## DECISION OF THE PLANNING ADMINISTRATOR

## CLASS 3 SITE PLAN REVIEW / CLASS 2 DRIVEWAY APPROACH PERMIT / TREE REGULATION VARIANCE / CLASS 1 ADJUSTMENT / CLASS 1 DESIGN REVIEW CASE NO.: SPR-DAP-TRV-ADJ-DR17-29

APPLICATION NO. : 17-119923-RP, 17-119926-DR, 17-121982-NR, 18-101974-ZO
NOTICE OF DECISION DATE: MARCH 13, 2018
SUMMARY: Proposed development of a new 322 dwelling unit multi-family apartment complex.

REQUEST: A Class 3 Site Plan Review, Class 2 Driveway Approach Permit, and Class 1 Design Review for development of a new multi-family apartment complex containing 31 buildings and a total of 322 dwelling units, with a Tree Regulation Variance request to remove one significant tree from the property, an Oregon White Oak, approximately 30 inches in diameter at breast height, and a Class 1 Adjustment to reduce the spacing requirement for a proposed driveway on Orchard Heights Road NW from 370 feet per SRC 804.035(d) to 347 feet, a 6.2 percent reduction to the standard.

For property approximately 16.9 acres in size, zoned RM-II (Multi-Family Residential), and located at the 1800-2000 Block of Linwood Street NW - 97304 (Polk County Assessor's Map and Tax Lot number: 073W16C / 000102).

APPLICANT: Jeff Gordon for Orchard Heights Apartments LLC
LOCATION: 1800-2000 Block of Linwood Street NW / 97304
CRITERIA: Class 3 Site Plan Review: SRC 220.005(f)(3)
Class 2 Driveway Approach Permit: SRC 804.025(d)
Tree Regulation Variance: SRC 808.045
Class 1 Adjustment: SRC 250.005(d)(1)
Class 1 Design Review: SRC 225.005(e)(1)
FINDINGS: The findings are in the attached Decision dated March 13, 2018.
DECISION: The Planning Administrator APPROVED Class 3 Site Plan Review / Class 2 Driveway Approach Permit / Tree Regulation Variance / Class 1 Adjustment / Class 1 Design Review Case No. SPR-DAP-TRV-ADJ-DR17-29 subject to SRC Chapters 220, 225, 250, 804, 808, and 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: At the time of building permit application, the plans for the solid waste enclosure shall include a roof over the recycling area, meeting the applicable vertical clearance requirements of SRC 800.055(b)(3).

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Condition 2: The concrete pad for the solid waste enclosure shall be structurally engineered or in compliance with the manufacturer specifications and shall have a slope of no more than three-percent.

Condition 3: Construct a half-street improvement to Minor Arterial street standards consistent with the recommendations specified in the Traffic Impact Analysis and as approved by the Public Works Director. Curb-line sidewalks are permitted along Orchard Heights Road and Linwood Avenue as shown on the applicant's site plan.

Condition 4: Convey land for dedication to equal a half-width right-of-way of 36-feet along the entire frontage of Orchard Heights Road NW.

Condition 5: Construct sidewalk improvements along the frontage of 1417 Orchard Heights Road NW (tax lot 073W16C000100). Curb-line sidewalks are permitted.

Condition 6: Pursuant to Public Works Design Standards (PWDS), the applicant shall extend the public storm drain located at the northeast corner of the site and terminate it in an approved stormwater structure. All weather access will not be required to this structure. Provide a 15 -foot public storm easement along the full length of the proposed storm extension.

Condition 7: Extend public sewer to serve the proposed development in an alignment approved by the Public Works Director. Provide all necessary access and maintenance easements in conformance with PWDS. The proposed extension at the northeast corner of the subject property will not be permitted.

Condition 8: Provide a public sewer connection to 1417 Orchard Heights Road NW (tax lot 073W16C000100) and coordinate decommission of the existing septic system that encroaches onto the subject property.

Condition 9: A minimum of two Oregon White Oaks (Quercus garryana), with a minimum caliper of 2", shall be incorporated into the landscape design and replanted for the proposed development.

Condition 10: A minimum six-foot-tall, decorative, sight-obscuring fence or wall shall be provided where the development site abuts property zoned RA (Residential Agriculture) or RS (Single Family Residential). Chain link fencing with slats shall not be allowed to satisfy this condition.

Condition 11: The horizontal length of the roof ridge for all buildings shall not exceed 100 feet without a change in elevation of at least 4 feet.

The rights granted by the attached decision for Class 3 Site Plan Review Case No. SPR-DAP-TRV-ADJ-DR 17-29 must be exercised by March 29, 2022 or this approval shall be null and void.

The rights granted by the attached decision for Class 2 Driveway Approach Permit Case No. SPR-DAP-TRV-ADJ-DR 17-29 must be exercised or an extension granted by March 29, 2020 or this approval shall be null and void. The rights granted by the attached decision for Tree Regulation Variance Case No. SPR-DAP-TRV-ADJ-DR 17-29 must be exercised or an extension granted by March 29, 2020 or this approval shall be null and void. The rights granted by the attached decision for Class 1 Adjustment Case No. SPR-DAP-TRV-ADJ-DR 17-29 must be exercised or an extension granted by March 29, 2020 or this approval shall be null and void. The rights granted by the attached decision for Class 1 Design Review Case No. SPR-DAP-TRV-ADJ-DR 17-29 must be exercised or an extension granted by March 29, 2020 or this approval shall be null and void.

Application Deemed Complete: December 6, 2017
Notice of Decision Mailing Date:
Decision Effective Date:
State Mandated Decision Date:
March 13, 2018
March 29, 2018
May 20, 2018
Case Manager: Aaron Panko, APanko@cityofsalem.net; 503.540.2356
This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, no later than 5:00 p.m., Wednesday, March 28, 2018. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 220, 225, 250, 804 \& 808. 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 Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer 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.

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

# BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM <br> SITE PLAN REVIEW, DRIVEWAY APPROACH PERMIT, TREE REGULATION VARIANCE, ADJUSTMENT, AND DESIGN REVIEW <br> CASE NO. SPR-DAP-TRV-ADJ-DAP17-29 <br> DECISION 

IN THE MATTER OF APPROVAL OF SITE PLAN REVIEW, DRIVEWAY APPROACH PERMIT, TREE REGULATION VARIANCE, ADJUSTMENT AND DESIGN REVIEW CASE NO. 17-29 1800-2000 BLOCK OF LINWOOD STREET NW

) CLASS 3 SITE PLAN REVIEW, ) CLASS 2 DRIVEWAY APPROACH
) PERMIT, TREE REGULATION
) VARIANCE, CLASS 1 ADJUSTMENT
AND CLASS 1 DESIGN REVIEW )
) MARCH 13, 2018

In the matter of the application for a Class 3 Site Plan Review, Class 2 Driveway Approach Permit, Tree Regulation Variance, Class 1 Adjustment, and Class 1 Design Review submitted by Josh Wells, Westech Engineering Inc., on behalf of the applicant Orchard Heights Apartments LLC, represented by Jeff Gordon, the Planning Administrator, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

## REQUEST

Summary: Proposed development of a new 322 dwelling unit multi-family apartment complex.

Request: A Class 3 Site Plan Review, Class 2 Driveway Approach Permit, and Class 1 Design Review for development of a new multi-family apartment complex containing 31 buildings and a total of 322 dwelling units, with a Tree Regulation Variance request to remove one significant tree from the property, an Oregon White Oak approximately 30 inches in diameter at breast height, and a Class 1 Adjustment to reduce the spacing requirement for a proposed driveway on Orchard Heights Road NW from 370 feet per SRC $804.035(\mathrm{~d})$ to 347 feet, a 6.2 percent reduction to the standard.

For property approximately 16.9 acres in size, zoned RM-II (Multi-Family Residential), and located at the 1800-2000 Block of Linwood Street NW - 97304 (Polk County Assessor's Map and Tax Lot number: 073W16C / 000102).

A vicinity map illustrating the location of the property is attached hereto, and made a part of this staff report (Attachment A).

## 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: At the time of building permit application, the plans for the solid waste enclosure shall include a roof over the recycling area, meeting the applicable vertical clearance requirements of SRC 800.055(b)(3).

Condition 2: The concrete pad for the solid waste enclosure shall be structurally engineered or in compliance with the manufacturer specifications and shall have a slope of no more than three-percent.

Condition 3: Construct a half-street improvement to Minor Arterial street standards consistent with the recommendations specified in the Traffic Impact Analysis and as approved by the Public Works Director. Curb-line sidewalks are permitted along Orchard Heights Road and Linwood Avenue as shown on the applicant's site plan.

Condition 4: Convey land for dedication to equal a half-width right-of-way of 36 -feet along the entire frontage of Orchard Heights Road NW.

Condition 5: Construct sidewalk improvements along the frontage of 1417 Orchard Heights Road NW (tax lot 073W16C000100). Curb-line sidewalks are permitted.

Condition 6: Pursuant to Public Works Design Standards (PWDS), the applicant shall extend the public storm drain located at the northeast corner of the site and terminate it in an approved stormwater structure. All weather access will not be required to this structure. Provide a 15 -foot public storm easement along the full length of the proposed storm extension.

Condition 7: Extend public sewer to serve the proposed development in an alignment approved by the Public Works Director. Provide all necessary access and maintenance easements in conformance with PWDS. The proposed extension at the northeast corner of the subject property will not be permitted.

Condition 8: Provide a public sewer connection to 1417 Orchard Heights Road NW (tax lot 073W16C000100) and coordinate decommission of the existing septic system that encroaches onto the subject property.

Condition 9: A minimum of two Oregon White Oaks (Quercus garryana), with a minimum caliper of $2^{\prime \prime}$, shall be incorporated into the landscape design and replanted for the proposed development.

Condition 10: A minimum six-foot-tall, decorative, sight-obscuring fence or wall shall be provided where the development site abuts property zoned RA (Residential Agriculture) or RS (Single Family Residential). Chain link fencing with slats shall not be allowed to satisfy this condition.

Condition 11: The horizontal length of the roof ridge for all buildings shall not exceed 100 feet without a change in elevation of at least 4 feet.

## FINDINGS

## 1. Class 3 Site Plan Review Applicability

Site plan review is intended to provide a unified, consistent, and efficient means to review proposed development that requires a building permit, other than single-family, duplex residential, and installation of signs, to ensure that such development meets all applicable requirements imposed by the Salem Revised Code (SRC). SRC
220.005(b)(3) requires Class 3 Site Plan Review for any development that requires a building permit, and that involves a land use decision or limited land use decision, as those terms are defined in ORS 197.015.

Class 3 Site Plan Review is required for this application pursuant to SRC 220.005(b)(3)(A) because a traffic impact analysis is required, pursuant to SRC 220.005(b)(3)(C) because a Class 2 Driveway Approach Permit is required for the proposed driveway location on Linwood Street NW and Orchard Heights Road NW and pursuant to SRC 220.005(b)(3)(F) because a Class 1 Adjustment is required for the driveway location on Orchard Heights Road NW and because a Tree Regulation Variance has been requested to remove one significant tree from the property.

## 2. Background

As part of the citywide Salem Multiple-Family Residential Land Study, the Comprehensive Plan designation of the subject property was changed to "Multi-Family Residential" in 1998 (Ordinance No. 92-98) and rezoned to a combination of RM-I and RM-II zoning in 2001 (Ordinance No. 36-2001).

In 2015, a Zone Change application was approved (ZC15-05) to change the zoning for the northern portion of property from RM-I to RM-II. The entire property is currently zoned RM-II.

On October 5, 2017, Class 3 Site Plan Review, Class 2 Driveway Approach Permit and Class 1 Design Review applications were submitted for the proposed development. A Tree Regulation Variance application was submitted on November 9, 2017. After
additional information was received, the applications were deemed complete for processing on December 6, 2017 and notice of filing was sent to surrounding property owners and the West Salem Neighborhood Association.

During staff's analysis of the application it was discovered that the proposed location for the driveway approach onto Orchard Heights Road NW did not comply with driveway approach spacing standard found in SRC 804.035(d) which requires new driveway approaches to have a minimum spacing of no less than 370 feet from the nearest driveway or street intersection measured from centerline to centerline. An existing driveway approach serving a single family dwelling is located approximately 347 feet west of the proposed driveway approach.

A Class 1 Adjustment application was filed on January 4, 2018 to reduce the driveway approach spacing requirement from 370 feet to 347 feet. An amended notice of filing was sent to surrounding property owners and the West Salem Neighborhood Association with the new Class 1 Adjustment request on January 19, 2018.

The applicant's proposed development plans are included as Attachment B and a written summary from the applicant addressing the applicable approval criteria for each application is included as Attachment C.

To allow for additional processing of the application with the Class 1 Adjustment, the applicant granted an extension to the 120-day State Mandated Decision dated for this case extending the date from April 5, 2018 to May 20, 2018.

## Neighborhood and Citizen Comments:

Notice of the application was sent to the West Salem Neighborhood Association (WSNA) and all property owners of record within 250 feet of the subject property. Comments were not received from the West Salem Neighborhood Association. Twentyone public comments were received objecting to the proposed development. A summary of the issues raised is included below:

1) Several of the comments received objected to the amount of additional traffic the proposed development will add to an already congested area and suggested that issues with traffic congestion on the existing bridges be resolved before any new development is approved in West Salem.

Staff Response: The cumulative impacts of development in West Salem has been thoroughly discussed in the Salem River Crossing Draft Environmental Impact Statement. Until additional capacity is added over the Willamette River, West Salem will continue to have traffic issues on Wallace Road NW. The Marion Street and Center Street Bridges are the "bottle neck" that everyone must travel through to get to the east side of the Willamette River. There are currently over 100,000 vehicles per day that cross the bridges, many of those vehicles are commuters that live or work in other communities and must use these bridges to get to their destinations.

Wallace Road NW through West Salem is under the jurisdiction of the Oregon Department of Transportation (ODOT). Any major improvement to increase capacity along the corridor would need to be clearly identified in the Salem Transportation System Plan (TSP) and in Mid-Willamette Valley Council of Governments Regional Transportation System Plan. Currently, the plans identify the extension of Marine Drive NW as a project to help with capacity issues, but do not identify any other improvements to Wallace Road NW.

Halting development in an area of the city would require City Council to declare a "Moratorium of Construction or Land Development." The State of Oregon has a specific process that local jurisdictions must follow in order to enact a moratorium. Oregon Revised Statute (ORS) 197.505 describes the manner of declaring a moratorium and the time limit associated with a moratorium. The law also requires that housing and economic development needs are accommodated as much as possible.
2) Informal trails on the vacant property are currently being used by nearby residents to access Orchard Heights Park. The applicant should be required to dedicate an easement and provide a pathway through the property to connect to Orchard Heights Park.

Staff Response: As a condition of development the applicant will be required to construct sidewalks along the property frontage of Linwood Street NW and Orchard Heights Road NW, this will help provide a pathway for pedestrian travel along a public way. Future pathways or sidewalks along Orchard Heights Road NW will provide a continuous direct pedestrian route to Orchard Heights Park.
3) Several comments suggested additional off-site traffic improvements shall be required with this development, including:
a) The applicant should acquire right-of-way and construct a street connection extending Harritt Drive NW to Linwood Street, providing another road connection to Wallace Road NW.
b) School children on the east side of Wallace Road NW should be provided safe access to walk or bike to school along Harritt Drive NW.
c) The applicant should be required to construct Marine Drive NW to provide a route for residents of the apartments to the West Salem Town Center area without traveling on Wallace Road NW.

Staff Response: The applicant has provided a Traffic Impact Analysis for the proposed development prepared by DKS Associates, dated June 7, 2017. The subject property has frontage along two streets, Linwood Street NW which is designated as a collector street and Orchard Heights Road NW which is designated as a minor arterial street. Sufficient capacity is identified in the surrounding transportation system plan to accommodate the proposed development without requiring an extension of Harritt Drive NW.

Dedication of right-of-way and construction of portions of Marine Drive NW have been conditions of development for properties that abut Marine Drive NW. The other portions of Marine Drive NW that have not yet developed will require a City-funded project to acquire the necessary right-of-way and complete the construction. The funding would likely need to be a transportation bond measure.

Additionally, when land is developed, case law (Nolan and Dolan) prohibits the City from assessing mitigation that is not commensurate with their impacts. The traffic impact for the proposed development does warrant the suggested off-site improvements, dedication and construction of a street connection extending Harritt Drive NW, or a portion of Marine Drive NW is not a condition of this development.
4) Previous zone changes for the property did not properly address traffic impacts for this property. Additional traffic study of the prior and future developments on the Linbeck property west of Linwood Street NW should be required.

Staff Response: At the time of the previous zone change for the subject property the potential impact of the zone change on the transportation system was evaluated by the City Traffic Engineer. The change in zoning increased the potential number of dwelling units for the subject property. A Traffic Impact Analysis was not required with the zone change, however it was noted that at the time of development a Traffic Impact Analysis based on the development proposed for the site will be required and reviewed for conformance with City standards.

The Traffic Impact Analysis prepared by DKS Associates, dated June 2017, includes an analysis of existing and future planned developments in the area and provides an operating year traffic forecast. The Traffic Impact Analysis has been reviewed by the Assistant City Traffic Engineer and found to be consistent with City standards.
5) Impact of the proposed development on schools.

Staff Response: The Salem Keizer Public Schools has reviewed the proposal and provided a memo dated December 13, 2017, which is included in the attachments, outlining the impact of the proposed development on the Salem-Keizer School District.

## City Department Comments:

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

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

The Fire Department has reviewed the proposal and indicated that Fire Department access, fire flow, and fire hydrant locations shall be in accordance with the Salem Fire Prevention Code (SRC 58). Developments in excess of 200 multi-family dwellings shall
be provided with separate and approved fire apparatus access roads. Aerial access may be required pending building height. The Fire Department will address these items at time of building permit plan review.

## Public Agency Comments:

Salem Keizer Public Schools has reviewed the proposal and provided a memo which is included as Attachment E .

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

SRC 220.005(f)(3) states:
An application for Class 3 Site Plan Review shall be granted if:
(1) The application meets all applicable standards of the UDC;
(2) The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately;
(3) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians; and
(4) The proposed development will be adequately served with City water, sewer, stormwater facilities, and other utilities appropriate to the nature of the development.

