

STAFF REPORT & DECISION

File: SP25-01, Type II Site Design Review

Location: 211 W First St; 38-1W-16AA-90000

Land Use District: High Density Residential (R-3)

Date Notice of Application mailed: July 16, 2025

Date of Decision: September 8, 2025

I. APPLICANT

Jaswant Singh
932 Suncrest Rd
Talent, OR 97540

II. OWNER INFORMATION

Same as above

III. PROJECT INFORMATION

The proposal is for the addition of a 10-unit apartment building to the existing 15-unit multi-family complex 'Midas Garden Condominium' constructed in 1979.



A. Surrounding Land Uses:

North: High Density Residential (R-3)

South: Medium Density Residential (R-2)

East: High Density Residential (R-3)

West: High Density Residential (R-3)

B. Comprehensive Plan Land Use Designation: High Density Residential

C. Property Zoning: High Density Residential (R-3)

IV. COMPLIANCE WITH APPLICABLE CRITERIA

Overall, the application on review met applicable submittal criteria and PLDC development standards.

In order to approve the request, findings must be made showing consistency with all applicable criteria. The applicant submitted a general narrative describing the project, providing findings, site plan, elevations and other preliminary documents 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 that follow.

CHAPTER 2 – LAND USE DISTRICTS

Chapter 2.2 – Residential Districts (R-1, R-2, R-3, HO)

2.2.2 – Permitted Land Uses

- A. *Permitted Uses. The land uses listed in Table 2.2.2 are permitted in Residential Districts, subject to the provisions of this Chapter. Only land uses specifically listed in Table 2.2.2 and land uses approved as similar to those in Table 2.2.2 may be permitted. The land uses identified as requiring a “CUP” in Table 2.2.2 require Conditional Use Permit approval prior to development or a change in use, in accordance with Chapter 4.4 – Conditional Use Permits.*

Table 2.2.2 – Development Standards and Land Uses Permitted in Residential Districts

Development Standards		R-1	R-2	R-3	Notes
Density					
Minimum Units per Acre		5.5	8	12	Density is calculated on a project scale and is “net” (calculated after ROW dedication)
Maximum Units per Acre		8	30	None	Density calculations may be rounded on sites larger than one acre
Minimum area per Unit		1000	750	500	Primary dwelling unit, measured in conditioned square feet.
Setbacks					
Primary Structure	Front Minimum	15	10	10	See 2.2.4 for additional setback details. Street-facing side yard on corner lots Side may be combined for zero-lot-line SF-D in all zones Rear may be reduced to 5’ for alley garage in R-1
	Front Maximum	30	20	20	
	Front-Side	10	10	10	
	Side	5	4	4	
	Rear	10	5	5	
Accessory Structure	Front	20	20	20	See 2.2.9(H) No accessory structures permitted in front (including front-side) of primary structure constructed after adoption of this Code. Accessory structures may be permitted on lots where a pre-existing primary structure has a setback of more than twice the minimum. Note – Structural/Fire codes may require increased setbacks depending on construction type.
	Front-Side	10	10	10	
	Side	3	3	3	
	Rear	3	3	3	
Garage/Carport facing public ROW		20	20	20	Attached or Detached, all zones. Measure from garage door or equivalent for carports.
Alley Garage/Carport		5	5	5	
Maximum Lot Coverage, all structures		50%	60%	75%	See 2.2.5. See definition and graphic
Maximum Height		35	45	None	See 2.2.6. See definition and graphic
Land Uses Permitted in Residential Districts		R-1	R-2	R-3	Notes
Residential					
Single Unit Detached		P	P	P	
Zero-lot Line Dwelling		P	P	P	
Single Unit Attached		P	P	P	See 2.2.9.D
Accessory Dwelling Unit		P	P	P	See 2.2.9.A
Manufactured Home or Prefabricated Structure (on individual lot)		P	P	P	See 2.2.9.B
Manufactured Dwelling Park		P	P	P	See 2.2.9.C
Duplex or Triplex		P	P	P	See 2.2.9.D
Multi-family Housing		P	P	P	See 2.2.9.E

FINDING: The subject property is zoned High Density Residential (R-3). The applicant proposes to add more multi-family housing (10 dwelling units) to an existing multi-family complex that contains 15 units; multi-family housing is a permitted use in the R-3 zone. At 25 total dwelling units, on a 0.83-acre lot, this achieves a density of ~30 dwelling units per acre, which meets the minimum density requirement of the zone. Several public comments were received on this application, staff has responded to these comments by pairing them with the code sections that most closely fit the topic in the findings herein below. Some of those public comments included concern about setbacks and light obstruction. The R-3 zone is intended to facilitate residential uses at a high density, it has generous provisions for lot coverage, modest setbacks, and does not have a maximum building height requirement. Additionally, the Phoenix Land Development

Code has no provisions regulating light obstruction. However, the Site Plan (Sheet A1.0), has been reviewed for compliance with the dimensional requirements of the R-3 zone. The apartment building is to be set back 78 ft from the front property line, 4 ft from the side property line, and 109 ft from the rear property line. The applicant's narrative (Page 2) indicates that lot coverage will reach 31 percent; accordingly, all dimensional standards of the R-3 zone are met. **The standards are met.**

2.2.7 – Building and Site Orientation

- A. *Purpose. The following standards are intended to orient buildings close to streets to promote human-scale development, slow traffic down, and encourage walking in neighborhoods. Placing residences and other buildings close to the street also encourages security and safety by having more “eyes on the street.”*
- B. *Applicability. This Section applies to single-family attached townhouses that are subject to Site Design Review (3 or more attached units); multi-family housing; neighborhood commercial buildings; and public and institutional buildings, except that the standard shall not apply to buildings that do not receive the public (e.g., buildings used solely for storage or for housing mechanical equipment, and similar uses.)*
- 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.*
- D. *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.*

