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

DECISION OF THE PLANNING COMMISSION

CLASS 3 DESIGN REVIEW / CLASS 3 SITE PLAN REVIEW / CLASS 2 ADJUSTMENT / CLASS 1 ADJUSTMENT / CLASS 2 DRIVEWAY APPROACH PERMIT CASE NO. DR-SPR-ADJ-DAP16-02

APPLICATION NOS.: 16-111406-DR, 16-111407-RP, 16-111408-ZO &

16-113884-ZO

NOTICE OF DECISION DATE: SEPTEMBER 9, 2016

APPLICATION SUMMARY: A request for a Design Review, Site Plan Review, Adjustments, Driveway Approach Permit with adjustments to street setbacks, side vehicle use area setbacks, and number of driveways from property to Red Leaf Drive S to allow a 127-unit multi-family use on the subject property.

REQUEST: A consolidated Class 3 Design Review, Class 3 Site Plan Review, Class 2 Driveway Approach Permit to allow development of a 127-unit apartment complex with the following Adjustments:

1. Class 2 adjustment to:

- a. Reduce the street setback from 20 feet, pursuant to SRC 514-4 to:
 - i. 18 feet for Bldg 3
 - ii. 13.53 feet for Bldg 7
 - iii. 15 feet for Bldg 8
 - iv. 10 feet for Bldg 9
 - v. 10 feet for Bldg 10
- b. Increase the number of driveway approaches allowed to Red Leaf Drive S from the eastern and western portions of the proposed development from a maximum of one, pursuant to SRC 804.030(a), to five driveways and one private street.
- 2. A Class 1 Adjustment to reduce side yard vehicle use area setback from 10 feet to 8 feet.

APPLICANT: RESERVE AT RED LEAF LLC (GREG HUSTON, TODD WOODLEY, STEPHEN FLETT)

LOCATION: 5710 RED LEAF DR S / 97306

CRITERIA: Class 3 Design Review: SRC 220.005(f)(3)

Class 3 Site Plan Review: 220.005(f)(3)

Class 1 & 2 Zoning Adjustment: 250.005(d)(2) Class 2 Driveway Approach Permit: 804.025(d)

FINDINGS: The findings are listed in the attached staff report.

DECISION: The Planning Commission GRANTED Class 3 Design Review / Class 3

Site Plan Review / Class 2 Adjustment / Class 1 Adjustment / Class 2 Driveway Approach Permit Case No. DR-SPR-ADJ-DAP16-02, amended as follows:

- **Condition 1.** The slope of the children's play area shall not be greater than 4:1.
- Condition 2: A minimum 30-inch tall fence with latching gate shall be installed around the perimeter of the proposed outdoor children's play areas.
- **Condition 3:** A minimum 6-foot sight-obscuring wood fence or wall shall be installed abutting RA zoned property.
- Condition 4: A minimum of 2 plant units, as set forth in SRC Chapter 807, Table 807-2, shall be provided adjacent to the primary entry way of each dwelling unit, or combination of dwelling units.
- **Condition 5:** Shrubs shall be planted around the perimeter of the proposed buildings at a minimum density of 1 plant unit per 15 linear feet of exterior building wall.
- **Condition 6:** Additional trees shall be planted around the perimeters of Buildings 3, 4, and 5 as follows:
 - a) <u>Building No. 3:</u> Seven additional trees shall be planted adjacent to the west side of the building.
 - b) <u>Building No. 4:</u> Five additional trees shall be planted adjacent to the west side of the building.
 - c) <u>Building No. 5:</u> Eight additional trees shall be planted adjacent to the west side of the building.
- Condition 7: Buildings 1, 6, and 13 shall be revised to incorporate additional windows as follows:
 - a) <u>Building No. 1:</u> Windows shall be provided on the northern and southern façades of the building within the bedrooms on each floor.
 - b) <u>Building No. 6:</u> Windows shall be provided on the northern and southern façades of the building within the bedrooms on each floor.
 - c) <u>Building No. 13:</u> Windows shall be provided on the western and eastern façades of the building within the bedrooms on each floor.
- Condition § 7: A minimum on-site 5-foot paved pedestrian pathway shall be provided to connect Buildings 10, 11, 12, and 13 to the play area on the east side of the property.
- Condition 9 8: The proposed buildings shall be revised to provide additional contrast and distinction between the ground floor and upper floor facades by incorporating one or more of the following:
 - a) Vertically oriented lap siding, or horizontally oriented lap siding that is wider than that provided on the upper floor facades, that is painted a different color than the upper floor facades; or

- b) A siding material different from that used in the other portions of the building facades.
- Condition 49 9: At time of building permit approval, Building 4 shall have an architectural defined and covered entryway.
- Condition 44 10: A minimum on-site 5-foot paved pedestrian pathway shall be provided to connect Buildings 10, 11, 12, and 13 to the trash enclosure on the east side of the property.

CLASS 3 SITE PLAN REVIEW

- **Condition 1:** All trash/recycling areas shall conform to the solid waste service area standards of SRC 800.055.
- **Condition 2:** A minimum of two loading space meeting the requirements of SRC Chapter 806 shall be provided within the development.
- Condition 3: The boundary street requirements of UGA 09-06 shall be implemented:

 a. Condition 1: Along the entire frontage of Davis Road S, construct a 17foot half-width improvement on the development side of the centerline.
 - b. Condition 2: Along the existing Red Leaf Drive S right-of-way within the subject property, construct a 34-foot-wide full street improvement to collector street standards.
- **Condition 4:** A minimum 35-foot-wide access easement along Reserve Lane Private Way shall be recorded at time of building permit final.
- **Condition 5:** The structural section for Reserve Lane Private Way shall meet local street standards.
- **Condition 6:** No parking shall be allowed within the private street unless it is constructed to a local street standard of 30 feet wide.
- **Condition 7:** Two pedestrian parking area crossings shall be provided to connect the sidewalk adjacent the following buildings:
 - a. Building 1 and Building 2; andb. Building 5 and Building 6.
- **Condition 8:** A minimum 5-foot-wide paved sidewalk shall be provided in the following locations:
 - a. Along the south side of the parking lot between Building 10 and Building 11.
 - b. Along the east side of the parking lots on the east side of Buildings 8 and 9.

- Condition 9 8: The storm, sewer, and water requirements of UGA 09-06 shall be implemented:
 - a. Storm Drainage Condition 1: Connect to the existing 18-inch storm main in the Davis/Red Leaf intersection.
 - b. Water Condition 1: Pay a temporary access fee as specified in the Temporary Facilities Access Agreement.
 - c. Sewer Condition 1: Connect to the existing 8-inch sewer main in the Davis/Red Leaf intersection.
- Condition 49 9: City infrastructure shall be designed and constructed according to current PWDS.
- Condition 44 10: Partially-constructed infrastructure existing on the property has not been accepted by the City and must comply with current standards prior to acceptance.
- Condition 42 11: Construction plans shall be approved and secured per SRC Chapter 77 prior to building permit issuance, and the improvements shall be completed and accepted to the satisfaction of the Public Works Director prior to occupancy.
- Condition 43 12: Stormwater flow control facilities shall be constructed to mitigate all new impervious surfaces and stormwater treatment facilities to mitigate new impervious surfaces outside the right-of-way in compliance with PWDS.
- Condition 44 13: Pursuant to PWDS Appendix 4E.8, green stormwater infrastructure (GSI) shall be used to mitigate no less than 50 percent of the impervious surfaces located outside the right-of-way.
- Condition 45 14: Building 8 shall be constructed with a first floor no higher than elevation 630 to be served from the S-3 service level, or obtain Public Works Director's approval for a booster pump pursuant to SRC 72.103.

CLASS 2 DRIVEWAY APPROACH PERMIT

Condition 1: A minimum 280 foot sight distance along Red Leaf Drive shall be provided at the connection of the private street.

VOTE:

Yes 8 No 0 Absent 1 (Palmateer)

Rich Fry, President

Salem Planning Commission

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

Class 3 Design Review: September 27, 2018
Class 3 Site Plan Review: September 27, 2020
Class 2 Adjustment: September 27, 2018
Class 1 Adjustment: September 27, 2018
Class 2 Driveway Approach Permit: September 27, 2018

Application Deemed Complete:
Public Hearing Date:
Notice of Decision Mailing Date:
Decision Effective Date:
State Mandate Date:

August 2, 2016
September 6, 2016
September 9, 2016
September 27, 2016
November 30, 2016

Case Manager: Amy Dixon, adixon@cityofsalem.net

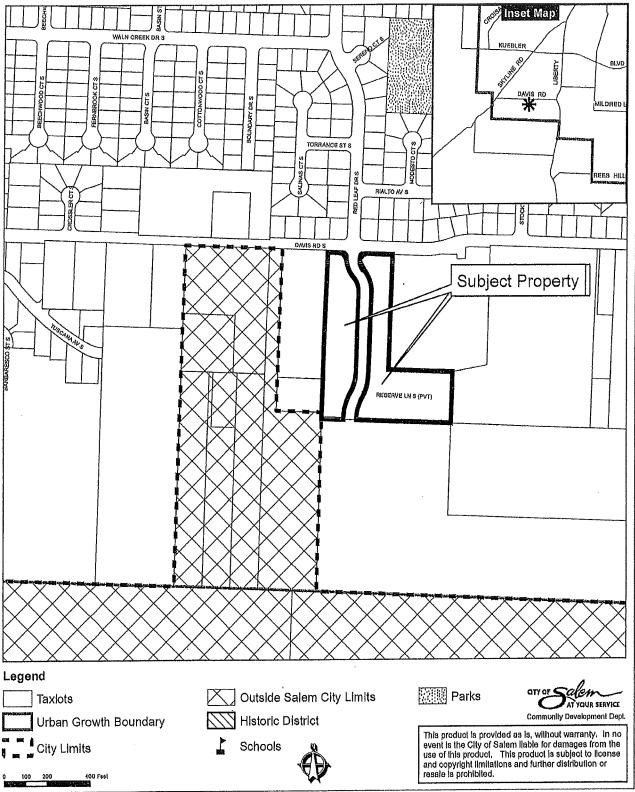
This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, **no later than 5:00 p.m.**, **SEPTEMBER 26**, **2016**. Any person who presented evidence or testimony at the hearing may appeal the 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 in SRC Chapters 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

G:\CD\PLANNING\CASE APPLICATION FILES 2011-On\DESIGN REVIEW\2016\1 - Case Processing Documents\DR-SPR-ADJ-DAP16-02 - 1700 Blk Davis Rd & 5700 Blk Red Leaf Dr S (Amy)\16-02 Notice of Decision.docx

Vicinity Map 5700 Block of Red Leaf Drive S Tax Lot # 083W16C 00201



FOR MEETING OF: September 6, 2016

AGENDA ITEM NO.: 6.1

TO:

Planning Commission

FROM:

Lisa Anderson-Ogilvie, AICP, Planning Administrator

STAFF:

Amy J. Dixon, Planner II

HEARING DATE:

September 6, 2016

APPLICATION

Summary: A request for a Design Review, Site Plan Review, Adjustments, Driveway Approach Permit with adjustments to street setbacks, side vehicle use area setbacks, and number of driveways from property to Red Leaf Drive S to allow a 127-unit multi-family use on the subject property.

Request: A consolidated Class 3 Design Review, Class 3 Site Plan Review, Class 2 Adjustment, Class 1 Adjustment, and Class 2 Driveway Approach Permit to allow development of a 127-unit apartment complex.

The Class 1 and Class 2 Adjustments include the following:

- 1. Class 2 adjustment to:
 - a. Reduce the street setback from 20 feet, pursuant to SRC 514-4 to:
 - i. 18 feet for Bldg 3
 - ii. 13.53 feet for Bldg 7
 - iii. 15 feet for Bldg 8
 - iv. 10 feet for Bldg 9
 - v. 10 feet for Bldg 10
 - b. Increase the number of driveway approaches allowed to Red Leaf Drive S from the eastern and western portions of the proposed development from a maximum of one, pursuant to SRC 804.030(a), to five driveways and one private street.
- 2. A Class 1 Adjustment to reduce side yard vehicle use area setback from 10 feet to 8 feet.

LOCATION:

1700 Block of Davis Road S and 5700 Block of Red Leaf Drive S

SIZE:

Approximately 5.9 acres – Attachment A

APPLICANT:

Todd Woodley

OWNER:

Reserve At Red Leaf LLC

APPROVAL CRITERIA:

- 1. Class 3 Design Review: SRC 225.005(e)(2)
- 2. Class 3 Site Plan Review: SRC 220.005(f)(3)
- 3. Class 2 Driveway Approach Permit: SRC 804.025(d)

- 4. Class 2 Adjustment: SRC 250.005(d)(2)
- 5. Class 1 Adjustment: SRC 250.005(d)(1)

RECOMMENDATION: APPROVE Class 3 Design Review, Class 3 Site Plan Review, Class 2 Adjustment, Class 1 Adjustment, and Class 2 Driveway Approach Permit, Subject to the following conditions:

CLASS 3 DESIGN REVIEW

- **Condition 1.** The slope of the children's play area shall not be greater than 4:1.
- **Condition 2:** A minimum 30-inch tall fence with latching gate shall be installed around the perimeter of the proposed outdoor children's play areas.
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 - c) <u>Building No. 13:</u> Windows shall be provided on the western and eastern façades of the building within the bedrooms on each floor.
- Condition 8: A minimum on-site 5-foot paved pedestrian pathway shall be provided to connect Buildings 10, 11, 12, and 13 to the play area on the east side of the property.

- Condition 9: The proposed buildings shall be revised to provide additional contrast and distinction between the ground floor and upper floor facades by incorporating one or more of the following:
 - a) Vertically oriented lap siding, or horizontally oriented lap siding that is wider than that provided on the upper floor facades, that is painted a different color than the upper floor facades; or
 - b) A siding material different from that used in the other portions of the building facades.
- **Condition 10:** At time of building permit approval, Building 4 shall have an architectural defined and covered entryway.
- Condition 11: A minimum on-site 5-foot paved pedestrian pathway shall be provided to connect Buildings 10, 11, 12, and 13 to the trash enclosure on the east side of the property.

CLASS 3 SITE PLAN REVIEW

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 - b. Condition 2: Along the existing Red Leaf Drive S right-of-way within the subject property, construct a 34-foot-wide full street improvement to collector street standards.
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 - b. Building 5 and Building 6.

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 - Along the south side of the parking lot between Building 10 and Building 11.
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- Condition 14: Pursuant to PWDS Appendix 4E.8, green stormwater infrastructure (GSI) shall be used to mitigate no less than 50 percent of the impervious surfaces located outside the right-of-way.
- Condition 15: Building 8 shall be constructed with a first floor no higher than elevation 630 to be served from the S-3 service level, or obtain Public Works Director's approval for a booster pump pursuant to SRC 72.103.

CLASS 2 DRIVEWAY APPROACH PERMIT

Condition 1: A minimum 280 foot sight distance along Red Leaf Drive shall be provided at the connection of the private street.

PROCEDURAL FINDINGS

On June 17, 2016, Todd Woodley, on behalf of the applicant, Reserve At Red Leaf LLC, filed an application for a Class 3 Design Review, Class 3 Site Plan Review, Class 2 Driveway Approach Permit, Class 2 Adjustment, and Class 1 Adjustment to allow for the development of a proposed 127-unit multiple family development on an approximate 5.9 acre portion of the property located at 1700 Block of Davis Road S and 5700 Block of Red Leaf Drive S.

Because multiple land use applications are required in connection with the proposed development, the applicant, pursuant to SRC 300.120(c), chose to consolidate the applications and process them together as one. When multiple applications are consolidated, the review process for the application shall follow the highest numbered procedure type required for the land use applications involved, and the Review Authority for the application shall be the highest applicable Review Authority under the highest numbered procedure type for the land use applications involved.

Based upon these requirements, the proposed consolidated application is required to be processed as a Type III procedure and reviewed by the Planning Commission.

After additional requested information was provided by the applicant, the application was deemed complete for processing on July 25, 2016.

Notice to surrounding property owners was mailed pursuant to SRC requirements on August 17, 2016. Notice was also posted on the subject property by the applicant's representative pursuant to SRC requirements on August 24, 2016.

The public hearing on the proposed Class 3 Design Review, Class 3 Site Plan Review, Class 2 Driveway Approach Permit, Class 2 Adjustment, and Class 1 Adjustment application is scheduled for September 6, 2016. The state-mandated 120-day local decision deadline for the application is November 30, 2016.

BACKGROUND/PROPOSAL

The proposed multiple family development will be located on 5.9 acre property located at 1700 Block of Davis Road S and 5700 Block of Red Leaf Drive S. (Attachment A).

The applicant proposes development of the subject property as an 127-unit multiple family development with 74 dwelling units and parking located on the eastern side of the proposed extension of Red Leaf Drive S and 53 dwelling units and parking located on the western side of the proposed extension of Red Leaf Drive S (Attachment B).

The proposed development requires the following land use approvals for the proposed 127-unit multiple family development:

1) A Class 3 Design Review

- 2) A Class 3 Site Plan Review
- 3) A Class 2 Driveway Approach Permit to allow driveway access from the proposed development to the proposed extension of Red Leaf Drive S; and
- 4) A Class 2 Adjustment to:
 - a. Reduce the street setback from 20 feet, pursuant to SRC 514-4 to:
 - i. 18 feet for Bldg 3
 - ii. 13.53 feet for Bldg 7
 - iii. 15 feet for Bldg 8
 - iv. 10 feet for Bldg 9
 - v. 10 feet for Bldg 10
 - b. Increase the number of driveway approaches allowed to Red Leaf Drive S from the eastern and western portions of the proposed development from a maximum of one, pursuant to SRC 804.030(a), to five driveways and one private street.
- 5) A Class 1 Adjustment to reduce side yard vehicle use area setback from 10 feet to 8 feet.

Prior to filing the proposed application, Urban Growth Preliminary Declaration UGA09-06 was previously approved for the subject property. (Attachment C)

SUBSTANTIVE FINDINGS

1. Salem Area Comprehensive Plan (SACP)

<u>Comprehensive Plan Map:</u> The Salem Area Comprehensive Plan Map designates the subject property as "Multi-Family Residential".

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

Pursuant to SRC 200.020(a), an Urban Growth Preliminary Declaration is required when a development is located outside the Urban Service Area boundary, or when a development is located inside the Urban Service Area boundary but development precedes City construction of required facilities. On July 7, 2009, Urban Growth Preliminary Declaration Case No. UGA09-06 was approved for the subject property identifying a requirements for the applicant. (Attachment C).

2. Zoning

The subject property is zoned RM-II (Multi-Family Residential). Zoning of surrounding properties includes:

North: Across Davis Rd S, RS (Single Family Residential);

South RA (Residential Agriculture);

East: RM-II (Multi-Family Residential);

West: RM-II (Multi-Family Residential).

3. Natural Features

Trees: The City's tree preservation ordinance (SRC Chapter 808) protects Heritage Trees, Significant Trees (including Oregon White Oaks with diameter-at-breast-height of 24 inches or greater), trees and native vegetation in riparian corridors, and trees on lots and parcels greater than 20,000 square feet. 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."

Under the City's tree preservation ordinance, pursuant to SRC 808.035(a), tree conservation plans are required in conjunction with development proposals involving the creation of lots or parcels to be used for the construction of single family or duplex dwelling units, if the development proposal will result in the removal of trees.

There no trees present on the subject property. Because the proposal does not involve the creation of lots or parcels to be used for the construction of single family or duplex dwelling units, a tree conservation plan is not required in conjunction with the proposed development.

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 requires notice to DSL for applications for development or land use in areas designated as wetlands on the official wetlands map. The Salem-Keizer Local Wetland Inventory (LWI) does not identify any mapped wetlands or waterways on the subject property. There is, however, a band of hydric/wetland type soils running north-south through the southern portion of the proposed multiple family development.

Because no mapped wetlands are currently identified on the subject property, SRC Chapter 809 does not specify any additional requirements as a condition of development. The applicant is advised to coordinate any required wetland delineations with DSL.

Landslide Susceptibility: 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. According to the City's adopted landslide hazard susceptibility maps, the subject property is mapped with area of 2 landslide hazard susceptibility points. There are 2 activity points associated with the multiple family building permits. Pursuant to the requirements of SRC 810.025, the cumulative total of 4 points between those associated with the land and those associated with the proposed development activity indicates a low landslide risk and therefore a geologic assessment or geotechnical report is not required in conjunction with the proposed development.

4. Neighborhood Association Comments

The subject property is located within the Sunnyslope Neighborhood Association. Sunnyslope NA submitted comments with concerns regarding traffic impact, flooding of properties downstream, and development of parks in the area. (Attachment E)

Staff Response: The traffic impact and stormwater mitigation will be evaluated and addressed in Section 9 of this report. Development of Secor Park is identified in the Park Master Plan. Park development is based on prioritization criteria listed in the master plan.

5. Public Comments

Notice of the proposal was mailed to property owners within 250 feet of the subject property on August 17, 2016. As of the date of completing this staff report, no comment from an abutting property owner were received.

6. City Department Comments

A. The Salem Fire Department reviewed the proposal and indicated that they have no comments regarding the proposal, but will have requirements when plans are submitted for building permits regarding fire department access and water supply, fire lanes, fire sprinklers and alarms, etc. Plans do not indicate fire sprinklers. The sprinkler and access requirements for developments of this size are listed below:

MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS
D106.1 Projects having more than 100 dwelling units. Multiple-family
residential projects having more than 100 dwelling units shall be equipped
throughout with two separate and approved fire apparatus access roads.

Exception: Projects having up to 200 dwelling units may have a single approved fire apparatus access road when all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or 903.3.1.2.

B. The Public Works Department reviewed the proposal and provided comments regarding street and City utility improvements required to serve the development

and recommended conditions of approval to ensure conformance with the applicable requirements of the SRC. Comments from the Public Works Department are included as **Attachment D**.

C. Building and Safety reviewed the proposal and indicated that they have no comments regarding the proposal.

7. Applicant Submittal Information

Land use applications must include a written statement addressing the applicable approval criteria and be supported by proof they conform to all applicable standards and criteria of the Salem Revised Code. The written statement provided by the applicant addressing the applicable application approval criteria is include as **Attachment F** to this staff report. Staff utilized the information from the applicant's written statement to help evaluate the proposal and formulate the facts and findings within the staff report.

FINDINGS ADDRESSING APPLICABLE SALEM REVISED CODE APPROVAL CRITERIA FOR CLASS 3 DESIGN REVIEW

8. CLASS 3 DESIGN REVIEW APPROVAL CRITERIA

Salem Revised Code (SRC) 225.005(e)(2) sets forth the criteria that must be met before approval can be granted to an application for Class 3 Design Review. Pursuant to SRC 225.005(e)(2) an application for a Class 3 Design Review shall be approved if all of the applicable design review guidelines are met.

The applicable design review guidelines for multiple family developments are included under SRC Chapter 702 (Multiple Family Design Review Guidelines and Standards), specifically SRC 702.015 through SRC 702.040. The following subsections are organized with the multiple family design review guideline shown in **bold italic**, followed by findings evaluating the proposal for conformance with the design review guideline. Lack of compliance with the following design review guidelines is grounds for denial of the Class 3 Design Review application, or for the issuance of certain conditions to ensure the multiple family design review guidelines are met.

Open Space (SRC 702.015)

- Common Open Space (SRC 702.015(b)(1)):
 - (A) A variety of open space areas of sufficient size shall be provided for use by all residents.

Finding: SRC 111.015(k) defines common open space as:

"Open area intended for shared use and enjoyment in a development. Common open space includes landscaping, walkways, play areas, swimming pools, roof gardens, or other open areas which provide active or passive recreational or visual amenities for residents. Common open space does not include parking areas, streets, or other areas designed for motor vehicle circulation or storage."

The applicant's written statement **(Attachment F)** and site plan indicates that the minimum open space area (landscaped area) for the proposed development is 40% common open space on the site. The subject property is 254,229 (5.9 acres/net area) square feet in size with 99,161 square feet of landscaped open space. Therefore, totaling 39% open space.

As indicated in the written statement provided by the applicant, approximately 40 percent of the development site will be open space. Open space is provided around and between buildings, along the perimeter of the development within required setbacks, play area, and recreation building. The proposed development conforms to this design guideline.

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

Finding: As shown on the proposed site plan, the proposed development includes an approximate 2,480 square-foot fenced play area within the eastern portion of the development located to the east of Building No. 10. As indicated in the applicant's written statement **(Attachment F)**, landscaped open space areas are located throughout the site. The proposed development conforms to this design guideline.

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

Finding: As indicated in the applicant's written statement **(Attachment F)** and shown on the site plan, out of the total of 101,365 square feet of common open space included within the development, approximately 48,486 square feet (48 percent) of the common open space is located within the perimeter setback areas of the development and approximately 52,879 square feet of open space is located outside of required perimeter setbacks. The majority of the common open area included within the development is located between buildings and throughout the site. The proposed development conforms to this design guideline.

Children's Play Areas and Adult Recreation Areas (SRC 702.015(c)(1)): (A) A variety of common open area opportunities shall be provided for enjoyment by all residents.

Finding: The applicant's written statement **(Attachment F)** and the site plans indicates that the proposed development provides 2,480 square feet of children's play area in the east portion of the development and 1,431 square feet of recreation area within the Recreation/Manager Building in the western portion of the proposed development along with open space around the buildings and on the perimeter of the property. The proposed development conforms to this design guideline.

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

Finding: The proposed development currently includes one children's play area within the east portion of the development located to the west of Building No. 9 and a recreation building on the west portion of the development.

The proposed development conforms to this design guideline.

(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: The proposed development currently includes one children's play area within the eastern portion of the development located to the west of Building No. 9. No children's play area is proposed within the western portion of the development.

The applicants grading plan indicates the children's play is located in a sloped area. The corresponding standard to this guideline limits the slope to 4:1 or less

The applicant's site plan indicates a barrier. Although the plans do not indicate the details of the barrier. The corresponding design standard to this design guideline requires that a minimum 30-inch tall fence shall be installed to separate outdoor children's play areas from any parking lot, drive aisle, or street. Due to the use being a children's play area, the proximity of parking, driveways, and a private street to the proposed play areas, the following conditions of approval is recommended to ensure that safety is incorporated into their design as required by this design guideline:

- **Condition 1.** The slope of the children's play area shall not be greater than 4:1.
- Condition 2: A minimum 30-inch tall fence with latching gate shall be installed around the perimeter of the proposed outdoor children's play areas within the eastern and western portions of the subject property.

The development, as proposed to be conditioned, conforms to this design guideline.

Private Open Space (SRC 702.015(d)(1)):

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

Finding: As indicated in the applicant's written statement (Attachment F),

each dwelling unit will have private open space as required by code. Ground floor units will have patio areas that are 96 square feet in size, with no dimension less than 6 feet. All second and third story units will have balconies/decks that are a minimum 48 square feet in size.

Staff concurs with the findings included within the applicant's written statement. Each dwelling unit within the development includes private open space in the form of either a patio for ground floor units or a balcony for upper-story units. The private open space provided within the proposed development conforms to this design guideline.

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

Finding: As indicated in the applicant's statement (**Attachment F**), proposed private open space areas are located contiguous to the dwelling units. Because private open space areas in the form of patios and balconies are provided for each dwelling unit within the development, and because the patios and balconies are directly accessible from the interiors of the dwelling units via a doorway, the proposed private open space areas conform to this design guideline.

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

Finding: As indicated in the applicant's written statement **(Attachment F)** and shown on the elevations for the proposed apartment buildings, private open space areas for ground floor dwelling units are proposed to be separated from adjacent common open space through use of 4-foot to 6-foot tall wood fencing.

Because fencing is utilized to screen proposed private open space areas from common open space areas, a visual buffer between the two types of open space areas is provided. The proposed development conforms to this design guideline.

Landscaping (SRC 702.020)

- General Landscaping (SRC 702.020(b)(1)):
 - (A) A variety of tree types shall be distributed throughout the site to maximize tree canopy.

Finding: As indicated on the landscape plans for the proposed development, a variety of deciduous canopy and columnar trees will be distributed throughout the site to maximize tree canopy as required by this design guideline. Trees proposed to be planted include red maple, blaze maple, flowering cherry, and flowering pear.

Trees included within the development are proposed to be planted throughout the site around the perimeter of the proposed buildings and within

the interior and around the perimeter of the proposed parking areas. The proposed development conforms to this design guideline.

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

Finding: The overall number of trees proposed to be provided, their distribution throughout the site, their placement around the perimeter of buildings, and their placement within and around the perimeter of parking areas will help to shield the property form winter winds and summer sun. The proposed development conforms to this design guideline.

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

Finding: There are no existing trees present on the subject property as indicated in the applicant's written statement **(Attachment F)**. The proposed development conforms to this design guideline.

(D) Where a development site abuts property zoned Residential Agricultural (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 abut RA (Residential Agriculture) zoned land to the south.

As shown on the site plan, the buildings are place further from the south property line than required. The greater setback area will create a landscape buffer between the development and the RA zoned property. As for the screening, the corresponding design standard to this design guideline requires a minimum 6-foot tall sight-obscuring fence or wall. But it does not allow a chain link fence with slates to satisfy the screening requirement. Due to the need to protect the RA zoned property, the following condition of approval is recommended:

Condition 3: A minimum 6-foot sight-obscuring wood fence or wall shall be installed abutting RA zoned property.

Street Frontage (SRC 702.020(c)(1)):

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

Finding: As shown on the landscape plans for the proposed development, trees are proposed to be planted along the perimeter of the subject property within and along the right-of-way of Red Leaf Drive S. The trees proposed to be planted within and along the Red Leaf Drive S right-of-way will enhance the residential character of the site and ensure conformance with this

requirement. The proposed development conforms to this design guideline.

Building Exteriors (SRC 702.020(d)(1)):

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

Finding: The corresponding design standards to this design guideline require plant units to be provided adjacent to the primary entryways of buildings and around the perimeter of buildings. In order to evaluate conformance with these design review requirements, specific numbers of plant units need to be identified on landscape plans to know how many and what types of plant units will be provided.

The landscape plan provided by the applicant shows specific numbers of trees and their species, as well as the proposed species of shrubs and ground covers to be included within the development, but does not, however, identify the specific numbers of plant units to be distributed around the proposed buildings. Because specific numbers and locations of plant units are not shown on the proposed landscape plan, the following condition of approval, based on the corresponding design standards, is recommended in order to ensure that the landscaping provided for the development will conform to this design guideline:

Condition 4: A minimum of 2 plant units, as set forth in SRC Chapter 807, Table 807-2, shall be provided adjacent to the primary entry way of each dwelling unit, or combination of dwelling units.

The proposed development, as recommended to be conditioned, conforms to this design guideline.

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

Finding: As shown on the landscape plans for the proposed development, trees and planting beds are proposed around the perimeters of the proposed buildings.

The corresponding design standards to this design guideline require:

- New trees to be planted, or existing trees to be preserved, at a minimum density of 10 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; and
- Shrubs to be distributed around the perimeter of buildings at a minimum density of 1 plant unit per 15 linear feet of exterior building wall.

Because the landscape plan provided for the proposed development does not identify specific numbers and locations of plant units to be include within the landscape beds around the perimeters of the proposed buildings, the following condition of approval shall be required, based on the corresponding design standard, to ensure that sufficient horizontal landscape elements will be provided within the development along the exterior walls of the buildings to soften their visual impact and create residential character as required by this design guideline:

Condition 5: Shrubs shall be planted around the perimeter of the proposed buildings at a minimum density of 1 plant unit per 15 linear feet of exterior building wall.

