

SITE DESIGN REVIEW – SP23-02 STAFF REPORT & DECISION

File: Type II Site Design Review

Location: 117 S. C Street.; 38-1W-16AA Tax Lot 2300

Land Use District: Residential R-2

Date Notice of Application mailed: March 10, 2023

Date of Decision: April 5, 2022

I. APPLICANT

Mark and Krista Peterson
1620 Pacific Lane
Phoenix, OR 97535

II. OWNER INFORMATION

Same

III. PROJECT INFORMATION

The project adds a two-story duplex to a property that contains two single-family dwellings and one triplex, all being ground floor units.

A. Surrounding Land Uses:

North: High Density Residential – Multi-family housing

South: Medium Density Residential – Single-family dwelling

East: Low Density Residential – Single-family dwelling

West: General Industrial – Summit Partner Properties

B. Comprehensive Plan Land Use Designation: Residential

C. Property Zoning: R-2 (Medium Density Residential)

IV. COMPLIANCE WITH APPLICABLE CRITERIA

Overall, the application on review met applicable submittal criteria and Phoenix Land Development Code (PLDC) development standards.

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 2.2, 3.1-3.9, 3.12, and Chapter 4.2 along with site plans and other mapping for City consideration. PLDC approval criteria for Site Design review in relation to Applicant's submittal are addressed in detail in the findings below.



CHAPTER 2 – LAND USE DISTRICTS

Chapter 2.3 – Residential Districts (R-1, R-2, R-3)

2.4.1 - Purpose

A. *Intent:*

3. *The R-2 Medium Density Residential zone has historically been characterized by duplex and triplex development. However, a variety of other housing options may be contemplated at a density of 8-30 units per acre. At the lower end of the range, single family detached structures can easily be built while still providing usable yards. As density increases, common wall (townhouse/rowhouse) and multifamily projects will be more likely.*

B. *Development Standards.*

The primary development standards of the City's residential zones are contained in Table 2.2.2. Supplemental standards follow in text and graphic form. Not all standards within the respective zones will be achievable. For example, the Building Envelope within some residential zones may be larger than the Maximum Lot Coverage. The maximum density within the R-2 zone is 30 units per acre, but that maximum will not be achievable for certain housing types when other requirements such as setbacks, off-street parking and landscaping are factored in. . .

FINDING: The proposed duplex is permitted in the R-2 zone and the resulting density of approximately 23 units per acre is under the maximum density limit. **The standard is met.**

2.2.2 - 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 2.2.2, 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 2.2.2 lists Single-Family (detached and attached) dwellings, duplexes and triplexes as permitted uses in the R-2 zoning district. The applicant proposes the addition of a two-story duplex, an allowed use in the zone. **The standard is met.**

2.2.4 – Building Setbacks

Table 2.2.2 establishes a 10-foot front-yard setback (maximum 20 feet) a 4-foot side-yard setback, and a 5-foot rear-yard setback.

FINDING: The proposed duplex is in a courtyard between structures at the front and rear of the property. It is set back 10 feet from the side property line. **The standard is met.**

2.2.5 – Maximum Lot Coverage

A. *Maximum Lot Coverage shall be as set forth in Table 2.2.2.*

B. *Maximum lot coverage includes all primary and accessory structures.*

FINDING: Table 2.2.2 permits up to 60 percent coverage in R-2 zones. Existing structures cover approximately 31.4 percent and the addition of a structure with a 400 square foot footprint will increase the coverage to 34.4 percent. **The standard is met.**

2.2.6 – Building Height

A. *Maximum building height shall be as set forth in Table 2.2.2.*

FINDING: Table 2.2.2 establishes a maximum building height of 45 feet. The proposed structure is 18 feet. **The standard is met.**

2.2.7 – Building and Site Orientation

C Building orientation standards. All developments subject to this subsection shall be oriented toward a street when the lot is of sufficient size to allow for this. The building orientation standard is met when all of the following criteria are met:

1. Compliance with the setback standards in Table 2.2.2.
2. The primary façade of the primary structure shall be built parallel to the principal frontage line to the maximum extent possible.
3. All buildings shall have their primary entrances oriented toward the street. Multi-family and neighborhood commercial building entrances may include entrances to individual units, lobby entrances, or breezeway/courtyard entrances (i.e., to a cluster of units or commercial spaces). Alternatively, a building may have its entrance oriented to a side yard when a direct pedestrian walkway is provided between the building entrance and the street in accordance with the standards in Chapter 3.2 – Access and Circulation. In this case, at least one entrance shall be provided not more than 20 feet from the closest sidewalk or street.
4. Parking shall be located in the rear of the building unless lot configuration makes this impracticable. If parking is not located in the rear, it shall be located on the side of the building. Side parking shall be set back 20 feet from the street right-of-way and screened from view with landscaping.
5. North-south roof orientation is encouraged for maximum solar gain and ease of solar panel installation. Phoenix is at 42 degrees north latitude; roof slope of between 30-40 degrees is generally recommended for optimum year-round solar potential. Builders are encouraged to design homes that will easily accommodate rooftop solar panel installation, including mounting panels on the roof and electrical connections into the structure.

FINDING: The proposed duplex is in an interior courtyard and entrances will be oriented to the courtyard; as currently developed, it is not physically possible to orient them to a street. The existing parking is adequate for both existing uses and the proposed units. Up to two additional on-street spaces are available along the C Street frontage. **The standard is met.**

B. Off-street parking

1. Off-street vehicular parking shall be provided as required in Chapter 3.4.
2. A garage or carport is required for all single-family detached dwellings. Garages shall not exceed 40 percent of the front elevation.
3. A three-foot or wider path that is physically separated from the driveway shall be provided from the sidewalk to the front door.
4. On-street parking available along the frontage lines that correspond to each lot may be counted toward up to 50% of the parking requirement of the building on the lot for common-wall and multifamily residential uses exceeding ten units per acre, and for Accessory Dwelling Units.
5. Parking shall be accessed by an alley or rear lane, when such are available. Parking may be accessed from the primary or secondary frontage by means of a driveway for all single family detached lots/structures.
6. Within all common-wall and multifamily developments, a minimum of one (1) bicycle rack place shall be provided for every 10 vehicular parking spaces.
7. Open shared parking areas shall not be located in the front setback, excepting driveway aprons and access aisles. Garages accessed from the street may be accessed directly from the street; shared parking areas shall be accessed from a common driveway.
8. Each level of a parking structure or garage counts as a single story, regardless of its relationship to habitable stories.

FINDING: A garage is not required for duplexes. As noted previously, on-street parking is available for two vehicles, and off-street parking provided for the existing units satisfies the requirements for the additional units, based on total number bedrooms in the development. **The standard is met.**

2.2.8 – Architectural Standards

C. Standards. All buildings subject to this section shall comply with all of the following standards. The graphics provided with each standard are intended to show examples of how to comply. Other building

styles and designs can be used to comply so long as they are consistent with the text of this section. An architectural feature (i.e., as shown in the graphics) may be used to comply with more than one standard.

1. *Building Form. The continuous horizontal distance of individual buildings, as measured from end-wall to end-wall, shall not exceed 80 feet. All buildings shall incorporate design features such as offsets, balconies, projections, window reveals, or similar elements to preclude large expanses of uninterrupted building surfaces, as shown in the above figure. Along the vertical face of a structure, such features shall occur at a minimum of every 40 feet, and on each floor shall contain at least two of the following features:*
 - a. *Recess (e.g., deck, patio, courtyard, entrance or similar feature) that has a minimum depth of four feet;*
 - b. *Extension (e.g., floor area, deck, patio, entrance, or similar feature) that projects a minimum of two feet and runs horizontally for a minimum length of four feet; and/or*
 - c. *Offsets or breaks in roof elevation of two feet or greater in height.*

FINDING: The proposed structure has a maximum dimension of 24 feet. **The standard is met.**

2. *Eyes on the Street. All exterior walls visible from a street right of way shall provide doors, porches, balconies, windows, and/or other architectural features. A minimum of 60 percent of front (i.e., street-facing) elevations, and a minimum of 30 percent of side and rear building elevations, as applicable, shall meet this standard. Percent of elevation is measured as the horizontal plane (linear feet) containing doors, porches, balconies, terraces, and/or windows. The standard applies to each full and partial building story.*

FINDING: Because the subject property is already developed with a single-story dwelling facing C Street, only the upper portions of the south and east elevations of the duplex will be visible from the street.