FINDING: (B) The proposal is for multi-family housing; therefore, the provisions of this section apply. (C)(1) All setbacks are met. (2 & 3) The portion of the site adjacent to the street has already been developed, and has several units that face First Street. By orienting the proposed building to face First Street, this would result in it facing into the rear of the existing residential development – resulting in no additional ‘eyes on the street.’ In alignment with the purpose of this section, the applicant proposes to orient the apartment building, and its primary entrances, towards the driveway that serves it, thereby offering eyes on the driveway – which functions as a close proxy of a street. (4) As shown on the Site Plan (Sheet A1.0), all parking is located behind/beside the buildings of the complex as viewed from First Street. (D)(1) Off-street parking standards of Chapter 3.4 are met with conditions, and have been addressed in separate findings herein below. (3) The site plan shows a physically separated path extending from the sidewalk to the front entrances. (4) on-street parking is neither proposed nor required. (5) An alley or rear lane is not present to potentially serve this development. (6) Bicycle parking will be required in accordance with the provisions of Chapter 3.4, and is addressed in separate findings herein below. (7) Open parking areas are not proposed in the front setback and garages are not proposed. **The standards are met with conditions.**

2.2.8 – Architectural Standards

- A. *Purpose. Architectural standards are intended to encourage detailed, human-scale design and afford the flexibility to use a variety of building styles.*
- B. *Applicability. This section applies to all of the following types of buildings and shall be applied during Site Design Review:*
 1. *Single-family attached townhouses that are subject to Site Design Review (three or more attached units);*
 2. *Multi-family housing;*
 3. *Public and institutional buildings; and*
 4. *Neighborhood commercial and mixed-use buildings.*
- 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 150 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.*
- 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.*
- 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: (B) The proposal is for multi-family housing; therefore, the provisions of this section apply. (C)(1) The applicant's elevations (Sheet A3.0) indicate the continuous horizontal distance of the building measures 70 ft and the vertical face of the structure offers recessed entries on both floors, and a break in roof elevation of 2 ft in height. (C)(2) This section prescribes 60% of the front and 30% of the sides and rear elevations include doors/porches/balconies/terraces/windows on all elevations as measured in linear feet. Sheet A3.0 indicates the front and rear elevations provide an adequate percentage of doors and windows per linear foot; however, the side elevations are under 30%. Nevertheless, staff finds it feasible for this project to include the appropriate (30%) ratio of doors/porches/balconies/terraces/windows per linear foot on the side elevations. As a condition of approval, prior to issuance of building permits, the applicant shall provide revised elevations, for both sides, each floor shall include at least 30% doors/porches/balconies/terraces/windows per linear foot in accordance with PLDC § 2.2.8(C)(2). (C)(3) Detailed design has been achieved on all elevations through the inclusion of projecting eaves, offsets in roof, and consistent decorative patterns on exterior finish. **The standards are met with conditions.**

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. 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. Common open space shall meet the following standards:*
 - a. Open Space Amount & Size*
 - i. All residential and mixed-use development shall be required to reserve, improve, and establish commitments to maintaining common open space.*
 - ii. Common open spaces shall have a minimum dimension of 20 linear feet.*
 - iii. For three or four-plex, and townhouse units: 100 square feet of common open space shall be provided for each residential dwelling.*
 - iv. For multi-family projects larger than 20 units: 75 square feet of common open space shall be provided for each dwelling.*
 - v. Common open space in a mixed-use and non-residential development shall equal at least two percent of the development's site area.*
 - b. Open Space Design*
 - i. Common open spaces shall include at least two of the following improvements:*
 - 1. benches for seating;*
 - 2. public art such as a statue;*
 - 3. a water feature such as a fountain;*
 - 4. a children's play structure;*
 - 5. a gazebo;*
 - 6. picnic tables;*
 - 7. gardens;*
 - 8. an indoor or outdoor sports court for one or more of the following: tennis, basketball, volleyball, badminton, racquetball, and handball/paddleball*
 - ii. Residential developments that may house children shall provide at least one common open space with a children's play structure.*
 - iii. For security purposes, all common open spaces shall be adequately illuminated in accordance with*

Chapter 3.12 – Outdoor Lighting. Landscaping shall be designed and maintained to avoid security risks.

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 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 material used shall be selected to match the material 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: (1) The applicant's elevations (Sheet A3.0) indicate the end-wall to end-wall length of the building measures 70 ft. (2 & 4) The applicant requests exemption from the Common Open Space requirement, indicating that Otto Caster Park is nearby; staff has confirmed, it is 0.2 miles from the development site, there is a direct, accessible sidewalk between the site and the park, and the park offers a play area for children. (3) Approximately 112 ft² of Private Open Space is provided for each unit via covered front porches/balconies. (5) Public comment was received that included concern about waste accumulation. This application is subject to the Phoenix Land Development Code, which prescribes Trash Enclosure location and construction standards in a development context. However, concerns regarding nuisances and waste accumulation are regulated separately -- through City nuisance code. In Phoenix, rubbish is regulated under Phoenix Municipal Code § 8.04.110, which prescribes how waste receptacles are to be provided and maintained, and how rubbish is to be handled. Simply put, to address a concern about waste receptacles and rubbish, a community member may contact our Police Department and discuss the matter with a Code Enforcement Officer. Although provisioning for Trash Enclosures have not

been indicated on the site plan, a staff site visit on August 28, 2025 indicates what appears to be an abandoned, secured and empty Trash Enclosure near the northwest property corner. Being within 25 ft of the sidewalk abutting West First Street, this is not an approvable location for Trash Enclosures and therefore the existing enclosure must be removed. As a condition of approval, prior to issuance of building permits, the applicant shall provide a revised site plan that indicates the Trash Enclosure is to be removed; should a Trash Enclosure be desired elsewhere on site, it must be located and constructed in accordance with PLDC § 2.2.9(E)(5). As a condition of approval, prior to final inspection, the applicant shall remove the existing Trash Enclosure. **The standards are met with conditions.**

CHAPTER 3 – DESIGN STANDARDS

Chapter 3.2 – Access and Circulation

3.2.2 - Vehicular Access and Circulation

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”).*

FINDING: The subject property has existing vehicle access on First Street; new vehicle access is not proposed. **The standard is not applicable.**

