

NOTICE OF DECISION

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



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

DECISION OF THE PLANNING COMMISSION

Class 3 Design Review / Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway Approach Permit Case No. DR-SPR-ADJ-DAP17-06

APPLICATION NO. : 17-120096-DR, 17-120095-RP, 17-120093-ZO

NOTICE OF DECISION DATE: November 22, 2017

SUMMARY: Proposed development of an 8-unit apartment complex, with an Adjustment request to reduce the required perimeter setback to the north, to reduce the vehicle use area setback adjacent to a building and to reduce the building setback adjacent to a street.

REQUEST: A Class 3 Design Review, Class 3 Site Plan Review, and Class 2 Driveway Approach Permit for development of an 8-unit apartment complex, with Class 2 Adjustments to:

- 1) Reduce the required setback from the RM-II (Multi-Family Residential) zone to the north from 10 feet to 2 feet;
- 2) Reduce the required setback between a vehicle use area and a building from 5 feet to 2 feet; and
- 3) Reduce the required setback adjacent to a street from 20 feet to 16 feet.

For property approximately 0.44 acres in size, zoned RM-II (Multi-Family Residential), and located at 3760 Hawthorne Avenue NE - 97301 (Marion County Assessor's Map and Tax Lot number: 073W12DD / 00100).

APPLICANT: Kerith, LLC (Ken McKinney)

LOCATION: 3760 Hawthorne Avenue NE

CRITERIA: Class 3 Design Review: 225.005(e)(2)
Class 3 Site Plan Review: 220.005(f)(3)
Class 2 Adjustment: 250.005(d)(2)
Class 2 Driveway Approach Permit: 804.025(d)

FINDINGS: The Facts and Findings are in the attached Exhibit dated November 22, 2017.

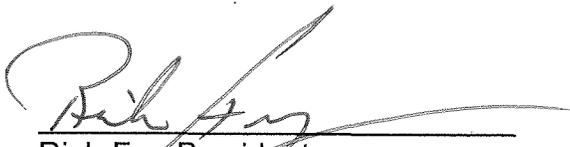
DECISION: The Planning Commission **APPROVED** Class 3 Design Review / Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway Approach Permit Case No. DR-SPR-ADJ-DAP17-06 subject to the following conditions of approval:

- Condition 1:** Convey land for dedication to equal a half-width right-of-way of 48 feet on the development side of Hawthorne Avenue NE.
- Condition 2:** The landscaping materials placed within the water line easement shall not impede the City's ability to operate and maintain the water line as determined by the Public Works Director.

- Condition 3:** A minimum of 96 plant units shall be provided along the setback for the northern property line.
- Condition 4:** A minimum 6-foot-tall fence shall be provided along the north and south interior property lines abutting residential uses. The fence 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 not be allowed.
- Condition 5:** A minimum of 14 plant units shall be provided between the vehicle turnaround area and proposed buildings 2 and 3.
- Condition 6:** A minimum of 92 plant units shall be provided in the setback area between proposed building 1 and Hawthorne Avenue NE.
- Condition 7:** The adjusted perimeter and interior setbacks, as approved in this zoning adjustment, 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 the setback requirements for the development site, unless adjusted through a future land use action.

VOTE:

Yes 8 No 0 Absent 1 (McKinley) Abstention 0


Rich Fry, President
Salem Planning Commission

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

| | |
|----------------------------------|-------------------------|
| Class 3 Design Review | <u>December 8, 2019</u> |
| Class 3 Site Plan Review | <u>December 8, 2021</u> |
| Class 2 Adjustment | <u>December 8, 2019</u> |
| Class 2 Driveway Approach Permit | <u>December 8, 2019</u> |

| | |
|----------------------------------|--------------------------|
| Application Deemed Complete: | <u>October 20, 2017</u> |
| Public Hearing Date: | <u>November 21, 2017</u> |
| Notice of Decision Mailing Date: | <u>November 22, 2017</u> |
| Decision Effective Date: | <u>December 8, 2017</u> |
| State Mandate Date: | <u>February 17, 2018</u> |

Case Manager: Aaron Panko, APanko@cityofsalem.net

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, **no later than 5:00 p.m., December 7, 2017**. Any person who presented evidence or testimony at the hearing may appeal the decision. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 220, 225, 250 and 804. The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The City Council will review the appeal at a public hearing. After the hearing, the City Council may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review at the Planning Division office, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

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

CASE NO: DR-SPR-ADJ-DAP17-06 – FACTS AND FINDINGS

APPLICATION: Design Review, Site Plan Review, Adjustment and Driveway Approach Permit Case No. 17-06

LOCATION: 3760 Hawthorne Avenue NE (Marion County Assessor's Map and Tax Lot number: 073W12DD / 00100)

SIZE: 0.44 Acres

REQUEST: A proposed Class 3 Design Review, Class 3 Site Plan Review, Class 2 Adjustment and Class 2 Driveway Approach Permit to allow development of an 8-unit apartment complex, for property approximately 0.44 acres in size, zoned RM-II (Multi-Family Residential)

APPLICANT/OWNER: Ken McKinney, Kerith LLC

APPROVAL CRITERIA: Class 3 Design Review: Salem Revised Code, Chapter 225

Class 3 Site Plan Review: Salem Revised Code, Chapter 220

Class 2 Adjustment: Salem Revised Code, Chapter 250

Class 2 Driveway Approach Permit: Salem Revised Code, Chapter 804

ACTION: APPROVE, subject to the following conditions:

Condition 1: Convey land for dedication to equal a half-width right-of-way of 48 feet on the development side of Hawthorne Avenue NE.

Condition 2: The landscaping materials placed within the water line easement shall not impede the City's ability to operate and maintain the water line as determined by the Public Works Director.

Condition 3: A minimum of 96 plant units shall be provided along the setback for the northern property line.

Condition 4: A minimum 6-foot-tall fence shall be provided along the north and south interior property lines abutting residential uses. The fence 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 not be allowed.

Condition 5: A minimum of 14 plant units shall be provided between the vehicle turnaround area and proposed buildings 2 and 3.

Condition 6: A minimum of 92 plant units shall be provided in the setback area between proposed building 1 and Hawthorne Avenue NE.

Condition 7: The adjusted perimeter and interior setbacks, as approved in this zoning adjustment, 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 the setback requirements for the development site, unless adjusted through a future land use action.

120-DAY REQUIREMENT

The application was deemed complete for processing on October 20, 2017. The State Mandated 120-deadline to issue a final local decision for this consolidated application is February 17, 2018.

BACKGROUND

On October 10, 2017, design review, site plan review, adjustment and driveway approach permit applications were submitted to develop the subject property with an 8-unit multi-family residential use. After receiving additional information, the applications were deemed complete for processing on October 20, 2017.

The public hearing before the City of Salem Planning Commission was conducted on November 21, 2017, at 5:30 p.m. in the Salem City Council Chambers, Civic Center Room 240, located at 555 Liberty Street SE. Notice of public hearing was sent by mail to surrounding property owners pursuant to Salem Revised Code (SRC) requirements on November 1, 2017. Public hearing notice was posted on the property on November 11, 2017 by the applicant pursuant to SRC requirements.

PROPOSAL

The applicant has submitted Design Review, Site Plan Review, Adjustment and Driveway Approach Permit applications for development of an 8-unit multi-family use for property located at 3760 Hawthorne Avenue NE.

FACTS AND FINDINGS

1. Salem Area Comprehensive Plan (SACP) designation

The Salem Area Comprehensive Plan (SACP) map designation for the subject property is "Multi-Family Residential". The subject property is within the Urban Growth Boundary and is outside of the Urban Service Area.

2. Zoning and Surrounding Land Uses

The subject property is zoned RM-II (Multi-Family Residential). The proposed use is an 8-unit apartment complex, which falls under the Household Living,

Multiple Family use classification. Multiple Family uses are allowed in the RM-II zone as a Permitted Use.

3. Site Analysis

The subject property is approximately 0.44 acres in size. Hawthorne Avenue NE, which is designated as a Major Arterial within the Salem Transportation System Plan (TSP), abuts the property to the west. Surrounding properties to the north and south are zoned RM-II (Multiple Family Residential). Interstate-5 abuts the property to the east.

4. Neighborhood and Citizen Comments

The subject property is located within the Northgate Neighborhood Association (Northgate). Notice was provided to Northgate and surrounding property owners within 250 feet of the subject property. Northgate provided written testimony which was included in the staff report. In summary, Northgate commented that a solid cedar fence along with relatively low landscaping provides a better screening option than chain link with privacy slats. Northgate also commented about the future development opportunities for adjacent property.

5. City Department and Public Agency Comments

The Building and Safety Division reviewed the proposal and indicated no concerns.

The Fire Department reviewed the proposal and indicated no concerns with the site plan review application, however the Fire Department will have requirements at time plans are submitted for building permits (i.e. fire lanes).

The Public Works Department has reviewed the proposal and provided a memo included in the staff report.

Salem Keizer School District has reviewed the proposal and provided comments included in the staff report.

6. Analysis of Class 3 Design Review Criteria

SRC Chapter 225.005(e)(2) provides that:

A Class 3 Design Review shall be approved if all of the applicable design review guidelines are met.

SRC 702.010 provides that multiple family developments shall comply with all of the applicable design review guidelines set forth in SRC Chapter 702.

Open Space Design Review Guidelines and Standards

702.015(b)(1) – Common Open Space

- (A) A variety of open space areas of sufficient size shall be provided for use by all residents.

Finding: The corresponding design standard requires a minimum of 30 percent of the gross site area to be designated as common open space. The subject property is approximately 19,510 square feet in size and requires approximately 5,853 square feet of landscape area ($19,510 \times 0.3 = 5,853$). The proposed site plan indicates that 6,986 square feet, or 36 percent of the development site is provided as landscaped common open space area, exceeding the minimum requirement.

- (B) Common open space shall be distributed around buildings and throughout the site.

Finding: Common open space areas are provided throughout the site, adjacent to Hawthorne Ave NE and at the east side of the property adjacent to Interstate-5.

- (C) The amount of perimeter setbacks used for common open space shall be minimized.

Finding: The subject property is relatively small in size and width for a multi-family development. In order to comply with dwelling unit density and off-street parking requirements, the majority of the open space area is provided at the perimeter of the property. The multi-family development includes less than 20 dwelling units, therefore a children's play area or adult recreation area is not required.

702.015(c)(1) – Children's Play Areas and Adult Recreation Areas

- (A) A variety of common open area opportunities shall be provided for enjoyment by all residents.

Finding: Multi-family developments containing 20 units or more require children's play areas and adult recreation area. The proposed 8-unit apartment complex does not require a children's play area or adult recreation area.

- (B) Children's play and/or adult recreation areas shall be located centrally within the development.

Finding: This guideline is not applicable for the proposed 8-unit apartment complex.

- (C) Children's play areas, if provided, shall be located in a manner to incorporate safety into the design by including such things as locating play areas to be visible from dwelling units, locating play areas away from physical barriers such as driveways and parking areas, and selection of play equipment with

safe designs.

Finding: This guideline is not applicable for the proposed 8-unit apartment complex.

702.015(d)(1) – Private Open Space.

(A) Individual private open space shall be provided for each dwelling unit in all newly constructed multiple family developments.

Finding: Each of the proposed dwelling units is provided with a patio 12 feet in width and 8 feet in length, for a total area of 96 square feet. The private open space areas provided comply with the corresponding design standard.

(B) Private open space shall be easily accessible from the dwelling unit.

Finding: Private open space areas are accessible from each dwelling unit.

(C) If private open space is located adjacent to common open space, a buffer between the two open space areas shall be provided.

Finding: Ground floor private open space areas are separated from common open space areas by landscaping and fencing.

Landscaping Design Review Guidelines and Standards

702.020(b)(1) – General Landscaping

(A) A variety of tree types shall be distributed throughout the site to maximize tree canopy.

Finding: The corresponding design standard requires a minimum of one tree to be planted for every 2,000 square feet of gross floor area. The subject property is approximately 19,510 square feet in size, requiring a minimum of 10 trees, the landscape plan indicates that 32 trees will be provided, exceeding the minimum requirement.

(B) Landscaping shall be used to shield the site from winter winds and summer sun.

Finding: Trees and shrubs will be distributed throughout the development site to provide shade during the summer and to shield from winter winds.

(C) Existing trees shall be preserved to the maximum extent possible.

Finding: There are existing mature trees on the subject property. Due to the shape of the property and the location of the trees, each of the existing trees will need to be removed to accommodate the proposed development.

- (D) Where a development site abuts property zoned Residential Agriculture (RA) or Single Family Residential (RS), an appropriate combination of landscaping and screening shall be provided that is sufficient to buffer between the multiple family development and the abutting RA or RS zoned property.

Finding: The subject property does not abut property zoned RA (Residential Agriculture) or RS (Single Family Residential).

702.020(c)(1) – Street Frontage

- (A) The residential character of the site shall be enhanced with trees planted within the public right-of-way.

Finding: The preliminary landscaping plan shows six street trees to be planted within the public right-of-way/special setback area.

702.020(d)(1) – Building Exteriors

- (A) Landscaping shall be planted to define and accentuate the primary entry way of each dwelling unit, or combination of dwelling units.

Finding: Landscaping is provided on both sides of the entryways for each of the proposed buildings.

