

## NOTICE OF DECISION

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



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

## DECISION OF THE PLANNING ADMINISTRATOR

SUBDIVISION / SITE PLAN REVIEW / ADJUSTMENT / DRIVEWAY APPROACH  
PERMIT / DESIGN REVIEW CASE NO. SUB-SPR-ADJ-DAP-DR16-04

APPLICATION NO. 16-120844-LD, 16-120846-RP, 16-122241-ZO & 16-120847-DR

NOTICE OF DECISION DATE: FEBRUARY 3, 2017

**SUMMARY:** A request for a 4-lot Subdivision with Adjustments to reconfigure the subject property, and Site Plan Review and Design Review applications for development of a 180-unit apartment complex on proposed Lot 3.

**REQUEST:** A request for a 4-lot Subdivision to reconfigure the subject property with a Class 2 Adjustment request to:

- 1) Increase the number of flag lots allowed in a subdivision from a maximum of 15 percent, to 25 percent, and
- 2) Allow the access easement serving Lot 4 to exceed 400 feet in length, and a request for a Class 3 Site Plan Review, Class 2 Driveway Approach Permit and Class 1 Design Review for development of a 180-unit apartment complex on proposed Lot 3 approximately 8.99 acres in size, for property with a combined size of approximately 13.9 acres, zoned CR (Retail Commercial) within the Portland /Fairgrounds Road Overlay Zone, and located at 3350 Portland Road NE - 97301 (Marion County Assessor's Map and Tax Lot numbers: 073W13BB / 00100, 00200, 00300, 00400, 00500, 00600, 00700, 00800, and 01600).

**APPLICANT:** Mountain West Investment Corporation

**OWNER:** Larry & Jeanette Epping Family Foundation

**LOCATION:** 3350 Portland Road NE / 97301

**CRITERIA:** Subdivision SRC 205.010(d)  
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)  
Class 1 Design Review SRC 225.005(e)(1)

**FINDINGS:** The findings are in the attached Order

**DECISION:** The Planning Administrator **APPROVED** Subdivision, Class 3 Site Plan Review, Class 2 Adjustment, Class 2 Driveway Approach Permit and Class 1 Design Review Case No. SUB-SPR-ADJ-DAP-DR16-04 subject to the following conditions of approval:

**Condition 1:** The proposed access easement serving Lot 4 shall have a minimum width of 25 feet.

**Condition 2:** "NO PARKING—FIRE LANE" signs shall be posted on both sides of the

segments of the proposed flag lots accessways that are fire apparatus roadways and "NO PARKING" signs shall be posted on both sides of the remainder of the accessways.

**Condition 3:** Dedicate a stormwater maintenance easement and an access easement from the right-of-way to the existing public stormwater facilities within the subject property as specified in the PWDS. The access easement location may be incorporated into the vehicle circulation areas within the proposed parking lot.

**Condition 4:** Provide an engineered tentative stormwater design to accommodate future impervious surface on all proposed lots. Construct stormwater facilities that are proposed in the public right-of-way and in public storm easements.

**Condition 5:** Dedicate access and utility easement(s) to serve Lot 4 in compliance with applicable codes and standards.

**Condition 6:** Dedicate a 10-foot public utility easement along the entire frontage of Rose Garden Way NE.

**Condition 7:** Convey land for dedication of right-of-way to equal 50 feet for Rose Garden Way NE and a 45-foot radius for the cul-de-sac. In addition, the applicant shall convey land for dedication for a 25-foot property line radii at the intersection of Portland Road NE.

**Condition 8:** Along the entire frontage of Portland Road NE, the applicant shall modify existing sidewalks as needed to comply with PWDS and close all existing driveways. These improvements may be delayed until development of each lot abutting the street frontage.

**Condition 9:** Final approval of a conditional use permit to establish a multi-family use on the subject property is required prior to development.

**Condition 10:** The final plat for the subdivision shall be recorded prior to issuance of building permits for construction of the proposed multi-family buildings. Grading and site work permits for the development may be issued prior to the final plat being recorded.

**Condition 11:** Prior to building permit issuance, provide evidence that the proposed development will comply with a minimum of four of the project enhancements required by SRC Chapter 603.020(j).

**Condition 12:** Prior to building permit issuance, the applicant shall submit a complete application to vacate the portion of Rose Garden Way NE right-of-way that extends east of the proposed cul-de-sac as shown on the applicant's tentative plan. Prior to final occupancy of the first apartment building, the applicant shall either:

- a) Meet all conditions of vacation as needed to complete the vacation process; or
- b) Enter into an encroachment agreement pursuant to SRC 76.160.

**Condition 13:** Construct Rose Garden Way NE to Local street standards, including curb ramps at the Portland Road NE intersection. The street improvements, including sidewalk along a minimum of one side of the street, shall be completed prior to final occupancy of the first apartment building to ensure adequate vehicular and pedestrian access to Portland Road NE. Sidewalk improvements on the opposite side of the street may be delayed until development of the abutting lot.

The rights granted by the attached decision for Subdivision Case No. SUB-SPR-ADJ-DAP-DR 16-04 must be exercised or an extension granted by February 23, 2019 or this approval shall be null and void. The rights granted by the attached decision for Class 3 Site Plan Review Case No. SUB-SPR-ADJ-DAP-DR 16-04 must be exercised by February 23, 2021 or this approval shall be null and void. The rights granted by the attached decision for Class 2 Adjustment Case No. SUB-SPR-ADJ-DAP-DR 16-04 must be exercised or an extension granted by February 23, 2019 or this approval shall be null and void. The rights granted by the attached decision for Class 2 Driveway Approach Permit Case No. SUB-SPR-ADJ-DAP-DR 16-04 must be exercised or an extension granted by February 23, 2019 or this approval shall be null and void. The rights granted by the attached decision for Class 1 Design Review Case No. SUB-SPR-ADJ-DAP-DR 16-04 must be exercised or an extension granted by February 23, 2019 or this approval shall be null and void. A copy of the decision is attached.

Application Deemed Complete: December 15, 2016  
Notice of Decision Mailing Date: February 3, 2017  
Decision Effective Date: February 23, 2017  
State Mandated Decision Date: April 14, 2017

Case Manager: Aaron Panko, APanko@cityofsalem.net; 503.540.2356

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 **Monday, February 22, 2017, 5:00 PM.** The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 205, 220, 250, 804, and 225. The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Salem Planning Commission will review the appeal at a public hearing. After the hearing, the Planning Commission may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

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

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

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

**SUBDIVISION / SITE PLAN REVIEW / ADJUSTMENT / DRIVEWAY APPROACH  
PERMIT / DESIGN REVIEW CASE NO. SUB-SPR-ADJ-DAP-DR 16-04  
DECISION**

IN THE MATTER OF APPROVAL OF	)	SUB-SPR-ADJ-DAP-DR
SUBDIVISION, CLASS 3 SITE PLAN	)	CASE NO. 16-04
REVIEW, CLASS 2 ADJUSTMENT,	)	
CLASS 2 DRIVEWAY APPROACH	)	
PERMIT AND CLASS 1 DESIGN REVIEW	)	
CASE NO. 16-04	)	
3350 PORTLAND ROAD NE - 97301	)	FEBRUARY 3, 2017

In the matter of the application for Subdivision, Class 3 Site Plan Review, Class 2 Adjustment, Class 2 Driveway Approach Permit and Class 1 Design Review submitted by the applicant Richard Berger, Mountain West Investments and represented by Mark Grenz P.E., Multi-Tech Engineering, Inc., 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: A request for a 4-lot Subdivision with Adjustments to reconfigure the subject property, and Site Plan Review and Design Review applications for development of a 180-unit apartment complex on proposed Lot 3.

Request: A request for a 4-lot Subdivision to reconfigure the subject property with a Class 2 Adjustment request to:

- 1) Increase the number of flag lots allowed in a subdivision from a maximum of 15 percent, to 25 percent, and;
- 2) Allow the access easement serving Lot 4 to exceed 400 feet in length.

And a request for a Class 3 Site Plan Review, Class 2 Driveway Approach Permit and Class 1 Design Review for development of a 180-unit apartment complex on proposed Lot 3 approximately 8.99 acres in size, for property with a combined size of approximately 13.9 acres, zoned CR (Retail Commercial) within the Portland/Fairgrounds Road Overlay Zone, and located at 3350 Portland Road NE - 97301 (Marion County Assessor's Map and Tax Lot numbers: 073W13BB / 00100, 00200, 00300, 00400, 00500, 00600, 00700, 00800, and 01600).



## 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:** The proposed access easement serving Lot 4 shall have a minimum width of 25 feet.
- Condition 2:** "NO PARKING—FIRE LANE" signs shall be posted on both sides of the segments of the proposed flag lots accessways that are fire apparatus roadways and "NO PARKING" signs shall be posted on both sides of the remainder of the accessways.
- Condition 3:** Dedicate a stormwater maintenance easement and an access easement from the right-of-way to the existing public stormwater facilities within the subject property as specified in the PWDS. The access easement location may be incorporated into the vehicle circulation areas within the proposed parking lot.
- Condition 4:** Provide an engineered tentative stormwater design to accommodate future impervious surface on all proposed lots. Construct stormwater facilities that are proposed in the public right-of-way and in public storm easements.
- Condition 5:** Dedicate access and utility easement(s) to serve Lot 4 in compliance with applicable codes and standards.
- Condition 6:** Dedicate a 10-foot public utility easement along the entire frontage of Rose Garden Way NE.
- Condition 7:** Convey land for dedication of right-of-way to equal 50 feet for Rose Garden Way NE and a 45-foot radius for the cul-de-sac. In addition, the applicant shall convey land for dedication for a 25-foot property line radii at the intersection of Portland Road NE.
- Condition 8:** Along the entire frontage of Portland Road NE, the applicant shall modify existing sidewalks as needed to comply with PWDS and close all existing driveways. These improvements may be delayed until development of each lot abutting the street frontage.
- Condition 9:** Final approval of a conditional use permit to establish a multi-family use on the subject property is required prior to development.
- Condition 10:** The final plat for the subdivision shall be recorded prior to issuance of building permits for construction of the proposed multi-family buildings.

Grading and site work permits for the development may be issued prior to the final plat being recorded.

**Condition 11:** Prior to building permit issuance, provide evidence that the proposed development will comply with a minimum of four of the project enhancements required by SRC Chapter 603.020(j).

**Condition 12:** Prior to building permit issuance, the applicant shall submit a complete application to vacate the portion of Rose Garden Way NE right-of-way that extends east of the proposed cul-de-sac as shown on the applicant's tentative plan. Prior to final occupancy of the first apartment building, the applicant shall either:

- a) Meet all conditions of vacation as needed to complete the vacation process; or
- b) Enter into an encroachment agreement pursuant to SRC 76.160.

**Condition 13:** Construct Rose Garden Way NE to Local street standards, including curb ramps at the Portland Road NE intersection. The street improvements, including sidewalk along a minimum of one side of the street, shall be completed prior to final occupancy of the first apartment building to ensure adequate vehicular and pedestrian access to Portland Road NE. Sidewalk improvements on the opposite side of the street may be delayed until development of the abutting lot.

## **FINDINGS**

### **1. Background**

On November 10, 2016, Subdivision, Class 3 Site Plan Review, Class 2 Adjustment, Class 2 Driveway Approach Permit and Class 1 Design Review applications were submitted for the proposed development. Additional information was requested from the applicant. After receiving additional information, the applications were deemed complete for processing on December 15, 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 Northgate Neighborhood Association (Northgate) and all property owners of record within 250 feet of the subject property. No comments were received from Northgate. Two comments were received from surrounding property owners, one indicating support for the proposed development. A summary of the concerns raised is included below:

- 1) What kind of screening will be required between the multi-family use and the abutting single family area to prevent noise and crime?

**Staff Response:** The proposed multi-family development will require a minimum six-foot tall, sight obscuring fence to be installed along the eastern boundary abutting the single family residential zone. In addition to the fence, landscaped setbacks including a variety of trees and shrubs are required to be installed before final occupancy of the apartment buildings.

2) What will happen to property value?

**Staff Response:** Property values are not regulated by the Salem Revised Code, and are not considered in the approval criteria for the proposed development.

**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 commented that a Property Boundary Verification may be required if buildings or sewer cross property lines.

The Fire Department has reviewed the proposal and have no concerns with the land division, however the Fire Department will have requirements for access and fire hydrants at the time plans are submitted for building permits.

**Public Agency Comments:**

Portland General Electric reviewed the proposal and commented, "Development cost per current tariff and service requirements. 10' PUE required on all front street lots."

Salem Keizer School District reviewed the proposal and provided a summary of comments included as Attachment E.

1. Analysis of Subdivision Tentative Plan Approval Criteria

SRC 205.010(d) states:

A tentative subdivision plan shall be approved if all of the following criteria are met:

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

- a. Lot standards, including, but not limited to, standards for lot area, lot width and depth, lot frontage and designation of front and rear lot lines.
- b. City infrastructure standards.
- c. Any special development standards, including, but not limited to, floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.

(2) The tentative subdivision plan does not impede the future use or development of the property or adjacent land.

- (3) Development within the tentative subdivision plan can be adequately served by City infrastructure.
- (4) The street system in and adjacent to the tentative subdivision plan conforms to the Salem Transportation System Plan.
- (5) The street system in and adjacent to the tentative subdivision plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision.
- (6) The tentative subdivision plan provides safe and convenient bicycle and pedestrian access from within the subdivision to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. For purposes of this criterion, neighborhood activity centers include, but are not limited to, existing or planned schools, parks, shopping areas, transit stops, or employment centers.
- (7) The tentative subdivision plan mitigates impacts to the transportation system consistent with the approved Traffic Impact Analysis, where applicable.
- (8) The tentative subdivision plan takes into account the topography and vegetation of the site so the need for variances is minimized to the greatest extent practicable.
- (9) The tentative subdivision plan takes into account the topography and vegetation of the site, such that the least disruption of the site, topography, and vegetation will result from the reasonable development of the lots.
- (10) When the tentative subdivision plan requires an Urban Growth Preliminary Declaration under SRC Chapter 200, the tentative subdivision plan is designed in a manner that ensures that the conditions requiring the construction of on-site infrastructure in the Urban Growth Preliminary Declaration will occur, and, if off-site improvements are required in the Urban Growth Preliminary Declaration, construction of any off-site improvements is assured.

Criterion 1:

The tentative subdivision plan complies with the standards of this Chapter and with all applicable provisions of the UDC, including, but not limited to, the following:

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

**Finding:** The proposed subdivision would divide approximately 13.9 acres into 4 lots with no remainder. The minimum lot area and dimensional requirements of the CR zone are established under SRC 522.010(a) which provide that there is no minimum lot area requirement, and no minimum lot dimensional requirement. All lots are required to have a minimum street frontage of 16 feet.

Proposed lots in the subdivision range in size from approximately 1.376 acres in size to 8.992 acres in size. Proposed lots 1, 2, and 3 have adequate street frontage along Portland Road NE and Rose Garden Way NE, and lot 4 is a flag lot.

SRC Chapter 800 (General Development Standards):

*800.015(a) (Buildings to be on a lot):* Every building or structure shall be entirely located on a lot. Where two or more lots are under single ownership to accommodate a single development, the entire combined area shall be considered as a single lot for purposes of the UDC.

*SRC 800.020 (Designation of Lot Lines):* SRC 800.020 establishes front lot line designation requirements for flag lots, and all other lots. For lots that have frontage on a public street (Lots 1, 2 and 3) the front lot line shall be the property line that has frontage on the public street. For a flag lot (Lot 4) the front lot line shall be the outside property line that is an extension of the flag lot accessway or the property line separating the flag portion of the lot from the lot between it and the street from which access is provided to the flag lot, unless the Planning Administrator otherwise directs, in which case the front lot line shall be set forth in the conditions of approval for the tentative plan of the plat, which shall be recorded on deeds conveying lots.

Proposed Lot 4 is a flag lot, the front lot line for Lot 4 shall be the western most property line.

*SRC 800.025 (Flag Lots):* Proposed Lot 4 is a flag lot. Subsections (a) and (b) specify that minimum lot area and dimensions for a flag lot shall be calculated exclusively of the flag lot accessway. Proposed Lot 4 exceeds the minimum lot area and dimension requirements of the CR zone exclusive of the flag lot accessway.

Subsection (c) establishes standards for flag lots and flag lot accessways. Pursuant to SRC Chapter 800, Table 800-1, flag lot accessways serving 1 to 4 lots of non-residential property must be a minimum of 25 feet in overall width and must be paved to a minimum width of 20 feet. The maximum accessway length is 400 feet, however, maximum flag lot accessway length shall not apply where geographic features make it impractical, and when approved by the Planning Administrator following review and recommendation by the Fire Marshal.

The proposed accessway serving Lot 4 exceeds 400 feet in length, the applicant has requested an adjustment to increase the maximum length of the access easement serving Lot 4; findings are included in Section 3 of this staff report. The site plan indicates the width of the access easement serving Lot 4 is 20 feet, which does not comply with the minimum development standard for the access easement. The access easement serving Lot 4 shall have a minimum width of 25 feet.

**Condition 1:** The proposed access easement serving Lot 4 shall have a minimum width of 25 feet.

Subsection (d) prohibits parking on flag lot accessways. In order to ensure that emergency access remains unobstructed, the following condition shall apply:

**Condition 2:** "NO PARKING—FIRE LANE" signs shall be posted on both sides of the segments of the proposed flag lots accessways that are fire apparatus roadways and "NO PARKING" signs shall be posted on both sides of the remainder of the accessways.

Subsection (e) limits the maximum number of flag lots within a subdivision to 15 percent of the proposed lots. One of the four lots within the proposed subdivision is a flag lot (Lot 4), or 25% of the total proposed lots. An adjustment has been requested to increase the number of flag lots within the subdivision, findings are included in Section 3 of this report.

The proposal conforms to the requirements of SRC Chapter 800.

(B) City infrastructure standards.

**Finding:** The subject property is located within the Urban Service Area. Findings addressing how the proposed development will be adequately served by City infrastructure are found below in SRC 205.010(d)(3).

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

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

*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.

One significant tree has been identified along the eastern boundary of the subject property and will be protected and preserved during construction.

*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) there are no wetlands identified on the subject property, but there are hydric soils present. 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 a small section of mapped landslide hazards on the northwest portion of the property, outside the development area. The proposed subdivision is assigned 3 activity points. A total of 3 points indicates a low landslide hazard risk.

Criterion 2:

The tentative subdivision plan does not impede the future use or development of the property or adjacent land.

**Finding:** The proposed subdivision would divide property approximately 13.9 acres in size into 4 lots.

The subject property abuts a single family residential area to the east, commercial property to the north and a mix of commercial and multi-family zoned property to the south. No street or pedestrian connections are available from abutting properties. Rose Garden Way NE, a public street, extends from Portland Road into the subject property and will result in a cul-de-sac that serves the subject property.