In review of the proposed landscape plan for the required numbers of trees to be planted around the perimeters of the proposed buildings, Buildings 3, 4, and 5, do not conform to the corresponding design standard.

However, because the proposal is being reviewed for conformance with the design guidelines, it must instead be demonstrated how the proposed development meets the design guideline of providing vertical landscape elements along exterior building walls to soften their visual impacts and create residential character.

It is not clear how Buildings 3, 4, and 5 conform to the design guideline. The purpose of this design guideline is to require vertical landscape elements in the form of trees to soften the appearance of buildings and help obscure overall building mass. This can only be achieved, however, when required landscaping is provide around the entire perimeter of the building.

Buildings 3, 4, and 5 only include vertical landscaping along some of their facades and therefore do not achieve the softened appearance and residential character required under this guideline. In order to ensure proposed Buildings 3, 4, and 5 incorporate vertical landscape elements sufficient to soften the visual impacts of the buildings and create residential character from all sides, the following condition of approval is recommended:

Condition 6: Additional trees shall be planted around the perimeters of Buildings 3, 4, and 5 as follows:

- a) <u>Building No. 3:</u> Seven additional trees shall be planted adjacent to the west side of the building.
- b) <u>Building No. 4:</u> Five additional trees shall be planted adjacent to the west side of the building.
- c) <u>Building No. 5:</u> Eight additional trees shall be planted adjacent to the west side of the building.

The proposed development, as recommended to be conditioned, conforms to this design guideline.

Privacy (SRC 702.020(e)(1)):

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

Finding: As shown on the landscape plans for the proposed development and conditioned, canopy trees are dispersed throughout the interior and around the perimeter of the proposed parking areas. The proposed development conforms to this design guideline.

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

Finding: As shown on the landscape plans, and recommended in the conditions of approval, trees will be dispersed around the perimeter of the buildings in a manner that helps to enhance the privacy of the dwelling units. In addition, ground floor private open space areas within the development will be screened for privacy from common open space areas through the use of perimeter fencing.

The planting of trees around the perimeter of the proposed buildings and the provision of fencing to screen private open space from common space act to enhance the privacy of the dwelling units. The proposed development conforms to this design guideline.

Parking Areas (SRC 702.020(f)(1)):

(A) Canopy trees shall be distributed throughout the interior, and planted along the perimeter, of parking areas (see Figure 702-4 and Figure 702-5).

Finding: As shown on the landscape plans for the proposed development, canopy trees are dispersed throughout the interior, and around the perimeter, of the proposed parking areas. The proposed development conforms to this design guideline.

Crime Prevention Through Environmental Design (SRC 702.025)

Safety Features for Residents (SRC 702.025(a)(1)):

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

Finding: The applicant's written statement (Attachment F) explains that in order to ensure the safety of residents within the development there are no fences or plant materials located in areas within the development that obstruct visibility and that all landscaping adjacent to open space areas will not exceed 3 feet in height. The applicant also explains that windows have been provided in all habitable rooms, including those that face parking lots and open space areas. The applicant indicates that lighting on buildings and

along sidewalks will be provided as well.

As shown on the elevation drawings for the proposed buildings, Buildings 2 through 5 and 7 through 12 include windows dispersed regularly throughout the buildings. Portions of Buildings 1, 6, and 13, however, have rooms that do not have windows that would benefit tenants when considering crime prevention and safety of the residents. In order to ensure Buildings 1, 6, and 13 include windows, the following condition of approval is recommended:

Condition 7: Buildings 1, 6, and 13 shall be revised to incorporate additional windows as follows:

- a) <u>Building No. 1:</u> Windows shall be provided on the northern and southern façades of the building within the bedrooms on each floor.
- b) <u>Building No. 6:</u> Windows shall be provided on the northern and southern façades of the building within the bedrooms on each floor.
- c) <u>Building No. 13:</u> Windows shall be provided on the western and eastern façades of the building within the bedrooms on each floor.

Provision of landscaping and screening which does not obscure visibility, provision of windows in rooms facing parking and open space areas, provision of lighting for buildings and along sidewalks, requiring additional window ensure the proposed development has been designed in a manner that considers crime prevention and resident safety. The proposed development, as conditioned, conforms to this design guideline.

(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: As indicated in the applicant's written statement **(Attachment F)**, no fencing or plant materials are included within the development that obstruct visibility of parking areas, dwelling unit entries, and common/recreational areas. The proposed development conforms to this design guideline.

Parking, Site Access, and Circulation (SRC 702.030)

- General Parking and Site Access (SRC 702.030(b)(1)):
 - (A) Parking areas shall be designed to minimize the expanse of continuous parking (see Figure 702-6).

Finding: The applicant's written statement indicates that all parking areas within the development over 6,700 square feet in size are separated with landscaped planter bays. The applicant explains that a majority of the planter bays are a minimum width of 18 feet, but a few are not.

Staff concurs with the findings included within the applicant's written statement. None of the parking areas within the development are excessively large. In order to break-up the parking areas and minimize the expanse of continuous parking, landscape planter bays with trees are dispersed at a regular interval throughout the proposed parking areas on both the eastern and western portions of the subject property.

As described above, the proposed parking areas within the development have been designed to minimize the expanse of continuous parking. The proposed design conforms to this design guideline.

(B) Pedestrian pathways shall be provided that connect to and between buildings, common open space, parking areas, and surrounding uses (see Figure 702-7).

Finding: As indicated in the applicant's written statement (**Attachment F**) and shown on the proposed site plan, the proposed internal pedestrian circulation system consists of 5-foot wide sidewalks that provide easily identifiable and safe connections between the residential units, parking, recreation areas, management office, and trash disposal areas, except Buildings 10, 11, 12, and 13. The play area on the eastern portion of the property is only accessible to Buildings 10, 11, 12, and 13 by way of the public sidewalk; there is no internal pathway that would allow children and residents of these buildings to get to the play area. To ensure compliance with this guideline, it is recommended that the following condition is required:

Condition 8: A minimum on-site 5-foot paved pedestrian pathway shall be provided to connect Buildings 10, 11, 12, and 13 to the play area on the east side of the property.

The internal pedestrian sidewalk system also connects the buildings to the public sidewalk system within Red Leaf and Reserve Way Private Lane.

As described above and conditioned, pedestrian pathways are provided within the development which connect to and between buildings, common open space, parking areas, and surrounding uses. The proposed development conforms to this design guideline.

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

Finding: As indicated in the applicant's written statement **(Attachment F)** and shown on the proposed site plan, all buildings are connected to the internal parking areas via 5-foot wide sidewalks. The parking areas are located in areas that are convenient for the residents.

As described above, the proposed parking areas within the development are located within close proximity to the dwelling units they serve. An

interconnected system of pedestrian pathways/sidewalks provide for convenient access between parking areas and dwelling units. The proposed development conforms to this design guideline.

(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 applicant's written statement **(Attachment F)** indicates that all parking areas and the layout of the site took topography and adjacent properties into consideration as shown on the site plan.

The topography of the subject property is sloped with the RA zoned property located above the development. Currently the property is undeveloped. The proposed site plan indicates that buildings separate most of the parking areas from the RA zoned properties. The proposed development conforms to this design guideline.

Site Access (SRC 702.030(c)(1)):

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

Finding: The applicant's written statement **(Attachment F)** explains that the development has street frontage on Red Leaf and the Private Street and takes vehicles access from them. The applicant indicates a north/south Red Leaf Drive S connection through the development, as shown on the site plan, is required. The applicant explains that all parking areas within the development will be served by 24-foot to 26-foot wide two-way accessways that run through the development.

Staff concurs with the findings included in the applicant's written statement. Automobile access to and from the eastern and western portions of the proposed development will be provided via five separate driveway approaches on each side of Red Leaf Drive S and from the private street with an east/west connection. Pedestrian access to and from the site, and throughout the interior of the proposed development, as conditioned, is provide via an internal system of pedestrian pathways/sidewalks. The proposed design as conditioned, conforms to this design guideline.

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

Finding: The applicant's written statement **(Attachment F)** indicates that the proposed sidewalks within the development are raised above the surface of the travel lanes and this provides a clear separation between vehicle and pedestrians. The applicant explains that any pedestrian pathways that cross the parking area or driveways will be minimum of five feet in width and

marked. In addition, the applicant indicates that pedestrian pathways will also be lighted.

Staff concurs with the findings included in the applicant's written statement. The proposed design of the pedestrian circulation system within the development, as conditioned, safely separates pedestrians from vehicles and minimizes the potential for vehicle and pedestrian conflicts. The proposed development conforms to this design guideline.

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

Finding: Driveway access to the eastern and western portions of the development will be taken from Red Leaf Drive, a collector street. The proposed development conforms to this design guideline.

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

Finding: The subject property has frontage on both Davis Road S and Red Leaf Drive S. Both are designated as collector streets within the City's Transportation System Plan (TSP).

Access to the development is proposed to be taken from Red Leaf Drive S. Consolidating future driveways are not possible with this development and future development of adjacent properties. Therefore, the proposed development conforms to this design guideline

(E) Parking areas shall be located to minimize their visibility from the public right-of-way and abutting properties (see Figure 702-8).

Finding: The applicant indicates that due to the fixed locations for the extension of Red Leaf Drive S through the site, driveway access is limited. The applicant explains that the layout of the buildings and parking areas were taken into consideration and the proposed layout was found to be the safest and most feasible for the site.

The resulting design includes most of the parking located behind buildings and not adjacent to Red Leaf Drive S. The parking area abutting Red Leaf set back 20 feet and include landscaping between the proposed parking areas and the street to help minimize the visibility of the parking areas from the right-of-way as required by this design guideline. Most of the parking areas abutting the adjacent properties would meet the corresponding setback and landscaping standards and code requirements to minimize the visibility from these properties. The proposed development conforms to this design guideline.

Building Mass & Facade Design (SRC 702.035)

- General Siting and Building Mass (SRC 702.035(b)(1)):
 - (A) Buildings shall be sited with sensitivity to topography and natural landform (see Figure 702-9).

Finding: Because the topography of the subject property is sloped, there are special building siting considerations relating to site topography and natural land form required to be considered. The applicant is requesting adjustments to incorporate the slope of the property. The proposed buildings within the development have been sited to respond to the configuration of the lot, the extension of Red Leaf Drive S through the central portion of the site, points of driveway access to Red Leaf Drive S, and required building setbacks. The proposed development conforms to this design guideline.

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

Finding: The applicant's written statement **(Attachment F)** indicates that the designs of the various buildings within the development do not have long flat walls or roof lines. The applicant explains the proposed buildings incorporate offsets and balconies to break up overall building mass and add some visual element to the buildings. The applicant indicates that none of the buildings within the development exceed 150 feet in length and that the heights of all buildings and structures conform to the maximum height limits of the code.

The proposed development conforms to this design guideline.

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

Finding: The applicant's written statement **(Attachment F)** indicates that varied materials and textures are being used on the building facades. The applicant explains that the materials used on the front, rear, and sides of the apartments are the same; shake siding, trim board, lap siding, and stone around the pillars.

In review of the proposed building designs, facades of the buildings do include some changes in siding material. In order to ensure the proposed buildings avoid long monotonous exterior walls as required by this design guideline, the following condition of approval is recommended:

Condition 9:

The proposed buildings shall be revised to provide additional contrast and distinction between the ground floor and upper floor facades by incorporating one or more of the following:

 a) Vertically oriented lap siding, or horizontally oriented lap siding that is wider than that provided on the upper floor facades, that is painted a different color than the upper floor facades; or

b) A siding material different from that used in the other portions of the building facades.

The proposed development, as recommended to be conditioned, conforms to this design guideline.

Compatibility (SRC 702.035(c)(1)):

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

Finding: Contrast and compatibility is provided throughout the proposed development in regards to building design, size, and location. This is achieved through the placement of windows and utilization of consistent and compatible materials throughout the building facades, incorporation of building offsets, and inclusion of patios/balconies. The proposed design conforms to this design guideline.

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

Finding: One of the abutting properties to the east of the subject property is fully developed as a church with the other undeveloped multi-family residential zoned. The property to the south is undeveloped single family zoned property. The property to the west is developed as a landscaping contactor. The proposed development has located the buildings away from the perimeter of the property to provide an appropriate transition. This proposed design conforms to this design guideline.

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

Finding: As indicated in the applicant's written statement **(Attachment F)** and illustrated by the elevation drawings for the proposed buildings, architectural elements and facade materials are included within the designs of the buildings to provide continuity throughout the site. These include building offsets, windows within building facades, utilization of different building materials including shake siding, trim board, lap siding, and stone around the pillars, and articulated common building entries.

In addition, recommended in Condition 9 of the design review approval requires a different siding material to be utilized on the ground floor facades of the buildings to help reduce the appearance of building mass and bulk. This condition also helps the proposed buildings to conform to this design guideline by increasing the variety of materials utilized within the building facades. A distinct ground floor façade material utilized around the perimeter of the buildings provides additional visual continuity between the buildings and throughout the site as required by this design guideline. The proposed

development, as recommended to be conditioned, conforms to this design guideline.

(D) The majority of dwelling units within the development shall be placed as close as possible to the street right-of-way.

Finding: As shown on the proposed site plan, the majority of the apartment buildings within the development are located at the required setback. The perimeter of the proposed development and the parking and internal vehicle circulation areas of the development are generally located within the central portions of the development. The proposed development conforms to this design guideline.

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

Finding: The applicant's written statement **(Attachment F)** indicates that the primary entrances for each individual unit is provided through a covered entry way and that all building entries are clearly defined and easily accessible. The applicant explains that the designs of the buildings, with the use of roofline offsets and covered entry ways, promote a positive sense of neighborhood.

As shown on the elevation drawings for the proposed buildings all buildings, except Building 4, conform to this guideline. The applicant has indicated that at building permit time the entryway will have an architectural defined and covered entryway. To ensure that this guideline is met, the following condition is necessary:

Condition 10: At time of building permit approval, Building 4 shall have an architectural defined and covered entryway.

The proposed development conforms to this design guideline.

- Building Articulation (SRC 702.035(d)(1)):
 - (A) The appearance of building bulk shall be minimized by:
 - (i) Establishing a building offset interval along building facades; and
 - (ii) Dispersing windows throughout building facades.

Finding: This design guideline requires windows to be dispersed throughout building facades as means of helping to break up the overall appearance of building mass and building bulk.

As shown on the elevation drawings for the proposed buildings, Buildings 2 through 5 and 7 through 12 include windows dispersed regularly throughout the facades in conformance with this design guideline. Portions of the facades of Buildings 1, 6, and 13, however, include areas where blank walls exist without the benefit of windows to reduce the appearance of undivided

building mass and bulk. In order to ensure Buildings 1, 6, and 13 include windows dispersed throughout their facades as required by this design guideline, windows shall be added as discussed in Condition 7. The proposed buildings, as recommended to be conditioned, conform to this design guideline.

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

Finding: As indicated in the finding evaluating the proposed development's conformance with the design guideline requiring architecturally defined and covered entryways, all buildings include architecturally defined common entryways, except Building 4. Building 4 is designed with an uncovered, common entryway on the north side of the building that also does not have any articulation. Condition 10 is recommended to address this guideline. The proposed buildings, as conditioned, conform to this design guideline

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

Finding: As illustrated by the building elevations for the proposed development, the rooflines of the buildings within the development have generally been limited in length. As indicated in the applicant's written statement **(Attachment F)**, the proposed buildings also include breaks in their rooflines.

By limiting the overall building roof line lengths and providing offsets to those roof lines, the residential character of the neighborhood is reinforced. The proposed development conforms to this design guideline.

Recycling (SRC 702.040)

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

(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 proposed development includes three trash enclosure areas, one within the western portion of the development and the other within the eastern portion of the development. The trash enclosure areas include retainers for recycling within them.

The trash/recycling areas have been designed to conform to the solid waste service area standards of the SRC 800.055 and have been distributed throughout the site. Although, the trash/recycling area on the eastern portion of the property can only be accessed by means of public right-of-way for Buildings 10, 11, 12, and 13, which does not seem to be conveniently located for the residents of these buildings. Since the proposed trash/recycling area on the east side of the development is next to the play

area, the path required in Condition 8 could be used to satisfy this condition. Therefore, it is recommended that the following condition be required:

- Condition 11: A minimum on-site 5-foot paved pedestrian pathway shall be provided to connect Buildings 10, 11, 12, and 13 to the trash enclosure on the east side of the property.
- (B) The design and materials of recycling areas shall be similar to the design and materials of the buildings within the development.

Finding: The proposed trash/recycling areas will be enclosed by a concrete masonry unit (CMU) block wall, with a chain link fence gate with slats, and covered by a wood frame structure that is compatible in design and materials to the buildings within the development. The proposed development conforms to this design 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 trash/recycling areas are sited in conformance with the solid waste service area standards of SRC 800.055 in order to allow for adequate access and maneuvering by the franchised haulers. Each of the proposed trash/recycling areas include a box for garbage, as well as separate containers for recycling. The proposed development conforms to this design guideline.

FINDINGS ADDRESSING APPLICABLE SALEM REVISED CODE APPROVAL CRITERIA FOR CLASS 3 SITE PLAN REVIEW

9. CLASS 3 SITE PLAN REVIEW APPROVAL CRITERIA

Salem Revised Code (SRC) 220.005(f)(3) sets forth the following criteria that must be met before approval can be granted to an application for Class 3 Site Plan Review. The following subsections are organized with approval criteria shown in **bold italic**, followed by findings evaluating the proposed development's conformance with the criteria. Lack of compliance with the following criteria is grounds for denial of the Class 3 Site Plan Review application, or for the issuance of certain conditions to ensure the criteria are met.

(A) The application meets all applicable standards of the UDC.

Finding: The proposed development includes 127-multiple-family dwelling units with associated parking and vehicle circulation areas.

The subject property is designated "Multi-Family Residential" on the Salem Area Comprehensive Plan Map and zoned RM-II (Multiple Family Residential). The allowed uses and applicable development standards of the RM-II zone are set forth under SRC Chapter 514.

The proposed development will conform to the applicable development standards of the Salem Revised Code as described below:

SRC CHAPTER 514 (RM-II ZONE)

SRC 514.005 - Allowed Uses:

Allowed uses within the RM-II zone are identified under SRC 514.005, Table 514-1. The subject property is proposed to be developed as a 127-unit multiple family development. Multiple Family is allowed outright within the RM-II zone.

SRC 514.010(b) - Lot Standards:

Lot standards within the RM-II zone are established under SRC 514.010(a), Table 514-2. Within the RM-II zone, the minimum lot area is 6,000, minimum width is 40 feet, and minimum depth is 120 feet with a maximum of 300% of average lot width.

The public street transects the property. Oregon Revised Statute 92.010(7)(d) states that any property sold or granted for state highway, county road, City Street or other right of way purposes shall continue to be considered a single unit of land until the property is further subdivided or partitioned. Therefore, the property is considered one property and meets lot standards.

SRC 514.010(c) - Dwelling Unit Density:

Minimum and maximum density requirements for the RM-II zone are established under SRC 514.010(c), Table 514-3. The RM-II zone requires a minimum dwelling unit density of 12 dwelling units per acre and limits the maximum dwelling unit density to 28 dwelling units per acre.

The subject property is approximately 5.9 acres in size. Based on the size of the subject property, the following density requirements apply:

- Minimum Dwelling Unit Density: 71 Dwelling Units
- Maximum Dwelling Unit Density: 166 Dwelling Units

The 127 dwelling units included within the proposed development fall within the allowed density range of the RM-II zone.

SRC 514.010(d) - Setbacks:

Setbacks for buildings, accessory structures, and parking and vehicle uses areas within the RM-II zone are generally established under SRC 514.010(b), Tables 514-3 and 514-4.

Because multiple family development within the RM-II zone is subject to multiple family design review, the proposed development must also conform to the additional building, accessory structure, and parking and vehicle use area setbacks established under SRC Chapter 702 (Multiple Family Design Guidelines and Standards). As identified under Section 8 of this report, the development, as proposed to be conditioned, conforms to the applicable design review guidelines for multiple family developments.

A summary of the RM-II zone setbacks applicable to the proposed multiple development is included in the table below:

Summary of Required RM-II Zone Setbacks						
Abutting Street						
Buildings	Min 12 ft., plus one foot for each one-foot of height over 12 ft., but need not exceed 20 ft. in depth					
Accessory Structures	Min 12 ft., plus one foot for each one-foot of height over 12 ft.,					
Parking and Vehicle Use Areas	Min. 6 ft. to 10 ft. (Per alternative setback methods under SRC 806.035(c)(2))					
Interior Side						
Buildings	Min. 10 ft. with Type C Landscaping & Screening (includes Min. 6-foot sight-obscuring fence or wall)					
Accessory Structures	Min. 10 ft. with Type C Landscaping & Screening (includes Min. 6-foot sight-obscuring fence or wall)					
Parking and Vehicle Use Areas	Min. 10 ft. with Type C Landscaping & Screening (includes Min. 6-foot sight-obscuring fence or wall)					
Interior Rear						
Buildings	Min. 10 ft. with Type C Landscaping & Screening (includes Min. 6-foot sight-obscuring fence or wall)					
Accessory Structures	Min. 10 ft. with Type C Landscaping & Screening (includes Min. 6-foot sight-obscuring fence or wall)					
Parking and Vehicle Use Areas	Min. 10 ft. with Type C Landscaping & Screening (includes Min. 6-foot sight-obscuring fence or wall)					

The proposed apartment buildings conform to the setback requirements of the RM-II zone. The apartment buildings are setback more than 5 feet from the right-of-way of Red Leaf Drive S and 10 feet and greater from interior side and rear property lines.

The proposed parking and vehicle uses areas within the development also conform to the setback requirements of the RM-II zone. The parking and

vehicle use areas within the development are setback at least 10 feet from interior side and rear property lines and the right-of-way of Red Leaf Drive.

As shown on the site plan, the proposed development conforms to the minimum required setbacks within the RM-II zone.

SRC 514.010(e) - Lot Coverage:

Lot coverage requirements within the RM-II are established under SRC 514.010(e), Table 514-6. The RM-II zone limits lot coverage by all buildings and accessory structures to a maximum of 50 percent.

As identified on the site plan for the proposed development, the total area of all buildings and accessory structures on the site equals approximately 49,328 square feet. The property is approximately 5.9 acres. The resultant lot coverage of 19 percent does not exceed the maximum RM-II lot coverage requirement of 50 percent.

SRC 514.010(e) - Height:

Maximum height for buildings and accessory structures within the RM-II zone is established under SRC 514.010(e), Table 514-6. The maximum height for buildings with the RM-II zone is 50 feet. The maximum height for accessory structures within the RM-II zone is 15 feet.

As illustrated by the building elevations for the proposed development, none of the apartment buildings exceed the maximum RM-II zone height limit of 50 feet.

SRC 514.010(g) - Landscaping:

Landscaping requirements with the RM-II zone are established under SRC 514.010(g). Required setbacks shall be landscaped in accordance with the SRC Chapter 807 (Landscaping). Parking and vehicle use areas shall be landscaped in accordance with SRC Chapter 806 (Off-Street Parking, Loading, & Driveways) and SRC Chapter 807 (Landscaping).

As shown on the landscape plans for the proposed development, and as established by the findings addressing conformance of the proposed development with the multiple family design review landscaping requirements of SRC Chapter 702, required setbacks and parking and vehicle use areas are landscaped in conformance with the requirements of SRC Chapters 702, 806, and 807.

SRC 800.055 (SOLID WASTE SERICE AREAS)

SRC 800.055 establishes design standards that apply to all new solid waste, recycling, and compostable service areas, where use of a solid waste,

recycling, and compostable receptacle of 1 cubic yard or larger is proposed.

As shown on the site plan for the proposed development, two trash/recycling areas accommodating trash receptacles of 3 cubic yards in size are included within the development. The trash/recycling areas are enclosed by a minimum 7-foot-tall CMU block wall, have an interior dimension within the enclosure of approximately 14.7 feet in width by 11.3 feet in depth, are free of vertical obstructions above the receptacles, and include an unobstructed vehicle operation area in front of each receptacle that is a minimum of 12 feet in width by 45 feet in length.

The proposed trash/recycling areas appear to meet the applicable standards of SRC Chapter 800.055. At the time of building permit, the location and features of the proposed trash/recycling areas will be reviewed for conformance with applicable development standards of SRC 800.055. In order to ensure the proposed trash/recycling areas conform to the applicable standards of SRC 800.055, the following condition of approval is recommended:

Condition 1: All trash/recycling areas shall conform to the solid waste service area standards of SRC 800.055.

SRC CHAPTER 806 (OFF-STREET PARKING, LOADING, & DRIVEWAYS)

SRC Chapter 806 establishes requirements for off-street parking, loading, and driveways. Included in the chapter are standards for minimum and maximum off-street vehicle parking; minimum bicycle parking; minimum loading; and parking, bicycle parking, loading, and driveway development standards.

Off-Street Parking: Minimum off-street vehicle parking requirements are established under SRC Chapter 806, Table 806-1. The minimum off-street parking requirement for Multiple Family is as follows:

Minimum Off-Street Parking					
Multiple Family	1.5 spaces per dwelling units	Applicable to Multiple Family consisting of 4 or more dwelling units			

Maximum off-street parking requirements are established under SRC Chapter 806, Table 806-2. The maximum number of allowed parking spaces is based upon the minimum number of spaces required for the proposed development. If the minimum number spaces required equals 20 spaces or less, the maximum allowed parking is 2.5 times the minimum number of spaces required. If the minimum number of spaces required equals more than 20 spaces, the maximum allowed parking is 1.75 times the minimum number of spaces required.

The 127 dwelling units proposed within the development results in the following off-street parking requirement:

Off-Street Parking Summary						
Portion of Development Site	Minimum Spaces Req.	Maximum Spaces	Spaces Provided			
East Lot (74 Units)	111	194	103			
West Lot (53 Units)	80	140	94			
Total (127 Units):	191	334	197			

As shown on the site plan for the proposed development, a total of 197 parking spaces are provided within the proposed development, with 103 of the spaces being located on the eastern portion of the property and 94 of the spaces being located on the western portion of the property. The 197 parking spaces proposed for the development meets the overall off-street parking requirement for the development.

Compact Parking: SRC 806.015(b) allows for the utilization of compact parking stalls to satisfy up to 75 percent of the required off-street parking spaces.

The proposed development includes a total of 71 compact parking spaces, with 34 of the spaces being located on the eastern portion of the property and 37 of the spaces being located on the western portion of the property. The 71 compact spaces proposed for the development equal approximately 36 percent of the overall 197 spaces provided; therefore not exceeding the maximum 75 percent limit.

The 37 compact spaces proposed for the western portion of the development equal approximately 39.4 percent of the overall 94 spaces provided; therefore not exceeding the maximum 75 percent limit.

The 34 compact spaces proposed for the eastern portion of the development equal approximately 33 percent of the overall 103 spaces provided; therefore not exceeding the maximum 75 percent limit.

The proposed compact spaces within the development do not exceed the maximum number of spaces allowed and therefore conform to this standard.

<u>Bicycle Parking:</u> Minimum bicycle parking requirements are established under SRC Chapter 806, Table 806-8. The minimum bicycle parking requirement for Multiple Family is as follows:

Minimum B	icycle Parking
	The greater of 4 spaces or 0.1 spaces per dwelling unit

The 127 dwelling units proposed within the development result in the following bicycle parking requirement:

Bicycl	e Parking Sum	mary		
Portion of Development Site	Minimum Spaces Req.	Spaces Provided		
East Lot (74 Units)	7	8		
West Lot (53 Units)	5	8		
Total (127 Units):	13	16		

As shown on the site plan for the proposed development and summarized in the table above, a total of 16 bicycle parking spaces are provided for the development, with 8 of the spaces located within the eastern portion of the development and 8 of the spaces located within the western portion of the proposed development.

The number of bicycle parking spaces included within the development conforms to this standard.

Loading: Minimum loading requirements are established under SRC Chapter 806, Table 806-9. The minimum loading requirement for Multiple Family is as follows:

	Minimum L	oading
	0 to 49 dwelling units	None
Multiple Family	50 to 99 dwelling units	Min. 1 space 12ft. W x 19ft. L x 12 ft. H
	100 to 199 dwelling units	Min. 2 spaces 12ft. W x 19ft. L x 12 ft. H

The 127 dwelling units proposed within the development result in a minimum loading requirement of 2 space. The site plan indicates only one loading space. In order to ensure the proposed development conforms to the minimum loading requirements of SRC Chapter 806, the following condition of approval is recommended:

Condition 2: A minimum of two loading space meeting the requirements of SRC Chapter 806 shall be provided within the development.

SRC CHAPTER 808 (PRESERVATION OF TREES & VEGETATION)

The City's tree preservation ordinance (SRC Chapter 808) protects Heritage Trees, Significant Trees (including Oregon White Oaks with diameter-at-breast-height of 24 inches or greater), trees and native vegetation in riparian corridors, and trees on lots and parcels greater than 20,000 square feet. 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."

Under the City's tree preservation ordinance, pursuant to SRC 808.035(a), tree conservation plans are required in conjunction with development proposals involving the creation of lots or parcels to be used for the construction of single family or duplex dwelling units, if the development proposal will result in the removal of trees.

There no trees present on the subject property. Because the proposal does not involve the creation of lots or parcels to be used for the construction of single family or duplex dwelling units, a tree conservation plan is not required in conjunction with the proposed development.

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 requires notice to DSL for applications for development or land use in areas designated as wetlands on the official wetlands map. The Salem-Keizer Local Wetland Inventory (LWI) does not identify any mapped wetlands or waterways on the subject property. There is, however, a band of hydric/wetland type soils running north-south through the southern portion of the proposed multiple family development.

Because no mapped wetlands are currently identified on the subject property, SRC Chapter 809 does not specify any additional requirements as a condition of development. The applicant is advised to coordinate any required wetland delineations with DSL.

SRC CHAPTER 810 (LANDSLIDE HAZARDS)

Landslide Susceptibility: 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. According to

the City's adopted landslide hazard susceptibility maps, the subject property is mapped with area of 1 landslide hazard susceptibility points. There are 2 activity points associated with the multiple family building permits. Pursuant to the requirements of SRC 810.025, the cumulative total of 3 points between those associated with the land and those associated with the proposed development activity indicates a low landslide risk and therefore a geologic assessment or geotechnical report is not required in conjunction with the proposed development

As is described in the findings above, the proposed development, as proposed to be conditioned, conforms to the applicable development standards of the SRC. This criterion is met.

(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: Preliminary Declaration for Urban Growth Area Development Permit No. 09-06 was issued with conditions to ensure major public facilities were provided to the site. With the development, the following Boundary Street condition are imposed:

Condition 3: The boundary street requirements of UGA 09-06 shall be implemented:

a. Condition 1: Along the entire frontage of Davis Road S, construct a 17-foot half-width improvement on the development side of the centerline.

b. Condition 2: Along the existing Red Leaf Drive S right-of-way within the subject property, construct a 34-foot-wide full street improvement to collector street standards.

