



BEFORE THE PHOENIX PLANNING COMMISSION

STATE OF OREGON, CITY OF PHOENIX

IN THE MATTER OF PLANNING FILE NO. CU23-01 AND SP23-)
03 LOCATED ON GROVE ROAD. [MAP NO. 38-1W-10 TAXLOT) ORDER
205 (FORMERLY TAX LOT 202)], THE PHOENIX PLANNING)
COMMISSION FINDS THE FOLLOWING:)

1. The Planning Commission held a properly noticed public hearing on this matter on June 26, 2023;
2. The Planning Commission asked the Planning Manager to present a staff report and a final order with findings and recommendations at the June 26, 2023 public hearing;
3. At the public hearing evidence was presented and the public was given an opportunity to comment;
4. The Planning Commission finds that the Site Design Review and Conditional Use is allowed and is consistent with the intent of the C-H Commercial-Highway zoning district and approval criteria outlined in the Phoenix Land Development Code;

NOW THEREFORE, the Phoenix Planning Commission approves the requested Conditional Use (CU23-01) and Site Design Review (SP23-03) application based on applicant's preliminary site design for a 18,713 square foot indoor golf driving range and other accessory uses with the following Conditions of Approval:

GENERAL CONDITIONS:

1. The applicant shall maintain the required vision clearance at all times in accordance with Chapter 3.2.2(M).
2. The applicant shall keep the emergency vehicle turnaround area along the northern side of the building clear of permanent structures or other obstructions.

PRIOR TO ISSUANCE OF DEVELOPMENT PERMITS:

3. The applicant shall provide a revised site plan that:
 - a. Includes revised elevations incorporating offsets, projections, or other building extensions or breaks in the building façade every 50 feet.
 - b. Details the decorative pavement treatment that will be used to tie into the parking lot pedestrian circulation system.

- c. Identifies the location of all proposed parking, pedestrian and building lighting and lighting specifications for all proposed lighting types.
 - d. Includes a design for the required parapet that matches the overall building design.
 - e. Details the trash enclosure including the wall materials to be used and the proposed metal gate.
 - f. Includes 10 bicycle spaces with at least 25% covered and provides a design for the enclosed bicycle parking that demonstrates the structure is architecturally compatible with the design of the building and that the additional standards outlined in Chapter 3.4.4(B) (2) and (3) are met.
 - g. Identifies a rolled curb and 40-foot turnaround area adjacent to the northern side of the building, an additional fire hydrant in the landscaped area along Grove Road and the location of the required post indicator valve and Knox box.
 - h. Identifies internal pedestrian paths along the entire southern and northern portions of the building and any other portions of the building where ingress or egress is possible to ensure all building entrance connect to one another.
 - i. Includes one additional parking area tree and increases the tree caliper size from 1.5-inches to 2-inches.
4. The applicant shall provide a revised site plan and approved public improvement plans that includes the required 4-foot planting strip with trees spaced no more than 30 feet apart located between the curb and sidewalk. If necessary, any additional right-of-way to support the construction of the planting strip and sidewalk infrastructure shall be dedicated pursuant to Chapter 3.5.2 (A)(2) of the PLDC.
 5. The applicant shall provide a copy of an approved Encroachment Permit that demonstrates compliance with the driveway apron standards of Chapter 3.2.2(J)(5) and the approved public improvement plans for the sidewalk and planter strip.
 6. The applicant shall provide a copy of a stormwater management plan approved by Rogue Valley Sewer Services.
 7. The applicant shall provide a copy of a 1200c (erosion control) Permit approved by Rogue Valley Sewer Services.
 8. Submit a sign permit pursuant to Chapter 3.6 – Signs.

PRIOR TO CERTIFICATE OF OCCUPANCY:

9. The applicant shall install all required public improvements in accordance with the approved public improvement plans.
10. The applicant shall install all required improvements that are part of the approved site plan.

IT IS HEREBY ORDERED THAT the Phoenix Planning Commission approves the requested Conditional Use (CU23-01) and Site Design Review (SP23-03) application

for a 18,713 square foot indoor golf driving range and other accessory uses based on the information presented in the Staff Report and Findings of Fact below:

In the following, any text quoted directly from City codes appears in italics; staff findings appear in regular typeface.

In order to approve the request, findings must be made showing consistency with all applicable criteria. The Applicant submitted a narrative addressing the standards and criteria of Chapters 2.4, 2.9, 3.1-3.9, 3.12, 4.2 and Chapter 4.4 along with a conceptual storm-water plan; and a preliminary site design map. PLDC approval criteria for Site Design and Conditional Use Permit review in relation to Applicant's submittal are summarized in the staff report and addressed in detail in the findings below.

CHAPTER 2 – LAND USE DISTRICTS

Chapter 2.4 – Commercial Highway (C-H)

2.4.1 - Purpose

- A. *Purpose. The purpose of the Commercial Highway district to provide for the development of easily accessible commercial areas that are intended to accommodate a mixture of retail businesses, services, and professional offices to serve the commercial and retail needs of the community and surrounding areas. In addition, this district will accommodate uses served by vehicles, such as auto repair or auto sales, which are not compatible with the City Center and will provide for residential development to the R-3 zoning standards. Development shall satisfy all of the Phoenix Comprehensive Plan's Goals and Policies. All new development is subject to site plan review in accord with this code (Amended December 21, 2020 Ordinance 1012).*

FINDING: Applicant proposes the development of an indoor golf driving range designed for professional training and entertainment. The proposed use is membership based and is an allowed use in the Commercial Highway Zoning District subject to the provisions of PLDC Chapter 2.4.3 – 2.4.6 (except 2.4.5) as well as Chapter 4.2 and Chapter 4.4. The applicant addressed the criteria in their findings which staff has reviewed and addressed below. **The standard is met with conditions.**

2.4.2 - Permitted Land Uses

- A. *Permitted and Conditionally Permitted Uses. Permitted and conditionally permitted land uses within the Commercial Highway zone district are listed in Table 2.4.2, subject to the provisions of this Chapter. Only land uses that are specifically listed in Table 2.4.2, and those uses that are approved as similar to those in Table 2.4.2, may be permitted.*

FINDING: Table 2.4.2 lists commercial retail and service uses as an allowed use in the zone subject to Site Design Review and a Conditional Use Permit due to the building's location in the Trip Budget Overlay. The applicant has addressed the criteria for both Chapter 4.2 and Chapter 4.4 in their application narrative. **The standard is met.**

2.4.3 - Development Standards

- A. *Building Height. Maximum building height is 50 feet. Building height is measured as measured in accordance with the definition of "Height of Building" in Chapter 1.3 – Definitions.*

Where applicable, cornices (e.g., building tops or first-story cornices) shall be aligned to generally match the heights of those on adjacent buildings. Height transition or step-down required adjacent to residential development, where applicable.

FINDING: As proposed, the building is a single story and has a height less than 50 feet. **The standard is met.**

- B. *Yard Setbacks. There is no minimum yard setback required, except that buildings shall conform to the vision clearance standards in 3.2.2 – Vehicular Access and Circulation, Section M and the applicable fire and building codes for attached structures, firewalls, and related requirements. (Setbacks for self-storage facilities are in Chapter 2.4.5 – Special Standards for Certain Uses, Section G.)*

However, all buildings within the Oregon 99 Setback Overlay Zone shall be set back no less than 15 feet from the Oregon 99 right-of-way line (see 2.10.2 – Setback Requirement).

