

NOTICE OF DECISION

PLANNING DIVISION
planning@cityofsalem.net



Si necesita ayuda para comprender esta información, por favor llame

503-588-6173

DECISION OF THE PLANNING ADMINISTRATOR

PARTITION TENTATIVE PLAN / URBAN GROWTH PRELIMINARY DECLARATION / CLASS 3 SITE PLAN REVIEW / CLASS 2 ADJUSTMENT / TREE VARIANCE / CLASS 2 DRIVEWAY APPROACH PERMIT / CLASS 1 DESIGN REVIEW / TREE AND VEGETATION REMOVAL PERMIT CASE NO.: PAR-UGA-SPR-ADJ-TRV-DAP-DR-TRP25-10

APPLICATION NO.: 25-104401-PLN

NOTICE OF DECISION DATE: August 18, 2025

REQUEST: A consolidated application for an Urban Growth Preliminary Declaration, Class 3 Site Plan Review, six Class 2 Driveway Approach Permits, and Class 1 Design Review for development of 192 multi-family units, with a Tree Regulation Variance to remove 38 significant trees, Tree Removal Permit to remove five significant trees within a proposed street, and 29 Class 2 Adjustment requests to:

- 1) One Class 2 Adjustment to allow an off-street parking area to be located between a building and the street for the area in front of Building 11 and Stockton Street SE Avenue S (SRC 702.020(d)(2));
- 2) Three Class 2 Adjustments to reduce the minimum building setback along Stockton Street from 20 to 10 feet for Buildings 7, 8, and 9 (SRC 514.010(d) Table 514-4);
- 3) Four Class 2 Adjustments to reduce the minimum vehicle use area setback from 12 to ten feet for four off-street parking (SRC 514.010(d) Table 514-4);
- 4) Five Class 2 Adjustments to reduce the 40 percent buildable width requirement for buildings along west and east side of Stockton, Davis Road S, and the new cul-de-sac at the end of Rise Street (SRC 702.020(e)(4));
- 5) Eliminate the requirement to orient buildings toward the street with direct pedestrian access to adjacent sidewalks for the 11 detached units and buildings 5, 7, 8, 9, 10, and 13 (SRC 702.020(e)(5)).

The subject property is 10.37 acres in size, zoned RM-II (Multiple Family Residential), and located at 1656 Davis Road S (Marion County Assessor Map and Tax lot numbers: 083W16C / 101).

APPLICANT: Chris Jones

LOCATION: 1656 Davis Rd S, Salem OR 97302

CRITERIA: Salem Revised Code (SRC) Chapters 205.005 (d) – Partition Tentative Plan; 200.025.(d) – Urban Growth Preliminary Declaration; 220.005(f)(3) – Class 3 Site Plan Review; 250.005(d)(2) – Class 2 Adjustment; 808.045(d) – Tree Variance; 804.025(d) – Class 2 Driveway Approach Permit; 225.005(d) – Class 1 Design Review; 808.030 (d) – Tree and Vegetation Removal Permit

FINDINGS: The findings are in the attached Decision dated August 18, 2025.

DECISION: The **Planning Administrator APPROVED** Partiton Tentative Plan / Urban Growth Preliminary Declaration / Class 3 Site Plan Review / Class 2 Adjustment / Tree Variance / Class 2 Driveway Approach Permit / Class 1 Design Review / Tree and Vegetation Removal Permit Case No. PAR-UGA-SPR-ADJ-TRV-DAP-DR-TRP25-10 subject to the following conditions of approval:

- Condition 1:** Prior to building permits issuance, the final partition plat shall be recorded.
- Condition 2:** Prior to final plat approval, required right-of-way dedications and required easements shall be free and clear of encumbrances and liens unless otherwise approved by the Director pursuant to SRC 200.050(d).
- Condition 3:** At time of development of each parcel, provide an engineered stormwater design pursuant to Salem Revised Code Chapter 71 and the Public Works Design Standards to accommodate new impervious surfaces in proposed rights-of-way and future impervious surfaces on the proposed parcels.
- Condition 4:** Prior to final plat approval, provide an engineered stormwater design pursuant to Salem Revised Code Chapter 71 and the Public Works Design Standards to accommodate new impervious surfaces the proposed rights-of-way of the new internal streets and along Davis Road S.
- Condition 5:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct stormwater facilities pursuant to Salem Revised Code Chapter 71 and
- Condition 6:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), extend a minimum 8-inch S-4 water main from Eagle Dance Street S north through adjacent private property located on Marion County Tax Lot No. 083W16CD19500 to the subject property. Water mains shall be designed and constructed in accordance with the *Public Works Design Standards*.
- Condition 7:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), extend a 12-inch S-3 water main from Davis Road S through Stockton Avenue S as shown on the applicant's preliminary utility plan. Water mains shall be designed and constructed in accordance with the *Public Works Design Standards*.
- Condition 8:** The applicant shall construct the Skyline #2 Reservoir, or pay a Temporary Access Fee equal to \$2,000 per dwelling unit for any dwelling unit within the development served by the S-3 water system.
- Condition 9:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), extend an 8-inch sewer main within Stockton Avenue S, including extension of an 8-inch sewer service to taxlot 083W16CD01200, as proposed on the preliminary civil plans, pursuant to the *Public Works Design Standards*.
- Condition 10:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), extend a minimum 10-inch public storm main along Davis

Road S to the western boundary of the subject property and construct a minimum 10-inch storm main in Stockton Avenue S and Rise Street S as identified in on the preliminary civil plans pursuant to *Public Works Design Standards*.

- Condition 11:** Prior to final plat approval, all necessary (existing and proposed) access and utility easements must be shown and recorded on the final plat.
- Condition 12:** Prior to final plat approval, the applicant shall obtain an easement for the proposed public water main extension on private property located at 083W16CD19500. All easements shall meet the *Public Works Design Standards (PWDS)* for easement width per PWDS Section 1.8 (Easements).
- Condition 13:** On the final plat, convey land for dedication to equal a half-width right-of-way of 60 feet on the development side of Davis Road S, including sufficient right-of-way to accommodate public infrastructure at the property corners.
- Condition 14:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct a half-street improvement along the frontage of Davis Road S to collector street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.
- Condition 15:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct a 34-foot-wide linking street improvement along Davis Road from the eastern boundary of the subject property approximately 170 feet to the east to the nearest adequate facility, and acquire right-of-way as needed sufficient to construct the required street improvement.
- Condition 16:** On the final plat, convey land for dedication to equal full width right-of-way and cul-de-sac for the extension and terminus of Rise Street S on the subject property and consistent with the standards of SRC Chapter 803, Table 803-1 (Right-of-way Width).
- Condition 17:** Acquire rights-of-way as needed sufficient to construct Rise Street S on adjacent property (Marion County Taxlot No. 083W16CD01200) as shown on the preliminary site plan and consistent with the standards of SRC Chapter 803, Table 803-1 (Right-of-way Width).
- Condition 18:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct full-width street improvement for the extension and terminus of Rise Street S, from approximately 50-feet south, and through the subject property as shown on the applicant's preliminary plans and as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803 Table 803-2 (Pavement Width).
- Condition 19:** On the final plat, dedicate a 60-foot-wide right-of-way for the new internal street (Stockton Avenue S) as shown on the applicant's tentative plan and consistent with the standards of SRC Chapter 803, Table 803-1 (Right-of-way Width).

- Condition 20:** Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct internal streets to local street standards as specified in the City Street Design Standards and consistent with the provisions in SRC Chapter 803, except where an Alternative Street Standard has been approved to allow street grades up to 15%.
- Condition 21:** At time of development on each parcel, install street trees to the maximum extent feasible along Davis Road S, Stockton Avenue S, and Rise Street S.
- Condition 22:** On the final plat, provide a 10-foot-wide public utility easement along the frontages of Davis Road S, Stockton Avenue S, and Rise Street S.
- Condition 23:** Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), the applicant shall design and construct one transit stop along Davis Road S in a location approved by Cherriots and the Public Works Department.
- Condition 24:** Prior to building permit approval on Parcel 1, the applicant shall setback all structures and vehicle use areas a minimum 10 feet with Type C landscaping from the easement serving the flag lots abutting the eastern portion of the site per SRC 11.050(c) and 514.010(d) or seek an adjustment.
- Condition 25:** At the time of building permit review, the applicant shall revise construction details for the trash enclosure to demonstrate conformance with all applicable standards of SRC 800.055.
- Condition 26:** At the time of building permit review, the applicant shall provide plans showing Electric Vehicle (EV) charger conduits, as defined in ORS 455.417, available for 86 EV charging stations on site.
- Condition 27:** Prior to approval of landscape plans for the proposed development, the tree plan and landscape shall be updated to demonstrate compliance with all tree canopy standards in SRC 806.035(n).
- Condition 28:** At the time of building permit, the applicant shall revise the location of the bicycle rack adjacent and north of Building 15 to be within 50 feet of a primary entrance.
- Condition 29:** Prior to building permit approval, the applicant shall demonstrate that all bicycle parking provided for the development complies with the applicable standards of SRC 806.060.
- Condition 30:** Prior to issuance of a Building Permit, submit a final stormwater report that shows the stormwater system will be designed and constructed in compliance with *Salem Revised Code (SRC) Chapter 71* and *Public Works Design Standards (PWDS)*, unless a Design Exception is approved by Public Works.
- Condition 31:** Prior to issuance of a temporary or final Certificate of Occupancy for any building proposed within the complex, the signal at the intersection of Liberty Road S and Davis Road S shall be complete and operational.

- Condition 32:** Prior to issuance of a temporary or final Certificate of Occupancy for any building proposed within the complex, the signal at the intersection of Liberty Road S and Mildred Lane S shall be operational. Alternatively, a temporary barricade which allows emergency vehicle access only may be placed across Rise Street S.
- Condition 33:** At the time of building permit, the applicant shall revise plans to have a minimum planting density for a full 12-foot setback with Type A landscaping between the Stockton Avenue S and the vehicle use area south of Building 11.
- Condition 34:** The adjusted development standards, as approved in this report, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development standards of the Unified Development Code, unless adjusted through a future land use action.
- Condition 35:** At the time of building permit for Parcel 2, the applicant shall revise the plans to include a Common Open Space area on Parcel 2 that is a minimum size of 2,250 square feet in size per SRC 702.020(a)(1)(A) or seek an adjustment.
- Condition 36:** At the time of building permit, a minimum density of ten tree plant units per 60 linear feet of exterior building wall shall be planted within 25 feet from the edge of each building footprint.
- Condition 37:** At time of building permit submittal, the applicant shall provide lighting details demonstrating compliance with the standards of SRC 702.015(c)(2).

The rights granted by the attached decision must be exercised, or an extension granted, by the following expiration dates, or this approval shall be null and void:

Partition Tentative Plan:	<u>September 9, 2027</u>
Urban Growth Preliminary Declaration:	<u>September 9, 2027</u>
Class 3 Site Plan Review:	<u>September 9, 2029</u>
Class 2 Adjustment:	<u>September 9, 2029</u>
Tree Regulation Variance:	<u>September 9, 2027</u>
Class 2 Driveway Approach Permit:	<u>September 9, 2029</u>
Class 1 Design Review:	<u>September 9, 2029</u>
Tree Removal Permit:	<u>No expiration date</u>
Application Deemed Complete:	<u>May 20, 2025</u>
Notice of Decision Mailing Date:	<u>August 18, 2025</u>
Decision Effective Date:	<u>September 9, 2025</u>
State Mandate Date:	<u>October 31, 2025</u>

Case Manager: Jacob Brown, jrbrown@cityofsalem.net, (503) 540-2347

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, in person at 440 Church St SE, Salem OR

97312, by mail P.O. Box 14300 Salem, OR 97309, or by email at planning@cityofsalem.net, no later than 5:00 p.m., Tuesday, September 2, 2025. 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 Chapters 200, 205, 220, 225, 250, 804 and 808. 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 Planning Commission will review the appeal at a public hearing. After the hearing, the Planning Commission 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, 440 Church St SE, Salem, 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
TENTATIVE PARTITION PLAN,	)	
URBAN GROWTH PRELIMINARY	)	
DECLARATION, CLASS 3 SITE PLAN	)	
REVIEW, CLASS 2 ADJUSTMENT,	)	
TREE REGULATION VARIANCE,	)	
CLASS 2 DRIVEWAY APPROACH PERMIT,	)	
CLASS 1 DESIGN REVIEW, AND	)	
TREE REMOVAL PERMIT, CASE NO.	)	
PAR-UGA-SPR-ADJ-TRV-DAP-DR-TRP25-10	)	
1656 DAVIS ROAD S	)	AUGUST 18, 2025

In the matter of the application for a Tentative Partition Plan, Urban Growth Preliminary Declaration, Class 3 Site Plan Review, Class 2 Adjustment, Tree Regulation Variance, Class 2 Driveway Approach Permit, Class 1 Design Review, Tree Removal Permit applications submitted by the applicant, Chris Jones with Coldwell Banker Commercial, and the applicant's representative Brandie Dalton with Multi-Tech Engineering, on behalf of the property owner OCF Properties III 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: New multi-family development of a 192-unit apartment complex.

Request: A consolidated application for an Urban Growth Preliminary Declaration, Class 3 Site Plan Review, six Class 2 Driveway Approach Permits, Partition to create two parcels, and Class 1 Design Review for development of 192 multi-family units, with a Tree Regulation Variance to remove 38 significant trees, Tree Removal Permit to remove five significant trees within a proposed street, and 29 Class 2 Adjustment requests to:

- 1) One Class 2 Adjustment to allow an off-street parking area to be located between a building and the street for the area in front of Building 11 and Stockton ~~Street SE~~ Avenue S (SRC 702.020(d)(2));
- 2) Three Class 2 Adjustments to reduce the minimum building setback along Stockton Street from 20 to 10 feet for Buildings 7, 8, and 9 (SRC 514.010(d) Table 514-4);
- 3) Four Class 2 Adjustments to reduce the minimum vehicle use area setback from 12 to ten feet for four off-street parking areas (SRC 514.010(d) Table 514-4);
- 4) Five Class 2 Adjustments to reduce the 40 percent buildable width requirement for buildings along west and east side of Stockton, Davis Road S, and the new cul-de-sac at the end of Rise Street (SRC 702.020(e)(4));
- 5) Eliminate the requirement to orient buildings toward the street with direct pedestrian access to adjacent sidewalks for the 11 detached units and buildings 5, 7, 8, 9, 10, and 13 (SRC 702.020(e)(5)).

The subject property is 10.37 acres in size, zoned RM-II (Multiple Family Residential), and located at 1656 Davis Road S (Marion County Assessor Map and Tax lot numbers: 083W16C / 101).

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 February 26, 2025, a consolidated application for Urban Growth Area Preliminary Declaration, Class 3 Site Plan Review, Class 2 Driveway Approach Permit, Tree Regulation Variance, and Class 1 Design Review was filed for a 192-unit multi-family development.

After additional information was provided, including submission of a Class 2 Adjustment, partition, Tree Removal Permit, and Tentative Partition Plan application proposing to divide an approximately 10.29-acre property at 1656 Davis Road S into two parcels on May 20, 2025, applications were deemed complete for processing at the request of the applicant on May 20, 2025. The proposed partition plan is included as **Attachment B**.

After additional information was provided the application was deemed complete for processing and notice of filing was sent pursuant to Salem Revised Code requirements on June 2, 2025. The applicant provided a 30-day extension and additional 14-day extensions to 120-day state mandated local decision deadline. The state-mandated local decision deadline for the application is October 31, 2025.

SUBSTANTIVE FINDINGS

2. Proposal

The proposal submitted by the applicant requests tentative partition plan approval to divide property totaling 10.29 acres in size and located at the 1656 Davis Road S into two parcels 4.62 and 4.01 acres in size. In addition to the proposed tentative partition, the application also includes a Class 3 Site Plan Review and Class 1 Design Review for development of 192 units in 15 apartment buildings, 28 detached single unit residences, and four detached two-unit residence buildings across the two proposed parcels with four Class 2 Adjustments to allow an off-street parking area to be located between a building and the street for the area in front of Building 11 and Stockton Street SE, three Class 2 Adjustments to reduce the minimum building setback along Stockton Street from 20 to 10 feet for Buildings 7, 8, and 9, five Class 2 Adjustments to reduce the 40 percent buildable width requirement for buildings along west and east side of Stockton, Davis Road S, and the new cul-de-sac at the end of Rise Street, and seventeen adjustments eliminate the requirement to orient buildings toward the street with direct pedestrian access to adjacent sidewalks for the 11 detached units and buildings 5, 7, 8, 9, 10, and 13. Consolidated with the application is an Urban Growth Area Preliminary Declaration to determine the public facilities required to serve the proposed development, a Tree Regulation Variance to remove 38 significant trees and Tree Removal Permit to remove five significant trees within a proposed street easement.

Separately, the applicant has sought a variance under VAR25-01 to remove Condition 1 from CPC-NPC-ZC12-03, which requires development to provide a public or private Local Street connection through the proposed development from Davis Road S to the south line of the property and to the west property line aligning with Reserve Lane a Private Way. The

development includes a north-south connection via Stockton Avenue S where connections from Davis Road S to Rise Street S; Rise Street connects to Mildred Lane S via Big Mountain Avenue S. The developments proposal is to connect east-west from Rise Street S to Reserve Lane S via an off-street parking area and drive aisle rather than a local street. The request is for a variance to remove Condition 1 of CPC-NPC-ZC12-03 which requires a local street connection to Reserve Lane S. The proposed parking area does not meet local street standards; however, connectivity will be provided north-to-south and east-to-west. The Variance application was heard before the Hearing Officer received approval on July 23rd, 2025. The Hearing Officer's decision was issued on July 28th and is effective.

The Tentative Partition Plan proposes to divide the 10.29-acre property (**Attachment C**) by developing Stockton Street S north-south. The two resulting parcels are as follows:

PROPOSED PARCEL 1

Parcel Size:	174,496 square feet
Parcel Dimensions:	Irregular shaped parcel with approximately 312 feet in width and approximately 558 feet in depth

PROPOSED PARCEL 2

Parcel Size:	201,266 square feet
Parcel Dimensions:	Irregular shaped parcel with approximately a minimum 100 feet in width and approximately 202 feet in depth

3. 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: 25 104401.

4. Existing Conditions

Site and Vicinity

The subject property is located in the 1656 Davis Road S is 10.3 acres in size, and has frontage on Davis Road S, Reserve Lane S, and Rise Street S. Davis Road S is designated as a Collector Street under the City's Transportation System Plan (TSP); Reserve Lane S and Rise Street S are both designated as a Local Streets. Stockton Avenue S, a Local Street, is proposed to be extended southward through the subject property.

Salem Area Comprehensive Plan (SACP) Designation

The subject property is designated "Multi-Family Residential" on the Salem Area Comprehensive Plan (SACP) Map. The surrounding properties are designated as follows:

Comprehensive Plan Map Designations of Surrounding Properties	
North	Across Davis Road S, Single Family Residential
East	Multi-Family Residential
South	Multi-Family Residential
West	Multi-Family Residential

Zoning and Surrounding Land Use

The subject property is zoned RM-II (Multiple Family Residential) and is currently undeveloped. The surrounding properties are zoned and used as follows:

Zoning of Surrounding Properties	
North	Across Davis Road S, RS (Single Family Residential) zone
East	RM-II (Multiple Family Residential) Zone
South	RM-II (Multiple Family Residential) Zone
West	RM-II (Multiple Family Residential) Zone

Relationship to Urban Service Area

The subject property lies outside the City's Urban Service Area. The Urban Service Area is that territory within City where all required public facilities (streets, water, sewer, storm water, and parks) necessary to serve development are already in place or fully committed to be extended.

Pursuant to the urban growth management requirements contained under SRC Chapter 200 (Urban Growth Management), properties located outside the Urban Service Area are required to obtain an Urban Growth Preliminary Declaration prior to development in order to determine the required public facilities necessary to fully serve the proposed development. A request for an Urban Growth Preliminary Declaration is included with the proposal.

Infrastructure

Streets			
Street Name		Right-of-way Width	Improvement Width
Davis Road S (Collector)	Standard:	60-feet	34-feet
	Existing Condition:	50-feet	26-feet
Rise Street S (Local)	Standard:	60-feet	30-feet
	Existing Condition:	60-feet	30-feet

Reserve Lane S (Local, Private)	Standard:	60-feet	30-feet
	Existing Condition:	36-feet (easement width)	26-feet

The existing conditions of public infrastructure available to serve the subject property are described in the following table:

Utilities	
Type	Existing Conditions
Water	Water Service Level: S-3 and S-4
	A 12-inch S-3 water main is located in Davis Road S.
	An 8-inch S-3 water main is located in Reserve Lane S.
	An 8-inch S-3 water main is located in Rise Street S.
Sanitary Sewer	An 8-inch sanitary sewer main is located in Davis Road S.
Storm Drainage	A 10-inch storm main is located in Davis Road S.

5. Neighborhood and Public Comments

The subject property is located within the boundaries of the Sunnyslope Neighborhood Association.

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 13, 2025, the applicant contacted the Sunnyslope Neighborhood Association, meeting the requirements of SRC 300.310(c). Notice was provided to the Sunnyslope Neighborhood Association, and to surrounding addresses, property owners, and tenants within 250 feet of the subject property.

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. As of the date of completion of this staff report, no comments have been received from the neighborhood association on this application.

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, two comments was received from the surrounding property owners and tenants indicating concerns with the proposal. A summary of the concerns and response are below:

- 1) **Traffic:** Comments received express concerns for the additional traffic generated by the development and the impacts to the existing transportation system. Specifically, the impacts of additional traffic on Davis Road S, connectivity with abutting streets, and concerns with the timing of the signal improvement at Liberty Road S and Mildred Lane S.

Response: Davis Road S along the frontage of the subject property does not meet current standards for its classification of street per the Salem TSP. As specified in the conditions of approval, the applicant is required to dedicate additional right-of-way and provide half-street improvements along the development frontage of Davis Road S. In addition, a linking improvement along Davis Road S is required for an additional 170 feet east to the boundary of the Vannatta Subdivision ensuring an adequate improvement width along Davis Road S to accommodate traffic volumes generated by the proposal.

The development proposal results in the extension of new local streets through the subject property. Rise Street S will be extended from the northern boundary terminating in a cul-de-sac. Stockton Avenue S will be extended north/south through the subject property providing a connection between Davis Road S and Rise Street S. The applicant is pursuing a Variance (Case No. VAR25-01) to remove the requirement from a previous land use decision requiring construction of a local street connection to Reserve Lane S. Reserve Lane S is a private local street which abuts the subject property at the southwest boundary and connects to Red Leaf Drive S, which is designated as a collector street, that will eventually be extended to Mildred Lane S. The applicant's proposed site plan shows a private off-street parking area for the apartment complex located between Rise Street S and Reserve Lane S. As a condition of approval, the applicant shall provide an access easement across the off-street parking area allowing for vehicle and pedestrian connectivity between Rise Street S and Reserve Lane S through the parking area, meeting the intent of the connectivity requirement.

A traffic signal is required to be constructed at the intersection of Davis Road S and Liberty Road S as a condition of development for the subject property established by Comprehensive Plan Map Amendment, Neighborhood Plan Change, and Zone Change Case No. CPC-NPC-ZC12-03. The Liberty and Davis signal is currently under construction by the City through a Capital Improvement Project (CIP 1638). Construction of the signal is anticipated to be completed in 2026. Because this signal is required by the CPC/ZC and TIA for the subject property, the signal shall be operational prior to issuance of a Certificate of Occupancy for any structure within the development. This will ensure the proposed development does not have a functional impact on the intersection and that the negative impacts of the proposed development are adequately mitigated.

The applicant's TIA also identifies completion of a planned signal at the intersection of Liberty Road S and Mildred Lane S as a needed improvement to meet mobility standards. This signal was required to be designed, and the improvement secured as a condition of approval for the Liberty Road Subdivision (Case No. SUB-UGA-ADJ20-05). Construction of the signal is a condition of approval for the Liberty Road Apartments West (Case No. SPR-ADJ-DAP-DR24-35), with a requirement that the signal be fully operational prior to occupancy for any building in the complex.

If development of the proposed multi-family complex occurs prior to the Liberty Road Apartments West development, it is possible that traffic generated by the proposed complex

will utilize the route from Rise Street S to the intersection of Liberty Road S and Mildred Lane S prior to the signal being complete. To mitigate for this impact, as a condition of approval a barrier shall be provided to restrict non-emergency vehicle access to Rise Street S until the intersection at Liberty Road S and Mildred Lane S is complete.

With the recommended conditions of approval, the development will adequately mitigate the traffic generated by the development.

In addition, the Salem TSP provides guidance for how to address the impacts of growth city-wide. Cumulative impacts of growth that affect overall traffic patterns are addressed through collection of System Development Charges (SDCs). Transportation SDCs that are collected are used to pay for street improvements that add capacity to mitigate impacts of growth.

- 2) **Construction Impacts.** Comments received expressed concern for mud and gravel on the streets, and excessive dust during construction.

Response: Future development of the property will be subject to the requirements of Salem Revised Code Chapter 75 (Erosion Prevention and Sedimentation Control) and Chapter 82 (Clearing and Grading). Permits are required for grading work that exceeds minimum thresholds, and all grading work shall meet prescribed codes and standards aimed at mitigating construction runoff, providing site controls at each construction vehicle access point, and providing dust suppression to the maximum extent practical.

- 3) **Crime Related Impacts.** Comments received expressed concern for crime generated from the development.

Response: Theft or other illegal activity is a police matter and should be addressed by the Salem Police Department, which has law enforcement jurisdiction over the subject property and vicinity. Approval criteria for a variance does not address anticipated changes in crime levels, and no evidence has been provided to support the speculation that any crime perpetrated by future residents of the proposed multifamily development would exceed what would otherwise occur from any other legal development of property within the City.

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

6. City Department Comments

Development Services Division: Reviewed the proposal and provided a memo with findings that have been incorporated herein by reference. The memo in full can be found in the record, accessible online as indicated above.

Building and Safety Division: Review the proposal and indicated: *Comply with accessible route and building code requirements as applicable.*

Fire Department: Reviewed the proposal and indicated that Fire Department access and water supply will be required per the Oregon Fire Code and SRC chapter 58. Concerns were also shared that the street grade in excess of 12% cannot be used for aerial access.

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

7. Public and Private Agency Comments

Salem-Keizer Public Schools: Reviewed the proposal and provided a memo which is included as **Attachment C**.

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

DECISION CRITERIA FINDINGS

8. Analysis of Tentative Partition Plan Approval Criteria

SRC 205.005(d) sets forth the following criteria that must be met before approval can be granted to a tentative partition plan. The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings of fact evaluating the proposal for conformance with the criteria. Lack of compliance with the following approval criteria is grounds for denial of the tentative plan or for the issuance of conditions of approval to satisfy the criteria.

SRC 205.005(d)(1): The tentative partition plan complies with the standards of this Chapter and with all applicable provisions of the UDC, including, but not limited to the following:

(A) Lot standards, including, but not limited to, standards for lot area, lot width and depth, lot frontage, and designation of front and rear lot lines.

Finding: The Salem Revised Code (SRC), which includes the Unified Development Code (UDC), implements the Salem Area Comprehensive Plan land use goals, and governs development of property within the city limits. The subject property is zoned RM-II (Multiple Family Residential-II). The proposed tentative partition plan, as conditioned, complies with the applicable standards of the RM-II zone and all other applicable provisions of the UDC, as required by this approval criterion, as follows:

SRC Chapter 205 – Land Division and Reconfiguration

The intent of SRC Chapter 205 is to provide for orderly land development through the application of appropriate standards and regulations. The partition process reviews development for compliance with City standards and requirements contained in the UDC, the Salem Transportation System Plan (TSP), and the Water, Sewer, and Storm Drain System Master Plans. A second review occurs for the created parcels at the time of site plan review/building permit review to assure compliance with the UDC. Compliance with conditions of approval to satisfy the UDC is checked prior to city staff signing the final partition plat.

Finding: The Public Works Department indicates the applicant shall provide the required field survey and partition plat per Statute and Code requirements outlined in the *Oregon Revised Statutes* (ORS) and SRC. If said documents do not comply with the requirements outlined in ORS and SRC, and as per SRC Chapter 205, the approval of the partition plat by the City Surveyor may be delayed or denied based on the non-compliant violation. It is recommended the applicant request a pre-plat review meeting between the City Surveyor and the applicant's project surveyor to ensure compliance with ORS 672.005(2)(g)&(h), 672.007(2)(b), 672.045(2), 672.060(4), *Oregon Administrative Rules* 850-020-0015(4)&(10), 820-020-0020(2), and 820-020-0045(5). To ensure compliance with minimum dwelling unit density standards, prior to issuance of building permit, the partition plat shall be recorded.

Condition 1: Prior to building permits issuance, the final partition plat shall be recorded.

▪ ***Partitions which can be further divided***

Pursuant to SRC 205.040, for partitions of residentially zoned property, when the area of a proposed partition is such that it can be further divided resulting in four or more lots or parcels, the development standards applicable to subdivisions set forth in SRC Chapter 803 shall apply. Any improvements resulting from the application of such standards to the proposed partition shall be constructed, or the applicant shall enter into a deferral agreement which shall be attached to all property within the partition.

Finding: As indicated with the analysis below, the application meets the requirements of SRC Chapter 803 for a partition application, as conditioned.

SRC Chapter 514 – RM-II (Multiple Family Residential-II) Zone

▪ ***Uses.***

Allowed uses within the RM-II zone are established under SRC 514.005, Table 514-1. The proposal includes a partition to divide the subject property into two parcels. Both proposed Parcel 1 and 2 will accommodate the multi-family residential development separated by Stocken Avenue S.

Within the RM-II zone, multi-family residential uses are allowed as a permitted use.

▪ ***Land Division in the RM-II Zone:***

SRC 514.010(a) provides that lots subdivided or partitioned in the RM-II zone shall be a minimum of 20,000 square feet in size, unless the lots are restricted to contain three or more attached dwelling units per lot, are used for townhouse development, or are used for allowed uses other than household living.

Finding: As shown on the tentative partition plan (**Attachment B**), the proposed partition divides the subject property into two parcels. Proposed Parcel 1 is 4.01 acres (174,496 square feet) in size, and proposed Parcel 2 is 4.62 acres (201,266 square feet) in size. Both parcels exceed the minimum 20,000 square feet for land division in the RM-II zone.

▪ **Lot Standards.**

Lot size and dimension standards within the RM-II zone are established under SRC 514.010(b), Table 514-2. A summary of the lot size and dimension standards applicable to residential uses within the RM-II zone is provided in the following table:

RM-II Zone Residential Use Lot Standards		
Lot Area	Min. 6,000 sq. ft.	Applicable to all other uses other than townhouses and single family.
Lot Width	Min. 40 ft.	Applicable to all other uses other than townhouses and single family.
Lot Depth	Min. 80 ft.	Applicable to all other uses other than townhouses and single family.
	Min. 120 ft.	Applicable to double frontage lots (<i>lots with front and rear lots lines abutting a street</i>).
	Max. 300% of average lot width	
Street Frontage	Min. 40 ft.	Applicable to all other uses other than townhouses and single family.

Finding: As shown on the tentative partition plan (**Attachment B**), the proposed partition divides the subject property into two parcels. Proposed Parcel 1 is approximately 174,496 square feet in size (4.01 acres) and proposed Parcel 2 is approximately 201,266 square feet in size (4.62 acres). Both proposed parcels exceed the minimum required lot size and dimension requirements. Proposed Parcel 1 has frontage along Davis Road S and extension of Stockton Avenue S exceeding 16 feet, in compliance with the minimum street frontage requirement. Similarly, proposed Parcel 2 has frontage along Davis Road S and extension of Stockton Avenue S with frontage onto proposed cul-de-sac of Rise Street S thus exceeding 16 feet, in compliance with the minimum street frontage requirement.

Development of the proposed lots and conformance with the remaining the development standards of the RM-II zone and SRC Chapter 514, including density, setbacks, lot coverage, and landscaping, for the multi-family housing development included with this proposal are addressed in the findings for the Site Plan Review in Section 10 below.

▪ **Dwelling Unit Density.**

Dwelling unit density for subdivisions within the RM-II zone are established under SRC 514.015(c), Table 514-3. Within the RM-II zone, development that is exclusively residential shall have a minimum density of 15 dwelling units per acre.

Finding: Multi-family residential development is proposed for both proposed parcels. As explained in the findings for the site plan review application, based on the size of the parcel following the partition, a minimum of 69 dwelling units ($4.62 \times 15 = 69.3$) are required. The density required for Parcel 2 is a minimum 60 ($4.01 \times 15 = 60.2$). The development proposes a minimum of 105 on Parcel 1 and 87 units on Parcel 2, thus meeting the minimum dwelling unit density for the RM-II zone. The maximum density for each Parcel 1 and 2 is 143 and 124 dwelling units ($(4.62 \times 31 = 143.22)$ & $(4.01 \times 31 = 124.31)$); therefore, the minimum density is not exceeded.

As a condition of Site Plan Review approval, to ensure compliance with minimum dwelling unit density standards, prior to issuance of building permit, the partition plat shall be recorded. Development of the proposed lots will be reviewed for conformance with setback requirements at the time of building permit.

- ***Setbacks.***

Setbacks for buildings and accessory structures within the RM-II zone are established under SRC 514.010(d), Table 514-4 and 514-5.

Finding: The proposal includes a partition to divide the subject property into two parcels. Both proposed Parcel 1 and 2 will accommodate a proposed multiple-family residential apartment complex separated by Stockton Road S extension. Review for the development of the multi-family housing on proposed parcels included with this proposal is addressed in the findings for Site Plan Review in Section 10 below.

SRC Chapter 800 – General Development Standards

- ***Designation of Lot Lines:***

SRC 800.020 establishes standards for the designation of front, side, and rear lot lines for interior lots, corner lots, double frontage lots, flag lots, and all other lots.

Finding: The proposed partition includes the creation of three parcels. Both proposed parcels are considered corner lots, with frontage along Davis Road S, Stockton Avenue S, and Rise Street S. All lot dimension requirements are met regardless of which street is designated as the front lot line. Proposed Therefore, these standards are met.

❖ CITY INFRASTRUCTURE STANDARDS

The Development Services division reviewed the proposal for compliance with the City's public facility plans as they pertain to provision of water, sewer, and storm drainage facilities. While SRC Chapter 205 does not require submission of utility construction plans prior to tentative partition plan approval, it is the responsibility of the applicant to design and construct adequate City water, sewer, and storm drainage facilities to serve the proposed development prior to final plat approval without impeding service to the surrounding area. A summary of the existing and required City infrastructure improvements are as follows:

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.

Finding: The subject property is located outside the Urban Service Area. Partitioning does not require an Urban Growth Preliminary Declaration according to the definition of "development" in SRC 200.005; however, an Urban Growth Area permit is required for development of the resultant properties and has been consolidated with the application to ensure adequate

facilities are provided to the proposed multi-family development subject to the consolidated Site Plan Review application.

▪ ***Acquisition of property, easements, and right-of-way:***

SRC 200.050(d) requires that right-of-way dedicated to the City be free of encumbrances and liens.

Finding: As described in the analysis of SRC Chapter 803 below, right-of-way dedication is required along Davis Road S, Stockton Avenue S, and Rise Street S. According to the applicant's preliminary title report, there are existing easements and encumbrances affecting the subject property. As a condition of approval, the applicant shall ensure required right-of-way is unencumbered, obtain quitclaims from private utility owners where there are conflicts, unless an exception is approved by the Director pursuant to the standard in SRC 200.050(d).

Condition 2: Prior to final plat approval, required right-of-way dedications and required easements shall be free and clear of encumbrances and liens unless otherwise approved by the Director pursuant to SRC 200.050(d).

SRC Chapter 71 – Stormwater

The proposed development is subject to SRC Chapter 71 and the revised Public Works Design Standards (PWDS) as adopted in Administrative Rule 109, Division 004.

