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

# DECISION OF THE PLANNING COMMISSION

# CLASS 3 DESIGN REVIEW / CLASS 3 SITE PLAN REVIEW / CLASS 2 ADJUSTMENT / CLASS 2 DRIVEWAY APPROACH PERMIT CASE NO DR-SPR-ADJ-DAP19-06

**APPLICATION NO. :** 19-112135-DR, 19-112137-RP, 19-112140-ZO & 19-112141-ZO

NOTICE OF DECISION DATE: August 7, 2019

**SUMMARY:** Proposed development of a new four-unit residential apartment complex.

**REQUEST:** A Class 3 Design Review and Class 3 Site Plan Review application for development of a new four-unit apartment complex, with a Class 2 Driveway Approach Permit for a new driveway on Jefferson Street NE, and a Class 2 Adjustment request to reduce the vehicle use area setback adjacent to a building or structure from five feet, as required by SRC 806.035(c)(4), to four feet, for property approximately 0.25 acres in size, zoned RM-II (Multi-Family Residential), and located at 1100 Jefferson Street NE - 97301 (Marion County Assessor s Map and Tax Lot number: 073W23AB / 07800).

**APPLICANT:** James Caughlin

LOCATION: 1100 Jefferson Street NE / 97301

CRITERIA: Class 3 Design Review: SRC 225.005(e)(2) 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 August 7, 2019.

**DECISION:** The Planning Commission **APPROVED** Class 3 Design Review / Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway Approach Permit Case No. DR-SPR-ADJ-DAP19-06 subject to the following conditions of approval:

**Condition 1:** Prior to building permit issuance, where a proposed building crosses over an existing property line, either (1) pursuant to SRC 205.065, a property boundary verification shall be recorded, or (2) the property line shall be adjusted or removed.

Condition 2: Construct a hammerhead turnaround to Public Works standards withinthe right-of-way of Jefferson Street NE.

Provide a three-quarter boundary street improvement along Jefferson St NE.



503-588-6005

FAX:

DR-SPR-ADJ-DAP19-06 Decision August 7, 2019 Page 2

**Condition 3:** 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).

# VOTE:

Yes 9	No 0	Absent 0	Abstain 0

Chane Griggs, 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:

August 23, 2021
August 23, 2023
August 23, 2021
August 23, 2021

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

July 11, 2019 August 6, 2019 August 7, 2019 August 23, 2019 November 8, 2019

Case Manager: Aaron Panko, APanko@cityofsalem.net

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, no later than 5:00 p.m., Thursday, August 22, 2019. 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) 220, 225, 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 Salem City Council will review the appeal at a public hearing. After the hearing, the City Council may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

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-SPR-ADJ-DAP19-06

# AUGUST 7, 2019

# **PROCEDURAL FINDINGS**

- On May 24, 2019, Gerald Horner, Willamette Engineering Inc., on behalf of the applicant and property owner, James Caughlin, 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 a proposed four-unit apartment complex on property located at 1100 Jefferson Street NE (Attachment A).
- 2. After additional requested information was provided by the applicant, the application was deemed complete for processing on July 11, 2019. Notice of the public hearing on the proposed development was subsequently provided pursuant to SRC requirements on July 17, 2019. Notice was also posted on the subject property pursuant to SRC requirements by the applicant on July 23, 2019.
- 3. The public hearing on the proposed Class 3 Design Review, Class 3 Site Plan Review, and Class 2 Adjustment application was held on August 6, 2019. The statemandated 120-day local decision deadline for the application is November 8, 2019.

# **PROPOSAL**

The applicant has submitted Class 3 Design Review, Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit applications for development of a four-unit residential apartment complex for property located at 1100 Jefferson Street NE - 97301 (Attachment A).

# APPLICANT'S PLANS AND STATEMENT

The applicant's proposed site plan and building plans are included as Attachment B, and the applicant's statement addressing the applicable approval criteria for the consolidated request is included as Attachment C.

# SUMMARY OF RECORD

The following items are submitted to the record and are available upon request: All materials submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports; any materials and comments from public agencies, City departments, neighborhood associations, and the public; and all documents referenced in this report.

# SUBSTANTIVE FINDINGS

# 1. Salem Area Comprehensive Plan (SACP)

The Salem Area Comprehensive Plan (SACP) map designation for the subject property is "Multi-Family Residential". The subject property is within the Urban Growth

Boundary and is within the Urban Service Area.

# 2. Zoning

The subject property is zoned RM-II (Multi-Family Residential). The proposed use includes development of a four-unit residential apartment complex. Multi-family uses are allowed as a permitted use in the RM-II zone.

Zoning designations for surrounding properties is as follows:

North:	Across Public Alley, CG (General Commercial) – Parking Lot;
South:	Across Jefferson Street NE, RM-II (Multi-Family Residential) - Single
	Family Dwellings;
East:	Railroad right-of-way;
West:	RM-II (Multi-Family Residential) – Single Family Dwelling

# 3. <u>Neighborhood Association Comments</u>

The subject property is located within the Grant Neighborhood Association (Grant). Written testimony was received from the Grant Neighborhood Association on August 3, 2019 (Attachment F) indicating general support for the proposal, but providing multiple areas of questions and concern they sought to address, which include the following:

1. Requesting additional windows in the end walls.

**Response:** The applicant testified that there will be windows on the north and south building elevations as indicated in the plans.

2. Building mass and façade design facing Jefferson Street NE.

**Response:** The inclusion of windows and landscape along the façade facing Jefferson Street NE will help to soften and add interest to the appearance of the building.

3. Existing fence along the west.

**Response:** SRC Chapter 514, Table 514-5 requires a minimum six-foot-tall sight obscuring fence or wall. There is currently a fence along the western property line, if the fence is a minimum of six-feet in height and is sight-obscuring, then the existing fence may be used to satisfy the screening requirement. If not, the fence will need to be replaced with a fence meeting the screening requirement prior to final occupancy.

4. Proposed street improvements along Jefferson Street NE.

**Response:** Jefferson Street NE meets the right-of-way width and pavement width standards west of the subject property. The street terminates at the railroad tracks east of the subject property, and there are no plans for providing a crossing at the railroad tracks and extending Jefferson Street NE to the east.

The Grant Neighborhood Association indicated concerns with the applicant's proposal to provide a hammerhead turnaround to Public Works standards within the right-of-way for Jefferson Street NE and requested that the street improvement be widened to provide additional on-street parking options for residents and visitors of the proposed four-unit apartment complex. The Planning Commission finds that a three-quarter boundary street improvement along Jefferson Street NE would provide the additional on-street parking opportunities requested by the Grant Neighborhood Association.

# 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. No written comments were received from surrounding property owners, and no testimony was received at the hearing from surrounding property owners.

# 5. <u>City Department Comments</u>

The Building and Safety Division reviewed the proposal and indicated no objections.

The Fire Department reviewed the proposed and indicated that Fire Department access and water supply appear to be provided. No FDC is shown on the plans.

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

# 6. Public Agency & Private Service Provider Comments

Salem Keizer School District has reviewed the proposal and provided a memo included as Attachment E.

# 7. CLASS 3 DESIGN REVIEW APPROVAL CRITERIA

SRC Chapter 225.005(e)(2) provides that:

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.

**Finding:** The corresponding design standard requires multiple family developments with five or more dwelling units to provide a minimum of 30 percent of the gross site area as common open space.

The proposed development is for a four-unit apartment complex, which is not subject to the common open space requirement.

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

**Finding:** The proposed four-unit apartment complex does not require common open space areas.

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

**Finding:** The proposed four-unit apartment complex does not require common open space areas.

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.

**Finding:** The proposed four-unit apartment complex does not require a children's play area or adult recreation area.

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

**Finding:** The proposed four-unit apartment complex does not require a children's play area or adult recreation area.

(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:** A children's play area is not required for the proposed four-unit apartment complex.

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.

**Finding:** Each of the proposed dwelling units is provided with a fenced private open space area including a patio approximately 52 square feet in size, and an additional 100 square feet or more of graveled open space with landscaping.

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

Finding: Private open space areas are accessible from each 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:** Ground floor private open space areas are separated from common open space areas by landscaping and fencing.

#### 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 corresponding design standard requires a minimum of one tree to be planted for every 2,000 square feet of gross floor area. The subject property is approximately 10,984 square feet in size, requiring a minimum of 5 trees (10,984 / 2,000 = 5.492). The preliminary landscape plan indicates that six trees will be provided on the subject property, and two additional trees will be planted in the public right-of-way.

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

**Finding:** Trees and shrubs are proposed to 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 provided by the applicant indicates that there are no existing trees on the subject property, this guideline is not applicable.

(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 does not abut RA or RS zoned property, this guideline 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 landscape plan indicates that two new street trees will be installed on Jefferson Street NE, in compliance with the standards in SRC Chapter 86.