FINDING: The subject property is not within the Oregon 99 Setback Overlay Zone and not subject to the setbacks established in the overlay. The proposed building meets the vision clearance standards set in Section 3.2.2 – Vehicular Access and Circulation addressed in the findings below. **The standard is met.**

- C. *Lot Coverage. The area covered by impervious surfaces shall be minimized to the greatest extent practicable; best practices for surface water management shall be required. (See the "Water Quality Model Code and Guidebook," DLCD and DEQ, 2000, or as may be amended.)*

FINDING: The proposed development includes a 18,516 square foot building and the recommended number of parking spaces for the use. No unnecessary impervious surface has been proposed. Given the size of the project, a stormwater management plan is required and has been determined feasible by the applicant's Engineer. Findings supporting the stormwater management plan are addressed in Chapter 3.8. – Storm and Surface Water Management Standards. **The standard is met with conditions.**

- D. *Landscaping. A minimum percentage of 20% landscaping is required. Landscaping shall meet the requirements of Chapter 3.3 – Landscaping, Street Trees, Fences, and Walls. A buffer may be required between abutting commercial/civic/industrial and residential sites, as determined through design review.*

FINDING: The proposed site design includes plans for landscaping; irrigation and type of landscaping exceeding the minimum 20% required. Additional standards in Chapter 3.3 are addressed in the findings below. **The standard is met.**

- E. *Traffic. The proposed use shall not impose an undue burden on the public transportation system. For developments that are likely to generate more than 200 average daily motor vehicle trips (ADTs), the applicant shall provide a traffic impact study to demonstrate the level of impact to the street system will not exceed a V/C ratio of .85. Whenever level of service is determined to be above .85 V/C and transportation improvements are not planned within the planning horizon, the applicant shall mitigate improvements to be completed prior to development. The Site design shall assure that the property access does not adversely affect traffic by creating dangerous conditions or congestion.*

FINDING: The applicant secured the services of Southern Oregon Transportation Engineering to provide a trip assessment for the proposed 18,516 square foot “golf garage”. The subject property is currently zoned Commercial Highway (C-H) and is located within the Trip Budget Overlay. Access to the subject parcel is from Grove Road. As demonstrated in the engineer’s report, the proposed development will occupy approximately 1.35 acres of Tax Lot 205. The Exit 24 Interstate Area Management Plan (IAMP) identifies this parcel being approximately 4.05 acres in size and having a trip budget allocation of 122 PM Peak Hours. Based on this and to be consistent with Table 2.9 – Parcel Budget in the City of Phoenix Municipal Code, proposed development was considered to cover 40% of the developable acreage or an equivalent 48 p.m. peak hour trips (40% x 122 p.m. trips = 48 p.m. trips).

Trip generation calculations for proposed development were prepared using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition. An ITE rate was used for land use code 432 – Golf Driving Range, 492 – Health/Fitness Club, 720 – Medical Office, and 926 – Food Cart Pod to provide a comprehensive worst-case accounting of trips. The Golf Garage building is proposed to include tee boxes for hitting balls and getting lessons, a pro shop, and a refreshment area, all of which fall under the golf driving range land use. In addition to these uses, the building will include a physical fitness and pilates area, which fall under a health/fitness land use, and a space for a potential chiropractor, which falls under a medical office land use. The final component is a proposed food truck area outside the building that will have two trucks. A summary is provided in Table 1 (page 2) of the engineer’s assessment.

As shown in Table 1, the proposed Golf Garage development with two food trucks is estimated to generate 248 net daily trips with 10 trips occurring during the a.m. peak hour and 32 trips during the p.m. peak hour. The ITE does not have a pass-by percentage documented for food trucks, but it’s likely there will be some pass-by associated with them. A pass-by reduction was not taken but a 10% internal trip reduction was taken because the food trucks and all uses within the Golf Garage building are intended to serve the same customers, which the Engineer considered a reasonable assumption.

Based on the Engineer’s analysis, the proposed use does not impose an undue burden on the public transportation system. The proposed development is estimated to generate a net increase of 248 ADT on Grove Road, which is over 200 ADT. The nearest intersection of Grove Road / N Phoenix Road was evaluated with and without the proposed development and shown to operate at a v/c ratio of 0.33 and 0.42 during the a.m. and p.m. peak hours, respectively. Proposed development, therefore, is not shown to impose an undue burden and a full traffic study is not required. **The standard is met.**

- I. *Parking. On-site vehicle and bicycle parking shall be provided in accord with the City's Parking Ordinance. (The ordinance includes both minimum and maximum numbers of parking spaces.)*

FINDING: The proposed Site Design Review includes the construction of 22 parking stalls, including 1 ADA space. Chapter 3.4.3 of the PLDC includes a prescribed number of parking spaces based on use. However, recent State Legislation prohibits the city from enforcing parking minimum, therefore the number of parking stalls cannot be used to render a decision.

When on-site parking is provided, bicycle parking shall also be provided as part of the request. Chapter 3.4.4 of the PLDC requires the greater of 10 bicycle parking spaces or 1 space per 20 vehicles for commercial entertainment of which 25% must be covered. As proposed, the Site Design Review provides 2 standard bicycle parking spaces. **Prior to issuance of permits, the applicant shall provide a revised site plan that includes 10 bicycle spaces, of which 25% are covered. The standard is met with conditions.**

2.4.4 - Architectural Guidelines and Standards

- A. *Architectural Continuity and Quality. New and remodeled buildings may have their own architectural style but there must be some architectural continuity with the other structures located within the area. All building designs located within the Commercial Highway District must be of a high architectural quality and shall incorporate the following:*

1. *Continuous building walls of greater than 50 feet shall be avoided. Breaks in the wall plane shall be incorporated into the building design.*

FINDING: The exterior walls of this building are to be CMU / Metal Panels and demonstrate a high-quality level of architectural design. However, as proposed, all building elevations have building dimensions greater than 50 feet and none of the elevations provide the required articulation or breaks in the building plane other than the change in materials. **Prior to the issuance of permits, the applicant shall provide a revised site plan that includes revised elevations incorporating offsets, projections, or other building extensions or breaks in the building façade every 50 feet. The standard is met with conditions.**

2. *Entrances to the buildings shall be clearly defined architecturally. Entrances shall include decorative pavement treatments in order to tie into the parking lot pedestrian circulation systems.*

FINDING: Metal canopies over the entrances are proposed and clearly define the building entrances. Safe pedestrian access and circulation is provided to the entrance of the building as required by this section, however, no part of the proposed site plan details the decorative pavement treatments that will be used. **Prior to issuance of permits, the applicant shall provide a revised site plan details the decorative pavement treatment that will be used to tie into the parking lot pedestrian circulation system. The standard is met**

with conditions.

3. *Exterior building materials shall be of high quality and shall be selected based upon their weathering properties. Generally, materials such as stucco, brick, or masonry block should be used for exterior walls.*

FINDING: Concrete Masonry Units (CMU) and metal siding are proposed in the exterior construction of this project. **The standard is met.**

4. *When the building is part of a larger complex, continuity of materials and design shall be required.*

FINDING: The proposed building is not part of a larger complex. **The standard is not applicable.**

- B. *Lighting. Project lighting shall be provided in order to create safe low-light conditions, and in accordance with Chapter 3.12 – Outdoor Lighting.*

FINDING: The site plan does not identify the location or height of the lighting detailed in the applicant's narrative. The applicant has opted to use the Prescriptive Method, Section 3.12.6.A for non-residential lighting, but has not identified the location, height or type of fixtures being used on the site plan. **Prior to issuance of permits, the applicant shall provide a revised site plan that identifies the location of all proposed parking, pedestrian and building lighting and lighting specifications for all proposed lighting types. The standard is met with conditions.**

- C. *Roof-mounted equipment. Roof-mounted mechanical equipment is not allowed unless completely screened by equipment well or screened by a parapet wall.*

FINDING: As noted in the applicant's narrative, the roof-mounted equipment location has not been determined. **Prior to issuance of building permits, the applicant shall provide a revised site plan that includes a design for the required parapet that matches the overall building design. The standard is met with conditions.**

- D. *Detailing. Architectural detailing shall be consistent on all elevations.*

FINDING: The exterior walls of this building are CMU / Metal Panels and demonstrate a high-quality level of architectural design and consistency on all elevations. However, all building elevations have building dimensions greater than 50 feet and none of the elevations provide the required articulation or breaks in the building plane other than the change in materials. **Prior to the issuance of permits, the applicant shall provide a revised site plan that includes revised elevations incorporating offsets, projections, or other building extensions or breaks in the building façade every 50 feet. The standard is met with conditions.**

- E. *Trash Enclosures. Trash enclosures shall be constructed of 6-foot high masonry walls with solid metal gates. The floor of the enclosure shall be constructed of concrete with a 6-foot by 10-foot concrete apron placed in front of the enclosure. The masonry materials used shall be selected to match the materials used in the*

building or buildings that it serves. Trash enclosures shall not be located within 25 feet of a public entrance or a required pedestrian walkway.