Finding: Pursuant to SRC 71.080, land divisions are required to provide stormwater flow control facilities and treatment facilities that are sized to serve the entire land division under fully developed conditions. To demonstrate the proposed parcels can meet the PWDS, the applicant shall submit a tentative stormwater design at time of development on each parcel. The stormwater systems shall be tentatively designed to accommodate the future impervious surfaces on all proposed parcels within the partition. As described in the "Site Plan Review Decision Criteria" section of this decision, the applicant has provided a preliminary stormwater system for the proposed development. Stormwater improvements will be required as a condition of the Site Plan Review application for development on the resultant properties. Stormwater improvements to accommodate new impervious surfaces in the right-of-way shall be provided prior to final plat approval.

Condition 3: At time of development of each parcel, provide an engineered stormwater design pursuant to Salem Revised Code Chapter 71 and the Public Works Design Standards to accommodate new impervious surfaces in proposed rights-of-way and future impervious surfaces on the proposed parcels.

Condition 4: Prior to final plat approval, provide an engineered stormwater design pursuant to Salem Revised Code Chapter 71 and the Public Works Design Standards to accommodate new impervious surfaces the proposed rights-of-way of the new internal streets and along Davis Road S.

Condition 5: Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct stormwater facilities pursuant to Salem

Revised Code Chapter 71 and the *Public Works Design Standards* to accommodate new impervious surfaces in rights-of-way.

SRC Chapter 802 – Public Improvements

▪ *Development to be served by City utilities:*

SRC 802.015 requires development to be served by City utilities designed and constructed according to all applicable provisions of the Salem Revised Code and Public Works Design Standards (PWDS).

Finding: In summary, the proposed development will be served adequately by City water, sewer, and stormwater infrastructure upon completion of the conditions described in the analysis provided for each utility type. 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.

Water – The subject property is located within the S-3 and S-4 water services levels. The applicant's preliminary utility plan indicates that an existing 12-inch S-3 water main located in Davis Road S will be extended through Stockton Avenue S and an existing 8-inch S-4 water main will be extended from Eagle Dance Street S, through adjacent private property located at 083W16CD19500, north to the subject property. To ensure that each resultant parcel is adequately served by public water infrastructure, the following conditions apply:

Condition 6: Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), extend a minimum 8-inch S-4 water main from Eagle Dance Street S north through adjacent private property located on Marion County Tax Lot No. 083W16CD19500 to the subject property. Water mains shall be designed and constructed in accordance with the *Public Works Design Standards*.

Condition 7: Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), extend a 12-inch S-3 water main from Davis Road S through Stockton Avenue S as shown on the applicant's preliminary utility plan. Water mains shall be designed and constructed in accordance with the *Public Works Design Standards*.

As described in the UGA section of this decision, A temporary facilities access agreement for S-3 water system service for the subject property is required to allow temporary service within the S-3 water pressure zone. In addition, prior to building permit issuance, the applicant shall pay a Temporary Access Fee of \$2,000 per dwelling unit according to the analysis within the UGA section of this decision.

Condition 8: The applicant shall construct the Skyline #2 Reservoir, or pay a Temporary Access Fee equal to \$2,000 per dwelling unit for any dwelling unit within the development served by the S-3 water system.

Sanitary Sewer – There is an existing 8-inch sewer main located in Davis Road S along the northern property boundary. The Sewer Master Plan calls for extension of an 8” sewer service through the subject property. PWDS 3.2 requires all development to provide necessary facilities and sufficient capacity to serve adjacent upstream parcels. Taxlot 083W16CD01200 is landlocked with no provisions currently for gravity sewer service. The applicant shall extend an 8-inch sewer main within Stockton Avenue S, including an extension of sewer service to taxlot 083W16CD01200, as proposed on the preliminary civil plans.

Condition 9: Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), extend an 8-inch sewer main within Stockton Avenue S, including extension of an 8-inch sewer service to taxlot 083W16CD01200, as proposed on the preliminary civil plans, pursuant to the *Public Works Design Standards*.

Stormwater – There is an existing 10-inch storm main located along a portion of the Davis Road S frontage, terminating approximately 100-feet from the western property boundary. The applicant shall be required to extend a minimum 10-inch public storm main along Davis Road S to the western boundary of the subject property. A minimum 10-inch storm main shall be constructed in Stockton Avenue S and Rise Street S as identified in on the preliminary civils plans to serve the proposed development.

Condition 10: Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), extend a minimum 10-inch public storm main along Davis Road S to the western boundary of the subject property and construct a minimum 10-inch storm main in Stockton Avenue S and Rise Street S as identified in on the preliminary civil plans pursuant to *Public Works Design Standards*.

As conditioned, the proposed development conforms to the public improvement standards of SRC Chapter 802.

▪ **Easements:**

SRC 802.020 requires the conveyance or dedication of easements for City utilities as a condition of development approval.

Finding: As shown on the applicant's preliminary utility plan, public water and sewer mains are proposed crossing private property to serve the subject property and adjacent properties with public infrastructure. An 8-inch public water main is proposed on Parcel 2 connecting water service from the southern property boundary and between Reserve Lane S and Rise Street S through an off-street parking area. An 8-inch sewer main is required to be extended crossing Parcel 1 from Stockton Avenue S to taxlot 083W16CD01200.

The Public Works Department is supportive of extending the public utility mains on private property as proposed with dedication of easements, as required by the *Public Works Design Standards*. Per the Public Works Design Standards Section 1.8 (Easements), the minimum easement width required for an 8-inch public water main is 15-feet and the minimum easement width required for an 8-inch public sewer main is 20-feet; additional easement width may be required depending on pipe depth.

Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat.

Condition 11: Prior to final plat approval, all necessary (existing and proposed) access and utility easements must be shown and recorded on the final plat.

Public Works Design Standards require public utilities to be constructed in public rights-of-way. As shown on the applicant's preliminary utility plan, an extension of a new public S-4 water main is proposed to be located on adjacent privately owned property (Marion County Taxlot No. 083W16CD19500). Water mains constructed on private property require a design exception, the Public Works Department has reviewed this request and is supportive of extending the existing public water main on private property with dedication of an easement, as required by the *Public Works Design Standards*. The minimum easement width required for an 8-inch public water main is 15-feet per the Public Works Design Standards Section 1.8 (Easements); additional easement width may be required depending on pipe depth. As a condition of approval, the applicant shall dedicate an easement for the new public water main located on private property meeting the Public Works Design Standards for easement width.

Condition 12: Prior to final plat approval, the applicant shall obtain an easement for the proposed public water main extension on private property located at 083W16CD19500. All easements shall meet the *Public Works Design Standards (PWDS)* for easement width per PWDS Section 1.8 (Easements).

As conditioned, the proposal meets the requirements of SRC Chapter 802.

SRC Chapter 803 – Street and Right-of-way Improvements

▪ *Boundary Street Improvements*

Pursuant to SRC 803.025, except as otherwise provided in this chapter, right-of-way width and pavement width for streets and alleys shall conform to the standards set forth in Table 803-1 (Right-of-way Width) and Table 803-2 (Pavement Width). In addition, SRC 803.040 requires dedication of right-of-way for, and construction or improvement of, boundary streets up to one-half of the right-of-way and improvement width specified in SRC 803.025 as a condition of approval for partition applications.

Finding: Davis Road S abuts the subject property and is classified as a collector street according to the Salem Transportation System Plan (TSP). Davis Road S does not meet the current right-of-way width and improvement width standards for a collector street. The ultimate right-of-way width for a collector street is 60 feet according to SRC 803.025 Table 803-1 (Right-of-way Width) and the ultimate improvement width for a collector is 34 feet according to SRC 803.025 Table 803-2 (Pavement Width). As a condition of approval per SRC 803.040(a)(2), the applicant shall dedicate 30-feet from the centerline of Davis Road S and shall construct a half-street improvement to collector street standards.

Condition 13: On the final plat, convey land for dedication to equal a half-width right-of-way of 60 feet on the development side of Davis Road S, including sufficient right-of-way to accommodate public infrastructure at the property corners.

Condition 14: Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct a half-street improvement along the frontage of Davis Road S to collector street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.

As described in the UGA section of this decision, the nearest adequate linking street improvement, as defined in SRC 200.055(b) is located along Davis Road S, approximately 170 feet to the east. Davis Road S is classified as a collector street according to the Salem Transportation System Plan (TSP). The linking improvement requires widening Davis Road S to equal a 34-foot-wide linking street improvement from the eastern boundary of the subject property approximately 170 feet to the northwest boundary of the Vannatta Place Townhome Subdivision.

Condition 15: Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct a 34-foot-wide linking street improvement along Davis Road from the eastern boundary of the subject property approximately 170 feet to the east to the nearest adequate facility, and acquire right-of-way as needed sufficient to construct the required street improvement.

Rise Street S partially stubs into the property along the southern property boundary and is designated as a local street according to the Salem Transportation System Plan (TSP). As shown on the applicant's plans, Rise Street S will be extended into the property, partially encroaching on Taxlot 083W16CD01200, and terminating in a cul-de-sac. As a condition of approval, the applicant shall dedicate the minimum right-of-way width required for a local street terminating in a cul-de-sac and construct the local street and cul-de-sac in accordance with the standards in SRC Chapter 803 and the Public Works Design Standards.

Condition 16: On the final plat, convey land for dedication to equal full width right-of-way and cul-de-sac for the extension and terminus of Rise Street S on the subject property and consistent with the standards of SRC Chapter 803, Table 803-1 (Right-of-way Width).

Condition 17: Acquire rights-of-way as needed sufficient to construct Rise Street S on adjacent property (Marion County Taxlot No. 083W16CD01200) as shown on the preliminary site plan and consistent with the standards of SRC Chapter 803, Table 803-1 (Right-of-way Width).

Condition 18: Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct full-width street improvement for the extension and terminus of Rise Street S, from approximately 50-feet south, and through the subject property as shown on the applicant's preliminary plans and as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803 Table 803-2 (Pavement Width).

▪ ***Street Standards – New Internal Streets:***

All new public and private streets shall be improved pursuant to the standards outlined in SRC 803.030 and 803.035.

Finding: The applicant's site plan shows a new internal street to be constructed within the subject property, Stockton Avenue S, which is classified as a local street. The applicant's plans show a 60-foot-wide right-of-way and 30-foot-wide improvement width for these streets, which is consistent with standards set forth in Table 803-1 (Right-of-way Width) and Table 803-2 (Pavement Width). The following Alternative Street Standard has been requested for this street:

Alignment and Grade - SRC 803.035(c) establishes a maximum grade of 12 percent for local streets, however, the new internal street has a maximum grade of approximately 15 percent. The applicant explains that the subject property has a grade change of approximately 110 feet between Davis Road S and Rise Street S at the southern boundary of the property. Given the topography of the property, it is not possible to design a new roadway providing a connection between Davis Road S and Rise Street S in compliance with the maximum grade standard. Pursuant to SRC 803.065(a)(3), an Alternative Street Standard is approved to allow an increase to the maximum grade standard for the new internal street (Stockton Avenue S) not to exceed 15-percent.

In order to comply with SRC Chapter 803, relating to street standards, the applicant shall dedicate right-of-way for the new internal streets (Stockton Avenue S and Rise Street S) and shall design and construct internal streets to meet development standards in SRC Chapter 803 and the *Public Works Design Standards*, except where an Alternative Street Standard has been approved by this decision.

Condition 19: On the final plat, dedicate a 60-foot-wide right-of-way for the new internal street (Stockton Avenue S) as shown on the applicant's tentative plan and consistent with the standards of SRC Chapter 803, Table 803-1 (Right-of-way Width).

Condition 20: Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct internal streets to local street standards as specified in the City Street Design Standards and consistent with the provisions in SRC Chapter 803, except where an Alternative Street Standard has been approved to allow street grades up to 15%.

▪ **Street Trees**

Pursuant to SRC 803.035(k) and SRC 86.015(e), anyone undertaking development along public streets shall plant new street trees to the maximum extent feasible.

Finding: The applicant is constructing new internal streets to serve the development. Additionally, street trees are required to be planted along Davis Road S. The applicant shall be required to provide street trees along all street frontages at the time of development on each lot.

Condition 21: At time of development on each parcel, install street trees to the maximum extent feasible along Davis Road S, Stockton Avenue S, and Rise Street S.

▪ ***Public Utility Easements***

SRC 803.035(n) requires dedication of a 10-foot Public Utility Easements (PUE) along all street rights-of-way.

Finding: As a condition of approval, the applicant shall dedicate a 10-foot-wide PUE along the frontage of Davis Road S, and along the new internal streets (Stockton Avenue S and Rise Street S).

Condition 22: On the final plat, provide a 10-foot-wide public utility easement along the frontages of Davis Road S, Stockton Avenue S, and Rise Street S.

▪ ***Transit Facilities:***

SRC 803.035(r) requires transit stops conforming to the applicable standards of the Salem Area Mass Transit District be constructed and right-of-way dedication, when necessary to accommodate the transit stop, shall be provided when a transit stop is identified as being needed by the Transit District in connection with a proposed development.

Finding: Cherriots submitted comments indicating that a transit stop has been identified as needed in connection with the proposed development. The comments identify that the transit stop is required to be constructed along Davis Road S a minimum of 50 feet east of the curb radius with Stockton Avenue S. Pursuant to SRC 803.035(r), the applicant shall construct the requested transit stop in conjunction with the boundary street improvements along Davis Road S.

Condition 23: Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), the applicant shall design and construct one transit stop along Davis Road S in a location approved by Cherriots and the Public Works Department.

SRC Chapter 803 – Street and Right-of-way Improvements

▪ ***Boundary Street Improvements***

Pursuant to SRC 803.025, except as otherwise provided in this chapter, right-of-way width and pavement width for streets and alleys shall conform to the standards set forth in Table 803-1 (Right-of-way Width) and Table 803-2 (Pavement Width). In addition, SRC 803.040 requires dedication of right-of-way for, and construction or improvement of, boundary streets up to one-half of the right-of-way and improvement width specified in SRC 803.025 as a condition of approval for partition applications.

Finding: Davis Road S abuts the subject property and is classified as a collector street according to the Salem Transportation System Plan (TSP). Davis Road S does not meet the current right-of-way width and improvement width standards for a collector street. The ultimate right-of-way width for a collector street is 60 feet according to SRC 803.025 Table 803-1 (Right-of-way Width) and the ultimate improvement width for a collector is 34 feet according to SRC 803.025 Table 803-2 (Pavement Width). As a condition above per SRC 803.040(a)(2), the applicant shall dedicate 30-feet from the centerline of Davis Road S and shall construct a

half-street improvement to collector street standards.

As described in the UGA section of this decision, the nearest adequate linking street improvement, as defined in SRC 200.055(b) is located along Davis Road S, approximately 170 feet to the east. Davis Road S is classified as a collector street according to the Salem Transportation System Plan (TSP). The linking improvement requires widening Davis Road S to equal a 34-foot-wide linking street improvement from the eastern boundary of the subject property approximately 170 feet to the northwest boundary of the Vannatta Place Townhome Subdivision.

Rise Street S partially stubs into the property along the southern property boundary and is designated as a local street according to the Salem Transportation System Plan (TSP). As shown on the applicant's plans, Rise Street S will be extended into the property, partially encroaching on Taxlot 083W16CD01200, and terminating in a cul-de-sac. As a condition of approval discussed above, the applicant shall dedicate the minimum right-of-way width required for a local street terminating in a cul-de-sac and construct the local street and cul-de-sac in accordance with the standards in SRC Chapter 803 and the Public Works Design Standards.

❖ **ENVIRONMENTAL FACTORS**

SRC Chapter 601 – Floodplain

Development in the floodplain shall be regulated to preserve and maintain the capability to the floodplain to convey the flow 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

SRC Chapter 808 (Preservation of Trees and Vegetation) requires tree conservation plans in conjunction with development proposals involving the creation of lots or parcels to be used for single family uses, two family uses, three family uses, four family uses, or cottage clusters.

Finding: The proposed development is for multi-family housing and does not fall within the uses requiring a Tree Conservation Plan in conjunction with the Partition; therefore, a tree conservation plan is not required with this proposal. Further review of the tree preservation requirements are addressed with the Site Plan Review criteria in Section 9 below.

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 wetlands 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. SRC

Chapter 809 establishes requirements for notification of DSL when an application for development is received in an area designated as a wetland on the official wetlands map.

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

(B) Any special development standards, including, but not limited to, floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.

Finding: A summary of the existing and required improvements related to natural resources and other special development standards are as follows:

SRC Chapter 601 – Floodplain

Development in the floodplain shall be regulated to preserve and maintain the capability to the floodplain to convey the flow water discharges and to minimize danger to life and property.

Finding: Public Works staff 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

SRC Chapter 808 (Preservation of Trees and Vegetation) requires tree conservation plans in conjunction with development proposals involving the creation of lots or parcels to be used for single family uses, two family uses, three family uses, four family uses, or cottage clusters.

Finding: The proposed development is for multi-family housing, and does not fall within the uses requiring a Tree Conservation Plan in conjunction with the Partition; therefore, a tree conservation plan is not required with this proposal. Further review of the tree preservation requirements are addressed with the Site Plan Review criteria in Section 9 below.

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 wetlands 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. SRC Chapter 809 establishes requirements for notification of DSL when an application for development is received in an area designated as a wetland on the official wetlands map.

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

The City's landslide hazard ordinance (SRC Chapter 810) establishes standards and requirements for the development of land within areas of identified landslide hazard susceptibility.

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 partition 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 205.005(d)(2): The tentative partition plan does not impede future access to adjacent land.

Finding: Davis Road S abuts the subject property and is classified as a collector street according to the Salem Transportation System Plan (TSP). The applicant's tentative plan shows a new local street, Stockton Avenue S will be extended north-south across the subject property, and Rise Street S will be extended from the south onto the subject property providing connectivity for abutting properties. Case No. CPC/NPC/ZC 12-03 established street connectivity requirements for the subject property, including extension of Reserve Lane S from the west. The applicant has submitted a separate Variance request (Case No. VAR25-01) to remove the street connection requirement to Reserve Lane S. As an alternative, the applicant proposes to construct an off-street parking lot that will have driveway connections to Rise Street S and Reserve Lane S, while providing a public access easement across the parking lot allowing pedestrian and vehicle connectivity between Rise Street S and Reserve Lane S. Variance Case No. VAR25-01 has received final land use approval as of August 15, 2025.

Due to grade and existing development on the eastern and western boundaries of the property, additional street connections are not warranted. As proposed and conditioned, the tentative partition plan does not impede future access to adjacent land, rather it provides new access opportunities. This criterion is met.

SRC 205.005(d)(3): Development within the tentative partition plan can be served by City infrastructure.

Finding: The Development Services division reviewed the proposal and determined that water, sewer, and storm infrastructure are available and appear to be adequate to serve the parcels within the proposed partition, subject to the conditions of approval established in this decision. This approval criterion is met.

SRC 205.005(d)(4): The street system in and adjacent to the tentative partition plan conforms to the Salem Transportation System Plan.

Finding: As described in the findings above, the subject property is located adjacent to Davis Road S, which is classified as a collector street under the City's Transportation System Plan (TSP). Conditions of approval established with this decision will require half street improvements to Davis Road S along the frontage of the subject property as well as off-site linking street improvements. In addition, new internal street connections, including Stockton Street S and Rise Street S will be established through the subject property in conformance with SRC Chapter 803 and the Salem TSP. This criterion is met.

SRC 205.005(d)(5): When the tentative partition plan is for property located more than 300 feet from an available sewer main, and the property will not connect to City water and sewer:

- (A)The property is zoned residential;***
- (B)The property has received a favorable site evaluation from the county sanitarian for the installation of an on-site sewage disposal system; and***
- (C)The proposed parcels are at least five acres in size and, except for flag lots, have no dimension that is less than 100 feet.***

Finding: As proposed and conditioned, the site is served by available public water and sewer; therefore, this criterion is not applicable.

SRC 205.005(d)(7): The layout, size, and dimensions of the parcels within the tentative partition plan take into account the topography and vegetation of the site, such that the least disruption of site, topography, and vegetation will occur from the reasonable development of the parcels.

Finding: As addressed in the findings establishing conformance with SRC 205.005(d)(6) above, the tentative partition plan configures the parcels to allow residential development of the site while minimizing disruptions to topography and vegetation. The proposed parcels are also of sufficient size and dimension to permit future development of uses allowed within the zone. This approval criterion is met.

SRC 200.005(d)(8): When the tentative partition plan is for property located more than 300 feet from an available sewer main, and the property will not connect to City water and sewer:

- (A) The property is zoned residential;***
- (B) The property has received a favorable site evaluation from the county sanitarian for the installation of an on-site sewage disposal system; and***
- (C) The proposed parcels are at least 5 acres in size and, except for flag lots, have no dimension that is less than 100 feet.***

Finding: The site is served by available sewer and water; therefore, this criterion is not applicable.

9. 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.

SRC 200.025(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.***

Finding: Development Services has reviewed the applicable Master Plans and Area Facilities Plans and has determined what facilities are necessary to fully serve the development as well as the extent to which the facilities are in place or will be listed as a condition of approval on the development, as described in the below analysis of the development based on relevant standards in SRC 200.055 through SRC 200.075.

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.

Finding: 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).

The subject property has frontage along Davis Road S which is classified as a collector street according to the Salem Transportation System Plan (TSP). The nearest adequate linking street improvement, as defined in SRC 200.055(b) is located along Davis Road S, approximately 170 feet to the east of the subject property. The linking improvement requires widening along Davis Road S to provide a 34-foot-wide linking street improvement from the eastern boundary of the subject property approximately 170 feet to the northwest boundary of the Vannatta Place Townhome Subdivision.

Needed Improvement: Construct a 34-foot-wide linking street improvement along Davis Road from the eastern boundary of the subject property approximately 170 feet to the east to the nearest adequate facility, and acquire right-of-way as needed sufficient to construct the required street improvement.

Conditions of approval from CPC-NPC-ZC 12-03 and street connectivity requirements of SRC Chapter 803 require the proposed development to provide a complete street connection through the subject property to Rise Street S, which is designated as a local street. Rise Street S terminates along the southeastern property boundary, approximately 50-feet south of the subject property. The street improvement is required to extend across adjacent property (Marion County Taxlot no. 083W16CD01200) in order to complete the full street improvement. Pursuant to SRC 200.050(a), the developer shall obtain all rights-of-way necessary for street improvements.

Needed Improvement: Construct Rise Street S from its existing terminus, approximately 50-feet south, through Marion County Taxlot No. 083W16CD01200, and to the south line of the subject property. The applicant shall

acquire rights-of-way as needed sufficient to construct the required street improvement.

As described in the City Street Standards section of this decision, as a condition of approval the applicant shall construct the identified needed improvements which will provide an adequate linking improvement to serve the proposed development.

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 Davis Road S along the northern property boundary. The existing sanitary sewer main in Davis Road S provides an adequate linking sewer improvement per SRC 200.060. Therefore, off-site linking sanitary sewer improvements are not required. As a condition of sewer service, all development will be required to provide public sewer service to adjacent upstream parcels. Abutting upstream property to the east located at 083W16CD01200 does not have access to sewer service, and cannot be served by sewer service to the south in Rise Street S. As a condition of approval, the applicant shall extend sewer service through the subject property to adjacent property located at 083W16CD01200, discussed further below in the Site Plan Review findings.

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 Davis Road S along the northern property boundary. The existing storm main in Davis Road S provides an adequate link according to SRC 200.005; therefore, off-site linking stormwater 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 applicant shall provide linking water mains consistent with the *Water System Master Plan* adequate to convey fire flows to serve the proposed development as specified in the Water Distribution Design Standards. The subject property is located within both the S-3 and S-4 water service level boundaries, S-3 and S-4. S-3 water mains are available in Davis Road S, Reserve Lane S and Rise Street S abutting the subject property. However, according to the *Water System Master Plan*, the existing S-3 water facilities in the area do not currently have adequate capacity. The *Water System Master Plan* identifies that a new water reservoir, the Skyline Reservoir #2 needs to be constructed in order to provide adequate water capacity to the system. In lieu of constructing Skyline Reservoir #2, the applicant may pay a Temporary Access Fee (TAF) as temporary capacity is available through other reservoirs within the S-3 system.

The temporary access fee for this S-3 service area is based on the water-rate-funded portion of the Skyline #2 reservoir, which is \$1,200,000. This component total was divided by the

number of remaining dwellings that can be temporarily served by the Skyline #2 reservoir, which is estimated to be 600 dwelling units, equaling \$2,000 per dwelling unit. Of the 192 proposed total number dwelling units in this complex, 114 are located in the S-3 portion of the property, totaling approximately \$228,000 in temporary access fees. A temporary facilities access agreement is required prior to issuance of any construction permits and the temporary access fee of \$2,000 per unit is required as a condition of building permit issuance.

Needed Improvement: The applicant shall construct the Skyline #2 Reservoir, or pay a Temporary Access Fee equal to \$2,000 per dwelling unit for any dwelling unit within the development served by the S-3 water system.

The nearest available S-4 public water appears to be an 8" water main located approximately 140 feet south of the subject property in Eagle Dance Street S. This water main was constructed as a temporary S-3 water service that will convert to S-4 with the completion of an off-site water main extension for Liberty Road Apartments West (24-115421-PC). The applicant's preliminary utility plan shows construction of an 8-inch S-4 water main through adjacent property (Marion County Taxlot No. 083W16CD19500) to serve the development site with S-4 water service. As a condition of approval, the applicant shall provide linking S-4 water mains consistent with the *Water System Master Plan* adequate to convey fire flows to serve the proposed development as specified in the Water Distribution Design Standards, described further in the Site Plan Review findings below. Pursuant to SRC 200.050(a), the developer shall obtain all easements or rights-of-way necessary for water mains.

Needed Improvement: Extend a minimum 8-inch S-4 water main from Eagle Dance Street S, through private property on Marion County Taxlot No. 083W16CD19500, north to the subject property and acquire easements or rights-of-way as needed sufficient to construct the required improvement.

SRC 200.075 – Standards for Park Sites

Finding: Pursuant to SRC 200.075(a), the applicant shall reserve for dedication prior to development approval that property within the development site that is necessary for an adequate neighborhood park, access to such park, and recreation routes, or similar uninterrupted linkages, based upon the Salem Comprehensive Park System Master Plan.

The subject property is served by Secor Park, a neighborhood park located approximately 600 feet north of the subject property. Access to this park is provided through the existing street network. Therefore, no additional off-site park improvements are required.

10. 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 apartment complex of 47 buildings containing 192 dwelling units with associated site improvements on property zoned RM-II (Multiple Family Residential). The development has therefore been reviewed for conformance with the RM-II zone under SRC Chapter 514. 29 adjustments are requested to setbacks, parking location, buildable width, and building orientation; findings for the adjustments are included in Section 12 of this report. The proposed development conforms to SRC Chapter 514 and all other applicable development standards of the Salem Revised Code as follows.

❖ ZONING AND DEVELOPMENT STANDARDS

RM-II (Multiple Family Residential-II) Zone

SRC 514.005(a) – Uses.

The permitted, special, conditional, and prohibited uses in the RM-II zone are set forth in Table 514-1.

Finding: Multiple family residential uses are allowed as a permitted use in the RM-II zone per Table 514-1.

SRC 514.010(a) – Land division in the RM-II zone.

Lots subdivided or partitioned in the RM-II zone shall be a minimum of 20,000 square feet in size, unless the lots are restricted to contain three or more attached dwelling units per lot, are used for townhouse development, or are used for allowed uses other than household living.

Finding: As described above, both resulting parcels will be 174,496 and 201,266 square feet respectively, which meets the minimum 20,000 square feet; therefore, this standard is met.

SRC 514.010(b) – Lot standards.

Lots within the RM-II zone shall conform to the standards set forth in Table 514-2..

Finding: As previously addressed in findings for the tentative partition plan in Section 8, the proposed parcels meet the minimum lot standards for the RM-II zone. The proposed development is being reviewed for conformance with the development standards of the RM-II zone with the assumption that the partition of the property is completed. Per Condition 1 above, the resulting property meets the minimum lot standards of the RM-II zone.

SRC 514.010(c) – Dwelling unit density.

Dwelling unit density within the RM-II zone shall conform to the standards set forth in Table 514-3. Maximum dwelling unit cannot be varied or adjusted. Multiple family uses are required to have a minimum density of 15 dwelling units per acre and maximum density of 31 units per acre.

Finding: After the final plat is recorded as conditioned, the proposed development will result in Parcel 1 and Parcel 2 with a size of 4.01 and 4.62 acres, respectively. Based on the size of Parcel 1, a minimum of 69 dwelling units ($4.62 \times 15 = 69.3$) are required. The density required

for Parcel 2 is a minimum 60 ($4.01 \times 15 = 60.2$). The development proposes a minimum of 105 on Parcel 1 and 87 units on Parcel 2, thus meeting the minimum dwelling unit density. The maximum density for each Parcel 1 and 2 is 143 and 124 dwelling units ($(4.62 \times 31 = 143.22)$ & $(4.01 \times 31 = 124.31)$); therefore, the minimum density is not exceeded.

SRC 514.010(d) – Setbacks.

Setbacks within the RM-II zone shall be provided as set forth in Table 514-4 and Table 514-5.

Parcel 1

Abutting Street

North: Adjacent to the north is right-of-way for Davis Road S, designated as a Collector Street in the Salem TSP. For a multiple family use, Table 514-4 specifies that multi-family buildings abutting a street require a minimum setback of 12 feet plus one foot for each one foot of height over 12 feet, but need not exceed 20 feet; vehicle use areas require a minimum 12-foot setback.

West: The development plan includes construction of extension of Stockton Street S which is a Local Street where each proposed parcel abuts right-of-way. For a multiple family use, Table 514-4 specifies that multi-family buildings abutting a street require a minimum setback of 12 feet plus one foot for each one foot of height over 12 feet but need not exceed 20 feet; vehicle use areas require a minimum 12-foot setback.

Finding: The proposed development on Parcel 1 will include apartment buildings with heights exceeding 20 feet and single story attached and detached single unit dwellings. Per the applicant's elevations, the detached single-story units measure 12 feet in height while the two-unit attached measure 13.5 feet in height thus requiring a minimum setback of 20 feet for apartment buildings and a maximum 13 feet for the single-story buildings. The applicant is proposing to setback all apartment buildings a minimum 20 feet from street abutting property lines with all single-story structures proposed to be setback a minimum 16 feet from all street abutting property lines.

On Parcel 1, there are two distinct off-street parking areas located in the southern and northern portion of the site and accessed from the Stockton Avenue S extension. The northern parking area is setback a minimum 17.5 feet from the street abutting property line with the applicant is seeking a Class 2 Adjustment for the southern parking area to reduce the vehicle use area setback from 12 to 10 feet. Findings for the adjustment are included in Section 12 of this report

Interior Side and Rear

South and East: The subject property is an irregular shape that abuts property zoned RM-II to the east and south. For a multiple family use, Table 514-5 specifies that buildings and 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 applicant's plans indicate the minimum 10-foot setback along the south and east property line, where all adjacent buildings and vehicle use areas meet the minimum setback.

However, based on the applicant's plans there appears to be an accessway that serves the flag lot residential property's along the eastern property line. The applicant's partition plan also shows an encroachment easement proposed along the length of the surfaced area. Per SRC 112.050 (c), the required minimum 10-foot setback is measured from the flag lot accessway's most interior access easement line. The applicant's proposed off-street parking areas and northern waste service area are within 10 feet of the proposed easement. No adjustment has been sought to reduce the setback. As such, the following is conditioned to ensure the setback to the access easement is met:

Condition 24: Prior to building permit approval on Parcel 1, the applicant shall setback all structures and vehicle use areas a minimum 10 feet with Type C landscaping from the easement serving the flag lots abutting the eastern portion of the site per SRC 112.050(c) and 514.010(d) or seek an adjustment.

Parcel 2

Abutting Street

North: Adjacent to the north is right-of-way for Davis Road S, designated as a Collector Street in the Salem TSP. For a multiple family use, Table 514-4 specifies that multi-family buildings abutting a street require a minimum setback of 12 feet plus one foot for each one foot of height over 12 feet, but need not exceed 20 feet; vehicle use areas require a minimum 12-foot setback.

East: The development plan includes construction of extension of Stockton Street S and Rise Street S which are both Local Streets. For a multiple family use, Table 514-4 specifies that multi-family buildings abutting a street require a minimum setback of 12 feet plus one foot for each one foot of height over 12 feet, but need not exceed 20 feet; vehicle use areas require a minimum 12-foot setback.

Finding: The proposed development on Parcel 2 will include apartment buildings with heights exceeding 20 feet. The applicant is seeking a Class 2 Adjustment to reduce the street abutting setback along Stockton Ave S from 20 to 10 feet for buildings 7, 8, and 9. All other buildings for the proposed development are setback a minimum 20-feet from all street abutting property lines.

On Parcel 2, there are four distinct off-street parking areas located along Stockton Avenue SE and proposed along the edges of the 24-foot-wide access easement leading from Rise Street S to Reserve Lane S. The parking areas along 24-foot access easement and adjacent to Building 8 meet the minimum 12-foot setback. The two northern most parking areas adjacent to Building 9 and 10 are only setback a minimum 10 feet. The applicant is seeking a Class 2 Adjustment to reduce the vehicle use area setback from 12 to 10 feet. Findings for the adjustment are included in Section 12 of this report

Interior Side and Rear

South and West: The subject property is an irregular shape that abuts property zoned RM-II to the south and west. For a multiple family use, Table 514-5 specifies that buildings and 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 applicant's plans indicate the minimum 10-foot setback along the south and west property line, where all adjacent buildings and vehicle use areas meet the minimum setback.

SRC 514.010(e) - Lot Coverage, Height.

Buildings and accessory structures within the RM-II zone shall conform to the lot coverage and height standards set forth in Table 514-6.

Finding: The maximum lot coverage requirement for all uses in the RM-II zone is 60 percent. The maximum building height allowance for multiple family buildings is 50 feet. Accessory structures are limited to a maximum building height of 15 feet. The site plan indicates that the proposed buildings on Parcel 1 cover 33,548 square feet of the 4.01-acre lot, for a lot coverage of approximately 19 percent ($33,548 / 174,496 = 19.2$). As proposed on Parcel 2, the site plan shows that the buildings cover approximately 20 percent ($39,686 / 201,266$). The applicant's building elevations indicate that all new buildings are less than 40 feet in height; therefore, the proposal meets the standards.

SRC 514.010(f) – Maximum Square Footage for All Accessory Structures.

In addition to the maximum coverage requirements established in Table 514-6, accessory structures to single family and two-family uses shall be limited to the maximum aggregate total square footage set forth in Table 514-7.

Finding: The proposed use is multiple family. This standard is not applicable.

SRC 514.010(g) – Landscaping.

- (1) *Setbacks.* Required setbacks 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: Pursuant to SRC 702.020(b)(8), multiple family developments with 13 or more units are exempt from the landscaping requirements for vehicle use areas in SRC chapter 806, and are subject to landscaping standards under the Multiple Family Design Review Standards instead, which are addressed in Section 14 of 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 514.010(h) – Outdoor Storage:

Within the RM-II zone, outdoor storage shall be screened from streets and adjacent properties by a minimum six-foot-high sight-obscuring fence, wall, or hedge.

Finding: No outdoor storage areas are proposed. This development standard is not applicable.

SRC 514.015 – Design Review:

Design review under SRC chapter 225 is required for development within the RM-II zone as follows:

- (a) Multiple family development shall be subject to design review according to the multiple family design review standards set forth in SRC chapter 702.
- (b) Residential care with five or more self-contained dwelling units shall be subject to the multiple family design review standards set forth in SRC chapter 702.

Finding: The proposal is for a multiple family development of 192 units; therefore, it is subject to the Design Review standards of Chapter 702, which are addressed in Section 14 of this report.

SRC Chapter 800 – General Development Standards

▪ Solid Waste Service Areas

SRC 800.055(a) – Applicability.

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 proposed development includes a new solid waste service area. The standards of SRC 800.055 apply. Full adherence with these standards will be ensured at the time of building permit review.

SRC 800.055(b) – Solid Waste Receptacle Placement Standards.

All solid waste receptacles shall be placed at grade on a concrete pad that is a minimum of 4 inches thick, or on an asphalt pad that is a minimum of 6 inches thick. The pad shall have a slope of no more than 3 percent and shall be designed to discharge stormwater runoff.

- (1) *Pad area.* In determining the total concrete pad area for any solid waste service area:
 - (a) The pad area shall extend a minimum of 1-foot beyond the sides and rear of the receptacle.
 - (b) The pad area shall extend a minimum 3 feet beyond the front of the receptacle.
 - (c) In situations where receptacles face each other, a minimum four feet of pad area shall be required between the fronts of the facing receptacles.

