

# NOTICE OF DECISION

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



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

## DECISION OF THE PLANNING ADMINISTRATOR

### URBAN GROWTH AREA PRELIMINARY DECLARATION / CLASS 3 SITE PLAN REVIEW / CLASS 2 ADJUSTMENT / CLASS 2 DRIVEWAY APPROACH PERMIT NO. UGA-SPR-ADJ-DAP16-03

APPLICATION NOS.: 16-117250-LD, 16-117251-RP & 16-117252-ZO

NOTICE OF DECISION DATE: JANUARY 26, 2017

**APPLICATION SUMMARY:** Proposed development of a new residential care facility approximately 134,700 square feet in size, with 122 total units. 90 units will be for assisted living and 32 units will be for memory care.

**REQUEST:** A consolidated application for an Urban Growth Preliminary Declaration, Class 3 Site Plan Review, Class 2 Adjustment and Class 2 Driveway Approach Permit for development of a new 122 unit assisted living and memory care community and associated infrastructure, with an Adjustment request to:

- 1) Reduce the number of bicycle parking requirement from 23 spaces to 8 spaces;
- 2) Increase the number of driveway approaches permitted onto Boone Road SE from 1 to 2; and
- 3) Reduce the off-street parking requirement from 385 spaces to 95 spaces.

For property approximately 14.5 acres in size, zoned RM-II (Multi-Family Residential), RM-I (Multi-Family Residential) and RS (Single Family Residential), and located in the 2900 Block of Boone Road SE - 97306 (Marion County Assessor's Map and Tax Lot number: 083W13BA / 00100).

**APPLICANT:** DOUGLAS SPROUL, MOSAIC MANAGEMENT INC

**LOCATION:** 2900 BLOCK OF BOONE RD SE / 97317

**CRITERIA:** UGA Preliminary Declaration - SRC 200.025(d)-(e)  
Class 3 Site Plan Review - SRC 220.005(f)(3)  
Class 2 Adjustment - SRC 250.005(d)(2)  
Class 2 Driveway Approach Permit - SRC 804.025(d)

**FINDINGS:** The findings are in the attached Order dated January 26, 2017.

**DECISION:** The Planning Administrator **GRANTED** Urban Growth Area Preliminary Declaration / Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway Approach Permit Site Plan Review Case No. UGA-SPR-ADJ-DAP16-03 subject to SRC Chapters 200, 220, 250 and 804, the applicable standards of the Salem Revised Code, conformance with the approved site plan included as Attachment B, and the following conditions of approval:

- Condition 1:** Construct a minimum 30-foot-wide linking street improvement along Boone from 27<sup>th</sup> Avenue SE to the west line of the subject property.
- Condition 2:** Widen 27<sup>th</sup> Avenue SE to provide a minimum 34-foot-wide linking street improvement from Kuebler Boulevard SE to Boone, or pay a fee-in-lieu in the amount of \$9,675 from the improvements pursuant to SRC 200.405.
- Condition 3:** Along the frontage of Boone, from the west line of the subject property to the cul-de-sac located approximately 930-feet east of the 27<sup>th</sup> Avenue SE and Boone intersection, the applicant shall construct a minimum 15-foot-wide half-street improvement on the south side and a 15-foot pavement widening on the north side. Additional stormwater flow control or treatment facilities are not required for the improvements on the north side of Boone.
- Condition 4:** For the easterly portion of the subject property that discharges stormwater to the northeast, the applicant shall submit a drainage study at the time of development, specifically addressing all storm drainage facilities between the proposed development and the nearest adequate storm drainage facility. As a condition of development, the applicant shall be required to either:
- a. Construct storm drainage facilities adequate for the future drainage flows as specified in the Stormwater Master Plan; or
  - b. As approved by the Public Works Director, construct on-site detention, retention, or other stormwater quantity facilities that limit runoff from the proposed development to quantities not exceeding the pre-developed runoff conditions.
- Condition 5:** Dedicate a water main easement to the City for construction of a 12-inch water main from Pumice Street SE (Pumice) to Boone through the subject property as specified in the Water System Master Plan. The easement shall specify that the precise location and dimensions of the easement boundary will be as specified in the PWDS, and will be finalized when the water main is constructed.
- Condition 6:** Design and construct sewer, water, and stormwater infrastructure to serve the proposed development as specified in the PWDS. The applicant's proposed utility plan shall be modified to conform to PWDS except as authorized under design exceptions from the City Engineer.
- Condition 7:** The adjusted bicycle parking requirement, number of driveway approaches and off-street parking require, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to the zoning requirements for the development site, unless adjusted through a future land use action.

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

Class 2 Adjustment  
Class 2 Driveway Approach Permit

February 11, 2019  
February 11, 2021

Application Deemed Complete: November 21, 2016  
Notice of Decision Mailing Date: January 26, 2017  
Decision Effective Date: February 11, 2017  
State Mandate Date: March 21, 2017

Case Manager: Aaron Panko, 503-540-2356 or APanko@cityofsalem.net *AP*

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., February 10, 2017.** 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 200, 220, 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\UGA Permits & UGA Amendments\2016\1 - Case Processing Documents\UGA-SPR-ADJ-DAP16-03 - 2900 Block Boone Rd SE (Aaron)\UGA-SPR-ADJ-DAP16-03 Notice of Decision.docx

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**BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM**

**URBAN GROWTH AREA PRELIMINARY DECLARATION / SITE PLAN REVIEW /  
DRIVEWAY APPROACH PERMIT / ADJUSTMENT  
CASE NO. UGA-SPR-ADJ-DAP 16-03  
DECISION**

**IN THE MATTER OF APPROVAL OF ) UGA-SPR-ADJ-DAP  
URBAN GROWTH AREA PRELIMINARY ) CASE NO. 16-03  
DECLARATION, SITE PLAN REVIEW, )  
ADJUSTMENT AND DRIVEWAY )  
APPROACH PERMIT CASE NO. 16-03 )  
2900 BLK OF BOONE ROAD SE - 97317 ) JANUARY 26, 2017**

In the matter of the application for an Urban Growth Area Preliminary Declaration, Class 3 Site Plan Review, Class 2 Adjustment and Class 2 Driveway Approach Permit submitted by the applicant Douglas Sproul, Mosaic Management Services LLC, and represented by Richard Walker, AKS Engineering & Forestry, LLC, the Planning Administrator, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

**REQUEST**

Application Summary: Proposed development of a new residential care facility approximately 134,700 square feet in size, with 122 total units. 90 units will be for assisted living and 32 units will be for memory care.

Request: A consolidated application for an Urban Growth Preliminary Declaration, Class 3 Site Plan Review, Class 2 Adjustment and Class 2 Driveway Approach Permit for development of a new 122 unit assisted living and memory care community and associated infrastructure, with an Adjustment request to:

- 1) Reduce the number of bicycle parking requirement from 23 spaces to 8 spaces;
- 2) Increase the number of driveway approaches permitted onto Boone Road SE from 1 to 2; and
- 3) Reduce the off-street parking requirement from 385 spaces to 95 spaces.

For property approximately 14.5 acres in size, zoned RM-II (Multi-Family Residential), RM-I (Multi-Family Residential) and RS (Single Family Residential), and located in the 2900 Block of Boone Road SE - 97306 (Marion County Assessor's Map and Tax Lot number: 083W13BA / 00100).

## DECISION

**APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, conformance with the approved site plans, and the following conditions of approval:

- Condition 1:** Construct a minimum 30-foot-wide linking street improvement along Boone from 27<sup>th</sup> Avenue SE to the west line of the subject property.
- Condition 2:** Widen 27<sup>th</sup> Avenue SE to provide a minimum 34-foot-wide linking street improvement from Kuebler Boulevard SE to Boone, or pay a fee-in-lieu in the amount of \$9,675 from the improvements pursuant to SRC 200.405.
- Condition 3:** Along the frontage of Boone, from the west line of the subject property to the cul-de-sac located approximately 930-feet east of the 27<sup>th</sup> Avenue SE and Boone intersection, the applicant shall construct a minimum 15-foot-wide half-street improvement on the south side and a 15-foot pavement widening on the north side. Additional stormwater flow control or treatment facilities are not required for the improvements on the north side of Boone.
- Condition 4:** For the easterly portion of the subject property that discharges stormwater to the northeast, the applicant shall submit a drainage study at the time of development, specifically addressing all storm drainage facilities between the proposed development and the nearest adequate storm drainage facility. As a condition of development, the applicant shall be required to either:
- a. Construct storm drainage facilities adequate for the future drainage flows as specified in the Stormwater Master Plan; or
  - b. As approved by the Public Works Director, construct on-site detention, retention, or other stormwater quantity facilities that limit runoff from the proposed development to quantities not exceeding the pre-developed runoff conditions.
- Condition 5:** Dedicate a water main easement to the City for construction of a 12-inch water main from Pumice Street SE (Pumice) to Boone through the subject property as specified in the Water System Master Plan. The easement shall specify that the precise location and dimensions of the easement boundary will be as specified in the PWDS, and will be finalized when the water main is constructed.
- Condition 6:** Design and construct sewer, water, and stormwater infrastructure to serve the proposed development as specified in the PWDS. The applicant's proposed utility plan shall be modified to conform to PWDS except as authorized under design exceptions from the City Engineer.

**Condition 7:** The adjusted bicycle parking requirement, number of driveway approaches and off-street parking require, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to the zoning requirements for the development site, unless adjusted through a future land use action.

## FINDINGS

### 1. Background

A petitioner initiated annexation of the subject property was requested in 2009 for the annexation of the subject property into the City of Salem (Annexation C-688), with a request for a Comprehensive Plan Change from "Developing Residential" to "Multi-Family Residential" and Zone Change from Marion County UT-10 (Urban Transition) to City of Salem RM-I and RM-II (Multi-Family Residential).

The property was annexed on February 3, 2010. Conditions of approval were placed on the annexation limiting the traffic impact from development on the property to no more than 1,478 average daily trips and requiring a minimum 25-foot setback from any main building to the southern boundary of the property.

On September 12, 2016, Urban Growth Preliminary Declaration, Site Plan Review, Adjustment and Driveway Approach permit applications were submitted for the proposed development. Additional information was requested from the applicant. The applications were deemed complete for processing on November 21, 2016. The applicant's proposed site plan is included as Attachment B and a written statement by the applicant addressing the approval criteria is included as Attachment C.

