

SITE DESIGN REVIEW – SP23-07 STAFF REPORT & DECISION

File: Type II Site Design Review

Location: 4000 S. Pacific Hwy.; 38-1W-09A, Tax Lots 2400 & 2500

Land Use District: Commercial Highway (C-H)

Date Notice of Application mailed: October 17, 2023

Date of Decision: November 15, 2023

I. APPLICANT

Capital Growth Buchalter, Inc.
Kirk Farrelly, PE
361 Summit Boulevard
Birmingham, AL 35243

II. OWNER INFORMATION

Valley of the Rogue Bank
9285 NE TAnasbourne Drive
Hillsboro, OR 97214



III. PROJECT INFORMATION

The project includes the construction of a 10,640 square foot single story retail building with onsite parking.

A. Surrounding Land Uses:

North: Commercial – General Commercial (Jackson County)

South: Commercial – General Commercial (Jackson County)

East: Commercial – Highway (vacant)

West: Residential – High Density

B. Comprehensive Plan Land Use Designation: Commercial

C. Property Zoning: C-H (Commercial Highway)

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 2.3, 3.1-3.9, 3.12, and Chapter 4.2 along with a traffic study, site plans, and other mapping for City consideration. PLDC approval criteria for Site Design 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).

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 the uses allowed in the Commercial Highway zone. Table 2.4.2.A allows retail sales and service. The applicant is proposing a retail sales establishment, a use allowed in the zone as a permitted use subject to a Type 2 review. **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 structure and is less than the maximum height requirements as set forth in this chapter. The maximum height of the proposed structure at the highest point of the building measures approximately 27' – 8". **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.)

FINDING: The Commercial Highway zone has no minimum setbacks. This property abuts Oregon 99 and is subject to Chapter 2.10 – Oregon 99 Setback Overlay Zone. As proposed, the location of the



proposed structure is setback approximately 94 feet from the property line that abuts the highway and approximately 80 feet from the Rose Street right-of-way. As proposed, the building location meets the vision clearance standards set in 3.2.2. as well as the applicable fire and building codes. **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 site will be designed to reduce as much impervious surface as possible. No unnecessary impervious surface has been proposed. The Civil Engineer for this project has certified that the civil design for this project will result in post development stormwater flows that will be less than the pre-development stormwater flows from the subject property. A stormwater management plan has been submitted by the Applicant's Engineer and will be reviewed by Rogue Valley Sewer Services. Findings supporting the stormwater management plan are addressed in Chapter 3.8. – Storm and Surface Water Management Standards. As a condition of approval, prior to submitting permits, the applicant shall provide a copy of the stormwater management plan approved by Rogue Valley Sewer Services. **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 a landscaping plan with a proposed planting schedule that exceeds the 20% landscaping requirement. Additional findings of compliance are provided in Chapter 3.3 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 JSA Civil, LLC. to evaluate traffic generation, street capacity and access management for the proposed development. Access to the subject parcel is from Rose Street and South Pacific Hwy.

Trip generation calculations for the former and proposed development were prepared using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition. An ITE rate was used for land use code 814 – Variety Stores. The independent variable is based on number of units. A summary is provided in Table 1 and 2 of the engineer's assessment for the proposed uses.

As shown in Table 2, 10.4 units have been estimated. However, the building size is 10,640 square feet, or 10.6 units. The difference in square footage and unit numbers is small and has only a minimal change to the overall PM Peak Hour trips. In reviewing the most recent version of the ITE manual, a Variety



Store in an urban area variety store will generate approximately 64 daily trips. Since the Traffic Impact Analysis threshold of 200 average daily trips was not reached, a traffic impact study was not required.