The lots within the proposed subdivision, as proposed and conditioned, are of sufficient size and dimensions to permit future development consistent with the use and development standards of SRC Chapter 522. There is no evidence that the subdivision and subsequent development of the lots will adversely affect public services to any surrounding properties. Approval of the subdivision does not impede future use of the subject property or access to abutting properties. The proposal meets this criterion.

Criterion 3:

Development within the tentative subdivision plan can be adequately served by City infrastructure.

**Finding:** Water, sewer, and stormwater infrastructure are available along the perimeter of the site and appear to be adequate to serve the property as shown on the applicant's preliminary utility plan.

Existing stormwater facilities are located within the subject property. The applicant shall be required to dedicate a utility easement for the portions of the existing public stormwater facilities within the subject property. Additionally the applicant shall be required to dedicate

an access easement and construct an all-weather access route to the existing public stormwater facilities within the subject property as specified in the PWDS.

**Condition 3:** Dedicate a stormwater maintenance easement and an access easement from the right-of-way to the existing public stormwater facilities within the subject property as specified in the PWDS. The access easement location may be incorporated into the vehicle circulation areas within the proposed parking lot.

Pursuant to PWDS Appendix 4E, the applicant's narrative describes that the proposed site plan for the apartments meets the requirements for green stormwater infrastructure. The applicant shall provide an engineered tentative stormwater design to accommodate future impervious surface on all proposed lots. For undeveloped lots, stormwater facilities that are proposed in the public right-of-way and in public storm easements shall be constructed in conjunction with the Rose Garden Way NE improvements. The applicant shall dedicate access and utility easement(s) to serve Lot 4 in compliance with applicable codes and standards.

**Condition 4:** Provide an engineered tentative stormwater design to accommodate future impervious surface on all proposed lots. Construct stormwater facilities that are proposed in the public right-of-way and in public storm easements.

**Condition 5:** Dedicate access and utility easement(s) to serve Lot 4 in compliance with applicable codes and standards.

All public and private City infrastructure proposed to be located in the public right-of-way shall be constructed or secured per SRC 205.035(c)(6)(B) prior to final plat approval. Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat.

The applicant shall dedicate a 10-foot public utility easement along the entire frontage of Rose Garden Way NE.

**Condition 6:** Dedicate a 10-foot public utility easement along the entire frontage of Rose Garden Way NE.

Criterion 4:

The street system in and adjacent to the tentative subdivision plan conforms to the Salem Transportation System Plan.

**Finding:** Portland Road NE is a Major Arterial and Highway Avenue NE is a Local street; these abutting streets currently meet the standards as identified in the Salem TSP.

Pursuant to SRC 803.025, the applicant shall convey land for dedication of right-of-way to equal 50 feet for Rose Garden Way NE and a 45-foot radius for the cul-de-sac. In addition,



the applicant shall convey land for dedication for a 25-foot property line radii at intersection of Portland Road NE.

**Condition 7:** Convey land for dedication of right-of-way to equal 50 feet for Rose Garden Way NE and a 45-foot radius for the cul-de-sac. In addition, the applicant shall convey land for dedication for a 25-foot property line radii at the intersection of Portland Road NE.

A remnant of unused right-of-way continues beyond the end of the proposed cul-de-sac for Rose Garden Way. This portion of right-of-way needs to be vacated in order to meet street standards in SRC 803.025. Prior to building permit issuance, the applicant shall submit a complete application to vacate the portion of Rose Garden Way NE right-of-way that extends east of the proposed cul-de-sac as shown on the applicant's tentative plan. Prior to final occupancy of the first apartment building, the applicant shall either:

1. Meet all conditions of vacation as needed to complete the vacation process; or
2. Enter into an encroachment agreement pursuant to SRC 76.160.

The applicant shall construct Rose Garden Way NE to Local street standards, including curb ramps at Rose Garden Way NE. The street improvements, including sidewalk along a minimum of one side of the street, shall be constructed prior to final occupancy of the first apartment building to ensure adequate vehicular and pedestrian access to Portland Road NE. Sidewalk improvements on the opposite side of the street may be delayed until development of the abutting lot.

Criterion 5:

The street system in and adjacent to the tentative subdivision plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision.

**Finding:** As proposed and conditioned, the proposed development will provide for the safe, orderly, and efficient circulation of traffic into, though, and out of the subdivision.

Criterion 6:

The tentative subdivision plan provides safe and convenient bicycle and pedestrian access from within the subdivision to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. For purposes of this criterion, neighborhood activity centers include, but are not limited to, existing or planned schools, parks, shopping areas, transit stops, or employment centers.

**Finding:** Pedestrian and bicycle access to the proposed subdivision is provided by Rose Garden Way NE and Highway Avenue NE. The proposed development will provide safe and convenient bicycle and pedestrian access, and provide boundary street improvements where necessary in order to connect the subject property to surrounding multi-modal

transportation facilities with the existing transportation system. Transit service is available to the subject property on Portland Road NE by way of Salem Keizer Transit's Route 3 bus line.

The Comprehensive Parks Master Plan Update shows that the subject property is served by a developed parks. Northgate park area is a developed park approximately one-half mile northeast of the proposed development; pedestrian sidewalk connections are available from the subject property to this park.

Along the entire frontage of Portland Road NE, the applicant shall modify existing sidewalks as needed to comply with PWDS and close all existing driveways. These improvements may be delayed until development of each lot abutting the street frontage.

**Condition 8:** Along the entire frontage of Portland Road NE, the applicant shall modify existing sidewalks as needed to comply with PWDS and close all existing driveways. These improvements may be delayed until development of each lot abutting the street frontage.

Criterion 7:

The tentative subdivision plan mitigates impacts to the transportation system consistent with the approved Traffic Impact Analysis, where applicable.

**Finding:** The applicant submitted a TIA that indicates the proposed subdivision will not significantly change the operating characteristics of the existing street intersections or require mitigation to the transportation system. The Assistant City Traffic Engineer concurs with the TIA findings.

Criterion 8:

The tentative subdivision plan takes into account the topography and vegetation of the site so the need for variances is minimized to the greatest extent practicable.

**Finding:** The proposed subdivision has been reviewed to ensure that adequate measures have been planned to alleviate natural or fabricated hazards and limitations to development, including topography and vegetation of the site. The Salem-Keizer Local Wetland Inventory (LWI) does not identify wetland areas as being present on the subject property, however the applicant has identified a portion of proposed Lot 4 as a potential wetland area. No development is proposed on Lot 4 at this time.

The subject property is relatively flat. There is a small area of mapped landslide hazards present on the northern boundary of the subject property outside of the development area, a geotechnical assessment or report is not required for the proposed development. 26 trees are identified on the property, the proposed development will result in removal of 17 trees. One significant tree is identified on the eastern boundary which will be protected

during development. The proposed development allows for the reasonable development of the proposed lots within the subdivision with minimal need for variances or adjustments.

The proposal meets this criterion.

Criterion 9:

The tentative subdivision plan takes into account the topography and vegetation of the site, such that the least disruption of the site, topography, and vegetation will result from the reasonable development of the lots.

**Finding:** As identified in Criterion 8 above, the proposed subdivision has been reviewed to ensure that adequate measures have been planned to alleviate natural or fabricated hazards and limitations to development, including topography and vegetation of the site. The proposed development allows for the reasonable development of the proposed lots within the subdivision with minimal need for variances or adjustments.

The proposal meets this criterion.

Criterion 10:

When the tentative subdivision plan requires an Urban Growth Preliminary Declaration under SRC Chapter 200, the tentative subdivision plan is designed in a manner that ensures that the conditions requiring the construction of on-site infrastructure in the Urban Growth Preliminary Declaration will occur, and, if off-site improvements are required in the Urban Growth Preliminary Declaration, construction of any off-site improvements is assured.

**Finding:** The subject property is within the urban service area, an Urban Growth Preliminary Declaration is not required for development of the site.

2. 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 project includes a proposal for a 4-lot subdivision, with a proposed 180-unit multi-family apartment complex proposed for Lot 3, for property zoned CR (Retail Commercial) and located within the Portland/Fairgrounds Road Overlay Zone. The proposed development is subject to the use and development standards of the CR (Retail Commercial) zone, SRC Chapter 522, and the Portland/Fairgrounds Road Overlay Zone, SRC Chapter 603.

The following is a summary of the applicable use and development standards for the proposed multi-family apartment complex on Lot 3.

**Development Standards – CR (Retail Commercial) Zone:**

*SRC 522.005(a) - Uses:*

Except as otherwise provided in Chapter 522, the permitted, special, conditional and prohibited uses in the CR zone are set forth in Table 522-1.

**Finding:** The proposed multi-family use is allowed as a conditional use in the CR zone, a conditional use permit is required to establish a multi-family use on the subject property. Conditional Use Permit Case No. CU 16-13 was approved by the Hearings Officer on January 25, 2017. The appeal period has not ended, therefore, the following condition of approval shall apply:

**Condition 9:** Final approval of a conditional use permit to establish a multi-family use on the subject property is required prior to development.

*SRC 522.010(a) – Lot Standards:*

There are no minimum lot area or dimension requirements in the CR zone. All uses are required to have a minimum of 16 feet of street frontage.

**Finding:** Each of the 4 lots for the proposed development have been reviewed for conformance with the minimum street frontage, lot area and dimension requirements of the CR zone and are found to be in compliance with the minimum requirements.

*SRC 522.010(b) – CR Zone Setbacks:*

The proposed development results in 4 lots. The following is a summary of the applicable setback requirements for each lot.

**Lot 3 – Proposed Apartment Complex:**

**North:** Adjacent to the north is a CR (Retail Commercial) zone. Table 522-3 requires a minimum 10 foot building and vehicle use area setback adjacent to interior lot lines for multi-family uses in the CR zone.

Buildings 4 and 5 are setback approximately 34 feet from the northern property line.

**South:** Adjacent to the south is a CO (Commercial Office) zone and RM-II zone. Table 522-3 requires a minimum 10 foot building and vehicle use area setback adjacent to interior lot lines for multi-family uses in the CR zone.

The proposed vehicle use area is setback from the southern property line by 10 feet.

**East:** Adjacent to the east is a RS (Single Family Residential) zone and a CR (Retail Commercial) zone. Table 522-3 requires a minimum 10 foot setback adjacent to interior lot lines for multi-family uses in the CR zone.

Adjacent to a RS zone, the multi-family design standards in SRC Chapter 702 require a minimum setback of 1-foot for each 1-foot of building height, but in no case less than 20 feet for buildings 2 or more stories in height.

The following is a summary of the required setbacks for buildings adjacent to the RS zone:

Building #	Height (Feet)	Minimum Setback (Feet)	Proposed Setback (Feet)
Building 5	33.6	33.6	34
Building 6	33	33	34
Building 7	33.6	33.6	35.5
Building 8	33.6	33.6	34

Proposed buildings 9 and 10 and a vehicle use area are located adjacent to a CR zone and are setback 10 feet or more from the eastern property line.

**West:** Adjacent to the west is a CR (Retail Commercial) zone and the right-of-way for Rose Garden Way NE. Table 522-3 requires a minimum 10 foot building and vehicle use area setback adjacent to interior lot lines for multi-family uses in the CR zone.

Adjacent to a street, Table 522-3 requires a minimum 5 foot building setback and a minimum 10 foot vehicle use area setback, however greater setbacks are required by Chapter 603 and 702. SRC Chapter 603, Table 603-4 requires a minimum 12 foot building setback adjacent to a street plus one foot for each one-foot of height over 12 feet, with a maximum 20 foot setback. SRC 702.030(b)(2)(D) requires a minimum 20 foot vehicle use area setback.

**Finding:** The proposed development complies with the minimum building and vehicle use area setbacks of the CR zone, the Portland/Fairgrounds Road Overlay Zone and the Multi-Family Design Standards.

**Lots 1, 2 and 4:** No Development proposed at this time.

*SRC 522.010(c) - Lot Coverage, Height:*

There is no maximum lot coverage standard. The maximum building height allowance in the CR zone is 50 feet.

**Finding:** The buildings on the site total approximately 57,166 square feet, covering 15 percent of the site. The proposed buildings do not exceed 34 feet in height. The proposed development complies with the maximum lot coverage and maximum height standards for the CR zone.

*SRC 522.010(d) - 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.
- (3) **Development Site.** A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC Chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicular use areas, may count toward meeting this requirement.

**Finding:** The subject property is approximately 391,662 square feet in size requiring a minimum 58,749 square feet of landscape area. The proposed site plan indicates that approximately 160,384 square feet (41 percent) of landscape area will be provided exceeding the minimum requirement.

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.

**Development Standards – Portland/Fairgrounds Overlay Zone:**

*SRC 603.015 – Uses:*

Except as otherwise provided in Chapter 603, any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional or prohibited uses in the Portland/Fairgrounds Road Overlay Zone.

**Finding:** The proposed multi-family use is allowed as a conditional use in the underlying zone. A conditional use permit is required to establish a multi-family use on the subject property. Conditional Use Permit Case No. CU 16-13 has been approved by the Hearings Officer on January 25, 2017. Because the appeal period has not ended a condition requiring an approved conditional use has been placed on this decision.

*SRC 603.020 – Development Standards:*

- (c) Dwelling Unit Density. Dwelling unit density within the Portland/Fairgrounds Overlay Zone shall conform to the standards set forth in Table 603-3. Dwelling unit density cannot be varied or adjusted.

**Finding:** For multi-family uses, Table 603-3 requires a minimum of 20 dwelling units per acre. Proposed Lot 3 is approximately 8.992 acres in size, requiring of 180 dwelling units. The proposed development on Lot 3 provides 180 dwelling units, consistent with the minimum standard. In order to ensure that the proposed development complies with the minimum dwelling unit density requirement, the following condition applies to the development.

**Condition 10:** The final plat for the subdivision shall be recorded prior to issuance of building permits for construction of the proposed multi-family buildings. Grading and site work permits for the development may be issued prior to the final plat being recorded.

- (d) Setbacks. Setbacks within the Portland/Fairgrounds Road Overlay Zone shall be provided as set forth in Table 603-4.

**Finding:** Table 603-4 requires that multi-family buildings abutting a street shall have a minimum 12 foot setback, plus one-foot for each one-foot of height over 12 feet, and a maximum setback of 20 feet.

Proposed building 1 and building 14 are adjacent to Rose Garden Way NE and are approximately 33 feet in height requiring a 20 foot setback. The proposed site plan shows the buildings are placed at the 20 foot setback line.

- (e) Landscaping. Berms, mounds, raised beds, and grade drops shall not be allowed as a landscaping treatment, unless a bioswale treatment system or approved landscaping exists to adequately collect water runoff and the berms, mounds, raised beds, and grade drops do not exceed a 3:1 slope.

**Finding:** Berms, mounds, raised beds, and grade drops are not a proposed landscape treatment for the proposed development.

- (f) Off-Street Parking and Loading Areas.
  - (1) Planter bays or islands shall have a minimum planting area of 50 square feet.
  - (2) A minimum of 1 tree per 8 parking spaces is required, of which a maximum of 25 percent may be evergreen trees. Trees shall be planted within 20 feet of the parking lot perimeter. Trees within the public street right-of-way shall not count toward the tree planting requirements.
  - (3) Off-street parking may be provided no more than 800 feet from the edge of the lot, or contiguous lots, upon which the main building is located.
  - (4) Employee off-street parking may be provided no more than 2,000 feet from the edge of the lot, or contiguous lots, upon which the main building is located.
  - (5) Parking lot light structures shall not exceed 25 feet in height.

**Finding:** Proposed planter bays and islands have a minimum planting area of 50 square feet. The parking area includes 344 parking spaces, requiring a minimum of 43 trees in the parking area. The proposed landscape plans indicate that 95 trees are provide within 20 feet of the parking lot perimeter, exceeding the minimum requirement. The maximum number of evergreen trees allowed is 24, a total of 13 evergreen trees are proposed for the entire site.

The off-street parking area serving the proposed use is on the same lot which the use is located. Light structures are a maximum of 14 feet in height, less than the maximum height standard.

(g) Screening.

- (1) Trash receptacles shall be screened from adjacent Household Living uses and streets by a sight-obscuring fence, wall, or hedge.
- (2) Concertina or barbed wire fencing shall not be located within 60 feet of the street right-of-way, unless such fencing is obstructed by a building or structure.
- (3) Concertina or barbed wire fencing shall be screened from public view and adjacent property by sight-obscuring landscaping.

**Finding:** The proposed development includes three trash/recycling areas within enclosures that screen the receptacles from view by the street and other adjacent uses. Concertina or barbed wire fencing is not proposed.

(h) Outdoor Storage.

- (1) Outdoor storage areas shall not be located within required setbacks.
- (2) Outdoor storage areas shall be enclosed by a minimum 6-foot-high sight-obscuring fence, wall, hedge, or berm; provided however, items more than 6 feet in height above grade shall be screened by sight-obscuring landscaping.
- (3) Items stored within outdoor storage areas shall not exceed a maximum height of 14 feet above grade.

**Finding:** No outdoor storage areas are proposed with the multi-family development. This development standard is not applicable.

(i) Pedestrian Access.

- (1) A pedestrian connection shall be provided from the public sidewalk to the primary building entrance.
- (2) A pedestrian connection through the parking area to the primary building entrance shall be provided when the parking area is greater than 60 feet in depth.
- (3) Within shopping centers, office complexes, and mixed-use developments, pedestrian connections shall be provided to connect the buildings. Pedestrian connections shall be the most practical, direct route.
- (4) Pedestrian connections, shall be a minimum of 5 feet in width, and defined by visual contrast or tactile finish texture.



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

**Finding:** Pedestrian pathways are provided from the public sidewalk on Rose Garden Way NE and Highway Avenue NE into the site to connect to the internal pedestrian pathway for the proposed development. The proposed development is not a shopping center, office complex or mixed-used development. 6' wide concrete sidewalks are proposed for the internal pedestrian pathways, painted crosswalks are provided at all major pedestrian crossings defining the pedestrian connections within the proposed development. Wheel stops are not needed to prevent vehicles from encroaching into required pedestrian connections.

- (j) Project Enhancements. Development within the Portland/Fairgrounds Road Overlay Zone shall include four or more project enhancements.

**Finding:** The applicant has identified the following four project enhancements that will be provided with the proposed development.

- (3) Freestanding sign not more than 5 feet in height and placed upon a foundation.

*Applicant Response: A freestanding sign will be mounted on a foundation and located at the entrance of the development along Rose Garden Way NE. The sign will not be more than 5 feet in height. At the time of building permit submittal, the applicant will provide a design for the proposed sign and apply for a sign permit with the City of Salem.*

- (9) A minimum of 7 percent interior landscaping within parking areas not more than 50,000 square feet in size, or a minimum of 10 percent interior landscaping within parking areas greater than 50,000 square feet in size.