- J. *Driveway Openings. Driveway openings shall be the minimum width necessary to provide the required number of vehicle travel lanes (10 feet for each travel lane). The following standards (i.e., as measured where the front property line meets the sidewalk or right-of-way) are required to provide adequate site access, minimize surface water runoff, and avoid conflicts between vehicles and pedestrians:...*
 - ...3. *Multiple family uses with more than eight dwelling units, and off-street parking areas with 16 or more parking spaces, shall have a minimum driveway width of 24 feet, and a maximum width of 30 feet. These dimensions may be increased if the Planning Director determines that more than two lanes are required based on the number of trips generated or the need for turning lanes.*

FINDING: The site plan indicates a driveway opening/width of 26 ft is proposed. **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: Public comment was received that included concern about vehicle access. Staff has reviewed the application to ensure consistency with the drive aisle dimension and material requirements of this section, and the parking aisle dimension and material requirements of § 3.4.3(d) herein below, and finds that the provisions of these sections are either met outright, or

can be met with conditions. Furthermore, Jackson County Fire District #5 has reviewed the concept plan and has indicated that *although a hammerhead turnaround is proposed, it is not strictly required, and it is reasonable to allow the project to proceed as submitted. The new structure will however, require sprinkler protection.* As a condition of approval, prior to issuance of building permits, the applicant shall submit building plans for fire code compliance to be reviewed and approved by Jackson County Fire District 5. **The standard is met with conditions.**

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

FINDING: (1 & 3) The Site Plan (Sheet A1.0) indicates that the reconfigured parking areas, aisles, turn around and driveway apron are to be asphalted. As a condition of approval, prior to final inspection, the applicant shall pave parking areas, aisles, and turnarounds with asphalt in accordance with the approved site plan. (2) The applicant has not indicated how sheet flow of surface waters from paved surfaces will be managed. Rogue Valley Sewer Services (RVSS) are the Phase II Permit holder for the City of Phoenix. Being the stormwater authority, RVSS has provided comment indicating that *the development will require stormwater management in compliance with the Rogue Valley Stormwater Manual if installing or redeveloping more than 5,000 sf of impervious surface.* Given that a 3100 ft² building is proposed, as well as the removal of three parking structures, and the parking area is proposed to be reconfigured, it is clear that at least 5,000 ft² of impervious surface is to be redeveloped and the retention/detention and treatment of stormwater will need to be addressed and approved by RVSS. As a condition of approval, prior to issuance of building permits, the applicant shall submit a copy of the RVSS-approved Stormwater Management Plan to Community & Economic Development Department. **The standards are 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...*
 - ...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 multifamily building features a pathway that connects building entrances to the parking area, and to the adjacent sidewalk on First Street. The pathways are reasonably direct, safe and convenient as shown on Sheet A1.0. The applicant has addressed outdoor lighting in the narrative (page 9) and on Sheet A-LT1. However, the site plan does not show the pathway that connects to First Street being illuminated. Pathway illumination will help keep the area safe and may help deter trespassing, loitering and other crime. As a condition of approval, prior to the issuance of building permits, the applicant shall submit a revised Outdoor Lighting Plan that provides illumination on all pathways for safety purposes. **The standards are met with conditions.**

- B. *Design and Construction. Pathways shall conform to all of the standards in 1-5:*
 - 1. *Vehicle/Pathway Separation. Where pathways are parallel and adjacent to a driveway or street (public or private), they shall be raised six inches and curbed, or separated from the driveway/street by a five-foot minimum strip with bollards, a landscape berm, or other physical barrier. If a raised path is used, the ends of the raised portions must be equipped with curb ramps.*
 - 2. *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) Staff was unable to find vehicle pathway/separation details in the application. As a condition of approval, prior to issuance of building permits, the applicant shall provide a revised site plan that identifies the method of vehicle/pathway separation in conformance with PLDC § 3.2.3(B)(1). (2) Sheet A1.0 shows pathways separated from the existing condominium and the proposed apartment by less than 5 ft. As a condition of approval, prior to issuance of building permits, the applicant shall provide a revised site plan that provides at least 5 ft of separation between the pathway and all residential living areas on the ground floor except at building entrances. (3) Chapter 1.3 defines pathways as *an access that accommodates pedestrian circulation only*. Therefore, staff finds that the sidewalk abutting West First Street must be connected with a crosswalk meeting the standards of this section. As a condition of approval, prior to issuance of building permits, the applicant shall provide a revised site plan that identifies a crosswalk spanning the West First Street public sidewalk at the driveway entrance. As a condition of approval, prior to final inspection, the applicant shall mark the crosswalk, which will consist of thermo-plastic striping or a similar type of durable application. (4) Staff was unable to find pathway surface material details in the application. As a condition of approval, prior to issuance of building permits, the applicant shall provide a revised site plan that indicates the pathway surface type in conformance with PLDC § 3.2.3(B)(4). (5) Staff finds it feasible for the applicant to provide pathways of at least 6 ft in width that are in compliance with the Americans with Disabilities Act. As a condition of approval, prior to issuance of building permits, the pathways will be reviewed by the City Building Official to verify compliance with the Americans with Disabilities Act. **The standards are met with conditions.**

3.3.3 - New Landscaping

- A. *Applicability. This Section shall apply to all developments requiring Site Design Review, and other developments with required 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.*
- D. *Landscape Materials. Landscape materials include trees, shrubs, ground cover plants, non-plant ground covers, and outdoor hardscape features as described below:*
 1. *Natural Vegetation. Natural vegetation shall be preserved or planted where practicable.*
 2. *Plant Selection. A combination of deciduous and evergreen trees, shrubs, and ground covers shall be used for all planted areas, the selection of*

which shall be based on local climate, exposure, water availability, and drainage conditions. When developing new building sites, native and fire-resistant plants are encouraged to enhance safety, conserve water, and support local ecosystems. As necessary, soils shall be amended to allow for healthy plant growth.