The existing configuration of Red Leaf Drive S and Davis Rd S do not appear to meet current standards for their classification of street per the Salem TSP without conditions placed on the proposal. Required street improvements are specified in the conditions of approval consistent with SRC Chapter 803. The private street connection between Red Leaf Drive and the east line of the subject property provides sufficient connectivity pursuant to SRC 803.035.

Condition 4: A minimum 35-foot-wide access easement along Reserve Lane Private Way shall be recorded at time of building permit final.

Condition 5: The structural section for Reserve Lane Private Way shall meet local street standards.

(C) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians; and

Finding: The driveway accesses onto Red Leaf Drive S provides for safe turning movements into and out of the property.

As shown on the proposed site plan, parking is proposed along the south side of the private street, reducing the proposed drive lines from 26 feet to 18 fee. This would create a traffic hazard unless the width of the private street was increased. To ensure compliance, the following condition is necessary:

Condition 6: No parking shall be allowed within the private street unless it is constructed to a local street standard of 30 feet wide.

As shown on the proposed site plan, these does not appear to be a safe pedestrian crossing to link the sidewalk adjacent to Building 1 to the sidewalk adjacent to the Recreation/Manager's Building 2 or the sidewalk adjacent to Building 6 to the sidewalk adjacent to Building 5. These pedestrian crossings are needed so that residents of Buildings 3, 4 and 5 can safely get to the trash/recycling areas which are adjacent to Buildings 1 and 6. Therefore to ensure compliance, the following condition is necessary:

Condition 7: Two pedestrian parking area crossings shall be provided to connecting the sidewalk adjacent the following buildings:

- a. Building 1 and Building 2, and
- b. Building 5 and Building 6.

Also as shown on the proposed site plan, it does not appear that there is a safe pedestrian pathway long sides of some of the parking areas. Therefore to ensure the safety of pedestrians, the following condition is necessary:

Condition 8: A minimum 5-foot wide paved sidewalk shall be provided in the following locations:

- a. Along the south side of the parking lot between Building 10 and Building 11.
- b. Along the east side of the parking lots on the east side of buildings 8 and 9.

As conditioned, this criterion is met.

(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: Preliminary Declaration for Urban Growth Area Development Permit No. 09-06 was issued with conditions to ensure major public facilities

were provided to the site. With the development, the following Storm Drainage, Water, and Sewer Requirement condition are imposed:

Condition 9: The storm, sewer, and water requirements of UGA 09-06 shall be implemented:

- a. Storm Drainage Condition 1: Connect to the existing 18-inch storm main in the Davis/Red Leaf intersection.
- b. Water Condition 1: Pay a temporary access fee as specified in the Temporary Facilities Access Agreement.
- c. Sewer Condition 1: Connect to the existing 8-inch sewer main in the Davis/Red Leaf intersection.

The Public Works Department has reviewed the applicant's preliminary utility plan for this site. The applicant is required design and construct City infrastructure according to current PWDS. Partially-constructed infrastructure existing on the property has not been accepted by the City and must comply with current standards prior to acceptance. Construction plans shall be approved and secured per SRC Chapter 77 prior to building permit issuance, and the improvements shall be completed and accepted to the satisfaction of the Public Works Director prior to occupancy.

PWDS requires the applicant's utility plan to be modified to extend the sewer system in Davis road to the west line of the subject property as indicated in the conditions of approval.

The applicant shall construct stormwater flow control facilities to mitigate all new impervious surfaces and stormwater treatment facilities to mitigate new impervious surfaces outside the right-of-way in compliance with PWDS. Pursuant to PWDS Appendix 4E.8, green stormwater infrastructure (GSI) shall be used to mitigate no less than 50 percent of the impervious surfaces located outside the right-of-way. GSI can be reduced below the 80 percent standard because surface slopes cannot be graded to meet the design criteria required for GSI. Stormwater treatment facilities are not required for the right-of-way because the improvements were partially completed as impervious surfaces when the project was first permitted in 2008. Building 8 is located in the S-4 service level, and S-3 water facilities cannot provide adequate pressure to serve Building 8, even as a temporary facility. The applicant shall construct building 8 with a first floor no higher than elevation 630 to be served from the S-3 service level, or obtain Public Works Director Approval for a booster pump pursuant to SRC 72.103. To ensure compliance, the following conditions are necessary:

Condition 10: City infrastructure shall be designed and constructed according to current PWDS.

Condition 11: Partially-constructed infrastructure existing on the property

has not been accepted by the City and must comply with current standards prior to acceptance.

Condition 12:

Construction plans shall be approved and secured per SRC Chapter 77 prior to building permit issuance, and the improvements shall be completed and accepted to the satisfaction of the Public Works Director prior to occupancy.

Condition 13:

Stormwater flow control facilities shall be constructed to mitigate all new impervious surfaces and stormwater treatment facilities to mitigate new impervious surfaces outside the right-of-way in compliance with PWDS.

Condition 14:

Pursuant to PWDS Appendix 4E.8, green stormwater infrastructure (GSI) shall be used to mitigate no less than 50 percent of the impervious surfaces located outside the right-of-way.

Condition 15:

Building 8 shall be constructed with a first floor no higher than elevation 630 to be served from the S-3 service level, or obtain Public Works Director's approval for a booster pump pursuant to SRC 72.103.

As conditioned, this criterion is met.

FINDINGS ADDRESSING APPLICABLE SALEM REVISED CODE APPROVAL CRITERIA FOR CLASS 2 ADJUSTMENT

10. CLASS 2 ADJUSTMENT APPROVAL CRITERIA

Salem Revised Code (SRC) 250.005(d)(2) sets forth the following criteria that must be met before approval can be granted to an application for a Class 2 Adjustment. The following subsections are organized with approval criteria shown in **bold italic**, followed by findings evaluating the proposed development's conformance with the criteria. Lack of compliance with the following criteria is grounds for denial of the Class 2 Adjustment application, or for the issuance of certain conditions to ensure the criteria are met.

- (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 the following adjustments:

1. The applicant is requesting an adjustment greater than 20 % to SRC 514.010(d), setback to streets.

The code would require 20-foot street setback for all buildings within the development. They are proposing reduced street setbacks for the following buildings:

Building	Setback - Feet			
Bldg 3	18			
Bldg 7	13.53			
Bldg 8	15			
Bldg 9	10			
Bldg 10	10			

The intent and purpose of a zoning adjustment is to allow for reasonable development of property by providing for an alternative way to meet the purposes of the code and provide for flexibility to allow reasonable development of property where special conditions or unusual circumstances exist. It appears by adjusting the locations of the buildings, all street, side and rear setbacks could be met. But due to topography restrains on the property, as demonstrated in the application materials submitted, the property cannot not be fully developed and meet the setback standards without a reduction of units.

The topography on the site is substantial in the locations of Buildings 7 – 10, and also affects Building 3. Buildings 7-10 are located on the steepest part of the site, at the top of the hill. Development in this area will require grading and retaining walls in order to construct the proposed apartments. The applicant is requesting to reduce the street setback on a private street that is internal to the development for Buildings 8-10, and on Red Leaf S for Building 7. This setback reduction will not have an impact on adjacent properties, is the minimum needed to allow the development, and will limit the amount of cut and fill needed.

The proposed street setback reduction for Building 3 could be eliminated if the building were re-designed to reduce or eliminate the off-set between the two halves of the building. The off-sets are required to meet the design guidelines to provide articulation and human scale development in the building design. The setback reduction is for half of Building 3, will not impact adjacent properties and is the minimum amount needed to allow the development, while still meeting the design guidelines.

In all of the above buildings, only a small portion of the building is extending into the required yard with eight of the ten buildings fronting Davis Road S and Red Leaf Drive S meeting the setback back requirement, and 4 of the 5 setback reduction requests applying to the internal, private street. Therefore, the standard is not applicable due to the special circumstances involving the topography of the property and this criterion is met.

2. Adjustment to the Class 2 Driveway Approach Permit 804.025(d)(1) where the driveway approach meets the standards of SRC chapter 804 and Public Works Design Standards.

SRC 804.030(a) limits a lot or parcel to one driveway approach onto a local or collector street. Red Leaf Drive is a collector street. The proposal has five driveways and a private street accessing Red Leaf Drive S. Therefore, an adjustment is necessary to allow more than one driveway. The applicant's proposal to have driveways and one private street accessing Red Leaf S is due to the unique configuration of the lot. The subject property is narrow and skinny, made more so by having the Red Leaf S extension go through the property. The property is zoned for multi-family development, which requires adequate parking for the tenants and visitors and requires that the parking be located throughout the development, in a safe and convenient location. As discussed in the Driveway Approach Permit findings below, the proposed driveways are appropriately located, adequately spaced, and the minimum needed to allow the proposed development. Therefore the prohibition on more than one driveway per development onto a collector street is not applicable to this development, and this criterion is met.

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

Finding: With the landscaping provided along Davis Road S and Red Leaf and minimizing the number of driveways accessing Red Leaf, the site will be visually appealing and not distract from the livability or appearance of the residential area.

(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: The requested adjustments cumulative effect is still consistent with the overall purpose of the zone which to ensure an appropriate mix of land uses, create an aesthetic appealing community, and to provide safe interaction between vehicles and pedestrians.

FINDINGS ADDRESSING APPLICABLE SALEM REVISED CODE APPROVAL CRITERIA FOR CLASS 1 ADJUSTMENT

11. CLASS 1 ADJUSTMENT APPROVAL CRITERIA

Salem Revised Code (SRC) 250.005(d)(1) sets forth the following criteria that must be met before approval can be granted to an application for a Class 1 Adjustment. The following subsections are organized with approval criteria shown in **bold italic**, followed by findings evaluating the proposed development's conformance with the criteria. Lack of compliance with the following criteria is grounds for denial of the Class 1 Adjustment

application, or for the issuance of certain conditions to ensure the criteria are met.

- (A) The purpose underlying the specific development standard proposed for adjustment is:
 - (i) Clearly inapplicable to the proposed development; or
 - (ii) Clearly satisfied by the proposed development.

Finding: The applicant's statement indicates that an 8-foot setback for parking areas along the east property line is being provided, where 10 feet is required. The proposed two foot encroachment is for a small bump out area that will make it easier to back out of a parking space. Due to the requirement to extend Red Leaf Drive S, the lot is odd shaped and narrow. The odd shaped and narrow lot makes it difficult to locate parking areas behind the buildings or provide the required parking area street and side setbacks. Therefore, the applicant is proposing 3 small parking areas along the eastern property edge, in between the apartment units. These parking areas will be relatively small (approximately 14 spaces total) and are conveniently located for the tenants and visitors. Options to avoid the zoning adjustment include reducing parking spaces or requesting a reduction to the street setback for the parking areas.

The adjacent property is developed with a church and the most immediate use of their site is the church parking lot. The church has fencing and existing, mature landscaping, and the applicant will be required to fence and landscape the site. Due to the narrow, odd shape of the lot, the requirement for landscaping, the adjacent property being developed as a parking lot, and the need to provide on-site parking, staff finds that the proposal satisfies the intent of the setback and this criterion has been met.

(B) The proposed adjustment will not unreasonably impact surrounding existing or potential uses or development.

Finding: The front yard vehicle area setback is for aesthetics and compatibility to the adjacent residential neighborhoods. The side setback is to provide a screening for the adjacent property. The adjacent property is currently developed with a church. The vehicle use area for the apartments abuts the vehicle use area for the church. The 2 feet is to accommodate the turn-around for vehicles. The setback is large enough to provide landscaping and screening. The proposed reduction will not unreasonably impact the adjacent property. Therefore, this criteria is met

FINDINGS ADDRESSING APPLICABLE SALEM REVISED CODE APPROVAL CRITERIA FOR CLASS 2 DRIVEWAY APPROACH PERMIT

12. CLASS 2 DRIVEWAY APPROACH PERMIT APPROVAL CRITERIA

Salem Revised Code (SRC) 804.025(d) sets forth the following criteria that must be met before approval can be granted to an application for a Class 2 Driveway Approach Permit. The following subsections are organized with approval criteria shown in **bold**

italic, followed by findings evaluating the proposed development's conformance with the criteria. Lack of compliance with the following criteria is grounds for denial of the Class 2 Driveway Approach Permit, or for the issuance of certain conditions to ensure the criteria are met.

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

Finding: The proposed driveways meet the standards for SRC 804 and PWDS with a Class 2 adjustment for multiple driveway approaches onto a collector street where only one is allowed SRC 804.030(a). The Class 2 adjustment is warranted because multiple accesses are needed given the limited area for internal parking circulation and requirement for connection. Pursuant to Class 2 adjustment criteria in SRC 250.005(d)(2), the multiple driveway accesses provide equal or better access for the proposed development because vehicle turning movements have a negligible effect on collector streets.

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

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

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

Finding: The proposed driveways are not accessing onto an arterial street.

- (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 driveways are currently located with access to the lowest classification of street abutting the subject property. Due to the layout of the lot, the topography and the surrounding development, there is not an opportunity to share a driveway with an adjacent property.

(5) The proposed driveway approach meets vision clearance standards;

Finding: The proposed driveways meet the PWDS vision clearance standards set forth in SRC Chapter 805. However, the proposed driveway serving the private street does not provide adequate sight distance, so the applicant shall eliminate sight obstructions to provide a minimum 280 foot sight distance along Red Leaf Drive to ensure safe traffic exiting the private street.

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

Finding: The proposed driveways, as conditioned, will not create a known traffic hazard and will provide for safe turning movements for access to the subject property. Due to the vertical & horizontal curves in Red Leaf, the Assistant City Traffic Engineer has identified that the drive approach providing access to the private street does not provide for sufficient vision clearance for access in compliance with the minimum AASHTO intersection sight distance standards and would cause a potential traffic hazard. The design of building 7 must be modified to provide the 280 foot sight distance required to ensure safe traffic movements as outlined in the conditions of approval.

- **Condition 1:** A minimum 280 foot sight distance along Red Leaf Drive shall be provided at the connection of the private street.
- (7) The proposed driveway approach does not result in significant adverse impacts to the vicinity;

Finding: The location of the proposed driveways will not have any adverse impacts to the adjacent properties or streets.

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

Finding: These proposed driveway approaches are located on a collector street and do not create a significant impact to adjacent streets and intersections.

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

Finding: These driveways will not have an effect on the functionality of the adjacent streets.

CONCLUSION

Based on the facts and findings presented herein, staff concludes that the proposed Class 3 Design Review, Class 3 Site Plan Review, Class 2 Driveway Approach Permit, Class 2 Adjustment and Class 1 Adjustment, as conditioned, satisfy the applicable criteria contained under SRC 240.005(d), SRC 225.005(e)(2), SRC 220.005(f)(3), SRC 804.025(d), and SRC 250.005(d) for approval.

RECOMMENDATION

Staff recommends that the Planning Commission adopt the facts and findings of the staff report and take the following action for the subject property located at 5700 Block of Red Leaf Drive S, for property (Marion County Map and Tax Lot Numbers: 083W16C 00201):

- A. **APPROVE** the Class 3 Design Review for the proposed 127-unit multiple family development, subject to the following conditions of approval:
 - Condition 1. The slope of the children's play area shall not be greater than 4:1.
 - **Condition 2:** A minimum 30-inch tall fence with latching gate shall be installed around the perimeter of the proposed outdoor children's play areas.
 - **Condition 3:** A minimum 6-foot sight-obscuring wood fence or wall shall be installed abutting RA zoned property.
 - Condition 4: A minimum of 2 plant units, as set forth in SRC Chapter 807, Table 807-2, shall be provided adjacent to the primary entry way of each dwelling unit, or combination of dwelling units.
 - **Condition 5:** Shrubs shall be planted around the perimeter of the proposed buildings at a minimum density of 1 plant unit per 15 linear feet of exterior building wall.
 - **Condition 6:** Additional trees shall be planted around the perimeters of Buildings 3, 4, and 5 as follows:
 - d) <u>Building No. 3:</u> Seven additional trees shall be planted adjacent to the west side of the building.
 - e) <u>Building No. 4:</u> Five additional trees shall be planted adjacent to the west side of the building.
 - f) <u>Building No. 5:</u> Eight additional trees shall be planted adjacent to the west side of the building.
 - **Condition 7:** Buildings 1, 6, and 13 shall be revised to incorporate additional windows as follows:
 - d) <u>Building No. 1:</u> Windows shall be provided on the northern and southern façades of the building within the bedrooms on each floor.
 - e) <u>Building No. 6:</u> Windows shall be provided on the northern and southern façades of the building within the bedrooms on each floor.
 - f) <u>Building No. 13:</u> Windows shall be provided on the western and eastern façades of the building within the bedrooms on each floor.

Condition 8: A minimum on-site 5-foot paved pedestrian pathway shall be provided to connect Buildings 10, 11, 12, and 13 to the play area on the east side of the property.

Condition 9: The proposed buildings shall be revised to provide additional contrast and distinction between the ground floor and upper floor facades by incorporating one or more of the following:

- c) Vertically oriented lap siding, or horizontally oriented lap siding that is wider than that provided on the upper floor facades, that is painted a different color than the upper floor facades; or
- d) A siding material different from that used in the other portions of the building facades.
- **Condition 10:** At time of building permit approval, Building 4 shall have an architectural defined and covered entryway.
- Condition 11: A minimum on-site 5-foot paved pedestrian pathway shall be provided to connect Buildings 10, 11, 12, and 13 to the trash enclosure on the east side of the property.
- B. **APPROVE** the Class 3 Site Plan Review for the proposed 127-unit multiple family development, subject to the following conditions of approval:
 - **Condition 1:** All trash/recycling areas shall conform to the solid waste service area standards of SRC 800.055.
 - **Condition 2:** A minimum of two loading space meeting the requirements of SRC Chapter 806 shall be provided within the development.
 - **Condition 3:** The boundary street requirements of UGA 09-06 shall be implemented:
 - a. Condition 1: Along the entire frontage of Davis Road S, construct a 17-foot half-width improvement on the development side of the centerline.
 - b. Condition 2: Along the existing Red Leaf Drive S right-of-way within the subject property, construct a 34-foot-wide full street improvement to collector street standards.
 - **Condition 4:** A minimum 35-foot-wide access easement along Reserve Lane Private Way shall be recorded at time of building permit final.
 - **Condition 5:** The structural section for Reserve Lane Private Way shall meet local street standards.
 - **Condition 6:** No parking shall be allowed within the private street unless it is constructed to a local street standard of 30 feet wide.

Condition 7: Two pedestrian crossings shall be provided to connecting the sidewalk adjacent the following buildings:

- a. Building 1 and Building 2, and
- b. Building 5 and Building 6.

Condition 8: A minimum 5-foot wide paved sidewalk shall be provided in the following locations:

- a. Along the south side of the parking lot between Building 10 and Building 11.
- b. Along the east side of the parking lots on the east side of buildings 8 and 9.

Condition 9: The storm, sewer, and water requirements of UGA 09-06 shall be implemented:

- a. Storm Drainage Condition 1: Connect to the existing 18-inch storm main in the Davis/Red Leaf intersection.
- b. Water Condition 1: Pay a temporary access fee as specified in the Temporary Facilities Access Agreement.
- c. Sewer Condition 1: Connect to the existing 8-inch sewer main in the Davis/Red Leaf intersection.

Condition 10: City infrastructure shall be designed and constructed according to current PWDS.

Condition 11: Partially-constructed infrastructure existing on the property has not been accepted by the City and must comply with current standards prior to acceptance.

Condition 12: Construction plans shall be approved and secured per SRC Chapter 77 prior to building permit issuance, and the improvements shall be completed and accepted to the satisfaction of the Public Works Director prior to occupancy.

Condition 13: Stormwater flow control facilities shall be constructed to mitigate all new impervious surfaces and stormwater treatment facilities to mitigate new impervious surfaces outside the right-of-way in compliance with PWDS.

Condition 14: Pursuant to PWDS Appendix 4E.8, green stormwater infrastructure (GSI) shall be used to mitigate no less than 50 percent of the impervious surfaces located outside the right-of-way.

Condition 15: Building 8 shall be constructed with a first floor no higher than elevation 630 to be served from the S-3 service level, or obtain

Public Works Director's approval for a booster pump pursuant to SRC 72.103.

- C. APPROVE the Class 2 Adjustment to:
 - 1. Reduce the street setback from 20 feet, pursuant to SRC 514-4 to:
 - A. 18 feet for Bldg 3
 - B. 13.53 feet for Bldg 7
 - C. 15 feet for Bldg 8
 - D. 10 feet for Bldg 9
 - E. 10 feet for Bldg 10
 - 2. Increase the number of driveway approaches allowed to Red Leaf Drive S from the eastern and western portions of the proposed development from a maximum of one, pursuant to SRC 804.030(a), to five driveways and one private street.
- D. **APPROVE** the Class 1 Adjustment to reduce side yard vehicle use area setback from 10 feet to 8 feet.
- E. **APPROVE** the Class 2 Driveway Approach Permit to allow driveway access from the proposed development to the proposed extension of Red Leaf Drive S, subject to the following conditions of approval:

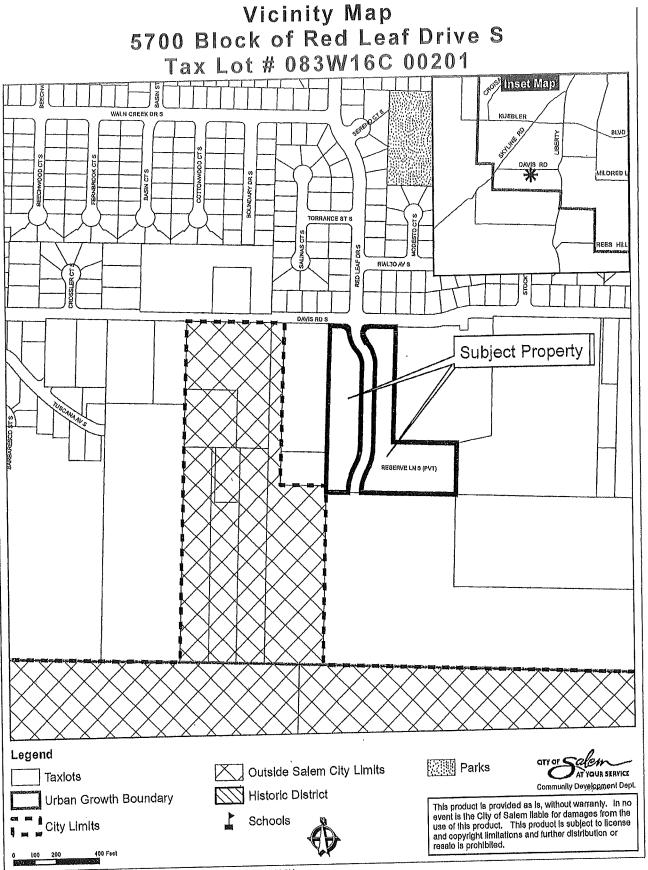
Condition 1: A minimum 280 foot sight distance along Red Leaf Drive shall be provided at the connection of the private street.

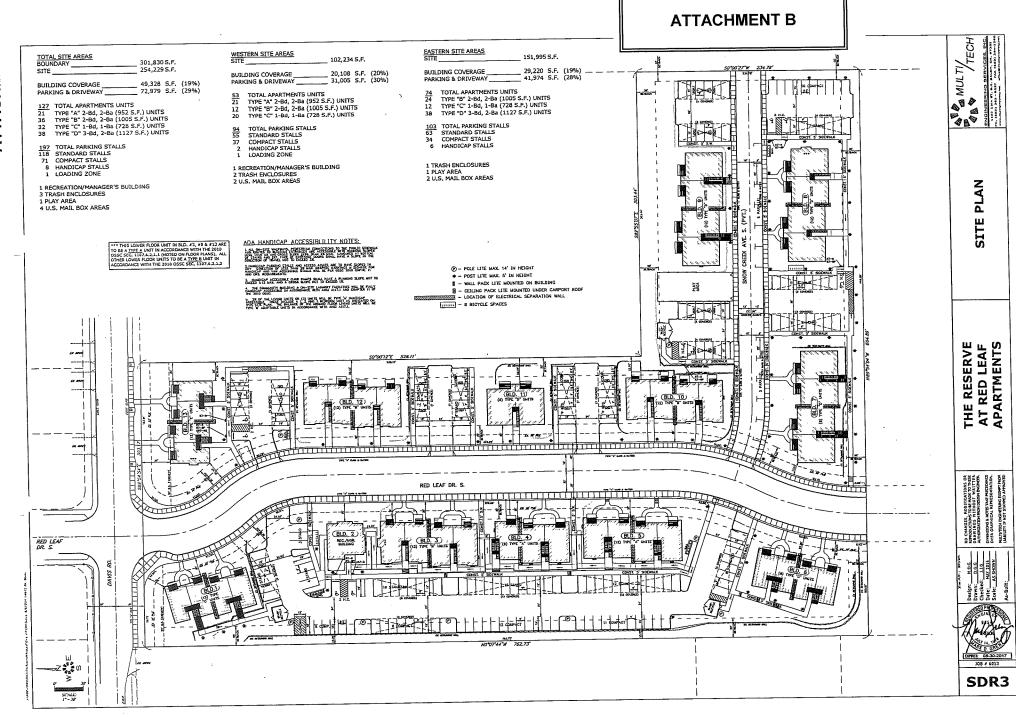
Attachments: A. Vicinity Map

- B. Applicant's Proposed Site Development Plans and Building Elevations
- C. Notice of Decision for Urban Growth Preliminary Declaration Case No. UGA09-06
- D. Public Works Department Comments
- E. Sunnyslope Neighborhood Association Comments
- F. Applicant's Written Statement Addressing Approval Criteria

Prepared by Amy J. Dixon, Planner II

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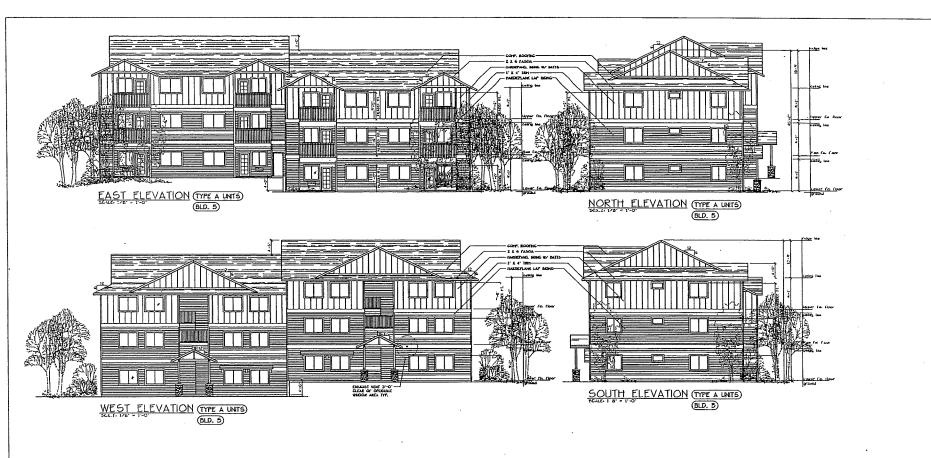
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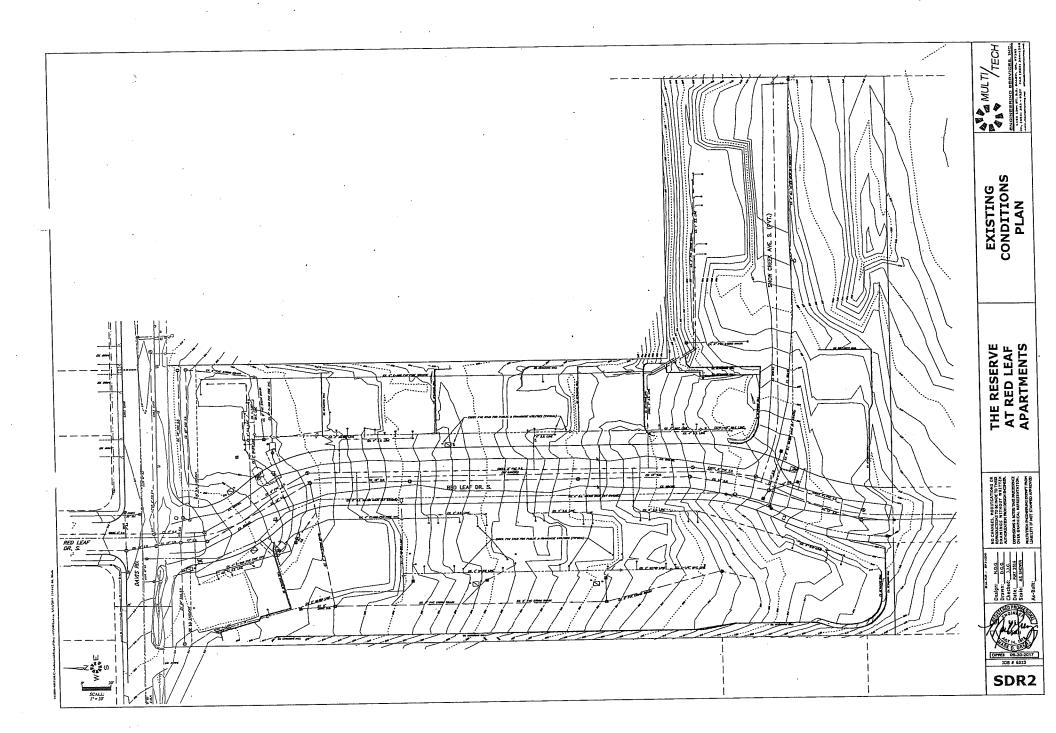
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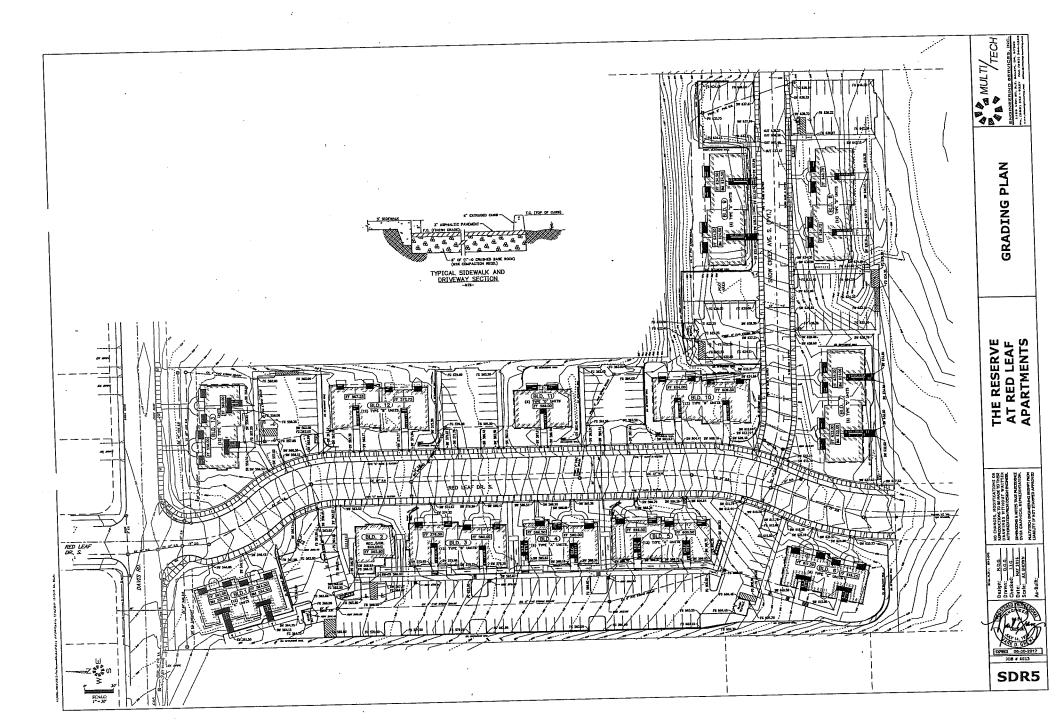
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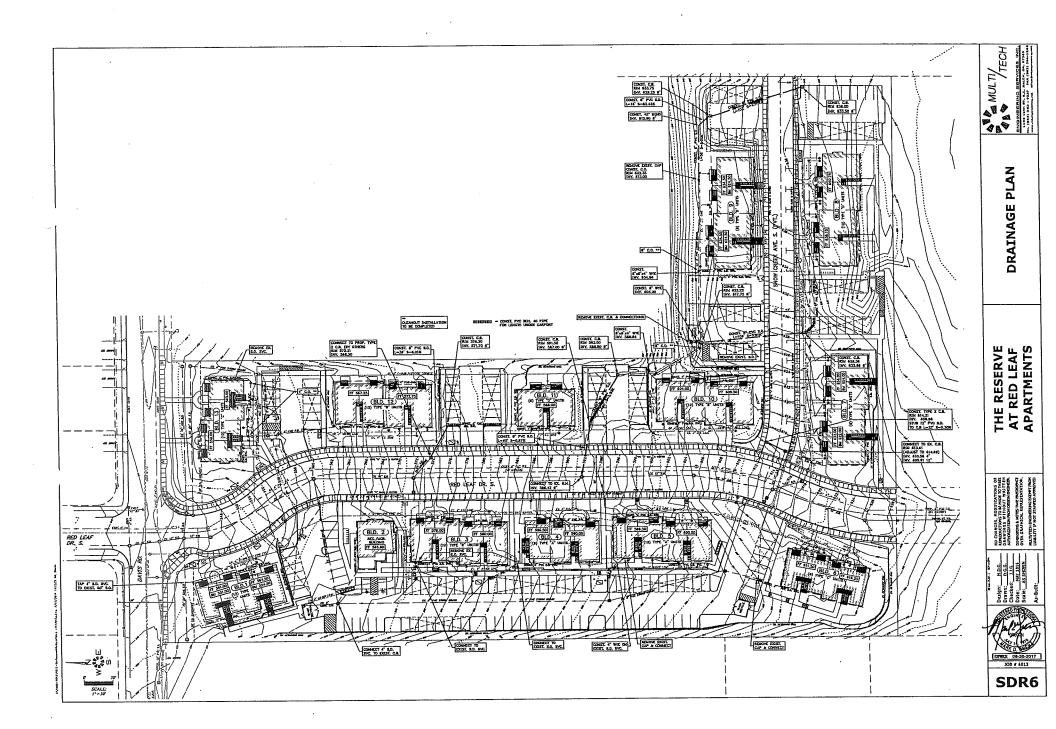