The Oregon Department of Transportation (ODOT) acknowledged the need for a second driveway during the Pre-Application meeting on April 18, 2023 and agreed to allow for a driveway 20 feet in width, provided the following recommendations from the engineer are completed:

- Applicant shall obtain a miscellaneous/utility permit prior to any disturbance within the State ROW

Prior to submitting permits, the applicant shall provide Community Development with an Access Permit for driveway 20 feet in width approved by ODOT to access S. Pacific Hwy. **The standard is met with conditions.**

1. 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 plan includes the construction of 34 parking stalls and 4 bicycle spaces incorporated throughout the site. Chapter 3.4.3 of the PLDC regulates the maximum parking stall count by use.

As proposed, there are 34 parking spaces detailed as follow:

Retail – 1 space/350 SF: $10,640 \text{ SF} / 350 = 30 \text{ Spaces}$

Total Parking Provided – 34 Space (72 required, 3 ADA)

As proposed, there are 4 bicycle parking spaces broken down as follow:

Retail – The greater of 1 space/5,000 SF: $10,640 \text{ SF} / 5,000 = 2.13 \text{ spaces}$ or 4 spaces

Total Bicycle Parking Provided – 1 long-term spaces and 3 short-term spaces

The standard is met.

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

FINDING: The proposed width of the building exceeds 50 feet, but incorporates multiple breaks in the wall plane and includes a building entrance that is clearly defined. The exterior of the building will be constructed with materials of differing types, including Hardie board in two different colors, smooth face CMU in two different colors along with decorative bronze shutters and metal awnings flanking each side of the main entrance. Changes to material types will require an amendment to review.

The entrance to the building is clearly defined through the establishment of a main entrance that includes glass, a covered entrance and change in building elevation. Decorative pavement treatments required for the entrance have not been proposed and shall be shown on a revised site plan. Prior to submitting permits, the applicant shall provide a revised site plan that details the decorative pavement treatments to be installed at the entrance of the building. **The standard is met with conditions.**

- 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 identifies the location and type of all parking lot and building lighting for the development site. A lighting plan that complies with the LZ-3 requirements in Chapter 3.12 has been submitted. Additional findings of compliance are provided in Chapter 3.12 below. **The standard is met.**

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

FINDING: Applicant states that all room mounted equipment will comply with City standards, however, no roof-mounted equipment is proposed on the building elevations. As a condition of approval, the applicant shall, prior to submitting permits, provide a revised site plan that identifies any roof-mounted mechanical equipment and a detail of the proposed screening. **The standard is met with conditions.**

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

FINDING: The exterior walls of this building demonstrate a high-quality level of architectural design and consistency on all elevations. **The standard is met.**

- 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 location and dimensions of the required trash enclosure, as well as the height and design. As proposed, the trash enclosure meets the required design standards. **The standard is met.**



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 site plan identifies the location and type of all parking lot and building lighting for the development site. A lighting plan that complies with the LZ-3 requirements in Chapter 3.12 has been submitted. Additional findings of compliance are provided in Chapter 3.12 below. **The standard is met.**

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 proposed site plan includes 4 bicycle spaces near the front entrance of the building. As proposed, there are 3 short-term bicycle parking spaces and 1 long-term covered space. As required by this section of the PLDC, the site plan shall demonstrate that the long-term covered space is integrated into the design of the development and be architecturally compatible with the design of the building. Neither the site plan or the findings demonstrate the long-term covered space will be compatible with the building style. Prior to submitting permits, the applicant shall provide a revised sheet that details the design of the long-term bicycle space. **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.*
 - 2. All pedestrian circulation areas must be lighted with pedestrian scale light fixtures in compliance with Chapter 3.12.*
 - 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.*
 - 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 proposed site development plan does not include more than 50 vehicle parking spaces. **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.)*
- 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.*

FINDING: The applicant secured the services of JSA Civil, LLC. to evaluate traffic generation, street capacity and access management for the proposed development. Access to the subject parcel is from Rose Street and South Pacific Hwy.

Trip generation calculations for the former and proposed development were prepared using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition. An ITE rate was used for land use code 814 – Variety Stores. The independent variable is based on number of units. A summary is provided in Table 1 and 2 of the engineer's assessment for the proposed uses.

