

Clare Kurth

From: Lyn B. <bonilyn@hughes.net>
Sent: Thursday, August 22, 2024 1:24 PM
To: Clare Kurth
Subject: RE: Resolution PC 24 01 CUP 01
Attachments: Plat map.pdf; CUP application page 8.pdf

Clare – Thank you so much for the link to the application. I would like the following entered into the public record for the CUP application.

I have reviewed the application and have boiled my questions down to the following:

1. Item 5 in the original CUP that was approved, Resolution PC 21 32 CUP 03⁶, states “a maximum of five (5) residential lots shall be allowed providing they are in the northern half of the subject property”. The applicant now wants 10 residential lots. This goes back to my question of the residential density allowed in a commercial zone. Since the original approval, which has been extended, specifically approves 5 residential lots I believe it is essential to know what criteria has changed that now will allow double that amount?
2. See plat map attached – My question pertains to the indicated strip of land on the very northern edge of the property. This appears that it may have been part of what was originally intended to be Vine Street/Avenue but was vacated. Is this the case? Will this be maintained as a buffer strip between the lots on this property and the lots up on Vinca? Or is this strip incorporated into the proposed lots on the subject parcel?
3. On Page 8 of the application (see attached) the outlined paragraph appears that this is a response by the applicant in the original CUP application in 2021 but it is a bit hard to distinguish if that is the case. If this was from the earlier CUP, I do not see anything that addresses potential future commercial uses in the current application. If this paragraph is part of the 2024 CUP then I would be curious what specific areas the applicant would propose to be reserved for future commercial development given the Hwy 126 visual buffer zone and the utility access and emergency vehicle turnaround area.
4. Will there be any sort of CC&Rs applicable to the residential properties?

As I mentioned earlier I am traveling and will not be able to attend the public meeting on the 27th. I am disappointed that I am not able to do so. I look forward to seeing the staff report as soon as it is available.

Thank you

Lyn Boniface

A. Hearings are required for Type III (quasi-judicial) land use matters requiring Planning Commission review. Type III applications include, but are not limited to:

Response: Application is being processed as a Type III quasi-judicial review.

B. Notification of Hearing:

Response: Notification was provided according to 10.1.B (1) and (2) and 10.1.C (1).

[...]

E. Action by the Planning Commission:

[...]

Response: The Planning Commission held a public hearing on April 11, 2023, which met the standards of FCC 2-3 and FCC 2-10. Staff report deemed that “Planning Commission received all materials” needed and that applicant criteria were met.

TITLE 10: CHAPTER 4: CONDITIONAL USES

FLORENCE CITY CODE

10-4-1: DESCRIPTION AND PURPOSE: Certain types of uses require special consideration prior to their being permitted in a particular district. The reasons for requiring such special considerations involve, among other things:

Response: Applicant seeks Planning Commission consideration of this site to maximize use of available area based on size of the area (10-4-1(A)), the effects such uses having on adjoining residential land uses (10-4-1(C)), and the effects such uses have on the growth and development of the community as a whole.

The proposed development proposes a mix use of small affordable residential development and eventually commercial in an area that is surrounded by medium density residential development and nearby commercial. As noted elsewhere in this proposal and as cited in community plans, the city needs small affordable housing and encourages mixed residential and commercial development.

10-4-2: GENERAL APPLICABILITY: Remodels and expansions of up to 25% of the floor area are allowed without a new conditional use permit as long as the remodel or expansion is consistent with the original approval.

Response: Applicant is not proposing a remodel so 10-4-2 is not applicable.

10-4-3: USE PERMIT PREREQUISITE TO CONSTRUCTION: When a conditional use permit is required by the terms of this Title, no building permit shall be issued until the conditional use permit has been granted by the Planning Commission, and then only in accordance with the terms and conditions of the conditional use permit. Conditional use permits may be temporary or permanent.

Response: Applicant understands and has this section of code and has delayed construction for several years while applying for this conditional use. Applicant seeks a permanent conditional use permit.



Map 5- Lane County Taxmap no. 18122631 referenced below.

Mike and Deb Shaw
2275 10th Street.
Florence, OR 97439

August 20, 2024
Re: PC 24 01 CUP 01

To Whom it May Concern.

We see many of the same issues that were problematic for the proposed Butterclam Court from a few years back. Yes, Florence needs housing, but this piece of property is not a good fit for this sort of development.

Parking, storage, access for emergency or maintenance vehicles to name just a few.

- With 10 units we can expect 10-20+ vehicles.
 - It appears that the only parking is a single spot in front of each unit.
 - From the flyer it is difficult to tell if this is parking or yard area.
 - If the entire area is to be hardscape for parking, then it will be a strip of “starter” landscaping along the highway, then basically a parking lot with duplexes at the back.
- No outside “garage” type storage.
 - This is not an apartment building. People will have things that need to be stored outside. You only need to drive around town to know what this will eventually look like.
- Emergency Access for firetrucks, ambulances, etc.
 - Large emergency vehicles need easy access, turn around areas and exits.
 - This is a very small area even before adding buildings and parked cars.
- Maintenance
 - Garbage and recycling trucks also need plenty of room to maneuver.