The front of the duplex may be oriented in any direction the applicant chooses if a direct pedestrian walkway is provided between the building entrance and the street in accordance with PLDC § 2.2.7.

The applicant has not provided elevations, so it is unknown which is to be front, side or rear. The percentage of each elevation containing doors, porches, balconies, terraces and/or windows must be verified to ensure compliance with the above standard. As a condition of approval, prior to issuance of building permits, the applicant shall provide elevations for the duplex demonstrating that a minimum of 60 percent of front elevation and a minimum of 30 percent of side and rear building elevations contain doors, porches, balconies, terraces and/or windows. **The standard is met with conditions.**

3. *Detailed Design. All buildings shall provide consistency in architectural design treatment along all exterior walls (i.e., front, rear and sides). Detailed design shall be provided by using at least three of the following architectural features on all elevations, as appropriate for the proposed building type and style (may vary features on rear/side/front elevations):*
 - a. *Dormers*
 - b. *Gables*
 - c. *Recessed entries*
 - d. *Covered porch entries*
 - e. *Cupolas or towers*
 - f. *Pillars or posts*
 - g. *Eaves (min. 6-inch projection)*
 - h. *Off-sets in building face or roof (minimum 16 inches)*
 - i. *Window trim (minimum 4-inches wide)*
 - j. *Bay windows*
 - k. *Balconies*
 - l. *Decorative patterns on exterior finish (e.g., scales/shingles, wainscoting, ornamentation, and similar features)*

- m. *Decorative cornices and roof lines (e.g., for flat roofs)*
- n. *An alternative feature providing visual relief, similar to options “a”–“m.”*

FINDING: Because only three features are required on each wall, this standard can easily be met. Prior to issuance of permits, the applicant shall provide elevations for each exterior wall demonstrating compliance with this standard. **The standard is met with conditions.**

- 4. ***Repetition of Residential Façades.*** *Variability in design is encouraged. A detached single-family dwelling that has the same appearance or a mirrored reverse appearance as another detached single-family dwelling facing the same street may not be constructed adjacent to or across the street from that single-family dwelling. A different appearance for purposes of this section involves a different roof line and/or footprint.*

FINDING: The proposed duplex will be the only two-story structure on the property, demonstrating variability in design from the other structures. **The standard is met.**

2.2.9 – Special Standards for Certain Uses

This Section supplements the standards contained Sections 2.2.1 through 2.2.8. It provides standards for the following land uses in order to control the scale and compatibility of those uses within the Residential District:

E. Multi-family housing. *Multi-family housing means housing that provides more than three dwellings on an individual lot (e.g., multiplexes, apartments, condominiums, etc.). New multi-family developments shall comply with all of the following standards:*

1. *Building Mass Supplemental Standard.* *The maximum width or length of a multiple family building shall not exceed 150 feet (from end-wall to end-wall).*
2. *Common open space standard.* *Inclusive of required setback yards, a minimum of 20 percent of the site area shall be designated and permanently reserved as common open space in all multiple family developments. The site area is defined as the lot or parcel on which the development is planned, after subtracting any required public land dedication and public and private streets. Sensitive lands and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted toward meeting the common open space requirements.*
3. *Private open space standard.* *Private open space areas shall be required for ground-floor and upper-floor housing units based on all of the following standards:*
 - a. *All ground-floor housing units shall have front or rear patios or decks measuring at least 48 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping);*
 - b. *All upper-floor housing units shall have balconies or porches measuring at least 48 square feet. Upper-floor housing means housing units that are more than 5 feet above the finished grade;*
 - c. *Private open space areas shall be oriented toward common open space areas and away from adjacent single-family residences, trash receptacles, parking and drives to the greatest extent practicable; and*
4. *Exemptions.* *Exemptions may be granted when these developments are within a quarter mile (measured walking distance) of a public park and there is a direct, accessible (i.e., Americans With Disabilities Act-compliant), and maintained pedestrian trail or sidewalk between the site and the park. An exemption shall be granted only when the nearby park provides an active recreation area such as a ball field, children’s play area, sports court, track, or similar facility.*
5. *Trash receptacles.* *Trash receptacles and recycling areas shall be oriented away from adjacent residences and shall be screened with a solid masonry wall not less than 6 feet in height.*