*Applicant Response: The parking area within the development is 138,041 square feet in size with 13,387 square feet (10 percent) of landscaping.*

- (10) Installation of landscaping and irrigation using a plan designed by an Oregon landscape architect.

*Applicant Response: Landscape plans have been provided and demonstrate how the landscape standards have been met. A permanent underground irrigation system will be provided when development plans are final.*

- (12) Construction of a building where at least 50 percent of the building frontage is constructed contiguous to the minimum building setback line.

*Applicant Response: The subject property has 123.55 feet of buildable width (excludes required setbacks and accessway) along Rose Garden Way NE. Buildings 1 and 14 are located on the setback line along Rose Garden Way NE. As*

*shown on the site plan, the buildings total 91 feet of the buildable width along the street frontage. Therefore, occupying 74 percent of the buildable width of street frontage along Rose Garden Way NE.*

**Finding:** At the time of building permit application, the applicant shall provide evidence the proposed development will comply with a minimum of four of the project enhancements required by SRC Chapter 603.020(j).

**Condition 11:** Prior to building permit issuance, provide evidence that the proposed development will comply with a minimum of four of the project enhancements required by SRC Chapter 603.020(j).

### **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.

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

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

**Finding:** The material and design of the proposed pad for the 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.

- 1) Pad area. In determining the total concrete pad area for any solid waste service area:
  - a. The pad area shall extend a minimum of 1-foot beyond the sides and rear of the receptacle.
  - b. The pad area shall extend a minimum 3 feet beyond the front of the receptacle.
  - c. In situations where receptacles face each other, a minimum 4 feet of pad area shall be required between the fronts of the facing receptacles.

**Finding:** The material and design of the proposed pad area for the 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.

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

**Finding:** The proposed enclosure is of adequate size so that receptacles can be placed more than 1.5 foot distance from the sides of the enclosure. The enclosure is not located within 5 feet of a building wall and roof eave.

3) Vertical Clearance.

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

**Finding:** The site plan indicates that there will not be a cover placed over the solid waste receptacle, only over the recycling containers, which will be maneuvered manually out of the enclosure for servicing.

4) Solid Waste Service Area Screening Standards.

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 proposed receptacles will be contained within an enclosure which will screen the receptacles from abutting residentially zoned property.

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

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

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

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

- 2) Measures to Prevent Damage to Enclosure. Enclosures constructed of concrete, brick, masonry block, or similar types of 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, or a fixed bumper rail to prevent damage from receptacle impacts.

The requirements under this section shall not apply if the enclosure is designed to be separated a minimum distance of 2 feet from the sides of the container or receptacles; and a minimum of 3 feet from the rear of the container or receptacles.

**Finding:** The proposed design indicates there is adequate space available within the enclosure so that a bumper curb is not required.

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

**Finding:** The proposed gates can swing open to 120 degrees.

*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:** An area 45 feet in length and 12 feet in width is provided in front of each of the enclosures, allowing adequate room for servicing.

**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 CR zone, off-street parking may be located within 500 feet of the development site containing the use or activity it serves.

**Finding:** Off-street parking for the proposed multi-family use on Lot 3 is provided entirely on the subject property.

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

- a) *Minimum Required Off-Street Parking.* The minimum off-street parking requirement for a multi-family use is 1.5 spaces per dwelling unit.
- b) *Compact Parking.* Up to 75 percent of the minimum off-street parking spaces required under this Chapter may be compact parking spaces.
- c) *Carpool and Vanpool Parking.* New developments with 60 or more required off-street parking spaces, and falling within the Public Services and Industrial use classifications, and 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 apartment complex includes 180 dwelling units, requiring a minimum of 270 off-street parking spaces. The summary table indicates that 344 parking spaces are provided for the development. None of the required 270 spaces are compact spaces, however 74 compact spaces are provided. The proposed multi-family use does not require carpool or vanpool spaces. A maximum of 473 parking spaces ( $270 \times 1.75 = 472.5$ ) are allowed for the use.

The proposed development complies with the off-street parking requirements of SRC Chapter 806.

*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 CR zone (SRC Chapter 522), the Portland/Fairgrounds Overlay Zone (SRC Chapter 603), the multi-family design standards (SRC Chapter 702) 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 greater than 50,000 square feet in size, a minimum of 8 percent of the interior parking area shall be landscaped.

**Finding:** The proposed off-street parking area is approximately 138,041 square feet in size, requiring a minimum of 11,043 square feet ( $138,041 \times 0.08 = 11,043.3$ ) of interior parking lot landscaping. The summary table indicates that 13,387 square feet (10 percent) of interior parking lot landscaping is provided.

The proposed parking lot complies with the minimum interior parking lot landscaping 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. Off-street parking area screening is

provided for the proposed parking area where abutting a RS (Single Family Residential) zone.

*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 multi-family uses is the greater of 4 spaces or 0.1 spaces per dwelling unit.

**Finding:** The proposed development contains 180 dwelling units, requiring a minimum of 18 bicycle parking spaces. The summary table on the proposed site plan indicates that 60 bicycle parking spaces are proposed for the development, exceeding the minimum requirement.

*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 two covered bicycle parking spaces will be provided per stairwell, near the dwelling unit entryways. 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 806.070 – Proximity of Off-Street Loading Areas to Use or Activity Served.*

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

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

A minimum of two off-street loading spaces are required for multi-family uses containing 100-199 dwelling units. The minimum dimensions for the off-street loading spaces are 12 feet in width, 19 feet in length and 12 feet in height.

**Finding:** Two off-street loading spaces are provided on the proposed site plan, with dimensions of 12 feet in width, 30 feet in length and no overhead obstructions, meeting the development standards of SRC Chapter 806.

### **Landscaping – SRC Chapter 807**

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

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

**Finding:** Approximately 31,030 square feet of landscape area (setback and interior parking area landscaping) is proposed requiring a minimum of 1,552 plant units ( $31,030 / 20 = 1,551.5$ ). At least 40 percent, or 621 of the plant units shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees.

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

#### 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:** Portland Road NE is a Major Arterial and Highway Avenue NE is a Local street; these abutting streets currently meet the standards as identified in the Salem TSP.

Pursuant to SRC 803.025, the applicant shall convey land for dedication of right-of-way to equal 50 feet for Rose Garden Way NE and a 45-foot radius for the cul-de-sac. In addition, the applicant shall convey land for dedication for a 25-foot property line radii at intersection of Portland Road NE.

A remnant of unused right-of-way continues beyond the end of the proposed cul-de-sac for Rose Garden Way NE. This portion of right-of-way needs to be vacated in order to meet street standards in SRC 803.025. Prior to building permit issuance, the applicant shall submit a complete application to vacate the portion of Rose Garden Way NE right-of-way that extends east of the proposed cul-de-sac as shown on the applicant's tentative plan. Prior to final occupancy of the first apartment building, the applicant shall meet all conditions of vacation (if any) as needed to complete the vacation process.

**Condition 12:** Prior to building permit issuance, the applicant shall submit a complete application to vacate the portion of Rose Garden Way NE right-of-way that extends east of the proposed cul-de-sac as shown on the applicant's tentative plan. Prior to final occupancy of the first apartment building, the applicant shall either:

- a) Meet all conditions of vacation as needed to complete the vacation process; or
- b) Enter into an encroachment agreement pursuant to SRC 76.160.

The applicant shall construct Rose Garden Way NE to Local street standards, including curb ramps at Rose Garden Way NE. The street improvements, including sidewalk along a minimum of one side of the street, shall be constructed prior to final occupancy of the first apartment building to ensure adequate vehicular and pedestrian access to Portland Road NE. Sidewalk improvements on the opposite side of the street may be delayed until development of the abutting lot.

**Condition 13:** Construct Rose Garden Way NE to Local street standards, including curb ramps at the Portland Road NE intersection. The street improvements, including sidewalk along a minimum of one side of the street, shall be completed prior to final occupancy of the first apartment building to ensure adequate vehicular and pedestrian access to Portland Road NE. Sidewalk improvements on the opposite side of the street may be delayed until development of the abutting lot.

Criterion 3:

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



**Finding:** The driveway accesses onto Rose Garden Way NE and Highway Avenue NE provide for safe turning movements into and out of the property as described in the findings for 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. The water, sewer, and storm infrastructure are available within surrounding streets / areas and appear to be adequate to serve the proposed development. The applicant shall design and construct all utilities including sewer, water, and storm drainage according to the PWDS and to the satisfaction of the Public Works Director. The applicant is advised that a sewer monitoring manhole is required, and the trash area shall be designed in compliance with Public Works Standards.

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.

3. 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. Two adjustments have been requested for the proposed development.

*Maximum Length for Access Easement.* SRC Chapter 800, Table 800-1 limits the maximum length for a flag lot accessway serving 1-4 non-residential zoned lot to a maximum of 400 feet in length.

Proposed Lot 4 is a flag lot which is served by an access easement across Lot 3 connecting to Rose Garden Way NE. The access easement is approximately 1,070 feet in length. The applicant is proposing the creation of Lot 4 because a potential wetland area has been identified by the applicant on the majority of the property, making this lot potentially undevelopable. Because Lot 4 is zoned CR (Retail Commercial) and the accessway leading to Highway Avenue NE is zoned RM-II (Multi-Family Residential), direct access to Highway Avenue NE is not allowed.

The large size of the overall property makes it difficult to separate the potential wetland area from the rest of the property and comply with the maximum accessway length requirement. The Fire Marshal has reviewed the proposed site plan and does not object to the accessway length, at the time of plan review the development on Lot 4 will be reviewed for Fire Code and a fire apparatus turnaround may be required.

*Number of Flag Lots.* The proposed subdivision includes 4 lots of which one is considered a flag lot. SRC 800.025(e) provides that within a subdivision, up to 15 percent of the lots may be flag lots. In this case, 25 percent of the lots in the subdivision are flag lots, exceeding the maximum allowance.

The proposed subdivision reconfigures existing commercially zoned land and results in the development of a 180-unit apartment complex on proposed Lot 3. Lots 1 and 2 have frontage along Portland Road NE and Rose Garden Way NE and are not considered flag lots. The only flag lot within the proposed subdivision is Lot 4; the applicant identifies a potential wetland area on the majority of Lot 4, making this lot potentially undevelopable.

The limit on the overall number of flag lots within a subdivision is intended to apply to residential zoned subdivision in order to reduce the number of lots that are served by private accessways. In this case, the subdivision is on commercially zoned property, results in a relatively low number of overall lots, and the only flag lot proposed has potential environmental conditions making future development of the lot unlikely. Staff finds that in this case the flag lot restriction is clearly inapplicable to the proposed subdivision.

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 not located within a residential zone.

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:** Two adjustments have been requested for the development, one adjustment has been requested to increase the number of flag lots allowed for the proposed subdivision, and the other adjustment has been requested to increase the maximum length for a flag lot accessway. The two adjustments are independent of each other and have been evaluated for conformance with the Adjustment criteria separately. The cumulative effect of granting the two adjustments for this case result in a project which is still consistent with the overall purpose of the UDC.

4. 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.

**Rose Garden Way NE Access**

Criterion 1:

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

**Finding:** The proposed driveway is located at the terminus of the Rose Garden Way NE cul-de-sac. The driveway meets the standards for a local street pursuant to SRC 804 and Public Works Design Standards.

Criterion 2:

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

**Finding:** The subject property is undeveloped, and the driveway approach is located along a newly constructed portion of Rose Garden Way NE. There are no site conditions prohibiting the location of the proposed driveway.

Criterion 3:

The number of driveway approaches onto an arterial are minimized.

**Finding:** The proposed driveway is taking access from a local 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 driveway is taking access from a local street. Shared access is not beneficial or warranted for a cul-de-sac street. Therefore, the driveway takes access from the lowest classification of street abutting the subject property.

Criterion 5:

The proposed driveway approach meets vision clearance standards.

**Finding:** The proposed driveway has adequate vision clearance, being located at the terminus of Rose Garden Way NE. The driveway meets the Public Works Design Standards vision clearance standards set forth in SRC Chapter 805.

Criterion 6:

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

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

Criterion 7:

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

**Finding:** The driveway approach takes access to Rose Garden Way NE, which is a cul-de-sac street taking access from Portland Road NE, a Major Arterial street.

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

Criterion 8:

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

**Finding:** The nearest adjacent street is Portland Road NE, a Major Arterial street with sufficient capacity to serve the additional traffic generated by the proposed development. The proposed driveway approach is located on a Local street and does 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 driveway approach onto Rose Garden Way NE is not located in the vicinity of a residentially zoned area. The proposed driveway will not have an effect on the functionality of the adjacent streets.

**Highway Avenue NE Access**

Criterion 1:

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

**Finding:** The proposed driveway is located on a local street. The driveway meets the standards for a local street pursuant to SRC 804 and the Public Works Design Standards.

Criterion 2:

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

**Finding:** The proposed driveway is located in an area of existing homes along Highway Avenue NE. The applicant's site plan does not show any obstructions to the proposed driveway. City records indicate that one or more existing trees may need to be removed in order to construct the proposed driveway in accordance with SRC 808. One existing tree in the right-of-way east of the proposed driveway may provide limited obstruction to vision as authorized in SRC 805.010(b). Therefore, there do not appear to be any site conditions prohibiting the location of the proposed driveway.

Criterion 3:

The number of driveway approaches onto an arterial are minimized.

**Finding:** The proposed driveway is taking access from a local 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 driveway is taking access from a local street. Shared access is not recommended because of the limited size of the abutting lots along Highway Avenue NE. The driveway takes access from the lowest classification of street abutting the subject property.

Criterion 5:

The proposed driveway approach meets vision clearance standards.

**Finding:** The proposed driveway has adequate vision clearance. One existing tree in the right-of-way east of the proposed driveway may provide limited obstruction to vision as authorized in SRC 805.010(b). The driveway meets the Public Works Design Standards vision clearance standards set forth in SRC Chapter 805.

Criterion 6:

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

**Finding:** The proposed driveway is located on a local street with a 30-foot paved width, which is sufficient for safe turning movements. The driveway will not create a traffic hazard and will provide for safe turning movements for access to the subject property.

Criterion 7:

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

**Finding:** The driveway approach takes access to Highway Avenue NE, which is a 1,500-foot-long local street that connects directly to Portland Road NE on the west and Silverton Road NE on the east, both Major Arterial streets. The location of the proposed driveway does not appear to have any adverse impacts to the adjacent properties or streets.

Criterion 8:

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

**Finding:** The nearest adjacent streets are Portland Road NE and Silverton Road NE, both of which are Major Arterial streets with sufficient capacity to serve the additional traffic generated by the proposed development. The proposed driveway approach is located on a local street and does 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:** Highway Avenue NE has a mix of zoning designations in the vicinity of the subject property. The zoning designations along the south side of Highway Avenue NE are Commercial Retail and Public Service; the designations along the north side are Commercial Office, Commercial Retail, and Multifamily Residential 2. A limited area is zoned residential, and Highway Avenue NE is a 1,500-foot-long local street that connects directly to Portland Road NE on the west and Silverton Road NE on the east, both Major Arterial streets. This driveway will not have a significant effect on residentially zoned property or on the functionality of the adjacent streets.

5. Analysis of Class 1 Design Review Criteria

SRC 225.005(e)(1) provides that a Class 1 Design Review shall be approved if all of the applicable design review standards are met. A summary of the applicable design standards is include below:

702.005(a) except as otherwise provided in this section, and unless otherwise provided in the UDC, design review under SRC Chapter 225 is required for all multiple family development.

A summary of the applicable design standards of SR Chapter 702 is included below.

*702.015(b)(2) – Common Open Space*

- (A) Common open space shall be provided in all newly constructed multiple family developments with 5 or more dwelling units as follows:
  - (i) A minimum of 30 percent of the gross site area shall be designated and permanently reserved as common open space.
  - (ii) Not more than 50 percent of the common open space shall be located in the required perimeter setbacks of the development.
  - (iii) Not more than 15 percent of the common open space shall be located on land with slopes greater than 25 percent.
  - (iv) Indoor or covered recreation space may count toward the common open space requirement, provided such indoor or covered space does not exceed 30

percent of the common open space.

- (v) At least one of the common open space areas provided within the development shall meet the size and dimensional standards set forth in Table 702-1.

**Finding:** The subject property is approximately 8.992 acres in size (391,660 SF), requiring a minimum of 117,498 square feet of common open space area. The proposed site plan indicates that approximately 127,015 square feet (32.4 percent) of common open space area will be provided, exceeding the minimum standard. Approximately 17,643 square feet (13.9 percent) of common open space is provided within setback areas. No common open space areas are provided on a slope greater than 25 percent.

An indoor recreation building is proposed with a recreation room (1,144 square feet) and an exercise room (891 square feet).

For a 180-unit apartment complex, SRC Chapter 702, Table 702-1 requires a common open space area with a minimum 3,000 square feet of common open space. A variety of common open space areas are provided, the largest designated area is a recreation/play area with an area of 3,297 square feet in size, with no horizontal dimension less than 25 feet.

*702.015(c)(2) – Children’s Play Areas and Recreation Areas.*

- (A) Outdoor children’s play and/or adult recreation areas shall be provided, as set forth in Table 702-2, in all newly constructed multiple family developments with 20 or more dwelling units. Outdoor children’s play and/or adult recreation areas count toward meeting the common open space requirement.

**Finding:** For a 180-unit apartment complex, Table 702-2 requires a children’s play area/recreation area with minimum area requirement of 2,950 square feet, with no horizontal dimension less than 25 feet. The applicant’s statement indicates that the recreation/children’s play area will have a size of 3,297 square feet, and the play area doesn’t have a horizontal dimension less than 25 feet. The proposed design complies with this design standard.

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

**Finding:** A variety of indoor and outdoor recreation areas are provided near the center of the development site, in compliance with this standard.

- (C) Outdoor children’s play and/or adult recreation areas shall not be located within required setbacks.

**Finding:** Recreation areas are not provided within required setbacks.

- (D) Outdoor children’s play and/or adult recreation areas may be located within stormwater detention areas if the area meets the following:
  - (i) No dimension is less than 15 feet wide;



- (ii) Side slopes are 4:1 or less; and
- (iii) There is a minimum 250 square foot area with a slope no greater than 2 percent.

**Finding:** Children's play and/or adult recreation areas are not proposed within stormwater detention areas.

- (E) A minimum 30-inch tall fence shall be installed to separate outdoor children's play areas from any parking lot, drive aisle, or street.

**Finding:** The site plan indicates that a fence will be provided around the recreation/play area and the proposed tot lot.