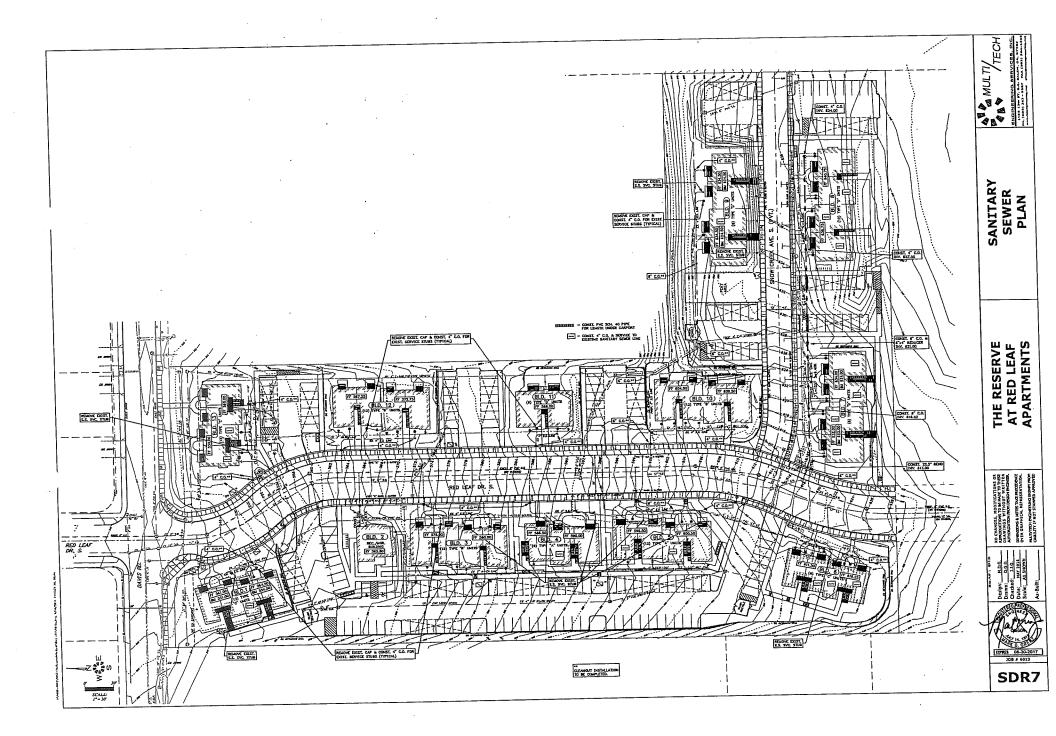


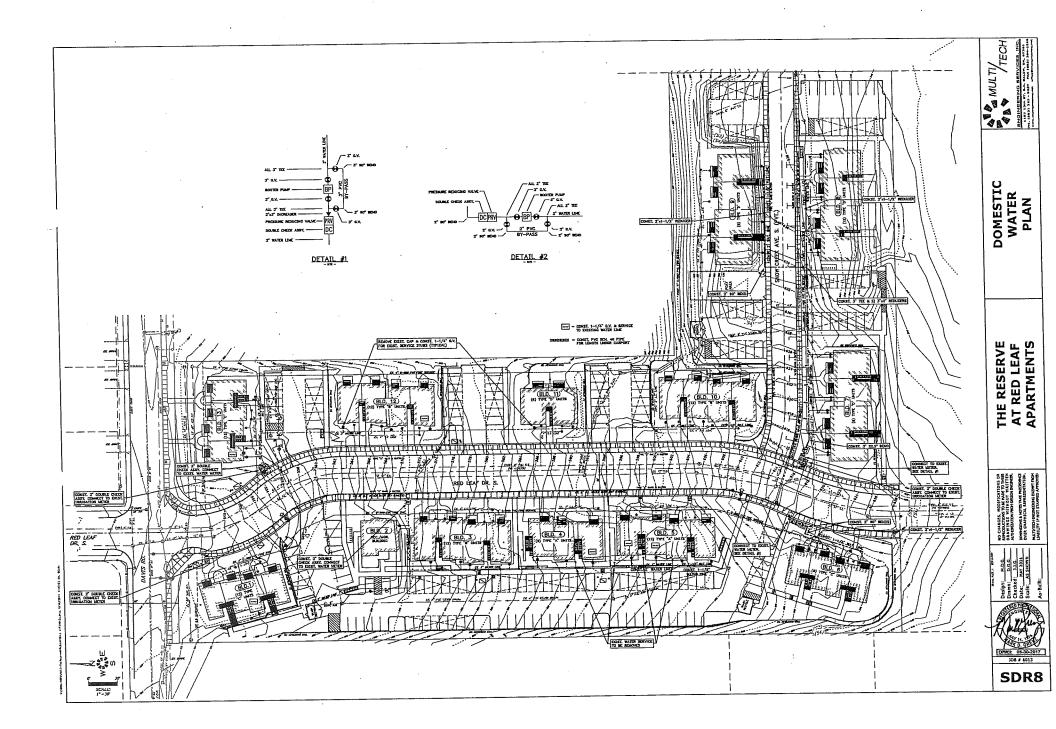
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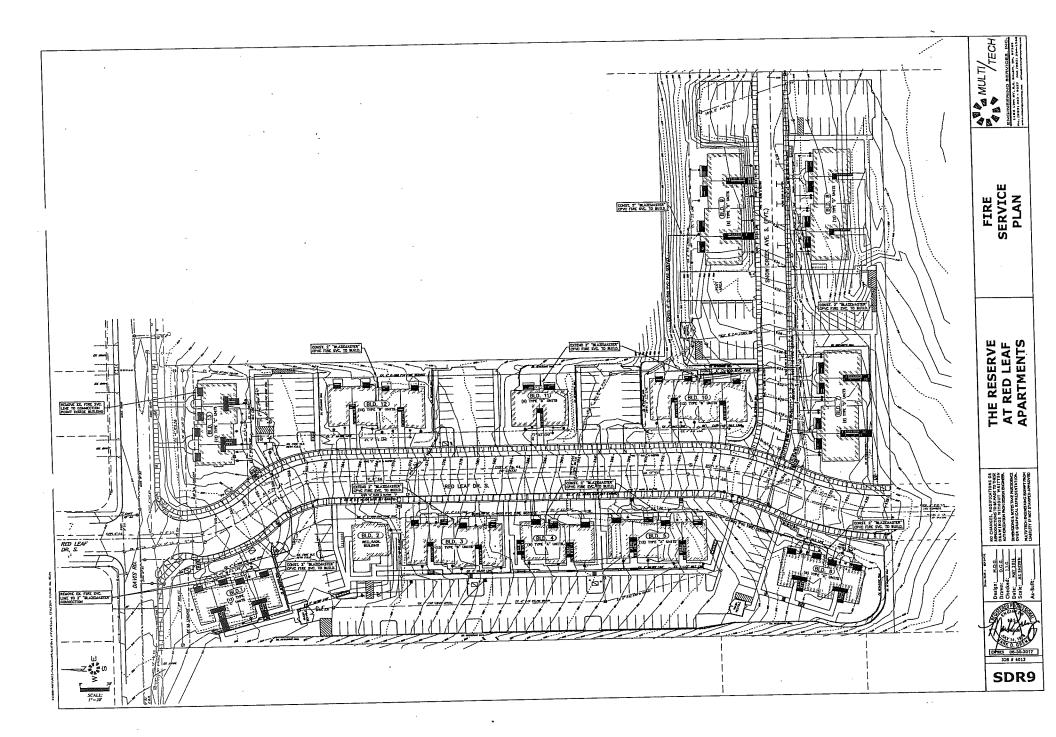


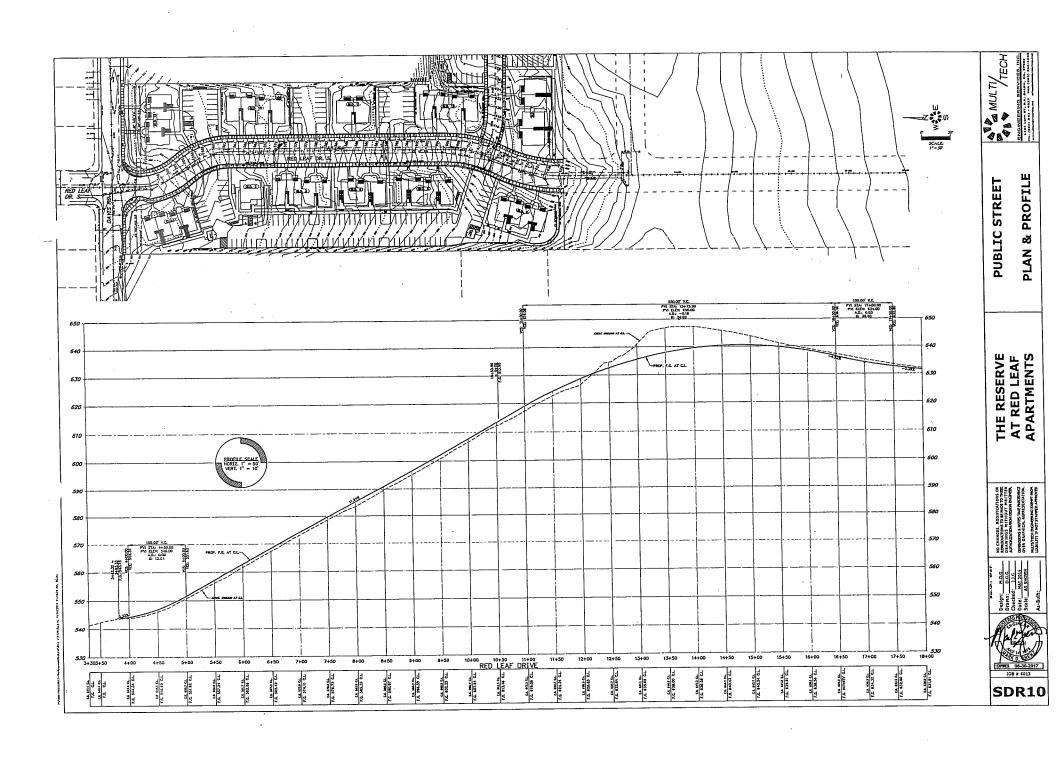














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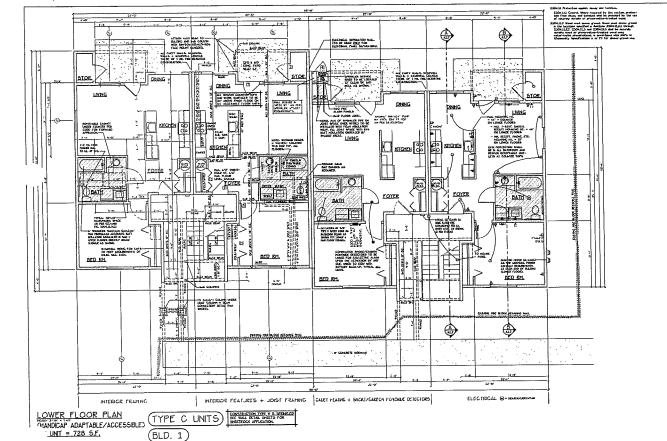
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NOTE: ALL LOWER FLOOR OPERABLE WINDOWS + HARDWARE TO COMPLY WITH 0.5.5.C. 2014 CHAPTER 11 SEC. 1107.2 ON TO (EC./MS) A117.1 MIN SEC. 100.2.2. OPERABLE PARTS STALL COMPLY WITH SEC. 209. SEC. O'PERABLE WOODS IN ACCESSEL (COCATION) OF OTAL ON SHEET ADA-S. ALL LOWER FLOOR WINDOW HEADERS TO BE SET AT 7"-0" AFF. UNLO.

NOTE: ALL ACCESSBLE DOORS SHALL BE PROVIDED WITH LEVER DOOR HARDWARE + OTHER OFFERING DEVICES IN COMPLIANCE WITH ICC/ANSI A117.1 SECTIONS 309.4. AND 4042.6.

HOTE: HAX. U-VALUE FOR ALL WINDOWS AS PER TABLE SOZ.3 2014 OFFSC U-0.35.

NOTE: WINDOW SELS HORE THAN 72" ABOVE THISH GRADE SHALL BE A INVILIA OF 36" ABOVE FIRSH FLOOR SEPTACE COD BE INSTALLED WITH WINDOW CPENING CONTROL DEVICES IN COMPLIANCE WITH THE 20 COSC SECTIONS 1013.B.1 AND 1029.4

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SEE 'GENERAL STRUCTURAL NOTES' ON SHEET A12 BEFORE BEGINNIC ANY CONSTRUCTION.

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SEE 'GENERAL STRUCTURAL NOTES' ON SHEET A1.2 BEFORE BEGINNING ANY CONSTRUCTION. CCHEKAL NOTES

1. ALL EXTERIOR WALLS TO BE 2 X G STUDG. ALL OTHER WALLS TO BE 2 X 4 STUDS UNLESS OTHERWISE NOTED.

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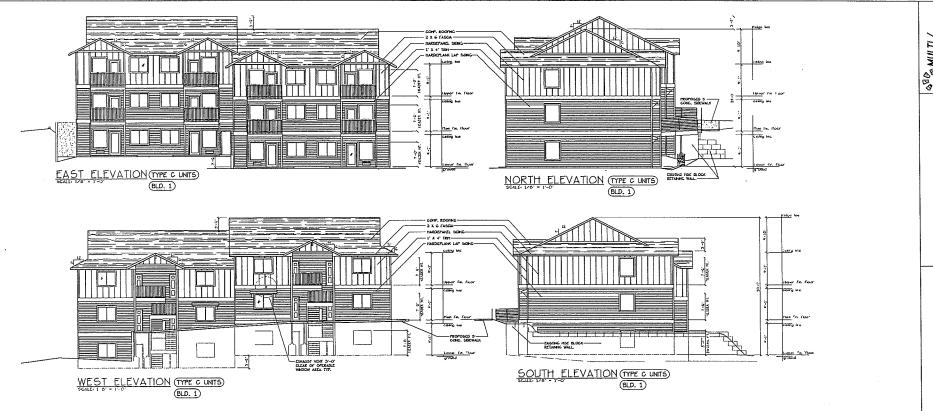
NOTE: ALL LOWER FLOOR OPERABLE WINDOWS + HARDWARE TO COPPLY WITH 0.5.S.C. 2014 CHAPTER 11 SEC. 1107.2 ON TO ECCAMB A117.1 THEN SEC. 1002.2 OPERABLE PARTS SHALL COPPLY WITH SEC. 209. SEC "OPERABLE WOODWS IN ACCESSALE LOCATIONS OF EATA ON SHEET ADA-5. ALL LOWER FLOOR WINDOW HEADERS TO BE SET AT 7"-0" AFF. UNLO.

NOTE: ALL ACCESSBLE DOORS SHALL BE PROVIDED WITH LEVER DOOR HARDWARE + OTHER OPERATING DEVESS IN COMPLIANCE WITH EC/ANA ALI7.1 SECTIONS 3094. AND 4042.6.

NOTE: MAX. U-VALUE FOR ALL WINDOWS AS PER TABLE 502.3 2014 OFESC U-0.35.

NOTE: WINDOW SELS HORE THAN 72" ABOVE THISH GRADE SHALL OF A HANNEM OF 36" ABOVE THISH FLOOR SUPERACE CORD OF INSTALLED WITH WINDOW CPENING CONTROL DEVICES IN COMPLIANCE WITH THE 2014 OSSC SECTIONS 1013.81 AND 10294.

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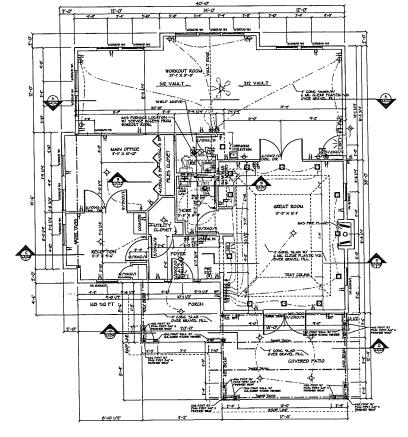


LOWER FLOOR PLAN

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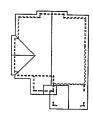


SCALE: 1/4" - 1'-0"

FLOOR PLAN







ROOF PLAN

SCALE LAC" - T-O"



NT. WALLS ZX4 . W' O.S.

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OCCUPANCY : D CONSTRUCTION TYPE: V-N

FLOOR PLAN : COVERED AREA: 31 50 FT

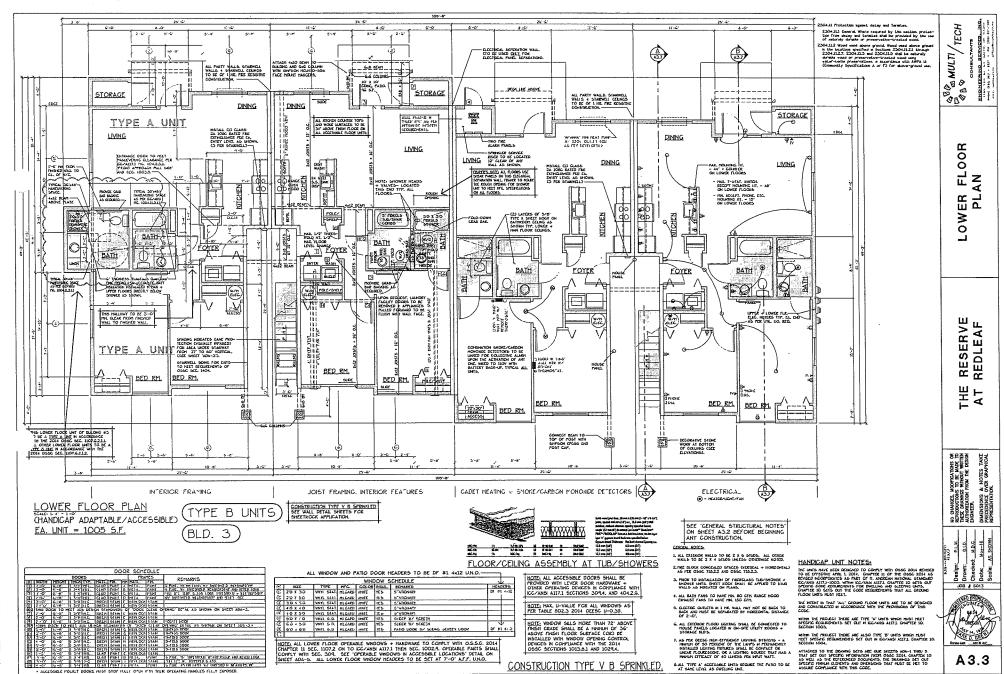
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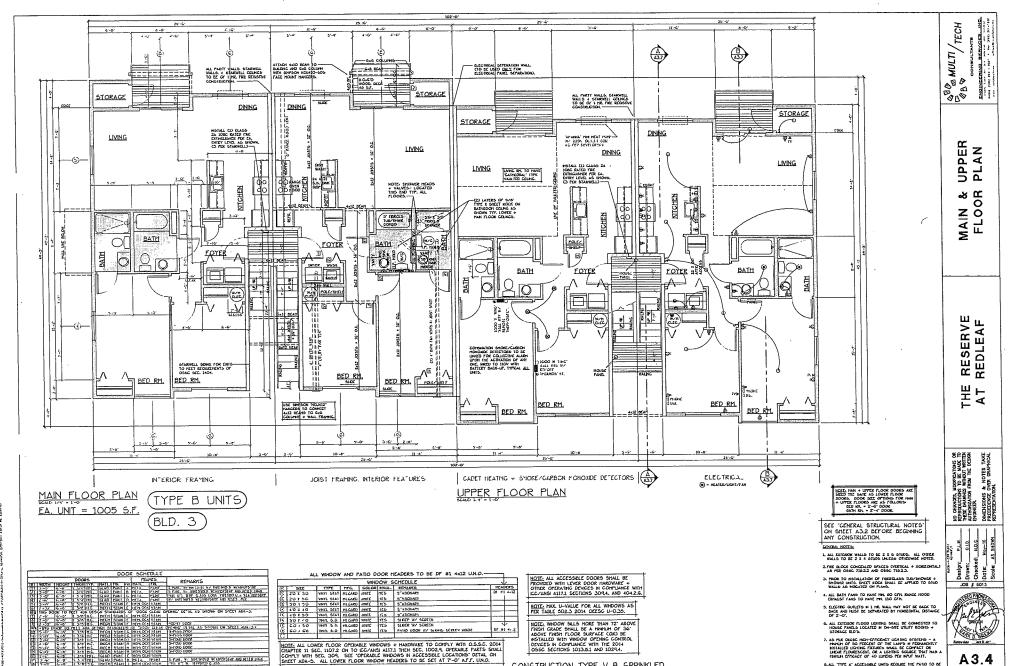
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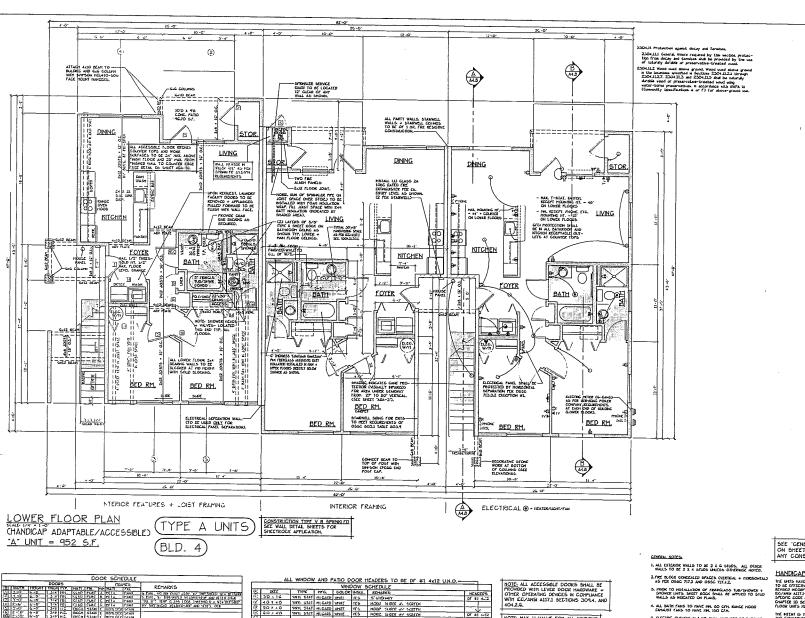
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NOTE: MAX. U-VALUE FOR ALL WINDOWS AS PER TABLE 401.1(2) DEESG U-0.32.

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SEE 'GENERAL STRUCTURAL NOTES' ON SHEET A4.2 BEFORE BEGINNING ANY CONSTRUCTION.

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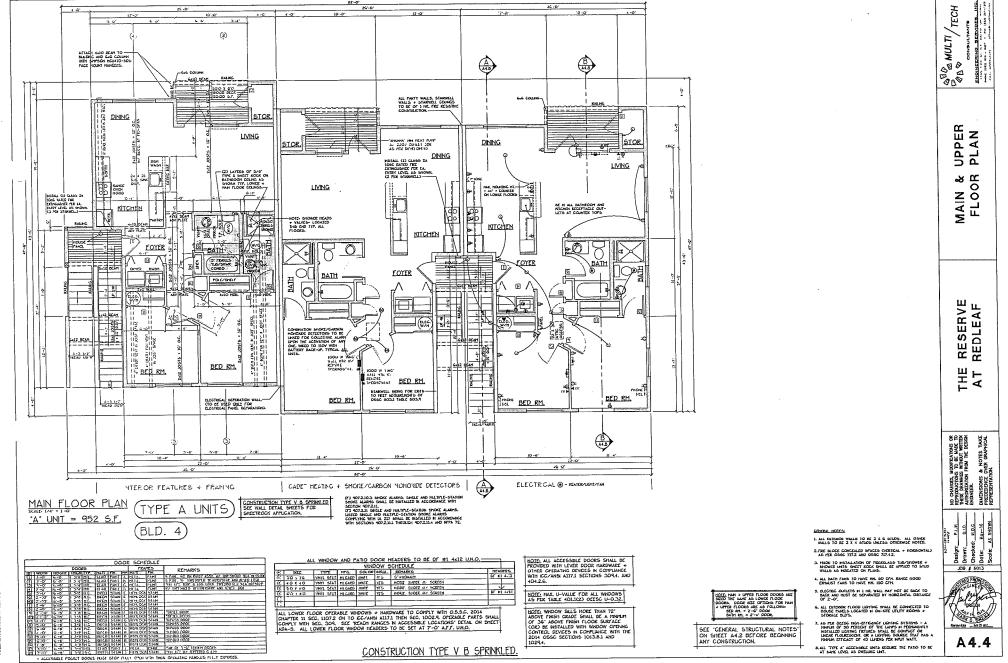
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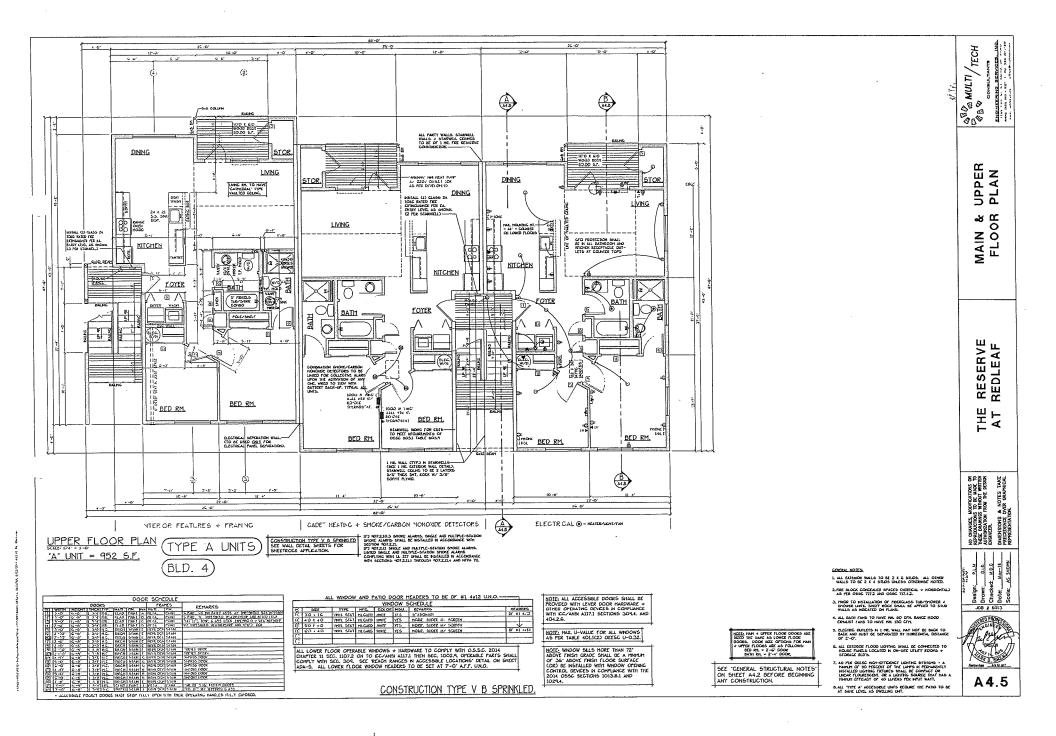
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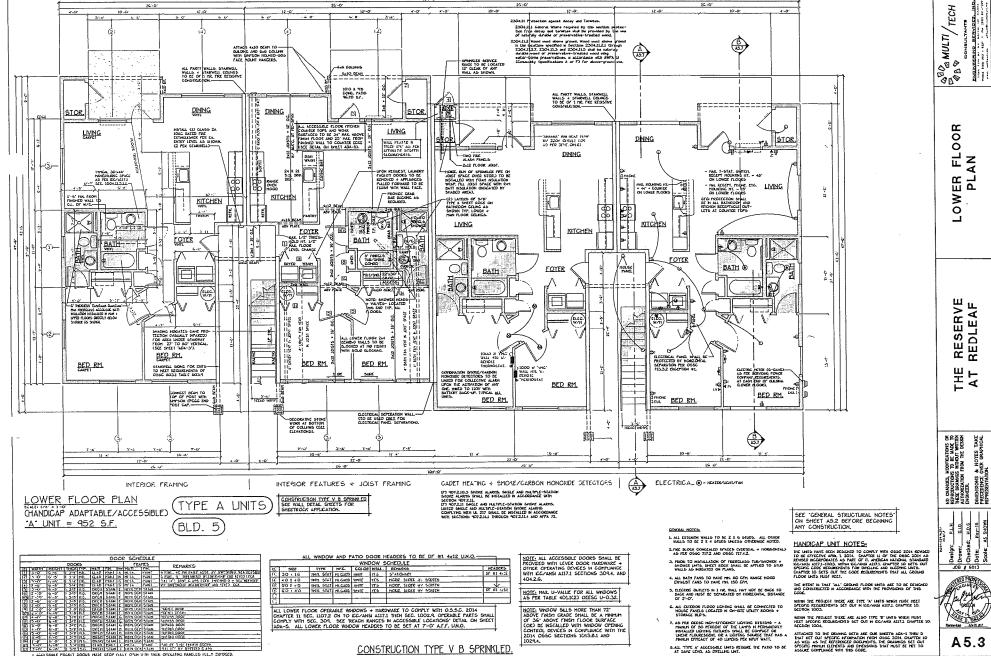






