

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
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*Si necesita ayuda para comprender esta información, por favor llame
503-588-6173*

DECISION OF THE PLANNING ADMINISTRATOR

CLASS 3 SITE PLAN REVIEW / CLASS 2 ADJUSTMENT / CLASS 2 DRIVEWAY APPROACH PERMIT / CLASS 1 DESIGN REVIEW CASE NO.: SPR-ADJ-DAP-DR24-35

APPLICATION NO.: 24-116100-PLN

NOTICE OF DECISION DATE: February 12, 2025

SUMMARY: A proposal for a new 135-unit multi-family housing development.

REQUEST: A consolidated application for a Class 3 Site Plan Review, two Class 2 Driveway Approach Permits, and Class 1 Design Review for the development of a new 135-unit apartment complex, with three Class 2 Adjustment requests to:

- (1) Eliminate the requirement for off-street parking areas not to be located between a building and the street for Buildings 5 and 6 (SRC 702.020(d)(2));
- (2) Eliminate the requirement that the 40 percent buildable width be placed at the setback line for Buildings 6 and 7 along Rise Street (SRC 702.020(e)(4)); and
- (3) Eliminate the requirement to orient buildings towards the street with direct pedestrian access to the street for Buildings 6 and 7 (SRC 702.020(e)(5)).

The subject property is a portion of property approximately 6.7 acres in size, zoned RM-II (Multiple Family Residential-II), and located at 5871 Liberty Road S (Marion County Assessor Map and Tax lot number: 083W16C / 600).

APPLICANT: Harrison Industries LLC (Kenneth O. Harrison, Kevin C. Harrison)

LOCATION: 5871 Liberty Rd S, Salem OR 97306

CRITERIA: Salem Revised Code (SRC) Chapters 220.005(f)(3) – Class 3 Site Plan Review; 250.005(d)(2) – Class 2 Adjustment; 804.025(d) – Class 2 Driveway Approach Permit; 225.005(e)(1) – Class 1 Design Review

FINDINGS: The findings are in the attached Decision dated February 12, 2025.

DECISION: The **Planning Administrator APPROVED** Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway Approach Permit / Class 1 Design Review Case No. SPR-ADJ-DAP-DR24-35 subject to the following conditions of approval:

- Condition 1:** At the time of building permit review, the applicant shall provide plans showing Fire Department access, fire hydrant locations, required fire sprinklers, and location of the Fire Department Connection.
- Condition 2:** Prior to the issuance of any building permit for the proposed development, the final plat for the Liberty Road Subdivision (SUB-UGA-ADJ20-05), Phase 2, shall be recorded in accordance with Salem Revised Code 205.035.

- Condition 3:** At the time of building permit review, the applicant shall provide construction details for the trash enclosures indicating conformance with SRC 800.055.
- Condition 4:** At the time of building permit review, the width of the roll-up doors for the storage units shall be reduced in size so that a vehicle, compact or otherwise, cannot fit into the storage space.
- Condition 5:** At the time the Electric Vehicle (EV) charging stations are installed, the applicant shall ensure that the adjacent pedestrian paths still provide the minimum five-foot-width, free of obstructions.
- Condition 6:** At the time of building permit review, the dead-end turnaround areas adjacent to a trash enclosure shall be revised to demonstrate conformance to SRC 806.035(f), with the turnaround area provided in front of the enclosure, and striping of an adjacent parking space that is not designated for ADA access, or obtain approval of a Zoning Adjustment. Each turnaround area shall be identified by striping and installing no parking signs.
- Condition 7:** Prior to approval of landscape plans for the proposed development, the landscape plan shall be updated to ensure all trees planted to meet the climate mitigation requirements, demonstrating compliance with all tree canopy standards in SRC 806.035(n)(3).
- Condition 8:** Prior to approval of landscape plans for the proposed development, the applicant shall demonstrate coordination with the local electric utility to ensure the compatibility of tree canopy and root systems with planned and existing utility infrastructure.
- Condition 9:** Prior to building permit approval, the applicant shall demonstrate that all bicycle parking provided on site complies with the applicable standards of SRC 806.060.
- Condition 10:** At the time of building permit review, the applicant shall provide an updated, full landscape plan demonstrating how the development site meets Type A or Type C landscaping, where applicable, as well as all multi-family landscaping requirements, by providing a summary table demonstrating conformance with the landscaping requirements of SRC Chapter 807 and SRC 702.020(b).
- Condition 11:** The applicant shall provide an additional six trees on site to meet the tree replanting requirement, which shall be of either a shade or evergreen variety with a minimum 1.5-inch caliper.
- Condition 12:** 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) unless a Design Exception is approved by the City Engineer to deviate from these standards.
- Condition 13:** Pursuant to SUB-UGA-ADJ20-05, the applicant shall construct a minimum 12-inch S-4 water main from the existing S-4 water system in Barbaresco Street S to the subject property.