# 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:** The preliminary landscape plan indicates that shrubs and trees are proposed at each dwelling unit entrance to the proposed building.

(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 proposed landscaping plan indicates a variety of trees, shrubs and ground cover will be provided along the exterior walls of the 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:** The site plan indicates that landscaping and fencing will be installed along the interior property lines providing a buffer between the proposed multifamily development and abutting property to the west.

(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 shrubs will be provided around the exterior walls of the proposed building and a combination of landscaping and fencing will be used to screen ground floor private open space areas.

# 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 preliminary landscape plan indicates that a variety of canopy trees will be provided throughout the proposed parking areas.

# 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 motion sensing security lighting will be installed and front entry ways will have windows for viewing visitors, the parking lot, and outside activities. All buildings have windows provided in habitable rooms which are oriented towards open space areas and the proposed parking area.

(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.

#### 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:** The proposed parking area is relatively small, approximately 3,057 square feet in size. Interior and perimeter landscaping, including five trees, are proposed adjacent to the parking area.

(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 a pedestrian pathway which connects the parking area and dwelling units to the public right-of-way.

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

**Finding:** Each proposed dwelling unit has a garage available for parking a vehicle. Two additional surface parking spaces are available for residents.

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

**Finding:** The subject property is relatively flat and does not abut property zoned RA or RS. The site layout maximizes dwelling unit density while providing setbacks to abutting property in compliance with minimum code requirements.

#### 702.030(c)(1) - Site Access

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

**Finding:** Vehicle entrance to the development site is provided by a driveway onto Jefferson Street NE. A pedestrian pathway is provided through the development site that connects to the public sidewalk on Jefferson Street NE.

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

**Finding:** A concrete pathway is provided from the public sidewalk on Jefferson Street NE to the entry way for each dwelling unit. The pedestrian pathway crosses the path of the entrance to the individual driveway for each unit, however the defined pathway provides for visibility of pedestrians, minimizing vehicle and pedestrian conflicts.

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

**Finding:** The only access for the development site is from a driveway on Jefferson Street NE, which is classified as a local street on the Salem Transportation System Plan (TSP), the subject property does not abut a collector or arterial street.

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

**Finding:** Abutting property to the west is occupied by a single-family dwelling, shared driveway access is not possible with the abutting property.

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

**Finding:** The proposed parking area will be setback and buffered from surrounding streets and abutting properties by a combination of landscaping, setbacks and fencing along the interior property lines.

# 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 subject property is relatively flat, the proposed buildings are sited to maximize dwelling unit density, while complying with development standards, including setbacks, landscaping, and off-street parking.

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

**Finding:** The proposed building complies with maximum height and minimum setback requirements of the underlying zone.

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

**Finding:** Vertical and/or horizontal offsets are proposed in the design for each building, avoiding or limiting the appearance of a building with a long monotonous exterior wall. No building 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:** The proposed building is two stories in height, the design includes vertical and/or horizontal building offsets, as well as contrasting siding materials.

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

**Finding:** The proposed buildings comply with the maximum height requirement and setback requirements of the RM-II zones. The proposed height and setbacks for the proposed development provide an appropriate transition with abutting residential uses.

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

**Finding:** The proposed design provides articulated building entrances and the use a contrasting building materials.

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

**Finding:** The corresponding design standard requires sites with 75 feet or more of buildable width to have buildings placed at the setback line for a minimum of 50 percent of the buildable width. There is approximately 85 feet of frontage adjacent to Jefferson Street NE, minus the 10 foot setback to the residentially zoned property to the west, the buildable width is approximately 75 feet. The standard requires a minimum buildable width 37.5 feet in length to be provided on the setback line.

The proposed building is located on the setback line adjacent to Jefferson Street SE, however the building width is approximately 36 feet, less than the minimum standard. The narrow width and small size of the subject property create a difficulty in meeting this design standard. The applicant meets the intent of the guideline by providing buildings as close as possible to the setback line, while providing the minimum 10 foot setback adjacent to the westerly property line, a 22 foot wide drive aisle for the off-street parking area, a pedestrian walkway, and a private open space area adjacent to easterly property line.

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

**Finding:** Articulated covered entryways or porticos are incorporated into the building designs at each entryway.

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
- (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 all habitable spaces which face towards open space and parking areas.

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

**Finding:** Covered entry ways are provided at the individual entryways 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 building design does not include any dimension greater than 100 feet in length.

# <u>Recycling</u>

# 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 applicant indicates that for convenience, each tenant will have space available in the garage for individual trash and recycling containers.

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

**Finding:** The applicant indicates that each tenant will have space available in the garage for individual trash and recycling containers, a common solid waste service/recycling area is not proposed.

(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:** Each tenant will be responsible for moving the trash and recycling containers out of the garage to an appropriate area for collection by the haulers.

# 8. CLASS 3 SITE PLAN REVIEW APPROVAL CRITERIA

SRC 220.005(f)(3) establishes the following criteria for a Class 3 Site Plan Review:

#### Criterion 1:

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

**Finding:** The proposal includes a request to develop a four-unit residential apartment complex for property within the RM-II (Multi-Family Residential) zone. The following is a summary of the use and development standards of the RM-II zone (SRC Chapter 514).

#### **Development Standards – RM-II Zone:**

#### SRC 514.005(a) - Uses:

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

**Finding:** Multifamily uses are allowed as a permitted use in the RM-II zone per Table 514-1.

#### SRC 514.010(b) – Lot Standards:

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

**Finding:** The subject property is approximately 0.25 acres in size, and the lot dimensions are approximately 85 feet in width and 125 feet in depth, with 85 feet of street frontage on Jefferson Street NE, exceeding the minimum lot size requirement.

SRC 800.015 provides that every building or structure shall be entirely located on a lot. Where two or more lots are under single ownership to accommodate a single development, the entire combined area shall be considered as a single lot for purposes of the UDC. However, the Building Code does not allow buildings to cross over existing property lines. The site plan indicates that the proposed building crosses over an existing property line. SRC 205.065(a) provides that the property boundary verification process may be used whereby the outside boundary of two or more contiguous units of land held under the same ownership may be established as the property line for purposes of application of the Building Code.

**Condition 1:** Prior to building permit issuance, where a proposed building crosses over an existing property line, either (1) pursuant to SRC 205.065, a property boundary verification shall be recorded, or (2) the property line shall be adjusted or removed.

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

Dwelling unit density within the RM-II zone shall conform to the standards set forth in Table 514-3. Maximum dwelling unit density cannot be varied or adjusted.

**Finding:** The subject property is approximately 0.25 acres in size. Per Table 514-3, the minimum dwelling unit density is 12 units per acre and the maximum dwelling unit density if 28 units per acre. A minimum of 3 dwelling units and a maximum of 7 dwelling units are permitted for the subject property. The proposed development includes four dwelling units, in compliance with the density allowance in Table 514-3.

#### SRC 514.010(d) – Setbacks:

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

**North:** Adjacent to the north is right-of-way for a public alley. Per Table 514-5, zone to zone setbacks are not required abutting an alley. Vehicle use areas require a minimum 5 foot setback per SRC 806.

**Finding:** The proposed building is setback approximately 17 feet, and the vehicle use area is setback approximately 5 feet to the northern property line in compliance with the minimum setback requirement.

**South:** Adjacent to the south is right-of-way for Jefferson Street NE. Multi-family buildings require a minimum 12 foot building setback, plus 1 foot for each 1 foot of height over 12 feet, but need not exceed 20 feet in depth. Vehicle use areas require a minimum 12 foot setback adjacent to a street.

**Finding:** The proposed building is greater than 20 feet in height, requiring a minimum 20 foot setback adjacent to Jefferson Street NE. The proposed building is setback approximately 20 feet from Jefferson Street NE. The proposed vehicle use area is setback greater than 12 feet from Jefferson Street NE, meeting the minimum setback requirement.

**East:** Adjacent to the east is right-of-way for the Union Pacific Railroad. No building setback is required adjacent to railroad right-of-way, vehicle use areas require a minimum 5 foot setback per SRC 806.

**Finding:** The proposed building is setback approximately 5-9 feet, and the vehicle use area is setback approximately 53 feet from the easterly property line, meeting or exceeding the minimum setback requirement.

**West:** Adjacent to the west is property zoned RM-II (Multi-Family Residential). Per Table 514-5, a minimum 10 foot building and vehicle use area is required adjacent to a residential zone. 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 is setback approximately 44 feet, and the proposed vehicle use area is setback approximately 10 feet from the westerly property line, meeting or exceeding minimum setback requirements.

#### SRC 514.010(e) - Lot Coverage, Height:

The maximum lot coverage allowance for all uses in the RM-II zone is 50 percent. The maximum building height allowance for multi-family uses is 50 feet.

**Finding:** The site plan indicates that the proposed building has a footprint of approximately 3,328 square feet, for a lot coverage of approximately 30 percent (3,328 / 10,984 = 30.3) for the total site, less than the maximum lot coverage requirement. The average height of the proposed building is approximately 21 feet, less than the 50 foot maximum height allowance.