FINDING: The proposed site plan identifies the trash enclosure location, however, no details were provided regarding the construction materials. Prior to issuance of permits, the applicant shall provide a revised site plan that details the trash enclosure design including the wall materials to be used and the proposed metal gate. The standard is met with conditions.

F. Parking lot lighting. Parking lot lighting shall be provided for parking lots containing more than 10 spaces. Parking lots with more than 10 vehicle parking spaces shall also include pedestrian scale lighting of pedestrian walkways and bicycle parking areas. All outdoor lighting shall comply with Chapter 3.12.

FINDING: The applicant's narrative describes the location and type of lighting proposed in the parking area and on the proposed building, but does not identify the locations or types of lighting on the site plan. Prior to issuance of permits, the applicant shall provide a revised site plan that identifies all proposed parking, pedestrian and building lighting and lighting specifications. The standard is met with conditions.

G. Bicycle Parking. Bicycle parking shall be integrated into the design for development within the C-H zone district. The location of the spaces must be coordinated with the location and orientation of vehicle parking, bicycle lanes, and pedestrian walkways. Enclosed bicycle parking shall be designed to be architecturally compatible with the design of the building or buildings located on the site. (See the Parking chapter of this development code for other bicycle parking requirements.)

FINDING: The applicant has proposed 2 bicycle parking spaces which does not meet the minimum requirement of 10 spaces. A minimum of 25% of all required bicycle parking shall be covered. Prior to issuance of permits, the applicant shall provide a revised site plan that includes 10 bicycle spaces with at least 25% covered and provide a design for the enclosed bicycle parking that demonstrates the structure is architecturally compatible with the design of the building. The standard is met with conditions.

H. Pedestrian Circulation. Projects that require more than 50 vehicle parking spaces shall also be required to provide the following separate pedestrian circulation improvements:

1. *Covered walkways, a trellis structure planted with vines or other solution that is designed to provide pedestrians with shade and protection from the weather.*

FINDING: The proposed site plan does not include more than 50 vehicle parking spaces, therefore, covered walkways or other trellis structures are not required. **The standard is not applicable.**

2. *All pedestrian circulation areas must be lighted with pedestrian scale light fixtures in compliance with Chapter 3.12.*

FINDING: The applicant's narrative describes the location and type of lighting proposed in the parking area and on the proposed building, but does not identify the locations or types of lighting on the site plan. **Prior to issuance of permits, the applicant shall provide a revised site plan that identifies all proposed parking, pedestrian and building lighting and lighting specifications. The standard is met with conditions.**

3. *Transit stops, on-site connections to transit stops, or designated passenger pick up areas shall be required if deemed appropriate by the Planning Department based upon the size of the project and input from the Rogue Valley Transit District (RVTD) or if requested by RVTD.*

FINDING: No comments were received from Rogue Valley Transit District regarding the need for transit stops, on-site connections to transit or designated passenger pick up areas. **The standard is met.**

4. *Driveway Improvements. Parking lots over three acres in size shall provide street improvements, including curbs, sidewalks, and street trees, in compliance with the local street standards in Table 3.5.*

FINDING: The overall lot size after the partition is approximately 1.34 acres and does not require this standard be met. **The standard is not applicable.**

2.4.6 - Agricultural Buffering and Mitigation

To implement the Agricultural Buffering Standards of the Greater Bear Creek Valley Regional Plan, the Agricultural Buffering & Mitigation provisions of Chapter 3.11 are applicable to development permit applications for urban development on land along the urban growth boundary that abuts land zoned Exclusive Farm Use.

FINDING: Pursuant to Chapter 3.11, the regulations in this section apply to urban land in the urban growth boundary that was added from the urban reserve areas shown in the Regional Plan Element of the Comprehensive Plan. The subject property was not added from an urban reserve area. **The standard is not applicable.**

Chapter 2.9 – Trip Budget Overlay Zone

2.9.1 - Purpose

The Purpose of the Trip Budget Overlay Zone is to foster development in the vicinity of the Fern Valley Interchange in a way that maintains uncongested traffic conditions that meet State of Oregon mobility performance standards applicable to the interchange, North Phoenix Road, Fern Valley Road, and OR99. This Chapter implements the Fern Valley Interchange Area Management Plan trip budget measures which apply to the Trip Budget Overlay Zone of the Land Use District map.

FINDING: The subject property is located within the Trip Budget Overlay Zone. The standards of this section are applicable and have been addressed in section 2.4.3 (E) above and in Chapter 2.9.4 below. **The standard is met.**

2.9.3 – Limitation on Motor Vehicle Trip Generation

- A. *Development constructed in the Trip Budget Overlay Zone of the Land Use District Map must comply with the requirements of this Chapter, as well as requirements of other chapters of this Land Development Code except subsection 2.4.3.E, Traffic, of Chapter 2.4, Commercial Highway.*
- B. *All development on each parcel in the Trip Budget Overlay Zone, regardless of when constructed, may generate no more PM peak-hour trips than are in its Table 2.9 Parcel Budget, except as provided in section 2.9.7, Approval of Trip Generation Above Parcel Budget Numbers.*

2.9.4 – Traffic Impact Study

All new development and applications for land use approvals within the Trip Budget Overlay Zone must include a traffic impact study analysis that Oregon Department of Transportation has reviewed and approved.

FINDING: The applicant secured the services of Southern Oregon Transportation Engineering to provide a trip assessment for the proposed 18,516 square foot “golf garage”. The subject property is currently zoned Commercial Highway (C-H) and is located within the Trip Budget Overlay. Access to the subject parcel is from Grove Road. As demonstrated in the engineer’s report, the proposed development will occupy approximately 1.35 acres of Tax Lot 205. The Exit 24 Interstate Area Management Plan (IAMP) identifies this parcel being approximately 4.05 acres in size and having a trip budget allocation of 122 PM Peak Hours. Based on this and to be consistent with Table 2.9 – Parcel Budget in the City of Phoenix Municipal Code, proposed development was considered to cover 40% of the developable acreage or an equivalent 48 p.m. peak hour trips (40% x 122 p.m. trips = 48 p.m. trips).

Trip generation calculations for proposed development were prepared using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition. An ITE rate was used for land use code 432 – Golf Driving Range, 492 – Health/Fitness Club, 720 – Medical Office, and 926 – Food Cart Pod to provide a comprehensive worst-case accounting of trips. The Golf Garage building is proposed to include tee boxes for hitting balls and

getting lessons, a pro shop, and a refreshment area, all of which fall under the golf driving range land use. In addition to these uses, the building will include a physical fitness and pilates area, which fall under a health/fitness land use, and a space for a potential chiropractor, which falls under a medical office land use. The final component is a proposed food truck area outside the building that will have two trucks. A summary is provided in Table 1 (page 2) of the engineer's assessment.

As shown in Table 1, the proposed Golf Garage development with two food trucks is estimated to generate 248 net daily trips with 10 trips occurring during the a.m. peak hour and 32 trips during the p.m. peak hour. The ITE does not have a pass-by percentage documented for food trucks, but it's likely there will be some pass-by associated with them. A pass-by reduction was not taken but a 10% internal trip reduction was taken because the food trucks and all uses within the Golf Garage building are intended to serve the same customers, which the Engineer considered a reasonable assumption.

Based on the Engineer's analysis, the proposed use does not impose an undue burden on the public transportation system. The proposed development is estimated to generate a net increase of 248 ADT on Grove Road, which is over 200 ADT. The nearest intersection of Grove Road / N Phoenix Road was evaluated with and without the proposed development and shown to operate at a v/c ratio of 0.33 and 0.42 during the a.m. and p.m. peak hours, respectively.