- (B) Vertical and horizontal landscape elements shall be provided along all exterior walls to soften the visual impact of buildings and create residential character.

Finding: The proposed landscaping plan indicates a variety of trees, shrubs and ground cover will be provided along the exterior walls of the buildings.

702.020(e)(1) – Privacy

- (A) Landscaping, or a combination of landscaping and fencing, shall be used to buffer the multiple family development from abutting properties.

Finding: The site plan indicates that existing fencing is provided along the interior property lines to the north and south. The applicant has requested an adjustment to reduce the required setback adjacent to the northern property line. The applicant is requesting an adjustment to reduce required interior setback areas, the proposed setback areas will provide the full required plantings.

- (B) Landscaping shall be used to enhance the privacy of dwelling units. Methods may include fencing in combination with plant units.

Finding: The preliminary landscape plan indicates that trees and shrubs will be provided around the exterior walls of the proposed buildings and a combination of landscaping and fencing will be used to screen ground floor

private open space areas.

702.020(f)(1) – Parking Areas

- (A) Canopy trees shall be distributed throughout the interior, and planted along the perimeter, of parking areas.

Finding: The preliminary landscape plan indicates that a variety of canopy trees will be provided throughout the proposed parking areas.

Crime Prevention Through Environmental Design

702.025(a)(1) – Safety Features for Residents

- (A) Multiple family developments shall be designed in a manner that considers crime prevention and resident safety.

Finding: The applicant indicates that all buildings have windows provided in habitable rooms which are oriented towards open space areas and the proposed parking area. Dwelling unit entrances, parking areas and pedestrian paths will be illuminated.

- (B) Landscaping and fencing shall be provided in a manner that does not obscure visual surveillance of common open space, parking areas, or dwelling unit entryways.

Finding: The preliminary landscape plan and the applicant's statement indicate that no fences or plant materials will be located in areas which obstruct visibility. All landscaping adjacent to open space areas will not exceed 3 feet in height.

Parking, Site Access, and Circulation

702.030(b)(1) – General Parking and Site Access

- (A) Parking areas shall be designed to minimize the expanse of continuous parking.

Finding: Landscape islands with canopy trees are provided within the proposed parking area to minimize the expanse of continuous parking.

- (B) Pedestrian pathways shall be provided that connect to and between buildings, common open space, parking areas, and surrounding uses.

Finding: The proposed site plan includes pedestrian pathways which connect the parking areas, common open space areas and dwelling units to the public right-of-way.

- (C) Parking shall be located to maximize the convenience of residents.

Finding: Parking areas are provided in front of the proposed buildings, in a convenient distance from the proposed multi-family dwelling units.

- (D) Parking areas and circulation systems shall be designed in a manner that considers site topography, natural contours, and any abutting properties zoned Residential Agriculture (RA) or Single Family Residential (RS).

Finding: The subject property does not abut any RA (Residential Agriculture) or RS (Single Family Residential) zoned properties.

702.030(c)(1) – Site Access

- (A) Accessibility to and from the site shall be provided for both automobiles and pedestrians.

Finding: The development site is served by one driveway onto Hawthorne Avenue NE. Pedestrian access is provided throughout the development to connect to the public right-of-way along Hawthorne Avenue NE.

- (B) Site access shall be provided in a manner that minimizes vehicle and pedestrian conflicts.

Finding: A marked crosswalk is indicated on the proposed site plan where a pedestrian pathway crosses the vehicle turnaround and trash enclosure service area.

- (C) Where possible, driveway access shall be provided onto collector or local streets rather than arterial streets.

Finding: The proposed driveway will access Hawthorne Avenue NE, which is designated as a Major Arterial street. With no other abutting streets, it is not possible for a driveway to access any other street.

- (D) Where possible, driveway access shall be consolidated with either existing or future driveways serving adjacent developments.

Finding: Abutting property to the north and south is zoned multi-family residential. The proposed driveway on Hawthorne Avenue NE is located near the northern property line. With the configuration of the site plan, shared driveway access is not possible with the abutting property to the south, however, shared driveway access with the property to the north may be possible.

- (E) Parking areas shall be located to minimize their visibility from the public right-of-way and abutting properties.

Finding: The proposed off-street parking area adjacent to Hawthorne Avenue NE is screened from view by landscaping and street trees minimizing their

visibility from the public right-of-way.

Building Mass & Façade Design

702.035(b)(1) – General Siting and Building Mass

(A) Buildings shall be sited with sensitivity to topography and natural landform.

Finding: The development site is relatively flat and does not contain any areas of mapped landslide hazards. There are no riparian or wetland areas located on or adjacent to the property.

(B) The development shall be designed to reinforce human scale.

Finding: The proposed two-story buildings comply with height requirements of the underlying zone.

(C) Buildings with long monotonous exterior walls shall be avoided.

Finding: The proposed 8-unit apartment complex includes 4 buildings, each containing two dwelling units. Each building has a footprint of approximately 28 feet by 32 feet. No dimension exceeds more than 150 feet in length.

702.035(c)(1) – Compatibility

(A) Contrast and compatibility shall be provided throughout the site through building design, size, and location.

Finding: The proposed buildings are two stories in height with a building footprint of approximately 28 feet by 32 feet. The same design is proposed for each of the four buildings.

(B) Appropriate transitions shall be provided between new buildings and structures on-site and existing buildings and structures on abutting sites.

Finding: The proposed buildings comply with the maximum height requirement of the RM-II zone. The applicant has requested an adjustment to reduce required interior setbacks, however the applicant is proposing to provide the full amount of required landscaping in the reduced setback area. The proposed height and setbacks for the proposed development provide an appropriate transition with abutting residential uses.

(C) Architectural elements and façade materials shall be used to provide continuity throughout the site.

Finding: A vertical building offset is provided in the design for each of the proposed buildings.

(D) The majority of dwelling units within the development shall be placed as close

as possible to the street right-of-way.

Finding: The corresponding design standard requires sites with 75 feet or more of buildable width to have buildings placed at the setback line for a minimum of 50 percent of the buildable width. The buildable width for the subject property is approximately 71 percent, therefore this standard is not applicable.

The proposed site plan indicates that one building will be placed adjacent to Hawthorne Avenue NE.

(E) Architecturally defined and covered entryways shall be incorporated into the design of buildings.

Finding: Covered entry ways are provided in the design of the primary entrance for each of the buildings.

702.035(d)(1) – Building Articulation

(A) The appearance of building bulk shall be minimized by:

(i) Establishing a building offset interval along building facades; and

Finding: The corresponding design standard requires buildings within 28 feet of every property line to have a setback that varies by at least 4 feet in depth. Because of the lot dimensions and the off-street parking requirement, the buildable area on the lot is limited. In this case to maximize the usable area on the property, the applicant has placed each of the proposed buildings on the setback line.

The proposed buildings each include two dwelling units, and have a relatively small building footprint and building mass, which will have a minimal impact on abutting properties.

(ii) Dispersing windows throughout building facades.

Finding: The design standards require windows to be provided in all habitable rooms, other than bathrooms, that face required setbacks, common open areas, and parking areas.

The proposed plans indicate that windows will be provided in all habitable spaces which face towards open space and parking areas.

(B) Articulation shall be provided at the common entry way to all residential buildings.

Finding: Covered entry ways, which are clearly defined and accessible, are provided at the individual entryways for each building.

(C) Building roofs shall reinforce the residential character of the neighborhood.

Finding: The design standards require that the horizontal length of roof shall not exceed 100 feet without providing a change of elevation of at least 4 feet. The proposed building design does not include any dimension greater than 100 feet in length, therefore this standard is not applicable.

Recycling

702.040(a)(1) – On-Site Design and Location of Facilities

(A) Facilities shall be provided to allow recycling opportunities for tenants that are as conveniently located as the trash receptacles, and that are in compliance with any applicable federal, state, or local laws.

Finding: The site plan include one trash and recycling area which is provided to serve residents. The proposed enclosures meet the solid waste service area requirements of SRC Chapter 800.055.

(B) The design and materials of recycling areas shall be similar to the design and materials of the buildings within the development.

Finding: The design and materials of the trash enclosure is not indicated in the plans, at the time of building permit review the trash enclosure will be reviewed for compliance with this guideline.

(C) Recycling areas shall be located to provide adequate access for franchised haulers, and shall have containers sufficient to allow collection of all recyclables collected by the haulers.

Finding: The proposed enclosure meets the solid waste service area requirements of SRC Chapter 800.055, including requirements for vehicle operation and servicing area. Adequate space is provided to allow for the servicing of recyclables.

7. Analysis of Class 3 Site Plan Review Approval Criteria

SRC 220.005(f)(3) establishes the following criteria for a Class 3 Site Plan Review:

Criterion 1:

The application meets all applicable standards of the UDC.

Finding: The proposal includes a request to develop an 8-unit apartment complex in a RM-II zone on the subject property. The following is a summary of the use and development standards of the RM-II zone (SRC Chapter 514).

Development Standards – RM-II Zone:

SRC 514.005(a) - Uses:

Except as otherwise provided in Chapter 514, the permitted, special, conditional and prohibited uses in the RM-II zone are set forth in Table 514-1.

Finding: Multiple Family Uses are allowed in the RM-II zone as a permitted use.

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: The proposed development does not include a subdivision or partition of the subject property. This provision is not applicable.

SRC 514.010(b) – Lot Standards:

The minimum lot area for a multi-family use in the RM-II zone is 6,000 square feet, lot width is 40 feet and lot depth is 80 feet. The minimum street frontage requirement is 40 feet.

Finding: The subject property is approximately 0.44 acres in size, is approximately 92 feet in width, approximately 210 feet in length and has approximately 92 feet of street frontage along Hawthorne Avenue NE, exceeding the minimum lot standard requirements for the proposed use.

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 density cannot be varied or adjusted. Table 514-3 requires a minimum of 12 dwelling units per acre and allows a maximum of 28 units per acre.

Finding: The subject property is approximately 0.44 acres in size. The dwelling unit density requirement for the subject property is a minimum of 6 dwelling units and a maximum of 13 dwelling units. The proposed development is for an 8-dwelling unit apartment complex, which is consistent with the density requirement of the RM-II zone.

SRC 514.010(d) – Setbacks:

North: Adjacent to the north is property zoned RM-II (Multi-Family Residential). There is a minimum 10 foot building and vehicle use area setback required adjacent to a residential zone. Required landscaping shall meet the Type C standard set forth in SRC Chapter 807. Type C landscaping includes a minimum of 1 plant unit per 20 square feet of landscape area and installation of a 6-foot-tall sight obscuring fence or wall.

Finding: The applicant is requesting an Adjustment to reduce the required 10 foot vehicle use area setback adjacent to the residential property to 5 feet, with a section approximately 38 feet in length that will be reduced to 2 feet in width.

Findings for the adjustment are included in Section 8 of this report.

South: Adjacent to the south is property zoned RM-II (Multi-Family Residential). There is a minimum 10 foot building and vehicle use area setback required adjacent to a residential zone. Required landscaping shall meet the Type C standard set forth in SRC Chapter 807. Type C landscaping includes a minimum of 1 plant unit per 20 square feet of landscape area and installation of a 6-foot-tall sight obscuring fence or wall.

Finding: The proposed site plan indicates that each of the proposed buildings is placed at the 10 foot setback line. A minimum 6 foot tall fence is included along the southern boundary meeting the Type C landscaping requirement.

East: Adjacent to the east is Interstate-5. There is no setback required adjacent to Interstate-5.

West: Adjacent to the west is the right-of-way for Hawthorne Avenue NE. There is a minimum 12 foot building setback required adjacent to a street, plus one foot for each one-foot of height over 12 feet, but need not exceed 20 feet in depth. Vehicle use areas are required to be setback a minimum of 12 feet adjacent to a street.

Finding: The proposed buildings are approximately 20 feet in height, requiring a 20 foot setback adjacent to Hawthorne Avenue NE. The applicant has requested an adjustment to reduce the setback from 20 feet to 16 feet. Findings for the adjustment are included in Section 8 of this report.

SRC 514.010(e) - Lot Coverage, Height:

The maximum lot coverage allowance for all uses in the RM-II zone is 50 percent. The maximum building height allowance for multi-family uses is 50 feet.

Finding: The site plan indicates that the lot coverage for the proposed buildings is approximately 18 percent. The average height of the proposed buildings is approximately 20 feet, less than the maximum height allowance.

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 development does not include a single or two family use, this section is not applicable.

SRC 514.010(g) - Landscaping:

Landscaping within the RM-II zone shall be provided as set forth in this subsection.

(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 Chapter 806 and SRC Chapter 807.

Finding: 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 6-foot high sight-obscuring fence, wall, or hedge.

Finding: Outdoor storage areas are not provided for the proposed use.

SRC 514.015 – Design Review:

Multiple family development shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC Chapter 702.

Finding: A Class 3 Design Review application has been submitted for the proposed multi-family development, findings are included in Section 7 of this report.

Solid Waste Service Area Development Standards SRC 800

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 with a receptacle size greater than 1 cubic yard, therefore the standards of SRC 800.055 are applicable.

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.

Finding: The design and materials for the slab is not indicated in the proposed plans, but will be reviewed for conformance with this development standard at the time of building permit review.

- 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: Adequate separation distance is provided within the enclosure. Receptacles will not be placed within 5 feet of a building or structure.

- 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 servicing.