- 3. Existing non-native, invasive plants, as per Chapter 3.3.2 – Landscape Conservation, Section B, shall not be counted towards meeting the vegetation requirements.*
- 4. Hardscape features, such as patios, decks, plazas, etc., may cover up to 20 percent of the required landscape area; except in the City Center District where hardscape features may cover up to 50 percent of the landscape area. Swimming pools, sports courts, and similar active recreation facilities may not be counted toward fulfilling the landscape requirement.*
- 5. Non-plant Ground Covers. Bark dust, chips, aggregate or other non-plant ground covers may be used, but shall cover no more than 20 percent of the area to be landscaped. Coverage is measured based on the size of plants at maturity or after two years of growth, whichever comes sooner.*
- 6. Tree Size. Trees shall have a minimum caliper size of 1.5 inches at DBH or greater, or be six feet or taller, at time of planting.*
- 7. Shrub Size. Shrubs shall be planted from 5-gallon containers or larger.*
- 8. Ground Cover Size. Ground cover plants shall be sized and spaced so that they grow together to cover a minimum of 75 percent of the underlying soil within three years.*
- 9. Significant Vegetation. Significant vegetation preserved in accordance with Chapter 3.3.2 – Landscape Conservation may be credited toward meeting the minimum landscape-area standards. Credit shall be granted on a per square foot basis. The Street Tree standards of Chapter 3.3.4 – Street Trees may be waived when trees preserved within the front yard provide the same or better shading and visual quality as street trees would otherwise provide.*
- 10. Storm Water Facilities. Storm water facilities (e.g., detention/retention ponds and swales) shall be landscaped with water tolerant, native plants.*

FINDING: Public comment was received that included concern about hazard trees. This application is subject to the Phoenix Land Development Code, which prescribes when trees are required for landscaping in development context, and regulates how they are to be planted and initially cared for. However, concerns regarding potentially hazardous vegetation are regulated separately – through City nuisance code. In Phoenix, ‘noxious vegetation’ is regulated under Phoenix Municipal Code § 8.04.100, which defines the term, and regulates how such vegetation is to be abated. Simply put, to address a concern about ‘noxious vegetation,’ a community member may contact our Police Department and discuss the matter with a Code Enforcement Officer. (A) The application is for a site design review; therefore, the provisions of this section apply. (B) A basic Landscape Plan has been included on Sheet A1.0. However, an irrigation plan has not been provided, and a site visit on August 28, 2025 indicates that although much of the existing shrubs and trees appears to be in good health; the existing ground cover is not. As a condition of approval, prior to issuance of building permits, the applicant shall submit a Landscape Irrigation Plan to Community & Economic Development. (C) The Landscape Plan indicates that 7,953 ft² of the 36,111 ft² site are to be used for landscape – which comes to approximately 22%. (D) The Landscape Plan shows the existing trees and shrubs but does not identify the ground cover by type. As a condition of approval, prior to issuance of building permits, the applicant shall provide a Revised Landscape Plan that specifies the ground cover by type, in conformance with

PLDC § 3.3.3(D)(5) & (8). According to Sheet A1.0, Existing Vegetation along the front yard on First Street is proposed to remain; A site visit on August 28, 2025 confirms that two large conifers remain in the front yard. However, the three trees shown on Sheet A1.0 along the northwest property corner near the Trash Enclosure could not be located. Significant Vegetation credit will be given for the two (2) existing conifers; remaining Street Tree requirements are addressed separately in section 3.3.4 herein below. **The standards are met with conditions.**

E. Landscape Design Standards.

All yards, parking lots, and required street tree planter strips shall be landscaped in accordance with the provisions of this Chapter. Landscaping shall be installed with development to provide erosion control, visual interest, buffering, privacy, open space, shading, and wind buffering, based on the following standards:

- 1. Yard Setback Landscaping. Landscaping shall satisfy the following criteria:*
 - a. Use shrubs and trees as windbreaks, as appropriate;*
 - b. Retain natural vegetation, as practicable;*
 - c. Define pedestrian pathways and open space areas with landscape materials;*
 - d. Provide focal points within a development, such as signature trees (i.e., large or unique trees), hedges and flowering plants;*
 - e. Use trees to provide summer shading within common open space areas, and within front yards when street trees cannot be provided;*
 - f. Use a combination of plants for yearlong color and interest;*
 - g. Use landscaping to screen outdoor storage and mechanical equipment areas, and to enhance graded areas such as berms, swales, and detention/retention ponds.*
 - h. If the applicant is able to prove that the view shed is impaired, the shrubs may be used instead of trees.*

FINDING: The proposed Landscape Plan (Sheet A1.0) retains nearly all existing vegetation and provides a fairly even distribution of trees and shrubs throughout the site perimeter which serve as windbreaks. Supplementary windbreaks, buffering and yearlong color and interest will be further enhanced through the addition of required Street Trees as conditioned in section 3.3.4 herein below. The pedestrian pathway will be defined with the presence of the following landscape materials: an existing mature conifer near First Street as well as ground cover. The existing mature conifers provide excellent focal points to the development as well as summer shading; Sheet A1.0 indicates all are proposed to be retained. Outdoor storage is not proposed in this application and a site visit on August 28, 2025 confirmed that the existing mechanical areas have been screened with vegetation. A request to preserve the viewshed has not been included in this application. **The standard is met.**

4. Parking areas.

- a. General Parking Lot Landscaping Standards. 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: Staff was unable to locate parking area perimeter landscaping details in the application. However, it is feasible for the applicant to landscape 8% of parking area perimeter and provide a minimum of one (1) tree per five (5) parking spaces. As a condition of approval, the applicant shall provide a Revised Landscape Plan that indicates 8% or greater parking area perimeter landscaping and provides a minimum of one (1) parking area tree per five (5) parking spaces in conformance with PLDC § 3.3.3(E)(2). According to Sheet A1.0, more than 20 parking spaces are proposed, and several small landscape islands have been shown. These landscape islands do not meet the dimensional requirements of this section. However, staff finds it feasible for the applicant to provide one (1) landscape island measuring 8 ft x 19 ft per each twelve (12) parking spaces. As a condition of approval, the applicant shall provide a Revised Landscape Plan and Site Plan that shows one (1) landscape island measuring a minimum of 8 ft x 19 ft per twelve (12) parking spaces. Staff was unable to locate details on parking area tree dimensions in the application. As a condition of approval, the applicant shall provide a Revised Landscape Plan that indicates the Parking Area trees having a 2-inch caliper or greater. **The standard is met with conditions.**