## Criterion 1:

## The application meets all applicable standards of the UDC.

Finding: The proposal includes development of a new multi-family apartment complex containing 31 building and a total of 322 dwelling units. The subject property is zoned RM-II (Multi-Family Residential), the following is a summary of the applicable development standards for the proposed development.

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

SRC 514.005(a) - Uses:
The permitted, special, conditional and prohibited uses in the RM-II zone are set forth in Table 514-1.

Finding: The proposed use for the property is a 322 -unit multiple family apartment complex. Per SRC Chapter 514, Table 514-1, multiple family uses are permitted in the RM-II zone.

## SRC 514.010(b) - Lot Standards:

Lots within the RM-II zone shall conform to the standards set forth in Table 514-2. The minimum lot area requirement is 6,000 square feet, minimum lot width is 40 feet and
minimum lot depth is 80 feet. All uses are required to have a minimum of 40 feet of street frontage.

Finding: The subject property is approximately 16.89 acres in size and the lot dimensions exceed minimum requirements of the RM-II zone.

## SRC 514.010(c) - Dwelling Unit Density:

Dwelling unit density within the RM-II zone shall conform to the standards set forth in Table 514-3, which requires a minimum of 12 dwelling units per acre and allows a maximum of 28 dwelling units per acre.

Finding: The subject property is approximately 16.89 acres in size requiring a minimum of 203 dwelling units and allowing a maximum of 473 dwelling units. The proposed development includes 322 dwelling units, consistent with the minimum and maximum dwelling unit density requirement for the RM-II zone.

SRC 514.010(d) - RM-II Zone Setbacks:
Setbacks within the RM-II zone shall be provided as set forth in Tables 514-4 and 5145.

## Abutting a Street

South: Adjacent to the south is the right-of-way for Orchard Heights Road NW. There is a minimum 12 foot building setback, plus one foot for each one foot of height over 12 feet, but need not exceed 20 feet in depth. Vehicle use areas are required to be setback 12 feet per SRC Chapter 514, however, the multi-family design standards of SRC Chapter 702 require a greater vehicle use area setback adjacent to a street.

Finding: Proposed buildings A15, B7 and C6 are placed on the 20 foot setback line adjacent to Orchard Heights Road NW, vehicle use areas are setback 85 feet or more.

West: Adjacent to the west is the right-of-way for Linwood Street NW. There is a minimum 12 foot building setback, plus one foot for each one foot of height over 12 feet, but need not exceed 20 feet in depth. Vehicle use areas are required to be setback 12 feet per SRC Chapter 514, however, the multi-family design standards of SRC Chapter 702 require a greater vehicle use area setback adjacent to a street.

Finding: Proposed building A1, B1, B2, B5 and the Community Center are placed on the 20 foot setback line adjacent to Linwood Street NW, vehicle use areas are setback 20 feet or more.

## Abutting an Interior Lot Line

North: Adjacent to the north is property zoned RS (Single Family Residential). A minimum 10 foot setback is required adjacent to a residential zone per Table 514-5. The
multi-family design standards of SRC Chapter 702 require additional building and vehicle use area setbacks adjacent to a RS zone.

Finding: Proposed buildings A2, B2, and C1 are setback approximately 57 feet from the northern property line adjacent to the RS zone, and the vehicle use area is setback approximately 128 feet, exceeding the minimum setback standard.

South: Adjacent to the south is property zoned RA (Residential Agriculture). A minimum 10 foot setback is required adjacent to a residential zone per Table 514-5. The multi-family design standards of SRC Chapter 702 require additional building and vehicle use area setbacks adjacent to a RA zone.

Finding: Proposed buildings A17 and C4 are setback approximately 40 feet from the southern property line adjacent to the RA zone, and the vehicle use area is setback approximately 105 feet, exceeding the minimum setback standard.

East: Adjacent to the east is property zoned RS (Single Family Residential) and PA (Public Amusement). A minimum 10 foot setback is required per Table 514-5 adjacent to the RS and PA zoned property. The multi-family design standards of SRC Chapter 702 require additional building and vehicle use area setbacks adjacent to the RS zoned property.

Finding: Proposed building A11, a garage building, and the trash compactor/recycling area are setback from the RS zoned property by approximately 43 feet, vehicle use areas are setback approximately 83 feet, exceeding the minimum setback.

Buildings A12, A13, A14, and C6 are setback approximately 28 feet from the PA zoned property, vehicle use areas are setback approximately 28 feet, exceeding the minimum setback.

West: Adjacent to the west is property zoned RA (Residential Agriculture). A minimum 10 foot setback is required adjacent to a residential zone per Table 514-5. The multifamily design standards of SRC Chapter 702 require additional building and vehicle use area setbacks adjacent to a RA zone.

Finding: Proposed building A15 and the maintenance shop are setback approximately 22 feet and the proposed vehicle use area setback is approximately 34 feet from the RA zone along the western property line, exceeding the minimum setback.

SRC 514.010(e) - Lot Coverage, Height:
Buildings and accessory structures within the RM-II zone shall conform to the lot coverage and height standards set forth in Table 514-6. The maximum lot coverage standard in the RM-II zone is 50 percent, buildings and accessory structures shall not exceed 50 feet in height.

Finding: The lot coverage proposed is approximately 18.5 percent, less than the maximum lot coverage. The maximum building height proposed is approximately 39 feet, less than the maximum height allowance in the RM-II zone.

SRC 514.010(g) - Landscaping:
(A) Setbacks. Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807.
(B) Vehicle Use Areas. Vehicle use areas shall be landscaped as provided under SRC Chapter 806 and SRC Chapter 807.

Finding: The preliminary landscape plans indicate that setbacks and vehicle use areas will be landscaped meeting the standards of SRC Chapters 806 and 807 . Final landscaping plans will be reviewed for conformance with the minimum landscape requirements at the time of building permit application.

## Solid Waste Service Areas SRC 800

SRC 800.055(a) - Applicability.
Solid waste service area design standards shall apply to all new solid waste, recycling, and compostable services areas, where use of a solid waste, recycling, and compostable receptacle of 1 cubic yard or larger is proposed.

Finding: The proposed development will have one large solid waste and recycling area approximately 25 feet by 30 feet. The enclosed area will have a 20 yard compactor and receptacles for mixed recycling. The standards of SRC Chapter 800.055 apply to this area.

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 consistent with the overall stormwater management plan for the site approved by the Public Works Director.

Finding: The proposed development plans show the pad area for the solid waste service area will be on a concrete pad and will be sloped to comply with stormwater runoff standards.

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; and
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 dimensions for the proposed concrete pad for the solid waste area comply with the standards of this section.
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 receptacles will have a minimum separation of 1.5 feet from the sidewall within the enclosure. The proposed receptacles are located more than 5 feet from any combustible walls, combustible roof eave lines, or building or structure openings, in compliance with this provision.

## 3) Vertical Clearance.

a. Receptacles 2 cubic years 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 years in size shall be provided with a minimum of 14 feet of unobstructed overhead or vertical clearance for servicing.

Finding: The proposed enclosure does not include a roof over the recycling area as required by SRC $702.040(\mathrm{a})(2)(\mathrm{B})$. At the time of building permit application, the plans for the solid waste enclosure shall include a roof over the recycling area, meeting the applicable vertical clearance requirements of this section.

Condition 1: At the time of building permit application, the plans for the solid waste enclosure shall include a roof over the recycling area, meeting the applicable vertical clearance requirements of SRC 800.055(b)(3).

SRC 800.055(c) - Permanent Drop Box and Compactor Placement Standards.
2) All permanent compactors shall be placed on a concrete pad that is structurally engineered or in compliance with the manufacturer specifications. The pad shall have a slope of no more than three percent and shall be designed to discharge stormwater runoff consistent with the overall stormwater management plan for the site approved by the Director.

Finding: A 20 -yard compactor is proposed within the solid waste enclosure. The development plans do not indicate how thick the concrete pad will be.

Condition 2: The concrete pad for the solid waste enclosure shall be structurally engineered or in compliance with the manufacturer specifications and shall have a slope of no more than three-percent.
3) Pad Area. The pad area shall be a minimum of 12 feet in width. The pad area shall extend a minimum of five feet beyond the rear of the permanent drop box or compactor.

Finding: The plans indicate that the concrete pad will have a width of approximately 32.5 feet and will extend 15 feet beyond the front of the enclosure, exceeding the minimum standard.
4) Minimum separation. A minimum separation of five feet shall be provided between the permanent drop box or compactor and any combustible walls, combustible roof eave lines, or building or structure openings.

Finding: The proposed compactor will be a minimum of five feet from combustible walls, roof eave lines or building/structure openings.

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

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

Finding: The proposed solid waste receptacles and compactor are located within an enclosure, screening the service area from view from streets and abutting properties. Additional screening of the solid waste service area is not required.

SRC 800.055(e) - Solid Waste Service Area Enclosure 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 front opening width of the enclosure is approximately 24 feet, in compliance with the minimum standard.
2) Measures to Prevent Damage to Enclosure.
a. Enclosures constructed of wood or chain link fencing material shall contain a minimum 4-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the enclosure to prevent damage from receptacle impacts.
b. 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.

Finding: The proposed development plans indicate that the enclosure will be $2 \times 4$ framing with siding and a steel-frame metal gate. A 12" curb will be provided on the inside perimeter to protect the enclosure in compliance with this section.
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 gate shall open a minimum of 120 degrees. For any opening that is 15 feet or greater in width, the gates shall open a minimum of 90 degrees. All gates shall have restrainers in the open and closed positions.

Finding: The proposed enclosure gate is greater than 24 feet in width, the enclosure gate will open a minimum of 90 degrees for servicing.

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: The proposed development plans indicate that adequate space for vehicle operation, exceeding the minimum standards, is provided in front of the enclosure. Service vehicles have space within the complex to safely maneuver without requiring a service vehicle to back out onto a public street or leave the premises.

## 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.

SRC 806.015 - Amount of Off-Street Parking.
a) Minimum Required Off-Street Parking. The minimum off-street parking requirement for multi-family residential uses 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 offstreet 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 development includes construction of a new 322-unit multifamily apartment complex, which requires a minimum of 483 spaces ( $322 \times 1.5=483$ ). A maximum of 845 spaces are permitted. Carpool and vanpool parking is not required for a multi-family use.

The summary table indicates that 582 off-street parking spaces are provided, including 566 standard size spaces, 4 compact spaces and 12 ADA compliant parking spaces, meeting the requirements of this section.

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.

Adjacent to Buildings and Structures: The off-street parking or vehicle use area shall be setback from the exterior wall of the building or structure by a minimum 5 foot wide landscape strip or by a minimum 5 foot wide paved pedestrian walkway.

Finding: The proposed vehicle use area complies with the minimum perimeter setback standards of SRC Chapter 806 and setback requirements adjacent to a building or structure.
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 parking area for the development site is approximately 198,360 square feet in size, requiring a minimum of 15,869 square feet of interior parking lot landscape area ( $198,360 \times 0.08=15,868.8$ ). Approximately 23,148 square feet (11.6 percent) of interior parking lot landscaping is proposed, which exceeds the minimum interior parking lot landscaping requirement.

A minimum of one deciduous shade trees shall be planted for every 12 parking spaces within the off-street parking area, in this case a minimum of 49 shade trees are required (582 / $12=48.5$ ). Approximately 64 shade trees are provided in the proposed off-street parking area. Landscape islands and planter bays shall have a minimum planting area of 25 square feet, and shall have a minimum width of 5 feet.
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, compact spaces shall be marked per SRC 806.035(k)(2).

The proposed off-street parking area is screened from abutting residentially zoned property by a combination of landscaping and fencing.

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

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

## Bicycle Parking

SRC 806.045-General Applicability.
Bicycle parking shall be provided and maintained for each proposed new use or activity.

## SRC 806.055 - Amount of Bicycle Parking.

The minimum bicycle parking requirement for a multi-family use is the greater of 4 spaces or 0.1 space per dwelling unit.

Finding: The proposed multi-family use includes 322 dwelling units, requiring a minimum of 32 bicycle parking spaces.

A total of 32 bicycle parking spaces are required for the proposed use (322 $0.1=$ 32.2). The site plan indicates that 50 bicycle parking spaces will be provided for the development.

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 bicycle parking spaces will be distributed throughout the development site in compliance with this section.

## Off-Street Loading Areas

SRC 806.065-General Applicability.
Off-street loading areas shall be provided and maintained for each proposed new use or activity.

SRC 806.075 - Amount of Off-Street Loading.
Multi-family uses containing more than 200 dwelling units require a minimum of three off-street loading spaces. The minimum dimensions for the off street loading space is 12 feet in width, 19 feet in length and 12 feet of vertical clearance.

If a recreational or service building is provided, at least one of the required loading spaces shall be located in conjunction with the recreational or service building.

Finding: The proposed site plan indicates that three off-street loading spaces will be provided throughout the development site meeting the minimum dimensional requirements of SRC Chapter 806.

## Landscaping

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

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

Finding: The proposed site plan indicates that approximately 74,430 square feet of landscaping will be provided in setback areas and as part of the interior off-street parking area landscaping. This amount of landscape area requires a minimum of 3,722 plant units ( $74,430 / 20=3,722=1.5$ ). Of the required plant units, a minimum of 40 percent, or 1,489 plant units $(3,722 \times 0.4=1,488.8)$ are required to be trees.

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

## Natural Resources

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.

Significant trees are identified on the subject property, the applicant has requested a Tree Regulation Variance pursuant to SRC 808.045 to allow for the removal of one significant tree, see Section 5 of this report.

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 mapped wetlands present, but there are hydric soils on the subject property. The applicant should contact the Department of State Lands to verify if permits are required for the proposed development.

SRC 810 - Landslide Hazards: A geological assessment or report is required when regulated activity is proposed in a mapped landslide hazard area. The subject property contains areas of mapped landslide hazards equal to 2 points. The proposed multifamily development is assigned 2 activity points. A total of 4 points indicates a low
landslide hazard risk; a geological assessment is not required for the proposed development.

Even though not a requirement per SRC Chapter 810, the applicant has provided a geotechnical report prepared for the subject property by Carlson Geotechnical dated August 3, 2018.

## Criterion 2:

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

Finding: The existing configuration of Linwood Street NW meets current standards for its classification of street per the Salem TSP, with the exception of sidewalks and street trees. The applicant's preliminary plan shows installation of street trees and construction of sidewalk along the entire development frontage, including construction of curb and sidewalk along the parcel at the northeast corner of the Linwood Street NW and Orchard Heights Road NW intersection. The sidewalks may be installed along the curb line as shown on the applicant's site plan in order to preserve existing street trees pursuant to SRC $803.035(1)$.

The existing configuration of Orchard Heights Road NW does not meet current standards for its classification of street per the Salem TSP. The applicant submitted a Transportation Impact Analysis (TIA) as part of the application materials. The TIA recommends a two-way center left turn lane to be constructed along Orchard Heights Road NW, which is depicted on the applicant's site plan. The City Traffic Engineer concurs with these findings. Required street improvements and right-of-way dedication are specified in the conditions of approval consistent with SRC Chapter 803. The sidewalks may be installed along the curb line as shown on the applicant's site plan in order to preserve existing street trees pursuant to SRC 803.035(I).

Condition 3: Construct a half-street improvement to Minor Arterial street standards consistent with the recommendations specified in the Traffic Impact Analysis and as approved by the Public Works Director. Curb-line sidewalks are permitted along Orchard Heights Road and Linwood Avenue as shown on the applicant's site plan.

Condition 4: Convey land for dedication to equal a half-width right-of-way of 36 -feet along the entire frontage of Orchard Heights Road NW.

In order to prevent traffic conflicts between vehicles and pedestrians, the applicant shall be required to construct sidewalk improvements along the frontage of 1417 Orchard Heights Road NW (tax lot 073W16C000100). Curb-line sidewalks are permitted in order to preserve existing street trees and in order to prevent the need for acquisition of additional right-of-way from the neighboring property.

Condition 5: Construct sidewalk improvements along the frontage of 1417 Orchard Heights Road NW (tax lot 073W16C000100). Curb-line sidewalks are permitted.

## Criterion 3:

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

Finding: The driveway accesses onto Orchard Heights Road NW and Linwood Street NW provides for safe turning movements into and out of the property, as detailed in the Class 2 Driveway Approach Permit findings.

## Criterion 4:

## The proposed development will be adequately served with City water, sewer,

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

As specified in the conditions of approval, the applicant shall dedicate a 15 -foot public storm easement along the full length of the proposed 8-inch storm main extension at the northeast corner of the subject property. Public Works has determined that access to the proposed public storm main extension can be achieved by way of the internal parking area of the proposed development.

Condition 6: Pursuant to Public Works Design Standards (PWDS), the applicant shall extend the public storm drain located at the northeast corner of the site and terminate it in an approved stormwater structure. All weather access will not be required to this structure. Provide a 15-foot public storm easement along the full length of the proposed storm extension.

At the time of building permit application, the applicant shall provide a modified utility design for sewer service to serve the proposed development. The sewer design provided as part of the Site Plan Review application does not provide for full access to the proposed structures and will not be approved as shown.

Condition 7: Extend public sewer to serve the proposed development in an alignment approved by the Public Works Director. Provide all necessary access and maintenance easements in conformance with

PWDS. The proposed extension at the northeast corner of the subject property will not be permitted.

City records indicate that the existing septic and drain field that currently serve the dwelling at 1417 Orchard Heights Road NW (073W16C000100) may encroach onto the subject development property. To eliminate conflicts with the existing septic system, the applicant shall provide evidence of a public sewer connection to 1417 Orchard Heights Road and coordinate decommission of the existing septic system.

Condition 8: Provide a public sewer connection to 1417 Orchard Heights Road NW (tax lot 073W16C000100) and coordinate decommission of the existing septic system that encroaches onto the subject property.

The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4)(b) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible.

## 4. Analysis of Class 2 Driveway Approach Permit Approval Criteria

The approval criteria for a Class 2 Driveway Approach Permit are found in SRC 804.025(d), findings for each proposed driveway are included below.

## Driveway Approach Permit - Orchard Heights Road NW

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

Finding: The proposed driveway meets the standards of SRC Chapter 804 and PWDS, with the exception of the 370 -foot driveway spacing standard to the nearest driveway (SRC 804.035(d)), which is addressed in the Class 1 Adjustment findings.

