



City of Florence
 Community Development Department
 250 Highway 101
 Florence, OR 97439
 Phone: (541) 997-8237
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www.ci.florence.or.us

Type of Request

- ☐ **Preliminary Planned Unit Development (PUD)** (Florence City Code Title 10, Ch-23)
☐ **Tentative Subdivision Plan** (Florence City Code Title 11, Ch-1, 3, 5 & 7)
☐ **Modification to requirements** (Title 10, Chapter 36 or Title 11)

Applicant Information

Name: APIC Florence Holdings, LLC Phone 1: 503-704-9934
 E-mail Address: asorber@apicincus.com Phone 2: _____
 Address: 5 Thomas Mellon Cir. Ste. 305, San Francisco, CA 94134
 Signature: [Signature] Date: 9/24/21
 Applicant's Representative (if any): Ashlee Sorber

Property Owner Information

Name: APIC Florence Holdings, LLC Phone 1: 503-704-9934
 E-mail Address: asorber@apicincus.com Phone 2: _____
 Address: 5 Thomas Mellon Cir. Ste. 305, San Francisco, CA 94134
 Signature: [Signature] Date: 9/24/21
 Applicant's Representative (if any): Ashlee Sorber

NOTE: If applicant and property owner are not the same individual, a signed letter of authorization from the property owner which allows the applicant to act as the agent for the property owner must be submitted to the City along with this application. The property owner agrees to allow the Planning Staff and the Planning Commission onto the property. Please inform Planning Staff if prior notification or special arrangements are necessary.

For Office Use Only:

Received	Approved	Exhibit

Property Description

Assessor's Map No.: _____ - _____ - _____ - _____ Tax lot(s): 1812153300700, 1812153403800, 1812222101900

Zoning District(s): RMH

Conditions & land uses within 300 feet of the proposed site that is one-acre or larger and within 100 feet of the site that is less than an acre OR add this information to the off-site conditions map (FCC 10-1-1-4-B-3): The properties to the west are zoned SFR and are developed with single-family homes. The properties to the north, east and south are zoned RMH and are developed with single-family homes.

Project Description

Lot Size: 9.28 acres Number of single family lots proposed: 81

Proposed Building Coverage if a PUD: 33.28%

Is any project phasing anticipated? (Check One): ☒ Yes ☐ No

Timetable of proposed improvements: Within construction time limits under Oregon and City of Florence regulations.

Proposal: (Describe the project in detail, what is being proposed, size, objectives, and what is desired by the project. Attach additional sheets as necessary)

The Applicant seeks Final Planned Unit Development approval of an approved Preliminary Planned Unit Development (PC 20 07 PUD and PC 20 08 SUB 01).

For Office Use Only:

Date Submitted: _____ Fee: _____

Received by: _____

Paid

Other Information Required

Below is a check list of the required information to determine if an application is complete. The Florence City Code is available at City Hall or online at www.ci.florence.or.us (click on "City Code" which is located on the main page). You will also find the *Florence Transportation Plan*, *Downtown Architectural Guidelines*, *Highway 101 Access Management Plans*, *Stormwater Design Manual* and *Stormwater Management Plan* available on the City's Planning Department webpage or at the City Hall for review or purchase.

Note: Please submit an electronic copy of any plans submitted larger than 11" x 17"

☐ Tentative Subdivision Plan drawn to scale, showing the following:

- ☐ Name and block numbering of proposed subdivision
- ☐ Date, north point, scale of the drawing,
- ☐ Description of the location and boundaries of the proposed subdivision or major partition area
- ☐ Names of all recorded subdivisions contiguous to the area
- ☐ Names and addresses of the owner and engineer or surveyor
- ☐ Locations, names, widths of all existing and proposed public and private streets and roads (includes right-of-way and pavement widths) & all reservations/restrictions relating to private roads & streets
- ☐ Grades and radii of curves of proposed streets
- ☐ Elevations of all points used to determine contours (given to true elevation above mean sea level) with base date used shall be clearly indicated and shall be compatible to City datum, if bench marks are not adjacent. Contours shall be in the following intervals:

Contour Intervals	Ground Slope
1'	0% to 5%
2'	5% to 10%
5'	over 10%

- ☐ Width and location of all proposed public utility easements
- ☐ Stormwater flows, location of existing storm lines, location of stormwater overflow and its impact down stream
- ☐ Location of sewer pipes, sizes, man holes, and elevations of existing and proposed pipes
- ☐ Water system proposed including source, pipe locations, sizes, meter locations & hydrants
- ☐ Width and location of all proposed sidewalks
- ☐ All public areas proposed to be dedicated by the partitioner and the proposed uses thereof such as reserve strips
- ☐ All public improvements proposed to be made or installed, and the time within which such improvements are envisioned to be completed
- ☐ A legal description of the boundaries of the entire area owned by the land owner of which the proposed land division is a part; provided, that where the proposed land division comprises all of such area, an affidavit of such fact shall accompany the application
- ☐ Dimensions of all proposed lots or/and parcels
- ☐ If lot areas are to be graded, a plan showing the nature of cuts and fills and information on the character of the soil

☐ PUD Preliminary Development Plan, including the following

- ☐ An explanation of the character of the planned unit development and the manner in which it has been planned to take advantage of the planned unit development regulations.