### **Neighborhood and Citizen Comments:**

Notice of the application was sent to the South Gateway Neighborhood Association (South Gateway) and all property owners of record within 250 feet of the subject property. No comments were received from South Gateway. Four comments were received from surrounding property owners, the following is a summary of the concerns raised

- 1) What obligation does the City have to preserve the views of adjacent property owners?

**Staff Response:** Views of adjacent property owners are not regulated or protected under the City of Salem zoning code. The proposed residential care facility is limited to a maximum height of 50 feet.

2) How is the zoning affected after approval? Can the property be further divided?

**Staff Response:** Development does not change the zoning designation for the property. The subject property has three separate zoning designations, the northern most portion of the property is designated RM-II (Multi-Family Residential), the middle section is designated as RM-I (Multi-Family Residential), and the southernmost 75' of the property is designated RS (Single Family Residential).

The subject property is approximately 14.5 acres in size and is large enough to be further divided and developed in the future.

3) Loss of privacy, increased lighting at night.

**Staff Response:** The proposed development is required to comply with minimum setback, landscaping and screening requirements adjacent to abutting residential uses. The setback, landscaping and screening requirements help to ensure an adequate buffer is provided between uses. In this case, the proposed facility is approximately 160 feet from the southern property line and there is a significant grade change between the proposed residential care facility and single family dwellings to the south.

Exterior lighting for the building and parking area is required to comply with the exterior lighting standards of SRC 800.060, which provides that exterior lighting shall not shine or reflect onto adjacent properties, or cast glare onto the public right-of-way.

#### **City Department Comments:**

The Public Works Department reviewed the proposal and provided a memo which is included as Attachment D.

The Building and Safety Division reviewed the proposal and indicated that there are no site issues apparent.

The Fire Department has reviewed the proposal and indicated the following:

- 1) Minimum 26' fire department access roads required. (Aerial Fire Apparatus Access required).
- 2) Gate shall be equipped to open upon receiving a signal from a fire apparatus mounted traffic signal pre-emption device (Opticom).
- 3) All fire land/access road shall be marked in red and marked "No Parking Fire Lane."
- 4) The Fire Department will have additional requirements at time of building permit.

#### **Public Agency Comments:**

No Public Agency comments were received.

## 2. Analysis of Urban Growth Preliminary Declaration Approval Criteria

SRC 200.025(d) states:

The Director shall review a completed application for an Urban Growth Preliminary Declaration in light of the applicable provisions of the Master Plans and the Area Facility Plans and determine:

- (1) The required facilities necessary to fully serve the development; and
- (2) The extent to which the required facilities are in place or fully committed.

Analysis of the development based on relevant criteria in SRC 200 is as follows:

### SRC 200.055 – Standards for Street Improvements

**Finding:** All streets abutting the property boundaries shall be designed to the greater of the standards of SRC Chapter 803 and the standards of linking streets in SRC 200.055(b). An adequate linking street is defined as the nearest point on a street that has a minimum 60-foot-wide right-of-way with a minimum 30-foot improvement for local streets or a minimum 34-foot improvement for major streets (SRC 200.055(b)). The nearest adequate linking street is Kuebler Boulevard SE. As described in the conditions of approval, a 34-foot-wide linking street improvement is required along 27<sup>th</sup> from Kuebler Boulevard SE to Boone and a 30-foot-wide linking street improvement is required along Boone and 27<sup>th</sup> to the west line of the subject property.

**Condition 1:** Construct a minimum 30-foot-wide linking street improvement along Boone from 27<sup>th</sup> Avenue SE to the west line of the subject property.

The applicant's engineer submitted a request to pay a fee-in-lieu of constructing the required linking street improvements to 27<sup>th</sup>. The request meets the criteria under SRC 200.405(a) because construction of a narrow sliver of pavement would compromise the integrity of the existing street system and impede construction of the full improvement at a later date. The fee-in-lieu request, in the amount of \$9,675, is thereby authorized by the Director under the provisions of SRC 200.405(a) and (b).

**Condition 2:** Widen 27<sup>th</sup> Avenue SE to provide a minimum 34-foot-wide linking street improvement from Kuebler Boulevard SE to Boone, or pay a fee-in-lieu in the amount of \$9,675 from the improvements pursuant to SRC 200.405.

Boundary street improvements are required along the development frontage of Boone, as shown on the applicant's development plan. The improvements shall include a minimum 15-foot-wide half-street improvement on the development side and a minimum 15-foot wide pavement widening opposite the centerline of Boone. The scope of the Boone frontage improvements shall extend from the west boundary of the subject property to the cul-de-sac, approximately 930-feet east of the 27<sup>th</sup> Avenue SE and Boone intersection and shall include the completion of the cul-de-sac turn-around to PWDS. The applicant's engineer submitted a design exception request to delay construction of stormwater treatment and flow control facilities for the north side improvement of Boone. Based on the nature of the existing downstream natural



drainage system and limited area of the receiving sub-basin, no additional stormwater treatment or flow control facilities are needed at this time. Permanent stormwater facilities will be required at the time the property north of Boone is developed.

**Condition 3:** Along the frontage of Boone, from the west line of the subject property to the cul-de-sac located approximately 930-feet east of the 27<sup>th</sup> Avenue SE and Boone intersection, the applicant shall construct a minimum 15-foot-wide half-street improvement on the south side and a 15-foot pavement widening on the north side. Additional stormwater flow control or treatment facilities are not required for the improvements on the north side of Boone.

#### SRC 200.060 – Standards for Sewer Improvements

**Finding:** The proposed development shall be linked to adequate facilities by the construction of sewer lines and pumping stations, which are necessary to connect to such existing sewer facilities (SRC 200.060). The applicant shall construct the *Salem Wastewater Management Master Plan* improvements and link the site to existing facilities that are defined as adequate under 200.005(a).

#### SRC 200.065 – Standards for Storm Drainage Improvements

**Finding:** The applicant shall link the on-site system to existing facilities that are defined as adequate under SRC 200.005(a). The proposed development will limit its stormwater discharge through implementation of green stormwater infrastructure pursuant to SRC Chapter 71. For the easterly portion of the property that discharges stormwater to the northeast, the applicant shall submit an engineered analysis of the downstream storm drainage system at the time of development and construct any improvements needed to mitigate impacts from the proposed development.

**Condition 4:** For the easterly portion of the subject property that discharges stormwater to the northeast, the applicant shall submit a drainage study at the time of development, specifically addressing all storm drainage facilities between the proposed development and the nearest adequate storm drainage facility. As a condition of development, the applicant shall be required to either:

- a. Construct storm drainage facilities adequate for the future drainage flows as specified in the Stormwater Master Plan; or
- b. As approved by the Public Works Director, construct on-site detention, retention, or other stormwater quantity facilities that limit runoff from the proposed development to quantities not exceeding the pre-developed runoff conditions.

#### SRC 200.070 – Standards for Water Improvements

**Finding:** The proposed development shall be linked to adequate facilities by the construction of water distribution lines, reservoirs, and pumping stations that connect to

such existing water service facilities (SRC 200.070). The applicant shall provide linking water mains consistent with the *Water System Master Plan* adequate to convey fire flows to serve the proposed development as specified in the Water Distribution Design Standards.

The Water System Master Plan specifies that a 12-inch water main is planned from the northerly terminus of Pumice to Boone through the subject property. The impacts and configuration of the proposed development do not warrant construction; however, the applicant shall dedicate an easement to allow for future construction of the water main. Because the precise location and alignment of the water main is not known at this time, the easement shall specify that the dimensions of the easement will be modified at the time of water line construction.

**Condition 5:** Dedicate a water main easement to the City for construction of a 12-inch water main from Pumice Street SE (Pumice) to Boone through the subject property as specified in the Water System Master Plan. The easement shall specify that the precise location and dimensions of the easement boundary will be as specified in the PWDS, and will be finalized when the water main is constructed.

#### SRC 200.075 – Standards for Park Improvements

**Finding:** The applicant shall reserve for dedication prior to development approval that property within the development site that is necessary for an adequate neighborhood park, access to such park, and recreation routes, or similar uninterrupted linkages, based upon the Salem Comprehensive Parks System Master Plan. The Master Plan shows that the subject property is served by an undeveloped Robert and Susie Lee School Park. No park facilities are required in conjunction with the proposed development.

#### 3. Analysis of Class 3 Site Plan Review Approval Criteria

SRC 220.005(f)(3) states:

An application for Class 3 Site Plan Review shall be granted if:

- (1) The application meets all applicable standards of the UDC;
- (2) The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately;
- (3) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians; and
- (4) The proposed development will be adequately served with City water, sewer, stormwater facilities, and other utilities appropriate to the nature of the development.

Criterion 1:

The application meets all applicable standards of the UDC.

**Finding:** The subject property contains three separate zoning districts, RM-II (Multi-Family Residential, RM-I (Multi-Family Residential) and RS (Single Family Residential). The proposed development is entirely within the RM-II zoned portion of the subject property. The proposed development is subject to the use and development standards of the RM-II zone, SRC Chapter 514. The following is a summary of the applicable use and development standards of the RM-II zone.

**Development Standards – RM-II (Multi-Family Residential) Zone:**

*SRC 514.005(a) - Uses:*

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

**Finding:** The project includes development of a proposed assisted living and memory care community in a single structure approximately 134,700 square feet in size with 122 total units. 90 units will be for assisted living and 32 units will be for memory care. The primary use of the building is classified as a residential care facility, which are characterized by Group Living facilities where any combination of personal care, training, or treatment is provided to children, the elderly, or individuals with disabilities or limits on their ability for self-care, but where medical care is not a major element. Residential Care are listed as permitted uses in the RM-II zone pursuant to Table 514-1.

*SRC 514.010(a) – Land Division in the RM-II Zone:*

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

**Finding:** The subject property is approximately 14.5 acres in size. A land division has not been requested with this application.

*SRC 514.010(b) – Lot Standards:*

Lots within the RM-II zone shall conform to the standards set forth in Table 514-2. The minimum lot area for the proposed development is 6,000 square feet, minimum lot width is 40 feet, minimum lot depth is 80 feet and minimum street frontage is 40 feet.