The Engineer's assessment was provided to the Oregon Department of Transportation on June 2, 2023. ODOT's comments on April 25, 2023, state that a full traffic impact study is not required provided a trip accounting memo showing that the development will not exceed the number of trips allocated to the parcel is provided. Proposed development, therefore, is not shown to impose an undue burden and a full traffic study is not required. **The standard is met.**

2.9.5 – Approval of Trip Generation Above Parcel Budget Numbers

Through a Conditional Use Permit issued pursuant to this Chapter and Chapter 4.4, Conditional Use Permits, the City may authorize the owner of a parcel of land in the Trip Budget Overlay Zone to transfer parcel budget trips to another parcel of land in the Trip Budget Overlay Zone only when:

- A. *Development on the "sending" parcel is not generating the transferred trips and will not do so in the future;*
- B. *No fewer than ten trips per net developable acre remain in the sending parcel's parcel budget after the transfer;*
- C. *The City of Phoenix approves the transfer using approval procedures in the Land Development Code; and*
- D. *A covenant prohibiting development on the sending parcel that would generate the transferred trips is recorded in Jackson County land title records.*

FINDING: The proposal does not require the transfer of parcel budget trips. **The standard is not applicable.**

CHAPTER 3 – DESIGN STANDARDS

Chapter 3.2 – Access and Circulation

3.2.2 - Vehicular Access and Circulation

- C. *Traffic Study Requirements. The City or other agency with access jurisdiction may require a traffic study prepared by a licensed traffic engineer to determine access, circulation, and other transportation requirements. (See also, Chapter 3.5.2 – Transportation Standards.)*

FINDING: The subject property is located within the Trip Budget Overlay Zone and includes a request for a 18,516 square in door golf facility. A traffic study assessment was provided by the applicant's Engineer and the findings associated with this standard are addressed in Chapter 2.4.3(E) and Chapter 2.9 above. **The standard is met.**

- E. *Access Options.*

1. *When new vehicle access is required for development, access shall be provided by one of the following methods (a minimum of 10 feet per lane is required). These methods are options to the developer/subdivider, unless one method is specifically required by Chapter 2 (i.e., under "Special Standards for Certain Uses").*
 - a. *Option 1. Access is from an existing or proposed alley or mid-block lane.*
 - b. *Option 2. Access is from a private street or driveway connected to an adjoining property that has direct access to a public street (i.e., shared driveway). A public access easement covering the driveway shall be recorded in this case to assure access to the closest public street for all users of the private street/drive.*

FINDING: The proposal includes a single driveway, 24 feet in width that directly accesses Grove Road, a public street and provides cross access to adjacent parcels. **The standard is met.**

- F. *Access Spacing. Access to and from off-street parking areas shall not permit backing onto a public street, with the exception of single-family driveway with access onto local streets only. Driveway accesses shall be separated from other driveways and street intersections in accordance with the following standards and procedures:*

1. *Minimum driveway spacing is measured from the edge of the driveway at the curb line to the edge of the next driveway at the curb line. Driveway separation from public street intersections is measured from the nearest edge of the driveway at the curb line to the intersecting street right-of-way.*

FINDING: Grove Road is a Collector Street, per Table 6: 3.2.2.F – General Driveway / Intersection Spacing Standards and the minimum Driveway Spacing is set at 150 ft. As proposed, no other driveways are within the required driveway spacing area. **The standard is met.**

- G. *Number of Access points...* The number of street access points for multiple family, commercial, industrial, and public/institutional developments shall be minimized to protect the function, safety, and operation of the streets and sidewalks for all users. Shared access may be required, in conformance with Section H, below, in order to maintain the required access spacing, and minimize the number of access points.

Only two accesses are required for this site, in the event that more are needed they will be minimized as much as possible.

FINDING: The proposed site design plan shows a single access to Grove Road with cross access to adjacent properties as required. **The standard is met.**

- H. *Shared Driveways.* The number of driveway and private street intersections with public streets shall be minimized by the use of shared driveways with adjoining lots where feasible. The City shall require shared driveways as a condition of land division or site design review, as applicable, for traffic safety and access management purposes in accordance with the following standards:

1. *Shared driveways and frontage streets may be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they shall be stubbed to adjacent developable parcels to indicate future extension. "Stub" means that a driveway or street temporarily ends at the property line, but may be extended in the future as the adjacent parcel develops. "Developable" means that a parcel is either vacant or it is identified as redevelopable in the City's Buildable Land Inventory.*
2. *Access easements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including pathways, at the time of final plat approval (Chapter 4.3 – Land Divisions and Lot Line Adjustments) or as a condition of site development approval (Chapter 4.2 – Development Review and Site Design Review).*

FINDING: The proposed site design plan identifies the required cross access with the adjoining lots. **The standard is met.**

- J. *Driveway Openings.* Driveway openings shall be the minimum width necessary to provide the required number of vehicle travel lanes (10 feet for each travel lane). The following standards (i.e., as measured where the front property line meets the sidewalk or right-of-way) are required to provide adequate site access, minimize surface water runoff, and avoid conflicts between vehicles and pedestrians:

4. *Access widths for all other uses shall be based on 10 feet of width for every travel lane, except that driveways providing direct access to parking spaces shall conform to the parking area standards in Chapter 3.4 – Vehicle and Bicycle Parking.*

FINDING: The proposed development includes a single two-way access that is 24 feet in width. **The standard is met.**

- B. *Driveway Aprons. Driveway aprons (when required) shall be constructed of concrete and shall be installed between the street right-of-way and the private drive. Driveway aprons shall conform to ADA standards for sidewalks and pathways, which require a continuous route of travel that is a minimum of three feet in width, with a cross slope not exceeding two percent.*

FINDING: The proposed development includes a single two-way access that is 24 feet in width. Prior to issuance of permits, the applicant shall provide a copy of an approved Encroachment Permit that demonstrates compliance with the driveway apron standards of Chapter 3.2.2(J)(5). The standard is met with conditions.

- K. *Fire Access and Parking Area Turn-arounds. Parking areas shall provide adequate aisles or turn-around areas for public safety, service, and delivery vehicles so that all vehicles may enter the street in a forward manner. (The City's Fire Chief may exempt turn-around requirements for fire trucks if compliance with the Fire Code is maintained.) For requirements related to cul-de-sacs, please refer to Chapter 3.5.2 – Transportation Standards, Section M.*

FINDING: The proposed site design plan includes parking areas with adequate aisles and access to a concrete area that can be used for an emergency turnaround area near the northern property line. In order to provide an accessible turnaround area, the curb between the parking lot and the concrete area shall be rolled to allow emergency vehicle access and the area shall be reserved at all times for that purpose. Prior to issuance of permits, the applicant shall provide a revised site plan that identifies a rolled curb and 40-foot turnaround area adjacent to the northern side of the building, an additional fire hydrant in the landscaped area along Grove Road and the location of the required post indicator valve and Knox box. As an ongoing condition of approval, the applicant shall keep the emergency vehicle turnaround area along the northern side of the building clear of permanent structures or other obstructions. The standard is met with conditions.

- M. *Vision Clearances. The vision clearance setback shall be measured from curb line or where no curb line exists, from edge of pavement. No signs, structures, or vegetation in excess of three feet in height shall be placed in vision clearance areas, as shown below. The Planning Director may increase the minimum vision clearance area upon finding that more sight distance is required (i.e., due to Police Department requirements, traffic speeds, roadway alignment, topography, etc.).*

FINDING: The proposed site design plan does not include the construction of structures or vegetation in excess of three feet in height within the clear vision area. As a general condition of approval, the applicant shall maintain the required vision clearance at all times in accordance with Chapter 3.2.2(M). The standard is met with conditions.