#### SRC 514.010(g) - Landscaping:

Landscaping within the RM-II zone shall be provided as set forth in this subsection. (1) **Setbacks.** Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807.

(2) **Vehicle Use Areas.** Vehicle use areas shall be landscaped as provided under SRC Chapter 806 and SRC Chapter 807.

**Finding:** Landscape and irrigation plans will be reviewed for conformance with the requirements of SRC Chapters 806 and 807 at the time of building permit application review.

#### SRC 514.010(h) – Outdoor Storage:

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

Finding: Outdoor storage areas are not provided for the proposed use.

#### SRC 514.015 – Design Review:

Multiple family development shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC Chapter 702.

**Finding:** A Class 3 Design Review application has been submitted for the proposed multi-family development.

# **General Development Standards SRC 800**

# SRC 800.055(a) – Applicability.

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

**Finding:** The applicant indicates that each tenant will have space available in each garage for garbage and recycling containers, a centralized solid waste service area

for the use is not proposed. The solid waste service area design standards are not applicable.

# 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 residential zones, required off-street parking may be located within 200 feet of the development site containing the use or activity it serves.

**Finding:** Required off-street parking spaces are provided on the same development site as the use or activity it serves.

# SRC 806.015 - Amount of Off-Street Parking.

- a) *Minimum Required Off-Street Parking.* The minimum 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 four-unit apartment complex requires a minimum of 6 offstreet parking spaces ( $4 \times 1.5 = 6$ ). The maximum off-street parking allowance for the use is 15 spaces ( $6 \times 2.5 = 15$ ). There are 6 off-street parking spaces provided for the proposed development, two surface spaces and four spaces available within garages, consistent with the minimum and maximum off-street parking requirements.

The surface parking spaces do not appear to comply with the standard size parking space dimensions, and will need to be marked as compact spaces. Compliance with this standard will be verified at the time of building permit approval. Carpool/vanpool spaces are not required for the proposed multi-family residential use.

# 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:** The proposed off-street parking area complies with all applicable setback requirements.

c) *Perimeter Setbacks and Landscaping.* Perimeter setbacks shall be required for offstreet 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 applicant is requesting an adjustment to reduce the required vehicle use area setback adjacent to a building or structure from five feet to four feet. Findings for the Class 2 Adjustment are included in Section 8 of this report.

d) *Interior Landscaping*. Interior landscaping shall be required for off-street parking areas 50,000 square feet or greater in size.

**Finding:** Off-street parking areas less than 50,000 square feet in size require a minimum interior landscaping requirement of 5 percent. The proposed site plan indicates that the off-street parking area is approximately 3,057 square feet in size, requiring a minimum of 153 square feet of interior parking lot landscaping (3,057 x 0.05 = 152.9). Approximately 160 square feet of interior parking lot landscaping is proposed (approximately 5.2 percent), exceeding the minimum requirement.

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

**Finding:** The proposed 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 or wheel

barriers are required for the proposed surface parking spaces to prevent vehicle overhang into the required 5 foot landscape strip. Compact parking spaces shall be clearly marked indicating the spaces are reserved for compact parking only. The striping, and lighting will meet the standards of SRC 806.

The proposed parking area does not contain more than 6 spaces, however, SRC Chapter 514, Table 514-5 requires Type C landscaping and screening adjacent to the residential zone to the west, which includes a requirement for a minimum six foot tall sight-obscuring fence or wall to be installed. The proposed site plan indicates a minimum 6-foot-tall sight obscuring fence will be provided screening the proposed parking area from abutting residential uses.

# **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 four-unit apartment complex requires a minimum of four bicycle parking spaces. The proposed site plan indicates that four bicycle parking stalls will be provided for the proposed apartment complex.

# 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 within 50 feet of the main entry for the buildings. 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.

For multiple family uses containing less than 50 units, no off-street loading spaces are required per Table 806-9.

**Finding:** No off-street loading spaces are required for the proposed four-unit apartment complex.

# Landscaping

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

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

**Finding:** The proposed site plan indicates that approximately 4,000 square feet of landscaping is provided for the development site. A minimum of 200 plant units are required for the proposed development (4,000 / 20 = 200). Of the required plant units, a minimum of 80 plant units shall be a combination of mature trees, shade tree, evergreen/conifer trees, or ornamental trees.

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

# 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.

There are no protected trees identified on the subject property.

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.

The Salem-Keizer Local Wetland Inventory shows that there are wetland channels and/or hydric soils mapped on the property. The applicant should contact the Oregon Department of State Lands to verify if any permits are required for development or construction in the vicinity of the mapped wetland area(s). Wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025.

*SRC 810 - Landslide Hazards:* According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are no mapped landslide hazard areas on the subject property. The proposed multi-family residential activity adds two activity points to the proposal, which results in a total of two points, indicating a low landslide risk, therefore a geologic assessment is not required for the proposed development.

# Criterion 2:

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

**Finding:** Jefferson Street NE meets the right-of-way width and pavement width standards west of the subject property. The street terminates at the railroad tracks east of the subject property, and there are no plans for providing a crossing at the railroad tracks and extending Jefferson Street NE to the east. The Grant Neighborhood Association indicated concerns with the applicant's proposal to provide a hammerhead turnaround to Public Works standards within the right-of-way for Jefferson Street NE and requested that the street improvement be widened to provide additional on-street parking options for residents and visitors of the proposed four-unit apartment complex. The Planning Commission finds that a three-quarter boundary street improvement along Jefferson Street NE would provide the additional on-street parking options for residents need to provide the following condition of approval.

**Condition 2:** Provide a three-quarter boundary street improvement along Jefferson Street NE.

# Criterion 3:

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

**Finding:** The driveway access onto Jefferson Street NE provides for safe turning movements into and out of the property. The applicant is proposing to extend sidewalk and provide street trees to the maximum extent feasible along the frontage of the subject property.

# Criterion 4:

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

**Finding:** The Public Works Department has reviewed the applicant's preliminary plan for this site. The water, sewer, and storm infrastructure is available within surrounding streets/areas and is adequate to serve the proposed development.

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.

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.

**Condition 3:** 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*).

# 9. CLASS 2 ADJUSTMENT APPROVAL CRITERIA

SRC Chapter 250.005(d)(2) provides that an applicant for a Class 2 Adjustment shall be granted if all of the following criteria are met:

# Criterion 1:

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

- (i) <u>Clearly inapplicable to the proposed development; or</u>
- (ii) Equally or better met by the proposed development.

**Finding:** SRC 806.035(c)(4) provides that where an off-street parking area is located adjacent to a building or structure, the off-street parking or vehicular use area shall be setback from the exterior wall of the building or structure by a minimum five-foot-wide landscape strip or by a minimum five-foot-wide paved pedestrian walkway. The applicant is proposing a four foot wide pedestrian pathway to separate the proposed vehicle use area from supporting columns of for each of the four covered entryways.

The applicant indicates that due to site limitations and parking and setback requirements, space available on the site is limited. The applicant indicates that the

four-foot pedestrian pathway will provide safe and convenient circulation for occupants of the four-unit apartment complex. An eight-foot setback is provided along the majority of the building length, the only setback reduction is between the vehicle use area and the supporting columns of the four covered entryways.

The Planning Commission finds that the Adjustment to reduce the vehicle use area separation requirement adjacent to a building or structure is equally or better met by the applicant's development plan.

# Criterion 2:

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

**Finding:** The subject property is located within a residential zone. The proposed one foot reduction to the vehicle use area setback adjacent to buildings or structures will have minimum impact on the livability or appearance of the residential area. Minimum building and vehicle use area setbacks will be maintained adjacent to the abutting residential property to the west.

# Criterion 3:

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

**Finding:** Only one adjustment has been requested to reduce the minimum vehicle use area setback adjacent to buildings and structures, therefore this standard is not applicable.

# 10. CLASS 2 DRIVEWAY APPROACH PERMIT APPROVAL CRITERIA

Per SRC 804.015(a), a driveway approach permit shall be obtained prior to constructing any driveway approach.

# **DRIVEWAY APPROACH PERMIT – Jefferson Street NE**

Analysis of the driveway approach based on relevant criteria in SRC 804.025(d) is as follows:

# Criterion 1:

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

**Finding:** The proposed driveway meets the standards for SRC 804 and Public Works Design Standards (PWDS).

Criterion 2:

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

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

Criterion 3:

The number of driveway approaches onto an arterial are minimized.

Finding: The proposed driveway is not accessing onto an arterial street.

Criterion 4:

The proposed driveway approach, where possible:

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

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

# Criterion 5:

The proposed driveway approach meets vision clearance standards.