**Finding:** The subject property is approximately 14.5 acres in size, with a lot width of approximately 1,165 feet, a lot depth of approximately 550 feet and street frontage along Boone Road SE of approximately 1,165 feet, exceeding the minimum lot standards.

*SRC 514.010(c) – Dwelling Unit Density:*

Minimum and maximum dwelling unit density requirements apply to Single Family, Two Family and Multiple Family development in the RM-II Zone.

**Finding:** The proposed residential care facility falls under the Group Living use category and is not subject to the dwelling unit density requirements of the RM-II zone.

*SRC 514.010(d) – Setbacks:*

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

**North:** Adjacent to the north is the right-of-way for Boone Road SE. Buildings and structures are required to be setback from a street a minimum of 12 feet, plus one-foot for each one-foot of height over 12 feet, but need not exceed 20 feet in depth. Vehicle use areas are required to be setback a minimum of 12 feet from a street.

**South:** Adjacent to the south is property zoned RS (Single Family Residential). SRC Chapter 514 requires a minimum 10 foot building and vehicle use area setback when abutting a residential zone, however, CPC/ZC09-11 was approved for the subject property with a condition of approval requiring all development to have a minimum 25 foot setback from the southern property line.

**East:** Adjacent to the east is the right-of-way for Interstate 5. Buildings and structures are required to be setback from a street a minimum of 12 feet, plus one-foot for each one-foot of height over 12 feet, but need not exceed 20 feet in depth. Vehicle use areas are required to be setback a minimum of 12 feet from a street.

**West:** Adjacent to the west is property zoned RA (Residential Agriculture). A minimum 10 foot building and vehicle use area setback is required when abutting a residential zone.

**Finding:** The proposed development complies with all minimum setback requirements. Where Type C landscaping is required pursuant to SRC Chapter 807, Table 807-1, the landscape and screening shall require a minimum of 1 plant unit per 20 square feet of landscaped area and a minimum 6-foot-tall fence or wall.

*SRC 514.010(e) – Lot Coverage and Height:*

Buildings and accessory structures within the RM-II zone shall conform to the lot coverage and height standards set forth in Table 514-6. The maximum lot coverage for buildings and accessory structures is 50 percent. The maximum height for a residential care facility is 50 feet.

**Finding:** The proposed building footprint is approximately 72,600 square feet, which covers approximately 11.5 percent of the 14.5 acre development site ( $631,620 / 72,600 = 11.5\%$ ).

Height is calculated by measuring the vertical distance between the base point and top point of a structure. When the elevation of the highest ground surface within a 5-foot horizontal distance of the exterior wall of the building or structure is 10 feet or more above lowest grade within such 5-foot horizontal distance, pursuant to SRC 112.035(c)(1)(B), the base point is an elevation that is 10 feet higher than the lowest grade.

The top point for the proposed building is measured as the average height of the highest gable.

In this case, the height of the proposed residential care facility is approximately 47 feet, less than the maximum height allowance.

*SRC 514.010(g) – Landscaping:*

- (1) **Setbacks.** Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807.
- (2) **Vehicle Use Areas.** Vehicle use areas shall be landscaped as provided under SRC Chapter 806 and SRC Chapter 807.

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

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

*SRC 514.010(h) – Outdoor Storage:*

Within the RM-II zone, outdoor storage shall be screened from streets and adjacent properties by a minimum 6-foot high sight-obscuring fence, wall, or hedge.

**Finding:** No outdoor storage areas are proposed with this development.

*SRC 514.015(b) – Design Review:*

Residential Care Facilities with three or more self-contained dwelling units shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC Chapter 702.

**Finding:** Dwelling unit is defined in SRC 111.020(m) as a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. The proposed residential care facility does not include any self-contained dwelling units and is therefore not subject to design review.

**Solid Waste Service Areas SRC 800**

*SRC 800.055(a) – Applicability.*

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

**Finding:** A solid waste service area service area for a drop box is shown on the southern side of the proposed building. The receptacle will be larger than 1 cubic yard in

size, so the solid waste service area development standards of SRC Chapter 800 are applicable.

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

All solid waste receptacles shall be placed on a concrete pad that is a minimum of 4 inches thick, or on asphalt that is a minimum of 6 inches thick. The pad shall have a slope of no more than 3 percent and shall be designed to discharge stormwater runoff consistent with the overall stormwater management plan for the site approved by the Public Works Director.

- 1) Pad area. The pad area shall extend a minimum of 1-foot beyond the sides and rear of the receptacle; and the pad area shall extend a minimum of 3 feet beyond the front of the receptacle.

**Finding:** The material and design of the proposed pad area for the solid waste service area is not indicated on the site plan. At the time of building permit review, the design will be reviewed for conformance with this provision.

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

**Finding:** The material and design of the proposed solid waste enclosure is not indicated on the site plan. At the time of building permit review, the design will be reviewed for conformance with this provision.

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

**Finding:** The material and design of the proposed solid waste enclosure is not indicated on the site plan. At the time of building permit review, the design will be reviewed for conformance with this provision.

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

- 1) Solid waste, recycling, and compostable service areas shall be screened from all streets abutting the property and from all abutting residentially zoned property by a minimum 6-foot-tall sight-obscuring fence or wall; provided, however, where receptacles are located within an enclosure, screening is not required.

**Finding:** The receptacles are located within an enclosure, screening of the solid waste service area is not required.

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

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

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

**Finding:** The width of the proposed enclosure is approximately 12 feet, meeting the minimum standard.

- 2) **Measures to Prevent Damage to Enclosure.** Enclosures constructed of wood or chain link fencing material shall contain a minimum 4-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the enclosure to prevent damage from receptacles impacts.

**Finding:** The material and design of the proposed trash enclosure is not indicated on the site plan. At the time of building permit review, the design for the trash enclosure will be reviewed for conformance with this provision.

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

**Finding:** The material and design of the proposed solid waste enclosure is not indicated on the site plan. At the time of building permit review, the design will be reviewed for conformance with this provision.

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

- 1) **Vehicle Operation Area.** A vehicle operation area shall be provided for solid waste collection service vehicles that is free of obstructions and no less than 45 feet in length and 12 feet in width. Vehicle operation areas shall be made available in front of every receptacle.

**Finding:** A vehicle operation area is provided in front of the proposed trash enclosure with adequate maneuvering area to meet this standard.

**Off-Street Parking, Loading, and Driveways SRC 806**

*SRC 806.005 - Off-Street Parking; When Required.*

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

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

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

**Finding:** Off-street parking is provided on the same development site containing the use it serves.

*SRC 806.015 - Amount of Off-Street Parking.*

- a) *Minimum Required Off-Street Parking.* The minimum off-street parking requirement for Residential Care Facilities in the Group Living Category is 1 space per 350 square feet of floor area.
- b) *Compact Parking.* Up to 75 percent of the minimum off-street parking spaces required under this Chapter may be compact parking spaces.
- c) *Carpool and Vanpool Parking.* New developments with 60 or more required off-street parking spaces, and falling within the Public Services and Industrial use classifications, and Business and Professional Services use category, shall designate a minimum of 5 percent of their total off-street parking spaces for carpool or vanpool parking.
- d) *Maximum Off-Street Parking.* Unless otherwise provided in the SRC, off-street parking shall not exceed the amounts set forth in Table 806-2.

**Finding:** The proposed residential care facility has a floor area of approximately 134,700 square feet in size, requiring a minimum of 385 off-street parking spaces ( $134,700 / 350 = 384.9$ ). The applicant is requesting an Adjustment to reduce the number of required parking spaces for the proposed development to 95 spaces. Findings for the Adjustment to reduce the number of required off-street parking spaces are included in Section 4 of this decision.

Compact spaces are not proposed on the site plan. The proposed Residential Care Facility falls in the Group Living category, carpool spaces are not required for uses in the Group Living category.

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

- a) *General Applicability.* The off-street parking and vehicle use area development standards set forth in this section apply to the development of new off-street parking and vehicle use areas.
- b) *Location.* Off-street parking and vehicle use areas shall not be located within required setbacks.
- c) *Perimeter Setbacks and Landscaping.* Perimeter setbacks shall be required for off-street parking and vehicle use areas abutting streets, abutting interior front, side, and rear property lines, and adjacent to buildings and structures.

**Finding:** Perimeter setbacks for the off-street parking area are identified in the building and vehicle use area setback findings above. The proposed development is consistent with the setback requirements of the RM-II zone (SRC Chapter 514) and SRC Chapter 806.

- d) *Interior Landscaping.* Interior landscaping shall be provided in amounts not less than those set forth in Table 806-5. For parking areas 5,000-50,000 square feet in size, a minimum of 5 percent of the interior parking area shall be landscaped.



For parking areas greater than 50,000 square feet in size, a minimum of 8 percent of the interior parking area shall be landscaped.

**Finding:** The proposed site plan indicates that the off-street parking area is approximately 44,800 square feet in size, requiring a minimum of 2,240 square feet of interior parking lot landscaping. Approximately 5,150 square feet of parking lot landscape area is proposed, exceeding the minimum requirement.

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

**Finding:** The proposed parking spaces, driveway and drive aisle for the off-street parking area meet the minimum dimensional requirements of SRC Chapter 806.

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

**Finding:** The proposed off-street parking area is developed consistent with the additional development standards for grade, surfacing, and drainage. Bumper guards and wheel barriers are not required for the parking area. The parking area striping, marking, signage and lighting shall be consistent with SRC Chapter 806. Existing vegetation and proposed landscaping, in addition to a significant berm and grade difference between the existing residential uses and the proposed parking lot provide adequate screening for the off-street parking area.

#### *SRC 806.040 - Driveway Development Standards.*

- a) *Access.* Off-street parking and vehicle use areas shall have either separate driveways for ingress and egress, a single driveway for ingress and egress with an adequate turnaround that is always available or a loop to the single point of access.
- b) *Location.* Driveways shall not be located within required setbacks.
- c) *Additional Development Standards 806.040(c)-(g).*

**Finding:** The interior driveways proposed for the off-street parking area conform to the driveway location and dimensional requirements of SRC 806.040.