- Condition 14:** Prior to issuance of the final Certificate of Occupancy for any building proposed within the complex, construct streetscape improvements including landscape strips, property line sidewalks, and ADA curb ramps where required along the frontages of Eagle Dance Street S, Big Mountain Avenue S, and Rise Street S. Improvements shall be constructed in accordance with the Public Works Design Standards.
- Condition 15:** Prior to issuance of a temporary or final Certificate of Occupancy for any building proposed within the complex, the signal at the Liberty Road S and Davis Road S shall be operational.
- Condition 16:** Construct a traffic signal at the intersection of Liberty Road S and Mildred Lane SE to City of Salem Standards. The signal shall be interconnected via underground fiber-optic cable to the traffic signal at the intersection of Davis Road SE and Liberty Road SE being constructed by the City of Salem. The signal shall be operational prior to issuance of a temporary or final Certificate of Occupancy for any building proposed within the complex.
- Condition 17:** Prior to issuance of the final Certificate of Occupancy, install street trees to the maximum extent feasible along Eagle Dance Street S, Big Mountain Avenue S, and Rise Street S.
- Condition 18:** At the time of building permit review, the applicant shall provide an updated landscape plan demonstrating an increased number of plant units for the area where parking is located in front of the buildings, between Rise Street S and Big Mountain Avenue S, providing a minimum of one plant unit per 16 square feet, with at least 40 percent of the plant units being trees.
- Condition 19:** At the time of building permit review, the applicant shall provide an updated landscape plan demonstrating an increased number of plant units where the buildings cannot be placed at the setback line, between Rise Street S and Buildings 6 and 7, providing a minimum of one plant unit per 16 square feet, with at least 40 percent of the plant units being trees.
- Condition 20:** At the time of building permit review, the applicant shall ensure that all landscaped planter bays meet the minimum nine feet in width, as measured from inside-of-curb to inside-of-curb.
- Condition 21:** At the time of building permit review, the applicant shall remove the parking spaces located adjacent to Building 10 so that no portion of the off-street parking area, not including the driveway, projects beyond the Building 10, as drawn in a straight line across the building façade.
- Condition 22:** At the time of building permit review, Buildings 2 through 5 shall have fully sight-obscuring railings for the balconies located on the building façades facing the RS zoned properties to the south.
- Condition 23:** At the time of building permit review, the applicant shall ensure that all ground floor units abutting Eagle Dance Street S have an architecturally defined entry

area that presents as a front porch, articulated with a differentiated roof, awning, stoop, or other distinguishing feature in accordance with SRC 702.020(e)(6).

Condition 24: At the time of building permit review, each of the storage buildings north of Eagle Dance Street S shall be revised to incorporate at least one design element as set forth in SRC 702.020(e)(9), or obtain approval of a Zoning Adjustment to use an alternative design element to break up the vertical face of the buildings, including but not limited to, alternative siding, faux windows, or gable roofs.

The rights granted by the attached decision must be exercised, or an extension granted, by February 28, 2029, or this approval shall be null and void.

Application Deemed Complete:	<u>December 4, 2024</u>
Notice of Decision Mailing Date:	<u>February 12, 2025</u>
Decision Effective Date:	<u>February 28, 2025</u>
State Mandate Date:	<u>April 3, 2025</u>

Case Manager: Jamie Donaldson, jdonaldson@cityofsalem.net, 503-540-2328

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m. Thursday, February 27, 2025. 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, 250, 804, 225. 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 Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review by contacting the case manager, or at the Planning Desk in the Permit Application Center, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

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

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

IN THE MATTER OF APPROVAL OF	) FINDINGS AND ORDER
CLASS 3 SITE PLAN REVIEW,	)
CLASS 2 ADJUSTMENT,	)
CLASS 2 DRIVEWAY APPROACH PERMIT	)
AND CLASS 1 DESIGN REVIEW,	)
CASE NO. SPR-ADJ-DAP-DR24-35	)
5871 LIBERTY ROAD S	) FEBRUARY 12, 2025

In the matter of the application for Class 3 Site Plan Review, Class 2 Adjustment, Class 2 Driveway Approach Permit, and Class 1 Design Review submitted by the applicant's representative Brandie Dalton with Multi-Tech Engineering, on behalf of the applicant and property owner Harrison Industries LLC, the Planning Administrator, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

Summary: A proposal for a new 135-unit multi-family housing development.