- c. *Buffering and Screening of Parking Areas.*
 - i. *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. When parking areas are located adjacent to residential ground-floor living space, a landscape buffer is required to fulfill this requirement.*
- d. *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. Screening shall be provided by one or more of the following: decorative wall (i.e., masonry or similar quality material), evergreen hedge, non-see through fence, or a similar feature that provides a non-see through barrier. Walls, fences, and hedges shall comply with the vision clearance requirements and provide for pedestrian circulation, in accordance with Chapter 3.2 – Access and Circulation. (See also Chapter 3.3.5 – Fences and Walls)*

FINDING: (c) Sheet A1.0 indicates that new parking stalls are proposed immediately adjacent to the existing south condominium building and the proposed 10-unit building. Both of these buildings contain residential ground-floor living space. The provisions of this section call for a minimum of eight (8) feet of required separation between the parking/maneuvering area and these buildings. As a condition of approval, prior to issuance of building permits, the applicant shall provide a Revised Landscape Plan and Site Plan that provides a minimum of eight (8) feet of

separation with landscaped buffer between ground flood living space and parking/maneuvering areas in conformance with PLDC § 3.3.3(E)(4)(c). (d) The site plan does not identify the location of any mechanical equipment onsite or the required buffering. Public comment was received that included a concern about noise. Screening of mechanical equipment may mitigate noise issues. As a condition of approval, prior to the issuance of building permits, the applicant shall provide a revised site plan that identifies the location of all mechanical equipment and the method(s) of screening in conformance with PLDC § 3.3.3(E)(4)(d). **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.

- A. *Growth Characteristics. Trees shall be selected based on growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance. The following should guide tree selection:*
 - 1. *Provide a broad canopy where shade is desired.*
 - 2. *A minimum of two tree species is required to prevent total loss of tree cover in case of disease.*
 - 2. *Use low-growing trees for spaces under utility wires.*
 - 3. *Select trees that can be limbed-up where vision clearance is a concern.*
 - 4. *Use narrow or columnar trees where awnings or other building features limit growth, or where greater visibility is desired between buildings and the street.*
 - 5. *Use species with similar growth characteristics on the same block for design continuity.*
 - 6. *Avoid using trees that are susceptible to insect damage, and avoid using trees that produce excessive seeds or fruit.*
 - 7. *Select trees that are well adapted to the environment, including soil, wind, sun exposure, and exhaust. Drought-resistant trees should be used in areas with sandy or rocky soil.*
 - 8. *Use deciduous trees for summer shade and winter sun.*
- B. *Caliper Size. The minimum caliper size at planting shall be 1.5 inches at DBH, based on the American Association of Nurserymen Standards.*
- C. *Spacing and Location. Street trees shall be planted within existing and proposed planting strips, and in sidewalk tree wells on streets without planting strips. Street tree spacing shall be based upon the type of trees selected and the canopy size at maturity. In general, trees shall be spaced no more than 30 feet apart, except where planting a tree would conflict with existing trees, retaining walls, utilities and similar physical barriers.*
- D. *Soil Preparation, Planting, and Care. The developer shall be responsible for planting street trees, including soil preparation, ground cover material, staking, and temporary irrigation for two years after planting. Street trees shall be planted after the house is finished. The developer shall also be responsible for street tree care (pruning, watering, fertilization, and replacement as necessary) during the first two years after planting. The lot or parcel landscaping shall be completed within six months of occupancy. If the lot or parcel is to be landscaped by the developer, the developer shall have the option of having an account for landscaping which would allow the home owner to decide on types of vegetation.*

FINDING: The application is for a Site Design Review; therefore, Street Trees are required. (A) The applicant has not provided tree species details. As a condition of approval, prior to issuance of building permits, the applicant shall provide a revised Landscape Plan that identifies two (or more) different species of Street Tree. (B) Street Tree caliper size details have not been provided. (C) Sheet A1.0 shows approximately 140 ft of frontage on First Street. Because the driveway creates a physical barrier, being paved, the applicant will not need to provide street trees along this ~26 ft wide area; this means that Street Trees will be required along 114 ft of frontage. Therefore, no fewer than four (4) total Street Trees are required. Two (2) existing mature conifers in the front yard qualify as Street Trees per section 3.3.3(D)(9). (D) Details on additional Street Tree planting and care have not been provided in the application. As a condition of approval, prior to issuance of building permits, the applicant shall provide a revised Landscape Plan that identifies a minimum of four (4) Street Trees, each with a minimum caliper size of one-and-a-half (1.5) inches. As a condition of approval, prior to final inspection, landscaping and irrigation shall be installed in accordance with the approved plans. As an ongoing condition of approval, the property owner shall ensure landscaping on site is maintained in accordance with the approved Landscape Plan. **The standards are met with conditions.**

3.3.5 – Fences and Walls

The following standards shall apply to all fences and walls:

- A. *General Requirements. All fences and walls shall comply with the standards of this Section. The construction or replacement of a fence is required to go through a Type I Development Review process...*

FINDING: New fencing is neither proposed nor required. Any additional/replacement fencing will be subject to a separate review. **The standard is not applicable.**

Chapter 3.4 – Vehicle and Bicycle Parking

3.4.3 – Vehicle Parking Standards

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

Table 7: 3.4.3.A – Vehicle Parking – Minimum Standards Option

The number of required off-street vehicle parking spaces shall be determined in accordance with the following standards. Off-street parking spaces may include spaces in garages, carports, parking lots, and/or driveways.	
Residential Uses	
Single-family detached housing: 2 parking spaces shall be provided for each detached single-family dwelling or manufactured home on an individual lot.	
▪ Two- and three-family housing: 1.5 spaces per dwelling unit. ▪ Multi-family and single-family attached housing, including senior housing a. Studio units or 1-bedroom units less than 500 sq. ft.: 1 space/unit b. 1-bedroom units 500 sq. ft. or larger: 1.5 spaces/unit c. 2-bedroom units: 1.75 spaces/unit d. 3-bedroom units: 2 spaces/unit	

- B. *Parking Location and Shared Parking.*
 - 1. *Location. Vehicle parking is allowed only on approved parking shoulders (streets), within garages or carports (no temporary or tarp carports are allowed), or on driveways or parking lots that have been developed in conformance with this code. Specific locations for parking are indicated in Chapter 2 for some land uses (e.g., the requirement that parking be located*

to side or rear of buildings, with access from alleys, for some uses). (See also, Chapter 3.2 – Access and Circulation).

