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503-588-6173*

DECISION OF THE PLANNING ADMINISTRATOR

**URBAN GROWTH PRELIMINARY DECLARATION / CLASS 3 SITE PLAN
REVIEW / CLASS 2 ADJUSTMENT / TREE REGULATON VARIANCE / CLASS 2
DRIVEWAY APPROACH PERMIT CASE NO.: UGA-SPR-ADJ-TRV-DAP24-04**

APPLICATION NO.: 24-102541-PLN

NOTICE OF DECISION DATE: June 24, 2024

REQUEST: A consolidated application for an Urban Growth Preliminary Declaration, Class 3 Site Plan Review, and Class 2 Driveway Approach Permit, for development of 25 multi-family units, with a Tree Regulation Variance to remove four significant trees, and three Class 2 Adjustment requests to:

- 1) Reduce the required minimum density from 33 to ~~25~~ 26 dwelling units per acre (SRC 533.015(b));
- 2) Reduce the building frontage requirement on Brush College Road NW from 75 percent to 52 percent (SRC 533.015(d)); and
- 3) Reduce the required driveway spacing standard of 370 feet for a driveway approach along Brush College Road NW, a Minor Arterial street (SRC 804.035(d)).

The subject property is 2.2 acres in size, zoned MU-I (Mixed Use-I), and located at 2345 Brush College Road NW (Polk County Assessor's Map and Tax lot number: 073W08D / 2001).

APPLICANT: Gretchen Stone, CBTWO Architects

LOCATION: 2345 Brush College Rd NW, Salem OR 97304

CRITERIA: Salem Revised Code (SRC) Chapters 200.025(d)&(e) – Urban Growth Preliminary Declaration; 220.005(f)(3) – Class 3 Site Plan Review; 250.005(d)(2) – Class 2 Adjustment; 808.045(d) – Tree Regulation Variance; 804.025(d) – Class 2 Driveway Approach Permit

FINDINGS: The findings are in the attached Decision dated June 24, 2024

DECISION: The **Planning Administrator APPROVED** Urban Growth Preliminary Declaration, Class 3 Site Plan Review, Class 2 Adjustment, Tree Regulation Variance, Class 2 Driveway Approach Permit, Case No. UGA-SPR-ADJ-TRV-DAP24-04 subject to the following conditions of approval:

Condition 1: At the time of building permit review, the applicant shall demonstrate that all required pedestrian connections conform with the design and material requirements of SRC Chapter 800, specifically SRC 800.065(b) and 800.065(c).

Condition 2: The applicant shall provide an additional 14 trees on site to meet the tree replanting requirement, which shall be of either a shade or evergreen variety with a minimum 1.5-inch caliper.

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005



- Condition 3:** Convey land for dedication to equal a half-width right-of-way of 36-feet on the development side of Brush College Road NW.
- Condition 4:** Construct a half-street improvement along the frontage of Brush College Road NW as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803. The half-street improvement shall include an 18-foot westbound travel lane, curb, a 9-foot planter strip, an 8-foot property line sidewalk, and street lights.
- Condition 5:** Construct a linking street improvement from the intersection of Brush College Road NW and Doaks Ferry Road NW to the east line of the subject property including widening pavement to 18-feet, curbs, and an 8-foot curblin sidewalk along the school property frontage.
- Condition 6:** Prior to issuance of a Building Permit, obtain a Street Tree Removal Permit pursuant to SRC Chapter 86.
- Condition 7:** Prior to issuance of a Certificate of Occupancy, install street trees to the maximum extent feasible along Brush College Road NW.
- Condition 8:** Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code Chapter 71 and the Public Works Design Standards.
- Condition 9:** The southern 34-inch Pine tree (#1246) along the eastern property line shall be preserved. At least five other non-significant Pine trees near the significant tree in the southeast grove shall also be preserved.
- Condition 10:** At the time of grading permit review, the applicant shall submit an updated tree inventory plan representing all conditions of approval for tree preservation or removal, including the critical root zone and protection measures of all preserved trees in compliance with Chapter 808 and a report from an arborist.
- Condition 11:** Prior to issuance of grading permits, the applicant shall submit an arborist report for the six trees conditioned for preservation, demonstrating that no more than 30 percent of the critical root zone will be disturbed from adjacent construction and that such disturbance will not compromise the long-term health and stability of the trees, and all recommendations included in the report to minimize any impacts to the tree are followed.

The rights granted by the attached decision must be exercised by the dates listed below, or this approval shall be null and void.

Urban Growth Preliminary Declaration:	<u>July 10, 2028</u>
Class 3 Site Plan Review:	<u>July 10, 2028</u>
Class 2 Adjustment:	<u>July 10, 2028</u>
Tree Regulation Variance:	<u>July 10, 2026</u>
Class 2 Driveway Approach Permit:	<u>July 10, 2028</u>

Application Deemed Complete: May 10, 2024
Notice of Decision Mailing Date: June 24, 2024
Decision Effective Date: July 10, 2024
State Mandate Date: September 7, 2024

Case Manager: Jamie Donaldson, jdonaldson@cityofsalem.net, 503-540-2328

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m., TUESDAY, July 9, 2024. Any person who presented evidence or testimony at the hearing may appeal the decision. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 200, 220, 250, 808, and 804. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The City Council will review the appeal at a public hearing. After the hearing, the City Council may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review by contacting the case manager, or at the Planning Desk in the Permit Application Center, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

<http://www.cityofsalem.net/planning>

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

IN THE MATTER OF APPROVAL OF) FINDINGS AND ORDER
URBAN GROWTH PRELIMINARY)
DECLARATION, CLASS 3 SITE PLAN)
REVIEW, CLASS 2 ADJUSTMENT,)
TREE REGULATION VARIANCE, AND)
CLASS 2 DRIVEWAY APPROACH PERMIT)
CASE NO. UGA-SPR-ADJ-TRV-DAP24-04)
2345 BRUSH COLLEGE RD NW) JUNE 24, 2024

In the matter of the application for Urban Growth Preliminary Declaration, Class 3 Site Plan Review, Class 2 Adjustment, Tree Regulation Variance, and Class 2 Driveway Approach Permit applications submitted by the applicant, Gretchen Stone with CBTWO Architects, on behalf of the property owner, West Coast Homes Solutions LLC, the Planning Administrator, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

Summary: A proposal for a new ~~25~~ 26-unit multi-family housing development.

Request: A consolidated application for an Urban Growth Preliminary Declaration, Class 3 Site Plan Review, and Class 2 Driveway Approach Permit, for development of ~~25~~ 26 multi-family units, with a Tree Regulation Variance to remove four significant trees, and three Class 2 Adjustment requests to:

- 1) Reduce the required minimum density from 33 to ~~25~~ 26 dwelling units per acre (SRC 533.015(b));
- 2) Reduce the building frontage requirement on Brush College Road NW from 75 percent to 52 percent (SRC 533.015(d)); and
- 3) Reduce the required driveway spacing standard of 370 feet for a driveway approach along Brush College Road NW, a Minor Arterial street (SRC 804.035(d)).

The subject property is 2.2 acres in size, zoned MU-I (Mixed Use-I), and located at 2345 Brush College Road NW (Polk County Assessor’s Map and Tax lot number: 073W08D / 2001).

A vicinity map illustrating the location of the property is attached hereto, and made a part of this staff report (**Attachment A**).

PROCEDURAL FINDINGS

1. Background

On January 31, 2024, a consolidated application for Class 3 Site Plan Review, Class 2 Adjustment, Class 2 Driveway Approach Permit, and Tree Removal Permit was filed for the proposed development. After additional information was provided, including submission of an Urban Growth Preliminary Declaration, a change to a Tree Regulation Variance, and additional adjustment requests on April 30, 2024, the applications were deemed complete for processing on May 10, 2024. The 120-day state mandated decision deadline for this consolidated application is September 7, 2024.

The applicant's proposed site plan is included as **Attachment B** and the applicant's written statement addressing the approval criteria can be found online, as indicated below.

SUBSTANTIVE FINDINGS

2. Summary of Record

The following items are submitted to the record and are available: 1) all materials and testimony submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, stormwater reports, and; 2) materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public. All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 24 102541.

3. Neighborhood and Public Comments

The subject property is located within the boundaries of the West Salem Neighborhood Association (WSNA).

Applicant Neighborhood Association Contact: SRC 300.310 requires an applicant to contact the neighborhood association(s) whose boundaries include, and are adjacent to, property subject to specific land use application requests. Pursuant to SRC 300.310(b)(1), land use applications included in this proposed consolidated land use application request require neighborhood association contact. On January 24, 2024, the applicant's representative contacted the WSNA to provide details about the proposal.

Neighborhood Association Comment: Notice of the application was provided to the Neighborhood Association pursuant to SRC 300.620(b)(2)(B)(v), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. The WSNA submitted comments for the proposal, which are included as **Attachment C** and summarized below.

- **Brush College Road NW Street Improvement:** The WSNA expressed concern about sidewalks being located along next to Brush College Rd NW and pedestrian safety issues, and requested wider sidewalks. Additional comments received from the public express concerns for the existing underimproved condition of Brush College Road NW along the property frontage and adjacent Brush College Elementary School property frontage.

Staff Response: As identified in the conditions of approval, the applicant is required to construct street improvements along the frontage of the subject property as well as an off-site improvement from the eastern line of the subject property to the intersection of Brush College Road NW and Doaks Ferry Road NW. These improvements will include pavement widening and the addition of an 8-foot-wide sidewalk rather than the standard 5-foot-wide sidewalk which will provide safety improvements for all users of the corridor, especially pedestrians, as no sidewalks currently exist. The pavement widening will include an 18-foot westbound travel lane, which accommodates an 11-foot travel lane for vehicles and a 7-foot shoulder for bikes within the roadway, where the current shoulder is less than three feet in width in some areas and unpaved. It should be noted that the improvements conditioned along Brush College Road NW in this decision are also conditions of approval

on the Brush College Hills Phase 3 & 4 Subdivision Plat (SUB-PLA14-02MOD1). The Brush College Hills Phase 3 & 4 Public Construction Permits for these improvements have been reviewed by Public Works but not issued to date (22-114034-PC). If the subdivision does not construct the required improvements, this development will complete the required improvements.

- **Driveway Spacing Adjustment:** The WSNA expressed concern over the request to reduce driveway spacing.

Staff Response: Requests for adjustments are required to meet the approval criteria outlined in SRC 250.005(d), and findings for the adjustment are included in Section 8 of this report. As indicated in the findings, the reason for the adjustment is due to the driveway being approximately 336 feet from the existing driveway approach serving Brush College Elementary school to the east, which does not meet the minimum 370 feet required between adjacent driveways along a Minor Arterial street. The applicant has located the driveway at the furthest western corner of the property and cannot otherwise place the driveway in a way that meets the standard without encroaching on another property. Therefore, staff has found that the applicant has maximized the driveway spacing to the best of their ability for the site, and thereby meets the criteria for granting the reduction. The driveway location or reduction in spacing from the adjacent driveway serving the school does not create more traffic for the area than what is allowed for the zoning of the property.

- **Utility Easements near Northern Property Line:** The WSNA, and other public comments, expressed concerns for impacts to existing public sanitary sewer and stormwater mains that are located north of the subject property. Additionally, comments included the need for continued access to these mains.

Staff Response: There is an existing public sanitary sewer main and stormwater main approximately 10-feet north of the subject property. These existing mains lie within an easement on private properties north of the subject property. The existing mains and easement for the main are not located on the subject property. In addition, the proposed development is not proposing to connect to these existing mains; all new connections to public utilities will be made in Brush College Road NW. The development site does not drain towards the stormwater main north of the property. The easement itself will ensure the City has access to the mains within the easement, and there is no requirement for this property to provide access to those mains as they are not located on the subject property, nor being utilized by the proposed development.

Public Comment: Notice was also provided, pursuant to SRC 300.620(b)(2)(B)(iii), (vi), & (vii), to all property owners and tenants within 250 feet of the subject property. As of the date of completion of this staff report, twelve comments have been received from the surrounding property owners and tenants: one comment indicated no objection to the proposal; concerns from the other comment are summarized below.

- **Density:** Comments received expressed concern for too many units and high-density, and that fewer homes would be better suited for the surrounding location.

Staff Response: As described in this report, the proposal includes development of 26 units for a property 2.2 acres in size, which is well below the minimum density standard in the MU-I zone. The minimum density standard for the MU-I zone is 15 dwelling units per

acre, requiring a minimum of 33 units for a property of this size ($2.2 \times 15 = 33$). The proposal is requesting an adjustment to go below the minimum required density for the property, thereby creating a development of 21 percent fewer units than would otherwise be outright permitted in the zone. As indicated in the adjustment findings in Section 8 of this report, the applicant has also designed the multi-family development with the appearance of single-family townhomes, with the provision of garages, driveways, and additional on-site guest parking. The site is designed to give residents the feel of a single-family neighborhood, which generally has less density than a typical apartment development and blends better with the surrounding neighborhood than a large apartment building that would otherwise be allowed in the zone.

- **Impact on Neighborhood Livability and Character:** Comments expressed concern about the impact the development will have on adjacent properties and the character of the existing neighborhood due to increased noise, lighting, height of the buildings, and loss of privacy and open space. Additional comments indicate the loss of the country-style atmosphere of the neighborhood, and support of urban-farming uses for the subject property.

Staff Response: The applicant has applied for a multiple family development, which is an outright permitted use in the MU-I (Mixed Use-I) zone. The City has to evaluate development requests as designed by the applicant for conformance with approval criteria and development standards of the Salem Revised Code. There is no approval criterion or development standard which requires development to resemble adjacent existing developments. However, the developer has taken these concerns into consideration and revised their proposal from its preliminary stages and designed the multi-family development with the appearance of single-family townhomes to better suit the neighborhood. These included buildings which were reduced in height, and reduced the number of units that would otherwise be allowed, requiring the adjustment to the minimum density standard.

The zoning map for the subject property was changed to MU-I (Mixed Use-I) as a result of the Our Salem project in 2022. The intent in rezoning the property in this location is to allow a mixed-use development in a predominantly residential neighborhood that could potentially provide commercial services to an underserved area. Additionally, allowing residential uses adjacent to a school, or an exclusively multi-family use as proposed, provides the single-family neighborhood a buffer from school activities, and provides an opportunity for families to live in these units and provide a short and safe commute to school for their children. As discussed throughout this report, the proposal has been reviewed for conformance with all applicable zoning requirements to allow a multi-family development in the MU-I zone, and conditions of approval are imposed to ensure vehicle and pedestrian safety are added to an underimproved area.

- **Affordable Housing, Rent Rates, and Property Values:** Comments expressed concern over the provision of affordable housing, rental rates for the units, and loss of property values for surrounding properties and neighbors.

Staff Response: As indicated above, the City has to evaluate development requests as designed by the applicant for conformance with approval criteria and development standards of the Salem Revised Code. Developers may propose affordable housing units meeting certain criteria and supported by State funds; however, the City cannot require that

affordable units be provided with every development. In addition, the criteria for approval of the proposed application does not require specific rent prices, or a demonstration that property values will not be adversely affected. The zoning code allows the proposed multiple family use, provided that they are conducted in accordance with all applicable provisions of the Salem Revised Code and the conditions of approval to reduce and mitigate the negative impacts of the proposed uses, which is outlined in this report.

- **Natural Features and Wildlife:** Comments received expressed concern for protected species using the property, loss of trees, open space, wildlife habitat and light pollution, and environmental studies conducted for their removal. An additional comment was received with concern for the impact to Gibson Creek.

Staff Response: The subject property is located within the Urban Growth Boundary and within Salem City Limits and has been designated on the City of Salem Comprehensive Plan Map as “Mixed-Use,” which anticipates future development consisting of commercial and residential uses, or exclusively residential development as proposed with this application. The property is not designated as a protected wildlife habitat, and the loss of a potential wildlife habitat that is not registered as a protected area is not a criterion for granting or denying a site plan review; nor is the impact of light pollution to wildlife in the area.

In regard to impacts on open space, the Salem Area Comprehensive Plan has adopted goals, policies, and plan map designations to protect identified open space areas. Approximately 0.15 miles east of the subject property is Brush College Park, which has over eight acres of designated open space and natural habitat, with Gibson Creek flowing through the park. The subject property, however, has not been identified as a natural open space area, and Gibson Creek is located to the south across Brush College Road and does not flow through the subject property. Instead, the Comprehensive Plan Map designates the subject property as “Mixed-Use”, and the site has been zoned MU-I (Mixed Use-I). While the subject property is currently undeveloped, it is surrounded by an already developed residential area within the corporate limits of the City of Salem, and as the City continues to grow, development is expected to occur in these infill areas designated for future development.

- **Traffic Impacts:** Comments received express concerns for the traffic congestion in the West Salem area and how the development would contribute to mitigation of that traffic. Additional comments were received with concerns with one access for emergency services serving the development and increased traffic impacting access to the hospital.

Staff Response: The proposed development does not trigger a Traffic Impact Analysis pursuant to SRC 803.015, and does not trigger any off-site traffic mitigation aside from the linking street improvements and sidewalk improvements listed in the conditions of approval. The Salem Transportation System Plan (TSP) provides guidance for how to address the impacts of growth citywide. Cumulative impacts of growth that affect overall traffic patterns are addressed through collection of System Development Charges (SDCs). The development will pay Transportation SDCs that are collected and used to pay for street improvements that add capacity to mitigate the impacts of growth.

Notice of the proposal is sent to emergency services like the Police and Fire Departments. The Fire Department works closely with staff to ensure that adequate access is provided to

each unit to extinguish fires or provide EMT services, and to maneuver trucks safely in and out of developments.

- **School Concerns:** Comments received express concerns for the development limiting school growth, supporting additional children, vehicle congestion, construction disruption to classes, impact on emergency services serving the school, and that the property should be sold to the school district.

Staff Response: Notice of the application was provided to the Salem-Keizer Public School District. As indicated below, the School District reviewed the proposal and provided comments indicating that there is sufficient existing school capacity to accommodate the projected increase in student enrollment resulting from the proposed development property at each of the three schools that would serve the development, with the highest enrollment capacity projected to be 82 percent for West Salem High School. In addition, the City coordinated closely with the School District during the rezoning of the property through the Our Salem project in 2022, and there were no objections received, or intent to acquire the property for the use of the school.

- **Groundwater Pollution and Stormwater Management:** Comments received express concerns for how the additional impervious surfaces of the development will impact existing groundwater. Additionally, comments expressed concerns for the additional runoff generated by the new impervious surfaces.

Staff Response: The proposal requires the use of green stormwater infrastructure to treat and detain stormwater runoff generated from the development pursuant to SRC Chapter 71. The applicant has submitted a preliminary stormwater report that demonstrates the use of green stormwater infrastructure on the development site. The systems designed are intended to capture any pollutants and contaminants from surface water runoff before they reach a watercourse or infiltrate into the ground. As identified in the conditions of approval, the applicant shall be required to design and construct stormwater facilities that meet the Public Works Design Standards (PWDS) Appendix 004-E(4) and SRC Chapter 71 relating to green stormwater management.

- **Adequate notice:** One Comment was received indicating that several neighbors did not receive notice for the proposal.

Staff Response: Notice was mailed to all property owners and tenants within 250 feet of the subject property and the West Salem Neighborhood Association (WSNA) on May 10, 2024, pursuant to the standard deadlines as outlined in the Salem Revised Code. The applicant also contacted the WSNA to provide details about the proposal prior to submitting their application, as required, and then provided a second notification to the neighborhood association voluntarily when the plans were revised to provide an update on the changes made to the proposal.

Homeowners Association: The subject property is not located within a Homeowners Association.

4. City Department Comments

Development Services: Reviewed the proposal and provided a memo which is included as **Attachment D**.

Building and Safety: Review the proposal and indicated fire separation distances under ten feet (20 feet between structures) will require rated construction and limitations on wall openings.

Fire Department: Reviewed the proposal and indicated that Fire Department access and water supply are required per the Oregon Fire Code and SRC Chapter 58.

Staff Response: The applicant is responsible for addressing the comments above during the building permit process. The configuration of the buildings and parking area may be modified, if necessary, to meet the Building and Safety Department and Fire Department standards, provided that the modifications meet applicable development standards, design standards, and conditions of approval.

5. Public and Private Agency Comments

Salem-Keizer Public School District: Reviewed the proposal and provided comments which are included as **Attachment E**. The School District indicates, in summary, that the property is served by Brush College Elementary School, Straub Middle School, and West Salem High School, and identifies sufficient existing school capacity at each of these schools to accommodate the projected increase in student enrollment resulting from the proposed development. In addition, the School District indicates the subject property is located where students will be eligible for school provided transportation to Brush College Elementary School, Straub Middle School, and West Salem High School.

Salem Electric: Review the proposal and indicated they will provide electric service according to the rates and policies at the time of construction.

DECISION CRITERIA FINDINGS

6. Analysis of Urban Growth Preliminary Declaration

Salem Revised Code (SRC) 200.025(d) & (e) set forth the applicable criteria that must be met before an Urban Growth Preliminary Declaration may be issued. The following subsections are organized with approval criteria followed by findings identifying those public facilities that are currently in place and those that must be constructed as a condition of the Urban Growth Preliminary Declaration in order to fully serve the development in conformance with the City's adopted Master Plans and Area Facility Plans.

A. *SRC 200.0025(d): The Director shall review a completed application for an Urban Growth Preliminary Declaration in light of the applicable provisions of the Master Plans and the Area Facility Plans and determine:*

(1) The required facilities necessary to fully serve the development;

(2) The extent to which the required facilities are in place or fully committed.

B. SRC 200.025(e): The Urban Growth Preliminary Declaration shall list all required facilities necessary to fully serve the development and their timing and phasing which the developer must construct as conditions of any subsequent land use approval for the development.

An Urban Growth Preliminary Declaration is required because the subject property is located outside the Urban Service Area in an area without required facilities. Analysis of the development based on relevant standards in SRC 200.055 through SRC 200.075 is as follows:

SRC 200.055 – Standards for Street Improvements

Finding: An adequate linking street is defined as the nearest point on a street that has a minimum 60-foot-wide right-of-way with a minimum 30-foot improvement for local streets or a minimum 34-foot improvement for major streets (SRC 200.055(b)). All streets abutting the property boundaries shall be designed to the greater of the standards of SRC Chapter 803 and the standards of linking streets in SRC 200.055(b).