Request: A consolidated application for a Class 3 Site Plan Review, two Class 2 Driveway Approach Permits, and Class 1 Design Review for the development of a new 135-unit apartment complex, with three Class 2 Adjustment requests to:

- (1) Eliminate the requirement for off-street parking areas not to be located between a building and the street for Buildings 5 and 6 (SRC 702.020(d)(2));
- (2) Eliminate the requirement that the 40 percent buildable width be placed at the setback line for Buildings 6 and 7 along Rise Street (SRC 702.020(e)(4)); and
- (3) Eliminate the requirement to orient buildings towards the street with direct pedestrian access to the street for Buildings 6 and 7 (SRC 702.020(e)(5)).

The subject property is a portion of property approximately 6.7 acres in size, zoned RM-II (Multiple Family Residential-II), and located at 5871 Liberty Road S (Marion County Assessor Map and Tax lot number: 083W16C / 600).

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

PROCEDURAL FINDINGS

1. Background

On July 29, 2024, a consolidated application for a Class 3 Site Plan Review, Class 2 Adjustment, Class 2 Driveway Approach Permit, and Class 1 Design Review was filed for the proposed development. After additional information was provided, the applications were deemed complete for processing on December 4, 2024. The 120-day State mandated decision deadline for this consolidated application is April 3, 2025.

The applicant's proposed site plan and elevations are included as **Attachment B**, and the applicant's written statement addressing the approval criteria applications can be found in the record, accessible online as indicated below.

SUBSTANTIVE FINDINGS

2. Summary of Record

The following items are submitted to the record and are available: 1) all materials and testimony submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, stormwater reports, and; 2) materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public. All application materials are available on the City's online Permit Application Center at [You may use the search function without registering and enter the permit number listed here: 24 116100](#)

3. Neighborhood and Public Comments

The subject property is located within the boundaries of the Sunnyslope Neighborhood Association.

Applicant Neighborhood Association Contact: SRC 300.310 requires an applicant to contact the neighborhood association(s) whose boundaries include, and are adjacent to, property subject to specific land use application requests. Pursuant to SRC 300.310(b)(1), land use applications included in this proposed consolidated land use application request require neighborhood association contact. The applicant's representative contacted the Sunnyslope Neighborhood Association to provide details about the proposal on September 2, 2023.

Neighborhood Association Comment: Notice of the application was provided to the Neighborhood Association pursuant to SRC 300.620(b)(2)(B)(v), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. As of the date of completion of this staff decision, no comments have been received from the neighborhood association.

Homeowners Association: The subject property is not located within a Homeowners Association.

Public Comment: Notice was also provided, pursuant to SRC 300.620(b)(2)(B)(iii), (vi), & (vii), to all property owners and tenants within 250 feet of the subject property. Staff received six comments from the surrounding property owners and tenants prior to the end of the commenting period, expressing concerns with the proposal which are summarized below:

- **Density:** Comments received expressed concern for high-density housing, and the impacts of increased traffic to pedestrians and students walking from the school.

Staff Response: The proposal includes development of 135 units for a property 6.69 acres in size, which is below the maximum density allowed in the RM-II zone. The minimum density standard for the RM-II zone is 15 dwelling units per acre, requiring a minimum of 100 dwelling

units ($6.69 \times 15 = 100.35$). The maximum density of 31 units per acre would allow up to 207 dwelling units ($6.69 \times 31 = 207.39$). The proposal provides a density of 20 units per acre ($135 / 6.69 = 20.18$), meeting the minimum and maximum requirements. In addition, as discussed later in this decision, the proposal is required to construct streetscape improvements including landscape strips, property line sidewalks, and ADA curb ramps where required along the frontages of Eagle Dance Street S, Big Mountain Avenue S, and Rise Street S. Between the Traffic Impact Analysis (TIA) submitted for this development, and previous conditions of approval for the previous approvals for the subject property, SUB-UGA-ADJ20-05 and CPC/ZC19-03, the street system in and adjacent to the site will provide for the safe, orderly, and efficient circulation of traffic and pedestrians to and from the development.