Finding: The proposed enclosure does not include roof cover, there are no overhead obstructions proposed.

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

When enclosures area 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 width of the proposed front opening for the enclosure is greater than 12 feet, exceeding the minimum standard.

- 2) Measures to Prevent Damage to Enclosure. Enclosures constructed of wood or chain link fencing material shall contain a minimum 4-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 receptacles impacts.

Finding: The design and materials for the enclosure walls is not indicated in the proposed plans, but will be reviewed for conformance with this development standard 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 opening that is less than 15 feet in width, the gates shall open a minimum of 120 degrees. All gates shall have restrainers in the open and closed positions.

Finding: The proposed gates can swing to 120 degrees in compliance with this provision.

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

- 1) **Vehicle Operation Area.** 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 12 feet in width. Vehicle operation areas shall be made available in front of every receptacle.

Finding: The proposed vehicle operation area meets the minimum dimensional requirements for service vehicle access.

Off-Street Parking, Loading, and Driveways SRC 806

SRC 806.005 - Off-Street Parking; When Required.

Off-street parking shall be provided and maintained for each proposed new use or activity.

SRC 806.010 - Proximity of Off-Street Parking to Use or Activity Served.

Required off-street parking shall be located on the same development site as the use or activity it serves; or, within the RM-II (Multi-Family Residential) zone, required off-street parking may be located within 200 feet of the development site containing the use or activity it serves.

SRC 806.015 - Amount of Off-Street Parking.

- a) *Minimum Required Off-Street Parking.* The minimum number of off-street parking spaces required for a multi-family use is 1.5 spaces per dwelling unit.
- b) *Compact Parking.* Up to 75 percent of the minimum off-street parking spaces required under this Chapter may be compact parking spaces.
- c) *Carpool and Vanpool Parking.* New developments with 60 or more required off-street parking spaces, and falling within the Public Services and Industrial use classifications, and the Business and Professional Services use category, shall designate a minimum of 5 percent of their total off-street parking spaces for carpool or vanpool parking.
- d) *Maximum Off-Street Parking.* Unless otherwise provided in the SRC, off-street parking shall not exceed the amounts set forth in Table 806-2.

Finding: The proposed 8-unit apartment complex requires a minimum of 12 off-street parking spaces ($8 \times 1.5 = 12$). The maximum off-street parking allowance for the use is 63 spaces ($12 \times 2.5 = 30$). There are 12 proposed off-street parking spaces provided for the proposed use, consistent with the minimum and maximum off-street parking requirements.

Nine of the proposed parking spaces are designated as compact spaces (75 percent). Carpool/vanpool spaces are not required for the proposed multi-family residential use.

SRC 806.035 - Off-Street Parking and Vehicle Use Area Development

Standards.

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 and Two 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 un-paved area.

Finding: Off-street parking and vehicle use area development standards apply to the new off-street parking area.

- b) *Location.* Off-street parking and vehicle use areas shall not be located within required setbacks.

Finding: The applicant has requested a zoning adjustment to reduce the vehicle use area setback requirement to northern property line from 10 feet to 2 feet, findings for the Adjustment are included in Section 8 of this report.

- 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.

Where an off-street parking or vehicular use area is located adjacent to a building or structure, the off-street parking or vehicle use area shall be setback from the exterior wall of the building or structure by a minimum 5-foot-wide landscape strip or by a minimum 5-foot-wide paved pedestrian walkway.

Finding: The applicant has requested a zoning adjustment to reduce the vehicle use area setback adjacent to a building from 5 feet to 2 feet, findings for the Adjustment are included in Section 8 of this report.

- d) *Interior Landscaping.* Interior landscaping shall be required for off-street parking areas 5,000 square feet or greater in size.

Finding: The proposed site plan indicates that the off-street parking area is approximately 5,472 square feet in size. A minimum of 274 square feet of interior parking lot landscaping is required ($5,472 \times 0.05 = 273.6$). The site plan indicates that approximately 314 square feet (5.7 percent) of interior parking lot landscaping is provided in the parking area.

- e) *Off-Street Parking Area Dimensions.* Off-street parking areas shall conform to the minimum dimensions set forth in Table 806-6.

Finding: The proposed off-street parking spaces are sufficient to meet the minimum dimensions for standard and compact sized parking spaces.

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

Finding: The proposed off-street parking area is developed consistent with the additional standards for grade, surfacing, and drainage. Bumper guards or wheel barriers are not required for the proposed off-street parking area. The proposed compact parking spaces shall be clearly marked indicating the spaces are reserved for compact parking only. The striping, and lighting will meet the standards of SRC 806.

The proposed parking area has more than 6 spaces and is required to be screened from abutting residentially zoned property by a minimum 6-foot-tall sight-obscuring fence, wall, or hedge. The proposed site plan indicates a minimum 6-foot-tall sight obscuring fence will be provided screening the proposed parking area from abutting residential uses.

Bicycle Parking

SRC 806.045 - General Applicability.

Bicycle parking shall be provided and maintained for any new use or activity.

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.

A multi-family use is required to have the greater of 4 bicycle spaces or a minimum of 0.1 bicycle spaces per dwelling unit.

Finding: The proposed development is for an 8-unit apartment complex, which requires a minimum of 4 bicycle parking spaces. The proposed site plan indicates 7 bicycle parking spaces will be provided, near the driveway entrance for the development site.

SRC 806.060 – Bicycle Parking Development Standards

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

- a) Location. 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.
- b) Access. Bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance.

- c) Dimensions. Bicycle parking spaces shall be a minimum of 6 feet by 2 feet, and shall be served by a minimum 4-foot-wide access aisle.
- d) Bicycle Racks. Where bicycle parking is provided in racks, the racks may be floor, wall, or ceiling racks. Bicycle racks shall accommodate the bicyclist's own locking device.

Finding: The proposed bicycle parking spaces are within 50 feet of the main entry for the buildings. Dimensions and design of the bicycle parking spaces will be reviewed at the time of Building Permit.

Off-Street Loading Areas

SRC 806.065 - General Applicability.

Off-street loading areas shall be provided and maintained for each proposed new use or activity.

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.

For multiple family uses containing 0-49 units, there is not a requirement for off-street loading spaces.

Finding: Off-street loading spaces are not required for the proposed development.

Landscaping

All required setbacks shall be landscaped with a minimum of 1 plant unit per 20 square feet of landscaped area. A minimum of 40 percent of the required number of plant units shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees. Plant materials and minimum plant unit values are defined in SRC Chapter 807, Table 807-2.

All building permit applications for development subject to landscaping requirements shall include landscape and irrigation plans meeting the requirements of SRC Chapter 807.

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

Natural Resources

SRC 808 - Preservation of Trees and Vegetation: The City's tree preservation ordinance, under SRC Chapter 808, provides that no person shall remove a significant tree (Oregon White Oak greater than 24 inches in diameter at breast height) (SRC 808.015) or a tree or native vegetation in a riparian corridor (SRC 808.020), unless the removal is excepted under SRC 808.030(a)(2), 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.

No protected trees have been identified on the site plan for removal.

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

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

SRC 810 - Landslide Hazards: A geological assessment or report is required when regulated activity is proposed in a mapped landslide hazard area. The subject property does not contain any mapped landslide hazard areas; two activity points are assigned to the proposed multifamily development. A total of two points indicates a low landslide hazard risk; a geological assessment is not required.

Criterion 2:

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: The existing configuration of Hawthorne Avenue NE meets a current interim standard for its classification of street per the Salem TSP; therefore, no improvements are warranted at this time. The applicant has proposed full right-of-way dedication to proportionally mitigate the impacts of the proposed development pursuant to SRC 803.040.

Condition 1: Convey land for dedication to equal a half-width right-of-way of 48 feet on the development side of Hawthorne Avenue NE.

Criterion 3:

Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians.

Finding: The driveway access onto Hawthorne Avenue NE provides for safe turning movements into and out of the property.

Criterion 4:

The proposed development will be adequately served with City water, sewer, stormwater facilities, and other utilities appropriate to the nature of the

development.

Finding: The Public Works Department has reviewed the applicant's preliminary utility plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets / areas and appear to be adequate to serve the proposed development. The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the PWDS and to the satisfaction of the Public Works Director.

A 15-foot-wide water main easement is located along the east line of the subject property. The landscaping materials being proposed within the easement appear to limit the ability for City staff to maintain the 42-inch water line located within the easement. The landscaping materials within the water line easement shall not impede the City's ability to operate and maintain the water line as determined by the Public Works Director.

Condition 2: The landscaping materials placed within the water line easement shall not impede the City's ability to operate and maintain the water line as determined by the Public Works Director.

The proposed plan demonstrates compliance with PWDS Appendix 4E related to green stormwater infrastructure by setting aside at least ten percent of the total new impervious surface area for installation of green stormwater infrastructure in the form of pervious pavement. The applicant's engineer shall design and construct a storm drainage system at the time of development pursuant to SRC 71.090 and in compliance with SRC Chapter 71 and PWDS.

8. Analysis of Class 2 Adjustment Approval Criteria

SRC Chapter 250.005(d)(2) provides that an applicant for a Class 2 Adjustment shall be granted if all of the following criteria are met:

Criterion 1:

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 Adjustments to reduce the interior setback requirements for the proposed development as follows:

- 1) Reduce the required setback from the RM-II (Multi-Family Residential) zone to the north from 10 feet to 2 feet;
- 2) Reduce the required setback between a vehicle use area and a building from 5 feet to 2 feet; and
- 3) Reduce the required setback adjacent to a street from 20 feet to 16 feet.

Reduce the required setback from the RM-II (Multi-Family Residential) zone to

the north from 10 feet to 2 feet.

The subject property is approximately 0.44 acres in size and is rather narrow at approximately 92 feet in width. Full compliance with the minimum setbacks for the buildings and vehicle use area creates a difficulty in this case due to the narrowness of the lot. A 6-foot-tall sight obscuring fence is provided along the interior property lines, and the applicant proposes providing landscaping in the setback areas that meets or exceeds the landscaping that would be required had the full setback been required. The length of the northern property line after right-of-way dedication is approximately 192 feet, landscaping for the full 10 foot setback would be approximately 96 plant units ($1,920 / 20 = 96$). The proposed buildings are oriented on the south side of the property and comply with the minimum building setback requirement to the south. Proposed fencing and landscaping provide a buffer between the proposed multi-family use and the abutting industrial uses.

Condition 3: A minimum of 96 plant units shall be provided along the setback for the northern property line.

Condition 4: A minimum 6-foot-tall fence shall be provided along the north and south interior property lines abutting residential uses. The fence 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 not be allowed.

The request to reduce the setback area, while providing a sight-obscuring fence and a greater density of landscaping provides a buffer between the subject property and abutting residential use which equally or better meets the intent of the setback requirements.

Reduce the required setback between a vehicle use area and a building from 5 feet to 2 feet; and

The applicant is requesting an adjustment to reduce the required 5 foot vehicle use setback adjacent to a building to allow the proposed vehicle turn around and solid waste service area to be within 2 feet of proposed buildings 2 and 3. Full compliance with the minimum setbacks for the buildings creates a difficulty in this case due to the limited lot size. The applicant proposes providing landscaping in the reduced width setback areas that meets or exceeds the landscaping that would be required had the full setback been required. The length of the buildings adjacent to the service area is approximately 56 feet, landscaping for the full 5 foot setback would be approximately 14 plant units ($280 / 20 = 14$). The increased amount of landscaping in the setback area will equally or better meet the intent of the setback requirements in an area that will not be frequently used.

Condition 5: A minimum of 14 plant units shall be provided between the vehicle turnaround area and proposed buildings 2 and 3.

Reduce the required setback adjacent to a street from 20 feet to 16 feet.

The subject property is approximately 0.44 acres in size and following right-of-

way dedication will be approximately 192 feet in length. Full compliance with the minimum setbacks for the buildings and vehicle use area creates a difficulty in this case due to the dimensions of the lot. The length of the property line adjacent to Hawthorne Avenue NE is approximately 92 feet, landscaping for the full 20 foot setback would be approximately 92 plant units ($1,840 / 20 = 92$).

Condition 6: A minimum of 92 plant units shall be provided in the setback area between proposed building 1 and Hawthorne Avenue NE.

Criterion 2:

If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.

Finding: A greater density of plant units, including trees and shrubs, will be provided in the proposed setback areas, in order to equally or better comply with the minimum landscaping standard. The reduced setback area will meet the intent of providing a physical and visual buffer between abutting uses, and will not detract from the livability or appearance of the residential area.

Criterion 3:

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: Three setback 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.

Any future development, beyond what is shown in the proposed plans, shall conform to the minimum setback requirements, unless adjusted through a future land use action.

Condition 7: The adjusted perimeter and interior setbacks, as approved in this zoning adjustment, 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 the setback requirements for the development site, unless adjusted through a future land use action.

9. Analysis of Class 2 Driveway Approval Permit Criteria

SRC 804.025(d) states that a Class 2 Driveway Approach Permit shall be granted if:

Criterion 1:

The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards.

Finding: The proposed driveway is utilizing the existing driveway that meets the standards of PWDS and was constructed as part of the Hawthorne Avenue/Hyacinth Street NE corridor improvement project.

Criterion 2:

No site conditions prevent placing the driveway approach in the required location.

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

Criterion 3:

The number of driveway approaches onto an arterial are minimized.