### **Bicycle Parking**

#### *SRC 806.045 - General Applicability.*

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

#### *SRC 806.055 - Amount of Bicycle Parking.*

The minimum bicycle parking requirement for a Residential Care Facility is one space per 3,500 square feet for the first 50,000 square feet, plus one space per 7,000 square feet for 50,000 to 100,000 square feet, plus one space per 14,000 square feet for the remaining square footage.

**Finding:** The proposed building is approximately 134,700 square feet in size requiring a minimum 23 bicycle parking spaces. The applicant is requesting an Adjustment to reduce the number of bicycle parking spaces for the facility from 23 to 8 spaces. Complete findings addressing the Adjustment criteria are found in Section 4 of this report.

*SRC 806.060 - Bicycle Parking Development Standards.*

- a) *Location.* Bicycle parking areas shall be located within a convenient distance of, and shall be clearly visible from, the primary building entrance. In no event shall bicycle parking areas be located more than 50 feet from the primary building entrance.
- b) *Access.* Bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance.
- c) *Dimensions.* Bicycle parking spaces shall be a minimum of 6 feet by 2 feet, and shall be served by a minimum 4-foot-wide access aisle.
- d) *Bicycle Racks.* Where bicycle parking is provided in racks, the racks may be floor, wall, or ceiling racks. Bicycle racks shall accommodate the bicyclist's own locking device.

**Finding:** The proposed site plan indicates that four bicycle parking spaces will be provided at near the main entry on the north side of the proposed building, and that four spaces will be provided near the main entry on the south side of the proposed building for a total of eight spaces. The locations of the bicycle parking spaces meet the requirements of SRC Chapter 806.060. At the time of building permit review, the plans will be verified for conformance with the bicycle development standards of SRC 806.060.

**Off-Street Loading Areas**

*SRC 806.065 - General Applicability.*

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

*SRC 806.075 - Amount of Off-Street Loading.*

A minimum of two off-street loading spaces are required for buildings in the Group Living Category that are between 60,000-250,000 square feet in floor area. The minimum dimensions for the off-street loading spaces are 12 feet in width, 30 feet in length and 14 feet in height.

**Finding:** Two off-street loading spaces are provided on the south side of the proposed building of sufficient size to meet the minimum dimensional requirements of this section. At the time of building permit review, the plans will be verified for conformance with the loading space development standards of SRC Chapter 806.

## **Landscaping**

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

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

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

## **Natural Resources**

*SRC 808 - Preservation of Trees and Vegetation:* The City's tree preservation ordinance, under SRC Chapter 808, provides that no person shall remove a significant tree (Oregon White Oak greater than 24 inches in diameter at breast height) (SRC 808.015) or a tree or native vegetation in a riparian corridor (SRC 808.020), unless the removal is excepted under SRC 808.030(a)(2), undertaken pursuant to a permit issued under SRC 808.030(d), undertaken pursuant to a tree conservation plan approved under SRC 808.035, or permitted by a variance granted under SRC 808.045.

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

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

According to the Salem-Keizer Local Wetland Inventory (LWI) no wetland areas are mapped on the property, however, there are hydric soils on the subject property. The applicant should contact the Department of State Lands to verify if permits are required for the proposed development.

*SRC 810 - Landslide Hazards:* A geological assessment or report is required when regulated activity is proposed in a mapped landslide hazard area. The subject property contains areas of mapped landslide hazards equal to 2-3 points. The proposed commercial development is assigned 3 activity points. A total of 5-6 points indicates a moderate landslide hazard risk; a geological assessment is required for the proposed development.

The applicant submitted a geological assessment with the application prepared by Redmond Geotechnical Services, dated June 7, 2016.

Criterion 2:

The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately.

**Finding:** The existing configuration of Boone does not meet the current local street standards. Boundary street improvements are required as described in the proposed conditions of approval and in compliance with SRC 803.040. Due to the existing nature of Boone and topographic constraints at the eastern boundary of the subject property, boundary street improvements shall be terminated with a cul-de-sac.

Pursuant to the street connectivity requirements of SRC 803.035(a)(1), local streets shall be oriented or connected to existing or planned streets except where physical conditions make a street or public accessway connection impractical. Pumice is an existing stub street that terminates at the south line of the subject property.

Topographic constraints along the southern portion of the site make the extension of Pumice to Boone impractical. The proposed development plan demonstrates adequate emergency access, pedestrian access and utility vehicle access into and out of the proposed development phase.

Criterion 3:

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

**Finding:** The driveway accesses onto Boone provides for safe turning movements into and out of the property as specified in the driveway access permit.

Criterion 4:

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

**Finding:** The Public Works Department has reviewed the applicant's preliminary utility plan for this site. Water and sewer infrastructure is available and appears to be adequate to serve the proposed development in accordance with the proposed conditions of approval. The applicant's preliminary plan shows a proposed looped 12-inch water line to be constructed within an easement along the perimeter of the proposed development. Construction of public utilities and placement of water meters within a private easement will require a design exception through the City Engineer prior to plan approval.

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

**Condition 6:** Design and construct sewer, water, and stormwater infrastructure to serve the proposed development as specified in the PWDS. The applicant's proposed utility plan shall be modified to conform to PWDS except as authorized under design exceptions from the City Engineer.

#### 4. Analysis of Class 2 Adjustment Approval Criteria

SRC 250.005(d)(2) states:

An application for a Class 2 Adjustment shall be granted if all of the following criteria are met:

- 1) The purpose underlying the specific development standard proposed for adjustment is:
  - i. Clearly inapplicable to the proposed development; or
  - ii. Equally or better met by the proposed development.
- 2) If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.
- 3) If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

##### Criterion 1:

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

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

**Finding:** The applicant's complete written statement addressing the Adjustment criteria is included as Attachment C. Three adjustments have been requested for the proposed development.

*DECREASE Number of Required Bicycle Parking Spaces.* SRC Chapter 806 requires a minimum of 23 bicycle parking spaces for the proposed facility, the applicant is requesting to reduce the number of required bicycle parking from 23 to 8. The applicant explains that 8 bicycle parking spaces are sufficient to serve the proposed facility. Many assisted living residents no longer own or are able to ride bikes upon entering an assisted living community. It is anticipated that almost none of the residents will be cycling.

The facility will have 50-70 full time employees staggered over three shifts throughout the day. Staff finds that the proposed number of bicycle parking spaces ensures an appropriate amount of bicycle parking and that the purpose underlying the bicycle parking requirement is equally or better met for the proposed use.

*INCREASE Number of Driveway Approaches Accessing Boone Road.* Boone Road SE is classified as a local street in the Salem Transportation System Plan. SRC 804.030(a)

provides that a lot or parcel is entitled to one driveway approach onto a local or collector street. The proposed development includes two driveway approaches on to a local street, necessitating a Class 2 adjustment to the standard.

Topographic constraints, development frontage in excess of 800 feet and the proposed use of the property require an additional driveway approach to meet the applicable safety and efficiency standards of SRC Chapter 804. As identified in the applicant's statement, the total number of driveway approaches to Boone will be minimized due to the utilization of larger than required parcels where existing zoning allows additional parcels and subsequent approaches. Therefore, this standard is equally or better met by the proposed development.

*DECREASE Number of Required Off-Street Parking Spaces.* Residential care facilities are required to have a minimum of one off-street parking space per 350 square feet of floor area. The proposed facility is approximately 134,700 square feet in size requiring a minimum of 385 off-street parking spaces ( $134,700 / 350 = 384.9$ ).

The statement provided by the applicant explains that the off-street parking requirement for this assisted living and memory care facility would be excessive and would result in a significant overbuilt and impervious parking area that would not be used. Many residents in assisted living no longer own motor vehicles and purposely curtail their personal transportation. Van service for planned activities and outings is offered to residents, further reducing personal transportation needs for residents.

The applicant has developed and operated similar residential care facilities in other nearby jurisdictions with parking requirements that are significantly lower than the City of Salem requires. Based on experience, the applicant is proposing a parking requirement that is suitable to operate the facility accounting for the parking needs of staff, residents and visitors. Staff finds that the Adjustment to reduce the off-street parking requirement is equally or better met by the applicant's development plan.

#### Criterion 2:

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

**Finding:** The subject property is located within a residential zone. The bicycle parking reduction and increase to the number of driveway approaches will not have a significant impact on the livability or appearance of the surrounding residential area. The proposed reduction to the number of required off-street parking spaces will significantly reduce the area of the site devoted to surface parking, reducing the visually impact of the proposed development. The development as proposed, will not significantly detract from the livability or appearance of the residential area.

#### Criterion 3:

If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

**Finding:** Three adjustments have been requested for the development, to reduce the number of required bicycle parking spaces, increase the number of driveways allowed onto a local street, and reduce the off-street parking requirement for the facility. The adjustments are independent of each other and have been evaluated for conformance with the Adjustment criteria separately. The cumulative effect of granting the adjustments for this case result in a project which is still consistent with the overall intent and purpose of the UDC.

**Condition 7:** The adjusted bicycle parking requirement, number of driveway approaches and off-street parking require, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to the zoning requirements for the development site, unless adjusted through a future land use action.

#### 5. Analysis of Class 2 Driveway Approach Permit Criteria

SRC 804.025(d) states:

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;
- 2) No site conditions prevent placing the driveway approach in the required location;
- 3) The number of driveway approaches onto an arterial are minimized;
- 4) The proposed driveway approach, where possible:
  - i. Is shared with an adjacent property; or
  - ii. Takes access from the lowest classification of street abutting the property;
- 5) The proposed driveway approach meets vision clearance standards;
- 6) The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access;
- 7) The proposed driveway approach does not result in significant adverse impacts to the vicinity;
- 8) The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections; and
- 9) The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.

#### Criterion 1:

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

**Finding:** The proposed driveways meet the standards of SRC Chapter 804 and PWDS with a Class 2 adjustment for multiple driveway approaches onto a local street where only one is allowed under SRC 804.030(a). The Class 2 Adjustment findings are addressed above.

Criterion 2:

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

**Finding:** The subject property slopes to the north, and there are no obstructions, conflicts, or other site conditions prohibiting the location of the proposed driveways.

Criterion 3:

The number of driveway approaches onto an arterial are minimized.