Finding: The proposed trash enclosure is located within the fully paved vehicle use area and thereby meets the pad area requirements. This standard is met.

(2) *Minimum Separation.*

- (a) A minimum separation of 1.5 feet shall be provided between the receptacle and the side wall of the enclosure.
- (b) A minimum separation of 5 feet shall be provided between the receptacle and any combustible walls, combustible roof eave lines, or building or structure openings.

Finding: The applicant has provided construction details for the trash enclosure that illustrate adequate separation distance is provided within the enclosure. Receptacles will not be placed within 5 feet of a building or structure. This standard is met.

(3) Vertical Clearance.

- (a) Receptacles 2 cubic yards or less in size shall be provided with a minimum of 8 feet of unobstructed overhead or vertical clearance for servicing.
- (b) Receptacles greater than 2 cubic yards in size shall be provided with a minimum of 14 feet of unobstructed overhead or vertical clearance for serving.

Finding: The construction details for the enclosure appear to show that enclosure will include receptacles with a minimum size of three cubic yards as such a minimum clearance height of 14 feet is required. The details provided by the applicant show that the enclosure will only have a clearance height of 14 feet. Therefore, to ensure the trash enclosure meets all development standards at the time of construction, the following condition applies:

Condition 25: At the time of building permit review, the applicant shall revise construction details for the trash enclosure to demonstrate conformance with all applicable standards of SRC 800.055.

SRC 800.055(c) – Permanent Drop Box and Compactor Placement Standards.

Permanent drop box and compactors shall meet the placement standards set forth in this section.

Finding: The proposal does not include permanent drop box or compactors. This standard does not apply to the proposed development.

SRC 800.055(d) – Solid Waste Service Area Screening Standards.

- (1) Solid waste, recycling, and compostable service areas shall be screened from all streets abutting the property and from all abutting residentially zoned property by a minimum six-foot-tall sight-obscuring fence or wall; provided, however, where receptacles, drop boxes, and compactors are located within an enclosure, screening is not required. For the purpose of this standard, abutting property shall also include any residentially zoned property located across an alley from the property.
- (2) Existing screening at the property line shall satisfy screening requirements if it includes a six-foot-tall sight-obscuring fence or wall.

Finding: The applicant's development plans show the proposed solid waste service areas will be screened with a concrete masonry wall on three sides, and opaque metal gates at the openings of the enclosure. The proposal meets the standard.

SRC 800.055(e) – Solid Waste Service Area Enclosure Standards.

When enclosures are used for required screening or aesthetics, such enclosure shall conform to the following standards:

- (1) *Front Opening of Enclosure.* The front opening of the enclosure shall be unobstructed and shall be a minimum of 12 feet in width.

Finding: The applicant's development plans show an enclosure with a front openings of at least 12 feet in width; therefore, this standard is met.

- (2) *Measures to Prevent Damage to Enclosure.*

- (A) Enclosures constructed of wood or chain-link fencing material shall contain a minimum four-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the enclosure to prevent damage from receptacle impacts.
- (B) Enclosures constructed of concrete, brick, masonry block, or similar types of material shall contain a minimum four-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the enclosure, or a fixed bumper rail to prevent damage from receptacle impacts.

Finding: The applicant's development plans show the proposed solid waste service areas will be screened with a concrete masonry wall, and provide only a six-inch bumper curb along the perimeter of the enclosure. As conditioned above, further conformance with the standard will be verified at the time of building permit review.

- (3) *Enclosure Gates.* Any gate across the front opening of an enclosure shall swing freely without obstructions. For any enclosure opening with an unobstructed width of less than 15 feet, the gates shall open a minimum of 120 degrees. For any enclosure opening with an unobstructed width of 15 feet or greater, the gates shall open a minimum of 90 degrees. All gates shall have restrainers in the open and closed positions.

Finding: The applicant's development plans show an enclosure with one front opening of 14.7 feet. The construction details for the enclosure indicate the enclosure gate will be able to open to a minimum 120 degrees. However, the applicant's plans for the southern parking area within Parcel 1 show a trash enclosure where a landscape area is abutting that may prevent the 120-degree opening. In addition, no restrainers are indicated on the details. As conditioned above, the applicant can provide the required information at the time of building permit review to demonstrate conformance with the standard.

SRC 800.055(f) – Solid Waste Service Area Vehicle Access.

(1) Vehicle Operation Area.

- (A) A vehicle operation area shall be provided for solid waste collection service vehicles that are free of obstructions and no less than 45 feet in length and 15 feet in width; provided, however, where the front opening of an enclosure is wider than 15 feet, the width of the vehicle operation area shall be increased to equal the width of the front opening of the enclosure. Vehicle operation areas shall be made available in front of every receptacle.

Finding: The proposed site plan shows a vehicle operation area perpendicular to the enclosure and extending into vehicle maneuvering area, with a minimum length of 45 feet and a width equal to the width of the enclosure. The proposal meets the standard.

- (B) For solid waste service areas having receptacles of two cubic yards or less, the vehicle operation area may be located:
 - (i) Perpendicular to the permanent location of the receptacle or the enclosure opening (see Figure 800-8);
 - (ii) Parallel to the permanent location of the receptacle or the enclosure opening (see Figure 800-9); or

- (iii) In a location where the receptacle can be safely maneuvered manually not more than 45 feet into a position at one end of the vehicle operation area for receptacle servicing.

Finding: The proposal includes receptacles greater than two cubic yards in size. This standard does not apply.

- (C) The vehicle operation area may be coincident with a parking lot drive aisle, driveway, or alley provided that such area is kept free of parked vehicles and other obstructions at all times except for the normal ingress and egress of vehicles.

Finding: The proposed site plan shows the vehicle operation area is coincident with the parking lot drive aisle, and located away from the possible obstruction from large trucks accessing the fueling station; therefore, this standard is met.

- (D) Vehicle operation areas shall have a minimum vertical clearance of 14 feet.

Finding: The construction details for the enclosure appear to show at least 14 feet of clearance for the front elevation; therefore this standard is met.

- (E) In the event that access to the vehicle operation area is not a direct approach into position for operation of the service vehicle, a turnaround, in conformance with the minimum dimension and turning radius requirements shown in Figure 800-10, shall be required to allow safe and convenient access for collection service.

Finding: The proposed site plan shows the vehicle operation area provides access in a direct approach; therefore, this standard does not apply.

- (2) Vehicle operation areas shall be designed so that waste collection service vehicles are not required to back onto a public street or leave the premises.

Finding: The proposed location of the trash enclosure will not require waste collection service vehicles to back onto a public street; therefore, this standard is met.

- (3) Vehicle operation areas shall be paved with asphalt, concrete, or other hard surfacing approved by the Director, and shall be adequately designed, graded, and drained to the approval of the Director.
- (4) Signs. "No Parking" signs shall be placed in a prominent location on the enclosure, or painted on the pavement in front of the enclosure or receptacle, to ensure unobstructed and safe access for the servicing of receptacles.

Finding: The proposed trash enclosure is located within the fully paved vehicle use area, and includes a drain within the enclosure, thereby meeting the surfacing requirements. The applicant can demonstrate the required signage at the time of building permit review, as conditioned. The proposal meets the standard.

- **Pedestrian Access**

SRC 800.065 – Applicability.

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.

Finding: The proposal is a multiple family development; therefore, these standards are not applicable. The development standards under SRC 702 require pedestrian access and are addressed in Section 14 below. The standards of this subsection do not apply.

SRC Chapter 806 – Off-Street Parking, Loading, and Driveways

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 proposal includes development of a 192-unit multi-family development, which allows a maximum 1.75 times the number of units for a multi-family development; therefore, the development allows a maximum of 336 spaces ($192 \times 1.75 = 336$). The proposed development includes a total of 216 spaces, which is less than the maximum allowance. This standard is met.

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

Finding: A maximum of 162 of the off-street parking spaces may be compact spaces ($216 \times .75 = 162$); the remaining spaces must be standard size spaces. The proposal indicates 48 compact parking spaces are proposed for the development site. This standard is met.

- (b) *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.

- (c) *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 development of five or more dwelling units; therefore, this standard applies. The seven buildings consist of 192 units, and provide a total of 216 parking spaces when counting the parking throughout surfaced parking areas. The proposed development provides a total of 216 spaces, requiring a minimum of 86 spaces ($216 \times .4 = 86.4$) that should be available for Electric Vehicle (EV) charging stations by providing EV charger conduits, as defined in ORS 455.417. The applicant's plans show that 92 off-street parking spaces will be designated as EV. To ensure compliance with this standard, the following condition applies:

Condition 26: At the time of building permit review, the applicant shall provide plans showing Electric Vehicle (EV) charger conduits, as defined in ORS 455.417, available for 86 EV charging stations on site.

▪ ***Off-Street Parking and Vehicle Use Area Development Standards***

SRC 806.035 – For uses or activities other than single family, two family, three family and four family.

Unless otherwise provided under the UDC, off-street parking and vehicle use areas, other than driveways and loading areas, for uses or activities other than single family, two family, three family, and four family shall be developed and maintained as provided in this section.

(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 proposal includes development of a vacant parcel for multifamily development, including new parking spaces, appropriate drive-aisles and vehicle circulation, and new loading spaces; therefore, this section applies.

(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 off-street parking and vehicle use area development standards of SRC Chapter 806 are applicable to this proposal. As conditioned and adjusted, the proposed off-street parking area is in compliance with the minimum setback requirements of SRC Chapters 514 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 in amounts not less than those set forth in Table 806-4.

Finding: Pursuant to SRC 702.020(b)(8), multiple family developments with 13 or more units are exempt from the landscaping requirements in SRC chapter 806. This standard does not apply to the proposed development.

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

Finding: The proposed off-street parking spaces comply with the minimum aisle width and dimensional requirements for standard vehicle parking spaces 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 806-8. The turnaround shall conform to the minimum dimensions set forth in Table 806-6.

Finding: The applicant's site plan indicates several off-street parking areas where the drive aisle terminates at a dead-end, and does provide the appropriate turnaround area as shown in Figure 806-9. The turnaround areas have a minimum driveway width of 30 feet with a designated space for a turnaround. Therefore the standard is met.

- (g) *Grading.* Off-street parking and vehicle use areas shall not exceed a maximum grade of ten percent. Ramps shall not exceed a maximum grade of 15 percent.
- (h) *Surfacing.* Off-street parking and vehicle use areas shall be paved with a hard surface material meeting the Public Works Design Standards; provided, however, up to two feet of the front of a parking space may be landscaped with ground cover plants (see Figure 806-10). Such two-foot landscaped area may count towards meeting interior off-street parking area landscaping requirements when provided abutting a landscape island or planter bay with a minimum width of five feet, but shall not count towards meeting perimeter setbacks and landscaping requirements. Paving is not required for:
- (1) Vehicle storage areas within the IG zone.
 - (2) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC Chapter 701.
 - (3) Gravel off-street parking areas, approved through a conditional use permit.
- (i) *Drainage.* Off-street parking and vehicle use areas shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.

Finding: The proposed off-street parking area is developed consistent with the additional development standards for grade, surfacing, and drainage.

- (j) *Bumper guards or wheel barriers.* Off-street parking and vehicle use areas shall include bumper guards or wheel barriers so that no portion of a vehicle will overhang or project into required setbacks and landscaped areas, pedestrian accessways, streets or alleys,

or abutting property; provided, however, bumper guards or wheel barriers are not required for:

- (1) Vehicle storage areas.
- (2) Vehicle sales display areas.

Finding: The site plan indicates widened pedestrian paths or landscape planters will provide an extra two feet for vehicle overhang, thereby ensuring that no portion of a vehicle will overhang or the minimum required areas for pedestrian paths or landscape; therefore, this standard is met.

(k) *Off-street parking area striping.* Off-street parking areas shall be striped in conformance with the off-street parking area dimension standards set forth in Table 806-6; provided, however, off-street parking area striping shall not be required for:

- (1) Vehicle storage areas.
- (2) Vehicle sales display areas.
- (3) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC Chapter 701.
- (4) Gravel off-street parking areas, approved through a conditional use permit.

(l) *Marking and signage.*

- (1) *Off-street parking and vehicle use area circulation.* Where directional signs and pavement markings are included within an off-street parking or vehicle use area to control vehicle movement, such signs and marking shall conform to the Manual of Uniform Traffic Control Devices.
- (2) *Compact parking.* Compact parking spaces shall be clearly marked indicating the spaces are reserved for compact parking only.
- (3) *Carpool and vanpool parking.* Carpool and vanpool parking spaces shall be posted with signs indicating the spaces are reserved for carpool or vanpool use only before 9:00 a.m. on weekdays.

(m) *Lighting.* Lighting for off-street parking and vehicle use areas shall not shine or reflect onto adjacent residentially zoned property, or property used for uses or activities falling under household living, or cast glare onto the street.

Finding: The proposed off-street parking area is developed consistent with the off-street parking area dimension standards set forth in Table 806-6. The parking area striping, marking, signage, and lighting shall comply with the standards of SRC Chapter 806, and will be verified for conformance at the time of building permit review.

▪ ***Climate Friendly and Equitable Communities (CFEC) Standards***

SRC 806.035(n) – Additional standards for new off-street surface parking areas more than one-half acre in size.

When a total of more than one-half acre of new off-street surface parking is proposed on one or more lots within a development site, the lot(s) proposed for development shall comply with the additional standards in this subsection. For purposes of these standards, the area of an off-street surface parking area is the sum of all areas within the perimeter of the off-street parking area, including parking spaces, aisles, planting islands, corner areas, and curbed areas, but not including interior driveways and off-street loading areas.

Finding: Across the six off-street parking areas within Parcel 1 and 2, the applicant's plans indicate that the proposed surface area for parking areas is approximately 85,570 square feet in size; therefore, the additional standards in this subsection area applicable to the proposed development.

- (1) *Climate mitigation.* Development that includes a total of more than one-half acre of new off-street surface parking shall provide one or more of the following climate mitigation measures, which may be used in combination.
 - (A) *Solar power generation.* On-site solar power generation infrastructure shall be provided with a capacity of at least 0.5 kilowatts per new off-street parking space.
 - (B) *Payment into city's equitable renewable energy fund.* A payment shall be made into the city's equitable renewable energy fund at a rate of not less than \$1,500.00 per parking space and tied to inflation.
 - (C) *Increased tree canopy.* Increased on-site tree canopy area shall be provided, in conformance with the standards included under subsection (n)(3) of this section, covering at least 40 percent of new off-street parking and vehicle use areas in no more than 15 years.

Finding: The applicant's statement and plans propose to meet the climate mitigation measures through Option C, covering at least 40 percent of the new off-street parking and vehicle use areas with the projected tree canopy area. The applicant's plans indicate that the proposed surface parking area is approximately 85,570 square feet in size, requiring a minimum 34,228 square feet of tree canopy ($85,570 \times 0.4 = 34,228$). The applicant's plans do not clearly indicate the total area proposed to be covered by canopy, however, the plans indicate that approximately 93 trees shall be planted to meet the tree canopy standards. With 93 trees proposed to be planted with a minimum estimated canopy of approximately 89,000 square feet which will exceed the minimum 34,228 square feet coverage standards. However, as discussed below, the plans do not clearly demonstrate conformance with all planting standards and therefore the proposed trees may not all contribute to canopy coverage. As such, the following is conditioned:

Condition 27: Prior to approval of landscape plans for the proposed development, the tree plan and landscape shall be updated to demonstrate compliance with all tree canopy standards in SRC 806.035(n).

- (2) *Provision of tree canopy.*
 - (A) *Trees along driveways.* Trees shall be provided along both sides of driveways in conformance with the standards included under subsection (n)(3); or
 - (B) *Tree canopy coverage.* On-site tree canopy area shall be provided, in conformance with the standards included under subsection (n)(3), covering at least 30 percent of new off-street surface parking and vehicle use areas in no more than 15 years.

Finding: The development plans indicate that a minimum of 34,228 square feet of tree canopy coverage will be provided around the perimeter of the off-street parking area, equivalent to approximately 40 percent of the off-street surface parking and vehicle use areas, meeting Option B for this requirement. This standard is met.

- (3) *Tree canopy standards.* New trees shall be planted and/or existing trees shall be preserved in conformance with the following standards:

(A) Expected tree canopy area.

- (i) Expected tree canopy area shall be based on the standards in Table 806-7.
- (ii) New trees that are planted shall be selected from Table 806-7 or approved by the Planning Administrator.
- (iii) Existing trees that are preserved may be included in expected tree canopy area.
- (iv) Each tree meeting the requirements of this subsection may be counted toward the total expected tree canopy area so long as the trunk of each tree is located within 10 feet of the parking area.
- (v) Exclusions include expected overlap of tree canopy area by more than five feet and portions of expected canopy that overlap existing or proposed buildings.

Finding: The development plans indicate 93 trees will be planted to meet the CFEC standards, using six types from Table 806-7; 82 of which have an expected 15-year tree canopy diameter of 50 feet, and 11 with an expected 15-year tree canopy diameter of 35 feet. However, based on the plans there appears to be a number of tree where the canopy will exceed the allowed overlap for buildings and trees. As conditioned above, the applicant will need to revise the plans to clearly demonstrate conformance with planting standards.

(B) Tree Planting Standards. Trees provided to meet tree canopy coverage requirements shall be:

- (i) Planted in such proximity that they form a continuous canopy within 15 years of planting based on the expected tree canopy area set forth in Table 806-7, except where interrupted by vehicle use areas, solid waste service areas, buildings, power lines, stormwater infrastructure, and children's play areas;
- (ii) Planted in islands containing a minimum of three trees and the minimum required soil amount per Table 806-7;
- (iii) Planted to ensure that no more than 20 percent of their expected canopy overlaps with existing or proposed buildings;
- (iv) Not less than 1.5 inch caliper in size at the time of planting; and
- (v) Planted and maintained to meet, at minimum, the standards in the 2021 ANSI A300 handbook.

Finding: The applicant's preliminary landscaping plan does not clearly establish whether the minimum soil volume, canopy overlap, or continuous canopies will be met. As such, the following is conditioned.

(C) Tree Location/Utility Coordination. Coordination shall be demonstrated with the local electric utility to ensure the compatibility of tree canopy and root systems with planned and existing utility infrastructure.

Finding: The applicant did not provide a statement from PGE regarding any utility conflicts with the plans provided; however, the applicant is responsible for addressing any potential conflicts during the building permit process, while ensuring that the standards of this section are met. Substantial changes to the landscape plans or tree canopy calculation may require a modification to ensure the applicable standards are still met. Landscape plans will be further reviewed for conformance with the requirements of SRC 806.035(n) at the time of building permit review

▪ ***Driveway Development Standards***

SRC 806.040 – 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: Pursuant to SRC 806.040(d), Table 806-7, two-way driveways are required to have a minimum width of 22 feet. The development site is served by proposed driveway approaches onto Stockon Avenue S which will be extended as part of this proposal. Each driveway is shown to have a minimum width of 22 feet. These standards are 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.

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 192-unit multi-family development requires a minimum of 192 bicycle parking spaces. The applicant's plans indicate that 138 short-term bicycle parking spaces within 24 racks meeting the minimum requirement.

SRC 806.060 – Bicycle Parking Development Standards.

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 shall be located within a building, or outside of a building, in a well-lighted secure location that is sheltered from precipitation and within a convenient distance of the primary entrance.
 - (A) Long-term bicycle parking for non-residential uses.* Long-term bicycle parking spaces for non-residential uses shall be located within:
 - (i)* A restricted access lockable room;
 - (ii)* A lockable bicycle enclosure; or
 - (iii)* A bicycle locker.

Finding: The proposal includes 138 bicycle parking spaces in 24 racks areas located outside of buildings. Based on the applicant's plans, there appears to be a bicycle rack north of Building 15 that is outside 50 feet of a primary entrance of building. As such, the following conditioned:

Condition 28: At the time of building permit, the applicant shall revise the location of the bicycle rack adjacent and north of Building 15 to be within 50 feet of a primary entrance.

- (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 in public areas, providing direct access to the units and the public right-of-way through the proposed pedestrian paths and vehicle use areas. 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: Within Parcel 2, there appears to be bicycle racks proposed adjacent to off-street parking areas where a parked vehicle will project into the required dimensions. Therefore, the following condition applies:

Condition 29: Prior to building permit approval, the applicant shall demonstrate that all bicycle parking provided for the development complies with the applicable standards of SRC 806.060.

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 appear to be placed on a hard surface material. As conditioned above, the applicant shall provide construction details which include this information. Conformance with this standard will be verified at the time of building permit review.

- (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, in two or more places a minimum of six inches horizontally apart, without damage to 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 806-12.

Finding: The applicant's plans indicate installation of inverted style bike racks will be provided. The proposed bike racks conform to material requirements of SRC 806.060(e). As conditioned above, the applicant shall provide construction details which include this information. Conformance with this standard will be verified at the time of building permit review.

▪ **Off-Street Loading Areas**

SRC 806.065 – Off-Street Loading Areas; When Required.

- (a) *General Applicability.* 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.

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: Two off-street loading spaces are required for multiple family development of 100 to 199 dwelling units, meeting the dimensions of 12 feet by 19 feet. In addition, if a recreational or service building is provided, at least one of the required loading spaces shall be located in conjunction with the recreational or service building. The applicant's plans indicate two loading spaces on site, where one is located near the development's recreation building. This standard is met.

❖ **CITY INFRASTRUCTURE STANDARDS**

The Development Services division reviewed the proposal for compliance with the City's public facility plans as they pertain to provision of water, sewer, and storm drainage facilities. While SRC Chapter 205 does not require submission of utility construction plans prior to tentative partition plan approval, it is the responsibility of the applicant to design and construct adequate City water, sewer, and storm drainage facilities to serve the proposed development prior to final plat approval without impeding service to the surrounding area. A summary of the existing and required City infrastructure improvements are as follows:

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.

Finding: 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 are included in the Urban Growth Area Preliminary Declaration section of this memo. Conditions of approval established in this decision ensure that the proposed development is adequately served by public infrastructure as defined in SRC Chapter 200.

SRC Chapter 71 – Stormwater

The proposed development is subject to SRC Chapter 71 and the revised Public Works Design Standards (PWDS) as adopted in Administrative Rule 109, Division 004.

Finding: The proposed development is required to utilize green stormwater infrastructure to treat and detain stormwater generated from the development site. The applicant's submitted a preliminary stormwater report which provides a design for the stormwater system. The preliminary stormwater report does not demonstrate that stormwater from all proposed impervious surfaces will be treated and detained, as required by the Public Works Design Standards. The proposed design does not provide adequate treatment and flow control for the

proposed development. As a condition of approval, the applicant shall submit a final stormwater management report that demonstrates the stormwater system meets the requirements within SRC Chapter 71 and the Public Works Design Standards, unless a Design Exception is approved by the City Engineer.

Condition 30: Prior to issuance of a Building Permit, submit a final stormwater report that shows the stormwater system will be designed and constructed in compliance with *Salem Revised Code* (SRC) Chapter 71 and *Public Works Design Standards* (PWDS), unless a Design Exception is approved by Public Works.

SRC Chapter 802 – Public Improvements

▪ *Development to be served by City utilities:*

SRC 802.015 requires development to be served by City utilities designed and constructed according to all applicable provisions of the Salem Revised Code and Public Works Design Standards (PWDS).

Finding: Pursuant to SRC 76.110, utility mains are to be laid with construction of streets and as such, the utilities necessary to serve the proposed development are conditioned to be constructed in conjunction with the partition plat and required street improvements. In order to ensure public utilities are provided to serve the multi-family development, the partition plat shall be recorded and improvement shall be constructed or secured prior to issuance of a Building Permit. As conditioned within this decision, adequate public utilities will be provided to serve the development, in compliance with SRC Chapter 802.

❖ CITY STREET AND RIGHT-OF-WAY STANDARDS

SRC Chapter 803 – Street and Right-of-way Improvements

▪ *Boundary Street Improvements*

Pursuant to SRC 803.025, except as otherwise provided in this chapter, right-of-way width and pavement width for streets and alleys shall conform to the standards set forth in Table 803-1 (Right-of-way Width) and Table 803-2 (Pavement Width). In addition, SRC 803.040 requires dedication of right-of-way for, and construction or improvement of, boundary streets up to one-half of the right-of-way and improvement width specified in SRC 803.025 as a condition of approval for certain development.

Finding: Boundary street improvements and internal street improvements are conditioned on the consolidated application as part of the tentative partition plan approval. As the final plat has been conditioned to be recorded prior to issuance of building permits, the boundary improvements to serve the multi-family development will be secured and improved.

SRC Chapter 804 – Driveway Approaches

SRC 804 establishes development standards for driveway approaches providing access from the public right-of-way to private property in order to provide safe and efficient vehicular access to development sites.

Finding: The applicant is proposing six new driveway approaches onto Stockton Avenue SE and Rise Street S and has applied for Class 2 Driveway Approach Permits; findings for which are provided in this decision. 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, the proposed development meets applicable criteria in SRC Chapter 804 relating to driveway approaches.

SRC Chapter 805 – Vision Clearance

SRC Chapter 805 establishes vision clearance standards in order to ensure visibility for vehicular, bicycle, and pedestrian traffic at the intersections of streets, alleys, flag lot accessways, and driveways.

Finding: The proposed buildings and structures do not cause a vision clearance obstruction per SRC Chapter 805.

❖ NATURAL RESOURCES

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: 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 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 wetlands 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. SRC Chapter 809 establishes requirements for notification of DSL when an application for development is received in an area designated as a wetland on the official wetlands map.

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

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 43 significant trees on site; all of which are proposed for removal and are not excepted under SRC 808.030(a)(2). Five trees are proposed to be removed due to the Stockton Avenue S extension which the applicant has a tree removal permit. The remaining 38 trees 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 Removal Permit and Tree Regulation Variance can be found in Section 12 and 15 of this report.

This criterion is met.

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: Access to the proposed development will be provided by the network of existing public streets that surround the property. As shown on the preliminary site plan an internal street is extended through the site to provide safe and convenient access to the proposed lots within the development. As conditioned, the required improvements will ensure that the street system in and adjacent to the development will provide for the safe, orderly, and efficient circulation of traffic to and from the development. This criterion is met.

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

Pursuant to SRC 803.015(b), a Traffic Impact Analysis (TIA) is required as part of the application package. The applicant submitted a Traffic Impact Analysis, prepared by Enloe Consulting LLC and dated February 2025. In summary, the analysis found that the intersections of Davis Rd S/Skyline Rd S and Davis Rd S/Stockton Ave S are expected to operate within mobility standards with the additional trips generated by the proposed development. The intersections of Liberty Rd S/Davis Rd S and Liberty Rd S/Mildred Ln S do not meet mobility standards but will after the installation of planned traffic signals. The City has begun construction of the signal at the intersection of Liberty Road S and Davis Road S as part of CIP: 1638 with an expected completion date in 2026. Further, Condition 2 from CPC/ZC12-03, requires the construction of the traffic signal at the intersection of Liberty Road S and Davis Road S, with the timing of the traffic signal installation to be determined at the time of site plan review. The signal at the intersection of Liberty Road S and Davis Road S will need to be complete and operational prior to occupancy of any building within the complex.

Condition 31: Prior to issuance of a temporary or final Certificate of Occupancy for any building proposed within the complex, the signal at the intersection of Liberty Road S and Davis Road S shall be complete and operational.

Construction of the signal at Liberty Road S and Mildred Lane S is required as a condition of approval under a separate land use approval for the Liberty Road Apartments West (Case No. SPR-ADJ-DAP-DR24-35). Development permit applications for Liberty Road Apartments West have not been submitted for review at this time, it is uncertain whether the proposed development will occur ahead of the Liberty Road Apartments West project. Construction work has not begun for the intersection improvements at Liberty Road S and Mildred Lane S. The signal at the intersection of Liberty Road S and Mildred Lane S will need to be complete and operational prior to occupancy of any building within the proposed complex. Alternatively, if the intersection improvements are not complete and operational, to prevent vehicles from the complex accessing Mildred Lane S and adversely impacting the intersection of Mildred Lane S and Liberty Road S, a temporary barricade may be placed across Rise Street S restricting vehicle access. The temporary barricade shall allow for emergency vehicle access only.

Condition 32: Prior to issuance of a temporary or final Certificate of Occupancy for any building proposed within the complex, the signal at the intersection of Liberty Road S and Mildred Lane S shall be operational. Alternatively, a temporary barricade which allows emergency vehicle access only may be placed across Rise Street S.

With the listed conditions of approval, the proposed development plan mitigates impacts to the transportation system consistent with the approved Traffic Impact Analysis.

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 subject property is located outside of the Urban Service Area, therefore; an Urban Growth Preliminary Declaration has been required which establishes needed improvements to serve the proposed development. A request for an Urban Growth Preliminary Declaration is included with the proposal. As conditioned, the proposed development is designed to accommodate required on-site and off-site improvements. With the required improvements, water, sewer, and storm infrastructure will be available and adequate to serve the proposed development. This approval criterion is met.

11. 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 29 Class 2 Adjustments to reduce the minimum building and vehicle use areas setback along Stockton Avenue S, reduce the minimum percentage for buildable width along Stockton, Davis, and the new cul-de-sac at the end of Rise Street S, and eliminate the building orientation requirement for 11 detached units and six apartment buildings. The following provides a detailed analysis upon which the decision is based for each individual adjustment request:

(1) One Class 2 Adjustment to allow an off-street parking area to be located between a building and the street for the area in front of Building 11 and Stockton Avenue S (SRC 702.020(d)(2))

Per SRC 702.020(d)(2), to minimize the visual impact of on-site parking and to enhance the pedestrian experience, 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. The applicant has requested an adjustment to allow seven off-street parking to be located between a building and a street. The proposed seven spaces are located between Building 13 on Parcel 1 and Stockton Avenue S.

The overall intent of the standard is to provide a pedestrian friendly development with buildings located near the street and improve visual appeal of the street scape. The applicant is requesting an adjustment to the parking location indicating that the configuration of the lot, topography, and Stockton Avenue S required extension makes locating all parking spaces beside or behind buildings difficult. The proposed plan contains a total of 216 parking space with 209 spaces located beside or behind a building. The applicant is also seeking a Class 2 Adjustment to reduce the vehicle use area setback from 12 to ten feet for this parking area.

Although there does appear to be a need for the adjustment, the applicant's written statement does not adequately identify how the standard is equally or better met by the proposal, so the following is conditioned to equally or better meet the standard:

Condition 33: At the time of building permit, the applicant shall revise plans to have a minimum planting density for a full 12-foot setback with Type A landscaping between the vehicle use area south of Building 11 and Stockton Avenue S.

The above condition will equally or better meet the standard reducing the visual projection of the parking area with an increased planting density.

(2) Three Class 2 Adjustments to reduce the minimum building setback along Stockton Avenue from 20 to 10 feet for Buildings 7, 8, and 9 (SRC 514.010(d) Table 514-4)

Setbacks within the RM-II zone shall be provided as set forth in Table 514-4 and Table 521-5. For a multiple family use, Table 514-4 specifies that buildings abutting a street requires a minimum setback of 12 feet plus one foot for each one foot of height over 12 feet, but need not exceed 20 feet. Buildings 7, 8, and 9 are over 20 feet; therefore, the minimum setback for buildings abutting a street is at least 20 feet. Building 7, 8, and 9 which are all located on Parcel 2 are only setback by 10 feet to the property line abutting Stockton Avenue S due to site

constraints and the curve of the street; therefore, the applicant has requested a Class 2 Adjustment to reduce the minimum setback requirement for those buildings from 20 feet to 10 feet.

The applicant's written statement indicates that the buildings have to be moved closer to the street on the east side in order to meet other code requirements for parking, maneuvering, and emergency access. The applicant's existing conditions plan shows that the site contains grades with slopes of 10-25% throughout requiring extensive grading and retaining walls to site buildings and off-street parking areas. In addition, the parcel configuration is irregular in shape due to the street alignment of Stockton Avenue S rendering areas undevelopable due to the required setback and proximity of property lines. Additionally, reducing the setback on the east side allows for a larger setback to be provided on the west side abutting the adjacent residential development allowing necessary grading to create compliant open space which assists to reduce impacts to adjacent properties. The purpose behind the increased street setback for multi-family development is to provide pedestrian amenities and activity along the street, as well as reduce the appearance of building bulk towards the street. Reducing the setback along Stockton Avenue S by 10 feet still allows for the accommodation of required site improvements, and a consistent overall design for the site. The proposed a 10-foot setback still provides adequate room for building articulation, pedestrian walkways, including landscaping and trees to meet the intent of creating a visually appealing streetscape with pedestrian amenities, and a suitable buffer to mitigate any negative impacts from traffic along the street to the east, while also providing a suitable buffer to the single-family properties to the west.

Staff agrees that the development provides design challenges, as well as limited positioning and space for the provision of required access and setbacks. The applicant has presented a proposal which equally or better meets the intent to create a pedestrian-friendly design along Stockton Avenue S, while balancing other applicable development standards for the development site and being conscious of the neighboring properties. Therefore, the request equally meets the standard as proposed, and this approval criterion is met.

(3) Four Class 2 Adjustments to reduce the minimum vehicle use area setback from 12 to ten feet for four off-street parking (SRC 514.010(d) Table 514-4);

As discussed above, setbacks within the RM-II zone shall be provided as set forth in Table 514-4 and Table 521-5. For a multiple family use, Table 514-4 specifies that vehicle use areas abutting a street requires a minimum setback of 12 feet. The vehicle use areas abutting buildings 7, 9, 10, and 11 are only setback by 10 feet to the property line abutting Stockton Avenue S or the Rise Street S due to site constraints and the curve of the new streets; therefore, the applicant has requested a Class 2 Adjustment to reduce the minimum setback requirement for those parking areas from 12 feet to 10 feet.

Similar with above mentioned building setback adjustment, the applicant's written statement indicates that the vehicle use areas have to be moved closer to the street along Rise and Stockton in order to meet other code requirements for open spaces, maneuvering, and emergency access. The purpose of the vehicle use area setback is to provide pedestrian amenities and activity along the street, as well as reduce the appearance of parking areas towards the street. The reduced setback still allows for the accommodation of required site improvements, and a consistent overall design for the site. As discussed in the building setback adjustment, the proposed 10-foot setback still provides adequate room for pedestrian

walkways and landscaping and trees to meet the intent of creating a visually appealing streetscape with pedestrian amenities. The setback is a suitable buffer to mitigate any negative impacts from traffic along the street to the east and west.

The applicant has presented a proposal which equally or better meets the intent to create a pedestrian-friendly design along Stockton Avenue S, while balancing other applicable development standards for the development site and being conscious of the neighboring properties. Therefore, the request equally meets the standard as proposed, and this approval criterion is met.

(4) Five Class 2 Adjustments to reduce the 40 percent buildable width requirement for buildings along west and east side of Stockton, Davis Road S, and the new cul-de-sac at the end of Rise Street (SRC 702.020(e)(4));

On sites with 75 feet or more of buildable width, a minimum of 40 percent of the buildable width shall be occupied by building placed at the setback line to enhance visual interest and activity along the street. On Parcel 1, the property has frontage along Davis Road S and Stockton Avenue S of approximately 320 and 920 linear feet respectively. The 40 percent buildable width requirement requires that Parcel 1 provide 128 and 368 feet ($(320 \times 0.4 = 128)$ & $(920 \times 0.4 = 368)$) of building length to be placed at the setback line for Davis and Stockton Avenue S. On Parcel 2, the property has frontage along Davis Road S, Stockton Avenue S, and Rise Street S cul-de-sac measuring approximately 106, 880, and 340 feet respectively. The minimum buildable width requires that Parcel 2 provide 42.4, 352, and 136 feet ($(106 \times 0.4 = 42.4)$ & $(880 \times 0.4 = 352)$ & $(340 \times 0.4 = 136)$) of building length to be placed at the setback line for Davis, Stockton, and Rise. The applicant's plans show that only 22 and 138 feet of frontage is provided at the setback line for Stockton Avenue S for Parcel 1 and Parcel 2. Along all other frontages, the applicant does not propose buildings at the setback line. Therefore, the applicant has requested a Class 2 adjustment to this standard.