*702.015(d)(2) – Private Open Space.*

- (A) Private open space, meeting the size and dimension standards set forth in Table 702-3, shall be provided for each dwelling unit in all newly constructed multiple family developments.

**Finding:** Table 702-3 requires a minimum private open space area of 96 square feet, with a minimum dimension of 6 feet for ground floor dwelling units, and a minimum private open space area of 48 square feet, with a minimum dimension of 6 feet for dwelling units on upper floors.

Each proposed dwelling unit has a private open space area provided exceeding the minimum area and dimension requirements of SRC Chapter 702.

- (B) Private open space shall be located contiguous to the dwelling unit, with direct access to the private open space provided through a doorway.

**Finding:** Direct access is provided from within each dwelling unit to the private open space area serving the dwelling unit.

- (C) Private open space shall be visually separated from common open space through the use of perimeter landscaping or fencing.

**Finding:** Ground floor private open space areas are screened from common open space areas by either fencing, landscaping or both.

*702.020(b)(2) – General Landscaping.*

- (A) A minimum 1 tree shall be planted or preserved for every 2,000 square feet of gross site area.

**Finding:** The subject property is approximately 8.992 acres in size (391,660 SF), requiring a minimum of 196 trees ( $391,660 / 2,000 = 195.8$ ). The schematic landscape plan and written statement indicate that 256 trees will be provided for the proposed development, exceeding the minimum standard.

- (B) Trees shall be planted that, at maturity, will provide canopy coverage over at least one-third of the open space and setbacks.

**Finding:** The applicant's preliminary landscape plan indicates that the canopy coverage at maturity will comply with this standard. Complete landscaping plans will be reviewed with the building permit application to determine compliance with this standard.

- (C) Landscaping, or a combination of landscaping and fencing, shall be provided for developments abutting arterial or collector streets to prevent headlights from shining into the windows of buildings.

**Finding:** The subject property does not have frontage along a collector or Arterial Street, this standard is not applicable.

- (D) Where a development site abuts property that is zoned Residential Agricultural (RA) or Single Family Residential (RS), a combination of landscaping and screening shall be provided to buffer between the multiple family development and the abutting RA or RS zoned property. The landscaping and screening shall include the following:
  - (i) A minimum of 1 tree, not less than 1-1/2 inches in caliper, for every 30 lineal feet of abutting property width; and
  - (ii) A minimum 6-foot tall, decorative, sight obscuring fence or wall. The fence or wall shall be constructed of materials commonly used in the construction of fences and walls, such as wood, stone, rock, brick, or other durable materials. Chain link fencing with slats shall be not allowed to satisfy this standard.

**Finding:** The subject property abuts property zoned RS (Single Family Residential) to the east. The applicant's statement indicates that a 6-foot high wood sight-obscuring fence will be provided along the north, south, west and east property lines. Landscaping plans indicate that trees will be provided along the eastern boundary of the property.

*702.020(c)(2) – Street Frontage.*

- (A) Trees shall be planted within the public right-of-way at one of the following ratios:
  - (i) Canopy Trees. One canopy tree per 50 linear feet of street frontage, or fraction thereof.
  - (ii) Columnar Trees. One columnar tree per 40 linear feet of street frontage, or fraction thereof.

**Finding:** The landscape plans indicate that four canopy trees will be provided along the frontage (approximately 182 feet) of the proposed cul-de-sac for Rose Garden Way SE.

*702.020(d)(2) – Building Exteriors.*

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

**Finding:** The applicant's preliminary landscape plan indicates that shrubs and/or trees will be provided at the primary entry way, or common entry way for dwelling units. Complete landscaping plans will be reviewed with the building permit application to determine compliance with this standard.

- (B) New trees shall be planted, or existing trees shall be preserved, at a minimum density of 10 plant units per 60 linear feet of exterior building wall. Such trees shall be located not more than 25 feet from the edge of the building footprint.

**Finding:** The applicant's preliminary landscape plan indicates that a trees will be provided around the building exterior to meet this development standard. Complete landscaping plans will be reviewed with the building permit application to determine compliance with this standard.

- (C) Shrubs, when used, shall be distributed around the perimeter of buildings at a minimum density of 1 plant unit per 15 linear feet of exterior building wall.

**Finding:** The applicant's preliminary landscape plan indicates that a variety of shrubs will be provided around the building exterior to meet this development standard. Complete landscaping plans will be reviewed with the building permit application to determine compliance with this standard.

*702.020(e)(2) – Privacy.*

- (A) Ground level private open space shall be physically and visually separated from common open space with perimeter landscaping or perimeter fencing (see Figure 702-3).

**Finding:** The applicant's preliminary landscape plan indicates that fencing and/or landscaping will be provided to separate private open space areas from abutting common open space areas. Complete landscaping plans will be reviewed with the building permit application to determine compliance with this standard.

*702.020(f)(2) – Parking Areas.*

- (A) A minimum of 1 canopy tree shall be planted along every 50 feet of the perimeter of parking areas. Trunks of the trees shall be located within 15 feet of the edge of the parking area (see Figure 702-4).

**Finding:** The applicant's preliminary landscape plan indicates that a canopy trees will be provided around the perimeter of the off-street parking areas to meet this development standard. Complete landscaping plans will be reviewed with the building permit application to determine compliance with this standard.

- (B) Canopy trees shall be planted within planter bays (see Figure 702-5).

**Finding:** The applicant's preliminary landscape plan indicates that canopy trees will be provided in each of the planter bays in the off-street parking area to meet this development

standard. Complete landscaping plans will be reviewed with the building permit application to determine compliance with this standard.

- (C) Planter bays shall be a minimum width of 18 feet.

**Finding:** Planter bays used to break up the off-street parking area have a minimum width of 18 feet.

*702.025(a)(2) – Safety Features for Residents.*

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

**Finding:** Fencing and landscaping between street facing dwelling units, dwelling units in proposed buildings 1 and 14, does not obstruct visibility of the dwelling unit entrance from the street.

- (B) Landscaping and fencing adjacent to common open space, parking areas, and dwelling unit entryways shall be limited to a maximum height of 3 feet.

**Finding:** Fencing of common open space areas or around parking areas and dwelling unit entryways does not exceed 3 feet in height.

- (C) Windows shall be provided in all habitable rooms, other than bathrooms, that face common open space, parking areas, and pedestrian paths.

**Finding:** Windows are provided in each of the proposed habitable rooms, providing views of common open space, parking areas, and pedestrian pathways meeting this standard.

- (D) Lighting shall be provided that illuminates all exterior dwelling unit entrances, parking areas, and pedestrian paths within the development.

**Finding:** Pedestrian scale lighting is proposed along walkways, within the off-street parking areas and at the dwelling unit entrances meeting this development standard.

- (E) A completed "Enhanced Safety Assessment Report for Multi-Family Construction" shall be submitted. Compliance with the provisions of the assessment is advisable but not mandatory.

**Finding:** The applicant has provided a complete Enhanced Safety Assessment Report with this development application.

*702.030(b)(2) – General Parking and Site Access.*

- (A) Parking areas greater than 6,700 square feet in area shall be physically and visually separated with landscaped planter bays that are a minimum of 18 feet in width.

Individual parking areas may be connected by an aisle or driveway (see Figure 702-6).

**Finding:** Off-street parking areas are separated by landscape planter bays a minimum of 18 feet in width, so that no parking area exceeds 6,700 square feet in area.

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

**Finding:** Pedestrian pathways are provided throughout the site, connecting buildings, common open space areas and parking areas.

- (C) Pathways connecting to and between buildings, common open space, and parking areas shall be separated from dwelling units by a minimum distance of 10 feet. Separation shall be measured from the pathway edge closest to any dwelling unit.

**Finding:** No pedestrian pathway, other than a pathway leading to a building entrance, is provided within 10 feet of a dwelling unit.

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

**Finding:** All proposed parking areas are setback greater than 20 feet from Rose Garden Way NE and Highway Avenue NE.

- (E) Where a development site abuts, and is located uphill from, property zoned Residential Agriculture (RA) or Single Family Residential (RS), and the slope of the development site within 40 feet of the abutting RA or RS zoned property is 15 percent or greater, parking areas shall be set back not less than 20 feet from the property line of the abutting RA or RS zoned property. Decorative walls, earthen berms, fencing, landscaping, or any combination thereof shall be provided to prevent glare from headlights onto abutting properties.

**Finding:** The subject property abuts a RS zone to the east, however the slope between the development site and abutting RS zone is less than 15 percent, therefore this standard is not applicable.

- (F) The design and materials of garages and carports shall be compatible with the design and materials of the dwelling units.

**Finding:** No garages or carports are indicated on the proposed site plan, therefore this standard is not applicable.

- (G) Areas of slope shall be avoided for placement of parking areas.

**Finding:** The subject property is relatively flat, proposed parking areas are not located in areas that have a significant slope.

- (H) Disturbance of environmentally sensitive areas shall be minimized in placement of parking areas.

**Finding:** Environmentally sensitive areas are not identified on the subject property, therefore this standard is not applicable.

*702.030(c)(2) – Site Access.*

- (A) Pedestrian pathways shall be provided that connect the development to the public sidewalks.

**Finding:** The subject property has frontage along two local streets, Rose Garden Way NE, which connects the proposed development to Portland Road NE, and Highway Avenue NE. Pedestrian pathways are provided to connect the development site with Rose Garden Way NE and Highway Avenue NE.

- (B) Direct access from the street to individual units, clusters of units, or common interior lobbies shall be provided for residential buildings located within 32 feet of a public street.

**Finding:** Buildings 1 and 14 are located within 32 feet of the right-of-way for Rose Garden Way NE, a direct pathway is provided between these buildings and the proposed public sidewalk on Rose Garden Way NE.

- (C) Where the development has frontage on more than one street, and such streets have different classifications in the Transportation System Plan, driveway access shall be provided to the street with the lowest classification.

**Finding:** The subject property has frontage on two local streets, Rose Garden Way NE and Highway Avenue NE. No driveway access is proposed onto an arterial or collector street. Driveway approaches serving the proposed development are provided on both local streets.

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

**Finding:** The proposed development includes a 4-lot subdivision, with development proposed only on Lot 3 at this time. If Lot 4 is developed in the future, an access easement provided across Lot 3 will provide a shared driveway access. Driveway access for future development of Lot 1 and 2 will be allowed onto a local street, Rose Garden Way NE. Shared driveway access for Lots 1, 2 and 3 is not practical.

- (E) Walls, fences, or landscaping shall be provided to buffer parking areas from public streets and abutting properties (see Figure 702-8).

**Finding:** A combination of fencing and landscaping is used to screen the off-street parking areas from Rose Garden Way NE and abutting properties.

*702.035(b)(2) – General Siting and Building Mass.*

- (A) Where the development is located on a lot with an average cross slope of 15 percent or more, do not regrade more than 60 percent of the site surface area.

**Finding:** The subject property is relatively flat, and does not have an average cross slope of 15 percent or more, therefore this standard is not applicable.

- (B) Buildings shall have no dimension greater than 150 feet.

**Finding:** Sixteen buildings are proposed within the apartment complex, none of the proposed buildings have a dimension exceeding 150 feet.

*702.035(c)(2) – Compatibility.*

- (A) Except as provided in standard (B) of this paragraph, where a development site abuts property zoned Residential Agricultural (RA) or Single Family Residential (RS), buildings shall be setback from the abutting RA or RS zoned property as set forth in Table 702-4.

**Finding:** Adjacent to the east is a RS (Single Family Residential) zone. Table 522-3 requires a minimum 10 foot setback adjacent to interior lot lines for multi-family uses in the CR zone. The multi-family design standards in SRC Chapter 702 requires a minimum setback of 1-foot for each 1-foot of building height, but in no case less than 20 feet for buildings 2 or more stories in height.

The following is a summary of the required setbacks for buildings adjacent to the RS zone:

Building #	Height (Feet)	Minimum Setback (Feet)	Proposed Setback (Feet)
Building 5	33.6	33.6	34
Building 6	33	33	34
Building 7	33.6	33.6	35.5
Building 8	33.6	33.6	34

- (B) Where a development site abuts, and is located uphill from, property zoned Residential Agriculture (RA) or Single Family Residential (RS), and the slope of the development site within 40 feet of the abutting RA or RS zoned property is 15 percent or greater, buildings shall be setback from the abutting RA or RS zoned property as set forth in Table 702-5.

**Finding:** The subject property abuts a RS zone to the east, however, the slope between properties does not exceed 15 percent.

- (C) On sites with 75 feet or more of buildable width, a minimum of 50 percent of the buildable width shall be occupied by building placed at the setback line. Accessory structures shall not apply towards meeting the required percentage.

**Finding:** The subject property has approximately 157 feet of buildable width along Rose Garden Way NE. The proposed site plan indicates that approximately 91 feet of the frontage along Rose Garden Way NE will be occupied by a building placed on the setback line (proposed buildings 1 and 14), for a total of 58 percent, exceeding the minimum requirement.

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

**Finding:** No roof mounted mechanical equipment is proposed for the buildings.

- (E) A porch or architecturally defined entry area shall be provided for each ground level dwelling unit. Shared porches or entry areas are permitted, provided the porch or entry area has at least 25 square feet of area for each dwelling unit, with no dimension less than 5 feet. Porches and entry areas shall be open on at least one side, and may be covered or uncovered. All grade level porches shall include hand-railings, half-walls, or shrubs to define the outside perimeter.

**Finding:** Covered, architecturally defined entryways are provided to all individual and common entrances to each dwelling unit meeting the requirements of this standard.

*702.035(d)(2) – Building Articulation.*

- (A) Every two attached dwelling units shall be offset from the next dwelling unit by at least 4 feet in depth (see Figure 702-10).

**Finding:** A minimum 4 foot building off-set is provided between every two attached dwelling units, meeting this development standard.

- (B) Within 28 feet of every property line, the building setback for adjacent buildings on the same lot shall vary by a least 4 feet in depth.

**Finding:** Buildings 8, 9 and 10 are located within 28 feet of the eastern property line. Building 8 is setback approximately 14 feet, building 9 is setback approximately 20 feet and Building 10 is setback approximately 16 feet, in compliance with this standard.

- (C) Common entrances shall be provided to not more than 4 dwelling units.

**Finding:** The number of dwelling units served by a common entrance does not exceed 4 dwelling units.

- (D) Individual and common entryways shall be articulated with a differentiated roof, awning, or portico.

**Finding:** The building design for the individual and common dwelling unit entryways includes a differential roof.



- (E) Flat roofs, and the roof ridges of sloping roofs, shall not exceed a horizontal length of 100 feet without providing differences in elevation of at least 4 feet.

**Finding:** The proposed development includes 16 individual buildings. Buildings with a horizontal roof length that is greater than 100 feet are provided with a change of elevation of at least 4 feet, in compliance with this design standard.

- (F) Windows shall be provided in all habitable rooms, other than bathrooms, that face required setbacks, common open areas, and parking areas.

**Finding:** Windows facing required setbacks, common open areas, and parking areas are included in all habitable rooms.

*702.040(a)(2) – Recycling On-Site Design and Location of Facilities.*

- (A) Recycling areas shall be located, designed, and constructed in conformance with any applicable federal, state, or local laws relating to fire, building, access, transportation, circulation, or safety.

**Finding:** At the time of building permit review, the proposed recycling areas will be reviewed for conformance with all applicable standards.

- (B) Recycling areas shall be protected against environmental conditions, such as rain.

**Finding:** A partial roof is provided over the trash and recycle areas to provide weather protection for the recycling areas.

- (C) Instructions for using recycling containers and how to prepare and separate all the materials collected by franchised haulers shall be clearly posted in recycling areas.

**Finding:** The applicant's written statement indicates that instructions for use of the recycling containers will be posted in the recycling areas.

- (D) Recycling areas shall be provided that are sufficient in capacity, number, distribution, and size to serve the tenants of the development.

**Finding:** The proposed development includes three recycling/trash service areas distributed throughout the site.

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

**Finding:** The plans indicate that the trash enclosures will be CMU block wall with roofing to matches the buildings.

6. Based upon review of SRC Chapters 205, 220, 225, 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.

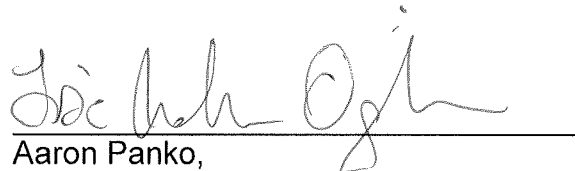
### ORDER

Final approval of Subdivision, Class 3 Site Plan Review, Class 2 Adjustment, Class 2 Driveway Approach Permit and Class 1 Design Review Case No. 16-04 is hereby APPROVED subject to SRC Chapters 205, 220, 225, 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:** The proposed access easement serving Lot 4 shall have a minimum width of 25 feet.
- Condition 2:** "NO PARKING—FIRE LANE" signs shall be posted on both sides of the segments of the proposed flag lots accessways that are fire apparatus roadways and "NO PARKING" signs shall be posted on both sides of the remainder of the accessways.
- Condition 3:** Dedicate a stormwater maintenance easement and an access easement from the right-of-way to the existing public stormwater facilities within the subject property as specified in the PWDS. The access easement location may be incorporated into the vehicle circulation areas within the proposed parking lot.
- Condition 4:** Provide an engineered tentative stormwater design to accommodate future impervious surface on all proposed lots. Construct stormwater facilities that are proposed in the public right-of-way and in public storm easements.
- Condition 5:** Dedicate access and utility easement(s) to serve Lot 4 in compliance with applicable codes and standards.
- Condition 6:** Dedicate a 10-foot public utility easement along the entire frontage of Rose Garden Way NE.
- Condition 7:** Convey land for dedication of right-of-way to equal 50 feet for Rose Garden Way NE and a 45-foot radius for the cul-de-sac. In addition, the applicant shall convey land for dedication for a 25-foot property line radii at the intersection of Portland Road NE.
- Condition 8:** Along the entire frontage of Portland Road NE, the applicant shall modify existing sidewalks as needed to comply with PWDS and close all existing driveways. These improvements may be delayed until development of

each lot abutting the street frontage.

- Condition 9:** Final approval of a conditional use permit to establish a multi-family use on the subject property is required prior to development.
- Condition 10:** The final plat for the subdivision shall be recorded prior to issuance of building permits for construction of the proposed multi-family buildings. Grading and site work permits for the development may be issued prior to the final plat being recorded.
- Condition 11:** Prior to building permit issuance, provide evidence that the proposed development will comply with a minimum of four of the project enhancements required by SRC Chapter 603.020(j).
- Condition 12:** Prior to building permit issuance, the applicant shall submit a complete application to vacate the portion of Rose Garden Way NE right-of-way that extends east of the proposed cul-de-sac as shown on the applicant's tentative plan. Prior to final occupancy of the first apartment building, the applicant shall either:
- a) Meet all conditions of vacation as needed to complete the vacation process; or
  - b) Enter into an encroachment agreement pursuant to SRC 76.160.
- Condition 13:** Construct Rose Garden Way NE to Local street standards, including curb ramps at the Portland Road NE intersection. The street improvements, including sidewalk along a minimum of one side of the street, shall be completed prior to final occupancy of the first apartment building to ensure adequate vehicular and pedestrian access to Portland Road NE. Sidewalk improvements on the opposite side of the street may be delayed until development of the abutting lot.