☐ Map showing street systems, lot or partition lines and other divisions of land for management, use or allocation purposes.

☐ 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.

☐ Open Space Plan . Refer to FCC 10-23-5-G for criteria

☐ Off-Street Parking and Loading Plan

☐ List of Design Team and Summary of Qualifications (FCC 10-23-7)

☐ 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.

☐ Elevation and perspective drawings of proposed structures.

☐ 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.

☐ 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.

☐ 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.

Additional Submittals, if not provided in plan or plat:

☐ Site Investigation Report (per FCC 10-7-3)

☐ Fire flows- For fire flow information, contact the Fire Marshal, Sean Barrett at (541) 997-3212.

☐ Signs (per FCC 10-6-6-D)- If proposing signs, (new or existing) provide a drawing or sketch to scale which includes: size, location, materials, colors, and illumination if any

☐ Title Report from a Title Company (per FCC 10-4-3-C and 10-6-6-E)- indicating liens, access and/or utility easements, legal description

☐ Survey (for Old Town Zoning District) (per FCC 10-17A-4-K-1-a, 10-17B-4-K-1-a, and 10-17C-4-K-1-a) A recent survey map drawn to scale which shows property lines, easements, 2' contours, existing structures (including height of sea-wall, if appropriate), floodplain & highest observed tide.

☐ Access permit (for properties accessing State or County Roads) (see FCC 10-35-2-4) A State or County complete access permit application is required. For properties along Highway 101 located between Highway 126 and the bridge along Highway 101 please refer to the *Highway 101 Access Management Plan*.

☐ Stormwater Plan:

☐ Preliminary Development Plan (per FCC 9-5-2-A-4): (projects which are adding 500 square feet or greater of impervious surface area or clearing vegetation from 10,000 square feet or greater (single family homes are excluded) and under 1 acre per FCC 9-5-2-2-C) Shall include a general description of the proposed project property and description of existing structures, buildings, and other fixed improvements located on the property and surrounding properties. The plan shall also include natural water flow of the existing property, soils, storm water drainage, flooding from high groundwater table. The Plan also shall identify the features outlined in FCC 9-5-2-A-4.

☐ A Stormwater Management Plan (per FCC 9-5-2-3): Stormwater Management Plan is required for projects over 1 acre is required with construction drawings, please refer to FCC 9-5-2-3 for submittal requirements.

☐ Traffic Impact Study. Please refer to FCC 10-1-1-4-D to see if a Traffic Impact Study is required.

☐ Utility Plan:

List all utilities currently available to the site AND add this information to a utility plan map (See FCC 10-1-1-4-B-2).

Note: For help identifying the location of utilities, please call Dig Safely Oregon at 1-800-332-2344 or dial 811. Call Public Works (541-997-4106) to determine the size of utility lines. Call the Fire Marshal (541-997-3212) to determine fire flows.

Water Supply: 8 - inch line available from Rhododendron Drive (Street)

Sanitary Sewer: 12 - inch line available from Rhododendron Drive (Street)

Storm Sewer: 36 - inch line available from Rhododendron Drive (Street)

Check if available: ☒ Telephone ☒ Cable TV ☒ Electrical ☐ Other (Such as fiber optics)

Provide a plan drawn to common scale showing the location of existing and proposed buildings, existing and proposed utility services, location and size of water and sewer lines, drainage routes, manholes, meters, fire hydrants, fire flows, and 2' contours.

☐ Lighting Plan:

Show location of each light fixture, diagram illustrating foot-candle distribution, and elevation drawing of each light fixture in conformance to FCC 10-37.

☐ Location of areas of scenic value, wildlife habitat, potential hazard areas (floodplains, geologic instability), wetlands, riparian areas or areas of special significance or within an overlay zone.

☐ Erosion Control:

Projects of over 1 acre of land disturbance over a period of time (please see FCC 10-36-4) are required to obtain a National Pollution Discharge Elimination System permit from the Department of Environmental Quality prior to the issuance of a development permit or land use permit based on appropriate criteria.