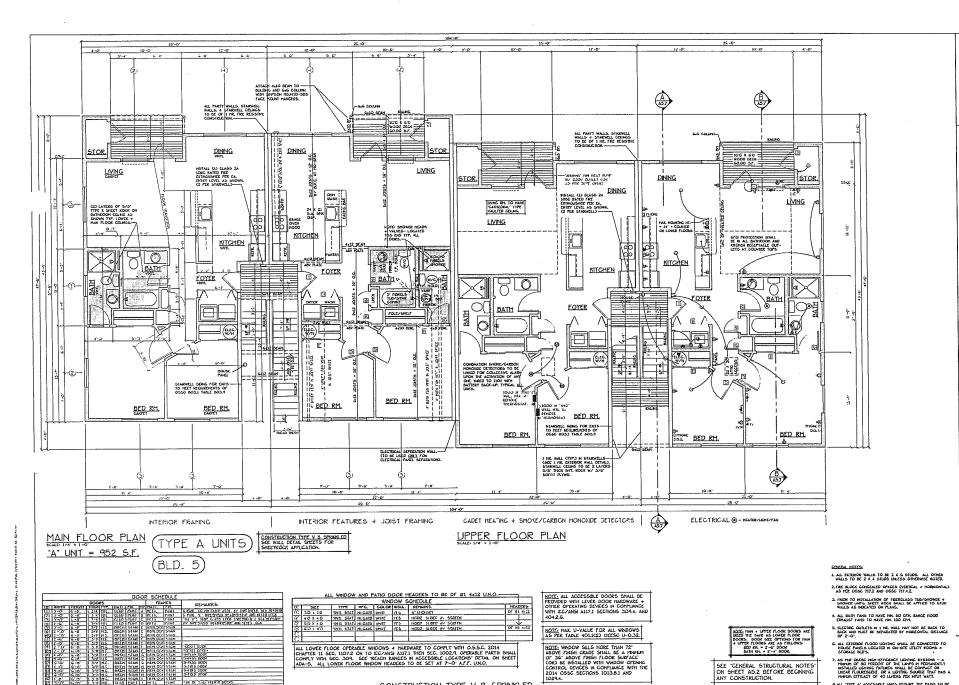
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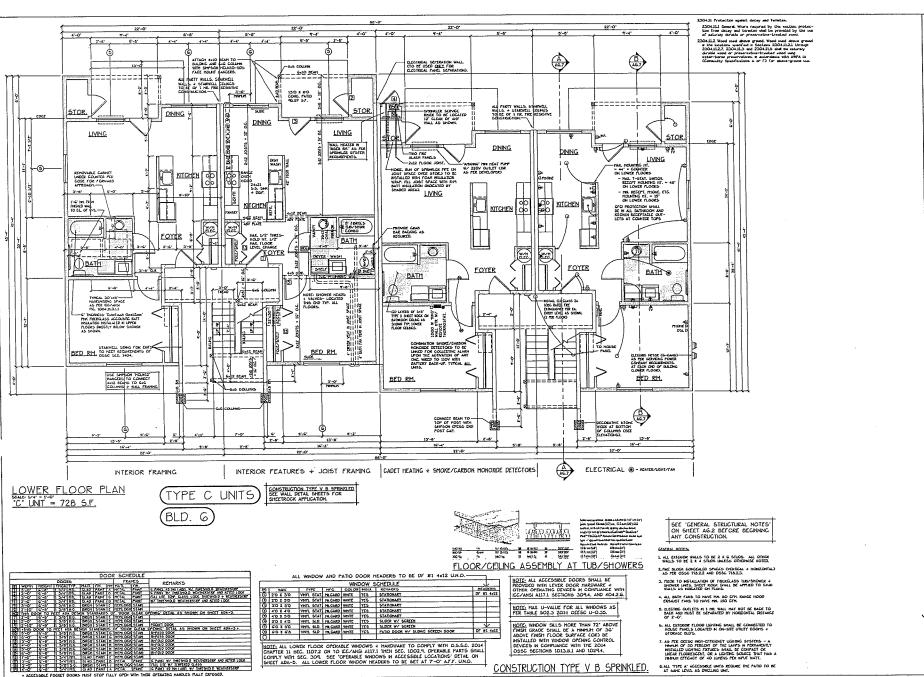






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LOWER FLOOR PLAN

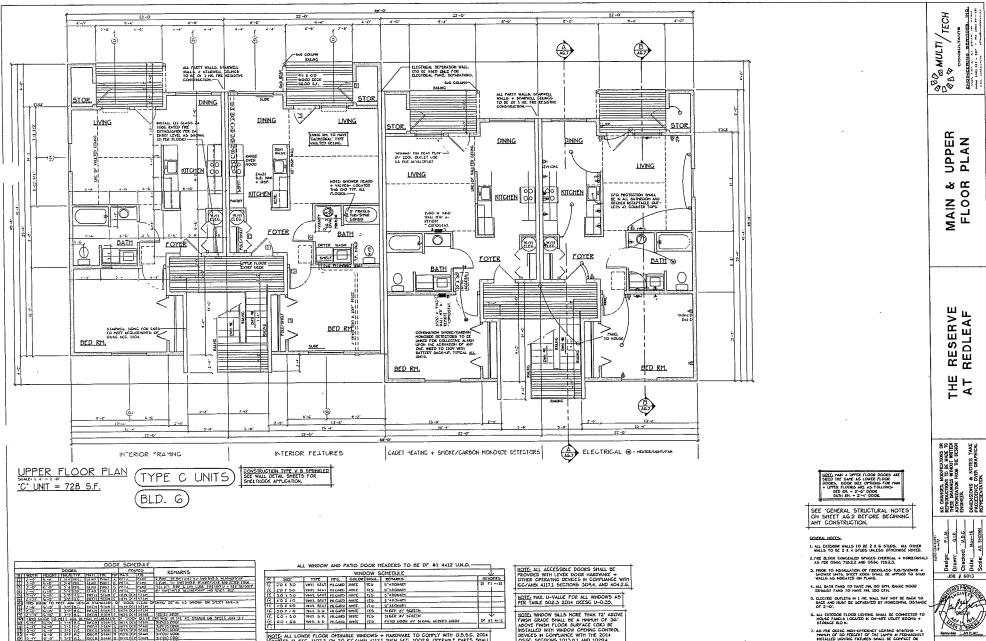
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NOTE: MAX. U-VALUE FOR ALL WINDOWS AS PER TABLE 502.3 2014 DEESC U-0.35.

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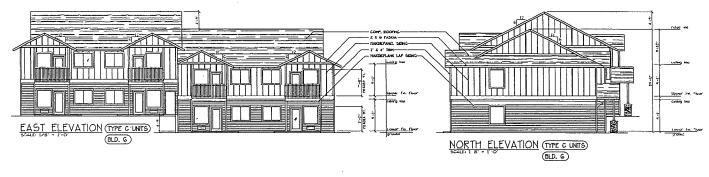


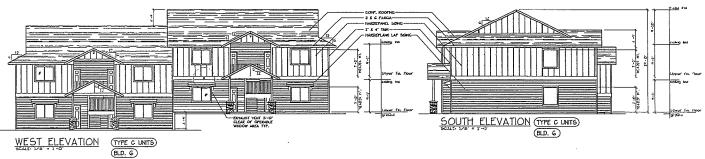
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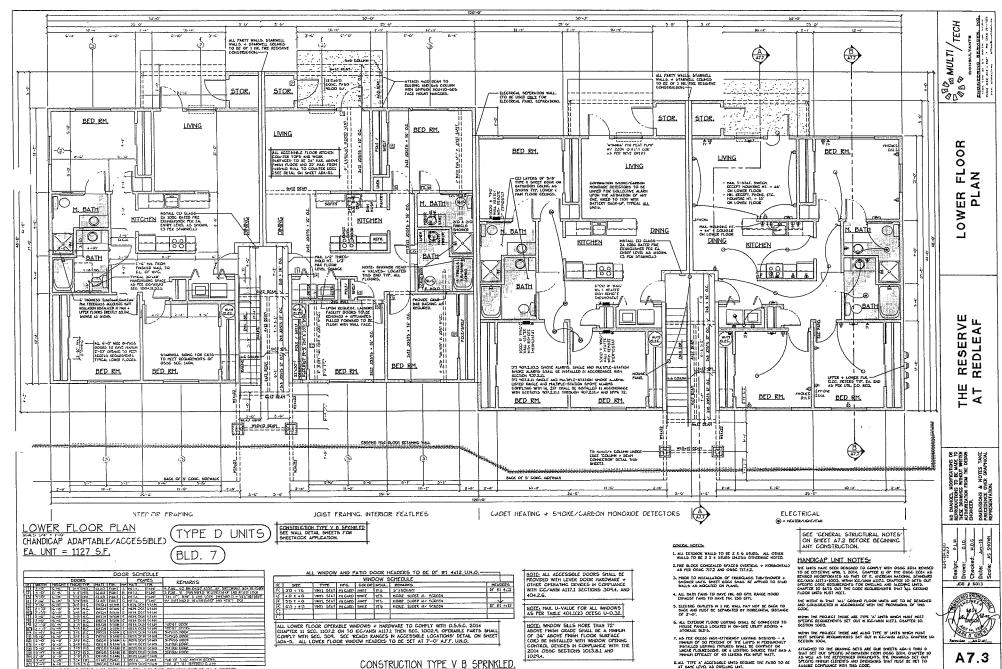
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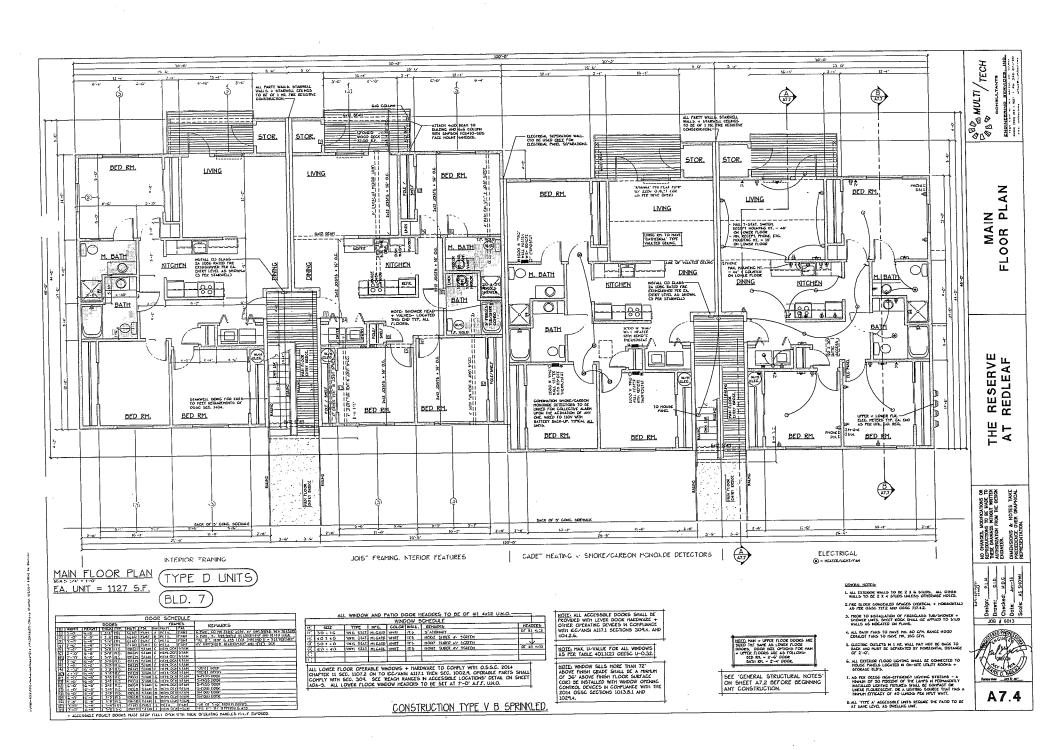
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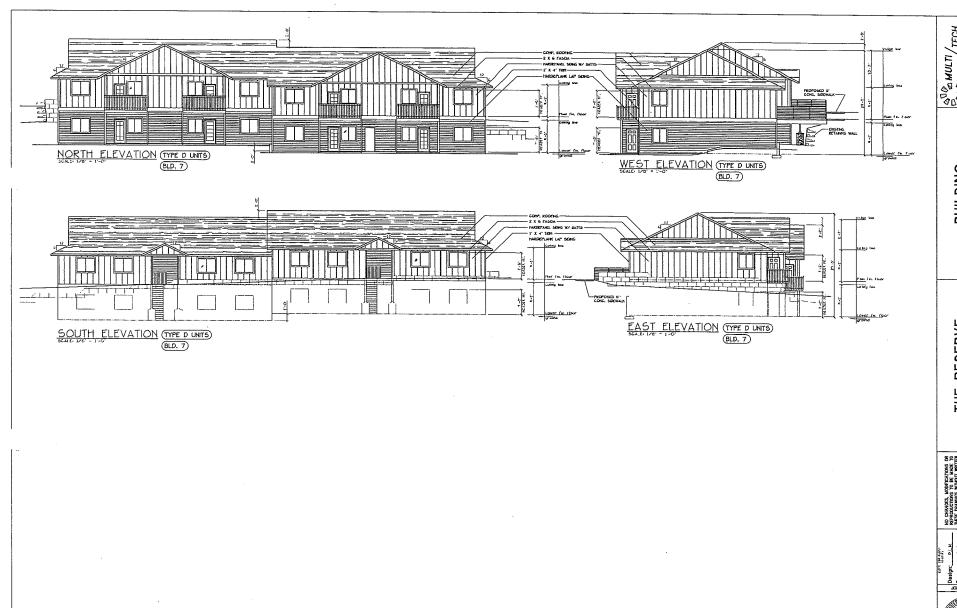






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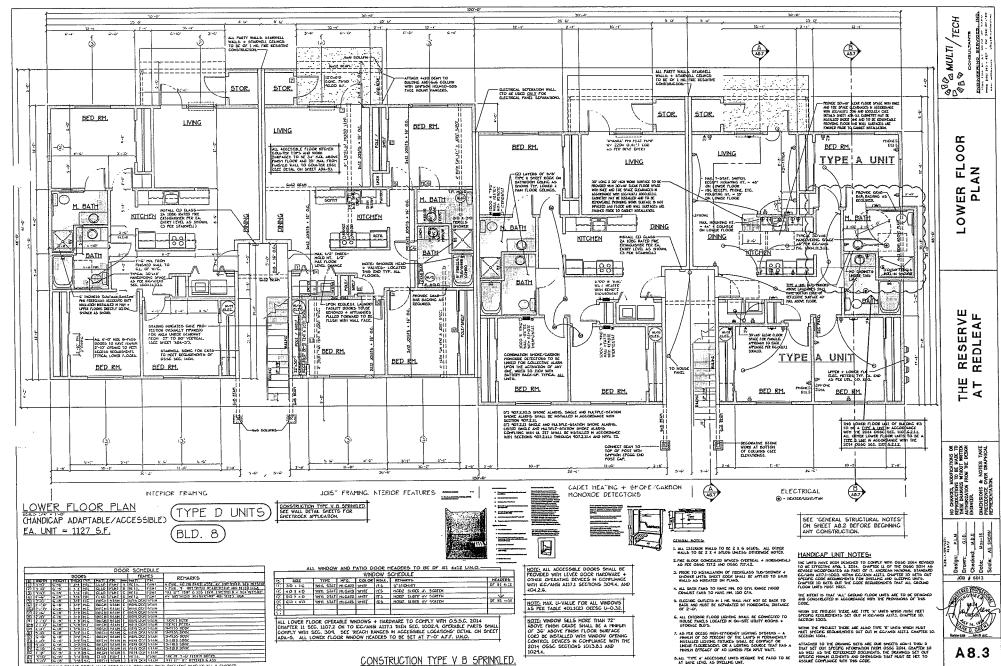
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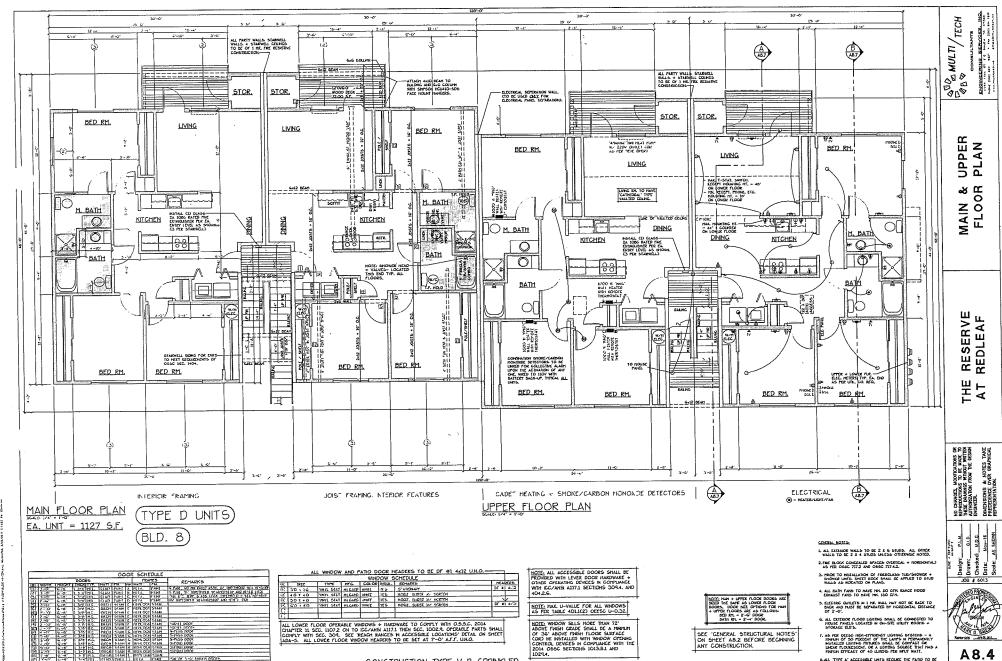
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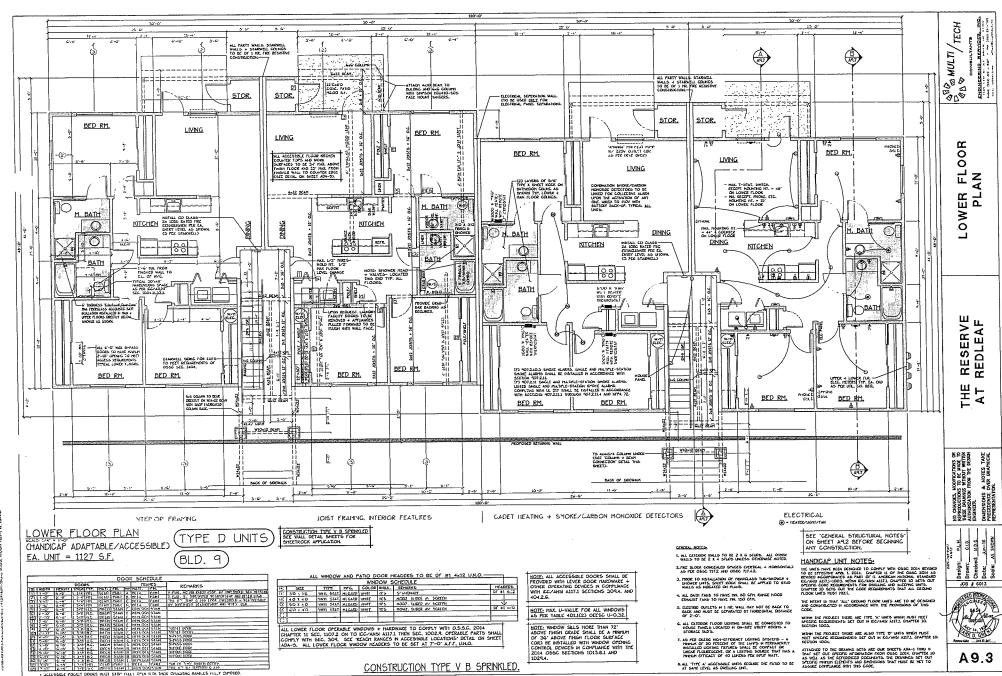


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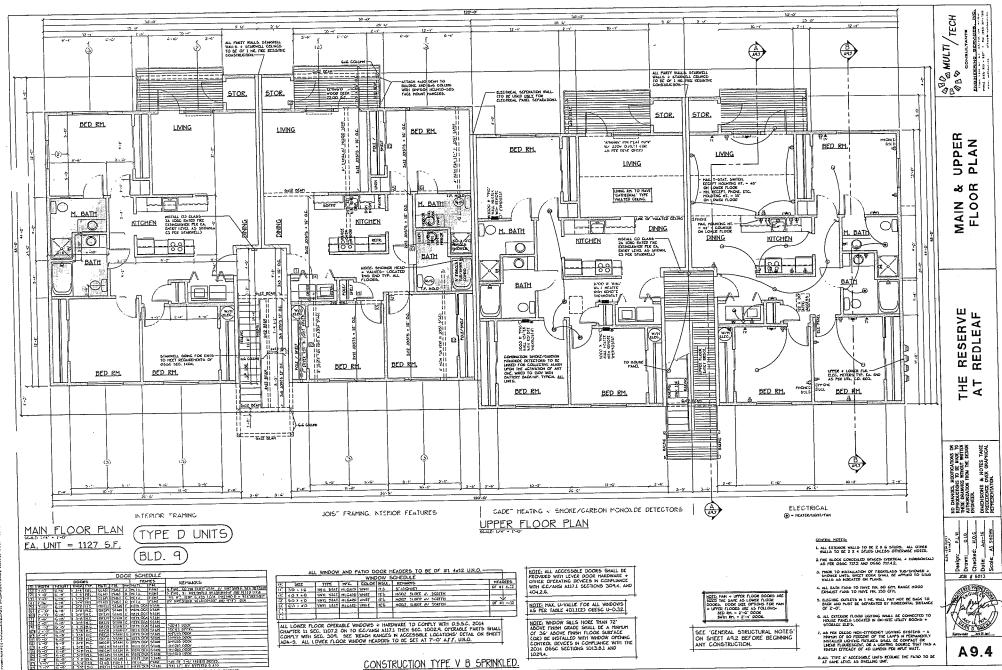
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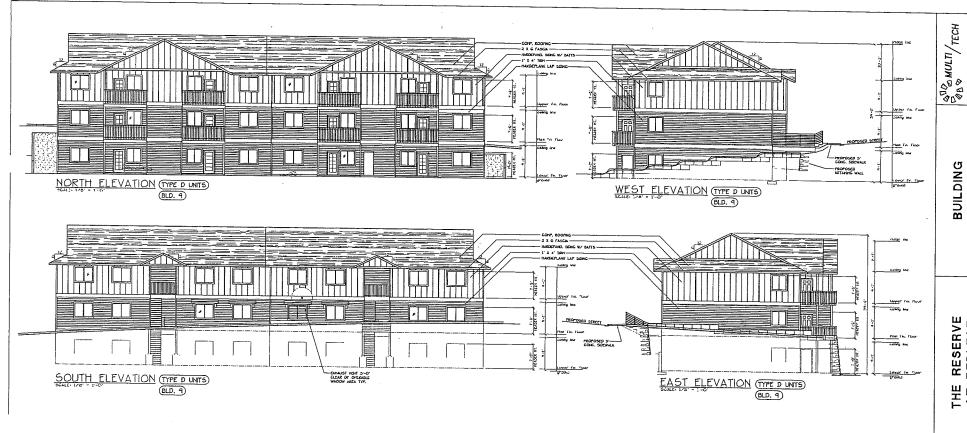
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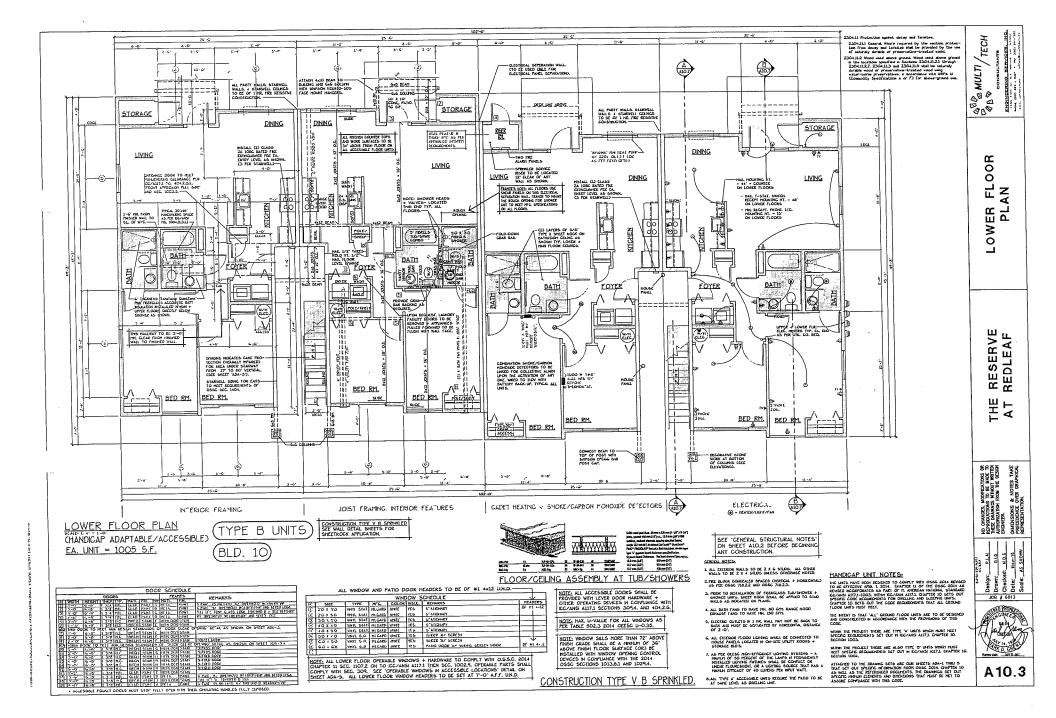
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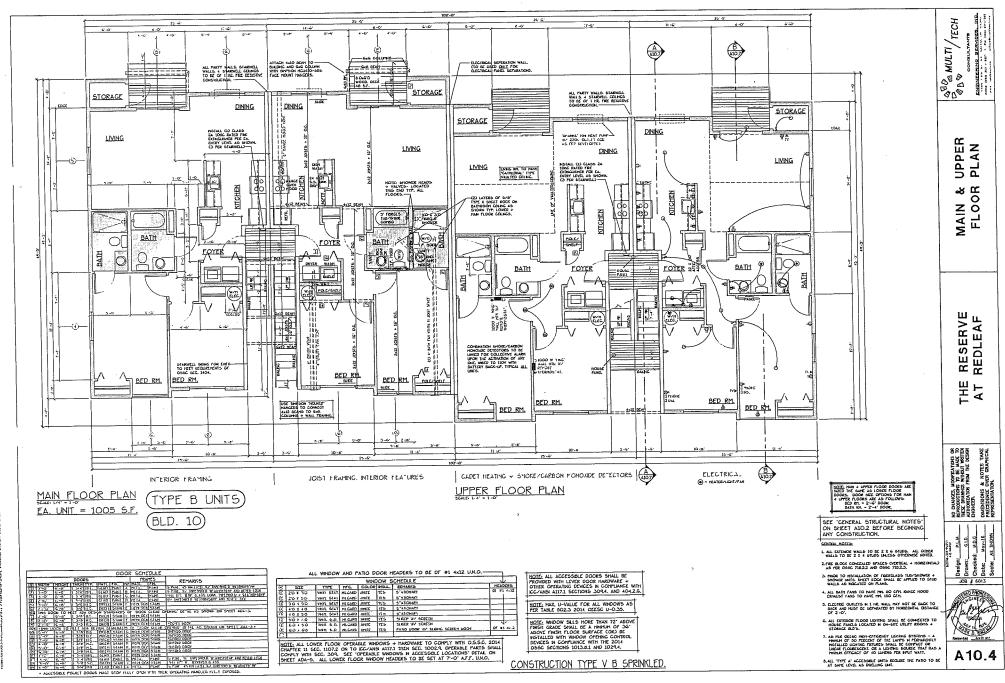
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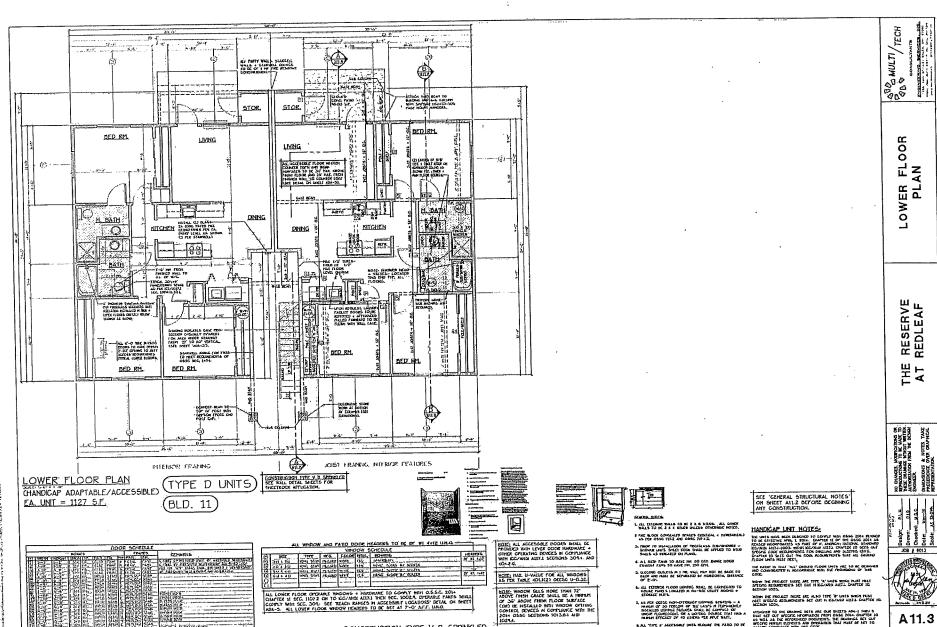
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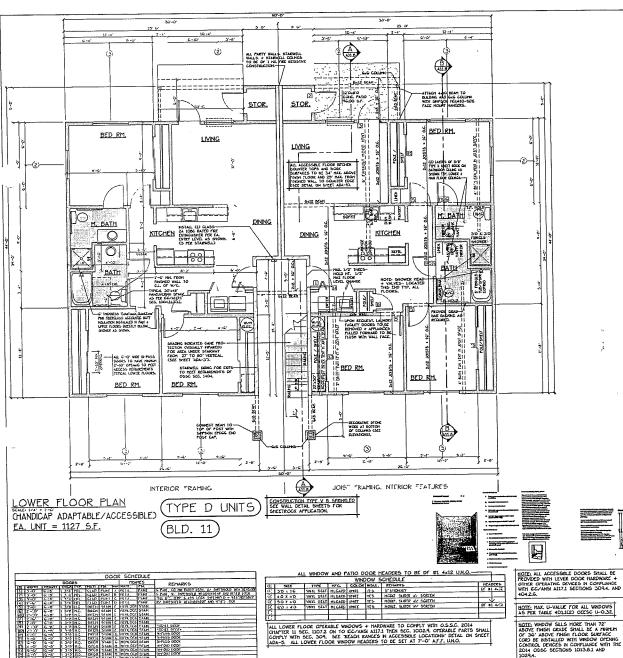
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SEE 'CENERAL STRUCTURAL NOTES' ON SHEET A11.2 BEFORE BEGINNING ANY CONSTRUCTION.