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
  - E. Salem Keizer School District Summary of Comments

Application Deemed Complete: December 15, 2016  
Notice of Decision Mailing Date: February 3, 2017  
Decision Effective Date: February 23, 2017  
State Mandated Decision Date: April 14, 2017

The rights granted by the attached decision for Subdivision Case No. SUB-SPR-ADJ-DAP-DR 16-04 must be exercised or an extension granted by February 23, 2019 or this approval shall be null and void. The rights granted by the attached decision for Class 3 Site Plan Review Case No. SUB-SPR-ADJ-DAP-DR 16-04 must be exercised by February 23, 2021 or this approval shall be null and void. The rights granted by the attached decision for Class 2 Adjustment Case No. SUB-SPR-ADJ-DAP-DR 16-04 must be exercised or an extension granted by February 23, 2019 or this approval shall be null and void. The rights granted by the attached decision for Class 2 Driveway Approach Permit Case No. SUB-SPR-ADJ-DAP-DR 16-04 must be exercised or an extension granted by February 23, 2019 or this approval shall be null and void. The rights granted by the attached decision for Class 1 Design Review Case No. SUB-SPR-ADJ-DAP-DR 16-04 must be exercised or an extension granted by February 23, 2019 or this approval shall be null and void.

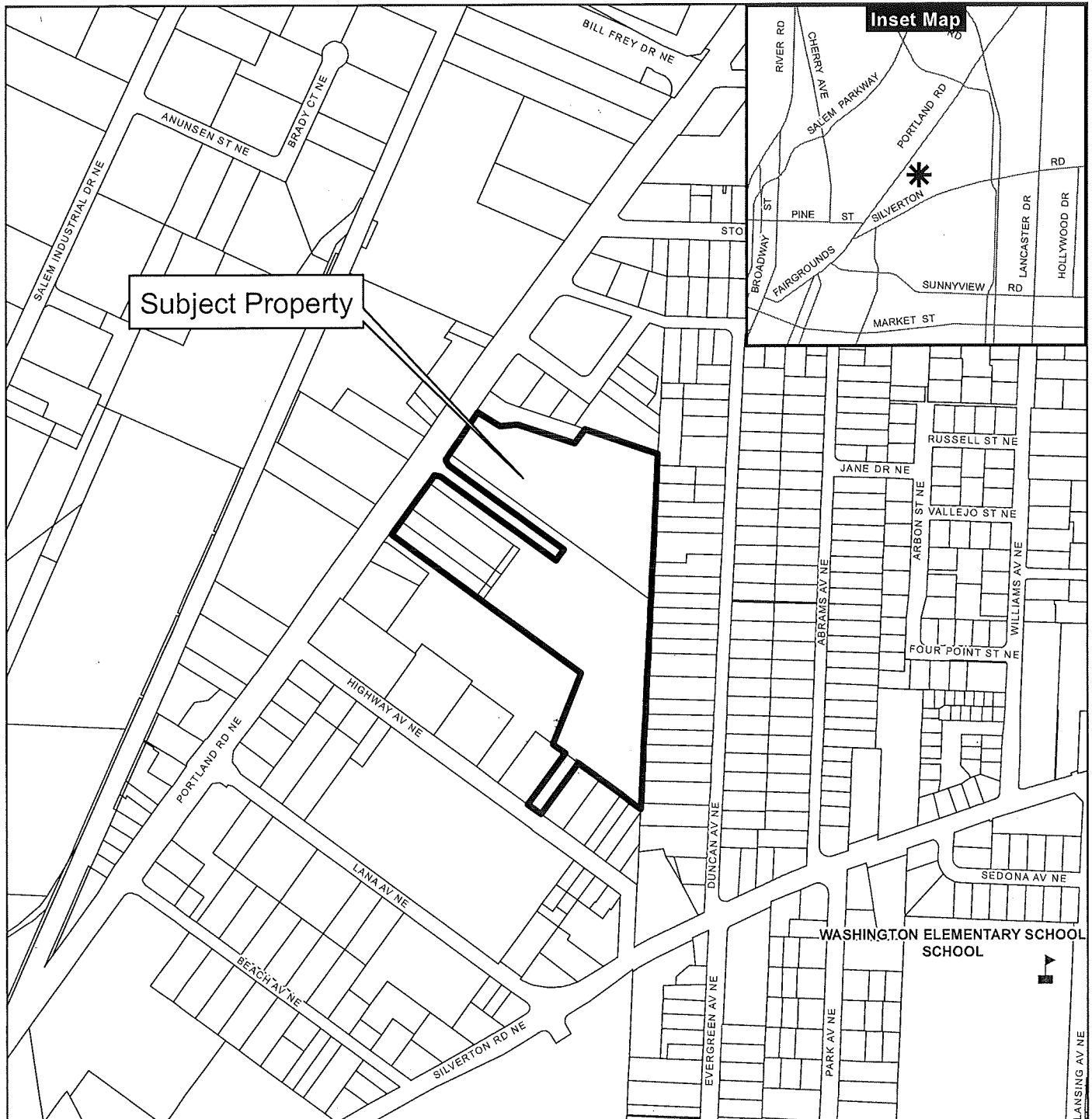
This decision is final unless written appeal from a party with standing to appeal, along with the appeal fee, is received by the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem, OR 97301, not later than **Monday, February 22, 2017, 5:00 PM.** The notice of appeal must contain 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 Planning Commission is the review authority for an appeal of this application. The Planning Commission 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

## 3350 Portland Road NE



### Legend

Taxlots

Urban Growth Boundary

City Limits

Outside Salem City Limits

Historic District

Schools

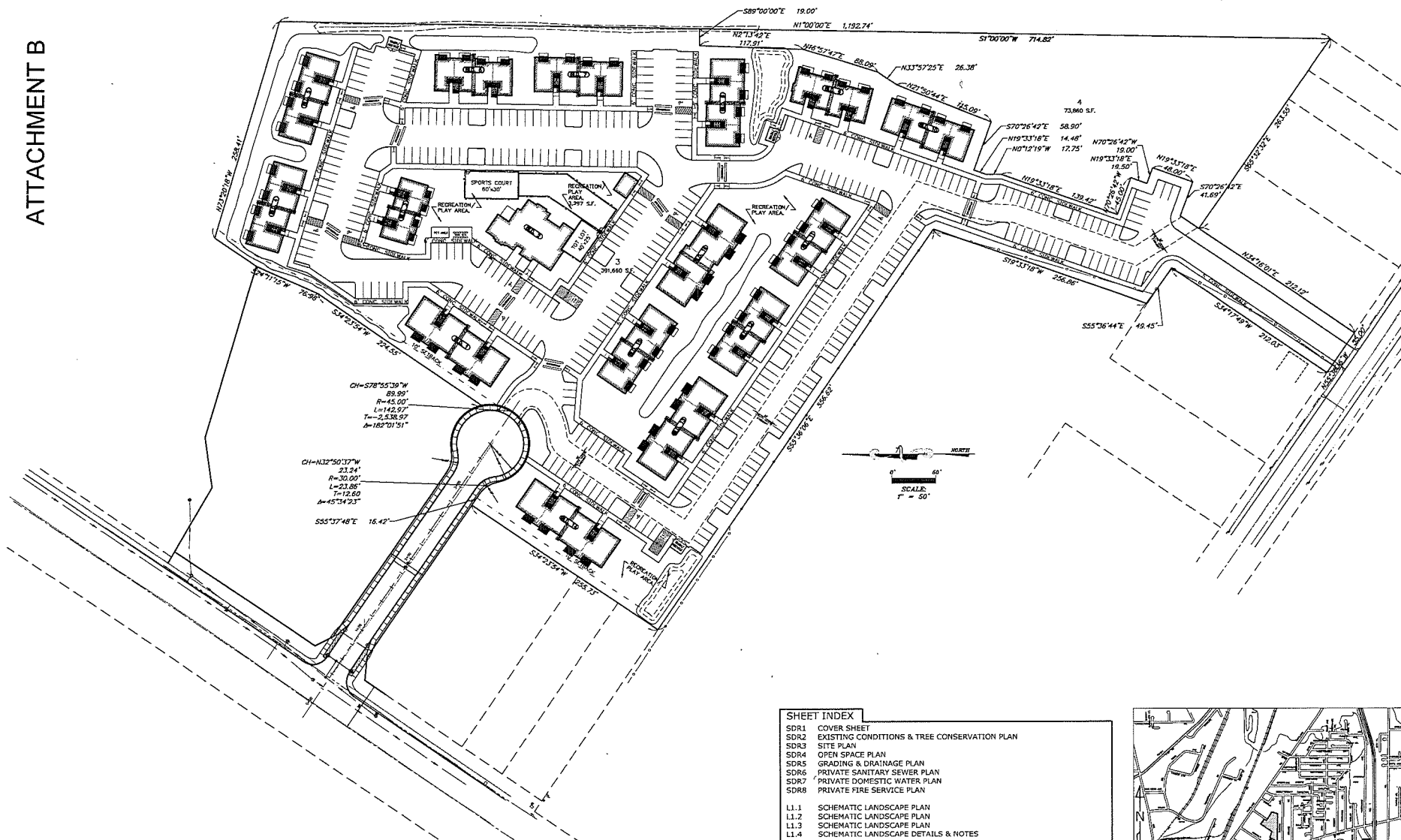
Parks

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

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





## PORTLAND ROAD APARTMENT COMPLEX

SEC. 9, T. 8 S., R. 3 W., W.M.  
CITY OF SALEM  
MARION COUNTY, OREGON

Owner / Developer:

**MOUNTAIN WEST INV.**

201 FERRY ST. SE, SUITE 400  
SALEM, OREGON 97301

### SHEET INDEX

SDR1 COVER SHEET  
SDR2 EXISTING CONDITIONS & TREE CONSERVATION PLAN  
SDR3 SITE PLAN  
SDR4 OPEN SPACE PLAN  
SDR5 GRADING & DRAINAGE PLAN  
SDR6 PRIVATE SANITARY SEWER PLAN  
SDR7 PRIVATE DOMESTIC WATER PLAN  
SDR8 PRIVATE FIRE SERVICE PLAN

L1.1 SCHEMATIC LANDSCAPE PLAN  
L1.2 SCHEMATIC LANDSCAPE PLAN  
L1.3 SCHEMATIC LANDSCAPE PLAN  
L1.4 SCHEMATIC LANDSCAPE DETAILS & NOTES

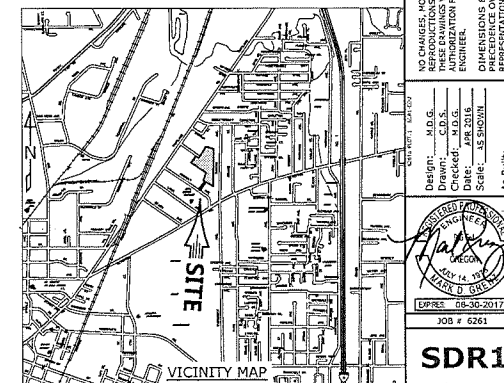
BLD. 1, 13, 14 & 15 (TYPE "D" UNITS)  
A1.3 LOWER FLOOR PLAN  
A1.4 MAIN & UPPER FLOOR PLAN  
A1.8 BUILDING ELEVATIONS

BLD. 2 (RECREATION BLD.)  
A2.1 FLOOR PLAN  
A2.2 BUILDING ELEVATIONS

BLD. 9 (TYPES "C" UNITS)  
A2.3 LOWER FLOOR PLAN  
A2.4 MAIN FLOOR PLAN  
A2.5 UPPER FLOOR PLAN  
A2.9 BUILDING ELEVATIONS

BLD. 3 (TYPE "B" UNITS)  
A3.3 LOWER FLOOR PLAN  
A3.4 MAIN FLOOR PLAN  
A3.5 UPPER FLOOR PLAN  
A3.9 BUILDING ELEVATIONS

BLD. 4, 5, 7, 8, 10, 12 & 15 (TYPES "A" UNITS)  
A4.3 LOWER FLOOR PLAN  
A4.4 MAIN FLOOR PLAN  
A4.5 UPPER FLOOR PLAN  
A4.9 BUILDING ELEVATIONS



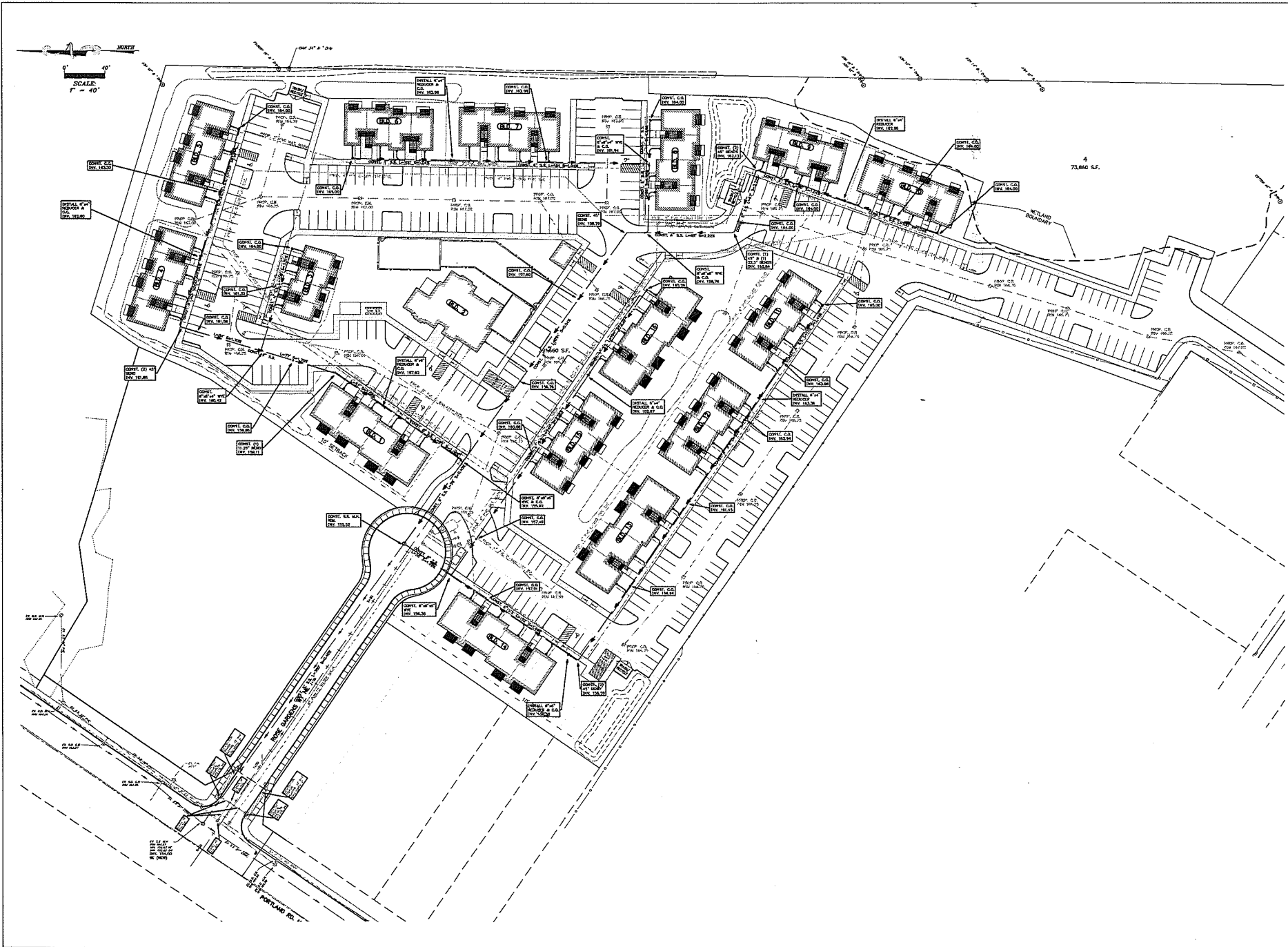


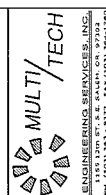
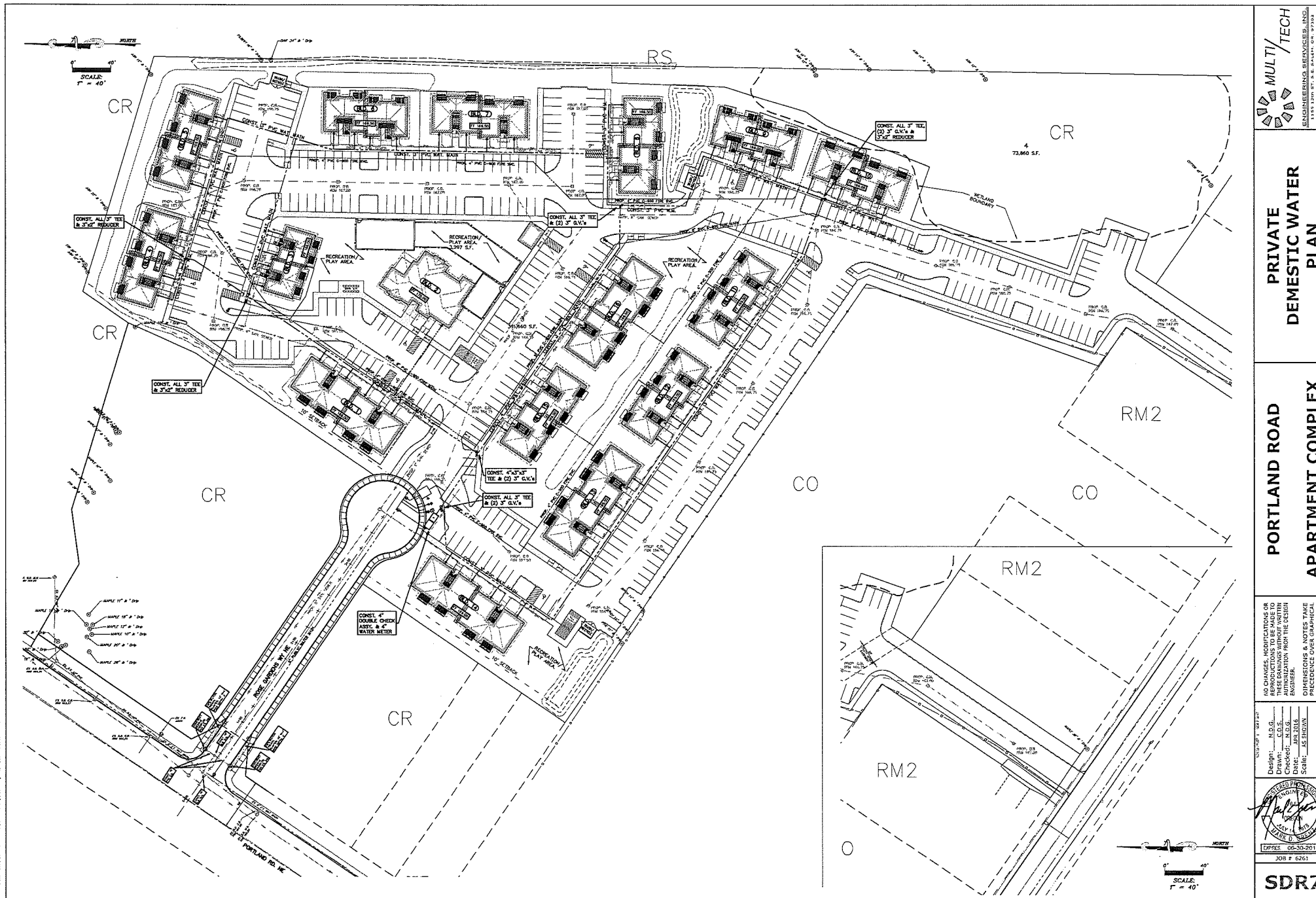