FINDING: (1) Building mass on the proposed duplex does not exceed 24 feet. (2) The proposed duplex will occupy a portion of the common open space, but a minimum of 20 percent of the site will remain in common open space. (3) The ground floor duplex will have a 48-square-foot patio, and the upper duplex will have an expanded landing at the top of the stairs measuring a minimum of 48 square feet. (4) Exemption is not being requested and is not required. (5) Trash receptacles have not been identified on the proposed site plan and are not required. As an ongoing condition of approval, on-site trash receptacles and recycling areas shall be oriented and screened in accordance with PLDC § 2.2.9(E)(5). **The standard is met with conditions.**

CHAPTER 3 – DESIGN STANDARDS

Chapter 3.2 – Access and Circulation

3.2.2 - Vehicular Access and Circulation

- D. Conditions of Approval. The City or other agency with access permit jurisdiction may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system. Access to and from off-street parking areas shall not permit backing onto a public arterial or collector street.*
- F. 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.*

FINDING: The property is zoned R-2 (Medium Density Residential) and has access on C Steet and alley access. This multifamily development has two (2) access points and no changes to existing access are proposed or required. **The standards are met.**

- 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: Fire-fighting access is provided from both C street and an alley along the rear of the property, which measures 130 from street to alley. **The standard is met.**

- 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 development is set back in a manner that does not affect vision clearance areas. **The standard is met.**

- N. Construction. The following development and maintenance standards shall apply to all driveways and private streets:*
- 1. 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.*
 - 2. 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 development does not include new driveways or private streets. **The standard is not applicable.**

3.2.3 – Pedestrian Access and Circulation

- A. *Pedestrian Access and Circulation. To ensure safe, direct, and convenient pedestrian circulation, all developments except single-family detached housing on individual lots shall provide a continuous pedestrian and/or multi-use pathway system between residential areas and neighborhood activity centers (i.e., schools, shopping, transit stops, and employment centers). (Pathways only provide for pedestrian circulation. Multi-use pathways accommodate pedestrians and bicycles.) Pathways shall be located to minimize out-of-direction travel by pedestrians and may be designed to accommodate bicycles. The system of pathways shall be designed based on the standards in subsections 1-3, below:*
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. Pathways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent streets, based on the following definitions:*
 - 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. Meet travel needs of cyclists and pedestrians. This includes consideration of destinations, length of trip, and the concept that the optimum trip length of pedestrians is generally ¼ to ½ mile...*
 - ...e. *For residential buildings, the primary entrance is the front door (i.e., facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the primary entrance may be a lobby, courtyard, or breezeway that serves as a common entrance for more than one dwelling.*
 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.*
 4. *Pathways shall have adequate lighting for safety purposes. The City may require lighting as a condition of development review...*

FINDING: The proposed Site Plan offers a continuous pathway system that extends throughout the development site in a safe, direct and convenient manner, however, it does not show connection with the primary entrance on the proposed duplex or the street. As a condition of approval, prior to issuance of building permits, the applicant shall provide a revised site plan that shows a pathway connecting the primary entrance(s) of the duplex to the street/driveway. **The standard is met with conditions.**

- B. *Design and Construction. Pathways shall conform to all of the standards in below:*
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. *Housing/Pathway Separation. Pedestrian pathways shall be separated a minimum of five feet from all residential living areas on the ground floor, except at building entrances. Separation is measured as measured from the pathway edge to the closest dwelling unit. The separation area shall be landscaped in conformance with the provisions of Chapter 3.3 – Landscaping, Street Trees, Fences, and Walls. No pathway/building separation is required for commercial, industrial, public, or institutional uses.*
 3. *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.*
 4. *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.)*
 5. *Accessible routes. Pathways shall comply with the Americans with Disabilities Act, which requires accessible routes of travel.*

FINDING: (1) No pathways are proposed to be parallel to a driveway or street. (2-5) The proposed Site Plan shows 'DG Paths' connecting between all buildings and parking areas. Because the site has already been developed with a tri-plex and two single-family dwellings, there are areas within the courtyard where a 5 ft wide path that includes 5 ft of separation between dwelling units (for a total width of 15ft) is not feasible. These areas may be informally improved with decomposed granite paths at the option of the applicant, but they are not required to meet the above improvement standards because the code does not require each unit to be connected to each other.