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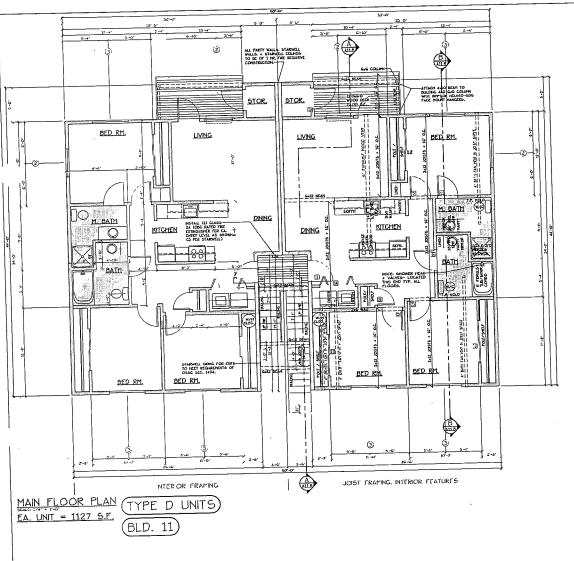
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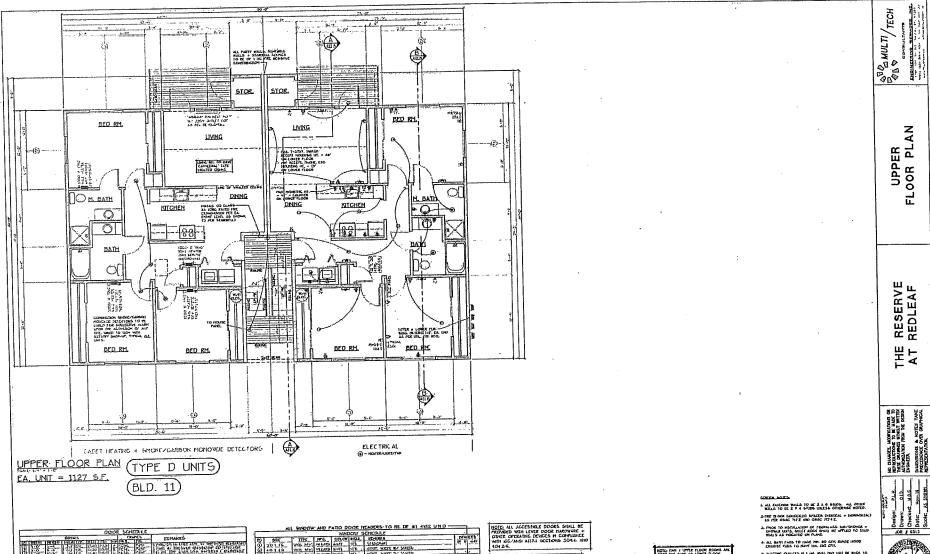
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SEE "GENERAL STRUCTURAL NOTES" ON SHEET A11.2 BEFORE BEGINNING ANY CONSTRUCTION.

frok to installation of feerglass tub/shower + shower units. Sheet rock shall be applied to stud walls as indicated on plans.

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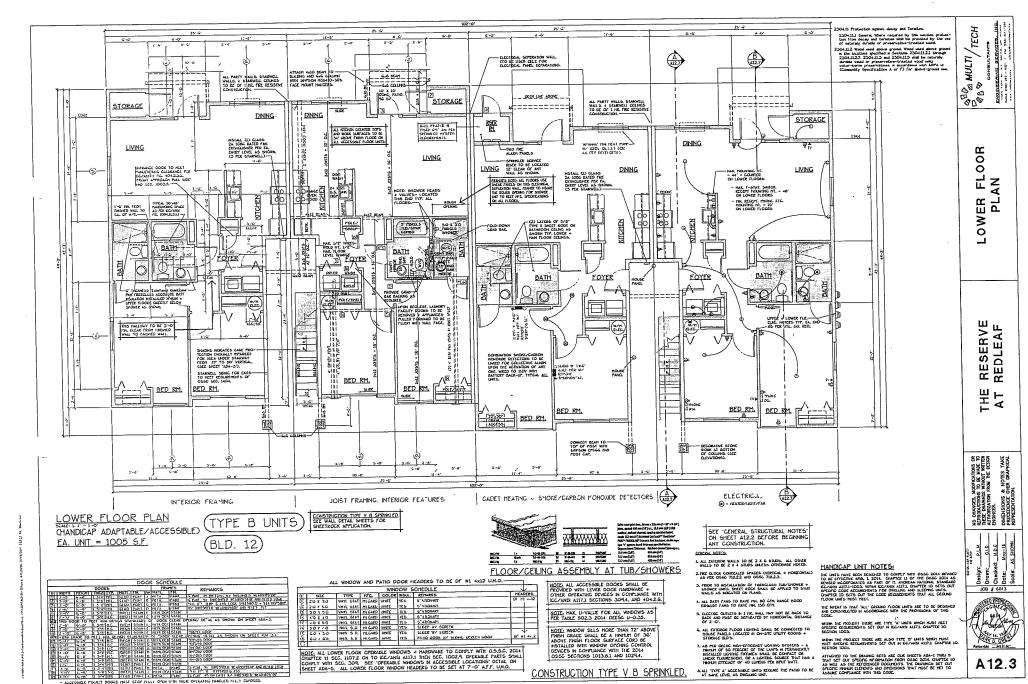
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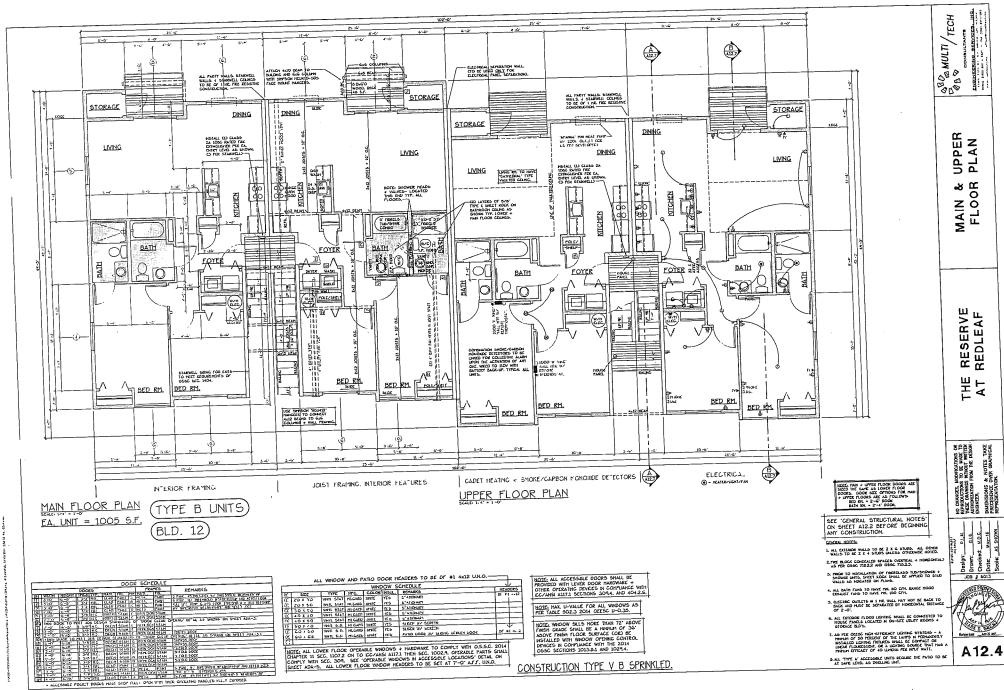


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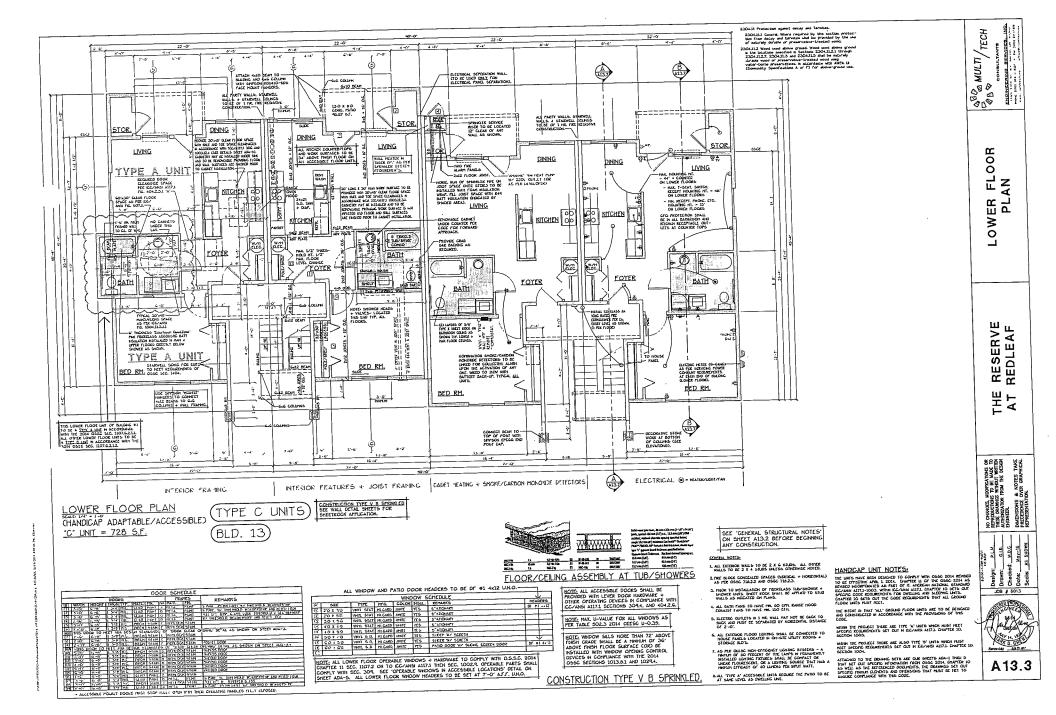
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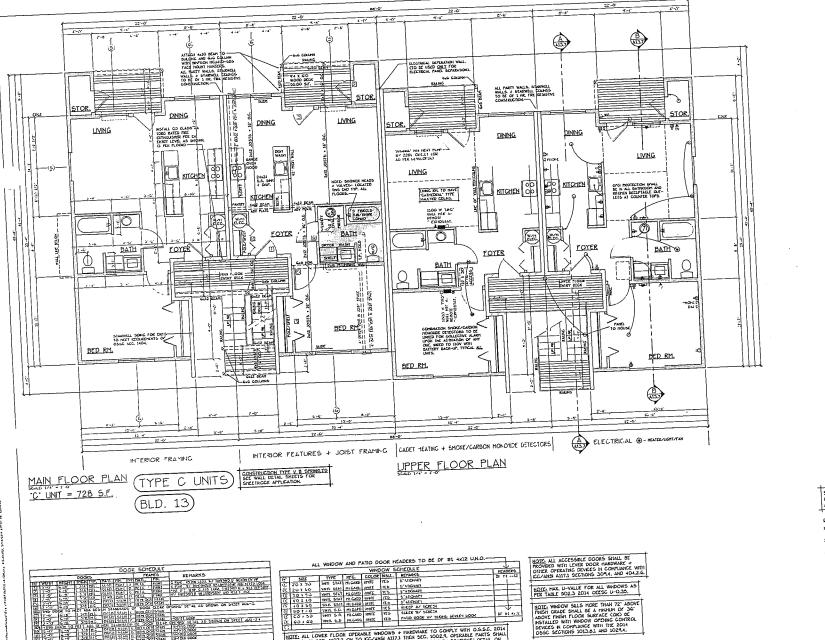




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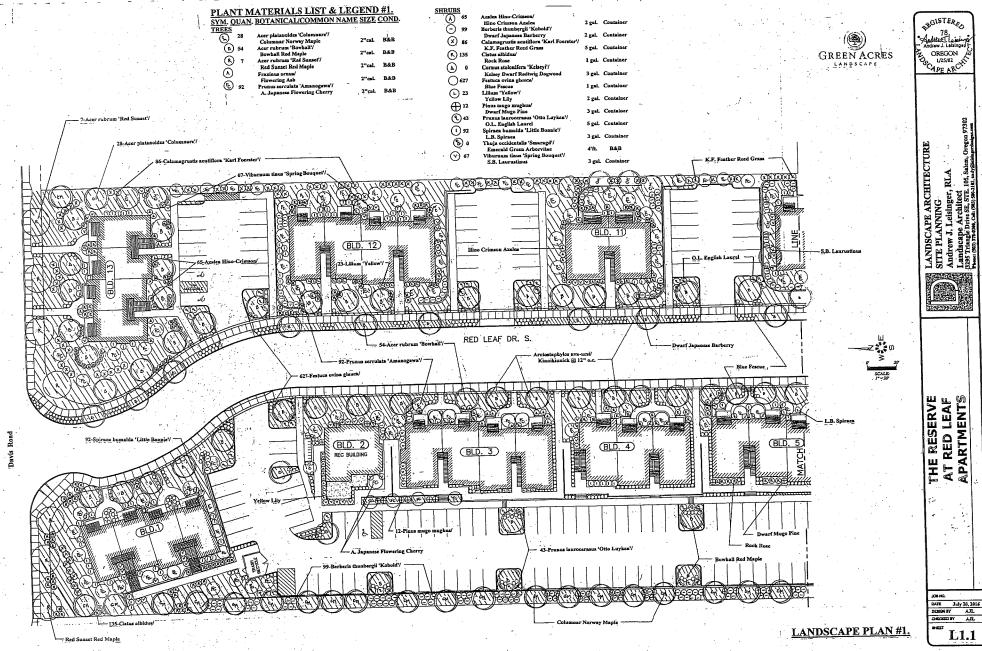


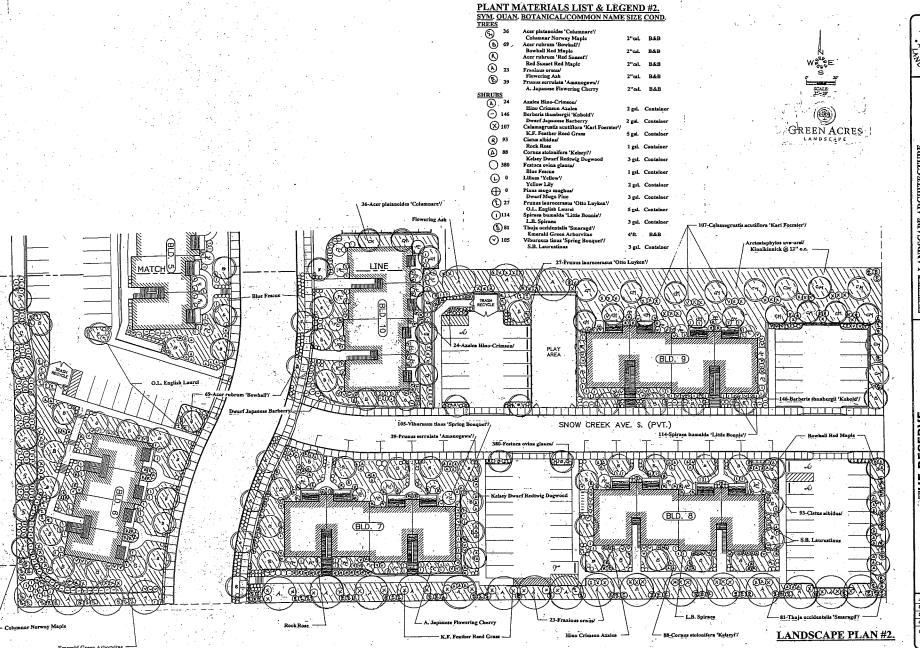
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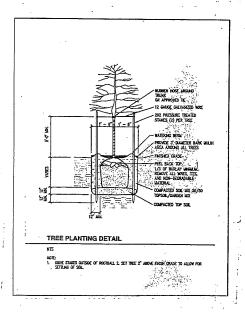
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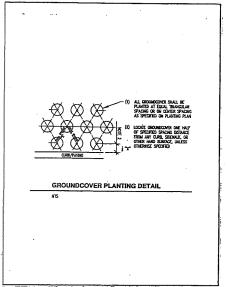
LANDSCAPE ARCHITECTURE SITE PLANNING Andrew J. Leisinger, RLA

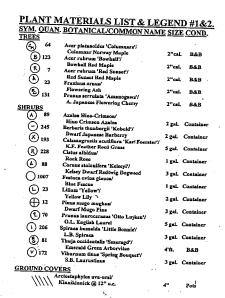


THE RESERVE AT RED LEAF APARTMENTS

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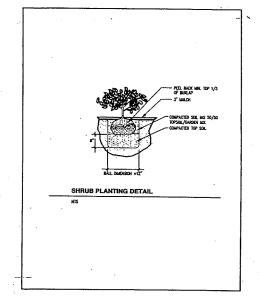




THE RESERVE AT RED LEAF APARTMENTS

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PHONE: 503-588-6173

ISSUE: Preliminary Declaration for Urban Growth Area Development Permit No. 09-6

DATE OF DECISION: August 19, 2009

APPLICANT: Reserve at Red Leaf LLC (Gregory A. Huston, Charles R. Schrader, Joe Williams, Todd W. Woodley, April von Backstrom)

PURPOSE OF REQUEST:

To assure that major public facilities such as sewers, water and streets are provided to the proposed site in accordance with the Salem Urban Growth Management Program in order to develop the subject property that lies outside the Urban Services Area (USA) in an area without required facilities, and to determine conditions established in the Urban Growth Area (UGA) Development Permit. The request is to determine the public facilities required by the Urban Growth Management Program to develop a property approximately 5.87 acres in size, zoned RM2 (Multiple Family Residential), and located at 5710 Red Leaf Drive S (Marion County Assessor's Map 083W16C, Tax Lot 00201) (Exhibit 1).

ACTION:

The following is a Preliminary Declaration of the facility improvements required to obtain an Urban Growth Area (UGA) Development Permit for the subject property. The Preliminary Declaration is subject to the terms of Salem Revised Code (SRC) Chapter 66, the Salem Transportation System Plan (STSP), the City of Salem Stormwater Management Master Plan, City of Salem Water System Master Plan, Salem Wastewater Management Master Plan, Public Works Design Standards, Comprehensive Parks System Master Plan, and conditioned on the provision of the public facilities as listed below.

This Preliminary Declaration for a UGA permit addresses only those facility requirements necessary to link the development to adequate facilities and boundary requirements abutting the property (SRC 66.140). All internal facility improvement requirements will be addressed at the time of development of the property. Salem Revised Code (SRC) Chapter 66 "Urban Growth Management" sets forth the City's authority for imposing linking and boundary facility improvement requirements.

The Facts and Findings of the Department of Public Works are attached as Exhibit 2. The applicant has the responsibility to provide the following facilities pursuant to the requirements of the UGA Development Permit and according to SRC Chapter 66:

Boundary Street Requirements

- 1. Along the entire frontage of Davis Road S, construct a 17-foot half-width improvement on the development side of the centerline.
- 2. Along the existing Red Leaf Drive S right-of-way within the subject property, construct a 34-foot-wide full-street improvement to collector street standards.

Storm Drainage Requirements

 Link the onsite storm drainage system to existing facilities that are defined as adequate under SRC 66.020(a). The applicant shall submit an engineered drainage study and capacity calculations from the proposed development to the approved points of disposal and construct the necessary improvements to provide adequate capacity as specified in the Stormwater Management Design Standards.

Water Requirements

- 1. As a condition of development in the S-3 or S-4 water service levels, the applicant shall be required to either:
 - a. Construct Skyline #2 S-3 reservoir as specified in the Water System Master Plan; or
 - Under conditions specified in a Temporary Facilities Access Agreement and Improvement Agreement between the developer and City, connect to the S-3 water system as a temporary facility per SRC 66.120(a).

Sanitary Sewer Requirements

1. Construct minimum 8-inch sewer mains to an existing adequate sewer main in accordance with the Salem Wastewater Management Master Plan as approved by the Public Works Director.

Date of Preliminary Declaration: August 19, 2009

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, not later than **September 3, 2009, by 5:00 p.m.** The appeal must state where the decision failed to conform to the provisions of the Urban Growth Management Ordinance (SRC Chapter 66). 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 Salem 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.

This Preliminary Declaration will expire on August 19, 2011.

Attachments:

Exhibit 1. Vicinity Map

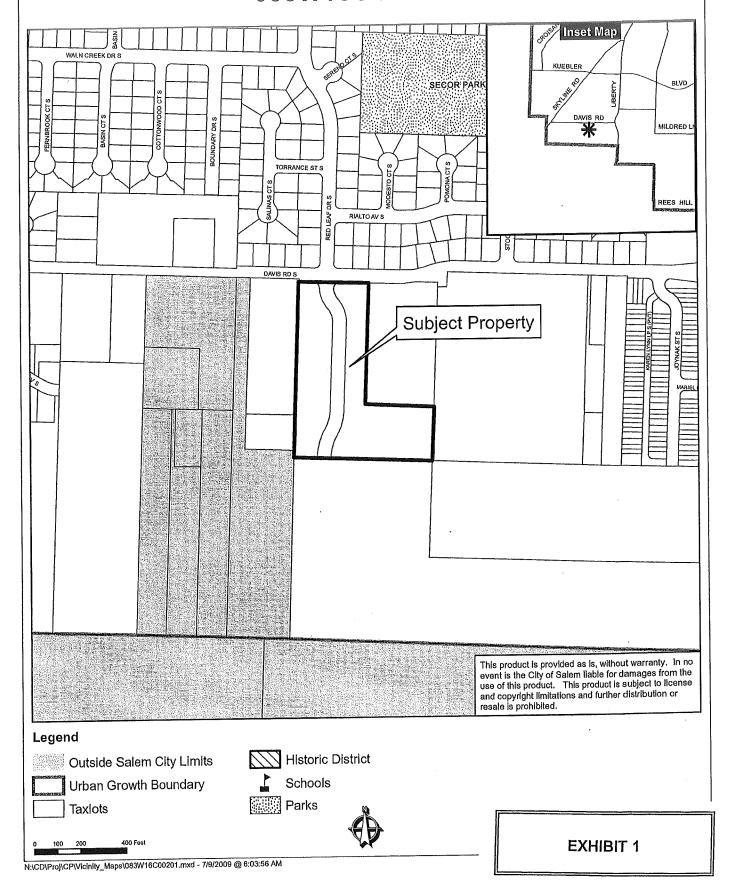
Exhibit 2. Facts and Findings of the Department of Public Works

Prepared by Pamela Cole, Associate Planner

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Vicinity Map 083W16C / 00201



AUG 1 2 2009

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AT YOUR SERVICE

WORKS

COMMUNITY DEVELOPMENT

MEMO

TO:

Pamela Cole, Associate Planner

Community Development Department

FROM:

Glenn J. Davis, P.E., Chief Development Services Engineer

Public Works Department

DATE:

August 11, 2009

SUBJECT:

REVISED PUBLIC WORKS RECOMMENDATIONS

PRELIMINARY DECLARATION FOR UGA 09-6 (09-113462)

5710 RED LEAF DRIVE S

MULTI-FAMILY RESIDENTIAL DEVELOPMENT

PROPOSAL:

To determine the public facilities required to develop a property approximately 5.87 acres in an RM2 (Multiple Family Residential) zone located at 5710 Red Leaf Drive S.

RECOMMENDED CONDITIONS:

- 1. Along the entire frontage of Davis Road S, construct a 17-foot half-width improvement on the development side of the centerline.
- 2. Along the existing Red Leaf Drive S right-of-way within the subject property, construct a 34-foot-wide full-street improvement to collector street standards.
- 3. Link the onsite storm drainage system to existing facilities that are defined as adequate under SRC 66.020(a). The applicant shall submit an engineered drainage study and capacity calculations from the proposed development to the approved points of disposal and construct the necessary improvements to provide adequate capacity as specified in the Stormwater Management Design Standards.
- 4. As a condition of development in the S-3 or S-4 water service levels, the applicant shall be required to either:
 - a. Construct Skyline #2 S-3 reservoir as specified in the *Water System Master Plan*; or

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

- Under conditions specified in a Temporary Facilities Access Agreement b. and Improvement agreement between the developer and City, connect to the S-3 water system as a temporary facility per SRC 66.120(a).
- Construct minimum 8-inch sewer mains to an existing adequate sewer main in 5. accordance with the Salem Wastewater Management Master Plan as approved by the Public Works Director.

FACTS AND FINDINGS:

Streets

- Linking Streets The proposed development must be linked to an adequate 1. linking street, which is defined as the nearest point on a street that has a minimum 34-foot improvement within a 60-foot-wide right-of-way (SRC 66.100). The subject property has an adequate linking street connection at Davis Road S.
- Boundary Streets All streets abutting the property boundaries shall be 2. designed to the greater of the standards of SRC 63.225 and SRC 63.235, and the standards of linking streets in SRC 66.100 (SRC 66.100(c)). The boundary streets for this development are Davis Road S and Red Leaf Drive S. These streets shall be constructed as described below:

Davis Road S

- Existing Conditions Davis Road S has an existing 34-foot improvement a. within a 60-foot-wide right-of-way.
- Standard Davis Road S is designated as a collector street in the Salem b. TSP. The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
- Right-of-way C.
 - Property Line Radius Sufficient right-of-way shall be dedicated at collector street intersections to provide a 30-foot property line (turn) radius (PWDS-Streets 2.15).
- Improvements Along Davis Road S, the applicant shall construct a d. 17-foot half-width improvement on the development side along the full frontage of the subject property (SRC 66.100(c); SRC 63.225; SRC 63.235). These improvements shall include streetlights and sidewalks (SRC 63.225(a); PWDS Streets 2.21).

Access Control - For collector streets, a minimum of 200 feet on center is e. required between (collector or arterial) street intersections and driveways. If alternate access is available to a local street, access to the collector will not be allowed (PWDS Development Bulletin No. 34).

Red Leaf Drive S

Standard - Red Leaf Drive S extension south of Davis Road S is an a. underimproved boundary street designated as a collector street in the Salem TSP. The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.

Right-of-way b.

Dedication - Along the designated Red Leaf Drive S extension, the applicant shall convey land for dedication sufficient to equal 60 feet of right-of-way in an alignment approved by the City Traffic Engineer (SRC 63.235).

Property Line Radius - Sufficient right-of-way shall be dedicated at collector and arterial street intersections to provide a 30-foot property line (turn) radius (PWDS-Streets 2.15).

- Improvements Along Red Leaf Drive S extension, the applicant shall C. construct a 34-foot half-width improvement through the subject property (SRC 66.100(c); SRC 63.225; SRC 63.235).
- Access Control For collector streets, a minimum of 200 feet on center is d. required between (collector or arterial) street intersections and driveways. If alternate access is available to a local street, access to the collector will not be allowed (PWDS Development Bulletin No. 34).
- Taper sections shall be constructed between the existing edge of pavement and 3. the proposed pavement widening and street improvements to meet the requirements of the City of Salem Street Design Standards.
- The maximum street grades for public streets are 1) arterial streets 6 percent; 4. 2) collector streets - 8 percent; and 3) local streets - 12 percent (PWDS Streets 2.10). No street grade shall exceed 12 percent without a variance (SRC 63.225(b)).
- All additional right-of-way required for either boundary or linking street 5. improvements is the obligation of the applicant. If the applicant is unable to obtain the required right-of-way from other affected parcels after good faith attempts, he/she shall prepare the legal descriptions thereof and transmit them to the City Attorney, who shall proceed to acquire them through exercise of the

City's power of eminent domain as though the public improvement were to be funded by the City. All costs incurred as a part of this procedure shall be paid by the applicant (SRC 66.090).

Vision clearance requirements shall be observed at all street and driveway 6. intersections (SRC 76.170).

Storm Drainage

Existing Conditions 1.

- There is no defined public storm drainage system adjacent to the subject property. The subject property is within the Battle Creek Basin as delineated in the Stormwater Master Plan.
- At the intersection of Davis Road S and Red Leaf Drive S, an 18-inch b. public storm drain line was extended across Davis Road S to the south right-of-way line.
- Linking Storm Facilities The applicant shall link the onsite system to existing 2. facilities that are defined as adequate under SRC 66.020(a). The applicant shall submit an engineered drainage study and capacity calculations from the proposed development to the approved points of disposal and construct the necessary improvements to provide adequate capacity as specified in the Stormwater Management Design Standards.
- The applicant shall be required to design and construct a complete storm 3. drainage system at the time of development. This shall require on-site detention, and a drainage study and capacity calculations for the proposed point of disposal (SRC 63.195).
- A National Pollutant Discharge Elimination System (NPDES) permit from the 4. Oregon Department of Environmental Quality is required for all construction activities that disturb one acre or more. Proof of a valid permit must be submitted at the time of plans submission. Plans will not be accepted for review without a valid NPDES permit or written certification by the applicant that a permit is not required for this project. City permits will not be issued without a valid NPDES erosion control plan approval letter (SRC 75.050).
- This site has a moderate landslide risk designation and requires a Geological 5. Assessment as specified in SRC Chapter 69.

Water

1. **Existing Conditions**

- Salem Water System Master Plan identifies this development to be within a. the S-3 and S-4 water service levels.
- There are no public water facilities in Liberty Road S adjacent to the b. subject property.
- There is an existing 12-inch S-3, public water line in Davis Road S.

S-3 Water Service Level 2.

The Water System Master Plan indicates that the S-3 water service level shall be served by the existing Skyline #1 and Champion Hill reservoirs and the future Skyline #2 reservoir. Skyline #1 reservoir has been operating at or above capacity for many years, so new development requires new reservoir construction. The Public Works Director has specified that Champion Hill and Skyline #2 reservoirs are designated to serve property east and west of Liberty Road S, respectively.

Skyline #2 is not anticipated to be constructed within the next five years. Hydraulic analysis of the current S-3 system indicates that the Champion Hill reservoir has the capability to serve all property east of Liberty Road S plus a limited area west of Liberty Road S (approximately 600 dwelling units). Although the S-3 area west of Liberty Road S shall ultimately be served by Skyline #2 reservoir, the Public Works Director supports the use of the Champion Hill as a temporary facility per SRC 66.120(a) to serve development west of Liberty Road S under certain conditions as specified in a development agreement between the developer and City.