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

Criterion 4:

The proposed driveway approach, where possible:

- a) Is shared with an adjacent property; or
- b) Takes access from the lowest classification of street abutting the property.

**Finding:** The proposed driveways are currently located with access to the lowest classification of street abutting the subject property.

Criterion 5:

The proposed driveway approach meets vision clearance standards.

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

Criterion 6:

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

**Finding:** Boone is a cul-de-sac street with limited traffic. The proposed driveways will not create a known traffic hazard and will provide for safe turning movements for access to the subject property. The additional driveway on Boone will improve vehicular circulation.

Criterion 7:

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

**Finding:** There is potential for future driveway conflicts when the vacant parcel to the north develops. The proposed driveway locations allow for adequate access and driveway spacing for the northerly neighboring property. The location of the proposed



driveways does not appear to have any adverse impacts to the adjacent properties or streets.

Criterion 8:

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

**Finding:** The proposed driveways are located on a cul-de-sac street with minimal impact to the transportation system. The proposed driveway approaches do not create a significant impact to adjacent streets and intersections.

Criterion 9:

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

**Finding:** The proposed development is not extending Pumice through the subject property; therefore, there will be no impact on residentially zoned property to the south of the subject property. The proposed driveway approaches will not have an adverse effect on the functionality of adjacent streets or residentially zoned property.

6. Based upon review of SRC Chapters 200, 220, 250 and 804, the applicable standards of the Salem Revised Code, the findings contained herein, and due consideration of comments received, the application complies with the requirements for an affirmative decision.

## **ORDER**

Final approval of Urban Growth Area Preliminary Declaration, Class 3 Site Plan Review, Class 2 Adjustment and Class 2 Driveway Approach Permit Case No. 16-03 is hereby GRANTED subject to SRC Chapters 200, 220, 250 and 804, the applicable standards of the Salem Revised Code, conformance with the approved site plan included as Attachment B, and the following conditions of approval:

- Condition 1:** Construct a minimum 30-foot-wide linking street improvement along Boone from 27<sup>th</sup> Avenue SE to the west line of the subject property.
- Condition 2:** Widen 27<sup>th</sup> Avenue SE to provide a minimum 34-foot-wide linking street improvement from Kuebler Boulevard SE to Boone, or pay a fee-in-lieu in the amount of \$9,675 from the improvements pursuant to SRC 200.405.
- Condition 3:** Along the frontage of Boone, from the west line of the subject property to the cul-de-sac located approximately 930-feet east of the 27<sup>th</sup> Avenue SE and Boone intersection, the applicant shall construct a minimum 15-foot-wide half-street improvement on the south side and a 15-foot pavement widening on the north side. Additional stormwater

flow control or treatment facilities are not required for the improvements on the north side of Boone.

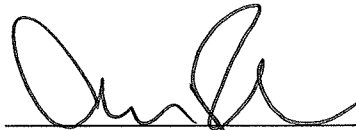
**Condition 4:** For the easterly portion of the subject property that discharges stormwater to the northeast, the applicant shall submit a drainage study at the time of development, specifically addressing all storm drainage facilities between the proposed development and the nearest adequate storm drainage facility. As a condition of development, the applicant shall be required to either:

- a. Construct storm drainage facilities adequate for the future drainage flows as specified in the Stormwater Master Plan; or
- b. As approved by the Public Works Director, construct on-site detention, retention, or other stormwater quantity facilities that limit runoff from the proposed development to quantities not exceeding the pre-developed runoff conditions.

**Condition 5:** Dedicate a water main easement to the City for construction of a 12-inch water main from Pumice Street SE (Pumice) to Boone through the subject property as specified in the Water System Master Plan. The easement shall specify that the precise location and dimensions of the easement boundary will be as specified in the PWDS, and will be finalized when the water main is constructed.

**Condition 6:** Design and construct sewer, water, and stormwater infrastructure to serve the proposed development as specified in the PWDS. The applicant's proposed utility plan shall be modified to conform to PWDS except as authorized under design exceptions from the City Engineer.

**Condition 7:** The adjusted bicycle parking requirement, number of driveway approaches and off-street parking require, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to the zoning requirements for the development site, unless adjusted through a future land use action.



Aaron Panko,  
Planning Administrator Designee

Prepared by Aaron Panko, Planner III

Attachments: A. Vicinity Map  
B. Proposed Site Plan  
C. Applicant's Written Statement  
D. Public Works Memo

Application Deemed Complete: November 21, 2016  
Notice of Decision Mailing Date: January 26, 2017  
Decision Effective Date: February 11, 2017  
State Mandated Decision Date: March 21, 2017

The rights granted by the attached decision for Urban Growth Preliminary Declaration Case No. UGA-SPR-ADJ-DAP 16-03 must be exercised or an extension granted by February 11, 2019 or this approval shall be null and void. The rights granted by the attached decision for Class 3 Site Plan Review Case No. UGA-SPR-ADJ-DAP 16-03 must be exercised by February 11, 2021 or this approval shall be null and void. The rights granted by the attached decision for Class 2 Adjustment Case No. UGA-SPR-ADJ-DAP 16-03 must be exercised or an extension granted by February 11, 2019 or this approval shall be null and void. The rights granted by the attached decision for Class 2 Driveway Approach Permit Case No. UGA-SPR-ADJ-DAP 16-03 must be exercised or an extension granted by February 11, 2021 or this approval shall be null and void.

This decision is final unless written appeal from a party with standing to appeal, along with the appeal fee, is received by the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem, OR 97301, not later than **Friday, February 10, 2017, 5:00 PM**. The notice of appeal must contain the information required by SRC 300.1020. The appeal fee must be paid at the time of filing. If the notice of appeal is untimely and/or lacks the proper fee, the notice of appeal will be rejected. The Salem City Council will review the appeal at a public hearing. The City Council may amend, rescind, or affirm the action or refer the matter to staff for additional information.

Any person with standing may appeal the decision by filing an appeal with the applicable appeal fee with the City of Salem not later than fifteen (15) days after the date this decision is mailed to persons with standing to appeal.

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

# Vicinity Map

## 2900 Block of Boone Road SE



### Legend

Taxlots

Urban Growth Boundary

City Limits

Outside Salem City Limits

Historic District

Schools

Parks

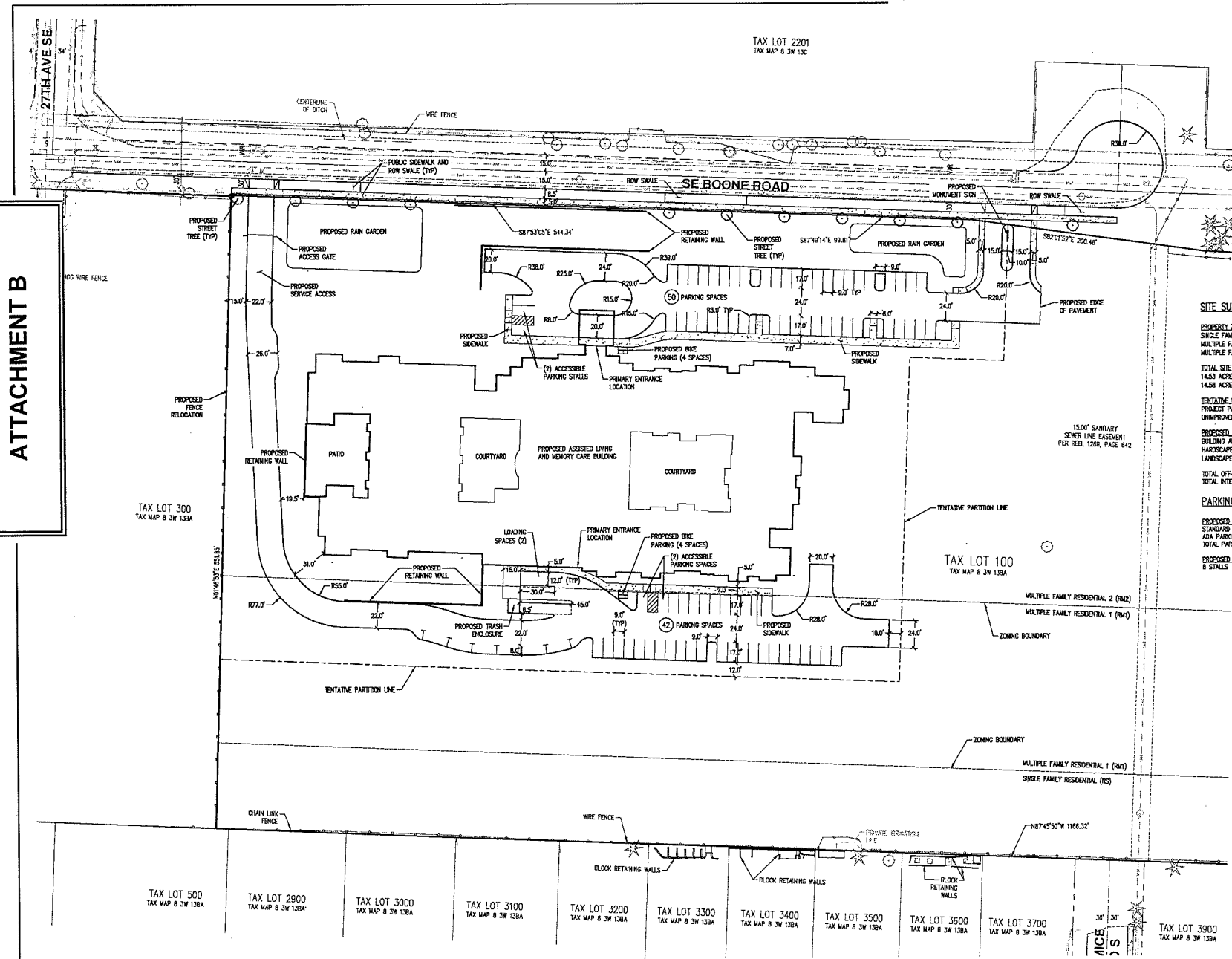
**CITY OF Salem**  
AT YOUR SERVICE  
Community Development Dept.