- **Trash Enclosure:** Comments expressed concern about the proximity of the southwestern trash enclosure to the adjacent single-family residence.

Staff Response: The City has to evaluate development requests as designed by the applicant for conformance with approval criteria and development standards of the Salem Revised Code. As indicated in the findings below, the proposal has been reviewed for conformance with all applicable zoning requirements set forth in SRC Chapter 514 to allow a multi-family development in the RM-II zone, including requirements for height, setbacks, and lot coverage which are intended to ensure that development of private property or use of public rights-of-way does not adversely impact the privacy of adjacent properties. The minimum setback for accessory structures in the RM-II zone abutting other residentially zone property is 10 feet, with Type C landscaping, which includes a six-foot-tall sight-obscuring fence. The applicant's plans for the trash enclosure also indicate the enclosure will have a roof that is sloped away from the single family properties, helping to shield it from the adjacent single-family neighborhood. In addition, design review standards require the applicant to provide a combination of landscaping and screening to buffer between the multiple family development and the abutting RS zoned property, including trees planted every 30 feet along the perimeter. There is no code requirement to provide an increased setback or additional improvements to the trash enclosure when located near a single-family neighborhood. Solid waste issues are address by Salem Revised Code Chapter 50 and enforced by the City's Compliance Services Division.

- **Property values:** Comments expressed concern over loss of property values and the quality of life for surrounding properties and neighbors.

Staff Response: The criteria for approval of the proposed application does not require a demonstration that property values will not be adversely affected. The zoning code allows the proposed multiple family use, provided that they are conducted in accordance with all applicable provisions of the Salem Revised Code and the conditions of approval to reduce and mitigate the negative impacts of the proposed uses, which is outlined in this decision.

- **Pump Station:** Comments received express concerns for water pressure in the area and how the proposed development would impact existing water pressures.

Staff Response: The previous Subdivision Tentative Plan and Urban Growth Preliminary Declaration approval for the subject property, Case No. SUB-UGA-ADJ20-05, requires two Salem Water System Master Plan Improvements, as follows:

Condition 15, SUB-UGA-ADJ20-05: The applicant shall construct the Skyline #2, S-3 reservoir, or pay a temporary access fee of \$2,000 per dwelling unit to be collected at the time of building permit issuance.

Condition 16, SUB-UGA-ADJ20-05: The applicant shall construct a minimum 12- inch S-4 water main from the existing S-4 water system in Barbaresco Street S to the subject property.

The proposed development will not have a negative impact of existing water pressures in the area because it will be served by a higher elevation system. As described in the written findings above, the property is located within both the S-3 and S-4 water service levels; however, the proposed development phase will be served exclusively from the S-4 pressure zone through extension of a new S-4 water main to serve the property. Therefore, there is no requirement for the proposed development to construct the Skyline #2 S-3 reservoir, or pay a temporary access fee for construction of this facility by the City. As such, there are no plans or existing conditions for a pump station to be constructed to serve the proposed development, but the proposed development will not have a negative impact of existing water pressures in the area because it will be served by a higher elevation system.

- **Traffic:** Comments received express concerns for the additional traffic generated by the development and the impacts to the existing transportation system.

Staff Response: As described in the written findings and conditions of approval, two traffic signals are required to be constructed and operational prior to occupancy of the proposed development. With these conditions of approval, the development will adequately mitigate the traffic generated by the development, according to the applicant's TIA and conditions of approval on the CPC/ZC for the property. In addition, the Salem TSP provides guidance for how to address the impacts of growth city-wide. Cumulative impacts of growth that affect overall traffic patterns are addressed through collection of System Development Charges (SDCs). The development will pay Transportation SDCs that are collected and used to pay for street improvements that add capacity to mitigate impacts of growth.

- **Stormwater Runoff:** Comments received express concerns for how stormwater runoff from the development would be managed to ensure neighboring downstream properties are not negatively affected.