As shown in Table 2, 10.4 units have been estimated. However, the building size is 10,640 square feet, or 10.6 units. The difference in square footage and unit numbers is small and has only a minimal change to the overall PM Peak Hour trips. In reviewing the most recent version of the ITE manual, a Variety Store in an urban area variety store will generate approximately 64 daily trips. Since the Traffic Impact Analysis threshold of 200 average daily trips was not reached, a traffic impact study was not required by the City of Phoenix.

The Oregon Department of Transportation (ODOT) participated in the pre-application conference and did not require a Traffic Impact Study. ODOT acknowledged the need for a second driveway during the Pre-Application meeting on April 18, 2023 and agreed to allow for a driveway 20 feet in width, provided the following recommendations from the engineer are completed:

- Applicant shall obtain a miscellaneous/utility permit prior to any disturbance within the State ROW

Prior to submitting permits, the applicant shall provide Community Development with an Access Permit for driveway 20 feet in width approved by ODOT to access S. Pacific Hwy. **The standard is met with conditions.**



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").*
- 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.*

If it is not possible to provide access by one of the above methods, access may be provided from a public street adjacent to the development parcel. If possible, the owner/developer may be required to close or consolidate an existing access point as a condition of approving a new access. Street accesses shall comply with the access spacing standards in Sections F and H, below. Owner/developer may be required to create a common access easement to allow joint use of a driveway, parking area, or other circulation as a condition of development approval.

FINDING: The subject parcel has two pre-existing access points with full ingress and egress. One access is along Rose Street and the other along S. Pacific Hwy. Both driveway locations have direct access to a public street. Rose Street is within the city's jurisdiction while the highway is in ODOT's. The issue of two accesses was raised during the pre-application meeting where ODOT acknowledged the need of two accesses for proper flow of traffic and to provide safe ingress and egress to large delivery trucks. Based on the limited increase in traffic from the proposed use and potential for increased safety issues with large trucks using Rose Street for ingress and egress, two accesses remain necessary to provide proper driveway, parking and other vehicular circulation.

The Oregon Department of Transportation (ODOT) acknowledged the need for a second driveway during the Pre-Application meeting on April 18, 2023 and agreed to allow for a driveway 20 feet in width, provided the following recommendations from the engineer are completed:

- Applicant shall obtain a miscellaneous/utility permit prior to any disturbance within the State ROW

Prior to submitting permits, the applicant shall provide Community Development with an Access Permit for driveway 20 feet in width approved by ODOT to access S. Pacific Hwy. **The standard is met with conditions.**

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.*



2. *If a development is unable to meet the access spacing standards in Subsection F, above, then the driveway must be as far from the other driveway or street intersection as possible. The Planning Commission shall require, at a minimum, that driveways be located outside the functional area of the intersection, even if such a distance would be greater than that set forth in the above table.*
 3. *Arterial and Collector Streets. Access spacing on collector and arterial streets, and at controlled intersections (i.e., with four-way stop sign or traffic signal) shall be determined based on the above chart and the standards contained in the City's Transportation System Plan. Access to Interstate 5 and Highway 99 shall be subject to the applicable standards and policies contained in the Oregon Highway Plan, Oregon's Access Management Standards (Oregon Administrative Rule, OAR 734-051), and/or other applicable state access laws and regulations.*
 4. *Special Provisions for All Streets. Direct street access may be restricted for some land uses, in conformance with the provisions of Chapter 2 – Land Use Districts. For example, access consolidation, shared access, and/or access separation greater than that specified by subsections 1-2, may be required by the City, County, or ODOT to protect the function, safety, and operation of the street for all users. (See Section 'H', below.) Where no other alternatives exist, the permitting agency may allow construction of an access connection along the property line farthest from an intersection. In such cases, directional connections (i.e., right in/out, right in only, or right out only) may be required.*
- 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.*