Brush College Road NW is classified as a Minor Arterial street and as such must meet a minimum 34-foot linking street improvement requirement. Brush College Road NW, adjacent to the development site, does not meet the minimum linking street requirement. The nearest segment of Brush College Road NW that meets the minimum linking street requirement is located at the intersection of Brush College Road NW and Doaks Ferry Road NW. This underimproved segment of roadway lacks curbs, sidewalks, and paved improvement width and does not provide adequate vehicle or pedestrian safety.

The required linking street improvements will be construed along the frontage of a Salem Keizer School District property which contains Brush College Elementary School (Polk County tax lot #073W08D01900). The existing topography along the frontage of this parcel does not facilitate a full 34-foot linking street improvement along Brush College Road NW. Pursuant to SRC 200.055(b): *where physical or topographical constraints are present to a degree that the standard linking street pavement width cannot be reasonably constructed, the Director may specify a lesser standard which meets the functional levels necessary to improve the existing conditions and meet the increased demands.* In lieu of a full 34-foot-wide linking street improvement, which typically only includes pavement widening for vehicles, the linking improvement will consist of pavement widening to a minimum of 18-feet, an 8-foot curblined sidewalk along the school property frontage, and construction of Type A curb along the north side of Brush College Road NW from the east line of the subject property to the intersection of Brush College Road NW and Doaks Ferry Road NW. The modified linking improvement will better serve the functional needs of the area and provide adequate linking improvement for vehicles and pedestrians.

Needed Improvement: Construct a linking street improvement from the intersection of Brush College Road NW and Doaks Ferry Road NW to the east line of the subject property including widening pavement to 18-feet, curbs, and an 8-foot curblined sidewalk along the school property frontage.

SRC 200.060 – Standards for Sewer Improvements

Finding: The proposed development shall be linked to adequate facilities by the construction of sewer lines and pumping stations, which are necessary to connect to such existing sewer facilities (SRC 200.060). The nearest available sewer facilities are located in Brush College

Road NW along the frontage of the property; therefore, sanitary sewer linking improvements are not required.

SRC 200.065 – Standards for Storm Drainage Improvements

Finding The proposed development shall be linked to existing adequate facilities by the construction of storm drain lines, open channels, and detention facilities which are necessary to connect to such existing drainage facilities. The nearest available public storm system appears to be located in Brush College Road NW along the frontage of the property; therefore, storm drainage linking improvements are not required.

SRC 200.070 – Standards for Water Improvements

Finding: The proposed development shall be linked to adequate facilities by the construction of water distribution lines, reservoirs, and pumping stations that connect to such existing water service facilities (SRC 200.070). The nearest available public water system appears to be located in Brush College Road NW along the frontage of the property; therefore, water linking improvements are not required.

SRC 200.075 – Standards for Park Sites

Finding: The proposed development shall be served by adequate neighborhood parks according to the Salem Comprehensive Park System Master Plan, pursuant to SRC 200.075 through dedication of new park sites. The proposed development is served by Brush College Park approximately 0.15 miles east of the subject property; therefore, park dedications and improvements are not required.

With the conditions of approval established in this decision, the proposal will comply with SRC Chapter 200 relating to Urban Growth Management.

7. Analysis of Class 3 Site Plan Review Approval Criteria

Salem Revised Code (SRC) 220.005(f)(3) provides that an application for a Class 3 Site Plan Review shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

SRC 220.005(f)(3)(A): The application meets all applicable standards of the UDC.

Finding: The proposal includes development of a new multi-family townhome-style apartment complex of seven buildings containing 26 dwelling units on property zoned MU-I (Mixed Use-I); therefore, the development has been reviewed for conformance with the MU-I zone under SRC Chapter 533. Three adjustments are requested to minimum density, buildable frontage, and driveway spacing; findings for the adjustments are included in Section 8 of this report. The proposed development conforms to SRC Chapter 533 and all other applicable development standards of the Salem Revised Code as follows.

Development Standards – MU-I (Mixed Use-I) Zone:

SRC 533.010(a) – Uses:

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the MU-I zone are set forth in Table 533-1.

Finding: Multiple family residential uses are allowed as a permitted use in the MU-I zone per Table 533-1.

SRC 533.015(a) – Lot standards:

Lots within the MU-I zone shall conform to the standards set forth in Table 533-2.

Finding: There is no minimum lot area, width, or depth for properties in the MU-I zone, and a minimum street frontage of 16 feet for all uses. The subject property has street frontage of 302 feet. No changes are proposed to the existing size of the lot; therefore, the proposal meets the standards.

SRC 533.015(b) – Dwelling unit density:

Multiple family uses are required to have a minimum density of 15 dwelling units per acre.

Finding: The subject property is 96,146 square feet in area, or 2.2 acres, which would require 33 units for the development site ($2.2 \times 15 = 33.1$). The proposed development of 26 units represents a density of approximately 12 dwelling units per acre ($26 / 2.2 = 11.8$). The applicant has requested a Class 2 Adjustment to this standard; findings for the adjustment are included in Section 8 of this report.

SRC 533.015(c) – Setbacks:

Setbacks within the MU-I zone shall be provided as set forth in Table 533-3 and Table 533-4.

Abutting Street

South: Adjacent to the south is right-of-way for Brush College Road NW, designated as a Minor Arterial street in the Salem TSP. Table 533-3 specifies that the setback abutting a street for all uses requires a minimum setback of zero feet, and allows a maximum of 10 feet if the setback area is used for pedestrian amenities.

Finding: The building of seven units abutting Brush College Road NW to the south are setback at varying amounts due the slant of the street, with portions of the building at the property line, and building articulation and front porches setback to a maximum of 10 feet, all within the required setback range. To allow portions of the building to be setback at the maximum 10 feet, the applicant has provided paved walkways and landscaping to meet the required pedestrian amenities.

Interior Side and Rear

North/West: Adjacent to the north and west are properties zoned RS (Single Family Residential). For a multiple family use, Table 533-4 specifies that buildings and accessory structures require a minimum setback of 10 feet plus 1.5 feet for each one foot of height over 15 feet, with Type C landscaping. Vehicle use areas abutting a residential zone at an interior side property line require a minimum 10-foot setback with Type C landscaping (one plant unit per 20 square feet and a minimum 6-foot-tall sight-obscuring fence or wall).

Finding: The buildings along the north property line are 24 feet in height, requiring a minimum 23.5-foot setback. The north buildings are all setback at least 26 feet from the northern property line, thereby meeting the standard. All buildings are over 30 feet from the west property line, and the drive along the west property line is setback the minimum five feet for a vehicle use area. The plans indicate a 6-foot-tall sight-obscuring fence along the north and west property lines, meeting the screening requirement for Type C landscaping. Landscape and irrigation plans will be reviewed again for conformance with the requirements of SRC 807 at the time of building permit application review.

East: Adjacent to the east is property zoned PE (Public and Private Educational Services). For a multiple family use, Table 533-4 specifies that there is no minimum setback for buildings and accessory structures abutting a public zone at an interior property line, and vehicle use areas require a minimum five-foot setback with Type A landscaping.

Finding: The development proposes a drive aisle and five parallel parking spaces abutting the east property line, which is setback the minimum five feet, meeting the requirement for a vehicle use area. Landscape and irrigation plans will be reviewed again for conformance with the requirements of SRC 807 at the time of building permit application review.

SRC 533.015(d) – Lot Coverage, Height, Building Frontage:

Buildings and accessory structures within the MU-I zone shall conform to the lot coverage and height standards set forth in Table 533-5.

Finding: There is no maximum lot coverage for all uses in the MU-I zone. The maximum allowed height for buildings and accessory structures is 65 feet. New buildings or additions shall also meet a minimum height of 20 feet. The proposed building along Brush College Road NW is two-stories with a height of approximately 27 feet, in compliance with the minimum and maximum height requirements.

The minimum building frontage requirement along a street for all uses is 75 percent. The applicant's site plan indicates the building occupies approximately 159 feet along the 302 feet of site frontage on Brush College Road NW, or approximately 52 percent. Therefore, the applicant is requesting an Adjustment to reduce the building frontage requirement on Brush College Road NW from 75 percent to 52 percent. Findings for the Adjustment are included in Section 8 of this report.

SRC 533.015(e) – Parking:

Off-street parking shall not be located on a new standalone surface parking lot in the MU-I zone or MU-II zone.

Finding: The proposed development is a multi-family complex, where the proposed parking serves the multi-family units; therefore, this standard is met.

SRC 533.015(f) – Landscaping:

- (1) *Setbacks.* Setbacks, except setback areas abutting a street that provide pedestrian amenities or horizontal separation pursuant to SRC 533.015(h), shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807.
- (2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC Chapters 806 and 807.

Finding: As indicated above, the applicant has provided a landscape plan that demonstrate compliance with Type A or Type C landscaped setbacks, where applicable. The proposal includes development of new vehicle use areas for the development site; therefore, the off-street parking and vehicle use area development standards of SRC 806.035(a) are applicable and discussed later in this report. Landscape and irrigation plans will be reviewed for conformance with the requirements of SRC 807 at the time of building permit application review.

SRC 533.015(g) – Continued development:

Buildings and structures existing within the MU-I zone on September 12, 2018, that would be made non-conforming development by this chapter are hereby deemed continued development.

Finding: The property is currently vacant; therefore, the proposed development is not considered continued development. This standard is not applicable.

SRC 533.015(h) – Pedestrian-oriented design:

Development within the MU-I zone, excluding development requiring historic design review, shall conform to the pedestrian-oriented design standards set forth in Table 533-6.

Ground Floor Height

A minimum of 14 feet applies to building ground floors on primary streets.

Finding: The development has frontage along one street, Brush College Road NW. The applicant's elevations indicate that the building with frontage along Brush College Road NW has a ground floor height of 14 feet, in compliance with this standard.

Separation of Ground Floor Residential Units

Vertical or horizontal separation shall be provided when a dwelling unit is located on the ground floor. Vertical separation shall take the form of several steps or a ramp to a porch, stoop, or terrace, with a minimum distance of 1.5 feet and a maximum distance of 3 feet. Horizontal separation shall take the form of a landscaped area such as private open space or hardscaped area such as a plaza, with a minimum distance of 5 feet and a maximum distance of 10 feet.

Finding: The proposed development includes ground floor dwelling units along Bruch College Rd NW, and provides horizontal separation between nine and ten feet to the public sidewalk and the ground floor entrances, in compliance with this section.

Building Façade Articulation

Required articulation applies to building façades facing primary streets.

- (1) For buildings on corner lots, where the primary street intersects with a secondary street, these standards shall apply to the full length of the front facade and the portion of the side facade that extends a minimum of 50 feet from the corner where the primary street meets the secondary street, or to the edge of the building or the lot, whichever is shorter.
- (2) Buildings shall incorporate vertical and horizontal articulation and shall divide vertical mass into a base, middle, and top.
 - a. Base: Ground floor facades shall be distinguished from middle facades by at least one of the following standards:
 1. Change in materials.

2. Change in color.
3. Molding or other horizontally-articulated transition piece.
- b. Middle: Middle facades shall provide visual interest by incorporating at a minimum of every 50 feet at least one of the following standards:
 1. Recesses of a minimum depth of two feet.
 2. Extensions of a minimum depth of two feet.
 3. Vertically-oriented windows.
 4. Pilasters that project away from the building.
- c. Top: Building tops shall be defined by at least one of the following standards:
 1. Cornice that is a minimum of eight inches tall a minimum of three inches.
 2. Change in material from the upper floors, with that material being a minimum of eight inches tall.
 3. Offsets or breaks in roof elevation that are a minimum of three feet in height.
 4. A roof overhang that is a minimum of eight inches beyond the face of the facade.

Finding: The development has frontage along one street, Brush College Road NW, with one tow-story building along the street. The applicant's statement and plans indicate that vertical and horizontal articulation is provided for the southern building façade along Brush College Road NW, including distinguishing the base ground floor façade from the upper façade using changes in materials, a horizontal trim, and canopies. The upper building façade is defined by off-set dormers which incorporate metal roofing, facias painted a dark contrasting color, and a roof overhang of eight inches or greater. The proposed building design is in compliance with the building façade articulation requirements of this section.

Ground Floor Windows

A minimum of 65 percent applies to building ground floors on primary streets.

- (1) For the purposes of this standard, ground floor building facades shall include the minimum percentage of transparent windows. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum visible transmittance (VT) of 37 percent.
- (2) For buildings on corner sites, where the primary street intersects with a secondary street, this standard shall apply to the full length of the front facade and the portion of the side facade that extends a minimum of 50 feet from the corner where the primary street meets the secondary street, or to the edge of the building or the lot, whichever is shorter.

Finding: The applicant's elevation plans indicate that windows are provided for 113.17 feet of the 172.75-foot length of the building façade along Brush College Road NW, or approximately 66 percent of the ground floor, in compliance with this standard.

Building Entrances

Required entrances apply to building façades facing primary streets.

- (1) For non-residential uses on the ground floor, a primary building entrance for each tenant space facing a primary street shall be located on the primary street. If a building has frontage on a primary street and any other street, a single primary building entrance for a non-residential tenant space at the corner of the building where the streets intersect may be provided at that corner.
- (2) For residential uses on the ground floor, a primary building entrance for each building facade facing a primary street shall be located on the primary street. If a building has frontage on a primary street and any other street, a single primary building entrance for a

residential use on the ground floor may be provided at the corner of the building where the streets intersect.

(3) Building entrances shall include weather protection.

Finding: Building entrances for each ground floor residential unit are provided along Brush College Road NW for the building facing the street, with a canopy provided at each building entrance.

Weather Protection

A minimum of 75 percent applies to building ground floors adjacent to a street.

- (1) For the purposes of this standard, weather protection in the form of awnings or canopies shall be provided along the ground floor building facade for the minimum length required.
- (2) Awnings or canopies shall have a minimum clearance height above the sidewalk or ground surface of 8 feet and may encroach into the street right-of-way as provided in SRC 76.160.

Finding: The applicant's elevation plans indicate that canopies are provided for approximately 133 feet of the 172.75-foot length of the building façade along Brush College Road NW, or approximately 77 percent of the ground floor, in compliance with this standard. Each of the canopies will meet minimum clearance requirements.

Parking Location

Off-street surface parking areas and vehicle maneuvering areas shall be located behind or beside buildings and structures. Off-street surface parking areas and vehicle maneuvering areas shall not be located between a building or structure and a street.

Finding: The proposed off-street parking area is located behind the south building along Brush College Road NW, and not in a location between the buildings or streets.

Mechanical and Service Equipment

- (1) Ground level mechanical and service equipment shall be screened with landscaping or a site-obscuring fence or wall. Ground level mechanical and service equipment shall be located behind or beside buildings.
- (2) Rooftop mechanical equipment, with the exception of solar panels and wind generators, shall be set back or screened so as to not be visible to a person standing at ground level 60 feet from the building.

Finding: The applicant's statement indicates that any ground level or rooftop mechanical equipment will be located and screened as required. Further conformance will be verified at the time of building permit review.

SRC 533.020 – Design review:

Design Review is not required for development within the MU-I zone. Multifamily development within the MU-I zone is not subject to design review according to the multiple family design review standards set forth in SRC Chapter 702.

Finding: The proposed multifamily development is not subject to Design Review under SRC Chapter 225.

General Development Standards (SRC Chapter 800)

SRC 800.055(a) – Solid Waste Service Areas.

Solid waste service area design standards shall apply to all new solid waste, recycling, and compostable services areas, where use of a solid waste, recycling, and compostable receptacle of 1 cubic yard or larger is proposed.

Finding: The applicant has provided a statement from Valley Recycling and Disposal that the development can be served by individual trash bins for each unit. The site plan does not propose any new solid waste enclosure; therefore, these standards are not applicable.

SRC 800.065 – Pedestrian Access.

Except where pedestrian access standards are provided elsewhere under the UDC, all developments, other than single family, two family, three family, four family, and multiple family developments, shall include an on-site pedestrian circulation system developed in conformance with the standards in this section. For purposes of this section development means the construction of, or addition to, a building or accessory structure or the construction of, or alteration or addition to, an off-street parking or vehicle use area. Development does not include construction of, or additions to, buildings or accessory structures that are less than 200 square feet in floor area.

When a development site is comprised of lots under separate ownership, the pedestrian access standards set forth in this section shall apply only to the lot, or lots, proposed for development, together with any additional contiguous lots within the development site that are under the same ownership as those proposed for development.

Finding: The proposal is for a new multi-family development, including seven buildings and on-site vehicle use areas, and is not subject to the pedestrian standard for multi-family design review; therefore, the pedestrian access standards of SRC Chapter 800 apply.

SRC 800.065(a)(1) – Pedestrian Connection Between Entrances and Streets

(A) A pedestrian connection shall be provided between the primary entrance of each building on the development site and each adjacent street. Where a building has more than one primary building entrance, a single pedestrian connection from one of the building's primary entrances to each adjacent street is allowed; provided each of the building's primary entrances are connected, via a pedestrian connection, to the required connection to the street.

Finding: The applicant's plans indicate pedestrian access proposed from every unit entrance to an adjacent sidewalk, which circulates through the development and leads out to Brush College Road NW. In addition, each ground-floor unit along Brush College Road NW have their own sidewalk connecting the unit entrances to the street. This standard is met.

(B) Where an adjacent street is a transit route and there is an existing or planned transit stop along street frontage of the development site, at least one of the required pedestrian connections shall connect to the street within 20 feet of the transit stop.

Finding: There is no transit route or planned transit stop abutting the development site; therefore, this standard is not applicable.

SRC 800.065(a)(2) – Pedestrian Connection Between Buildings on the same Development Site

Where there is more than one building on a development site, a pedestrian connection(s), shall be provided to connect the primary building entrances of all of the buildings.

Finding: As indicated above, the development provides a system of sidewalks through the development, along with two pedestrian connections across the drive aisle, which connects all unit entrances to each other, and to the street. This standard is met.

SRC 800.065(a)(3) – Pedestrian Connection Through Off-Street Parking Areas.

(A) *Surface parking areas.* Except as provided under subsection (a)(3)(A)(iii) of this section, off-street surface parking areas greater than 25,000 square feet in size or including four or more consecutive parallel drive aisles shall include pedestrian connections through the parking area to the primary building entrance as provided in this subsection.

Finding: The development does not provide off-street surface parking areas greater than 25,000 square feet; therefore, this standard does not apply.

(B) *Parking structures and parking garages.* Where an individual floor of a parking structure or parking garage exceeds 25,000 square feet in size, a pedestrian connection shall be provided through the parking area on that floor to an entrance/exit.

Finding: The development site does not include any existing or proposed parking structures or garages; therefore, this standard is not applicable.

SRC 800.065(a)(4) – Pedestrian Connection to Existing or Planned Paths and Trails.

Where an existing or planned path or trail identified in the Salem Transportation System Plan (TSP) or the Salem Comprehensive Parks System Master Plan passes through a development site, the path or trail shall:

- (A) Be constructed, and a public access easement or dedication provided; or
- (B) When no abutting section of the trail or path has been constructed on adjacent property, a public access easement or dedication shall be provided for future construction of the path or trail.

Finding: There are no planned paths or trails passing through the development site; therefore, this standard is not applicable.

SRC 800.065(a)(5) – Pedestrian Connection to Abutting Properties

Whenever a vehicular connection is provided from a development site to an abutting property, a pedestrian connection shall also be provided. A pedestrian connection is not required, however:

- (A) To abutting properties used for activities falling within the following use classifications, use categories, and uses under SRC chapter 400:
 - (i) Single-family;
 - (ii) Two-family;
 - (iii) Group living;
 - (iv) Industrial;
 - (v) Infrastructure and utilities; and
 - (vi) Natural resources.

Finding: The subject property does not include a vehicular connection to an abutting property; therefore, this standard is not applicable.

SRC 800.065(b) – Design and materials

Required pedestrian connections shall be in the form of a walkway, or may be in the form of a plaza.

(1) Walkways shall conform to the following:

(A) Walkways shall be paved with a hard-surface material meeting the Public Works Design Standards and shall be a minimum of five feet in width.

(B) Where a walkway crosses driveways, parking areas, parking lot drive aisles, and loading areas, the walkway shall be visually differentiated from such areas through the use of elevation changes, a physical separation, speed bumps, a different paving material, or other similar method. Striping does not meet this requirement, except when used in a parking structure or parking garage.

(C) Where a walkway is located adjacent to an auto travel lane, the walkway shall be raised above the auto travel lane or separated from it by a raised curb, bollards, landscaping, or other physical separation. If the walkway is raised above the auto travel lane it must be raised a minimum of four inches in height and the ends of the raised portions must be equipped with curb ramps. If the walkway is separated from the auto travel lane with bollards, bollard spacing must be no further than five feet on center.

(2) Wheel stops or extended curbs shall be provided along required pedestrian connections to prevent the encroachment of vehicles onto pedestrian connections.

Finding: All connections measure at least five feet in width, meeting the standard. The applicant's plans indicate most pedestrian connections will be provided as sidewalks, adjacent to an auto travel lane and separated from it by a raised curb, meeting the standard. The pedestrian connections across the drive aisles are proposed to be paved with a different material than the drive aisle, meeting the minimum requirement.

SRC 800.065(c) – Lighting.

The on-site pedestrian circulation system shall be lighted to a level where the system can be used at night by employees, customers, and residents.

Finding: The application materials do not provide sufficient detail to determine compliance with this development standard. Therefore, to ensure that the proposed pedestrian walkway meets the design and lighting standards at the time of building permit, the following condition applies:

Condition 1: At the time of building permit review, the applicant shall demonstrate that all required pedestrian connections conform with the design and material requirements of SRC Chapter 800, specifically SRC 800.065(b) and 800.065(c).

Off-Street Parking, Loading, and Driveways (SRC Chapter 806)

SRC 806.015 – Amount Off-Street Parking.

(a) *Maximum Off-Street Parking.* Except as otherwise provided in this section, and unless otherwise provided under the UDC, off-street parking shall not exceed the amounts set

forth in Table 806-1. For the purposes of calculating the maximum amount of off-street parking allowed, driveways shall not be considered off-street parking spaces.

Finding: There are no minimum parking standards for any development within the City. The proposed *multiple-family* use allows a maximum of 1.75 parking spaces per dwelling unit, for units other than studios. The proposal includes development of a 26-unit townhome-style apartment complex, allowing a maximum of 46 parking spaces ($26 \times 1.75 = 45.5$). The applicant has proposed a single-car garage for each unit, and an additional seven guest parking spaces on site, which provides a total of 33 parking spaces. The proposed parking meets the maximum allowed parking on site.

(b) *Compact Parking.* Up to 75 percent of the off-street parking spaces provided on a development site may be compact parking spaces.