Finding: The proposed driveway approaches is minimized to one access.

Criterion 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 proposed driveway is currently located with access to the lowest classification of street abutting the subject property.

Criterion 5:

The proposed driveway approach meets vision clearance standards.

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

Criterion 6:

The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access.

Finding: The existing driveway will not create a known traffic hazard and will provide for safe turning movements for access to the subject property.

Criterion 7:

The proposed driveway approach does not result in significant adverse impacts to the vicinity.

Finding: The location of the proposed driveway does not appear to have any adverse impacts to the adjacent properties or streets.

Criterion 8:

The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections.

Finding: The proposed use of the existing driveway will not create a significant impact to adjacent streets and intersections based on adequate spacing to the nearest intersection.

Criterion 9:

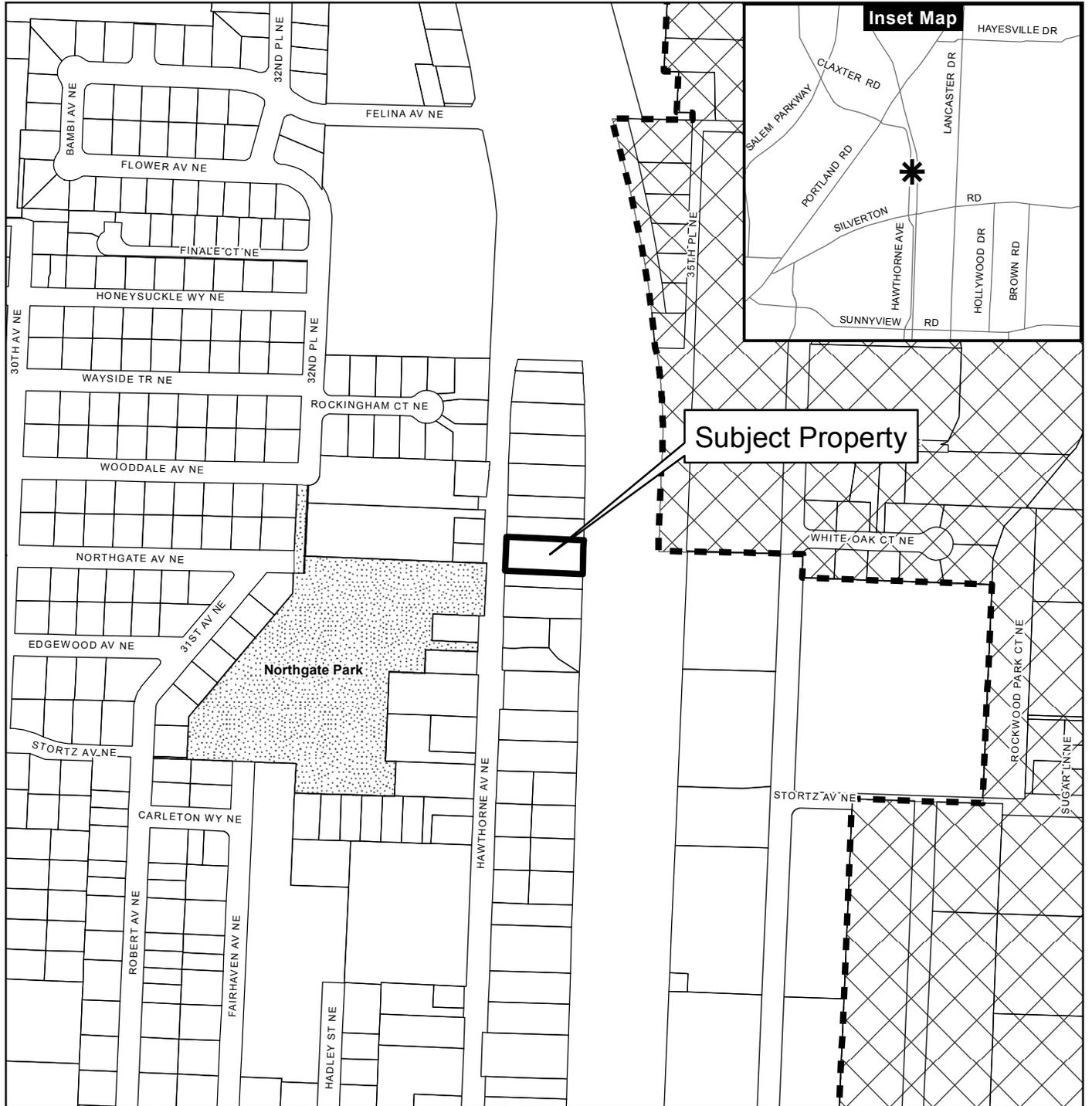
The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.

Finding: The existing driveway approach will continue to serve a residential development and is not expected to create any adverse impacts on adjacent residentially zoned property. The driveway will not have an effect on the functionality of the adjacent streets.

Conclusion: Based on the findings and conditions of approval contained above, the Applicant has satisfactorily addressed the applicable criteria for granting approval of a Design Review, Site Plan Review, Adjustment and Driveway Approach Permit. The Planning Commission has voted to approve the consolidated application to allow development of an 8-unit multi-family apartment complex for property approximately 0.44 acres in size, zoned RM-II (Multi-Family Residential) and located at 3760 Hawthorne Avenue NE.

Vicinity Map

3760 Hawthorne Avenue NE



Legend

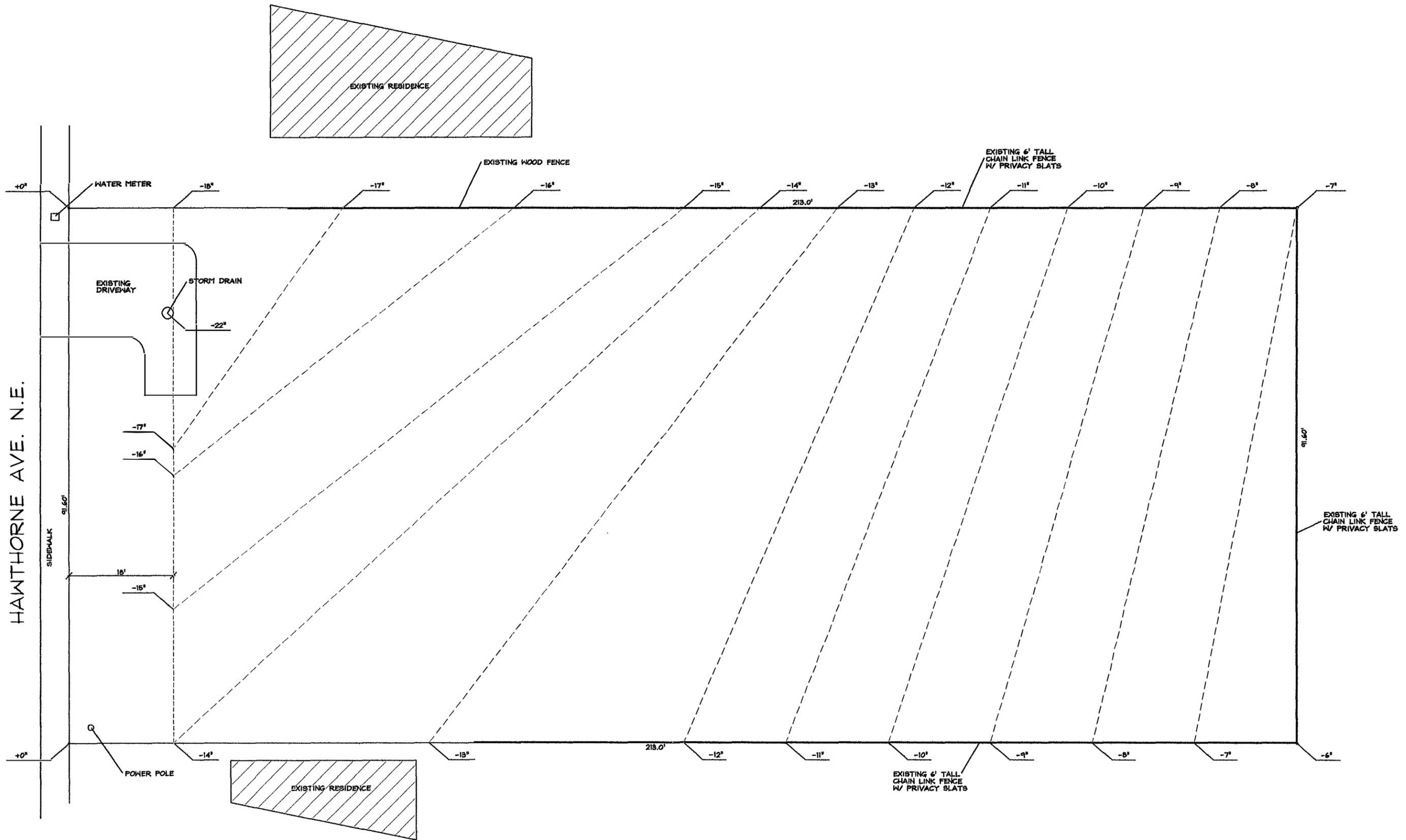
-  Taxlots
-  Urban Growth Boundary
-  City Limits
-  Outside Salem City Limits
-  Historic District
-  Schools
-  Parks


CITY OF Salem
 AT YOUR SERVICE
 Community Development Dept.

0 100 200 400 Feet



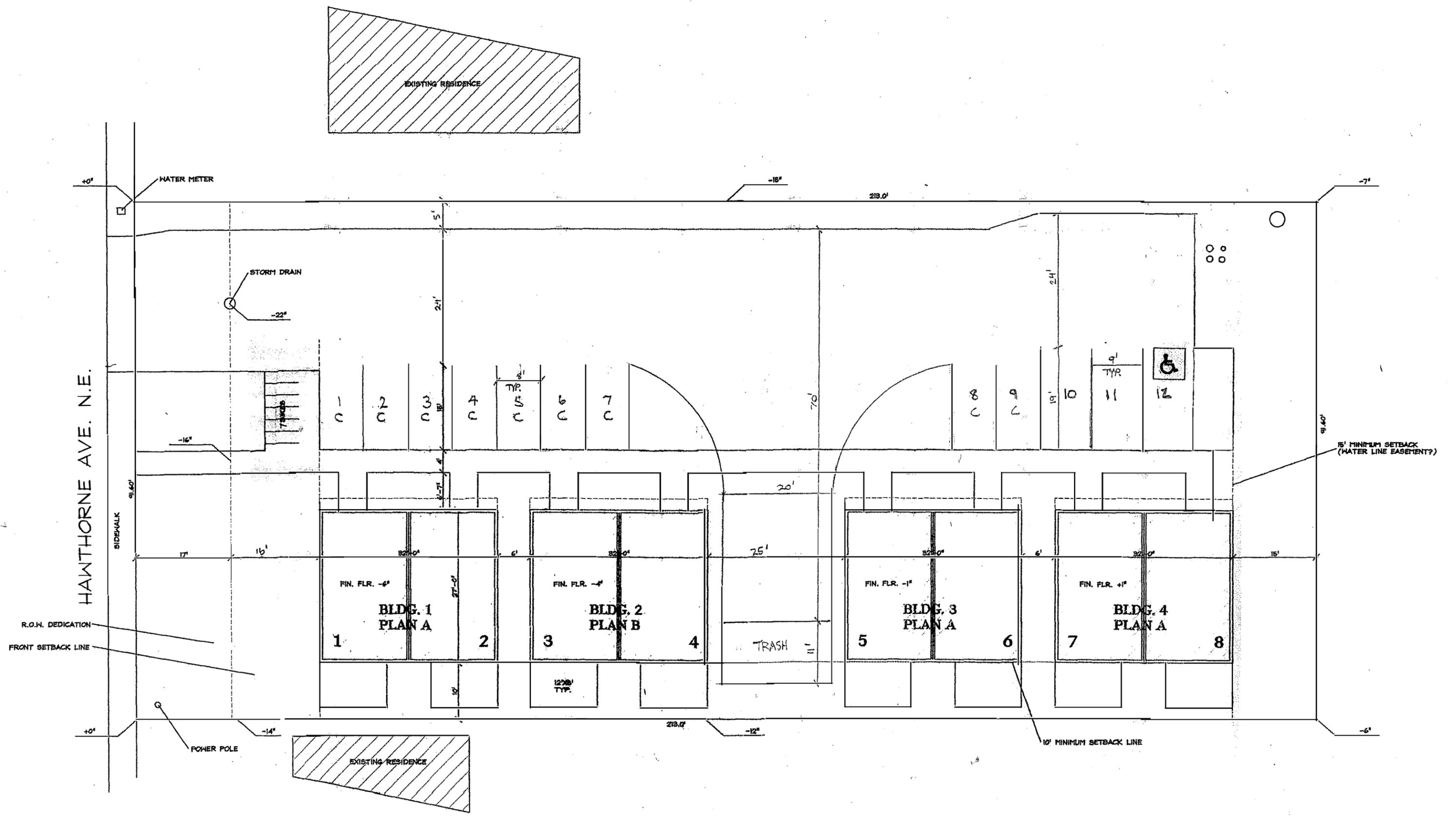
This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.



