82	7°01'59"	60.00
C25	N76°32'47"W	19.66	20.96	70°38'15"	17.00
C26	N31°32'47"W	29.48	29.62	19°21'35"	87.66
C27	N5°48'47"W	22.17	22.46	32°11'14"	40.00
C28	S5°39'18"E	62.50	66.47	68°14'45"	55.00
C29	S19°38'16"W	12.87	13.03	19°39'46"	40.00
C30	N63°09'39"W	42.77	43.93	45°45'51"	55.00
C31	N69°03'52"E	45.30	47.79	40°47'08"	55.00
C32	N24°48'59"E	36.57	37.22	36°45'38"	85.00
C33	S18°11'44"E	103.15	103.22	7°23'40"	796.20
C34	N72°23'34"W	14.31	14.39	20°56'39"	40.00
C35	N33°39'07"W	69.23	74.86	78°05'33"	796.20
C36	S8°49'38"E	104.27	104.35	7°30'32"	55.00
C37	N32°48'39"E	19.66	20.36	70°38'18"	17.00
C38	N12°11'02"W	28.48	29.52	10°11'48"	97.66
C39	N37°58'34"W	20.65	21.10	30°11'20"	40.00
C40	S2°50'03"E	59.89	59.90	4°18'34"	796.20
C41	N5°28'35"E	17.94	17.95	7°58'33"	128.00
C42	N84°37'07"E	14.72	14.73	7°01'59"	120.00
C43	N87°44'22"E	2.15	2.15	0°43'32"	170.00
C44	N52°13'03"E	48.29	48.42	18°19'08"	170.00
C45	N37°58'19"E	65.93	67.09	15°31'37"	183.00
C48	S71°27'58"E	162.72	171.39	55°41'48"	180.00
C47	S58°12'16"E	56.38	56.31	27°10'23"	120.00
C49	S10°23'09"E	268.21	267.47	19°14'51"	796.20
C49	N10°38'38"W	242.44	243.82	18°11'53"	748.20 * A
C50	S17°37'59"W	27.84 * A	27.89 * A	12°22'22"	128.20 * A
C50	N7°35'01"E				

CURVE DATA CHART

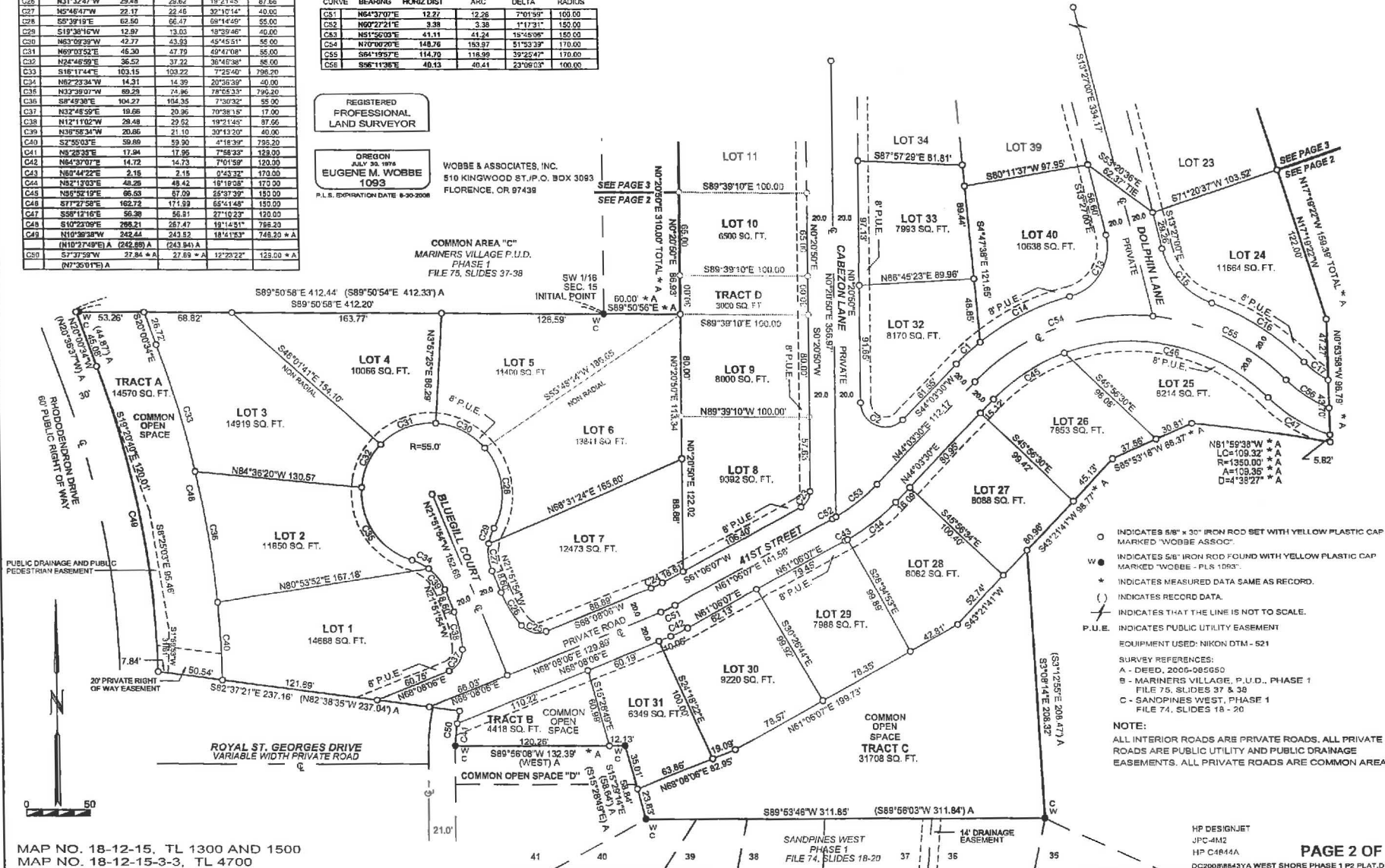
CURVE	BEARING	HORIZ DIST	ARC	DELTA	RADIUS
C51	N64°37'07"E	12.27	12.26	7°01'59"	100.00
C52	N60°27'31"E	3.38	3.38	1°17'31"	150.00
C53	N51°56'33"E	41.11	41.34	15°49'09"	150.00
C54	N70°00'20"E	148.76	183.97	51°53'39"	170.00
C55	S64°19'57"E	114.70	116.89	39°23'47"	170.00
C56	S56°11'36"E	40.43	40.41	23°06'03"	100.00