Finding: The proposal does not propose any compact parking spaces; therefore, this standard does not apply.

(c) *Carpool and Vanpool Parking.* New developments with 60 or more required off-street parking spaces, and falling within the Public Services and Industrial use classifications, and the Business and Professional Services use category, shall designate a minimum of 5 percent of their total off-street parking spaces for carpool or vanpool parking.

Finding: No carpool/vanpool spaces are required for a multi-family development. This standard does not apply.

(d) *Required electric vehicle charging spaces.* For any newly constructed building with five or more dwelling units on the same lot, including buildings with a mix of residential and nonresidential uses, a minimum of 40 percent of the off-street parking spaces provided on the site for the building shall be designated as spaces to serve electrical vehicle charging. In order to comply with this subsection, such spaces shall include provisions for electrical service capacity, as defined in ORS 455.417.

Finding: The proposal includes one building out of the seven proposed which include five or more dwelling units; therefore, this standard applies. The development consists of 26 units, and provides a total of 33 parking spaces when counting the parking provided in garages and guest parking on site. Of those 33 parking spaces, 13 should be available ($33 \times .4 = 13.2$) for Electric Vehicle (EV) charging stations by providing EV charger conduits, as defined in ORS 455.417. The applicant's written statement indicates that infrastructure for EV chargers will be provided in the garages of all 26 units, exceeding the minimum requirement.

SRC 806.035 – Off-Street Parking and Vehicle Use Area Development Standards.

(a) *General Applicability.* The off-street parking and vehicle use area development standards set forth in this section apply to:

- (1) The development of new off-street parking and vehicle use areas;
- (2) The expansion of existing off-street parking and vehicle use areas, where additional paved surface is added;
- (3) The alteration of existing off-street parking and vehicle use areas, where the existing paved surface is replaced with a new paved surface; and
- (4) The paving of an unpaved area.

Finding: The proposed includes the development of new off-street parking and vehicle use areas; therefore, the development standards of SRC Chapter 806 are applicable to this proposal.

- (b) *Location.* Off-street parking and vehicle use areas shall not be located within required setbacks.
- (c) *Perimeter Setbacks and Landscaping.* Perimeter setbacks shall be required for off-street parking and vehicle use areas abutting streets, abutting interior front, side, and rear property lines, and adjacent to buildings and structures.

Finding: The proposed off-street parking area is in compliance with the minimum setback requirements of SRC Chapters 533 and 806. Perimeter landscaping will be evaluated for compliance with the applicable standards at the time of building permit review.

- (d) *Interior Landscaping.* Interior landscaping shall be provided for off-street parking areas greater than 5,000 square feet in size, in amounts not less than those set forth in Table 806-4.

Finding: The development does not include and off-street parking areas greater than 5,000 square feet in size; therefore, this standard does not apply.

- (e) *Off-Street Parking Area Dimensions.* Off-street parking areas shall conform to the minimum dimensions set forth in Table 806-5.

Finding: For two-way circulation the width of an aisle shall be a minimum of 22 feet. The applicant's plans indicate a single drive aisle of 22-feet wide for two-way circulation throughout the development. The two off-street guest parking areas comply with the minimum aisle width and dimensional requirements for parallel parking and standard vehicle parking spaces, as established in Table 806-5.

- (f) *Off-street parking area access and maneuvering.* In order to ensure safe and convenient vehicular access and maneuvering, off-street parking areas shall:
 - (1) Be designed so that vehicles enter and exit the street in a forward motion with no backing or maneuvering within the street; and
 - (2) Where a drive aisle terminates at a dead-end, include a turnaround area as shown in Figure 806-9. The turnaround shall conform to the minimum dimensions set forth in Table 806-6.

Finding: As discussed above, the development is designed so that vehicles enter and exit the street in a forward motion with no backing or maneuvering within the street through a single, two-way drive aisle throughout the development. This standard is met.

- (g) *Additional Off-Street Parking Development Standards 806.035(g)-(m).*

Finding: The proposed off-street parking area is developed consistent with the additional development standards for grade, surfacing, and drainage. Bumper guards are not required for the off-street parking areas provided. The parking area striping, marking, signage, and lighting shall comply with SRC 806.035, and will be evaluated at the time of building permit review.

Driveway Standards

SRC 806.040 – Driveway development standards for uses or activities other than single family, two family, three family, or four family.

- (a) *Access.* The off-street parking and vehicle use area shall have either separate driveways for ingress and egress, a single driveway for ingress and egress with an adequate turnaround that is always available, or a loop to the single point of access. The driveway approaches to the driveways shall conform to SRC Chapter 804.
- (b) *Location.* Driveways shall not be located within required setbacks, except where the driveway provides access to the street, alley, or abutting property; or where the driveway is a shared driveway located over the common lot line and providing access to two or more uses.
- (c) *Perimeter Setbacks and Landscaping.* Perimeter setbacks shall be required for driveways abutting streets, and abutting interior front, side, and rear property lines.
- (d) *Dimensions.* Driveways shall conform to the minimum width set forth in Table 806-8.

Finding: Two-way driveways are required to have a minimum width of 22 feet. The applicant's plans indicate a single 22-foot-wide driveway for ingress and egress on the southwest side of the development, providing access to Brush College Road NW. This standard is met.

Bicycle Parking

SRC 806.045 – Bicycle Parking; When Required.

- (a) *General Applicability.* Bicycle parking shall be provided as required under this chapter for each proposed new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity.
- (b) *Applicability to change of use of existing building in Central Business District (CB) zone.* Notwithstanding any other provision of this chapter, the bicycle parking requirements for a change of use of an existing building within the CB zone shall be met if there are a minimum of eight bicycle parking spaces located within the public right-of-way of the block face adjacent to the primary entrance of the building. If the minimum number of required bicycle parking spaces are not present within the block face, the applicant shall be required to obtain a permit to have the required number of spaces installed. For purposes of this subsection, "block face" means the area within the public street right-of-way located along one side of a block, from intersecting street to intersecting street.
- (c) *Applicability to nonconforming bicycle parking area.* When bicycle parking is required to be added to an existing bicycle parking area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.

Finding: The proposal is for development of a new multi-family development; therefore, the bicycle parking requirements of this section apply.

SRC 806.050 – Proximity of Bicycle Parking to use or Activity Served.

Bicycle parking shall be located on the same development site as the use or activity it serves.

SRC 806.055 – Amount of Bicycle Parking.

Unless otherwise provided under the UDC, bicycle parking shall be provided in amounts not less than those set forth in Table 806-9.

Finding: A multi-family use requires one bicycle parking space is provided per dwelling unit; therefore, the proposed 26-unit multi-family development requires a minimum of 26 bicycle parking spaces. The applicant's written statement indicates that 26 long-term bicycle parking spaces are provided, meeting the minimum requirement.

SRC 806.060 – Bicycle Parking Development Standards

Unless otherwise provided under the UDC, bicycle parking areas shall be developed and maintained as set forth in this section.

(a) Location.

- (1) Short-term bicycle parking.* Short-term bicycle parking areas shall be located within a convenient distance of, and shall be clearly visible from, the primary building entrance. In no event shall bicycle parking areas be located more than 50 feet from the primary building entrance.
- (2) Long-term bicycle parking.* Long-term bicycle parking areas shall be located:
 - (i)* A residential dwelling unit;
 - (ii)* A lockable garage;
 - (iii)* A restricted access lockable room serving an individual dwelling unit or multiple dwelling units;
 - (iv)* A lockable bicycle enclosure; or
 - (v)* A bicycle locker.

Finding: The applicant indicates that long-term bicycle parking will be provided within the garages equipped with singular bicycle storage rack for four units. This standard is met.

- (b) Access.* Bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance that is free of obstructions and any barriers, such as curbs or stairs, which would require users to lift their bikes in order to access the bicycle parking area.

Finding: Bicycle parking will be located within garages, providing direct access to the units and public areas leading to the public right-of-way. This standard is met..

(c) Dimensions. All bicycle parking areas shall meet the following dimension requirements:

- (1) Bicycle parking spaces.* Bicycle parking spaces shall conform to the minimum dimensions set forth in Table 806-10.
- (2) Access aisles.* Bicycle parking spaces shall be served by access aisles conforming to the minimum widths set forth in Table 806-10. Access aisles serving bicycle parking spaces may be located within the public right-of-way.

Finding: The applicant has provided garage floor plans which demonstrate the vertical wall mounted bicycle racks meet the minimum dimensions within the proposed garages, without obstruction to vehicle parking dimensions. This standard is met. Further conformance with these standards will be evaluated at the time of building permit review.

- (d) Surfacing.* Where bicycle parking is located outside a building, the bicycle parking area shall consist of a hard surface material, such as concrete, asphalt pavement, pavers, or similar material, meeting the Public Works Design Standards.

Finding: The proposed bicycle parking spaces will be placed within the paved garages, on a hard surface material. This standard is met.

- (e) *Bicycle Racks.* Where bicycle parking is provided in racks, the racks may be floor, wall, or ceiling racks. Bicycle racks shall meet the following standards:
- (1) Racks must support the bicycle frame in a stable position. For vertical racks, the rack must support the bicycle in a stable vertical position in two or more places without damage to the wheels, frame, or components.
 - (2) Racks must allow the bicycle frame and at least one wheel to be locked to the rack with a high security, U-shaped shackle lock;
 - (3) Racks shall be of a material that resists cutting, rusting, and bending or deformation; and
 - (4) Racks shall be securely anchored.
 - (5) Examples of types of bicycle racks that do, and do not, meet these standards are shown in Figure 806-10.

Finding: The applicant has provided bike rack details that indicate a “classic rack” design for a vertical wall mounted bicycle rack. The proposed bike racks conform to material requirements of SRC 806.060(e).

Off-Street Loading Areas

SRC 806.065 – General Applicability.

- (a) Off-street loading areas shall be provided and maintained for each proposed new use or activity; any change of use or activity, when such change of use or activity results in a greater number of required off-street loading spaces than the previous use or activity; or any intensification, expansion, or enlargement of a use or activity.
- (b) *Applicability to nonconforming off-street loading area.* When off-street loading is required to be added to an existing off-street loading area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.

Finding: The proposal is for development of a new multi-family development; therefore, the off-street loading requirements of this section apply.

SRC 806.070 – Proximity of Off-Street Loading Areas to Use or Activity Served.

Off-street loading shall be located on the same development site as the use or activity it serves.

SRC 806.075 – Amount of Off-Street Loading.

Unless otherwise provided under the UDC, off-street loading shall be provided in amounts and dimensions not less than those set forth in Table 806-11.

Finding: There are no off-street loading space requirements for multiple family development of 5 to 49 dwelling units; therefore, this standard is met.

Landscaping (SRC Chapter 807)

All required setbacks shall be landscaped with a minimum of 1 plant unit per 20 square feet of landscaped area. A minimum of 40 percent of the required number of plant units shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees. Plant

materials and minimum plant unit values are defined in SRC Chapter 807, Table 807-2. All building permit applications for development subject to landscaping requirements shall include landscape and irrigation plans meeting the requirements of SRC Chapter 807.

Finding: The applicant has submitted a preliminary landscape plan that indicates 30,977 square feet of total landscaped area for the development site. Based on the dimensions of the property, a minimum of 8,439 square feet is provided for the Type C landscape setbacks along the north and west property lines, requiring a minimum of 422 plant units ($8,439 / 20 = 421.95$); of the required plant units, a minimum of 169 plant units shall be trees ($422 \times 0.4 = 168.8$). For the Type A landscape setback along the east property line, a minimum of 1,916 square feet of landscape is provided, requiring a minimum of 96 plant units ($1,916 / 20 = 95.8$); of the required plant units, a minimum of 38 plant units shall be trees ($96 \times 0.4 = 38.4$). The applicant has provided a preliminary landscaping plan indicating the minimum required plant units are met. Further conformance with these standards will be evaluated at the time of building permit review.

In addition to the landscaping required under this chapter, when existing trees, as defined under SRC Chapter 808, are proposed for removal from within required setbacks or from a development site in excess of 75 percent, replanting shall be required as provided in this subsection, pursuant to SRC 807.015(d). The applicant has submitted a tree inventory for the development site which indicates there are 43 total trees on site, as defined under SRC Chapter 808. Of those 43 trees, there are 25 trees existing on site that do not fall within areas to be cleared for required roads, utilities, sidewalks, trails, or stormwater facilities. Specifically, ten of those trees are located within the required right-of-way dedication and eight fall within areas where required utilities are located, and therefore do not count towards the total percentage of trees removed from the development site, pursuant to SRC 807.015(d)(2). Considering the conditions associated with the Tree Variance in Section 9 below to save six trees, the applicant has proposed removal of 19 trees on site, which is well under the 75 percent of trees on the development site ($43 \times .75 = 32.25$). However, seven trees of the trees proposed for removal are located within required setbacks, requiring a total of 14 trees be replanted for the proposed tree removals. To ensure that trees are planted to meet the replacement ratio and size requirements of this subsection, the following condition applies:

Condition 2: The applicant shall provide an additional 14 trees on site to meet the tree replanting requirement, which shall be of either a shade or evergreen variety with a minimum 1.5-inch caliper.

Landscape and irrigation plans will be reviewed again for conformance with the requirements of SRC 807 at the time of building permit application review.

Natural Resources and Hazards

SRC Chapter 601 – Floodplain: Development in the floodplain shall be regulated to preserve and maintain the capability to the floodplain to convey the flood water discharges and to minimize danger to life and property.

Finding: The Floodplain Administrator has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

SRC Chapter 808 – Preservation of Trees and Vegetation: The City's tree preservation ordinance, under SRC Chapter 808, provides that no person shall remove the following trees unless undertaken pursuant to a permit issued under SRC 808.030(d), undertaken pursuant to a tree conservation plan approved under SRC 808.035, or permitted by a variance granted under SRC 808.045.

1. Heritage Trees;
2. Significant Trees (including Oregon White Oaks with diameter-at-breast-height (*DBH*) of 20 inches or greater and any other tree with a *DBH* of 30 inches or greater, with the exception of tree of heaven, empress tree, black cottonwood, and black locust);
3. Trees and native vegetation in riparian corridors; and
4. Trees on lots or parcels 20,000 square feet or greater.

The tree preservation ordinance defines “tree” as, “any living woody plant that grows to 15 feet or more in height, typically with one main stem called a trunk, which is 10 inches or more *DBH*, and possesses an upright arrangement of branches and leaves.”

Finding: The applicant has submitted a tree inventory for the development site which indicates no heritage trees or riparian trees on site. The applicant’s final tree inventory identified a total of four significant trees on site; all of which are proposed for removal and are not excepted under SRC 808.030(a)(2), and do not meet the criteria for a tree removal permit under SRC 808.030(d); therefore, an application for a Tree Regulation Variance has been submitted pursuant to SRC 808.045. Findings for the Tree Regulation Variance can be found in Section 9 of this report.

SRC Chapter 809 – Wetlands: Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (*DSL*) and US Army Corps of Engineers. State and Federal wetland laws are also administered by the *DSL* and Army Corps, and potential impacts to jurisdictional wetlands are addressed through application and enforcement of appropriate mitigation measures.

Finding: According to the Salem-Keizer Local Wetland Inventory (*LWI*), the subject property does not contain any wetland areas or hydric soils.

SRC Chapter 810 – Landslide Hazards: A geological assessment or report is required when regulated activity is proposed in a mapped landslide hazard area.

Finding: According to the City’s adopted landslide hazard susceptibility maps and SRC Chapter 810 (*Landslide Hazards*), there are mapped 2-point landslide hazard areas on the subject property. The proposed activity of a multi-family development adds 2 activity points to the proposal, which results in a total of 4 points. Therefore, the proposed development is classified as a low landslide risk and no additional information is required.

SRC 802 – Public Improvements, SRC 803 – Streets and Right-of-Way Improvements, SRC 804 – Driveway Approaches, and SRC 805 – Vision Clearance: As outlined in this decision, and with completion of the conditions outlined in the Development Services Infrastructure Memo (**Attachment D**), the subject property also meets all applicable standards of these chapters of the *UDC*.

SRC 220.005(f)(3)(B): The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately.

Finding: Brush College Road NW abuts the subject property and is classified as a Minor Arterial street according to the Salem TSP. The existing condition of Brush College Road NW does not meet current standards for its classification of street per the Salem TSP. Brush College Road NW along the frontage of the property lacks adequate pavement width, curb and gutter, sidewalks, street trees, and streetlights. The applicant has requested an Alternative Street Standard pursuant to SRC 803.065(a) to allow Brush College Road NW to be constructed to an alternative cross section along the property frontage which will more closely resemble the linking street improvement requirement and the existing condition of Brush College Road NW to the west of the subject property. The applicant's proposed half-width cross section shows an 18-foot-wide westbound lane for vehicles and bicycles; Type A curb and gutter; a 12-foot planter strip; a five-foot sidewalk; and streetlights along the property frontage. Staff will require widening the sidewalk to eight feet due to the proximity of the development site to Brush College Elementary School which will reduce the planter strip from 12 feet to nine feet. Pursuant to SRC 803.065(a)(3), an Alternative Street Standard for Brush College Road NW is authorized for the frontage improvements to provide an alternative cross section which will include an 18-foot-wide westbound lane; Type A curb and gutter; a 9-foot planter strip; 8-foot property line sidewalk; and streetlights. The westbound lane will include a 11-foot travel lane for vehicles and a 7-foot shoulder for bikes within the roadway. Staff finds that the proposed Alternative Street Standard will better provide for safe and efficient transportation for all users, including pedestrian and bicyclists.

The proposed development is subject to boundary street improvement requirements pursuant to SRC Chapter 803.040. As a condition of approval, the applicant shall be required to dedicate a 36-foot-wide half width-right-of-way along the property frontage. Additionally, the applicant shall be required to construct a half-street improvement along the property frontage to the Alternative half-width cross section described above.

Condition 3: Convey land for dedication to equal a half-width right-of-way of 36-feet on the development side of Brush College Road NW.

Condition 4: Construct a half-street improvement along the frontage of Brush College Road NW as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803. The half-street improvement shall include an 18-foot westbound travel lane, curb, a 9-foot planter strip, an 8-foot property line sidewalk, and street lights.

In addition to the boundary street improvements required, the applicant is required to provide a linking street improvement as identified in the Urban Growth Area Preliminary Declaration section of this report. The nearest segment of Brush College Road NW that meets the minimum linking street requirement is located at the intersection of Brush College Road NW and Doaks Ferry Road NW. This underimproved segment of roadway lacks curbs, sidewalks, and paved improvement width and does not provide adequate vehicle or pedestrian safety. The required linking street improvements will be constructed along the frontage of a Salem Keizer School District property which contains Brush College Elementary School (Polk County tax lot #073W08D01900). The existing topography along the frontage of this parcel does not facilitate a full 34-foot linking street improvement along Brush College Road NW. Pursuant to

SRC 200.055(b): *where physical or topographical constraints are present to a degree that the standard linking street pavement width cannot be reasonably constructed, the Director may specify a lesser standard which meets the functional levels necessary to improve the existing conditions and meet the increased demands.* In lieu of a full 34-foot-wide linking street improvement, which typically only includes pavement widening for vehicles, the linking improvement will consist of pavement widening to a minimum of 18 feet, an 8-foot curblined sidewalk along the school property frontage, and construction of Type A curb along the north side of Brush College Road NW from the east line of the subject property to the intersection of Brush College Road NW and Doaks Ferry Road NW. The modified linking improvement will better serve the functional needs of the area and provide adequate linking improvement for vehicles and pedestrians.

Condition 5: Construct a linking street improvement from the intersection of Brush College Road NW and Doaks Ferry Road NW to the east line of the subject property including widening pavement to 18-feet, curbs, and an 8-foot curblined sidewalk along the school property frontage.

The required linking and boundary street improvements will require removal of existing City trees. Removal of trees located within the right-of-way requires a Street Tree Removal Permit pursuant to SRC Chapter 86.

Condition 6: Prior to issuance of a Building Permit, obtain a Street Tree Removal Permit pursuant to SRC Chapter 86.

Pursuant to SRC 86.015(e), anyone undertaking development along public streets shall plant new street trees to the maximum extent feasible. The applicant shall be required to provide street trees along Brush College Road NW.

Condition 7: Prior to issuance of a Certificate of Occupancy, install street trees to the maximum extent feasible along Brush College Road NW.

Pursuant to SRC 803.015(b)(1), when a development generates more than 1,000 Average Daily Trips onto a Minor Arterial street, a Traffic Impact Analysis (TIA) is required to be submitted with the development application. The proposal includes construction of 25 multi-family units and generates less than 1,000 Average Daily Trips. As such, a TIA is not required for the development proposal. With the recommended conditions for boundary street improvements and linking street and sidewalk improvements; staff finds that the negative impacts of the development are adequately mitigated.

SRC 220.005(f)(3)(C): Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians.

Finding: The proposal includes one new driveway approach onto Brush College Road NW, which requires a Class 2 Driveway Approach Permit. Findings for the permit are found in Section 10 below, and indicate that the driveway access onto Brush College Road NW provides for safe turning movements into and out of the property.

SRC 220.005(f)(3)(D): The proposed development will be adequately served with City water, sewer, stormwater facilities, and other utilities appropriate to the nature of the development.

Finding: The Public Works Department has reviewed the applicant's preliminary plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets/areas and are adequate to serve the proposed development. The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the Public Works Design Standards (PWDS) and to the satisfaction of the Public Works Director. The applicant is advised that a sewer monitoring manhole may be required, and the trash area shall be designed in compliance with Public Works Standards.

The proposal requires the use of green stormwater infrastructure to treat and detain stormwater generated from the development pursuant to SRC Chapter 71. The applicant's engineer submitted a statement demonstrating compliance with PWDS Appendix 004-E(4) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible. As a condition of approval, the applicant shall be required to design and construct a storm drainage system that meets the requirements of SRC Chapter 71 and the PWDS.

Condition 8: Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code Chapter 71 and the Public Works Design Standards.

8. Analysis of Class 2 Adjustment Criteria

Salem Revised Code (SRC) 250.005(d)(2) provides that an application for a Class 2 Adjustment shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

SRC 250.005(d)(2)(A): The purpose underlying the specific development standard proposed for adjustment is:

- (i) Clearly inapplicable to the proposed development; or***
- (ii) Equally or better met by the proposed development.***

Finding: The applicant is requesting three Class 2 Adjustments to:

- (1) Reduce the required minimum density from 33 to 26 dwelling units per acre (SRC 533.015(b));
- (2) Reduce the building frontage requirement on Brush College Road NW from 75 percent to 52 percent (SRC 533.015(d)); and
- (3) Reduce the required driveway spacing standard of 370 feet for a driveway approach along Brush College Road NW, a Minor Arterial street (SRC 804.035(d)).

