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503-588-6173*

DECISION OF THE PLANNING COMMISSION

**CLASS 3 DESIGN REVIEW / CONDITIONAL USE / CLASS 3 SITE PLAN
REVIEW / CLASS 2 ZONING ADJUSTMENT / CLASS 2 DRIVEWAY APPROACH
PERMIT; CASE NO. DR-CU-SPR-ADJ-DAP18-06**

APPLICATION NO. : 18-111109-DR, 18-111106-RP, 18-111110-ZO, 18-121704-ZO

NOTICE OF DECISION DATE: December 19, 2018

Summary: A request for a Design Review, Conditional Use Permit, Site Plan Review, Class 2 Zoning Adjustment and Class 2 Driveway Approach Permit to allow a 20-unit multi-family use on the subject property.

Request: A proposed Class 3 Design Review, Conditional Use Permit, Class 3 Site Plan Review, to allow development of an 20-unit apartment complex, with a zoning adjustment for vision clearance as part of the Class 2 Driveway Approach Permit. The subject property is approximately 0.66 acres, zoned IC (Industrial Commercial) within the Portland/Fairground Road Overlay, and located in the 3355 Portland Road NE - 97301 (Marion County Assessor's Map and Tax Lot number: 073W12CC / 1500).

APPLICANT / OWNER: PR-3, LLC (Ilana Gat)

LOCATION: 3355 Portland Road NE, Salem, OR 97301

CRITERIA: Class 3 Design Review: SRC 225.005(e)(2)
Conditional Use: SRC 240.005(d)
Class 3 Site Plan Review: SRC 220.005(f)(3)
Class 2 Adjustment: SRC 250.005(d)(2)
Class 2 Driveway Approach Permit: 804.025(d)

FINDINGS: The facts and findings are in the attached Exhibit dated December 19, 2018.

DECISION: The Planning Commission **APPROVED** Class 3 Design Review / Conditional Use / Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway Approach Permit Case No.: DR-CU-SPR-ADJ-DAP18-06 subject to the following conditions of approval:

- Condition 1:** The proposed building shall be provide contrast and distinction between the ground floor and upper floor facades by incorporating one or more of the following:
- a) Vertically oriented lap siding, or horizontally oriented lap siding that is wider than that provided on the upper floor facades, that is painted a different color than the upper floor facades; or
 - b) A siding material different from that used in the other portions of the building facades.

NOTICE OF DECISION

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

CITY OF Salem
AT YOUR SERVICE

- Condition 2:** The recycling area shall be similar materials and design as the proposed development.
- Condition 3:** The applicant shall incorporate a disclaimer into their tenant lease agreements that excessive noise is possible based on surrounding uses.
- Condition 4:** Along all property lines, except abutting Portland Road, installation of an ~~8-foot~~ 6-foot solid site obscuring fence.
- Condition 5:** The multi-family use shall contain no more than 20-dwelling units.
- Condition 6:** All trash/recycling areas shall conform to the solid waste service area standards of SRC 800.055.
- Condition 7:** The applicant, at building permit, shall provide a landscaping and irrigation plan designed by an Oregon landscaping architect.
- Condition 8:** Prior to issuance of certificate of occupancy for any apartment building within the proposed development, replacement of sidewalks on the abutting portions of Portland Road, that do not conform to Public Works Design Standards.
- Condition 9:** Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and Public Works Design Standards (PWDS).
- Condition 10:** The alternative vision clearance standard, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable setback requirements for the development site, unless adjusted through a future land use action.

VOTE:

Yes 7 No 0 Absent 2 (Griggs, Pollock) Abstain 0



Rich Fry, President
Salem Planning Commission

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

Class 3 Design Review
Conditional Use

January 4, 2021
January 4, 2021

Class 3 Site Plan Review	<u>January 4, 2023</u>
Class 2 Zoning Adjustment	<u>January 4, 2021</u>
Class 2 Driveway Approach Permit	<u>January 4, 2021</u>

Application Deemed Complete:	<u>October 30, 2018</u>
Public Hearing Date:	<u>November 20, 2018 and December 18, 2018</u>
Notice of Decision Mailing Date:	<u>December 19, 2018</u>
Decision Effective Date:	<u>January 4, 2019</u>
State Mandate Date:	<u>February 27, 2019</u>

Case Manager: Olivia Glantz, OGlantz@cityofsalem.net

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, **no later than Thursday, January 3, 2019 at 5:00 p.m.** Any person who presented evidence or testimony at the hearing may appeal the decision. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 225, 240, 220 250, 804. The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The City Council will review the appeal at a public hearing. After the hearing, the City Council may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

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

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

FACTS & FINDINGS

CLASS 3 DESIGN REVIEW/CLASS 3 SITE PLAN REVIEW/CLASS 2 ADJUSTMENT/CLASS 2 DRIVEWAY APPROACH PERMIT CASE NO. DR-CU-SPR-ADJ-DAP18-06

December 19, 2018

PROCEDURAL FINDINGS

Chris Homes Parker, on behalf of the applicant, the PR-3, LLC, and property owner, the City of Salem, filed an application for a consolidated Class 3 Design Review, Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit for the development of a 20-unit multi-family use for property on May 24, 2018.

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

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

After additional requested information was provided by the applicant, the application was deemed complete for processing on October 30, 2018. Notice of the public hearing on the proposed development was subsequently provided pursuant to SRC requirements on October 30, 2018. Notice was also posted on the subject property pursuant to SRC requirements by the applicant's representative.

The public hearing on the proposed Class 3 Design Review, Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit application is scheduled for November 20, 2018, which was continued, at the request of the applicant to December 18, 2018. The state-mandated 120-day local decision deadline for the application is March 29, 2019.

BACKGROUND/PROPOSAL

The application under review by the Planning Commission is a consolidated Class 3 Design Review, Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit for the City of Salem's proposed new 20-unit multi-family development located at 3355 Portland Road NE.

The proposed multi-family development is converting four existing buildings from short-term rentals to multi-family and constructing a four story multi-family building. The proposed site/development plans for the site are included in **Attachment B**. The proposed building elevations for the site, as well as renderings showing various perspective views of the proposed facility and site, are included as **Attachment C**. The

written statement provided by the applicant addressing the proposal's conformance with the applicable approval criteria is included in **Attachment D**.

SUBSTANTIVE FINDINGS

1. Salem Area Comprehensive Plan (SACP)

The Salem Area Comprehensive Plan (SACP) map designation for the subject property is "Industrial Commercial". The subject property is within the Urban Growth Boundary and is within the Urban Service Area.

2. Zoning

The subject property is zoned IC (Industrial Commercial) and is located within the Portland Fairgrounds Overlay. The zoning of surrounding properties is as follows:

North: IC (Industrial Commercial) with Portland Fairgrounds Overlay

South: IC (Industrial Commercial) with Portland Fairgrounds Overlay

East: Across Portland Road NE, CR (Retail Commercial) with Portland Fairgrounds Overlay

West: IC (Industrial Commercial) with Portland Fairgrounds Overlay

3. Neighborhood Association Comments

The subject property is located within the boundaries of the Northgate Neighborhood Association (Northgate) neighborhood association. Northgate submitted comments with no objections to the proposal.

4. Public Comments

All property owners within 250 feet of the subject property were mailed notice of the proposal. Notice of public hearing was also posted on the subject property. Comments from surrounding property owners expressed concerns with compatibility with the existing industrial use and inconsistency between the Comprehensive Plan and zoning district.

Finding: The compatibility with surrounding properties is addressed below in Section 8. The Industrial Commercial (IC) zone implements the Industrial Commercial comprehensive plan designation. The zoning district allows for multi-family development with a conditional use permit, which is part of this application.

5. City Department and Public Agency Comments

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

- B. The Fire Department originally commented that some structures may be required to comply with the Oregon Structural Specialty Code and others may be required to comply with the Residential Code. Fire Department indicated concerns with meeting adequate access to all portions of the structures, and a lack of Fire Department turnaround. The proposed plans show a new building exceeding 30-feet in height, which would require aerial Fire Department access to be provided and was not shown.

The applicant submitted a revised site plan to address the concerns of the Fire Department (Attachment B). After review, the Fire Department commented that the revised site plan meets applicable standards for Fire Department Access, including aerial access and sprinkling requirements for the existing and proposed structures. A turnaround will not be required due to the installation of an NFPA 13 fire sprinkler system. The Fire Department will review all building permits for final approval.

- C. The Public Works Department reviewed the proposal and provided comments regarding street and City utility improvements required to serve the development and recommended conditions of approval to ensure conformance with the applicable requirements of the SRC. Comments from the Public Works Department are included as **Attachment E**.

6. Applicant Submittal Information

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

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

7. CLASS 3 DESIGN REVIEW APPROVAL CRITERIA

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

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

Open Space Design Review Guidelines and Standards

702.015(b)(1) – Common Open Space

- (A) A variety of open space areas of sufficient size shall be provided for use by all residents.
- (B) Common open space shall be distributed around buildings and throughout the site.
- (C) The amount of perimeter setbacks used for common open space shall be minimized.

Finding: A variety of common open space areas are provided which are outside of the perimeter setback areas. Approximately 30 percent (6,760 square feet) of the site is open space, with all of the open space area falling within the perimeter setbacks.

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

- (A) A variety of common open area opportunities shall be provided for enjoyment by all residents.
- (B) Children’s plan and/or adult recreation areas shall be located centrally within the development.
- (C) Children’s play areas, if provided, shall be located in a manner to incorporate safety into the design by including such things as locating play areas to be visible from dwelling units, locating play areas away from physical barriers such as driveways and parking areas, and selection of play equipment with safe designs.

Finding: The applicant is proposing an approximately 790 square foot play area, mostly within the required setback for the proposed development. Due to the width of the property, the existing development and surrounding zones requiring a 15-foot setback makes development of open space outside of the required setback difficult. Staff believes the guideline is met.

702.015(d)(1) – Private Open Space.

- (A) Individual private open space shall be provided for each dwelling unit in all newly constructed multiple family developments.
- (B) Private open space shall be easily accessible from the dwelling unit.
- (C) If private open space is located adjacent to common open space, a buffer between the two open space areas shall be provided.

Finding: This standard applies to new multi-family developments. The applicant is proposing to change the use of existing buildings from short-term rentals to multi-family, therefore the criterion is not applicable to the existing

buildings. The proposed nine unit building is providing a 40 square foot (50 square foot for ADA units) private deck for each new unit.

Landscaping Design Review Guidelines and Standards

702.020(b)(1) – General Landscaping

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

Finding: The applicant's preliminary landscape plan indicates that a variety of tree types will be distributed throughout the development site.

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

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

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

Finding: The existing conditions plan indicates that there are six existing trees located on the property. Five of the trees are designated for preservation.

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

Finding: The subject property is not adjacent to a RA (Residential Agriculture) or RS (Single Family Residential) zones, therefore the criterion is not applicable.

702.020(c)(1) – Street Frontage

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

Finding: The preliminary landscaping plan shows street trees to be planted within the public right-of-way approximately every 40 feet.

702.020(d)(1) – Building Exteriors

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

Finding: Landscaping is not provided at any of the primary of the dwelling units. Due to the width of the subject property, landscaping could only be

provided in front of the units if the sidewalks were removed. There are 13 of the units with entrances that articulate towards the parking area, some with landscaping on the ends of the buildings. Staff believes the guideline is met.

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

Finding: The preliminary landscape plan indicates that trees and shrub beds will be provided around the exterior walls of the proposed buildings.

702.020(e)(1) – Privacy

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

Finding: A 15 foot wide landscaped setback area and a 6-foot tall sight obscuring fence is proposed along the northern property boundary where abutting an industrial building. Along the east and west boundaries of the property a new privacy fence is proposed where the existing buildings do not meet setbacks.

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

Finding: The preliminary landscape plan indicates that trees and shrub beds will be provided around the exterior walls of the proposed building and privacy fencing will be placed at the property lines abutting the existing buildings.

702.020(f)(1) – Parking Areas

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

Finding: The applicant's written statement indicates that one plant unit will be provided for every 20 square feet of landscaping and at least 40 percent of the plant units will be trees. The preliminary landscape plan indicates that 23% of the site will be landscaped.

Crime Prevention Through Environmental Design

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

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

Finding: The applicant indicates that the new building has windows provided in habitable rooms and windows that face the parking lots and open space areas.

The existing buildings has windows provided in habitable rooms and windows facing the parking area and open space areas.

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

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

Parking, Site Access, and Circulation

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

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

Finding Landscaping is not provided at any islands. Due to the width of the subject property, landscaping could only be provided in front of the units if the sidewalks were removed. There are 13 of the units with entrances that articulate towards the parking area, some with landscaping on the ends of the buildings. Staff believes the guideline is met.

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

Finding: The proposed site plan includes pedestrian pathways which connect the parking areas, and open space areas to the multi-family dwelling units.

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

Finding: Parking areas are provided throughout the development site, in a convenient distance from the proposed multi-family dwelling units.

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

Finding: A proposed parking area is not adjacent to a residential zone; therefore, the criterion is not applicable.

702.030(c)(1) – Site Access

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

Finding: The development site is served by one driveway onto Portland Road NE. Two pedestrian connections are proposed to the public sidewalk system.

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

Finding: The applicant is proposing a raised sidewalk which is provided around the entire site.

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

Finding: The existing driveway currently has access to Portland Road NE, which is designated as a major arterial. The subject property does not have potential for any other access.

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

Finding: The subject property currently has an existing access to Portland Road NE. The property to the north is currently industrial (food manufacturing), which a shared driveway would not be conducive for multi-family development.

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

Finding: The proposed parking area is setback more than 20 foot from the right of way, which is required by the multi-family design standards. The preliminary landscaping plan indicates that the parking areas will be screened from view by the existing buildings, shrubs and trees; therefore, minimizing their visibility from the public right-of-way.

Building Mass & Façade Design

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

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

Finding: The development site is relatively flat and does not contain any areas of mapped landslide hazards.

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

Finding: The proposed three story buildings comply with height and setback requirements of the underlying zone.

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

Finding: Building offsets are provided in the design for each building. No dimension exceeds more than 150 feet in length.

702.035(c)(1) – Compatibility

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

Finding: Horizontal and vertical building offsets are provided in the design for each building. No dimension exceeds more than 150 feet in length. The proposed building setbacks and building height comply with the standards and guidelines for multi-family development.

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

Finding: The proposed buildings comply with height and setback requirements of the IC zone. The building height and setbacks proposed provide a separation and transitional area between existing buildings on abutting sites.

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

Finding: The proposed three story building provides offsets, varied roof elevations and contrasting facade materials are provided in the design for each building. The existing structures provide offsets on each end of the buildings and proposed varied roof elections.

Condition 2: The proposed building shall provide contrast and distinction between the ground floor and upper floor facades by incorporating one or more of the following:

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

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

Finding: The proposed site plan shows two of the five apartment buildings are currently 20-feet and 3-feet adjacent to a street. The setback in the Portland Fairgrounds Overlay for the existing structures is 12-feet. Since the buildings are existing, the buildings are placed as close as possible.

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

Finding: The proposed building is not providing external entryways. The existing buildings are proposed to have covered entry ways as part of the design of the primary entrance for each of the buildings.

702.035(d)(1) – Building Articulation

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

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

Finding: The proposed new building provides offsets. Since four of the buildings are existing, adding an offset for every two units would require reconstruction of each building.

(ii) Dispersing windows throughout building facades.

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

The proposed plans indicate that windows will be provided in habitable space which faces common open space and parking areas.

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

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

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

Finding: The design standards require that the horizontal length of roof shall not exceed 100 feet without providing a change of elevation of at least 4 feet. The proposed design does not include a horizontal roof length does not exceed 100 feet, in compliance with the corresponding design standard.

Recycling

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

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

Finding: The site plan includes a trash and recycling areas to serve residents. The proposed site plan does not indicate details of the recycling and solid waste receptacle area. Therefore, as conditioned below, the applicant shall,

prior to building permit issuance, provide evidence that the proposed solid waste service area will comply with the standards of SRC 800.055.

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

Finding: The site plan includes a trash and recycling areas to serve residents. The proposed site plan does not indicate details of the recycling and solid waste receptacle area; therefore, the following condition is necessary:

Condition 3: The recycling area shall be similar materials and design as the proposed development.

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

Finding: The site plan includes a trash and recycling areas to serve residents. The proposed site plan does not indicate details of the recycling and solid waste receptacle area. As conditioned below the proposed enclosure will meet the solid waste service area requirements of SRC Chapter 800.055, including requirements for vehicle operation and servicing area. Adequate space is provided to allow for the servicing of recyclables.

FINDINGS ADDRESSING APPLICABLE SALEM REVISED CODE APPROVAL CRITERIA FOR CONDITINAL USE PERMIT

8. CONDITIONAL USE PERMIT APPROVAL CRITERIA

SRC Chapter 240.005(a)(1) provides that:

No building, structure, or land shall be used or developed for any use which is designated as a conditional use in the UDC unless a conditional use permit has been granted pursuant to this chapter.

SRC Chapter 240.005(d) establishes the following approval criteria for a conditional use permit:

Criterion 1:

The proposed use is allowed as a conditional use in the zone.

Staff Finding: SRC Chapter 551, Table 551-1 provides that multiple family uses are allowed in the IC (Industrial Commercial) zone with a conditional use permit.

Criterion 2:

The reasonably likely adverse impacts of the use on the immediate neighborhood can be minimized through the imposition of conditions.

Staff Finding: The subject property is adjacent to Ventura Foods located in an IC (Industrial Commercial) zone to the north and northwest. There is a vacant lot zoned IC (Industrial Commercial) to the south.

Design review is required for multi-family development within the City of Salem. The design review process encourages open spaces in multi-family developments, requires common and private open space for active and passive uses, ensures that accessible pathways are available to residents of the development and provides visual relief from structural bulk.

The multi-family design standards and the standards in the IC zone require that a site obscuring fence and landscape buffer separate the proposed multi-family use from the abutting properties to the north, northwest and south. A 15-foot landscape setback and installation of a 6 foot tall site obscuring fence is required. Comments from the public were received indicating the existing Ventura Foods manufacturing business will be adversely affected by the multi-family development.

A multi-family use will likely have little to no impact on the surrounding higher intensity commercial and industrial uses; rather the uses in the surrounding area will potentially cause an adverse impact for those residing in this development if the Conditional Use Permit is approved. The subject property is directly adjacent to Venture Foods, an industrial use. The facility may be operating 24 hours a day, 7 days a week, residents could be subjected to increased noise impacts. To minimize the impacts the following condition should apply:

Condition 4: The applicant shall incorporate a disclaimer into their tenant lease agreements that excessive noise is possible based on surrounding uses.

The applicant is proposing landscaping and fencing will provide a buffer and separation between the multi-family use and abutting uses. The proposed 15-foot landscape setback and installation of a 6 foot tall site obscuring fence is required for the areas abutting Ventura Foods. To minimize the impacts of the abutting uses the following condition should apply:

Condition 5: Along all property lines, except abutting Portland Road, installation of an 6-foot solid site obscuring fence.

If the property were zoned RM-II (Multiple Family Residential) the density would allow between 8-19 dwelling units based on the size of the parcel; the applicant is proposing up to 20 dwelling units on their tentative site plan. The design review standards, including setbacks, landscaping and open space, are intended to address the difference in compatibility that arises from increased residential density. If the scale of the multi-family development is limited to no more than 20 dwelling units, staff finds that the proposed development will have minimal impact on the immediate neighborhood. Therefore, the following condition of approval is proposed:

Condition 6: The multi-family use shall contain no more than 20-dwelling units.

