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**AGENDA ITEM SUMMARY / STAFF REPORT****ITEM NO: 5****FLORENCE PLANNING COMMISSION**Meeting Date: December 12, 2023

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**ITEM TITLE:** PC 23 25 PUD 01 – Myrtle Glenn – 37th and Oak Final PUD Application

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**OVERVIEW:**

Background: The subject property is located west of the existing 37<sup>th</sup> and Oak St intersection. This is an application for a proposed 25 lot PUD that proposes 25 attached single-unit dwellings (SUDs) on individual lots with additional on-site parking, open space and associated 37<sup>th</sup> Street dedication and construction. Public hearings were held on June 13 and June 22 of 2023 regarding the preliminary PUD, tentative subdivision, and phase 1 site investigation review applications. The Planning Commission approved the applications with the conditions of approval as seen on Resolution PC 22 21 PUD 01, PC 22 23 SUB 02, & SR 22 48 SIR 13. The review of this application is a request for final PUD approval. This review process includes review of code criteria FCC 10-23 that regulates PUDs and the conditions of approval from the Resolution PC 22 21 PUD 01, PC 22 23 SUB 02, & SR 22 48 SIR 13.

Application: This application was received August 29, 2023 with a Notice of Incompleteness issued September 27, 2023. Additional application materials and addendum were received October 16 and November 20, 2023 and the application was then deemed complete. This application is a request for a final PUD review on a 3.13-acre lot located west of the 37<sup>th</sup> and Oak St. intersection. The proposal includes 25 individual lots for attached single unit dwellings, each with an attached garage and rear porch and deck. This proposal includes the development of 37<sup>th</sup> St. west of Oak St that will be developed to local street standards with a public utility easement (PUE) on each side to accommodate a 5-foot-wide sidewalk and utilities. There is also a proposed common parking area located between the dwelling units and 37<sup>th</sup> St. that will provide 13 off-street parking spaces and storm water facilities.

Process and Review: This application includes the request for review and approval of the final PUD only. PUDs are a Type III Quasi-Judicial review process.

During staff review the majority of the PUD conditions were satisfied by the application materials submitted. However, there were 4 conditions of approval that were found to not be not satisfied. These include non-compliant parking lot striping details (**Condition 1**) and a lack of an inventory of trees proposed to be retained along the northern property line and buffer (**Conditions 3 & 4**). These two items can be satisfied by conditions of approval. The other two items that were found to not be satisfied were conditions 7.1 and 7.7 related to variations in facades and exterior building designs of each building grouping and development of recreational open space that meets the requirements of the condition and FCC 10-23-5-G. These latter two conditions require additional review and consideration from the Planning Commission.

The Resolution, Findings of Fact and application materials are attached to this AIS. The applicable criteria are listed in the “Applicable Criteria” section of the findings. The review of this application material will consider both relevant Code criteria as well as review the application against the conditions of approval related to the preliminary PUD from the previous resolution.

Testimony: No written testimony was received for this application.

Referral comments: Referral requests were sent during the preliminary PUD and tentative subdivision application. A referral request was sent to the City of Florence Public Works Department September 11, 2023. They responded that the majority of their comments from the previous application had been adequately addressed with the submitted application materials. No addition referrals were deemed necessary to send.

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<b>ISSUES/DECISION POINTS:</b>	<p>The proposed final PUD for Myrtle Glen has met the majority of the conditions of approval as required by PC 22 21 PUD 01 (Exhibit K). The conditions listed below have not been satisfied and are either conditioned to be addressed (shown with a single bullet) or require Planning Commission to provide final conditions or decisions (shown with an arrowhead bullet):</p> <p><b>4.4</b> Double line striping of 2' on center in the common parking area has not been satisfied. (FOF, pages 8)</p> <ul style="list-style-type: none"><li>• Revised plans indicating the required striping has been conditioned (<b>Condition 1</b>).</li></ul> <p><b>7.1</b> Additional clarification is required for variations in facades and exterior designs for each building group as conditioned. The applicant has proposed a paint color palette consisting of three earth toned colors used in three combinations and an application of horizontal lap siding on the garage gables on the 4-unit building and shingle styled siding on the 3-unit buildings. (FOF, pages 11-15)</p> <ul style="list-style-type: none"><li>➤ Planning Commission is tasked with clarifying the requirements in Condition 7.1 for the specific number of façade and exterior design details required for the individual building groupings.</li><li>➤ Planning Commission is tasked with determining if the use of alternating paint combinations (Exhibit I) meets the requirement of this code.</li><li>➤ Planning Commission is tasked with determining whether differing façade materials of the 4-unit buildings and the 3-unit buildings or if each separate building is required to have changes in facades and exterior designs as stated in the condition.</li></ul> <p><b>7.3</b> An inventory of trees proposed to be retained along the norther property line has not been submitted. A minimum of 22 trees are required to be retained. Staff was not provided with sufficient evidence to review this. (FOF, pages 15-17)</p> <ul style="list-style-type: none"><li>• An inventory (<b>Condition 4</b>) and required maintenance/replacement (<b>Condition 3</b>) of trees has been conditioned.</li></ul> <p><b>7.7</b> Sufficient details have not been submitted in the recreational open space plans (Exhibit E) to support what recreational need is proposed to be met. Sufficient details have not been submitted for staff to determine the quality of proposed amenities. Nor was the quality or quantity portion of the condition met. (FOF, pages 20-24)</p>
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- Planning Commission is being tasked with identifying the intended recreational needs these spaces shall be developed to meet and the amenities that shall be provided, or
  - Planning Commission may require a fee-in-lieu for recreational space development.
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**ALTERNATIVES:**

1. Recommend approval of PC 23 25 PUD 01, based on the Commissions’ findings that the application meets the requirements of City Code subject to conditions,
  2. Recommend denial of PC 23 25 PUD 01 based on the Commissions’ findings that the application does not meet the requirements of City Code.
  3. Recommend partial approval of PC 23 25 PUD 01 based on the Commissions’ findings that the application for modifications meets some, but not all requirements of City Code.
  4. Continue deliberations & continue hearing to a date certain if additional information is required to issue a decision.
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**RECOMMENDATION:**

The recommendation is for Alternative 4, continue deliberations and continue hearing to a date certain if a waiver of the 120-day processing period is provided by the applicant.

This will provide additional time for the applicant to provide additional information as requested by the Planning Commissions for the remaining unsatisfied conditions.

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**AIS PREPARED BY:**

Wendy FarleyCampbell, Community Development Director  
Clare Kurth, Assistant Planner

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**ATTACHMENTS:**

**# 1 - Resolution PC 23 25 PUD 01 draft**

- Exhibit A Findings of Fact (proposed)
  - Exhibit B Narrative & Application
  - Exhibit C Attachment 1 – Civil Plans
  - Exhibit D Attachment 2 – Architectural Plans
  - Exhibit E Attachment 3 – Landscaping Plans
  - Exhibit F Attachment 4 – Stormwater Management Report
  - Exhibit G Addendum to Myrtle Glen Final PUD Addressing NOIC
  - Exhibit H Attachment 5 – Architectural Plans for Triplexes
  - Exhibit I Attachment 6 – Paint Colors Plan
  - Exhibit J Attachment 7 – Proposed Design vs Old Town ... Standards
  - Exhibit K Resolution PC 22 21 PUD 01, PC 22 23 SUB 02, & SR 22 48 SIR 13
  - Exhibit L Civil Plans with Public Works Comments
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