Then consider the geography of the land itself.

- This area is a natural lake during the wet seasons.
 - Last winter the water remained all winter and well into the spring
 - Once enough water collects there it no longer drains, even if the rain stops for weeks.
 - We have observed this for the 5 years we have lived in our home.
 - When the river is also high, this leaves no good place for that water to be diverted.

Unless they plan to incorporate a very large water feature in middle of the road, a huge amount of soil will be needed to deal with this. And even then, the water table is going to do what it will do.

It seems inevitable that the water will cause problems at some point.

- What is the plan for possible/probable future problems?
- Who will be responsible if the water causes damage to the property and/or to the units themselves?
- Will prospective buyers or renters be made aware of the water issue so they may make informed decisions regarding buying, renting, insurance, etc.?

From a personal perspective, we constantly fight erosion on our property at the east end of 10th Street. In 5 years we have had to bring in large amounts of soil each year. We have paid to have the east side of our property raised and have paid nearly \$30,000 for structural support of our home, all due to erosion. When the house on Vinca Lane was being built a few years back we noticed an increase in issues with the east side of our property from the vibrations, heavy equipment etc. We are very concerned about the effect this much construction would have on our property and other surrounding properties and would like information about the liability of the city regarding possible damage to existing properties and homes.

- What is the city's plan if heavy construction vibration results in a sizable portion of someone's useable property to break off and slide down the dune?
- What is the city's plan if heavy construction vibration results in damage to someone's home?

From the perspective of a Florence citizen, this area is the first sight of Florence on one of only 3 main entries to the city. Hwy 126 in this area already has multiple empty buildings that greet our visitors. We have had visitors comment on how junky some of the areas are when coming into town from the south on 101. Florence really has no control over that area, but we do have control over this area. I think we need to be very careful how we treat this entrance to our city. It is not just how something may look when it is new and shiny, but how it may look in years to come.

A final question. Although it is very hard to tell from the poor quality of the posted document, the lots seem to be of similar width. But the listed sizes of the lots don't seem to make sense. Lot 3, for instance, is shown as 3047 sq feet, while Lot 9 is shown as more than double that size at 6563 square feet. Are these sizes including the lots 11, 12 and 13, those closer to the highway? If so, why?

Thank You for Your Consideration,

Mike and Deb Shaw

RECEIVED
City of Florence

DEC 5 2024

RE: Resolution PC 24 01 CUP 01

Since I Received 7 of these letters in one day I decided you really wanted to hear my thoughts on this project.

First of all I don't approve of any area that they are allowed to have a manufactured home or anything that looks like one in the City or County.

If I had a nice home I would not like one next to me. I believe most people even you would not want one next to you.

I spent a lot of time getting the property zoned for the five (5) homes and all the time the city put in to help us get it zoned for them I did appreciate it very much. (Many thanks.)

I would think since they are in the construction business that they would want to put in a very nice project so future customers would see what quality work they do.

My drawing is so the home owners do not have to go thru the commercial area.

I have given you a plan that could work. Five home sites and a commercial area in front. Five (5) extra parking sites for visitors to park.