However, a formal pathway from the primary entrance(s) of the duplex to the street/driveway will be required and must be setback from housing by no less than 5 ft and improved to the standards herein above. As a condition of approval, prior to issuance of certificate of occupancy for Units F & G, the applicant shall install a pathway as located on the revised site plan built to the design and construction specifications of PLDC § 3.2.3(B). **The standard is met with conditions.**

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 includes a landscaping plan demonstrating that the existing landscaping significantly exceeds the minimum requirement. A staff site visit confirmed that the landscaping is well-maintained. **The standard is met.**

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 C Street frontage includes three trees within a landscaped area that also includes a laurel hedge. **The standard is met.**

3.3.5 – Fences and Walls

FINDING: No new fences are proposed. **The standard is not applicable.**

Chapter 3.4 – Vehicle and Bicycle Parking

3.4.4 – Bicycle Parking Requirements

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

Table 3.4.4 Minimum Bicycle Parking Space Requirements		
Use	Minimum Number of Required Bicycle Parking Spaces	Short / Long Term Bicycle Parking Requirements
Residential Use Categories		
Household Living	None required, except: For a multifamily dwelling containing four or more dwelling units: 1.1 spaces per dwelling unit	25% ST 75% LT

FINDING: The applicant’s plot plan does not identify bicycle parking, however, findings indicate bicycles will be stored behind a fence that is out of view from the right-of-way. It is not clear if this fenced area is secured with a lock as required by PLDC § 3.4.4(C).

With seven (7) total dwelling units on site, 7.7 bicycle parking spaces (rounded to 8) will be required. In accordance with Table 3.4.4, 2 parking spaces will be for short-term, and 6 will be for long-term. As a condition of approval, prior to issuance of building permits, the applicant shall provide a revised site plan that provides 2 short-term and 6 long-term bicycle parking spaces that are in conformance with the standards of PLDC § 3.4.4. As a condition of approval, prior to issuance of certificate of occupancy for units F & G, bicycle parking will be installed in accordance with the approved site plan. **The standards are 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...*
 - ...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;*

- c. *The improvement would be in conflict with an adopted capital improvement plan; or*
- d. *The improvement is associated with an approved land partition on property zoned residential and the proposed land partition does not create any new streets.*

FINDING: The development is adjacent to C Street, a partially improved 60 ft wide right-of-way that features asphalt vehicle lanes, but no curbs, gutters or sidewalks. Likewise, the right-of-way abutting adjacent properties is partially improved to the same degree.

The Transportation System Plan identifies C Street as a local street. Table 3.5.2 indicates that local streets of this size need to provide a curb, planting strips and sidewalks.

Staff finds that because (a) a partial improvement may create a potential safety hazard to pedestrians, and (b) it is unlikely that street improvements will be extended in the foreseeable future and improving this single property will not improve pedestrian circulation, the City will accept a deferred improvement agreement in lieu of street improvements. As a condition of approval, prior to issuance of building permits, the applicant shall obtain a Deferred Improvement Agreement on forms provided by the City, sign it before a notary, have it recorded with the County Clerk and furnish a copy to Community and Economic Development. **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*

FINDING: The proposed duplex has a footprint of approximately 400 square feet. **The standard is not applicable.**