3. S-4 Water Service Level

Because water service for the S-4 system is provided from the S-3 system, the reservoir requirements described above apply also to the S-4 water service level.

The Water System Master Plan does not specify the infrastructure needed to serve the S-4 service level, and there are no existing S-4 facilities available to serve the proposed development. The applicant shall be required to identify the water system infrastructure needed to serve the S-4 service level and construct improvements as specified by the Public Works Director.

As a condition of development in the S-3 or S-4 water service levels, the 4. applicant shall be required to either:

- Construct Skyline #2 reservoir as specified in the Water System Master a. Plan; or;
- Under conditions specified in a Temporary Facilities Access Agreement b. and Improvement Agreement between the developer and City, connect to the S-3 water system as a temporary facility per SRC 66.120(a).
- As a condition of water service, all developments shall be required to provide 5. public water mains of sufficient size for fire protection to adjacent parcels. This shall include the extension of water mains in easements or rights-of-way across the property to adjoining properties, and across the street frontage of the property to adjoining properties when the main is located in the street right-of-way (SRC 63.175; PWDS 2.00).
- Any water line crossing adjacent lots or parcels shall require a minimum 6. 10-foot-wide public easement to provide access for maintenance or repair and for protection of the system (SRC 63.165).
- Water meters shall be placed along the right-of-way of the internal streets of the 7. subject property (City of Salem Policy and Procedure WA 2-7).
- Each lot shall have an independent water service from the meter to the lot 8. (SRC 72.093).
- Water service lines for the flag lots shall be located within the access easement. 9.
- All land and easements required for Water System Master Plan improvements 10. are the obligations of the applicant. All easements acquired by the developer shall be dedicated to the City prior to commencement of any construction of required facilities (SRC 60.090).
- Any existing unused wells shall be abandoned to meet the requirements of the 11. Oregon State Board of Water Resources.

Sanitary Sewer

Existing Sewer 1.

- There is a new 8-inch public sanitary sewer line being constructed in a. Davis Road S adjacent to the subject property.
- The Salem Wastewater Management Plan shows several sanitary sewer b. facilities are required to serve the subject property.
- Linking Sewer Facilities The proposed development shall be linked to adequate 2. facilities by the construction of sewer lines and pumping stations, which are

necessary to connect to such existing sewer facilities (SRC 66.110). The applicant shall construct minimum 8-inch sewer mains to an existing adequate sewer main in accordance with the Salem Wastewater Management Master Plan as approved by the Public Works Director. Alignments inconsistent with the Salem Wastewater Management Master Plan may require a Master Plan amendment as determined by the Public Works Director.

- As a condition of sewer service, all developments will be required to provide 3. public sewers to adjacent upstream parcels. This shall include the extension of sewer mains in easements or rights-of-way across the property to adjoining properties, and across the street frontage of the property to adjoining properties when the main is located in the street right-of-way. This shall include trunk sewers that are oversized to provide capacity for upstream development (SRC 63.185; PWDS 2.00).
- Any sanitary sewer crossing adjacent lots or parcels shall require a minimum 4. 10-foot-wide easement to provide access for maintenance or repair and for protection of the system (SRC 63.165).
- Sanitary sewer service lines for flag lots shall be located within the access 5. easement.
- The applicant shall be required to provide separate sewer services for each lot 6. (SRC 63.185).
- 7. Any existing septic tank systems shall be abandoned (SRC 73.100).

General Comments

- All development activity will require building and/or construction permits in 1. accordance with the SRC, the PWDS, and Standard Construction Specifications. Permits will not be issued by the City of Salem Permit Application Center until all construction plans have been approved by the Public Works Department.
- Building over pipelines or within utility easements is prohibited (SRC 63.165; 2. Policy and Procedure GM 1-24).
- All utilities and roadway facilities shall be designed and constructed to meet the 3. requirements of the City of Salem PWDS and Standard Construction Specifications.
- All utility easements required to extend sanitary sewer, water, or storm drainage systems to or through the subject property or adjacent properties shall be the obligation of the applicant (SRC 63.165).

Pamela Cole, Associate Planner August 11, 2009 Page 8

5. The applicant shall be required to obtain an excavation cut and fill permit prior to conducting any clearing and grubbing operations on parcels within the city limits if such parcels contain an easement of any kind for City public utilities (SRC 65.040).

Prepared by: Leah deVries, Administrative Analyst II

File cc:



MEMO

TO:

Amy Dixon, Planner II

Community Development Department

FROM:

Glenn J. Davis, PE, CFM, Chief Development Engineer

Public Works Department

DATE:

August 26, 2016

SUBJECT:

PUBLIC WORKS RECOMMENDATIONS

DR-SPR-ADJ-DAP16-02 (16-111407)

127-UNIT MULTI-FAMILY DEVELOPMENT

RECEIVED

AUG 26 2016

PROPOSAL

COMMUNITY DEVELOPMENT

A consolidated Class 3 Design Review, Class 3 Site Plan Review, Class 2 Adjustment, Class 1 Adjustment, and Class 2 Driveway Approach Permit to allow development of a 127-unit apartment complex, for property approximately 5.9 acres in size, zoned RM2 (Multi-family Residential), and located at 1700 Block of Davis Road S and 5700 Block of Red Leaf Drive S (Marion County Map and Tax Lot Numbers: 083W16C 00201).

RECOMMENDED CONDITIONS OF APPROVAL

- 1. The requirements of UGA 09-06 shall be implemented for the proposed development as follows:
 - a. Boundary Street Condition 1: Along the entire frontage of Davis Road S, construct a 17-foot half-width improvement on the development side of the centerline.
 - b. Boundary Street Condition 2: Along the existing Red Leaf Drive S right-of-way within the subject property, construct a 34-foot-wide full street improvement to collector street standards.
 - c. Storm Drainage Condition 1: Connect to the existing 18-inch storm main in the Davis/Red Leaf intersection.
 - d. Water Condition 1: Pay a temporary access fee as specified in the Temporary Facilities Access Agreement.
 - e. Sewer Condition 1: Connect to the existing 8-inch sewer main in the Davis/Red Leaf intersection.

- 2. Design and construct City infrastructure according to current PWDS. Partially-constructed infrastructure existing on the property has not been accepted by the City and must comply with current standards prior to acceptance. Construction plans shall be approved and secured per SRC Chapter 77 prior to building permit issuance, and the improvements shall be completed and accepted to the satisfaction of the Public Works Director prior to occupancy.
- 3. Dedicate a minimum 35-foot-wide access easement along Reserve Lane Private Way. The structural section for the private street shall meet local street standards. No parking shall be allowed within the private street unless it is constructed to a local street standard of 30 feet wide.
- 4. Provide a minimum 280 foot sight distance along Red Leaf Drive S to ensure safe traffic exiting the private street.
- 5. Construct stormwater flow control facilities to mitigate all new impervious surfaces and stormwater treatment facilities to mitigate new impervious surfaces outside the right-of-way in compliance with PWDS. Pursuant to PWDS Appendix 4E.8, green stormwater infrastructure (GSI) shall be used to mitigate no less than 50 percent of the impervious surfaces located outside the right-of-way.
- 6. Construct Building 8 with a first floor no higher than elevation 630 to be served from the S-3 service level, or obtain Public Works Director approval for a booster pump pursuant to SRC 72.103.

FACTS

Streets

1. Red Leaf Drive S

- a. <u>Existing Conditions</u>—This street has a 60-foot-wide right-of-way traverses the subject property.
- b. <u>Standard</u>—This street is designated as a Collector street in the Salem TSP. The standard for this street classification is a 34 to 40-foot-wide improvement within a 60-foot-wide right-of-way.

2. Davis Road S

a. <u>Existing Conditions</u>—This street has an approximate 34-foot improvement within a 60-foot-wide right-of-way abutting the subject property.

b. <u>Standard</u>—This street is designated as a Collector street in the Salem TSP. The standard for this street classification is a 34 to 40-foot-wide improvement within a 60-foot-wide right-of-way.

Storm Drainage

Existing Conditions:

1. An 18-inch storm main is located in Red Leaf Drive S.

Water

Existing Conditions:

- 1. The subject property is located in the S-3 and S-4 water service level.
- 2. A 12-inch S-3 water main is located in Davis Road S. Mains of this size generally convey flows of 2,100 to 4,900 gallons per minute.

Sanitary Sewer

Existing Conditions:

1. An 8-inch sewer line is located in Davis Road S.

CRITERIA AND FINDINGS

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

Criteria—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 Red Leaf Drive S and Davis Road S do not appear to meet current standards for their classification of street per the Salem TSP. Required street improvements are specified in the conditions of approval consistent with SRC Chapter 803. The private street connection between Red Leaf Drive S and the east line of the subject property provides sufficient connectivity pursuant to SRC 803.035.

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

Amy Dixon, Planner II August 26, 2016 Page 4

MEMO

Finding—The driveway access onto Red Leaf Drive S provides for safe turning movements into and out of the property. No parking shall be allowed within the private street unless it is constructed to a local street standard of 30 feet wide.

Criteria—The proposed development will be adequately served with City water, sewer, storm drainage, and other utilities appropriate to the nature of the development.

Finding—The Public Works Department has reviewed the applicant's preliminary utility plan for this site. The applicant is required design and construct City infrastructure according to current PWDS. Partially-constructed infrastructure existing on the property has not been accepted by the City and must comply with current standards prior to acceptance. Construction plans shall be approved and secured per SRC Chapter 77 prior to building permit issuance, and the improvements shall be completed and accepted to the satisfaction of the Public Works Director prior to occupancy.

PWDS requires the applicant's utility plan to be modified to extend the sewer system in Davis Road S to the west line of the subject property as indicated in the conditions of approval.

The applicant shall construct stormwater flow control facilities to mitigate all new impervious surfaces and stormwater treatment facilities to mitigate new impervious surfaces outside the right-of-way in compliance with PWDS. Pursuant to PWDS Appendix 4E.8, green stormwater infrastructure (GSI) shall be used to mitigate no less than 50 percent of the impervious surfaces located outside the right-of-way. GSI can be reduced below the 80 percent standard because surface slopes cannot be graded to meet the design criteria required for GSI. Stormwater treatment facilities are not required for the right-of-way because the improvements were partially completed as impervious surfaces when the project was first permitted in 2008.

Building 8 is located in the S-4 service level, and S-3 water facilities cannot provide adequate pressure to serve Building 8, even as a temporary facility. The applicant shall construct Building 8 with a first floor no higher than elevation 630 to be served from the S-3 service level, or obtain Public Works Director approval for a booster pump pursuant to SRC 72.103.

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

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

Finding—The proposed driveways meet the standards for SRC 804 and PWDS with a Class 2 adjustment for multiple driveway approaches onto a collector street where only one is allowed SRC 804.030(a). The Class 2 adjustment is warranted because multiple accesses are needed given the limited area for internal parking circulation. Pursuant to Class 2 adjustment criteria in SRC 250.005(d)(2), the multiple driveway accesses provide equal or better access for the proposed development because vehicle turning movements have a negligible effect on collector streets.

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

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

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

Finding—The proposed driveways are not accessing onto an arterial street.

- 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 driveways are currently located with access to the lowest classification of street abutting the subject property.

5. The proposed driveway approach meets vision clearance standards;

Finding—The proposed driveways meet the PWDS vision clearance standards set forth in SRC Chapter 805. However, the proposed driveway serving the private street does not provide adequate sight distance, therefore, the applicant shall eliminate sight obstructions to provide a minimum 280 foot sight distance along Red Leaf Drive S to ensure safe traffic exiting the private street.

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

Finding—The proposed driveways will not create a known traffic hazard and will provide for safe turning movements for access to the subject property. Due to the vertical and horizontal curves in Red Leaf Drive S, the Assistant City Traffic Engineer has identified that the drive approach providing access to the un-named private street does not provide for sufficient vision clearance for access in compliance with the minimum AASHTO intersection sight distance standards and would cause a potential traffic hazard. The design of Building 7 must be modified to provide the 280 foot sight distance required to ensure safe traffic movements as outlined in the conditions of approval.

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

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

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

Finding—These proposed driveway approaches are located on a collector street and does not create a significant impact to adjacent streets and intersections.

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

Finding—These driveways will not have an effect on the functionality of the adjacent streets.

Prepared by: Nathan Coapstick - Project Coordinator cc: File

ATTACHMENT E

From:

<epwhitehouse@comcast.net>

To:

Amy Dixon <adixon@cityofsalem.net>
Alan Alexander <awa8025@aol.com>

CC: Date:

8/4/2016 12:05 PM

Subject:

Re: Case No. DR-SPR-ADJ-DAP16-02

Amy, would you please add one more comment? I forgot to mention undeveloped SECOR park. Currently, Sunnyslope Park is the only developed park in the Sunnyslope NA. As the City begins to expand out south, it is critical that the City develop a plan for SECOR park and implement that plan so that families have a place to go for recreation. This is particularly important as high-density development occurs at the southern edge of our City. Thanks again, Evan

---- Original Message -----

From: "Amy Dixon" <adixon@cityofsalem.net>

To: epwhitehouse@comcast.net

Sent: Wednesday, August 3, 2016 4:07:24 PM Subject: Re: Case No. DR-SPR-ADJ-DAP16-02

Thank you for your comments. I will add them into record.

amy

Amy J. Dixon, Planner II
City of Salem
Community Development Dept.
555 Liberty St SE / Room 305
Salem, OR 97301
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(https://twitter.com/Salem_Planning)

>>> <epwhitehouse@comcast.net> 8/3/2016 2:11 PM >>>
Dear Amy: Thank you for contacting the Sunnyslope NA and asking for our comments.

The developer has not asked to meet with us, we have not met with him, and we do not have time before your deadline to meet as a body to consider and vote on this case.

From past cases along Davis Road, I believe that we would express the following concerns:

Traffic safety -- the developer should put in sidewalks and a bike lane along Davis Road.

We badly need traffic calming measures along Davis Road and a stoplight at the intersection of Davis and Liberty --which is directly across from Crossler Middle School. There isn't even a crosswalk at this key intersection -- and it is unreasonable to think that the youngsters will walk half a block down Liberty to use the cross walk. No, they will likely take the shortest route (as many adults do also). People going North along Liberty sometimes travel pretty fast, and we would like to avert a tragedy.

Flooding -- this property drains to Waln Creek -- which flows to Battlecreek, then to Turner, and then back to Salem. To the maximum extent possible, the developer should install impermeable surfaces and use other flood mitigation measures.

Thank you for your good work on behalf of everyone in Salem.

Evan White Sunnyslope NA Land Use Chair

Red Leaf Apartments

The following statement addresses the applicable Design Review approval guidelines in the SRC Chapter 702 (Multiple Family Design Review Guidelines and Design Review Standards) and the requirements under the RM-II zone Chapter 514 (Multi-Family Residential). Information provided on the site plans for the Design Review application further address applicable code requirements.

On June 24, 2005, UGA 05-12 was approved the site and the properties to the south.

On March 22, 2007, SUB06-20A was approved which created the subject property. The subject property was divided off from the property to the south.

On August 19, 2009, UGA09-06 was approved to determine the public facilities required to develop the subject property.

In 2009, the applicant was granted Street Name approval for Red Leaf Drive, which runs north/south through the subject property.

On February 29, 2016, a pre-application conference (PRE-AP16-15) was held with the applicant and City staff to discuss the development of the subject property.

<u>Proposal:</u> The subject property is located south of Davis Road on Red Leaf Drive (083W16C/Tax Lot 201)

The applicant is proposing the development of 5.84 acres of RM-II zoned property. The applicant is proposing to develop the site with 127 apartment units as shown on the site plans.

The applicant is also requesting a Class-2 Adjustment to reduce the required setback for Buildings 3 and 7 along Red Leaf Drive, and for Buildings 8, 9, and 10 along Snow Creek Avenue where 20' is required under SRC Table 514-4.

The applicant is requesting to meet the <u>guidelines</u> and go before the Design Review Board. All guidelines have been addressed and met as outlined within this narrative and on the site plans.

Residential Multi-Family (RM-II)-SRC Chapter 514

<u>Density:</u> The portion of the site being developed is 5.84 acres in size. Development in an RM-II zone shall meet a minimum of 12 dwelling units and shall not exceed 28 dwelling units per gross acre. Therefore, requiring a minimum of 71 units and allowing a maximum of 164 units per acre on the site. The applicant is proposing 127 units throughout the site.

The subject property is divided by Red Leaf Drive. The portion of the property on the <u>west</u> side is 2.35 acres and requires a minimum of 28 units and allows a maximum of 66 units. The applicant is proposing 53 units on the west side of the property.

The portion of the property on the <u>east</u> side is 3.49 acres and requires a minimum of 44 units and allows a maximum of 103 units. The applicant is proposing 70 units on the east side of the property.

The development is in compliance with the minimum and maximum density requirements. See attached site plan.

<u>Setbacks:</u> All minimum setbacks to property lines, between buildings and distances to the entrances are met as shown on the tentative plan. Therefore, all setback requirements have been met. Setbacks are shown on the tentative plan.

East Side:

North:

Adjacent Davis Road, 30-foot setbacks

East:

20 to 23-foot setbacks; RMII zoned, existing church

South:

28-foot setbacks; RA zoned, vacant land

West:

Along Red Leaf Drive, 13.5 to 20-foot setbacks (An Adjustment has been

requested)

West Side:

North:

Adjacent Davis Road, 20-foot setbacks

East:

Along Red Leaf Drive, 18 to 20-foot setbacks (An Adjustment has been

requested)

South:

28-foot setbacks; RA zoned, vacant land

West:

20-foot setbacks; RMI zoned, Landscape business

<u>Maximum Height:</u> Maximum building height allowed in the RM-II zone is 50'. All proposed buildings are in compliance with the requirements of the Code.

*Building 1 is 42.7 feet in height (measured to the highest point) and 36.35 feet in height (measured to the middle of the gable). See Sheets A1.3, A1.4, and A1.8

*Building 2 is the recreation building and it will be 20 feet in height (measured to the highest). See Sheets A2.3 and A2.8

*Building 3 is 44.5 feet in height (measured to the highest) and 36.9 feet in height (measured to the middle of the gable). See Sheets A3.3, A3.4, and A3.8

- *Building 4 is 43.6 feet in height (measured to the highest point) and 36.35 feet in height (measured to the middle of the gable). See Sheets A4.3, A4.4, A4.5, and A4.9
- *Building 5 is 40 feet in height (measured to the highest point) and 34.5 feet in height (measured to the middle of the gable). See Sheets A5.3, A5.4, and A5.8
- *Building 6 is 33.9 feet in height (measured to the highest point) and 26.9 feet in height (measured to the middle of the gable). See Sheets A6.3, A6.4, and A6.8
- *Building 7 is 31.5 feet in height (measured to the highest point) and 25.35 feet in height (measured to the middle of the gable). See Sheets A7.3, A7.4, and A7.8
- *Building 8 is 41.6 feet in height (measured to the highest point) and 35.4 feet in height (measured to the middle of the gable). See Sheets A8.3, A8.4, and A8.8
- *Building 9 is 39.6 feet in height (measured to the highest point) and 34.4 feet in height (measured to the middle of the gable). See Sheets A9.3, A9.4, and A9.8
- *Building 10 is 46.1 feet in height (measured to the highest point) and 37.7 feet in height (measured to the middle of the gable). See Sheets A10.3, A10.4, and A10.8
- *Building 11 is 39.6 feet in height (measured to the highest point) and 34.4 feet in height (measured to the middle of the gable). See Sheets A11.3, A11.4, A11.5, and A11.9
- *Building 12 is 46.1 feet in height (measured to the highest point) and 37.7 feet in height (measured to the middle of the gable). See Sheets A12.3, A12.4, and A12.8
- *Building 13 is 41.1 feet in height (measured to the highest point) and 35.5 feet in height (measured to the middle of the gable). See Sheets A13.3, A13.4, and A13.8

Therefore, the buildings are in compliance with the building height requirement.

<u>Lot Coverage</u>: The buildings on the site cover 19% of the lot. Therefore, lot coverage is under the 50% maximum allowed and in compliance with code.

Multiple Family Design Review Guidelines - Chapter 702

702.015 (b)(1) Common Open Space Guidelines and 702.015(c)(1): In multi-family developments, a portion of the land not covered by buildings and parking shall be of adequate size and shape and in the proper location to be functional for outdoor recreation and relaxation. The guidelines are also intended to ensure that open space is an integral part of the

overall development design.

The minimum open space area (landscaped area) provided for this development is 39%. The subject property is 254,229 (5.84 acres/net area) square feet in size with 99,161 square feet of landscaped open space. Therefore, totaling 39% open space. See Sheet SDR4 (Open Space Plan)

Open Space

Common Open Space	101,365 S.F. (40%)
Common Open Space	
Within Setbacks	48,486 S.F. (48%)
Landscape	99,161 S.F. (39%)
Play Area	2,480 S.F.

Open Space East:

Common Open Space	57,276 S.F. (38%)
Common Open Space	
Within Setbacks	28,920 S.F. (50%)
Landscape	61,409 S.F. (39%)
Play Area	2,480 S.F.

Open Space West:

Common Open Space	44,089 S.F. (43%)
Common Open Space	
Within Setbacks	19,566 S.F. (44%)
Landscape	37,752 S.F. (37%)

The proposed development provides 2,480 square feet of play area in the east portion of the development and landscaped open space areas throughout the site. There is a recreation building located in the west portion of the development. The play area and recreation building are both available to all 127 dwelling units and accessible via the proposed pedestrian pathways (6-foot wide paved sidewalks). The proposed development provides approximately 101,365 square feet of total common open space throughout the site. Common open space, the recreation building, and the play area have been provided in safe and convenient locations for the residents. Therefore, this guideline has been met. See attached site plans.

702.015 (d)(1) Private Open Space Guidelines: Each unit will have private open space as required by code. Ground floor units will have patio areas that are 96 square feet in size, with no dimension less than 6 feet. All second and third story units will have balconies/decks that are a minimum 48 square feet in size. All private open space areas are located contiguous to the dwelling unit and will be screened with a 4 to 6-foot high sight obscuring fence. This private open space includes the patios and balconies/decks. Therefore, this guideline has

been met.

702.020 (b)(1) Landscaping Guidelines: The subject property does abut RA zoned property to the south. The proposed development is providing a setback for 1' for every 1' foot in building height along the south property line. Landscaping is being provided adjacent all property lines. Landscaping has been provided throughout the site as identified on the landscape plans. A minimum of 1 tree will be planted for every 2,000 square feet of the site. Trees and vegetation have been provided throughout the development as shown on the landscape plans. There is 99,161 square feet of landscaped area throughout the site. Therefore, 39% of the site is landscaped. Landscape plans have been provided and demonstrate how the landscape guidelines have been met. See Sheets L1.1 and L1.2.

A permanent underground irrigation system will be provided when development plans are final.

There are no existing trees on the site. There are no significant trees or heritage trees on the property. New trees will be provided through the site as shown on the landscape plans. Therefore, this guideline has been met.

702.010 (c)(1) Street Frontage Guidelines: The landscape plans identify how this guideline is met. Trees will be provided along the street frontage with one canopy tree per 50 linear feet. See attached landscaped plans. Therefore, this guideline has been met.

702.020 (d)(1) Building Exterior Guidelines: The exterior of the buildings will be landscaped to provide a visually appealing development. Trees and shrubs will be planted in front of and around all buildings as shown on the landscape plans. This will help to provide shading and privacy for residents. Therefore, this guideline has been met. See Sheets L1.1 and L1.2.

702.020 (e)(1) Privacy Guidelines: All ground level private open space areas (patios) will be screened and separated with a 4 to 6-foot high sight obscuring fence. This will help to provide privacy for ground level residents. Therefore, this guideline has been met.

702.020 (f)(1)Landscape Parking Guidelines: In order to take into consideration circulation, pedestrian access, landscaping, and the requirements of the code, the parking areas have been carefully designed. All parking areas are landscaped as required, and separated by landscaped bays. The parking areas and landscaped areas provide for visually appealing apartment grounds. Therefore, this guideline has been met. See attached site plans. See Sheets L1.1 and L1.2.

702.025 (a)(1) Crime Prevention Guidelines: Safety of the residents is very important and all requirements are met to assure safety and compliance with code. There are no fences or plant materials located in areas within the development that obstruct visibility. All landscaping adjacent to open space areas will not exceed 3 feet in height.

All buildings have windows provided in habitable rooms and windows that face the parking lots and open space areas. This helps provide an eye on the development. Lighting on the buildings and along the sidewalks will be provided as well. The applicant has provided the Enhanced Safety Assessment Report for Multi-Family Construction Worksheet as part of this packet. Therefore, this guideline has been met. See attached site plans.

702.030(b)(1)Parking, Site Access, and Circulation Guidelines: The subject property has street frontage on Davis Road to the north and Red Leaf Drive that runs north/south through the property.

Red Leaf is designated as 'collector' street within the City of Salem Transportation Plan. The applicant is required to provided a north/south Red Leaf connection through the development as shown on the site plan. The Red Leaf connection is already in place. There 'is a private street, Snow Creek Avenue, located in the southeastern portion of the site also. Therefore, this guideline has been met.

A Traffic Impact Analysis (TIA) is not required for this development. See Sheet SDR3.

<u>Parking:</u> The development is for a 127 unit apartment complex. Code requires 1.5 vehicle parking spaces per every 1 dwelling unit. Therefore, the applicant is required to provide 191 on-site vehicle parking spaces. However, as shown on the site plan, 197 on-site parking spaces are being provided. See Sheet SDR3.

Adequate parking has been provided on both the eastern and western portions of the development. All 197 on-site parking spaces are available for the use of all 127 apartment unit residents.

The site plan indicates the ratios provided for standard, compact, handicap spaces and location of bike spaces. One-hundred and thirty (130) standard size parking stalls, seventy-one (71) compact parking stalls, and seven (7) handicap stalls are provided through-out the site. One loading space has been provided as well.

All parking areas will be served by 24 to 26-foot wide two-way accessways that run through the development.

Bicycle parking is also required on site. The Code requires 0.1 bicycle parking space per dwelling unit. Eleven bike parking spaces are required for this development. Bike racks have been provided on the site and located in a convenient location for the residents. Therefore, this guideline has been met.

702.030(c)(1) Pedestrian Site Access Guidelines: The internal pedestrian circulation system consists of hard 5-foot wide surfaced sidewalks that provide easily identifiable and safe connections between the residential units, parking, recreation areas, manager's apartment, and the trash disposal area. The pedestrian system connects the buildings to the public sidewalk system within Red Leaf Drive via the proposed internal sidewalk system. The sidewalk system also connects all buildings to the proposed private street in the southeastern portion of the development. The sidewalks are raised above the surface of the travel lanes. This provides a clear separation between vehicles and pedestrians. Any pedestrian pathways that cross the parking area or driveways will be marked and a minimum of five feet wide. The pedestrian pathways will be lighted. Proposed pedestrian sidewalk connections are illustrated on the tentative site plan.

The design of pedestrian circulation systems shall provide clear and identifiable connections within the multiple family development and to adjacent uses and public streets/sidewalks. The proposed development provides safe and convenient bicycle and pedestrian access from within the development to adjacent residential areas. Therefore, this guideline has been met. See Sheet SDR3.

702.035(b)(1) Building Mass and Façade Design Guidelines: These guidelines are intended to promote building and site design that contributes positively to a sense of neighborhood and to the overall streetscape by carefully relating building mass, entries and yards to public streets.

The building design does not have long flat walls or roof lines. The buildings will have an offset that breaks up the front of the buildings and the roof lines. Balconies (decks) and dormers are incorporated in the building design to add some visual element to the buildings. There are no buildings within the development that will exceed 150 feet in length. The buildings on the site are about 60 to 120 feet in length. The height and length of the buildings and structures conform to the measuring requirements in code.

All buildings face onto Red Leaf Drive (public) or Snow Creek Avenue (private). The street side of all the buildings are designed to be visually appealing. In order to be consistent throughout the development, windows, offsets, and architectural features will be incorporated into both the front and back of the buildings.

Varied materials and textures are being used on the building facade. The applicant has provided building elevations to show how this is being complied with. The materials used on the front, rear, and sides of the apartments are the same; siding, trim board, lap siding, and stone around the pillars. See attached building elevations. Therefore, this guideline has been met. See Sheet A1.8, A2.8, A3.8, A4.9, A5.8, A6.8, A7.8, A8.8, A9.8, A10.8, A11.9, A12.8, and A13.8 (Building Elevations)

702.035(c)(1) Compatibility Guidelines: The subject property does abut an RA zoned property to the south. The applicant has provided the required setbacks and landscaping.

The primary entrances for each individual unit is provided through a covered entry way. All building entries are clearly defined and easily accessible. The design of the building with the use of roofline offsets and covered entry ways, promote a positive sense of neighborhood. All building entrances face the existing and proposed streets.

All the buildings are located on the 20-foot setback line, except for Buildings 3 and 7. Building 3 is located 18 feet from the setback line, Building 7 is located 13.53 feet from the setback line adjacent Red Leaf. Building 8 is located 15 feet from the setback line, Building 9 is located 10 feet from the setback line, and Building 10 is located 10 feet from the setback line adjacent Snow Creek Avenue. Therefore, the applicant has requested a Class-2 Adjustment. See attached site plans. See Sheet SDR3.

All roof-mounted equipment will be screened and integrated into the building design. Further review of this requirement will take place at the time of building permits. Therefore, this guideline has been met.

702.035(d)(1) Building Articulation Guidelines: All buildings have entrances physically and visually connected to the internal public sidewalk system and the parking lots. All external stairways are recessed into the buildings. Therefore, physically and visually incorporating them into the buildings architecture design.

The primary entrances for each individual unit is provided through a covered entry way. All building entries are clearly defined and easily accessible. The design of the building with the use of roofline offsets and covered entry ways, promote a positive sense of neighborhood.

The building design does not have long flat walls or roof lines. The buildings will have an offset that breaks up the front of the buildings and the roof lines. All buildings will have a minimum of 2-foot offsets, balconies, patios, eves, and windows incorporated into the design of each of the buildings. Therefore, this guideline has been met. See Sheet A1.8, A2.8, A3.8, A4.9, A5.8, A6.8, A7.8, A8.8, A9.8, A10.8, A11.9, A12.8, and A13.8 (Building Elevations)

702.040(a)(1) Recycling: There are three trash/recycle areas provided within the western and eastern portions of the development. The trash receptacles are accessible for all residents via the paved internal sidewalk system. The trash/recycle areas will all be screened and enclosed with a sight-obscuring fence or wall. Therefore, this guideline has been met.

Red Leaf Apartments Class 3-Site Plan Review

SRC 220.005(f)(3) Class 3 Site Plan Review Criteria:

(A) The application meets all applicable standards of the UDC;

Applicant Findings: The applicant has addressed all applicable standards per the UDC. The applicant is proposing the development of 5.84 acres of RM-II zoned property. The applicant is proposing to develop the site with 123 apartment units as shown on the site plans.

The applicant is also requesting a Class-2 Adjustment to reduce the required setback for Buildings 3 and 7 along Red Leaf Drive, and for Buildings 8, 9, and 10 along Snow Creek Avenue where 20' is required under SRC Table 514-4.