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ATTACHMENTS

- A: Draft Conditions, Covenants, and Restrictions
- B: Draft Development Agreement
- C: Phase 1 Site Investigation
- D: Geotechnical Evaluation and Groundwater Hydraulics, Florence Housing Development - Site A
- E: GSI Peer Review - Geotechnical Evaluation
- F: Fire Hydrant Flow Test Documentation (Email from Tony Miller, SVF&R, May 3, 2021)
- G: Civil Construction Drawings
 - C000 Cover Sheet
 - C010 Plan Legend and Sheet Index
 - C040 Tentative Plat Overview
 - C041-044 Tentative Plat Enlargement 1-4
 - C100 Existing Conditions and Demolitions Plan
 - C120 Erosion and Sediment Control Plan Cover
 - C140 Clearing and Demolition ESCP
 - C150 Construction Site Management and Grading ESCP
 - C160 ESCP Detail I
 - C200 Overall Site Plan
 - C210 Typical Sections
 - C211-C214 Windsong Loop
 - C215 Autumn Gold Lane
 - C216 Autumn Gold Lane
 - C217 Bellrose Lane
 - C218 Bellrose Lane
 - C219 Coral Mist Lane
 - C220 Dappled Dawn Lane
 - C221 Evening Glow Lane
 - C222 Fair Sky Lane
 - C230 Overall Grading Plan
 - C231-C234 Driveway Details (Key, I-III)
 - C240-C247 ADA Ramp Details (Key, I-VII)
 - C270 Bellrose Lane Wall P&P
 - C271 Dappled Dawn Ln Wall P&P
 - C272 Evening Glow Ln Wall P&P
 - C273 Fair Skye Lane Wall P&P
 - C300 Composite Utility Plan
 - C310-C312 Storm Main Bypass
 - C313-C314 Storm Main A
 - C315 Storm Main C
 - C316-C318 Infiltration Facilities I-III
 - C330-C339 WW Main A-H
 - C350-C360 Water Main A-H
 - C701-C703 Rhododendron Drive
 - C704 35th Avenue
 - C705 Siano Loop
 - C901-C903 Site Details I-III
 - C931-C934 Storm Details I-III
 - C941 Sanitary Details I
 - C951 Water System Details I
- H: Parking and Circulation Plan (Sheet C-5)
- I: Landscape Plan Set
 - L-1 Open Space Plan
 - L-2 Materials Plan
 - L-3 Planting Plan
 - L-4 Irrigation Plan North
 - L-5 Irrigation Plan South
 - L-6 Planting Details
- J: Ligman Lighting Plan Set
- K: Stormwater Management Report

GENERAL INFORMATION

Property Owner and Applicant:

APIC Florence Holdings, LLC
5 Thomas Mellon Circle, Suite 305
San Francisco, CA 94134
Contact: Ashlee Sorber
Phone: (503) 704-9934
Email: asorber@apicincus.com

Architect:

LRS Architects, Inc.
720 NW Davis Street, Suite 300
Portland, OR 97209
Contact: Robert Boileau
Phone: (971) 242-8180
Email: rboileau@lrsarchitects.com

Planning Consultant:

3J Consulting, Inc.
9600 SW Nimbus Avenue, Suite 100
Beaverton, OR 97008
Contact: Mercedes Serra
Phone: (503) 946-9365 x211
Email: mercedes.serra@3j-consulting.com

Civil Engineer:

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9600 SW Nimbus Avenue, Suite 100
Beaverton, OR 97008
Contact: Aaron Murphy
Phone: (503) 946-9365 x218
Email: aaron.murphy@3j-consulting.com

Landscape Architect:

PLACE STUDIO LLC
735 NW 18th Avenue
Portland, OR 97209
Contact: Charles Brucker
Phone: (503) 334-2083
Email: charles.brucker@place.la

Surveyor:

S&F Land Services, LLC
1725 N Roosevelt Drive, Suite B
Seaside, OR 97138
Contact: Jack White
Phone: (503) 738-3425
Email: jack.white@sflands.com

SITE INFORMATION

Parcel Number:	18121533 00700, 18121534 03800, and 18122221 01900
Address:	No site address
Size:	9.28 acres
Zoning Designation:	Mobile Home/Manufactured Home Residential (RMH)
Comprehensive Plan Designation:	Medium Density Residential (MDR)
Existing Use:	Vacant
Surrounding Zoning:	The properties to the west are zoned Single-Family Residential. The properties to the north, east and south are zoned Mobile Home/Manufactured Home Residential.
Street Classification:	Rhododendron Drive is classified as a minor arterial. 35 th Street is classified as a collector.

INTRODUCTION

APPLICANT'S REQUEST

The Applicant seeks Final Planned Unit Development (“Final PUD”) approval for the Preliminary Planned Unit Development (PC 20 07 PUD 01 and PC 20 08 SUB 01) (“Preliminary PUD”) proposed at Rhododendron Drive and 35th Street. This narrative demonstrates compliance with the Preliminary PUD Conditions of Approval and the approval standards of Florence City Code 10-23-11 and 10-23-12.

A Final PUD application is evaluated under the Type III (Quasi-Judicial) decision process. The Florence Planning Commission will render the Type III decision after a public hearing on the application is held.

SITE DESCRIPTION/SURROUNDING LAND USE

The subject site is 9.28 acres in size and is located on Rhododendron Drive, north of 35th Street. The property is located within the City of Florence (“City”) and is zoned Mobile Home/Manufactured Home Residential (RMH). The site has generally flat topography, with a slight slope towards the western end of the property.

The properties to the north, south and east are zoned Mobile Home/Manufactured Home Residential (RMH). The properties to the west of Rhododendron Drive are zoned Low Density Residential (LDR). The site is abutted by single-family homes.

PRELIMINARY PLANNED UNIT DEVELOPMENT APPROVAL

The Preliminary PUD was approved by the City Council on November 09, 2020 as Resolution No. 28 Series 2020. The City Council approval affirmed the Planning Commission Approval of Appealed Resolution PC 20 07 PUD 01 and PC 20 08 SUB 01. The Planning Commission Decision included thirty-six Conditions of Approval, including Condition 19 which was removed. The City Council Decision added three Conditions of Approval.