## Criterion 2:

No site conditions prevent placing the driveway approach in the required location.
Finding: There are no site conditions prohibiting the location of the proposed driveway.

## Criterion 3:

The number of driveway approaches onto an arterial are minimized.
Finding: The applicant proposes a single driveway approach to Orchard Heights Road NW, which is allowed under SRC 804.035.

## 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 primary driveway to the subject property is proposed to be located on Linwood Street NW, which is classified as a collector street. The proposed driveway to Orchard Heights Road NW is necessary to provide safe site circulation and fire access to the site. Shared access with adjacent property to the north is not feasible due to the existing residential use of the property. The adjacent property to the east is an existing developed City of Salem park property with no access to Orchard Heights Road NW along the shared property boundary.

## Criterion 5:

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

## Criterion 6:

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

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

## Criterion 7:

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

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

## Criterion 8:

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

Finding: The proposed driveway approach minimizes the impact to the functionality of the adjacent Linwood Street NW intersection by locating the driveway more than the required 370 -foot distance measured to the centerline of that intersection.

## Criterion 9:

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

Finding: The subject property is residentially zoned. The driveway will not have an effect on the functionality of the adjacent properties or streets.

## Driveway Approach Permit - Linwood Street NW

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

Finding: The proposed driveway meets the standards for SRC Chapter 804 and PWDS.

## Criterion 2:

No site conditions prevent placing the driveway approach in the required location.
Finding: There are no site conditions prohibiting the location of the proposed driveway.

## Criterion 3:

The number of driveway approaches onto an arterial are minimized.
Finding: The proposed driveway approach is located on a collector 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 access to Linwood Street NW is to the lowest classification of street abutting the property.

## Criterion 5:

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

## Criterion 6:

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

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

## Criterion 7:

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

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

## Criterion 8:

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

Finding: The proposed 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 is appropriately aligned with the existing driveway access to the multi-family development on the west side of Linwood Street NW. The driveway will not adversely impact the functionality of the adjacent streets.

## 5. Analysis of Tree Regulation Variance Criteria

SRC Chapter 808.045(d) provides that an applicant for a Tree Regulation Variance shall be granted if either the hardship or economic use criteria is met. In this case the applicant has requested a Tree Regulation Variance under the hardship criteria found in SRC 808.045(d)(1), the applicable approval criteria is included below:

## Criterion 1:

There are special conditions that apply to the property which create unreasonable hardships or practical difficulties which can be effectively relieved by a variance.

Finding: The applicant is requesting to remove one significant tree, an Oregon white oak approximately 30 inches in diameter at breast height, located near the western property line adjacent to Linwood Street NW. The applicant identifies special conditions relating to the property in the area immediately surrounding the significant tree in question, including a fixed location for the driveway onto Linwood Street NW, grading of the site to provide ADA access to ground-level apartments and compliance with the zoning development standards, including dwelling unit density. To meet the development standards, the area near the significant tree will need a cut of approximately 10 feet below the existing grade. These site constraints and development requirements create a difficulty for designing a site layout that would reasonably preserve the significant tree. Staff finds that the request complies with this criterion.

## Criterion 2:

The proposed variance is the minimum necessary to allow the otherwise lawful proposed development or activity

Finding: The applicant is requesting the removal of one significant tree. Of the 41 existing trees on the subject property, the applicant is proposing to preserve 24 of the trees or 59 percent of the trees on the property. One other significant tree is located on the subject property near the southeast corner, this tree will be protected during construction and preserved. The applicant is requesting the minimum variance necessary to allow the proposed development. As a condition of approval, the applicant shall replant a minimum of two Oregon White Oaks at the time of development to mitigate for the removal of one significant tree.

Condition 9: A minimum of two Oregon White Oaks (Quercus garryana), with a minimum caliper of $2^{\prime \prime}$, shall be incorporated into the landscape design and replanted for the proposed development.

## 6. Analysis of Class 1 Adjustment Criteria

SRC Chapter 250.005(d)(1) provides that an applicant for a Class 1 Adjustment shall be granted if all of the following criteria are met:

## Criterion 1:

The purpose underlying the specific development standard proposed for adjustment is:
(a) Clearly inapplicable to the proposed development; or
(b) Clearly satisfied by the proposed development.

Finding: The applicant is requesting an Adjustment to decrease the driveway spacing from 370 -feet to 347 -feet between the proposed driveway to Orchard Heights Road NW and the existing residential driveway to the west, a total of 23 feet or a 6.2 percent reduction to the standards in SRC 804.035(d).

The applicant provided findings indicating that the proposed location provides the recommended sight distance specified by the Transportation Impact Analysis and prevents potential impacts to a significant White Oak tree adjacent to the property. The minor adjustment was reviewed by the City Traffic Engineer and it was determined that the proposed driveway location and spacing is equally or better meets the purpose underlying the spacing standard, and is thereby satisfied by the proposed development.

## Criterion 2:

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

Finding: The adjustment request was reviewed by the City Traffic Engineer and it was determined that the proposed driveway location and spacing maintains adequate visibility and will not unreasonably impact the functionality of Orchard Heights Road NW, or existing and potential uses in the area.

## 7. 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.

Multi-family development shall comply with either all of the applicable design review guidelines or all of the applicable design review standards set forth in this chapter.

A summary of the applicable design standards of SRC 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 16.89 acres in size ( $735,728 \mathrm{SF}$ ), requiring a minimum of 220,718 square feet of common open space area ( $735,728 \times 0.3$ $=220,718.4$ ). The applicant indicates that approximately 370,220 square feet (50 percent) of common open space area will be provided, exceeding the minimum standard. Approximately 51,282 square feet of common open space area is located in a required setback, approximately 14 percent of the required open space. No common open space areas are provided on a slope greater than 25 percent.

For a 322-unit apartment complex, SRC Chapter 702, Table 702-1 requires a common open space area with a minimum area of 4,750 square feet with a minimum horizontal dimension of 25 feet. The largest common open space area provided is approximately 11,535 square feet in size, with no dimension less than 30 feet, exceeding the minimum standard. In addition, an office/recreation building and pool and other large common open spaces are provided throughout the development.

### 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 322-unit apartment complex, SRC Chapter 702, Table 702-2 requires an outdoor children's play and or adult recreation area with a minimum area of 4,725 square feet. The applicant's summary table indicates that a child play/adult recreation area approximately 4,975 square feet in size is provided with no dimension less than 85 feet, exceeding the minimum standard.
(B) Outdoor children's play and/or adult recreation areas shall be located centrally within the development.

Finding: A children's play area is located in the center of the development which contains 4,975 square feet of area. In addition, children's play/adult recreation space is provided within the community center/pool.
(C) Outdoor children's play and/or adult recreation areas shall not be located within required setbacks.

Finding: Required outdoor children's play areas and adult recreation areas are provided near the center of the development site, not 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 areas and adult recreation areas are not provided within the stormwater detention areas for the development site.
(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 proposed children's play area will be enclosed with a 4-foot high fence, in compliance with this standard.

### 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 horizontal dimension of 6 feet for ground floor dwelling units, and a minimum private open space area of 48 square feet, with a minimum horizontal dimension of 6 feet for dwelling units on upper floors.

Each proposed ground floor dwelling unit has a private open space area containing a minimum of 96 square feet, and each second or third floor dwelling unit has a private open space area containing a minimum of 48 square feet. Each of the proposed private open space areas has no horizontal dimension less than 6 feet.
(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: Each of the ground level private open space areas is separated from common open space areas by trees and shrubs, consistent with this standard.
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 735,728 square feet in size, requiring a minimum of 368 trees $(735,728 / 2,000=367.8)$. The applicant indicates that 23 existing trees will be preserved and 345 new trees will be planted with the new development (Sheets L1.0, L1.1, L1.2, L1.3, L1.4 and L2.0), meeting 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 plans indicates that the canopy coverage a 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 has frontage on Linwood Street NW which is designated as a collector street, and Orchard Heights Road NW, which is designated as a minor arterial street. The applicant indicates that existing mature trees will be preserved along Orchard Heights Road NW, in addition, a combination of trees and shrubs will be planted along both street frontages that will provide screening for dwelling units with windows facing the street.
(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 has approximately 558 feet of frontage adjacent to a RS zone along the northern property line. Along the northern frontage a minimum of 19
trees are required to be planted. There are 25 trees proposed along the northern boundary.

The subject property has approximately 648 feet of frontage adjacent to a RS zone along the northeastern property line, requiring a minimum of 22 trees. There are 26 existing/proposed trees along the northeastern boundary.

The subject property has approximately 384 feet of frontage adjacent to a RA zoned property at the southwest corner, requiring a minimum of 13 trees, 17 trees are proposed along this boundary.

The proposed site plan (sheet C1.1) shows a 6 -foot tall decorative steel or wood sight obscuring fence proposed where the property abuts a RA or RS zoned property. Chain link fencing is not permitted adjacent to a RA or RS zone.

Condition 10: A minimum six-foot-tall, decorative, sight-obscuring fence or wall shall be provided where the development site abuts property zoned RA (Residential Agriculture) or RS (Single Family Residential). Chain link fencing with slats shall not be allowed to satisfy this condition.

### 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 plan indicates that trees along Orchard Heights Road NW and Linwood Street NW are spaced 40 feet apart meeting this standard.
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 entry way for the dwelling units.
(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 trees will be provided around the building exterior to meet this development standard.

Page 30
(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.

### 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 canopy trees will be provided and maintained along the perimeter of 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.
(B) Canopy trees shall be planted within planter bays (see Figure 702-5).

Finding: Canopy trees are provided within planter bays throughout the proposed offstreet parking area in compliance with this standard.
(C) Planter bays shall be a minimum width of 18 feet.

Finding: The proposed off-street parking area includes planter bays that are a minimum 18 feet in width, meeting this standard.

### 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: Dwelling unit entryways face interior to the development site, not towards the abutting streets, therefore, this standard is not applicable.
(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: Within the development site the areas that will be fenced are the pool area (6 foot tall fence) and the children's play area ( 3 foot tall fence), all other common open, parking areas and dwelling unit entryways will not be fenced. Landscaping shall be in compliance with this standard.
(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: Parking areas provided for the development site do not exceed 6,700 square feet in size, and are separated by landscape planter bays that are a minimum of 18 feet in width.
(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 and recreation 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: Proposed major pedestrian pathways used to connect between buildings, common open space and parking areas are separated by 10 feet or more from any ground floor dwelling unit, in compliance with this standard.
(D) Garages, carports, and parking areas shall be set back a minimum of 20 feet from the public right-of-way.

Finding: Proposed off-street parking areas adjacent to Linwood Street NW and Orchard Heights Road NW are setback 20 feet or more from the street, in compliance with this standard.
(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 RS zoned property to the north and to the east. The off-street parking area is approximately 130 feet from the northern property line and approximately 85 feet from the eastern property line. The subject property is also adjacent to RA zoned property to the south and west. The off-street parking area is approximately 35 feet from the RA zoned property. Site obscuring fencing and landscaping are provided to separate the proposed off-street parking areas from abutting residential property in compliance with this standard.
(F) The design and materials of garages and carports shall be compatible with the design and materials of the dwelling units.

Finding: Garages and covered parking areas are provided throughout the proposed offstreet parking area. The design of the structures will be compatible with the design of the proposed multi-family buildings, and similar building materials will be used for construction.
(G) Areas of slope shall be avoided for placement of parking areas.

Finding: The subject property has an average slope of approximately 7 percent and will be regraded for construction. The proposed parking areas are not placed on areas of excessive slope.
(H) Disturbance of environmentally sensitive areas shall be minimized in placement of parking areas.

Finding: Areas of mapped landslide hazards in low categories are located at the southern boundary of the property adjacent to Orchard Heights Road NW and on the northern portion of the lot. Proposed parking areas mostly avoid the areas of mapped landslide hazard on the property.
702.030(c)(2) - Site Access.
(A) Pedestrian pathways shall be provided that connect the development to the public sidewalks.

Finding: A pedestrian pathway are provided throughout the development site which connects the parking area, dwelling units, and common open space areas to the public sidewalk along both Linwood Street NW and Orchard Heights Road NW.
(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: A direct pedestrian pathways are provided to individual units for proposed buildings A15, B7 and C6 along Orchard Heights Road NW, and direct pedestrian pathways are provided to individual units for proposed buildings A1, B1, B2, and B5 along Linwood Street NW.
(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 along two streets, Linwood Street NW which is designated as a collector street and Orchard Heights Road NW. Access to the property will be from Linwood Street NW in compliance with this standard, in addition, the applicant has requested a driveway approach onto Orchard Heights Road NW.
(D) Where possible, driveway access shall be consolidated with either existing or future driveways serving adjacent developments.

Finding: The subject property abuts an existing single family residential subdivision to the north, and an existing single family dwelling to the southwest, shared access through single family zoned property is not possible with these existing adjacent development sites.
(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 Linwood Street NW and abutting properties. No off-street parking areas are proposed adjacent to Orchard Heights Road NW.
(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 average cross slope for the subject property is approximately 7 percent, therefore this standard is not applicable.
(B) Buildings shall have no dimension greater than 150 feet.

Finding: The longest proposed apartment building is approximately 104 feet in length, and the longest dimension for a proposed garage is approximately 120 feet, meeting this development standard.
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: Per Table 702-4, buildings one story in height require a minimum one foot setback for each one foot of building height, but in no case less than 14 feet. Buildings two stories or greater require a minimum one foot setback for each one foot of building height, but in no case less than 20 feet. The following is a summary of the required setbacks for each building adjacent to an RA/RS zoned property.

| Building | Height | Min Setback | Setback Proposed |
| :--- | :--- | :--- | :--- |
| A17 | 34 feet | 34 feet | 40 feet |
| C4 | 34 feet | 34 feet | 45 feet |
| A2 | 34 feet | 34 feet | 67 feet |
| B2 | 34 feet | 34 feet | 57 feet |
| C1 | 34 feet | 34 feet | 65 feet |
| Garage | 10 feet | 14 feet | 84 feet |
| Trash Compactor | 10 feet | 14 feet | 78 feet |
| A11 | 34 feet | 34 feet | 42 feet |
| Maintenance Shop | 10 feet | 14 feet | 23 feet |
| A15 | 34 feet | 34 feet | 50 feet |

(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 and is located uphill from property zoned RS to the north. The proposed buildings adjacent to the northern property line are setback 57-67
feet, exceeding the minimum 40 foot setback. Because the buildings are setback more than 40 feet, the additional development standards from Table 702-5 are not applicable.
(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 844 feet of buildable frontage along Linwood Street NW, the site plan and applicant's statement indicate that 469 feet of the building frontage is occupied by buildings placed on the setback line equal to 56 percent of the buildable width ( $469 / 844=0.56$ ), exceeding the minimum requirement.

The subject property has approximately 572 feet of buildable frontage along Orchard Heights Road NW, the site plan and applicant's statement indicate that 287 feet of the building frontage is occupied by buildings placed on the setback line equal to 50 percent of the buildable width ( $287 / 572=0.50$ ), meeting 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: Each proposed building provides a shared defined entryway for ground floor dwelling units. Each dwelling unit will have an entry area with a minimum of 25 square feet with no dimension less than 5 feet in compliance with 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: Each of the proposed building types provides a horizontal building articulation of at least 4 feet between every two attached dwelling units.
(B) Within 28 feet of every property line, the building setback for adjacent buildings on the same lot shall vary by at least 4 feet in depth.

Finding: The proposed site plan indicates that all buildings within 28 feet of Linwood
and Orchard Heights have a setback that varies by at least 4 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: Articulated covered entryways are provided at common entryway into the proposed multi-family buildings.
(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 elevation drawings for each of the proposed multi-family building types show that the roof ridges on the buildings do not exceed a horizontal length of 100 feet without a change in elevation of at least 4 feet, therefore this standard is not applicable.

The proposed garage elevation plan provided in Sheet A2 (Exhibit N-3) shows a ten car garage with a building length of approximately 100 feet and a horizontal roof ridge length of approximately 80 feet. The site plan indicates there is a twelve car garage option for the development, however, it is not clear the roof length dimensions for this building option. The horizontal length for the roof ridge for all buildings shall not exceed 100 feet without a change in elevation of at least 4 feet.

Condition 11: The horizontal length of the roof ridge for all buildings shall not exceed 100 feet without a change in elevation of at least 4 feet.
(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: The proposed enclosure does not include a roof over the recycling area as required by SRC 702.040(a)(2)(B). At the time of building permit application, the plans for the solid waste enclosure shall include a roof over the recycling area, meeting the applicable vertical clearance requirements of this section.

Condition 1: At the time of building permit application, the plans for the solid waste enclosure shall include a roof over the recycling area, meeting the applicable vertical clearance requirements of SRC 800.055(b)(3).
(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 findings indicate that maintenance staff for the complex will collect garbage and recycling from residents daily and will separate and prepare materials for collection. Instructions will also be posted at the recycling center.
(D) Recycling areas shall be provided that are sufficient in capacity, number, distribution, and size to serve the tenants of the development.

Finding: The applicant indicates that the trash and recycling area provided is sufficient in size and capacity to serve the proposed facility.
(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 metal frame with siding and trim materials that are similar to the dwelling units, consistent with this standard.

## ORDER

Final approval of Class 3 Site Plan Review, Class 2 Driveway Approach Permit, Tree Regulation Variance, Class 1 Adjustment, and Class 1 Design Review Case No. 17-29 is hereby APPROVED subject to SRC Chapter 220, 250, 225, 804, 808, and 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: At the time of building permit application, the plans for the solid waste enclosure shall include a roof over the recycling area, meeting the applicable vertical clearance requirements of SRC 800.055(b)(3).

Condition 2: The concrete pad for the solid waste enclosure shall be structurally engineered or in compliance with the manufacturer specifications and shall have a slope of no more than three-percent.
Condition 3: Construct a half-street improvement to Minor Arterial street standards consistent with the recommendations specified in the Traffic Impact Analysis and as approved by the Public Works Director. Curb-line sidewalks are permitted along Orchard Heights Road and Linwood Avenue as shown on the applicant's site plan.

Condition 4: Convey land for dedication to equal a half-width right-of-way of 36-feet along the entire frontage of Orchard Heights Road NW.