Reduce the required minimum density from 33 to 26 dwelling units per acre, per SRC 533.010(b).

Dwelling unit density within the MU-I zone shall conform to the standards set forth in Table 533-3. Multiple family uses are required to have a minimum density of 15 dwelling units per acre, and no maximum density. The subject property is approximately 96,000 square feet in area, or 2.2 acres, which would require 33 units for the development site (2.2 x 15 = 33). The

proposed development of 26 units represents a density of approximately 12 dwelling units per acre ($26 / 2.2 = 11.8$). The applicant is requesting a Class 2 Adjustment to go below the minimum required density for the property due to the design of the development to address neighborhood concerns.

The applicant has indicated that the development is sensitive to the surrounding single-family homes and the adjacent Brush College Elementary School, and aims to provide a development that is complementary to the single-family neighborhoods surrounding area. The proposal is requesting an adjustment to go below the minimum required density for the property, thereby creating a development of 21 percent fewer units than would otherwise be outright permitted in the zone. Originally, preliminary reviews for the development of the property indicated three-story buildings providing around 60 units, as there is no maximum density standard for the zone. Since those preliminary stages and hearing the concerns of the neighbors, the applicant redesigned the multi-family development with the appearance of single-family townhomes, with the provision of garages and driveways, and reduced the three-story buildings to the current two-story proposal. The site is designed to give residents the feel of a single-family neighborhood, which generally has less density than a typical apartment development. Additionally, the proposed multi-family development in this location provides the single-family neighborhood a buffer from school activities, and provides an opportunity for families to live in these units and provide a short and safe commute to school for their children. Finally, the applicant states that this design approach and the reduction in density also helps avoid adverse impacts such as higher traffic levels, interruption of views, and reduced open green space that a conventional three-story multi-family development might have in this location, which also addresses some of the neighbors' concerns received from this proposal.

Staff agrees that the development equally or meets the intent of the minimum density standard by providing a higher density housing development, while also balancing the concerns of the neighbors and providing a development that is better suited with the surrounding neighborhood.

Reduce the building frontage requirement on Brush College Road NW from 75 percent to 52 percent, per SRC 533.015(d).

The minimum building frontage requirement along a street for all uses in the MU-I zone is 75 percent. The applicant's site plan indicates the building occupies approximately 159 feet along the 302 feet of site frontage on Brush College Road NW, or approximately 52 percent. Therefore, the applicant is requesting a Class 2 Adjustment to reduce the building frontage requirement on Brush College Road NW from 75 percent to 52 percent.

The purpose of the buildable width requirement is to enhance visual interest and activity along the street. Approximately 52 percent of building frontage is provided along Brush College Road NW due to the provision of the access constraints, topography, and stormwater facilities. The development is providing a single driveway for access into and out of the site. However, vision clearance requirements further restricted where the building along the street could be located. To ensure vehicle and pedestrian safety, particularly considering the proximity of the neighboring school, the driveway and buildings were placed in locations that maximized safety for the development and surrounding uses, but limited the available street frontage to meet the buildable width requirement. In addition, the topography of the site sloping towards the street and the southeast corner of the property determined the ideal location for the stormwater facilities in those locations, further limiting the amount of available street frontage. The

applicant has provided building frontage in the greatest extent possible for the site constraints, and has provided pedestrian connections for each unit, and a pedestrian bench in the southwest corner closest to the school as an added amenity to the street frontage, as a way to equally meet the intent to enhance pedestrian activity along the street.

Staff finds that the applicant's plans equally meet the intent to enhance activity along the street by providing pedestrian connections, a pedestrian amenity, and safe driveway access and vision clearance for the site. In addition, the building frontage along Brush College Road incorporates visually appealing design and architectural features, and landscaping to equally meet the intent of enhancing visual interest along street.

Reduce the required driveway spacing standard of 370 feet for a driveway approach along Brush College Road NW, a Minor Arterial street, per SRC 804.035(d).

The applicant is requesting a Class 2 adjustment to allow for reduced spacing between driveways less than the standard of 370 feet. The development has frontage on only one street, Brush College Road NW. Pursuant to SRC 804.035(d), driveway approaches onto minor arterial streets shall be located no less than 370 feet from adjacent street intersections and driveways. The proposed driveway approach is located approximately 525 feet from the intersection of Brush College Road NW and Conner Street NW and approximately 336 feet from the existing driveway approach serving Brush College Elementary school to the east of the property. The applicant is requesting a Class 2 Adjustment to allow for reduced spacing between the proposed driveway and the existing driveway approach serving Brush College Elementary school to the east of the property.

The proposed driveway approach cannot be placed in a way that meets the standard as it is currently proposed at the western most corner of the property. The intent of SRC Chapter 804 is to provide safe and efficient access to public streets. The intent of driveway spacing standards is to reduce vehicle conflicts from driveways being located too close together. The proposed driveway approach maximizes driveway spacing by being located on the western most corner of the property, while remaining within the limits of the property boundary. The proposed driveway configuration meets the adjustment criteria by allowing for turning movements and traffic safety equal to what would be accomplished by meeting the development standard.

Staff finds that the proposed drive aisle meets the adjustment criteria by allowing for turning movements and traffic safety equal to what would be accomplished by meeting the development standard.

SRC 250.005(d)(2)(B): If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.

Finding: The subject property is located within a mixed-use zone, which is not a considered a residential zone. However, the residential development provides design and density challenges, as well as limited location and space for the provision of required stormwater facilities, safe access, and vision clearance, which greatly limits the developable area of the site. The requested adjustments to density, buildable width, driveway spacing standards are the minimum necessary due to site constraints and will have no significant impact on the livability or appearance of the residential area.

SRC 250.005(d)(2)(C): If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

Finding: Only one adjustment has been requested with this development; therefore, this criteria is not applicable.

9. Analysis of Tree Removal Variance Approval Criteria

Salem Revised Code (SRC) 808.045(d) sets forth the following criteria that must be met before approval can be granted to a request for a Tree Regulation Variance. In this case, the applicant has requested to address the hardship criteria in SRC 808.045(d)(1).

SRC 808.045(d)(1)(a): There are special conditions that apply to the property which create unreasonable hardships or practical difficulties which can be most effectively relieved by a variance.

Finding: The applicant submitted a tree plan (**Attachment F**) in conjunction with the proposal identifying a total of four significant trees (Oregon White Oak greater than 20 inches in diameter-at-breast height (DBH), or any other tree with a DBH of 30 inches or greater) on the property after right-of-way dedication; none of which are Oregon White Oaks. In the written statement for the Tree Variance, the applicant requests to remove all four significant trees due to the hardship created by their locations severely limiting the development of the site. The applicant indicates the key issues with this site are its topography, street improvements, and the location of required stormwater facilities. However, during the application review, some changes were made to the site plan which reduced the size of the stormwater facilities located near a grove of trees. In addition, an arborist report for disturbance within the critical root zone of three non-significant trees designated for preservation indicated that the trees were an invasive species and recommended their removal. Considering the changes to the stormwater facilities, the recommendation from the arborist, and the comments received from the surrounding property owners and tenants, the applicant met with staff and agreed to revise the tree plan to save the southern 34-inch Pine tree (#1246) along the eastern property line, as well as five additional non-significant trees in the same vicinity. As such, the following conditions apply:

Condition 9: The southern 34-inch Pine tree (#1246) along the eastern property line shall be preserved. At least five other non-significant Pine trees near the significant tree in the southeast grove shall also be preserved.

Condition 10: At the time of grading permit review, the applicant shall submit an updated tree inventory plan representing all conditions of approval for tree preservation or removal, including the critical root zone and protection measures of all preserved trees in compliance with Chapter 808 and a report from an arborist.

While the applicant is willing to preserve trees in the southeast grove, including one of the significant trees originally requested for removal, the trees are still located in an area where nearby grading or construction will occur within their critical root zone. For this reason, the applicant can choose which five non-significant trees will be saved based on which trees and root system offer the best chance of survival. Therefore, pursuant to SRC 806.046, the applicant shall submit an arborist report documenting that disturbance up to a maximum of 30

percent of the critical root zone will not compromise the long-term health and stability of these trees, and all recommendations included in the report to minimize any impacts to the tree are followed.

Condition 11: Prior to issuance of grading permits, the applicant shall submit an arborist report for the six trees conditioned for preservation, demonstrating that no more than 30 percent of the critical root zone will be disturbed from adjacent construction and that such disturbance will not compromise the long-term health and stability of the trees, and all recommendations included in the report to minimize any impacts to the tree are followed.

Under SRC 808.020(d)(5), a typical tree removal permit could be granted where removal of the significant tree is necessary for the construction of a development other than single family, two family, three family, four family, or cottage cluster, and there are no reasonable design alternatives that would enable preservation of the tree. Factors including existing or planned street alignment, boundary improvements, proposed utilities, or site topography where severe grading of the critical root zone would occur in order to comply with maximum street or intersection grades, fire department access requirements, or ADA accessibility standards would satisfy the criteria for removal. In consideration of what would be allowed for similar multi-family developments, staff finds the location of the remaining three trees requested for removal come very close to meeting one of these criteria for removal, and thus present a hardship for the development. Removal of the other 34-inch Pine tree (#1229) on the north side of the southeast grove is due to the location of the internal drive-aisle, which is not technically a street, but is necessary to provide access for residents and emergency services; and where grading and paving to provide that access would impact more than 30 percent of the tree's critical root zone. Removal of the two significant Douglas Fir trees (#1197-1198) at the north end of the development are due to the topography and the necessary grading for the site that requires a retaining wall to be built along the northern property line. The applicant has provided multiple designs for this site from preliminary stages through application review, and have shown that there are no other options where grading in these areas were avoidable due to site topography and the necessary street connections and fire access. However, since there was a design alternative for the stormwater facilities, the applicant has agreed to save the 34-inch significant Pine (#1246) that would have been impacted by the stormwater facilities prior to reducing the size.

Staff has conditioned preservation of one significant tree, while allowing removal of an additional three significant trees to accommodate the grading required for the street connection and functional development of the site. Staff finds that there are special conditions that apply to the property, as discussed throughout this report, where retaining the trees creates an unreasonable hardship that can most effectively be relieved by approval of the variance. As conditioned, the proposal meets this criterion.

SRC 808.045(d)(1)(b): The proposed variance is the minimum necessary to allow the otherwise lawful proposed development of activity.

Finding: No other options exist to provide the required access and street connections, or a development that doesn't require significant grading due to the topography of the site. The conditions above limit the number of significant trees removed on site to three instead of the requested four trees, which is the minimum necessary to allow for the lawful development of the subject property. Therefore, this criterion is met.

10. Analysis of Class 2 Driveway Approach Permit Criteria

Salem Revised Code (SRC) 804.025(d) provides that an application for a Class 2 Driveway Approach Permit shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

SRC 804.025(d)(1): The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards.

Finding: With the adjustment request for driveway spacing, the proposed driveway meets the standards for SRC Chapter 804 and Public Works Design Standards (PWDS).

SRC 804.025(d)(2): No site conditions prevent placing the driveway approach in the required location.

Finding: There are no site conditions prohibiting the location of the proposed driveway.

SRC 804.025(d)(3): The number of driveway approaches onto an arterial are minimized.

Finding: The subject property has frontage on one street, Brush College Road NW, which is classified as a Minor Arterial street according to the Salem Transportation System Plan (TSP). One driveway approach onto the Minor Arterial street is proposed; therefore; access onto the Minor Arterial street is necessary and minimized as only one approach is proposed.

SRC 804.025(d)(4): The proposed driveway approach, where possible:

(A) Is shared with an adjacent property; or

(B) Takes access from the lowest classification of street abutting the property

Finding: The subject property abuts only one street, Brush College Road NW, which has a Minor Arterial classification. A shared driveway approach is not feasible because of previously developed properties adjacent to the site that do not have a driveways along the common property lines.

SRC 804.025(d)(5): The proposed driveway approach meets vision clearance standards.

Finding: The proposed driveway meets the PWDS vision clearance standards set forth in SRC Chapter 805.

SRC 804.025(d)(6): The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access.

Finding: No evidence has been submitted to indicate that the proposed driveway will create traffic hazards or unsafe turning movements. Additionally, staff analysis of the proposed driveway indicates that it will not create a traffic hazard and will provide for safe turning movements for access to the subject property.

SRC 804.025(d)(7): The proposed driveway approach does not result in significant adverse impacts to the vicinity.

Finding: Staff analysis of the proposed driveway and the evidence that has been submitted indicate that the location of the proposed driveway will not have any adverse impacts to the adjacent properties or streets.

SRC 804.025(d)(8): The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections.

Finding: The subject property abuts only one street, Brush College Road NW, which it takes access from. The proposed driveway approach is located on a Minor Arterial street and does not create a significant impact to adjacent streets and intersections.

SRC 804.025(d)(9): The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.

Finding: The proposed development is surrounded by residentially zoned property to the north and west. The proposed development abuts only a Minor Arterial street, Brush College Road NW. The proposed driveway is taken from the lowest classification street abutting the subject property. The driveway balances the adverse impacts to residentially zoned property and will not have an adverse effect on the functionality of the adjacent streets.

11. Conclusion

Based upon review of SRC Chapters 205, 220, 250, 804, and 808, the applicable standards of the Salem Revised Code, the findings contained herein, and due consideration of comments received, the application complies with the requirements for an affirmative decision.

IT IS HEREBY ORDERED

Final approval of Urban Growth Preliminary Declaration, Class 3 Site Plan Review, Class 2 Adjustment, Tree Regulation Variance, and Class 2 Driveway Approach Permit Case No. UGA-SPR-ADJ-TRV-DAP24-04 is hereby **APPROVED** subject to SRC Chapters 205, 220, 250, 804, and 808, the applicable standards of the Salem Revised Code, conformance with the approved site plan included as **Attachment B**, and the following conditions of approval:

- Condition 1:** At the time of building permit review, the applicant shall demonstrate that all required pedestrian connections conform with the design and material requirements of SRC Chapter 800, specifically SRC 800.065(b) and 800.065(c).
- Condition 2:** The applicant shall provide an additional 14 trees on site to meet the tree replanting requirement, which shall be of either a shade or evergreen variety with a minimum 1.5-inch caliper.
- Condition 3:** Convey land for dedication to equal a half-width right-of-way of 36-feet on the development side of Brush College Road NW.
- Condition 4:** Construct a half-street improvement along the frontage of Brush College Road NW as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803. The half-street improvement shall include an 18-foot westbound travel lane, curb, a 9-foot planter strip, an 8-foot property line sidewalk, and street lights.

- Condition 5:** Construct a linking street improvement from the intersection of Brush College Road NW and Doaks Ferry Road NW to the east line of the subject property including widening pavement to 18-feet, curbs, and an 8-foot curblin sidewalk along the school property frontage.
- Condition 6:** Prior to issuance of a Building Permit, obtain a Street Tree Removal Permit pursuant to SRC Chapter 86.
- Condition 7:** Prior to issuance of a Certificate of Occupancy, install street trees to the maximum extent feasible along Brush College Road NW.
- Condition 8:** Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code Chapter 71 and the Public Works Design Standards.
- Condition 9:** The southern 34-inch Pine tree (#1246) along the eastern property line shall be preserved. At least five other non-significant Pine trees near the significant tree in the southeast grove shall also be preserved.
- Condition 10:** At the time of grading permit review, the applicant shall submit an updated tree inventory plan representing all conditions of approval for tree preservation or removal, including the critical root zone and protection measures of all preserved trees in compliance with Chapter 808 and a report from an arborist.
- Condition 11:** Prior to issuance of grading permits, the applicant shall submit an arborist report for the six trees conditioned for preservation, demonstrating that no more than 30 percent of the critical root zone will be disturbed from adjacent construction and that such disturbance will not compromise the long-term health and stability of the trees, and all recommendations included in the report to minimize any impacts to the tree are followed.

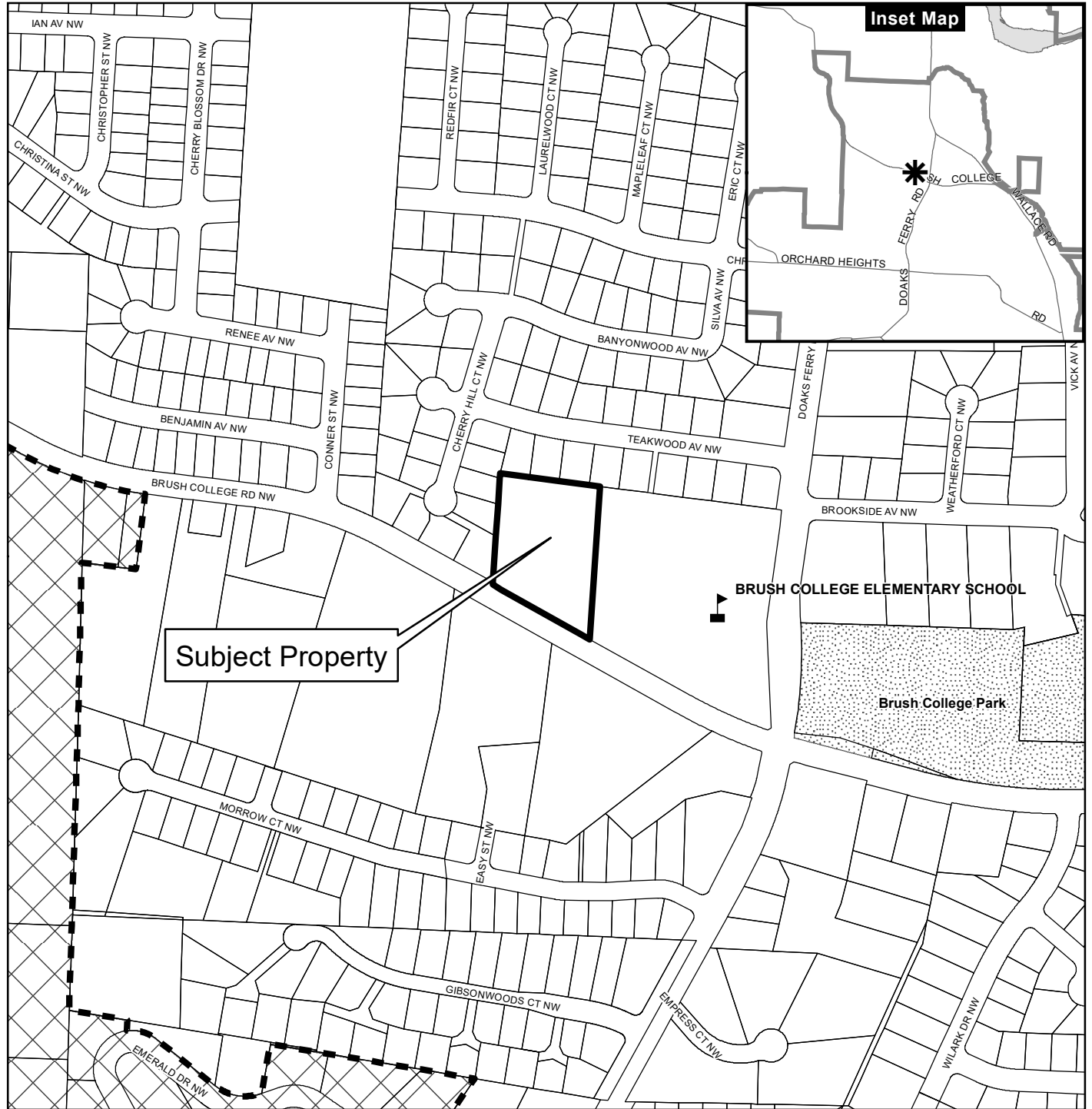


Jamie Donaldson, Planner III, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator






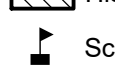

- Attachments:
- A. Vicinity Map
 - B. Proposed Development Plans and Elevations
 - C. West Salem Neighborhood Association Comments
 - D. Development Services Memo
 - E. Salem Keizer Public Schools Memo
 - F. Tree Plans

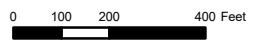
<http://www.cityofsalem.net/planning>

Vicinity Map 2345 Brush College Road NW



Legend

-  Taxlots
-  Urban Growth Boundary
-  City Limits
-  Outside Salem City Limits
-  Historic District
-  Schools
-  Parks



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CONTACT INFORMATION

APPLICANT:

WEST COAST HOME SOLUTIONS
25030 SW PARKWAY AVENUE,
SUITE 110
WILSONVILLE, OR 97140

CIVIL:

LEI ENGINEERING &
SURVEYING OF OREGON
2564 19TH SE
SALEM, OR 97302

STRUCTURAL:

MSC ENGINEERS INC.
3470 PIPEBEND PL NE
SALEM, OR 97301

ARCHITECT:

CB TWO ARCHITECTS, LLC
500 LIBERTY ST SE, SUITE 100
SALEM, OR 97301

LANDSCAPE ARCHITECT:

LAURUS DESIGN, LLC
1012 PINE STREET
SILVERTON, OR 9731



LAND USE DRAWING...

SHEET #	SHEET NAME
LU-0	COVER SHEET
LU-1	SITE PLAN
LU-1.1	SITE DETAILS
LU-2.1.1	BUILDING TYPE 1 - FIRST FLOOR
LU-2.1.2	BUILDING TYPE 1 - SECOND FLOOR
LU-2.2.1	BUILDING TYPE 2 - FIRST FLOOR
LU-2.2.2	BUILDING TYPE 2 - SECOND FLOOR
LU-2.3.1	BUILDING TYPE 3 - FIRST FLOOR
LU-2.3.2	BUILDING TYPE 3 - SECOND FLOOR
LU-3.1	BUILDING TYPE 1 - ELEVATIONS
LU-3.2	BUILDING TYPE 2 - ELEVATIONS
LU-3.3	BUILDING TYPE 3 - ELEVATIONS
LU-3.4	BUILDING TYPE 3 - ELEVATIONS
LU-4.0	RENDERINGS
CIVIL	
C-01	CV-1 COVER SHEET
C-02	GN-1 GENERAL NOTES
C-03	EX-1 EXISTING CONDITIONS
C-04	DE-1 DEDICATIONS & EASEMENTS
C-05	TP-1 TREE INVENTORY
C-06	TP-2 TREE REMOVAL PLAN 1
C-07	TP-3 TREE REMOVAL PLAN 2 & TREE PRESERVATION
C-08	FR-1 FRONTAGE IMPROVEMENTS
C-09	FR-2 FRONTAGE GRADING

LAND USE DRAWING...