APPLICABLE CRITERIA

The Applicant has extracted the Preliminary PUD Conditions of Approval (“COA”) and the sections of Florence City Code Title 10 – Zoning Regulations (“Code”) as they have deemed to be applicable to the proposal based on the Applicant’s understanding of the Code and guidance from City staff. Following each **bold** applicable criteria below, the Applicant has provided a series of proposed findings. The intent of providing the Code and detailed findings is to document, with absolute certainty, that the proposed development has satisfied the approval criteria for a Type III Final Planned Unit Development application.

PRELIMINARY PLANNED UNIT DEVELOPMENT PLANNING COMMISSION CONDITIONS OF APPROVAL

1. Any modifications to the approved plans or changes of use, except those changes relating to Building Codes, will require approval by the Community Development Director or Planning Commission/Design Review Board.

Proposed Finding: The Planning Commission Decision included thirty-six conditions of approval. The City Council Decision included three conditions of approval. No modifications to the approved plans or changes of use were made or proposed. COA 1 is met.

2. Regardless of the content of material presented, including application text and exhibits, staff reports, testimony and/or discussions, the applicant agrees to comply with all regulations and requirements of the Florence City Code which are current on this date, EXCEPT where variance or deviation from such regulations and requirements has been specifically approved by formal Planning Commission action as documented by the records of this decision and/or the associated Conditions of Approval. The applicant shall submit to the Community Development Department a signed “Agreement of Acceptance” of all conditions of approval prior to issuance of a building permit.

Proposed Finding: The Applicant agrees to comply with all regulations and requirements of the Code which are current as of the date of this Final PUD application (excepting where variance or deviation from such regulations and requirements has been specifically approved by formal Planning Commission action and/or the associated Conditions of Approval).

The Applicant submitted to the Community Development Department an Agreement of Acceptance of all Conditions of Approval on September 28, 2020.

COA 2 is met.

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

Proposed Finding: In the event that any cultural or historic resources are discovered during construction, the Applicant will contact the State Historic Preservation Office (“SHPO”) and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians (“CTCLUSI”) and

construction will cease immediately and will not continue until permitted by either a SHPO or CTCLUSI representative. COA 3 is met.

4. For the Final PUD application, the applicant shall submit to the Planning Department an updated dimensioned parking lot plan on Sheet C-5.

Proposed Finding: The Applicant submitted with its Final PUD application an updated dimensioned parking lot plan on Sheet C-5. COA 4 is met.

5. Because the proposal calls for internal street parking within turnouts adjoining the private street, which will contain utilities, sidewalks and landscaping; the easements and maintenance plan for these shall be properly dedicated through the Conditions, Covenants and Restrictions. Additionally, these easements shall be noted on the Final Plat.

Proposed Finding: The Applicant submitted a draft Conditions, Covenants and Restrictions with its Final PUD application. The draft Conditions, Covenants and Restrictions dedicates easements and maintenance plan for utilities, sidewalks and landscaping. All easements will be noted on the Final Plat. COA 5 is met.

6. On-site signage indicating bicycle parking areas shall be required per Title 10, Chapter 3 with signage plans submitted and approved prior to permitting.

Proposed Finding: On-site signage indicating bicycle parking areas pursuant to Title 10, Chapter 3 will be submitted and approved prior to construction permitting. COA 6 will be met.

7. A Type II Design Review for the multi-family and attached residential units shall be applied for and associated fees paid so the design review standards may be better evaluated.

Proposed Finding: A Type II Design Review application for the multi-family and attached residential units will be applied for and associated fees will be paid. COA 7 will be met.

8. The applicant shall provide architectural details meeting Old Town and Mainstreet Architectural Standards or higher concurrently with the building permits for the single-family detached housing. An associated review fee shall be will be required unless determined otherwise by the Planning Director.

Proposed Finding: Architectural details meeting the Old Town and Mainstreet Architectural Standards or higher will be submitted with building permits for the single-family detached housing. COA 8 will be met.

8.a. The applicant shall record a Covenant of Release which outlines the hazard, restrictions and/or conditions that apply to the property as outlined in subsection (D) of FCC 10-7-7, Review and Use of Site Investigation Report and shall state “The applicant recognizes and accepts that this approval is strictly limited to a determination that the project as described and conditioned herein meets the land use provisions and development standards of the City Code and Comprehensive Plan current as of this date. This approval makes no judgement or guarantee as to the functional or structural adequacy, suitability

for purpose, safety, maintainability, or useful service life of the project.” This shall be recorded prior to submittal of any building permit applications or prior to final Subdivision Plat.

Proposed Finding: A Covenant of Release will be recorded prior to submittal of any building permit applications or prior to final Subdivision Plat which outlines the hazard, restrictions and/or conditions that apply to the property as outlined in subsection (D) of FCC 10-7-7, Review and Use of Site Investigation Report and shall state:

“The applicant recognizes and accepts that this approval is strictly limited to a determination that the project as described and conditioned herein meets the land use provisions and development standards of the City Code and Comprehensive Plan current as of this date. This approval makes no judgement or guarantee as to the functional or structural adequacy, suitability for purpose, safety, maintainability, or useful service life of the project.”

COA 8.a. will be met.

9. The applicant shall submit a draft statement that outlines the maintenance easements to the Planning Department with the Final PUD and Final Subdivision plat application. This agreement may be incorporated within the draft Conditions, Covenants, and Declarations document, which will also be required, per Chapter 23, Section 10-23-6 of this Title.