Any future increase of the development beyond 20-dwelling units will require approval of a separate conditional use permit.

Criterion 3:

The proposed use will be reasonably compatible with and have minimal impact on the livability or appropriate development of surrounding property.

Staff Finding: To determine if the proposed multi-family use is reasonably compatible with the surrounding area, it is first appropriate to determine if the proposed multi-family use is consistent with the goals and policies of the Salem Area Comprehensive Plan for multi-family residential development and siting.

Residential Development (SACP IV Section E)

Establishing Residential Uses.

The location and density of residential uses shall be determined after considering the proximity to services. Such services include, but are not limited to, shopping, employment and entertainment opportunities, parks, religious institutions, schools and municipal services. Relative proximity shall be determined by distance, access, and ability to provide services to the site.

Multi-Family Housing.

Multiple family developments should be located in areas that provide walking, auto or transit connections to:

- 1) Employment Center
- 2) Shopping Areas
- 3) Transit Service
- 4) Parks
- 5) Public Buildings

Finding: Existing shopping areas and employment opportunities are located along Portland Road NE and east of the subject property near Salem Parkway and Commercial Street. Waldo Middle School, Washington Elementary School and Claggett Creek Natural Area are also located nearby the property. The subject property is bordered by Portland Road NE, which is developed with sidewalks. The nearest transit service route is provided on Portland Road, north of the property at Carleton Way NE.

The proposed multi-family use for the subject property is consistent with the goals and policies of the Salem Area Comprehensive Plan for multi-family residential development and siting.

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

9. CLASS 3 SITE PLAN REVIEW APPROVAL CRITERIA

Site plan review is required for any development that requires a building permit, unless the development is identified as being exempt from site plan review under SRC 220.005(a)(2). Class 3 Site Plan Review is required for development proposals that involve a land use decision or limited land use decision as defined under ORS 197.015. Because the proposed development involves a Class 3 Design Review and Class 2 Adjustment, the proposed site plan review must be processed as a Class 3 Site Plan Review.

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

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

Finding: The proposal includes a request to develop a 20-unit apartment complex in an IC zone on the subject property.

Development Standards – IC Zone:

SRC 551.005(a) - Uses:

Except as otherwise provided in Chapter 551, the permitted, special, conditional and prohibited uses in the IC zone are set forth in Table 551-1.

Finding: Multiple Family Uses are allowed in the IC zone, subject to Conditional Use Permit approval.

SRC 551.010(a) – Lot Standards:

There are no minimum lot area or dimensional requirements in the IC zone. The minimum street frontage requirement is 16 feet.

Finding: The subject property has frontage along Portland Road NE. The existing street frontage exceeds the minimum frontage requirement.

SRC 551.010(b) – IC Zone Setbacks:

North: Adjacent to the north is an IC (Industrial Commercial) zone. There is a minimum 15 foot setback for buildings and vehicle use areas for multi-family developments. Required landscaping shall meet the Type C standard set forth in SRC Chapter 807. Type C landscaping includes a minimum of 1 plant unit per 20 square feet of landscape area and installation of a 6-foot-tall sight obscuring fence or wall.

Finding: The proposed vehicle use area and the new proposed building is 15-feet from the north property line. The site plan indicates that the setback area will include a 6-foot-tall sight obscuring fence and Type C landscaping.

South: Adjacent to the south is an IC (Industrial Commercial) zone. There is a minimum 15 foot setback for buildings and vehicle use areas for multi-family developments. Required landscaping shall meet the Type C standard set forth in SRC Chapter 807. Type C landscaping includes a minimum of 1 plant unit per 20 square feet of landscape area and installation of a 6-foot-tall sight obscuring fence or wall.

Finding: The proposed building and vehicle use area are setback from this property line by approximately 15 feet. The site plan indicates that the setback area will include a 8-foot-tall sight obscuring fence and Type C landscaping.

West: Adjacent to the west is an IC (Industrial Commercial) zone. There is a minimum 15 foot setback for buildings and vehicle use areas for multi-family developments. Required landscaping shall meet the Type C standard set forth in SRC Chapter 807. Type C landscaping includes a minimum of 1 plant unit per 20 square feet of landscape area and installation of a 6-foot-tall sight obscuring fence or wall.

Finding: The proposed building and vehicle use area are setback from this property line by approximately 15 feet. The site plan indicates that the setback area will include a 8-foot-tall sight obscuring fence and Type C landscaping.

East: Adjacent to the east is the right-of-way for Portland Road NE. For buildings and structures, the minimum setback is 5 feet. There is a minimum 6-10 foot vehicle use area setback adjacent to a street per SRC Chapter 806. The Portland/Fairgrounds Overlay has a minimum setback of 12-feet, plus one-foot for each foot over 12-feet.

Finding: Proposed Building is setback from Portland Road NE by approximately 200 feet, and the vehicle use area is proposed approximately 34 feet from Portland Road NE. The existing Building A is less than the 12-foot minimum, located at 2-feet from Portland Road NE.

SRC 551.010(c) - Lot Coverage, Height:

There is no maximum lot coverage standard in the IC zone. The maximum building height allowance for all uses in the IC zone is 70 feet.

Finding: The proposed development complies with the lot coverage and maximum height standards of the IC zone.

SRC 551.010(d) - Landscaping:

- (1) **Setbacks.** Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807.
- (2) **Vehicle Use Areas.** Vehicle use areas shall be landscaped as provided under SRC Chapter 806 and SRC Chapter 807.
- (3) **Vehicle Use Areas.** A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC Chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicular use areas, may count towards meeting this requirement.

Finding: The subject property is approximately 0.66 acres in size (28,750 square feet), requiring a minimum of 4,313 square feet of landscape area ($28,750 \times 0.15 = 4,312.5$). The site plan indicates that 5,446 square feet of landscape area will be provided.

A minimum of 1 plant unit per 20 square feet is required or 216 plant units ($4,313 / 20 = 215.65$). Of the plant units, a minimum of 40 percent shall be trees or 86 ($216 \times 0.4 = 86.4$). Landscape and irrigation plans will be reviewed for conformance with the requirements of the zoning code at the time of building permit application review.

Solid Waste Service Area Development Standards SRC 800

SRC 800.055 establishes design standards that apply to all new solid waste, recycling, and compostable service areas, where use of a solid waste, recycling, and compostable receptacle of 1 cubic yard or larger is proposed.

As shown on the site plan for the proposed development, a trash/recycling areas accommodating trash receptacles which may be 3 cubic yards in size are included within the development. The applicant has not provided detailed plans of the proposed trash/recycling area. At the time of building permit, the location and features of the proposed trash/recycling areas will be reviewed for conformance with applicable development standards of SRC 800.055. In order to ensure the proposed trash/recycling areas conform to the applicable standards of SRC 800.055, the following condition of approval is recommended:

Condition 7: All trash/recycling areas shall conform to the solid waste service area standards of SRC 800.055.

Off-Street Parking, Loading, and Driveways SRC 806

SRC 806.005 - Off-Street Parking; When Required.

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

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

Required off-street parking shall be located on the same development site as the use or activity it serves; or, within the IC (Industrial Commercial) zone, required off-street parking may be located within 500 feet of the development site containing the use or activity it serves.

SRC 806.015 - Amount of Off-Street Parking.

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

Finding: The proposed 20-unit apartment complex requires a minimum of 30 off-street parking spaces ($20 \times 1.5 = 30$). The maximum off-street parking allowance for the use is 53 spaces ($30 \times 1.75 = 52.5$). There are 30 proposed off-street parking spaces provided for the proposed use, consistent with the minimum and maximum off-street parking requirements.

20 of the proposed parking spaces are designated as compact spaces (61 percent). Carpool/vanpool spaces are not required for a multi-family residential use.

As noted above, the site plan may be reconfigured to meet Fire Department access requirements. If Fire Department access cannot be provided with the proposed site plan and spaces 8, 9 and 27 will be eliminated, as conditioned above, the applicant shall apply for an adjustment to reduce the amount of required parking spaces.

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

Unless otherwise provided under the UDC, off-street parking and vehicle use areas, other than driveways and loading areas, for uses or activities other than Single Family and Two Family shall be developed and maintained as provided in this section.

- a) ***General Applicability.*** The off-street parking and vehicle use area development standards set forth in this section apply to:
 - 1. The development of new off-street parking and vehicle use areas.

2. The expansion of existing off-street parking and vehicle use areas, where additional paved surface is added.
3. The alteration of existing off-street parking and vehicle use areas, where the existing paved surface is replaced with a new paved surface; and
4. The paving of an un-paved area.

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

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

Finding: Off-street parking spaces are not 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.

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

Finding: The vehicle use area abutting all buildings comply with the minimum 5 foot vehicle use area setback adjacent to a building.

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

Finding: The proposed site plan indicates a parking garage and surface parking area. The parking garage is exempt from interior landscaping standards. The parking and driveway area is 5,800 square feet in size. A minimum of 290 square feet of interior parking lot landscaping is required ($5,800 \times 0.05 = 290$). Although the site plan does not indicate the amount of interior parking lot landscaping provided, it appears to exceed the minimum standard.

Condition 8: At the time of building permit, provide a summary table indicating the total parking lot area, and the amount of interior parking lot landscaping provided.

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

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

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

Finding: The proposed off-street parking area is developed consistent with the additional standards for grade, surfacing, and drainage. Bumper guards, wheel barriers, striping, marking and signage and lighting will meet the standards of SRC 806. Lighting shall be consistent with SRC Chapter 806.

Bicycle Parking

SRC 806.045 - General Applicability.

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

SRC 806.050 – Proximity of Bicycle Parking to use or Activity Served.

Bicycle parking shall be located on the same development site as the use or activity it serves.

SRC 806.055 - Amount of Bicycle Parking.

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

Finding: The proposed development is for a 20-unit apartment complex, which requires a minimum of 4 bicycle parking spaces. The proposed site plan indicates 4 bicycle parking spaces will be provided, dispersed throughout the development site.

SRC 806.060 – Bicycle Parking Development Standards

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

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

Finding: The proposed bicycle parking spaces are centrally located in the development. Dimensions and design of the bicycle parking spaces will be reviewed at the time of Building Permit.

Off-Street Loading Areas

SRC 806.065 - General Applicability.

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

SRC 806.070 – Proximity of Off-Street Loading Areas to Use or Activity Served.
Off-street loading shall be located on the same development site as the use or activity it serves.

SRC 806.075 - Amount of Off-Street Loading.
Multiple family uses with 0 to 49 units, do not require off-street loading space is required.

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 20-unit complex is not proposing a recreational or service building, therefore no off-street loading space required.

Landscaping

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

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

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

Natural Resources

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

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

According to the Salem-Keizer Local Wetland Inventory (LWI) there are no wetlands and/or hydric soil areas mapped on the subject property.

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

Portland/Fairgrounds Road Overlay

Design Review Standards (SRC 603.030)

Design review under SRC chapter 225 is required for development within the Portland/Fairgrounds Road Overlay Zone as follows:

- (a) Except as otherwise provided in this section, design review according to the design review guidelines or the design review standards set forth in SRC 603.030 is required for all development within the Portland/Fairgrounds Road Overlay Zone.*
- (b) Multiple family development, other than multiple family development within a mixed-use building, shall only be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.*
- (c) Multiple family development within a mixed-use building shall only be subject to design review according to the design review guidelines or the design review standards set forth in SRC 603.030.*

Finding: Within the Portland/Fairgrounds Overlay Zone, multiple family developments, other than multiple family developments within a mixed-use building are subject only to multiple family design review standards in SRC Chapter 702. The proposal is for a change of use, new parking area and renovation from short-term rentals to multiple family development, SRC Chapter 702 is addressed above for multiple family development design review.

Development Standards (SRC 603.020)

Dwelling unit density (SRC 603.020(C)):

Dwelling unit density within the Portland/Fairgrounds Overlay shall conform to the standards set forth in Table 603-3, of a minimum of 20 dwelling units per acre for multiple family development.

Finding: The applicant is proposing to convert existing buildings to multi-family and construct a new nine unit building. There are 20 proposed units on the 0.66 acre property, meeting the density standard.

Landscaping (SRC 603.020(e)):

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

Finding: The applicant submitted a site plan which details the proposed landscaping. The landscaping is proposed to be on grade with the street and does not include any berms, mounds, raised beds, or grade drops. The proposed development conforms to this criterion.

Off-street parking and loading areas (SRC 603.020(f)):

(1) Planter bays or islands shall have a minimum planting area of 50 square feet.

Finding: As shown on the proposed site plan, the proposed development does not include planter bay islands. Therefore, this criterion has been met.

(2) A minimum of one tree per eight parking spaces is required, of which a maximum of 25 percent may be evergreen trees. Trees shall be planted within 20 feet of the parking lot perimeter. Trees within the public street right-of-way shall not count toward the tree planting requirements.

Finding: The applicant provided a landscaping plan which indicates 17 trees will be planted on site within the landscaping areas. The proposed landscaping areas abut Portland Road NE and provided a buffer to the off-street parking areas. Therefore, this criterion has been met.

(3) Off-street parking may be provided no more than 800 feet from the edge of the lot or contiguous lots, upon which the main building is located.

Finding: The off-street parking areas serving the proposed development will all be on the same property. Therefore, this criterion has been met.

(4) Employee off-street parking may be provided no more than 2,000 feet from the edge of the lot, or contiguous lots, upon which the main building is located.

Finding: The off-street parking areas serving the proposed development will all be on the same property. Therefore, this criterion has been met.

(5) Parking lot light structures shall not exceed 25 feet in height.

Finding: The applicant did not provide information regarding the design of the proposed parking lot light structures. To ensure the parking lot lighting conforms to the development standard stated above, the following condition shall apply:

Condition 9: All parking lot lighting must be 25 feet or less in height.

As conditioned, the proposal meets the criteria for off-street parking and loading areas.

Screening (SRC 603.020(g)):

(1) *Trash receptacles shall be screened from adjacent household living uses and streets by a sight obscuring fence, wall, or hedge.*

Finding: The proposed development will not be located adjacent to household living uses. The proposed site plan does include a trash enclosure area which is located on the northern portion of the subject property, away from Portland Road NE. Therefore, this criterion has been met.

(2) *Concertina or barbed wire fencing shall not be located within 60 feet of the street right-of-way, unless such fencing is obstructed by a building or structure.*

Finding: The proposal does not include the use of concertina or barbed wire fencing. As proposed, the development meets the criteria for screening.

(3) *Concertina or barbed wire fencing shall be screened from public view and adjacent property by sight-obscuring landscaping.*

Finding: The proposal does not include the use of concertina or barbed wire fencing. As proposed, the development meets the criteria for screening.

Outdoor Storage (SRC 603.020(h)):

(1) *Outdoor storage areas shall not be located within required setbacks.*

Finding: The applicant's site plan does not include any space for outdoor storage. This criterion is not applicable to the development review.

(2) *Outdoor storage areas shall be enclosed by a minimum six-foot-high-site-obscuring fence, wall, hedge, or berm; provided however, items more than six feet in height above grade shall be screened by site-obscuring landscaping.*

Finding: The applicant's site plan does not include any space for outdoor storage. This criterion is not applicable to the development review.

(3) *Items stored within outdoor storage areas shall not exceed a maximum height of 14 feet above grade.*

Finding: The applicant's site plan does not include any space for outdoor storage. This criterion is not applicable to the development review.

Pedestrian Access (SRC 603.020(i)):

(1) A pedestrian connection shall be provided from the public sidewalk to the primary building entrance.

Finding: The applicant's statement submitted with their application package states that the parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians. The proposed site plan shows two pedestrian connections from the public sidewalk along Portland Road NE to the primary building entrances. This criterion is met.

(2) A pedestrian connection through the parking area to the primary building entrance shall be provided when the parking area is greater than 60 feet in depth.

Finding: The pedestrian path extends to the parking areas through the center of the site, connecting the existing buildings and proposed building to the parking areas. The proposed parking area is not greater than 60 feet in depth. This criterion is not applicable to the development review.

(3) Within shopping centers, office complexes, and mixed-use developments, pedestrian connections shall be provided to connect the buildings. Pedestrian connections shall be the most practical, direct route.

Finding: The proposed development is a 20-unit multi-family development and therefore this criterion is not applicable. As conditioned, this criterion is met.

(4) Pedestrian connections shall be a minimum of five feet in width and defined by visual contrast or tactile finish texture.

Finding: The pedestrian connections shown on the applicant's plans are planned to be elevated from the vehicle use areas which will define the pedestrian corridors and prevent the encroachment of vehicles onto the pedestrian connections. Additionally, all of the internal pedestrian connections are a minimum of five feet in width. As proposed, the development meets this criterion.

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

Finding: The pedestrian connections shown on the applicant's plans are planned to be elevated from the vehicle use areas which will define the pedestrian corridors and prevent the encroachment of vehicles onto the pedestrian connections. As proposed, the development meets these criteria.

Project Enhancements (SRC 603.020(j)):

Development within the Portland/Fairgrounds Road Overlay Zone shall include four or more of the following project enhancements.

(1) *Closure of one driveway approach on Portland/Fairgrounds Road;*

Finding: The applicant is not proposing to close a driveway approach onto Portland Road NE.

(2) *Joint parking agreement under SRC 806.020(a)(5), or implementation of a plan to satisfy off-street parking requirements through alternative modes of transportation under SRC 806.015(e)(2);*

Finding: The applicant is not proposing a joint parking.

(3) *Freestanding sign not more than five feet in height and placed upon a foundation;*

Finding: The applicant's written statement proposes a freestanding sign no more than five feet in height will be provided on the subject site for the development.

(4) *Weather protection, in the form of awnings or canopies, along more than 50 percent of the length of the ground floor building facade adjacent to sidewalks or pedestrian connections;*

Finding: Awnings will not be provided along the frontage of the building for weather protection.

(5) *Cast iron or wrought iron fencing adjacent to Portland/Fairgrounds Road;*

Finding: The applicant is not proposing to provide cast iron or wrought iron fencing adjacent to Portland Road NE.

(6) *Pedestrian connections that are:*

- (A) *Constructed with pavers, scored, or colored cement, and/or stamped asphalt;*
- (B) *Elevated above the parking area and driveway; or*
- (C) *Defined with landscaping or building features such as canopies, awnings, or arcades;*

Finding: As shown on the applicant's elevation plans, the proposed internal pedestrian connections will be elevated above the parking area and driveway to prevent the encroachment of vehicles onto the pedestrian path along the north and south sides of the building.

(7) *Development on surface parking lots existing on October 1, 2001;*

Finding: The subject site is not a surface parking lot.

(8) *Provision of one or more of the following pedestrian-oriented design features on private property adjacent to Portland/Fairgrounds Road:*

- (A) *Pedestrian scale lighting not more than 16 feet in height; or*

(B) Plazas or other outdoor spaces open to the public;

Finding: The applicant is proposing to provide pedestrian lighting or plazas and outdoor pedestrian spaces along Portland Road NE.