- N. *Construction. The following development and maintenance standards shall apply to all driveways and private streets:*
- A. *Surface Options. Driveways, parking areas, aisles, and turn-arounds may be paved with asphalt or concrete surfacing. Paving surfaces shall be subject to review and approval by the Building Official.*

FINDING: As proposed, all driveways and parking areas include both asphalt and concrete. The standard is met.

- B. *Surface Water Management. When a paved surface is used, all driveways, parking areas, aisles, and turn-arounds shall have on-site collection or infiltration of surface waters to eliminate sheet flow of such waters onto public rights-of-way and abutting property. Surface water facilities shall be constructed in conformance with City standards.*

FINDING: The proposed site design plan includes the construction of a stormwater quality and drainage swale to ensure proper infiltration of surface waters and to eliminate sheet flow of such waters onto public rights-of-way and abutting properties. The development shall demonstrate compliance with the current MS4 permit and the Rogue Valley Stormwater Quality Design Manual and shall be approved by Rogue Valley Sewer Services prior to construction or issuance of building permits. Prior to issuance of permits, the applicant shall provide a copy of a stormwater management plan approved by Rogue Valley Sewer Services. The standard is met with conditions.

- C. *Driveway Aprons. When driveway approaches or aprons are required to connect driveways to the public right-of-way, they shall be paved with concrete surfacing. (See also, Section J.)*

FINDING: The proposed development includes a single two-way access that is 24 feet in width. Prior to issuance of permits, the applicant shall provide a copy of an approved Encroachment Permit that demonstrates compliance with the Driveway Apron standards of Chapter 3.2.2(J)(5). The standard is met with conditions.

3.2.3 - Pedestrian Access and Circulation

A. *Pedestrian Access and Circulation.*

1. *Continuous Pathways. The pathway system shall extend throughout the development site, and connect to all future phases of development, adjacent trails, public parks and open space areas whenever possible. The developer may also be required to connect or stub pathways to adjacent streets and private property, in accordance with the provisions of Chapter 3.2.2 – Vehicular Access and Circulation and Chapter 3.5.2 – Transportation Standards.*
2. *Safe, Direct, and Convenient Pathways.*
 - a. *Reasonably direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of direction travel for likely users.*
 - b. *Safe and convenient. Bicycle and pedestrian routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.*

- c. *For commercial, industrial, mixed use, public, and institutional buildings, the primary entrance is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.*
3. *Connections within Development. For all developments subject to Site Design Review, pathways shall connect all building entrances to one another. In addition, pathways shall connect all parking areas, storage areas, recreational facilities and common areas (as applicable), and adjacent developments to the site, as applicable. Internal pedestrian circulation within new office parks and commercial developments shall be provided through clustering of buildings, construction of accessways, walkways and similar techniques.*

FINDING: The applicant's findings state that the parking lot will include pedestrian pathways as required by this section. After review of the plan and findings, there is an area along the north side of the building adjacent to the practice chipping green and an area along the south side of the building adjacent to the driveway that have inadequate pathway areas. The standard can be met by providing additional pathways in both locations.

Prior to issuance of permits, the applicant shall provide a revised site plan that identifies internal pedestrian paths along the entire southern and northern portions of the building and any other portions of the building where ingress or egress is possible to ensure all building entrance connect to one another. The standard is met with conditions.

B. Design and Construction. Pathways shall conform to all of the standards in 1-5:

1. *Vehicle/Pathway Separation. Where pathways are parallel and adjacent to a driveway or street (public or private), they shall be raised six inches and curbed, or separated from the driveway/street by a five-foot minimum strip with bollards, a landscape berm, or other physical barrier. If a raised path is used, the ends of the raised portions must be equipped with curb ramps.*
2. *Crosswalks. Where pathways cross a parking area, driveway, or street, they shall be clearly marked with contrasting paving materials, humps/raised crossings, or painted striping. An example of contrasting paving material is the use of a concrete crosswalk through an asphalt driveway. If painted striping is used, it shall consist of thermo-plastic striping or a similar type of durable application. Crosswalks on state highway facilities shall be developed in coordination with the Oregon Department of Transportation (ODOT), shall be designed to state standards, and may require an Intergovernmental Agreement (IGA) to address maintenance responsibilities.*
3. *Pathway Surface. Pathway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, at least six feet wide, and shall conform to ADA requirements. Multi-use paths shall be the same materials, at least 10 feet wide. (See also Chapter 3.5.2 – Transportation Standards for public, multi-use pathway standard.)*

4. *Accessible routes. Pathways shall comply with the Americans with Disabilities Act, which requires accessible routes of travel.*

FINDING: As proposed all pathways within the development area are separated from vehicular areas with 6" curbs and are connected to each other by a painted crosswalk. **The standard is met.**

Chapter 3.3 – Landscaping, Street Trees, Fences, and Walls

3.3.3 - New Landscaping

- B. *Landscaping Plan Required. A landscape plan is required. All landscape plans shall conform to the requirements in 4.2.5 – Site Design Review Application Submission Requirements, Section B.5 (Landscape Plans). All landscape and irrigation plans must be reviewed and approved by the Planning Director, unless the conditions of the project specifically require Planning Commission approval.*
- C. *Landscape Area Standards. The minimum percentage of required landscaping equals: 1. Residential Districts. 20 percent of the site. 2. City Center District. 10 percent of the site. 3. Commercial Districts. A minimum of 20 percent of the site shall be landscaped. 4. Industrial Districts. 20 percent of the site.*

FINDING: The proposed site design plan includes a mix of natural vegetation, including a combination of trees, shrubs and ground cover that meet the requirements of Chapter 3.3.3(D). The site is approximately 58,688 sf. and requires 11,737 sf. of landscaping. As proposed, the plan provides for 16,885 sf., exceeding the requirement. **The standard is met.**

- E. *Landscape Design Standards.*
 2. *Parking areas. A minimum of eight percent of the combined area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped. Such landscaping shall consist of an evenly distributed mix of shade trees with shrubs and/or ground cover plants. "Evenly distributed" means that the trees and other plants are distributed around the parking lot perimeter and between parking bays to provide a partial canopy. At a minimum, one tree per five parking spaces total shall be planted to create a partial tree canopy over and around the parking area. All parking areas with more than 20 spaces shall include landscape islands with trees to break up the parking area into rows of not more than 12 contiguous parking spaces. All landscaped areas shall have minimum dimensions of eight feet by 19 feet and all tree wells shall have minimum dimensions of four feet by four feet to ensure adequate soil, water, and space for healthy plant growth. Trees planted within parking areas shall be a minimum of 2-inch caliper trees, unless the landscape plan includes a dense planting of varying sized trees.*

FINDING: The proposed site design plan includes a mix of natural vegetation, including a combination of trees, shrubs and ground cover that is evenly distributed. The plan includes landscape islands with no more than 12 continuous parking spaces. All landscaped areas meet the minimum dimension and all tree wells have minimum dimensions of four feet by four feet to ensure adequate soil, water, and space for healthy plant growth. None of the trees within the parking area appear to meet the minimum 2-inch caliper size. Trees planted within parking areas shall be a minimum of 2-inch caliper trees, unless the landscape plan includes a dense planting of varying sized trees, which in this case it does not. Additionally, the plan appears to use the tree on the adjacent property to the west to account for the parking lot shading requirements. Although not conventional, these trees can be used to create partial shade as required, but their caliper size needs to be included in the plan and they do not count for the minimum required in the parking area. Currently there are four trees proposed in the parking area within the boundary of the subject property. There are 22 parking stalls requiring a minimum of five 2-inch caliper trees. As proposed, this plan provides only four. **Prior to issuance of permits, the applicant shall provide a revised landscape plan that includes one additional parking area tree and increases the tree caliper size from 1.5-inches to 2-inches.**

The applicant's narrative identifies 8,636 sf. of parking and maneuvering area and 2,069 sf. of landscaped area surrounding the parking and maneuvering area. Using GIS, staff determined that the parking and maneuvering area, including the driveways totals approximately 16,400 sf. and approximately 10,000 sf. of landscaping. Based on the GIS calculations, approximately 1,312 sf. of landscaped area is required. As proposed, the landscaped around the parking and maneuvering areas exceeds the minimum 8% requirement. **The standard is met with conditions.**