3760 HAWTHORNE DR. EXISTING CONDITIONS PLAN

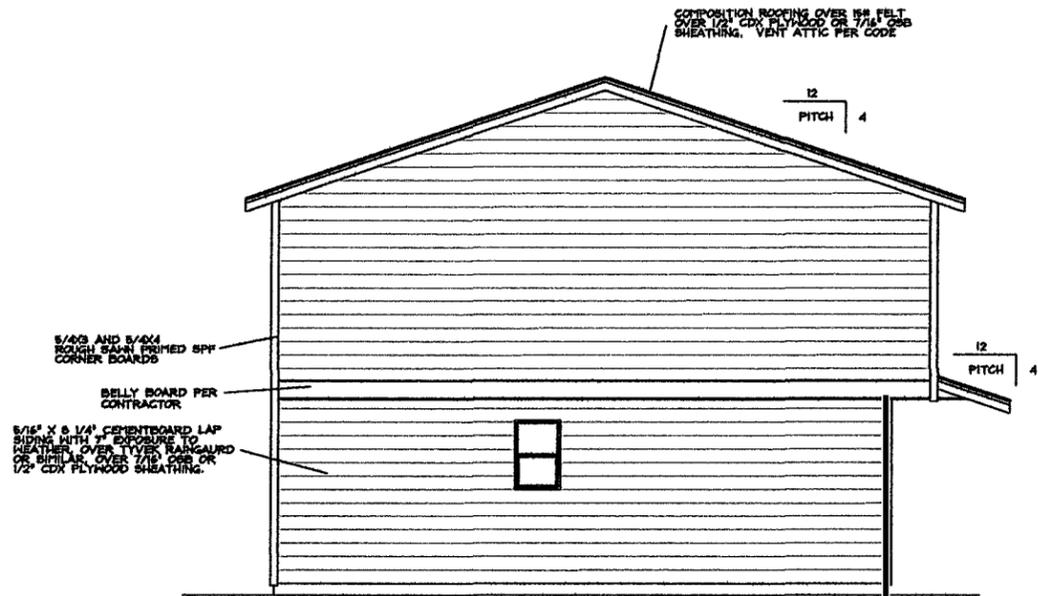


8

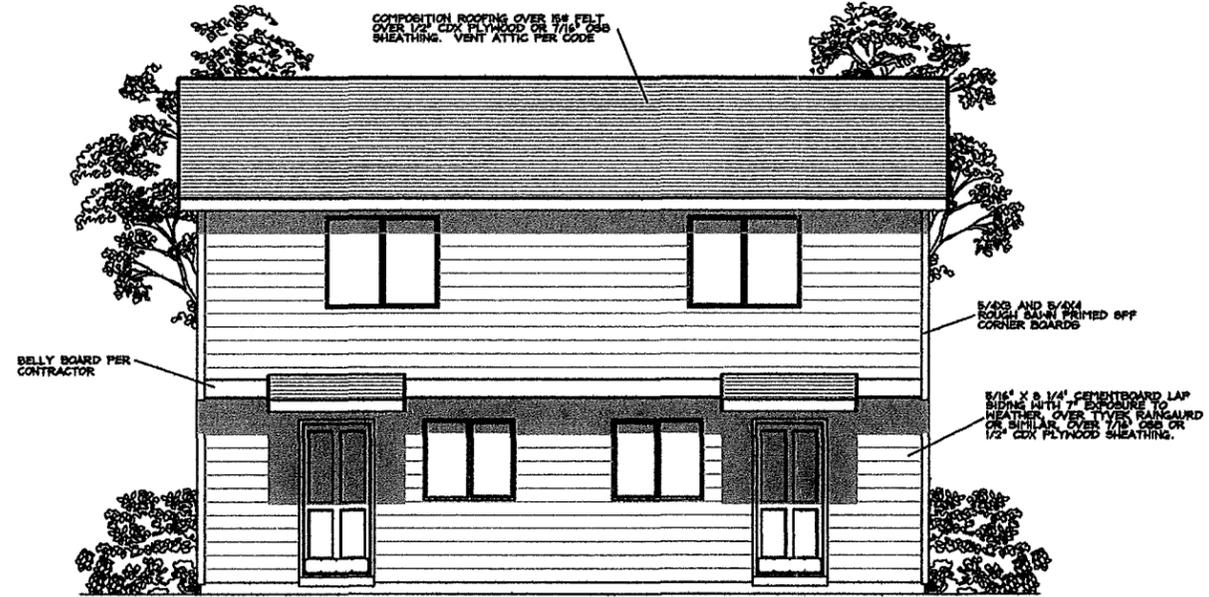


3760 HAWTHORNE DR. PROPOSED SITE PLAN





LEFT ELEVATION
1/4" = 1'-0"



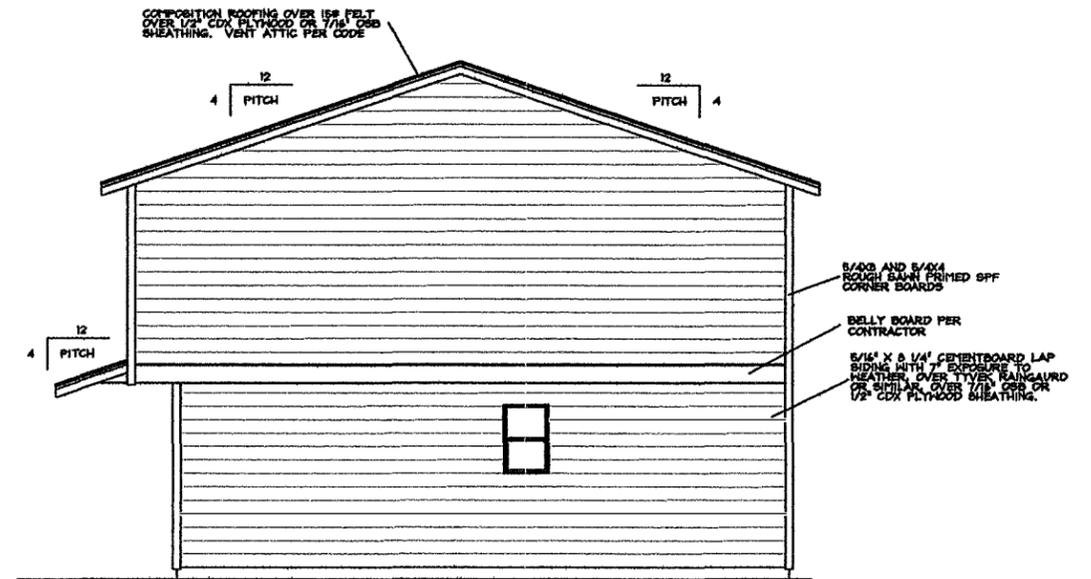
FRONT ELEVATION
1/4" = 1'-0"

ENVELOPE ENHANCEMENT MEASURE 3 CONSTRUCTION MEASURE B

| BUILDING COMPONENTS | PRESCRIPTIVE MEASURE A |
|---------------------------------------|------------------------|
| MAXIMUM ALLOWABLE WINDOW AREA | NO LIMIT |
| WINDOW CLASS | U-0.30 |
| EXTERIOR DOORS | U-0.30 |
| EXTERIOR DOORS W/ 12.5 S.F.T. GLAZING | U-0.40 |
| WALL INSULATION | R-21 |
| WALL INSULATION BELOW GRADE | R-15 |
| UNDERFLOOR INSULATION | R-30 |
| FLAT CEILING | R-41 |
| VAULTED CEILING | R-30A |
| SKYLIGHT CLASS | U-0.60 |
| SKYLIGHT AREA | 0.5% |
| BASISMENT WALLS | R-21 |
| SLAB EDGE PERIMETER | R-15 |
| HEATED SLAB INTERIOR | R-10 |
| FORCED AIR DUCT INSULATION (c) | R-9 |



REAR ELEVATION
1/4" = 1'-0"



RIGHT ELEVATION
1/4" = 1'-0"

1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE, THE INTERNATIONAL MECHANICAL AND ELECTRICAL CODE, THE INTERNATIONAL PLUMBING AND MECHANICAL CODE, THE INTERNATIONAL FIRE AND SAFETY CODE, THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL ENERGY EFFICIENCY CODE, AND ALL APPLICABLE STATE, COUNTY OR LOCAL ORDINANCES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.

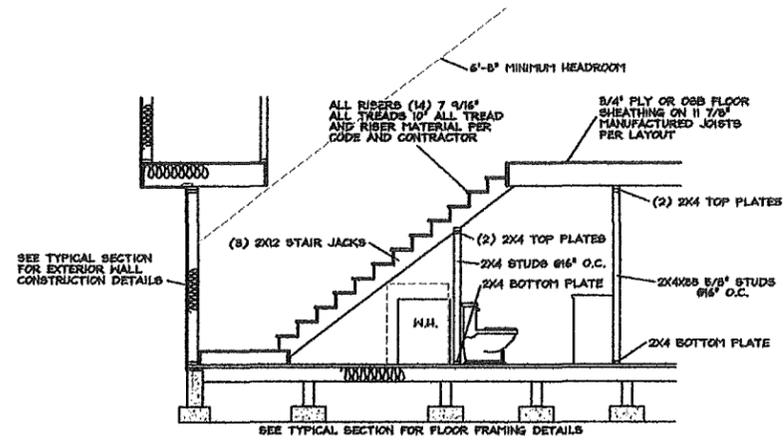
PLAN A
ELEVATIONS

F.W. STOVIN DESIGNER
503-993-2077
1610 WINNER ST. S.E. SALEM, OREGON 97302
EMAIL: fwstovindesigner@gmail.com

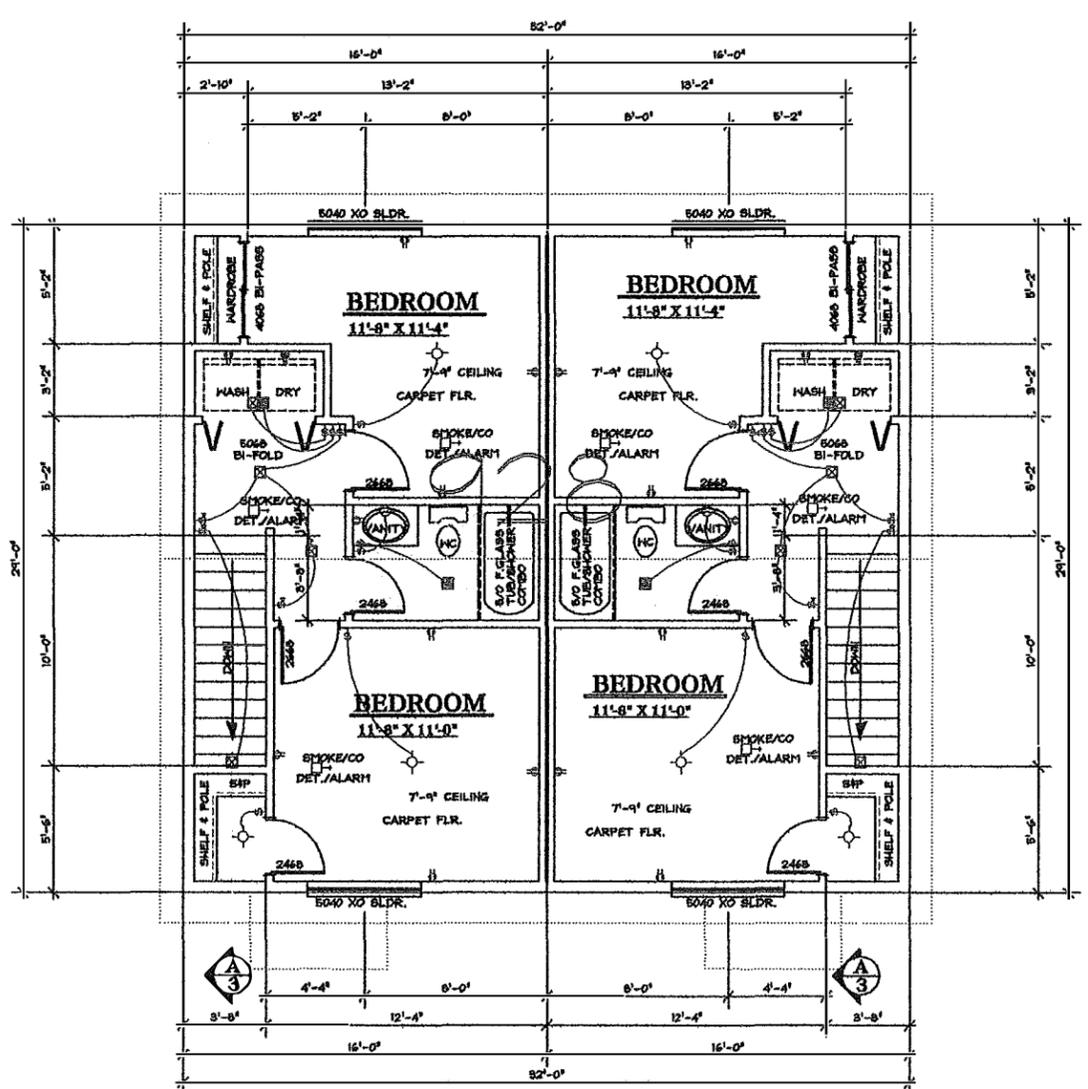
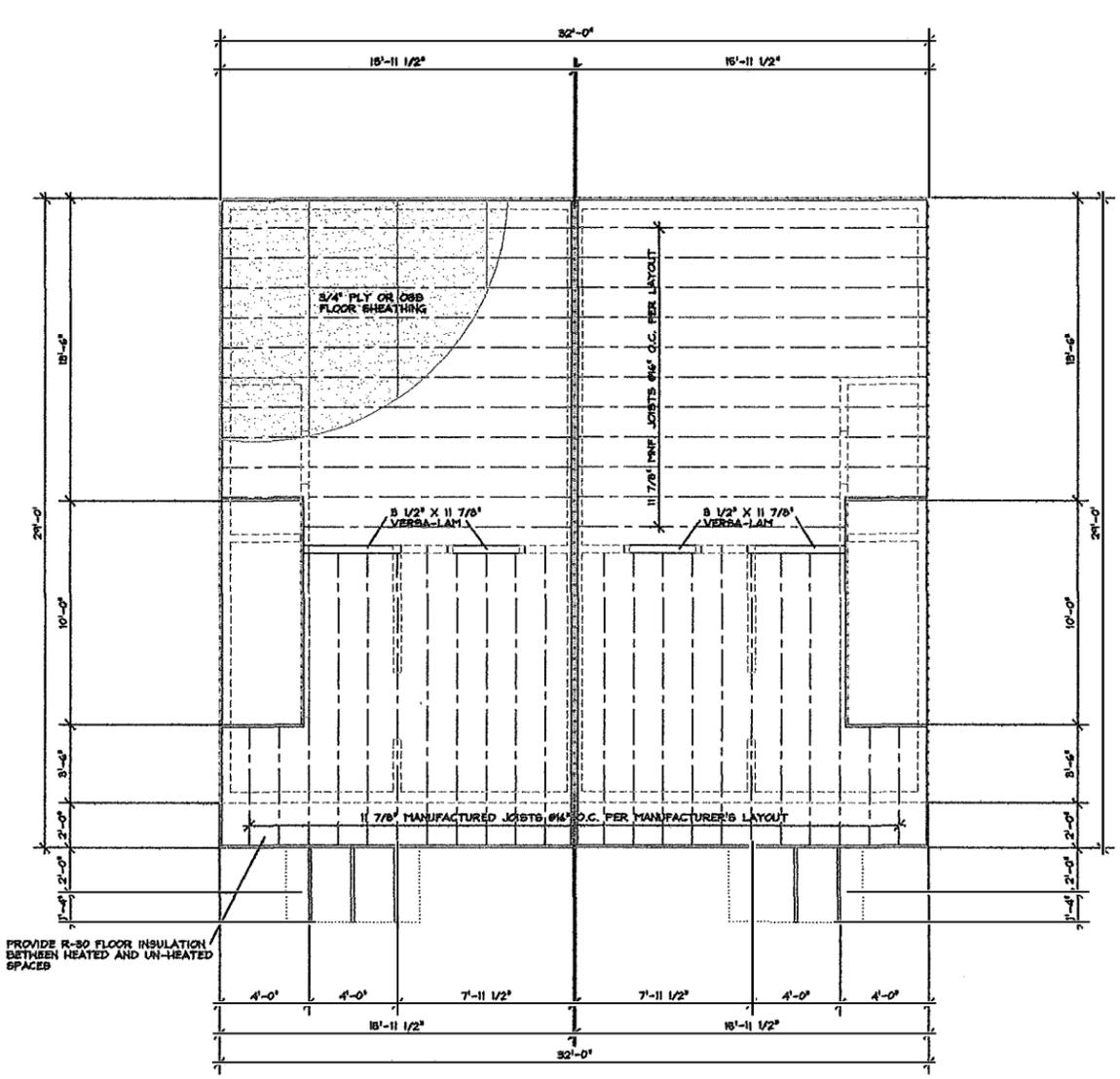
DATE: 08/15/17
PLAN NO.: 17-3001
DRAWN BY: F.W.S.