SHEET #	SHEET NAME
C-10	UT-1 COMPOSITE UTILITY PLAN
C-11	PP-1 ROAD FG & SD PP STA 0+30 - 2+75
C-12	PP-2 ROAD FG & SD PP STA 2+75 - 4+25
C-13	PP-3 ROAD FG & SD PP STA 4+25 - 6+50
C-14	PP-4 ROAD FG & SD PP STA 6+50 - 8+00
C-15	PP-5 ROAD FG & SD PP STA 8+00 - 9+21.28
C-16	SD-1 STORM WATER SITE PLAN
C-17	SD-1 STORM WATER SITE PLAN
C-18	PP-6 SSA PP STA 10+00 - 12+30
C-19	PP-7 SSA PP STA 12+00 - 14+45
C-20	PP-8 SSA PP STA 10+00 - 11+95
C-21	WL-1 PRIVATE WATER SITE PLAN
C-22	GR-1 GRADING DETAILS
C-23	GR-2 GRADING DETAILS
C-24	RW-1 RETAINING WALL PLAN
C-25	RW-2 RETAINING WALL PLAN
C-26	SP-1 STRIPING PLAN
C-27	FA-1 FIRE ACCESS PLAN
LANDSCAPE	
L1.1	PRELIMINARY PLANTING PLAN

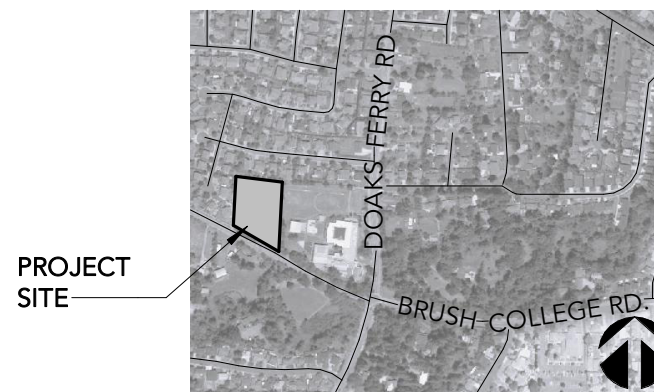
PROJECT INFORMATION

PROJECT DESCRIPTION:

THIS PROJECT CONSISTS OF (7) TWO-STORY TOWNHOUSE BUILDINGS WITH A TOTAL OF (26) 3 BEDROOM, 1 CAR GARAGE UNITS. THERE ARE (3) BUILDING TYPES; BUILDING TYPE 1 IS 4,747 SF, TYPE 2 IS 6,330 SF, AND TYPE 3 IS 15,038 SF. THERE IS A TOTAL OF 45,103 SF OF BUILDING AREA ON A 2.21 ACRE SITE.

ZONING: MIXED USE - I
TAX LOT: 073W08D02001

LOCATION MAP



CLIENT:



PROJECT/LOCATION:

BRUSH COLLEGE TOWNHOMES

BRUSH COLLEGE ROAD SALEM, OREGON

TITLE:

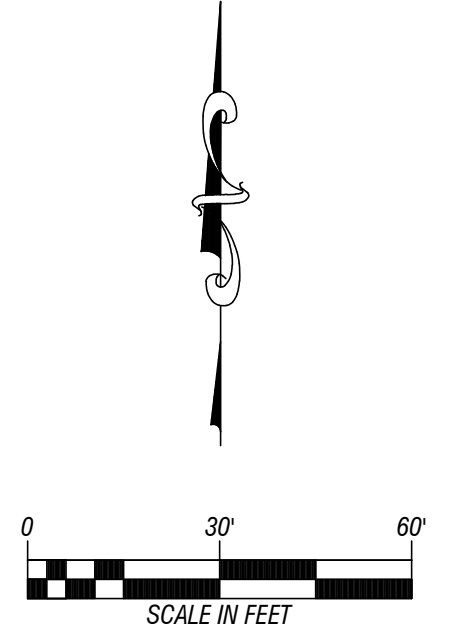
COVER SHEET

LU-0

DATE:

03/29/24

DATE: 03/21/24
 DRAWN BY: J. VAN ARMAN, PLS. (10/20/22)
 CHECKED BY: G. ZARTMAN, PLS. (03/14/24)
 PROJECT NO.: 60-24



CONTROL TABLE				
#	NORTHING	EASTING	ELEVATION	DESCRIPTION
32	3731.335	6732.110	178.66	PK
34	3774.107	6805.459	183.20	1/2" IR WITH RPC
35	3856.794	6938.924	185.93	1/2" IR WITH RPC
59	3807.987	6900.645	174.05	1/2" IR WITH RPC
61	3576.151	6968.993	171.77	HT
62	3509.772	7094.051	167.44	HT
64	3421.423	7265.262	160.71	HT
90	3863.001	7034.987	178.11	PK

GENERAL NOTES:

- THE LOCATION OF UTILITIES SERVING THE PROPERTY HAVE BEEN DETERMINED BY OBSERVED EVIDENCE, TOGETHER WITH MARKINGS PROVIDED BY UTILITY COMPANIES; 811 OREGON UTILITY NOTIFICATION CENTER. THE LOCATION OF THE UTILITIES, SHOWN HEREON, DETERMINED BY ABOVE GROUND EVIDENCE AND ILLUSTRATED WITH HELP FROM CITY MAPS, IS APPROXIMATE. NO AS-BUILT SURVEYS HAVE BEEN PROVIDED OR REVIEWED AT THIS TIME. LEI MAKES NO WARRANTIES TO THE LOCATION OF THE UTILITIES. THE CONTRACTOR SHALL CALL FOR PRIVATE UTILITY LOCATES AND FIELD VERIFY ALL UTILITIES BEFORE CONSTRUCTION ACTIVITIES.
- THE BOUNDARY SHOWN ON THIS MAP IS FOR ENGINEERING PURPOSES ONLY. NO MONUMENTATION SHALL BE SET AND THIS MAP SHALL NOT BE FILED WITH THE COUNTY AS RECORD.

LEGEND:

- CONTROL POINT, REFERENCE SITE CONTROL TABLE FOR DESCRIPTIONS.
- FOUND MONUMENT

REGISTERED PROFESSIONAL ENGINEER
 STATE OF OREGON
 LICENSE NO. 12,188
 REG. J. ZARTMAN
 EXPIRES 6-30-2024

BRUSH COLLEGE TOWNHOMES
 PREPARED FOR: WEST COAST HOME SOLUTIONS, LLC

2564 19TH STREET SE
 SEASIDE, OREGON 97132
 (503) 399-3828
 www.leiengineering.com

LEI ENGINEERING & SURVEYING OF OREGON

EXISTING CONDITIONS

SCALE: 1" = 30'
 PROJECT NO.: 60-24
 SHEET: 03 OF 27

EX-1



ZONE TO ZONE SETBACK:
 MIN. 10 FT. PLUS 1.5 FEET FOR EACH 1 FOOT OF BUILDING HEIGHT (BH) ABOVE 15 FEET
 $1.5'(BH-15')+10=\text{SETBACK}$
 $1.5'(24'-15')+10=23'-6"$

DWELLING DENSITY:
 DEVELOPMENT WITHIN THE MU-1 ZONE THAT IS EXCLUSIVELY RESIDENTIAL SHALL HAVE A MINIMUM DENSITY OF 15 DWELLING UNITS PER ACRE.

LOT SF/43,560 x UNITY DENSITY (MIN/ACRE) = ALLOWABLE UNITS
 $96,146 / 43,560 \times 15 = 33$
 UNITS PROVIDED = 26
 ADJUSTMENT REQUESTED

SITE PLAN LEGEND

OBJECT/PATTERN	DESCRIPTION(S)
---	- PROPERTY LINE
----	- SETBACK LINES
-X-----X-	- 6 FOOT HIGH FENCE
[Orange Box]	- PROPOSED BUILDING FOOTPRINT
[Concrete Pattern Box]	- CONCRETE
[Asphalt Pattern Box]	- ASPHALT
[Green Pattern Box]	- LANDSCAPE AREA
[Light Green Pattern Box]	- LANDSCAPE AREA NOT INCLUDED IN CALC.
[North Arrow]	- PROPERTY DATUM POINT

SITE INFORMATION

LOT AREA	96,146 SF
ZONE	MU-1 / MIXED USE-1
USE	MULTI-FAMILY RESIDENTIAL
# UNITS	26
LOT WIDTH	272'-7"
LOT DEPTH	351'-6"

SITE STATISTICS

DESCRIPTION	AREA (SF)	% OF SITE
BUILDING FOOTPRINTS	25,321	26%
AC PAVING	20,813	22%
SIDEWALKS / DRIVEWAYS	19,083	20%
LANDSCAPE AREA	30,929	32%
TOTAL SITE AREA	96,146	
GROSS BUILDING AREA	49,609	

PARKING SCHEDULE

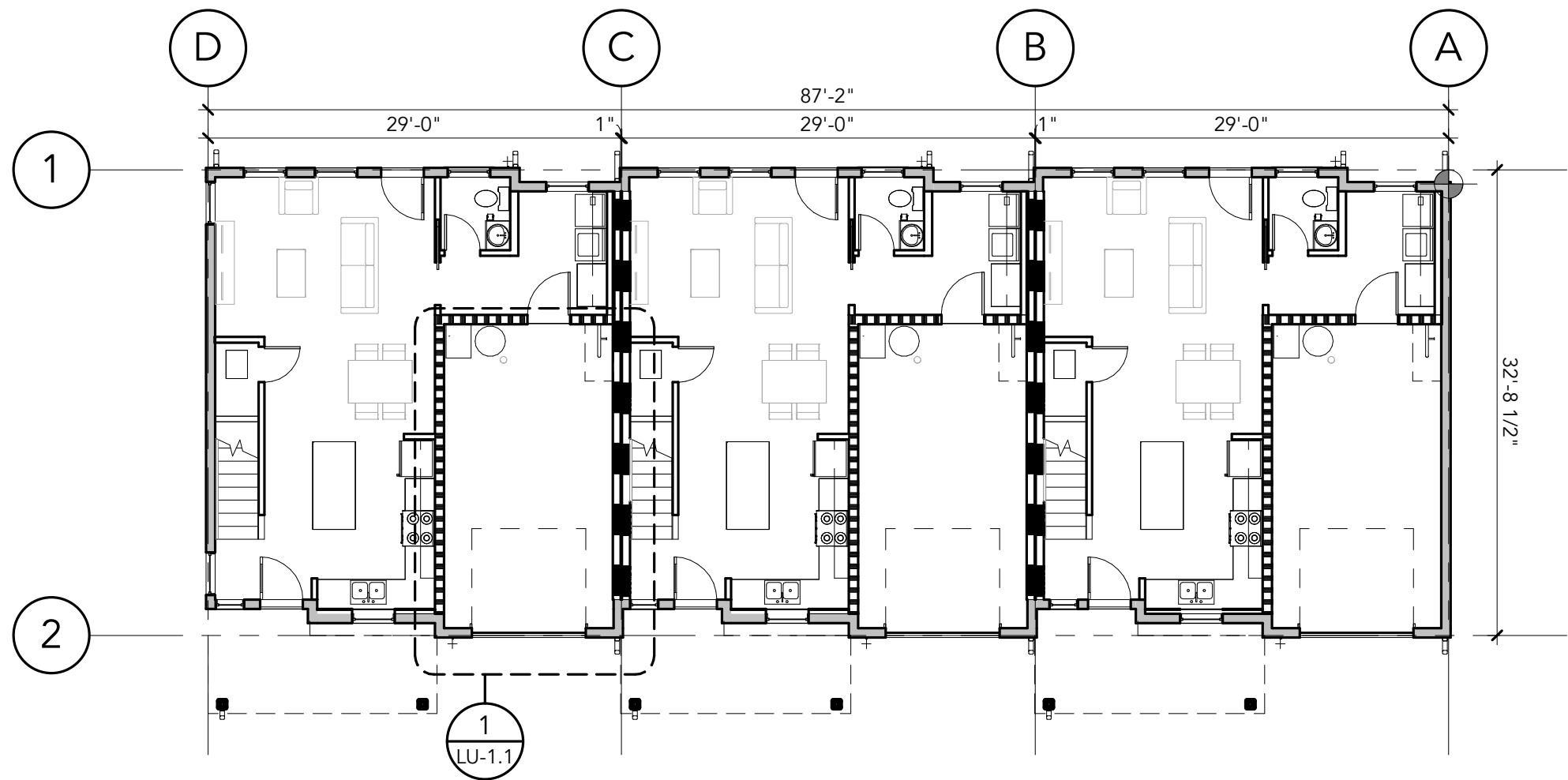
DESCRIPTION	# REQUIRED	# PROVIDED
BICYCLE PARKING	NO PARKING REQUIRED	26
GUEST PARKING STALLS		7
GARAGE STALLS*		26
TOTAL ON-SITE PARKING		33
MAXIMUM ALLOWED PARKING STALLS		44

* ALL GARAGE STALLS WILL HAVE A EV CHARGING OUTLET
 *BICYCLE PARKING IN GARAGE

2 ENTRY PLAN
 SCALE: 1" = 30'-0"

	CLIENT:		PROJECT/LOCATION:	<h1>BRUSH COLLEGE TOWNHOMES</h1> <h2>BRUSH COLLEGE ROAD SALEM, OREGON</h2>	TITLE:	SITE PLAN
					DATE:	03/29/24

UNIT A	
FIRST FLOOR	600 SF
SECOND FLOOR	857 SF
TOTAL	1,457 SF



1 BUILDING TYPE 1 - FIRST FLOOR PLAN
SCALE: 3/32" = 1'-0"

CBTWO
ARCHITECTS LLC

CLIENT:
West Coast
Home Solutions, LLC

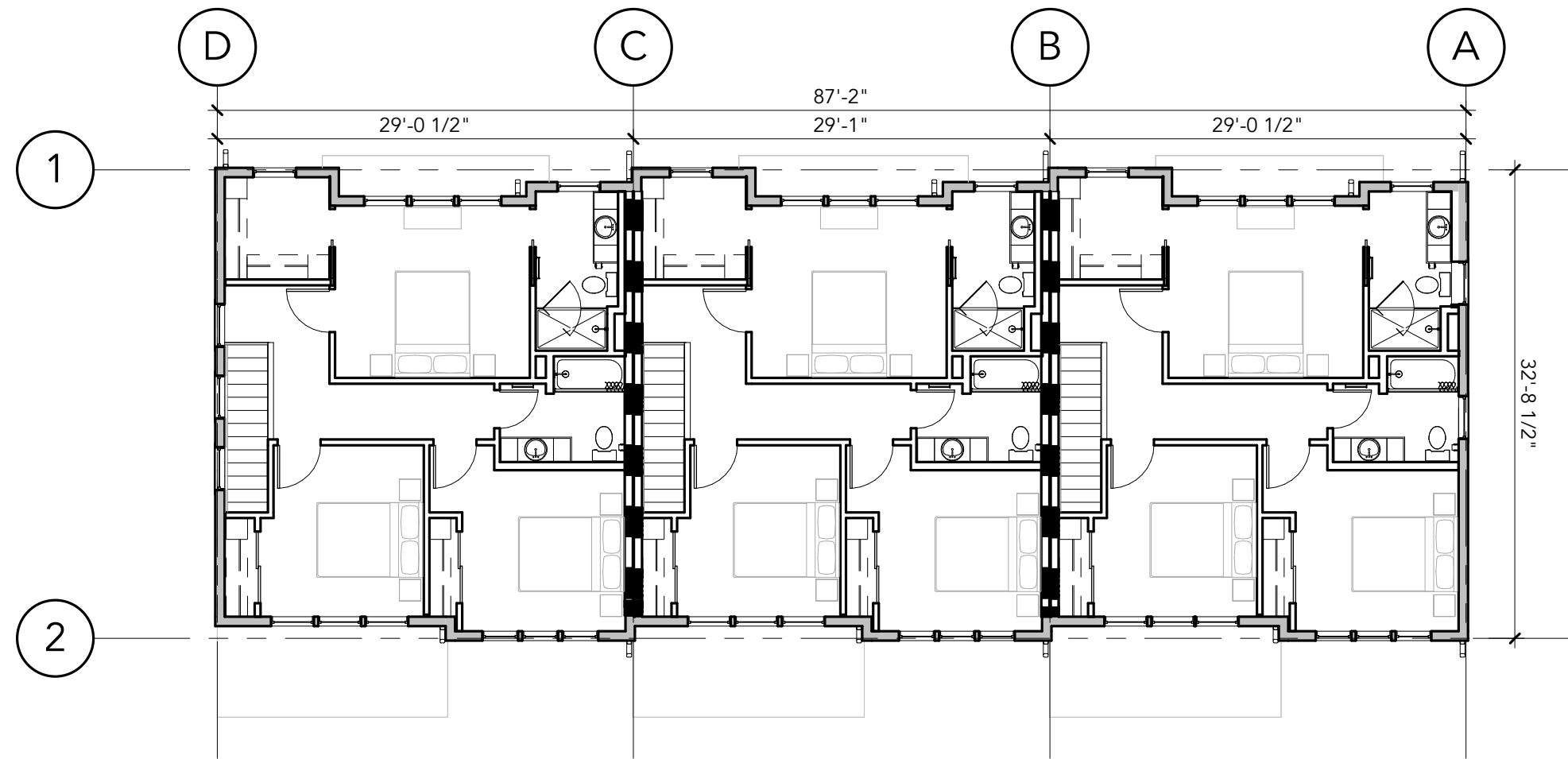
PROJECT/LOCATION:

BRUSH COLLEGE TOWNHOMES
BRUSH COLLEGE ROAD SALEM, OREGON

TITLE: BUILDING TYPE 1 - FIRST FLOOR

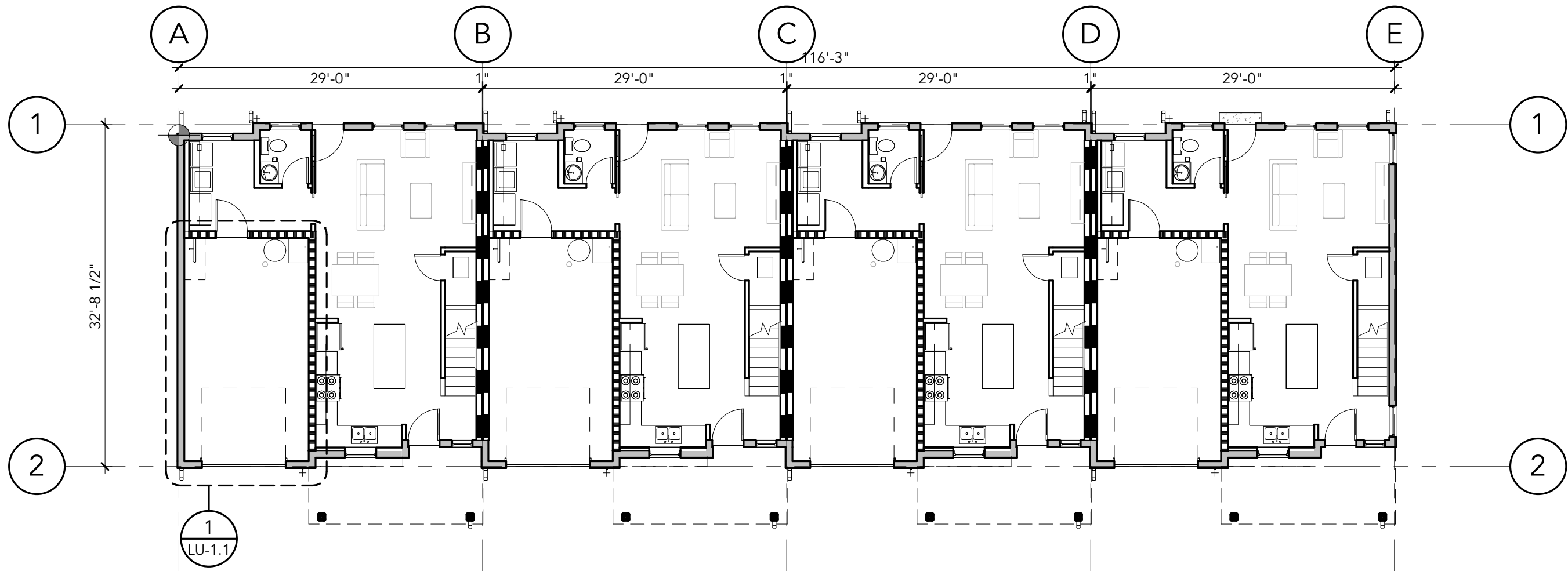
LU-2.1.1

DATE: 03/29/24



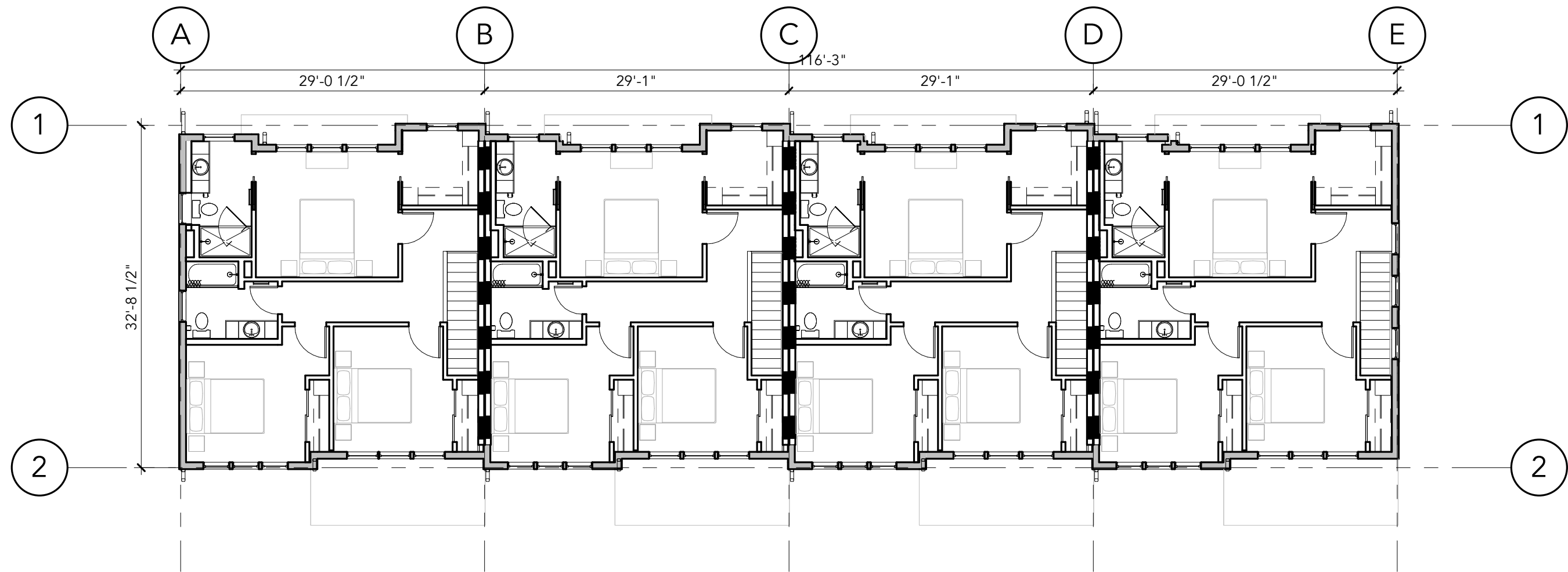
1 BUILDING TYPE 1 - SECOND FLOOR
 SCALE: 3/32" = 1'-0"