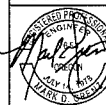


# PRIVATE DOMESTIC WATER PLAN

## PORTLAND ROAD APARTMENT COMPLEX

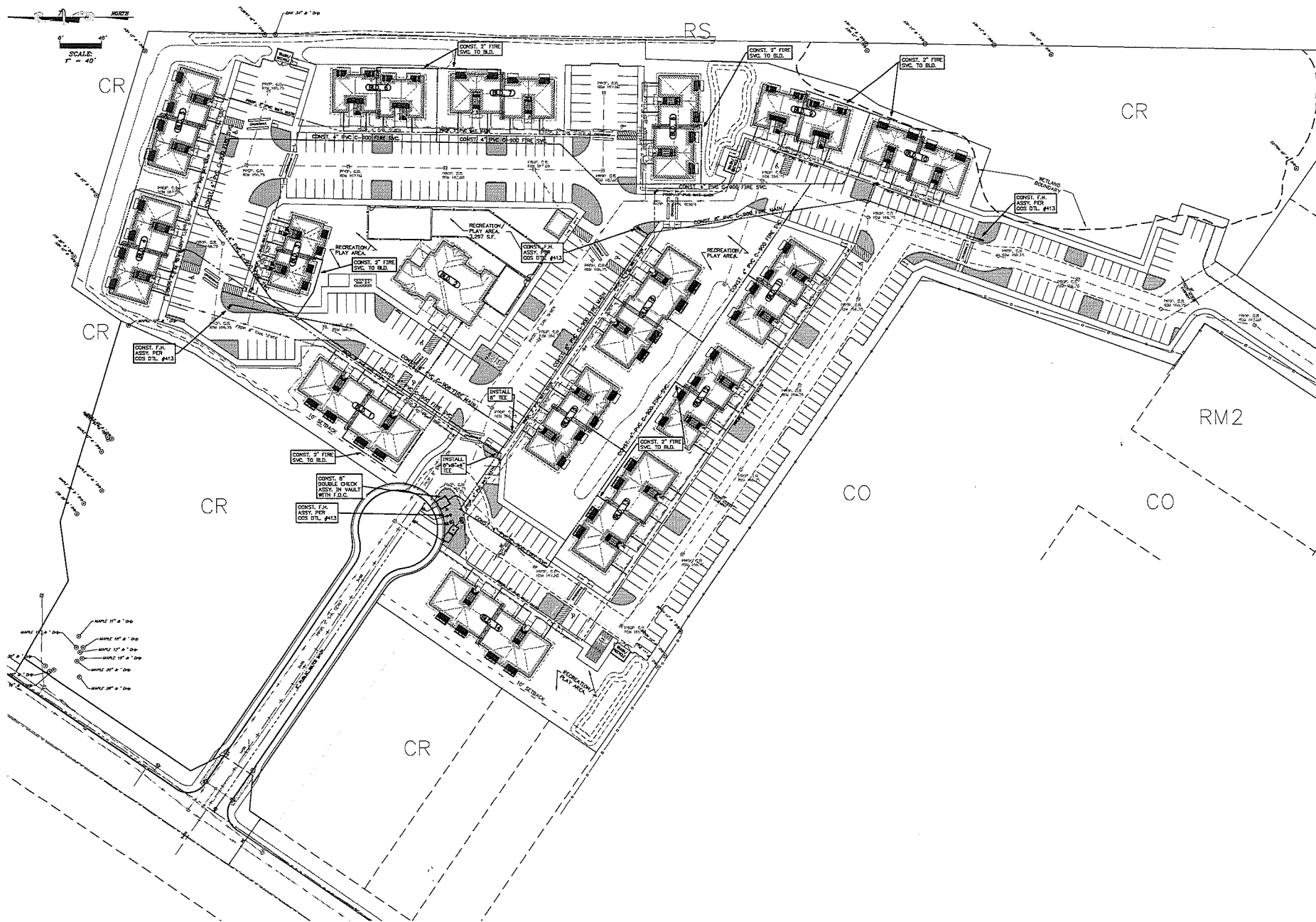
NO CHANGES, MODIFICATIONS OR  
CORRECTIONS TO THESE DRAWINGS  
AUTHORIZATION FROM THE DESIGN  
ENGINEER.  
THIS DRAWING IS A PART OF THE  
PRECEDENCE OVER GRAPHICAL  
REPRESENTATION.

DESIGN: N.D.G.  
DRAWN: C.D.G.  
CHECKED: N.D.G.  
DATE: JAN 2016  
SCALE: AS SHOWN  
A.C. RUSH



SDR7

06-30-2017  
JOB # 6261



**PRIVATE  
FIRE SERVICE  
PLAN**

**PORTLAND ROAD  
APARTMENT COMPLEX**

NO CHANGES, MODIFICATIONS OR  
REVISIONS TO THESE DRAWINGS  
AUTHORIZATION FROM THE DESIGN  
ENGINEER.  
CHANGES TO THESE DRAWINGS  
SHALL BE INDICATED BY A  
REVISION.

Design: M.D.G.  
Drawn: M.D.G.  
Checked: M.D.G.  
Date: 05/10/2017  
Scale: AS SHOWN



SDR 6261

**SDR8**

## Easement and Encroachment Survey

PREPARED FOR:

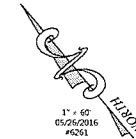
Mountain West Investments Inc.

NW 1/4, NW 1/4, SEC. 13, T. 7 S., R. 3 W., W.M., City of Salem, Marion County, Oregon

Site Address: 3300 & 3350 Portland Road, Salem, Or., Tax Parcel No. 100, 200, 1600

Dated: MAY 25, 2016 - Containing 12.213 Acres more or less

THIS ALTA WAS PREPARED BY:  
MULTITECH ENGINEERING SERVICES, INC.  
1155 13th STREET S.E.  
SALEM, OREGON 97302  
(503) 363-9227



### GENERAL EXCEPTIONS:

7. Rights of the public to any portion of the Land lying within the commonly known as streets, roads, and highways.
8. Limited access to and from the Land, Granted to the State of Oregon, acting by and through its State Highway Commission, dated July 2, 1953, in Volume 453, Page 154, Marion County Deed Records.
9. Limited access to and from the Land, Granted to the State of Oregon, acting by and through its State Highway Commission, dated July 2, 1953, in Volume 453, Page 154, Marion County Deed Records.
10. A Set Back Agreement including terms and provisions thereof was recorded June 30, 1983, in Reel 314, Page 1472, Marion County Deed Records.
11. A Set Back Agreement including terms and provisions thereof was recorded June 30, 1983, in Reel 314, Page 1472, Marion County Deed Records.
12. A Set Back Agreement including terms and provisions thereof was recorded June 30, 1983, in Reel 314, Page 1472, Marion County Deed Records.
13. A project Use Agreement including terms and provisions executed by The Alphabet House of Oregon Housing and Community Services Department was recorded January 8, 1998, in Reel 1453, Page 340, Marion County Deed Records.
14. A lease certain terms, covenants, conditions, and provisions for a project use agreement with the Alphabet House was recorded January 8, 1998, in Reel 2045, Page 340, Marion County Deed Records.
15. A Temporary Street Construction Easement, to the City of Salem, dated December 30, 2002, in Reel 2045, Page 481, Marion County Deed Records.

### EXCEPTIONS - HATCH CODE:

- 10
- 12
- 15

### SURVEYOR'S NOTES:

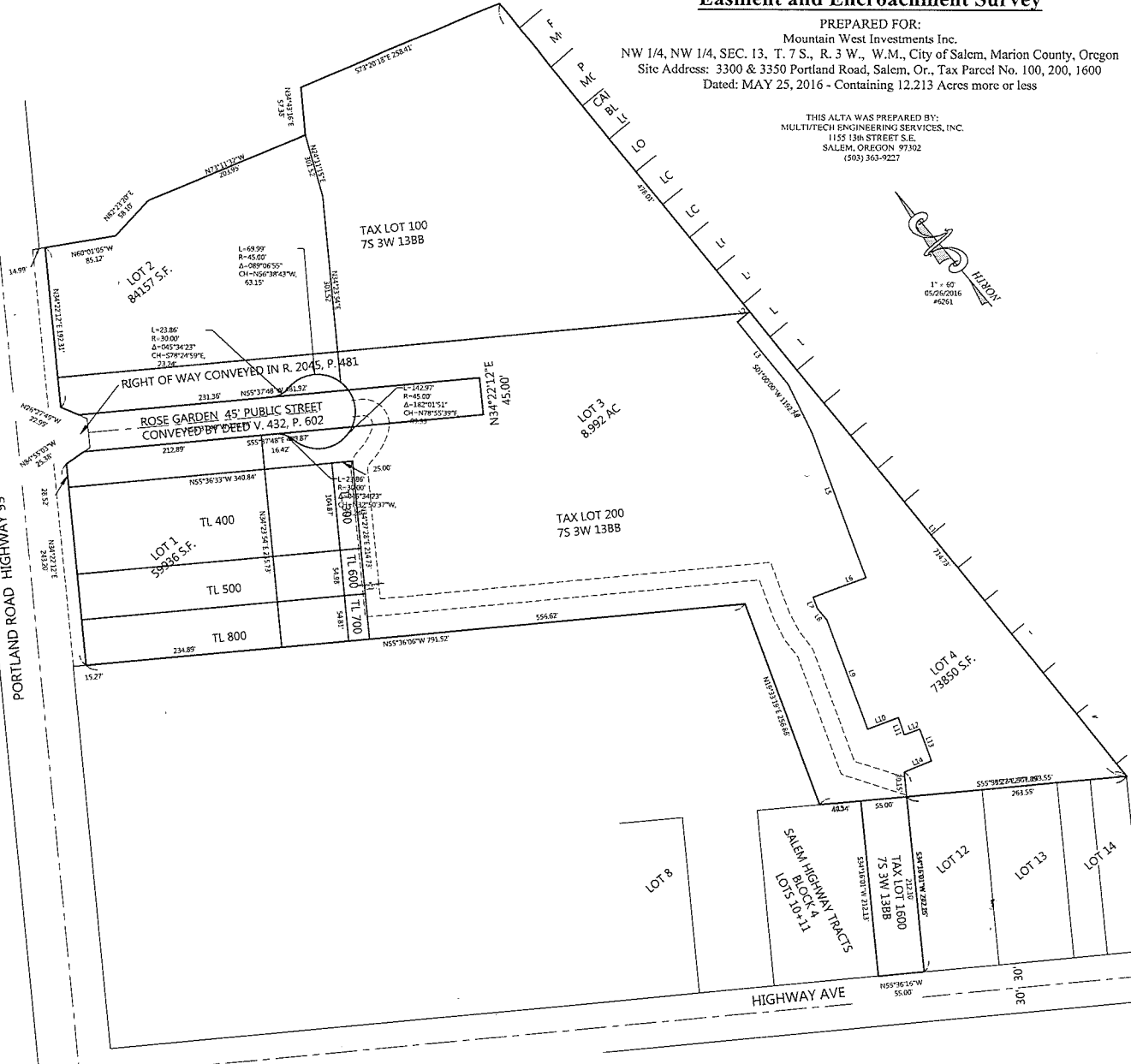
1. THIS IS NOT A BOUNDARY SURVEY, THIS MAP WAS TO SHOW EXISTING EASEMENTS AND ENCROACHMENTS ON THIS PROPERTY. THE MAP WAS CREATED FROM THE LEGAL DESCRIPTION AND RECORDS OF SURVEY.
2. THE FENCE AND DRIVEWAY ENCROACHMENTS MAY HAVE UNWRITTEN RIGHTS AND NEED TO BE ADDRESSED AS SOON AS POSSIBLE.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 13, 2004  
ROBERT D. HARMAN  
64202LS  
EXPIRES: 6-30-2017

PORTLAND ROAD HIGHWAY 99

HIGHWAY AVE



## *Portland Road Apartments*



The following statement addresses the applicable Design Review approval **Standards** in the SRC Chapter 702 (Multiple Family Design Review Guidelines and Design Review Standards) and the requirements under the CR and RM2 zones (Chapters 514 and 522), along with the requirements of the Portland-Fairgrounds Road Overlay (Chapter 603). Information provided on the site plans for the Design Review application further address applicable code requirements.

On October 3, 2016, a pre-application conference (PRE-AP16-82) was held with the applicant and City staff to discuss the development of the subject property.

On September 13, 2016 and October 11, 2016, the applicant met with the Northgate Neighborhood Association to discuss the proposal and address any concerns.

### **Proposal (Sheet SDR3):**

The subject property is 8.99 acres in size, zoned CR (Commercial Retail) and located in the 3300 block of Portland Road. The subject property consists of 6 parcels. The applicant has submitted a partition application to reconfigure the existing parcels. The portion of the

property being developed as apartments consists of 8.99 acres.

The applicant is proposing a 180 apartment unit development as shown on the site plans.

The applicant is requesting a Site Plan Review Class-3/Design Review Class-1/ Subdivision/ Conditional Use/Driveway Approach Permit approval.

The applicant is requesting to meet the **Standards**. All standards have been addressed and met as outlined within this narrative and on the site plans.

### **Commercial Retail (CR) SRC Chapter 522**

**Setbacks (Sheet SDR3):** All minimum setbacks to property lines, between buildings and distances to the entrances are met as shown on the tentative plan.

North:	34-foot setback (CR-Commercial Retail) zoned; existing commercial uses
East:	15 adjacent the CR (CR-Commercial Retail) zone and 34-foot setback adjacent RS (RS-Single Family Residential) zone; existing single family dwellings and vacant commercial land
South:	10-foot setback (CO-Commercial Office) and (RM-II Multi-Family Residential) zoned; existing commercial uses and dwellings
West:	15-foot setback (CR-Commercial Retail) zoned; existing commercial uses

**Property lines:** The subject properties consist of six (6) parcels. The applicant has submitted a subdivision application to reconfigure the property lines into four (4) lots.

**Maximum Height (Sheets A1.8, A2.2, A2.9, A3.9, A4.9):** Maximum building height allowed in the CR zone is 50'. There are no buildings located in the RM2 zoned portion of the site.

\*Building 1 is 37.10 feet in height (measured to the highest point) and 32.75 feet in height (measured to the middle of the gable).

\*Building 2 (recreation building) is 26.7 feet in height (measured to the highest point) and 18.35 feet in height (measured to the middle of the gable).

\*Building 3 is 36.5 feet in height (measured to the highest) and 32.9 feet in height (measured to the middle of the gable).

\*Building 4 is 37.9 feet in height (measured to the highest point) and 33.6 feet in height (measured to the middle of the gable).

\*Building 5 is 37.9 feet in height (measured to the highest point) and 33.6 feet in height



(measured to the middle of the gable).

\*Building 6 is 37.6 feet in height (measured to the highest point) and 33 feet in height (measured to the middle of the gable).

\*Building 7 is 37.9 feet in height (measured to the highest point) and 33.6 feet in height (measured to the middle of the gable).

\*Building 8 is 37.9 feet in height (measured to the highest point) and 33.6 feet in height (measured to the middle of the gable).

\*Building 9 is 37.6 feet in height (measured to the highest point) and 33 feet in height (measured to the middle of the gable).

\*Building 10 is 37.9 feet in height (measured to the highest point) and 33.6 feet in height (measured to the middle of the gable).

\*Building 11 is 37.9 feet in height (measured to the highest point) and 33.6 feet in height (measured to the middle of the gable).

\*Building 12 is 37.9 feet in height (measured to the highest point) and 33.6 feet in height (measured to the middle of the gable).

\*Building 13 is 37.10 feet in height (measured to the highest point) and 32.75 feet in height (measured to the middle of the gable).

\*Building 14 is 37.10 feet in height (measured to the highest point) and 32.75 feet in height (measured to the middle of the gable).

\*Building 15 is 37.9 feet in height (measured to the highest point) and 33.6 feet in height (measured to the middle of the gable).

\*Building 16 is 37.10 feet in height (measured to the highest point) and 32.75 feet in height (measured to the middle of the gable).

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

Grading (Sheet SDR5): A grading plan has been provided. The proposal will treat at least 80% of the hard surface with Green Water infrastructure.

Lot Coverage (Sheet SDR4): The buildings on the site total 57,166 square feet, therefore, covering 15% of the site.

**Stormwater (Sheet SDR5):** As stated on the Grading and Drainage Plan, the proposal is treating at least 80% hard surface with Green Water Infrastructure.

The stormwater design for the Portland Road Apartments has been revised to provide more than 10% of the hard surface area in green stormwater infrastructure (GSI). The GSI facilities are spread throughout the site to allow the site to be graded to the various facilities. Infiltration testing has been conducted onsite and an average infiltration rate of 7.9 inches per hour was measured. This infiltration rate is larger than the 2.0 inches per hour of the growing media, which will control the design. Because the infiltration rate is so high, no underdrain will be included in the design.

The facilities will be designed to handle the impervious surface graded towards each facility. The water will infiltrate through the growing media to the underlying native soil where it will infiltrate. The facility will be designed such that stormwater will leave the site at less than or equal to the predevelopment flowrate. Control structures will be placed in each facility to ensure the flowrate exiting will not exceed the predevelopment flowrate. Storage will be provided within each facility.