- 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.

Table 9: Minimum Parking Space and Aisle Dimensions

Angle (A)	Type	Width (B)	Curb Length (C)	1 Way Aisle Width (D)	2 Way Aisle Width (D)	Stall Depth (E)
0° (Parallel)	Standard	8 ft.	22 ft. 6 in.	12 ft.	26 ft.	8 ft.
	Compact	7 ft. 6 in.	19 ft. 6 in.	12 ft.	26 ft.	7 ft. 6 in.
30°	Standard	9 ft.	18 ft.	12 ft.	24 ft.	17 ft.
	Compact	7 ft. 6 in.	15 ft.	12 ft.	24 ft.	14 ft.
45°	Standard	9 ft.	12 ft. 6 in.	12 ft.	24 ft.	19 ft.
	Compact	7 ft. 6 in.	10 ft. 6 in.	12 ft.	24 ft.	16 ft.
60°	Standard	9 ft.	10 ft. 6 in.	18 ft.	24 ft.	20 ft.
	Compact	7 ft. 6 in.	8 ft. 6 in.	18 ft.	24 ft.	16 ft. 6 in.
90°	Standard	9 ft.	9 ft.	24 ft.	24 ft.	19 ft.
	Compact	7 ft. 6 in.	7 ft. 6 in.	24 ft.	24 ft.	15 ft.

* A two-foot overhang is allowed for standard spaces if the curb acts as the wheel stop.

- E. *Disabled Person Parking Spaces.* The following parking shall be provided for disabled persons, in conformance with the Americans with Disabilities Act. Disabled parking is included in the minimum number of required parking spaces in Section A, above.

FINDING: A public comment was received regarding availability of parking. (A) Per recent changes to state law (OAR 660-012-0440), the City is no longer permitted to require parking within one-half mile of ‘frequent transit corridors.’ Highway 99 meets the definition of a frequent transit corridor. Therefore, the minimum parking requirements of this subsection are no longer enforceable; an applicant may develop a site with no provisions for parking if they so choose. However, if an applicant chooses to provide parking, then it still must meet the location/maximum/dimensional/ADA standards of this section. In this case, the applicant proposes to provide new parking. (B) The parking area has been proposed to the side of the structure, which complies with the locational requirements of Chapter 2. (C & E) There are 15 existing dwelling units and the proposed residential use (1-bedroom apartments greater than 500 ft²) calls for 1.5 spaces per dwelling unit. Therefore, the maximum parking spaces, would be 37.5 including ADA parking spaces. (D & E) Sheet A1.0 indicates that there are 34 parking stalls; 17 compact, 17 standard; none appear to be marked/dimensioned for ADA. Although the parking stalls have been dimensioned appropriately, the parking area will need to provision ADA parking spaces. As a condition of approval, prior to issuance of building permits, the applicant shall submit a Revised Site Plan that provides for ADA parking to be reviewed by the City Building Official. As a condition of approval, prior to final inspection, the applicant shall pave and stripe the parking areas, aisles, and turnarounds in accordance with the approved site plan. **The standard is met with conditions.**

3.4.4 – Bicycle Parking Requirements

All uses that are subject to Site Design Review shall provide bicycle parking, in conformance with

the following standards, which are evaluated during Site Design Review:

- A. *General Bicycle Parking Requirement. Bicycle parking shall be provided for all new multiple family residential developments (4 units or more), commercial, industrial and institutional uses, in the following manner:*

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 proposed addition of 10 dwelling units will require 11 bicycle parking spaces; three (3) short-term and eight (8) long-term. Sheet A1.0 does not show provisions for 11 bicycle parking stalls. However, the applicant acknowledges the bicycle parking requirement and staff finds it feasible for the site to facilitate bicycle parking on site. As a condition of approval, prior to the issuance of building permits, the applicant shall provide a revised Site Plan that shows the location of 11 bike parking spaces; 3 short-term and 8 long-term and meeting the standards of PLDC § 3.4.4(B). As a condition of approval, prior to final inspection, the applicant shall install bicycle parking in accordance with the approved Site Plan. **The standard is met with conditions.**

Chapter 3.5 – Street and Public Facilities Standards

3.5.2 – Transportation Standards

- A. *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:*
- Streets within or adjacent to a development shall be improved in accordance with the Transportation System Plan and the provisions of this Chapter.*
 - Development of new streets, and additional street width or improvements planned as a portion of an existing street, shall be improved in accordance with this Section, and public streets shall be dedicated to the applicable city, county or state jurisdiction;*
 - New streets, alleys and drives connected to a collector or arterial street shall be paved;...*

FINDING: The subject property has frontage on First Street, a public road owned and maintained by the City. The City Transportation System Plan classifies this road as a ‘collector.’ This portion of First Street is paved and fully improved with curb, gutters and sidewalks. New streets, alleys and drives are neither proposed nor required. **The standards are met.**

- When a Traffic Impact Analysis is Required. The City or other road authority with jurisdiction may require a Traffic Impact Analysis (TIA) as part of an application for development, a change in use, or a change in access. A TIA shall be required where a change of use or a development would involve one or more of the following:*
 - A change in zoning or a plan amendment designation;*

- b. *The road authority indicates in writing that the proposal may have operational or safety concerns along its facility(ies);*
- c. *An increase in site traffic volume generation by 200 Average Daily Trips (ADT) or more;*
- d. *An increase in peak hour volume of a particular movement to and from a street or highway by 10 percent or more; or*
- e. *An increase in use of adjacent streets by vehicles exceeding the 20,000 pound gross vehicle weights by 10 vehicles or more per day;*
- f. *The location of an existing or proposed approach or access connection does not meet minimum spacing or sight distance requirements or is located where vehicles entering or leaving the property are restricted, or such vehicles are likely to queue or hesitate at an approach or access connection, creating a safety hazard;*
- g. *A change in internal traffic patterns may cause safety concerns; or*
- h. *A TIA is required by ODOT pursuant with OAR 734-051.*