1. *Buffering and Screening Required. Buffering and screening are required under the following conditions:*
 - a. *Parking/Maneuvering Area Adjacent to Building. Where a parking or maneuvering area, or driveway, is adjacent to a building, the area shall be separated from the building by a raised pathway, plaza, or landscaped buffer no less than eight feet in width. Raised curbs, bollards, wheel stops, or other design features shall be used to protect buildings from being damaged by vehicles.*

FINDING: The proposed site design plan includes parking areas separated from the building by a combination of concrete pathways eight feet in width, raised curbs and wheel stops to protect the building. **The standard is met.**

- b. *Screening of Mechanical Equipment, Outdoor Storage, Service and Delivery Areas, and Automobile-Oriented Uses. All mechanical equipment, outdoor storage and manufacturing, and service and delivery areas, shall be screened from view from all public streets and Residential districts.*

FINDING: No external mechanical equipment has been proposed as part of this review. However, any mechanical equipment proposed at the time of building permits will need to be screened from view from all public streets. Prior to issuance of permits, the applicant shall demonstrate that all mechanical equipment being proposed has been appropriately screened from view from Grove Road. The standard is met with conditions.

3.3.4 – Street Trees

Street trees shall be planted for all developments that are subject to Land Division or Site Design Review. Requirements for street tree planting strips are provided in Chapter 3.5.2 – Transportation Standards. Planting of unimproved streets shall be deferred until the construction of curbs and sidewalks.

FINDING: The proposed site plan includes street trees as required by Chapter 3.3.4 – Street Trees. However, these trees, as proposed, are not located in the Grove Road right-of-way. Table 3.5.2 of the PLDC requires that 3-lane collector roads have a planting strip that is a minimum of 4 feet in width. Further, the table requires the planting strip to be located between the curb and sidewalk similar to and aligned with the Garrisons development to the west. The proposed site plan indicates approximately 8 feet of right-of-way between the curb on Grove Road and the property line, insufficient for the necessary planting strip and sidewalk infrastructure. Consultation by the applicant with Public Works and Engineering is necessary to determine if the required sidewalk and planting strip can be planted within the existing right-of-way, if additional right-of-way shall be dedicated or if the existing curb needs to be relocated. Prior to issuance of permits, the applicant shall provide a revised site plan and approved public improvement plans that includes the required 4-foot planting strip with trees spaced no more than 30 feet apart located between the curb and sidewalk. If necessary, any additional right-of-way to support the construction of the planting strip and sidewalk infrastructure shall be dedicated pursuant to Chapter 3.5.2 (A)(2) of the PLDC. The standard is met with conditions.

3.3.5 – Fences and Walls

FINDING: The proposed site plan does not include the construction of a fence. When it is determined that a fence is necessary, the applicant shall provide the appropriate fence permit. The standard is not applicable.

Chapter 3.4 – Vehicle and Bicycle Parking

3.4.3 – Vehicle Parking Standards

- A. *Number of Spaces Required. The minimum number of required off-street vehicle parking spaces (i.e., parking that is located in parking lots and garages and not in the street right-of-way) shall be determined based on the standards in Table 3.4.3.A.*

- C. *Maximum Number of Parking Spaces. The number of parking spaces provided by any particular use in ground surface parking lots shall not exceed the required minimum number of spaces provided by this Section by more than 5%.*

- D. *Parking Stall Standard Dimensions and Compact Car Parking. All off-street parking stalls shall be improved to conform to City standards for surfacing, stormwater management, and striping. Standard parking spaces shall conform to the dimensions in Figure 3.4.3.E.*
- E. *Disabled Person Parking Spaces. The following parking shall be provided for disabled persons, in conformance with the Americans with Disabilities Act. Disabled parking is included in the minimum number of required parking spaces in Section A, above.*

FINDING: The proposed Site Design Review includes the construction of 22 parking stalls, including 1 ADA space. Chapter 3.4.3 of the PLDC includes a prescribed number of parking spaces based on use. However, recent State Legislation prohibits the city from enforcing parking minimum, therefore the number of parking stalls cannot be used to render a decision. All proposed parking stalls meet the minimum dimension requirements and other development standards. The number of ADA space shall be determined by the Building Official. **The standard is met.**

3.4.4 – Bicycle Parking Requirements

All uses that are subject to Site Design Review shall provide bicycle parking...

FINDING: When on-site parking is provided, bicycle parking shall also be provided as part of the request. Chapter 3.4.4 of the PLDC requires the greater of 10 bicycle parking spaces or 1 space per 20 vehicles for commercial entertainment of which 25% must be covered. As proposed, the Site Design Review provides 2 standard bicycle parking spaces. **Prior to issuance of permits, the applicant shall provide a revised site plan that includes 10 bicycle spaces, of which 25% are covered. The standard is met with conditions.**

Chapter 3.5 – Street and Public Facilities Standards

3.5.2 – Transportation Standards

- A. *Development Standards. No development shall occur unless the development has frontage or approved access to a public street, in conformance with the provisions of Chapter 3.2 – Access and Circulation, and the following standards are met:*
 - 1. *Streets within or adjacent to a development shall be improved in accordance with the Transportation System Plan and the provisions of this Chapter.*
 - 3. *New streets, alleys and drives connected to a collector or arterial street shall be paved.*

FINDING: Grove Road is completely constructed to collector standards with exception to the required sidewalk and planting strip and as proposed, the driveway connected to the collector street is paved. The proposed site plan includes street trees as required by Chapter 3.3.4 – Street Trees, but as proposed, are not located in the Grove Road right-of-way. Table 3.5.2 of the PLDC requires that 3-lane collector roads have a planting strip

that is a minimum of 4 feet in width. Further, the table requires the planting strip to be located between the curb and sidewalk similar to and aligned with the Garrisons development to the west. The proposed site plan indicates approximately 8 feet of right-of-way between the curb on Grove Road and the property line, insufficient for the necessary planting strip and sidewalk infrastructure. Consultation by the applicant with Public Works and Engineering is necessary to determine if the required sidewalk and planting strip can be planted within the existing right-of-way, if additional right-of-way shall be dedicated or if the existing curb needs to be relocated. Prior to issuance of permits, the applicant shall provide a revised site plan and approved public improvement plans that includes the required 4-foot planting strip with trees spaced no more than 30 feet apart located between the curb and sidewalk. If necessary, any additional right-of-way to support the construction of the planting strip and sidewalk infrastructure shall be dedicated pursuant to Chapter 3.5.2 (A)(2) of the PLDC. The standard is met with conditions.

6. *Traffic Impact Analysis Preparation. A professional engineer registered in the State of Oregon, in accordance with the requirements of the road authority, shall prepare the Traffic Impact Analysis.*

FINDING: The applicant secured the services of Southern Oregon Transportation Engineering to provide a trip assessment for the proposed 18,516 square foot “golf garage”. The subject property is currently zoned Commercial Highway (C-H) and is located within the Trip Budget Overlay. Access to the subject parcel is from Grove Road. As demonstrated in the engineer’s report, the proposed development will occupy approximately 1.35 acres of Tax Lot 205. The Exit 24 Interstate Area Management Plan (IAMP) identifies this parcel being approximately 4.05 acres in size and having a trip budget allocation of 122 PM Peak Hours. Based on this and to be consistent with Table 2.9 – Parcel Budget in the City of Phoenix Municipal Code, proposed development was considered to cover 40% of the developable acreage or an equivalent 48 p.m. peak hour trips (40% x 122 p.m. trips = 48 p.m. trips).

Trip generation calculations for proposed development were prepared using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition. An ITE rate was used for land use code 432 – Golf Driving Range, 492 – Health/Fitness Club, 720 – Medical Office, and 926 – Food Cart Pod to provide a comprehensive worst-case accounting of trips. The Golf Garage building is proposed to include tee boxes for hitting balls and getting lessons, a pro shop, and a refreshment area, all of which fall under the golf driving range land use. In addition to these uses, the building will include a physical fitness and pilates area, which fall under a health/fitness land use, and a space for a potential chiropractor, which falls under a medical office land use. The final component is a proposed food truck area outside the building that will have two trucks. A summary is provided in Table 1 (page 2) of the engineer’s assessment.