UNIT A	
FIRST FLOOR	600 SF
SECOND FLOOR	857SF
TOTAL	1,457 SF

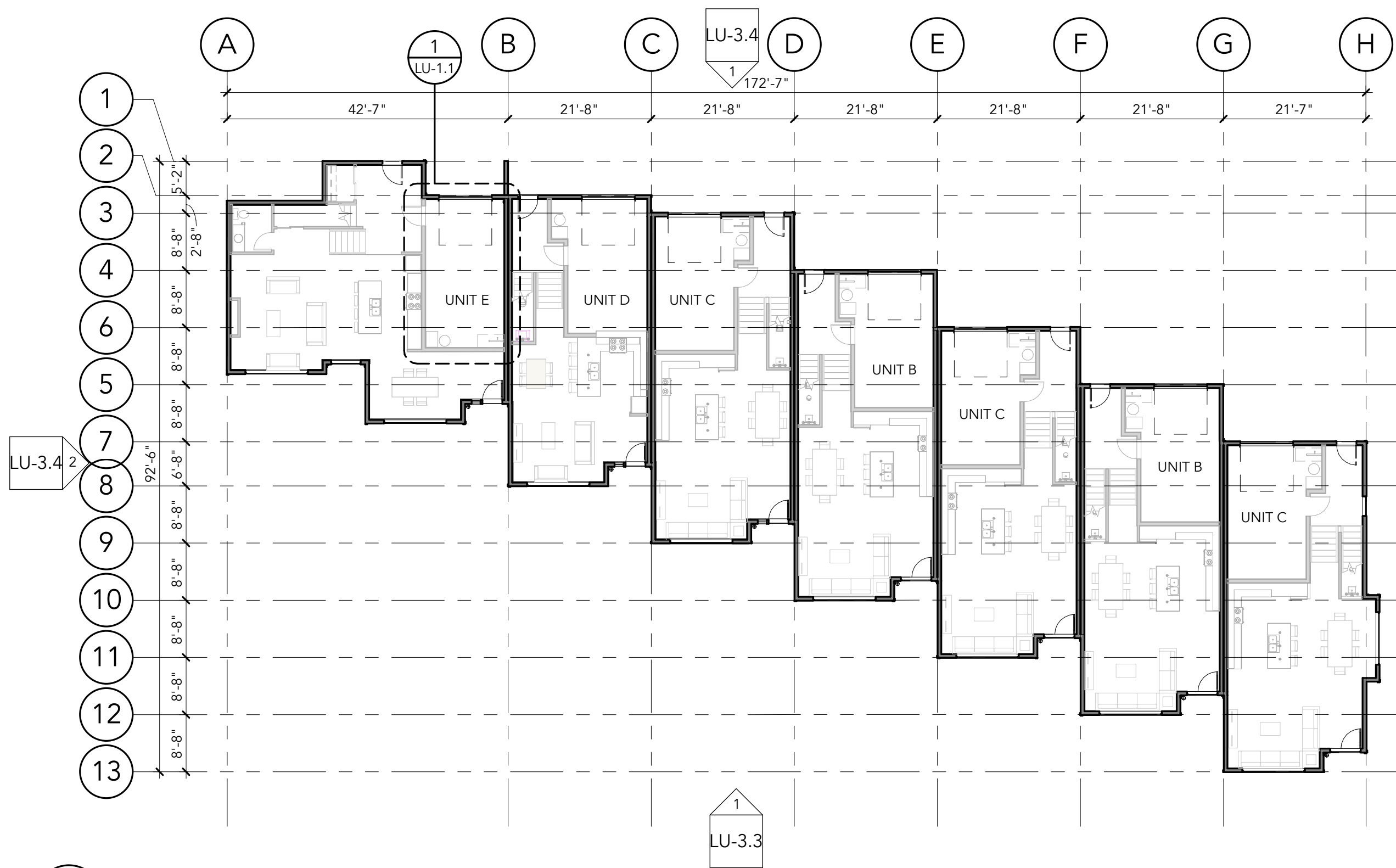


1 BUILDING TYPE 2 - FIRST FLOOR PLAN
SCALE: 3/32" = 1'-0"

	CLIENT:	PROJECT/LOCATION:	TITLE:
		BRUSH COLLEGE TOWNHOMES BRUSH COLLEGE ROAD SALEM, OREGON	BUILDING TYPE 2 - FIRST FLOOR LU-2.2.1
			DATE: 03/29/24

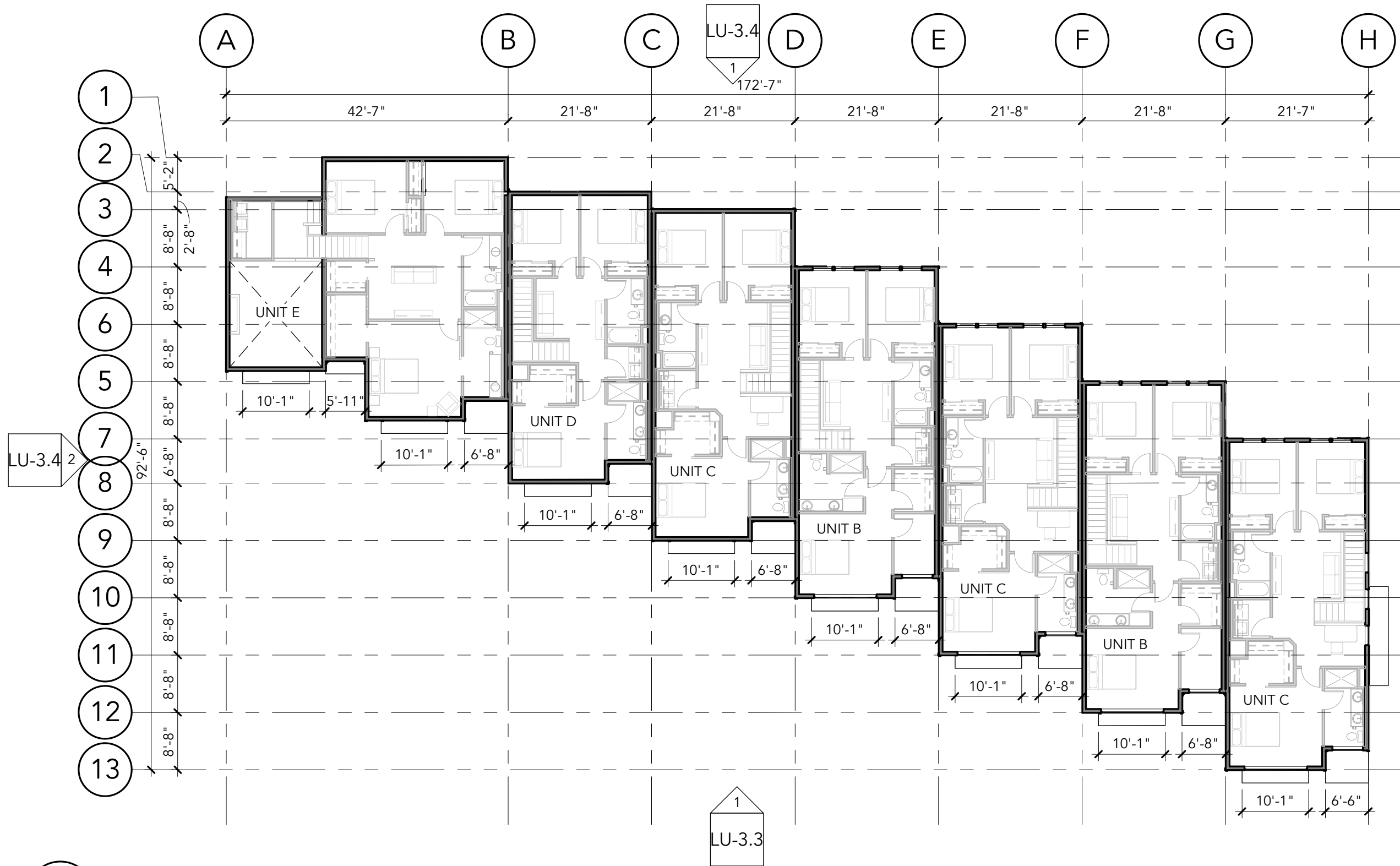


1 BUILDING TYPE 2 - SECOND FLOOR
 SCALE: 3/32" = 1'-0"



UNIT B	
FIRST FLOOR	747 SF
SECOND FLOOR	969 SF
TOTAL	1,716 SF
UNIT C	
FIRST FLOOR	749 SF
SECOND FLOOR	971 SF
TOTAL	1,720 SF
UNIT D	
FIRST FLOOR	614 SF
SECOND FLOOR	839 SF
TOTAL	1,453 SF
UNIT E	
FIRST FLOOR	985 SF
SECOND FLOOR	1,128 SF
TOTAL	2,113 SF

1 BUILDING TYPE 3 - FIRST FLOOR PLAN
SCALE: 1/16" = 1'-0"



WEATHER PROTECTION CALCULATION
 TABLE 533-6: WEATHER PROTECTION -
 FOR THE PURPOSES OF THIS STANDARD,
 WEATHER PROTECTION IN THE FORM
 OF AWNINGS OR CANOPIES SHALL BE
 PROVIDED ALONG THE GROUND FLOOR
 BUILDING FACADE FOR THE MINIMUM
 LENGTH REQUIRED. MIN. 75%

TOTAL WIDTH OF FACADE = 172'-7"
 TOTAL WIDTH OF AWNINGS = 133'-1"
 AWNING % ON FIRST FLOOR = 77%

1 BUILDING TYPE 3 - SECOND FLOOR
 SCALE: 1/16" = 1'-0"

	CLIENT:	PROJECT/LOCATION:	TITLE:
		BRUSH COLLEGE TOWNHOMES BRUSH COLLEGE ROAD SALEM, OREGON	BUILDING TYPE 3 - SECOND FLOOR LU-2.3.2
			DATE: 03/29/24



1 BUILDING TYPE 1 - FRONT ELEVATION

SCALE: 1/16" = 1'-0"

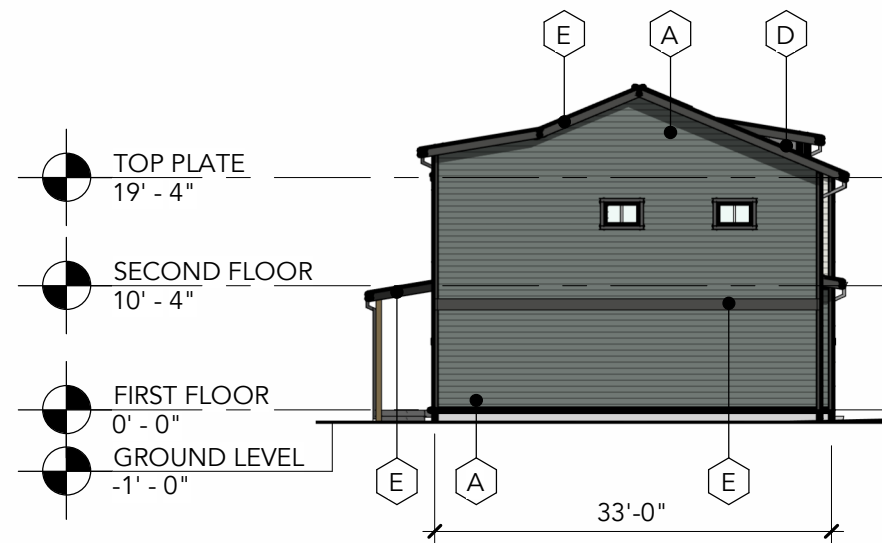


3 BUILDING TYPE 1 - BACK ELEVATION

SCALE: 1/16" = 1'-0"

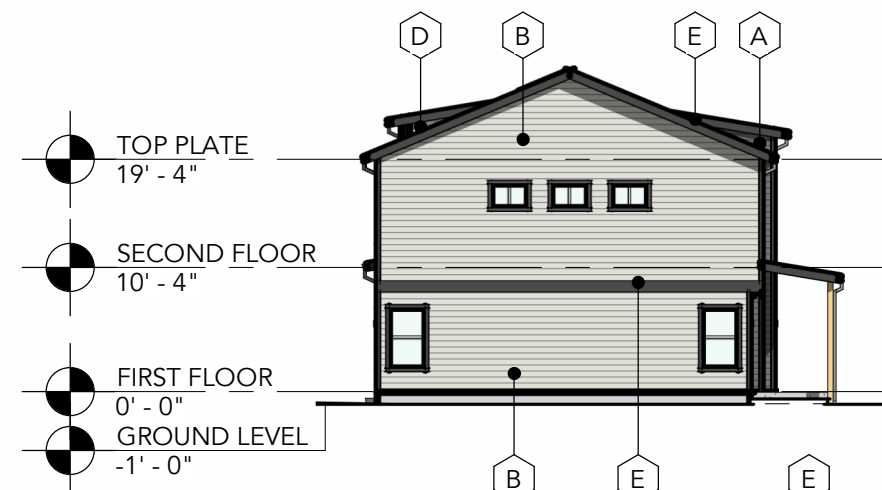
EXTERIOR ELEVATION COLOR & FINISH LEGEND

<p>(A)  MATERIAL: FIBER CEMENT LAP SIDING</p> <p>(F)  MATERIAL: METAL ROOF</p>	<p>(B)  MATERIAL: FIBER CEMENT LAP SIDING</p> <p>(G)  MATERIAL: ARCHITECTURAL COMPOSITION SHINGLE</p>	<p>(C)  MATERIAL: FIBER CEMENT LAP SIDING</p>	<p>(D)  MATERIAL: BOARD AND BATTEN SIDING</p>	<p>(E)  MATERIAL: FIBER CEMENT BUILDING TRIM</p>
--	---	--	--	---



2 BUILDING TYPE 1 - RIGHT ELEVATION

SCALE: 1/16" = 1'-0"

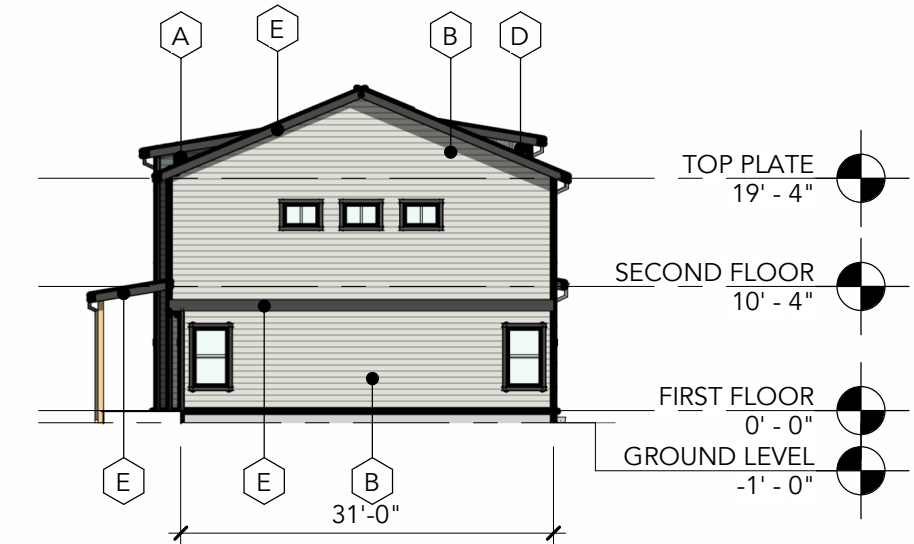


4 BUILDING TYPE 1 - LEFT ELEVATION

SCALE: 1/16" = 1'-0"



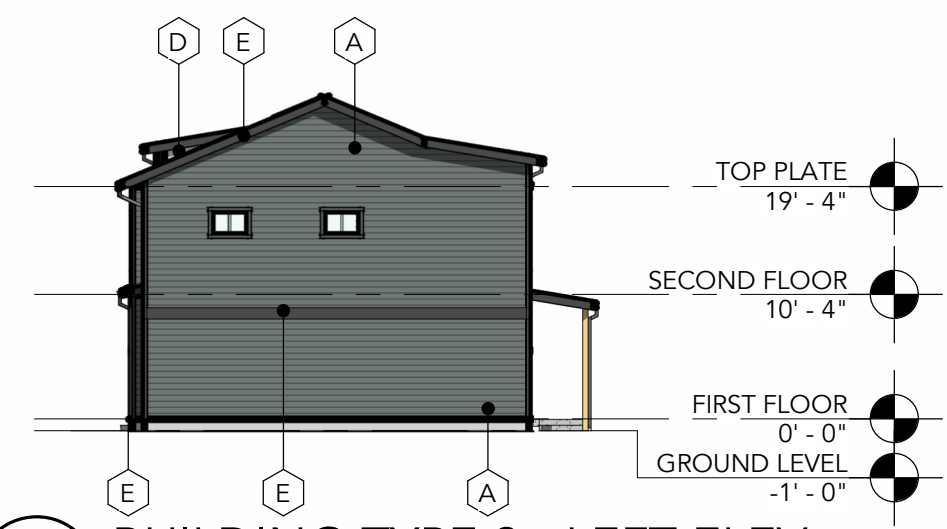
1 BUILDING TYPE 2 - FRONT ELEVATION
SCALE: 1/16" = 1'-0"



2 BUILDING TYPE 2 - RIGHT ELEV.
SCALE: 1/16" = 1'-0"



3 BUILDING TYPE 2 - BACK ELEVATION
SCALE: 1/16" = 1'-0"



4 BUILDING TYPE 2 - LEFT ELEV.
SCALE: 1/16" = 1'-0"

EXTERIOR ELEVATION COLOR & FINISH LEGEND

	MATERIAL: FIBER CEMENT LAP SIDING		MATERIAL: FIBER CEMENT LAP SIDING		MATERIAL: FIBER CEMENT LAP SIDING		MATERIAL: BOARD AND BATTEN SIDING		MATERIAL: FIBER CEMENT BUILDING TRIM
	MATERIAL: METAL ROOF		MATERIAL: ARCHITECTURAL COMPOSITION SHINGLE						



CLIENT:
 West Coast
Home Solutions, LLC

PROJECT/LOCATION:
BRUSH COLLEGE TOWNHOMES
BRUSH COLLEGE ROAD SALEM, OREGON

TITLE: BUILDING TYPE 2 - ELEVATIONS
LU-3.2
DATE: 03/29/24



GROUND FLOOR WINDOW CALCULATION
 SEC. 112.030.(b) DIVIDING THE TOTAL WIDTH OF WINDOWS ALONG THE GROUND FLOOR OF THE BUILDING BY THE LENGTH OF THE GROUND FLOOR OF THE BUILDING. THIS METHOD OF CALCULATION MAY BE USED ONLY IF THE WINDOWS HAVE A VERTICAL DIMENSION THAT EQUALS SIX FEET OF MORE IN HEIGHT.


TOTAL WIDTH OF FACADE = 172'-9"
 TOTAL WIDTH OF GLAZING = 113'-2"
 GLAZING % ON FIRST FLOOR = 66%

1 BUILDING TYPE 3 - FRONT ELEVATION
 SCALE: 1/16" = 1'-0"



2 BUILDING TYPE 3 - RIGHT ELEVATION
 SCALE: 1/16" = 1'-0"

EXTERIOR ELEVATION COLOR & FINISH LEGEND

A		MATERIAL: FIBER CEMENT LAP SIDING	B		MATERIAL: FIBER CEMENT BOAD AND BATTEN SIDING
C		MATERIAL: FIBER CEMENT TRIM	D		MATERIAL: METAL ROOFING
E		MATERIAL: ARCH COMP ROOFING	F		MATERIAL: FIBER CEMENT LAP SIDING



CLIENT:

 West Coast
 Home Solutions, LLC

PROJECT/LOCATION:
BRUSH COLLEGE TOWNHOMES
 BRUSH COLLEGE ROAD SALEM, OREGON

TITLE: BUILDING TYPE 3 - ELEVATIONS
LU-3.3
 DATE: 03/29/24







1 BUILDING TYPE 3 - BACK ELEVATION
SCALE: 1/16" = 1'-0"

EXTERIOR ELEVATION COLOR & FINISH LEGEND



2 BUILDING TYPE 3 - LEFT ELEVATION
SCALE: 1/16" = 1'-0"

<p>A</p> 	<p>MATERIAL: FIBER CEMENT LAP SIDING</p>	<p>B</p> 	<p>MATERIAL: FIBER CEMENT BOARD AND BATTEN SIDING</p>
<p>C</p> 	<p>MATERIAL: FIBER CEMENT TRIM</p>	<p>D</p> 	<p>MATERIAL: METAL ROOFING</p>
<p>E</p> 	<p>MATERIAL: ARCH COMP ROOFING</p>	<p>F</p> 	<p>MATERIAL: FIBER CEMENT LAP SIDING</p>

	<p>CLIENT:</p> 	<p>PROJECT/LOCATION:</p> <h1 style="margin: 0;">BRUSH COLLEGE TOWNHOMES</h1> <p style="margin: 0;">BRUSH COLLEGE ROAD SALEM, OREGON</p>	<p>TITLE: BUILDING TYPE 3 - ELEVATIONS</p> <h1 style="margin: 0;">LU-3.4</h1> <p>DATE: 03/29/24</p>
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CBTWO
ARCHITECTS^{LLC}

CLIENT:



PROJECT/LOCATION:

BRUSH COLLEGE TOWNHOMES
BRUSH COLLEGE ROAD SALEM, OREGON

TITLE:

RENDERINGS

LU-4.0

DATE:

03/29/24



May 24, 2024

TO: Jamie Donaldson, Planner III
 FR: Steven A. Anderson, West Salem Neighborhood Association Land Use Chair
 RE: Urban Growth Preliminary Declaration / Class 3 Site Plan Review / Class 2 Adjustment / Tree Variance Case / Class 2 Driveway Approach Permit No. UGASPR-ADJ-TRV-DAP24-04
 PROPERTY LOCATION: 2345 Brush College Rd NW, Salem OR

The neighborhood association has had several conversations with adjacent landowners regarding this project. We encouraged them to participate and provide comments and concerns in this matter. We respectfully request staff to address each of their concerns even if they did not cite specific city codes and regulations. Their concerns are relevant and need attention with explanation that the lay public can relate to and understand. All efforts here are appreciated. An example related to wildlife in the area is light pollution in parking areas. Height of light poles, types of blubs used, specific wavelength of the artificial light, and lumens can affect wildlife in this area. Suggest that a lighting plan be carefully reviewed and be included in the conditions for approval for this project, particularly the height of the light poles. All this can mitigate light pollution from this denser development in the area.