FINDING: A public comment was received regarding impact studies and vehicle access. This section was integrated into the Phoenix Land Development Code to establish when a Traffic Impact Analysis must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities. The following is staff's assessment of the proposal compared against the threshold standards of this section. (a) A change in zoning or plan amendment is not proposed. (b) City Public Works and Police Department have been notified of this application and have not indicated that the proposal may have operational or safety concerns along its facilities. (c & d) The applicant proposes to build a multi-family structure containing ten (10) dwelling units. According to the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition, Multifamily Housing uses generate 6.02 Average Daily Trips (ADT) per dwelling unit. $6.02 \times 10 = 60.2$ ADT. (e) The applicant has not proposed an increase in use of adjacent streets by ten percent or more; nor will the use increase the number of vehicles exceeding 20,000 pounds gross vehicle weight by ten or more. (f & g) City Public Works and Police have not identified a traffic safety hazard at this location. (h) ODOT has not requested a TIA. Because none of the above thresholds were reached, a Traffic Impact Analysis is not required. **The standard is met.**

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 applicant has not indicated how stormwater will be managed. Rogue Valley Sewer Services (RVSS) are the Phase II Permit holder for the City of Phoenix. Being the stormwater authority, RVSS has provided comment indicating that *the development will require stormwater management in compliance with the Rogue Valley Stormwater Manual if installing or redeveloping more than 5,000 sf of impervious surface*. Given that a 3100 ft² building is proposed, as well as the removal of three parking structures, and the parking area is proposed to be reconfigured, it is clear that at least 5,000 ft² of impervious surface is to be redeveloped and the retention/detention and treatment of stormwater will need to be addressed and approved by RVSS. As a condition of approval, prior to issuance of building permits, the applicant shall submit a copy of the RVSS-

approved Stormwater Management Plan to Community & Economic Development Department. **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 7,000 square feet, but under 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 medium storm drain protection permit meets the standards of this section. As a condition of approval, prior to construction, the applicant shall provide the Community and Economic Development Department with a copy of the approved medium storm drain protection (erosion control) permit approved by Rogue Valley Sewer Services. **The standard is met with conditions.**

Chapter 3.12 – Outdoor Lighting

3.12.7 – Standards for residential lighting.

- A. *General Requirements. For residential properties including multiple family residential properties not having common areas, all outdoor luminaires shall be fully shielded, 100% cutoff and shall not exceed the allowed lumen output in Table G, row 2.*
- B. *Exceptions.*
1. *One partly shielded or unshielded luminaire at the main entry, not exceeding the allowed lumen output in Table G row 2.*
 2. *Any other partly shielded or unshielded luminaires not exceeding the allowed lumen output in Table G row 3.*
 3. *Low voltage landscape lighting aimed away from adjacent properties and not exceeding the allowed lumen output in Table G row 4.*
 4. *Shielded directional flood lighting aimed so that direct glare is not visible from adjacent properties and public and private streets and pedestrian ways and not exceeding the allowed lumen output in Table G row 5.*
 5. *Open flame gas lamps.*
 6. *Lighting installed with a vacancy sensor, where the sensor extinguishes the lights no more than 15 minutes after the area is vacated, provided that the luminaire is shielded, 100% cutoff.*
 7. *Lighting exempt per Section 3.12.5.*
- C. *Requirements for Residential Landscape Lighting.*
1. *Shall comply with Table G.*
 2. *Shall not be aimed onto adjacent properties.*

3.12.9 – Existing Lighting.

Lighting installed prior to the effective date of this ordinance shall comply with the following standards.

...C. Additions or Alterations

1. *Major additions. If a major addition occurs on a property, lighting for the entire property shall comply with the requirements of this Code. For purposes of this section, the following are considered to be major additions:*
 - a. *Additions of 25 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions after the effective date of this Ordinance.*

Table G – Residential Lighting Limits

Lighting Application	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Row 1 Maximum Allowed Luminaire Lumens* for Unshielded Luminaires at one entry only	Not permitted	420 lms	630 lms	630 lms	630 lms
Row 2 Maximum Allowed Luminaire Lumens* for each Fully Shielded Luminaire	630 lms	1,260 lms	1,260 lms	1,260 lms	1,260 lms
Row 3 Maximum Allowed Luminaire Lumens* for each Unshielded Luminaire excluding main entry	Not permitted	315 lms	315 lms	315 lms	315 lms
Row 4 Maximum Allowed Luminaire Lumens* for each Landscape Lighting	Not permitted	Not permitted	1,050 lms	2,100 lms	2,100 lms
Row 5 Maximum Allowed Luminaire Lumens* for each Shielded Directional Flood Lighting	Not permitted	1,260 lms	1,260 lms	2,100 lms	2,100 lms
Row 6 Maximum Allowed Luminaire Lumens* for each Low Voltage Landscape Lighting	Not permitted	30 lms, max. of 10 luminaires	525 lms	525 lms	525 lms

* Luminaire lumens equals Initial Lamp Lumens for a lamp multiplied by the number of lamps in the luminaire.

FINDING: A public comment was received regarding light pollution. The applicant's narrative acknowledges that lighting that complies with the Lighting Area Classification of LZ-2 for the multifamily zone will comply with the standards required in this chapter and the application contains a basic Outdoor Lighting Plan on Sheet A-LT1. Outdoor illumination will help keep the area safe and may help deter trespassing, loitering and other crime. As proposed, the luminaires proposed by the applicant do not fall within the lumen ranges provided in Table G. However, staff finds it feasible for the applicant to provide Outdoor Lighting that meets the provisions of this section. Furthermore, this project provides a good opportunity to remedy existing Outdoor Lighting concerns elsewhere on site. As a condition of approval, prior to issuance of building permits, the applicant shall provide a revised Outdoor Lighting Plan that identifies *all* existing and proposed lighting, lighting specifications for *all* existing and proposed outdoor lighting shall be in compliance with PLDC § 3.12.7 and Table 3.12.11(G). As a condition of approval, prior to final inspection, the applicant shall install all Outdoor Lighting in accordance with the approved Outdoor Lighting Plan. **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. Conditions have been applied in Chapters 2 and 3 findings herein above to ensure any missing information is provided in the Revised Site Plan and Landscape Plan. **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 application was deemed complete on July 16, 2025. **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 application meets or can be made to meet the provisions of the underlying Land Use District (Chapter 2) as conditioned. **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: There are some elements of the site that will need to be remedied through this process to comply with current standards, such as the removal of the Trash Enclosure as well as upgrades to current Landscaping and Outdoor Lighting; The proposed development meets or can be made to meet the current zoning code regulations as conditioned. **The standard is met with conditions.**