As shown in Table 1, the proposed Golf Garage development with two food trucks is estimated to generate 248 net daily trips with 10 trips occurring during the a.m. peak hour and 32 trips during the p.m. peak hour. The ITE does not have a pass-by percentage documented for food trucks, but it’s likely there will be some pass-by associated with them. A pass-by reduction was not taken but a 10% internal trip reduction was taken because the food trucks and all uses within the Golf Garage building are intended to serve the same customers, which the Engineer considered a reasonable assumption.

Based on the Engineer's analysis, the proposed use does not impose an undue burden on the public transportation system. The proposed development is estimated to generate a net increase of 248 ADT on Grove Road, which is over 200 ADT. The nearest intersection of Grove Road / N Phoenix Road was evaluated with and without the proposed development and shown to operate at a v/c ratio of 0.33 and 0.42 during the a.m. and p.m. peak hours, respectively. Proposed development, therefore, is not shown to impose an undue burden and a full traffic study is not required. **The standard is met.**

7. *The City may accept a Deferred Improvement Agreement or a future improvement guarantee [e.g., owner agrees not to remonstrate against the formation of a local improvement district in the future] in lieu of street improvements if one or more of the following conditions exist:*
 - a. *A partial improvement may create a potential safety hazard to motorists or pedestrians*
 - b. *Due to the developed condition of adjacent properties, it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide increased street safety or capacity, or improved pedestrian circulation;*

FINDING: Grove Road is completely constructed to collector standards with exception to the required sidewalk and planting strip. The proposed site plan includes street trees as required by Chapter 3.3.4 – Street Trees, but as proposed, are not located in the Grove Road right-of-way. Table 3.5.2 of the PLDC requires that 3-lane collector roads have a planting strip that is a minimum of 4 feet in width. Further, the table requires the planting strip to be located between the curb and sidewalk similar to and aligned with the Garrisons development to the west. The proposed site plan indicates approximately 8 feet of right-of-way between the curb on Grove Road and the property line, insufficient for the necessary planting strip and sidewalk infrastructure. Consultation by the applicant with Public Works and Engineering is necessary to determine if the required sidewalk and planting strip can be planted within the existing right-of-way, if additional right-of-way shall be dedicated or if the existing curb needs to be relocated. **Prior to issuance of permits, the applicant shall provide a revised site plan and approved public improvement plans that includes the required 4-foot planting strip with trees spaced no more than 30 feet apart located between the curb and sidewalk. If necessary, any additional right-of-way to support the construction of the planting strip and sidewalk infrastructure shall be dedicated pursuant to Chapter 3.5.2 (A)(2) of the PLDC. Prior to Certificate of Occupancy, the applicant shall install all required public improvements in accordance with the approved public improvement plans. The standard is met with conditions.**

- D. *Creation of Access Easements. The City may approve an access easement established by deed when the easement is necessary to provide for access and circulation in conformance with Chapter 3.2 – Access and Circulation. Access easements shall be created and maintained in accordance with the Fire Code as amended.*

FINDING: The proposed site design plan includes the required cross access easement compliance with this section, facilitating efficient vehicular circulation and providing access to the adjoining properties. **The standard is met.**

F. *Minimum Rights-of-Way and Street Sections. Street rights-of-way and improvements shall be the widths in Table 3.5.2. A Conditional Use shall be required in conformance with Chapter 3.5.2 – Transportation Standards, Section B to vary the standards in Table 3.5.2. The standards shown in Table 3.5.3 include the cross sections for each of the roadway classifications. Where a range of width is indicated, the width shall be determined by the decision-making authority based upon the following factors:*

- a. *Street classification in the Transportation System Plan;*
- b. *Anticipated traffic generation;*
- c. *On-street parking needs;*
- d. *Sidewalk and bikeway requirements based on anticipated level of use;*
- e. *Requirements for placement of utilities;*
- f. *Street lighting;*
- g. *Minimize drainage and slope lands impacts;*
- h. *Street tree location, as provided for in 3.3.4 – Street Trees;*
- i. *Protection of significant vegetation, as provided for in 3.3.2 – Landscape Conservation;*
- j. *Safety and comfort for motorists, bicyclists, and pedestrians;*
- k. *Street furnishings (e.g., benches, lighting, bus shelters, etc.), when provided;*
- l. *Access needs for emergency vehicles; and*
- m. *Transition between different street widths (i.e., existing streets and new streets), as applicable.*

J. *Sidewalks, Planter Strips, Bikeways. Sidewalks, planter strips, and bikeways shall be installed in conformance with the standards in Table 3.5.2, applicable provisions of the Transportation System Plan and the adopted streetscape plans. Maintenance of sidewalks, curbs, and planter strips is the continuing obligation of the adjacent property owner. Pursuant to the Statewide Transportation Planning Rule (OAR 660-012):*

1. *All roadways, with the exception of freeways, shall have sidewalks on at least one side of the street, or on both sides of the street in the case of arterial and collector roadways. Sidewalks shall be a minimum 5 feet wide, with 6 feet being the standard width in residential areas. Wider facilities (8-10 feet) are recommended in commercial areas and locations with higher pedestrian volumes, such as within the City Center.*

O. *Curbs, Curb Cuts, Ramps, and Driveway approaches. Concrete curbs, curb cuts, wheelchair, bicycle ramps and driveway approaches shall be constructed in accordance with standards specified in Chapter 3.2 – Access and Circulation.*

FINDING: Grove Road is completely constructed to collector standards with exception to the required sidewalk and planting strip. The proposed site plan includes street trees as required by Chapter 3.3.4 – Street Trees, but as proposed, they are not located in the Grove Road right-of-way. Table 3.5.2 of the PLDC requires that 3-lane collector roads

have a planting strip that is a minimum of 4 feet in width. Further, the table requires the planting strip to be located between the curb and sidewalk similar to and aligned with the Garrisons development to the west. The proposed site plan indicates approximately 8 feet of right-of-way between the curb on Grove Road and the property line, insufficient for the necessary planting strip and sidewalk infrastructure. Consultation by the applicant with Public Works and Engineering is necessary to determine if the required sidewalk and planting strip can be planted within the existing right-of-way, if additional right-of-way shall be dedicated or if the existing curb needs to be relocated. Prior to issuance of permits, the applicant shall provide a revised site plan and approved public improvement plans that includes the required 4-foot planting strip with trees spaced no more than 30 feet apart located between the curb and sidewalk. If necessary, any additional right-of-way to support the construction of the planting strip and sidewalk infrastructure shall be dedicated pursuant to Chapter 3.5.2 (A)(2) of the PLDC. Prior to Certificate of Occupancy, the applicant shall install all required public improvements in accordance with the approved public improvement plans. **The standard is met with conditions.**

3.5.5 – Utilities

B. Easements. Easements shall be provided for all underground utility facilities.

FINDING: The proposed site plan provides the necessary public utility easement. **The standard is met.**

Chapter 3.6 – Signs

3.6.3 – Applicability and Exemptions

Sign Permit Required. All signs visible from the public right-of-way or private areas accessible to the public within the City of Phoenix shall be subject to the provisions of this Chapter.