Proposed Finding: The Applicant submitted with its Final PUD application a draft statement that outlines the maintenance easements in the draft Conditions, Covenants and Declarations document. COA 9 is met.

10. All single-family attached units will have rear-loaded garages accessible from private alleyways. The porch areas shall be labeled and dimensioned within the Final PUD application.

Proposed Finding: All single-family attached units will have rear-loaded garages accessible from private alleyways. Labels and dimensions of porch areas are not required within the Final PUD application because there are no single-family attached units with porch areas that will impact landscape or setbacks or open space. Single-family attached unit porch areas located on tax lots that do not impact landscape or setbacks or open space shall be labeled and dimensioned in accordance with FCC 10-10-7-C-4-b-I at the Type II Design Review submittal. COA 10 is met.

11. The Applicant shall enter into a development agreement with the City for the construction of a southbound left-hand turn lane at the intersection of 35th Street and Rhododendron Drive and its intersection reconstruction. Improvements would be funded in a combination of proportional SDC funding and/or credits with City participation and developer contribution. (As modified by Planning Commission on 9/8/2020 and discussed under 10-23-4 in Exhibit A).

Proposed Finding: The Applicant provided an initial draft of the development agreement for the City to review on June 11, 2021. The Applicant will enter into a development agreement with the City. COA 11 will be met.

12. The applicant shall apply for a Phase 1 Site Investigation which will explain the treatment of the Yaquina Soils, prior to the Final PUD approval. A Phase 2 with Conditional Use permit may be required prior to Final PUD if warranted from the Phase 1 Site Investigation outcomes.

Proposed Finding: Prior to Final PUD approval, the Applicant submitted a Phase I Site Investigation explaining the treatment of the Yaquina Soils. The Phase I Site Investigation submitted by the Applicant included the following supporting documentation: a Geotechnical Engineering Recommendations and Site Evaluation Report prepared by Branch Engineering, a Wetland Delineation Memo prepared by Pacific Habitat Services, Inc., a concurrence letter from the Oregon Department of State Lands, and an approved jurisdictional determination from the U.S. Army Corps of Engineers. The Phase I Site Investigation was completed and signed by a licensed civil engineer. COA 12 is met

13. The applicant shall be required to obtain a Construction Permit in Right-of-Way prior to their construction of their access to and improvements for Rhododendron Drive.

Proposed Finding: The Applicant will obtain a Construction Permit in Right-of-Way prior to the construction of the access to and improvements for Rhododendron Drive. COA 13 will be met.

13.a. Since greater than 25% of the open space area is to be designated for recreational use (because of the exceptions/modifications requests), upon submittal of the Final PUD application, the applicant shall demonstrate that additional recreational uses, both passive and active, be provided throughout the open spaces.

Proposed Finding: The Applicant provided an Open Space Plan (Sheet L-1) identifying the open space area on-site, which has a total area of 82,529 square feet, or 20.4 percent of the site. The active recreation space/unstructured active recreation space is identified on the Open Space Plan (Sheet L-1) and has a total area of 27,781 square feet, or 33.6 percent of the total open space area on-site. The active recreation space has been divided into three main areas.

Throughout the open spaces passive and active recreational uses will be provided following the spirit of the Florence Parks Master Plan which identifies among the top recreation activities walking for pleasure, running/walking for exercise, picnicking, community gardens, and lawn sports areas. The open space area will include picnic tables, benches, and lawn sports areas. The development landscaping is intended to create a pleasurable experience for walkers. The proposed recreation space will be prorated to the proposed developed area. COA 13.a. is met.

14. Lot 22 shall be platted with street (Lane) frontage or reclassified as a Tract with no dwelling.

Proposed Finding: The Final Plat has been updated and Lot 22 has been platted with street (Lane) frontage. COA 14 is met.

14a. Sheet C-4 of Exhibit H depicts ROW cross sections. What shows as an alleyway cross section should be labeled as a Lane. Additionally, this same cross section is labeled "Tract" at the top of the illustration and should be labeled as "Proposed Right-of-Way."

Proposed Finding: The Applicant updated Sheet C-4 of the Civil Construction Drawings with the correct label of “Lane” for the alleyway cross section and the correct label of “Proposed Right-of-Way” for the cross-section labeled “Tract”. The updated Sheet C-4 is located in Attachment G in the Final PUD application. In the Preliminary PUD application Sheet C-4 was located in Exhibit H. COA 14.a. is met.

15. The applicant shall construct the cross-section standard for Rhododendron Dr. or as modified by the Public Works Director or enter into a non-remonstrance agreement for proportionate contribution to near future improvements to Rhododendron Dr. in conformance with the TSP.

Proposed Finding: The Applicant has provided an initial draft of the development agreement for the City to review. The draft development agreement includes a non-remonstrance agreement for proportionate contribution to near future improvements for Rhododendron Drive in conformance with the TSP. The Applicant will enter into a development agreement, which shall include a non-remonstrance agreement for proportionate contribution to near future improvements for Rhododendron Drive in conformance with the TSP. COA 15 will be met.

16. With final plat applications the materials shall provide notation or easement illustrating access ownership and conveyance.