The applicant's written statement indicates that topography, pedestrian connections, and vehicular access create challenges in meeting the standard along each street. The existing conditions plans show that the site has grades ranging from 10 to 25% slopes requiring extensive grades and retaining walls to site buildings, off-street parking areas, and street extensions. To meet acceptable grades for the required street configuration, the proposed streets create irregular Parcels with long street frontages with minimal area to develop at the setback line. Retaining separate Buildings 1 through 13 from Stockton on either street with a stormwater area and additional retaining walls separate development from Davis Road S. Sidewalks are proposed along all street abutting portion of the development site allowing connectivity throughout the development site. The applicant's written statement indicates that the development will provide additional landscaped areas throughout the site, meeting the intent to provide visual interest along the streets where the adjustment is requested.

Considering the site constraints and required street improvements to the site, staff finds that the applicant's plans equally meet the intent to enhance activity along the street by still providing pedestrian connections and increased landscaping. Therefore, the request equally meets the standard as proposed, and this approval criterion is met.

(5) Eliminate the requirement to orient buildings toward the street with direct pedestrian access to adjacent sidewalks for the 11 detached units and buildings 5, 7, 8, 9, 10, and 13 (SRC 702.020(e)(5)).

The purpose of this design standard is to provide a pedestrian friendly development with buildings oriented outward towards the street providing direct pedestrian access from ground floor units to the abutting sidewalk. As described in the finding above, there are site constraints and previous conditions of approval imposed on the development that make it difficult to place all buildings along the setback line abutting all streets. Similarly, the same site constraints and topography, and required increased setbacks cause a difficulty to provide individual pedestrian access points for ground level units.

As discussed above, there are physical limitations identified on the property that would cause a difficulty to orient buildings towards the street and provide individual pedestrian access points for ground level units. As identified by the applicant, retaining walls, steep grade, and stormwater treatment areas limit the buildable area of both parcels with the applicant indicating to achieve minimum density while also providing off-street parking that the buildings need to the buildings to be oriented perpendicular along Stockton Avenue S. Each building will retain direct pedestrian connectivity to Davis, Stockton, and Rise Street S.

Staff agrees that the development would not be better served by providing pedestrian access to all adjoining streets, and the adjustment equally meets the intent to provide a pedestrian friendly development with buildings oriented outward towards the parking areas on site, with direct pedestrian access from ground floor units to the internal sidewalks of the development site.

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 residential zone. The development provides design and density challenges, as well as limited location and space for the provision of required stormwater facilities, adequate streets, pedestrian walkways, and common open space, which greatly limits the developable area of the site. The requested adjustments to setbacks, density, buildable width, parking, and drive aisle 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: 26 separate Class 2 Adjustments have been requested with this development. Each of the adjustments has been evaluated separately for conformance with the Adjustment approval criteria. The cumulative impact of the adjustments results in an overall project which is consistent with the intent and purpose of the zoning code.

To ensure that all future development proposed at this development site shall be subject to the applicable development standards of the Salem Revised Code, the following condition applies:

Condition 34: The adjusted development standards, as approved in this report, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development standards of the Unified Development Code, unless adjusted through a future land use action.

12. Analysis of Tree Regulation 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 an arborist report in conjunction with the proposal identifying a total of 43 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. The applicant has requested a Tree Variance to remove 38 significant trees due to their locations severely limiting the development of the site with additional five trees located within future right-of-way of Stockton Avenue S to a Tree Removal Permit, for a total of 43 significant trees requested to be removed out of a total of 43 significant trees identified on site. The written statement provided by the applicant indicates that a number of special conditions apply to the property that create practical difficulties that are most effectively relieved by a variance. The key issues with this site are its topography and the developability of the site, as well as other city requirements for setbacks, parking, and site circulation.

The applicant's written statement and supporting documentation for the tree variance explains that there is approximately 140 feet of drop across the site with the average slope at 14% with up to 30 percent slope where Building 8 is proposed. Per the applicant's plans, the significant trees on the site are located within Parcel 2 where the severe changes in grade are mainly located. The applicant cites that grade and configuration of the site is controlled by the required grade of the street for Stockton Avenue S and Rise Street S where intersecting streets cannot exceed 15% thus resulting in the proposed street alignment and surrounding grading with extensive retaining walls to support development on Parcel 2. Furthermore, connectivity is required out to Reserve Lane S where the applicant has sought a Variance under Case No. VAR25-01 to allow an off-street parking area and driveway instead of a local street to provide the required connectivity. The required connectivity requires development to occur through the southwest portion of the site where the majority of significant trees are located. With the required connection, structure placement is displaced to sides of the connection projecting the structures into the grove of significant trees.

To the north of the main grove and adjacent to Building 8, the six proposed significant trees are similar with an area that requires extensive grading to accommodate development. The applicant indicates that Building 8 is required to be accessible with an accessible route that cannot exceed a grade of 8 percent. The excavation to obtain the required grade includes 11 feet of soil difference Building 8 and Building 4 and 6 to the south. As such, the substantial grading of the site creates a practical difficulty.

Staff finds that there are special conditions that apply to the property which create reasonable hardships or practical difficulties which can be most effectively relieved by a variance. The existing conditions of the subject property severely limit the developable area of the site.

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 grading, street connections or stormwater facility on site. The conditions above limit the number of significant trees removed on site, which is the minimum necessary to allow for the lawful development of the subject property. Therefore, this criterion is met.

13. 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: The applicant proposes five new driveway approaches onto Stockton Avenue S and one new driveway approach to Rise Street S. Both of these new internal streets are classified as local streets according to the Salem Transportation System Plan (TSP). As described in the following findings, with established conditions of approval, the proposed driveway approaches meet the applicable standards in the Salem Revised Code Chapter 804 and the Public Works Design Standards. This criterion is met.

▪ SRC Chapter 804 Driveway Approach Development Standards

SRC 804.050 establishes development standards for driveway approaches providing access from the public right-of-way to private property in order to provide safe and efficient vehicular access to development sites.

Finding: The proposed driveway approaches have been reviewed against the development standards in SRC Chapter 804 for driveway approaches accessing onto a local street and serving a multi-family residential use. The proposed driveway approaches meet the applicable development standards of the chapter.

▪ Public Works Design Standards

The *Public Works Design Standards* (PWDS) establishes construction standards for driveway approaches to ensure safe and efficient access is provided to private property from the public right-of-way.

Finding: The Public Works Design Standards (PWDS) provide a standard detail for construction of driveway approaches serving multi-family residential development (PWDS

Standard Plan No. 302). All driveway approaches serving the development will be constructed to PWDS Standard Plans, as identified on the applicant's plans. Construction drawings for driveway approaches will be confirmed at time of Building Permit application. The proposed driveway approaches will be constructed to meet the PWDS.

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

Finding: Development Services has reviewed the proposal and determined that no site conditions existing prohibiting the location of the proposed driveways. This criterion is met.

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

Finding: The property has frontage on Davis Road S, classified as a collector street, and internal local streets. The development does not have frontage on an arterial street and no driveway approaches are proposed onto an arterial street. All of the proposed driveway approaches access local streets. This criterion is met.

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 Davis Road S, a collector street, and existing and proposed local streets. The new driveway approaches will take access onto local streets internal to the development and are therefore, taken from the lowest classification of street abutting the property. This criterion is met.

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. This criterion is met.

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 driveways will create traffic hazards or unsafe turning movements. Additionally, Development Services analysis of the proposed driveways indicate that they will not create a traffic hazard and will provide for safe turning movements for access to the subject property. This criterion is met.

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

Finding: Development Services' analysis of the proposed driveways and the evidence that has been submitted indicate that the location of the proposed driveways will not have any adverse impacts to the adjacent properties or streets. This criterion is met.

SRC 804.025(d)(8): The proposed driveway approach minimizes impact to the

functionality of adjacent streets and intersections.

Finding: The property is located along a collector street (Davis Road S) and existing and proposed local streets. Six driveways are proposed to the lower classification of street abutting the property, and they each meet the spacing requirements of SRC Chapter 804. By complying with the requirements of this chapter, the applicant has minimized impacts to the functionality of adjacent streets and intersections. This criterion is met.

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. The proposed development abuts a collector street as well as existing and proposed local streets. The proposed driveways are all proposed to take access from the lowest classification street abutting the subject property. The driveways balance the adverse impacts to residentially zoned property and will not have an adverse effect on the functionality of the adjacent streets. This criterion is met.

14. Analysis of Class 1 Design Review Approval Criteria

SRC 225.005 provides that design review approval is required for development applications that are subject to design review standards and guidelines. A Class 1 design 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 225.005(e): A Class 1 design review shall be approved if all of the applicable design review standards are met.

Finding: SRC 551.015(a) provided that multiple family development within the RM-II zone shall be subject to design review according to the multiple family design review standards set forth in SRC Chapter 702. The proposed development conforms to SRC Chapter 702 follows.

SRC Chapter 702 – Multiple Family Design Review Standards

SRC 702.020 – Design Review Standards for Multiple Family Development with Thirteen or More Units.

SRC 702.020(a) – Open Space Standards.

- (1) To encourage the preservation of natural open qualities that may exist on a site and to provide opportunities for active and passive recreation, all newly constructed multiple family developments shall provide a minimum 30 percent of the gross site area in designated and permanently reserved open space. For the purposes of this subsection, the term "newly constructed multiple family developments" shall not include multiple family developments created through only construction or improvements to the interior of an existing building(s). Indoor or covered recreation space may count toward this open space requirement.

Finding: Following the partition, the subject property will be composed of two parcels, Parcel 1 and 2, approximately 174,496 and 201,266 square feet in size, requiring a minimum of 52,349 and 60,380 of permanently reserved open space for each respective parcel. On Parcel 1, the proposal indicates 85,739 square feet of open space will be provided on site, or approximately 49 percent of the gross site area. On Parcel 2, the proposal indicates 60,380 square feet of open space will be provided on site, or approximately 51.8 percent of the gross site area. The proposal meets the standard.

- (A) To ensure usable open space that is of sufficient size, at least one common open space area shall be provided that meets the size and dimension standards set forth in Table 702-3.

TABLE 702-3. COMMON OPEN SPACE AREA SIZE AND DIMENSIONS		
Number of Dwelling Units	Minimum Open Space Area Size	Minimum Horizontal Dimension
More than 20	1,000 sq. ft., plus an additional 250 sq. ft. for every 20 units, or portion thereof, over 20 units.	25 ft.

Finding: As the development is located on parcels separated by Stockon Avenue S, each parcel shall meet the open space requirements separately. The applicant is proposing 87 residential units on Parcel 1 which requires a minimum proposed which requires at least one common open space shall be provided which is a minimum of 2,000 square feet in size, with a minimum horizontal dimension of 25 feet. The proposed site plan shows a single common open space area of 2,993 square feet developed as a play area, which does not include the adjacent recreation building, exceeding the standard for Parcel 1.

The applicant is proposing 105 residential units on Parcel 2 which requires a minimum proposed which requires at least one common open space shall be provided which is a minimum of 2,250 square feet in size, with a minimum horizontal dimension of 25 feet. The proposed site plan shows a single common open space area measuring 800 square feet in area square feet developed as a play area, thus not independently meeting the open space standard. The applicant has not sought an Adjustment to open space standard thus the following is conditioned.

Condition 35 At the time of building permit for Parcel 2, the applicant shall revise the plans to include a Common Open Space area on Parcel 2 that is a minimum size of 2,250 square feet in size per SRC 702.020(a)(1)(A) or seek an adjustment.

As conditioned, the proposal meets the standard.

- (B) To ensure the provided open space is usable, a maximum of 15 percent of the common open space shall be located on land with slopes greater than 25 percent.

Finding: The applicants have provided plans demonstrating that the open space provided where grade is less than 25 percent exceeds the minimum 30 percent required open space standard. The proposal meets the standard.

- (C) To allow for a mix of different types of open space areas and flexibility in site design, private open space, meeting the size and dimension standards set forth in Table 702-4, may count toward the open space requirement. All private open space must meet the size and dimension standards set forth in Table 702-4.

TABLE 702-4. PRIVATE OPEN SPACE SIZE AND DIMENSIONS		
Location of Dwelling Unit	Minimum Open Space Area Size	Minimum Dimension
Not more than 5 feet above finished grade	96 sq. ft.	6 ft.
More than 5 feet above finished grade	48 sq. ft.	6 ft.

Finding: The applicant's development plans show private patio spaces with dimensions meeting the standards for all ground-level units, and balconies meeting the required dimensions for all upper-floor units. The proposal meets the standard.

- (D) To ensure a mix of private and common open space in larger developments, private open space, meeting the size and dimension standards set forth in Table 702-4, shall be provided for a minimum of 20 percent of the dwelling units in all newly constructed multiple family developments with 20 or more dwelling units. Private open space shall be located contiguous to the dwelling unit, with direct access to the private open space provided through a doorway.

Finding: The proposed development includes 192 dwelling units, requiring a minimum of 38 units with private open space ($279 \times .2 = 38.4$). All 192 units have a private open space meeting the minimum dimensions, exceeding the 20 percent minimum. This standard is met.

- (E) To encourage active recreational opportunities for residents, the square footage of an improved open space area may be counted twice toward the total amount of required open space, provided each such area meets the standards set forth in this subsection. Example: a 750-square-foot improved open space area may count as 1,500 square feet toward the open space requirement.
- (i) Be a minimum 750 square feet in size with a minimum dimension of 25 feet for all sides; and
 - (ii) Include at least one of the following types of features:
 - a. Covered pavilion.
 - b. Ornamental or food garden.
 - c. Developed and equipped children's play area, with a minimum 30-inch-tall fence to separate the children's play area from any parking lot, drive aisle, or street.
 - d. Sports area or court (e.g., tennis, handball, volleyball, basketball, soccer).
 - e. Swimming pool or wading pool.

Finding: The applicant is proposing to improve a public open space with a 2,993 and 800 square feet play areas on Parcel 1 and 2. This standard allows the improved open space to be counted as double, resulting in 5,993 and 1,600 square feet of open space area.

- (F) To encourage proximity to and use of public parks, the total amount of required open space may be reduced by 50 percent for developments that are located within one-quarter mile of a public urban, community, or neighborhood park as measured along a route utilizing public or private streets that are existing or will be constructed with the development.

Finding: The subject property is served by Secor Park, a neighborhood park located approximately 600 feet north of the subject property. However, the development is meeting the minimum open space requirements without reducing it by 50 percent.

SRC 702.020(b) – Landscaping Standards.

- (1) To encourage the preservation of trees and maintain or increase tree canopy, a minimum of one tree shall be planted or preserved for every 2,000 square feet of gross site area.

Finding: As discussed above, the site is composed of two parcels. Parcel 1 with an area of 174,496 square feet requires a minimum of 87 trees to be planted or preserved on site ($174,496 / 2,000 = 87.2$). The applicant's development plans show 283 trees to be planted, and 105 trees are designated for preservation, for a total of 388 trees on site. Parcel 2 with an area of 201,266 square feet requires a minimum of 101 trees to be planted or preserved on site ($201,266 / 2,000 = 100.6$). The applicant's development plans show 394 trees to be planted for a total of 388 trees on site.

The proposal meets the standard.

- (2) Where a development site abuts property that is zoned Residential Agricultural (RA) or Single Family Residential (RS), a combination of landscaping and screening shall be provided to buffer between the multiple family development and the abutting RA or RS zoned property. The landscaping and screening shall include the following:
- (A) A minimum of one tree, not less than 1.5 inches in caliper, for every 30 linear feet of abutting property width; and
 - (B) A minimum six-foot tall, decorative, sight-obscuring fence or wall. The fence or wall shall be constructed of materials commonly used in the construction of fences and walls, such as wood, stone, rock, brick, or other durable materials. Chain link fencing with slats shall be not allowed to satisfy this standard.

Finding: The subject property is not adjacent to any RS or RA zoned property; therefore, this standard does not apply.

- (3) To define and accentuate primary entryways, a minimum of two plant units, shall be provided adjacent to the primary entryway of each dwelling unit, or combination of dwelling units.

Finding: The applicant has provided a preliminary landscaping plan which indicates a minimum of two plant units are provided adjacent to the primary entryway of each ground-level dwelling unit. Final landscape plans will be reviewed for conformance with this standard at the time of development.

- (4) To soften the visual impact of buildings and create residential character, new trees shall be planted, or existing trees shall be preserved, at a minimum density of ten plant units per 60

linear feet of exterior building wall. Such trees shall be located not more than 25 feet from the edge of the building footprint.

Finding: The applicant's preliminary landscaping plan does not clearly demonstrate conformance with the required tree planting, as such the following is conditioned:

Condition 36: At the time of building permit, a minimum density of ten tree plant units per 60 linear feet of exterior building wall shall be planted within 25 feet from the edge of each building footprint.

- (5) Shrubs shall be distributed around the perimeter of buildings at a minimum density of one plant unit per 15 linear feet of exterior building wall.

Finding: The applicant's preliminary landscape clearly demonstrates that minimum the minimum density requirement for shrubs is met for all buildings. This standard is met. To ensure compliance with the standard, the following condition applies:

- (6) To ensure the privacy of dwelling units, ground level private open space shall be physically and visually separated from common open space with perimeter landscaping or perimeter fencing.

Finding: The applicant's written statement indicates that all ground level private open space areas will be screened with five-foot-high landscaping. Final landscape plans will be reviewed for conformance with this standard at the time of development.

- (7) To provide protection from winter wind and summer sun and to ensure trees are distributed throughout a site and along parking areas, a minimum of one canopy tree shall be planted along every 50 feet of the perimeter of parking areas. Trunks of the trees shall be located within ten feet of the edge of the parking area (see Figure 702-3).

Finding: There are several off-street parking areas provided on site which appear to meet the minimum 50-foot perimeter standard on the applicant's preliminary plans. Final landscape plans will be reviewed for conformance with this standard at the time of development.

- (A) A minimum of one canopy tree shall be planted within each planter bay.
(B) A landscaped planter bay a minimum of nine feet in width shall be provided at a minimum spacing of one for every 12 spaces. (See Figure 702-3.)

Finding: The applicant's preliminary landscape plans show a planter bay meeting every 12 parking spaces throughout the development site, with a tree planter in each planter bay. Final landscape plans will be reviewed for conformance with this standard at the time of development.

- (8) Multiple family developments with 13 or more units are exempt from the landscaping requirements in SRC chapter 806.

SRC 702.020(c) – Site Safety and Security.

- (1) Windows shall be provided in all habitable rooms, other than bathrooms, on each wall that faces common open space, parking areas, and pedestrian paths to encourage visual surveillance of such areas and minimize the appearance of building bulk.

Finding: The applicant has indicated that all habitable rooms that face common open space, parking areas, and pedestrian paths will have windows with floor plans demonstrating conformance.

- (2) Lighting shall be provided that illuminates all exterior dwelling unit entrances, parking areas, and pedestrian paths within the development to enhance visibility and resident safety.

Finding: The applicant's development plans show a lighting system throughout the site which adequately illuminates the development in accordance with this standard.

- (3) Fences, walls, and plant materials shall not be installed between street-facing dwelling units and public or private streets in locations that obstruct the visibility of dwelling unit entrances from the street. For purposes of this standard, the term "obstructed visibility" means the entry is not in view from the street along one-half or more of the dwelling unit's frontage.

Finding: The applicant's development plans does not identify areas where lighting will be provided to demonstrate conformance with this standard; therefore, the following condition applies:

Condition 37: At time of building permit submittal, the applicant shall provide lighting details demonstrating compliance with the standards of SRC 702.015(c)(2).

- (4) Landscaping and fencing adjacent to common open space, parking areas, and dwelling unit entryways shall be limited to a maximum height of three feet to encourage visual surveillance of such areas.

Finding: The applicant's development plans show landscaping and fencing which do not exceed three feet in height when adjacent to common open space, parking areas, and dwelling unit entryways. The proposal meets the standard.

SRC 702.020(d) – Parking and Site Design.

- (1) To minimize large expanses of continuous pavement, parking areas greater than 6,700 square feet in area shall be physically and visually separated with landscaped planter bays that are a minimum of nine feet in width. Individual parking areas may be connected by an aisle or driveway (see Figure 702-3).

Finding: The applicant's preliminary landscape plans show a planter bay meeting every 12 parking spaces throughout the development site, with a tree planter in each planter bay.

- (2) To minimize the visual impact of on-site parking and to enhance the pedestrian experience, 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: Due to site constraints, the proposed development does include off-street surface parking areas or vehicle maneuvering areas located between a building or structure and a street. The applicant has requested a Class 2 adjustment to this standard. Findings for the adjustment are included in Section 12 of this report.

- (3) Where a development site abuts, and is located uphill from, property zoned Residential Agriculture (RA) or Single Family Residential (RS), and the slope of the development site within 40 feet of the abutting RA or RS zoned property is 15 percent or greater, parking areas shall be set back not less than 20 feet from the property line of the abutting RA or RS zoned property to ensure parking areas are designed to consider site topography and minimize visual impacts on abutting residential properties.

Finding: The proposed development is not located adjacent to RS and RA-zoned properties; therefore, this standard does not apply.

- (4) To ensure safe pedestrian access to and throughout a development site, pedestrian pathways shall be provided that connect to and between buildings, common open space, and parking areas, and that connect the development to the public sidewalks.

Finding: The proposed site plan shows a network of pedestrian pathways which connect to and between buildings, common open space, and parking areas, and which connects the development to the public sidewalks along Davis, Stockton, Rise, and Reserve.

SRC 702.020(e) – Façade and Building Design.

- (1) To preclude long monotonous exterior walls, buildings shall have no dimension greater than 150 feet.

Finding: No building has a dimension greater than 150 feet. This standard is met.

- (2) Where a development site abuts property zoned Residential Agricultural (RA) or Single Family Residential (RS), buildings shall be setback from the abutting RA or RS zoned property as set forth in Table 702-5 to provide appropriate transitions between new buildings and structures on site and existing buildings and structures on abutting sites.
(A) A 5-foot reduction is permitted to each required setback in Table 702-5 provided that the height of the required fence in Sec. 702.020(b)(2)(B) is increased to eight feet tall.

Finding: The proposed development is not located adjacent to RS and RA-zoned properties; therefore, this standard does not apply.

- (3) To enhance compatibility between new buildings on site and abutting residential sites, balconies located on building facades that face RA or RS zoned properties, unless separated by a street, shall have fully sight-obscuring railings.

Finding: The proposed development is not located adjacent to RS and RA-zoned properties; therefore, this standard does not apply.

- (4) On sites with 75 feet or more of buildable width, a minimum of 40 percent of the buildable width shall be occupied by building placed at the setback line to enhance visual interest and activity along the street. Accessory structures shall not apply towards meeting the required percentage.

Finding: The development does not meet the buildable width requirement for Rise, Davis, and Stockton. The applicant has requested a Class 2 adjustment to this standard. Findings for the adjustment are included in Section 11 of this report.

- (5) To orient buildings to the street, any ground-level unit, cluster of units, interior lobbies, or portions thereof, located within 25 feet of the property line abutting a street shall have a building entrance facing that street, with direct pedestrian access to adjacent sidewalks.

Finding: No buildings throughout the development are oriented towards the street and providing direct pedestrian access. The applicant has requested a Class 2 adjustment to this standard. Findings for the adjustment are included in Section 11 of this report.

- (6) A porch or architecturally defined entry area shall be provided for each ground level dwelling unit. Shared porches or entry areas shall be provided to not more than four dwelling units. Individual and common entryways shall be articulated with a differentiated roof, awning, stoop, forecourt, arcade, or portico.

Finding: An architecturally defined entry areas is provided for each ground level dwelling unit. This standard is met.

- (7) Roof-mounted mechanical equipment, other than vents or ventilators, shall be screened from ground level view. Screening shall be as high as the top of the mechanical equipment, and shall be integrated with exterior building design.

Finding: The applicant's statement indicates that rooftop-mounted mechanical equipment will be screened from ground level.

- (8) To reinforce the residential character of the neighborhood, flat roofs, and the roof ridges of sloping roofs, shall not exceed a horizontal length of 100 feet without providing differences in elevation of at least four feet in height. In lieu of providing differences in elevation, a cross gable or dormer that is a minimum of four feet in length may be provided. (See Figure 702-4)

Finding: The building roof heights include differences in elevation of at least 4 feet and do not exceed a horizontal length of 100 feet. This standard is met.

- (9) To minimize the appearance of building bulk, each floor of each building's vertical face that is 80 feet in length or longer shall incorporate one or more of the design elements below (see examples in Figure 702-5). Design elements shall vary from other wall surfaces by a minimum of four feet and such changes in plane shall have a minimum width of six feet.

(A) Offsets (recesses and extensions)

(B) Covered deck.

(C) Covered balcony.

(D) Cantilevered balcony, provided at least half of its depth is recessed.

(E) Covered entrance.

Finding: The greatest dimension for any of the buildings proposed is approximately 125 feet; therefore, this standard applies. According to the applicant's written statement and proposed building elevation plans, building offsets, covered decks, recessed balconies, and covered entrances will be incorporated into the design for each building in compliance with this standard.

(10) To visually break up the building's vertical mass, the first floor of each building, except for single-story buildings, shall be distinguished from its upper floors by at least one of the following (see examples in Figure 702-6):

(A) Change in materials.

(B) Change in color.

(C) Molding or other horizontally-distinguishing transition piece.

Finding: Changes in material and changes in color are included to break up the vertical mass of the building and distinguish the first level from upper floors. This standard is met.

15. Analysis of Tree Removal Permit Approval Criteria

Salem Revised Code (SRC) 804.025(d)(5) provides that an application for a Tree Removal Permit for removal of a significant tree in connection with the construction of a development other than single family, two family, three family, four family, or cottage cluster 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.

(A) *Without approval of the tree removal permit the proposed development cannot otherwise meet the applicable development standards of the UDC without a variance or adjustment.*

(B) *There are no reasonable design alternatives that would enable preservation of the tree. In determining whether there are no reasonable design alternatives, the following factors, which include but are not limited to the following, shall be considered:*

(i) *Streets. The removal is necessary due to:*

aa. *The location and alignment of existing streets extended to the boundary of the subject property;*

bb. *The planned alignment of a street identified in the Salem Transportation System Plan (TSP);*

cc. *A street required to meet connectivity standards, to serve property where a flag lot accessway is not possible, or where a cul-de-sac would exceed maximum allowed length;*

dd. *Any relocation of the proposed street resulting in lots that do not meet lot standards;*

ee. *A required boundary street improvement.*

(ii) *Utilities. The removal is necessary due to existing or proposed utilities that cannot be relocated to an alternative location.*

(iii) Site topography. The removal is necessary due to the topography of site which will require severe grading in the critical root zone of the tree in order to comply with maximum street or intersection grades, fire department access requirements, or Fair Housing Act or ADA accessibility standards.

Finding: As part of the applicant's original submission five significant trees have been indicated to be removed as part of the Tree Removal Permit due to required extension of Stockton Avenue S. Five trees are proposed for removal due to proposed street locations. The applicant has identified five Oregon white oaks as being within the required grading needed to construct the Stockton Road S extension. These trees meet (B)(iii) of the criterion. The criterion is met.

15. Conclusion

Based upon review of SRC Chapters 200, 205, 220, 225, 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 Tentative Partition Plan, Urban Growth Preliminary Growth Declaration, Class 3 Site Plan Review, Class 2 Adjustment, Class 2 Driveway Approach Permit, Tree Regulation Variance, Class 1 Design Review, Tree Removal Permit Case No. PAR-UGA-SPR-ADJ-TRV-DAP-DR-TRP25-10 is hereby **APPROVED** subject to SRC Chapters 200, 205, 220, 225, 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:** Prior to building permits issuance, the final partition plat shall be recorded.
- Condition 2:** Prior to final plat approval, required right-of-way dedications and required easements shall be free and clear of encumbrances and liens unless otherwise approved by the Director pursuant to SRC 200.050(d).
- Condition 3:** At time of development of each parcel, provide an engineered stormwater design pursuant to Salem Revised Code Chapter 71 and the Public Works Design Standards to accommodate new impervious surfaces in proposed rights-of-way and future impervious surfaces on the proposed parcels.
- Condition 4:** Prior to final plat approval, provide an engineered stormwater design pursuant to Salem Revised Code Chapter 71 and the Public Works Design Standards to accommodate new impervious surfaces the proposed rights-of-way of the new internal streets and along Davis Road S.
- Condition 5:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct stormwater facilities pursuant to Salem Revised Code Chapter 71 and
- Condition 6:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), extend a minimum 8-inch S-4 water main from Eagle

Dance Street S north through adjacent private property located on Marion County Tax Lot No. 083W16CD19500 to the subject property. Water mains shall be designed and constructed in accordance with the *Public Works Design Standards*.

- Condition 7:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), extend a 12-inch S-3 water main from Davis Road S through Stockton Avenue S as shown on the applicant's preliminary utility plan. Water mains shall be designed and constructed in accordance with the *Public Works Design Standards*.
- Condition 8:** The applicant shall construct the Skyline #2 Reservoir, or pay a Temporary Access Fee equal to \$2,000 per dwelling unit for any dwelling unit within the development served by the S-3 water system.
- Condition 9:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), extend an 8-inch sewer main within Stockton Avenue S, including extension of an 8-inch sewer service to taxlot 083W16CD01200, as proposed on the preliminary civil plans, pursuant to the *Public Works Design Standards*.
- Condition 10:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), extend a minimum 10-inch public storm main along Davis Road S to the western boundary of the subject property and construct a minimum 10-inch storm main in Stockton Avenue S and Rise Street S as identified in on the preliminary civil plans pursuant to *Public Works Design Standards*.
- Condition 11:** Prior to final plat approval, all necessary (existing and proposed) access and utility easements must be shown and recorded on the final plat.
- Condition 12:** Prior to final plat approval, the applicant shall obtain an easement for the proposed public water main extension on private property located at 083W16CD19500. All easements shall meet the *Public Works Design Standards (PWDS)* for easement width per PWDS Section 1.8 (Easements).
- Condition 13:** On the final plat, convey land for dedication to equal a half-width right-of-way of 60 feet on the development side of Davis Road S, including sufficient right-of-way to accommodate public infrastructure at the property corners.
- Condition 14:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct a half-street improvement along the frontage of Davis Road S to collector street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.
- Condition 15:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct a 34-foot-wide linking street improvement along Davis Road from the eastern boundary of the subject property

approximately 170 feet to the east to the nearest adequate facility, and acquire right-of-way as needed sufficient to construct the required street improvement.

- Condition 16:** On the final plat, convey land for dedication to equal full width right-of-way and cul-de-sac for the extension and terminus of Rise Street S on the subject property and consistent with the standards of SRC Chapter 803, Table 803-1 (Right-of-way Width).
- Condition 17:** Acquire rights-of-way as needed sufficient to construct Rise Street S on adjacent property (Marion County Taxlot No. 083W16CD01200) as shown on the preliminary site plan and consistent with the standards of SRC Chapter 803, Table 803-1 (Right-of-way Width).
- Condition 18:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct full-width street improvement for the extension and terminus of Rise Street S, from approximately 50-feet south, and through the subject property as shown on the applicant's preliminary plans and as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803 Table 803-2 (Pavement Width).
- Condition 19:** On the final plat, dedicate a 60-foot-wide right-of-way for the new internal street (Stockton Avenue S) as shown on the applicant's tentative plan and consistent with the standards of SRC Chapter 803, Table 803-1 (Right-of-way Width).
- Condition 20:** Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct internal streets to local street standards as specified in the City Street Design Standards and consistent with the provisions in SRC Chapter 803, except where an Alternative Street Standard has been approved to allow street grades up to 15%.
- Condition 21:** At time of development on each parcel, install street trees to the maximum extent feasible along Davis Road S, Stockton Avenue S, and Rise Street S.
- Condition 22:** On the final plat, provide a 10-foot-wide public utility easement along the frontages of Davis Road S, Stockton Avenue S, and Rise Street S.
- Condition 23:** Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), the applicant shall design and construct one transit stop along Davis Road S in a location approved by Cherriots and the Public Works Department.
- Condition 24:** Prior to building permit approval on Parcel 1, the applicant shall setback all structures and vehicle use areas a minimum 10 feet with Type C landscaping from the easement serving the flag lots abutting the eastern portion of the site per SRC 11.050(c) and 514.010(d) or seek an adjustment.

- Condition 25:** At the time of building permit review, the applicant shall revise construction details for the trash enclosure to demonstrate conformance with all applicable standards of SRC 800.055.
- Condition 26:** At the time of building permit review, the applicant shall provide plans showing Electric Vehicle (EV) charger conduits, as defined in ORS 455.417, available for 86 EV charging stations on site.
- Condition 27:** Prior to approval of landscape plans for the proposed development, the tree plan and landscape shall be updated to demonstrate compliance with all tree canopy standards in SRC 806.035(n).
- Condition 28:** At the time of building permit, the applicant shall revise the location of the bicycle rack adjacent and north of Building 15 to be within 50 feet of a primary entrance.
- Condition 29:** Prior to building permit approval, the applicant shall demonstrate that all bicycle parking provided for the development complies with the applicable standards of SRC 806.060.
- Condition 30:** Prior to issuance of a Building Permit, submit a final stormwater report that shows the stormwater system will be designed and constructed in compliance with *Salem Revised Code* (SRC) Chapter 71 and *Public Works Design Standards* (PWDS), unless a Design Exception is approved by Public Works.
- Condition 31:** Prior to issuance of a temporary or final Certificate of Occupancy for any building proposed within the complex, the signal at the intersection of Liberty Road S and Davis Road S shall be complete and operational.
- Condition 32:** Prior to issuance of a temporary or final Certificate of Occupancy for any building proposed within the complex, the signal at the intersection of Liberty Road S and Mildred Lane S shall be operational. Alternatively, a temporary barricade which allows emergency vehicle access only may be placed across Rise Street S.
- Condition 33:** At the time of building permit, the applicant shall revise plans to have a minimum planting density for a full 12-foot setback with Type A landscaping between the Stockton Avenue S and the vehicle use area south of Building 11.
- Condition 34:** The adjusted development standards, as approved in this report, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development standards of the Unified Development Code, unless adjusted through a future land use action.
- Condition 35:** At the time of building permit for Parcel 2, the applicant shall revise the plans to include a Common Open Space area on Parcel 2 that is a minimum size of 2,250 square feet in size per SRC 702.020(a)(1)(A) or seek an adjustment.

- Condition 36:** At the time of building permit, a minimum density of ten tree plant units per 60 linear feet of exterior building wall shall be planted within 25 feet from the edge of each building footprint.
- Condition 37:** At time of building permit submittal, the applicant shall provide lighting details demonstrating compliance with the standards of SRC 702.015(c)(2).