(9) A minimum of seven percent interior landscaping within parking areas not more than 50,000 square feet in size; or a minimum of ten percent interior landscaping within parking areas greater than 50,000 square feet in size;

Finding: The parking and driveway area is 5,800 square feet in size. A minimum of 290 square feet of interior parking lot landscaping is required ($5,800 \times 0.07 = 406$). Although the site plan does not indicate the amount of interior parking lot landscaping provided, it appears 450 square feet is being provided and will meet this standard.

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

Finding: The applicant does not indicate that they will be providing a landscaping and irrigation plan designed by an Oregon landscaping architect.

(11) Development of a mixed-use building; or

Finding: The development is not proposed to be a mixed use building.

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

Finding: Within the Portland/Fairgrounds Overlay Zone, the minimum building setback is zero feet. As shown on the site plans, the existing buildings are setback 2-feet to 23-feet from Portland Road.

Both the applicant's site plan and written statement demonstrate conformance with four of the 12 project enhancements which meets the minimum requirement of four project enhancements. This criterion is met.

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

Finding: The existing configuration of Portland Road NE exceeds the right-of-way requirement for a Major Arterial street and is currently urbanized with a minimum 64-foot wide improvement. The existing street does not meet its classification of street per the Salem Transportation System Plan (TSP). Portland Road NE does meet the criteria for an Alternative Street Standard because the development is served by a fully developed street that met the standards in effect at the time the streets were originally constructed (SRC 803.065(a)(2)). Although there are portions of the existing sidewalk do not meet current PWDS and shall be replaced pursuant to SRC 78.180(a), therefore the following applies:

Condition 10: Prior to issuance of certificate of occupancy for any apartment building within the proposed development, replacement of sidewalks on the abutting portions of Portland Road, that do not conform to Public Works Design Standards.

The proposed development, as recommended to be conditioned, conforms to this approval criterion.

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

Finding: The existing driveway access onto Portland Road NE provides for safe turning movements into and out of the property. The driveway does not currently meet Vision Clearance Standards, the applicant has requested an adjustment, which is addressed below.

(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: 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. The applicant is advised that a sewer monitoring manhole may be required, and the trash area shall be designed in compliance with Public Works Standards.

The applicant shall be required to design and construct a storm drainage system at the time of development. The application shall provide an evaluation of the connection to the approved point of discharge for new areas of impervious surface per SRC 71.075. The applicant's engineer submitted a statement demonstrating compliance with SRC Chapter 71 because the project involves less than 10,000 square feet of new or replaced impervious surface. However, if the development meets the definition of a large project at the time of construction, as defined in SRC 71.005(a)(11), the applicant shall design and construct a storm drainage system that provides treatment and flow control as required by the 2014 Public Works Design Standards (PWDS). To ensure compliance the following condition is required:

Condition 11: Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and Public Works Design Standards (PWDS).

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. The applicant is advised that a sewer monitoring manhole/sampling

facility will be required pursuant to SRC 70.100, 73.070(b), and 74.130, and the trash area shall be designed in compliance with Public Works Stormwater Source Control Standards 1.7(c).

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

10. CLASS 2 ADJUSTMENT APPROVAL CRITERIA

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

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

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

Finding: The proposed adjustment included with the application seeks an alternative vision clearance standard pursuant to SRC 805.015 for the driveway approach onto Portland Road. The Class 2 adjustment is warranted due to the existing location of Building "A". According to the Marion County Assessor's Office, the building was constructed in 1934. Since the building was constructed prior to 1950, an alternative vision clearance standard may be approved that is consistent with recognized traffic engineering standards. The proposed driveway meets AASHTO standards for vision clearance, and therefore the proposed driveway configuration meets the adjustment criteria by allowing for turning movements and traffic safety equal to what would be accomplished by meeting the development standard.

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

Finding: The proposed development is located within an IC (Industrial Commercial) zone. Because the subject property is not located within a residential zone and is located in an area characterized predominantly as commercial rather than residential, this approval criterion is not applicable to the proposed development.

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

Finding: Because only one adjustment has been requested with the application, this approval criterion is not applicable to the proposed development. As indicated

in comments from the Public Works Department, the proposed driveway approach onto Portland Road will have a negligible effect and therefore will not result in a project that is inconsistent with the overall purpose of the IC (Industrial Commercial) zone or SRC chapter 804 (Driveway Approaches).

Condition 12: The alternative vision clearance standard, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable setback requirements for the development site, unless adjusted through a future land use action.

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

11. CLASS 2 DRIVEWAY APPROACH PERMIT APPROVAL CRITERIA

Salem Revised Code (SRC) 804.025(d) sets forth the following criteria that must be met before approval can be granted to an application for a Class 2 Driveway Approach Permit. The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings evaluating the proposed development's conformance with the criteria. Lack of compliance with the following criteria is grounds for denial of the Class 2 Driveway Approach Permit, or for the issuance of certain conditions to ensure the criteria are met.

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

Finding: The proposed driveway meets the standards for SRC 804 and PWDS with the adjustments addressed below

(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 currently located with access to the lowest classification of street abutting the subject property.

(4) *The proposed driveway approach, where possible:*

(A) *Is shared with an adjacent property; or*

(B) *Takes access from the lowest classification of street abutting the property;*

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

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

Finding: The proposed driveway does not currently meet the vision clearance standard. The existing Building "A" is located within the vision clearance triangle for the proposed driveway. SRC 805.015 states, "Alternative vision clearance standards shall be approved through a Class 2 Adjustment under SRC chapter 250." The applicant has applied for a Class 2 Adjustment as required by SRC Chapter 805, which is addressed in Section 9.

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

Finding: There have been no comments concerning the existing vision clearance or evidence submitted that would indicate the driveway will create a traffic hazard. The proposed driveway, with the adjustment addressed above, 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 Major Arterial street and minimizes the impact to adjacent streets and intersections by bringing the existing driveway approach into compliance with Public Works Design Standards.

(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 not located in the vicinity of a residentially zoned area. The driveway will not have an effect on the functionality of the adjacent streets.

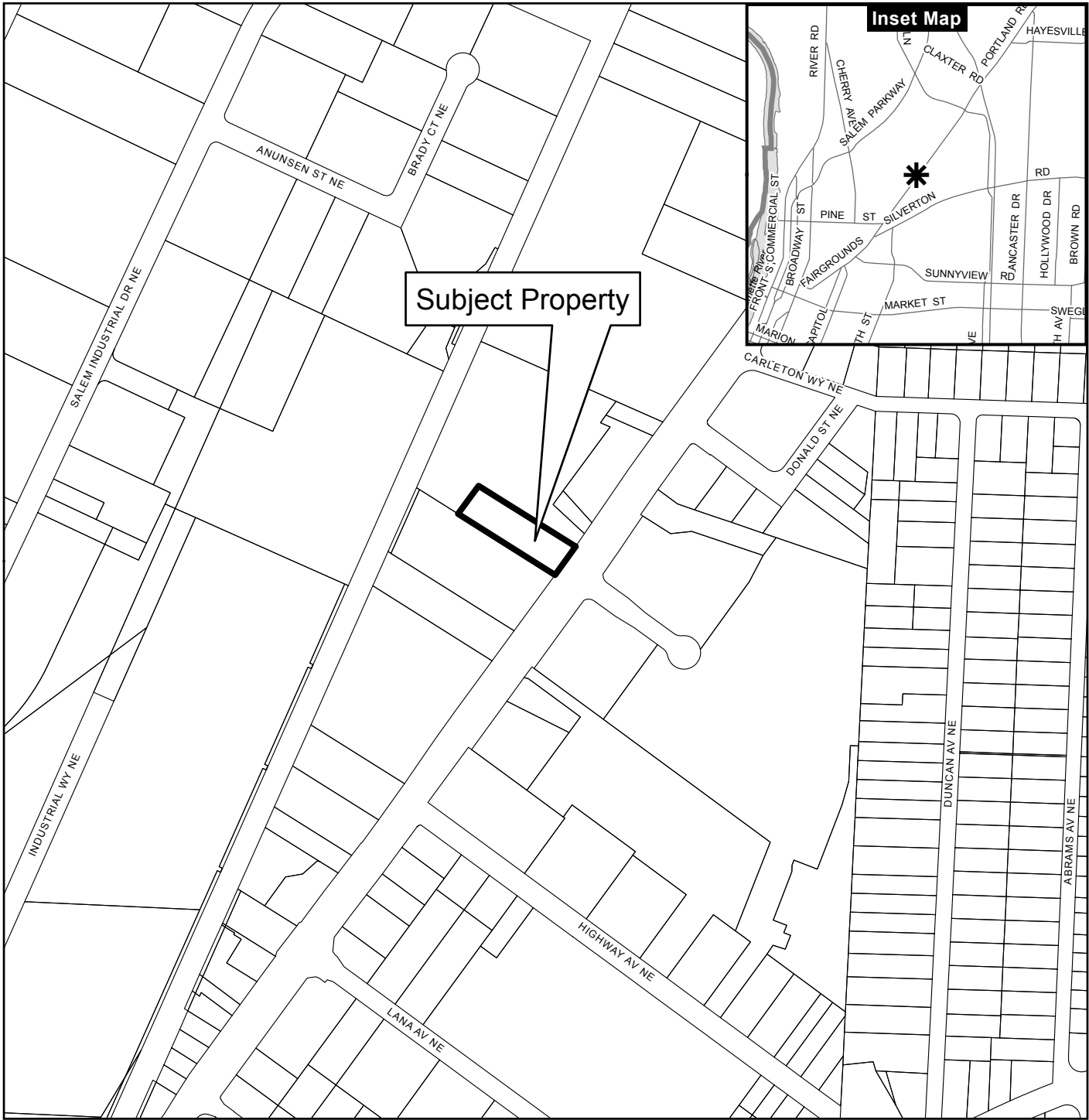
CONCLUSION

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

- Attachments:**
- A. Vicinity Map
 - B. Site Plan
 - C. Building Elevations
 - D. Applicant's Written Statement
 - E. Public Works Department Comments

Vicinity Map

3355 Portland Road NE



Legend

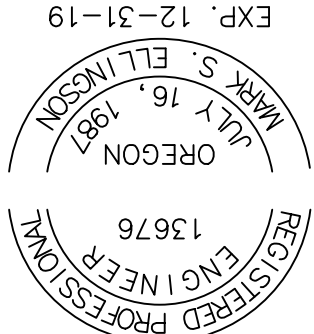
- Taxlots
- Urban Growth Boundary
- City Limits
- Outside Salem City Limits
- Historic District
- Schools
- Parks



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"CONDITIONAL USE APPLICATION"
Gat Remodel
3355 Portland Road
Salem, OR 97301

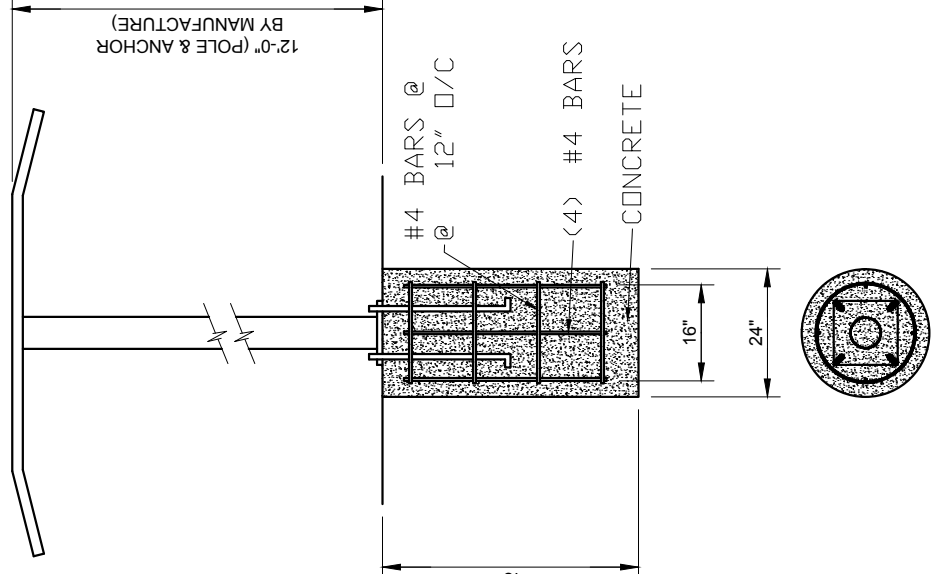
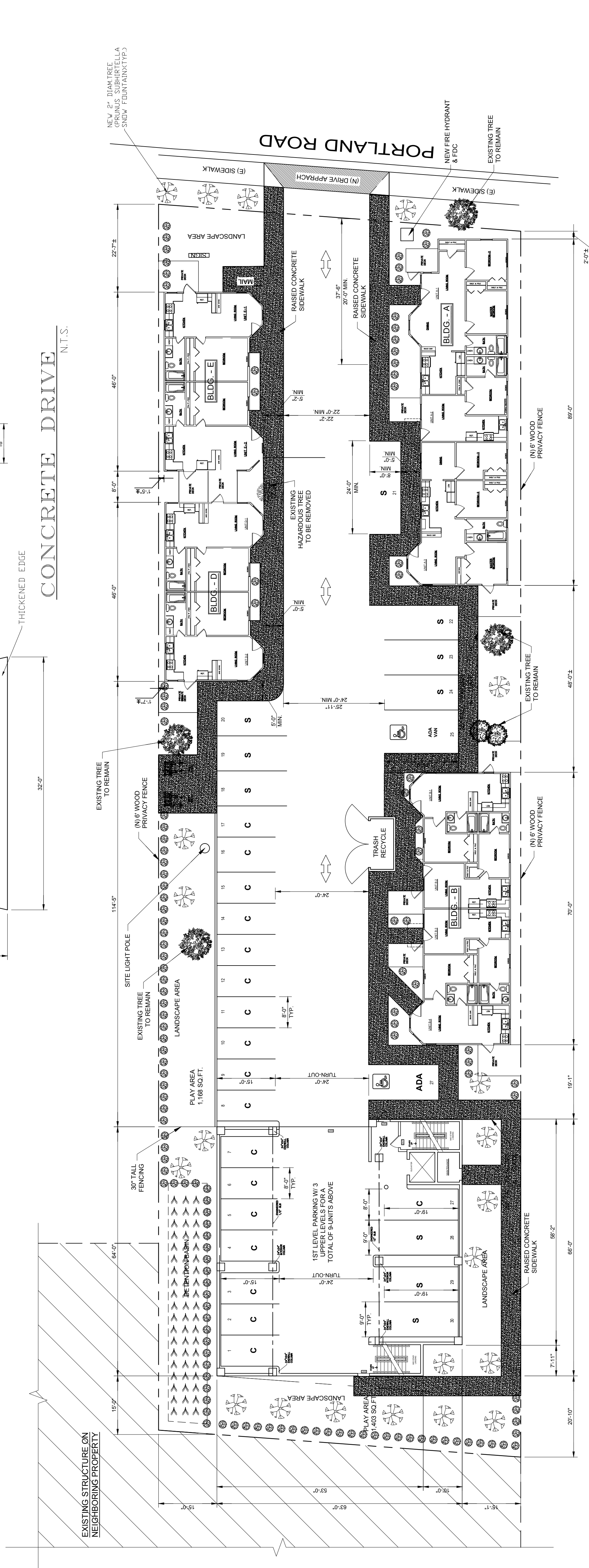
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CHECKED: MSE
JOB: 18-PRELIM
SHEET
N-SITE

CODE SUMMARY

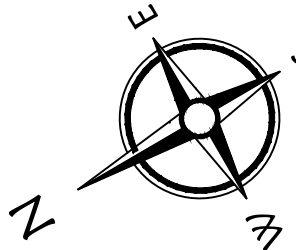
CODE SUMMARY	ZONE: COMMERCIAL/INDUSTRIAL
	CONSTRUCTION TYPE: IV. NON-SPRINKLED/SPRINKLED
	ADDRESS: 3355 PORTLAND RD. NE SALEM, OREGON
	TOTAL SITE AREA 29,303 SQ. FT.
	TOTAL LANDSCAPE AREA 6,366 SQ. FT.
	TOTAL PARKING AREA 8,237 SQ. FT.
	TOTAL LANDSCAPE (IN PARKING) 3,323 SQ. FT.
	PARKING SPACES: 30 TOTAL 12 STANDARD (40%>25%) (INCLUDING 2-HC) 18 COMPACT (60%<75%)
	TOTAL SITE COVERAGE (BLDG) 9,787 SQ. FT. (34.04%)
	ALLOWABLE BUILDING HEIGHT: 70'-0"
	PROPOSED BUILDING HEIGHT: 62'-2"
	ALLOWABLE STORIES: 4 STORIES
	PROPOSED STORIES: 4 STORIES (3 ABOVE PARKING)

SITE PLAN

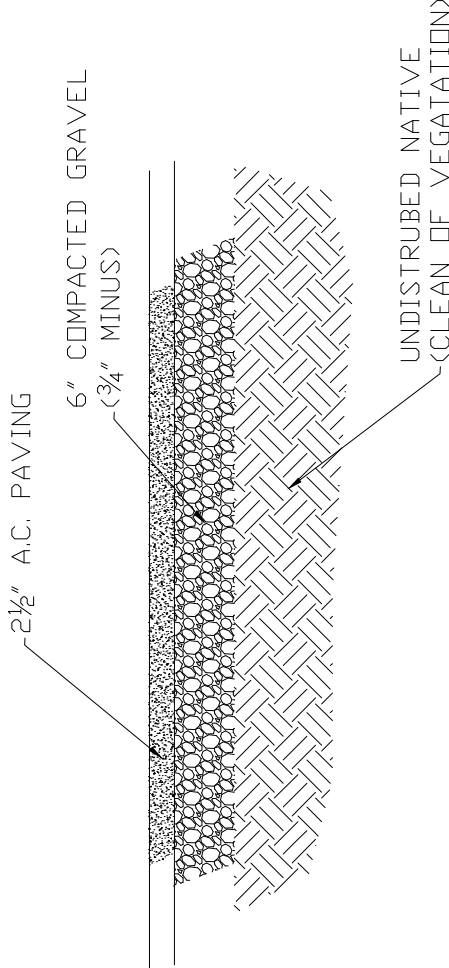
PROPOSED NEW DEVELOPMENT PLAN



LIGHT POLE
N.T.S.



A.C. SECTION
N.T.S.