DRAWING HALF SCALE
WHEN ON 11x17 SHEET

1/6



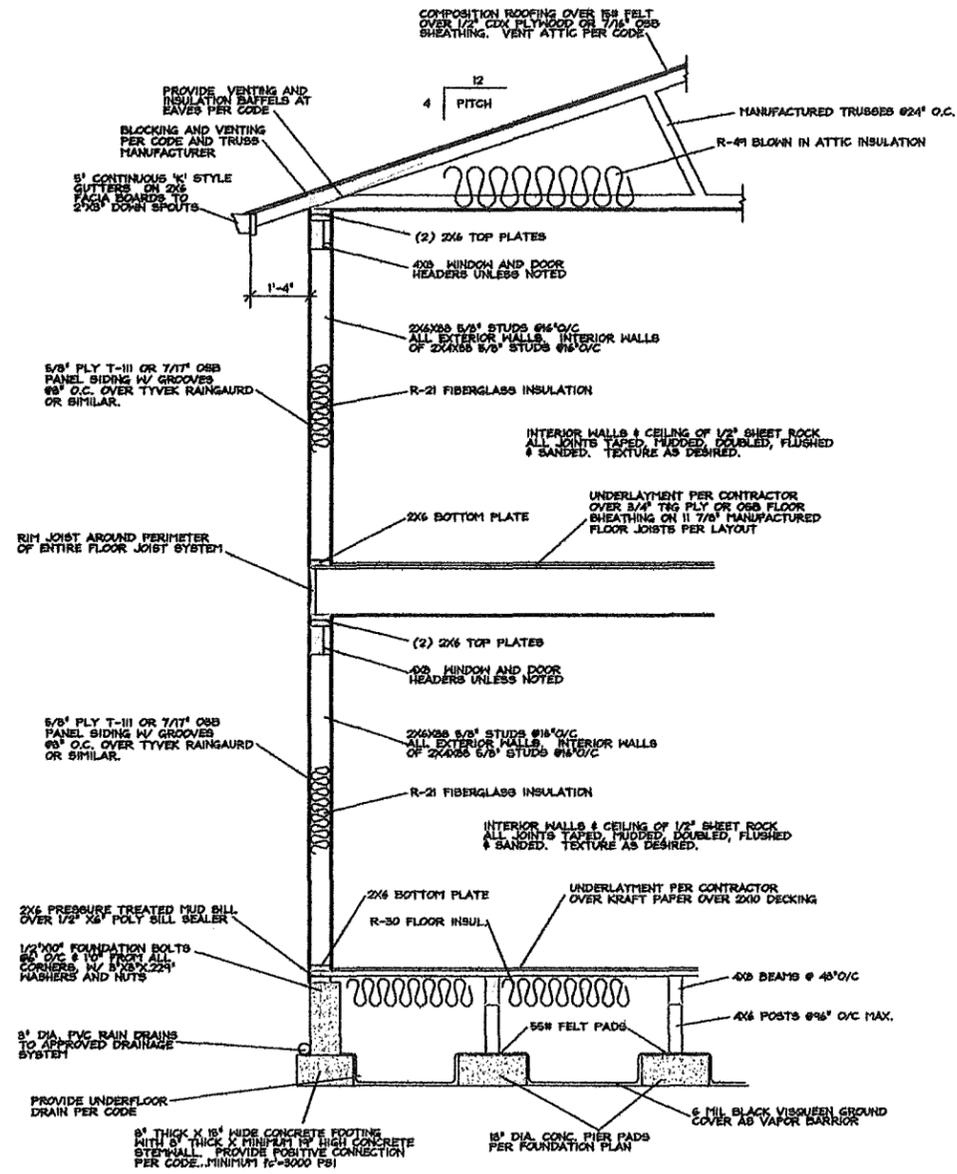
| KEY TO ELECTRICAL SYMBOLS | |
|---------------------------|--------------------------------|
| | CEILING MOUNT LIGHT FIXTURE |
| | WALL MOUNT LIGHT FIXTURE |
| | RECESSED LIGHT FIXTURE |
| | 110 VOLT DUPLEX OUTLET |
| | 220 VOLT OUTLET |
| | GRND. FAULT 110V DUPLEX OUTLET |
| | FLR OR CLG 110V DUPLEX OUTLET |
| | CEILING MOUNT EXHAUST FAN |
| | CEILING MOUNT FAN LIGHT O/MBO |
| | SMOKE DETECTOR/ALARM |
| | LIGHT SWITCH |
| | 3 WAY LIGHT SWITCH |
| | 4 WAY LIGHT SWITCH |
| | FLUORESCENT FIXTURE |
| | TELEPHONE OUTLET |
| | TELEVISION OUTLET |



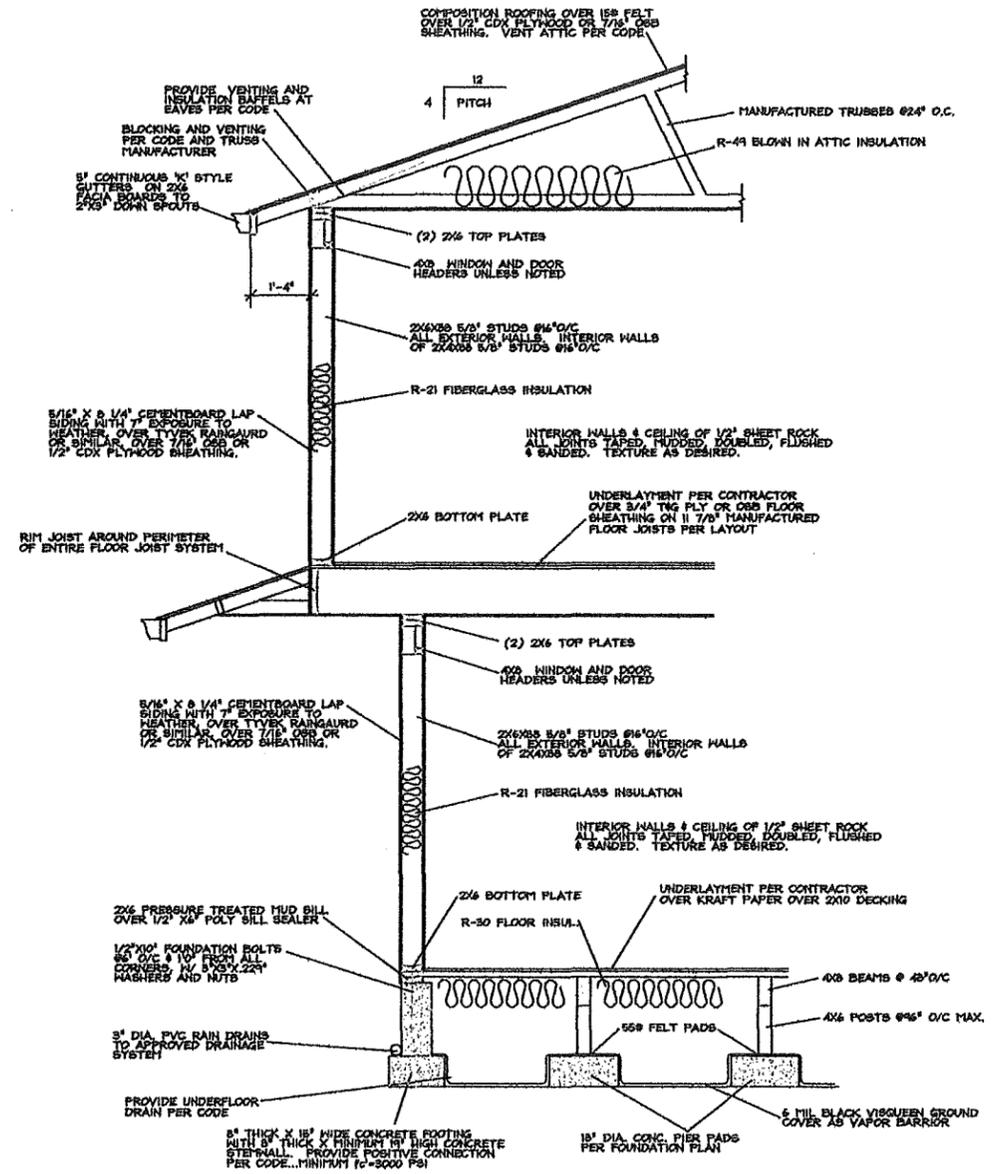
LOWER FLOOR 864 SQ. FT. (492 PER UNIT)
UPPER FLOOR 928 SQ. FT. (464 PER UNIT)
TOTAL 1792 SQ. FT. (956 PER UNIT)

DRAWING HALF SCALE
WHEN ON 11x17 SHEET

F.W. STOVIN DESIGNER
 503-393-2077
 1610 WINTER ST. S.E. SALEM, OREGON 97302
 EMAIL: fvwstovindesigner@gmail.com
 DATE: 02/15/17
 PLAN NO.: 17-3001
 DRAWN BY: F.W.S.
 3
 6



TYPICAL SECTION THRU REAR WALL
1/2"=1'-0"



TYPICAL SECTION THRU FRONT WALL
1/2"=1'-0"

1. ALL WORK SHALL BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOKS UNLESS OTHERWISE SPECIFIED.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND TO VERIFY THE REQUIREMENTS OF ANY PERMITS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE, INCLUDING BUT NOT LIMITED TO LIABILITY AND WORKERS COMPENSATION.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SCHEDULED TRADES AND SHALL BE RESPONSIBLE FOR THE COORDINATION OF ALL TRADES AND PERMITS.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.