Jacob Brown, Planner II



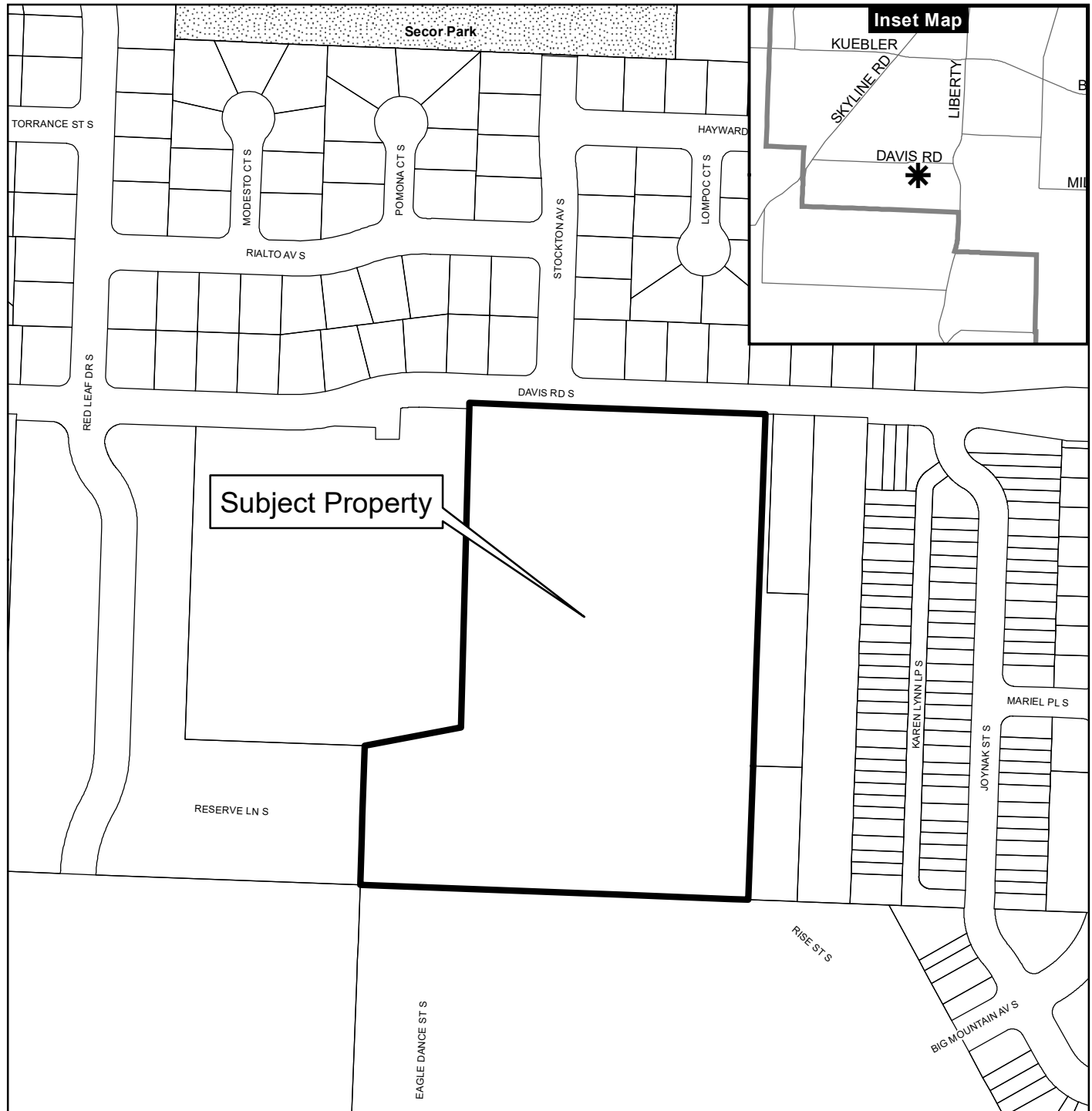
Aaron Panko, Infrastructure Planner III

- Attachments:
- A. Vicinity Map
 - B. Proposed Development Plans and Elevations
 - C. Salem-Keizer School District Memo
 - D. Cherriots Memo

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

Vicinity Map

1656 Davis Road S



Legend

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

Parks

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Community Planning and Development

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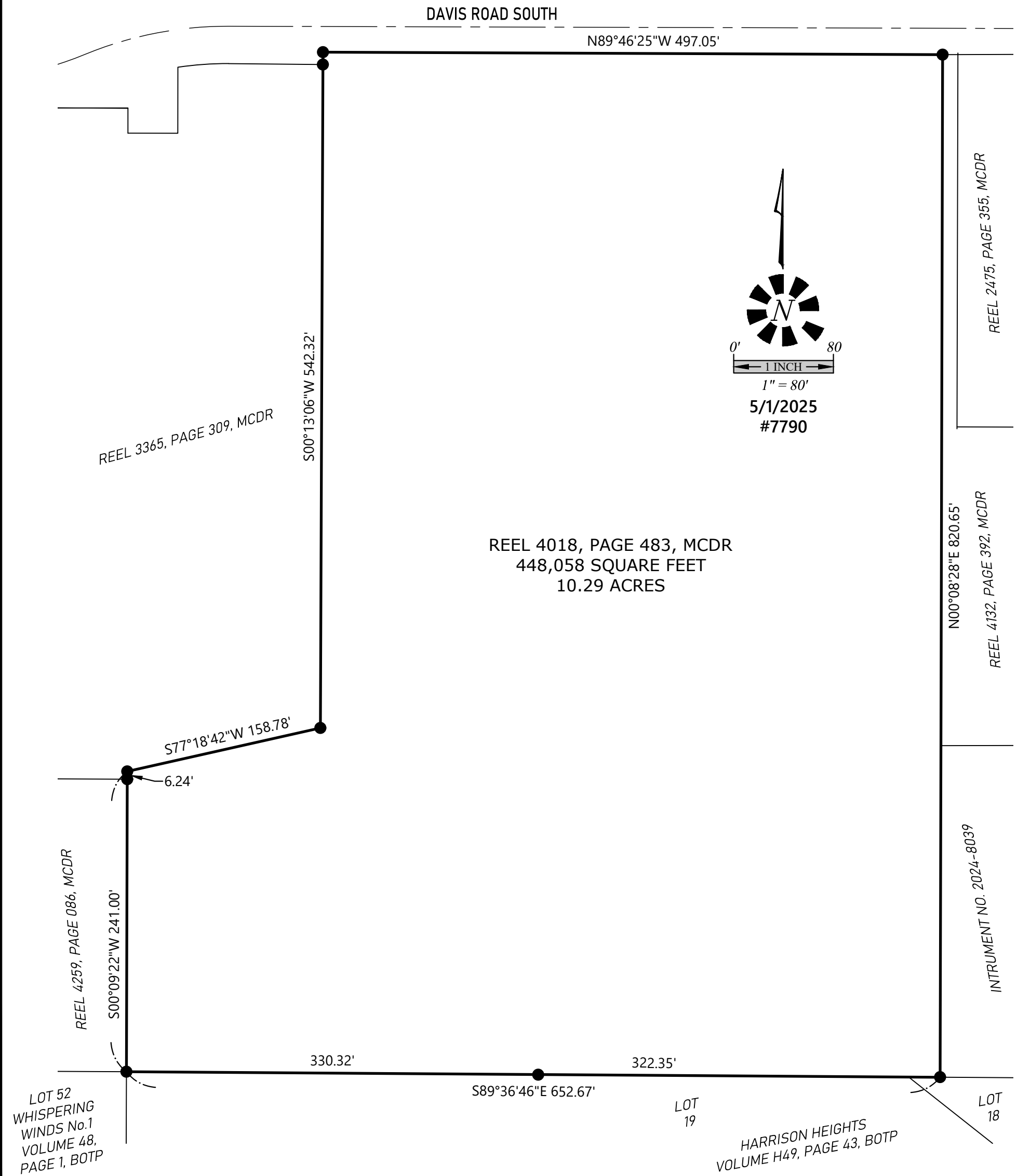
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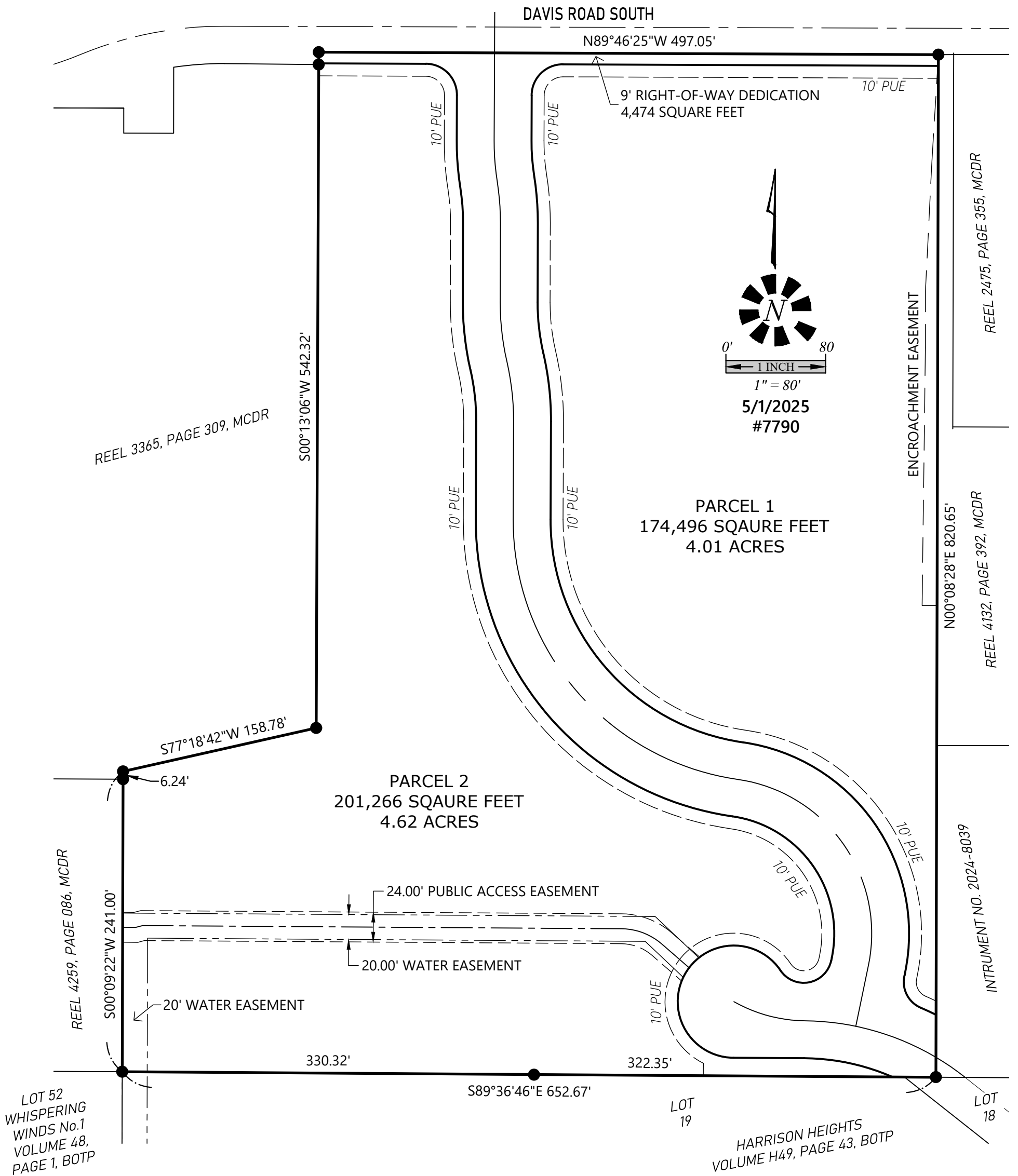
EXHIBIT
OF A PROPOSED PARTITION
IN THE SW 1/4 SEC. 16, T. 8 S., R. 3 W., W.M.
CITY OF SALEM, MARION COUNTY, OREGON

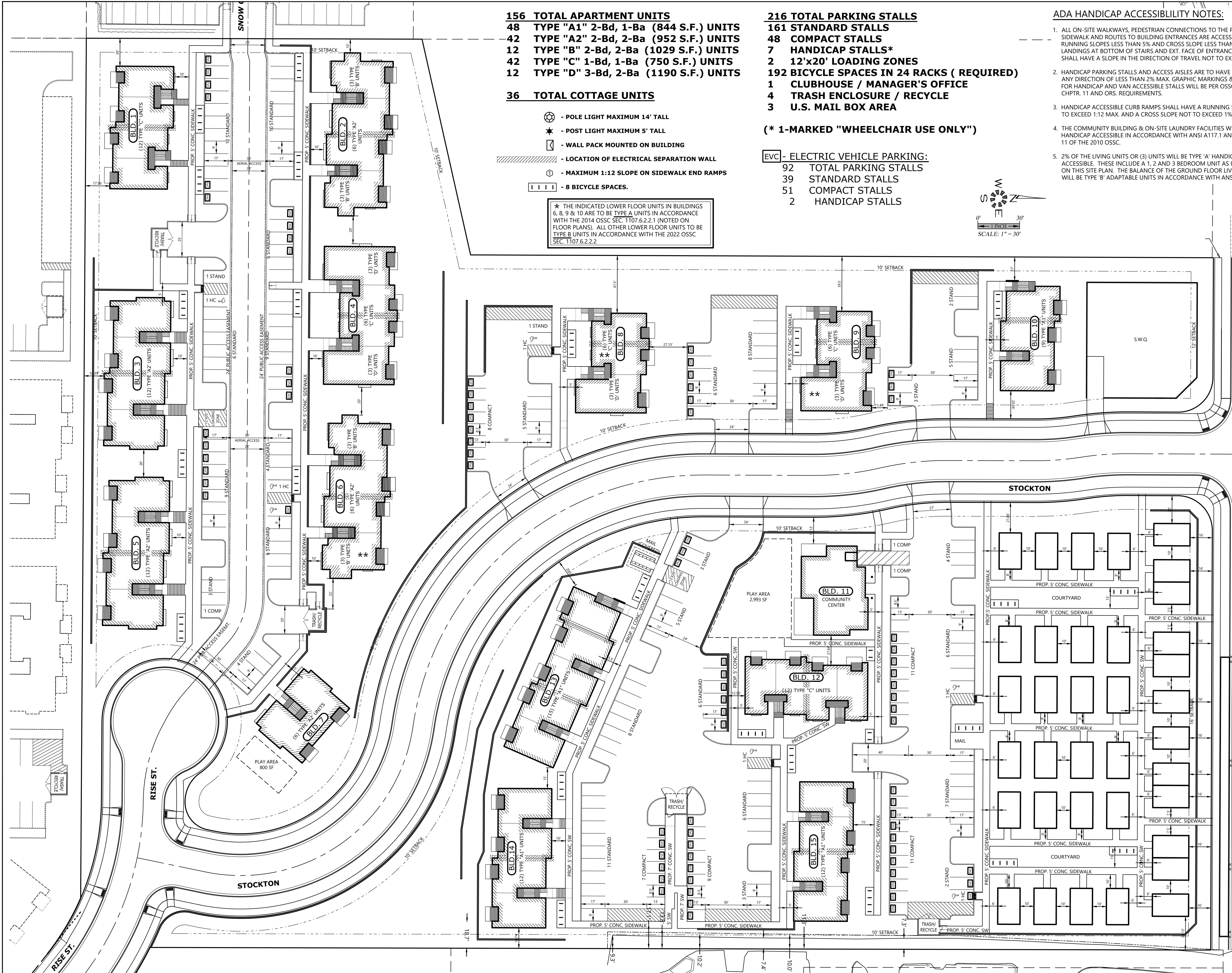
BY:
MULTI/TECH ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OREGON 97302
503-363-9227

EXISTING



PROPOSED





156 TOTAL APARTMENT UNITS
48 TYPE "A1" 2-Bd, 1-Ba (844 S.F.) UNITS
42 TYPE "A2" 2-Bd, 2-Ba (952 S.F.) UNITS
12 TYPE "B" 2-Bd, 2-Ba (1029 S.F.) UNITS
42 TYPE "C" 1-Bd, 1-Ba (750 S.F.) UNITS
12 TYPE "D" 3-Bd, 2-Ba (1190 S.F.) UNITS

36 TOTAL COTTAGE UNITS

- POLE LIGHT MAXIMUM 14' TALL
- POST LIGHT MAXIMUM 5' TALL
- WALL PACK MOUNTED ON BUILDING
- LOCATION OF ELECTRICAL SEPARATION WALL
- MAXIMUM 1:12 SLOPE ON SIDEWALK END RAMPS
- 8 BICYCLE SPACES.

★ THE INDICATED LOWER FLOOR UNITS IN BUILDINGS 6, 8, 9 & 10 ARE TO BE TYPE A UNITS IN ACCORDANCE WITH THE 2014 OSSC SEC. 1107.6.2.2.1 (NOTED ON FLOOR PLANS). ALL OTHER LOWER FLOOR UNITS TO BE TYPE B UNITS IN ACCORDANCE WITH THE 2022 OSSC SEC. 1107.6.2.2.2

216 TOTAL PARKING STALLS
161 STANDARD STALLS
48 COMPACT STALLS
7 HANDICAP STALLS*
2 12'x20' LOADING ZONES
192 BICYCLE SPACES IN 24 RACKS (REQUIRED)
1 CLUBHOUSE / MANAGER'S OFFICE
4 TRASH ENCLOSURE / RECYCLE
3 U.S. MAIL BOX AREA

(* 1-MARKED "WHEELCHAIR USE ONLY")

EVC - ELECTRIC VEHICLE PARKING:
92 TOTAL PARKING STALLS
39 STANDARD STALLS
51 COMPACT STALLS
2 HANDICAP STALLS

ADA HANDICAP ACCESSIBILITY NOTES:

- ALL ON-SITE WALKWAYS, PEDESTRIAN CONNECTIONS TO THE PUBLIC SIDEWALK AND ROUTES TO BUILDING ENTRANCES ARE ACCESSIBLE WITH RUNNING SLOPES LESS THAN 5% AND CROSS SLOPE LESS THAN 2% MAX. LANDINGS AT BOTTOM OF STAIRS AND EXT. FACE OF ENTRANCE DOORS SHALL HAVE A SLOPE IN THE DIRECTION OF TRAVEL NOT TO EXCEED 2%.
- HANDICAP PARKING STALLS AND ACCESS AISLES ARE TO HAVE SLOPES IN ANY DIRECTION OF LESS THAN 2% MAX. GRAPHIC MARKINGS & SIGNAGE FOR HANDICAP AND VAN ACCESSIBLE STALLS WILL BE PER OSSC 2010 CHPTR. 11 AND ORS. REQUIREMENTS.
- HANDICAP ACCESSIBLE CURB RAMPS SHALL HAVE A RUNNING SLOPE NOT TO EXCEED 1:12 MAX. AND A CROSS SLOPE NOT TO EXCEED 1%.
- THE COMMUNITY BUILDING & ON-SITE LAUNDRY FACILITIES WILL BE FULLY HANDICAP ACCESSIBLE IN ACCORDANCE WITH ANSI A117.1 AND CHAPTER 11 OF THE 2010 OSSC.
- 2% OF THE LIVING UNITS OR (3) UNITS WILL BE TYPE 'A' HANDICAP ACCESSIBLE. THESE INCLUDE A 1, 2 AND 3 BEDROOM UNIT AS INDICATED ON THIS SITE PLAN. THE BALANCE OF THE GROUND FLOOR LIVING UNITS WILL BE TYPE 'B' ADAPTABLE UNITS IN ACCORDANCE WITH ANSI A117.1.

SITE PLAN

DAVIS ROAD APARTMENTS

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.
DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

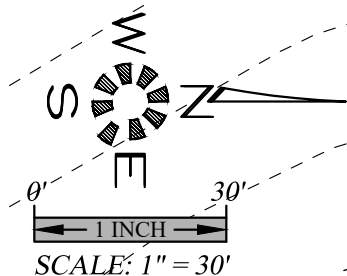
Design: M.D.G.
Drawn: M.K.D.
Checked: M.D.G.
Issue Date: 5/6/25
Scale: AS SHOWN

REGISTERED PROFESSIONAL ENGINEER
JULY 14, 1978
MARK D. GERTY
EXPIRES 06-30-2025

JOB # 7790

SDR3

<u>TOTAL EXISTING TREES WITHIN BOUNDARY</u>		
	REMAIN	TOTAL
SIGNIFICANT NON WHITE OAK 30" ≥	0	7
SIGNIFICANT WHITE OAK 20" ≥	1	37
NON SIGNIFICANT TREE	3	165
TOTAL TREES		209



MULTI/TECH
ENGINEERING SERVICES, INC.

1155 13TH ST. S.E. SALEM, OR. 97302
PH. (503) 363 - 9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

TREE REMOVAL PLAN

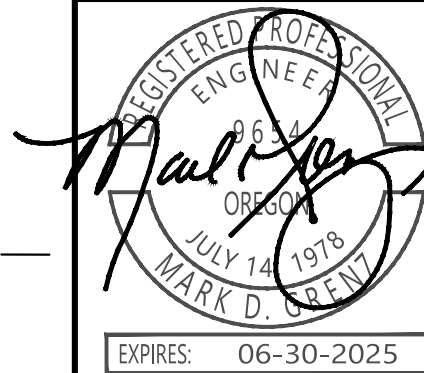
DAVIS ROAD APARTMENTS

NO CHANGES, MODIFICATIONS
OR REPRODUCTIONS TO BE
MADE TO THESE DRAWINGS
WITHOUT WRITTEN
AUTHORIZATION FROM THE
DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE
PRECEDENCE OVER
GRAPHICAL REPRESENTATION.

7750p 509G-TREE

Design: M.D.G.
Drawn: M.K.D.
Checked: M.D.G.
Issue Date: 5/6/25
Scale: AS SHOWN



JOB # 7790

SDR9



SOUTH ELEVATION (TYPE C UNITS)
SCALE: 1/8" = 1'-0"
BLD. 1



EAST ELEVATION (TYPE C UNITS)
SCALE: 1/8" = 1'-0"
BLD. 1



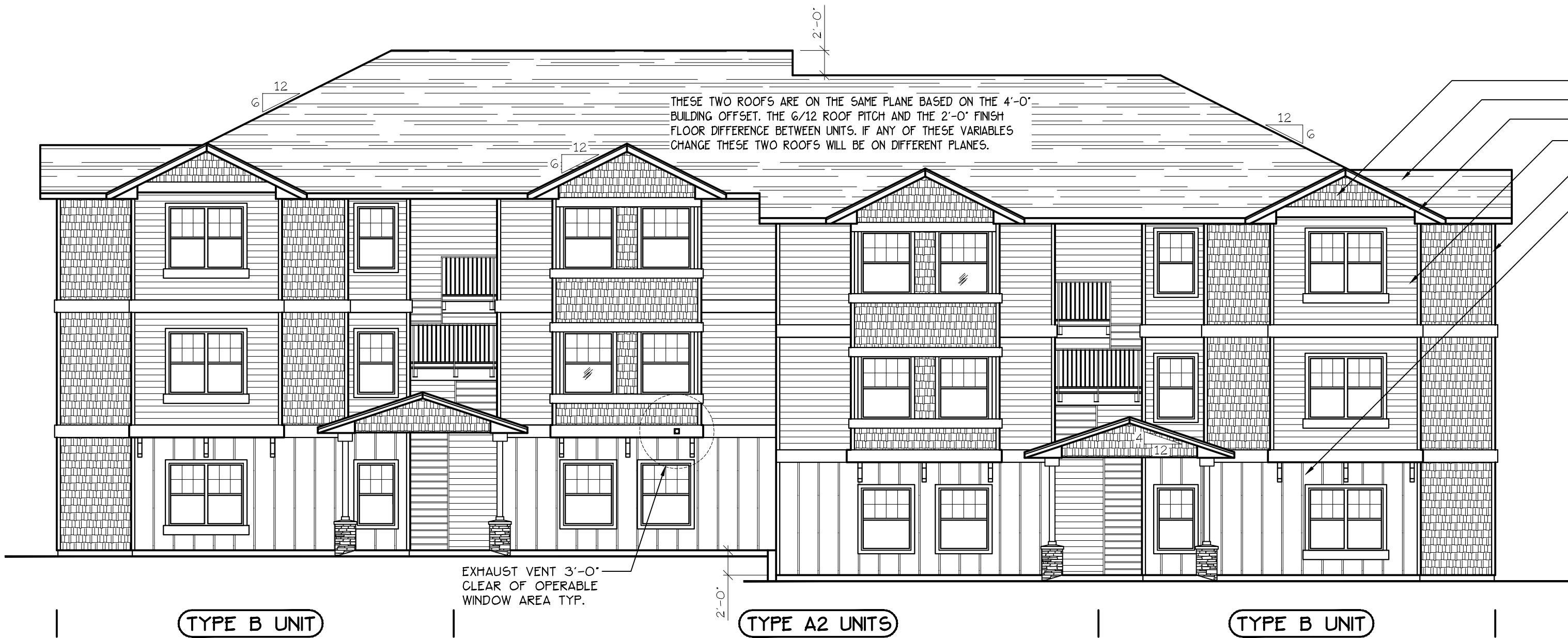
NORTH ELEVATION (TYPE C UNITS)
SCALE: 1/8" = 1'-0"
BLD. 1



WEST ELEVATION (TYPE C UNITS)
SCALE: 1/8" = 1'-0"
BLD. 1



NORTH ELEVATION (BLD. 2)
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION (BLD. 2)
SCALE: 1/8" = 1'-0"



WEST ELEVATION (BLD. 2)
SCALE: 1/8" = 1'-0"



EAST ELEVATION (BLD. 2)
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION (TYPE A2 UNITS)
SCALE: 1/8" = 1'-0"
(BLD. 3)

HARDIESHINGLE SIDING
COMP. ROOFING
2 X 6 FASCIA
HARDIEPLANK LAP SIDING
1" X 4" TRIM
HARDIEPANEL SIDING W/ BATTS

ceiling line
9'-1"
Upper fin. floor
ceiling line
9'-1"
Main fin. floor
ceiling line
9'-1"
Lower fin. floor
ground



EAST ELEVATION (TYPE A2 UNITS)
SCALE: 1/8" = 1'-0"
(BLD. 3)

ridge line
10'-4"
ceiling line
9'-1"
Upper fin. floor
ceiling line
9'-1"
Main fin. floor
ceiling line
9'-1"
Lower fin. floor
ground



NORTH ELEVATION (TYPE A2 UNITS)
SCALE: 1/8" = 1'-0"
(BLD. 3)

HARDIESHINGLE SIDING
COMP. ROOFING
2 X 6 FASCIA
HARDIEPLANK LAP SIDING
1" X 4" TRIM
HARDIEPANEL SIDING W/ BATTS

ceiling line
9'-1"
Upper fin. floor
ceiling line
9'-1"
Main fin. floor
ceiling line
9'-1"
Lower fin. floor
ground



WEST ELEVATION (TYPE A2 UNITS)
SCALE: 1/8" = 1'-0"
(BLD. 3)

ridge line
10'-4"
ceiling line
9'-1"
Upper fin. floor
ceiling line
9'-1"
Main fin. floor
ceiling line
9'-1"
Lower fin. floor
ground

ROCK FACADE

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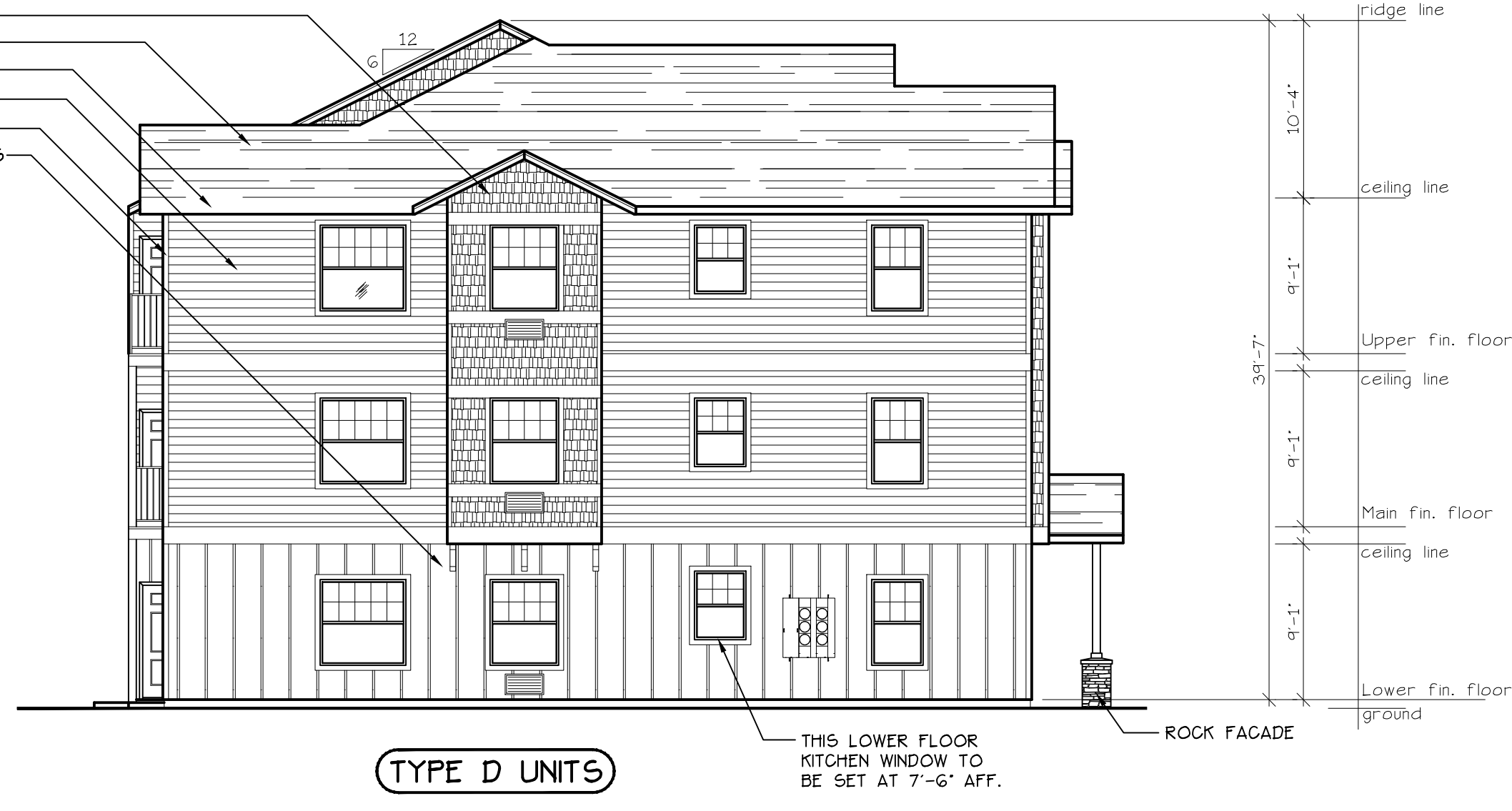
BLD302-12-2506-0101
ALB/ELEV
Design: P.L.M.
Drawn: G.L.D.
Checked: M.D.G.
Date: Feb-25
Scale: AS SHOWN

JOB # 7790





NORTH ELEVATION (BLD. 4)
SCALE: 1/8" = 1'-0"



WEST ELEVATION (BLD. 4)
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION (BLD. 4)
SCALE: 1/8" = 1'-0"



EAST ELEVATION (BLD. 4)
SCALE: 1/8" = 1'-0"



- HARDIESHINGLE SIDING
 - COMP. ROOFING
 - 2 X 6 FASCIA
 - HARDIEPLANK LAP SIDING
 - 1" X 4" TRIM
 - HARDIEPANEL SIDING W/ BATTS
- ceiling line
- 9'-1"
- Upper fin. floor
- ceiling line
- 9'-1"
- Main fin. floor
- ceiling line
- 9'-1"
- Lower fin. floor
- ground



EAST ELEVATION (TYPE A2 UNITS)
SCALE: 1/8" = 1'-0"

- ridge line
- 10'-4"
- ceiling line
- 9'-1"
- 40'-0"
- Upper fin. floor
- ceiling line
- 9'-1"
- Main fin. floor
- ceiling line
- 9'-1"
- Lower fin. floor
- ground



THESE TWO ROOFS ARE ON THE SAME PLANE BASED ON THE 4'-0" BUILDING OFFSET, THE 6/12 ROOF PITCH AND THE 2'-0" FINISH FLOOR DIFFERENCE BETWEEN UNITS. IF ANY OF THESE VARIABLES CHANGE THESE TWO ROOFS WILL BE ON DIFFERENT PLANES.