BLDG. - A
2,015 SQ. FT.
TOTAL LIVING AREA
BLDG. - B
1,000 SQ. FT.
TOTAL LIVING AREA
BLDG. - C
1,000 SQ. FT.
TOTAL LIVING AREA
BLDG. - D
1,000 SQ. FT.
TOTAL LIVING AREA
BLDG. - E
1,000 SQ. FT.
TOTAL LIVING AREA

PARKING GARAGE
PARKING AREA
8,237 SQ. FT. EACH
TOTAL PARKING

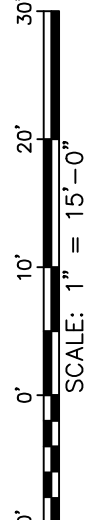
LANDSCAPE PLANTING AREA
6,366 SQ. FT. TOTAL LANDSCAPE AREA

C - COMPACT PARKING SPACE
S - STANDARD PARKING SPACE

ZONE: IC - INDUSTRIAL COMMERCIAL

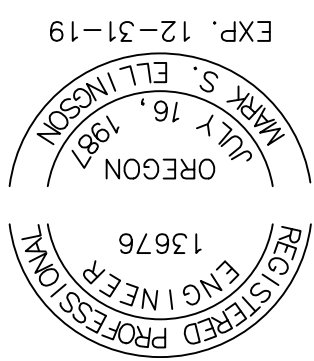
BUILDING SETBACKS:
FRONT YARD: 5 FEET
SIDE YARD: 15 FEET
REAR YARD: 15 FEET

LOT COVERAGE: MAXIMUM FAR 3-1
LOT AREA: .66 ACRES

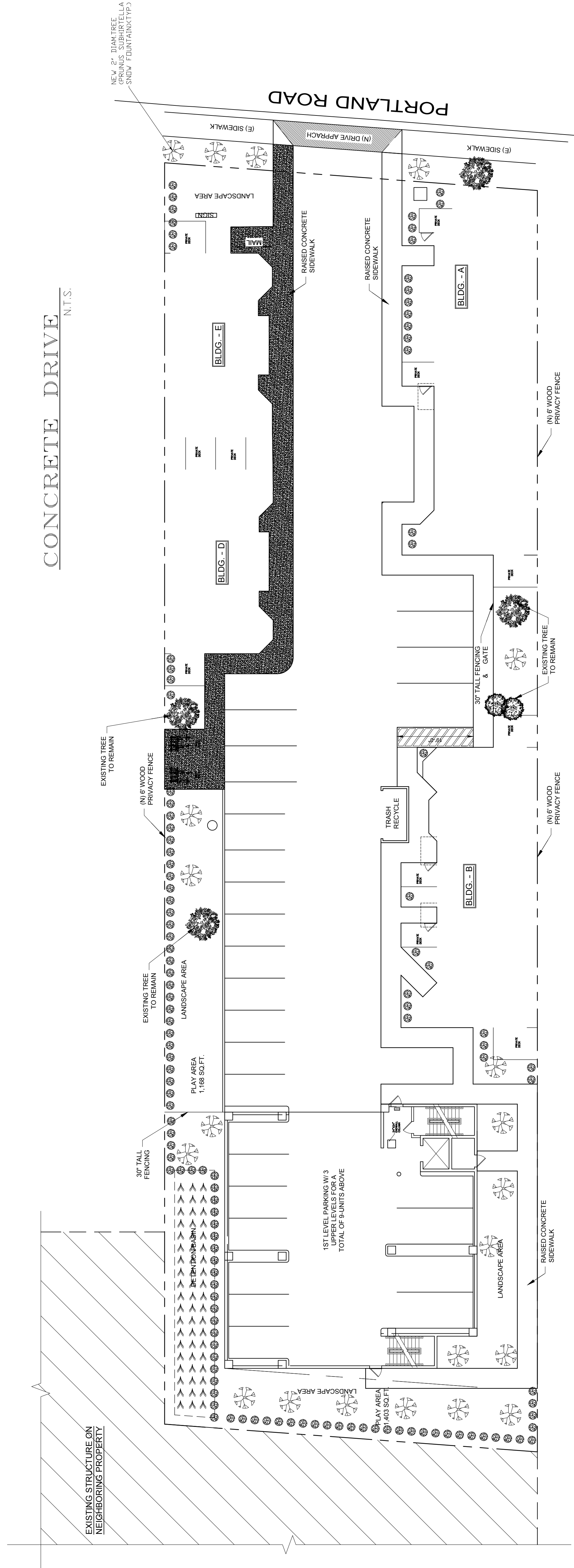




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"CONDITIONAL USE APPLICATION"
Gat Remodel
3355 Portland Road
Salem, OR 97301
DATE: 09-17-2018
SCALE: 1/4"=1'-0"
DRAWN: JFE
CHECKED: MSE
JOB: 18-PRELIM
SHEET
L-1

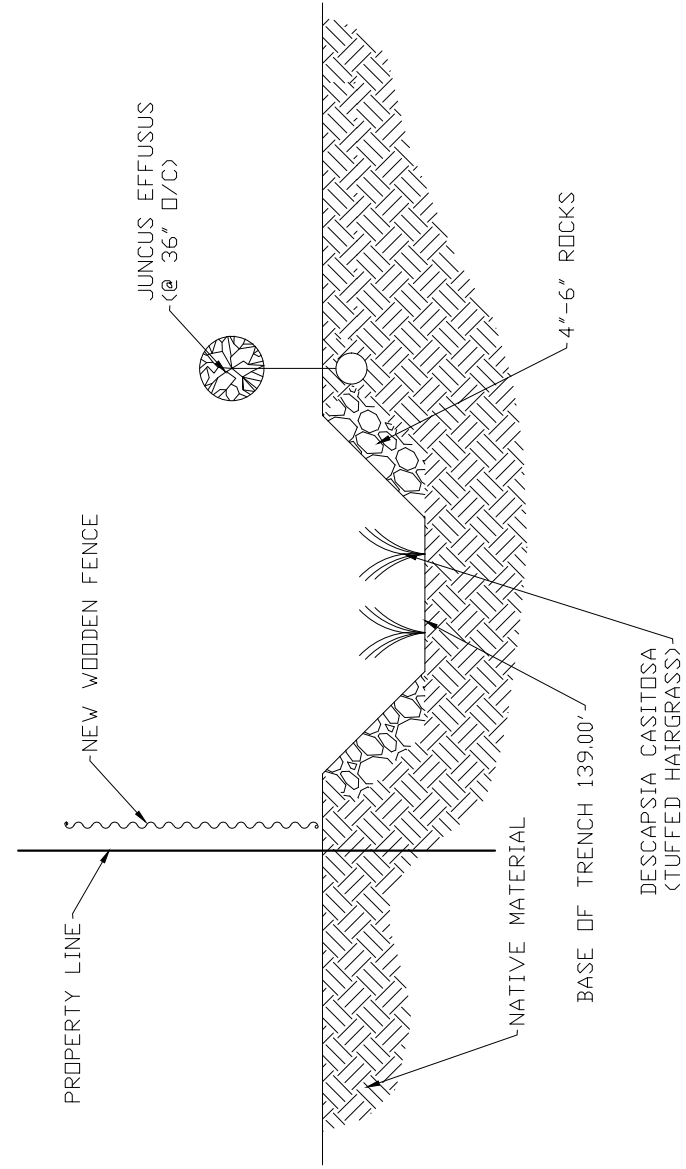


- NEW 2" DIAM TREE (PRUNUS SUBHIRTELLA SNOW FOUNTAIN)
- EXISTING TREE TO REMAIN
- EXISTING TREE TO REMAIN
- EXISTING HAZARDOUS TREE (TO BE REMOVED)
- NEW JUNCUS EFFUSUS (@ 36" O/C)
- NEW DESCAPSIA CASTOSA (TUFTED HAIRGRASS)
- THERE IS TO BE A MINIMUM OF ONE PLANT FOR EVERY 20 SQ. FT. OF LANDSCAPE AREA.



TOTAL LANDSCAPE AREA:	6,366 SQ. FT.
PLAY AREA:	791 SQ. FT.
LANDSCAPE IN PAVED AREA:	3,323 SQ. FT.
PARKING AREA:	4,237 SQ. FT.
PARKING GARAGE AREA:	4,000 SQ. FT.
LANDSCAPE / PAVING %:	41%
TOTAL SITE AREA:	29,303 SQ. FT.
LANDSCAPE / SITE %:	21.7%

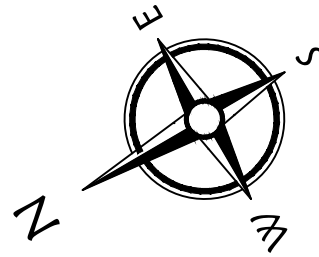
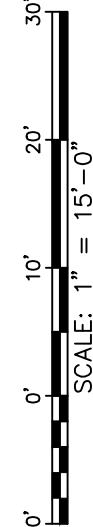
PROPOSED NEW DEVELOPMENT PLAN



ZONE: IC - INDUSTRIAL COMMERCIAL

BUILDING SETBACKS:
FRONT YARD: 5 FEET
SIDE YARD: 15 FEET
REAR YARD: 15 FEET

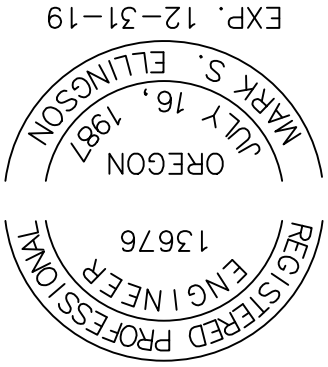
LOT COVERAGE: MAXIMUM FAR 3-1
LOT AREA: .66 ACRES



LANDSCAPE PLAN

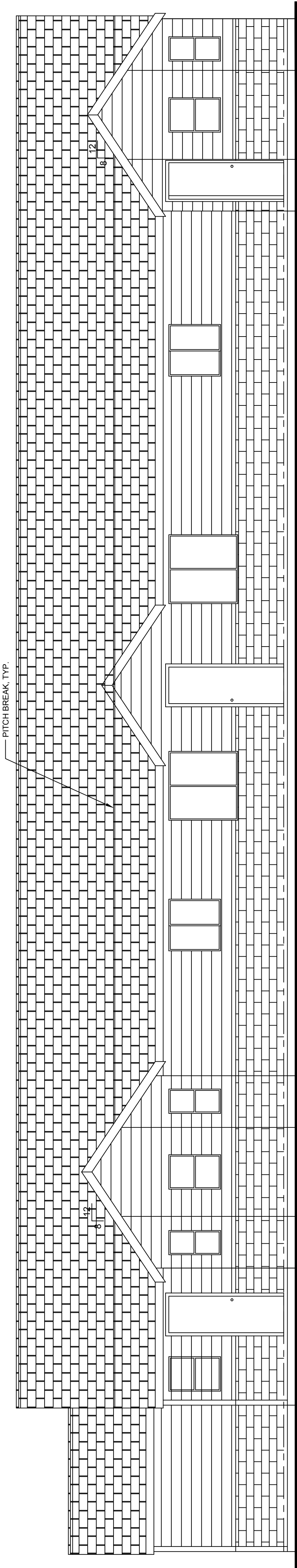


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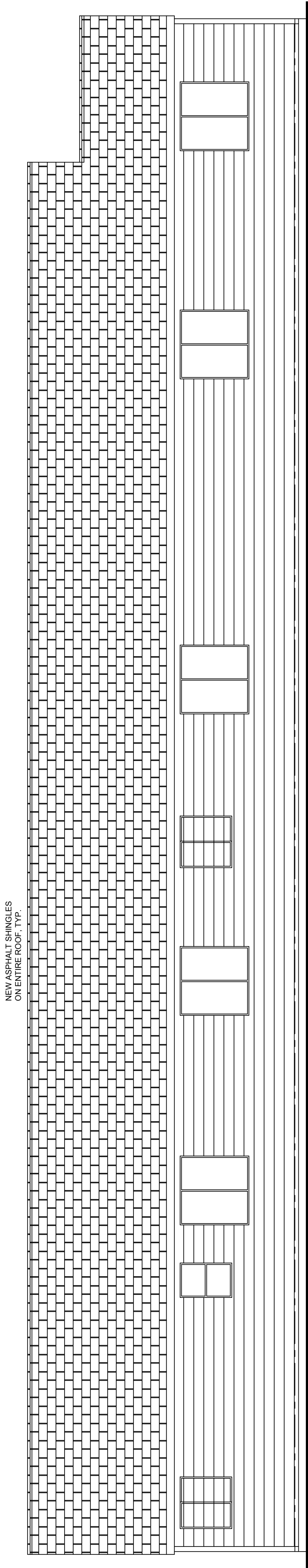


PR-3 Project
3355 Portland Rd. NE
Salem, OR 98301

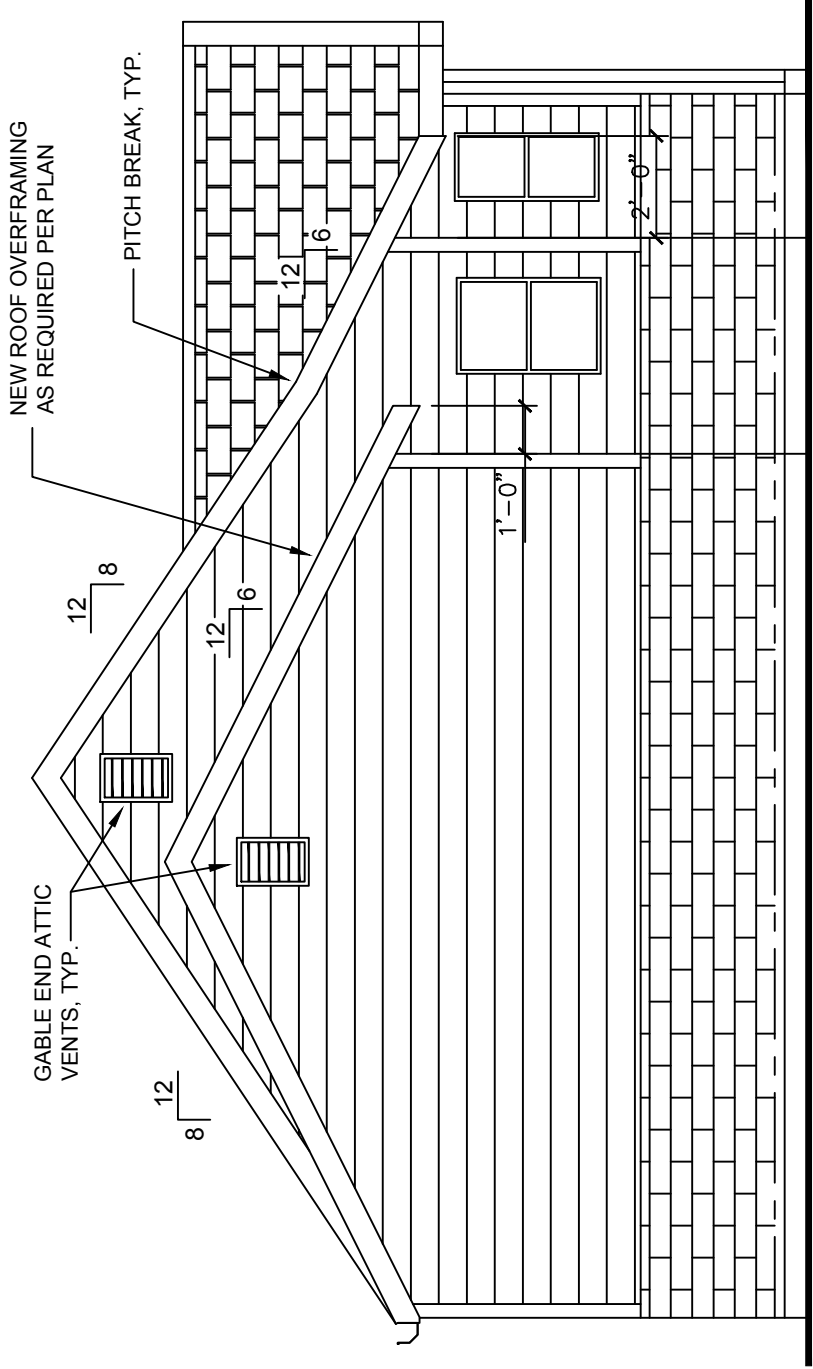
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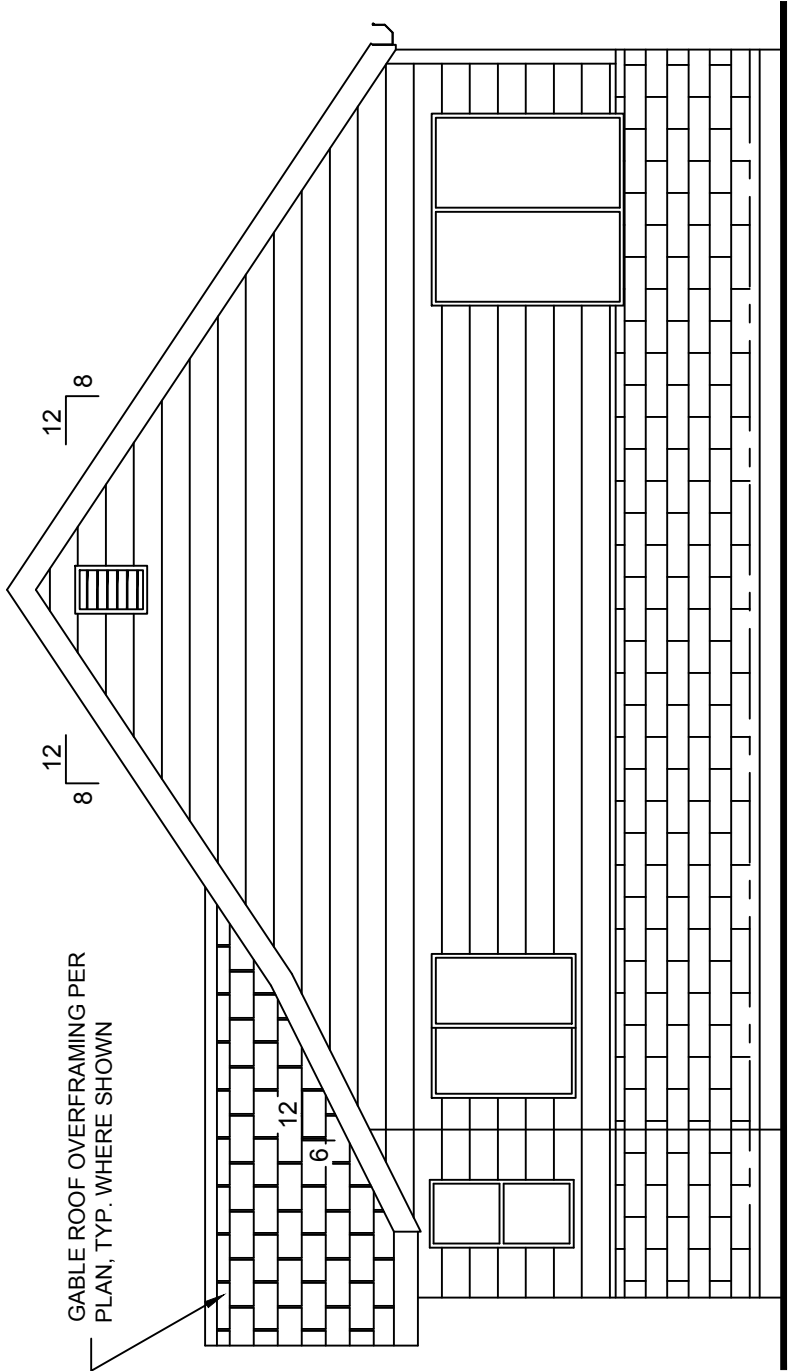
BLDG. - A
FRONT ELEVATION