Condition 5: Construct sidewalk improvements along the frontage of 1417 Orchard Heights Road NW (tax lot 073W16C000100). Curb-line sidewalks are permitted.

Condition 6: Pursuant to Public Works Design Standards (PWDS), the applicant shall extend the public storm drain located at the northeast corner of the site and terminate it in an approved stormwater structure. All weather access will not be required to this structure. Provide a 15-foot public storm easement along the full length of the proposed storm extension.

Condition 7: Extend public sewer to serve the proposed development in an alignment approved by the Public Works Director. Provide all necessary access and maintenance easements in conformance with PWDS. The proposed extension at the northeast corner of the subject property will not be permitted.

Condition 8: Provide a public sewer connection to 1417 Orchard Heights Road NW (tax lot 073W16C000100) and coordinate decommission of the existing septic system that encroaches onto the subject property.

Condition 9: A minimum of two Oregon White Oaks (Quercus garryana), with a minimum caliper of 2", shall be incorporated into the landscape design and replanted for the proposed development.

Condition 10: A minimum six-foot-tall, decorative, sight-obscuring fence or wall shall be provided where the development site abuts property zoned RA (Residential Agriculture) or RS (Single Family Residential). Chain link fencing with slats shall not be allowed to satisfy this condition.

Condition 11: The horizontal length of the roof ridge for all buildings shall not exceed 100 feet without a change in elevation of at least 4 feet.


Aaron Panko,
Planning Administrator Designee
Attachments: A. Vicinity Map
B. Proposed Development Plans
C. Applicant's Written Summary
D. Public Works Memo
E. Salem Keizer Public Schools Memo

Application Deemed Complete: December 6, 2017
Notice of Decision Mailing Date:
Decision Effective Date:
State Mandated Decision Date:

March 13, 2018
March 29, 2018
May 20, 2018

The rights granted by the attached decision for Class 3 Site Plan Review Case No. SPR-DAP-TRV-ADJ-DR 17-29 must be exercised by March 29, 2022 or this approval shall be null and void. The rights granted by the attached decision for Class 2 Driveway Approach Permit Case No. SPR-DAP-TRV-ADJ-DR 17-29 must be exercised or an extension granted by March 29, 2020 or this approval shall be null and void. The rights granted by the attached decision for Tree Regulation Variance Case No. SPR-DAP-TRV-ADJ-DR 17-29 must be exercised or an extension granted by March 29, 2020 or this approval shall be null and void. The rights granted by the attached decision for Class 1 Adjustment Case No. SPR-DAP-TRV-ADJ-DR 17-29 must be exercised or an extension granted by March 29, 2020 or this approval shall be null and void. The rights granted by the attached decision for Class 1 Design Review Case No. SPR-DAP-TRV-ADJ-DR 17-29 must be exercised or an extension granted by March 29, 2020 or this approval shall be null and void.

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, no later than 5:00 p.m., Wednesday, March 28, 2018. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 220, 225, 250, $804 \& 808$. 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 Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer 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 1800-2000 Block of Linwood Street NW 073W16C / 000102 



## Legend





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front elevation



BUILDING TYPE "A
$\xrightarrow{\text { ELEVATIONS }}$
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## $\underbrace{\sim}$




FRONT ELEVATION



LEFT END ELEVATION


RIGHT END ELEVATION


BUILDING TYPE "C"
ELEVATIONS



TYPICAL UNIT "A" @ UPPER FLOORS




TYPICAL UNIT "B"








ELEVATIONS



REAR


TEN CAR GARAGE

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front


TEN CAR GARAGE ELEVATIONS



## ||||||||||




|  | ORCHARD HEICHTS APARTMENTS, LLC. |  |  |  |  |  |  |  |
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|  | ORCHARD HEIGHTS |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  | SITE PLAN SHEET KEY |  |  | OSN. JW |  |  |  |  |
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## EXHIBIT 'C' FINDINGS DOCUMENT SITE PLAN REVIEW - CLASS 3 COMPLIANCE DESIGN REVIEW - CLASS 1 COMPLIANCE

Request: Site Plan Review - Class 3 and Design Review - Class 1 approval for the construction of a 322-unit apartment complex located on a 16.9-acre parcel located on the north side of Orchard Heights Road NW, east of Linwood Street NW and commonly known as the 1800 2000 block of Linwood Street NW.

## Applicant/Agents:

Property Owner: Orchard Heights Apartments LLC; 4200 SE Columbia Way, Suite F; Vancouver WA 98661

Architect: Ron Naff, Naff Design Support Services; 8021 SW Viola Street; Tigard OR 97224
Engineering and Planning: W. Josh Wells, P.E., Westech Engineering; 3841 Fairview Industrial Drive SE; Salem OR 97302.

Transportation: Scott Mansur, P.E., PTOE, DKS Associates; 117 Commercial Street NW, suite 310; Salem OR 97301

Geotechnical: Melissa Lehman, G.I.T. and Brad M. Wilcox, P.E.,G.E., Carlson Geotechnical; P.O. Box 230997; Tigard OR 97281

Landscape Architect: James A. Clark, SGA Engineering \& Design, PLLC; 2005 Broadway; Vancouver WA 98661

Subject Property: The area being considered for the proposed development consists of a 16.9acre parcel [Tax Lot 00102, Polk County Assessor’s Map 073W16C) (see Exhibit 'B' Composite Assessor’s Map.

## Submitted Attachments:

| Exhibit 'A' | Title Report/Legal Description |
| :--- | :--- |
| Exhibit 'B' | Composite Assessor's Maps |
| Exhibit ' C ' | Findings Document |
| Exhibit ' $\mathrm{D}-1$ ' | Comprehensive Plan Designation in Surrounding Area |
| Exhibit 'D-2' | Zoning Designations in Surrounding Area |
| Exhibit ' E | Land Use of Abutting Properties |
| Exhibit ' F ' | Topographic and Boundary Resolution Survey |
| Exhibit ' G ' | Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3) |
| Exhibit ' H ' | Grading \& Drainage Plan (Sheet \# C2.0, C2.1, C2.2, C2.3) |
| Exhibit ' $I$ ' | Stormwater Management Report |

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Exhibit ‘J’ Orchard Heights \& Linwood Street Improvement (Sheet \# C5.0 \& C5.1)
Exhibit ‘K’ Overall Utility Plan (Sheet \# C3.0, C3.1, C3.2, C3.3)
Exhibit 'L' Tree Preservation Identification Plan (Sheet \# C4.0, C4.1, C4.2, C4.3)
Exhibit 'M' Landscape Plans (Sheet \# L1.0, L1.1, L1.2, L1.3, L1.4, L1.5, L2.0, L3.0)
Exhibit 'N-1' Elevation Drawings Buildings Type A, B, C (Sheet \# A5, A6, A7)
Exhibit ‘N-2’ Floor Plans Unit Type A, B, C, D (Sheet \# A3, A4)
Exhibit ‘N-3’ Garage, Maintenance Buildings \& Waste- Recycling Center Elevation Drawings
\& Floor Plans (Sheet \# A1.0, A2)
Exhibit 'N-4' Community Building Elevation Drawings and Floor Plan (Sheet \# A8, A9, A10)
Exhibit 'O' Bike Rack Plan
Exhibit ' P ' Traffic Impact Analysis
Exhibit 'Q’ Geotechnical Report
Exhibit 'R' Enhanced Safety Assessment Report for Multi-Family Construction
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Note: Criteria for approval and other elements of the Salem Revised Code are written in Bold Italics.

## Section 220.005 Site Plan Review

(a)(1) Applicability. Except as provided in paragraph (2) of this document, any development that requires a building permit must receive site plan review approval prior to issuance of the building permit.

FINDINGS OF COMPLIANCE: The intent of the proposed Class III Site Plan Review and proposed Design Review - Class 1 review is to construct 322 apartment units in thirty (30) buildings [(Exhibit 'G’ - Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3)]. The buildings containing the living units will be two and three stories in height. The completed complex will contain a total of 245 two-bedroom units with two baths ranging in size from 987 to 1008 square feet [Typical "C" Unit (see Architectural Drawing A4)] and 1,059 to 1081 square feet [Typical "A" and "B" Units (see Architectural Drawing A3)]; and 77 one-bedroom units ranging in size from 701 square feet to 709 square feet [Typical "D" Units see Architectural Drawing A4)]. Each apartment unit will have a hook-up for their own washer and dryer; a private patio area; and a minimum of one designated covered garage parking space. Five hundred and eighty-two (582) parking ( 322 covered spaces, 42 garage spaces and 218 uncovered spaces) will be provided. Fifty (50) bicycle parking spaces have been provided at 28 conveniently located places throughout the complex.

It is the intent of the proposed apartment complex to create a development with a park-like setting with the provision of landscaped areas throughout. Trees line the areas between the offstreet parking drive aisles and/or spaces and the sidewalks provided within common areas. Sidewalks are provided throughout the site providing access to all of the units, common open space, the children's play area, and the community building and pool. It is also the intent of the landscape plan to provide more areas containing green lawns than landscaped areas containing bark dust. In addition, to the provision of trees throughout the development (see Exhibit ' M ' Landscape Plan (Sheet \# L1.0, L1.1, L1.2, L1.3, L1.4, L1.5, L2.0, L3.0) additional ornamental trees and shrubbery will be provided throughout the development to unify the entire complex and to soften and enhance the buildings.

Common open space see Exhibit 'G' - Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3) and Exhibit 'M' - Landscape Plan (Sheet \# L1.0, L1.1, L1.2, L1.3, L1.4, L1.5, L2.0, L3.0) not located on the perimeter of the site is provided within three (3) areas within the interior of the development. The largest common open space area is located in the middle of the site and also contains a 4,975 square foot enclosed Children's Play area. The total open space area within the site contains 370,220 square feet or 8.50 acres of the 16.89 acre site resulting in $50 \%$ of the site being without buildings or pavement. Of the 41 mature trees which are located through the site 24 will be preserved (see Exhibit 'L' - Tree Preservation Identification Plan (Sheet \# C4.0, C4.1, C4.2, C4.3). Seventeen (17) of the existing trees will be removed with 24 of the trees being preserved. None of the trees being removed are classified as "Significant Trees."

The development will be provided with sidewalks throughout to provide for walking and jogging areas for the residents living within the development. Other amenities will also be provided within the open space areas throughout the development. The project design is intended to provide a more pleasant and cohesive living environment where the residents choose to walk more often than drive within the development.
(b)(3) Class 3 Site Plan Review. Class 3 Site Plan Review is required for any development that requires a building permit, and that involves a land use decision or limited land use decision, as those terms are defined in ORS 197.015. As used in this paragraph, land use decisions and limited land use decisions include, but are not limited to, any developments application that:
(A) Requires a Transportation Impact Analysis pursuant to SRC Chapter 803;
(B) Requires a geotechnical report or geologic assessment under SRC Chapter 810, except where a geotechnical report or geological assessment has already been approved for the property subject to the development application;
(C) Requires deviation from clear and objective development standards of the UDC relating to streets, driveways or vision clearance areas;
(D) Proposed dedication of right-of-way which is less than the requirements of the Salem Transportation System Plan;
(E) Requires deviation from the clear and objective standards of the UDC and where the review authority is granted the authority to use limited discretion in deviating from the standard; or
(F) Requires a variance, adjustment, or conditional use permit.

## FINDINGS OF COMPLIANCE:

1. Transportation Impact Analysis (see Exhibit ' P ' - Traffic Impact Analysis): The subject property is bounded on the west by a designated color street (Linwood Street) and on the south by a designated arterial street (Orchard Height Road). The propose development will have two gated access points. The gated access point on Linwood Street is located approximately 600 feet from the intersection of Linwood Street with Orchard Heights Road. The gated access point on Orchard Heights Road is located approximately 467 feet from the intersection of Linwood Street and Orchard Heights Road and 320 feet east of an existing driveway to an existing single family residence located on a 0.82-acre parcel. This property also has approximately 170 feet of frontage on Orchard Heights Road and approximately 150 feet of frontage on

Linwood Street. The access to the gated access on Linwood Street is located approximately 450 feet from the northwest corner of the 0.82 -cre parcel.

The Transportation Impact Analysis states that the high delay at Orchard Heights Road NW/Linwood Street NW is a result of left-turning vehicles that are unable to find adequate gaps to complete their turning maneuvers during peak periods. The recommended mitigation is that Orchard Heights Road NW be restriped east of the Orchard Heights Road NW/Linwood Street NW intersection to have a center left turn lane. This would provide a refuge lane for vehicles making a southbound left turn at the Orchard Heights Road NW/Linwood Street NW intersection during the AM peak period. If the two-way center left turn lane is installed and two stage left turns are allowed at the Orchard Heights road NW/Linwood Street NW intersections, the intersection operations would meet operating standards as shown in Table 11 of the Analysis (see pages 9 and 10, Exhibit 'P' - Transportation Impact Analysis).

The proposed site access and circulation was evaluated in the Transportation Impact Analysis (see page 26, Exhibit 'P' - Transportation Impact Analysis) states that "Orchard Heights Road NW is classified by the City of Salem as a major arterial. For arterial streets, the City of Salem has access spacing standards regarding how close driveways can be located to other intersections (i.e., minimum spacing of 370 feet centerline to centerline). The access point on Orchard Heights Road NW will be located approximately 480 feet away from the nearest public street intersections, which meets the City's minimum required spacing of 370 feet on arterial streets.

Spacing for an access to a collector street shall be located no less than 200 feet from an intersection with a major or minor arterial. The proposed Linwood Street NW access would create the fourth leg to the existing intersection, which is approximately 530 feet from the nearest public street intersection."

Frontage improvements consistent with the roadway classification will be required for both Linwood Street NW and Orchard Heights Road NW. The Transportation Impact Analysis recommended the following mitigations:

## Intersection Mitigations

- a two-way center left turn land be constructed along Orchard Heights Road NW beginning at Linwood Street NW to allow for two stage left turns from Linwood Street NW to Orchard Heights Road NW/


## Sight Distance at Proposed Access Points

- The sight distance looking south from the Linwood Street NW access point is currently 250 feet and the required sight distance of 280 feet is not currently available due to the curve of Orchard Heights Road NW.
- The sight distance looking west at the Orchard Heights Road NW access point is currently 300 feet and the required sight distance of 330 feet is not currently available due to the vertical curvature of Orchard Heights Road NW.
- It is recommended that any obstructions be removed and sight distance requirements are met at each access point.
- Prior to occupancy, sight distance at any new or modified access points will need to be verified, documented, and stamped by a registered professional Civil or Traffic Engineer licensed in the State of Oregon.


## Frontage Improvements

- Along Orchard Heights Road NW, it is recommended that the cross section be restriped from Linwood Street NW to the edge of the existing private property to have 5.5 foot bicycle lanes on both sides, 11 foot travel lanes, and a 12 foot center left turn lane to meet minor arterial standards.
- Along Orchard Height Road NW east of the existing private property, it is recommended that additional frontage improvements be completed to meet minor arterial standards, which includes minor widening of Orchard Heights Road NW to include a bicycle lane and sidewalk along the proposed development site.
- Along Linwood Street NW, it is recommended that frontage improvements are completed to meet collector standards, which include adding a bicycle lane and sidewalks along the proposed development site.
- A right turn lane is recommended along Orchard Heights Road NW at the proposed project access point.
- A right turn lane is recommended along Orchard Height Road NW at the proposed project access point.
- It is recommended that pedestrian and bicycle access is provided to the existing trails of the nearby Orchard Heights Park and coordination with Cherriots is conducted to identify potential transit improvements near the project site.

We proposed to meet the recommendations of the TIA. As shown in Exhibit J - we propose to shrink up the Orchard Heights travel, and bike lanes width in order to save trees located along the north side of Orchard Heights. These recommendations can be ensured by conditions of approval.
2. Geotechnical Report (see Exhibit 'Q'): The Geotechnical Report finds that if the recommendations of the report are followed the site development is feasible.
3. Deviation From Clear and Objective Development Standards: There are no deviations from Clear and Objective Development Standards as discussed further in this document.
4. Dedication of Right-of-Way [(Exhibit ‘G’ - Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3) \& Exhibit 'J' Orchard Heights \& Linwood Street Improvements (Sheet \# C5.0 and C5.1)]: An additional 2 feet of right-of-way will be provided on Orchard Heights Road to provide for improvements to Orchards Heights as part of this proposed
development to provide for adequate right-of-way for bicycle lanes and sidewalks on Orchard Heights Road. This dedication can be ensured by a condition of approval.
(c)(2) Submittal Requirements for Class 3 Site Plan Review. In addition to the submittal requirements for a Type II application under SRC Chapter 300, an application for Class 3 Site Plan Review shall include the following:
(A) All submittal requirements for a Type 2 Site Plan Review under subsection (e)(1) of this section;
(1) A Site Plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:

FINDINGS OF COMPLIANCE: A site plan [see Exhibit 'G' - Site Plan (Sheet C1.0, C1.1, C1.2, C1.3))] has been submitted and contains the following required information:

| Required Information for Class 2 and 3 Site Plan Review | Information Provided |  | Findings of Compliance |
| :---: | :---: | :---: | :---: |
| The total site area, dimensions, and orientation relative to north; | Yes |  | The site contains 16.89 acres, with $575.64 \pm$ feet of frontage on Orchard Heights Road (southern boundary) and 845.14 $\pm$ feet of frontage on Linwood Street (eastern boundary) with a width of 557.76 feet at the northern border. See Exhibit 'B' - Composite Assessor’s Maps |
| The location of all proposed primary \& accessory structures \& other improvements, including fences, walls, \& driveways, indicating distance from the structures \& improvements to all property lines and adjacent on-site structures; | Yes |  | $\begin{aligned} & \text { Exhibit ‘G’ - Site Plan (Sheet \# C1.0, } \\ & \text { C1.1, C1.2, C1.3) } \end{aligned}$ |
| Loading areas, if included in the proposed development; | Yes |  | $\begin{aligned} & \text { Exhibit ‘G' - Site Plan (Sheet \# C1.0, } \\ & \text { C1.1, C1.2, C1.3) } \end{aligned}$ |
| The size \& location of solid waste and recyclables storage and collection, and amount of overhead clearance above such enclosures, if included in the proposed development; | Yes |  | Exhibit 'G' - Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3) and Exhibit ' N -3' Garages, Maintenance Building, \& Waste-Recycling Center Elevation Drawings \& Floor Plans (Sheet \# A1.0, A2) |
| An indication of future phases of development on the site, if applicable; |  | NA |  |
| All proposed landscape areas on the site, with an indication of square footage and their percentage of the total site area; | Yes |  | See Exhibit 'M' - Landscape Plans (L1 L1.2, L.13, L1.4, L1.5, L2.0, L3.0). <br> The total landscape area is $360,539 \mathrm{sq}$. ft. $49 \%$ of the 16.88 acre site will be landscaped |
| The location, height, and material of fences, berms, walls, and other proposed screening as they relate to landscaping \& screening required by | Yes |  | See Exhibit 'G' - Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3) \& Exhibit ' M ' Landscape Plans (L1.0, L1.1, L1.2, L.13, L1.4, L1.5, L2.0, L3.0). |



| assessment; and |  |  |  |
| :--- | :--- | :--- | :--- |
| A Transportation Impact Analysis, if <br> required by SRC Chapter 803. | Yes |  | See Exhibit 'P' -Traffic Impact Analysis |

(2) An existing conditions plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:

FINDINGS OF COMPLIANCE: An existing conditions plan (see Exhibit 'F' Topographic and Boundary Resolution Survey) has been submitted and contains the following required information.

| Required Information | Information <br> Provided | Finding of Compliance |  |
| :--- | :--- | :--- | :--- |
| The total site area, dimensions, and <br> orientation relative to north; | Yes |  | The site contains 16.89 acres, with <br> $575.64 \pm$ feet of frontage on Orchard <br> Heights Road (southern boundary) and <br> $845.14 \pm$ feet of frontage on Linwood <br> Street (eastern boundary) with a width <br> of 557.76 feet at the northern border. |
| The location of existing structures <br> and other improvements on the site, <br> including accessory structures, <br> fences, walls, and driveways, noting <br> their distance from property lines; <br> and | Yes |  | There are no major existing structures or <br> other improvements on the site, except <br> for two derelict sheds that are proposed <br> to be removed. See Exhibit 'F' - <br> Topographic Boundary Resolution <br> Survey |
| The location of the one-hundred year <br> flood plan, if applicable. |  | NA | There is no 100-year flood plain on the <br> site. |

(3) A completed trip generation estimate for the proposed development, on forms provided by the City.