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 30, 1978
EUGENE M. WOBBE
1093

P.L.S. EXPIRATION DATE 8-30-2008

WOBBE & ASSOCIATES, INC.
510 KINGWOOD ST., P.O. BOX 3093
FLORENCE, OR 97438



- INDICATES 5/8" x 30" IRON ROD SET WITH YELLOW PLASTIC CAP MARKED "WOBBE ASSOC."
 - INDICATES 5/8" IRON ROD FOUND WITH YELLOW PLASTIC CAP MARKED "WOBBE - PLS 1093"
 - * INDICATES MEASURED DATA SAME AS RECORD.
 - () INDICATES RECORD DATA.
 - - - INDICATES THAT THE LINE IS NOT TO SCALE.
 - P.U.E. INDICATES PUBLIC UTILITY EASEMENT
- EQUIPMENT USED: NIKON DTM-521
- SURVEY REFERENCES:
A - DEED, 2006-086650
B - MARINERS VILLAGE, P.U.D., PHASE 1
FILE 75, SLIDES 37 & 38
C - SANDPINES WEST, PHASE 1
FILE 74, SLIDES 18 - 20
- NOTE:
ALL INTERIOR ROADS ARE PRIVATE ROADS. ALL PRIVATE ROADS ARE PUBLIC UTILITY AND PUBLIC DRAINAGE EASEMENTS. ALL PRIVATE ROADS ARE COMMON AREA.

MAP NO. 18-12-15, TL 1300 AND 1500
MAP NO. 18-12-15-3-3, TL 4700

HP DESIGNJET
JPC-4M2
HP C4844A
PAGE 2 OF 5
DC2008643YA WEST SHORE PHASE 1 P2 PLAT.DCD

Exhibit M

**CITY OF FLORENCE
PLANNING COMMISSION**

RESOLUTION PC 16 21 PUD 01

A REQUEST FOR A MODIFICATION TO SANDPINES PLANNED UNIT DEVELOPMENT (PUD) APPROVAL, MODIFYING APPROVED USES ON REMNANT LOT 48 OF SANDPINES WEST SUBDIVISION FROM MULTI-FAMILY AND SINGLE FAMILY ATTACHED TO SINGLE FAMILY RESIDENTIAL.

WHEREAS, application was made by Allen Snegireff for a modification to a Final PUD approval as required by FCC 10-1-1-5, and FCC 10-23-12-2; and

WHEREAS, the Planning Commission/Design Review Board met in a public hearing on October 11, 2016 as outlined in Florence City Code 10-1-1-5 and 10-23-11, and continued the hearing to a date certain, November 8, 2016; and

WHEREAS, the Planning Commission/Design Review Board met in a public hearing on November 8, 2016 as outlined in Florence City Code 10-1-1-5 and 10-23-11, to consider the application, evidence in the record, and testimony received; and

WHEREAS, the Planning Commission/Design Review Board determined per FCC 10-1-1-5 and 10-23-11, after review of the application, testimony and evidence in the record, that the application meets the criteria through compliance with certain Conditions of Approval; and

WHEREAS, the Planning Commission/Design Review Board of the City of Florence finds, based on the Findings of Fact, staff recommendation and evidence and testimony presented to them, that the application meets the applicable criteria.

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

The request for a modification to Sandpines Planned Unit Development (PUD) approval, modifying approved uses on remnant Lot 48 of Sandpines West subdivision from multi-family and single family attached to single family residential 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:

1. Approval shall be shown on:
 - “A” *Findings of Fact*
 - “B” Land Use Application
 - “C” Public Works Stormwater Imagery

Findings of Fact attached as Exhibit “A” are incorporated by reference and adopted in support of this decision. 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 for this Planning Commission, 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. If private stormwater facilities for either the Golf Course or the Sandpines West PUD are located on the lot they must either be relocated or placed within easements in accordance with city code. Stormwater facilities may need to be constructed within the Royal St. George right-of-way or within easements on the applicant’s property to accommodate stormwater presently traversing across the applicant’s lot in open ditches. These facilities would be required to be constructed in accordance with Title 9 Chapter 5.

ADOPTED BY THE FLORENCE PLANNING COMMISSION/DESIGN REVIEW BOARD
the 8th day of November, 2016.

CURT MUILENBURG, Chairperson DATE
Florence Planning Commission