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

0 100 200 400 Feet



# ATTACHMENT B



## SITE SUMMARY

**PROPERTY ZONING**  
 SINGLE FAMILY RESIDENTIAL (RS)  
 MULTIPLE FAMILY RESIDENTIAL 1 (RM1)  
 MULTIPLE FAMILY RESIDENTIAL 2 (RM2)

**TOTAL SITE AREA**  
 14.53 ACRES (PER MARION COUNTY ASSESSOR'S MAP)  
 14.58 ACRES (PER AKS SURVEY)

**TENTATIVE PARTITION AREA**  
 PROJECT PARCEL 5.72 ACRES (240,000 SF)  
 UNIMPROVED PARCEL 8.88 ACRES (387,200 SF)

**PROPOSED COVERAGE BY AREA BASED ON TENTATIVE PARTITION LINE**  
 BUILDING AREA (28,225) 1.87 ACRES (72,800 SF)  
 HARDSCAPE AREA (26,330) 1.61 ACRES (65,520 SF)  
 LANDSCAPE AREA (44,530) 2.54 ACRES (110,330 SF)

**TOTAL OFF-STREET PARKING AREA = 44,800 SF**  
**TOTAL INTERIOR PARKING LOT LANDSCAPING AREA = 5,150 SF**

## PARKING SUMMARY

**PROPOSED PARKING**  
 STANDARD PARKING 88 STALLS  
 ADA PARKING 4 STALLS  
 TOTAL PARKING 92 STALLS

**PROPOSED BICYCLE PARKING**  
 8 STALLS

**AKS**  
 AKS ENGINEERING & DESIGN, LLC  
 1000 CHERRY AVE. NE  
 SUITE 100  
 SEASIDE, OR 97138  
 P: 503.400.9233  
 F: 503.400.7722  
 akd@akseng.com

**MOSAIC SENIOR LIVING COMMUNITY**  
**OREGON**  
**SALEM**  
 MARION COUNTY TAX MAP 85 3W 13BA  
 TAX LOT 100

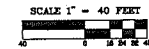
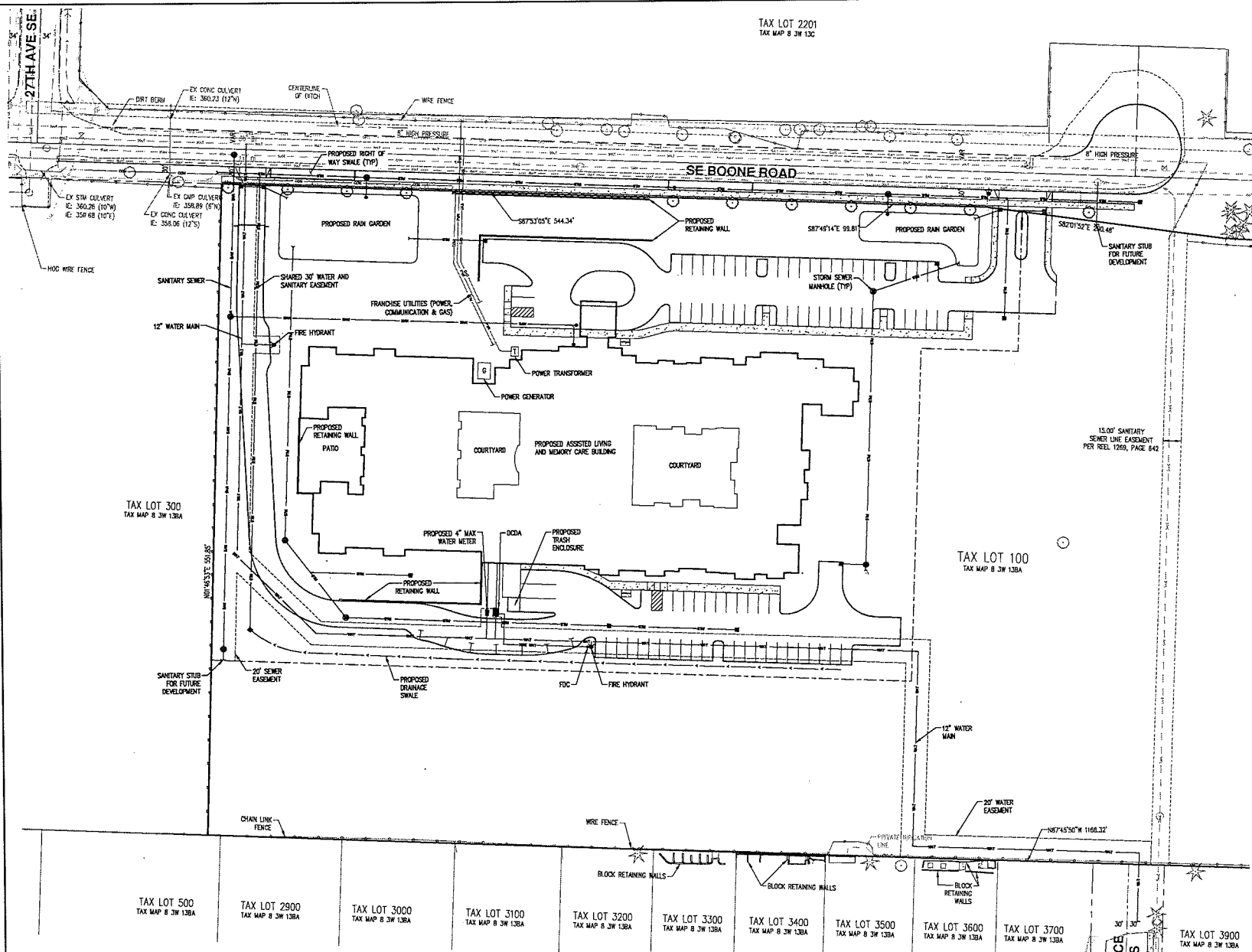
## PRELIMINARY SITE PLAN

DESIGNED BY: RCM  
 DRAWN BY: RCM  
 CHECKED BY: RCM  
 SCALE: AS NOTED  
 DATE: 10/28/2008  
 PRELIMINARY  
 NOT FOR CONSTRUCTION  
 C-MAJOR

JOB NUMBER  
**4605**

SHEET

**C1**



**AKS**  
AKS ENGINEERING & ARCHITECTURE, LLC  
1400 CHERRY AVE NE  
SUITE 100  
SEASIDE, OR 97138  
P: 503.407.7222  
F: 503.407.7222  
aks-eng.com

**OREGON**  
ENGINEERING - SURVEYING - NATURAL RESOURCES  
FORESTRY - PLANNING - LANDSCAPE ARCHITECTURE

**MOSAIC SENIOR LIVING COMMUNITY**

**SALEM**  
TAX LOT 100

**PRELIMINARY UTILITY PLAN**

**REVISIONS**

DESIGNED BY: **AKS**

DRAWN BY: **AKS**

CHECKED BY: **AKS**

DATE: 10/26/2020

**PRELIMINARY**  
**NOT FOR**  
**CONSTRUCTION**

DATE: 10/26/2020

JOB NUMBER  
**4605**

SHEET  
**C2**

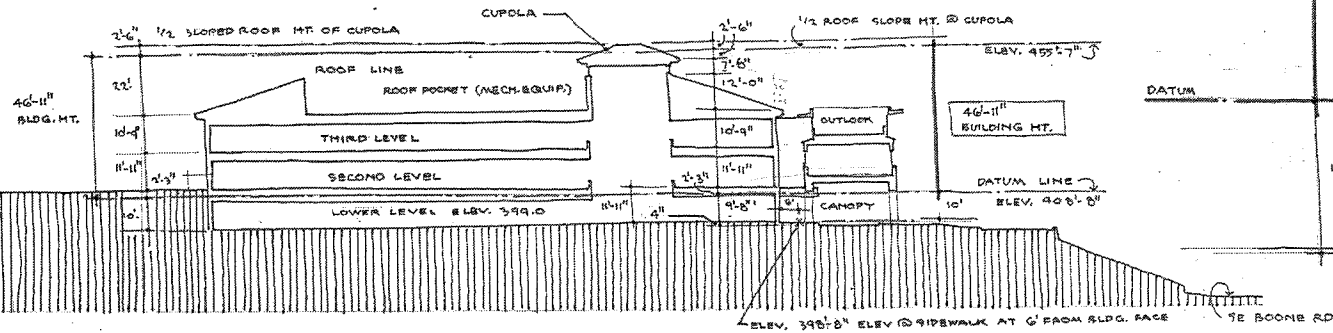




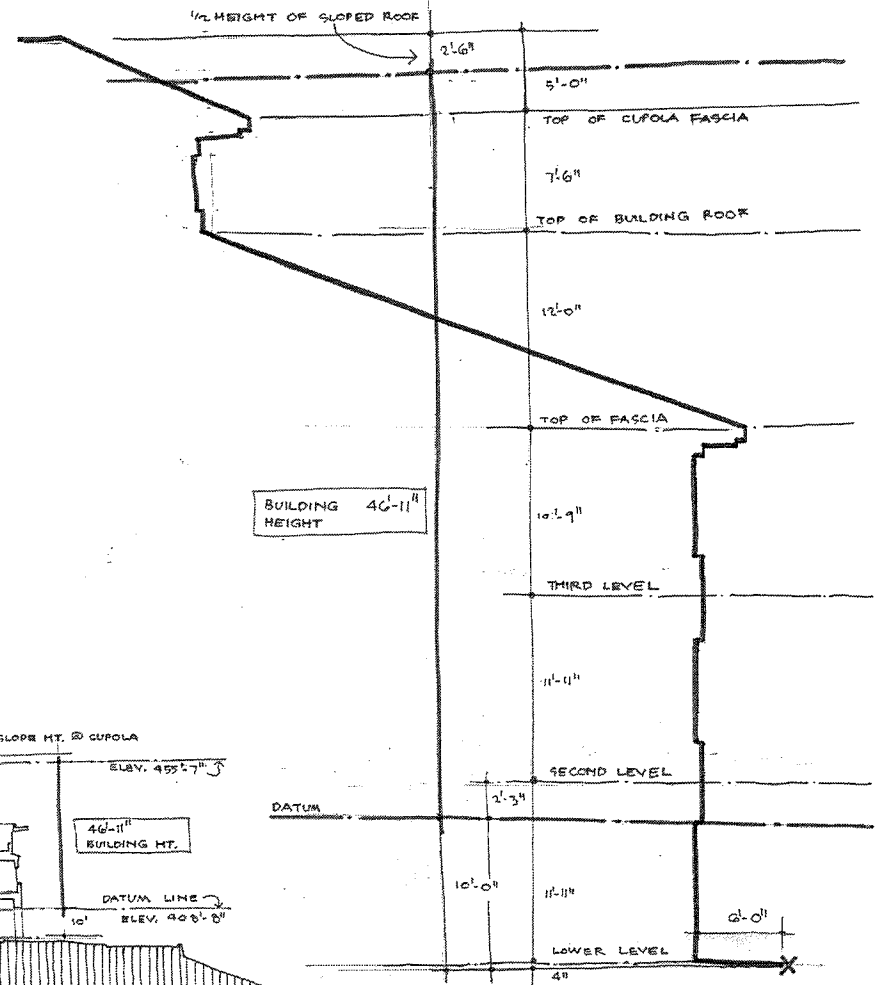


## HEIGHT ANALYSIS

DIAGRAMS INDICATE PROPOSED PROJECT WILL NOT EXCEED HEIGHT LIMIT OF 50'.  
FINAL PROFILE AND DETAIL MAY VARY; BUT, HEIGHT WILL REMAIN WITHIN REQUIRED HEIGHT LIMIT.