- D. *The application complies with the Design Standards contained in Chapter 3...*

FINDING: The application meets or can be made to meet the Design Standards contained in Chapter 3 as conditioned. **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: Changes to parcel configuration have not been proposed in conjunction with this request. **The standard is not applicable.**

- F. *For non-residential uses, all adverse impacts to adjacent properties, such as light, glare, noise, odor, vibration, smoke, dust, or visual impact, are avoided; or where impacts cannot be avoided, they are minimized*

FINDING: This site plan review, being for a *residential* use, is not subject to this criterion. However, as indicated in the findings herein above, public comments have been received expressing concern with: accumulation of waste, privacy, light, property value, hazard vegetation, vehicle access, parking, setbacks, and noise. The Phoenix Land *Development* Code is intended to facilitate high quality developments that are thoughtful about many of these issues in a *development* context. Accordingly, staff has imposed conditions of approval to ensure compliance with items that may have a positive impact on access, landscaping, noise and parking. However, the Phoenix *Municipal* Code is more appropriate for addressing instances of waste accumulation, noise and hazard vegetation outside of a *development* context. **The criterion is not applicable.**

VI 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 tentatively **APPROVED** subject to the conditions of approval below.

VII CONDITIONS OF APPROVAL PRIOR TO CONSTRUCTION

1. Erosion Control Permit, RVSS: the applicant shall provide the Community and Economic Development Department with a copy of the approved medium storm drain protection (erosion control) permit approved by Rogue Valley Sewer Services.

PRIOR TO THE ISSUANCE OF BUILDING PERMITS

2. Elevations, Revised: The applicant shall provide revised elevations, for both sides, each floor shall include at least 30% doors/porches/balconies/terraces/windows per linear foot in accordance with PLDC § 2.2.8(C)(2)
3. Site Plan, Revised: The applicant shall provide a revised site plan that
 - indicates the Trash Enclosure is to be removed; should a Trash Enclosure be desired elsewhere on site, it must be located and constructed in accordance with PLDC § 2.2.9(E)(5).
 - identifies the method of vehicle/pathway separation in conformance with PLDC § 3.2.3(B)(1)
 - provides at least 5 ft of separation between the pathway and all residential living areas on the ground floor except at building entrances.
 - identifies a crosswalk spanning the West First Street public sidewalk at the driveway entrance.
 - indicates the pathway surface type in conformance with PLDC § 3.2.3(B)(4).
 - shows one (1) landscape island measuring a minimum of 8 ft x 19 ft per twelve (12) parking spaces
 - provides a minimum of eight (8) feet of separation with landscaped buffer between ground floor living space and parking/maneuvering areas in conformance with PLDC § 3.3.3(E)(4)(c).
 - identifies the location of all mechanical equipment and the method(s) of screening in conformance with PLDC § 3.3.3(E)(4)(d).
 - provides for ADA parking to be reviewed by the City Building Official
 - shows the location of 11 bike parking spaces; 3 short-term and 8 long-term and meeting the standards of PLDC § 3.4.4(B)
4. Fire Code, Fire District Review: the applicant shall submit building plans for fire code compliance to be reviewed and approved by Jackson County Fire District 5
5. ADA Pathways, Building Official Review: the pathways will be reviewed by the City Building Official to verify compliance with the Americans with Disabilities Act
6. Stormwater, RVSS: the applicant shall submit a copy of the RVSS-approved Stormwater Management Plan to Community & Economic Development Department
7. Landscape Plan, Revised: the applicant shall provide a Revised Landscape Plan that
 - specifies the ground cover by type, in conformance with PLDC § 3.3.3(D)(5) & (8)
 - shows one (1) landscape island measuring a minimum of 8 ft x 19 ft per twelve (12) parking spaces

- indicates the Parking Area trees having a 2-inch caliper or greater
 - provides a minimum of eight (8) feet of separation with landscaped buffer between ground flood living space and parking/maneuvering areas in conformance with PLDC § 3.3.3(E)(3)(a).
 - identifies two (or more) different species of Street Tree
 - identifies a minimum of four (4) Street Trees, each with a minimum caliper size of one-and-a-half (1.5) inches.
8. Landscape Irrigation Plan, Required: the applicant shall submit a Landscape Irrigation Plan to Community & Economic Development
 9. Outdoor Lighting Plan: The applicant shall provide a lighting plan, that
 - provides illumination on all pathways for safety purposes
 - identifies *all* existing and proposed lighting, lighting specifications for *all* existing and proposed outdoor lighting shall be in compliance with PLDC § 3.12.7 and Table 3.12.11(G)

PRIOR TO FINAL INSPECTION

10. Trash Enclosure, Removed: the applicant shall remove the existing Trash Enclosure.
11. Parking Areas/Aisles/Turnarounds, Paved: the applicant shall pave and stripe the parking areas, aisles, and turnarounds in accordance with the approved site plan
12. Crosswalk, Marked: the applicant shall mark the crosswalk, which will consist of thermo-plastic striping or a similar type of durable application
13. Bicycle Parking, Installed: the applicant shall install bicycle parking in accordance with the approved Site Plan
14. Outdoor Lighting, Installed: the applicant shall install all Outdoor Lighting in accordance with the approved Outdoor Lighting Plan
15. Landscaping and Irrigation, Installed: landscaping and irrigation shall be installed in accordance with the approved plans

ONGOING CONDITIONS OF APPROVAL

16. Landscaping, maintained: the property owner shall ensure landscaping on site is maintained in accordance with the approved Landscape Plan

COMMUNITY AND ECONOMIC DEVELOPMENT



By: Jeff Wilcox
Senior Planner

Date: September 8, 2025