Staff Response: As shown on the applicant's preliminary utility plan, stormwater runoff will be contained through a private pipe system and conveyed to a stormwater basin for detention before discharging at a controlled rate into the public system. The proposed stormwater management system is conditioned to be designed and constructed to meet the Public Works Design Standards. The private system conveys flows towards existing drainage patterns, and provides stormwater detention and treatment as required by SRC Chapter 71 and the Public Works Design Standards.

4. City Department Comments

Development Services Division: Reviewed the proposal and provided a memo with findings that have been incorporated and made part of this decision, and is included as **Attachment C**.

Building and Safety Division: Review the proposal and indicated no objections.

Fire Department: Reviewed the proposal and indicated *Fire Department access and water supply are required per the Oregon Fire Code as adopted by SRC Chapter 58. All structures require fire sprinklers due to one means of Fire Department access.*

Staff Response: The applicant is responsible for addressing these comments during the building permit process. The configuration of the buildings and parking area may be modified, if necessary, to meet the Fire Department standards, provided that the modifications meet applicable development standards, design standards, and conditions of approval. To ensure these standards are met, the following condition applies:

Condition 1: At the time of building permit review, the applicant shall provide plans showing Fire Department access, fire hydrant locations, required fire sprinklers, and location of the Fire Department Connection.

5. Public and Private Agency Comments

Salem-Keizer Public Schools: Reviewed the proposal and provided a memo which is included as **Attachment D**.

DECISION CRITERIA FINDINGS

6. Analysis of Class 3 Site Plan Review Approval Criteria

Salem Revised Code (SRC) 220.005(f)(3) provides that an application for a Class 3 Site Plan Review shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

SRC 220.005(f)(3)(A): The application meets all applicable standards of the UDC.

Finding: The proposal includes development of a new multi-family apartment complex of five buildings containing 75 dwelling units and associated site improvements on property zoned RM-II (Multiple Family Residential); therefore, the development has been reviewed for conformance with the RM-II zone under SRC Chapter 514. Three adjustments are requested to an off-street parking location, buildable width, and building orientation; findings for the adjustments are included in Section 7 of this decision. The proposed development conforms to SRC Chapter 514 and all other applicable development standards of the Salem Revised Code as follows.

ZONING AND DEVELOPMENT STANDARDS

RM-II (Multiple Family Residential-II) Zone

SRC 514.005(a) – Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the RM-II zone are set forth in Table 514-1.

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

SRC 514.010(a) – Land division in the RM-II zone.

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

Finding: No land division is proposed. This standard is not applicable.

SRC 514.010(b) – Lot standards.

Lots within the RM-II zone shall conform to the standards set forth in Table 514-2.

Finding: On March 17, 2021, City of Salem Case No. SUB-UGA-ADJ20-05 received approval of a Phased Subdivision Tentative Plan for the subject property to divide the land into 45 lots. The subject property is Lot 35 of the subdivision, and was found to meet the applicable lot standards with review of the subdivision criteria. At the time of the writing of this decision, the final plat has not yet been recorded with Marion County. To ensure the proposed development complies with the requirements of the Unified Development Code (UDC), the following condition of approval shall apply:

Condition 2: Prior to the issuance of any building permit for the proposed development, the final plat for the Liberty Road Subdivision (SUB-UGA-ADJ20-05), Phase 2, shall be recorded in accordance with Salem Revised Code 205.035.

As conditioned, the resulting property meets the minimum lot standards of the RM-II zone.

SRC 514.010(c) – Dwelling unit density.

Dwelling unit density within the RM-II zone shall conform to the standards set forth in Table 514-3. Maximum dwelling unit cannot be varied or adjusted. Multiple family uses are required to have a minimum density of 15 dwelling units per acre and maximum density of 31 units per acre.

Finding: After the final plat is recorded as conditioned above, the development site is 6.69 allowing for a minimum of 100 dwelling units ($6.69 \times 15 = 100.35$) and a maximum of 207 dwelling units ($6.69 \times 31 = 207.39$). The proposed development includes a total of 135 dwelling units, providing a density of 20 units per acre ($135 / 6.69 = 20.18$), meeting the minimum and maximum requirements.

Additionally, Condition 1 of Case No. SUB-UGA-ADJ20-05 stated “Lots 1 and 35 shall contain at least a total of 148 units when developed.” On November 5, 2021, Case No. SPR-ADJ-DAP-TRV-DR21-24 received approval for the development of 66 units Lot 1. With the proposed development of 135 dwelling units, Lots 1 and 35 will provide a total of 201 units, satisfying Condition 1. The proposal meets the standard.