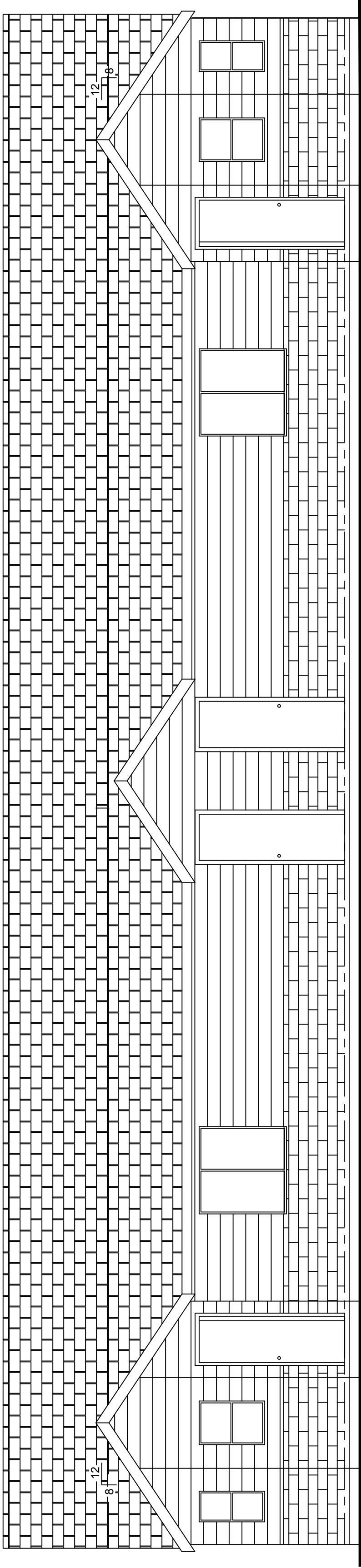
BLDG. - A
REAR ELEVATION



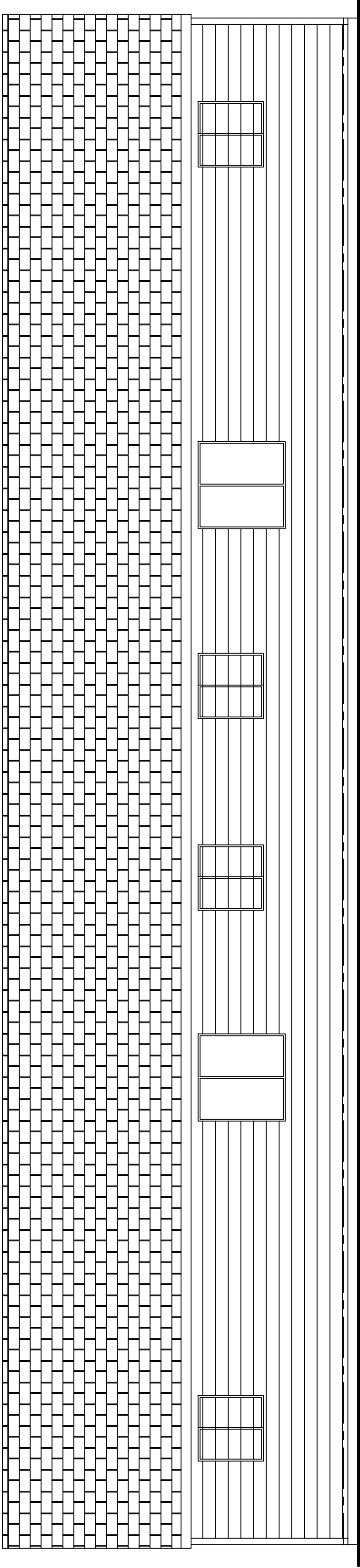
BLDG. - A
LEFT ELEVATION



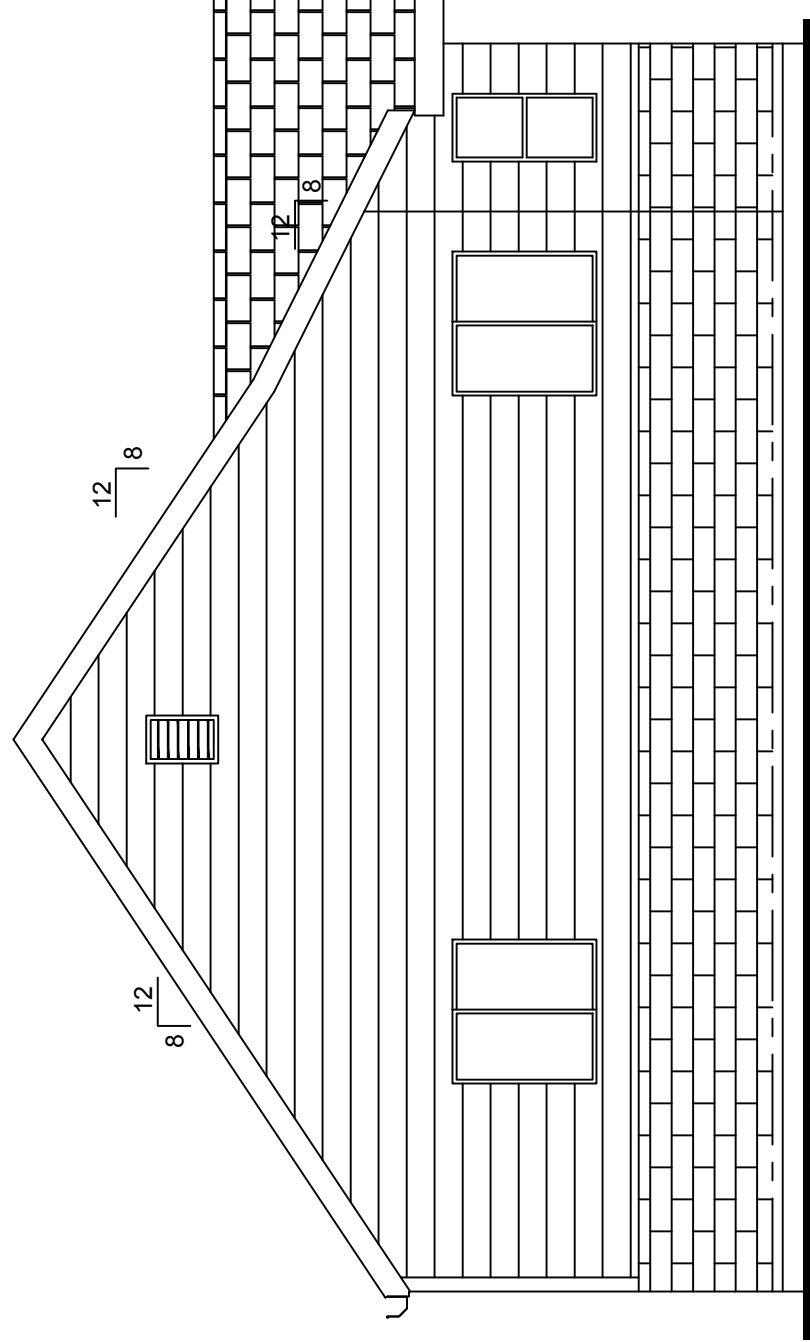
BLDG. - A
RIGHT ELEVATION



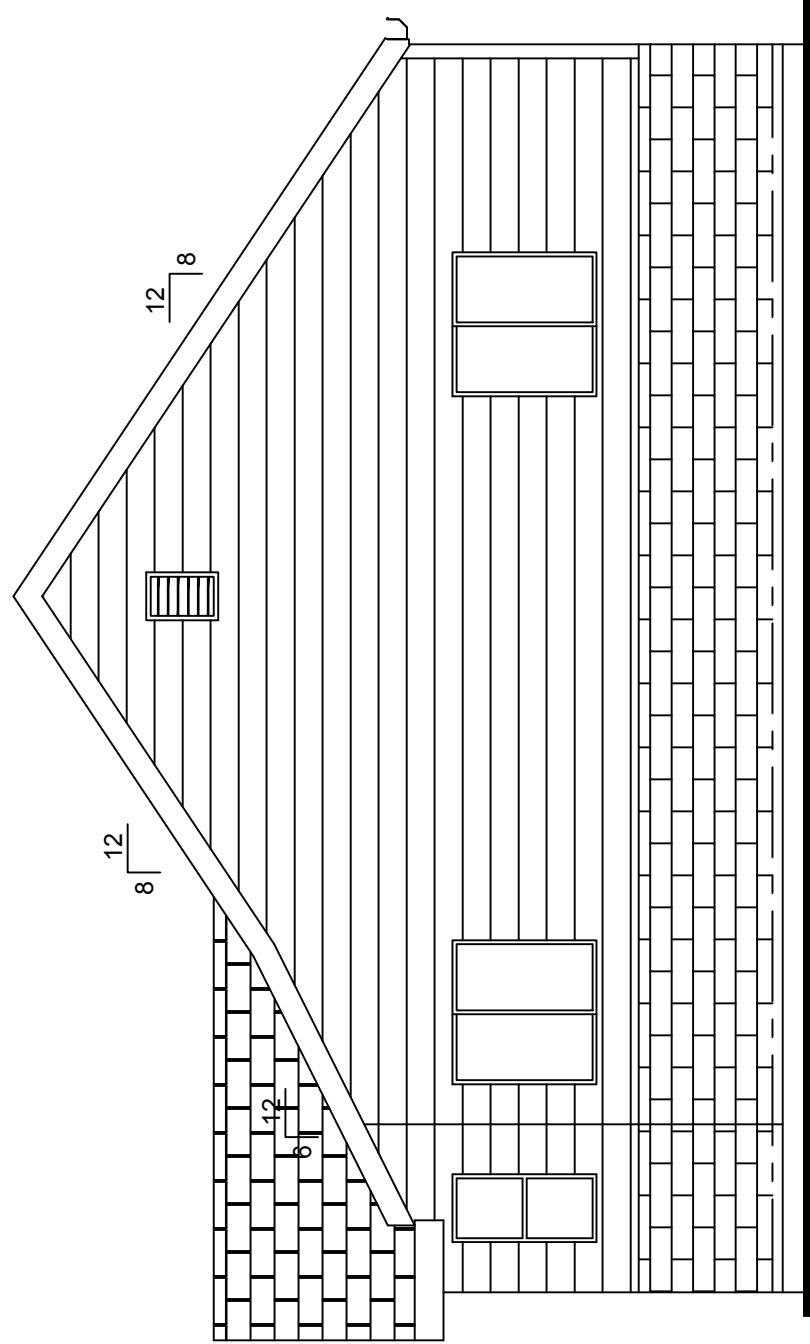
BLDG. - B
FRONT ELEVATION



BLDG. - B
REAR ELEVATION



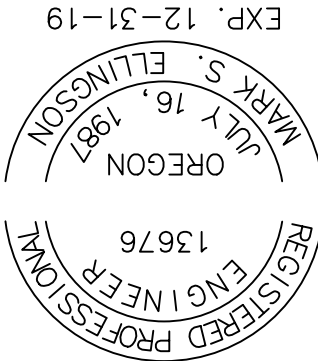
BLDG. - B
LEFT ELEVATION



BLDG. - B
RIGHT ELEVATION

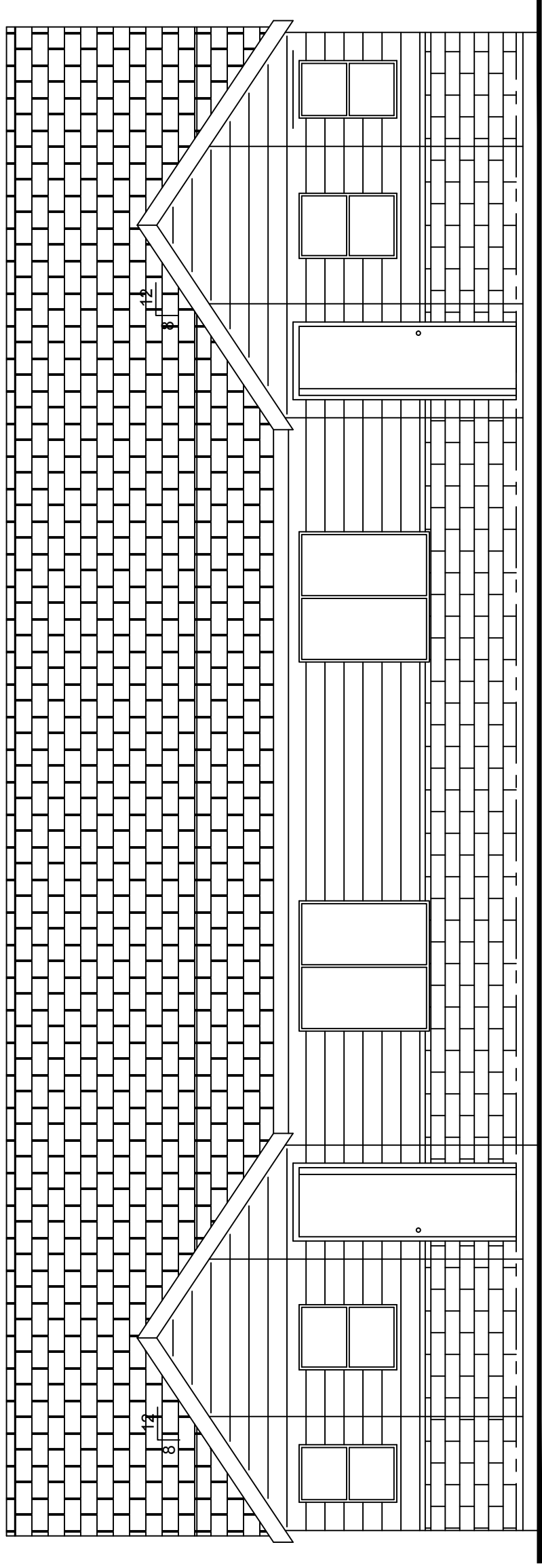


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Ph. (503) 873-3184 Fax. (503) 873-3907

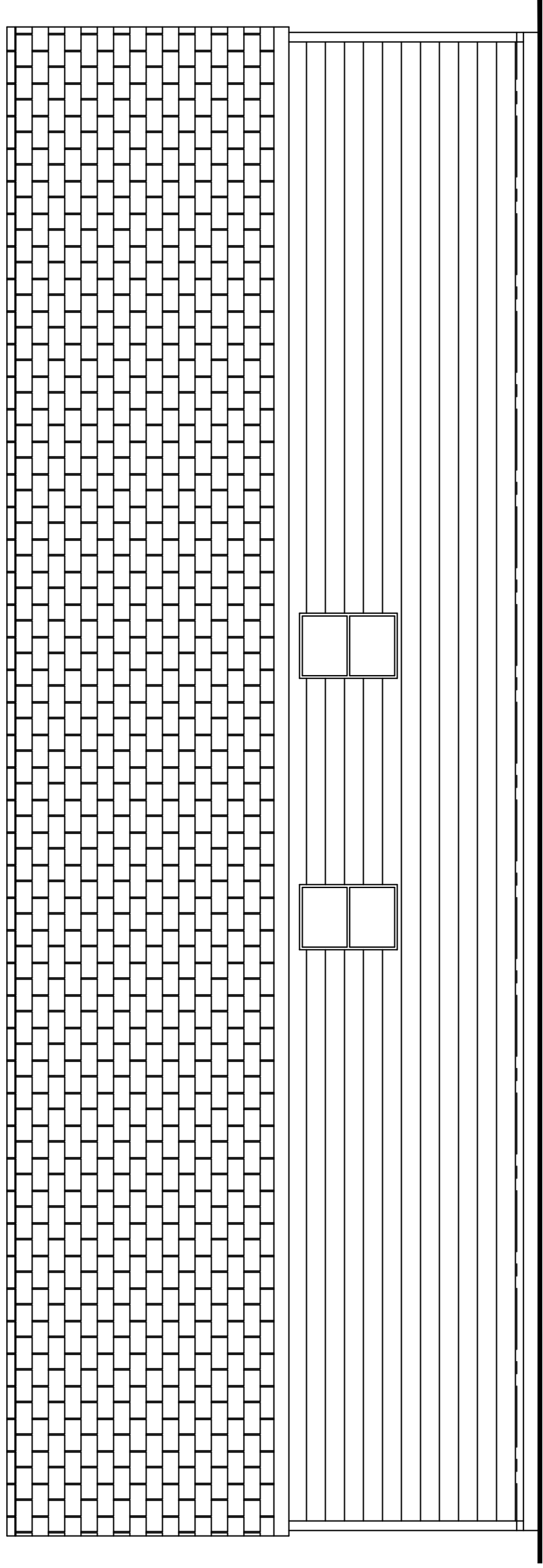


PR-3 Project
3355 Portland Rd.NE
Salem, OR 98301

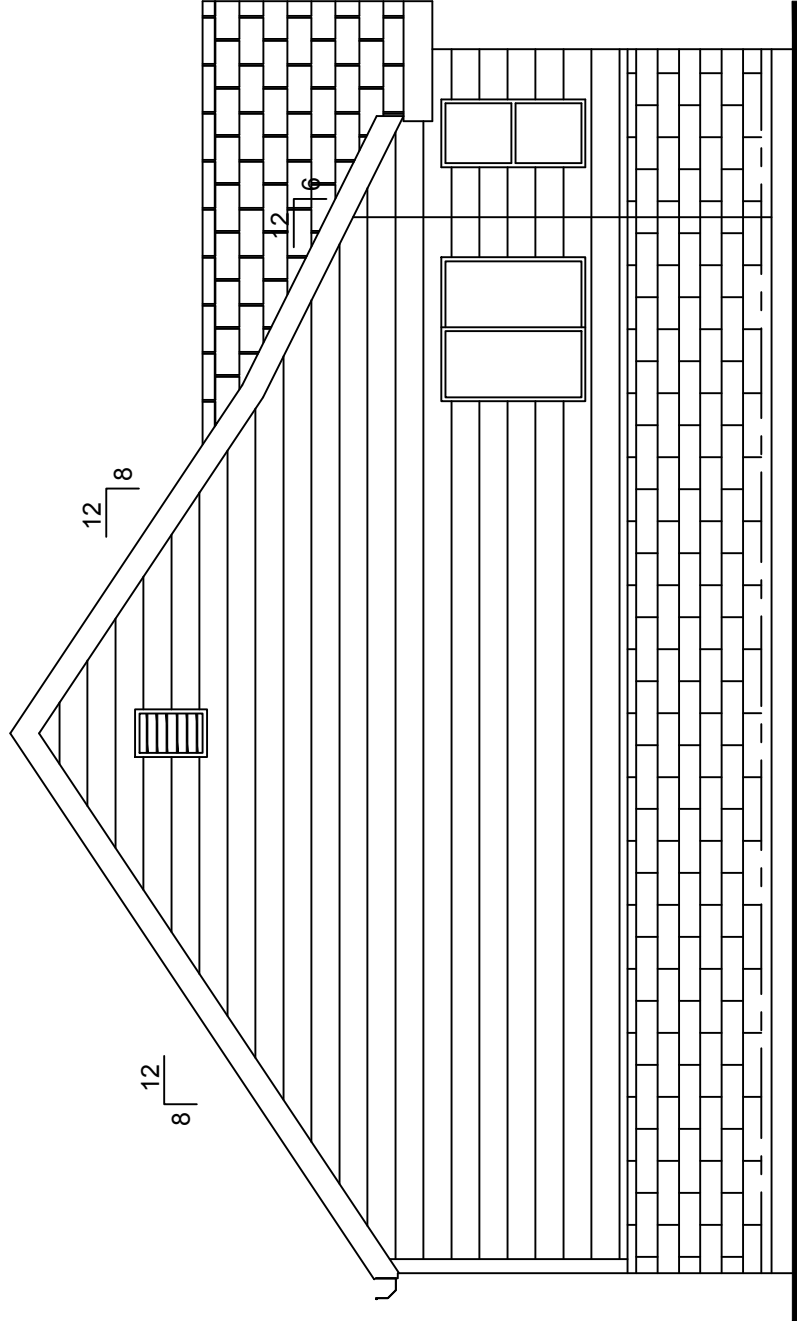
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JOB: 18-468
SHEET
1.1