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

# Criterion 6:

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

**Finding:** No evidence has been submitted to indicate that the proposed driveway will create traffic hazards or unsafe turning movements. Additionally, staff analysis of the proposed driveway indicates that it will not create a traffic hazard and will provide for safe turning movements for access to the subject property.

# Criterion 7:

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

**Finding:** Staff analysis of the proposed driveway and the evidence that has been submitted indicate that the location of the proposed driveway will not have any adverse impacts to the adjacent properties or streets.

Criterion 8:

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

**Finding:** The proposed driveway approach is located on a Local street and does not create a significant impact to adjacent streets and intersections.

Criterion 9:

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

**Finding:** The proposed driveway approach is 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 Planning Commission concludes that the proposed Class 3 Design Review, Class 3 Site Plan Review, and Class 2 Adjustment, 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. Proposed Site Plan and Building Elevations
- C. Applicant's Written Statement
- D. Public Works Memo
- E. Salem Keizer School District Memo
- F. August 3, 2019 letter from Grant Neighborhood Association

#### Prepared by Aaron Panko, Planner III

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UPPER FLOOR PLAN

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### Jefferson Four-Plex Class III Design Review Narrative

### Current Address – 1100 Jefferson Street NE, Salem, OR 97301

**Class III Design Review Narrative** 

05-24-2019

**Prepared for:** 

Jim Caughlin 16505 Butteville Road NE Woodburn, OR 97071

And

City of Salem Community Development 555 Liberty Street SE Room 305 Salem, OR 97301

PO Box 9032, Salem, OR 97305 Ph (503) 304-0905 Fax (503) 304-9512

### Attachment B

### Jefferson Four-Plex Class III Design Review Narrative Current Address: 1100 Jefferson Street NE, Salem, Oregon

### **Table of Contents**

Attachment B	2
Table of Contents	2
Introduction	3
Common Open Space	3
Landscaping	3
Crime Prevention	4
Parking and Site Access	4
Building Mass and Façade Design	4
On Site Trash	4
Compatibility	4
Narrative for Section 702 – Multiple Family Design Review	5
Sec. 702.015 Open space design review guidelines and standards	5
(a) Open space design goals and objectives.	5
(b) Common open space	5
(c) Children's play areas and adult recreation areas	6
(d) Private open space	7
Sec. 702.020 Landscaping design review guidelines and standards	8
(a) Landscaping design goals and objectives.	8
(b) General landscaping	8
(c) Street frontage.	9
(d) Building exteriors	10
(e) Privacy.	11
(f) Parking areas.	11
Sec. 702.025 Crime prevention through environmental design.	11
(a) Safety features for residents	12
Sec. 702.030 Parking, site access, and circulation	13
(a) Parking, site access, and circulation design goals and objectives.	13
(b) General parking and site access.	13
(c) Site access.	15
Sec. 702.035 Building mass and facade design.	16
(a) Building mass and facade design goals and objectives.	16
(b) General siting and building mass	17
(c) Compatibility	18
(d) Building articulation.	19
Sec. 702.040 Recycling	21
(a) On-site design and location of facilities.	21
Conclusion	22

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### **Introduction**

The proposed project is to construct a four-plex on a single lot. Currently the site is vacant and is located at the east corner of Jefferson Street NE. The owner of this development will be James D Coughlin. Each unit will have a rear yard, concrete patio, and new landscaping. Parking stalls will be provided for each unit. One will be within the garage and the second will be on the driveway in front of each garage.

This development is developed under the guidelines of Salem Revised Codes:

• Section 702 – Multiple Family Design Review Guidelines and Standards

### **Common Open Space**

Common open space is not required when the development is 5 dwelling units or less. Each dwelling unit in the proposed four-plex will have a rear fence yard.

	<b>Square Footage</b>	Required	Percentage of Total
<b>Total Site Area</b>	10,984 S.F.		100%
<b>Building Footprint</b>	3,328 S.F.		30.3%
Parking Lot	3,057 S.F.		27.8%
Sidewalks	438 S.F.		4%
Yards	3,957 S.F.		36%
Patio Slabs	204 S.F.		1.9%

### **Landscaping**

Landscaping is provided throughout the site with a mix of trees, ground cover and shrubbery. Landscaping provides screening and establishes a sense of place. A total of 2 trees are required and 2 are provided. Street trees are provided along Jefferson Street. The site will also have a 6 foot high cedar fence installed along Jefferson Street and on east, west and north property line. Along the north line, the existing neighbor fence will be utilized for buffering. Landscaping is provided at the entry of the building to enhance the front façade.

Street Trees – a tree is required for each 50 linear feet of street frontage. Jefferson is 85.17 feet long for 2 trees. These are shown on the Landscape Plan.

Two plant Units are provided at each of the dwelling units. These are shown on the Landscape Plan.

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### **Crime Prevention**

The building fronts will be provided with motion sensing security lights. The front entry will have windows for viewing visitors, the parking lot, and outside activities.

### **Parking and Site Access**

Each unit requires 1.5 parking stalls for a total of 6 parking stalls. Two will be in the parking lot. One will be in each garage for a total of 6 parking stalls. This meets the standard.

Direct access is provided from each dwelling unit to the parking lot and then to Jefferson Street by the driveway.

The pedestrian access will be a sidewalk along the front of the four-plex adjacent to the parking lot.

### **Building Mass and Façade Design**

The site is flat; the buildings are two stories in height. The façade and roof lines are gabled and offset throughout each elevation to break up the large planes. Finishes vary and are a mix of fiber cement siding, and hardishake. The entries are covered and accent the dwelling entry. The units are not staggered due to site size limitations. This is discussed later in the narrative.. Windows are provided in all habitable rooms throughout the building. Windows also vary in size and location.

### **On Site Trash**

Each dwelling unit resident will manage their own trash and recycling. Space will be made available in each garage for container storage.

### **Compatibility**

Ground floor entries are provided within covered alcoves. The alcoves are architecturally highlighted to define them as the entrance into the building.

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### <u>Narrative for Section 702 – Multiple Family Design Review.</u>

#### Sec. 702.015. - Open space design review guidelines and standards.

- (a) Open space design goals and objectives.
  - (1) Design goals.

(A) Implement Council goals and neighborhood policies that encourage open space in multiple family developments;

(B) Provide common and private open space for active and passive uses;

(*C*) Encourage preservation of the natural open qualities which may exist on a site;

(D) Ensure that open space is accessible with pedestrian pathways available to all residents of the development; and
(E) Provide visual relief from structural bulk.

(2) Design objectives.

(A) Locate open space throughout the site and in proximity to dwelling units;

(B) Provide centrally located open space in increments large enough to accommodate intended activities;

(*C*) Integrate open space with the natural topography;

(D)Maximize private open space for each dwelling unit;

(E)Preserve exposure to light, air, and visual access;

(F)Provide children's play areas interspersed and centrally located within multiple family developments;

(G)Maximize visual relief from structural bulk;

(*H*)*Provide separation between buildings on- and off-site;* 

(I) Promote active recreational opportunities within open space; and

(J)Provide pedestrian access to all common open space areas to promote active use.

#### (b) Common open space.

(1) Design review guidelines.

(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.

(2) Design review standards.

### PO Box 9032, Salem, OR 97305 Ph (503) 304-0905 Fax (503) 304-9512

(A) Common open space shall be provided in all newly constructed multiple family developments with five or more dwelling units as follows:
(i) A minimum of 30 percent of the gross site area shall be designated and permanently reserved as common open space.
(ii) Not more than 50 percent of the common open space shall be located in the required perimeter setbacks of the development.
(iii) Not more than 15 percent of the common open space shall be located on land with slopes greater than 25 percent.
(iv) Indoor or covered recreation space may count toward the common open space requirement, provided such indoor or covered space does not exceed 30 percent of the common open space.
(v) At least one of the common open space areas provided within the development shall meet the size and dimensional standards set forth in Table 702-1.

## <u>Response</u>: The proposed development is a four-plex. Therefore common space is not required. This standard does not apply.

- (c) Children's play areas and adult recreation areas.
  - (1) Design review guidelines.

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

(*B*) Children's play 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.

(2) Design review standards.

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

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

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

(D) Outdoor children's play and/or adult recreation areas may be located within stormwater detention areas if the area meets the following:

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(i) No dimension is less than 15 feet wide;
(ii) Side slopes are 4:1 or less; and
(iii) There is a minimum 250 square foot area with a slope no greater than two percent.
(E) A minimum 30-inch tall fence shall be installed to separate outdoor children's play areas from any parking lot, drive aisle, or street.

## <u>Response</u>: This project is a four-plex and open space is not required. Therefore an outdoor children's play area is not required.

(d) Private open space.

(1) Design review guidelines.

(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.

<u>Response</u>: UNIT 1: The provided open private space is 125 sq. ft with a minimum side dimension of 5.5. The area is fenced and secured for a safe environment and occupant privacy. The site is limited due to setbacks, parking lot, and angled property lines. This limits the Unit 1 private open space. The developer requests that the UNIT 1 open space be approved as presented through the design review process.