The facilities will be designed to handle the water quality event, half of the 2 year storm event, and the 10 year event for at least 80% of the stormwater runoff.

Therefore, meeting the requirements of the Public Works Department.

### **Portland/Fairgrounds Overlay Zone-Chapter 603**

**Density (Sheet SDR3):** The Portland/Fairgrounds Overlay requires a minimum of 20 dwellings per acre. The applicant is proposing to develop 8.99 acres of land. Therefore, requiring a minimum of 180 dwelling units on the site. The proposal is for 180 dwelling units on the site, therefore, the density requires of this overlay zone have been met.

**Setbacks (Sheet SDR3):** See setbacks outlined above and on the site plans.

**Landscaping (Sheet L1.1, L1.2, L1.3, L1.4):** See landscape plans and findings attached.

**Parking (Sheet SDR3):** The development is for a 180 unit apartment complex. Code requires 1.5 vehicle parking spaces per every 1 dwelling units. Therefore, the applicant is required to provide 270 on-site vehicle parking spaces. As shown on the site plan, 344 on-site parking spaces and 1 loading space have being provided.

Adequate parking has been provided throughout the development.

The site plan indicates the ratios provided for standard, compact, handicap spaces and location of bike spaces. Two hundred and sixty (260) standard size parking stalls, seventy-four (74) compact parking stalls, and ten (10) handicap stalls are provided through-out the site.

All parking areas will be served by 22 to 26-foot wide two-way accessways that run through the development.

Bicycle parking is also required on site. The Code requires 0.1 bicycle parking space per dwelling unit. Eighteen (18) bicycle parking spaces are required for this development. Bike racks have been provided on the site and located in a convenient location for the residents. The applicant is providing sixty (60) on-site bicycle parking spaces.

In order to take into consideration circulation, pedestrian access, landscaping, and the requirements of the code, the parking areas have been carefully designed. All parking areas are landscaped as required, and separated by landscaped bays that are a minimum of 18-feet in width as shown on the site plan. The parking areas and landscaped areas provide for visually appealing apartment grounds.

Interior Parking Lot Landscaping: SRC 806.035(d)(2) requires a minimum of 5 percent landscaping within parking areas less than 50,000 square feet in size and a minimum of 8 percent landscaping within parking areas 50,000 square feet and greater in size. The parking area within the development is 138,041 square feet in size with 13,387 square feet (10%) of landscaping. Therefore, this standard has been met.

Screening (Sheet SDR3): The subject property will be screened with a 6-foot high sight obscuring fence on the north, south, east, and west property lines.

The trash/recycle areas will be screened and enclosed with a sight-obscuring fence or wall.

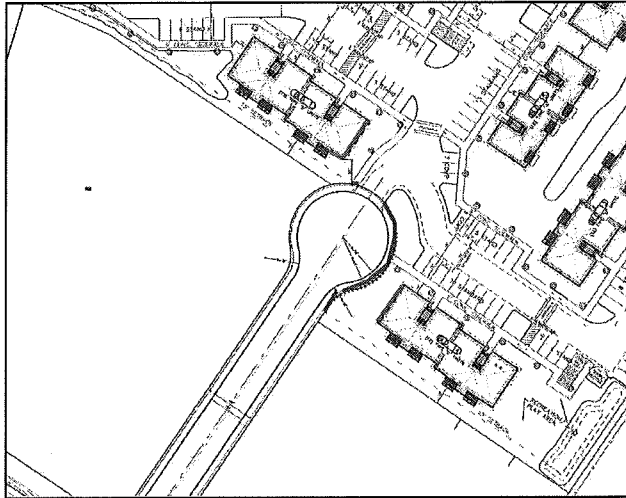
Outdoor Storage: There is no outdoor storage proposed for this development.

Pedestrian Access (Sheet SDR3): The internal pedestrian circulation system consists of hard 6-foot wide surfaced sidewalks that provide easily identifiable and safe connections between the residential units, parking, recreation areas, manager's apartment, and the trash disposal area. The pedestrian system connects the buildings to the public sidewalk system within Portland Road via Rose Garden Road. The sidewalks are raised above the surface of the travel lanes. This provides a clear separation between vehicles and pedestrians. Any pedestrian pathways that cross the parking area or driveways will be marked and a minimum of five feet wide. All buildings containing dwellings are located at least 10-feet from all pedestrian pathways on the site. The pedestrian pathways will be lighted. Proposed pedestrian sidewalk connections are illustrated on the tentative site plan.

The design of pedestrian circulation systems shall provide clear and identifiable connections within the multiple family development and to adjacent uses and public streets/sidewalks. The proposed development provides safe and convenient bicycle and pedestrian access from within the development to adjacent residential areas.

**Project Enhancements (Sheet SDR3):** The proposed development will include the following four (4) enhancements under SRC 603.020(j):

- (3) A freestanding sign will be mounted on a foundation and located at the entrance of the development along Rose Garden Road. The sign will not be more than 5 feet in height. At the time of building permit submittal, the applicant will provide a design for the proposed sign and apply for a sign permit with the City of Salem. Therefore, this enhancement will be met at the time of building permit submittal.
- (9) This section of the code requires a minimum of 7 percent landscaping within parking areas less than 50,000 square feet in size and a minimum of 10 percent landscaping within parking areas 50,000 square feet and greater in size. The parking area within the development is 138,041 square feet in size with 13,387 square feet (10%) of landscaping. Therefore, this enhancement has been met.
- (10) Landscape plans have been provided and demonstrate how the landscape standards have been met. A permanent underground irrigation system will be provided when development plans are final. Therefore, this enhancement will be met.
- (12) The subject property has 123.55 feet of buildable width (excludes required setbacks and accessway) along Rose Garden Road (cul-de-sac). Buildings 1 and 14 are located on the setback line along Portland Road. Code requires a minimum of 50% of the buildable width be occupied by buildings placed on the setback line. All three buildings are located on the setback line. As shown on the site plan, the buildings total 91 feet of the buildable width along the street frontage. Therefore, occupying 74% of the buildable width of street frontage along Rose Garden Road. This enhancement has been met. See Sheet SDR 3.



### **Multiple Family Design Review Standards- Chapter 702**

**702.015 (b)(2) and (c)(2) Common Open Space Standards (Sheets SDR4 and L1.1, L1.2, L1.3, L1.4):** In multi-family developments, a portion of the land not covered by buildings and parking shall be of adequate size and shape and in the proper location to be functional for outdoor recreation and relaxation. The standards are also intended to ensure that open space is an integral part of the overall development design.

The minimum open space area required for this development is 30% of the site. The portion of the site being developed (Parcel 1) is 391,662 (8.99 acres) square feet with 127,015 square feet of open space. Therefore, totaling 32% open space. See the open space plan provided.

The proposed development provides a 2,036 square foot recreation building in the center of the site, a 3,297 square foot play area in the center of the development, and landscaped open space areas throughout the site. The recreation building and play areas are available to all 180 dwelling units and accessible via the proposed pedestrian pathways (6-foot wide paved sidewalks). The recreation building, play areas, and open space areas are located in convenient and safe areas for the residents. The proposed development provides approximately 127,015 square feet of total common open space throughout the site. Therefore, this standard has been met. See attached site plans and open space plan.

#### **Open Space**

Common Open Space \_\_\_\_\_ 127,015 S.F. (31%)

Common Open Space

Within Setbacks \_\_\_\_\_ 17,643 S.F. (5%)

Landscape \_\_\_\_\_ 160,384 S.F. (34%)

Children's Play Area \_\_\_\_\_ 3,297 S.F.

Therefore, this standard has been met. See attached site plans.

702.015 (d)(2) Private Open Space Standards (Sheets A1.3, A1.4, A2.3, A2.4, A2.5, A3.3, A3.4, A3.5, A4.3, A4.4, A4.5, L1.1, L1.2, L1.3, L1.4): Each unit will have private open space as required by code. Ground floor units will have patio areas that are 96 square feet in size, with no dimension less than 6 feet. All second and third story units will have balconies/decks that are a minimum 48 square feet in size. As shown on the floor plans, all private open space areas are located contiguous to the dwelling unit and will be screened with a 4 to 6 foot high sight obscuring wood fencing. This private open space includes the patios and balconies/decks. Therefore, this standard has been met.

702.020 (b)(2) Landscaping Standards (Sheets L1.1, L1.2, L1.3, L1.4): Landscaping has been provided throughout the site as identified on the landscape plans. The subject property abuts RS zoned property to the east. Landscaping is being provided adjacent all property lines. Landscaping has been provided throughout the site as identified on the landscape plans. A minimum of 1 tree will be planted for every 2,000 square feet of the site. Trees and vegetation have been provided throughout the development as shown on the landscape plans. According to the landscape plans, 256 new trees will be planted throughout the site. There is 160,384 square feet of landscaped area throughout the site. Therefore, 34% of the site is landscaped. Landscape plans have been provided and demonstrate how the landscape standards have been met.

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

There are twenty-six (26) existing trees on the site, with seventeen (17) trees proposed for removal. There is one significant tree located on the property, a 34" (diameter) Oregon White Oak located along the northeast property line. This Oregon White Oak is not proposed for removal. Any trees on the site that are within building envelopes, access ways, parking areas, right-of-way, or will be effected by grading have to be removed. All trees have been identified on Sheet SDR2.

New trees will be provided throughout the site as shown on the landscape plans.

702.020 (c)(2) Street Frontage Standards (Sheets L1.1, L1.2, L1.3, L1.4): The landscape plans identify how this standard is met. Trees will be provided along the street frontage with one canopy tree per 50 linear feet. See attached landscaped plans. Therefore, this standard has been met.

702.020 (d)(2) Building Exterior Standards (Sheets L1.1, L1.2, L1.3, L1.4): The exterior of the buildings will be landscaped to provide a visually appealing development. Trees and shrubs will be planted in front of and around all buildings as shown on the landscape plans. This will help to provide shading and privacy for residents. Therefore, this standard has been met.

702.020 (e)(2) Privacy Standards (Sheets A1.3, A1.4, A2.3, A2.4, A2.5, A3.3, A3.4, A3.5, A4.3, A4.4, A4.5, L1.1, L1.2, L1.3, L1.4): All ground level private open space areas (patios) will be screened and separated with landscaping and/or fencing. This will help to provide privacy for ground level residents. Therefore, this standard has been met.

702.020 (f)(2) Landscape Parking Standards (Sheets SDR3 and L1.1, L1.2, L1.3, L1.4): In order to take into consideration circulation, pedestrian access, landscaping, and the requirements of the code, the parking areas have been carefully designed. All parking areas are landscaped as required, and separated by landscaped bays that are a minimum of 18-feet in width as shown on the site plan. The parking areas and landscaped areas provide for visually appealing apartment grounds.

Interior Parking Lot Landscaping: SRC 806.035(d)(2) requires a minimum of 5 percent landscaping within parking areas less than 50,000 square feet in size and a minimum of 8 percent landscaping within parking areas 50,000 square feet and greater in size. The parking area within the development is 138,041 square feet in size with 13,387 square feet (10%) of landscaping.

Therefore, this standard has been met. See attached site plans.

702.025 (a)(2) Crime Prevention Standards (See attached worksheet): Safety of the residents is very important and all requirements are met to assure safety and compliance with code. There are no fences or plant materials located in areas within the development that obstruct visibility. All landscaping adjacent to open space areas will not exceed 3 feet in height.

All buildings have windows provided in habitable rooms and windows that face the parking lots and open space areas. This helps provide an eye on the development. Lighting on the buildings and along the sidewalks will be provided as well.

In order to provide a secure site, a 6-foot high wood sight-obscuring fence will be provided along the north, south, west, and east property lines. The sight will be secured with screening fencing as described above and gated access.

Therefore, this standard has been met. See attached site plans.

702.030(b)(2) Parking, Site Access, and Circulation Standards (Sheet SDR3): The subject property has street frontage on Rose Garden Road (cul-de-sac) along the west property line and Highway Avenue to the south. All access will be taken to and from both streets.

All parking areas greater than 6,700 square feet in area are within the requirements of the code and are separated by planter bays that are a minimum of 18 feet in width. The layout of the parking areas has been taken into consideration and provides for safe and efficient circulation

throughout the development.

As shown on the site plan, all buildings are separated from all pathways by a minimum 10-foot setback.

The parking area along Portland Road is setback a minimum of 20 feet as required by code.

Therefore, this standard has been met.

A Traffic Impact Analysis (TIA) has been provided for this development. A Traffic Impact Analysis dated **October 26, 2016** has been provided as part of this application.

**Parking (Sheet SDR3):** The development is for a 180 unit apartment complex. Code requires 1.5 vehicle parking spaces per every 1 dwelling units. Therefore, the applicant is required to provide 270 on-site vehicle parking spaces. As shown on the site plan, 344 on-site parking spaces and 1 loading space have being provided.

Adequate parking has been provided throughout the development.

The site plan indicates the ratios provided for standard, compact, handicap spaces and location of bike spaces. Two hundred and sixty (260) standard size parking stalls, seventy-four (74) compact parking stalls, and ten (10) handicap stalls are provided through-out the site.

All parking areas will be served by 22 to 26-foot wide two-way accessways that run through the development.

Bicycle parking is also required on site. The Code requires 0.1 bicycle parking space per dwelling unit. Eighteen (18) bicycle parking spaces are required for this development. Bike racks have been provided on the site and located in a convenient location for the residents. The applicant this providing sixty (60) on-site bicycle parking spaces.

Therefore, this standard has been met.

**702.030(c)(2) Pedestrian Site Access Standards (Sheet SDR3):** The internal pedestrian circulation system consists of hard 6-foot wide surfaced sidewalks that provide easily identifiable and safe connections between the residential units, parking, recreation areas, manager's apartment, and the trash disposal area. The pedestrian system connects the buildings to the public sidewalk system within Portland Road via Rose Garden Road. The sidewalks are raised above the surface of the travel lanes. This provides a clear separation between vehicles and pedestrians. Any pedestrian pathways that cross the parking area or driveways will be marked and a minimum of five feet wide. The pedestrian pathways will be lighted. Proposed pedestrian sidewalk connections are illustrated on the tentative site plan.



The design of pedestrian circulation systems shall provide clear and identifiable connections within the multiple family development and to adjacent uses and public streets/sidewalks. The proposed development provides safe and convenient bicycle and pedestrian access from within the development to adjacent residential areas.

Therefore, this standard has been met.

**702.035(b)(2) Building Mass and Façade Design Standards (Sheets A1.8, A2.2, A2.9, A3.9, A4.9):**

These standards are intended to promote building and site design that contributes positively to a sense of neighborhood and to the overall streetscape by carefully relating building mass, entries and yards to public streets.

The building design does not have long flat walls or roof lines. The buildings will have an offset that breaks up the front of the buildings and the roof lines. Balconies (decks) and dormers are incorporated in the building design to add some visual element to the buildings. There are no buildings within the development that will exceed 150 feet in length. The buildings on the site are about 72 to 120 feet in length. The height and length of the buildings and structures conform to the measuring requirements in code.

All buildings face the interior of the lot. In order to be consistent with the front facade of the building; windows, offsets, and architectural features will be incorporated all portions of the building.

Varied materials and textures are being used on the building facade. The applicant has provided building elevations to show how this is being complied with. The materials used on the front, rear, and sides of the apartments are the same; shake siding, trim board, lap siding, and stone around the pillars. See attached building elevations. Therefore, this standard has been met.

**702.035(c)(2) Compatibility Standards (Sheet SDR3):** The subject property does abut RS zoned property to the east (existing single family dwellings). As shown on the site plan, all required setbacks per the Code (Table 702-4) have been met:

North:	34-foot setback (CR-Commercial Retail) zoned; existing commercial uses
East:	34-foot setback (RS-Single Family Residential) zoned; existing single family dwellings
South:	10-foot setback (CR-Commercial Retail) zoned; existing single family dwellings
West:	15-foot setback (CR-Commercial Retail) zoned; existing commercial uses

The primary entrances for each individual unit is provided through a covered entry way. All

building entries are clearly defined and easily accessible. The design of the building with the use of roofline offsets and covered entry ways, promote a positive sense of neighborhood. All building entrances face the internal street/parking system.

The subject property has 123.55 feet of buildable width (excludes required setbacks and accessway) along Rose Garden Road (cul-de-sac). Buildings 1 and 14 are located on the setback line along Portland Road. Code requires a minimum of 50% of the buildable width be occupied by buildings placed on the setback line. All three buildings are located on the setback line. As shown on the site plan, the buildings total 91 feet of the buildable width along the street frontage. Therefore, occupying 74% of the buildable width of street frontage along Rose Garden Road. This enhancement has been met. See Sheet SDR 3.

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

Housing Needs- There is also a deficit of residential land designed for multi-family units.

The City of Salem has an adopted housing needs analysis, "Salem Housing Needs Analysis 2015-2035" that is dated December 2014. The City has projected a need for residential units in the City's "Housing Needs Analysis" to address State Land Use Goals 10 by establishing population projections. The Housing Needs Analysis reevaluates the housing needs for all residential types. According to the study, Salem is in need of 2,900 multi-family units (207 gross acres) within the next 20 years, in order to help fill the deficit for multi-family housing.

Per ORS 197.307(3), "When a need has been shown for housing within an urban boundary at particular price ranges and rent levels, needed housing shall be permitted in one or more zoning districts or in zones described by some comprehensive plans as overlay zones with sufficient buildable land to satisfy that need."

One of the strategies identified in the Housing needs Analysis is to encourage more mixed-use development or allowing multi-family development in commercial zones. Allowing a Conditional Use for apartments in the CR zone, will meet the goals and policies of Statewide Planning Goal 10, ORS 197.307, and the 2014 Salem Housing Needs Analysis.

The Salem Housing Needs Analysis and Comprehensive Plan Goals and Policies encourage developers to provide all types of housing opportunities. This proposal will provide a needed multi-family housing type within an area of Portland Road that is surrounded by commercial and single family residential uses.

Multi-family units are permitted in the CR zone with a Conditional Use permit. The applicant's proposal is to develop the site with 180 multi-family units. As stated above, according to the Housing Needs Analysis, Salem has a deficit of 2,900 dwelling units in multi-family units.

This request helps maximize the density while helping to meet housing needs within the City of Salem.

Multi-family uses are compatible with single family uses and are typically found as a buffer between single family neighborhoods and more intensive commercial uses or arterial streets (Portland Road). This development will provide a buffer for the single family dwellings to the east and south.

The existing neighborhood consists of single family housing and commercial uses. In order to provide an alternative housing pattern while being consistent with the neighborhood, the proposed development will provide a higher density of needed housing in Salem. In order to maintain the character of the neighborhood, the site will be developed in compliance with required design standards and provide buffer yards along property lines.