Three Class 2 Adjustment requests are proposed:

- (1) Reduce the required minimum density from 33 to 25 dwelling units per acre (SRC 533.015(b))
- (2) Reduce the building frontage requirement on Brush College Road NW from 75 percent to 52 percent (SRC 533.015(d)); and
- (3) Reduce the required driveway spacing standard of 370 feet for a driveway approach along Brush College Road NW, a Minor Arterial street (SRC 804.035(d)).

The reduction in minimum density is not an issue. Reducing frontage along Brush College Road is not an issue. However, there is a concern about sidewalks being located next to the townhouses with a vegetative strip next to Brush College Road. There is a school adjacent to this development. Sidewalks in this area should be wider than normal to accommodate a higher volume of pedestrians near the school, and to ensure safe egress for children walking to school. The vegetative strip, as drawn in submitted plans, raises line-of-sight issues that can affect pedestrian safety. Children emerging, either walking or running, from this tree strip/vegetation area could distract



drivers and other possibilities. As density increases, especially here near a school, new thinking that prioritizes neighborhood safety needs to be part of our planning process. Please see that safety is a priority for this project and corrections included in the final approval and conditions for this project. Place a wider sidewalk next to Brush College Road.

Reducing driveway spacing is a concern. There is no valid justification for granting this. This area has seen an increase in development in the immediate area as well as the food pod area (221) along Wallace Road and growth of the neighborhood hub in the immediate area. Additional multi-family development has been approved in the area, some with trip caps to mitigate traffic impacts. All this means more traffic for the area than was originally envisioned. We request that a detailed safety and traffic review be conducted with a cost/benefit analysis of why the current requirements cannot be met. Again, there seems to be no valid justification for granting this reduction from the standard.

Mr. Larry Cornelius has raised valid stormwater concerns for this site and adjacent properties. We ask staff to provide a careful review of stormwater design for the immediate area and out to a half mile radius of this proposed project. This could include repair records, the age of pipes, and a long-range look to see stormwater needs for this area now to accommodate this development and future infill for the area. Additionally, the site design for this project with vegetation areas shown along its perimeter suggests that a green stormwater system would be a good addition here with the use of native vegetation. The current proposed stormwater basin system seems inadequate. An integrated green stormwater system seems like a good addition to this project. With recent US Environmental Protection Agency rules addressing forever chemicals in the environment and data showing that surface water and groundwater protection for the same is critical, requiring an enhanced green stormwater system here is advisable to protect surface and groundwater quality for this area. This upgrade is requested and to be included as a condition for approval for this project.

Hopefully, the justification for our requests above will be considered and included in the conditions for approval of this application. Thank you,

Steven A. Anderson, West Salem Neighborhood Association Land Use Chair
Cc:/ Michael Freitas, West Salem Neighborhood Association Chair



MEMO

TO: Jamie Donaldson, Planner III
Community Planning and Development Department

FROM: Laurel Christian, Infrastructure Planner III
Community Planning and Development Department

DATE: June 13, 2024

SUBJECT: Infrastructure Memo
UGA-SPR-ADJ-TRV-DAP24-04 (24-102541-PLN)
2345 Brush College Road NW
26-Unit Multi-Family Development

PROPOSAL

A consolidated application for an Urban Growth Preliminary Declaration, Class 3 Site Plan Review, and Class 2 Driveway Approach Permit, for development of 26 multi-family units, with a Tree Regulation Variance to remove four significant trees, and three Class 2 Adjustment requests to:

1. Reduce the required minimum density from 33 to 26 dwelling units per acre (SRC 533.015(b));
2. Reduce the building frontage requirement on Brush College Road NW from 75 percent to 52 percent (SRC 533.015(d)); and
3. Reduce the required driveway spacing standard of 370 feet for a driveway approach along Brush College Road NW, a Minor Arterial street (SRC 804.035(d)).

The subject property is 2.2 acres in size, zoned MU-I (Mixed Use-I) and located at 2345 Brush College Road NW (Polk County Assessors Map and Tax lot number: 073W08D / 2001).

RECOMMENDED CONDITIONS OF APPROVAL

1. Convey land for dedication to equal a half-width right-of-way of 36-feet on the development side of Brush College Road NW.
2. Construct a half-street improvement along the frontage of Brush College Road NW as specified in the City Street Design Standards and consistent with the

Code authority references are abbreviated in this document as follows: *Salem Revised Code* (SRC); *Public Works Design Standards* (PWDS); *Salem Transportation System Plan* (Salem TSP); and *Stormwater Management Plan* (SMP).

provisions of SRC Chapter 803. The half-street improvement shall include an 18-foot westbound travel lane; curb; a nine-foot planter strip; an eight-foot property line sidewalk; and streetlights.

3. Construct a linking street improvement from the intersection of Brush College Road NW and Doaks Ferry Road NW to the east line of the subject property including widening pavement to 18-feet, curbs, and an 8-foot curblin sidewalk along the school property frontage.
4. Prior to issuance of a Building Permit, obtain a Street Tree Removal Permit pursuant to SRC Chapter 86.
5. Prior to issuance of a Certificate of Occupancy, install street trees to the maximum extent feasible along Brush College Road NW.
6. Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

FACTS

Streets

1. Brush College Road NW
 - a. Standard—This street is designated as a Minor Arterial street in the Salem TSP. The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way.
 - b. Existing Conditions—This street has an approximate 25-foot improvement within a 60-foot-wide right-of-way abutting the subject property.

Storm Drainage

1. Existing Conditions
 - a. A 12-inch storm main is located in Brush College Road NW

Water

1. Existing Conditions
 - a. The subject property is located in the G-0 water service level.
 - b. A 12-inch water main is located in Brush College Road NW. Mains of this size generally convey flows of 2,100 to 4,900 gallons per minute.

Sanitary Sewer

1. Existing Conditions

- a. 8-inch and 21-inch sewer mains are located in Brush College Road NW

Parks

The proposed development is served by Brush College Park approximately 0.15 miles east of the subject property.

URBAN GROWTH PRELIMINARY DECLARATION FINDINGS

An Urban Growth Preliminary Declaration is required because the subject property is located outside the Urban Service Area in an area without required facilities. Analysis of the development based on relevant standards in SRC 200.055 through SRC 200.075 is as follows:

SRC 200.055—Standards for Street Improvements

Findings: An adequate linking street is defined as the nearest point on a street that has a minimum 60-foot-wide right-of-way with a minimum 30-foot improvement for local streets or a minimum 34-foot improvement for major streets (SRC 200.055(b)). All streets abutting the property boundaries shall be designed to the greater of the standards of SRC Chapter 803 and the standards of linking streets in SRC 200.055(b).

Brush College Road NW is classified as a Minor Arterial street and as such must meet a minimum 34-foot linking street improvement requirement. Brush College Road NW, adjacent to the development site, does not meet the minimum linking street requirement. The nearest segment of Brush College Road NW that meets the minimum linking street requirement is located at the intersection of Brush College Road NW and Doaks Ferry Road NW. This underimproved segment of roadway lacks curbs, sidewalks, and paved improvement width and does not provide adequate vehicle or pedestrian safety.

The required linking street improvements will be construed along the frontage of a Salem Keizer School District property which contains Brush College Elementary School (Polk County tax lot #073W08D01900). The existing topography along the frontage of this parcel does not facilitate a full 34-foot linking street improvement along Brush College Road NW. Pursuant to SRC 200.055(b): *where physical or topographical constraints are present to a degree that the standard linking street pavement width cannot be reasonably constructed, the Director may specify a lesser standard which meets the functional levels necessary to improve the existing conditions and meet the increased demands.* In lieu of a full 34-foot-wide linking street improvement, which

typically only includes pavement widening for vehicles, the linking improvement will consist of pavement widening to a minimum of 18-feet, an 8-foot curblin sidewalk along the school property frontage, and construction of Type A curb along the north side of Brush College Road NW from the east line of the subject property to the intersection of Brush College Road NW and Doaks Ferry Road NW. The modified linking improvement will better serve the functional needs of the area and provide adequate linking improvement for vehicles and pedestrians.

Needed Improvement: Construct a linking street improvement from the intersection of Brush College Road NW and Doaks Ferry Road NW to the east line of the subject property including widening pavement to 18-feet, curbs, and an 8-foot curblin sidewalk along the school property frontage.

SRC 200.060—Standards for Sewer Improvements

Findings: The proposed development shall be linked to adequate facilities by the construction of sewer lines and pumping stations, which are necessary to connect to such existing sewer facilities (SRC 200.060). The nearest available sewer facilities are located in Brush College Road NW along the frontage of the property. Sanitary sewer linking improvements are not required.

SRC 200.065—Standards for Storm Drainage Improvements

Findings: The proposed development shall be linked to existing adequate facilities by the construction of storm drain lines, open channels, and detention facilities which are necessary to connect to such existing drainage facilities. The nearest available public storm system appears to be located in Brush College Road NW along the frontage of the property. Storm drainage linking improvements are not required.

SRC 200.070—Standards for Water Improvements

Findings: The proposed development shall be linked to adequate facilities by the construction of water distribution lines, reservoirs, and pumping stations that connect to such existing water service facilities (SRC 200.070). The nearest available public water system appears to be located in Brush College Road NW along the frontage of the property. Water linking improvements are not required.

SRC 200.075—Standards for Park Sites

Findings: The proposed development shall be served by adequate neighborhood parks according to the Salem Comprehensive Park System Master Plan, pursuant to SRC 200.075 through dedication of new park sites. The proposed development is served by Brush College Park approximately 0.15 miles east of the subject property. Park dedications and improvements are not required.

CRITERIA AND FINDINGS—SITE PLAN REVIEW

Analysis of the development based on relevant criteria in SRC 220.005(f)(3) is as follows:

Criteria: SRC 220.005(f)(3)(A) The application meets all applicable standards of the UDC (*Unified Development Code*)

Finding—With completion of the conditions above and approval of the adjustment for driveway spacing the subject property meets all applicable standards of the following chapters of the Unified Development Code (UDC): 200 – Urban Growth Management; 601 – Floodplain Development; 802 – Public Improvements; 803 - Street and Right-of-way Improvements; 804 – Driveway Approaches; 805 – Vision Clearance; 809 – Wetlands; 810 – Landslide Hazards.

SRC Chapter 200 (Urban Growth Management): SRC Chapter 200 (Urban Growth Management) requires issuance of an Urban Growth Preliminary Declaration (UGA) prior to development of property located outside the City's Urban Service Area. The subject property is located outside of the Urban Service Area and a UGA permit is consolidated with this application. With conditions of approval, the proposal will comply with SRC Chapter 200 relating to Urban Growth Management.

SRC Chapter 601 (Floodplain): The Floodplain Administrator has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

SRC 804 (Driveway Approaches): The applicant proposed a new driveway approach onto Brush College Road NW and has applied for a Class 2 Driveway Approach Permit and Class 2 Adjustment for driveway spacing; findings for which are provided in this memo. As described in the findings below, the proposal meets the approval criteria for a Class 2 Driveway Approach Permit. With approval of the Class 2 Driveway Approach Permit and Class 2 Adjustment for driveway spacing, the proposed development meets applicable criteria in SRC Chapter 804 relating to driveway approaches.

SRC 805 (Vision Clearance): The proposal does not cause a vision clearance obstruction per SRC Chapter 805. The proposed structures meet the vision clearance standards established in SRC Chapter 805.

SRC Chapter 809 (Wetlands): According to the Salem-Keizer Local Wetland Inventory (LWI) the subject property does not contain any wetland areas or hydric soils.

SRC Chapter 810 (Landslide Hazards): According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are mapped 2-point landslide hazard areas on the subject property. The proposed activity of a multi-family development adds 2 activity points to the proposal, which results in a total

of 4 points. Therefore, the proposed development is classified as a low landslide risk and no additional information is required.

Criteria: SRC 220.005(f)(3)(B) The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately

Finding— Brush College Road NW abuts the subject property and is classified as a Minor Arterial street according to the Salem TSP. The existing condition of Brush College Road NW does not meet current standards for its classification of street per the Salem TSP. Brush College Road NW along the frontage of the property lacks adequate pavement width, curb and gutter, sidewalks, street trees, and streetlights. The applicant has requested an Alternative Street Standard pursuant to SRC 803.065(a) to allow Brush College Road NW to be constructed to an alternative cross section along the property frontage which will more closely resemble the linking street improvement requirement and the existing condition of Brush College Road NW to the west of the subject property. The applicant's proposed half-width cross section shows an 18-foot-wide westbound lane for vehicles and bicycles; Type A curb and gutter; a 12-foot planter strip; a five-foot sidewalk; and streetlights along the property frontage. Staff will require widening the sidewalk to eight feet due to the proximity of the development site to Brush College Elementary School which will reduce the planter strip from 12 feet to nine feet. Pursuant to SRC 803.065(a)(3), an Alternative Street Standard for Brush College Road NW is authorized for the frontage improvements to provide an alternative cross section which will include an 18-foot-wide westbound lane; Type A curb and gutter; a nine-foot planter strip; eight property line sidewalk; and streetlights. Staff finds that the proposed Alternative Street Standard will better provide for safe and efficient transportation for all users, including pedestrian and bicyclists.

The proposed development is subject to boundary street improvement requirements pursuant to SRC Chapter 803.040. As a condition of approval, the applicant shall be required to dedicate a 36-foot-wide half width-right-of-way along the property frontage. Additionally, the applicant shall be required to construct a half-street improvement along the property frontage to the Alternative half-width cross section described above.

Condition: Convey land for dedication to equal a half-width right-of-way of 36-feet on the development side of Brush College Road NW.

Condition: Construct a half-street improvement along the frontage of Brush College Road NW as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803. The half-street improvement shall include an 18-foot westbound travel lane; curb; a nine-foot planter strip; an eight-foot property line sidewalk; and streetlights.

In addition to the boundary street improvements required, the applicant is required to

provide a linking street improvement as identified in the Urban Growth Area Preliminary Declaration section of this memo. The nearest segment of Brush College Road NW that meets the minimum linking street requirement is located at the intersection of Brush College Road NW and Doaks Ferry Road NW. This underimproved segment of roadway lacks curbs, sidewalks, and paved improvement width and does not provide adequate vehicle or pedestrian safety. The required linking street improvements will be construed along the frontage of a Salem Keizer School District property which contains Brush College Elementary School (Polk County tax lot #073W08D01900). The existing topography along the frontage of this parcel does not facilitate a full 34-foot linking street improvement along Brush College Road NW. Pursuant to SRC 200.055(b): *where physical or topographical constraints are present to a degree that the standard linking street pavement width cannot be reasonably constructed, the Director may specify a lesser standard which meets the functional levels necessary to improve the existing conditions and meet the increased demands.* In lieu of a full 34-foot-wide linking street improvement, which typically only includes pavement widening for vehicles, the linking improvement will consist of pavement widening to a minimum of 18 feet, an 8-foot curblined sidewalk along the school property frontage, and construction of Type A curb along the north side of Brush College Road NW from the east line of the subject property to the intersection of Brush College Road NW and Doaks Ferry Road NW. The modified linking improvement will better serve the functional needs of the area and provide adequate linking improvement for vehicles and pedestrians.

Condition: Construct a linking street improvement from the intersection of Brush College Road NW and Doaks Ferry Road NW to the east line of the subject property including widening pavement to 18-feet, curbs, and an 8-foot curblined sidewalk along the school property frontage.

The required linking and boundary street improvements will require removal of existing City trees. Removal of trees located within the right-of-way requires a Street Tree Removal Permit pursuant to SRC Chapter 86.

Condition: Prior to issuance of a Building Permit, obtain a Street Tree Removal Permit pursuant to SRC Chapter 86.

Pursuant to SRC 86.015(e), anyone undertaking development along public streets shall plant new street trees to the maximum extent feasible. The applicant shall be required to provide street trees along Brush College Road NW.

Condition: Prior to issuance of a Certificate of Occupancy, install street trees to the maximum extent feasible along Brush College Road NW.

Pursuant to SRC 803.015(b)(1), when a development generates more than 1,000 Average Daily Trips onto a minor arterial street, a Traffic Impact Analysis (TIA) is required to be submitted with the development application. The proposal includes construction of 26 multi-family units and generates less than 1,000 Average Daily Trips.

As such, a TIA is not required for the development proposal. With recommended conditions for boundary street improvements and linking street and sidewalk improvements; staff finds that the negative impacts of the development are adequately mitigated.

Criteria: SRC 220.005(f)(3)(C) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians

Finding—The proposal includes one new driveway approach onto Brush College Road NW. The driveway access onto Brush College Road NW provides for safe turning movements into and out of the property.

Criteria: SRC 220.005(f)(3)(D) The proposed development will be adequately served with City water, sewer, storm drainage, and other utilities appropriate to the nature of the development

Finding—The Public Works Department has reviewed the applicant's preliminary plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets/areas and are adequate to serve the proposed development. The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the PWDS and to the satisfaction of the Public Works Director. The applicant is advised that a sewer monitoring manhole may be required, and the trash area shall be designed in compliance with Public Works Standards.

The proposal requires the use of green stormwater infrastructure to treat and detain stormwater generated from the development pursuant to SRC Chapter 71. The applicant's engineer submitted a statement demonstrating compliance with PWDS Appendix 004-E (4) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible. As a condition of approval, the applicant shall be required to design and construct a storm drainage system that meets the requirements of SRC Chapter 71 and the PWDS.

Condition: Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

CRITERIA AND FINDINGS—CLASS 2 DRIVEWAY APPROACH PERMIT

Criteria—A Class 2 Driveway Approach Permit shall be granted if:

- (1) The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards;**

Finding— With the approved adjustment for driveway spacing, the proposed driveway meets the standards for SRC Chapter 804 and PWDS.

(2) No site conditions prevent placing the driveway approach in the required location;

Finding—There are no site conditions prohibiting the location of the proposed driveway.

(3) The number of driveway approaches onto an arterial are minimized;

Finding— The subject property has frontage on one street, Brush College Road NW, which is classified as a Minor Arterial street according to the Salem TSP. One driveway approach onto the minor arterial street is proposed; therefore, access onto the minor arterial street is necessary and minimized as only one approach is proposed.

(4) The proposed driveway approach, where possible:

(A) Is shared with an adjacent property; or

(B) Takes access from the lowest classification of street abutting the property;

Finding—The subject property abuts only one street, Brush College Road NW, which has a Minor Arterial classification. A shared driveway approach is not feasible because of previously developed properties adjacent to the site that do not have a driveway along the common property lines.

(5) Proposed driveway approach meets vision clearance standards;

Finding—The proposed driveway meets the PWDS vision clearance standards set forth in SRC Chapter 805.

(6) The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access;

Finding—No evidence has been submitted to indicate that the proposed driveway will create traffic hazards or unsafe turning movements. Additionally, staff analysis of the proposed driveway indicates that it will not create a traffic hazard and will provide for safe turning movements for access to the subject property.

(7) The proposed driveway approach does not result in significant adverse impacts to the vicinity;

Finding—Staff analysis of the proposed driveway and the evidence that has been submitted indicate that the location of the proposed driveway will not have any adverse impacts to the adjacent properties or streets.

(8) The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections; and

Finding—The proposed driveway approach is located on a minor arterial street and does not create a significant impact to adjacent streets and intersections.

(9) The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.

Finding—The proposed development is surrounded by residentially zoned property to the north and west. The proposed development abuts only a minor arterial street, Brush College Road NW. The proposed driveway is taken from the lowest classification street abutting the subject property. The driveway balances the adverse impacts to residentially zoned property and will not have an adverse effect on the functionality of the adjacent streets.

CRITERIA AND FINDINGS—CLASS 2 ADJUSTMENT

Analysis of the proposed Class 2 adjustment based on relevant criteria in SRC 250.005(d)(2) is as follows:

Criteria—The purpose underlying the specific development standard proposed for adjustment is:

1. Clearly inapplicable to the proposed development; or
2. Equally or better met by the proposed development.

Finding— The development has frontage on only one street, Brush College Road NW. Pursuant to SRC 804.035(d), driveway approaches onto minor arterial streets shall be located no less than 370 feet from adjacent street intersections and driveways. The proposed driveway approach is located approximately 525 feet from the intersection of Brush College Road NW and Conner Street NW and approximately 336 feet from the existing driveway approach serving Brush College Elementary school to the east of the property. The applicant is requesting a Class 2 Adjustment to allow for reduced spacing between the proposed driveway and the existing driveway approach serving Brush College Elementary school to the east of the property. The proposed driveway approach cannot be placed in a way that meets the standard as it is currently proposed at the western most corner of the property. The intent of SRC Chapter 804 is to provide safe and efficient access to public streets. The intent of driveway spacing standards is to reduce vehicle conflicts from driveways being located too close together. The proposed

driveway approach maximizes driveway spacing by being located on the western most corner of the property, while remaining within the limits of the property boundary. The proposed driveway configuration meets the adjustment criteria by allowing for turning movements and traffic safety equal to what would be accomplished by meeting the development standard.

RESPONSE TO COMMENTS

- 1. Brush College Road NW Street Improvement:** Comments received express concerns for the existing underimproved condition of Brush College Road NW along the property frontage and adjacent Brush College Elementary School property frontage.