FINDING: Access to and from the proposed off-street parking areas does not permit backing onto a public street and is separated from other driveways in a manner that is as far away from each corner of the property as physically possible. Closure of either one of the accesses would cause increased traffic related and circulation issues at the remaining access point. Closure of the access from the subject property to S. Pacific Hwy. would cause circulation issues with delivery truck and other large service vehicles putting patron vehicle and pedestrian traffic at a greater risk. For this reason, the allowance of two access points is necessary to avoid future truck and small vehicle/pedestrian conflicts. **The standard is 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: The proposed site development plan includes adequate aisle widths for fire access. Access and circulation for service and delivery vehicles has been designed so that all vehicles can enter the site in a forward manner. Delivery trucks will pull into the property in a forward motion and back into a designated delivery area. In no case will service or delivery vehicles be allowed to park or unload on Rose Street or S. Pacific Hwy. to unload products. As a general condition, vehicles making deliveries to the retail store shall not park on the Rose Street or S. Pacific Hwy. right-of-way to unload merchandise or to make deliveries to the site. **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 development is setback in a manner that does not impact 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.*

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

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 proposed site design plan includes the construction 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 submitting permits. Prior to submitting permits, the applicant shall provide a copy of a stormwater management plan approved by Rogue Valley Sewer Services. In addition, the applicant will need to obtain ODOT approval of the drainage calculations, showing the proposal will not adversely affect the State facility. Prior to submitting permits, the applicant shall provide evidence that ODOT has approved the proposed drainage plan. **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.*

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, the plan includes pedestrian pathways from the main entrance of the store to both Rose Street and S. Pacific Hwy. frontages. Paved sidewalks are proposed along the north and west sides of the store frontage and include paved ADA ramps between the building and parking lot. Additional pedestrian pathways within the paved asphalt area will be marked with contrasting striping for identification and will comply with ADA access requirements. Compliance with ADA standards will be addressed at the time building permits are reviewed. **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 includes a landscaping plan with a proposed planting schedule that exceeds the 20% landscaping 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 vegetation, including a combination of trees, shrubs and ground cover that is concentrated in the front of the development facing Oregon 99. PLDC Chapter 3.2.3 (E)(2) above requires that eight percent of the combined area of all parking be landscaped. As proposed, there are 8 trees and other plants that line the entire perimeter of the parking area. The parking area includes 34 parking spaces, requiring 7 trees. The parking area along the frontage of Rose Street and S. Pacific Hwy includes 15 contiguous parking spaces requiring at least on landscape island with a minimum dimension of 8 feet by 19 feet. The parking area along building includes 14 contiguous parking spaces requiring at least on landscape island with a minimum dimension of 8 feet by 19 feet. Prior to submitting permits, the applicant shall provide a revised site and landscaping plan that include the location of the required landscape islands to break up the parking area into rows of not more than 12 contiguous parking spaces.



The proposed public parking includes approximately 11,824 square feet of parking and maneuvering area, requiring approximately 945 square feet of landscaped area adjacent to the parking area. The landscape plan provided as part of this request exceeds the required parking lot landscaping requirement. **The standard is met with conditions.**

3. *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 and maneuvering areas separated from the building by a combination of concrete pathways eight feet in width 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 submitting permits, the applicant shall demonstrate that all mechanical equipment being proposed has been appropriately screened from view from Rose Street and S. Pacific Hwy. **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 area along S. Pacific Hwy. and Rose Street around the subject property is not developed with street infrastructure that includes planting strips for street trees. The proposed landscape plan includes trees adjacent to the property line to give the appearance of street trees without additional right-of-way dedication. As proposed, the frontage includes ten (10) trees within the landscaped area adjacent to the highway. **The standard is met.**

3.3.5 – Fences and Walls

FINDING: The narrative provided with the proposed site plan does not discuss fence construction. However, the lighting plan includes a discussion about a proposed wooden privacy fence along the eastern property line to obscure site lighting. **Prior to submitting permits, the applicant shall include the fence location and type on the site plan. The standard is met with conditions.**