The development will take an undeveloped site and create a development that is visual appealing to the neighborhood. At the time of building permits, design standards will be in place to help eliminate any impacts to the neighborhood and create a positive development.

Therefore, this standard has been met.

**702.035(d)(2) Building Articulation Standards (Sheets A1.8, A2.2, A2.9, A3.9, A4.9):** All buildings have entrances physically and visually connected to the internal public sidewalk system and the parking lots. All external stairways are recessed into the buildings. Therefore, physically and visually incorporating them into the buildings architecture design.

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

The building design does not have long flat walls or roof lines. The buildings will have an offset that breaks up the front of the buildings and the roof lines. All buildings will have a minimum of 4-foot offsets, balconies, patios, eaves, and windows incorporated into the design of each of the buildings. Therefore, this standard has been met. See building elevations.

**702.040(a)(2) Recycling (Sheet SDR3):** There are three (3) trash/recycle areas provided within the development. All three trash receptacles are accessible for all residents via the paved internal sidewalk system. The trash/recycle areas will be screened and enclosed with a sight-obscuring fence or wall. Therefore, meeting this standard.

RECEIVED


FEB 02 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:** February 2, 2017

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS  
SITE PLAN REVIEW 16-04 (16-120846)  
3350 PORTLAND ROAD NE  
FOUR-LOT SUBDIVISION AND 180-UNIT APARTMENT COMPLEX**

**PROPOSAL**

A request for a 4-lot Subdivision to reconfigure the subject property with a Class 2 Adjustment request to:

1. Increase the number of flag lots allowed in a subdivision from a maximum of 15 percent, to 25 percent;
2. Allow the access easement serving Lot 4 to exceed 400 feet in length; and
3. Class 3 Site Plan Review, Class 2 Driveway Approach Permit, and Class 1 Design Review for development of a 180-unit apartment complex on proposed Lot 3 approximately 8.99 acres in size, for property with a combined size of approximately 13.9 acres, zoned CR (Retail Commercial) within the Portland Road NE and Fairgrounds Road NE Overlay Zone, and located at 3350 Portland Road NE, 97301 (Marion County Assessor's Map and Tax Lot numbers: 073W13BB / 00100, 00200, 00300, 00400, 00500, 00600, 00700, 00800, and 01600).

**RECOMMENDED FINAL PLAT CONDITIONS**

1. Convey land for dedication of right-of-way to equal 50 feet for Rose Garden Way NE and a 45-foot radius for the cul-de-sac. In addition, the applicant shall convey land for dedication for a 25-foot property line radii at the intersection of Portland Road NE.
2. Construct Rose Garden Way NE to local street standards, including curb ramps at the Portland Road NE intersection.

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

3. Along the entire frontage of Portland Road NE, the applicant shall modify existing sidewalks as needed to comply with PWDS and close all existing driveways. These improvements may be delayed until development of each lot abutting the street frontage.
4. Dedicate access and utility easement(s) to serve Lot 4 in compliance with applicable codes and standards.
5. Provide an engineered tentative stormwater design to accommodate future impervious surface on all proposed lots. Construct stormwater facilities that are proposed in the public right-of-way and in public storm easements.
6. Dedicate a stormwater maintenance easement and an access easement from the right-of-way to the existing public stormwater facilities within the subject property as specified in the PWDS. The access easement location may be incorporated into the vehicle circulation areas within the proposed parking lot.
7. Dedicate a 10-foot public utility easement along the entire frontage of Rose Garden Way NE.

#### **RECOMMENDED SITE PLAN REVIEW CONDITIONS**

1. Prior to building permit issuance, the applicant shall submit a complete application to vacate the portion of Rose Garden Way NE right-of-way that extends east of the proposed cul-de-sac as shown on the applicant's tentative plan. Prior to final occupancy of the first apartment building, the applicant shall either:
  - a. meet all conditions of vacation as needed to complete the vacation process; or
  - b. enter into an encroachment agreement pursuant to SRC 76.160.
2. Construct Rose Garden Way NE to local street standards, including curb ramps at the Portland Road NE intersection. The street improvements, including sidewalk along a minimum of one side of the street, shall be completed prior to final occupancy of the first apartment building to ensure adequate vehicular and pedestrian access to Portland Road NE. Sidewalk improvements on the opposite side of the street may be delayed until development of the abutting lot.

#### **FACTS**

1. Rose Garden Way NE
  - a. Existing Conditions—This street has an approximate 18-foot improvement within a 45-foot-wide right-of-way abutting 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-foot-wide right-of-way.

## **Storm Drainage**

### **1. Existing Conditions**

- a. A 10-inch storm main is located in Highway Avenue NE.
- b. A 12-inch storm main is located in Portland Road NE.
- c. A 10-inch storm main is located in Rose Garden Way NE at Portland Road NE.
- d. An 18-inch storm main is located in an easement along the east line of the subject property.
- e. A 24-inch storm main is located in an easement along the north line of the subject property.

## **Water**

### **1. Existing Conditions**

- a. The subject property is located in the G-0 water service level.
- b. There is an 8-inch public water line in Portland Road NE.
- c. There is an 8-inch public water line in Highway Avenue NE.

## **Sanitary Sewer**

### **1. Existing Sewer**

- a. A 27-inch sewer main is located in Portland Road NE.
- b. A 10-inch sewer main is located in Highway Avenue NE.

## **CRITERIA AND FINDINGS—SUBDIVISION**

SRC 205.010(d) indicates the criteria that must be found to exist before an affirmative decision may be made. The applicable criteria and the corresponding findings are as follows:

**SRC 205.010(d)(1)**—The tentative subdivision plan complies with the standards of this Chapter and with all applicable provisions of the Unified Development Code, including, but not limited to the following:

1. Lot standards, including, but not limited to, standards for lot area, lot width and depth, lot frontage, and designation of front and rear lot lines;
2. City infrastructure standards; and
3. Any special development standards, including, but not limited to floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.

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

**SRC 205.010(d)(3)**—Development within the tentative subdivision plan can be adequately served by City infrastructure.

**Findings**—Water, sewer, and stormwater infrastructure are available along the perimeter of the site and appear to be adequate to serve the property as shown on the applicant's preliminary utility plan.

Existing stormwater facilities are located within the subject property. The applicant shall be required to dedicate a utility easement for the portions of the existing public stormwater facilities within the subject property. Additionally the applicant shall be required to dedicate an access easement and construct an all-weather access route to the existing public stormwater facilities within the subject property as specified in the PWDS.

Pursuant to PWDS Appendix 4E, the applicant's narrative describes that the proposed site plan for the apartments meets the requirements for green stormwater infrastructure. The applicant shall provide an engineered tentative stormwater design to accommodate future impervious surface on all proposed lots. For undeveloped lots, stormwater facilities that are proposed in the public right-of-way and in public storm easements shall be constructed in conjunction with the Rose Garden Way NE improvements. The applicant shall dedicate access and utility easement(s) to serve Lot 4 in compliance with applicable codes and standards.

All public and private City infrastructure proposed to be located in the public right-of-way shall be constructed or secured per SRC 205.035(c)(6)(B) prior to final plat approval. Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat.

The applicant shall dedicate a 10-foot public utility easement along the entire frontage of Rose Garden Way NE.

**SRC 205.010(d)(4) and SRC 205.0010(d)(5)—The street system in and adjacent to the tentative subdivision plan conforms to the *Salem Transportation System Plan*. The street system in and adjacent to the tentative subdivision plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, and out of the subdivision.**

**Finding**—Portland Road NE is a Major Arterial and Highway Avenue NE is a Local street; these abutting streets currently meet the standards as identified in the Salem TSP.

Pursuant to SRC 803.025, the applicant shall convey land for dedication of right-of-way to equal 50 feet for Rose Garden Way NE and a 45-foot radius for the cul-de-sac. In addition, the applicant shall convey land for dedication for a 25-foot property line radii at intersection of Portland Road NE.

A remnant of unused right-of-way continues beyond the end of the proposed cul-de-sac for Rose Garden Way. This portion of right-of-way needs to be vacated in order to meet street standards in SRC 803.025. Prior to building permit issuance, the applicant shall submit a complete application to vacate the portion of Rose Garden Way NE right-of-way that extends east of the proposed cul-de-sac as shown on the applicant's tentative plan. Prior to final occupancy of the first apartment building, the applicant shall either:

1. meet all conditions of vacation as needed to complete the vacation process or
2. enter into an encroachment agreement pursuant to SRC 76.160.

The applicant shall construct Rose Garden Way NE to Local street standards, including curb ramps at Rose Garden Way NE. The street improvements, including sidewalk along a minimum of one side of the street, shall be constructed prior to final occupancy of the first apartment building to ensure adequate vehicular and pedestrian access to Portland Road NE. Sidewalk improvements on the opposite side of the street may be delayed until development of the abutting lot.



**SRC 205.010(d)(6)—The tentative subdivision plan provides safe and convenient bicycle and pedestrian access from within the subdivision to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. For purposes of this criterion, neighborhood activity centers include, but are not limited to, existing or planned schools, parks, shopping areas, transit stops, or employment centers.**

**Findings**—The Comprehensive Parks Master Plan Update shows that the subject property is served by a developed parks. Northgate park area is a developed park approximately one-half mile northeast of the proposed development; pedestrian sidewalk connections are available from the subject property to this park.

Along the entire frontage of Portland Road NE, the applicant shall modify existing sidewalks as needed to comply with PWDS and close all existing driveways. These improvements may be delayed until development of each lot abutting the street frontage.

**SRC 205.010(d)(7)—The tentative subdivision plan mitigates impacts to the transportation system consistent with the approved Traffic Impact Analysis (TIA), where applicable.**

**Findings**—The applicant submitted a TIA that indicates the proposed subdivision will not significantly change the operating characteristics of the existing street intersections or require mitigation to the transportation system. The Assistant City Traffic Engineer concurs with the TIA findings.

#### **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:** Portland Road NE is a Major Arterial and Highway Avenue NE is a Local street; these abutting streets currently meet the standards as identified in the Salem TSP.

Pursuant to SRC 803.025, the applicant shall convey land for dedication of right-of-way to equal 50 feet for Rose Garden Way NE and a 45-foot radius for the cul-de-sac. In addition, the applicant shall convey land for dedication for a 25-foot property line radii at intersection of Portland Road NE.

A remnant of unused right-of-way continues beyond the end of the proposed cul-de-sac for Rose Garden Way NE. This portion of right-of-way needs to be vacated in order to meet street standards in SRC 803.025. Prior to building permit issuance, the applicant shall submit a complete application to vacate the portion of Rose Garden Way NE right-of-way that extends east of the proposed cul-de-sac as shown on the applicant's tentative plan. Prior to final occupancy of the first apartment building, the applicant shall meet all conditions of vacation (if any) as needed to complete the vacation process. The applicant shall construct Rose Garden Way NE to Local street standards, including curb ramps at Rose Garden Way NE. The street improvements, including sidewalk along a minimum of one side of the street, shall be constructed prior to final occupancy of the first apartment building to ensure adequate vehicular and pedestrian access to Portland Road NE. Sidewalk improvements on the opposite side of the street may be delayed until development of the abutting lot.

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

**Finding:** The driveway accesses onto Rose Garden Way NE and Highway Avenue NE provide for safe turning movements into and out of the property as described in the findings for 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. The water, sewer, and storm infrastructure are available within surrounding streets / areas and appear to be adequate to serve the proposed development. The applicant shall design and construct all utilities including sewer, water, and storm drainage according to the PWDS and to the satisfaction of the Public Works Director. The applicant is advised that a sewer monitoring manhole is required, and the trash area shall be designed in compliance with Public Works Standards.

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—DRIVEWAY ACCESS PERMIT**

##### **Rose Garden Way NE Access**

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

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

**Finding**—The proposed driveway is located at the terminus of the Rose Garden Way NE cul-de-sac. The driveway meets the standards for a Local street pursuant to SRC 804 and PWDS.

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

**Finding**—The subject property is undeveloped, and the driveway approach is located along a newly constructed portion of Rose Garden Way NE. There are no site conditions prohibiting the location of the proposed driveway.

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

**Finding**—The proposed driveway is taking access from a Local 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 driveway is taking access from a Local street. Shared access is not beneficial or warranted for a cul-de-sac street. Therefore, the driveway takes access from the lowest classification of street abutting the subject property.

**(5) Proposed driveway approach meets vision clearance standards;**

**Finding**—The proposed driveway has adequate vision clearance, being located at the terminus of Rose Garden Way NE. The 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**—The proposed driveway will not create a known traffic hazard and will provide for safe turning movements for access to the subject property.

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

**Finding**—The driveway approach takes access to Rose Garden Way NE, which is a cul-de-sac street taking access from Portland Road NE, a Major Arterial street. The location of the proposed driveway 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 nearest adjacent street is Portland Road NE, a Major Arterial street with sufficient capacity to serve the additional traffic generated by the proposed development. The proposed driveway approach is located on a Local street and does not create a significant impact to adjacent streets and intersections.

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

**Finding**— The proposed driveway approach onto Rose Garden Way NE is not located in the vicinity of a residentially zoned area. The proposed driveway will not have an effect on the functionality of the adjacent streets.

**CRITERIA AND FINDINGS- DRIVEWAY ACCESS PERMIT**

**Highway Avenue NE Access**

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

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

**Finding**—The proposed driveway is located on a Local street. The driveway meets the standards for a Local street pursuant to SRC 804 and PWDS.

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

**Finding**—The proposed driveway is located in an area of existing homes along Highway Avenue NE. The applicant's site plan does not show any obstructions to the proposed driveway. City records indicate that one or more existing trees may need to be removed in order to construct the proposed driveway in accordance with SRC 808. One existing tree in the right-of-way east of the proposed driveway may provide limited obstruction to vision as authorized in SRC 805.010(b). Therefore, there do not appear to be any site conditions prohibiting the location of the proposed driveway.

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

**Finding**—The proposed driveway is taking access from a Local 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 driveway is taking access from a Local street. Shared access is not recommended because of the limited size of the abutting lots along Highway Avenue NE. The driveway takes access from the lowest classification of street abutting the subject property.

**(5) Proposed driveway approach meets vision clearance standards;**

**Finding**—The proposed driveway has adequate vision clearance, being located at the terminus of Rose Garden Way NE. One existing tree in the right-of-way east of the proposed driveway may provide limited obstruction to vision as authorized in SRC 805.010(b). The 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**—The proposed driveway is located on a Local street with a 30-foot paved width, which is sufficient for safe turning movements. The driveway will not create a traffic hazard and will provide for safe turning movements for access to the subject property.

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

**Finding**—The driveway approach takes access to Highway Avenue NE, which is a 1,500-foot-long Local street that connects directly to Portland Road NE on the west and Silverton Road NE on the east, both Major Arterial streets. The location of the proposed driveway 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 nearest adjacent streets are Portland Road NE and Silverton Road NE, both of which are Major Arterial streets with sufficient capacity to serve the additional traffic generated by the proposed development. The proposed driveway approach is located on a Local street and does not create a significant impact to adjacent streets and intersections.

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

**Finding**—Highway Avenue NE has a mix of zoning designations in the vicinity of the subject property. The zoning designations along the south side of Highway Avenue NE are Commercial Retail and Public Service; the designations along the north side are Commercial Office, Commercial Retail, and Multifamily Residential 2. A limited area is zoned residential, and Highway Avenue NE is a 1,500-foot-long Local street that connects directly to Portland Road NE on the west and Silverton Road NE on the east, both Major Arterial streets. This driveway will not have a significant effect on residentially zoned property or on the functionality of the adjacent streets.

Prepared by: Nathan Coapstick, Project Coordinator  
cc: File



## ATTACHMENT E

DAVID FRIDENMAKER, Manager  
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Christy Perry, Superintendent

December 22, 2016

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

FAX No. 503-588-6005

RE: Land Use Activity  
Salem Case No. CU16-13, 3350 Portland Rd. NE

### SUMMARY OF COMMENTS

School Assignment: Hallman Elementary School, Waldo Middle School & McKay High School  
School Capacity: Sufficient school capacity currently exists to serve the proposed development at Hallman Elementary School and Waldo Middle School, but does not currently exist at McKay High School

School Transportation Services: Students residing at the proposed development location will be eligible for school transportation services to Hallman Elementary School and McKay High School, and will be within the walk zone of Waldo Middle School.

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

### ELEMENTARY SCHOOL INFORMATION (GRADES K TO 5)

1. School Name: Hallman Elementary School
2. Estimated change in student enrollment due to proposed development: 36
3. Current school capacity: 444
4. Estimate of school enrollment including new development: 433
5. Ratio of estimated school enrollment to total capacity including new development: 98%.
6. Walk Zone Review: Eligible for transportation to Elementary School
7. Estimate of additional students due to previous 2015 land use applications: 11
8. Estimate of additional students due to previous 2016 land use applications: 0
9. Estimated cumulative impact of 2015-16 land use actions on school capacity: 100% of capacity.

### MIDDLE SCHOOL INFORMATION (GRADES 6 TO 8)

1. School Name: Waldo Middle School
2. Estimated change in student enrollment due to proposed development: 14
3. Current school capacity: 1,108
4. Estimate of school enrollment including new development: 994
5. Ratio of estimated school enrollment to total capacity including new development: 90%
6. Walk Zone Review: Within walk zone of Middle School.

7. Estimate of additional students due to previous 2015 land use applications: 5
8. Estimate of additional students due to previous 2016 land use applications: 3
9. Estimated cumulative impact of 2015-16 land use actions on school capacity: 90% of capacity.

#### HIGH SCHOOL INFORMATION (GRADES 9 TO 12)

1. School Name: McKay High School
2. Estimated change in student enrollment due to proposed development: 15
3. Current school capacity: 2,458
4. Estimate of school enrollment including new development: 2,470
5. Ratio of estimated school enrollment to total capacity including new development: 100%
6. Walk Zone Review: Eligible for transportation to High School.
7. Estimate of additional students due to previous 2015 land use applications: 11
8. Estimate of additional students due to previous 2016 land use applications: 11
9. Estimated cumulative impact of 2015-16 land use actions on school capacity: 101% of capacity.

#### ESTIMATE SUMMARY (GRADES K TO 12):


1. Total estimated change in student enrollment: 65
2. Total estimated student enrollment over capacity: 12
3. Total estimated capital costs for new schools for new school capacity: \$556,668

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

#### ASSUMPTIONS:

1. When land use request is granted, 180 new residence(s) will be built.
2. Estimates are computed using the Student Rate per Dwelling Method described in the District's Facility Study for years 2001-2020.
3. In our region, the median costs for new schools are \$50,831 per student for elementary schools, \$54,625 per student for middle schools and \$46,389 per student for high schools.<sup>1</sup>

Sincerely,

  
David Fridenmaker, Manager  
Planning and Property Services

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

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