Proposed Finding: The draft Conditions, Covenants and Restrictions provide notation and easement illustrating access ownership and conveyance. The draft Conditions, Covenants and Restrictions document was provided with the Final PUD application. COA 16 is met.

17. Prior to submittal of construction plans for review and approval by the Public Works Director, the applicant shall coordinate with the City on street cross-section proposals.

Proposed Finding: The Applicant has coordinated with the City’s Public Works Director on street cross-section proposals. COA 17 is met.

18. Final plat materials shall indicate the corner curb return radii meeting city code standards, unless modified by the Public Works Director.

Proposed Finding: The Final Plat materials will indicate the corner curb return radii, which will meet the City Code standards unless modified by the Public Works Director. COA 18 will be met.

19. (Removed by Planning Commission unanimous vote on 9/8/2020 due to conflict with Condition 34).

20. Verification of existing and proposed water service mains and hydrant flow supporting the site will be required to be submitted for review and approval by the Building Official and Fire Marshall.

Proposed Finding: The Applicant verified with Siuslaw Valley Fire and Rescue that the existing and proposed water service mains and hydrant flow supporting the site have adequate service levels. A fire flow test was conducted in 2011 and it was confirmed by the Fire Marshal via email dated May 3, 2021 that there has been no significant change to the water system which

would impact the hydrant flow test. The confirming email was included in the Final PUD application. COA 20 is met.

20a. All streets, lanes or tracts shall allocate no parking areas, per State requirements, around all fire hydrants located within the development.

Proposed Finding: All streets, lanes and tracts will allocate no parking areas, per State requirements, around all fire hydrants located within the development. This will be shown on the permit drawings. COA 20.a. is met.

21. Because the proposed project exceeds one acre, the applicant shall apply and receive required State permitting prior to site disturbance.

Proposed Finding: The Applicant will apply for and receive the required 1200C State permitting prior to site disturbance. COA 21 will be met.

22. Prior to construction of streets or utilities, an engineered construction plan shall be submitted for review and approval by the Public Works Director.

Proposed Finding: Prior to construction of streets or utilities, an engineered construction plan will be submitted for review and approval of the Public Works Director. COA 22 will be met.

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

Proposed Finding: A photometric plan prepared by Ligman Lighting USA has been provided for review and approval in conjunction with the Final PUD application. COA 23 is met.

24. The revised lighting plan shall provide no greater than 5 foot-candles over parking spaces and walkways and no greater than 7-foot candles directly under light fixtures.

Proposed Finding: The photometric plan prepared by Ligman Lighting USA provides a calculation summary table. The calculation summary table shows that the site will have no greater than 5 foot-candles over parking spaces and walkways and no greater than 7 foot-candles directly under light fixtures. COA 24 is met.

25. Light mounting heights shall be no greater than 20’.

Proposed Finding: Fixture cut sheets have been provided in conjunction with the photometric plan prepared by Ligman Lighting USA demonstrating that light mounting heights will be no greater than 20 feet. COA 25 is met.

26. A final Landscape Plan associated with the rights-of-way (plantings such as street trees), the on-site swale proposed along Rhododendron Drive, and the swale proposed within the Rhododendron Dr. right-of-way need to be provided with Public Improvement Plans for review and approval by Public

Works prior to site disturbance and prior to Final PUD or Final Plat approvals. Plans shall include the street tree planting location, size, species, root guard, irrigation, and evidence of planting within a 4' by 4' tree well. Landscape plans shall also be provided for review and approval in conjunction with each associated design review for the Type II single family attached and apartment developments. Final Stormwater planting and construction details shall be submitted for review and approval prior to application for building permits for the single family attached and detached proposals.

Proposed Finding: A final Landscape Plan associated with the rights-of-way (plantings such as street trees), the on-site swale proposed along Rhododendron Drive, and the swale proposed within the Rhododendron Dr. right-of-way will be provided with Public Improvement Plans for review and approval by Public Works prior to site disturbance and prior to Final Plat approvals. Plans include the street tree planting location, size, species, root guard, irrigation, and evidence of planting within a 4' by 4' tree well. A landscape plan will be provided for review and approval in conjunction with each associated design review for the single family attached and apartment developments. Final stormwater planting and construction details shall be submitted for review and approval prior to application for building permits for the single-family attached and detached proposals. COA 26 will be met.

27. An Irrigation Plan shall be supplied with the Final PUD application or in conjunction an associated landscape plan submittal.

Proposed Finding: An Irrigation Plan has been provided with the Final PUD application. COA 27 is met.

28. In addition to providing a name for the Final Plat, a name for the proposed internal drive shall be provided to the Planning Department who will ensure that the name is not a duplicate and in keeping with named area streets per Title 10, Section 8-2-1-1

Proposed Finding: The Final Plat name of "Rhododendron Arbor" and the below listed street names were approved by the Planning Department and provided to the Lane County Road and Street Naming Committee. COA 28 is met.

Street	Name
Internal Loop	Windsong Loop
Lane "A"	Autumn Gold Lane
Lane "B"	Bellrose Lane
Lane "C"	Coral Mist Lane
Lane "D"	Dappled Dawn Lane
Lane "E"	Evening Glow Lane
Lane "F"	Fair Sky Lane

29. The application packet does not include an affidavit of services. An affidavit of services shall be provided in accordance to this criterion.