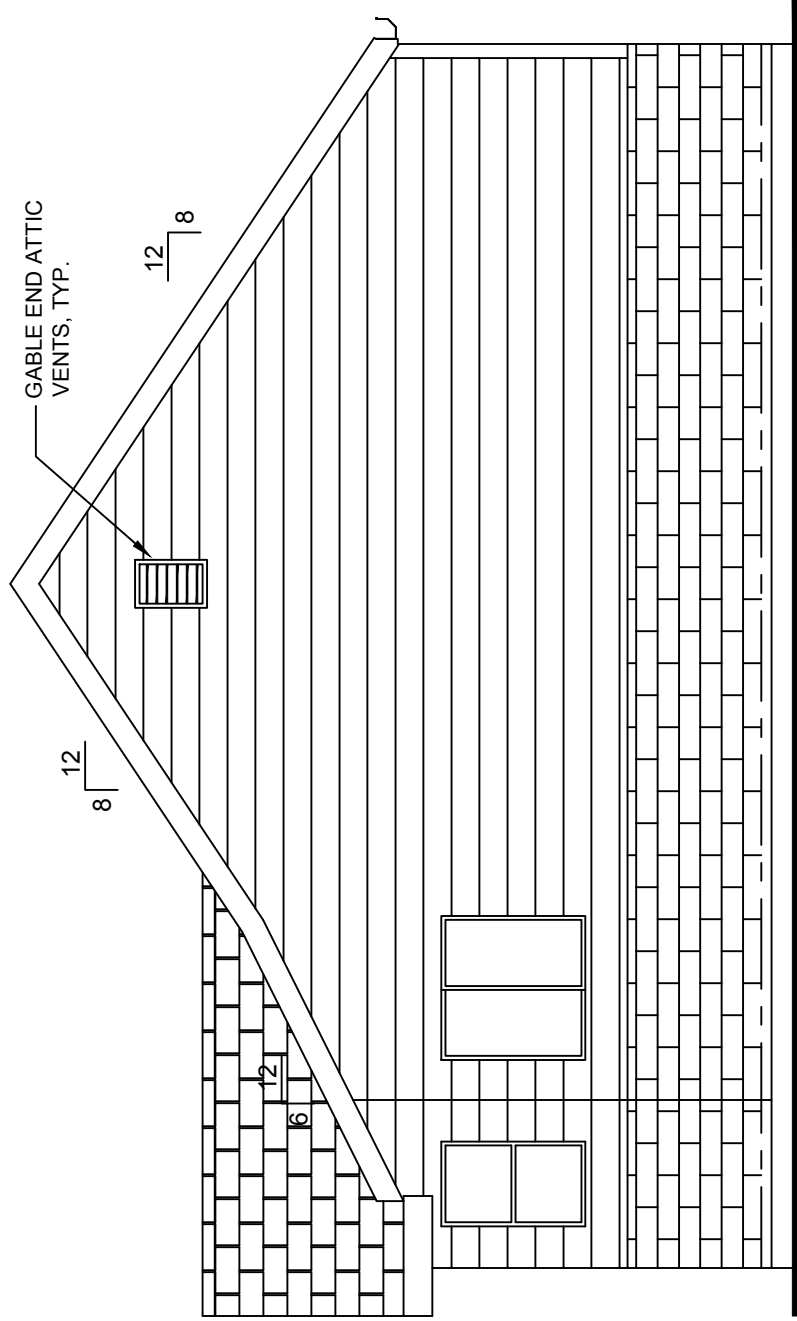
BLDG. - D & E
FRONT ELEVATION



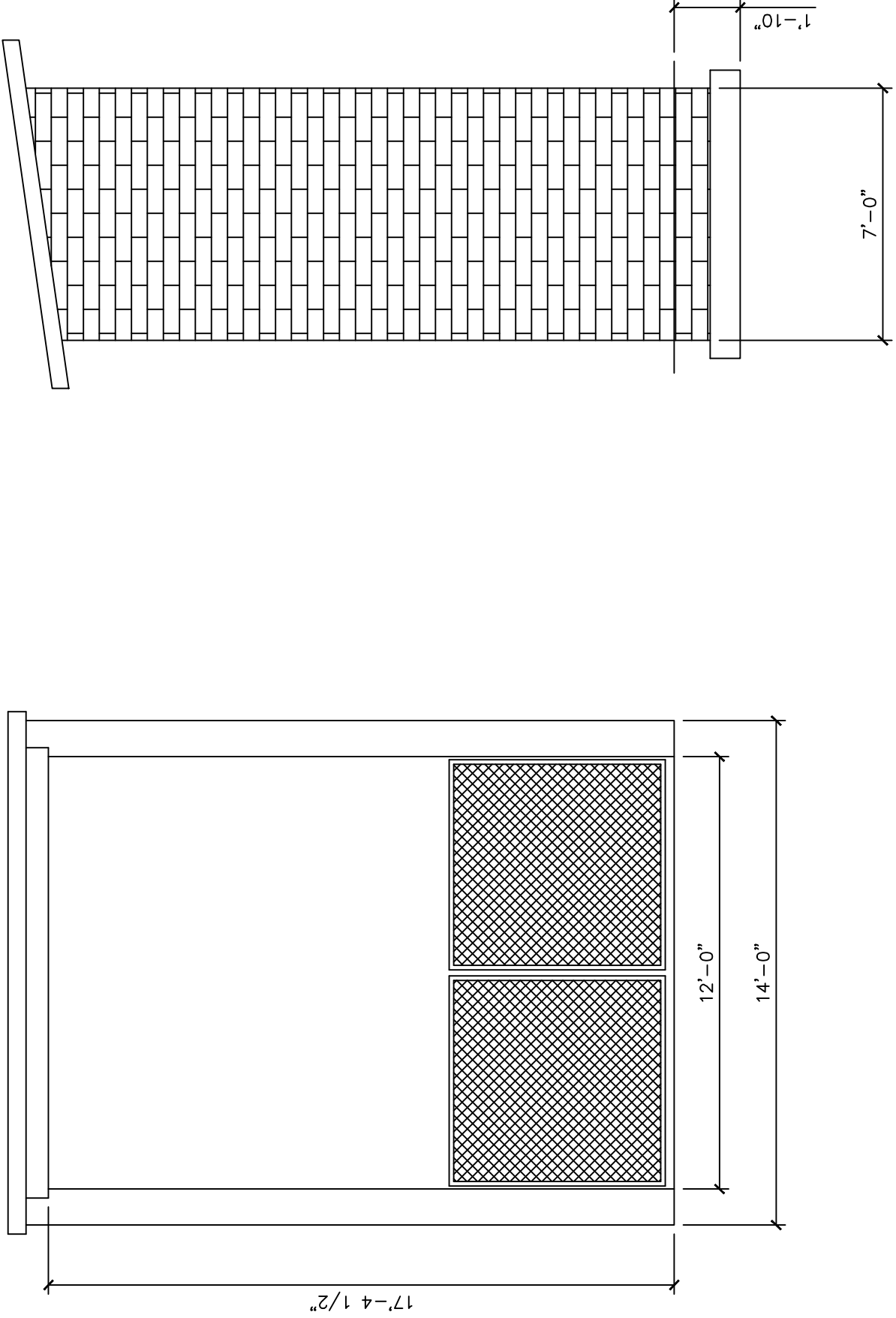
BLDG. - D & E
REAR ELEVATION



BLDG. - D & E
LEFT ELEVATION



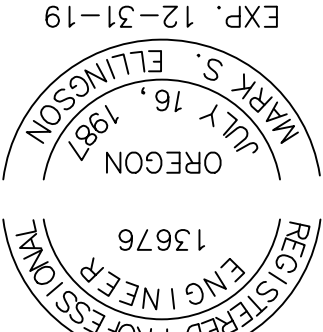
BLDG. - D & E
RIGHT ELEVATION



TRASH ENCLOSURE
ELEVATIONS



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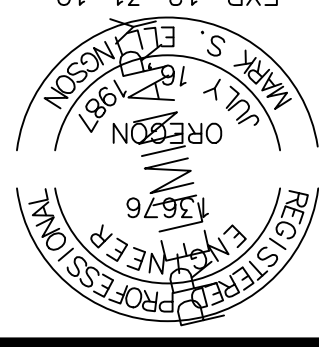


PR-3 Project
3355 Portland Rd. NE
Salem, OR 98301

DATE: 08-14-2018
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DRAWN: GM
CHECKED: MSE
JOB: 18-468
SHEET



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Ph. (503) 873-3184 MSE@pacnwg.com



Gat Remodel-2
3355 Portland Rd. NE
Salem, OR 97374

DATE: **--2017

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

DRAWN: J. E.R.E.R.B.

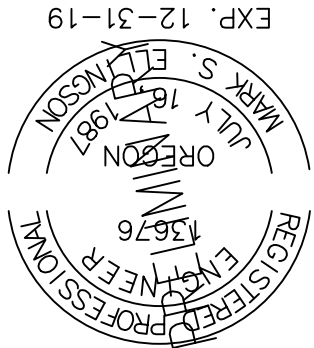
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SHEET



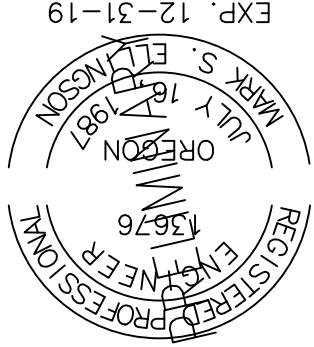
Gat Remodel-2
3355 Portland Rd. NE
Salem, OR 97374



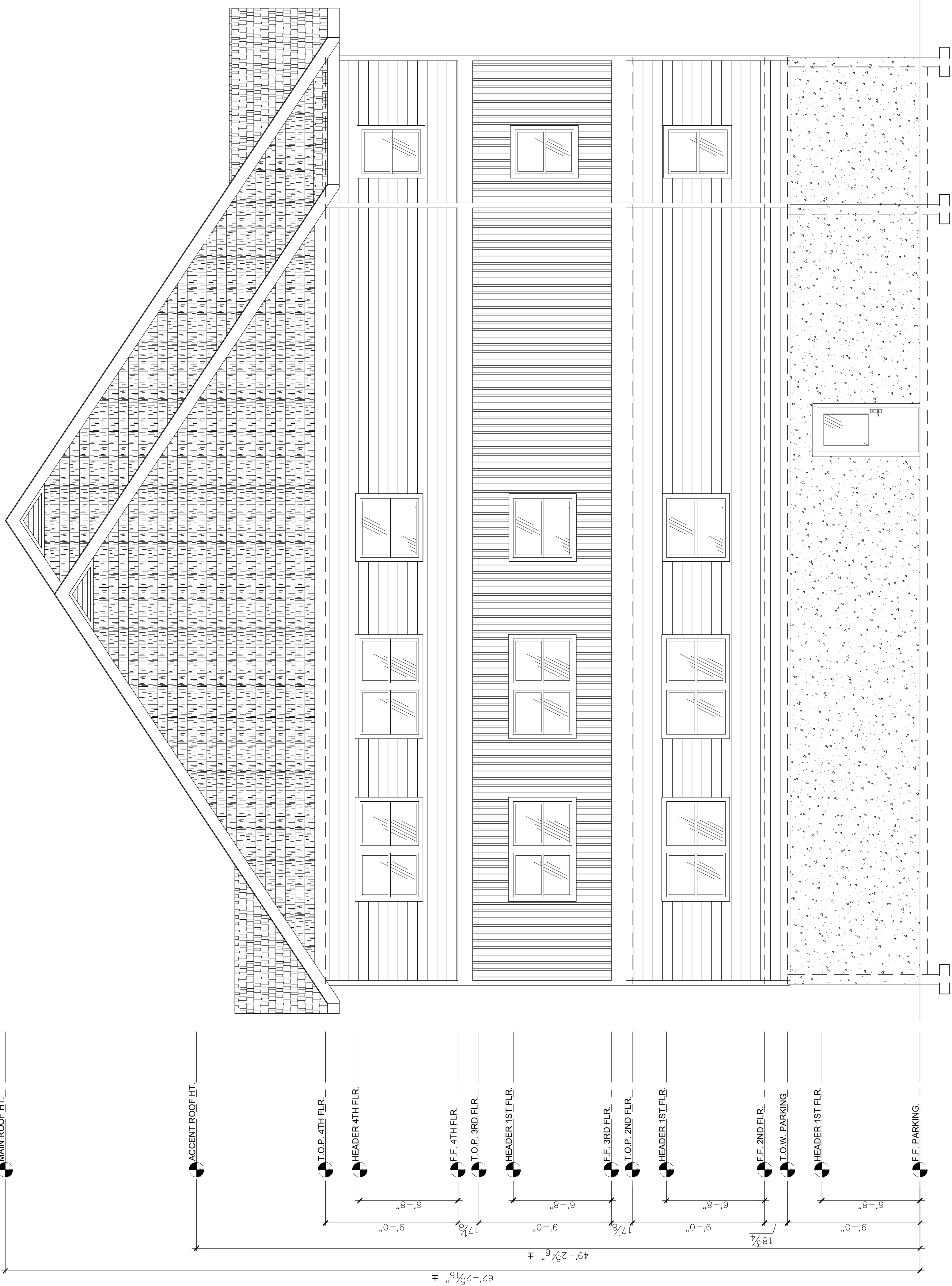
Pacific NorthWest Engineering, Inc.
4242 Silver Falls Dr. N., Silverton, OR 97381
Ph. (503) 873-3184 MSE@pacnweng.com



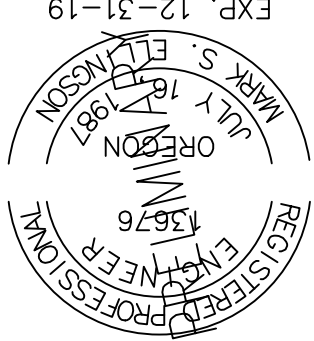
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Salem, OR 97374



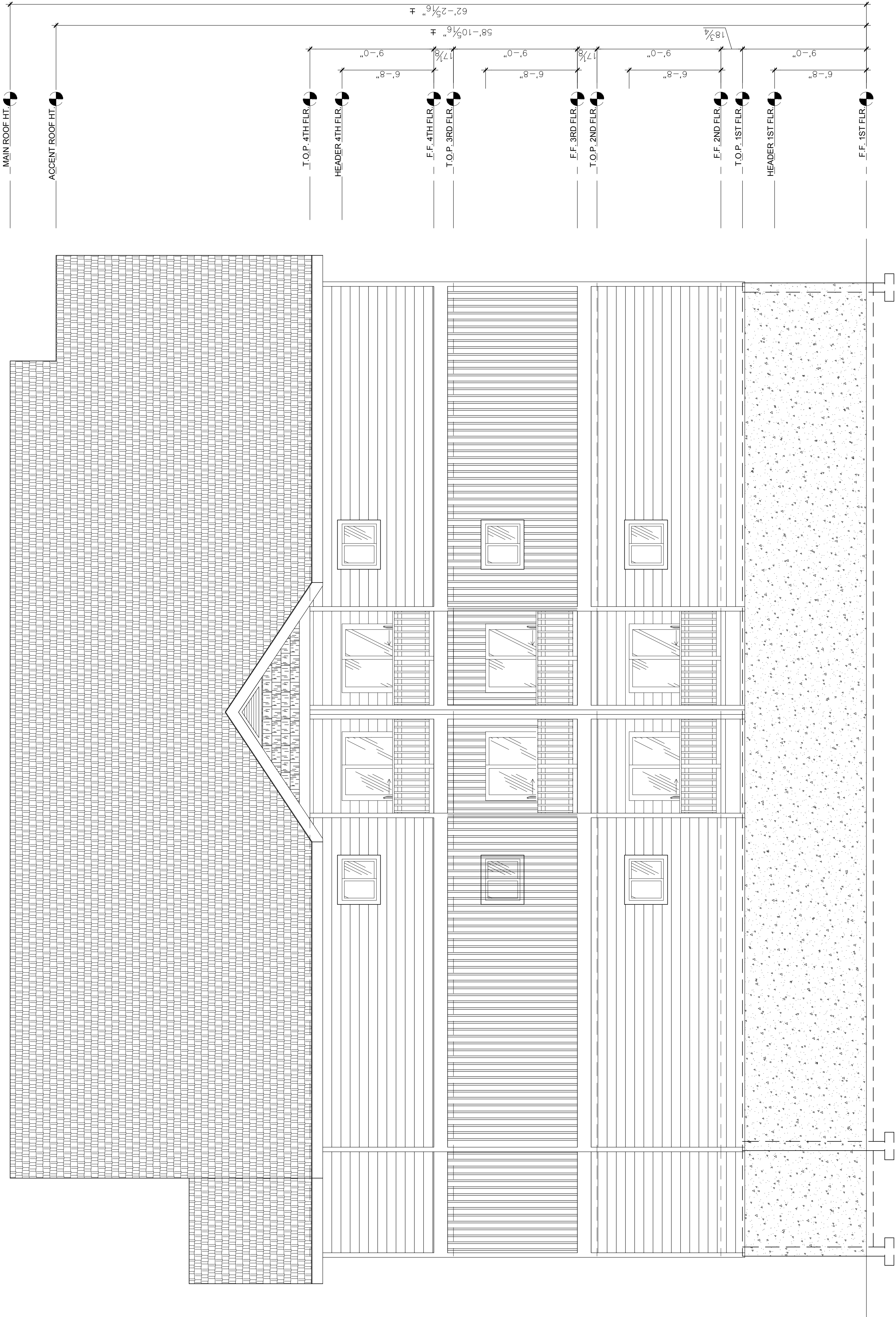
Pacific NorthWest Engineering, Inc.
4242 Silver Falls Dr. N., Silvertown, OR 97381
Ph. (503) 873-3184 MSE@pacnweneng.com



Gat Remodel-2
3355 Portland Rd. NE
Salem, OR 97374



Pacific NorthWest Engineering, Inc.
4242 Silver Falls Dr. N., Silverton, OR 97381
Ph. (503) 873-3184 MSE@pacnweng.com





PACIFIC NORTHWEST ENGINEERING, INC.

October 10, 2018

Olivia Glantz
City of Salem
Community Development Department
555 Liberty St SE Room #305
Salem, OR 97301

Re.: Case No. PRE-AP18-22
3355 Portland Road NE
Salem, OR 97301

- Class 3 Site Plan Review
- Class 2 Driveway Approach Permit
- Class 3 Design Review
- Conditional Use Permit

Dear Ms. Olivia

SUMMARY / OVERVIEW OF APPLICATION:

Proposed mix-rehab/remodel and development project for a total of 20 apartment units. This property has been a community eye-sore in the community for a number of years. Our objective is to renovate it and bring it all up to current codes and standards, while at the same time helping to address the significant affordable housing shortage in Salem.

There is an existing run-down 13-unit apartment complex consisting of a total of five (5) building structures that currently exists on-site at 3355 Portland Road NE, Salem, OR 97301. This property has been used for short-term rentals (29-days or less) for the past several decades and is in need of repairs.