CHAPTER 4 – APPLICATIONS AND REVIEW PROCEDURES

Chapter 4.2 – Development Review and Site Design Review

4.2.5 – Site Design Review Application Submission Requirements

- A. *All of the following information is required for Site Design Review application submittal:*
 - 2. *Proposed site plan. The site plan shall contain the following information, if applicable:*
 - a. *North arrow and scale*
 - b. *The proposed development site, including boundaries, dimensions, and gross area;*
 - c. *The name and address of project designer, engineer, surveyor, and/or planner, if applicable.*
 - d. *The location, size, and species of trees having a 2" diameter that are proposed to be removed or modified by the development;*
 - e. *The location and dimensions of all proposed public and private streets, drives, rights of-way, and easements;*
 - f. *The location and dimensions of all existing and proposed structures, utilities, pavement, and other improvements on the site. Setback dimensions for all existing and proposed buildings shall be provided on the site plan;*
 - g. *The location and dimensions of entrances and exits to the site for vehicular, pedestrian, and bicycle access;*
 - h. *The location and dimensions of all parking and vehicle circulation areas (show striping for parking stalls and wheel stops, as applicable);*

- i. Pedestrian and bicycle circulation areas, including sidewalks, internal pathways, pathway connections to adjacent properties, and any bicycle lanes or trails;
- j. Loading and service areas for waste disposal, loading, and delivery;
- k. Outdoor recreation spaces, common areas, plazas, outdoor seating, street furniture, and similar improvements;
- l. Location, type, and height of outdoor lighting;
- m. Location of mail boxes, if known;
- n. Location of bus stops and other public or private transportation facilities.

FINDING: The proposed site plan provides a substantial amount of the required information listed above. The applicant's proposal meets or can meet with conditions of approval the provisions of Chapter 4.2.5 of the PLDC listed above. **The standard is met with conditions.**

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 March 2, 2023. **The standard is met.**

- B. *The application complies with 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 for infill of a developed parcel. None of the uses or structures are non-conforming. **The standard is met.**

- 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: No land divisions, lot line adjustments, conditional uses or other land use approvals exist for this site. **The standard is not applicable.**

V CONCLUSION/DECISION

As proposed, the site development plan meets or can meet with conditions, the applicable standards set forth in the Phoenix Land Development Code and as enumerated in this staff report. The request is **APPROVED** subject to the conditions of approval below.

VI CONDITIONS OF APPROVAL

PRIOR TO ISSUANCE OF PERMITS:

1. RVSS-Plan Review: The applicant must submit construction plans to RVSS for review and for the calculation of System Development Charges.
2. RVSS-Permits and Fees: The applicant must obtain tap and connection permits (as applicable) and pay all related fees.
3. Elevations-Eyes on the Street: The applicant shall provide elevations for the duplex demonstrating that a minimum of 60 percent of front elevation and a minimum of 30 percent of side and rear building elevations contain doors, porches, balconies, terraces and/or windows.
4. Architectural Standards-Detailed Design: The applicant shall submit plans demonstrating each elevation contains a minimum of three of the architectural features listed in PLDC § 2.2.8(C)(3)
5. Deferred Improvement Agreement: The applicant shall obtain a Deferred Improvement Agreement on forms provided by the City, sign it before a notary, have it recorded with the County Clerk and furnish a copy to Community and Economic Development.
6. Revised Site Plan-Bicycle Parking: The applicant shall provide a revised site plan that provides 2 short-term and 6 long-term bicycle parking spaces that are in conformance with the standards of PLDC § 3.4.4.
7. Revised Site Plan-Pathway: The applicant shall provide a revised site plan that shows a pathway connecting the primary entrance(s) of the duplex to the street/driveway.

PRIOR TO CERTIFICATE OF OCCUPANCY:

8. RVSS-Inspections: The applicant must have all sewer facilities inspected and approved by RVSS.
9. Bicycle Parking: Bicycle parking will be installed in accordance with the approved site plan.
10. Pathway for Duplex: The applicant shall install a pathway as located on the revised site plan built to the design and construction specifications of PLDC § 3.2.3(B).

ONGOING CONDITIONS OF APPROVAL:

11. Waste Screening: On-site trash receptacles and recycling areas shall be oriented and screened in accordance with PLDC § 2.2.9(E)(5).

COMMUNITY AND ECONOMIC DEVELOPMENT



By: Jeff Wilcox
Associate Planner

Date: April 5, 2023