- HARDIESHINGLE SIDING
 - COMP. ROOFING
 - 2 X 6 FASCIA
 - HARDIEPLANK LAP SIDING
 - 1" X 4" TRIM
 - HARDIEPANEL SIDING W/ BATTS
- ceiling line
- 9'-1"
- Upper fin. floor
- ceiling line
- 9'-1"
- Main fin. floor
- ceiling line
- 9'-1"
- Lower fin. floor
- ground



WEST ELEVATION (TYPE A2 UNITS)
SCALE: 1/8" = 1'-0"

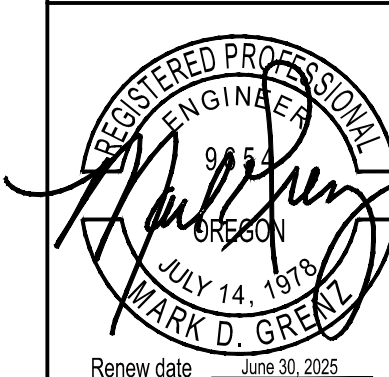
ROCK FACADE

- ridge line
- 10'-10"
- ceiling line
- 9'-1"
- 40'-1"
- Upper fin. floor
- ceiling line
- 9'-1"
- Main fin. floor
- ceiling line
- 9'-1"
- Lower fin. floor
- ground

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BLD5A2-12-2502-0101
AS 5/6/25
Design: P.L.M.
Drawn: G.L.D.
Checked: M.D.G.
Date: Feb-25
Scale: AS SHOWN

JOB # 7790



Renew date: June 30, 2025



NORTH ELEVATION (BLD. 6)
SCALE: 1/8" = 1'-0"



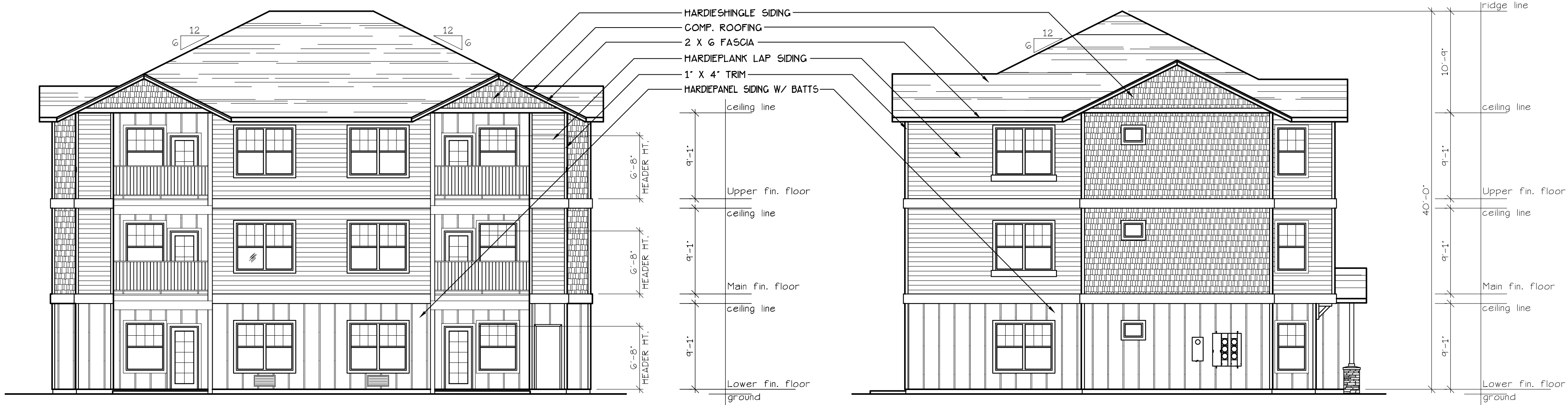
SOUTH ELEVATION (BLD. 6)
SCALE: 1/8" = 1'-0"



WEST ELEVATION (BLD. 6)
SCALE: 1/8" = 1'-0"

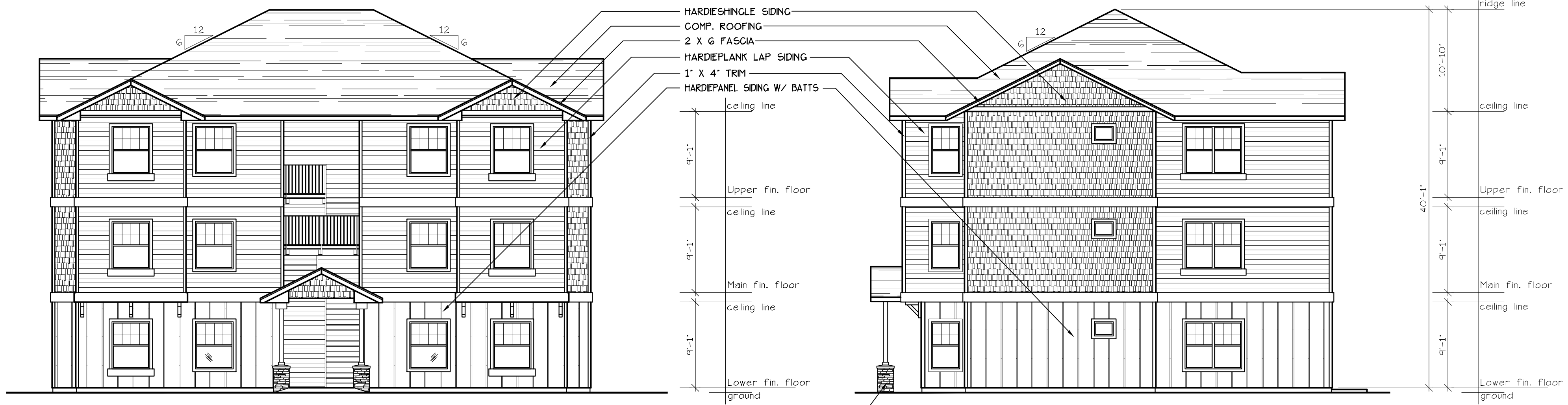


EAST ELEVATION (BLD. 6)
SCALE: 1/8" = 1'-0"



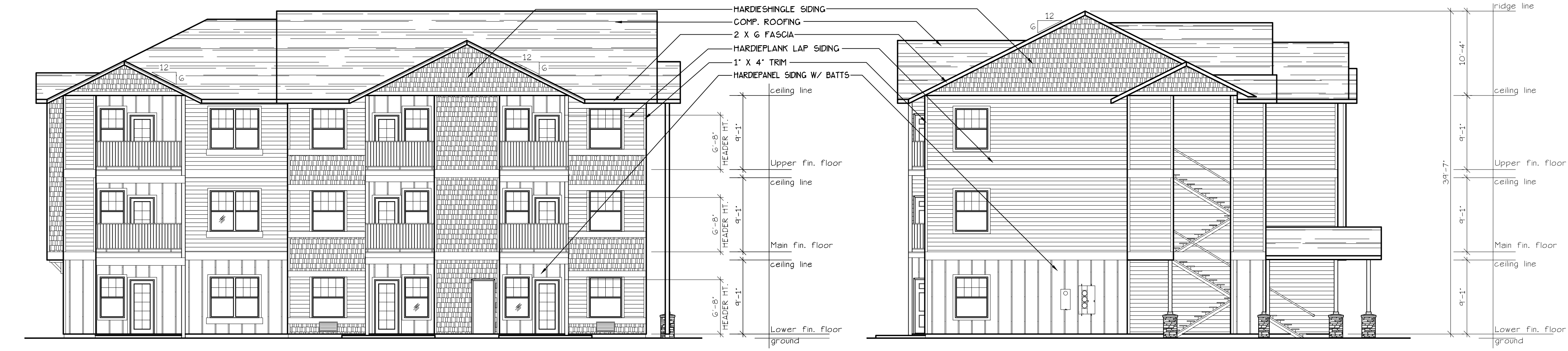
NORTHEAST ELEVATION (TYPE A2 UNITS)
SCALE: 1/8" = 1'-0"
BLD. 7

NORTHWEST ELEVATION (TYPE A2 UNITS)
SCALE: 1/8" = 1'-0"
BLD. 7



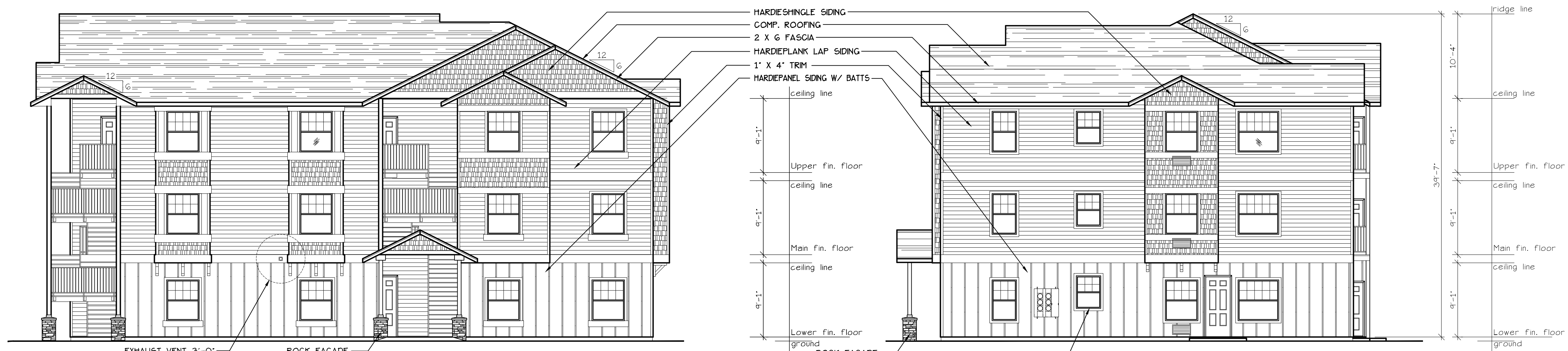
SOUTHWEST ELEVATION (TYPE A2 UNITS)
SCALE: 1/8" = 1'-0"
BLD. 7

SOUTHEAST ELEVATION (TYPE A2 UNITS)
SCALE: 1/8" = 1'-0"
BLD. 7



TYPE D UNIT | TYPE C UNITS |
NORTH ELEVATION (BLD. 8)
SCALE: 1/8" = 1'-0"

TYPE C UNITS |
WEST ELEVATION (BLD. 8)
SCALE: 1/8" = 1'-0"



EXHAUST VENT 3'-0"
CLEAR OF OPERABLE
WINDOW AREA TYP.
TYPE C UNITS | TYPE D UNIT |
SOUTH ELEVATION (BLD. 8)
SCALE: 1/8" = 1'-0"

THIS LOWER FLOOR
KITCHEN WINDOW TO
BE SET AT 7'-6" AFF.
TYPE D UNITS |
EAST ELEVATION (BLD. 8)
SCALE: 1/8" = 1'-0"

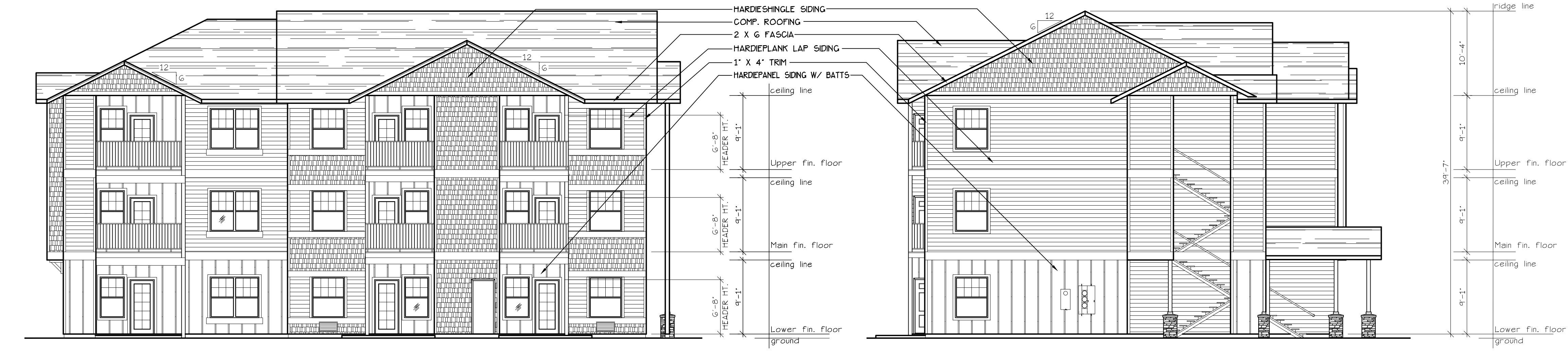
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BLD801-4-2502-0101
A8.90/ELEV
Design: P.L.M.
Drawn: G.L.D.
Checked: M.D.G.
Date: Apr-25
Scale: AS SHOWN

JOB # 7790

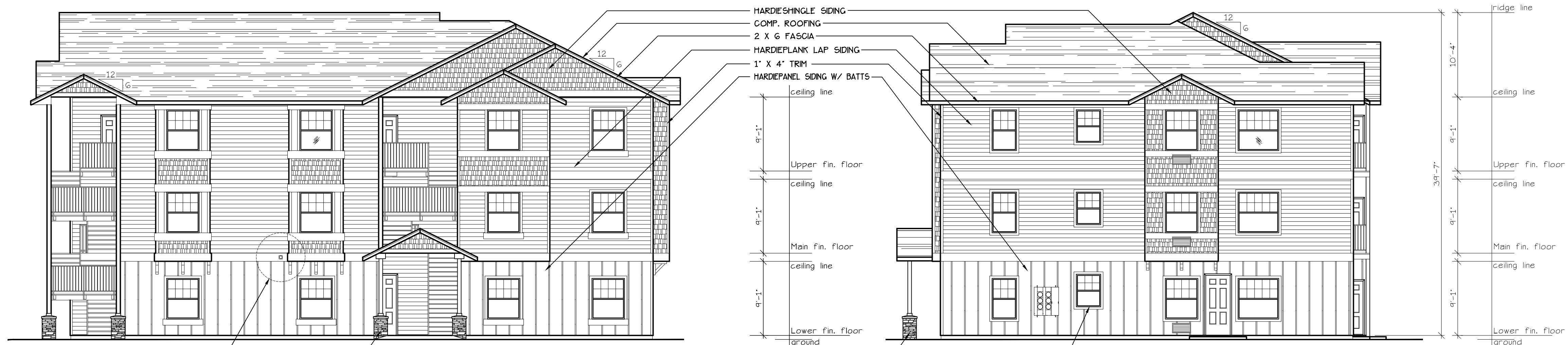


Renew date: June 30, 2025



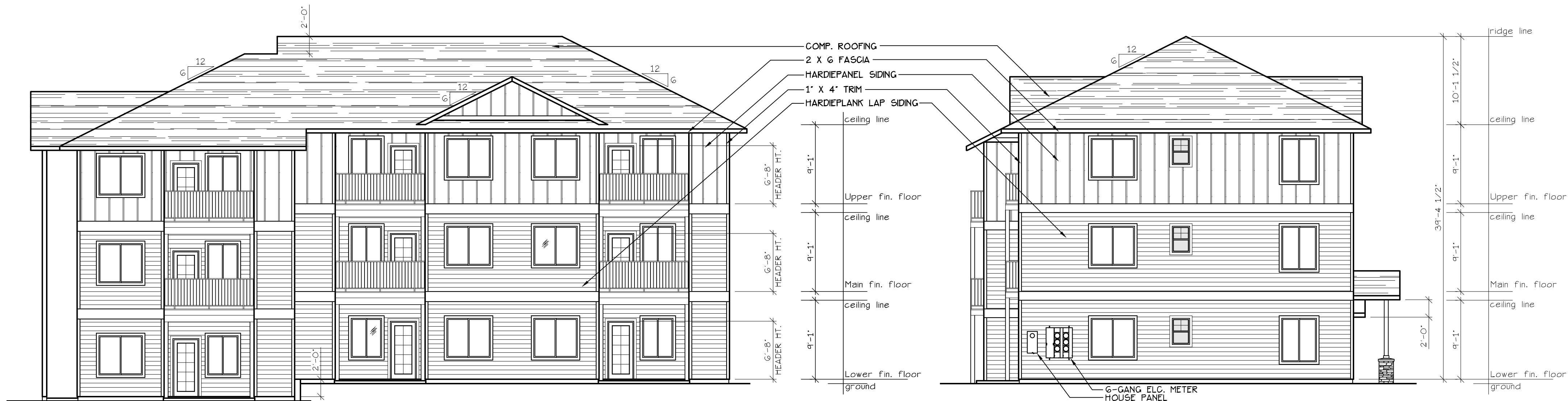
(TYPE D UNIT) (TYPE C UNITS)
NORTH ELEVATION (BLD. 9)
SCALE: 1/8" = 1'-0"

(TYPE C UNITS)
WEST ELEVATION (BLD. 9)
SCALE: 1/8" = 1'-0"



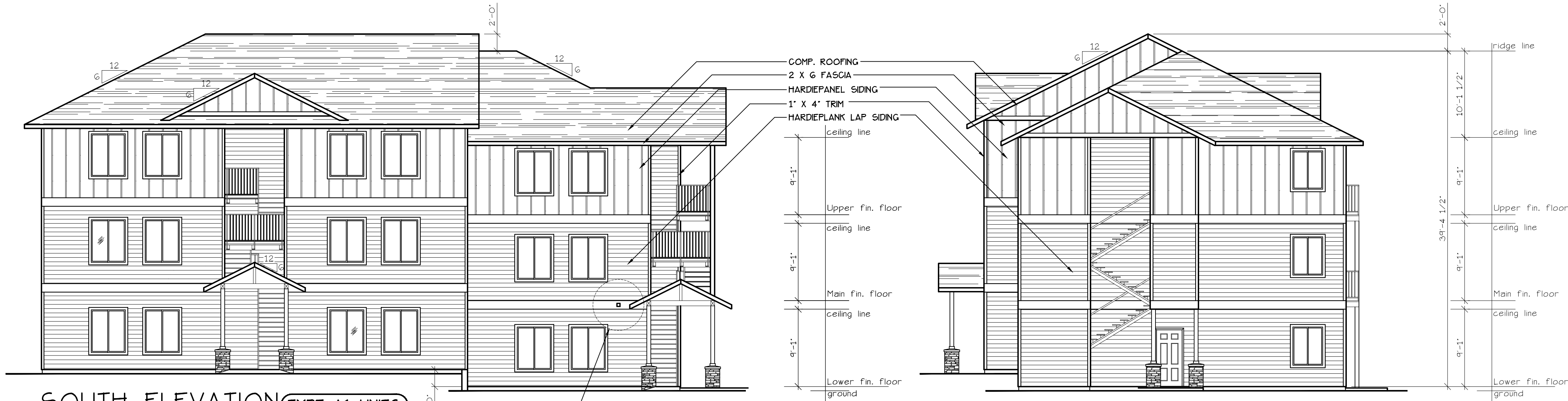
EXHAUST VENT 3'-0"
CLEAR OF OPERABLE
WINDOW AREA TYP.
(TYPE C UNITS) (TYPE D UNIT)
SOUTH ELEVATION (BLD. 9)
SCALE: 1/8" = 1'-0"

THIS LOWER FLOOR
KITCHEN WINDOW TO
BE SET AT 7'-6" AFF.
(TYPE D UNITS)
EAST ELEVATION (BLD. 9)
SCALE: 1/8" = 1'-0"



NORTH ELEVATION (TYPE A1 UNITS)
SCALE: 1/8" = 1'-0"
BLD. 10

WEST ELEVATION (TYPE A1 UNITS)
SCALE: 1/8" = 1'-0"
BLD. 10



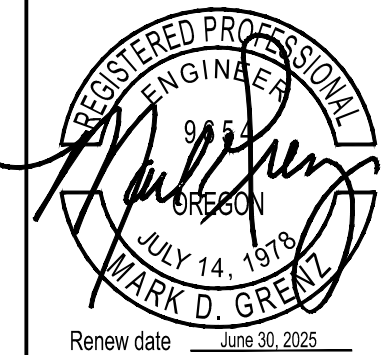
SOUTH ELEVATION (TYPE A1 UNITS)
SCALE: 1/8" = 1'-0"
BLD. 10

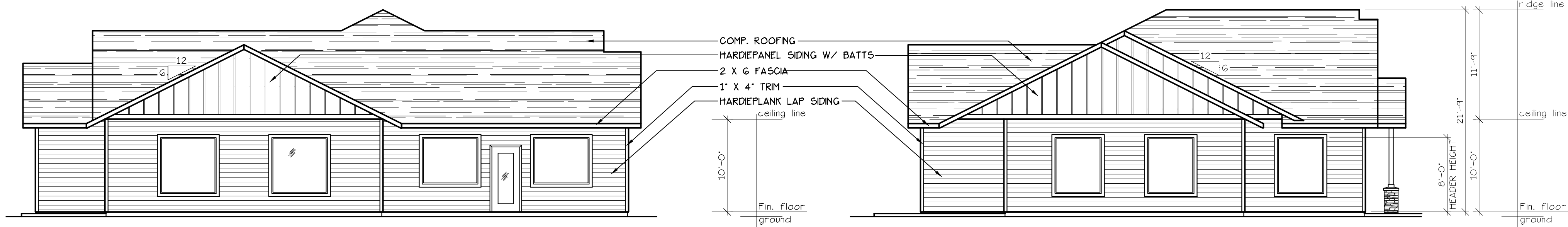
EAST ELEVATION (TYPE A1 UNITS)
SCALE: 1/8" = 1'-0"
BLD. 10

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Design: P.L.M.
Drawn: G.L.D./A.R.B.
Checked: M.D.G.
Date: Apr-25
Scale: AS SHOWN

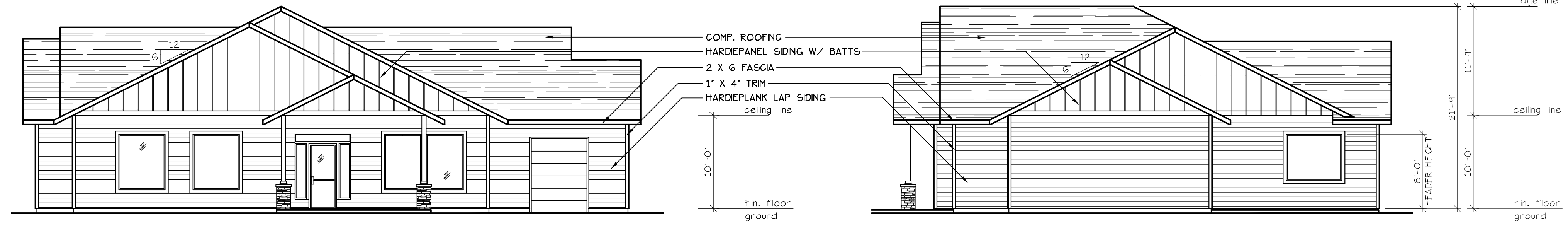
JOB # 7790





EAST ELEVATION (RECREATION BLD.)
SCALE: 1/8" = 1'-0"
BLD. 11

NORTH ELEVATION (RECREATION BLD.)
SCALE: 1/8" = 1'-0"
BLD. 11



WEST ELEVATION (RECREATION BLD.)
SCALE: 1/8" = 1'-0"
BLD. 11

SOUTH ELEVATION (RECREATION BLD.)
SCALE: 1/8" = 1'-0"
BLD. 11

BUILDING ELEVATIONS
AND CODE SUMMARY

DAVIS ROAD
APARTMENT COMPLEX

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BLD11REC-526-PR011
ALT. 01/REV
Design: P.L.M.
Drawn: A.T.T.
Checked: M.D.G.
Date: JAN-25
Scale: AS SHOWN

JOB # 7790





WEST ELEVATION (TYPE C UNITS)
SCALE: 1/8" = 1'-0"
BLD. 12



EAST ELEVATION (TYPE C UNITS)
SCALE: 1/8" = 1'-0"
BLD. 12



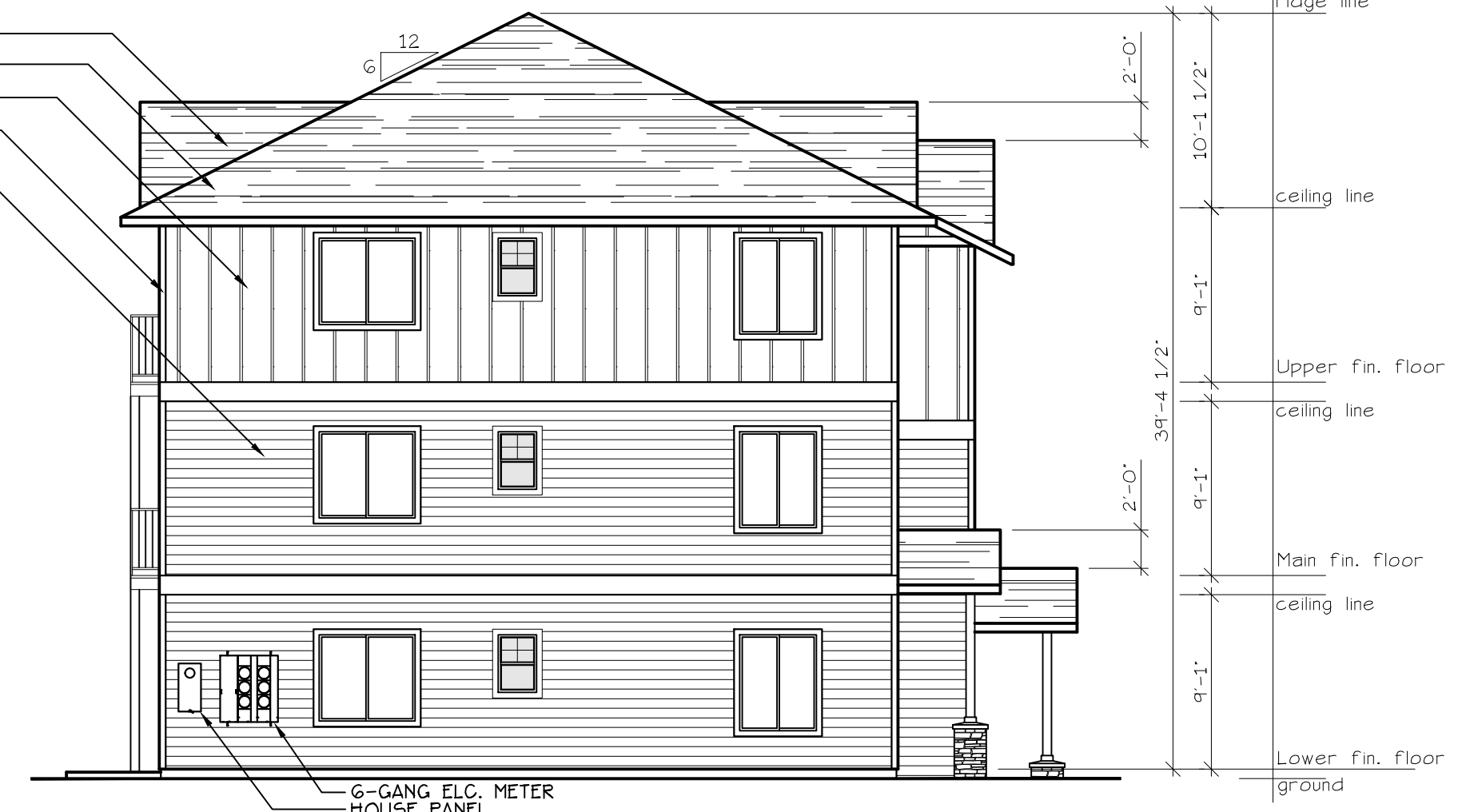
SOUTH ELEVATION (TYPE C UNITS)
SCALE: 1/8" = 1'-0"
BLD. 12



NORTH ELEVATION (TYPE C UNITS)
SCALE: 1/8" = 1'-0"
BLD. 12



SOUTH ELEVATION (TYPE A1 UNITS)
SCALE: 1/8" = 1'-0"
BLD. 13



EAST ELEVATION (TYPE A1 UNITS)
SCALE: 1/8" = 1'-0"
BLD. 13



NORTH ELEVATION (TYPE A1 UNITS)
SCALE: 1/8" = 1'-0"
BLD. 13



WEST ELEVATION (TYPE A1 UNITS)
SCALE: 1/8" = 1'-0"
BLD. 13



SOUTH ELEVATION (TYPE A1 UNITS)
SCALE: 1/8" = 1'-0"
BLD. 14

COMP. ROOFING
2 X 6 FASCIA
HARDIEPANEL SIDING
1" X 4" TRIM
HARDIEPLANK LAP SIDING
ceiling line
9'-1"
Upper fin. floor
ceiling line
9'-1"
Main fin. floor
ceiling line
9'-1"
Lower fin. floor
ground



EAST ELEVATION (TYPE A1 UNITS)
SCALE: 1/8" = 1'-0"
BLD. 14

ridge line
10'-1 1/2"
ceiling line
9'-1"
Upper fin. floor
ceiling line
9'-1"
Main fin. floor
ceiling line
9'-1"
Lower fin. floor
ground



NORTH ELEVATION (TYPE A1 UNITS)
SCALE: 1/8" = 1'-0"
BLD. 14

EXHAUST VENT 3'-0"
CLEAR OF OPERABLE
WINDOW AREA TYP.

COMP. ROOFING
2 X 6 FASCIA
HARDIEPANEL SIDING
1" X 4" TRIM
HARDIEPLANK LAP SIDING
ceiling line
9'-1"
Upper fin. floor
ceiling line
9'-1"
Main fin. floor
ceiling line
9'-1"
Lower fin. floor
ground



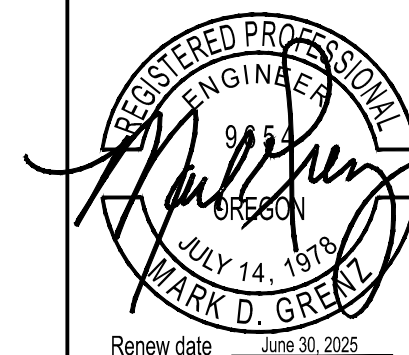
WEST ELEVATION (TYPE A1 UNITS)
SCALE: 1/8" = 1'-0"
BLD. 14

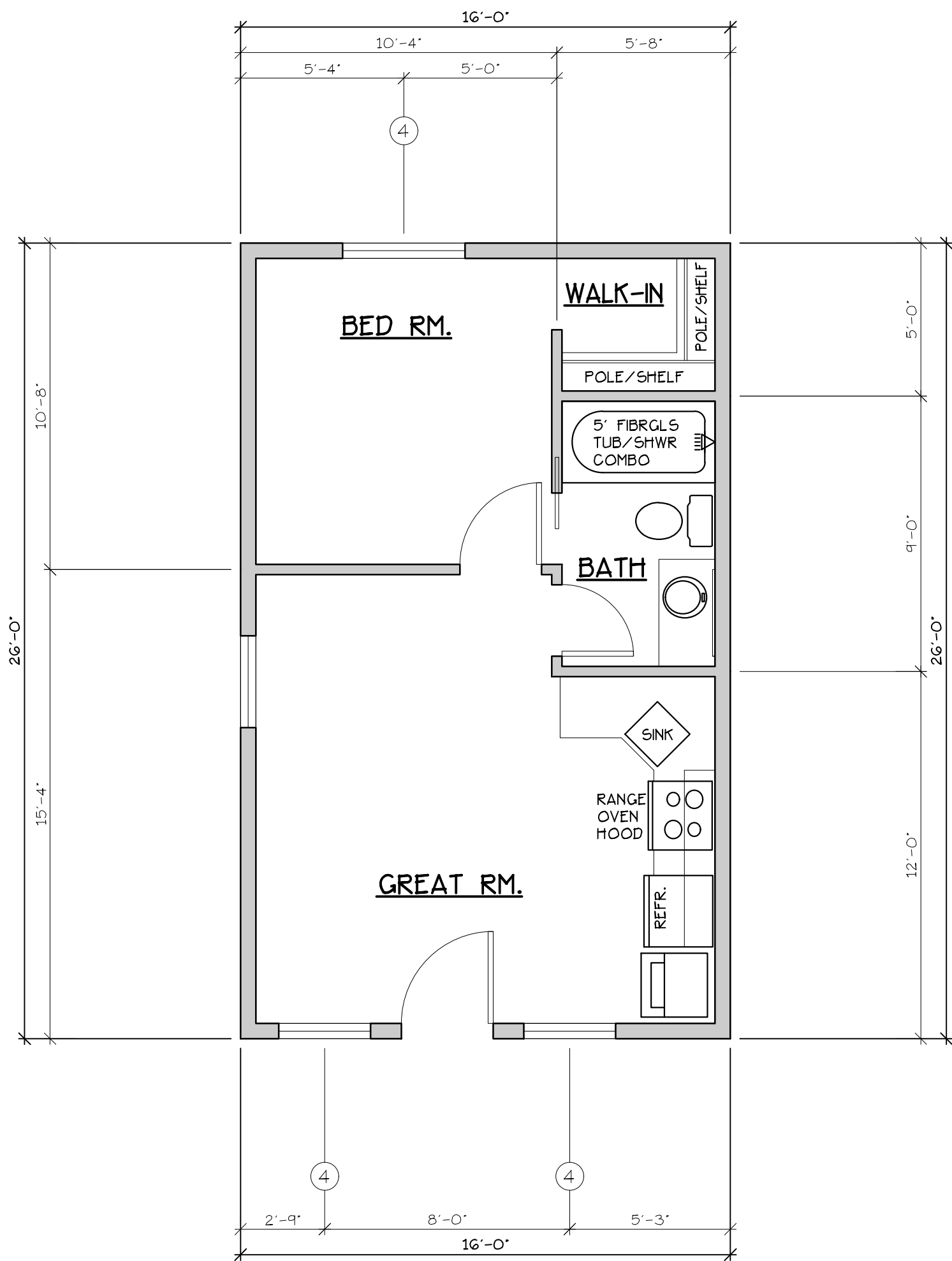
ridge line
10'-1 1/2"
ceiling line
9'-1"
Upper fin. floor
ceiling line
9'-1"
Main fin. floor
ceiling line
9'-1"
Lower fin. floor
ground

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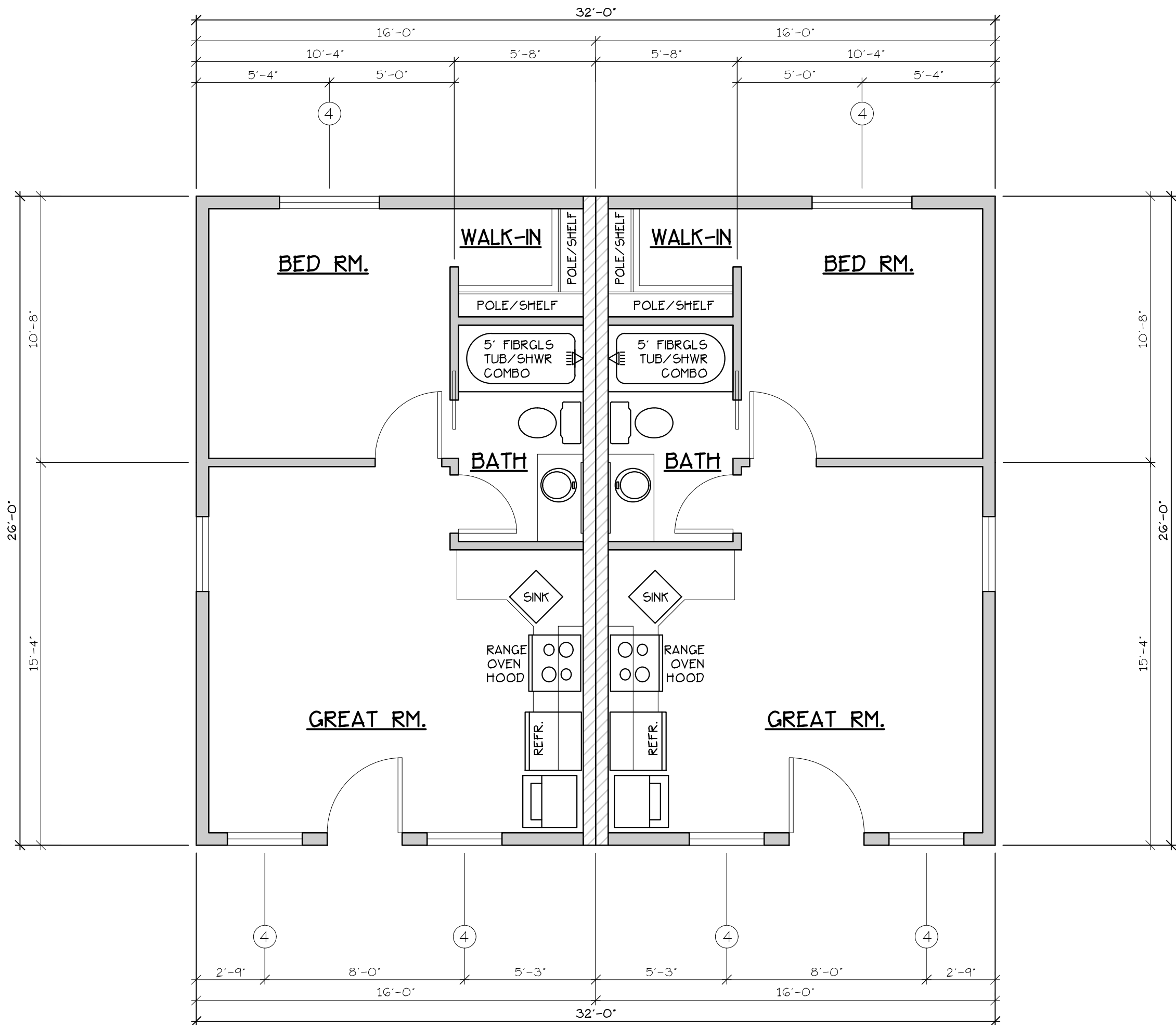
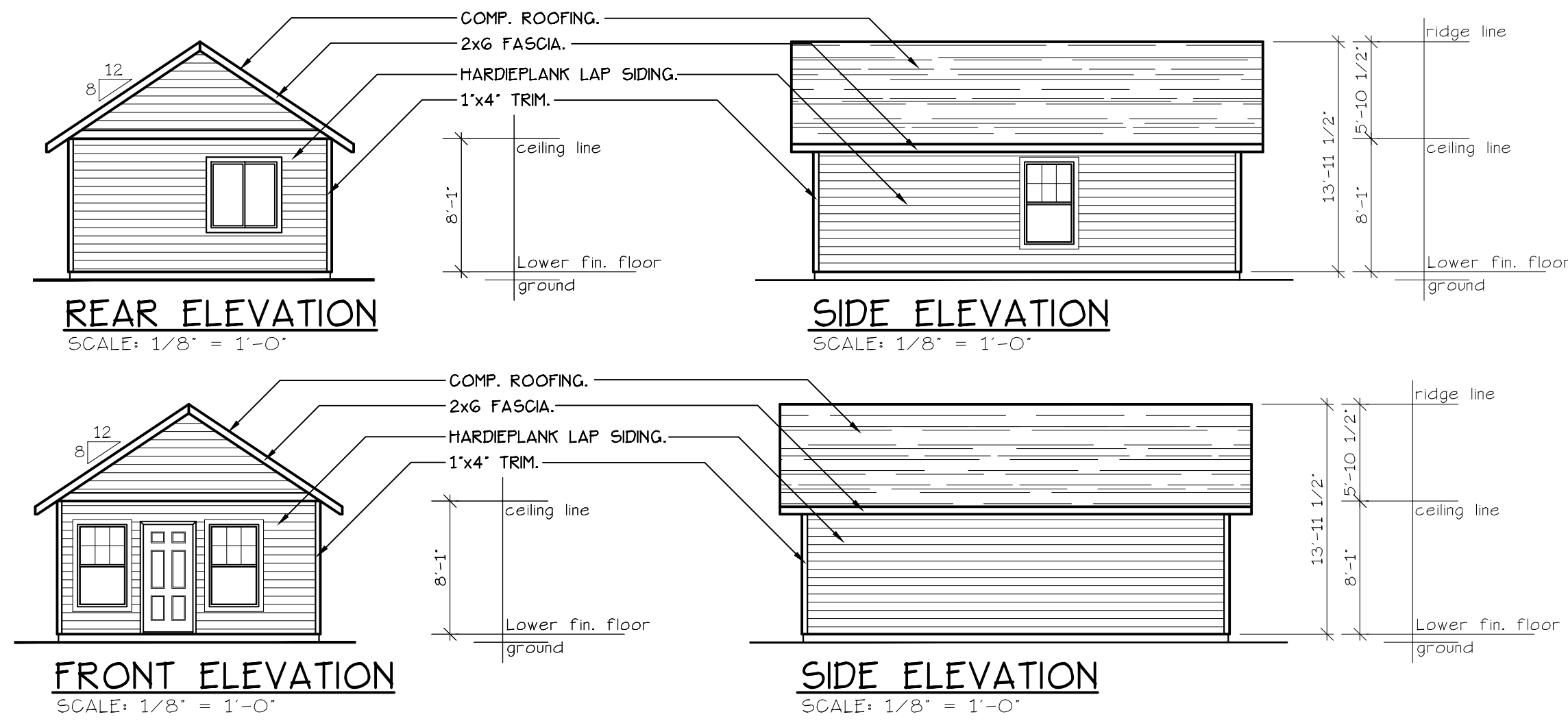
Design: P.L.M.
Drawn: G.L.D./A.R.B.
Checked: M.D.G.
Date: Feb-25
Scale: AS SHOWN

JOB # 7790

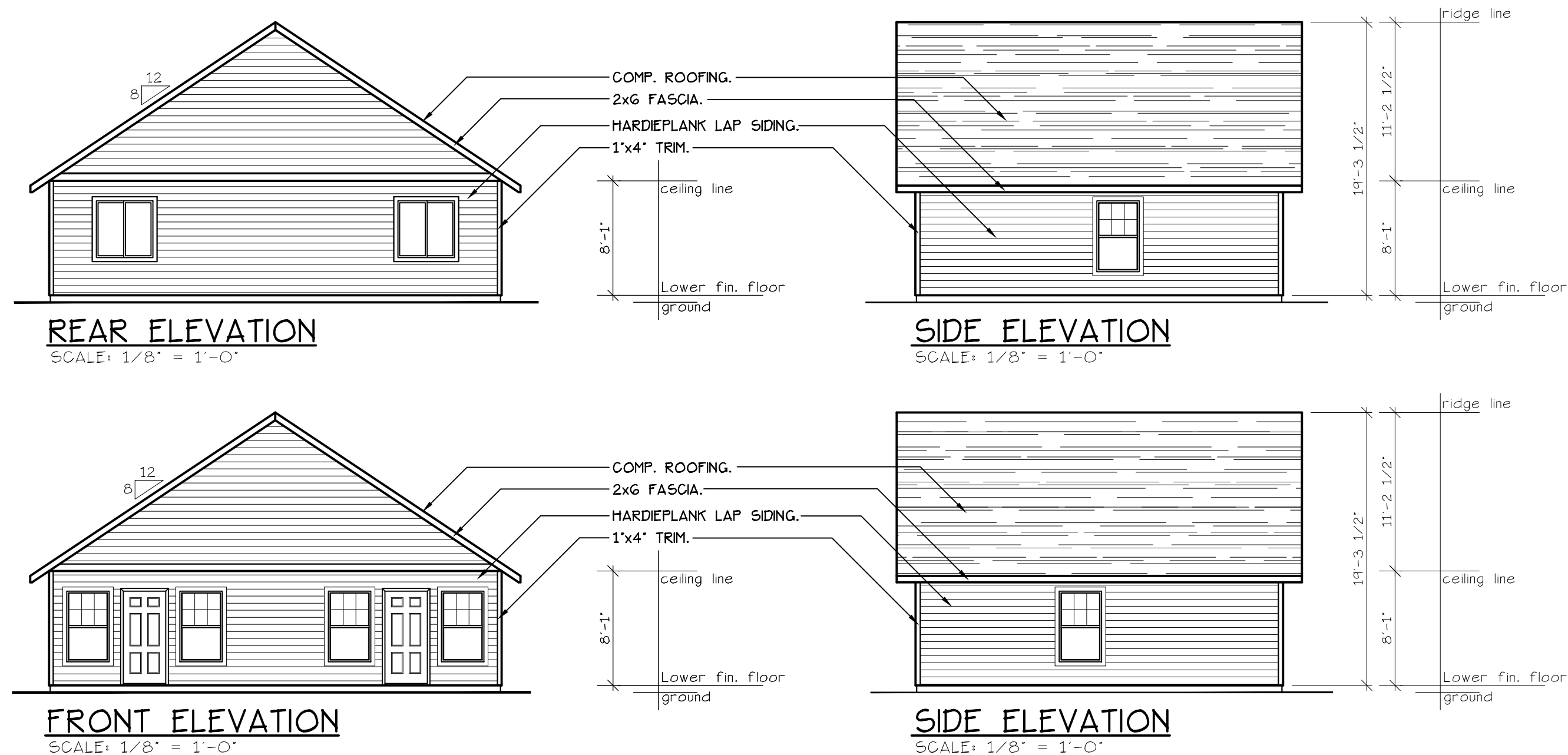




FLOOR PLAN
SCALE: 1/4" = 1'-0"



FLOOR PLAN
SCALE: 1/4" = 1'-0"



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REDUCTIONS TO BE MADE TO
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Design: P.L.M.
Drawn: G.L.D.
Checked: M.D.G.
Date: Feb-25
Scale: AS SHOWN

JOB # 7790

REGISTERED PROFESSIONAL
ENGINEER
MARK D. GREY
JULY 14, 1978
Renew date: June 30, 2025

REQUEST FOR COMMENTS

Si necesita ayuda para comprender esta información, por favor llame 503-588-6173

REGARDING: Partiton Tentative Plan / Urban Growth Preliminary Declaration / Class 3 Site Plan Review / Class 2 Adjustment / Tree Variance / Class 2 Driveway Approach Permit / Class 1 Design Review / Tree and Vegetation Removal Permit Case No. PAR-UGA-SPR-ADJ-TRV-DAP-DR-TRP25-10

PROJECT ADDRESS: 1656 Davis Rd S, Salem OR 97306

AMANDA Application No.: 25-104401-PLN

COMMENT PERIOD ENDS: June 16, 2025, at 5:00 p.m.