BUILDING AND PARTIAL SITE CROSS SECTION



BUILDING PROFILE

10/19/16



## Written Statement

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**CLASS 3 SITE PLAN REVIEW, CLASS 2 ADJUSTMENT**  
**MOSAIC SENIOR LIVING COMMUNITY**  
**2900 Block of Boone Road SE**  
**Salem, Oregon**

Mosaic Management (Owner and Operations Manager) and Summit Smith Development (Design-Builder) are seeking Site Plan Review and approval for a licensed Assisted Living and Memory Care Community to be built on a 14.53 acre parcel on SE Boone Road just to the east of the intersection of SE Boone Road and 27<sup>th</sup> Avenue SE. The subject site is unimproved and consists of a single tax lot. The Applicant intends to partition the site into two (2) distinct parcels, one consisting of approximately 5.7 acres for the Assisted Living and Memory Care Community and the other consisting of approximately 8.8 acres for future compatible development.

The Assisted Living and Memory Care Community meets the Salem Revised Code (SRC) and Unified Development Code (UDC) provisions for Residential Care. It will consist of a single structure of approximately 134,700 square feet with two distinct areas. The memory care residents will reside in a single story, approximately 20,500 square foot building to the west of the site and the assisted living residents will reside in an approximately 114,200 square foot, three-story building to the east. There will be a common entry point. Each building has amenities, both indoor and outdoor, suitable for the needs of its distinct senior clientele.

The Owner and Operations Manager has researched the market and received state approval to construct residential living for seniors with Alzheimer's and Dementia and otherwise cognitive seniors who need assistance with activities of daily living. The construction, and subsequent licensing and occupancy of this facility will help to promote and protect the health, safety and welfare of the public, one of the stated purposes of the UDC.

**Class 3 Site Plan Review**

UDC 220.005(f)(3) presents the approval criteria for a Class 3 Site Plan Review. An application for Class 3 Site Plan Review shall be granted if:

- (A) The application meets all applicable standards of the UDC;*
- (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;*
- (C) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians; and*
- (D) The proposed development will be adequately served with city water, sewer, stormwater facilities, and other utilities appropriate to the nature of the development.*

**RESPONSE:** As shown on the preliminary plans and in this narrative, the application meets the applicable standards of the UDC. There will be 122 total units in the new facility. 90 units will be for Assisted Living and 32 units will be for Memory Care. This is somewhat less than discussed in the Pre-application meeting with city staff on April 19, 2016. At that time, with a total of 154 units planned, the City of Salem Traffic Engineering Section determined that a TIA will not be required. These types of senior living facilities are very low traffic generators. Assisted living residents are often visited and

transported by family and friends and occasionally travel from the facility with tours arranged by the facility, which provides a chauffeured van to accommodate resident trips. Memory Care residents always leave with close assistance of family or staff and are usually not capable of driving motor vehicles without risk to themselves and others. Therefore, they do not generate measurable trip counts away from the facility.

There are two access points planned along Boone Road. The main entry for visitors and the public will be located approximately 830 feet from the intersection of 27<sup>th</sup> Ave. SE. This main entry will have divided in/out lanes separated by a landscaped median with monument signage. It is placed close to the termination of Boone Road to better utilize natural grades upon entering the property. Another entry will be placed at the property line to the west of the site, approximately 182 feet from the intersection of 27<sup>th</sup> Ave. SE, and will be gated and restricted for employees, service vehicles and fire department emergencies. This second access point will help to avoid congestion and segregate the service needs of the facility from the public enjoyment.

Total off-street parking provided will be 92 spaces which we believe meets the needs of the facility without burdening adjacent roads with over flow nor causing excess impervious area to be constructed (see below regarding a Class 2 Adjustment). At the front of the facility along Boone Road, landscaped parking areas will accommodate 50 cars, including 2 accessible parking stalls and a concrete walkway. The main entry will feature a covered porte-cochere and an ample turnaround for vehicles.

To the south of the facility, there will be a parking area for staff that will accommodate 42 cars, a service lane for deliveries, a fire department turnaround, concrete brick or painted block trash enclosure and a landscaped buffer from the property line.

It is important to note the slope of the site is significant and will help to prevent any obstruction in visibility for residential properties to the south of the Mosaic community. The overall height of the facility will not exceed height limits for this particularly zoning and will not require any variances or adjustments.

The proposed facility will be adequately served by City water, City sewer, and storm drainage facilities appropriate to the nature of the development. An existing 30-inch water line is located in Boone Road and an existing 12 inch water line is located to the south and terminating in Pumice Road. It is anticipated that the new facility will be served from these lines through the provision of a newly constructed water loop running along the south and west perimeter of the 5.7 acre parcel. A gravity sewer line is available in Boone Road and it is anticipated that the new facility will be served by this gravity line. The project will help to ensure the provision of adequate public facilities and services proportional to the impact of the development.

The storm water management planned for the site will help to maintain adequate open space and contain and treat any runoff to prevent negative impact to other properties in the vicinity. There will be three (3) courtyards with native plantings and landscape features to assist in infiltration and two storm water basins along Boone Road for treatment and detention.

### **Class 2 Adjustment**

UDC 250.005(d)(2) presents the criteria for a Class 2 adjustment. An application for a Class 2 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) 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*

**RESPONSE:** The purpose of UDC 806.015 is to establish standards for an appropriate amount of off-street parking based on specific use categories. The scale and specific characteristics of the planned Assisted Living and Memory Care Community are unique enough that the planned number of parking spaces ensures an appropriate amount of off-street parking equally or better than the standard parking ratios.

Based on the ratio for Residential Care facilities of 1 space per 350 square feet in UDC 806.015, Table 806-1, 134,700 square feet of floor area requires 385 parking spaces. Based on the experience of the Developer, Operator and Builder of this facility in running numerous other similar properties, 92 parking spaces are planned and a Class 2 Adjustment is warranted for a 73% reduction in required vehicle parking from 385 spaces to 92 spaces.

As a practical matter, the off-street parking requirement for "Residential Care" in UDC 806.015 would be excessive for assisted living and memory care based on our experience and would cause a significant overbuilt and impervious parking area that would not be used. Most assisted living residents no longer own motor vehicles and purposely curtail their personal transportation upon entering an assisted living community. They prefer not to incur the expense of owning, maintaining and insuring a car. The community provides a van service and planned activities and outings for the residents. In addition, it provides scheduled rides to doctor appointments, worship services, shopping and other life occurrences. It is anticipated that almost none of the memory care residents will be driving when they are admitted to the property. Of course, families, loved ones and friends are encouraged and often visit which accounts for the vast majority of trips to and from the facility.

As an example, for a 115,700 square foot, 98 unit, 112 bed assisted living and memory care facility we are constructing in Portland, we are required to provide 51 parking stalls and the code requires 1 space for each 4 residents plus 1 space for each employee present during the maximum working shift.

Another example to consider is a 34,812 square foot, 64 unit memory care facility we recently completed in Corvallis, where we were required to provide a total of 35 parking stalls.

Mosaic Management would be happy to provide projected staffing ratios at the request of the City of Salem staff in support of the request to reduce the parking requirement. Generally speaking, the facility will have 50-70 full time equivalent employees staggered over three shifts, 365 days per year. The facility will be staffed 24 hours per day. Spread throughout the day, staffing of Mosaic's facility will not be burdensome on parking to support a higher count than that provided.

This reduction in required parking will be beneficial to the livability and appearance of the surrounding neighborhood as over-building parking areas can be unsightly relative to natural space.

**Conclusion**

We believe this written narrative and accompanying documentation demonstrate that the application is consistent with the applicable provisions of the City of Salem Unified Development Code. The evidence in the record is substantial and supports approval of the application. Therefore, the applicant respectfully requests that the City approve this application.

RECEIVED

JAN 25 2017



COMMUNITY DEVELOPMENT

MEMO

**TO:** Aaron Panko, Planner III  
Community Development Department

**FROM:** Glenn J. Davis, PE, CFM, Chief Development Engineer  
Public Works Department

**DATE:** January 24, 2016

**SUBJECT:** PUBLIC WORKS RECOMMENDATIONS (REVISED)  
UGA-SPR-ADJ-DAP16-03 (16-117251 RP)  
2900 BLOCK OF BOONE ROAD SE  
ASSISTED LIVING AND MEMORY CARE

**PROPOSAL**

A consolidated application for an Urban Growth Preliminary Declaration, Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit for development of a new 122-unit assisted living and memory care community and associated infrastructure, with an adjustment request to:

1. Reduce the number of bicycle parking requirement from 23 spaces to 8 spaces;
2. Increase the number of driveway approaches permitted onto Boone Road SE (Boone) from 1 to 2; and
3. Reduce the off-street parking requirement from 385 spaces to 95 spaces;

for property approximately 14.5 acres in size, zoned RM-II (Multi-Family Residential), RM-I (Multi-Family Residential) and RS (Single Family Residential), and located in the 2900 Block of Boone Road SE, 97306 (Marion County Assessor's Map and Tax Lot number: 083W13BA / 00100).