Staff Response: As identified in the conditions of approval, the applicant is required to construct street improvements along the frontage of the subject property as well as an off-site improvement from the eastern line of the subject property to the intersection of Brush College Road NW and Doaks Ferry Road NW. These improvements will include pavement widening and the addition of an eight-foot-wide sidewalk rather than the standard 5-foot-wide sidewalk which will provide safety improvements for all users of the corridor, especially pedestrians, as no sidewalks currently exist.

- 2. Traffic Impacts:** Comments received express concerns for the traffic congestion in the West Salem area and how the development would contribute to mitigation of that traffic.

Staff Response: The proposed development does not trigger a Traffic Impact Analysis pursuant to SRC 803.015 and does not trigger any off-site traffic mitigation aside from the linking street and sidewalk improvements listed in the conditions of approval. The Salem TSP provides guidance for how to address the impacts of growth citywide. Cumulative impacts of growth that affect overall traffic patterns are addressed through collection of System Development Charges (SDCs). The development will pay Transportation SDCs that are collected and used to pay for street improvements that add capacity to mitigate the impacts of growth.

- 3. Groundwater Pollution and Stormwater Management:** Comments received express concerns for how the additional impervious surfaces of the development will impact existing groundwater. Additionally, comments expressed concerns for the additional runoff generated by the new impervious surfaces.

Staff Response: The proposal requires the use of green stormwater infrastructure to treat and detain stormwater runoff generated from the development pursuant to SRC Chapter 71. The applicant has submitted a preliminary stormwater report that demonstrates the use of green stormwater infrastructure on the development site. The systems designed are intended to capture any pollutants and contaminants from

surface water runoff before they reach a watercourse or infiltrate into the ground. As identified in the conditions of approval, the applicant shall be required to design and construct stormwater facilities that meet the PWDS Appendix 004-E (4) and SRC Chapter 71 relating to green stormwater management.

- 4. Utility Easements near Northern Property Line:** Comments received express concerns for impacts to existing public sanitary sewer and stormwater mains that are located north of the subject property. Additionally, comments address the need for continued access to these mains.

Staff Response: There is an existing public sanitary sewer main and stormwater main approximately 10-feet north of the subject property. These existing mains lie within an easement on private properties north of the subject property. The existing mains and easement for the main are not located on the subject property. In addition, the proposed development is not proposing to connect to these existing mains; all new connections to public utilities will be made in Brush College Road NW. The development site does not drain towards the stormwater main north of the property. The easement itself will ensure the City has access to the mains within the easement, and there is no requirement for this property to provide access to those mains as they are not located on the subject property, nor being utilized by the proposed development.

Prepared by: Laurel Christian, Infrastructure Planner III
cc: File



Business & Support Services
 2450 Lancaster Drive NE • PO Box 12024 • Salem, Oregon 97309
 503-399-3036 • FAX: 503-399-3407

Andrea Castañeda, Superintendent

May 20, 2024

Jamie Donaldson, Planner
 Planning Division, City of Salem
 555 Liberty Street SE, Room 305
 Salem OR 97301

RE: Land Use Activity Case No. UGA-SPR-ADJ-TRV-DAP24-04, 2345 Brush College Rd NW

The City of Salem issued a Request for Comments for a Land Use Case as referenced above. Please find below comments on the impact of the proposed land use change on the Salem-Keizer School District.

IDENTIFICATION OF SCHOOLS SERVING THE SUBJECT PROPERTY

The School District has established geographical school attendance areas for each school known as school boundaries. Students residing in any residence within that boundary are assigned to the school identified to serve that area. There are three school levels, elementary school serving kindergarten thru fifth grade, middle school serving sixth thru eighth grade, and high school serving ninth thru twelfth grade. . The schools identified to serve the subject property are:

School Name	School Type	Grades Served
Brush College	Elementary	K thru 5
Straub	Middle	6 thru 8
West Salem	High	9 thru 12

Table 1

SCHOOL CAPACITY & CURRENT ENROLLMENT

The School District has established school capacities which are the number of students that a particular school is designed to serve. Capacities can change based on class size. School capacities are established by taking into account core infrastructure (gymnasium, cafeteria, library, etc.) counting the number of classrooms and multiplying by the number of students that each classroom will serve. A more detailed explanation of school capacity can be found in the School District's adopted Facility Plan.

School Name	School Type	School Enrollment	School Design Capacity	Enroll./Capacity Ratio
Brush College	Elementary	262	481	54%
Straub	Middle	572	956	60%
West Salem	High	1,640	2,100	78%

Table 2

POTENTIAL ADDITIONAL STUDENTS IN BOUNDARY AREA RESULTING FROM APPROVAL OF LAND USE CASE

The School District anticipates the number of students that may reside at the proposed development based on the housing type, single family (SF), duplex/triplex/four-plex (DU), multi-family (MF) and mobile home park (MHP). The School District commissioned a study by the Mid-Willamette Valley Council of Governments in 2021 to determine an estimate of students per residence, for the Salem-Keizer area, in each of the four housing types. Since the results are averages, the actual number of students in any given housing type will vary. The table below represents the resulting estimates for the subject property:

School Type	Qty. of New Residences	Housing Type	Average Qty. of Students per Residence	Total New Students
Elementary	25	MF	0.164	4
Middle			0.085	2
High			0.096	2

Table 3

POTENTIAL EFFECT OF THIS DEVELOPMENT ON SCHOOL ENROLLMENT

To determine the impact of the new residential development on school enrollment, the School District compares the school capacity to the current enrollment plus estimates of potential additional students resulting from land use cases over the previous two calendar years. A ratio of the existing and new students is then compared with the school design capacity and expressed as a percentage to show how much of the school capacity may be used.

School Name	School Type	School Enrollment	New Students During Past 2 yrs	New Student from this Case	Total New Students	School Design Cap.	Enroll./Cap. Ratio
Brush College	Elem.	262	1	4	5	481	56%
Straub	Mid.	572	53	2	55	956	66%
West Salem	High	1,640	72	2	74	2,100	82%

Table 4

ESTIMATE OF THE EFFECT ON INFRASTRUCTURE – IDENTIFICATION OF WALK ZONES AND SCHOOL TRANSPORTATION SERVICE

Civic infrastructure needed to provide connectivity between the new residential development and the schools serving the new development will generally require roads, sidewalks and bicycle lanes. When developing within one mile of school(s), adequate pathways to the school should be provided that would have raised sidewalks. If there are a large number of students walking, the sidewalks should be wider to accommodate the number of students that would be traveling the

path at the same time. Bike lanes should be included, crosswalks with flashing lights and signs where appropriate, traffic signals to allow for safe crossings at busy intersections, and any easements that would allow students to travel through neighborhoods. If the development is farther than one mile away from any school, provide bus pullouts and a covered shelter (like those provided by the transit district). Locate in collaboration with the District at a reasonable distance away from an intersection for buses if the distance is greater than ½ mile from the main road. If the distance is less than a ½ mile then raised sidewalks should be provided with stop signs where students would cross intersections within the development as access to the bus stop on the main road. Following is an identification, for the new development location, that the development is either located in a school walk zone or is eligible for school transportation services.

School Name	School Type	Walk Zone or Eligible for School Transportation
Brush College	Elementary	Eligible for School Transportation
Straub	Middle	Eligible for School Transportation
West Salem	High	Eligible for School Transportation

Table 5

ESTIMATE OF NEW SCHOOL CONSTRUCTION NEEDED TO SERVE DEVELOPMENT

The School District estimates the cost of constructing new school facilities to serve our community. The costs of new school construction is estimated using the Rider Levett Bucknall (RLB) North America Quarterly Construction Cost Report and building area per student from Cornerstone Management Group, Inc. estimates. The costs to construct school facilities to serve the proposed development are in the following table.

School Type	Number of Students	Estimate of Facility Cost Per Student*	Total Cost of Facilities for Proposed Development*
Elementary	4	\$83,655	\$334,620
Middle	2	\$101,069	\$202,138
High	2	\$118,482	\$236,964
TOTAL			\$773,722

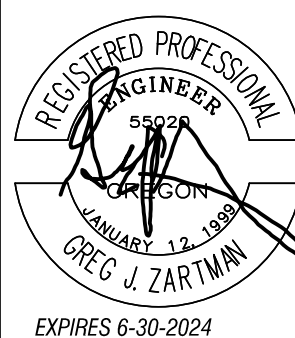
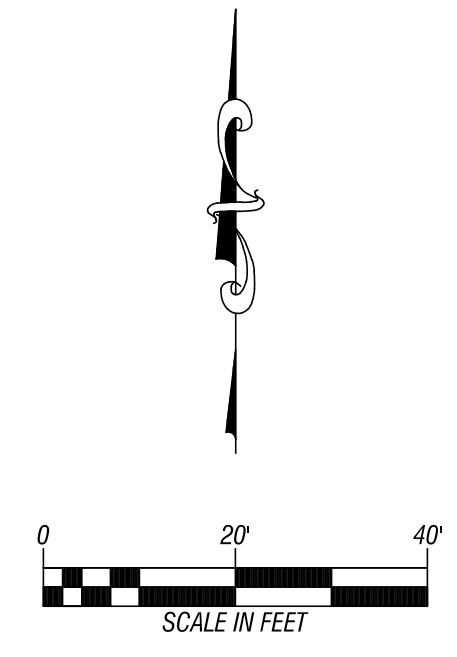
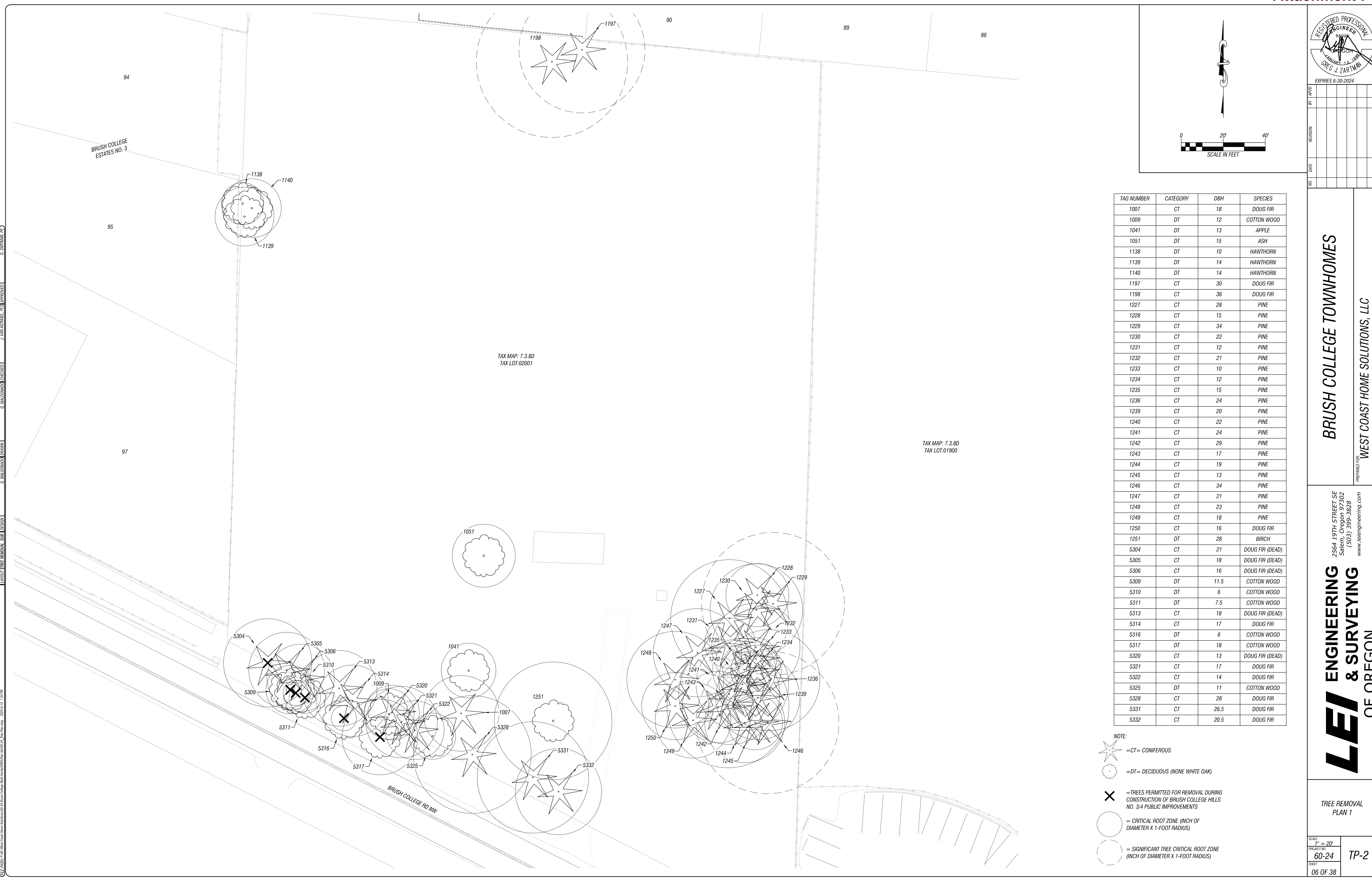
Table 6

*Estimates based on average of Indicative Construction Costs from “RLB Construction Cost Report North America Q4 2023”

Sincerely,

David Fridenmaker
Business and Support Services

c: Robert Silva, Chief Operations Officer, David Hughes, Director of Operations & Logistics, T.J. Crockett, Director of Transportation



NO.	DATE	REVISION	BY	APP'D

TAG NUMBER	CATEGORY	DBH	SPECIES
1007	CT	18	DOUG FIR
1009	DT	12	COTTON WOOD
1041	DT	13	APPLE
1051	DT	15	ASH
1138	DT	10	HAWTHORN
1139	DT	14	HAWTHORN
1140	DT	14	HAWTHORN
1197	CT	30	DOUG FIR
1198	CT	36	DOUG FIR
1227	CT	28	PINE
1228	CT	15	PINE
1229	CT	34	PINE
1230	CT	22	PINE
1231	CT	12	PINE
1232	CT	21	PINE
1233	CT	10	PINE
1234	CT	12	PINE
1235	CT	15	PINE
1236	CT	24	PINE
1239	CT	20	PINE
1240	CT	22	PINE
1241	CT	24	PINE
1242	CT	29	PINE
1243	CT	17	PINE
1244	CT	19	PINE
1245	CT	13	PINE
1246	CT	34	PINE
1247	CT	21	PINE
1248	CT	23	PINE
1249	CT	18	PINE
1250	CT	16	DOUG FIR
1251	DT	28	BIRCH
5304	CT	21	DOUG FIR (DEAD)
5305	CT	18	DOUG FIR (DEAD)
5306	CT	16	DOUG FIR (DEAD)
5309	DT	11.5	COTTON WOOD
5310	DT	6	COTTON WOOD
5311	DT	7.5	COTTON WOOD
5313	CT	18	DOUG FIR (DEAD)
5314	CT	17	DOUG FIR
5316	DT	6	COTTON WOOD
5317	DT	18	COTTON WOOD
5320	CT	13	DOUG FIR (DEAD)
5321	CT	17	DOUG FIR
5322	CT	14	DOUG FIR
5325	DT	11	COTTON WOOD
5328	CT	28	DOUG FIR
5331	CT	26.5	DOUG FIR
5332	CT	20.5	DOUG FIR

- NOTE:
- = CT= CONIFEROUS
 - = DT= DECIDUOUS (NONE WHITE OAK)
 - = TREES PERMITTED FOR REMOVAL DURING CONSTRUCTION OF BRUSH COLLEGE HILLS NO. 3/4 PUBLIC IMPROVEMENTS
 - = CRITICAL ROOT ZONE (INCH OF DIAMETER X 1-FOOT RADIUS)
 - = SIGNIFICANT TREE CRITICAL ROOT ZONE (INCH OF DIAMETER X 1-FOOT RADIUS)

BRUSH COLLEGE TOWNHOMES
 PREPARED FOR: WEST COAST HOME SOLUTIONS, LLC

2564 19TH STREET SE
 Salem, Oregon 97302
 (503) 399-3828
 www.leiengineering.com

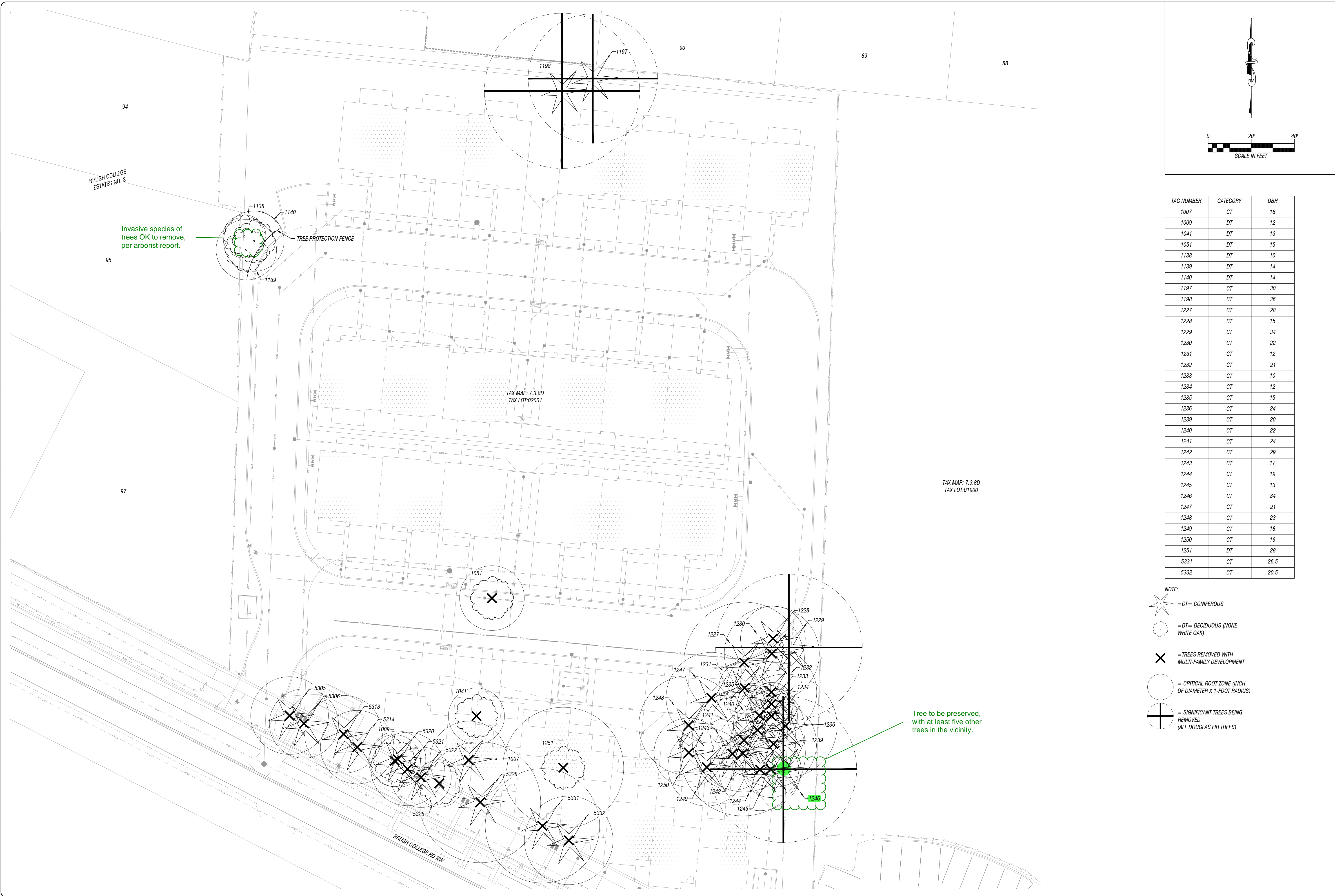
LEI ENGINEERING & SURVEYING OF OREGON

TREE REMOVAL PLAN 1

SCALE: 1" = 20'	TP-2
PROJECT NO. 60-24	
SHEET 06 OF 38	

G. ZARTMAN, P.E. 55208
 J. VAN ARMAN, P.E. 55208
 G. MATHIAS, P.E. 55208
 B. MATHIAS, P.E. 55208
 K. MATHIAS, P.E. 55208
 C. MATHIAS, P.E. 55208
 D. MATHIAS, P.E. 55208
 E. MATHIAS, P.E. 55208
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 V. MATHIAS, P.E. 55208
 W. MATHIAS, P.E. 55208
 X. MATHIAS, P.E. 55208
 Y. MATHIAS, P.E. 55208
 Z. MATHIAS, P.E. 55208

DATE PLOTTED: 07/11/24 10:00 AM USER: JAVIERVAZQUEZ (10/23/20) PLOT: 60-24-TP-3 24x36 INCHES PLOT SCALE: 1"=20' PLOT DATE: 07/11/24 10:00 AM



TAG NUMBER	CATEGORY	DBH
1007	CT	18
1009	DT	12
1041	DT	13
1051	DT	15
1138	DT	10
1139	DT	14
1140	DT	14
1197	CT	30
1198	CT	36
1227	CT	28
1228	CT	15
1229	CT	34
1230	CT	22
1231	CT	12
1232	CT	21
1233	CT	10
1234	CT	12
1235	CT	15
1236	CT	24
1239	CT	20
1240	CT	22
1241	CT	24
1242	CT	29
1243	CT	17
1244	CT	19
1245	CT	13
1246	CT	34
1247	CT	21
1248	CT	23
1249	CT	18
1250	CT	16
1251	DT	28
5331	CT	26.5
5332	CT	20.5

- NOTE:
- = CT = CONIFEROUS
 - = DT = DECIDUOUS (NONE WHITE OAK)
 - = TREES REMOVED WITH MULTI-FAMILY DEVELOPMENT
 - = CRITICAL ROOT ZONE (INCH OF DIAMETER X 1-FOOT RADIUS)
 - = SIGNIFICANT TREES BEING REMOVED (ALL DOUGLAS FIR TREES)



NO.	DATE	REVISION	BY	APP'D

BRUSH COLLEGE TOWNHOMES
 PREPARED FOR: **WEST COAST HOME SOLUTIONS, LLC**

2554 19TH STREET SE
 Salem, Oregon 97302
 (503) 399-3828
 www.leiengineering.com

LEI ENGINEERING & SURVEYING
 OF OREGON

TREE REMOVAL
 PLAN 2 & TREE
 PRESERVATION

SCALE: 1" = 20'	TP-3
PROJECT NO: 60-24	
SHEET: 07 OF 27	

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