SUMMARY: New multi-family development of a 192-unit apartment complex.

REQUEST: A consolidated application for an Urban Growth Preliminary Declaration, Class 3 Site Plan Review, six Class 2 Driveway Approach Permits, and Class 1 Design Review for development of 192 multi-family units, with a Tree Regulation Variance to remove 38 significant trees, Tree Removal Permit to remove five significant trees within a proposed street, and 29 Class 2 Adjustment requests to:

- 1) One Class 2 Adjustment to allow an off-street parking area to be located between a building and the street for the area in front of Building 11 and Stockton Street SE (SRC 702.020(d)(2));
- 2) Three Class 2 Adjustments to reduce the minimum building setback along Stockton Street from 20 to 10 feet for Buildings 7, 8, and 9 (SRC 514.010(d) Table 514-4);
- 3) Four Class 2 Adjustments to reduce the minimum vehicle use area setback from 12 to ten feet for four off-street parking(SRC 514.010(d) Table 514-4);
- 4) Five Class 2 Adjustments to reduce the 40 percent buildable width requirement for buildings along west and east side of Stockton, Davis Road S, and the new cul-de-sac at the end of Rise Street (SRC 702.020(e)(4));
- 5) Eliminate the requirement to orient buildings toward the street with direct pedestrian access to adjacent sidewalks for the 11 detached units and buildings 5, 7, 8, 9, 10, and 13 (SRC 702.020(e)(5)).

The subject property is 10.37 acres in size, zoned RM-II (Multiple Family Residential), and located at 1656 Davis Road S (Marion County Assessor Map and Tax lot numbers: 083W16C / 101).

The Planning Division is interested in hearing from you about the attached proposal. Staff will prepare a Decision that includes consideration of comments received during this comment period. We are interested in receiving pertinent, factual information such as neighborhood association recommendations and comments of affected property owners or residents. The complete case file, including all materials submitted by the applicant and any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports, are available upon request.

Comments received by 5:00 p.m., June 16, 2025, will be considered in the decision process. Comments received after this date will be not considered. *Comments submitted are public record. This includes any personal information provided in your comment such as name, email, physical address and phone number. Mailed comments can take up to 7 calendar days to arrive at our office. To ensure that your comments are received by the deadline, we recommend that you e-mail your comments to the Case Manager listed below, or submit comments online at <https://egov.cityofsalem.net/PlanningComments>*

CASE MANAGER: Jacob Brown, Planner II, City of Salem, Planning Division; PO Box 14300, Salem, OR 97309-3986; Phone: 503-540-2347; E-Mail: jrbrown@cityofsalem.net.

For information about Planning in Salem, please visit: <http://www.cityofsalem.net/planning>

PLEASE CHECK THE FOLLOWING THAT APPLY:

☐ 1. I have reviewed the proposal and have no objections to it.

☒ 2. I have reviewed the proposal and have the following comments: See attached.

Name/Agency: David Fridenmaker, Salem-Keizer Public Schools

Address: 2450 Lancaster Dr. NE, PO Box 12024, Salem OR 97309

Phone: 503-315-0232

Email: fridenmaker_david@salkeiz.k12.or.us

Date: June 16, 2025

IMPORTANT: IF YOU MAIL COMMENTS, PLEASE FOLD AND RETURN THIS POSTAGE-PAID FORM



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

Andrea Castañeda, Superintendent

June 16, 2025

Jacob Brown, Planner
Planning Division, City of Salem
555 Liberty Street SE, Room 305
Salem OR 97301

RE: Land Use Activity Case No. PAR-UGA-SPR-ADJ-TRV-DAP-DR-TRP25-10, 1656 Davis Rd. S

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
Liberty	Elementary	K thru 5
Crossler	Middle	6 thru 8
Sprague	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
Liberty	Elementary	397	529	75%
Crossler	Middle	784	944	83%
Sprague	High	1,685	2,248	75%

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	192	MF	0.164	31
Middle			0.085	16
High			0.096	18

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
Liberty	Elem.	397	24	31	55	529	85%
Crossler	Mid.	784	70	16	86	944	92%
Sprague	High	1,685	70	18	88	2,248	79%

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
Liberty	Elementary	Eligible for School Transportation
Crossler	Middle	Walk Zone
Sprague	High	Walk Zone*

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	31	\$105,625	\$3,274,375
Middle	16	\$137,443	\$2,199,088
High	18	\$169,260	\$3,046,680
TOTAL			\$8,520,143

Table 6

*Estimates based on average of Indicative Construction Costs from “RLB Construction Cost Report North America Q1 2025”

*The current Sprague High School attendance boundary indicates the new development as being located within the Sprague High School walk zone. Once development is completed, the area will need to be reevaluated for walking distance to determine eligibility for school transportation.

Sincerely,

David Fridenmaker
Business and Support Services

c: T.J. Crockett, Acting Chief Operations Officer, David Hughes, Director of Operations & Logistics, Mitch Hamilton, Acting Director of Transportation



RESPONSE TO REQUEST FOR COMMENTS

DATE: June 3, 2025

CASE/APP NUMBER: PAR-UGA-SPR-ADJ-TRV-DAP-DR-TRP25-10

PROPERTY LOCATION: 1656 Davis Rd S

CASE MANAGER: Jacob Brown, Planner II, City of Salem

Email: jrbrown@cityofsalem.net

COMMENTS FROM: Jolynn Franke, Transit Planner II, Salem Area Mass Transit District

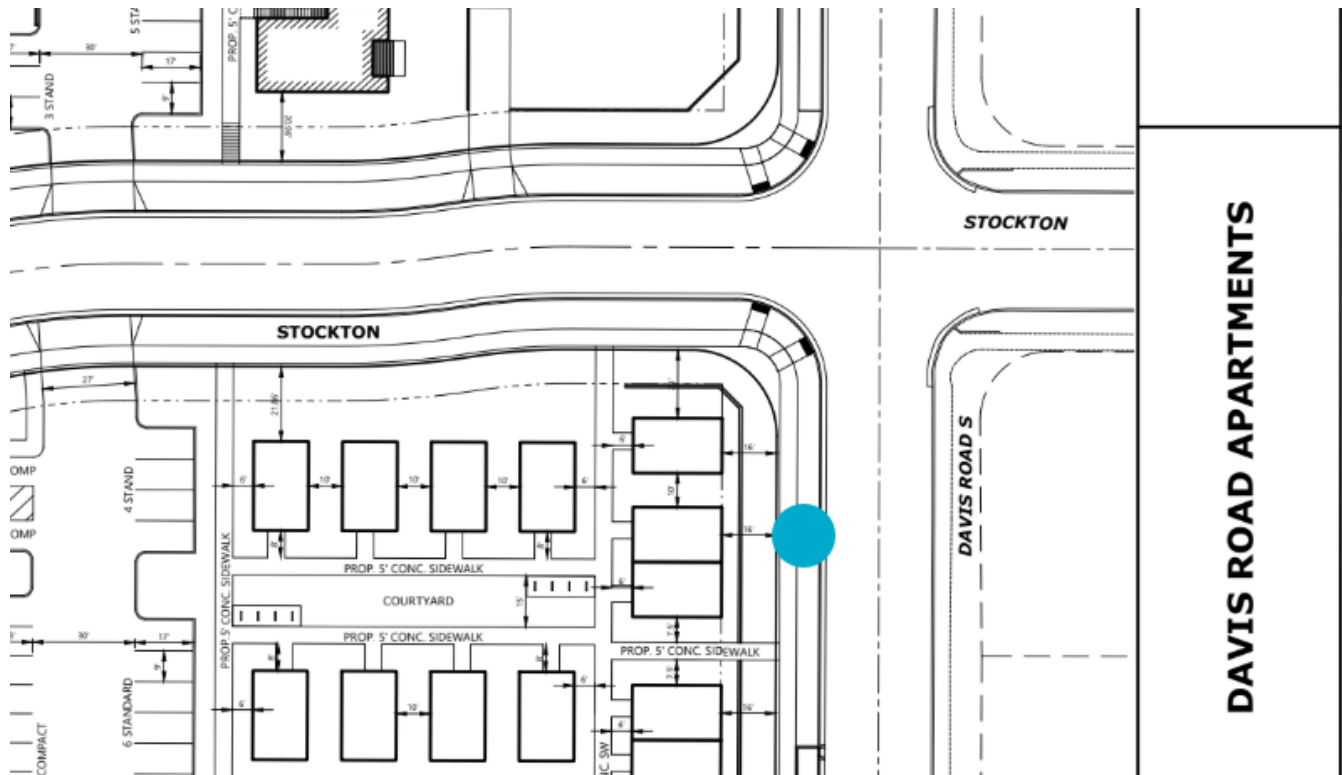
Email: planning@cherriots.org

COMMENTS: A transit stop has been identified as needed in connection with this proposed development. The Salem Area Mass Transit District (the District) requests a transit stop conforming to the applicable standards of the District to be constructed and right-of-way dedication, if necessary, to be provided as part of the street improvements for this development. On-street parking shall be restricted in the area of the transit stop in order to ensure unobstructed access by transit.

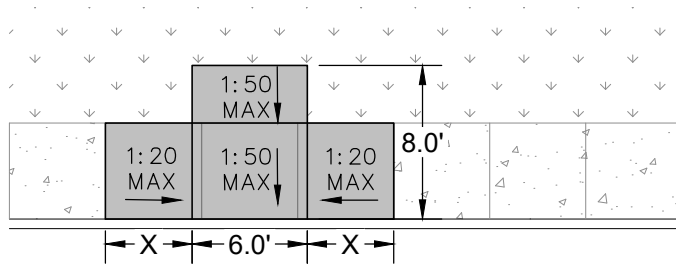
- The transit stop shall be located a minimum of 50 feet east of the crosswalk or curb radius, whichever is greater, at Stockton Ave S as shown in sheet SDR3 of the site plan included with the Notice of Filing, in accordance with the District's standards for a far side bus stop as depicted on sheet C8 of the attached Cherriots Standard Design drawings.
- The transit stop shall conform to the District's standard design for ADA compliant transit stops as depicted in drawing C1 of the attached Cherriots Standard Design drawings, according to the applicable sidewalk design.
- Please reach out to planning@cherriots.org with any questions.



Approximate transit stop location at blue dot (screenshot of SDR3):



Additionally, Cherriots offers a variety of programs and services aimed at improving community access to public transit while fostering economic growth and sustainability. Our Group Pass Program allows residents to access heavily discounted transit passes, making public transportation more affordable and accessible for organizations like schools, nonprofits, and businesses. Additionally, our subsidized vanpool program presents a cost-effective commuting alternative for groups traveling together longer distances, helping to alleviate congestion and encouraging eco-friendly travel. By incorporating these initiatives, developers can contribute to building a more connected and transit-centric community, enhancing residents' quality of life and bolstering local development initiatives.



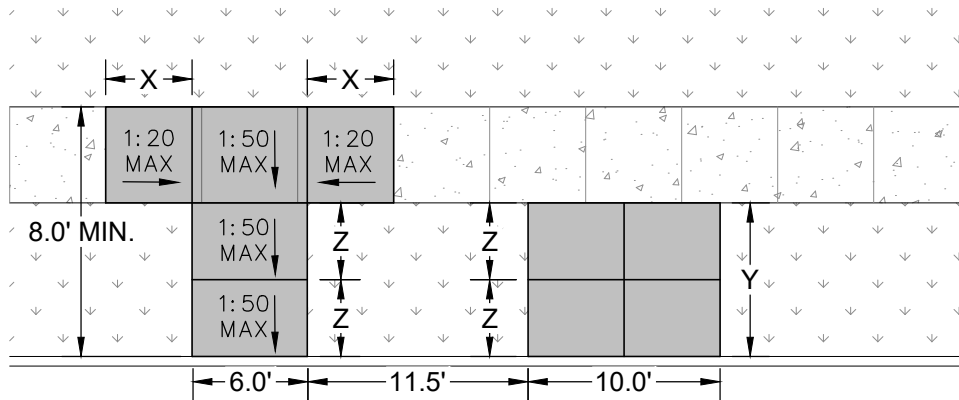
EXISTING ROADWAY

BUS STOP PADS - CURB LINE SIDEWALK

NOT TO SCALE

NOTES:

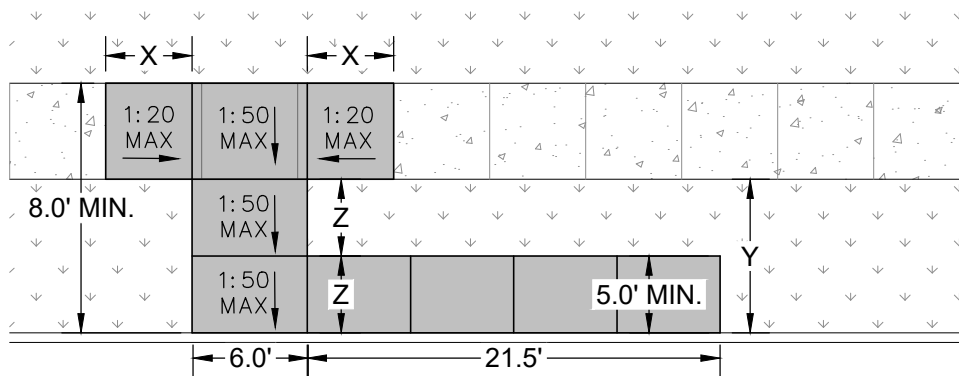
1. "X" WIDTH TO BE A MINIMUM OF 3.0' OR MATCH EXISTING SIDEWALK JOINT SPACING.
2. "Y" LENGTH TO BE EQUAL TO THE WIDTH OF THE PLANTER STRIP, FROM BACK OF CURB TO FRONT OF SIDEWALK.
3. JOINT SPACING, "Z" SHALL BE 3' MINIMUM, 6' MAXIMUM. PROVIDE SIDEWALK PANELS THAT ARE AS SQUARE AS POSSIBLE.
4. MATCH EXISTING WIDTH WHERE PROPOSED BUS STOP PANELS CONNECT TO THE EXISTING WALK.



EXISTING ROADWAY

BUS STOP PADS - PLANTER STRIP (12' WIDE OR LESS)

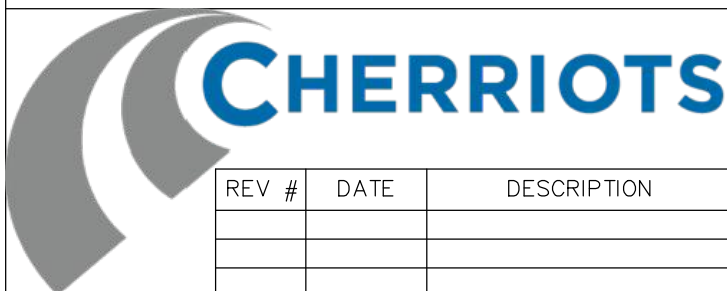
NOT TO SCALE



EXISTING ROADWAY

BUS STOP PADS - PLANTER STRIP (WIDER THAN 12')

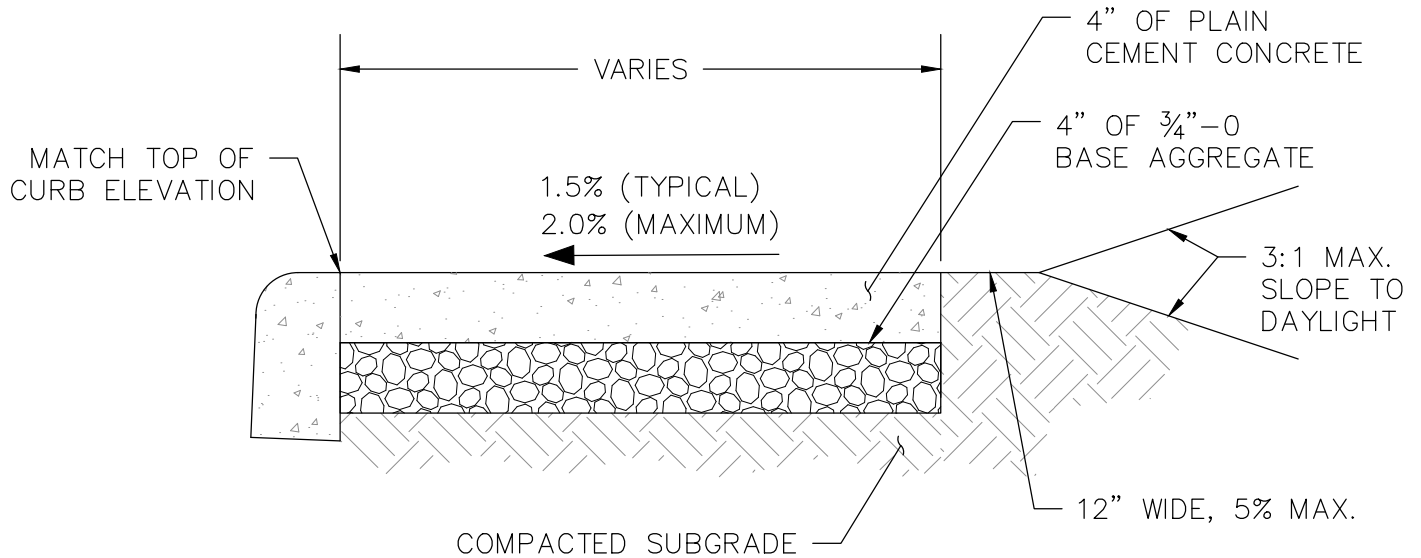
NOT TO SCALE



BUS STOP PADS LAYOUT

C1

REV #	DATE	DESCRIPTION	BY EGW	CHECKED RDV
			DATE 03/03/22	DATE 03/03/22



NOTES:

1. CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3000 P.S.I. AT 28 DAYS.
2. CONTRACTION JOINTS OF THE WEAKENED PLANE TYPE SHALL BE 1-1/4" DEEP AND TOOL ROUNDED BEFORE BROOMING. MATCH EXISTING JOINT SPACING. 15' MAXIMUM.
3. EXPANSION JOINTS TO BE PLACED AT SIDES OF DRIVEWAY APPROACHES, UTILITY VAULTS, ADA CURB RAMPS, AND AT SPACING NOT TO EXCEED 45 FEET.
4. FOR SIDEWALKS ADJACENT TO THE CURB AND POURED AT THE SAME TIME AS THE CURB, THE JOINT BETWEEN THEM SHALL BE A TROWELED JOINT WITH A MIN. 1/2 INCH RADIUS.
5. FINISH WITH BROOM AND EDGE ALL JOINTS.
6. ALL EDGES SHALL BE TOOL ROUNDED AND SHINED PER JURISDICTIONAL REQUIREMENTS AFTER BROOMING. PROVIDE 3" SHINE IF NO OTHER REQUIREMENTS EXIST.
7. BASE AGGREGATE TO BE COMPACTED TO 95% OF AASHTO T-99.



CHERRIOTS

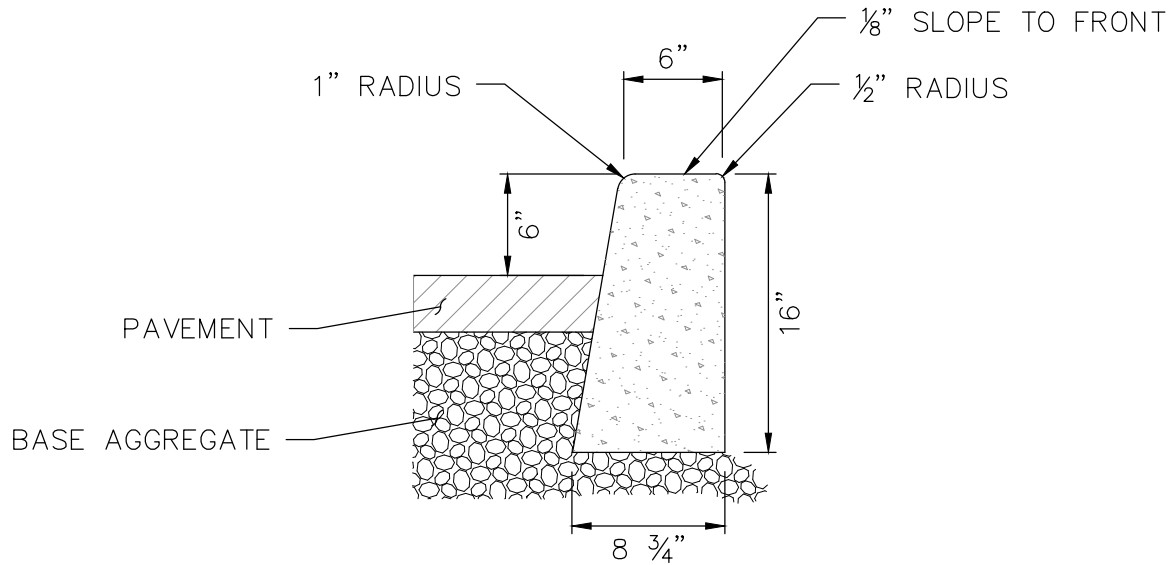
**STANDARD
SIDEWALK**

C2

REV #	DATE	DESCRIPTION

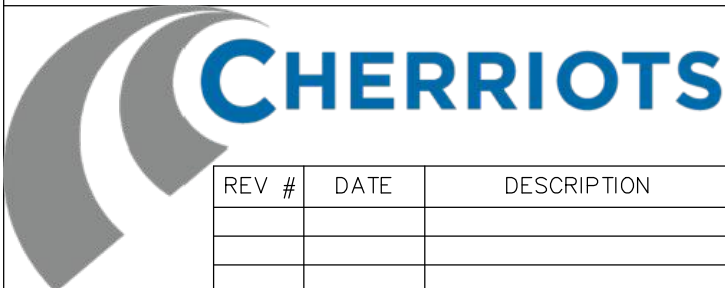
BY EGW
DATE 03/03/22

CHECKED RDV
DATE 03/03/22



NOTES:

1. CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3000 P.S.I. AT 28 DAYS.
2. EXPANSION JOINTS
 - 2.A. TO BE PROVIDED:
 - 2.A.1. AT EACH POINT OF TANGENCY OF THE CURB.
 - 2.A.2. AT EACH COLD JOINT.
 - 2.A.3. AT EACH SIDE OF THE INLET STRUCTURES.
 - 2.A.4. AT EACH END OF DRIVEWAYS.
 - 2.A.5. AT LOCATIONS NECESSARY TO LIMIT SPACING TO 45 FEET.
3. CONTRACTION JOINTS:
 - 3.A. SPACING TO BE NOT MORE THAN 15 FEET.
 - 3.B. THE DEPTH OF THE JOINT SHALL BE AT LEAST 1-1/2 INCHES.
4. BASE AGGREGATE TO BE 1 1/2"-0" OR 3/4"-0" COMPACTED TO 95% OF AASHTO T-99 AND SHALL BE TO SUBGRADE, STREET STRUCTURE, OR 4" IN DEPTH, WHICHEVER IS GREATER.



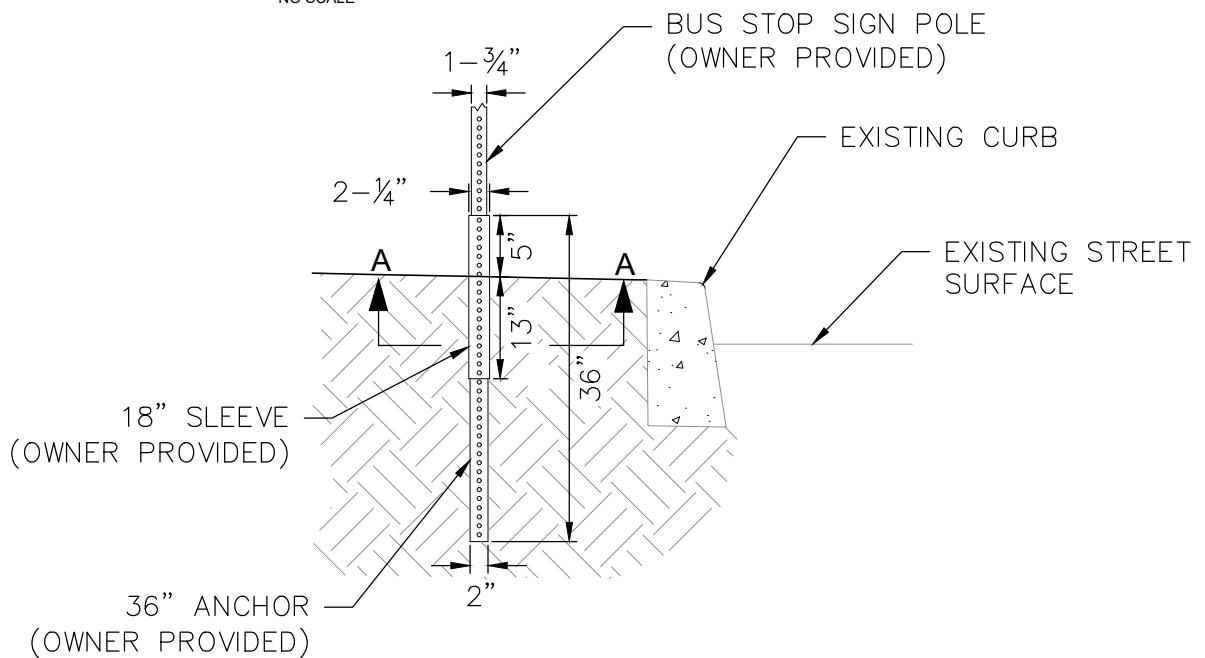
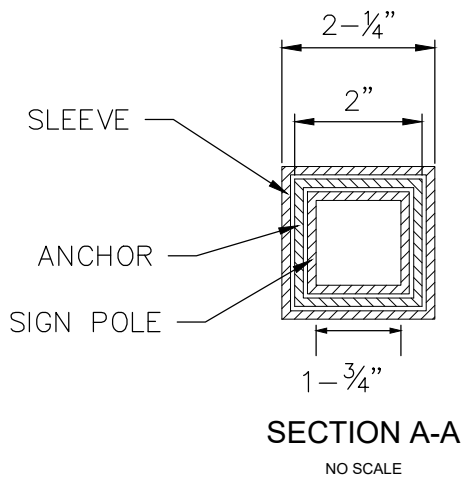
**STANDARD
CURB**

C3

REV #	DATE	DESCRIPTION

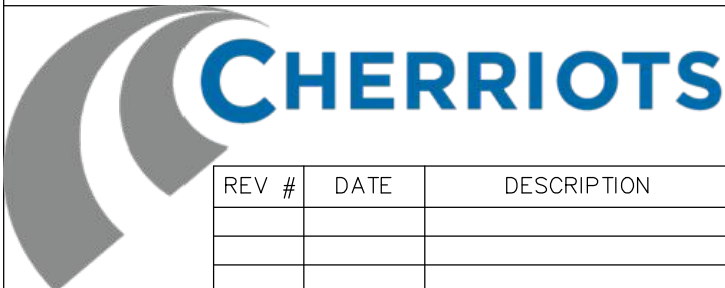
BY EGW
DATE 03/03/22

CHECKED RDV
DATE 03/03/22



NOTES:

1. CONTACT CHERRIOTS PLANNING STAFF AT (503) 588-2424 TO OBTAIN SIGN MATERIALS.



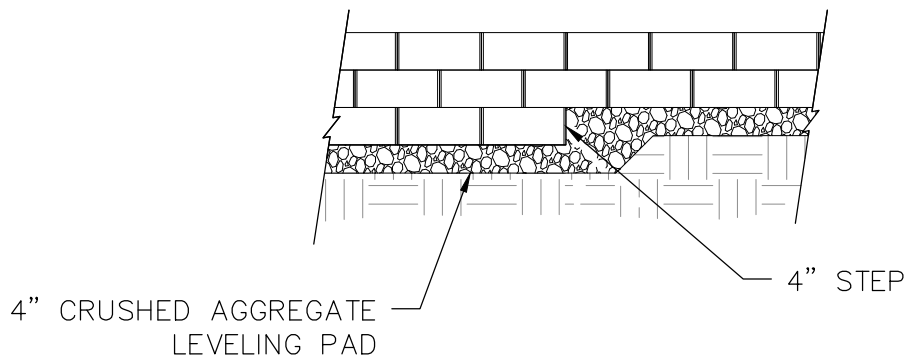
**BUS STOP SIGN POLE,
ANCHOR & SLEEVE
DETAIL**

REV #	DATE	DESCRIPTION

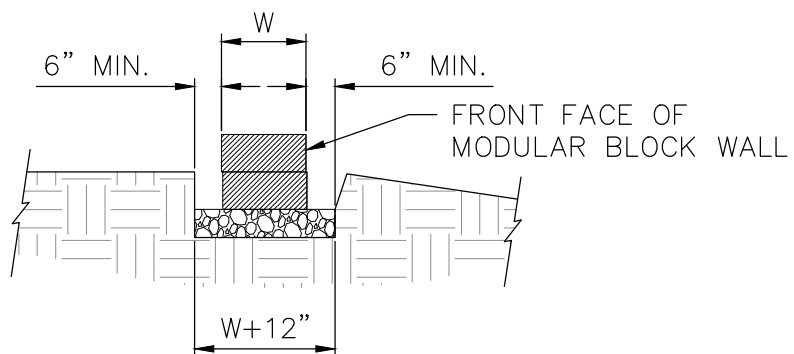
BY EGW
DATE 03/03/22

CHECKED RDV
DATE 03/03/22

C4



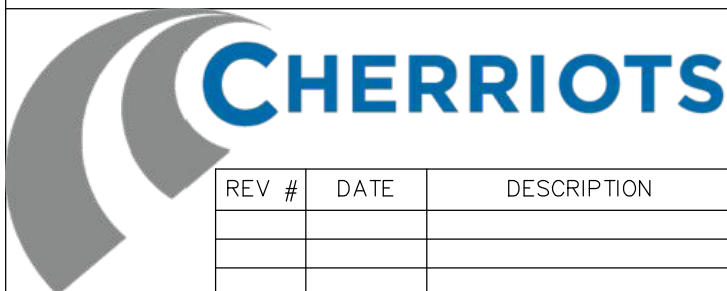
ELEVATION



SECTION

NOTE:

1. LEVELING PAD TO BE $\frac{3}{4}$ "-0 CRUSHED AGGREGATE
COMPACTED TO 95% OF AASHTO T-99



LEVELING PAD
DETAIL

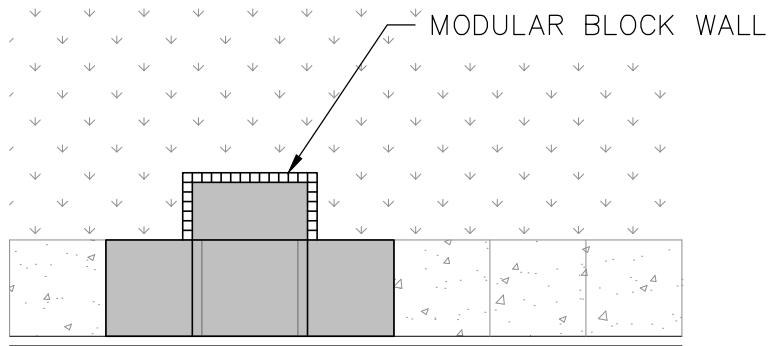
BY EGW

DATE 03/03/22

CHECKED RDV

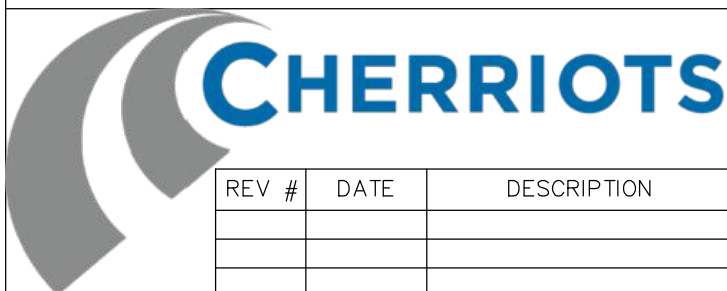
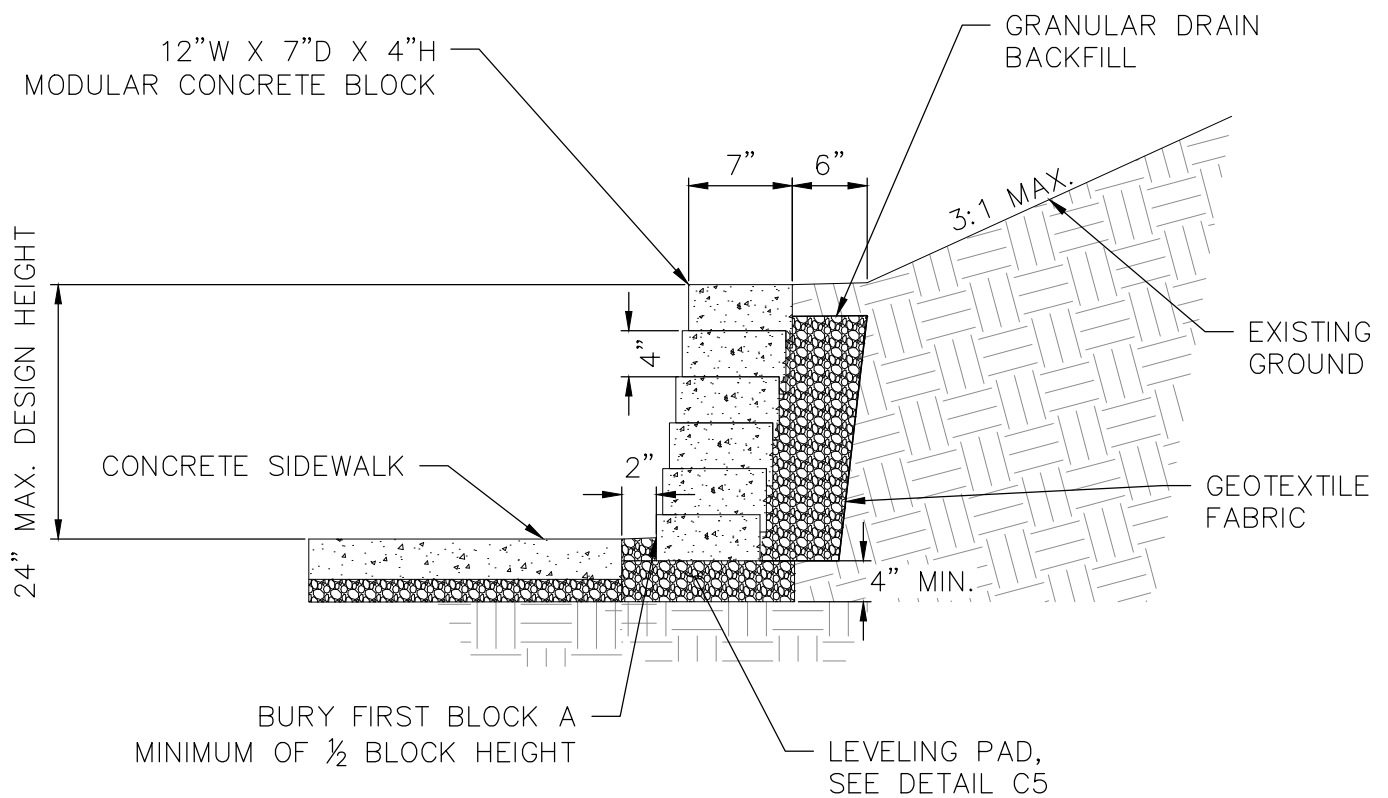
DATE 03/03/22

C5



NOTES:

1. MODULAR BLOCK WALL SHALL BE REQUIRED WHEN SLOPE GRADING TO DAYLIGHT AT 3:1 MAX. CANNOT BE ACHIEVED.
2. THE MODULAR BLOCK WALL SHALL BE CONSTRUCTED WHEN WALL EXPOSURE IS TO BE GREATER THAN 6".