Proposed Finding: An Oregon Registered Engineer signed the tentative plans for subdivision verifying the services were performed. The Applicant has provided the Oregon Registered Engineer signed tentative plans for subdivision with its Final PUD application in accordance with this criterion. COA 29 is met.

30. Prior to receiving approvals for final PUD or final plat the developer shall obtain the services of a qualified hydrogeologist (not only a geologist) and perhaps someone that is a coastal geomorphologist to supplement the proposed Stormwater plan and assist in preparation of the Phase 1 Site Investigation Report that can bring a better understanding of all the factors in play related to how infiltrated groundwater affects hydrology in this sub- basin and those adjacent up and down-grade.

Proposed Finding: The Applicant obtained the services of Branch Engineering to provide a better understanding of hydrology in this sub-basin and those adjacent up and down-grade. Branch Engineering produced a report based on its findings titled Geotechnical Evaluation and Groundwater Hydraulics, Florence Housing Development-Site A, dated July 6, 2021 ("Branch Report"). The Branch Report was peer reviewed by GSI Water Solutions, Inc. ("GSI"). GSI produced a technical memorandum based on its findings titled Technical Review of a Groundwater Mounding Analysis for a Proposed Development at 35th Street and Rhododendron Drive, Florence Oregon, dated July 21, 2021 ("GSI Memo"). The Applicant has provided the Branch Report and the GSI Memo with its Final PUD application. COA 30 is met.

31. There is no capacity available in the public storm systems within Rhododendron Dr. The stormwater system shall be designed to accommodate all on-site stormwater with no additional water being conveyed outside of the property.

Proposed Finding: The Applicant obtained the services of Branch Engineering to, among others, understand hydrology in connection with the proposed development. Branch Engineering produced a report based on its findings titled Geotechnical Evaluation and Groundwater Hydraulics, Florence Housing Development-Site A, dated July 6, 2021 ("Branch Report"). The Branch Report was peer reviewed by GSI Water Solutions, Inc. ("GSI"). GSI produced a technical memorandum based on its findings titled Technical Review of a Groundwater Mounding Analysis for a Proposed Development at 35th Street and Rhododendron Drive, Florence Oregon, dated July 21, 2021 ("GSI Memo"). The Applicant has provided the Branch Report and the GSI Memo with its Final PUD application. The Branch Report and the GSI Memo agree that the groundwater mounding with the current stormwater design is negligible. COA 31 is met.

33. Several Lots labeled on Sheets C 2.2 through C 2.4 contain setbacks that are mislabeled. These include Lots 22, 54, 55, 62 63, 70, 71, 78, and 79, respectively. They are labeled as having 10' rear setbacks when they should be labeled "10' Side Setbacks. This applies to the east side of Lot 54, and not the south side as that side is labeled correctly.

Proposed Finding: The Final PUD plan set has been updated to correct setback labels to "10' Side Setbacks" for Lots 22, 54, 55, 62 63, 70, 71, 78, and 79 as well as to the east side of Lot 54. COA 33 is met.

34. The single-family detached water meters shall be located along the loop road and be public. Water lines running to the homes from those meters shall be private.

Proposed Finding: The Final PUD plan set indicates that all single-family detached water meters will be located along the loop road and will be public. The water lines running to the homes from those meters will be private. COA 34 is met.

35. Applicant shall provide a revised open space/recreation space plan addressing 10-23-5-E-4-e. and ensure they are useable for open spaces.

Proposed Finding: The Applicant has provided an Open Space Plan (Sheet L-1) identifying the open space area on-site, which has a total area of 82,529 square feet, or 20.4 percent of the site. The areas that are considered open space are located within commonly owned tracts with a minimum dimension of 10 feet. The proposed stormwater system within the recreation areas will be underground. Because the stormwater system will be located underground, the above ground area will be usable for open space/recreation space. COA 35 is met.

36. Applicant shall submit a vegetation planting plan with native plantings along Rhododendron Dr. for a width of ten (10) feet on the applicant's property. Such plan shall be provided in conjunction to or with the Final PUD and/or Final Plat application.

Proposed Finding: A vegetation planting plan with native plantings along Rhododendron Drive for a width of ten feet on the property has been provided in conjunction with the Final PUD application. This condition is met.

CITY COUNCIL CONDITIONS OF APPROVAL

1. Density

- a. Applicant shall recalculate the net density to exclude the area proposed for dedication of public facilities within easements and provide with Final PUD application process as part of FCC 10-23-11.**

Proposed Finding: The net density of the site has been updated to exclude the area proposed for dedication of public facilities within easements. The net site area is 7.04 acres. The net density is 17.0 units per acre. City Council COA 1.a. is met.

- b. Require a reduction of six units from Planning Commission approval PC 20 07 PUD 01 and PC 20 08 SUB 01.**

Proposed Finding: The proposed number of units has been reduced by removing six units from apartment buildings. The total number of units proposed in the Final PUD is 120 units. City Council COA 1.b. is met.

2. Vegetation buffer: On Condition 36 change "should" to "shall" related to the landscape plan

Proposed Finding: Condition 36 has been amended to change “should’ to “shall”. City Council COA 2 is met.