FINDINGS OF COMPLIANCE: A completed trip generation estimate has been provided (see Exhibit '’P' - Traffic Impact Analysis).
(B) The zoning district, comprehensive plan designation, and land uses for all properties abutting the site;

## FINDINDS OF COMPLIANCE:

1. Zoning: The subject property is zoned Multiple Family Residential II (RM-2). The minimum dwelling unit density requirement in this zone is 12 units per acre (202 units for the subject property) with a maximum density of 28 units per acre ( 472 for the subject property. The proposed 322 units meets the density standard of the RM-2 zoning district.
2. Surrounding Comprehensive Plan and Zoning Designations. The properties to the north and northwest are designated on the Salem Comprehensive Plan Map (see Exhibit 'D-1') as Single Family Residential and zoned RS (Single Family Residential) (see Exhibit 'D-2') and contain single family homes or vacant single family lots [see Exhibit 'E' - Land Use of Abutting Properties and [(see Exhibit 'G' -

Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3)]. The properties to the west, across Linwood Street are designated on the Comprehensive Plan Map as Multiple Family Residential and are zoned RM-2 (Multiple Family Residential 2). The southern Tax Lot contains 4.86 acres is undeveloped. The northern Tax Lot contains 180 one, two and three bedroom apartment units. The property at the southwest corner of the subject Tax Lot contains a single family residence, is designated on the Comprehensive Plan as Single Family Residential and is zoned Residential Agriculture (RA). The properties to the south, across Orchard Heights Road, are designated as Single Family Residential on the Salem Comprehensive Plan Map; are zoned RS (Single Family Residential) and contain single family residences with their rear yards abutting Orchard Heights Road and the single family residences facing Rainier Loop NW. A 7.56 acre parcel located across from the southwest corner of Orchard Heights Park is designated on the Comprehensive Plan Map as Single Family Residential, zoned as Residential Agricultural (RA) but contains approximately 44 apartment units. The property to the east, is zoned Public Amusement (PA) and is developed with a City Park (Orchard Heights Park).
(C) Driveway locations, public and private streets, bike paths, transit stops, sidewalks, and other bike and pedestrian pathways, curbs, and easements;

## FINDING OF COMPLIANCE:

1. Driveway locations are provided from Linwood Street and Orchard Heights Road.
2. Orchard Heights Road NW is classified by the City of Salem as a major arterial. For arterial streets, the City of Salem has access spacing standards regarding how close driveways can be located to other intersections (i.e., minimum spacing of 370 feet centerline to centerline). The access point on Orchard Heights Road NW will be located approximately 480 feet away from the nearest public street intersections, which meets the City's minimum required spacing of 370 feet on arterial streets.
3. The private access ways throughout the development are a minimum of 24 feet in width.
4. Bike paths and public sidewalks will be provided on Orchard Heights Road and Linwood Street (see Exhibit 'J' Orchard Heights \& Linwood Street Improvements (Sheet \# C5.0, C5.1).
5. An existing Transit Stop is located on the west side of Linwood Street (see Exhibit 'G' - Site Plan (Sheet \#C1.0, C1.1).
(D) The elevation of the site at two-foot intervals, with specific identification slopes in excess of fifteen percent;

FINDINGS OF COMPLIANCE: As shown on Exhibit 'F' - Topographic and Boundary Resolution Survey, there are one foot contours that illustrate the slopes of the entire site. There are not any slopes in excess of $15 \%$, therefore this standard is met.
(E) The location of drainage patterns and drainage courses, if applicable;

FINDINGS OF COMPLIANCE: The northern half of the site drains north to the existing subdivision while the southern half of the site drains east to the City Park. [see Exhibits 'F' - Topographic and Boundary Resolution Survey and Exhibit 'H' - Grading Plan (Sheet \# C2.0, C2.1, C2.2, C2.3)].
(F) A preliminary utility plan showing capacity needs for municipal water, stormwater facilities, and sewer service, and schematic location of connection points to existing municipal water and sewer services;

FINDINGS OF COMPLIANCE: See Exhibit 'K' - Overall Utility Plans (Sheet \# C3.0, C3.1, С3.2, С3.3).

Water: The site elevation of the site encompasses two water pressure zones, G-0 and W1. We proposed to connect to the $\mathrm{W}-1$ pressure zone in order to provide sufficient pressure to service the third story plumbing and fire sprinkler fixtures of the multi-family units. The applicant proposes two $\mathrm{W}-1$ connections to provide sufficient fire flows throughout the site. The first connection is would be near the Linwood entrance to the existing 8 -inch water line. The second connection is at the intersection of Linwood and Orchard Heights. This 8-inch line would be extended east down Orchard Heights to the proposed access, where the domestic water and fire lines would enter the site.

Stormwater: There is an existing 12 -inch stormwater stub with in a City of Salem Easement located at the NE corner of the site that we plan on connecting to service the northern third of the site. In addition, we propose to extend a 15 -inch storm drain stub from the 24 -inch storm drain located in Orchard Heights. Both pipes have sufficient capacity to service the site.

Sanitary Sewer: There is an existing 8 -inch sanitary sewer stub with in a City of Salem Easement located at the NE corner of the site that we plan on connecting to service the entire site.
(G) Summary table which includes site zoning designation; total site area; gross floor area by use (e.g. manufacturing, office, retail, storage); building height; itemized number of full size, compact and handicapped parking stalls, and the collective total number; total lot total lot coverage proposed, including areas to be paved for parking and sidewalks;

## FINDINGS OF COMPLIANCE:

|  | Required <br> /Allowed | Provided |
| :--- | ---: | ---: |
| General | - |  |
| Total Site Area (Acres) | - | 16.89 |
| Area within Improvement Limits (Acres) | - | 198,89 |
| Internal Parking Area (Square Feet) | 15,869 | 23,148 |
| Internal Landscape (8\%)(Square Feet) |  |  |


| Open Space |  |  |
| :---: | :---: | :---: |
| Common Open Space (30\% total site (Square Feet) | 220,719 | 370,220 |
| Maximum Common Open Space Outside Perimeter Setbacks (<50\%) SF | 185,110 | 51,282 |
| Minimum Area for Largest Common Open Space (Square Feet) | 5,000 | 58,365 |
| Minimum Dimension of Largest Common Open Space (Feet) | 25 | 30 |
| Minimum Child Play/Adult Recreation Area (Square Feet) | 4,950 | 4,975 |
| Minimum Dimension of Child Play/Adult Recreation Area (Feet) | 25 | 85 |
| Minimum Private Open Space for Ground Floor Units (Square Feet) |  |  |
| A, B \& C Units | 96 | 108 |
| D Units | 96 | 100 |
| Minimum Private Open Space for Upper Floor Units (Square Feet) A, B \& C Units <br> D Units | 48 | 108 79 |
| Minimum Dimensions for Private Open Spaces Upper Units (Feet) |  |  |
| A, B \& C Units | 6 | 8 |
| D Units | 6 | 7 |
| Minimum Dimensions for Private Open Spaces Lower Units (Feet) |  |  |
| A, B \& C Units | 6 | 8 |
| D Units | 6 | 7 |
| Building Information |  |  |
| Total Multi-Family Buildings | - | 30 |
| Total Multi-Family Units | 474 | 322 |
| A Units (83, 2 bedroom, 2 bath, 1.059-1,081 sq. ft.) |  |  |
| B Units (72, 2 bedroom, 2 bath, 1,059-1,081 sq. ft.) |  |  |
| C Units (90, 2 bedrooms, 1 bath, 987-1,008 sq. ft.) |  |  |
| D Units (77, 1 bedroom 1 bath, 701-709 sq. ft.) |  |  |
| Minimum Dwelling Units (12 units/acre) | 203 | 322 |
| Maximum Dwelling Units ( 28 units/acre) | 474 | 322 |
| Maximum Building Length (Feet) | 150 | 105 |
| Total Building Coverage (Square Feet) | - | 136,134 |
| Maximum Lot Coverage by Buildings and Accessory Structures (50\%)(SF) | 367,874 | 136,134 |
| Maximum Buildable Lot Width Occupied by Building on Street Frontage |  |  |
| Linwood Street (50\% width)(Feet) | 422 | 469 |
| Orchard Heights Road (50\% width)(Feet) | 286 | 287 |
| Minimum Porch Entry for Ground-Level (Square Feet) | 25 | 25 |
| Minimum Dimension of Porch Entry (Feet) | 5 | 5 |
| Minimum Depth Off-Sets for Attached Units (Feet) | 4 | 4 |
| Maximum Building Height (Feet) | 50 | 39 |
| Minimum Setbacks |  |  |
| Pathways to Buildings Required (Feet) | 10 | 10 |
| Garages/Carports/Parking to Right-of-Way | 20 | 25 |
| 2-Story Buildings to RA or RS Zone (1 Ft/Ft of Building Height)(Min. 20 Ft.) | 39 | 40 |
| Downhill East RS Property | 39 | 40 \& 50 |
| Downhill North RS Property | 39 |  |
| Uphill Southwest RA Property | 39 |  |
| 3-Story Building to Uphill RA or RS Zone (1 Foot/Foot of Building Height) | 39 |  |
| Downhill East RS Property | 39 |  |
| Downhill East North RS Property | 39 |  |
| Southwest RA Property | 39 |  |
| Buildings to Abutting Street | 20 | 20 |
| Parking Spaces |  |  |
| Minimum Spaces (1.5 spaces/Unit Minimum) | 483 | 582 |
| Maximum Spaces (1.75 x Minimum) | 845 | 582 |
| Handicap Spaces [501-1,000 parking spaces -2\% of total (OSC)] | 12 | 12 |
| Bicycle Parking (0.1/per dwelling unit) | 32 | 50 |
| Trees |  |  |


| Existing Onsite Trees | - | 40 |
| :--- | ---: | ---: |
| Maximum Number of Trees Removed (75\%) | 30 | 17 |
| Significant Trees to be Removed | 0 | 0 |
|  | Required <br> /Allowed | Provided |

(H) A geological assessment or geotechnical report, if required by SRC Chapter 810, or a certification from an engineering geologist or geotechnical engineer that landslide risk on the site is low, and that there is no need for further landslide risk assessment; and

FINDING OF COMPLIANCE: The subject property varies in topography from an elevation of 256 feet at the northern corner of the subject proposed access driveway on Linwood Street NW to 183 feet at the northeast corner of the property. The property also slopes to the east from an elevation of 256 feet to and elevation of 231 feet at the southeast corner of the property. The Geotechnical Report (see Exhibit 'Q') prepared by Carlson Geotechnical found that the property has "a low hazard due to land sliding for the site see page 7 of the report). "No obvious signs of recent slope instability were noted during the field investigation. Provided the recommendations presented on pages 9 through 20 of the report for Site Preparation, Temporary Excavation, Wet Weather Considerations, Structural Fill, Permanent Slopes, Additional Considerations, Structural Design Recommendations, Rigid (Basement) Retaining Walls, and Seismic Design are incorporated into construction, Carlson Geotechnical concluded that the risk of seismically-induced slope instability at the site is low.

## (I) A Transportation Impact Analysis, if required by SRC Chapter 803.

FINDING OF COMPLIANCE: A Transportation Impact Analysis is required by SRC Chapter 803 and has been submitted as part of this application (see Exhibit ' P ').
(f)(3) Criteria. Class 3 Site Plan Review. An application for Class 3 Site Plan Review shall be granted if:
(A) The application meets all applicable standards of the UDC;

FINDINGS OF COMPLIANCE: As shown in the summary table the applicant meets all the applicable standards of the UDC. The only discretionary part of the application is the driveway locations and the proposed modified street standards required to save the existing trees located along Orchard Heights. We proposed to meet the recommendations of the TIA. As shown in Exhibit J - we propose to shrink up the Orchard Heights travel, and bike lanes width in order to save trees located along the north side of Orchard Heights. These recommendations can be ensured by conditions of approval.
(B) The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately.

FINDINGS OF COMPLIANCE: The Transportation Impact Analysis states that the high delay at Orchard Heights Road NW/Linwood Street NW is a result of left-turning vehicles that are unable to find adequate gaps to complete their turning maneuvers during peak periods. The recommended mitigation is that Orchard Heights Road NW be restriped east of the Orchard Heights Road NW/Linwood Street NW intersection to have a center left turn lane. This would provide a refuge lane for vehicles making a southbound left turn at the Orchard Heights Road NW/Linwood Street NW intersection during the AM peak period. If the two-way center left turn lane is installed and two stage left turns are allowed at the Orchard Heights road NW/Linwood Street NW intersections, the intersection operations would meet operating standards as shown in Table 11 of the Analysis (see pages 9 and 10, Exhibit 'P’ - Transportation Impact Analysis).

The proposed site access and circulation was evaluated in the Transportation Impact Analysis (see page 26, Exhibit 'P' - Transportation Impact Analysis) states that "Orchard Heights Road NW is classified by the City of Salem as a major arterial. For arterial streets, the City of Salem has access spacing standards regarding how close driveways can be located to other intersections (i.e., minimum spacing of 370 feet centerline to centerline). The access point on Orchard Heights Road NW will be located approximately 480 feet away from the nearest public street intersections, which meets the City's minimum required spacing of 370 feet on arterial streets.

Spacing for an access to a collector street shall be located no less than 200 feet from an intersection with a major or minor arterial. The proposed Linwood Street NW access would create the fourth leg to the existing intersection, which is approximately 530 feet from the nearest public street intersection."

Frontage improvements consistent with the roadway classification will be required for both Linwood Street NW and Orchard Heights Road NW. The Transportation Impact Analysis recommended the following mitigations:

## Intersection Mitigations

- a two-way center left turn land be constructed along Orchard Heights Road NW beginning at Linwood Street NW to allow for two stage left turns from Linwood Street NW to Orchard Heights Road NW/


## Sight Distance at Proposed Access Points

- The sight distance looking south from the Linwood Street NW access point is currently 250 feet and the required sight distance of 280 feet is not currently available due to the curve of Orchard Heights Road NW.
- The sight distance looking west at the Orchard Heights Road NW access point is currently 300 feet and the required sight distance of 330 feet is not currently available due to the vertical curvature of Orchard Heights Road NW.
- It is recommended that any obstructions be removed and sight distance requirements are met at each access point.
- Prior to occupancy, sight distance at any new or modified access points will need to be verified, documented, and stamped by a registered professional Civil or Traffic Engineer licensed in the State of Oregon.


## Frontage Improvements

- Along Orchard Heights Road NW, it is recommended that the cross section be restriped from Linwood Street NW to the edge of the existing private property to have 5.5 foot bicycle lanes on both sides, 11 foot travel lanes, and a 12 foot center left turn lane to meet minor arterial standards.
- Along Orchard Height Road NW east of the existing private property, it is recommended that additional frontage improvements be completed to meet minor arterial standards, which includes minor widening of Orchard Heights Road NW to include a bicycle lane and sidewalk along the proposed development site.
- Along Linwood Street NW, it is recommended that frontage improvements are completed to meet collector standards, which include adding a bicycle lane and sidewalks along the proposed development site.
- A right turn lane is recommended along Orchard Heights Road NW at the proposed project access point.
- A right turn lane is recommended along Orchard Height Road NW at the proposed project access point.
- It is recommended that pedestrian and bicycle access is provided to the existing trails of the nearby Orchard Heights Park and coordination with Cherriots is conducted to identify potential transit improvements near the project site.

We proposed to meet the recommendations of the TIA. As shown in Exhibit J - we propose to shrink up the Orchard Heights travel, and bike lanes width in order to save trees located along the north side of Orchard Heights. These recommendations can be ensured by conditions of approval. These recommendations can be ensured by conditions of approval.
(C) Parking Areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians; and

FINDINGS OF COMPLIANCE: The location of the access ways from Linwood Street and Orchard Heights Road have been located to facilitate a safe and efficient movement of vehicles, bicycles and pedestrians. Both access points are proposed to be gate controlled. Sidewalks and bike lanes exist or will be provided on both Linwood Street and Orchard Heights Road. Private sidewalks within the development will be provided with delineated crossings throughout the development [see Exhibit 'G' - Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3)].