**MODULAR BLOCK
WALL DETAIL**

BY EGW

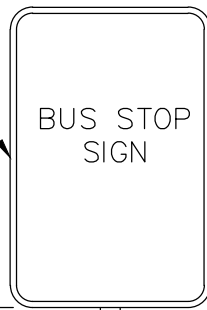
DATE 03/03/22

CHECKED RDV

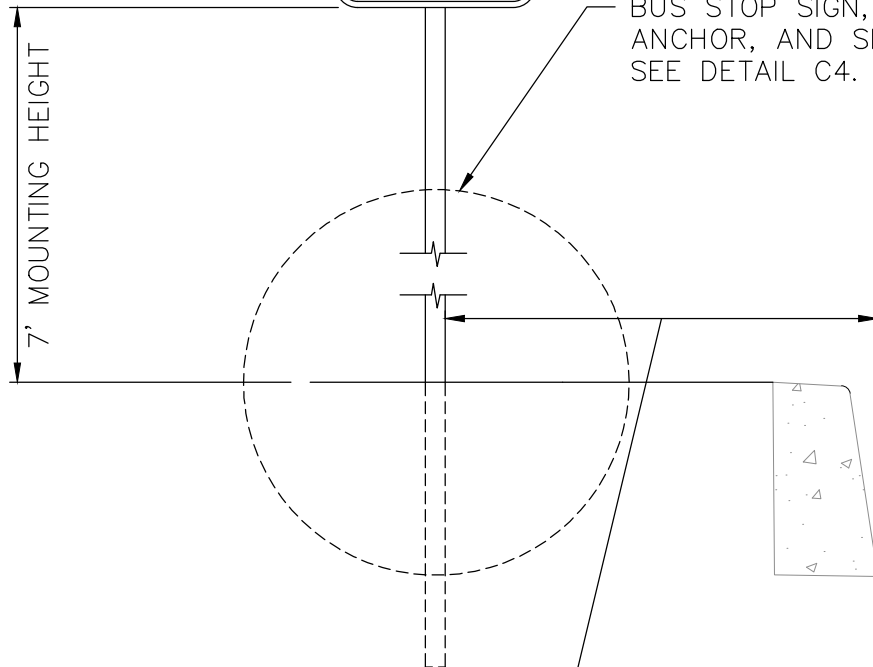
DATE 03/03/22

C6

BUS STOP SIGN
(OWNER PROVIDED)



BUS STOP SIGN



BUS STOP SIGN, POLE,
ANCHOR, AND SLEEVE,
SEE DETAIL C4.

2' FROM FACE OF CURB OR
1' FROM BACK OF SIDEWALK



CHERRIOTS

REV #	DATE	DESCRIPTION

TYPICAL BUS STOP SIGN PLACEMENT DETAIL

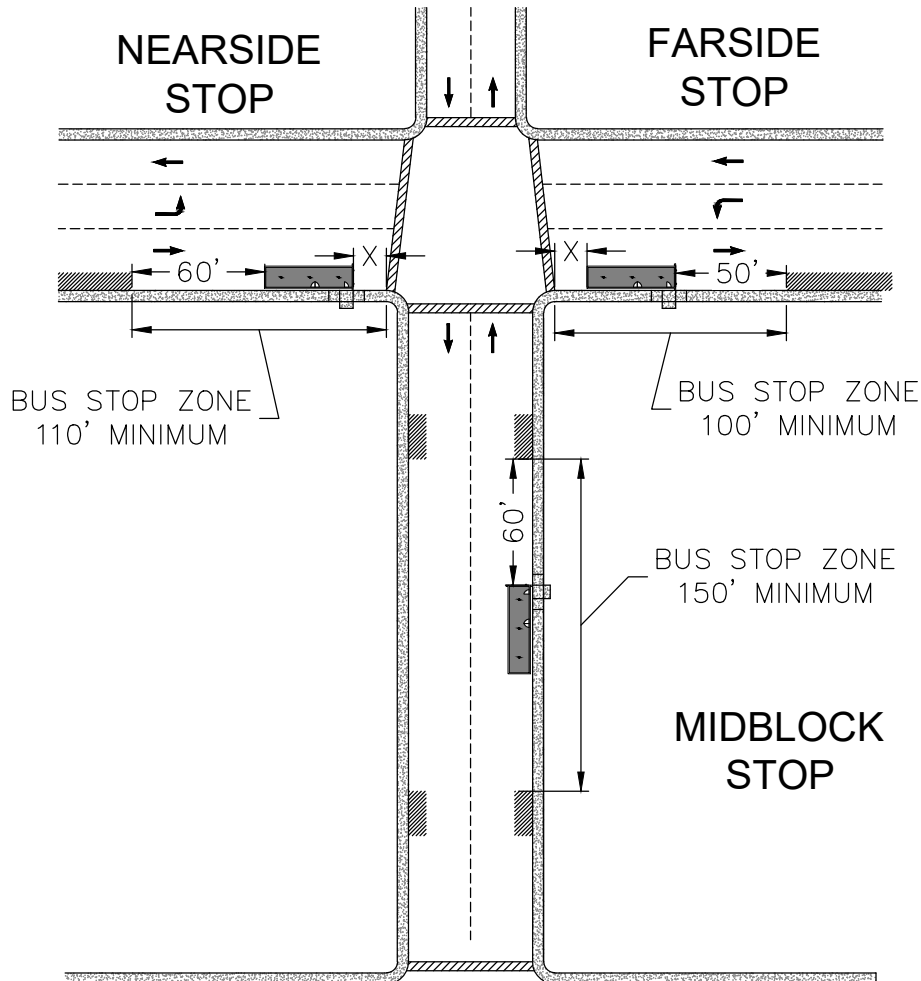
BY EGW

DATE 03/03/22

CHECKED RDV

DATE 03/03/22

C7

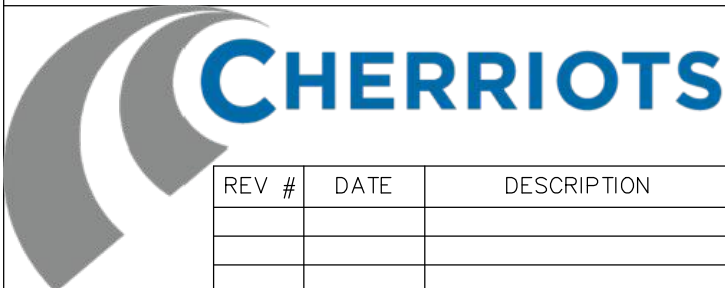


NOTES:

1. CHERRIOTS TO PROVIDE INFORMATION REGARDING BUS TYPE, LENGTH, AND QUANTITY OF BUSES TO BE SERVICED BY BUS STOP.
2. FOR MULTIPLE BUSES BEING SERVED AT ONE STOP:
 - 2.A. ADD 50 FEET FOR EACH ADDITIONAL STANDARD 40-FOOT BUS.
 - 2.B. ADD 70 FEET FOR EACH ADDITIONAL 60-FOOT ARTICULATED BUS.
3. BUS STOP ZONE SHALL BE SIGNED AS A NO PARKING ZONE PER STANDARDS OF LOCAL JURISDICTION.
4. X = 10' MINIMUM FROM EDGE OF CROSSWALK OR END OF RADIUS, WHICHEVER IS FURTHER FROM THE INTERSECTION.

MINIMUM DISTANCE BETWEEN A BUS STOP AND LEFT TURN (FT)

POSTED SPEED LIMIT	LANE CHANGES			
	1	2	3	4
30 MPH OR LESS	430	610	790	970
35 MPH	625	875	1125	1375
40 MPH	780	1080	1380	1680
45 MPH	1080	1430	1780	2130
50 MPH	1415	1865	2135	2765
55 MPH	1830	2380	2930	3480



**NO PARKING ZONES
AT INTERSECTIONS
DETAIL**

C8

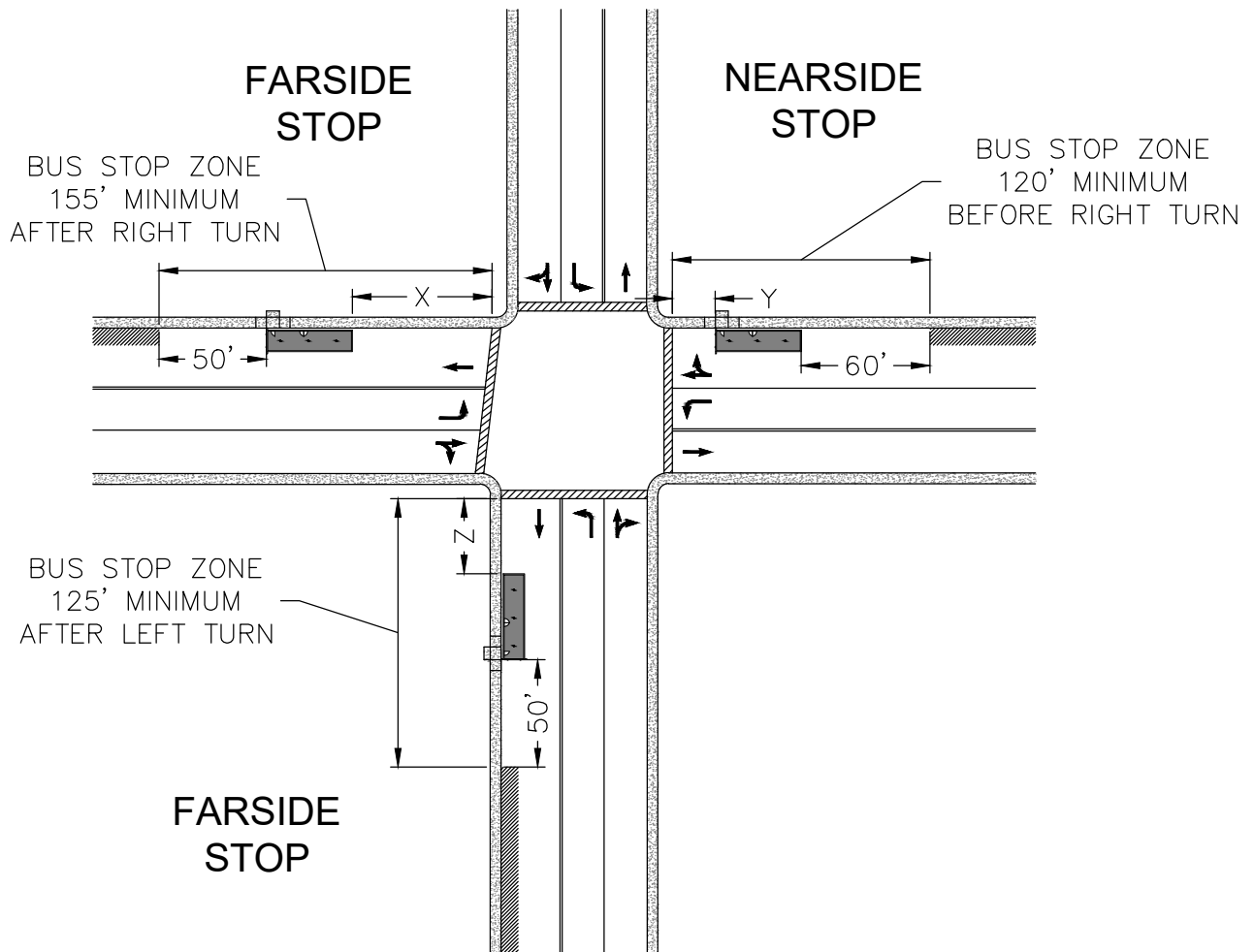
REV #	DATE	DESCRIPTION

BY EGW

DATE 09/22/22

CHECKED RDV

DATE 09/22/22

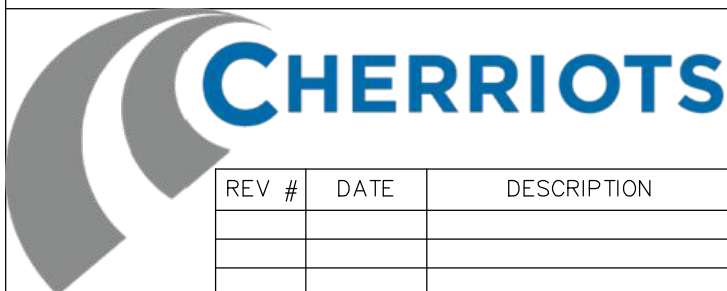


NOTES:

1. CHERRIOTS TO PROVIDE INFORMATION REGARDING BUS TYPE, LENGTH, AND QUANTITY OF BUSES TO BE SERVICED BY BUS STOP.
2. FOR MULTIPLE BUSES BEING SERVED AT ONE STOP:
 - 2.A. ADD 50 FEET FOR EACH ADDITIONAL STANDARD 40-FOOT BUS.
 - 2.B. ADD 70 FEET FOR EACH ADDITIONAL 60-FOOT ARTICULATED BUS.
3. BUS STOP ZONE SHALL BE SIGNED AS A NO PARKING ZONE PER STANDARDS OF LOCAL JURISDICTION.
4. X = 65' MIN. FROM EDGE OF CROSSWALK OR END OF RADIUS, WHICHEVER IS GREATER.
5. Y = 20' MIN. FROM EDGE OF CROSSWALK OR END OF RADIUS, WHICHEVER IS GREATER.
6. Z = 35' MIN. FROM EDGE OF CROSSWALK OR END OF RADIUS, WHICHEVER IS GREATER.

MINIMUM DISTANCE BETWEEN A BUS STOP AND LEFT TURN (FT)

POSTED SPEED LIMIT	LANE CHANGES			
	1	2	3	4
30 MPH OR LESS	430	610	790	970
35 MPH	625	875	1125	1375
40 MPH	780	1080	1380	1680
45 MPH	1080	1430	1780	2130
50 MPH	1415	1865	2135	2765
55 MPH	1830	2380	2930	3480



**NO PARKING ZONES WITH TURN LANES
DETAIL**

C9

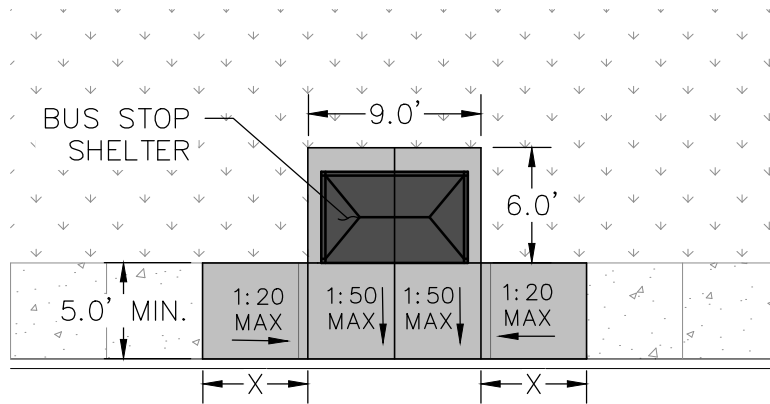
REV #	DATE	DESCRIPTION

BY EGW

DATE 09/27/22

CHECKED RDV

DATE 09/27/22



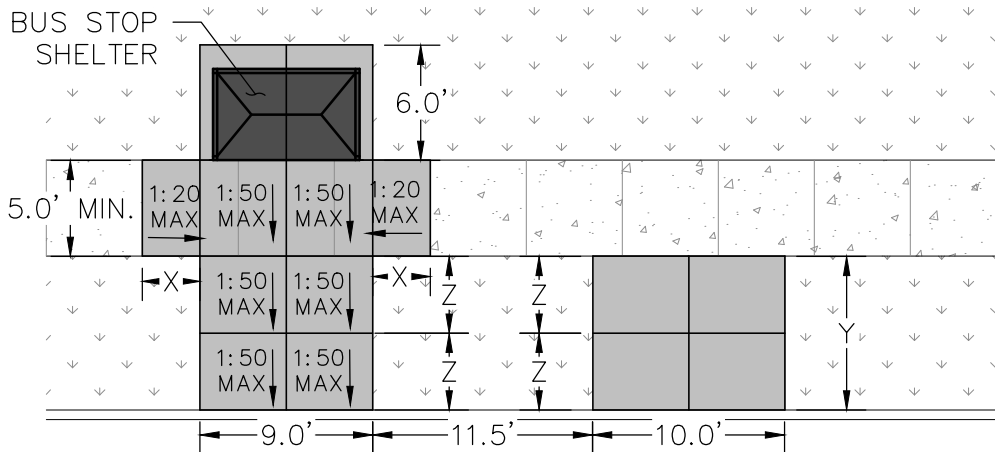
EXISTING ROADWAY

BUS SHELTER ON CURB-TIGHT SIDEWALK

NOT TO SCALE

NOTES:

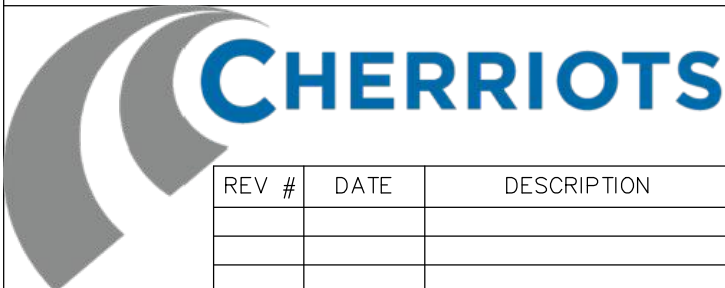
1. "X" WIDTH TO BE A MINIMUM OF 3.0' OR MATCH EXISTING SIDEWALK JOINT SPACING.
2. "Y" LENGTH TO BE EQUAL TO THE WIDTH OF THE PLANTER STRIP, FROM BACK OF CURB TO FRONT OF SIDEWALK.
3. JOINT SPACING, "Z" SHALL BE 3' MINIMUM, 6' MAXIMUM. PROVIDE SIDEWALK PANELS THAT ARE AS SQUARE AS POSSIBLE.
4. MATCH EXISTING WIDTH WHERE PROPOSED BUS STOP PANELS CONNECT TO THE EXISTING WALK.
5. BUS STOP SHELTER TO BE STANDARD BRASCO BUS STOP SHELTER, UNLESS OTHERWISE APPROVED BY CHERRIOTS.
6. BUS STOP SHELTER TO BE CONSTRUCTED AT BACK OF EXISTING WALK.



EXISTING ROADWAY

BUS SHELTER ON SIDEWALK WITH PLANTER STRIP

NOT TO SCALE



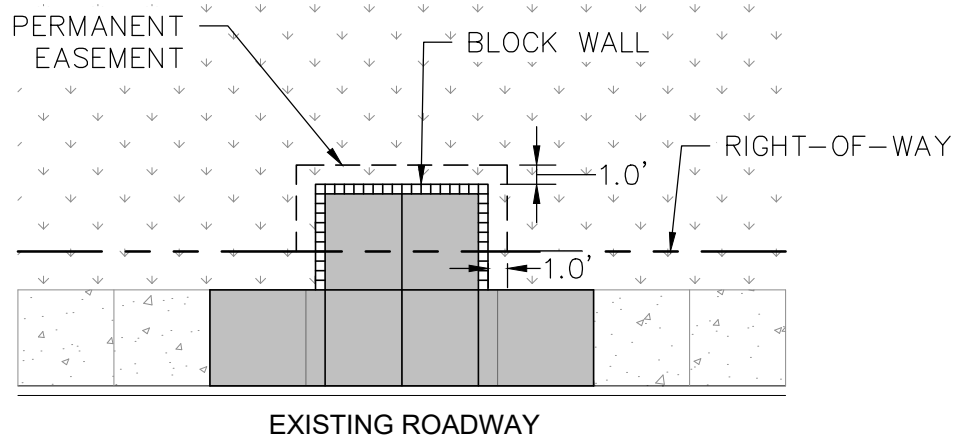
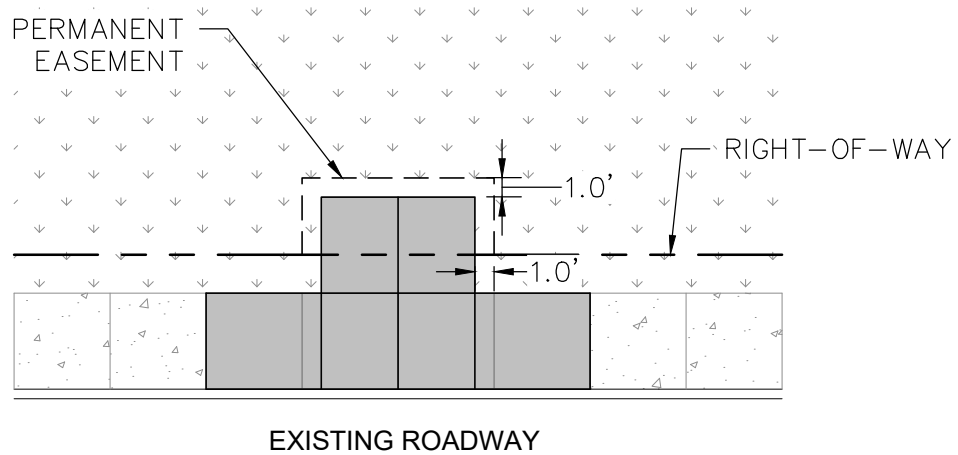
BUS STOP WITH SHELTER DETAIL

C10

REV #	DATE	DESCRIPTION

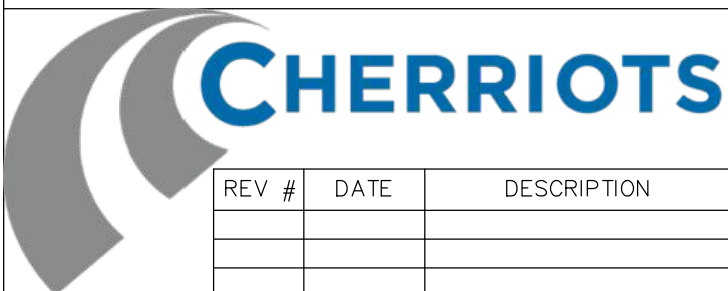
BY EGW
DATE 03/03/22

CHECKED RDV
DATE 03/03/22



NOTES:

1. PERMANENT EASEMENT IS REQUIRED WHEN EXTENTS OF DESIGN ENCROACH UPON RIGHT-OF-WAY.
2. PERMANENT EASEMENTS ARE TO BE A MINIMUM OF 1' OFFSET FROM THE PROPOSED CONSTRUCTION EXTENTS THAT FALL OUTSIDE OF RIGHT-OF-WAY.



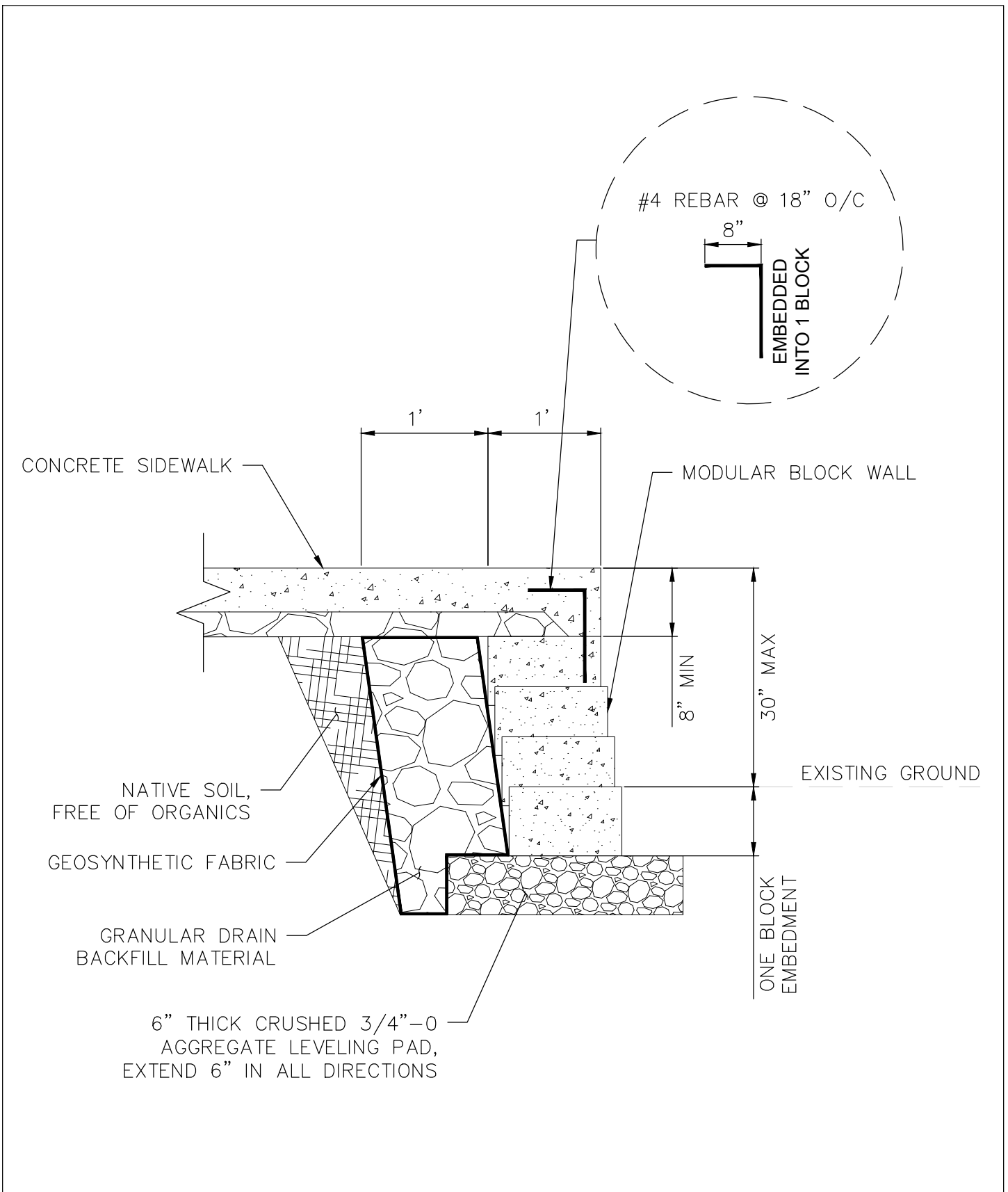
PERMANENT EASEMENT DETAIL

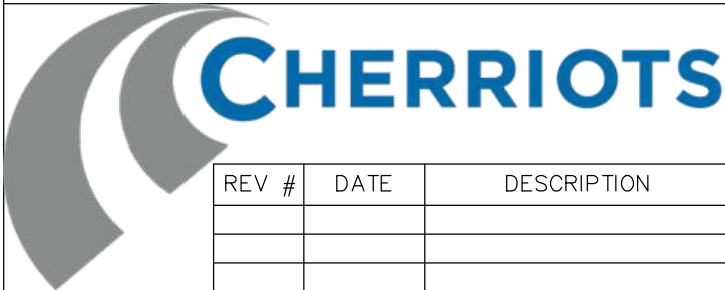
C11

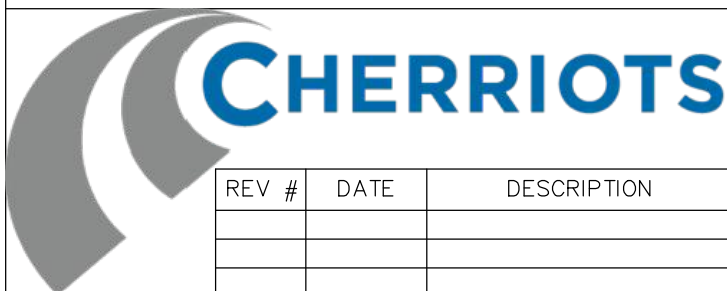
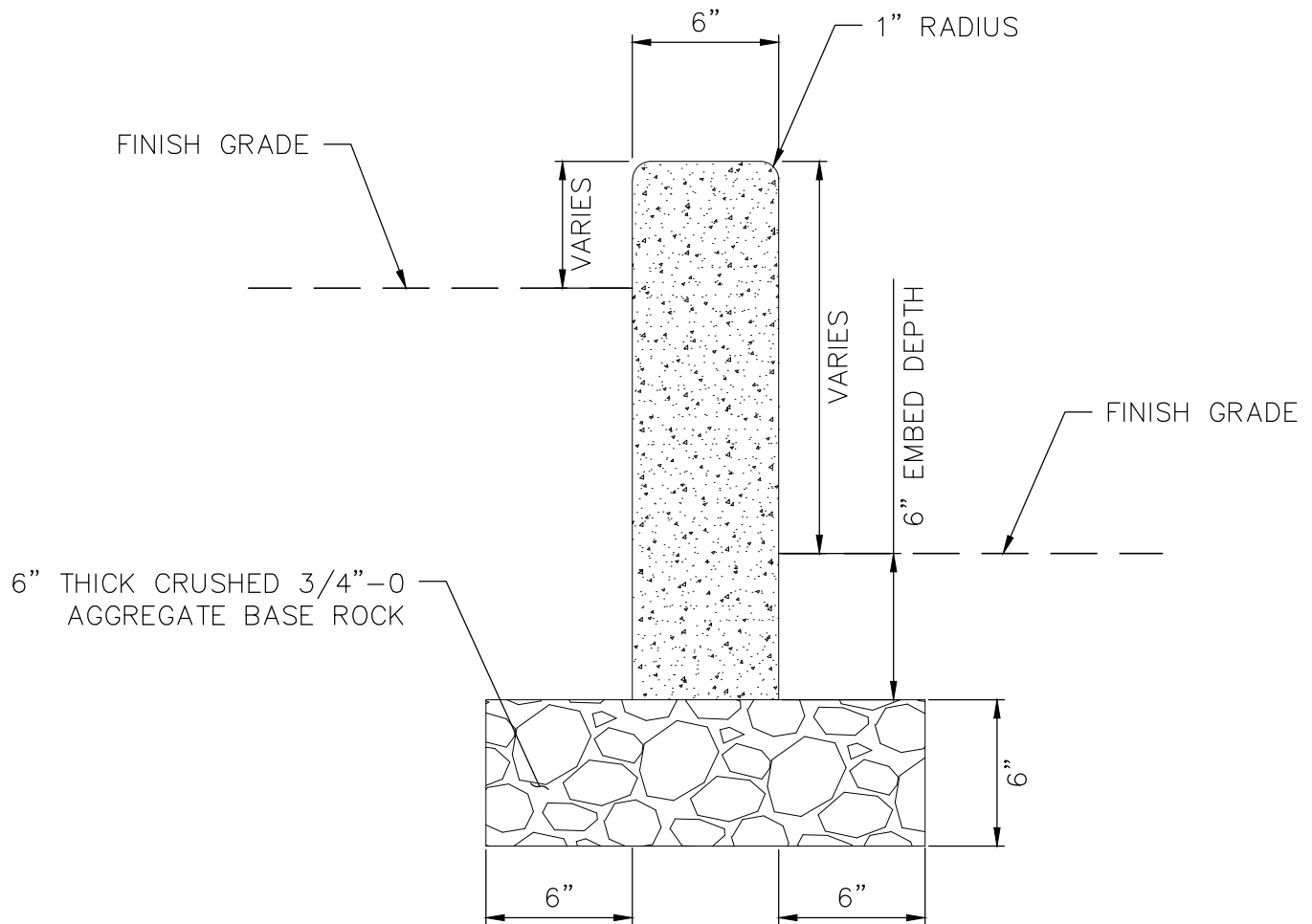
REV #	DATE	DESCRIPTION

BY EGW
DATE 03/03/22

CHECKED RDV
DATE 03/03/22



			BELOW-GRADE WALL DETAIL		C12
REV #	DATE	DESCRIPTION	BY EGW	CHECKED RDV	
			DATE 03/03/22	DATE 03/03/22	



PEDESTRIAN CURB DETAIL

C13

REV #	DATE	DESCRIPTION	BY EGW	CHECKED RDV
			DATE 03/03/22	DATE 03/03/22