This project is aimed at rehabbing 4 of the 5 existing buildings to 'like-new' condition via an extensive remodel, and then replacing one of the buildings, which is a tri-plex of under-sized studio units with a 9-plex with more modern floor plans. This will help to improve a current eyesore of a property within the local community.

This project is aimed at developing affordable housing opportunities for the City of Salem and will result in 20 affordable housing units that are not currently on the market. The existing units cannot be used for affordable housing as they are for two key reasons: i) affordable housing requires a 12-month minimum lease time (the short-term rental restriction currently in-place is only 30-days at a time, instead of the requisite 12-months for affordable housing), and ii) the state of repair of the units as they have existed is insufficient to meet all of the modern affordable housing standards.

The proposed development adheres to all applicable design review guidelines and addresses all items brought up by The City of Salem during the pre-application meeting (PRE-AP18-22 / 18-103569-PA) for the proposed project.

REQUEST:

We are requesting a Class 3 Site Plan Review, Class 2 Driveway Approach Permit, Class 3 Design Review, and Conditional Use Permit (based upon historical use of the property). Conditional use to convert the

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ph # (503) 873-3184 fax # (503) 873-3907
P.E. # 13,676



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property from an existing 13-unit short-term rental hotel / apartment complex to a 20-unit long-term affordable housing complex to provide the City of Salem with 20 additional affordable housing units.

For property approximately 0.66 acres in size, zoned Industrial Commercial (IC) and is located at 3355 Portland Road NE, Salem, OR 97301. Multifamily housing is an allowed use within IC zoned properties according to the SRC.

APPLICANT(S):

Chris Holmes-Parker and Ilana Gat for PR-3 LLC.

CONSULTANTS:

Site & Infrastructure: Pacific Northwest Engineering, Inc.

Architecture: Pacific Northwest Engineering, Inc.

PROJECT LOCATION: 3355 Portland Road NE, Salem, OR 97301.

APPLICABLE CRITERIA:

Class 3 Site Plan Review: SRC 220

Class 2 Driveway Approach Permit: SRC 804

Class 3 Design Review: SRC 225, 702, 800

Conditional Use Permit: SRC 240

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Class 3 – Site Plan Review – SRC 220

We are requesting a Class 3 Site Plan Review in order to adhere to the site plan review requirements outlined in SRC 220. Specifically, a Class 3 Site Plan review is required for the proposed development project due to it requiring a conditional use permit.

SRC 220 is aimed at providing a unified, consistent and efficient means to conduct site plan review for development activity that requires a building permit, to ensure that such development meets all applicable standards of the UDC, including, but not limited to, standards related to access, pedestrian connectivity, setbacks, parking areas, external refuse storage areas, open areas, landscaping, and transportation and utility infrastructure. We provide an overview of how the proposed site plan adheres to the applicable requirements outlined for a Class 3 Site Plan review within SRC 220.

Concurrent request of a building permit: As per SRC 220, an application for site plan review may be processed concurrently with an application for a building permit; provided, however, the building permit shall not be issued until site plan review approval has been granted. We intend to submit a request for a building permit shortly after the submission of this site plan review.

Submission Requirements Addressed: The Class 3 Site Plan review requirements include the Class 1, Class 2, and Class 3 Site Plan review requirements. We outline how our application adheres to each of the applicable submission requirements in the following:

Name(s) of Applicants / Authorized Representatives: Ilana Gat and Chris HolmesParker of PR-3 LLC.

Address(es) of Applicants / Authorized Representatives: 268 N. Mar Vista Ave Apt #3, Pasadena, CA 91106.

Additional Authorized Representatives for the Application Process: Pacific Northwest Engineering Inc.

Address / Location of Subject Property: 3355 Portland Road NE, Salem, OR 97301

Assessor Map Number of Subject Property: R26060

Tax Lot Number of Subject Property: 073W12CC01500

Size of the Subject Property: 0.66 acres

Comprehensive Plan Designation / Zoning of Subject Property: Industrial Commercial (IC)

Type of Application(s): Class 3 Site Plan Review, Class 3 Design Review, Class 2 Driveway Approach Permit, and Conditional Use Permit applications.

A Brief Description of Proposal: Proposed remodel and development project for a total of 20 multifamily apartment units. There is an existing 13-unit apartment complex consisting of a total of five (5) building structures that currently exists on-site at 3355 Portland Road NE, Salem, OR. This property has been used for short-term rentals (29-days or less) for the past several decades.

This project is aimed at rehabbing 4 of the 5 existing buildings to 'like-new' condition via an extensive remodel, and then replacing one of the buildings, which is a tri-plex of under-sized studio units with a 9-plex with more modern floor plans.

This project is aimed at developing affordable housing opportunities for the City of Salem and will result in 20 affordable housing units that are not currently on the market. The existing units cannot be used for

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P.E. # 13,676



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affordable housing as they are for two key reasons: i) affordable housing requires a 12-month minimum lease time (the short-term rental restriction currently in-place is only 30-days at a time, instead of the requisite 12-months for affordable housing), and ii) the state of repair of the units as they have existed is insufficient to meet all of the modern affordable housing standards.

The proposed development adheres to all applicable design review guidelines and addresses all items brought up by The City of Salem during the pre-application meeting (PRE-AP18-22 / 18-103569-PA) for the proposed project. The Pre-Application Meeting Report is included as an attachment to this application.

Site Plan(s): Please find site, landscaping, utility, and other applicable plans attached to this application.

Existing Conditions Plan: Please find the existing conditions site plan attached to this application.

Trip Generation Estimate Form: We consulted with Tony Martin at the City of Salem. It was determined that a Traffic Impact Analysis (TIA) was **not** needed for the proposed development. Based upon the inputs and feedback received with Tony Martin, we have completed a Trip Generation Estimate Form for the proposed development and have included a copy of the Trip Generation Estimate Form as an attachment to this application.

Zoning District, Comprehensive Plan Designation, and Land Uses for All Properties Abutting the Site:

Abutting Property 1: 3305 Portland Road NE, Salem, OR 97301.

Abutting Property 1 Account Number: 26279.

Abutting Property 1 Map Tax Lot: 073W138B04900.

Abutting Property 1 Zoning: IC

Abutting Property 1 Existing Use: Mobile Home Park, 14 MH Lots.

Abutting Property 2: 3371 Portland Road NE, Salem, OR 97301.

Abutting Property 2 Account Number: 26064.

Abutting Property 2 Map Tax Lot: 073W12CC01000.

Abutting Property 2 Zoning: IC

Abutting Property 2 Existing Use: Ventura Foods Facility.

There are no other properties abutting the proposed development site.

Transportation Impact Analysis: A TIA is not required as per SRC Chapter 803 and as per Tony Martin of the City of Salem. Instead, we have completed a Trip Generation Estimation Form as per the recommendation of Tony Martin.

Criteria for Class 3 Site Plan Review to be Granted:

1. The application meets all applicable standards of the UDC.
Remark: This criteria is met.
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;
Remark: This criteria is met. The project adheres to applicable ASHTOO green book standards.
3. Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians; and
Remark: This criteria is met. All applicable SRC requirements are met.

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

Remark: This criteria is met.

Project Adherence to Class 3 Site Plan Review Criteria: The proposed development site plan adheres to each of the four (4) individual criteria for a Class 3 Site Plan. We request the acceptance / approval of our Class 3 Site Plan review based upon the site plan review meeting the above Class 3 Site Plan acceptance criteria. Details of the adherence can be found throughout this write-up as well as in the supporting documentation attached.

Class 3 – Design Review – SRC 225, 702, and 800

A class 3 design review is being requested as the proposed development requires the application of design guidelines due primarily to some of the existing structures on-site.

Applicable Standards: Applicable sections of SRC 225, 702, 800, and other sections of SRC as required.

Standards or Guidelines: SRC 225 requests a statement within the write-up as to whether this application is intended to meet the standards or the guidelines. **This class 3 design review is intended to meet SRC design guidelines.**

Existing Site Conditions: See existing site plan conditions as attached PDF with this application.

Current Use of Adjacent Buildings: There are two adjacent buildings to this property, as follows:
Abutting Property 1: 3305 Portland Road NE, Salem, OR 97301.
Abutting Property 1 Account Number: 26279.
Abutting Property 1 Map Tax Lot: 073W138B04900.
Abutting Property 1 Zoning: IC
Abutting Property 1 Current Use: Mobile Home Park, 14 MH Lots.

Abutting Property 2: 3371 Portland Road NE, Salem, OR 97301.
Abutting Property 2 Account Number: 26064.
Abutting Property 2 Map Tax Lot: 073W12CC01000.
Abutting Property 2 Zoning: IC
Abutting Property 2 Current Use: Ventura Foods Facility.

There are no other properties adjacent to the proposed development site.

Topography of Site: The property is flat. A topography survey for the site is attached. There is no significant grade present on the property.

Trees & Prominent Landscape Features: The attached landscaping plan provides a complete overview of the locations and composition of all trees and landscaping features for the site.

Site Plans, Drawings, and Other Renderings: The application includes all applicable site plans, drawings, and other renderings required for the Class 3 Design Review, Class 3 Site Review, Conditional Use, and Class 2 Driveway Approach Permit Applications.

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The application as a whole is intended to meet the SRC design guidelines as opposed to the standards.

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

Proposed Project Adherence to Guidelines: The proposed development adheres to all Design Review Guidelines – See written statement in the following. We will highlight the adherence to key design review guidelines in this write-up. All applicable design review guidelines are met for the proposed development.

Class 3 - Design Review – Written Statement on Adherence to Guidelines

A Class 3 design review shall be approved if all of the applicable **design review guidelines** are met. In this section, we outline how the project meets all of the applicable design guidelines. In some cases, we also highlight that we meet the applicable design standards. Where the project adheres to the applicable standards, it also meets the relevant guidelines as well.

This project meets all of the applicable design guidelines for a class 3 design review to be approved.

SRC 702.015 – Open Space Design Review Guidelines

Common Open Space – Design Review Guidelines

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

Project Adherence to SRC 702.015 Guideline: The proposed development provides a variety of open space areas that are sufficient size and are provided for use for all residents. For example there is an 1,168 square feet play area / adult recreational area on the NW side of the property. There is a 1,403 square feet play area / adult recreational area on the NE side of the property. Beyond these areas, there is an additional 8,725 square feet of common open space throughout the property. The total common open space of the property is 11,296 square feet (38.55% of the overall site area). This exceeds the requirements in the standards, and meets all applicable guidelines. The minimum areas for open space throughout the property (e.g., play areas) adheres to the minimum dimensions set forth in the standards and guidelines throughout the SRC (e.g., for play areas and recreational areas, the minimum dimension is equal to or greater than 15-feet at all times). In addition to the play areas, there are sidewalks and walkways throughout the development to ensure pedestrian access to the sidewalk on the street abutting the property and to walk throughout the property. The sidewalks adhere to applicable ADA requirements.

In addition to common open space throughout the property, each individual unit has an applicable private open space that adheres to the guidelines for providing private open space for each unit. Each unit has a private open space area that is directly attached to the unit.

This design guideline is met.

- b) Common open space shall be distributed around building and throughout the site.

Project Adherence to SRC 702.015 Guideline: The proposed development distributes common open space throughout the property, such as around the new 9-plex, near building D, near building B, and between buildings A and B. Overall, there is over 11,296 square feet of common



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open space within the development and it is spread throughout the property (see plans attached).

This design guideline is met.

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

Project Adherence to SRC 702.015 Guideline: We minimized the use of perimeter setbacks to the extent possible for common open space as possible with the property dimensions.

This guideline is met.

Summary of Project Adherence to all SRC 702.015 Guideline(s): In summary, all open space design review guidelines are adhered to for the proposed development, see site plan attached for additional details. All guidelines under SRC 702.015 are met for the proposed development.

Children's Play Areas and Adult Recreation Areas – Design Review Guidelines

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

Project Adherence to SRC 702.015 Guideline: The proposed development provides a variety of open space areas that are sufficient size and are provided for use for all residents. Specific examples include a 1,403 square feet children's play area behind the new 9-plex building (see site plan) and an 1,168 square feet play / adult recreation area on the north western side of the property (see site-plan), and then another play area of larger than 1000 square feet recreational / play area on the other side of the 9-plex building (see site plans attached) and another 1000 square feet on the opposite side of the 9-plex. The minimum dimensions of all of these common areas is greater than or equal to 15 feet at all times, which meets the applicable standards as well. The total of all of these play / recreational areas is well over 4000 square feet, which exceeds all standards, and meets the guidelines accordingly. The site plan shows a children's play area that is greater than the standard required 950 square feet play area with a minimum dimension of 15-feet, which means that in addition to meeting the guideline, we meet the standard for the size and dimensions of the children's play area.

This guideline is met.

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

Project Adherence to SRC 702.015 Guideline: The large play areas located at the property are located behind and around the 9-plex and beside building D, which is centrally located in the property. All play areas present are contained in the heart of the property and that are fenced off and protected from streets for safety. The proposed play areas are all protected by fences and are contained in the middle to rear of the property and so they are centrally located in the sense that they are private for residents to privately enjoy these spaces. All children's play areas are located away from the roadway and have minimum 30 inch safety fences.

This guideline is met.



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

Project Adherence to SRC 702.015 Guideline: The play areas are all visible from multiple dwelling units and are partitioned away from driveways and parking areas via fences. The play areas will also have lighting from the buildings as is appropriate for safety and security.

A minimum 30-inch tall fence shall be installed to separate outdoor children's play areas from any parking lot, drive aisle, or street. A minimum 30-inch tall fence will be placed around all children's play areas to separate the play area between the parking lot, drive aisle, or street. We adhere to this portion of this standard, please see site plans attached.

This guideline is met.

Private Open Space – Design Review Guidelines

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

Project Adherence to SRC 702.015 Guideline: All units have at least private open space area, which exceeds the standard for units that are more than 5-feet above grade. The new building adheres to the standards. The existing structures meet the guidelines for private open space. All units have private open individual space with a minimum dimension of 6-feet that is accessed directly from their unit (see site plan(s) attached).

This guideline is met.

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

Project Adherence to SRC 702.015 Guideline: All private open space is directly connected to each unit and is accessible directly from each individual unit. See site plan for details.

This guideline is met.

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

Project Adherence to SRC 702.015 Guideline: All private open space that is located adjacent to common space has an appropriate buffer between the two open space areas as per the SRC. Each private open space area will have either a fence or landscaping that clearly delineates it from the common open space. The site plan is currently anticipating installing a fence in most instances.

All private open space is visually separated from common open spaces in a manner applicable with the SRC. See plans attached.

This guideline is met.



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SRC 702.020 – Landscaping Design Review Guidelines

General Landscaping – Design Review Guidelines

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

Project Adherence to SRC 702.020 Guideline: The property has 6,366 square feet of landscaping. Based upon this, the landscaping plan is designed to have approximately 320 plant units. Specifically, the current landscaping plan has:

- 28 canopy trees x 10 plant units per canopy tree = 280 plant units
- 80 units of lawn x 1 plant unit per unit of lawn = 80 plant units
- Miscellaneous other plants and shrubs > 200 plant units

The landscaping plan has more than 500 plant units, which exceeds the design standards and therefore meets the design guidelines as well. Additionally, we are planting at least 1 tree for every 2,000 square feet of the property, which amounts to (29,303 sq ft of property / 2,000 sq ft per tree = 15 trees) fifteen trees. We are planting 28 trees, which exceeds the 1 tree per 2,000 square feet standard. Trees are planted that, at maturity, will provide canopy coverage over at least one-third of the open space and setbacks. All trees will be planted with appropriate spacing relative to the parking, property lines, and other guidelines.

The project plan provides a combination of landscaping and fencing to prevent headlights from shining into the windows of the buildings from abutting properties and collector streets. The proposed landscaping and development has a 6 feet tall privacy fence around the entire property (except abutting the street, due to security concerns) and it also has landscaping to prevent headlights from shining into the windows of the buildings along the side of the property facing Portland Road (see the landscaping plan attached).

This guideline is met.

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

Project Adherence to SRC 702.020 Guideline: The site is shielded on all sides with landscaping (e.g., 28 canopy trees throughout the property). See landscaping plan attached. Dozens of trees are being placed throughout the property to shield the site from winter winds and summer sun.

This guideline is met.

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

Project Adherence to SRC 702.020 Guideline: There is one large tree at the front of the property that is being preserved as a part of this project. We are preserving all existing trees at this property as a part of this development.

This guideline is met.



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

Project Adherence to SRC 702.020 Guideline: There are no abutting RA or RS zoned properties, therefore this guideline is met. Furthermore, we are putting landscaping / screening fence all around the property to provide a buffer between the other properties surrounding the development.

This guideline is met.

Street Frontage – Design Review Guidelines

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

The frontage of the property has several trees planted and has an existing seasoned tree that will be preserved. The landscaping plan incorporates one canopy tree or more per 50 linear feet of street frontage and one columnar tree per 40 linear feet of street frontage. More specifically, a total of 5 canopy trees are included in the landscaping plan for the front of the property.

This guideline is met.

Building Exteriors – Design Review Guidelines

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

Project Adherence to Guideline: Symmetric landscaping is provided at each property to accentuate individual dwelling units and combinations of dwelling units on a per building basis.

This guideline is met.

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

Project Adherence to Guideline: There is a combination of vertical (trees) and horizontal (shrubs / flowers / grass) landscaping elements that are provided along the exterior walls of the buildings to soften the visual impact of the buildings and to create residential character. See landscaping plan attached. A combination of vertical siding and brick veneer will be utilized on the buildings, similar to the aesthetic of the current buildings.

This guideline is met.

Building Exteriors – Design Review Standards

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

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Project Adherence to Standard: The proposed landscaping plan adheres to this requirement.

This standard is met.

- B) New trees shall be planted, or existing trees shall be preserved, at a minimum density of ten 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.

Project Adherence to Standard: The proposed landscaping plan adheres to these requirements.

This standard is met.

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

Project Adherence to Standard: The proposed development adheres to these standards (see attached).

This standard is met.

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	1.5 in. to 2 in. caliper
1 evergreen/conifer tree	5 PU	6 ft. to 8 ft. height
1 ornamental tree	2 PU	1 in. to 1.5 in. caliper
1 large deciduous or evergreen shrub (at maturity: over 8 ft. wide, 4 ft. high)	2 PU	Min. 1 gallon or balled and buried
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.	

Privacy – Design Review Guidelines

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

Project Adherence to Guideline: There is a 6-foot privacy fence that will go along all sides of the property to provide a buffer between the proposed multifamily development and abutting properties. Furthermore, there is also landscaping going around the property to add an additional buffer. Please see the site plan and the landscaping plan attached, respectively.

This guideline is met.



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

Project Adherence to Guideline: A privacy fence surrounds the property to provide privacy from abutting properties. Furthermore, landscaping is used to provide privacy (as is appropriate) between individual dwelling units (see landscaping plan and site plan attached).

This guideline is met.

Parking Areas – Design Review Guidelines

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

Project Adherence to Guideline: The proposed development provides 28 canopy trees distributed throughout the interior of the property and one canopy tree is planted in the parking area per 50-feet of perimeter parking.

This guideline is met.