(2) Design review standards.

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

<u>Response</u>: Each dwelling unit has its individual private open space. Minimum private open space required is minimum 96 sq. ft. with a minimum dimension of 6' either way. UNIT 2: Provides 145 sq ft. with a minimum dimension of 6.0'. UNIT 3: Provides 172 sq. ft. with a minimum dimension of 7.4'. UNIT 4: Provide 194 sq. ft. with a minimum dimension of 8.2'. Units 2, 3, and 4 meet the private open space standard.

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

<u>Response</u>: Each unit has its private space adjacent to the patio door. This standard is met.

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

### **<u>Response</u>**: There is no common space. This standard does not apply.

(Prior Code, § 702.015; Ord. No. 31-13)

### Sec. 702.020. - Landscaping design review guidelines and standards.

#### (a) Landscaping design goals and objectives.

#### (1) Landscaping goals.

(A) Encourage a quality living environment for all residents of the City;(B) Ensure aesthetic values in the construction of multiple family developments;

(*C*) Achieve compatibility between multiple family developments and surrounding land uses; and

(D) Encourage a mix of landscaping treatments and techniques to enhance multiple family developments.

(2) Landscaping objectives.

(A) Provide adequate separation between abutting properties;

(B) Mitigate noise;

(C) Screen objectionable views;

(D) Establish a sense of place;

(E) Provide definition to dwelling unit entries and pedestrian pathways;

(F) Promote safety, security, and privacy;

(G) Enhance structural elements;

(*H*) *Provide visual relief from blank exterior walls, building mass, and bulk;* 

(I) Help retain the long term value of property;

(J) Minimize the visual impact of impervious surfaces; and

(K) Provide protection from winter wind and summer sun.

### (b) General landscaping.

(1) Design review guidelines.

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

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

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

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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.

(2) Design review standards.

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

## <u>Response</u>: The site is 10,894 sq. ft for a total of 6 trees. 6 trees are proposed. This standard is met.

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

## <u>Response</u>: The site trees are all in setbacks and will shade more than 30% at time of maturity. This standard is met.

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

#### **<u>Response</u>**: There are no adjacent arterial or collector streets. This standard does not apply.

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

(i) A minimum of one tree, not less than 1.5 inches in caliper, for every 30 linear feet of abutting property width; and
(ii) A minimum six-foot tall, decorative, sight-obscuring fence or wall. The fence or wall shall be constructed of materials commonly used in the construction of fences and walls, such as wood, stone, rock, brick, or other durable materials. Chainlink fencing with slats shall be not allowed to satisfy this standard.

### Response: The adjacent zoning is either "RM2" or "IC". This standard does not apply.

(c) Street frontage.

(1) Design review guidelines.

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

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

### Response: The frontage is 85.17 feet. 2 canopy trees will be provided. This standard is met.

(*ii*) Columnar trees. One columnar tree per 40 linear feet of street frontage, or fraction thereof.

#### **<u>Response</u>**: Columnar trees will not be planted. This standard does not apply.

### (d) Building exteriors.

(1) Design review guidelines.

(A) Landscaping shall be planted to define and accentuate the primary entryway of each dwelling unit, or combination of dwelling units.
(B) Vertical and horizontal landscape elements shall be provided along all exterior walls to soften the visual impact of buildings and create residential character.

(2) 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.

#### **<u>Response</u>**: Two plant units will be provided at each entryway. 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.

## <u>Response</u>: New trees or plants for 10 plant units or more will be planted per 60' linear feet of exterior wall. 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.

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## <u>Response</u>: Shrubs are being used adjacent to the four-plex. They will be planted a minimum density of 1 plant per linear feet. This standard is met.

(e) Privacy.

(1) Design review guidelines.

(A) Landscaping, or a combination of landscaping and fencing, shall be used to buffer the multiple family development from abutting properties.(B) Landscaping shall be used to enhance the privacy of dwelling units. Methods may include fencing in combination with plant units.

(2) Design review standards.

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

### **<u>Response</u>**: There is no open space. This standard does not apply.

(f) Parking areas.

(1) Design review guidelines.

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

(2) Design review standards.

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

### Response: Trees will be located within 15' of the parking edge. This standard is met.

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

### **<u>Response</u>**: There are no planter bays. This standard does not apply.

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

### <u>Response</u>: There are no planter bays. This standard does not apply.

(Prior Code, § 702.020; Ord. No. 31-13)

### Sec. 702.025. - Crime prevention through environmental design.

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(a) Safety features for residents

### (1) Design review guidelines.

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

(2) Design review standards.

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

## <u>Response</u>: Fences are not planned at street frontage or to obstruct unit entrances. This standard is met.

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

## <u>Response</u>: If any are built as currently none are proposed, fences along parking will be limited to 3 in. height. This standard is met.

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

### Response: Windows will be provided. This standard is met

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

### <u>Response</u>: Exterior front lighting will be provided. This standard is met.

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

## <u>Response</u>: The enhanced safety assessment report has been submitted to Salem Community Development. This standard is met.

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(Prior Code, § 702.025; Ord. No. 31-13)

#### Sec. 702.030. - Parking, site access, and circulation.

#### (a) Parking, site access, and circulation design goals and objectives.

(1) Parking, site access, and circulation goals.

(A) Ensure safe and efficient site access, pedestrian and vehicle circulation, and parking in multiple family developments;
(B) Promote circulation and access for all modes of transportation;
(C) Encourage aesthetic and functional site design with consideration for natural contours and topography as it relates to parking and site access in multiple family developments; and

(D) Encourage pedestrian and vehicle circulation linkages which will integrate amenities within multiple family developments and with the surrounding area.

### (2) Parking, site access, and circulation objectives.

(A) Provide transportation connections to surrounding areas;

(B) Promote accessibility to and within the site;

(*C*) Integrate the design of parking areas and pedestrian pathways with natural contours and topography;

(D) Minimize views of parking areas from public rights-of-way;

(E) Provide clear and identifiable connections to and between buildings;

(F) Minimize vehicle, pedestrian, and bicycle circulation conflicts;

(G) Provide adequate lighting levels for parking and pedestrian pathways;

(H) Promote the separation of pedestrian, bicycle, and vehicular traffic;

(I) Maximize the convenience of parking for residents;

(J) Provide pedestrian access to common open space;

(*K*) Locate loading and service areas for ease of use with minimal conflict with on-site parking and circulation activities;

(L) Locate building entrances and exits to provide direct connections between parking areas and the street;

(*M*) *Provide compatibility in design and materials between parking and the dwelling units; and* 

(N) Minimize the expanse of continuous parking areas.

### (b) General parking and site access.

#### (1) Design review guidelines.

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

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(B) Pedestrian pathways shall be provided that connect to and between buildings, common open space, parking areas, and surrounding uses (see Figure 702-7).
 (C) Parking a hall be located to a parimize the communication of area identified.

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

<u>Response</u>: A sidewalk along the front of the dwelling units will provide connectivity to the parking lot, the other dwelling units, and the public right of way. The sidewalk is located between the parking lot and the proposed four-plex. The proposed separation distance is 4'. The 4'is created by the site width limitations, required setbacks, parking lot requirements, and landscape requirements. The location of pedestrian walkway fits well with the proposed four-plex. It provides safe and convenient access to the parking lot and the public right of way.

The developer requests that the Planning Commission approve this pedestrian access arrangement.

(2) Design review standards.
(A) Parking areas greater than 6,700 square feet in area shall be physically and visually separated with landscaped planter bays that are a minimum of 18 feet in width. Individual parking areas may be connected by an aisle or driveway (see Figure 702-6).

#### **<u>Response</u>**: The parking area is 3,057 sq. ft. This standard does not apply.

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

#### **<u>Response</u>**: A 4' wide sidewalk is proposed along the parking lot. This standard is met.

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

#### **<u>Response</u>**: The sidewalk location is being presented as a design review item.

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

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#### <u>Response</u>: Garages are set back more than 20'. This standard is met.

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

#### **<u>Response</u>**: This standard does not apply.

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

### <u>Response</u>: The garage design is integral to the dwelling design. This standard is met.

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

### <u>Response</u>: The property has a 1% slope. This standard is met.

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

#### **<u>Response</u>**: There are no environmentally sensitive areas. This standard does not apply.

(c) Site access.

### (1) Design review guidelines.

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

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

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

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

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

(2) Design review standards.

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

## <u>Response</u>: A 4' sidewalk provides connectivity from the dwelling units to the public sidewalks. This standard is met.