**RECOMMENDED CONDITIONS OF PRELIMINARY DECLARATION**

1. Widen 27<sup>th</sup> Avenue SE to provide a minimum 34-foot-wide linking street improvement from Kuebler Boulevard SE to Boone, or pay a fee-in-lieu in the amount of \$9,675 for the improvements pursuant to SRC 200.405.
2. Construct a minimum 30-foot-wide linking street improvement along Boone from 27<sup>th</sup> Avenue SE to the west line of the subject property.

3. Along the frontage of Boone, from the west line of the subject property to the cul-de-sac located approximately 930-feet east of the 27<sup>th</sup> Avenue SE and Boone intersection, the applicant shall construct a minimum 15-foot-wide half-street improvement on the south side and a 15-foot pavement widening on the north side. Additional stormwater flow control or treatment facilities are not required for the improvements on the north side of Boone.
4. Dedicate a water main easement to the City for construction of a 12-inch water main from Pumice Street SE (Pumice) to Boone through the subject property as specified in the Water System Master Plan. The easement shall specify that the precise location and dimensions of the easement boundary will be as specified in the PWDS, and will be finalized when the water main is constructed.
5. For the easterly portion of the subject property that discharges stormwater to the northeast, the applicant shall submit a drainage study at the time of development, specifically addressing all storm drainage facilities between the proposed development and the nearest adequate storm drainage facility. As a condition of development, the applicant shall be required to either:
  - a. Construct storm drainage facilities adequate for the future drainage flows as specified in the Stormwater Master Plan; or
  - b. As approved by the Public Works Director, construct on-site detention, retention, or other stormwater quantity facilities that limit runoff from the proposed development to quantities not exceeding the pre-developed runoff conditions.

### **RECOMMENDED CONDITIONS OF DEVELOPMENT**

1. Design and construct sewer, water, and stormwater infrastructure to serve the proposed development as specified in the PWDS. The applicant's proposed utility plan shall be modified to conform to PWDS except as authorized under design exceptions from the City Engineer.

### **FACTS**

#### **Streets**

1. Boone Road SE
  - a. Existing Conditions—This street has an underimproved pavement section within a minimum 60-foot-wide right-of-way along the frontage of the subject property.
  - b. Standard—This street is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 50- to 60-foot-wide right-of-way.



## **Storm Drainage**

### **1. Existing Conditions**

- a. The northwest area of the subject property drains into existing storm drainage facilities in 27<sup>th</sup>.
- b. The northeast area of the subject property slopes to the northwest and northeast.

## **Water**

### **1. Existing Conditions**

- a. The subject property is located in the S-2 water service level.

## **Sanitary Sewer**

### **1. Existing Sewer**

- a. A 6-inch force main is located on the subject property.
- b. An 8-inch gravity sewer main is located in Boone abutting the subject property.

## **CRITERIA AND FINDINGS**

### **SRC 200.055—Standards for Street Improvements**

**Findings**—All streets abutting the property boundaries shall be designed to the greater of the standards of SRC Chapter 803 and the standards of linking streets in SRC 200.055(b). An adequate linking street is defined as the nearest point on a street that has a minimum 60-foot-wide right-of-way with a minimum 30-foot improvement for local streets or a minimum 34-foot improvement for major streets (SRC 200.055(b)). The nearest adequate linking street is Kuebler Boulevard SE. As described in the conditions of approval, a 34-foot-wide linking street improvement is required along 27<sup>th</sup> from Kuebler Boulevard SE to Boone and a 30-foot-wide linking street improvement is required along Boone and 27<sup>th</sup> to the west line of the subject property.

The applicant's engineer submitted a request to pay a fee-in-lieu of constructing the required linking street improvements to 27<sup>th</sup>. The request meets the criteria under SRC 200.405(a) because construction of a narrow sliver of pavement would compromise the integrity of the existing street system and impede construction of the full improvement at a later date. The fee-in-lieu request, in the amount of \$9,675, is thereby authorized by the Director under the provisions of SRC 200.405(a) and (b).

Boundary street improvements are required along the development frontage of Boone, as shown on the applicant's development plan. The improvements shall include a minimum 15-foot-wide half-street improvement on the development side and a minimum 15-foot wide pavement widening opposite the centerline of Boone. The scope of the Boone frontage improvements shall extend from the west boundary of the subject property to the cul-de-sac, approximately 930-feet east of the 27<sup>th</sup> Avenue SE and Boone intersection and shall include the completion of the cul-de-sac turn-around to PWDS. The applicant's engineer submitted a design exception request to delay construction of stormwater treatment and flow control facilities for the north side improvement of Boone. Based on the nature of the existing downstream natural drainage system and limited area of the receiving sub-basin, no additional stormwater treatment or flow control facilities are needed at this time. Permanent stormwater facilities will be required at the time the property north of Boone is developed.

**SRC 200.060—Standards for Sewer Improvements**

**Findings**—The proposed development shall be linked to adequate facilities by the construction of sewer lines and pumping stations, which are necessary to connect to such existing sewer facilities (SRC 200.060). The applicant shall construct the *Salem Wastewater Management Master Plan* improvements and link the site to existing facilities that are defined as adequate under 200.005(a).

**SRC 200.065—Standards for Storm Drainage Improvements**

**Findings**—The applicant shall link the on-site system to existing facilities that are defined as adequate under SRC 200.005(a). The proposed development will limit its stormwater discharge through implementation of green stormwater infrastructure pursuant to SRC Chapter 71. For the easterly portion of the property that discharges stormwater to the northeast, the applicant shall submit an engineered analysis of the downstream storm drainage system at the time of development and construct any improvements needed to mitigate impacts from the proposed development.

**SRC 200.070—Standards for Water Improvements**

**Findings**—The proposed development shall be linked to adequate facilities by the construction of water distribution lines, reservoirs, and pumping stations that connect to such existing water service facilities (SRC 200.070). The applicant shall provide linking water mains consistent with the *Water System Master Plan* adequate to convey fire flows to serve the proposed development as specified in the Water Distribution Design Standards.

The Water System Master Plan specifies that a 12-inch water main is planned from the northerly terminus of Pumice to Boone through the subject property. The impacts and configuration of the proposed development do not warrant construction; however, the applicant shall dedicate an easement to allow for future construction of the water main.

Because the precise location and alignment of the water main is not known at this time, the easement shall specify that the dimensions of the easement will be modified at the time of water line construction.

### **SRC 200.075—Standards for Park Sites**

**Findings**—The applicant shall reserve for dedication prior to development approval that property within the development site that is necessary for an adequate neighborhood park, access to such park, and recreation routes, or similar uninterrupted linkages, based upon the Salem Comprehensive Parks System Master Plan. The Master Plan shows that the subject property is served by an undeveloped Robert and Susie Lee School Park. No park facilities are required in conjunction with the proposed development.

### **CRITERIA AND FINDINGS—SITE PLAN REVIEW**

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 Boone does not meet the current local street standards. Boundary street improvements are required as described in the proposed conditions of approval and in compliance with SRC 803.040. Due to the existing nature of Boone and topographic constraints at the eastern boundary of the subject property, boundary street improvements shall be terminated with a cul-de-sac.

Pursuant to the street connectivity requirements of SRC 803.035(a)(1), local streets shall be oriented or connected to existing or planned streets except where physical conditions make a street or public accessway connection impractical. Pumice is an existing stub street that terminates at the south line of the subject property.

Topographic constraints along the southern portion of the site make the extension of Pumice to Boone impractical. The proposed development plan demonstrates adequate emergency access, pedestrian access and utility vehicle access into and out of the proposed development phase.

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

**Finding**—The driveway accesses onto Boone provides for safe turning movements into and out of the property as specified in the driveway access permit.

**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. Water and sewer infrastructure is available and appears to be adequate to serve the proposed development in accordance with the proposed conditions of approval. The applicant's preliminary plan shows a proposed looped 12-inch water line to be constructed within an easement along the perimeter of the proposed development. Construction of public utilities and placement of water meters within a private easement will require a design exception through the City Engineer prior to plan approval.

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

#### **CRITERIA AND FINDINGS—Class 2 Adjustment**

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

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

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

**Finding—**Per SRC 804.030(a), a lot or parcel is entitled to one driveway approach onto a Local or Collector street. The proposed development includes two driveway approaches on to a local street, necessitating a Class 2 adjustment to the standard.

Topographic constraints, development frontage in excess of 800 feet and the proposed use of the property require an additional driveway approach to meet the applicable safety and efficiency standards of SRC Chapter 804. As identified in the applicant's statement, the total number of driveway approaches to Boone will be minimized due to the utilization of larger than required parcels where existing zoning allows additional parcels and subsequent approaches. Therefore, this standard is equally or better met by the proposed development.

#### **CRITERIA AND FINDINGS—Class 2 Driveway Approach Permit**

A Class 2 Driveway Approach Permit shall be granted if the following criteria are met pursuant to SRC 804.025;

**(1) The proposed driveway approach meets the standards of SRC Chapter 804 and the Public Works Design Standards;**

**Finding**—The proposed driveways meet the standards of SRC Chapter 804 and PWDS with a Class 2 adjustment for multiple driveway approaches onto a local street where only one is allowed under SRC 804.030(a). The Class 2 Adjustment findings are addressed above.

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

**Finding**—The subject property slopes to the north, and there are no obstructions, conflicts, or other 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 driveway meets the PWDS vision clearance standards set forth in SRC Chapter 805.

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

**Finding**—Boone is a cul-de-sac street with limited traffic. The proposed driveways will not create a known traffic hazard and will provide for safe turning movements for access to the subject property. The additional driveway on Boone will improve vehicular circulation.

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

**Finding**—There is potential for future driveway conflicts when the vacant parcel to the north develops. The proposed driveway locations allow for adequate access and driveway spacing for the northerly neighboring property. 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**—The proposed driveways are located on a cul-de-sac street with minimal impact to the transportation system. The proposed driveway approaches 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**—The proposed development is not extending Pumice through the subject property; therefore, there will be no impact on residentially zoned property to the south of the subject property. The proposed driveway approaches will not have an adverse effect on the functionality of adjacent streets or residentially zoned property.

Prepared by: Curtis Pellatz, Project Coordinator  
cc: File