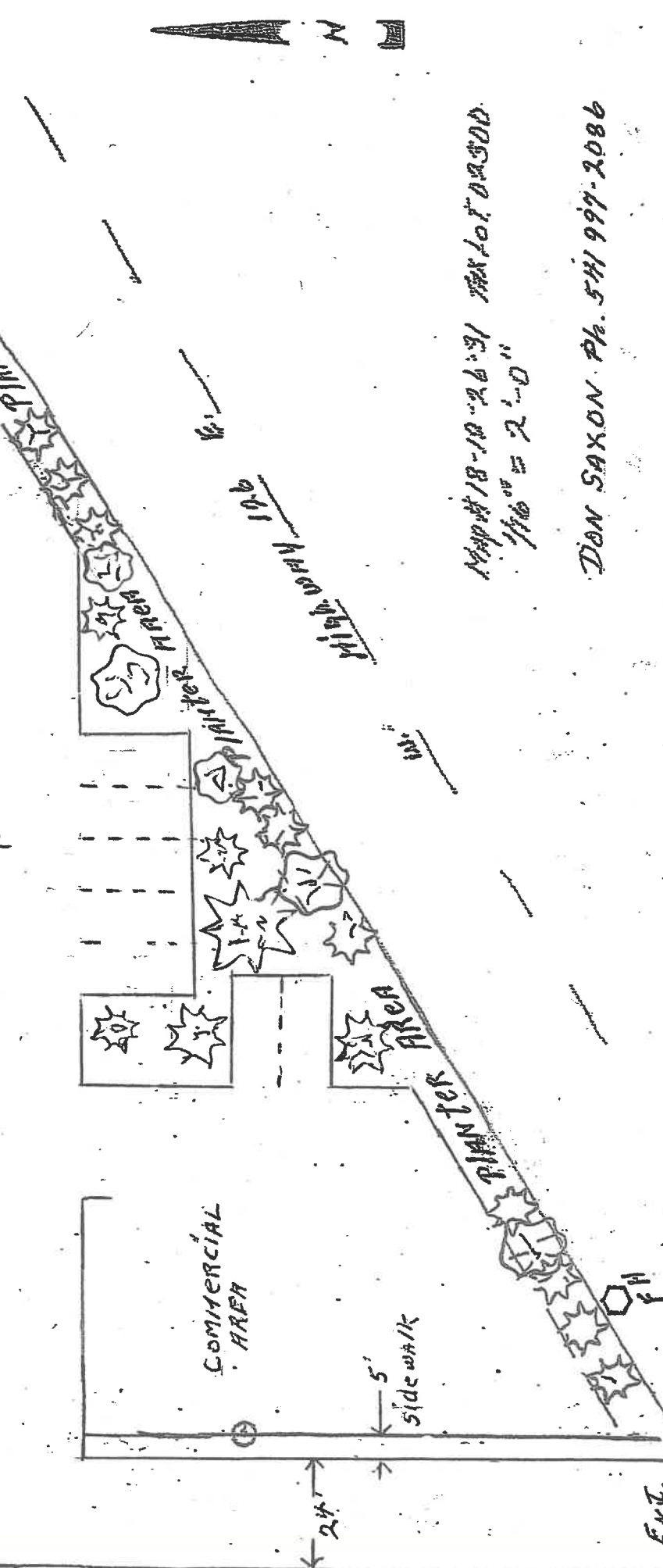
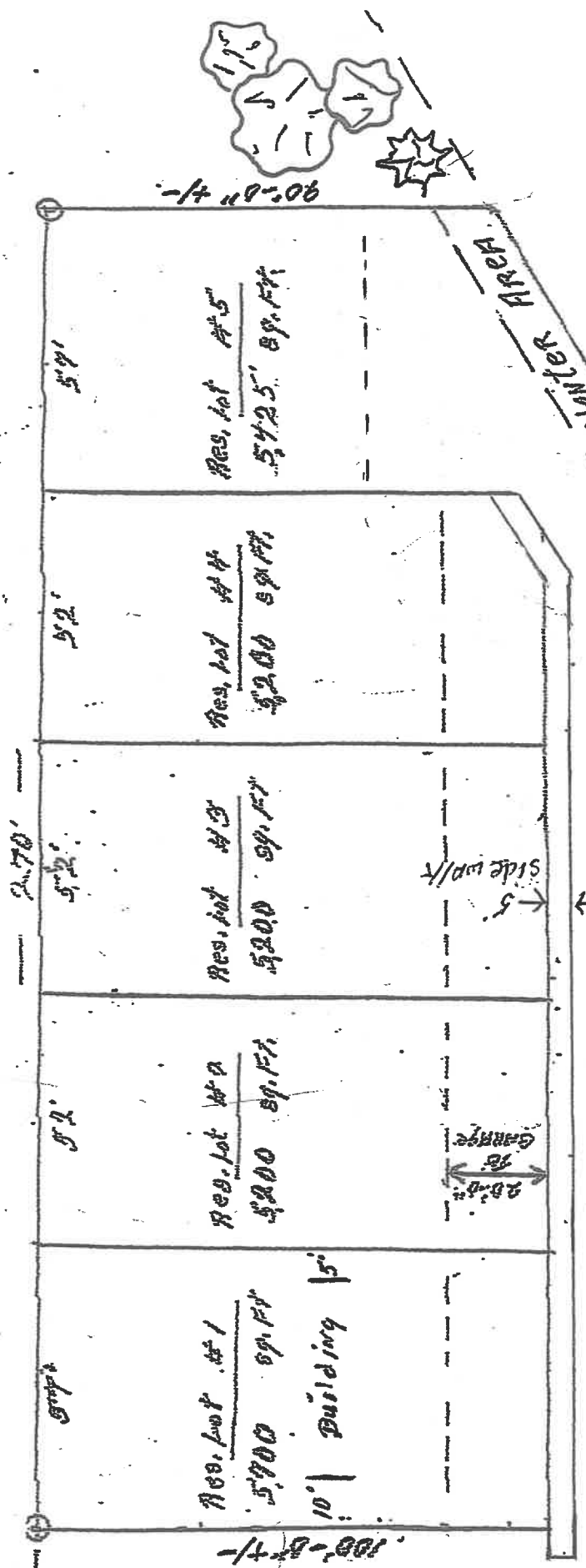
What you require the applicants to do on this property will show what the city planners know about construction costs, what is visually appealing, pedestrian accessibility and what is necessary and what is not. Remember you might have to go before a planning hearing with your plans some day.

I do not want to talk at the hearing.

Thanking you,

Don Liden
05719 N. F. Siuslaw Road
Florence, Oregon 97439

541 997-2086



Map # 18-10-26-31 Tax lot 02300
1/16" = 2'-0"

DON SAXON Ph. 541 999-2086