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

#### **<u>Response</u>**: This standard is met.

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

## <u>Response</u>: There is only one street. It is Jefferson Street. It is a local street. This standard is met.

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

#### **<u>Response</u>**: There is only one planned driveway. This standard is met.

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

## <u>Response</u>: Landscaping is provided to buffer the parking area from the public streets. This standard is met.

(Prior Code, § 702.030; Ord. No. 31-13)

#### Sec. 702.035. - Building mass and facade design.

#### (a) Building mass and facade design goals and objectives.

(1) Building mass and facade design goals.
(A) Ensure that structures do not present excessive visual mass or bulk to public view or to adjoining properties;
(B) Achieve architecturally defined entryways, and building design that relates to human scale;

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(*C*) Encourage aesthetically pleasing, interesting, and functional architecture and site design, including compatibility between parking facilities and the dwelling units; (D) Provide architectural design that integrates well with adjoining development; and (E) Promote interesting and non-monotonous architecture and site design. (2) Building mass and facade design objectives. (A) Integrate structures on-site with natural topography; (B) Encourage an appropriate transition between new structures on-site with existing structures on abutting sites; (*C*) *Promote human scale development;* (D) Preserve exposure to light, air, and visual access; (E) Create visually interesting buildings by integrating structures with landscaping; (*F*) Integrate new structures into the existing neighborhood; (G) Promote the relationship of structures with streets; (H) Encourage structure siting which creates useable open spaces; (I) Encourage the interplay of contrast and compatibility in building siting, including design compatibility between parking facilities and dwelling units; (J) Break-up building facades through architecturally defined building entryways; and (K) Design building rooflines which reinforce the residential character of the building and the surrounding neighborhood.

### (b) General siting and building mass.

(1) Design review guidelines.

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

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

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

(2) Design review standards.

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

### **<u>Response</u>**: The property is 1% slope. This standard does not apply.

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

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### <u>Response</u>: The longest dimension is 88'. This standard is met.

### (c) Compatibility.

#### (1) Design review guidelines.

(A) Contrast and compatibility shall be provided throughout the site through building design, size, and location.
(B) Appropriate transitions shall be provided between new buildings and structures on-site and existing buildings and structures on abutting sites.

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

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

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

(2) Design review standards.

(A) Except as provided in subsection (c)(2)(B) of this section, where a development site abuts property zoned Residential Agricultural (RA) or Single Family Residential (RS), buildings shall be setback from the abutting RA or RS zoned property as set forth in Table 702-4.

## <u>Response</u>: The Jefferson property abuts "RM2" and "IC" zones. This standard does not apply.

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

### **<u>Response</u>**: This standard does not apply.

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

#### Response: The proposed four-plex is located at the east setback line. This standard is met

(D) Roof-mounted mechanical equipment, other than vents or ventilators, shall be screened from ground level view. Screening shall be as high as

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the top of the mechanical equipment, and shall be integrated with exterior building design.

### **<u>Response</u>**: There is no proposed rooftop mechanical equipment. This standard is met.

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

### <u>Response</u>: All the dwelling units have covered entries. This standard is met.

- (d) Building articulation.
  - (1) Design review guidelines.
     (A) The appearance of building bulk shall be minimized by:

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

<u>Response</u>: The sides are conventional gable 2-story sidewalks. The front portion has the front gables to provide bulk minimizing effect.

The front elevation minimizes the bulk appearance by providing 8 gables. Four are on the  $2^{nd}$  floor and four are at the dwelling entries. The gables and front entry covers minimize the front bulk appearance. The rear elevation faces the railroad right of way and the distance to the east residential areas creates a minimizing bulk appearance.

(ii) Dispersing windows throughout building facades.

<u>Response</u>: Windows are dispersed through the front and rear elevations to provide an architectural appearance.

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

<u>Response</u>: The front entry projects 4' beyond the front wall and has a single story gabled roof. This provides articulation at the entry.

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

<u>Response</u>: The neighborhood has a blend of varying gabled houses. The proposed four-plex is a multi-gabled structure with covered entrances. This style blends with the residential character of the neighborhood.

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

<u>Response</u>: Due to site constraints this 4' offset cannot be accomplished. This item is presented as a Design Review item.

The site has limited dimensions and is consumed by setbacks for parking lot, pedestrian pathway, and the building itself. Fortunately the property is located at the last end of a dead end with the rear line showing property with the Union Pacific Railroad.

The front has 4' offset features with the dwelling entry gabled porch as well as the 1.5' screen wall.

The rear wall faces the railroad right of way and this minimizes the view from limited the properties across the tracks have reduced interaction with the proposed four-plex.

For the above reasons, the developer requests that the Planning Commission approve the four-plex as proposed.

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

#### <u>Response</u>: There is only one proposed building. This standard does not apply.

(*C*) Common entrances shall be provided to not more than four dwelling units.

#### **<u>Response</u>**: There are no common entrances. This standard does not apply.

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

#### **<u>Response</u>**: All the dwelling units have projecting covered entries. This standard is met.

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

### Response: The proposed maximum ridge length with overhang is 92'. This standard is met.

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

#### **<u>Response</u>**: This standard is met.



#### FIGURE 702-10. BUILDING OFFSETS AND ARTICULATION

(Prior Code, § 702.035; Ord. No. 31-13)

#### Sec. 702.040. - Recycling.

### (a) On-site design and location of facilities.

(1) 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.

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(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.

(2) Design review standards.

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

<u>Response</u>: Each tenant will manage their own garbage and recycling. Space is provided in each garage for garbage and recycling. This standard is met.

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

<u>Response</u>: Space is provided in each garage for garbage and recycling. This standard is met.

(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.

## <u>Response</u>: Each tenant will coordinate with the local garbage company for the recycling requirements.

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

### **<u>Response</u>**: The recycling is located in the garage. This standard does not apply.

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

### **<u>Response</u>**: The recycling is located in the garage. This standard does not apply.

(Prior Code, § 702.040; Ord. No. 31-13)

### **Conclusion**

For the above reasons, the developer and the engineer recommend and request that the Planning Commission approve the Design Review items as presented.

Current Address – 1100 Jefferson Street NE, Salem, OR 97301

**Class III Site Plan Review Narrative** 

05-24-2019

**Prepared for:** 

Jim Caughlin 16505 Butteville Road NE Woodburn, OR 97071

And

City of Salem Community Development 555 Liberty Street SE Room 305 Salem, OR 97301

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### Attachment C

### Jefferson Four-Plex; Class III Site Plan Review Narrative Current Address: 1100 Jefferson Street NE, Salem, Oregon

### **Table of Contents**

Attachment C	2
Table of Contents	2
Introduction	2
Narrative for Section 220. – Site Plan Review	2
Sec. 220.005 Site plan review.	2
Conclusion	5

### **Introduction**

The proposed project is to construct a four-plex on a single lot. Currently the site is vacant and is located at the east corner of Jefferson Street NE. The owner of this development will be James D Coughlin. Each unit will have a rear yard, concrete patio, and new landscaping. Parking stalls will be provided for each unit. One will be within the garage and the second will be on the driveway in front of each garage.

This development is developed under the guidelines of Salem Revised Codes: Section 702 – Multiple Family Design Review Guidelines and Standards

The property is located at the dead end of Jefferson Street. The street dead ends against the Union Pacific Railroad.

### Narrative for Section 220. – Site Plan Review

#### Sec. 220.005. - Site plan review.

- (a) Applicability.
  - (1) Except as provided in subsection (a)(2) of this section, any development that requires a building permit must receive site plan review approval prior to issuance of the building permit.
  - (2) *Exemptions. The following development that requires a building permit is exempt from site plan review:* 
    - (A) The construction of single family or duplex dwellings on an individual lot, including the construction of accessory structures associated with such dwellings.
    - (B) Sign installation.

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- (C) Ordinary maintenance or repair of existing buildings, structures, utilities, landscaping, and impervious surfaces, and the installation or replacement of operational equipment or fixtures.
- (D) The alteration to the facade of a building except in the Mixed Use-I (MU-I) and Mixed Use-II (MU-II) zones.
- (E) Interior construction or tenant improvements that involve no change of use.
- (b) Classes. The three classes of site plan review are:
  - (1) Class 1 site plan review. Class 1 site plan review is site plan review for any development that requires a building permit, that does not involve a land use decision or limited land use decision, as those terms are defined in ORS 197.015, and that involves a change of use or change of occupancy where only construction or improvements to the interior of the building or structure are required.
  - (2) Class 2 site plan review. Class 2 site plan review is required for any development that requires a building permit, other than development subject to Class 1 site plan review, and that does not involve a land use decision or limited land use decision, as those terms are defined in ORS 197.015.
  - (3) Class 3 site plan review. Class 3 site plan review is required for any development that requires a building permit, and that involves a land use decision or limited land use decision, as those terms are defined in ORS 197.015. As used in this subsection, land use decisions and limited land use decisions include, but are not limited to, any development application that:

(A) Requires a Transportation Impact Analysis pursuant to SRC chapter 803;

#### **<u>Response</u>**: This does not apply.

(B) Requires a geotechnical report or geologic assessment under SRC chapter 810, except where a geotechnical report or geologic assessment has already been approved for the property subject to the development application;

#### **<u>Response</u>:** This does not apply.

(*C*) *Requires deviation from clear and objective development standards of the UDC relating to streets, driveways or vision clearance areas;* 

### **<u>Response</u>:** This does not apply.

(D) Proposes dedication of right-of-way which is less than the requirements of the Salem Transportation System Plan;

### **<u>Response</u>**: This does not apply.

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(E) Requires deviation from the clear and objective standards of the UDC and where the Review Authority is granted the authority to use limited discretion in deviating from the standard; or

<u>Response</u>: The UDC requires that at every other unit, the dwelling is to be offset 4' from the adjacent dwelling. This 4-plex proposes to be constructed without the 4'offsets.