The proposed site access and circulation was evaluated in the Transportation Impact Analysis (see page 26, Exhibit 'P' - Transportation Impact Analysis) states that "Orchard Heights Road NW is classified by the City of Salem as a major arterial. For arterial streets, the City of Salem has access spacing standards regarding how close driveways
can be located to other intersections (i.e., minimum spacing of 370 feet centerline to centerline). The access point on Orchard Heights Road NW will be located approximately 480 feet away from the nearest public street intersections, which meets the City's minimum required spacing of 370 feet on arterial streets.

Spacing for an access to a collector street shall be located no less than 200 feet from an intersection with a major or minor arterial. The proposed Linwood Street NW access would create the fourth leg to the existing intersection, which is approximately 530 feet from the nearest public street intersection."

Frontage improvements consistent with the roadway classification will be required for both Linwood Street NW and Orchard Heights Road NW. The Transportation Impact Analysis recommended the following mitigations:

## Intersection Mitigations

- The Linwood Street NW/Orchard Heights Road NW intersection fails to meet operating standards during the future Am Peak scenarios. It is recommended that a two-way center left turn land be constructed along Orchard Heights Road NW beginning at Linwood Street NW to allow for two stage left turns from Linwood Street NW to Orchard Heights Road NW/


## Sight Distance at Proposed Access Points

- The sight distance looking south from the Linwood Street NW access point is currently 250 feet and the required sight distance of 280 feet is not currently available due to the curve of Orchard Heights Road NW.
- The sight distance looking west at the Orchard Heights Road NW access point is currently 300 feet and the required sight distance of 330 feet is not currently available due to the vertical curvature of Orchard Heights Road NW.
- It is recommended that any obstructions be removed and sight distance requirements are met at each access point.
- Prior to occupancy, sight distance at any new or modified access points will need to be verified, documented, and stamped by a registered professional Civil or Traffic Engineer licensed in the State of Oregon.


## Frontage Improvements

- Along Orchard Heights Road NW, it is recommended that the cross section be restriped from Linwood Street NW to the edge of the existing private property to have 5.5 foot bicycle lanes on both sides, 11 foot travel lanes, and a 12 foot center left turn lane to meet minor arterial standards.
- Along Orchard Height Road NW east of the existing private property, it is recommended that additional frontage improvements be completed to meet minor arterial standards, which includes minor widening of Orchard Heights Road NW to include a bicycle lane and sidewalk along the proposed development site.
- Along Linwood Street NW, it is recommended that frontage improvements are completed to meet collector standards, which include adding a bicycle lane and sidewalks along the proposed development site.
- A right turn lane is recommended along Orchard Heights Road NW at the proposed project access point.
- A right turn lane is recommended along Orchard Height Road NW at the proposed project access point.
- It is recommended that pedestrian and bicycle access is provided to the existing trails of the nearby Orchard Heights Park and coordination with Cherriots is conducted to identify potential transit improvements near the project site.

These recommendations can be ensured by conditions of approval.
(D) The proposed development will be adequately served with City water, sewer, stormwater facilities, and other utilities appropriate to the nature of the development.

FINDING OF COMPLIANCE: [see Exhibit ‘K’ - Overall Utility Plan (Sheet \# C3.0, C3.1, C3.2, C3.3)].

Water: The site elevation of the site encompasses two water pressure zones, G-0 and W1. We proposed to connect to the $\mathrm{W}-1$ pressure zone in order to provide sufficient pressure to service the third story plumbing and fire sprinkler fixtures of the multi-family units. The applicant proposes two $\mathrm{W}-1$ connections to provide sufficient fire flows throughout the site. The first connection is would be near the Linwood entrance to the existing 8 -inch water line. The second connection is at the intersection of Linwood and Orchard Heights. This 8-inch line would be extended east down Orchard Heights to the proposed access, where the domestic water and fire lines would enter the site.

Stormwater: There is an existing 12-inch stormwater stub with in a City of Salem Easement located at the NE corner of the site that we plan on connecting to service the northern third of the site. In addition, we propose to extend a 15 -inch storm drain stub from the 24 -inch storm drain located in Orchard Heights. Both pipes have sufficient capacity to service the site.

Sanitary Sewer: There is an existing 8-inch sanitary sewer stub with in a City of Salem Easement located at the NE corner of the site that we plan on connecting to service the entire site.

Electric: Electricity is available on Linwood and adequate to service the site.
Natural Gas: Natural gas is available on Linwood and adequate to service the site.
Cable: Cable is available on Linwood and adequate to service the site.

## Section 225.005 Design Review

(a) Applicability. Design Review approval is required for development application that are subject to design review standards and guidelines.
(b) Classes. (1) Class I Design Review is design review that requires the application of design review standards only.
(c) Procedure Type (1) Class I Design Review is processed as a Type I procedure under SRC Chapter 300
(d) Submittal Requirements for Class 1, Class 2, and Class 3 Design Review. In addition to the submittal requirements set forth under SRC Chapter 300, an application for Class I, class 2, or Class 3 Design Review shall include the following:
(i) The complete dimensions and setbacks of the lot, and all existing and proposed buildings and structures, including the location, size, height, proposed use, design, and gross floor area of each building.
(ii) All existing and proposed walls and fences, including the location, height, type of design, and composition.
(iii) The location and design of the existing and proposed on-site pedestrian and vehicle circulation system.
(iv) Locations and dimensions of all existing and proposed outdoor storage areas including but not limited to trash collection and recycling areas.

FINDINGS OF COMPLIANCE: See Exhibit 'F' - Topographic and Boundary Resolution Survey; Exhibit 'G' - Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3); Exhibit N-1 - Building Elevations, Exhibit ‘N-2’ Floor Plans Unit Type "A," "B," ‘C," \& "D" (Sheet \# A3, A4); Exhibit ‘N-3’ - Garage, Maintenance Buildings \& Waste- Recycling Center Elevation Drawings \& Floor Plans, (Sheet \# A1.0, A2) and Exhibit 'N-4' - Community Building Elevations Drawings and Floor Plan (Sheet \# A8, A9, A10).
(e) Criteria. (1) A Class 1 Design Review shall be approved if all of the applicable design review standards are met.

FINDING OF COMPLIANCE: The proposed development conforms to all applicable design standards which can be ensured by conditions of approval.

Section 702.010 Multiple Family Design Review Standards. Multiple family development shall comply with either all of the applicable design review guidelines or all of the applicable design review standard set forth in this Chapter. The design review guidelines and the design review standards set forth in this Chapter are in addition to, and not in lieu of, all applicable development standards in the UDC. Where the design review guidelines or the design review stands conflict with the development stands in the UDC, the design review guidelines and the design review standards shall be applicable development standard.
702.015. Open Space Design Review Standards.
(a) Common open space shall be provided in all newly constructed multiple family development with 5 or more dwelling units as follows:
(A) A minimum of 30 percent of the gross site area shall be designated and permanently reserved as common open space.
(B) Not more than 50 percent of the common open space shall be located in the required perimeter setbacks of the development.
(C) Not more than 15 percent of the common open space shall be located on land with slopes greater than 25 percent.
(D) 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.
(E) At least one of the common open space areas provided within the development shall meet the size and dimensional standards set forth in Table 701-1.

| TABLE 702-1 Common Open space Area Size and Dimensions |  |  |
| :---: | :---: | :---: |
| Number of Dwelling Units | Minimum Open Space Area <br> Size | Minimum Horizontal <br> Dimension |
| 5 to 10 | 500 sq. ft. | 20 ft. |
| 11 to 20 | 750 sq. ft. | 25 ft. |
| More than 20 | 1000 sq. ft plus an <br> additional 250 sq. ft for <br> every 20 unit, or portion <br> thereof, over 20 units | 25 ft |

FINDINGS OF COMPLIANCE: The minimum open space area required for 322 dwelling units is 5,025 square feet with minimum horizontal dimensions of 25 feet. The proposed development provides for 3 common open space areas outside of perimeter areas within the site with the largest area containing 4,975 square feet, with horizontal measurements ranging from 95 feet to 135 feet. The second largest common open space 11,535 square feet with minimum horizontal dimensions of 45 feet. The smallest common open space has minimum horizontal dimensions ranging from 31.14 feet to 35.88 feet and contains approximately 6,812 square feet. This design standard has been met.

## (b) Children's Play Areas and Adult Recreation Area Design Review Standards.

(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.

| TABLE 702-2 Outdoor Children's Play Areas and Adult |  |  |
| :---: | :---: | :---: |
| Recreation Areas |  |  |

FINDING OF COMPLIANCE: The proposed development will contain 322 units. The area designated for a Children's Play Area and Recreation Area (Community Center and Pool) would be required to contain 4,433 square feet. The children's play area located in the center of the development contains 4,975 square feet. A community
building and pool area has been provided and contains approximately 8,400 square feet. The children's play and the community center and pool areas are accessible by all of the units via a sidewalk system that has been provided from all of the apartment buildings within the development. This design standard has been met.
(B) Outdoor children's play and /or adult recreation areas shall be located centrally within the development.

FINDING OF COMPLIANCE: (see Exhibit G, Exhibit N-4) The outdoor children's play area is located within the center of the site, approximately 280 feet from both Linwood Street on the west and the east property boundary and 610 feet from both the north and south property boundaries.

The adult recreation area consists of a 12,422 square foot community center building. Adjacent to the building is an outdoor in ground pool. The facility is located at the entrance to the development from Linwood Street within 200 feet of the children's play area. This design standard has been met.
(C) Outdoor children's play and/or adult recreation areas shall not be located within required setbacks.

FINDING OF COMPLIANCE: The outdoor children's play area is located within the center of the site, approximately 280 feet from both Linwood Street on the west and the east property boundary and 610 feet from both the north and south property boundaries. The adult recreation area (Community Center) is located 20 feet from Linwood Street at the northwest corner of the building and 26 feet from the southwest corner of the building. None of the buildings are located within required setbacks. This design standard has been met.
(D) Outdoor children's play and/or adult recreation areas may be located within stormwater detention 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 OF COMPLIANCE: While there are two stormwater management areas located within the development neither the children's play area nor the adult recreation areas are proposed to be located in these areas of storm water management.
(E) A minimum 30-inch fence shall be installed to separate outdoor children's play areas from any parking lot, drive aisle, or street.

FINDING OF COMPLIANCE: The children's play area will be enclosed with a 4-foot high fence. This design standard has been met.
(d) Private Open Space Design Review Standards.
(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.

| TABLE 702-3 Private Common Open Space Size and Dimensions |  |  |
| :---: | :---: | :---: |
| Location of Dwelling <br> Unit | Minimum Open Space <br> Area Size | Minimum Horizontal <br> Dimension |
| Not more than 5 feet <br> above finished grade | 96 sq. ft. | 6 ft |
| More than 5 feet above <br> finished grade | 48 sq. ft. | 6 ft. |

FINDING OF COMPLIANCE: Each of the ground floor units have a private open space containing a minimum of 96 square feet on the first floor and 48 square feet on the second and third floors with no dimension less than six (6) feet. These design standards have been met (see Exhibit 'N-2' - Floor Plans Unit Type "A," "B," "C," and "D" (Sheet \# A3, A4) This design standard has been met.
(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 OF COMPLIANCE: Each of the units has a direct connection to the private open space through a doorway from the unit. This design standard has been met (see Exhibit ' $\mathrm{N}-2$ ' - Floor Plans Unit Type "A," "B," "C," and "D" (Sheet \# A3, A4). This design standard has been met.
(C) Private open space shall be visually separated from common open space through the use of perimeter landscaping or fencing.

FINDINDS OF COMPLIANCE: Each of the private open spaces on the ground floor is separated from the common open space by the use of landscaping trees and shrubs. (see Exhibit 'M' - Landscape Plans (Sheet \# L1.0, L1.1, L1.2, L1.3, L1.4, L1.5, L2.0, L3.0)). This design standard has been met.

## Section 702.020. Landscaping Design Review Standards.

(a) General Landscaping Design Review Standards.
(A) A minimum 1 tree shall be planted or preserved for every 2,000 square feet of gross site area.

FINDING OF COMPLIANCE: The site contains 16.9 acres or 736,164 square feet requiring a total of 368 trees. Twenty three of forty existing trees
are proposed to be preserved and minimum of 345 new trees will be planted (see Exhibit ‘M’ - Landscape Plans (Sheet \# L1.0, L1.1, L1.2, L1.3, L1.4, L1.5, L2.0, L3.0)).
(B) Trees shall be planted that, at maturity, will provide canopy coverage over at least one-third of the open space and setbacks.

FINDING OF COMPLIANCE: As shown on the landscape plan the proposed trees will provide a canopy coverage of at least one-third the open space and setbacks (see Exhibit 'M'- Landscape Plans (Sheet \# L1.0, L1.1, L1.2, L1.3, L1.4, L1.5, L2.0, L3.0)).
(C) Landscaping, or a combination of landscaping and fencing, shall be provided for developments abutting arterial or collector streets to prevent headlights from shinning into the windows of buildings.

FINDING OF COMPLIANCE: Along Orchard Heights there are several existing trees located in the ROW that are proposed to remain. In addition, the applicant proposes to provide landscaping and fencing along the Orchard Heights and Linwood Street ROW's to prevent head lights from shining into the windows of buildings [see Exhibit 'G' - Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3) and Exhibit 'M’- Landscape Plans (Sheet \# L1.0, L1.1, L1.2, L1.3, L1.4, L1.5, L2.0, L3.0)].
(D) Where a development site abuts property that is zoned Residential Agricultural (RA) or Single Family Residential, 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 $1 \frac{1 ⁄ 2}{}$ 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.

FINDINGS OF COMPLIANCE: A minimum 6 ft high black vinyl fence has been proposed between interior lot lines facing RA and RS zoned property. In addition, existing trees will be protected on the NE property boundary while new trees are proposed to be planted along the north property boundary and the SE property boundary. (see Exhibit 'G’ - Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3), Exhibit ‘M'- Landscape Plans (Sheet \# L1.0, L1.1, L1.2, L1.3, L1.4, L1.5, L2.0, L3.0) and Exhibit ‘L’ Tree Preservation Plan (C4.0, C4.1, C4.2, C4.3). This design standard has been met.
(b) Street Frontage Design Review Standards
(A) Trees shall be planted within the public right-of-way at one of the following rations:
(i) Canopy Trees. One canopy tree per 50 lineal feet of street frontage, or fraction thereof.
(ii) Columnar Trees. One columnar tree per 40 linear feet of street frontage, or fraction thereof.

FINDING OF COMPLIANCE: The street trees along Linwood are spaced 40 feet apart, while the street trees along Orchard Heights are 40 feet apart. This meets the standard for Columnar Trees. (see Exhibit 'M'- Landscape Plans (Sheet \# L1.0, L1.1, L1.2, L1.3, L1.4, L1.5, L2.0, L3.0)).
(c) Building Exteriors Design Review Standards.
(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.

| TABLE 807-2: Plant Materials and Minimum Plant Unit Values |  |  |
| :---: | :---: | :---: |
| Plant Material | Plant Unit (PU) Value | Size at Planting |
| 1 Mature Tree | 15 PU |  |
| 1 Shade Tree | 10 PU | $11 / 2$ to 2 in. caliper |
| 1 Evergreen/Conifer Tree | 5 PU | 6 ft . to 8 ft . Height |
| 1 Ornamental Tree | 2 PU | 1 in. to $1 \frac{1 ⁄ 2}{}$ in. caliper |
| 1 large Deciduous or Evergreen Shrub (At maturity: over 4 ft . wide; 4 ft. high) | 2 PU | Min. 3 gallon or balled and burlapped |
| 1 Small to Medium Shrub (At maturity : maximum 4 ft . wide; 4 ft . high) | 1 PU | Min. 1 gallon |
| Lawn or Other Ground Cover | 1 PU per 50 sq. ft. |  |

FINDING OF COMPLIANCE: This standard has been met see Exhibit 'M'- Landscape Plans (Sheet \# L1.0, L1.1, L1.2, L1.3, L1.4, L1.5, L2.0, L3.0).
(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 OF COMPLIANCE: This standard has been met see Exhibit 'M'Landscape Plans (Sheet \# L1.0, L1.1, L1.2, L1.3, L1.4, L1.5, L2.0, L3.0).
(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.

FINDINGS OF COMPLIANCE: This standard has been met see Exhibit 'M'- Landscape Plans (Sheet \# L1.0, L1.1, L1.2, L1.3, L1.4, L1.5, L2.0, L3.0).
(d) Privacy Design Review Standards.
(A) Ground level private open space shall be physically and visually separated from common open space with perimeter landscaping or perimeter fencing.

FINDING OF COMPLIANCE: Private open space for the ground floor level units has been physically and visually separated from common open space by perimeter landscaping and/or by perimeter fencing when adjacent to a public street (see Exhibit 'M'- Landscape Plans (Sheet \# L1.0, L1.1, L1.2, L1.3, L1.4, L1.5, L2.0, L3.0).
(e) Parking Areas Design Review Standards.
(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
(B) Canopy trees shall be planted within planter bays
(C) Planter bays shall be a minimum width of 18 feet.

FINDINGS OF COMPLIANCE: (see Exhibit 'G' - Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3) and Exhibit 'M'- Landscape Plans (Sheet \# L1.0, L1.1, L1.2, L1.3, L1.4, L1.5, L2.0, L3.0). As shown, 1 canopy tree is planted along every 50 feet of the perimeter parking areas and within 15 feet of the edge of parking. Planter bays are a minimum of 18 feet wide and planted with a canopy type tree. Therefore, this standard has been met.

## Section 702.025. Crime Prevention Through Environmental Design.

(a) Safety Features for Residents Design Review Standards.
(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 OF COMPLIANCE: The buildings facing Linwood Street and Orchard Heights Road are separated from the street by a proposed 6 -ft tall montage steel ornamental perimeter fence with access gates to the public sidewalk located at each sidewalk connection. Therefore, the entries will not be in view from the street [ see Exhibit 'G' - Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3)].
(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 OF COMPLIANCE: With the exception of the 6 -foot high fencing surrounding the pool area, the fencing provided for the children's
play area will be 3 -feet in height and all other common areas within the site will be unfenced except for common areas fronting on a street or adjoining property line [(see Exhibit ' $G$ ' - Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3) and Exhibit 'M'- Landscape Plans (Sheet \# (Sheet \# L1.0, L1.1, L1.2, L1.3, L1.4, L1.5, L2.0, L3.0)]. This standard has been met.
(C) Windows shall be provided in all habitable rooms, other than bathrooms, that face common open space, parking areas, and pedestrian paths.