SRC 702.025 – Crime Prevention through Environmental Design

Safety Features for Residents – Design Review Guidelines

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

Project Adherence to Guideline: The property was laid out to address the design standards for lighting and visibility to address safety concerns associated with a multifamily development. All rooms facing common open space have windows that allow for surveillance. The property has a privacy fence around all non-street abutting portions. The property has trees and landscaping to provide privacy within appropriate settings along the street abutting end of the property.

This guideline is met.

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

Project Adherence to Guideline: Landscaping and fencing is provided in a manner that does not obscure visual surveillance of the common open space, parking areas, or dwelling unit entryways for each respective unit.

This guideline is met.

SRC 702.030 – Parking, site access, and circulation

General Parking and Site Access – Design Review Guidelines

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- A) Parking areas shall be designed to minimize the expanse of continuous parking (see Figure 702-6).

Project Adherence to Guideline: The proposed development parking areas were designed to minimize the expanse of continuous parking to the extent possible through the use of various types of parking (e.g., head-in versus parallel parking spots), locations of parking spread throughout the complex, and a mixture of exterior and interior parking (e.g. the parking underneath of the 9-plex).

This guideline is met.

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

Project Adherence to Guideline: Pathways are provided that connect to and between all buildings, common open space, parking areas, and surrounding uses. Pathways also provide access to the sidewalk at the street abutting the property. See site plan attached.

This guideline is met.

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

Project Adherence to Guideline: The proposed parking plan was designed to maximize convenience of residents. See parking plan attached in the site plan.

This guideline is met.

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

Project Adherence to Guideline: Parking areas and circulation systems were designed in a manner that considers site topography, natural contours, and abutting properties zoned RA or RS. There are no properties that abut the proposed development that are zoned RA or RS, so that portion of the guideline is implicitly adhered to and the rest of the standard was adhered to in the design of the parking areas (see site plan attached).

This guideline is met.

Site Access – Design Review Guidelines

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

Project Adherence to Guideline: The site has accessibility to and from for both automobiles and pedestrians.

This guideline is met.

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



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Project Adherence to Guideline: Site access is provided in a manner that minimizes vehicle and pedestrian conflicts by adhering to requirements on walkway widths, parking space dimensions, and driveway/parking aisle widths, etc.

This guideline is met.

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

Project Adherence to Guideline: This property only connects on one street, therefore there is only one option.

This guideline is met.

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

Project Adherence to Guideline: There are no existing or future driveways serving adjacent developments that can be consolidated with the proposed driveway for this development.

Therefore, this guideline is implicitly met.

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

Project Adherence to Guideline: The parking areas are located in the heart of the property and have minimal visibility to the public right-of-way abutting the property. All parking spaces are at least 34 feet back from the property line and most are nearly 120 feet or more back from the public right-of-way.

This guideline is met.

SRC 702.035 – Building Mass and Façade Design

General Siting and Building Mass – Design Review Guidelines

- A) Buildings shall be sited with sensitivity to topography and natural landform (see Figure 702-9).

Project Adherence to Guideline: The proposed development property is essentially flat and so buildings are sited with sensitivity to topography and natural landform.

This guideline is met.

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

Project Adherence to Guideline: The development is designed to reinforce human scale. See elevations attached.



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This guideline is met.

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

Project Adherence to Guideline: There are no buildings with long monotonous exterior walls within this development. All walls have texture from windows, doors, horizontal/vertical shifts, and/or similar. We believe that this guideline is met with the proposed development.

This guideline is met.

Compatibility – Design Review Guidelines

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

Proposed: The entire project maintains contrast compatibility as well as texture / aesthetic compatibility.

This guideline is met.

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

Proposed: Appropriate transitions are provided between the only new building / structure on-site and the existing buildings and structures on site and on abutting sites. The new building proposed is offset 19 feet and 1-inch away from the other existing buildings on-site.

This guideline is met.

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

Proposed: See elevations attached. The entire site has consistent architectural elements and facade materials to provide continuity throughout the site.

This guideline is met.

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

Proposed: All new buildings are proposed as closely to the street right-of-way as is reasonable.

This guideline is met.

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

Proposed: All units have architecturally defined and covered entryways incorporated into the design / remodel of the buildings. See site plan attached as well as elevations.



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This guideline is met.

Building Articulation – Design Review Guidelines

- A) The appearance of building bulk shall be minimized by:
 - a. Establishing a building offset interval along building facades; and
 - b. Dispersing windows throughout building facades.

Project Adherence to Guideline: The appearance of building bulk is minimized through various articulations and design details including different colors, textures, orientations of designs, and the like. See elevations attached.

This guideline is met.

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

Proposed: All entryways to residential building are articulated. See site plan and elevations attached.

This guideline is met.

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

Proposed: Building roofs reinforce the residential character of the neighborhood. See site plan and elevations attached.

This guideline is met.

SRC 702.040 – Recycling

On-site Design & Location of Facilities - Design Review Guidelines

- A) Facilities shall be provided to allow recycling opportunities for tenants that are as conveniently located as the trash receptacles, and that are in compliance with any applicable federal, state, or local laws.
- B) The design and materials of recycling areas shall be similar to the design and materials of the buildings within the development.
- C) Recycling areas shall be located to provide adequate access for franchised haulers, and shall have containers sufficient to allow collection of all recyclables collected by the haulers.

Project Adherence to Guideline(s): The proposed development meets these guidelines for recycling. Furthermore, the size, shape, placement, separations, and other standards for solid waste and recycling are met for this project. This project adheres to the SRC 800.055(b) and SRC 800.055(e) solid waste service area and enclosure standards. The solid waste service area has an opening greater than or equal to 12-feet. The doors open 120-degrees. There is a minimum 14-foot vertical clearance area. The facility has a roof over the top of it. The walls will be made of cinderblock or concrete (non-combustible). The enclosure will have an appropriately sized and positioned concrete pad underneath of it and there will be appropriate bumpers / guards to protect the walls of the enclosure that maintain a minimum 1.5' distance from the waste receptacles to the side of the trash container. These and the other standards are met.

On-site Design & Location of Facilities - Design Review Standards

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- 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.
- B) Recycling areas shall be protected against environmental conditions, such as rain.
- 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.
- D) Recycling areas shall be provided that are sufficient in capacity, number, distribution, and size to serve the tenants of the development.
- E) The design and materials of recycling areas shall be similar to the design and materials of the buildings within the development.

Proposed: The proposed development adheres to standards for on-site design and location of facilities for solid waste and recycling. See site plan attached for the trash enclosure meeting all of the current design standards for width, height, depth, doorway openings, etc.

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 storm-water runoff consistent with the overall storm-water management plan for the site approved by the Public Works Director.

Proposed: The proposed development plans show the pad area for the solid waste service area will be on concrete pads and will be sloped to comply with storm-water 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.

Proposed: The dimensions of 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. See site plans attached.

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

Proposed: The proposed enclosure includes a roof over the recycling area as required by SRC 702.040(a)(2)(B) which maintains the minimum 14 feet of unobstructed overhead clearance for servicing. The proposed development conforms to these standards above.

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.



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Proposed: The front opening width of the enclosure is approximately 14-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 materials shall contain a minimum 4-inch 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.

Proposed: The proposed development plans indicate that the enclosure will be made of concrete masonry walls. 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 close positions.

Proposed: The proposed development meets or exceeds the above standards.

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

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. The proposed development plans indicate that adequate space for vehicle operation, exceeding the minimum standards, is provided in front of the enclosure (see site plans attached). 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.

Proposed: The proposed development meets these standards.

PARKING

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

SRC 806.005 – Off-Street Parking; When Required.

Proposed: Off-street parking shall be provided and maintained for each proposed new use or activity in accordance with SRC 806 and the feedback from The City of Salem during the preapplication meeting.

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.

Proposed: The proposed development is 20 units total, requiring a total of 30 (20 x 1.5 = 30) Off-Street Parking Spaces. The proposed development plan attached (see site plans attached) provide the required 30 off-street parking spaces for this 20-unit development.

- b) Compact Parking. Up to 75 percent of the minimum off-street parking spaces required under this Chapter may be compact parking spaces.

Proposed: The proposed development plan has 18 compact parking spaces out of the 30 total parking spaces. More specifically, the proposed development plan has 60% compact parking spaces, which is less than the maximum allowed by this Chapter. We have 12 standard parking spaces, totaling 40% of the total parking spots, which exceeds the minimum for standard parking spaces in this chapter.

- c) Carpool and Vanpool Parking. New developments with 60 or more required off-street parking spaces, and falling within the Public Services and Industrial use classifications, and Business and

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Professional Services use category, shall designate a minimum of 5 percent of their total off-street parking spaces for carpool or vanpool parking.

Proposed: This development has only 30 parking spaces, which is fewer than the requisite 60 parking spaces that would trigger this requirement. Additionally, carpool and vanpool parking is not required for a multi-family use.

- 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.

Proposed: The proposed development has a total of 20 multifamily apartment complex units, which requires a minimum of 30 spaces ($20 \times 1.5 = 30$).

Carpool and vanpool parking is not required for a multi-family use, nor is it required for developments of fewer than 60 units.

The summary table indicates that 30 off-street parking spaces for apartments are provided, including standard spaces (10, 33.33%) and compact spaces (20, 66.66%). The development plan includes 2 ADA compliant parking spaces, meeting ADA requirements and the requirements of this section.

SRC 806.035 – Off-Street Parking and Vehicle Use 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.

Proposed: The proposed development adheres to all off-street parking and vehicle use area standards.

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

Proposed: The proposed development off-street parking / vehicle areas adhere to the required set-back standards.

- 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.

Proposed: The proposed development adheres to these standards.

- d) 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.

Proposed: 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 (see site plans attached).

- e) Interior Landscaping. Interior landscaping shall be provided in amounts not less than those set forth in Table 806-5.

Proposed: The proposed development has 8,237 square feet (<50,000 square feet) of parking area and 2,226 square feet of landscaping within the parking area. This makes the total interior landscaping within the parking area, which is 27% of the proposed parking area, which exceeds the minimum requirement of 5% interior landscaping based upon Table 806-5.

A minimum of one deciduous shade tree shall be planted for every 12 parking spaces within the off-street parking area. Shade trees are provided in the proposed off-street parking areas. Landscape islands and planter bays shall have a minimum planting area of 25 square feet, and shall have a minimum width of 5-feet.

At a bare

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

Proposed: The proposed parking spaces, driveway, and drive aisle for the off-street parking area meet the minimum dimensional requirements of SRC Chapter 806 (see site plan attached). All

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aisles behind compact car spaces are at least 22 feet and all aisles behind mixed or standard spaces are at least 24 feet as per SRC806.035(e).

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

Proposed: The proposed off-street parking area is developed consistent with the additional development standards for grade, surfacing, and drainage. Bumper guards and wheel barriers for the ADA parking spaces only, all other spaces have sidewalk curbs surrounding the parking spaces. 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 planned to be screened from abutting property by a combination of landscaping and a 6 feet tall privacy fence.

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 the required setbacks.
- c) Additional Development Standards. 806.040(c)-(g).

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

SRC 806.045 – Bicycle Parking; When Required.

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

Proposed: Bicycle parking shall be required as per SRC 806.045.

SRC 806.050 – Proximity of Bicycle Parking to Use or Activity Served.

Proposed: The proposed development has bicycle parking located on the same development site as the use or activity it serves as per SRC 806.050.

Sec. 806.055. - Amount of bicycle parking.

Table 806-8 states that for Multifamily applications, the bicycle parking requirement is the greater of 4 spaces or 0.1 spaces per dwelling unit.

Proposed: The proposed development has (4) bicycle parking spaces, which meet the requirements of this section.

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.

Proposed: The proposed site plan indicates that bicycle parking spaces will be placed near the 9-plex building, and the bicycle parking spaces adhere to the requirements in this section.



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SRC. 806.065 – SRC 806.080. - Off-street loading areas; when required.

According to Table 806-9, Multifamily developments with fewer than 50 units do not require any additional off-street loading areas.

Proposed: The proposed development is 20 total units, which is less than 50 units. This means that there are no requirements for off-street loading areas.

SRC 71 – STORMWATER

Proposed: The project has 16,902 sq ft of existing impervious area. The project will add 6,351 sq ft of impervious area and will remove 1,071 sq ft of impervious area. The new total net impervious area of the property will be 22,282 sq ft. The total project site is 29,303 sq ft. To this end, the development plan includes a storm water detention plan that addresses the requirements of SRC 71. We are only increasing the impervious area by 5,280 sq ft, which is less than the 10,000 sq ft requirement that triggers green storm water infrastructure. Therefore, this project should be exempted from this requirement. However, we are including green storm water considerations in our site plan as a matter of our own due diligence. As a part of this project we will 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.

ADDITIONAL TOPICS

SRC 808. - PRESERVATION OF TREES AND VEGETATION

Proposed: The proposed development adheres to the City's trees and vegetation preservation ordinances. No trees will be cut down as a part of the proposed development.

CHAPTER 809. – WETLANDS

Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. State and Federal 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.

Proposed: According to the Salem-Keizer Local Wetland Inventory (LWI) there are no mapped wetlands present.

SRC 810. - LANDSLIDE HAZARDS

A geological assessment or report is required when regulated activity is proposed in a mapped landslide hazard area.

Proposed: The subject property contains areas of mapped landslide hazards and indicates a low landslide hazard risk; a geological assessment is not required for the proposed development.

LANDSCAPING

All required setbacks shall be landscaped with a minimum of 1 plant unit per 20 square feet of 1 plant unit per 20 square feet of landscape 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 (see landscaping plan attached).

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

Proposed: The proposed site plan indicates that landscaping will be provided in setback areas and as part of the interior off-street parking area landscaping.



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

TRAFFIC

The vision clearance triangle of the property adhere to the ASHTOO requirements (see attached plans). We have reviewed the traffic entryway plan with Tony Martin of the City of Salem and are requesting a Class 2 Driveway Permit approval accordingly.

LOT COVERAGE:

The lot coverage proposed is approximately 34.04%, less than the maximum lot coverage. The maximum apartment building height proposed is approximately 62 feet and 2.25 inches, less than the maximum height allowance of 70 feet in the current IC Portland Fairgrounds Overlay zone.

FENCE:

A minimum six-foot-tall decorative sight-obscuring fence (or wall) will be provided where the development site abuts any neighboring property (e.g., Industrial Commercial (IC), or other lots) except in specific regions where existing structures lie on the property line making it impossible to add a fence. We propose a 6-ft tall wood fence that is in-line with the aesthetic of the rest of the property.

SRC 603 - PROJECT ENHANCEMENTS – PORTLAND FAIRGROUNDS OVERLAY ZONE

Portland/Fairgrounds Overlay - SRC 603: Four Project enhancements that are being provided are as follows:

- Freestanding sign not more than five feet in height and placed upon a foundation. See site plan attached.
- Pedestrian connections that are elevated above the parking area and driveway. See site plan attached.
- A minimum of seven percent interior landscaping within parking areas not more than 50,000 square feet in size. See landscaping plan attached.
- Pedestrian scale lighting not more than 16 feet in height. See site plan attached.

The above (4) project enhancements meet this design requirement.

SRC 240 - CONDITIONAL USE

The purpose of this chapter is to allow uses that are **similar to other uses permitted outright in a zone** but because of the manner in which the use may be conducted, or the land and buildings developed for the use, review is required to determine whether the imposition of conditions is necessary to minimize the negative impacts on uses in the surrounding area.

Proposed: The proposed multi-family apartment use for this property is similar to the current existing short-term rental use of the property. Both the proposed and existing use cases utilize the project essentially as an apartment complex.

Conditional Use - Criteria

An application of conditional use permit shall be granted if all of the following criteria are met:

1. **The proposed use is allowed as a conditional use in the zone;**
Proposed: As per Table 551-1 Multiple Family is allowed as a Conditional Use in the IC Zone. Furthermore, according to Table 551-1 Long-Term Commercial Lodging is also allowed as a Conditional use. Therefore, the requested Multifamily Conditional Use is allowed within the proposed IC zone. This conditional use criteria is met.



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2. The reasonably likely adverse impacts of the use on the immediate neighborhood can be minimized through the imposition of conditions; and

Proposed: At the pre-application meeting, there was a request from the city for a conditional use that the property has a 6 feet tall privacy fence built up around the perimeter of the property. We will be building a 6 feet tall privacy fence around the entire perimeter of this property in accordance with that requirement.

The proposed project will have a 6 feet tall privacy fence all around the property to minimize the adverse effects on the immediate neighborhood. Additionally, we will be incorporating trees throughout the landscaping to provide additional privacy.

Furthermore, the proposed development has essentially existed on this site for the past 40+ years and has been operating largely as a multifamily residential apartment complex through the allowed short-term 29-day leases.

3. The proposed use will be reasonably compatible with and have minimal impact on the livability or appropriate development of surrounding property.

Proposed: The proposed multifamily use is compatible with the IC zone as per Table 551-1. Furthermore, the property has been used as a short-term stay residential apartment complex for the past 40 years or more, therefore, the use as a long-term stay residential apartment complex will have minimal impact on the appropriate development of the surrounding properties. In fact, the remodeling and revitalization of this property is anticipated to have a positive impact on the local neighborhood and on the surrounding properties. The Northgate Neighborhood Association was excited about the development when we went and presented the proposed development project at an Association meeting.

In summary, the above 3 criteria for Conditional Use are met and we request a conditional use permit to be granted for the property.

Additional Information Supporting the Request for a Conditional Use Permit

We contacted the Northgate Neighborhood Association regarding the proposed rehab of the property and the Northgate Neighborhood Association was excited about the prospect of this project being completed as it will help to improve the neighborhood as a whole.

In order to reduce the impact of the proposed use on the surrounding properties and measures taken to increase the privacy for future residents of the property:

1. 6 feet tall Wood Privacy fence that is in-line with the aesthetic of the buildings will be built to surround the entire property (except along the Portland Road facing side of the property due to security concerns).
2. Trees will be planted around the perimeter of the property wherever possible (see landscaping plan) in order to provide additional privacy from the road and from the neighboring properties.
3. The property has been operating as a high-traffic short-term rental property and has long been run down with prostitution, drugs, and similar activities being carried out on the property. With the proposed project, we are remodeling the entire property and making it like new - cleaning up the area, which we anticipate to have a positive impact on the local neighborhood and surrounding properties in terms of reduced crime. Reducing the amount of individuals transiting through this property will also directly improve the privacy for future residents compared to the current short-term use of the property.
4. We are putting security lighting around the property to help with safety.

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5. We are putting up the cast iron fence in front of the property in accordance with the Portland Fairgrounds overlay zone.
6. We are providing private entrances for all units and providing appropriate areas for recreation and play for future residents, so that they can enjoy the property out of sight of the road. The common open play areas are tucked into the center of the property.
7. We spoke to the local neighborhood association (Northgate Neighborhood Association) and homeowners in the area were ecstatic to have this project as there has been a longstanding history of drugs and criminal behavior at the property. This project will not only improve the quality of life for residents at this property, but it will also help the community and will lend synergistically to many revitalization projects currently going on in North Salem.
8. Salem Oregon has a shortage of over 3000 affordable housing units. This project is aimed at helping to address this shortage.

Based upon these factors and more, we greatly appreciate the consideration for a conditional use permit and are looking forward to bringing this project through to fruition.

SRC 551.010 – Development Standards

Lot standards. Lots within the IC zone shall conform to the standards set forth in Table 551-2.
Minimum 16-foot setback requirement.

Thank You


Mark Ellington, P.E.
President

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