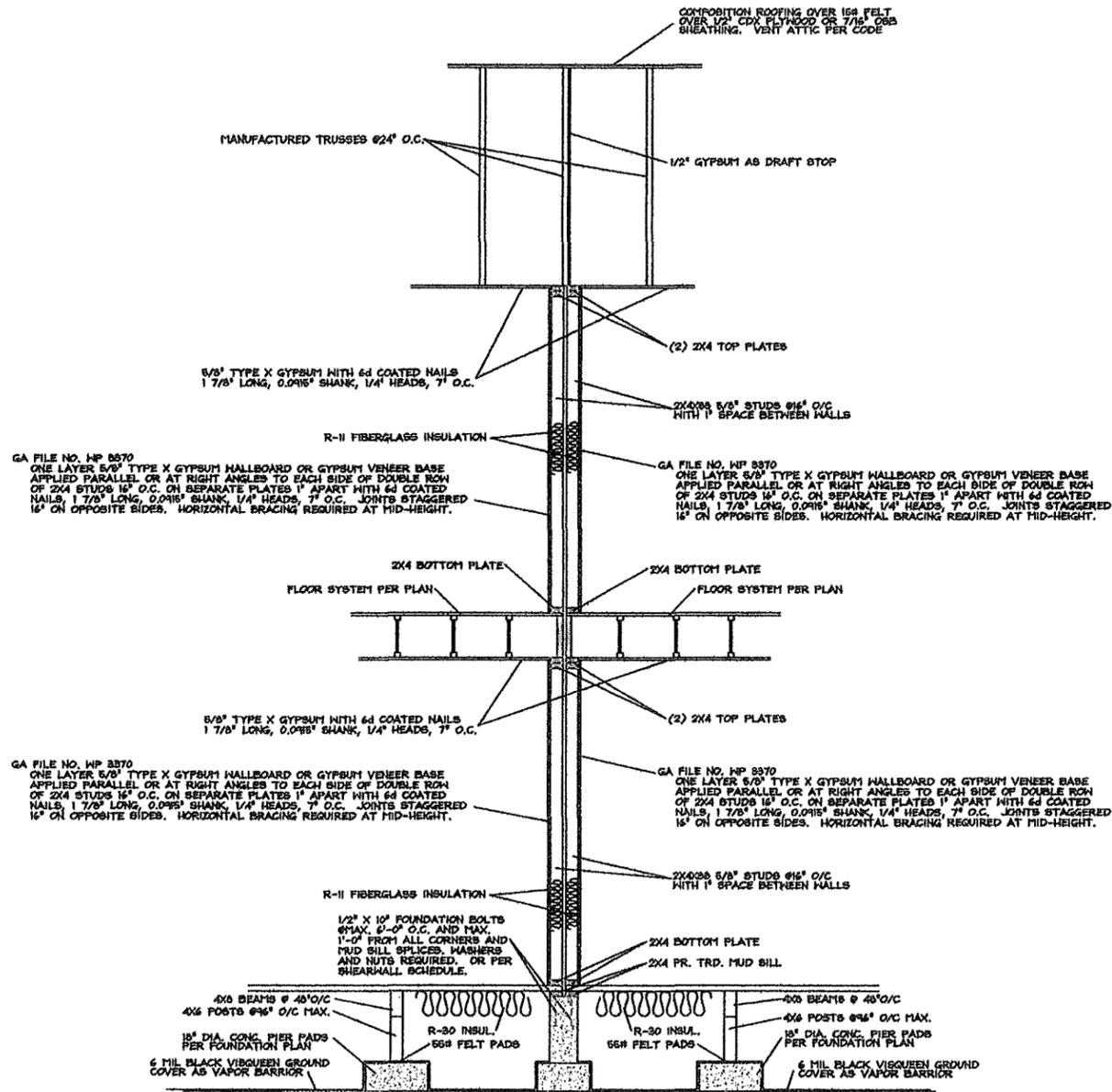
TYPICAL SECTIONS

F.W. STOVIN DESIGNER
503-393-2077
1610 WINTER ST. S.E. SALEM, OREGON 97302
EMAIL: fwsstovindesigner@gmail.com

DATE: 09/15/17
PLAN NO.: 17-9001
DRAWN BY: F.W.S.

DRAWING HALF SCALE
WHEN ON 11x17 SHEET

4
6



SECTION THRU COMMON/SOUND WALL
 SCALE: 1/2" = 1'-0"

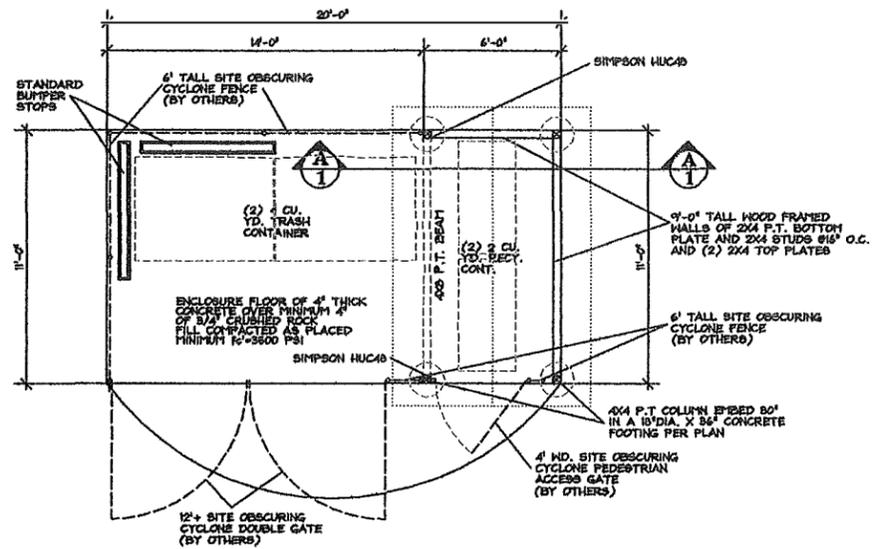
THIS DRAWING IS THE PROPERTY OF F.W. STOVIN DESIGNER. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. WITHOUT THE WRITTEN PERMISSION OF F.W. STOVIN DESIGNER.

COMMON WALL SECTION

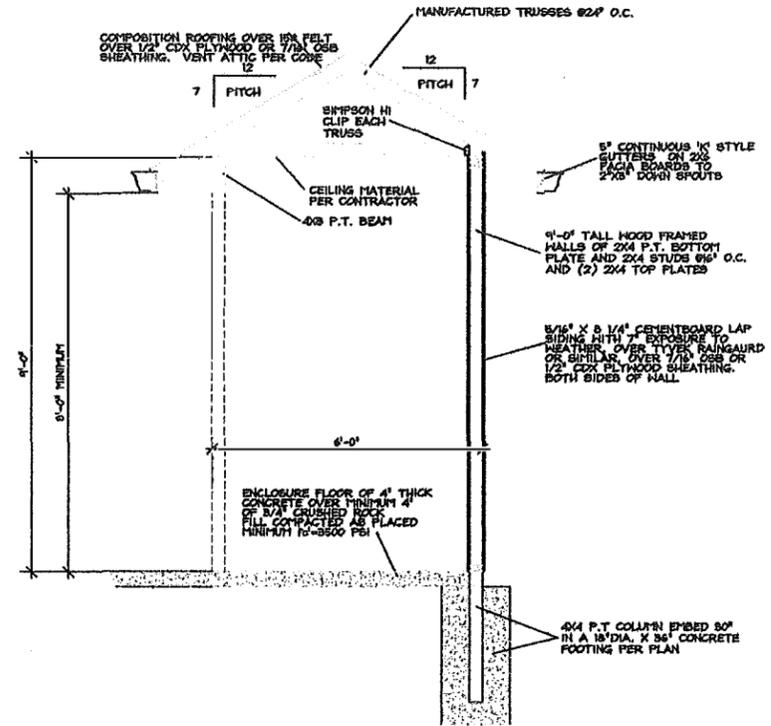
F.W. STOVIN DESIGNER
 503-398-2077
 1610 WINTER ST. S.E. SALEM, OREGON 97302
 EMAIL: fwestovindesigner@gmail.com

DATE: 03/15/17
 PLAN NO: 17-3001
 DRAWN BY: F.W.S.

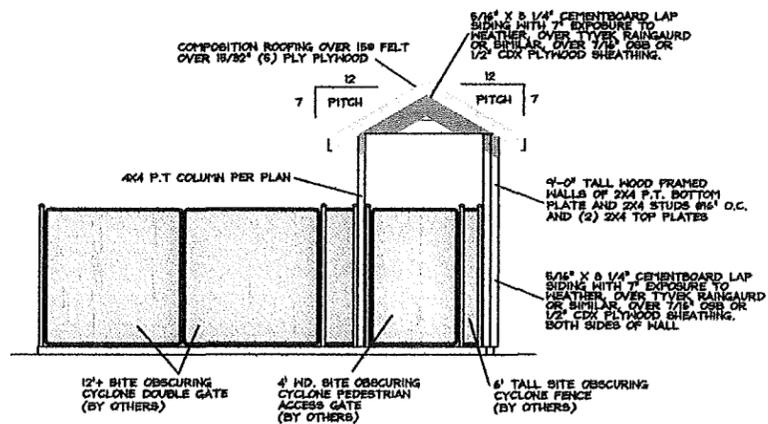
DRAWING HALF SCALE
 WHEN ON 11x17 SHEET



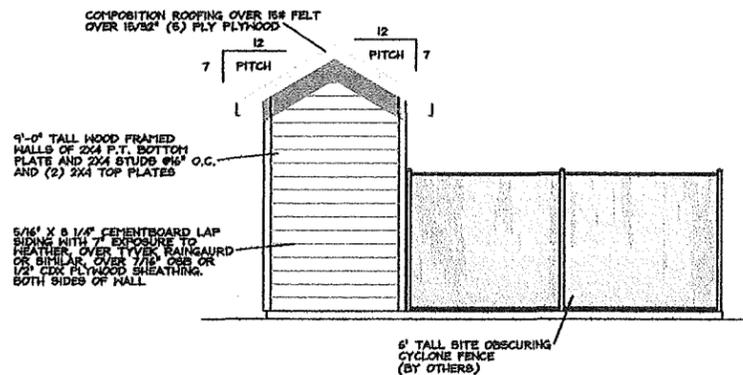
PLAN VIEW
1/4" = 1'-0"



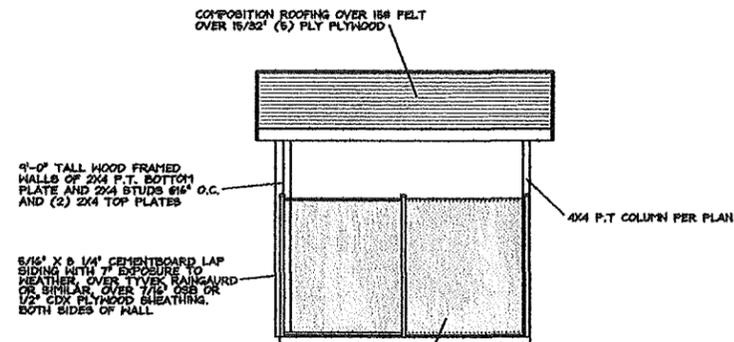
SECTION THRU
1/2" = 1'-0"



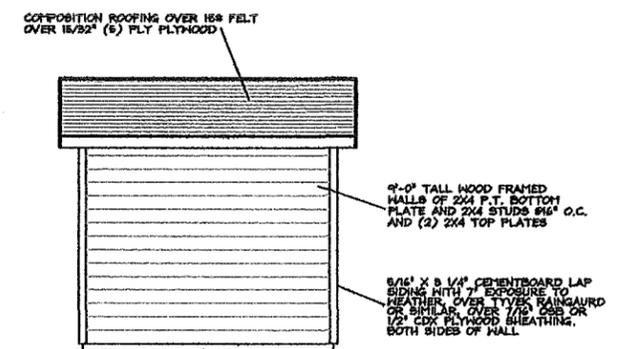
FRONT ELEVATION
1/4" = 1'-0"



REAR ELEVATION
1/4" = 1'-0"



LEFT ELEVATION
1/4" = 1'-0"



RIGHT ELEVATION
1/4" = 1'-0"

1. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK AND ALL APPLICABLE LOCAL ORDINANCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE. 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE. 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE. 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE. 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE. 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE.

TRASH ENCLOSURE

F.W. STOVIN DESIGNER
503-393-2077
1610 WINTER ST., S.E. SALEM, OREGON 97302
EMAIL: fwestovindesign@gmail.com

DATE: 09/28/17
PLAN NO.: 17-0000
DRAWN BY: F.W.S.

DRAWING HALF SCALE WHEN ON 11x17 SHEET

PROPOSAL

To construct a new 8-unit multi-family development on approximately 0.44 acres in size, zoned RM-II (Multi-Family Residential), and located at 3760 Hawthorne Ave NE- 97301.

RM-II (Multi-Family Residential) Development Standard SC514

Lot Standards:

Lot area is 19,510.80 this exceeds minimum lot area requirement of 6,000 square feet.

Density:

The 8 units proposed falls in the range of 6-13 units allowed for our property size.

Setbacks:

Proposed buildings meet all setbacks

East: No setback required.

West: ROW is 17' with 20' setback, we are applying for a case 2 adjustment to reduce setback to 16'

North: 10' building setback is proposed.