FINDING OF COMPLIANCE: All habitable rooms, with the exception of bathrooms have been provided with windows [see Exhibit ' $\mathrm{N}-2$ ' Floor Plans Unit Type "A," "B," ‘C," \& "D" (Architectural Drawings A3 and A4)
(D) Lighting shall be provide that illuminates all exterior dwelling unit entrances, parking areas, and pedestrian paths with the development.

FINDING OF COMPLIANCE: The applicant plans to provide lighting at all exterior dwelling unit entrances, parking areas and pedestrian paths. This can be verified at time of building permit issuance.
(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 OF COMPLIANCE: An Enhanced Safety Assessment Report for Multi-Family Construction has been submitted (see Exhibit 'R'). This design standard has been met.

## Section 702.030 Parking, Site Access, and Circulation.

(a) General Parking, Site Access Design Review Standards.
(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.

FINDING OF COMPLIANCE: Parking areas are not greater than 6,700 square feet. Eighteen-foot wide planter bays have been provided within the parking areas. All parking areas are connected by a drive aisle that loops through the site. This standard has been met see Exhibit ' $G$ ' - Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3).
(B) Pedestrian pathways shall be provided that connect to and between buildings, common open space, and parking areas.

FINDING OF COMPLIANCE: Each of the buildings are connected to one another and to the public sidewalks on Linwood Street and Orchard Heights Road by a private sidewalk linking the units to each other and to parking areas
and common open space areas. This standard has been met see Exhibit 'G' Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3).
(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 OF COMPLIANCE: All pathways connecting to and between buildings common open space and parking areas must be separated from the dwelling units by a minimum of 10 feet. This standard has been met see Exhibit ‘G' - Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3).
(D) Garages, carports and parking areas shall be set back a minimum of 20 feet from the public right-of-way.

FINDING OF COMPLIANCE: No garages are located adjacent to a public right-of-way. This design standard is not applicable.
(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 OF COMPLIANCE: See Exhibit ' $G$ ' - Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3), Exhibit 'H'- Grading and Drainage Plan (Sheet C2.1), and Exhibit 'M' - Landscape Plan (Sheet L1.0, L1.1, L1.2, L1.3, L1.4, L1.5, L2.0, L3.0). As shown on the Grading and Drainage Plan and Site Plan this design standard only applies to the North and North East property boundaries. As shown on the Site Plan, there will be a 6 -ft tall black vinyl fence and new landscaping trees and existing trees that will ensure the glare from headlights from the developments will not shine on abutting properties. This design standard has been met.
(F) The design and materials of garages and carports shall be compatible with the design and materials of the dwelling units.

FINDING OF COMPLIANCE: See Exhibit 'N-3 -Garage, Maintenance Buildings \& Waste- Recycling Center Elevation Drawings \& Floor Plans (Sheet \# A1.0, A2). As shown, the design and materials are the same as that of the dwelling units therefore they are compatible with the design and materials of the dwelling units. This standard has been met.
(G) Areas of slope shall be avoided for placement of parking areas.

FINDING OF COMPLIANCE: The site ranges from elevation 254 to 183 over approximately $1080-\mathrm{ft}$, which equates to a slope of $7 \%$. The site has an average slope of $7 \%$ therefore parking is not place on areas of slope. This standard has been met see Exhibit 'F' - Topographic and Boundary Resolution Survey and 'H' - Grading and Drainage Plan (Sheet \# C2.0, C2.1, C2.2, C2.3).
(H) Disturbance of environmentally sensitive areas shall be minimized in placement of parking areas.

FINDING OF COMPLIANCE: Per the City's maps, wetlands are shown to exist on the site at the most southerly southeast corner of the subject property. These mapped wetlands are adjacent to Orchard Heights Road NW and Orchard Heights Park and are not located within the proposed developed portion of the property see Exhibit ' $G$ ' - Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3).
(b) Site Access Design Review Standards.
(A) Pedestrian pathways shall be provided that connect the development to the public sidewalk.

FINDING OF COMPLIANCE: There are two main pedestrian pathways that enter the site from a proposed public sidewalk. One at the entrance on Linwood and the second on the entrance off of Orchard Heights. This standard has been met see Exhibit 'G' - Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3).
(B) Direct access from the street to individual units, clusters of units, or common interior lobbies shall be provided for residential building located within 32 feet of a public street.

FINDING OF COMPLIANCE: See Exhibit 'G' - Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3). Direct access for buildings within 32-feet of the public street have been provided for the units along Orchard Heights and Linwood Street. Therefore this standard has been met
(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 OF COMPLIANCE: The site fronts Orchard Heights (minor arterial) and Linwood Street (Collector Street). The proposed main entrance is located off of Linwood Street. A secondary access is proposed off of Orchard Heights see Exhibit ‘G’ - Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3) and in accordance with the recommendations of the Traffic Impact Analysis
(Exhibit 'P'). This design standard can be met subject to a condition(s) of approval.
(D) Where possible, driveway access shall be consolidated with either existing or future driveway serving adjacent developments.

FINDING OF COMPLIANCE: The proposed main entrance driveway from Linwood Street lines up with the driveway of the development across the street. This is optimal to avoid conflicting traffic movements. The proposed driveway from Orchard Heights is located to meet sight distance standards. Sharing a driveway with the park property to the south and the Orchard Heights and Linwood corner property is not feasible due to the slope across the site. In addition, the Americans with Disabilities Act requires sidewalk slopes and access ways to be less the existing site slope, which increases the grade differences at the abutting properties. Therefore, this standard is not feasible (see Exhibit 'H' - Overall Grading Plan (Sheet \# C2.0, C2.1, C2.2, C2.3), and Exhibit ' P ' - Traffic Impact Analysis). This standard has been met.
(E) Wall, fences or landscaping shall be provided to buffer parking areas from public streets and abutting properties.

FINDING OF COMPLIANCE: The only parking areas that abut a public street is the community center parking along Linwood. As shown on the Landscape Plan this parking will be buffered with landscaping trees and shrubs. Parking also abuts the NE property boundary and is buffered, with fencing, landscaping and the preservation of existing trees. Parking also abuts the east property boundary and is buffered by fencing, and landscaping (see Exhibit ‘G’ - Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3) and Exhibit 'M’ Landscape Plans (Sheet \# L1.0, L1.1, L1.2, L1.3, L1.4, L1.5, L2.0, L3.0).

## Section 702.035 Building Mass \& Façade Design.

(a) General Siting and Building Mass Design Review Standards.
(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 OF COMPLIANCE: See Exhibit 'F' - Topographic and Boundary Resolution Survey. The site ranges from elevation 254 to 183 over approximately $1080-\mathrm{ft}$, which equates to a slope of $7 \%$. Therefore, the site is less than $15 \%$ and we are not limited to not regrading $60 \%$ of the site. This standard is not applicable.

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

FINDING OF COMPLIANCE: The longest building is 104 feet in length, less than 150-foot maximum, therefore this standard has been met, see Exhibit
‘G’ - Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3), Exhibit N-1 Building Elevations (Sheet \# A5, A6, A7).
(b) Compatibility Design Review Standards.
(A) Except as provide 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

| TABLE 702-4: Setbacks Abutting Property Zoned RA and RS |  |
| :---: | :--- |
| Number of Building Stories | Minimum Setback |
| 1 | Min. 1-foot for each 1-foot of building height, but <br> in no case less than 14 ft. |
| 2 or more | Min. 1-foot for each 1-foot of building height, but <br> in no case less than 20 ft. |

FINDING OF COMPLIANCE: See Exhibit 'D-2' - Zoning Designations in Surrounding Areas and Exhibit ' $G$ ' - Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3). The proposed project abuts RA/RS zoned property at three locations with three story building totaling $36-\mathrm{ft}$ in height. The north property line abuts RA/RS zone and the building setback is $57-\mathrm{ft}$. The NE property boundary also abuts RA/RS zone and the building setback is $40-\mathrm{ft}$. The SW property boundary also abuts RA/RS zone and the minimum building setback is 40 -ft. Therefore, this standard has been met.
(B) Where a development site abuts, and is located uphill from, property zoned Residential Agricultural (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.

| TABLE 702-5: Setback Abutting Property Zoned RA and RS |  |  |
| :---: | :---: | :---: |
| Number of Building Stories | Minimum Setback | Limitations \& Qualifications |
| 1 to 2 | Minim 1-foot for each 1-foot of building height but in no case less than 20 ft . |  |
| 3 or more | Min. 1-foot for each 1-foot of building height but in no case less than 40 feet. | Applicable when, within 40 feet of the abutting RA or RS zoned property: |
|  | Min. 1-foot for each 1-foot of building height | - Buildings are designed so that the longest dimension of the building and any private open space areas, such as balconies or patios, do not face the abutting RA or RS zoned property; or <br> - Buildings are designed to |



FINDING OF COMPLIANCE: See Exhibit 'G' - Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3) and Exhibit N-1 Elevation Drawings. Along the north property boundary the proposed three story buildings are uphill of the RS zone. The minimum setback is $40-\mathrm{ft}$, while the proposed setback is $57-\mathrm{ft}$. This standard has been met.
(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 OF COMPLIANCE: The Linwood Street frontage is $844-\mathrm{ft}$, the building frontage occupied at the setback line is $469-\mathrm{ft}$ (56\%). The Orchard Heights Street frontage is 572-ft, the building frontage occupied at the setback line is $287-\mathrm{ft}(50 \%)$. Therefore, this standard has been met see Exhibit ' $G$ ' Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3).
(D) Roof-mounted mechanical equipment, other than vents or ventilators, shall be screened from ground level view. Screening shall be as high as the tope of the mechanical equipment, and shall be integrated with exterior building design.

FINDING OF COMPLIANCE: See Exhibit N-1 Elevation Drawings. No roof-mounted mechanical equipment is proposed for the buildings. This design standard is not applicable.
(E) A porch or architecturally defined entry area shall be provide 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 OF COMPLIANCE: Each of the 30 buildings have shared defined entries for the units. No dimension is less than 5 feet and each of the units have a minimum of 25 square feet in front of the entry door to the unit. All of the shared entries are defined by sidewalks leading to the entry. These design standards have been met [see Exhibit ' $G$ ' - Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3) Exhibit 'M' - Landscape Plans (Sheet \#

L1.0, L1.1, L1.2, L1.3, L1.4, L1.5, L2.0, L3.0), Exhibit 'N-1’ Elevation Drawings Buildings Type "A," "B," ‘C," \& "D" (Sheet \# A5, A6, A7) and Exhibit ' $N$-2'- Floor Plans Unit Type "A," "B," ‘C," \& "D" (Sheet \# A3, A4).

## (c) Building Articulation Design Review Standards.

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

FINDING OF COMPLIANCE: These design standards have been met [see Exhibit 'G' - Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3), Exhibit 'M' - Landscape Plans (Sheet \# L1.0, L1.1, L1.2, L1.3, L1.4, L1.5, L2.0, L3.0), Exhibit ‘ $\mathrm{N}-1$ ' Elevation Drawings Buildings Type "A," "В," ‘С," \& "D" (Sheet \# A5, A6, A7) and Exhibit 'N-2'- Floor Plans Unit Type "A," "B," ‘C," \& "D" (Sheet \# A3, A4).
(B) Within 28 feet of every property line, the building setback for adjacent buildings on the same lot shall vary by at least 4 feet in depth.

FINDING OF COMPLIANCE: As shown on the building floor plans [see Exhibit ‘N-2'- Floor Plans Unit Type "A," "B," ‘C," \& "D" (Sheet \# A3, A4)] and the site plan see Exhibits 'G’ -Site Plan (Sheet \# C1.0, C1.1, C1.2, C1.3), all buildings within $28-\mathrm{ft}$ of Linwood and Orchard Heights, adjacent buildings are set back a minimum of 4 feet. This standard has been met.
(C) Common entrances shall be provide to not more than 4 dwelling units.

FINDING OF COMPLIANCE: As shown on the building floor plans [see Exhibit ‘N-2'- Floor Plans Unit Type "A," "B," ‘C," \& "D" (Sheet \# A3, A4)] there is a maximum of 2 dwelling units per floor that share a common entrance. This standard has been met
(D) Individual and common entryways shall be articulated with a differentiated roof, awing or portico.

FINDING OF COMPLIANCE: As shown on the building elevations [see Exhibit ‘N-1' Elevation Drawings Buildings Type A, B, \& C (Sheet \# A5, A6, A7) there is a separate roof line that protrudes over each of the main entrances serving the units. This standard has been met.
(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 $\mathbf{4}$ feet.

FINDING OF COMPLIANCE: As shown each building (see Exhibit ' $\mathrm{N}-1$ ' Elevation Drawings Buildings Type A, B, \& C (Sheet \# A5, A6, A7) does not
exceed a horizontal length greater than 100 -feet without a difference in elevation of at least 4 feet. This standard has been met.
(F) Windows shall be provided in all habitable rooms, other than bathrooms, that face required setbacks, common open areas, and parking areas.

FINDING OF COMPLIANCE: Windows are shown to be provided in all habitable rooms that face setbacks, common open areas and parking areas. (see Exhibit ' $\mathrm{N}-1$ ’ Elevation Drawings Buildings Type A, B, \& C (Sheet \# A5, A6, A7) and Exhibit 'N-2'- Floor Plans Unit Type "A," "B," ‘C," \& "D" (Sheet \# A3, A4). This standard has been met.

## Section 702.040. Recycling.

(a) On-Site Design and Location of Facilities Design Review Standards.
(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 OF COMPLIANCE: The garbage and recycling for the development is picked up daily by the maintenance staff of the complex. The Waste-Recycling Center is located at the end of the drive-aisle to the east of the street entrance off of Linwood Street. The containment area is $24^{\prime} 6$ '" deep and 32 ' 6 " wide and sized to house two trash compactors and recycling. The structure is located 77 feet north of the apartment building to the south; 60 feet south of the apartment building to the north; and 80 feet from the east property boundary
(B) Recycling areas shall be protected against environmental conditions, such as rain.

FINDING OF COMPLIANCE: The containment bins within the Waste-Recycling are covered bins (see Exhibit ' N -3' - Garage, Maintenance Buildings \& Waste- Recycling Center Elevation Drawings \& Floor Plans (Sheet \# A1.0, A2)
(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 OF COMPLIANCE: The garbage and recycling for the development is picked up daily by the maintenance staff of the complex to ensure compliance with this standard. However, recycling requirements will be posted at the recycling center. This standard can be ensured by a condition of approval.
(D) Recycling areas shall be provided that are sufficient in capacity, number, distribution, and size to serve the tenants of the development.

FINDING OF COMPLIANCE: The garbage and recycling for the development is picked up daily by the maintenance staff of the complex. The containment area is $24^{\prime} 6$ " deep and $32^{\prime} 6^{\prime \prime}$ wide and sized to house two trash compactors and recycling. This standard can be ensured by a condition of approval.
(E) The design and materials of recycling areas shall be similar to the design and materials of the buildings within the development.

FINDING OF COMPLIANCE: (see Exhibit ‘N-3 -Garage, Maintenance Buildings \& Waste- Recycling Center Elevation Drawings \& Floor Plans (Sheet \# A1.0, A2). The design of the garages are shown to be metal frames with siding of the same material as the dwelling units there for it is compatible. This standard is met

## Tree Variance Request for Reserve West

A Tree Variance for hardship is requested to remove a significant white oak from the property to allow development of the proposed multifamily development, Reserve West. The white oak is located on the western side of the property. See the Tree Preservation Plan sheet C4.2 for tree location.

Criteria: Per SRC 808.045(d) the criteria below must be met to be granted a Tree Variance for hardship.

SRC 808.045(d)(1)(A) - There are special conditions that apply to the property which create unreasonable hardships or practical difficulties which can be most effectively relieved by a variance;

Applicant's Response: Special conditions apply to the development including a fixed driveway location and steep existing slopes. Combined, these conditions create physical conditions that prevent preservation of the significant white oak tree without unreasonable hardship as described below.

City of Salem Public Works Design Standards and the Traffic Impact Analysis (TIA) for the project require the proposed multifamily development to line up a driveway directly across from the existing driveway to the neighboring Orchard Ridge Apartments on Linwood Street. This requirement fixes the access location to the proposed development. Refer to the Site Plan on sheet C1.0 for driveway access location from Linwood Street.

City building code requires the proposed multifamily development provide ADA access to ground-level apartments. The existing property has steep slopes of about 7-8\%. To provide a driveway at the required location and also meet ADA accessibility standards the finish grade of the proposed development at the location of the existing white oak tree must be approximately 10 -feet below the existing grade. Refer to Grading Plan sheets C2.0-C2.3 for existing and proposed grades.

If the white oak is not removed ADA standards cannot be met and this portion of the property cannot be developed which creates an unreasonable hardship on the project. This hardship can be most effectively relieved by a variance.

## SRC 808.045(d)(1)(B) - The Proposed variance is the minimum necessary to allow the otherwise lawful proposed development or activity;

Applicant's Response: Trees are only removed where there is conflict with proposed building footprints and driveways as shown on the Tree Preservation Plan sheets C4.0-C4.2. Two significant trees exist on-site. The significant tree on the west side of the site must be removed to allow development of this portion of the property as described above. The other significant oak is in the southeast corner and will be protected by construction of a fill retaining wall around the tree. Many other trees ( 24 out of 41 total existing trees) on the property are
preserved along the eastern and southern edges of the property as shown on the Tree Preservation Plans. The street design proposes narrowing the standard street widths for Orchard Heights Road to preserve trees on the southern edge of the property within the street right-of-way for Orchard Heights Road. Therefore, this is the minimum impact to existing trees necessary to allow the proposed development.

## CLASS II Adjustment Written Findings

## Adjustment Request:

The applicant is requesting a Class II adjustment to the SRC 804.035(d), which limits driveway spacing on major or minor arterials to no less than 370 ft . The proposed driveway spacing on Orchard heights from the existing driveway to the west is approximately 347 ft . The existing park driveway to the east is greater than 370 ft . We are requesting a Class II adjustment to decrease the driveway spacing from 370 ft to 347 ft between the proposed and existing driveway a total of 23 ft or a $6 \%$ change to this standard.