FINDING: The applicant's proposal includes monument signage, but does not include details or the required sign permit. Sign permits are reviewed independently of site design plan review and require a Type 1 Ministerial Review. No sign permit application was submitted with the requested site design plan review. Prior to issuance of permits, the applicant shall submit a sign permit pursuant to Chapter 3.6. **The standard is met with conditions.**

Chapter 3.8 – Storm and Surface Water Management Standards

3.8.1 – Purpose and Applicability

B. Applicability. No permit for construction of new development or tenant improvements that result in impervious cover greater than 500 square feet within the city and urban growth boundary shall be issued until effects on stormwater management are evaluated. The level of review varies according to the affected area:

- 3. 5000+ square feet. A comprehensive stormwater study that conforms to the stormwater management manual shall be submitted for approval.*

FINDING: The proposed site design plan includes the development of more than 5,000 square feet of new impervious surface and the construction of a stormwater quality facility. The applicant's Engineer has demonstrated that stormwater management is feasible but has not demonstrated that the development is in compliance with the city's current MS4 permit and the Rogue Valley Stormwater Quality Design Manual. As the Phase II Permit holder for the City of Phoenix, the stormwater management plan shall be reviewed and approved by Rogue Valley Sewer Services prior to construction or issuance of building permits. Prior to issuance of permits, the applicant shall provide a copy of a stormwater management plan approved by Rogue Valley Sewer Services. The standard is met with conditions.

Chapter 3.9 – Erosion Prevention and Sediment Control

3.9.1 – Applicability and Purpose

- B. Applicability. An erosion prevention and sediment control plan shall be required and approved by the city engineer under any of the following circumstances:*
- 2. Prior to Site Design Review, in accordance with Chapter 4.2 – Development Review and Site Design Review.*
 - 3. Prior to approval of any building or grading permit that results in: a. Disturbance of 500 square feet or more of land surface.*

Nothing in this Section shall relieve any person from the obligation to comply with the regulations or permits of any federal, state, or local authority.

FINDING: The proposed development includes the disturbance of more than 500 square feet of land surface and requires Site Design Review in accordance with Chapter 4.2. As the Phase II Permit holder for the City of Phoenix, processing of erosion control permits for properties over 1 acre in size shall be administered and approved by Rogue Valley Sewer Services prior to onsite construction or the disturbance of any land surface. Approval of the required 1200c Permit meets the standards of this section. Prior to construction, the applicant shall provide a copy of a 1200c (erosion control) Permit approved by Rogue Valley Sewer Services. The standard is met with conditions.

Chapter 3.12 – Outdoor Lighting

3.12.6 – Standards for Non-Residential Lighting

- A. Prescriptive Method. An outdoor lighting installation complies with this section if it meets the requirements of subsections 1, 2, and 3 below.*
- 1. Total Site Lumen Limit.*
 - 2. Limits of offsite impacts.*
 - 3. Full or 100% cutoff lighting.*
- B. Performance Method I. An outdoor lighting installation complies with this section if it meets the requirements of subsections 1 and 2 below.*

1. *Total Site Lumen Limit.*
2. *Limits of offsite impacts.*

FINDING: The site plan does not identify the location or height of the lighting detailed in the applicant's narrative. The applicant has opted to use the Prescriptive Method, Section 3.12.6.A for non-residential lighting, but has not identified the location, height or type of fixtures being used on the site plan. **Prior to issuance of permits, the applicant shall provide a revised site plan that identifies the location of all proposed parking, pedestrian and building lighting and lighting specifications for all proposed lighting types. The standard is met with conditions.**

CHAPTER 4 – APPLICATIONS AND REVIEW PROCEDURES

Chapter 4.2 – Development Review and Site Design Review

4.2.6 – Site Design Approval Criteria

The Planning Director shall make written findings with respect to all of the following criteria when approving, approving with conditions, or denying an application:

- A. *The application is complete, as determined in accordance with Chapter 4.1 – Types of Applications and Review Procedures and Chapter 4.2.5 – Site Design Review Application Submission Requirements, above.*

FINDING: The applicant's proposal was deemed complete on May 26, 2023. **The standard is met.**

- B. *The application complies with the all of the applicable provisions of the underlying Land Use District (Chapter 2), including: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other special standards as may be required for certain land uses;*

FINDING: The applicant's proposal meets or can meet with conditions of approval the provisions of the underlying Land Use District (Chapter 2). **The standard is met with conditions.**

- C. *The applicant shall be required to upgrade any existing development that does not comply with the applicable land-use district standards, in conformance with Chapter 5.3 – Non-Conforming Uses and Developments;*

FINDING: The applicant's proposal is located on vacant land with no existing structures or utilities that are considered non-conforming. **The standard is not applicable.**

- D. *The application complies with the Design Standards contained in Chapter 3. All of the following standards shall be met:*
 - *Chapter 3.2 – Access and Circulation*
 - *Chapter 3.3 – Landscaping, Street Trees, Fences, and Walls*
 - *Chapter 3.4 – Vehicle and Bicycle Parking*

- Chapter 3.5 – Street and Public Facilities Standards
- Chapter 3.6 – Signs
- Chapter 3.7 – Environmental Constraints
- Chapter 3.8 – Storm and Surface Water Management Standards
- Chapter 3.9 – Erosion Prevention and Sediment Control
- Chapter 3.10 – Other Design Standards

FINDING: The applicant's proposal meets or can meet with conditions of approval the provisions of the Design Standards contained in Chapter 3. **The standard is met with conditions.**

E. *Conditions required as part of a Land Division (Chapter 4.3 – Land Divisions and Lot Line Adjustments), Conditional Use Permit (Chapter 4.4 – Conditional Use Permits), Planned Unit Developments (Chapter 4.5 – Planned Unit Developments), or other approval shall be met.*

FINDING: The subject site is vacant with no valid land use approval. **The standard is not applicable.**

Chapter 4.4 – Conditional Use Permits

4.4.4 – Criteria, Standards, and Conditions of Approval

The Planning Commission shall approve, approve with conditions, or deny an application for a conditional use or to enlarge or alter a Conditional Use based on findings of fact with respect to each of the following standards and criteria:

A. *Use Criteria*

1. *The use is listed as a Conditional Use in the underlying district;*

FINDING: Table 1: 2.4.2 - Permitted and Conditionally Permitted Land Uses in C-H identifies services housed in buildings under 30,000 sf. as a permitted use. However, Chapter 2.9.6 of the PLDC requires that all retail sales and services less than 30,000 sf. be subject to a conditional use permit. A conditional use application has been submitted for review. **The standard is met.**

2. *The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features;*

FINDING: The proposed building area is relatively flat with improved public facilities to the south of the property. There are no size, shape or natural features that preclude development of the site. **The standard is met.**

3. *The site and proposed development are timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use;*

FINDING: The proposed use is a 18,713 square foot indoor golf facility that provides services and training to local golfers. As shown in Table 1 of the Traffic Engineer's report, the proposed Golf Garage development with two food trucks is estimated to generate 248 net daily trips with 10 trips occurring during the a.m. peak hour and 32 trips during the p.m. peak hour. Water, sanitary sewer, and stormwater facilities are all adequate based on comments from Rogue Valley Sewer Services and the City Engineer. **The standard is met.**

4. *The proposed use will not alter the character of the surrounding area in a manner that substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying district;*
5. *The proposal satisfies the goals and policies of the City Comprehensive Plan that apply to the proposed use.*

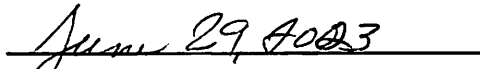
FINDING: The proposed use does not alter the character of the surrounding area and is consistent with other uses established in the area and the zoning district. As proposed, the site design satisfies the goals and policies of the City Comprehensive Plan applicable to the requested use. **The standard is met.**

This approval shall become final 14 days from the date this decision and supporting findings of fact are signed by the Chair of the Phoenix Planning Commission, below. A Planning Commission decision may be appealed to the City Council within 14 days after the final order has been signed and mailed. An appeal of the City Council's decision must be submitted to the Land Use Board of Appeals within 21 days of the Hearing Officer's decision becoming final.

Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the City to respond to the issue precludes an action for damages in circuit court.

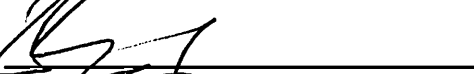


Larry Dickson
Planning Commission Chair

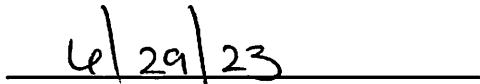


Date

ATTEST



Zac Moody
Planning Manager



Date