3. Parking: Off-Street Parking Review.

- a. **Accept one parking space allowance for the five one-bedroom single story townhome units.**

Proposed Finding: The Applicant accepts one parking space allowance for the five one-bedroom single story townhome units. City Council COA 3.a. is met.

- b. **To address the parking deficiency in the northern multi-family complex, require the applicant to provide the information listed in FCC 10-3 related to parking reductions for shared facilities for evaluation and decision by the Planning Commission in conjunction with Final PUD application.**

Proposed Finding: The density of the proposed PUD has been reduced by six apartment units in compliance with City Council COA 1.b. The site will now have a total of 120 dwellings, reduced from 126 units. The northern apartment site will now have 17 two-bedroom apartments. The southern apartment site will now have 12 one-bedroom apartments and 11 two-bedroom apartments. The parking calculation for each apartment site is provided below per the requirements of FCC 10-3-4 Table 10-3-1-A. The parking requirements have been met for each apartment site. City Council COA 3.b. is met.

Table 10-3-1, Minimum Required Parking By Use:

A. Residential and Commercial Dwelling Types:

Multiple-family dwelling	
<i>Studio & one-bedroom units</i>	<i>1 space per unit</i>
<i>Two-bedroom units</i>	<i>1.5 spaces per unit</i>
<i>Three-bedroom units or larger</i>	<i>2 spaces per unit</i>

North Apartments:

Unit Types: (17) Two-bedroom apartments
Required Parking Calculation: 17 (2-bed) x 1.5 spaces/unit = 25.5 spaces 26 spaces required
Provided Parking: 26 spaces

South Apartments

Unit Types: (12) One-bedroom apartments (11) Two-bedroom apartments
Required Parking Calculation: 12 (1-bed) x 1 spaces/unit = 12 p spaces 11 (1-bed) x 1.5 spaces/unit = 16.5 p spaces 29 spaces required

Provided Parking: 35 spaces provided
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TITLE 10 – ZONING REGULATIONS

10-23-11: APPROVAL OF THE FINAL DEVELOPMENT PLAN:

1. Within one year following the approval of the preliminary development plan, the applicant shall file with the Planning Commission a final development plan containing in final form the information required in the preliminary plan. The Planning Commission may grant a onetime extension of one (1) year maximum duration based on compliance with the following criteria:
 - a. The request for an extension is made in writing prior to the expiration of the original approval.
 - b. There are special or unusual circumstances that exist which warrant an extension.
 - c. No material changes of surrounding land uses or zoning has occurred.

The planning Commission may deny the request for an extension if new land use regulations have been adopted that affect the applicant's proposal.

Proposed Finding: The Preliminary PUD was approved by the Florence City Council on November 09, 2020 as Resolution No. 28 Series 2020. This Final PUD application has been filed with the Planning Commission within one year of the preliminary development plan approval. An extension has not been requested. This criterion is met.

2. Final development plans shall include plans for proposed:
 - a. Storm drainage.
 - b. Sewer and water utilities.
 - c. Streets, pedestrian ways, trails and paths.
 - d. Preliminary subdivision plan, if property is proposed to be divided.
 - e. Open Space and Parklands to be dedicated to the public or held in Homeowner Association ownership.

Proposed Finding: The final development plans include plans for the proposed storm drainage, sewer and water utilities, streets, and pedestrian ways, trails and paths. The preliminary subdivision plan has been included in the final development plans. All open space, tracts and easements to be dedicated to the public or held in Homeowner Association ownership have been identified. There are no Parklands to be dedicated to the public or held in Homeowner Association ownership. This criterion is met.

3. Plans for public improvements shall be prepared by a Registered Engineer and shall be approved by City staff before final approval by the Planning Commission.

Proposed Finding: The plans for public improvements were prepared by a Registered Engineer and are subject to City staff review and approval before final approval by the Planning Commission. This criterion is met.

4. If the Planning Commission finds evidence of a material deviation from the preliminary development plan, the Planning Commission shall advise the applicant to submit an application for amendment of the planned unit development. An amendment shall be considered in the same manner as an original application.

Proposed The Planning Commission Decision included thirty-six conditions of approval. The City Council Decision included three conditions of approval. No modifications to the approved plans or changes of use were made or proposed. This criterion is met.

10-23-12: ADHERENCE TO APPROVED PLAN:

The final development plan shall continue to control the planned unit development after it is finished and the following shall apply:

1. The use of the land and the construction, modification or alteration of a building or structure within the planned unit development shall be governed by the approved final development plan.
2. An amendment to a completed planned unit development may be approved if it is required for the continued success of the planned unit development, if it is appropriate because of changes in condition that have occurred since the final development plan was approved or because there have been changes in the development policy of the community as reflected by the comprehensive plan or related land use regulations.
3. No modification or amendment to a completed planned unit development is to be considered as a waiver of the covenants limiting the use of the land, buildings, structures and improvements within the area of the planned unit development.

Proposed The final development plan shall continue to control the planned unit development after it is finished and shall comply with FCC 10-23-12(1) through FCC 10-23-12(3). This criterion will be met.

SUMMARY AND CONCLUSION

Based upon the materials submitted herein, the Applicant respectfully requests approval from the City of Florence Planning Department for this Type III Final Planned Unit Development application.