South: 5' to parking lot and small section 2'x40' does not meet 10' requirement; a Class 2 Adjustment is applied for.

Lot Coverage:

Proposed building coverage is 4325 square feet, well below $19,510.8/2 = 9755$ square feet.

Height:

Proposed building will be 25' high and max allowed is 50'.

Landscaping:

Proposed landscaping site plans shows landscaping in setbacks and Vehicle use areas that comply with standards.

Outdoor storage:

Proposed site plans shows fences screening outdoor storage areas from the street and adjacent properties with a 5-foot-high sight-obscuring fence on south and east side with a 6' wood fence on the north side.

Off-Street Parking, Loading, and Driveways SRC 806

Proposed site plan for the 8 units has 1.5 parking spaces per unit, for a total of 12. 9 of the spaces are Compact parking and 3 are standard this meets the standard of 75%. One of the standard is Handicap. We are unable to meet 10 feet setback of parking lot to north residential property and the 5 feet bed between the fire truck turn around and the buildings We are able to

do a 5 feet and a small section 2 feet by 40 feet setback for the north side of parking lot and we are also able 2.5 foot bed between the fire truck turn around and buildings we have applied for a Class 2 adjustment.

Interior Parking Lot Landscaping SRC 806.035

The off-street parking area is approximately 6,150 square feet in size, requiring a minimum of 307.5 square feet of interior parking lot landscaping. We have 314 square feet.

Landscaping and Screening SRC Chapter 807

Proposed landscaping site plans show landscaping that complies with the minimum of 1 plant unit per 20 square feet of landscap area. The plan also calls out a sprinkler system to maintain landscaping in a good condition. With planned care and maintenance, project will be neat and orderly in appearance.

Multiple Family Design Standards (SRC 702)

Common Open Space

32 percent of the gross site area is reserved as common open space; this exceeds the minimum required 30 percent.

Of the 6400 square feet of reserved common open space, 48 percent is located in the required perimeter setbacks of the development; this does not exceed the 50 percent maximum.

At the front of the proposed buildings is a common open space that is 20'x44' 880 square feet with no dimension less that 20 feet; this exceeds the required 500 square feet size.

Private Open Space

The proposed private open space at the rear of the units ground floor patios will be 8x12 which meets the standard 96 square feet required.

General Parking and Site Access

The proposed site plan shows a pedestrian pathway connecting the buildings, parking areas, and open spaces to the trash enclosure and to Hawthorne ave..

Due to the narrow and long dimensions of the property we can only provide a 6.7-foot separation between the pathway edge and the dwelling unit; the minimum required is 10 feet. We have applied for a Class 3 adjustment to this requirement.

The proposed site plan show chainlink fences on the east, south, and on the north property line a 6' wood fence. There is landscaping to provide buffering to parking areas and abutting properties, and the public street.

Building Mass and Facade Design

Due to the narrow and long dimensions of the property, we can not provide a varying 4-foot building setback. We have applied for a Class 3 adjustment to this requirement.

Recycling and General Development Standards-Solid Waste Service

The proposed site plans show a trash enclosure that will provide a covered area for a 2-yard dumpster as well as two recycling carts for glass and paper products.

Natural Resources

Trees:

There are no significant trees on the property, the lot square feet of 19,510.80 is less than the 20,000 square feet minimum ordinance.

Wetlands:

There are no wetlands or vegetation typical of wetlands on this property.

Landslide Hazard Susceptibility:

According to the City's landslide hazard susceptibility there is no risk.

Application for a Class 2 adjustment to reduce the minimum 10-foot setback for vehicle use to the abutting north residential zones property, to 5 feet and adjustment to reduce the required 5 feet bed between the fire truck turnaround and the building to two and a half foot and to reduce the west setback from 20' to 16'.

The purpose of the 10-foot setback is to create a buffer of sight and sound between the vehicle use and residential neighbor next door. The residence to the north has their driveway to the rear of their property against my north property line, residential has no required setback for vehicle use. I believe this 10-foot setback is equally met in the reduced 5-foot setback with 5-foot arborvitae planted every 2 feet for the 40 feet, blocking sight and sound for the north property home site. This barrier is further enhanced with the addition of a 6' wood fence. The rest of the 5-foot setback will be landscaped per plan with plants, trees and bark dust.

I believe the 5-foot setback will not have a negative effect on the livability or appearance. The green buffer created by the arborvitae and landscape, in combination with the fence, will enhance the privacy and create a better buffer to street noise over existing conditions.

The purpose of the required 5-foot setback between the driveway and building is to create a buffer for noise, traffic and buildings. In this case it is the fire truck turnaround that will also be used once a week for the garbage truck or in an emergency.

I believe since it will be used so infrequently that there will no impact on the livability of unit on either side of the turnaround.

The purpose of the 20-foot setback to to buffer the front unit from the street noise and lights.

I believe the reduction of this setback to 16 will not affect the livability of the front unit or the appearance of the property due to the proposed landscaping and trees planted in this setback

We are unable to meet all the minimum setbacks due to the narrow and long dimensions of the property. If we complied fully to all setbacks we would only be left with a building footprint of 14.5 feet. With that width it is very difficult to economically build to the minimum density of dwellings.

Application for Class 3 adjustment to SRC 702.035(d)(2)(B). We want to adjust the building from having a 4-foot variation in setbacks from the property line, to no 4-foot variation from the property line.

The purpose for the 4-foot variation of setbacks is for privacy and to breakup the old hotel-styled flat facade. I believe this criteria is equally met in several ways. The second floor of the proposed duplex structures is cantilevered 2 feet over the first floor which creates an interesting looking building, breaking up the facade. We also propose in the front a 3-foot by 6-foot high fence built out from the fire wall separating the units and in the rear a 10-foot by 6-foot high fence to the property line. The proposed building will have a 5-foot by 3-foot eyebrow porch attached to the cantilevered 2nd floor above the front door. This further breaks up the front facade and also creates a nice private and covered front door area.

Application for Class 3 adjustment to SRC 702.030(b)(2)(C). We want to adjust pathways connecting buildings from having a minimum distance 10 feet from the building, to having 6.7 feet.

The purpose for the 10 feet separation from the pathway is to help create privacy. I believe this criteria is equally met in the proposed fence in between each unit in the front and the landscaping proposed. The fence in the front will be 3 feet by 6 feet, centered on the fire wall separating the units. The landscaping is not a lawn area connecting the duplex front yard but individual landscaped areas.

Summary

We are unable to meet all the minimum setbacks due to the narrow and long dimensions of the property. If we complied fully to all setbacks and criteria, we would only be left with a building footprint of 14.5 feet. With that width it is very difficult to economically build to the minimum density of dwellings. A building with this footprint would require a 3-story building which would trigger a sprinkler system and access ramps. At this height the top floor of the building would also be exposed to freeway noise. This would also change the look of the neighborhood with a really tall building.

Aaron Panko

From: Joyce Judy <pacajoyce@sbcglobal.net>
Sent: Monday, November 06, 2017 3:07 PM
To: Angela Houck
Cc: Aaron Panko; 'Jason Cox'
Subject: RE: Correction - Hearing Notice - Case No. DR-SPR-ADJ-DAP17-05 for 3760 Hawthorne Ave NE

The house to the north is going to have a driveway and a parking lot to buffer the noise from the cars, yet I would still recommend that the setback remain at 5 feet. Not ideal, but better than the house to the south that is going to have patios right up next to their fence. Therefore, I would recommend that the setback to the South remain according to code at 5 feet.

The existing arborvitae is not likely to survive. Planting more is risky, because they grow rather slowly and need a lot of sun to do well. No one wants to wait 5 years to get a buffer. Also, they are not really a good long-term buffer.

I would recommend all the fencing be a more solid cedar fence as better option along with some relatively low landscaping. I would recommend that on both sides. Because the chain-link fence actually becomes harder to maintain as grass tends to get up in it. And they do not really block much light from the car lights. This would not be as quiet as the neighbors are used to, but it is better than if there were a single family house next door where the setback would be 5 feet.

Would the lots on either side be redeveloped to a higher density. A development can't restrict the development on an adjacent property. How would there be future development on those lots. Is there enough space for them to have a driveway access if they wanted to subdivide and put more houses on these deep lots? I am especially wondering about the grey house to the south. Will this development take away their opportunity to build? Does the RM property in need of providing access from their parking lot? Unusual, I know, but you can see that getting to the back of that lot might be very hard even with the house removed.

Thank you.

Joyce Judy
Northgate Neighborhood
Land Use Chair

From: Angela Houck [mailto:AHouck@cityofsalem.net]
Sent: Wednesday, November 01, 2017 1:02 PM
To: Angela Houck
Cc: Aaron Panko
Subject: Correction - Hearing Notice - Case No. DR-SPR-ADJ-DAP17-05 for 3760 Hawthorne Ave NE

Correction: The previous email stated the hearing being on November 7th; however, the correct date is November 21, 2017.

Good Afternoon,



DAVID FRIDENMAKER, Manager
Facility Rental, Planning, Property Services
3630 State Street, Bldg. C ● Salem, Oregon 97301-5316
503-399-3335 ● FAX: 503-375-7847

Christy Perry, Superintendent

October 24, 2017

Aaron Panko, Case Manager
Planning Division, City of Salem
555 Liberty Street SE, Room 305
Salem OR 97301

FAX No. 503-588-6005

RE: Land Use Activity
Salem Case No. DR-SPR-ADJ-DAP17-06, 3760 Hawthorne Ave NE

SUMMARY OF COMMENTS

School Assignment: Hallman Elementary School, Waldo Middle School, McKay High School
School Capacity: Sufficient school capacity currently exists to serve the proposed development at Waldo Middle School and does not currently exist at Hallman Elementary School and McKay High School
School Transportation Services: Students residing at the subject property location will be eligible for school transportation services to McKay High School, but not eligible and within the walk zone for Hallman Elementary School and Waldo Middle School.

Below is data and the District's comments regarding the proposed land use activity identified above. If you have questions, please call at (503) 399-3335.

ELEMENTARY SCHOOL INFORMATION (GRADES K TO 5)

1. School Name: Hallman Elementary School
2. Estimated change in student enrollment due to proposed development: 2
3. Current school capacity: 418
4. Estimate of school enrollment including new development: 428
5. Ratio of estimated school enrollment to total capacity including new development: 102%.
6. Walk Zone Review: Within walk zone of Elementary School.
7. Estimate of additional students due to previous 2016 land use applications: 37
8. Estimate of additional students due to previous 2017 land use applications: 0
9. Estimated cumulative impact of 2016-17 land use actions on school capacity: 111% of capacity.

MIDDLE SCHOOL INFORMATION (GRADES 6 TO 8)

1. School Name: Waldo Middle School
2. Estimated change in student enrollment due to proposed development: 1
3. Current school capacity: 1,160
4. Estimate of school enrollment including new development: 1,033
5. Ratio of estimated school enrollment to total capacity including new development: 89%
6. Walk Zone Review: Within walk zone of Middle School.
7. Estimate of additional students due to previous 2016 land use applications: 17

8. Estimate of additional students due to previous 2017 land use applications: 10
9. Estimated cumulative impact of 2016-17 land use actions on school capacity: 91% of capacity.

HIGH SCHOOL INFORMATION (GRADES 9 TO 12)

1. School Name: McKay High School
2. Estimated change in student enrollment due to proposed development: 1
3. Current school capacity: 2,325
4. Estimate of school enrollment including new development: 2,420
5. Ratio of estimated school enrollment to total capacity including new development: 104%
6. Walk Zone Review: Eligible for transportation to High School.
7. Estimate of additional students due to previous 2016 land use applications: 26
8. Estimate of additional students due to previous 2017 land use applications: 11
9. Estimated cumulative impact of 2016-17 land use actions on school capacity: 106% of capacity.

ESTIMATE SUMMARY (GRADES K TO 12):

1. Total estimated change in student enrollment: 4
2. Total estimated student enrollment over capacity: 3
3. Total estimated capital costs for new schools for new school capacity: \$148,051

Developer should provide paved walk route(s) to allow pedestrian access and bicycle access to school(s) from all residences within the new development and should provide all improvements required by the City of Salem where new transportation routes are established or existing transportation routes change, such as school flashers, crosswalks, and signage. As per ORS 195.115, when the walk zone review indicates "eligible for transportation due to hazard" the District requests that the City initiate a planning process with the District to identify the barriers and hazards to children walking or bicycling to and from school, determine if the hazards can be eliminated by physical or policy changes and include the hazard elimination in the City's planning and budgeting process.

ASSUMPTIONS:

1. When land use request is granted, 8 new residence(s) will be built.
2. Estimates are computed using the Student Rate per Dwelling Method found in a report, Student Density by Housing Type, A Study of the Salem-Keizer Area Prepared for Salem-Keizer School District, by Mid-Willamette Valley Council of Governments, dated December 2014.
3. In our region, the median costs for new schools are \$50,831 per student for elementary schools, \$54,625 per student for middle schools and \$46,389 per student for high schools.¹

Sincerely,



David Fridenmaker, Manager
Planning and Property Services

- c: Mike Wolfe, Chief Operations Officer
David Hughes, Manager – Custodial, Property and Auxiliary Services
William White, Manager - Risk Management
Michael Shields, Director of Transportation

¹ Paul Abramson, 20th Annual School Construction Report, *School Planning & Management*, Feb. 2015