The applicant is requesting to meet the <u>guidelines</u> and go before the Design Review Board. All guidelines have been addressed and met as outlined within this narrative and on the site plans.

All applicable standards have been outlined below and on the attached site plans.

Residential Multi-Family (RM-II)-SRC Chapter 514

<u>Density:</u> The portion of the site being developed is 5.84 acres in size. Development in an RM-II zone shall meet a minimum of 12 dwelling units and shall not exceed 28 dwelling units per gross acre. Therefore, requiring a minimum of 71 units and allowing a maximum of 164 units per acre on the site. The applicant is proposing 123 units throughout the site.

The subject property is divided by Red Leaf Drive. The portion of the property on the <u>west</u> side is 2.35 acres and requires a minimum of 28 units and allows a maximum of 66 units. The applicant is proposing 53 units on the west side of the property.

The portion of the property on the <u>east</u> side is 3.49 acres and requires a minimum of 44 units and allows a maximum of 103 units. The applicant is proposing 70 units on the east side of the property.

The development is in compliance with the minimum and maximum density requirements. See attached site plan.

<u>Setbacks:</u> All minimum setbacks to property lines, between buildings and distances to the entrances are met as shown on the tentative plan. Therefore, all setback requirements have been met. Setbacks are shown on the tentative plan.

East Side:

North: Adjacent Davis Road, 30-foot setbacks

East: 20 to 23-foot setbacks; RMII zoned, existing church

South: 28-foot setbacks; RA zoned, vacant land

West: Along Red Leaf Drive, 13.5 to 20-foot setbacks (An Adjustment has been requested)

West Side:

North: Adjacent Davis Road, 20-foot setbacks

East: Along Red Leaf Drive, 18 to 20-foot setbacks (An Adjustment has been requested)

South: 28-foot setbacks; RA zoned, vacant land

West: 20-foot setbacks; RMI zoned, Landscape business

<u>Maximum Height:</u> Maximum building height allowed in the RM-II zone is 50'. All proposed buildings are in compliance with the requirements of the Code.

*Building 1 is 42.7 feet in height (measured to the highest point) and 36.35 feet in height (measured to the middle of the gable). See Sheets A1.3, A1.4, and A1.8

*Building 2 is the recreation building and it will be 20 feet in height (measured to the highest). See Sheets A2.3 and A2.8

*Building 3 is 44.5 feet in height (measured to the highest) and 36.9 feet in height (measured to the middle of the gable). See Sheets A3.3, A3.4, and A3.8

*Building 4 is 43.6 feet in height (measured to the highest point) and 36.35 feet in height (measured to the middle of the gable). See Sheets A4.3, A4.4, A4.5, and A4.9

*Building 5 is 40 feet in height (measured to the highest point) and 34.5 feet in height (measured to the middle of the gable). See Sheets A5.3, A5.4, and A5.8

*Building 6 is 33.9 feet in height (measured to the highest point) and 26.9 feet in height (measured to the middle of the gable). See Sheets A6.3, A6.4, and A6.8

*Building 7 is 31.5 feet in height (measured to the highest point) and 25.35 feet in height (measured to the middle of the gable). See Sheets A7.3, A7.4, and A7.8

*Building 8 is 41.6 feet in height (measured to the highest point) and 35.4 feet in height (measured to the middle of the gable). See Sheets A8.3, A8.4, and A8.8

*Building 9 is 39.6 feet in height (measured to the highest point) and 34.4 feet in height (measured to the middle of the gable). See Sheets A9.3, A9.4, and A9.8

*Building 10 is 46.1 feet in height (measured to the highest point) and 37.7 feet in height (measured to the middle of the gable). See Sheets A10.3, A10.4, and A10.8

*Building 11 is 39.6 feet in height (measured to the highest point) and 34.4 feet in height (measured to the middle of the gable), See Sheets A11.3, A11.4, A11.5, and A11.9

*Building 12 is 46.1 feet in height (measured to the highest point) and 37.7 feet in height (measured to the middle of the gable). See Sheets A12.3, A12.4, and A12.8

*Building 13 is 41.1 feet in height (measured to the highest point) and 35.5 feet in height (measured to the middle of the gable). See Sheets A13.3, A13.4, and A13.8

Therefore, the buildings are in compliance with the building height requirement.

<u>Lot Coverage</u>: The buildings on the site cover 19% of the lot. Therefore, lot coverage is under the 50% maximum allowed and in compliance with code.

(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;

Applicant Findings: A TGE form has been submitted has part of this packet. AT this time a TIA is not required. The subject property has street frontage on Davis Road to the north and Red Leaf Drive that runs north/south through the property.

Red Leaf is designated as 'local' street within the City of Salem Transportation Plan. The applicant is required to provided a north/south Red Leaf connection through the development as shown on the site plan. The Red Leaf connection is already in place. There is a private street, Snow Creek Avenue, located in the southeastern portion of the site also.

(C) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians; and

Applicant Findings: Parking: The development is for a 123 unit apartment complex. Code requires 1.5 vehicle parking spaces per every 1 dwelling unit. Therefore, the applicant is required to provide 171 on-site vehicle parking spaces. However, as shown on the site plan, 197 on-site parking spaces are being provided. See Sheet SDR3.

Adequate parking has been provided on both the eastern and western portions of the development. All 197 on-site parking spaces are available for the use of all 123 apartment unit residents.

The site plan indicates the ratios provided for standard, compact, handicap spaces and location of bike spaces. One-hundred and thirty (130) standard size parking stalls, seventy-one (71) compact parking stalls, and seven (7) handicap stalls are provided through-out the site. One loading space has been provided as well.

All parking areas will be served by 24 to 26-foot wide two-way accessways that run through the development.

Bicycle parking is also required on site. The Code requires 0.1 bicycle parking space per

dwelling unit. Eleven bike parking spaces are required for this development. Bike racks have been provided on the site and located in a convenient location for the residents.

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

Applicant Findings: Utility plans have been provided that show how the site will be served with City water, sewer, storm water facilities, and other utilities appropriate to the development.

The Reserve at Red Leaf Apartments

Proposal:

The applicant is requesting review by the Design Review Board/Planning Commission because the development does not meet the following standard. Therefore, the applicant has decided to met the guidelines and has done so as shown on the site plans and as provided in the findings attached.

Section 702.030(b)(2)(C)-Multiple Family-Parking, Site Access and Circulation

C. Pathways connecting to and between buildings, common open space, and parking areas shall be separated from dwelling units by a minimum distance of 10 feet.

Applicant Comments:

The proposal is for 127 apartment units. All buildings will have direct access to the parking areas, recreation building, trash areas, building entrances, via paved sidewalks. The Design Handbook requires all dwelling units to be located at least 10 feet from the pedestrian sidewalks. Due to ADA requirements, not all the buildings on the site are in compliance with this requirement.

Federal Fair Housing Act (ADA Regulations) requires that a pedestrian sidewalk be located close and in a convenient location adjacent a building and must provide a safe and convenient path to the apartment office.

The development provides sidewalk connections throughout the site that provide access to buildings, open space, parking areas and existing neighborhoods as shown on the site plans.

Therefore, these guidelines have been met.

Section 702.030(b)(2)(D)-Multiple Family-Parking, Site Access and Circulation

D. Garages, carports, and parking areas shall be set back a minimum of 20 feet from the public right-of-way.

Applicant Comments:

The parking areas located along Snow Creek Avenue are not located 20-feet from the right-of-way. Due to the topography along this area of the site, the parking areas and buildings along Snow Creek Avenue had to be located closer to the right-of-way. However, the parking areas are located along a private street that will not have the traffic that Red Leaf Drive will generate. The parking areas also provide for adequate maneuvering area. The parking areas are safe and convenient for all residents.

Therefore, these guidelines have been met.

Red Leaf Supplemental Information

- 1) <u>Stormwater Design</u>-A design exception has been provided and is attached. See attached documents showing how this guideline has been met.
- 2) <u>Private Street Name</u>-Please make this a condition of approval. WE have no problem naming the street as approved through SNC09-02.
- 3) <u>Setbacks</u>-An adjustment to this standard has been provided. See attached.
- 4) Solid Waste-Solid waste standards have been met.
- 5) Parking
 - a. Private Street Standards-As shown on the site plan, the private street is 26 feet wide. Therefore, this standard has been met.
 - b. East side parking-The development is for a 127 unit apartment complex. Code requires 1.5 vehicle parking spaces per every 1 dwelling unit. Therefore, the applicant is required to provide 191 on-site vehicle parking spaces. However, as shown on the site plan, 197 on-site parking spaces are being provided. See Sheet SDR3.

Adequate parking has been provided on both the eastern and western portions of the development. All 197 on-site parking spaces are available for the use of all 127 apartment unit residents.

A parking agreement will be established for the site. Both the east and west sides of the development will have parking rights to all 197 on-site parking spaces. This agreement will be established and recorded on the property. Therefore, this guideline has been met.

Therefore, this standard has been met.

- 6) <u>Type C Bufferyard</u>-A 6-foot sight obscuring fence will be provided along the required property lines. Therefore, this guideline has been met.
- 7) <u>Children's play area-All</u> residents will have safe and efficient access to the child's play area via the proposed paved sidewalks throughout the development. In order to provide a second play area, parking spaces would need to be eliminated. Elimination of parking spaces is not a feasible option. Therefore, this guideline has been met.
- 8) <u>Landscaping plans</u>- Landscaping Plans have been revised and are attached. This guideline has been met.

9) Crime Prevention-

a. The crime prevention work sheet has been provided. All buildings are designed to prevent crime and provide a safe environment for the residents. Safety of the residents is very important and all requirements are met to assure safety and compliance with code. There are no fences or plant materials located in areas within the development that obstruct visibility. All landscaping adjacent to open space areas will not exceed 3 feet in height.

All buildings have at least one window provided in all habitable rooms that face the parking lots and/or open space areas. This helps provide an eye on the development.

The parking areas are connected to the pedestrian circulation system within the development. Therefore, this guideline has been met.

Amy Dixon - RE: Red Leaf

From:

"Brandie Dalton" <BDalton@mtengineering.net>

To:

"'Amy Dixon" <adixon@cityofsalem.net>

Date:

8/23/2016 10:01 AM

Subject:

RE: Red Leaf Attachments: image001.png

Amy,

Can you move forward with the what I just gave you and put a condition of approval in the staff report?

The proposed buildings shall be revised to provide additional contrast and distinction between the ground floor and upper floor facades by incorporating one or more of the following:

- a) Vertically oriented lap siding, or horizontally oriented lap siding that is wider than that provided on the upper floor facades, that is painted a different color than the upper floor facades; or
- b) A siding material different from that used in the other portions of the building facades.

Thank You,

Brandie Dalton, Land-Use Planner Multi/Tech Engineering (503) 363-9227

From: Amy Dixon [adixon@cityofsalem.net] Sent: Tuesday, August 23, 2016 9:43 AM

To: Brandie Dalton Subject: Re: Red Leaf

By changing to one type of siding, the exterior wall appear to be long and monotonous, where as not meeting 702.035(b).

Amy J. Dixon, Planner II City of Salem Community Development Dept. 555 Liberty St SE / Room 305 Salem, OR 97301 503-540-2304 adixon@cityofsalem.net www.cityofsalem.net/planning

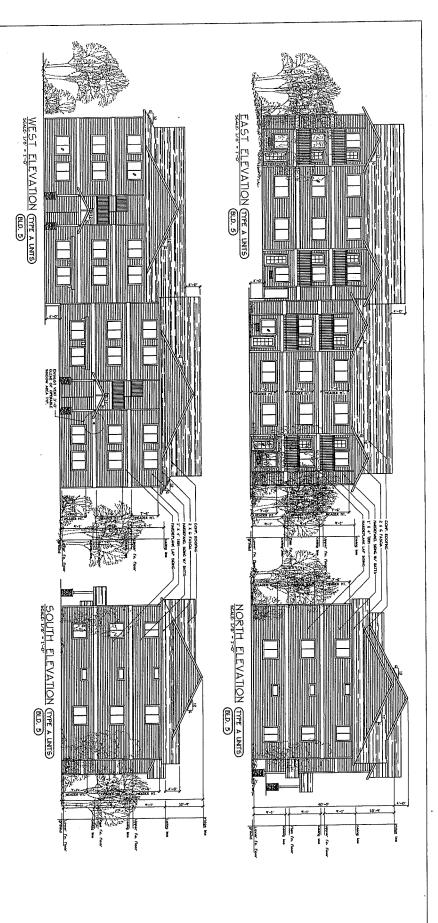
Follow us @Salem Planning

>>> "Brandie Dalton" <<u>BDalton@mtengineering.net</u>> 8/23/2016 8:25 AM >>> Amy,

Our client was asking if he could change the siding type on his Red Leaf buildings. Attached a copy of what we submitted and a copy of what he wants. Let me know what you think?

Thank You,

Brandie Dalton, Land-Use Planner Multi/Tech Engineering (503) 363-9227 New proposal





Design: P.L.M.

Design: P.L.M.

Checked: M.D.C.

Date: Ayg-18

Sonia: AS SHORM

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

DIMERSIONS & NOTES TAKE DRIFFEDENCE DUST ERRAPHICAL

THE RESERVE AT REDLEAF BUILDING ELEVATIONS



EAST ELEVATION (TIPE A UNIS) WEST ELEVATION (TYPE A UNITS) Org Proposal SOUTH ELEVATION (TYPE A UNITS) NORTH ELEVATION (TIPE A UNITS)



Design: P.LM.
Drawn: G.D.
Checked: M.D.G
Date: May-16
Scole: AS SHOWN

ND CHANCES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAMNES WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

THE RESERVE AT REDLEAF BUILDING ELEVATIONS MULTI/TECH
CONSULTANTE
ENGINEERING BERNOLE INC.

Red Leaf Apartments Adjustment Class-2 Application

Proposal:

The subject property is located south of Davis Road on Red Leaf Drive (083W16C/Tax Lot 201).

The applicant is proposing the development of 5.84 acres of RM-II zoned property. The applicant is proposing to develop the site with 123 apartment units as shown on the site plans.

Adjustment No. 1: The applicant is requesting an adjustment greater than 20% to SRC 514.010(d)(Setbacks):

Per Table 514-4: "All other uses require a minimum 12-foot, plus one foot setback for each one-foot of height over 12 feet, but not to exceed 20 feet in depth"

Therefore, the applicant is required to provide a 20-foot setback along Red Leaf Drive and Snow Creek Avenue (private accessway). The adjustment will allow Buildings 3 and 7 to be setback less than 20 feet from Red Leaf Drive and Buildings 8, 9, and 10 to be setback less than 20 feet from Snow Creek Avenue.

*Red Leaf Drive:

Building 3 will have a setback of 18 feet from the property line. Building 7 will have a setback of 13.53 feet from the property line.

*Snow Creek Avenue (Private):

Building 8 will have a setback of 15 feet from the property line. Building 9 will have a setback of 10 feet from the property line. Building 10 will have a setback of 10 feet from the property line.

Adjustment Criteria-SRC 250.005(d)(2) Criteria

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

Applicant's Reasons:

(A) The applicant is requesting zoning adjustment to SRC 514.010(d)(Setbacks) which will allow Building 3 to be setback 18 feet where 20 feet is required along Red Leaf Drive and Building 7 to be setback 13.53 feet where 20 feet is required along Red Leaf Drive.

The setback for <u>Building 3</u> is only a 2-foot reduction. As shown on the site plan, the building is setback 20 feet, but the deck is only setback 18 feet from Red Leaf. Therefore, the building meets the setback requirement. Due to the location and requirement of ADA sidewalks to the west of the

building, the building cannot be moved further back. Otherwise sidewalks would have to be removed.

Due to the building length and the location of required parking, <u>Building 7</u> cannot meet the required 20-foot setback along Red Leaf Drive. Only a small portion of Building 7 does not meet the setback requirement. As shown on the site plan, only the northwestern corner of Building 7 is within the setback area. In order to meet the required setback along Red Leaf, needed parking would need to be removed. More than adequate parking is a necessity in apartment development.

<u>Building 8</u> will have a setback of 15 feet where 20 feet is required along Snow Creek Avenue. Due to the slope along the south boundary of the subject property, Building 8 cannot be moved to meet the 20-foot setback. The development is required to provide ADA accessible access adjacent all buildings. If Building 8 is moved to meet the setback, then the ADA sidewalk will be moved into a high slope area that will then require additional ramps and/or not meet ADA requirements.

<u>Building 9</u> will have a setback of 10 feet where 20 feet is required along Snow Creek Avenue. Due to the slope along the northeastern boundary of the subject property, Building 9 cannot be moved to meet the 20-foot setback. Moving the building would also place the building closer to the adjacent use, the church. The additional rear yard setback for Building 9 provides for a greater buffer and more privacy for the residents of the apartments.

Building 10 will have a setback of 10 feet where 20 feet is required along Snow Creek Avenue. Due to the location of the parking and the planter box for storm drainage, Building 10 cannot be moved to meet the 20-foot setback. In order to meet the 20-foot setback along Snow Creek Avenue, parking to the north of Building 10 would have to be removed. The removal of additional parking spaces may mean the development would no longer meet the minimum parking requirements. Furthermore, adequate parking is a necessity in apartment development.

A planter box with GSI treatment is being proposed to be located between Building 10 and the parking area to the north. Therefore, moving the building is not feasible.

The purpose of setback requirements from right-of-way is to promote safety and well being for residents. The development as proposed provides safety and well being for the residents by providing more than needed parking, more than needed pedestrian paths, along with setbacks that promote privacy and open space areas for the residents.

The applicant is proposing the development of a 123-unit apartment complex. Proposed <u>Building 3</u> will only be 18 feet from the property line that is only 2 feet (10% reduction) less than the required 20-foot setback. <u>Building 7</u> will be 13.53 feet from the property line that is 6.47 feet (32% reduction) less than the required 20-foot required setback. <u>Building 8</u> will be 15 feet from the property line that is 5 feet (25% reduction) less than the required 20-foot required setback. <u>Building 9</u> will be 10 feet from the property line that is 10 feet (50% reduction) less than the required 20-foot required setback. <u>Building 10</u> will be 10 feet from the property line that is 10 feet (50% reduction) less than the required 20-foot required setback.

With the setbacks provided and adequate landscaping on the site and in front of the buildings, the proposed adjusted setbacks will still provide a safe setback with landscaped areas. As shown on the site plans, the areas along Red Leaf Drive, Snow Creek Avenue, and in front of the buildings will be visual appealing. Designed with landscaping and pedestrian paths. Therefore, the purpose of the code is equally met by the development and maintains the intent of setbacks.

(B) The development is located within a residential zone and area. The proposal takes an underdeveloped and unmaintained property and improves it with visually appealing buildings, pedestrian paths, and landscaping throughout. Therefore, the development will not detract from the livability or appearance of the residential area. The development will enhance the residential area by providing pedestrian connections and a visually appealing development designed to City standards.

(C) The proposed setback reductions will not impact the surrounding or existing uses. The building will still be setback far enough to provide landscaped areas and pedestrian paths. Both of which are visually appealing and provide for safe pedestrian access. Therefore, the purpose of the zone code is still being maintained.

Adjustment No. 2: The applicant is requesting an adjustment to SRC 804.030(a) (Number of Driveway Approaches):

"(a) Except as otherwise provided in this Chapter, a lot or parcel is entitled to one driveway approach onto a local or collector street."

Red Leaf Drive is designated as a collector street. The proposed development has 5 driveways proposed off of Red Leaf Drive where only one driveway approach is allowed.

Adjustment Criteria-SRC 250.005(d)(2) Criteria

- (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.

<u>Applicant Response:</u> Due to the type of development and the Red Leaf extension through the site, this standard is inapplicable to the proposed development.

The type of development requires at least 185 on-site parking spaces. In order to provide adequate parking spaces and make parking accessible, several parking lots had to be provided adjacent tot and between buildings. Therefore, requiring additional driveway approaches on to Red Leaf.

The Red Leaf extension split the site in half, creating areas of land that were narrow in width and odd shaped. The narrow width and odd shape of the eastern portion of the site makes it difficult to locate the parking areas behind the buildings and/or consolidate parking areas. Therefore, consolidating parking areas to reduce driveway approaches is not feasible.

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

<u>Applicant Response:</u> The subject property is within a residential zone. The additional driveway approaches and adequate parking actually adds to the livability of the area by providing safe and conveniently located parking areas for the residents.

(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.

Applicant Response: Only one adjustment to this standard has been requested. However, several adjustments have been requested for this project. However, the requested adjustments do not affect the project and as indicated above will still be consistent with the overall purpose of the zone and requirements.

Red Leaf Apartments Adjustment Class-2 Application

Proposal:

The subject property is located south of Davis Road on Red Leaf Drive (083W16C/Tax Lot 201).

The applicant is proposing the development of 5.84 acres of RM-II zoned property. The applicant is proposing to develop the site with 123 apartment units as shown on the site plans.

The applicant is requesting an adjustment greater than 20% to SRC 514.010(d)(Setbacks):

Per Table 514-4: "All other uses require a minimum 12-foot, plus one foot setback for each one-foot of height over 12 feet, but not to exceed 20 feet in depth"

Therefore, the applicant is required to provide a 20-foot setback along Red Leaf Drive and Snow Creek Avenue (private accessway). The adjustment will allow Buildings 3 and 7 to be setback less than 20 feet from Red Leaf Drive and Buildings 8, 9, and 10 to be setback less than 20 feet from Snow Creek Avenue.

*Red Leaf Drive:

Building 3 will have a setback of 18 feet from the property line. Building 7 will have a setback of 13.53 feet from the property line.

*Snow Creek Avenue (Private):

Building 8 will have a setback of 15 feet from the property line. Building 9 will have a setback of 10 feet from the property line. Building 10 will have a setback of 10 feet from the property line.

Adjustment Criteria-SRC 250.005(d)(2) Criteria

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

Applicant's Reasons:

(A) The applicant is requesting zoning adjustment to SRC 514.010(d)(Setbacks) which will allow Building 3 to be setback 18 feet where 20 feet is required along Red Leaf Drive and Building 7 to be setback 13.53 feet where 20 feet is required along Red Leaf Drive.

<u>Building 8</u> will have a setback of 15 feet where 20 feet is required along Snow Creek Avenue, <u>Building 9</u> will have a setback of 10 feet where 20 feet is required along Snow Creek Avenue, and <u>Building 10</u> will have a setback of 10 feet where 20 feet is required along Snow Creek Avenue. The purpose of setback requirements from right-of-way is to promote safety and well being for residents. The setback requirements allow the building to be setback from the right-of-way to allow a safe distance and visually appealing landscaped areas with pedestrian paths.

The applicant is proposing the development of a 123-unit apartment complex. Proposed Building 3 will only be 18 feet from the property line, that is only 2 feet (10% reduction) less than the required 20-foot setback. Building 7 will be 13.53 feet from the property line, that is 6.47 feet (32% reduction) less than the required 20-foot required setback. Building 8 will be 15 feet from the property line, that is 5 feet (25% reduction) less than the required 20-foot required setback. Building 9 will be 10 feet from the property line, that is 10 feet (50% reduction) less than the required 20-foot required setback. Building 10 will be 10 feet from the property line, that is 10 feet (50% reduction) less than the required 20-foot required setback.

With the setbacks provided and adequate landscaping on the site and in front of the buildings, the proposed adjusted setbacks will still provide a safe setback with landscaped areas. As shown on the site plans, the areas along Red Leaf Drive, Snow Creek Avenue, and in front of the buildings will be visual appealing. Designed with landscaping and pedestrian paths. Therefore, the purpose of the code is equally met by the development and maintains the intent of setbacks.

- (B) The development is located within a residential zone and area. The proposal takes an underdeveloped and unmaintained property and improves it with visually appealing buildings, pedestrian paths, and landscaping throughout. Therefore, the development will not detract from the livability or appearance of the residential area. The development will enhance the residential area by providing pedestrian connections and a visually appealing development designed to City standards.
- (C) The proposed setback reductions will not impact the surrounding or existing uses. The building will still be setback far enough to provide landscaped areas and pedestrian paths. Both of which are visually appealing and provide for safe pedestrian access. Therefore, the purpose of the zone code is still being maintained.

Red Leaf Apartments Adjustment Class-1 Application

Proposal:

The subject property is located south of Davis Road on Red Leaf Drive (083W16C/Tax Lot 201).

The applicant is proposing the development of 5.84 acres of RM-II zoned property. The applicant is proposing to develop the site with 123 apartment units as shown on the site plans.

The applicant is requesting an adjustment of 20% or less to SRC Tables 514.4 and 514.5 (Setbacks):

Per Table 514-5: Residential vehicle use areas shall have a minimum 10-foot setback with landscaping and a 6-foot high fence.

Therefore, the applicant is required to provide an 8 to 9-foot setback along the rear property line. The parking areas between Buildings 10, 11, and 12 do not meet the setback requirement of 10 feet adjacent he east property line. The adjustment will allow these vehicle use areas to be setback less than 10 feet.

Adjustment Criteria:

SRC 250.005(d) Criteria.

- (1) An application for a Class 1 adjustment shall be granted if all of the following criteria are met:
 - (A) The purpose underlying the specific development standard proposed for adjustment is:
 - (i) Clearly inapplicable to the proposed development; or
 - (ii) Clearly satisfied by the proposed development.

<u>Applicant's Reasons:</u>

The purpose of this specific standard is to provide a setback and a fence to help eliminate the glare of car lights on to the properties. The adjacent uses to these parking areas are a church and the parking lot of the church. No residents on the site or adjacent to the site will be effected by the location of these parking areas.

The applicant is providing an 8 to 9-foot setback for the parking areas and a 6-foot high fence along the east property line. Moving the parking areas would require the removal of parking spaces. This type of development requires at least 185 on-site parking spaces. The Red Leaf Drive extension and odd shape of the eastern portion of site makes this standard inapplicable to this development.

The Red Leaf extension split the site in half, creating areas of land that were narrow in width and odd shaped. The narrow width and odd shape of the eastern portion of the site makes it difficult to locate the parking areas behind the buildings or provide greater setbacks. Therefore, by providing an adequate setback, fencing, and landscaping along the eastern property line, the intent of the standard is satisfied.

By providing an adequate setback, fencing, and landscaping, along the eastern property line the impacts to the adjacent development is minimized. This criteria has been met.

(B) The proposed adjustment will not unreasonably impact surrounding existing or potential uses or development.

Applicant Response:

The proposed setback reductions will not impact the surrounding or existing uses. The parking areas will still be setback far enough to provide landscaped areas and privacy. Therefore, the purpose of the zone code is still being maintained.

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The applicant is requesting an adjustment of 20% or less to SRC Tables 514.4 and 514.5 (Setbacks):

Per Table 514-5: Residential vehicle use areas shall have a minimum 10-foot setback with landscaping and a 6-foot high fence.

Therefore, the applicant is required to provide an 8 to 9-foot setback along the rear property line. The parking areas between Buildings 10, 11, and 12 do not meet the setback requirement of 10 feet adjacent he east property line. The adjustment will allow these vehicle use areas to be setback less then 10 feet.

<u>Adjustment Criteria:</u>

SRC 250.005(d) Criteria.

- (1) An application for a Class 1 adjustment shall be granted if all of the following criteria are met:
 - (A) The purpose underlying the specific development standard proposed for adjustment is:
 - (i) Clearly inapplicable to the proposed development; or
 - (ii) Clearly satisfied by the proposed development.
 - (B) The proposed adjustment will not unreasonably impact surrounding existing or potential uses or development.

Applicant's Reasons:

- (A) The purpose of this specific standard is to provide a setback and a fence to help eliminate the glare of car lights on to the properties. The applicant is providing an 8 to 9-foot setback for the parking areas and a 6-foot high fence along the east property line. Therefore, providing the an adequate setback and landscaping, along with screening that will eliminate the glare of lights onto the adjacent property to the east. This criteria has been met.
- (B) The proposed setback reductions will not impact the surrounding or existing uses. The parking areas will still be setback far enough to provide landscaped areas and privacy. Therefore, the purpose of the zone code is still being maintained.

Class 2-Driveway Approach Permit

SRC 804.025 (d) Criteria. A Class 2 Driveway Approach Permit shall be granted if:

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

Applicant Response: The applicant has been working with Public Works staff for awhile regarding the location and design of the driveways onto Red Leaf Drive. As shown on the site plan the driveway approach is required for access to the site and is in compliance with design standards.

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

<u>Applicant Response</u>: The location of the driveway approach was taken into consideration prior to laying the site out. The location of the proposed driveways take into consideration the location of the buildings and the Red Leaf Drive. Therefore, all factors were taken into consideration and there are no conditions on the site that prevent the driveway approach.

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

<u>Applicant Response</u>: Red Leaf Drive is a collector street. The proposed driveways are onto this collector. Therefore, this criterion is not applicable.

- (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;

Applicant Response to (4)(B): The subject property is located south on Davis Road with is a 'collector' street. The proposed driveway approaches will take access from Red Leaf Drive, which is designated as a 'collector' street in the Salem Transportation Plan. There is no lower classified street abutting the property. Therefore, this criteria has been met.

(5) The proposed driveway approach meets vision clearance standards;

<u>Applicant Response:</u> The applicant has been working with Public Works to ensure that the driveway approaches are in the required locations and meet vision clearance standards. As shown on the site plan, this criterion has been met.

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

<u>Applicant Response:</u> The applicant has been working with Public Works to ensure that the driveway approaches are in the required locations and do not create traffic hazards. As shown on the site plan, this criterion has been met.

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

<u>Applicant Response</u>: The applicant has been working with Public Works to ensure that the driveway approaches are in the required locations and do not result in adverse impacts to the vicinity. As shown on the site plan, this criterion has been met.

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

<u>Applicant Response</u>: The applicant has been working with Public Works to ensure that the driveway approaches are in the required locations to minimize impacts to adjacent streets and intersections. As shown on the site plan, this criterion has been met.

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

<u>Applicant Response</u>: The applicant has been working with Public Works to ensure that the driveway approaches are in the required locations to help balance the adverse impacts to residentially zoned property. As shown on the site plan, this criterion has been met.

Class 1-Driveway Approach Permit

804.030. Access Onto Local and Collector Streets.

(a) Number of Driveway Approaches. Except as otherwise provided in this Chapter, a lot or parcel is entitled to one driveway approach onto a local or collector street. Additional driveway

approaches from a Single Family or Two Family use onto a local or collector street may be allowed through Class 1 Driveway Permit approval.

The applicant is proposing three driveways on the eastern portion of the development that access onto Red Leaf Drive and two driveways on the western portion of the development that access onto Red Leaf Drive. SRC 804.030(a) only allows one driveway approach. Therefore, the applicant is requesting a Class 1-Driveway Permit.

SRC 804.020 (d) Criteria. A Class 1 Driveway Approach Permit shall be granted if:

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

<u>Applicant Response:</u> The applicant has been working with Public Works staff for awhile regarding the location and design of the driveways onto Red Leaf Drive. As shown on the site plan the driveway approach is required for access to the site and is in compliance with design standards. The approach width of the driveways is 24 to 26 feet wide. Well within the minimum (22 feet) and maximum (40 feet) allowed.

The applicant has been working with Public Works to ensure that the driveway approaches are in the required locations and do not create traffic hazards. As shown on the site plan, this criterion has been met.