(F) Requires a variance, adjustment, or conditional use permit.

<u>Response</u>: Adjustment is requested for reducing pedestrian walkway from 5' to 4' wide. Adjustment is requested to reduce from 10' to 4' the separation of the pedestrian path from the dwelling unit.

- (c) Procedure type.
  - (1) Class 1 site plan review is processed as a Type I procedure under SRC chapter 300.
  - (2) Class 2 site plan review is processed as a Type I procedure under SRC chapter 300.
  - (3) Class 3 site plan review is processed as a Type II procedure under SRC chapter 300.

### Response: Based on the above, a Type II Class 3 response review is being pursued.

(4) 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.

#### <u>Response</u>: Subsections (d) through (f)(2) are omitted from this narrative.

- (f) Criteria
  - (3) Class 3 site plan review. An application for Class 3 site plan review shall be granted if: (A) The application meets all applicable standards of the UDC;

## <u>**Response</u>**: The proposed four-plex meets all applicable UDC except for the following three items:</u>

- 1. Remove the building 4' offset from the building line.
- 2. Decreasing the pedestrian path width from 5' to 4'.
- 3. Decreasing the path separation from the dwelling unit from 10' to 4'.

#### With Design Review approach, the proposed four-plex will meet Salem UDC.

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

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<u>Response</u>: The design has a conventional driveway, interior pedestrian path, public street sidewalks, and a fire truck turnaround. Together these all create a safe and efficient and orderly development.

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

<u>Response</u>: Bicycle and vehicle parking are separated for safety and the pedestrian path is clearly noted by the contrast between concrete path and asphalt pavement parking lot.

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

<u>Response</u>: Sanitary sewer and domestic water are available in Jefferson Street for service to the four-plex. Storm water will discharge to the street gutter and flow to the nearby storm water catch basin. Private utilities of power, gas and telecom are all available in Jefferson Street. The proposed development will be adequately served by City and private utilities. This standard is met.

(Prior Code, § 220.005; Ord. No. 12-12; Ord. No. 31-13; Eng. Ord. No. 4-18, § 5, 8-13-2018, eff. 9-12-2018)

### **Conclusion**

For the above reasons, the developer and the engineer request that the Planning Commission approve the Site Plan Review as presented.

### Jefferson Four-Plex Class II Adjustment Review Narrative

### Current Address – 1100 Jefferson Street NE, Salem, OR 97301

**Class II Adjustment Narrative** 

05-24-2019

**Prepared for:** 

Jim Caughlin 16505 Butteville Road NE Woodburn, OR 97071

And

City of Salem Community Development 555 Liberty Street SE Room 305 Salem, OR 97301

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### **Attachment D**

### Jefferson Four-Plex; Class II Adjustment Review Narrative Current Address: 1100 Jefferson Street NE, Salem, Oregon

### **Table of Contents**

Attachment D.	.2
Table of Contents	.2
Introduction	.2
Narrative for Section 250. – Adjustments	.2
Sec. 250.005 Adjustments	.2
Item Adjustments	.4
Item 1 – Adjust 5' pedestrian path to 4' width	.4
Item 2 – Pedestrian path reduced distance from the dwelling structure	.4
Item 3 – Minimum 6'0" dimension for private open space	.4
Conclusion	.5
Item Adjustments Item 1 – Adjust 5' pedestrian path to 4' width Item 2 – Pedestrian path reduced distance from the dwelling structure Item 3 – Minimum 6'0" dimension for private open space Conclusion	.4 .4 .4 .4 .5

### **Introduction**

The proposed project is to construct a four-plex on a single lot. Currently the site is vacant and is located at the east corner of Jefferson Street NE. The owner of this development will be James D Coughlin. Each unit will have a rear yard, concrete patio, and new landscaping. Parking stalls will be provided for each unit. One will be within the garage and the second will be on the driveway in front of each garage.

This development is developed under the guidelines of Salem Revised Codes: Section 250 – Adjustments

### Narrative for Section 250. – Adjustments

### Sec. 250.005. - Adjustments

- (a) Applicability.
  - (1) Classes.
    - (A) A Class 1 adjustment is an adjustment to any numerical development standard in the UDC that increases or decreases the standard by not more than 20 percent.

### **<u>Response</u>:** This section does not apply.

(B) A Class 2 adjustment is an adjustment to any development standard in the UDC other than a Class 1 adjustment, including an adjustment to any numerical development

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standard in the UDC that increases or decreases the standard by more than 20 percent.

## <u>Response</u>: This adjustment is for three decreases from the development code that are 20% or more.

The pedestrian path is specified to be 5' wide. This adjustment proposes a 4' wide path.

The minimum private open space distance is 6'-0''. Unit 1 has a minimum of distance of 5'6''. This adjustment proposes acceptance of the reduction to 6'-0''.

The pedestrian path is specified to be separated by 10' from the dwelling unit. The proposed four-plex proposes a 4' separation between the pedestrian path and the dwelling unit.

### [...Subsections (a)(2) to (c)(2) have been omitted from the narrative.]

- (d) Criteria.
  - (1) An application for a Class 1 adjustment shall be granted if all of the following criteria are met:
    - (A) The purpose underlying the specific development standard proposed for adjustment *is:* 
      - (i) Clearly inapplicable to the proposed development; or
      - (ii) Clearly satisfied by the proposed development.
    - (B) The proposed adjustment will not unreasonably impact surrounding existing or potential uses or development.
  - (2) An application for a Class 2 adjustment shall be granted if all of the following criteria are met:
    - (A) The purpose underlying the specific development standard proposed for adjustment *is:* 
      - (i) Clearly inapplicable to the proposed development; or

#### **<u>Response</u>**: This standard does not apply.

(ii) Equally or better met by the proposed development.

<u>Response</u>: The intent of the code is to create a safe, convenient, and pleasant environment with the proposed four-plex. The three adjustments fit well with the theme, and with approval of the adjustments, the proposed development will equally meet the SDC intent.

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

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<u>Response</u>: This proposed development is within a four-plex multi-family zone. The fourplex will be constructed with gable roofs, architectural features, covered entries, and other residential features. The proposed four-plex will enhance the neighborhood by filling a vacant lot with new fresh structure. The proposed four-plex will not detract from the residential neighborhood.

### **Item Adjustments**

### Item 1 – Adjust 5' pedestrian path to 4' width

SRC 702 requires a 5' pedestrian path. Due to site width limitations and parking requirements, setback requirements, the remaining width for pedestrian path and separation from the building is limited. Therefore a 4' pedestrian path is proposed. It will be concrete versus asphalt pavement for an obvious visual distinction providing a safe and convenient path.

The pathway serves a four-plex which, except for a triplex, is the smallest multi-family structure. The number of persons utilizing the pathway will be limited to the number of persons in the four-plex.

This four-plex occupant circulations will be easily handled by a 4' path. The reduction of the path to 4' will equally meet the code pathway width requirement.

#### Item 2 – Pedestrian path reduced distance from the dwelling structure

SRC Chapter 702.030.b.1.c specifies the minimum distance between the path and the dwelling unit to be 10'. Again, the site width has limitations with parking, landscape, paths, and the building, reducing the remaining amount of space available for the separation. This proposal reduces the path to building separation to 4'. The 4' separation would be landscaped with shrubs to minimize the effect of the closer distance to the dwelling unit. The front and rear and west side of parking lot have large landscaped areas. These with a landscaped separation strip provides an appealing, pleasant environment.

This reduced width as described between the path and the dwelling will equally meet the path to code dwelling separation requirement.

### Item 3 – Minimum 6'0" dimension for private open space

Salem SRC 702.015.d.2.A specifies a minimum dimension of 6.0' for all sides. The site width has limitations with parking landscape, path width, and the building reducing the space available for the private space depth. The east property line is also skewed narrowing toward Unit 1. This results in Unit 1 private open south side dimensions to 5.5'.

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The Unit 1 private open is 125 square feet in area. The code requirements is 96 square feet. This provides additional space to offset the south dimension 6" reduction. The Unit 1 private open space as presented will provide privacy and comfort. The proposed arrangement will be equal to the code private open space requirement.

### **Conclusion**

The Developer and Engineer recommend and request that Planning Commission approve the 3 adjustments listed herein.