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.*

3.4.4 – Bicycle Parking Requirements

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

FINDING: The proposed site plan includes 4 bicycle spaces near the front entrance of the building. As proposed, there are 3 short-term bicycle parking spaces and 1 long-term covered space. As required by this section of the PLDC, the site plan shall demonstrate that the long-term covered space is integrated into the design of the development and be architecturally compatible with the design of the building. Neither the site plan or the findings demonstrate the long-term covered space will be compatible with the building style. Prior to submitting permits, the applicant shall provide a revised sheet that details the design of the long-term bicycle space. **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: Rose Street and S. Pacific Hwy are or will soon be completely constructed to collector and arterial standards respectfully, with exception the required street trees. The proposed site plan includes street trees as required by Chapter 3.3.4 – Street Trees. As proposed, all driveways are paved with asphalt or concrete. **The standard is met.**



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 JSA Civil, LLC. to evaluate traffic generation, street capacity and access management for the proposed development. Access to the subject parcel is from Rose Street and South Pacific Hwy.

Trip generation calculations for the former and proposed development were prepared using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition. An ITE rate was used for land use code 814 – Variety Stores. The independent variable is based on number of units. A summary is provided in Table 1 and 2 of the engineer’s assessment for the proposed uses.

As shown in Table 2, 10.4 units have been estimated. However, the building size is 10,640 square feet, or 10.6 units. The difference in square footage and unit numbers is small and has only a minimal change to the overall PM Peak Hour trips. In reviewing the most recent version of the ITE manual, a Variety Store in an urban area variety store will generate approximately 64 daily trips. Since the Traffic Impact Analysis threshold of 200 average daily trips was not reached, a traffic impact study was not required.

The Oregon Department of Transportation (ODOT) acknowledged the need for a second driveway during the Pre-Application meeting on April 18, 2023 and agreed to allow for a driveway 20 feet in width, provided the following recommendations from the engineer are completed:

- Applicant shall obtain a miscellaneous/utility permit prior to any disturbance within the State ROW

Prior to submitting permits, the applicant shall provide Community Development with an Access Permit for driveway 20 feet in width approved by ODOT to access S. Pacific Hwy. **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: No access easements or shared accesses are proposed as part of this request. The property to the south is currently being developed as a manufactured home park with access points already determined. Access to the west is as fully developed with no possibility of created a shared access. **The standard is not applicable.**

- 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:*

1. *Street classification in the Transportation System Plan;*
2. *Anticipated traffic generation;*
3. *On-street parking needs;*



4. *Sidewalk and bikeway requirements based on anticipated level of use;*
5. *Requirements for placement of utilities;*
6. *Street lighting;*
7. *Minimize drainage and slope lands impacts;*
8. *Street tree location, as provided for in 3.3.4 – Street Trees;*
9. *Protection of significant vegetation, as provided for in 3.3.2 – Landscape Conservation;*
10. *Safety and comfort for motorists, bicyclists, and pedestrians;*
11. *Street furnishings (e.g., benches, lighting, bus shelters, etc.), when provided;*
12. *Access needs for emergency vehicles; and*
13. *Transition between different street widths (i.e., existing streets and new streets), as applicable.*

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: This segment of S. Pacific Hwy is currently being updated by ODOT as part of the Oregon 99 Glenwood Road to Coleman Creek project and will be constructed to the appropriate standards except that street trees are required. Rose Street currently meets the collector standards for the city with exception that no parkrows are present or able to be installed in the current configuration. Street trees in compliance with the PLDC are shown on the landscape plan as required. **The standard is met.**