## Criteria \& Applicants Response

Per SRC Section 250.005d(2) An application for a Class 2 adjustment shall be granted if all of the following criteria are met: The Criteria is in bold, while the applicants response follows in italics
(A) The purpose underlying the specific development standard proposed for adjustment is:
(i) Clearly inapplicable to the proposed development; or
(ii) Equally or better met by the proposed development.

Applicants Response: This criteria is clearly applicable to this developments proposed driveway location. Decreasing the driveway spacing from 370ft to 347ft between the proposed and existing driveway a total of $23 f t$ shift or a $6 \%$ change to this standard is equally or better met by the proposed development, rather than shifting the proposed driveway location 23ft farther to the east for two reasons. First, the site distance at either location of 330 ft required in the TIA, is met at both locations and is less than the proposed driveway spacing of 347ft, therefore they are equal. Second, moving the access to the east $23 f t$ would push the proposed offsite street improvements closer to the onsite 39inch diameter oak tree, which could negatively impact the significant tree which is protected in the SRC, making the proposed driveway location better than the standard. Therefore, this criteria has been met.
(B) If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.
Applicants Response: Moving a driveway 23ft east of the proposed location to meet the 370 ft standard will not detract from the livability or appearance of the residential area for two reasons. First, a driveway at either location will increase the accessibility of the site to pedestrians, and automobiles, at either location and therefore will not detract from the livability. Second, the appearance of the driveway is the same at either location. Therefore, this criteria has been met.
(C) If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone. Applicants Response: This criteria is not applicable because only one adjustment is being requested. Therefore, this criteria has been met.

MEMO

TO:
Aaron Panko, Planner III
Community Development Department
FROM: $<0^{2}$ Glenn J. Davis, PE, CFM, Chief Development Engineer Public Works Department
DATE: $\quad$ March 9, 2018

# SUBJECT: PUBLIC WORKS RECOMIMENDATIONS <br> SPR-DAP-TRV-DR17-29 (17-119923-RP) <br> 1800-2000 BLOCK OF LINWOOD STREET NW <br> 322 DWELLING APARTMENT COMPLEX 

## PROPOSAL

A Class 3 Site Plan Review, Class 2 Driveway Approach Permit, and Class 1 Design Review for development of a new multi-family apartment complex containing 31 buildings and a total of 322 dwelling units, with a Tree Regulation Variance request to remove one significant tree from the property, an Oregon White Oak approximately 30 -inches in diameter at breast height, for property approximately 16.9 acres in size, zoned RM-II (Multi-Family Residential), and located at the 1800-2000 Block of Linwood Street NW (Polk County Assessor's Map and Tax Lot Number: 073W16C / 000102).

## RECOIMIMENDED CONDITIONS OF APPROVAL

1. Construct a half-street improvement to Minor Arterial street standards consistent with the recommendations specified in the Traffic Impact Analysis and as approved by the Public Works Director. Curb-line sidewalks are permitted along Orchard Heights Road NW and Linwood Avenue NW as shown on the applicant's site plan.
2. Construct sidewalk improvements along the frontage of 1417 Orchard Heights Road NW (Tax Lot 073W16C000100). Curb-line sidewalks are permitted.
3. Convey land for dedication to equal a half-width right-of-way of 36 feet along the entire frontage of Orchard Heights Road NW.
4. Pursuant to Public Works Design Standards (PWDS), the applicant shall extend the public storm drain located at the northeast corner of the site and terminate it in an approved stormwater structure. All weather access will not be required to this structure. Provide a 15 -foot public storm easement along the full length of the proposed storm extension.
5. Extend public sewer to serve the proposed development in an alignment approved by the Public Works Director. Provide all necessary access and maintenance easements in conformance with PWDS. The proposed extension at the northeast corner of the subject property will not be permitted.
6. Provide a public sewer connection to 1417 Orchard Heights Road NW (Tax Lot 073W16C000100) and coordinate decommission of the existing septic system that encroaches onto the subject property.

## FACTS

## Streets

## 1. Linwood Street NW

a. Standard-This street is designated as a Collector street in the Salem Transportation System Plan (TSP). The standard for this street classification is a 40-foot-wide improvement within a 60-foot-wide right-of-way.
b. Existing Condition-This street has an approximate 40-foot improvement within a 60 -foot-wide right-of-way abutting the subject property.
2. Orchard Heights Road NW
a. Standard-This street is designated as a Minor Arterial street in the Salem TSP. The standard for this street classification is a 46 -foot-wide improvement within a 72-foot-wide right-of-way.
b. Existing Condition-This street has an approximate 43 -foot improvement within an approximate 70 -foot-wide right-of-way abutting the subject property.

## Storm Drainage

1. Existing Conditions
a. A 12-inch storm line is located in Linwood Street NW.
b. A 12 -inch storm line is located in a public easement at the northeast corner of the property, constructed as part of the McLaren Estates subdivision project.

## Water

## 1. Existing Conditions

a. The subject property is located primarily within the G-0 water service level, with the southwestern portion of the property within the $\mathrm{W}-1$ service level area.
b. A 24 -inch G-0 water line is located in Linwood Street NW. Mains of this size generally convey flows of 8,500 to 19,700 gallons per minute.
c. An 8 -inch W-1 water line is also located in Linwood Street NW. Mains of this size generally convey flows of 500 to 1,100 gallons per minute.
d. An 18-inch concrete cylinder pipe G-0 water line is located in Orchard Heights Road NW. This main is not available for direct connection.
e. An existing abandoned 24 -inch concrete cylinder pipe is located on the property. The applicant is advised that the pipe material will need to be removed with the development of the subject property. Public Works staff cannot confirm the current legal status of the 25-foot easement (B208 P235), so the easement may or may not need to be vacated.

## Sanitary Sewer

## 1. Existing Conditions

a. An 8-inch sewer line is located in Linwood Street NW.
b. An 8-inch sewer line in located in a public easement at the northeast corner of the property, constructed as part of the McLaren Estates subdivision project.

## CRITERIA AND FINDINGS

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

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

Finding: The existing configuration of Linwood Street NW meets current standards for
its classification of street per the Salem TSP, with the exception of sidewalks and street trees. The applicant's preliminary plan shows installation of street trees and construction of a sidewalk along the entire development frontage, including construction of curb and sidewalks along the parcel at the Northeast corner of the Linwood Street NW and Orchard Heights Road NW intersection. The sidewalks may be installed along the curb line as shown on the applicant's site plan in order to preserve existing street trees pursuant to SRC 803.035(I).

The existing configuration of Orchard Heights Road NW does not meet current standards for its classification of street per the Salem TSP. The applicant submitted a Transportation Impact Analysis (TIA) as part of the application materials. The TIA recommends a two-way center left turn lane to be constructed along Orchard Heights Road NW, which is depicted on the applicant's site plan. The City Traffic Engineer concurs with these findings. Required street improvements and right-of-way dedication are specified in the conditions of approval consistent with SRC Chapter 803. The sidewalks may be installed along the curb line as shown on the applicant's site plan in order to preserve existing street trees pursuant to SRC 803.035(I).

In order to prevent traffic conflicts between vehicles and pedestrians, the applicant shall be required to construct sidewalk improvements along the frontage of 1417 Orchard Heights Road NW (Tax Lot 073W16C000100). Curb-line sidewalks are permitted in order to preserve existing street trees and in order to prevent the need for acquisition of additional right-of-way from the neighboring property.

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

Finding: The driveway access onto Orchard Heights Road NW and Linwood Street NW provides for safe turning movements into and out of the property, as detailed in the Class 2 Driveway Approach Permit findings below.

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 infrastructures are available within surrounding streets / areas and appear to be adequate to serve the proposed development. The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the PWDS and to the satisfaction of the Public Works Director. As specified in the conditions of approval, the applicant shall dedicate a 15 -foot public storm easement along the full length of the proposed 8-inch storm main extension at the northeast corner of the subject property. Public Works has determined that access to the proposed public storm main extension can be achieved by way of the
internal parking area of the proposed development. At the time of building permit application, the applicant shall provide a modified utility design for sewer service to serve the proposed development. The sewer design provided as part of the Site Plan Review application does not provide for full access to the proposed structures and will not be approved as shown.

City records indicate that the existing septic and drain field that currently serves the dwelling at 1417 Orchard Heights Road NW ((073W16C000100) may encroach onto the subject development property. To eliminate conflicts with the existing septic system, the applicant shall provide evidence of a public sewer connection to 1417 Orchard Heights Road NW and coordinate decommission of the existing septic system.

The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4)(b) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible.

## CRITERIA AND FINDINGS—Class 2 Adjustment

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

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

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

Finding-The applicant is requesting a Class 2 adjustment to decrease the driveway spacing from 370 feet to 347 feet between the proposed driveway to Orchard Heights Road NW and the existing residential driveway to the west, a total of 23 feet or a 6.2 percent reduction to the standards in SRC 804.035(d). The applicant provided findings indicating that the proposed location provides the recommended sight distance location required in the Transportation Impact Analysis and prevents potential impacts to a significant White Oak tree adjacent to the property. The minor adjustment was reviewed by the City Traffic Engineer and it was determined that the proposed driveway spacing is better met by the proposed driveway location.

## Driveway Approach Permit-Linwood Street NW

Analysis of the development based on relevant criteria in SRC 804.025(d) is as follows:
(1) The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards;

Finding-The proposed driveway meets the standards for SRC Chapter 804 and PWDS.
(2) No site conditions prevent placing the driveway approach in the required location;

Finding-There are no site conditions prohibiting the location of the proposed driveway.
(3) The number of driveway approaches onto an Arterial are minimized;

Finding-The proposed driveway is located on 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 access to Linwood Street NW is to the lowest classification of street abutting the subject property.
(5) Proposed driveway approach meets vision clearance standards;

Finding-The proposed driveway meets the PWDS vision clearance standards set forth in SRC Chapter 805.
(6) The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access;

Finding-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 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 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 is appropriately aligned with the existing driveway access to the multi-family development on the west side of Linwood Street NW. The driveway will not have an effect on the functionality of the adjacent streets.

## Driveway Approach Permit-Orchard Heights Road NW

Analysis of the development based on relevant criteria in SRC 804.025(d) is as follows:
(1) The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards;

Finding-The proposed driveway meets the standards for SRC Chapter 804 and PWDS, with the exception of the 370 -foot driveway spacing standard to the nearest driveway (SRC 804.035(d)), which is addressed in the Class 2 adjustment findings above.
(2) No site conditions prevent placing the driveway approach in the required location;

Finding-There are no site conditions prohibiting the location of the proposed driveway.
(3) The number of driveway approaches onto an Arterial are minimized;

Finding-The applicant proposes a single driveway approach to Orchard Heights Road NW, which is allowed under SRC 804.035.
(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 primary driveway to the subject property is proposed to be located on Linwood Street NW, which is classified as a Collector street. The proposed driveway to Orchard Heights Road NW is necessary to provide safe site circulation and fire access to the site. Shared access with adjacent property to the north is not feasible due to the existing residential use of the property. The adjacent property to the east is an existing developed City of Salem park property with no access to Orchard Heights Road NW along the shared property boundary.
(5) Proposed driveway approach meets vision clearance standards;

Finding-The proposed driveway meets the PWDS vision clearance standards set forth in SRC Chapter 805.
(6) The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access;

Finding-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 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 proposed driveway approach minimizes the impact to the functionality of the adjacent Linwood Street NW intersection by locating the driveway more than the required 370 -foot distance from the intersection.
(9) The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.

Finding-The proposed property is residentially zoned. The driveway will not have an effect on the functionality of the adjacent properties or streets.

Prepared by: Curt Pellatz, Project Coordinator
cc: File

DAVID FRIDENMAKER, Manager
Facility Rental, Planning, Property Services
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503-399-3335 • FAX: 503-375-7847

December 13, 2017
Aaron Panko, Case Manager
Planning Division, City of Salem
555 Liberty Street SE, Room 305
Salem OR 97301
RE: Land Use Activity Case No. SPR-DAP-TRV-DR17-29, 1800-2000 Block of Linwood St. NW
The City of Salem issued a Request for Comments for a Land Use Case as referenced above. Please find below comments on the impact of the proposed land use change on the Salem-Keizer School District.

## IDENTIFICATION OF SCHOOLS SERVING THE SUBJECT PROPERTY

The School District has established geographical school attendance areas for each school known as school boundaries. Students residing in any residence within that boundary are assigned to the school identified to serve that area. There are three school levels, elementary school serving kindergarten thru fifth grade, middle school serving sixth thru eighth grade, and high school serving ninth thru twelfth grade. . The schools identified to serve the subject property are:

| School Name | School Type | Grades Served |
| :--- | :---: | :---: |
| Harritt | Elementary | K thru 5 |
| Walker | Middle | 6 thru 8 |
| West | High | 9 thru 12 |

Table 1

## SCHOOL CAPACITY \& CURRENT ENROLLMENT

The School District has established school capacities which are the number of students that a particular school is designed to serve. Capacities can change based on class size. School capacities are established by taking into account core infrastructure (gymnasium, cafeteria, library, etc.) counting the number of classrooms and multiplying by the number of students that each classroom will serve. A more detailed explanation of school capacity can be found in the School District's adopted Facility Plan.

| School Name | School Type | School <br> Enrollment | School Design <br> Capacity | Enroll./Capacity <br> Ratio |
| :--- | :---: | :---: | :---: | :---: |
| Harritt | Elementary | 508 | 465 | $109 \%$ |
| Walker | Middle | 672 | 956 | $70 \%$ |
| West | High | 1,812 | 1,739 | $104 \%$ |

Table 2

## POTENTIAL ADDITIONAL STUDENTS IN BOUNDARY AREA RESULTING FROM APPROVAL OF LAND USE CASE

The School District anticipates the number of students that may reside at the proposed development based on the housing type, single family (SF), duplex/triplex/four-plex (DU), multifamily (MF) and mobile home park (MHP). The School District commissioned a study by the Mid-Willamette Valley Council of Governments in 2014 to determine an estimate of students per residence, for the Salem-Keizer area, in each of the four housing types. Since the results are averages, the actual number of students in any given housing type will vary. The table below represents the resulting estimates for the subject property:

| School Type | Qty. of New <br> Residences | Housing Type | Average Qty, of <br> Students per <br> Residence | Total New <br> Students |
| :--- | :---: | :---: | :---: | :---: |
| Elementary | 322 | MF | .201 | 65 |
| Middle | 322 | MF | .077 | 25 |
| High | 322 | MF | .084 | 27 |

Table 3

## POTENTIAL EFFECT OF THIS DEVELOPMENT ON SCHOOL ENROLLMENT

To determine the impact of the new residential development on school enrollment, the School District compares the school capacity to the current enrollment plus estimates of potential additional students resulting from land use cases over the previous two calendar years. A ratio of the existing and new students is then compared with the school design capacity and expressed as a percentage to show how much of the school capacity may be used.

| School Name | School <br> Type | School <br> Enrollment | New <br> Students <br> During <br> Past 2 yrs | New <br> Student <br> from <br> this Case | Total <br> New <br> Students | School <br> Design <br> Cap. | Enroll. <br> /Cap. <br> Ratio |
| :--- | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Harritt | Elem. | 508 | 4 | 65 | 69 | 465 | $124 \%$ |
| Walker | Mid. | 672 | 3 | 25 | 28 | 956 | $73 \%$ |
| West | High | 1,812 | 20 | 27 | 47 | 1,739 | $107 \%$ |

Table 4

## ESTIMATE OF THE EFFECT ON INFRASTRUCTURE - IDENTIFICATION OF WALK ZONES AND SCHOOL TRANSPORTATION SERVICE

Civic infrastructure needed to provide connectivity between the new residential development and the schools serving the new development will generally require roads, sidewalks and bicycle lanes. When developing within one mile of school(s), adequate pathways to the school should be
provided that would have raised sidewalks. If there are a large number of students walking, the sidewalks should be wider to accommodate the number of students that would be traveling the path at the same time. Bike lanes should be included, crosswalks with flashing lights and signs where appropriate, traffic signals to allow for safe crossings at busy intersections, and any easements that would allow students to travel through neighborhoods. If the development is farther than one mile away from any school, provide bus pullouts and a covered shelter (like those provided by the transit district). Locate in collaboration with the District at a reasonable distance away from an intersection for buses if the distance is greater than $1 / 2$ mile from the main road. If the distance is less than a $1 / 2$ mile then raised sidewalks should be provided with stop signs where students would cross intersections within the development as access to the bus stop on the main road. Following is an identification, for the new development location, that the development is either located in a school walk zone or is eligible for school transportation services.

| School Name | School Type | Walk Zone or Eligible for School Transportation |
| :--- | :---: | :---: |
| Harritt | Elementary | Walk Zone |
| Walker | Middle | School Bus Eligible |
| West | High | Walk Zone |

Table 5

## ESTIMATE OF NEW SCHOOL CONSTRUCTION NEEDED TO SERVE DEVELOPMENT

The School District estimates the cost of constructing new school facilities to serve our community. The costs of new school construction is estimated using the Annual School Construction Report by School Planning \& Management. The costs to construct school facilities to serve the proposed development are in the following table.

| School Type | Number of <br> Students | Estimate of Facility <br> Cost Per Student* | Total Cost of Facilities <br> for Proposed <br> Development* |
| :--- | :---: | :---: | :---: |
| Elementary | 65 | $\$ 50,831$ | $\$ 3.30 \mathrm{~m}$ |
| Middle | 25 | $\$ 54,625$ | $\$ 1.37 \mathrm{~m}$ |
| High | 27 | $\$ 46,389$ | $\$ 1.25 \mathrm{~m}$ |
| TOTAL |  |  | $\$ 5.92 \mathrm{~m}$ |

Table 6
*Paul Abramson, $20^{\text {th }}$ Annual School Construction Report, School Planning \& Management, Feb. 2015
Sincerely,


David Fridenmaker, Manager
Planning and Property Services
c: Mike Wolfe, Chief Operations Officer, David Hughes, Manager - Custodial, Property and Auxiliary Services, Valerie Saiki, Manager - Risk Management, Michael Shields, Director of Transportation