DAVID FRIDENMAKER, Manager Facility Rental, Planning, Property Services 3630 State Street, Bldg. C • Salem, Oregon 97301-5316 503-399-3335 • FAX: 503-375-7847

Christy Perry, Superintendent

July 22, 2019

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

RE: Land Use Activity Case No. DR-SPR-ADJ-DAP19-06, 1100 Jefferson St. NE

The City of Salem issued a Request for Comments for a Land Use Case as referenced above. Please find below comments on the impact of the proposed land use change on the Salem-Keizer School District.

### **IDENTIFICATION OF SCHOOLS SERVING THE SUBJECT PROPERTY**

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

School Name	School Type	Grades Served
Grant	Elementary	K thru 5
Derrich	Middle	6 thru 8
Parrisi	High	9 thru 12
North Salem	High	

Table 1

### SCHOOL CAPACITY & CURRENT ENROLLMENT

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

School Name	School Type	School Enrollment	School Design Capacity	Enroll./Capacity Ratio
Grant	Elementary	418	448	93%
Parrish	Middle	711	880	81%
North Salem	High	1,837	1.879	98%
T 11 2	Tigh	1,037	1,879	98%

Table 2

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

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

School Type	Qty. of New Residences	Housing Type	Average Qty. of Students per Residence	Total New Students
Elementary	4	MF	0.201	1
Middle	4	MF	0.077	0
High	4	MF	0.084	0

Table 3

### POTENTIAL EFFECT OF THIS DEVELOPMENT ON SCHOOL ENROLLMENT

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

School Name	School Type	School Enrollment	New Students During Past 2 yrs	New Student from this Case	Total New Students	School Design Cap.	Enroll. /Cap. Ratio
Grant	Elem.	418	6	1	7	448	95%
Parrish	Mid.	711	10	0	10	880	82%
North Salem	High	1,837	24	0	24	1,879	99%

Table 4

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

Civic infrastructure needed to provide connectivity between the new residential development and the schools serving the new development will generally require roads, sidewalks and bicycle lanes. When developing within one mile of school(s), adequate pathways to the school should be provided that would have raised sidewalks. If there are a large number of students walking, the sidewalks should be wider to accommodate the number of students that would be traveling the

path at the same time. Bike lanes should be included, crosswalks with flashing lights and signs where appropriate, traffic signals to allow for safe crossings at busy intersections, and any easements that would allow students to travel through neighborhoods. If the development is farther than one mile away from any school, provide bus pullouts and a covered shelter (like those provided by the transit district). Locate in collaboration with the District at a reasonable distance away from an intersection for buses if the distance is greater than ½ mile from the main road. If the distance is less than a ½ mile then raised sidewalks should be provided with stop signs where students would cross intersections within the development as access to the bus stop on the main road. Following is an identification, for the new development location, that the development is either located in a school walk zone or is eligible for school transportation services.

School Name	School Type	Walk Zone or Eligible for School Transportatio		
Grant	Elementary	Wallk Zone		
Parrish	Middle	Walk Zone		
North Salem	High	Walk Zone		

Table 5

## ESTIMATE OF NEW SCHOOL CONSTRUCTION NEEDED TO SERVE DEVELOPMENT

The School District estimates the cost of constructing new school facilities to serve our community. The costs of new school construction is estimated using the Rider Levett Bucknall (RLB) North America Quarterly Construction Cost Report and building area per student from Cornerstone Management Group, Inc. estimates. The costs to construct school facilities to serve the proposed development are in the following table.

School Type	Number of Students	Estimate of Facility Cost Per Student*	Total Cost of Facilities for Proposed Development*
Flementary	1	\$54,925	\$54,925
Middle	0	\$64,045	\$0
High	0	\$73,164	\$0
TOTAL			\$54,925

Table 6

\*Cornerstone Management Group, Inc. estimates based on RLB cost index average, 2019 First Quarter.

Sincerely,

Dovid Frider unc

David Fridenmaker, Manager Planning and Property Services

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

# GRANT NEIGHBORHOOD ASSOCIATION

SALEM

August 3, 2019

Aaron Panko, Planner III City of Salem Planning Division 555 Liberty Street SE, Room 305 Salem, Oregon 97301

Re: DR-SPR-ADJ 19-06 1100 Jefferson Street NE James Caughlin

Dear Aaron,

At the August 1<sup>st</sup> meeting of the Grant Neighborhood Association, Jim and Sherry Caughlin were present to discuss the proposed development of the property at 1100 Jefferson Street NE. The project consists of a 4-plex on an existing vacant property made up of Lots 15 & 16, Lot 2, Bechtel & Bynon's Cardwell Addition to Salem.

The neighbors had multiple areas of questioning and concern that they sought to address, which included the following:

1) The structure's end walls are shown on the submitted floor plans with no windows, while the elevation view of the end walls show three windows. Two of these are in the upper floor bedrooms and one is in the living room area.

Mr. Caughlin assured us that he is planning on modifying the purchased non-site-specific plans and will be adding windows in the end walls.

The Neighborhood requested that he add additional windows along the Jefferson Street frontage in order to help break up the large blank wall appearance and to increase security with added sight lines to the street right-of-way.

2) The building mass and façade design includes very nice vertical and horizontal building offsets and material variations along the entry side of the building that faces west, into the property, while no variation is provided along the end wall facing Jefferson Street. The neighborhood would like this issue to be addressed and requests that the intensity of this wall be moderated by a combination of additional windows, contrasting building details and materials, and landscape shrubs and trees which will soften and add interest to its appearance.
## 3) The neighborhood asked if the property had been field surveyed yet; if the neighbor to the west had been informed that their existing fence encroached on the Caughlin property; and, if the fence was going to be removed and replaced.

Mr. Caughlin said that a field survey had been conducted and verified the location of the fence across the property line. The neighbors have not been notified of the encroachment. He stated that, at this time, he did not intend to replace the fence. The neighborhood has not verified if that existing fence meets the placement and sight obscuring requirements of the SRC.

## 4) The submitted plans show minimal street improvements to the proposed street and curb construction extending across the full street frontage to the east property line, even though the public sidewalk will extend that far.

The neighborhood is concerned about this. It is highly likely that, in the absence of curbs defining the travel way and street side parking areas, the area between the uncurbed asphalt and the public sidewalk, shown on the plans, will become degraded. Overflow parking is liable to occur in a haphazard manner along the frontage of the subject property, at the Jefferson Street terminus and, possibly, on the railroad right-of-way and the neighbor's property across the street to the south. Head in parking at the end of the street will impact the dimensions and function of the hammerhead turnaround.

Since the street right-of-way does not extend any farther east than the subject property and there are only two potential on-site parking spaces for visitors (one being limited to ADA compliance), guests of the occupants will have no option but to park on un-surfaced areas, in the turnaround area, or park in front of neighboring homes to the west, further taxing homeowners who also have need of their street frontage parking. The 4-plex adds the equivalent of four additional homes while not providing four homes worth of street side parking, and in fact, providing no street side parking as currently planned.

With no curb, the two proposed street trees and understory landscaping will not be protected, nor will the public sidewalk. If this area becomes grassy and is allowed to dry out in the summertime, arriving cars, with hot catalytic converters and exhaust systems, could pose a fire threat to the neighborhood, including the railroad right-of-way.

In the owner's narrative, it is stated that each tenant will have individual waste and recycling disposal containers. If all 8 containers will need to be placed for the franchise to access them from the street right-of-way, we believe a curb will be necessary. This presumes that there is no green recycling and landscape maintenance is contracted out and debris hauled away. Otherwise, the bins will number 12.

We assume that the City will require a public access easement, as needed, for any portion of the hammerhead turnaround that may lie within private property. We also assume that, if the waste hauler franchise will be picking up waste onsite that the building permit will require that the driveway area will be constructed to sufficiently withstand the additional loading that will occur from an oversized vehicle in order to prevent premature damage.

The neighborhood requests that the City require the construction of a full street and curb improvement from the end of the existing concrete street, near the west property line, to the railroad right-of-way. This will provide two parking spaces along the development's street frontage while protecting the street landscaping and public sidewalk and minimizing potential fire hazards. A curb across the street terminus should be constructed, painted red through the

20-foot wide turnaround area, and signed as a "Fire Lane - No Parking," in order to protect the accessibility of the emergency vehicle turnaround.

We believe these actions would address our multiple concerns regarding both public and personal safety, parking issues, guaranteed emergency vehicle access, fire risks, and softening the building's street-facing façade.

The neighborhood very much appreciates that the developer came to our Neighborhood Association meeting to present the plans for the project and hear our concerns prior to the deadline for us to submit comments. The Grant Neighborhood Association voted unanimously to support this development and to present this letter addressing our detailed concerns and requests to the City on the Association's behalf.

Sincerely

Jeanne Boatw night

Jeanne Boatwright, secretary