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: 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 submitting 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 stormwater facilities. The applicant's Engineer has demonstrated that stormwater management is feasible, but has not received approval from Rogue Valley Sewer Services. 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 permits being submitted. Prior to submitting permits, the applicant shall provide a copy of a stormwater management plan approved by Rogue Valley Sewer Services. In addition, the applicant will need to obtain ODOT approval of the drainage calculations, showing the proposal will not adversely affect the State facility. Prior to submitting permits, the applicant shall provide evidence that ODOT has approved the proposed drainage plan. **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.*
- C. Performance Method II. Sites under 1 acre that are within the LZ-2 and LZ-3 lighting area classes may demonstrate compliance with this Chapter by meeting the following requirements:*
- 1. Full or 100% cutoff lighting. All lighting shall be full cutoff and shall not emit light above 90 degrees.*



2. *Photometric plan required. A photometric plan shall be submitted for review that accurately depicts the locations and types of lighting measures and illuminance in footcandles or lumens at final grade throughout the entire site and ten (10) feet beyond the perimeter of the site.*
3. *Maximum and minimum luminance. Illumination levels shall comply with those listed in the following Table 3.12.6.C.*
4. *Maximum illuminance at property line. Maximum illuminance at any point in the vertical plane of the property line shall be less than 0.2 foot-candles.*

Table 3.12.6 Illumination Levels.

Area/Activity Type	Min. Illuminance (FC)	Max. Illuminance (FC)
Building entrances/Exits	5	10
Parking Areas	1	5
Parking Structure	5	10
Other Outdoor Areas	1	5
Loading Areas and Platforms	10	15
Under canopies	5	15
Heavy Equipment Operation	10	25

FINDING: The lighting plan suggests that Performance Method II is being used for the proposed development. Since the property is 1 acre or larger, this method cannot be used. However, after review of the lighting plan submitted for review, staff has determined that the site lighting does not exceed the number of lumens per square feet allowed for the site under Performance Method I. However, it is unclear with the data provided that all Performance Method I standards have been met. Prior to submitting permits, the applicant shall provide a narrative to supplement the lighting plan that demonstrates how the standards of Chapter 3.12.6 (B) have been met. **The standard is met with conditions.**

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 October 16, 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 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 proposed development meets or can meet with conditions, all approval criteria in the Phoenix Land Development Code. **The standard is met.**

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

GENERAL CONDITIONS:

1. Applicant must submit construction plans to RVSS for review and approval.
2. Vehicles making deliveries to the retail store shall not park on the Rose Street or S. Pacific Hwy. right-of-way to unload merchandise or to make deliveries to the site.
3. Applicant must submit plumbing plans to RVSS for the calculation of related System Development Charges.

PRIOR TO SUBMITTING PERMITS:

4. The applicant shall provide a revised site plan that includes the fence location and type.
5. The applicant shall provide a revised site plan that details the decorative pavement treatments to be installed at the main entrance of the building.
6. The applicant shall provide a revised site plan that identifies any roof-mounted mechanical equipment and a detail of the proposed screening.
7. The applicant shall provide a narrative to supplement the lighting plan that demonstrates how the standards of Chapter 3.12.6 (B) have been met.
8. The applicant shall demonstrate that all mechanical equipment being proposed has been appropriately screened from view from Rose Street and S. Pacific Hwy.




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9. The applicant shall provide a revised sheet that details the design of the long-term bicycle space.
10. The applicant shall provide Community Development with an Access Permit for driveway 20 feet in width approved by ODOT to access S. Pacific Hwy.
11. The applicant shall provide a copy of a stormwater management plan approved by Rogue Valley Sewer Services.
12. The applicant shall provide evidence that ODOT has approved the proposed drainage plan.
13. The applicant shall provide a copy of a 1200c (erosion control) Permit approved by Rogue Valley Sewer Services.
14. The applicant shall submit a sign permit pursuant to Chapter 3.6.

PRIOR TO CERTIFICATE OF OCCUPANCY:

15. Applicant must have all sewer and stormwater quality facilities, including vegetation when applicable, inspected and approved by RVSS.
16. All required site improvements and conditions of approval shall be completed in accordance with the approved plan.

Date Approved: <u>11/16/2023</u>	Receipt #: _____
	Fee Amount: _____
_____ Community Development Manager	Date: _____