SRC 514.010(d) – Setbacks.

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

▪ ***Abutting Street***

West: Adjacent to the west is right-of-way for Eagle Dance Street, designated as a Local street in the Salem TSP. For a multiple family use, Table 514-4 specifies that buildings abutting a street requires a minimum setback of 12 feet plus one foot for each one foot of height over 12 feet, but need not exceed 20 feet, and vehicle use areas require a minimum 12-foot setback.

Northeast/Southeast: Adjacent to the northeast is right-of-way for Rise Street, which connects to Big Mountain Avenue to the southeast, both designated as Local Streets in the Salem TSP. For a multiple family use, Table 514-4 specifies that buildings abutting a street requires a minimum setback of 12 feet plus one foot for each one foot of height over 12 feet, but need not exceed 20 feet, and vehicle use areas require a minimum 12-foot setback.

Finding: Condition 7 of a consolidated application to change the zoning of the property to IC (CPC-ZC-UGA18-04) required that the minimum setback from Joseph Street SE right-of-way shall be 30 feet, landscaped with a minimum of one plant unit per 20 square feet. The applicant's plans indicate buildings setback at least 30 feet abutting Joseph Street SE, meeting this condition, and buildings setback at least 10 feet along Aumsville Highway SE, exceeding the minimum standards. All vehicle use areas adjacent to streets are setback at least 10 feet. The proposal meets the applicable standards.

▪ ***Interior Side and Rear***

North: Adjacent to the north is property zoned RM-II. For a multiple family use, Table 514-5 specifies that buildings and vehicle use areas abutting a residential zone at an interior side property line require a minimum 10-foot setback with Type C landscaping (one plant unit per 20 square feet and a minimum 6-foot-tall sight-obscuring fence or wall).

South: Adjacent to the south are properties zoned RS (Single Family Residential). For a multiple family use, Table 514-5 specifies that buildings and vehicle use areas abutting a residential zone at an interior rear property line require a minimum 10-foot setback with Type C landscaping (one plant unit per 20 square feet and a minimum 6-foot-tall sight-obscuring fence or wall).

Finding: Buildings 9, 10, and 11 are setback 10 feet from the northern property line abutting the RM-II zoned property, thereby meeting the standard. Both Buildings 13 and 14 are setback at least 18 feet from their south property line abutting RS zoned properties, exceeding the minimum zone-to-zone setback.

SRC 514.010(e) – Lot Coverage, Height.

Buildings and accessory structures within the RM-II zone shall conform to the lot coverage and height standards set forth in Table 514-6.

Finding: The maximum lot coverage requirement for all uses in the RM-II zone is 60 percent. The maximum building height allowance for multiple family buildings is 50 feet. Accessory

structures are limited to a maximum building height of 15 feet. The site plan indicates that the proposed buildings cover approximately 49,683 square feet of the 291,276-square-foot lot, for a lot coverage of approximately 17 percent. The applicant's building elevations indicate that the tallest peak of the new buildings is 42 feet in height; therefore, the proposal meets the standards.

SRC 514.010(f) – Maximum Square Footage for All Accessory Structures.

In addition to the maximum coverage requirements established in Table 514-6, accessory structures to single family and two-family uses shall be limited to the maximum aggregate total square footage set forth in Table 514-7.

Finding: The proposed use is multiple family. This standard is not applicable.

SRC 514.010(g) – Landscaping.

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

Finding: Pursuant to SRC 702.020(b)(8), multiple family developments with 13 or more units are exempt from the landscaping requirements for vehicle use areas in SRC chapter 806, and are subject to landscaping standards under the Multiple Family Design Review Standards instead, which are addressed in Section 9 of this decision. Landscape and irrigation plans will be reviewed for conformance with the requirements of SRC 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 six-foot-high sight-obscuring fence, wall, or hedge.

Finding: No outdoor storage areas are proposed. This development standard is not applicable.

SRC 514.015 – Design Review.

Design review under SRC chapter 225 is required for development within the RM-II zone as follows:

- (a) Multiple family development shall be subject to design review according to the multiple family design review standards set forth in SRC chapter 702.
- (b) Residential care with five or more self-contained dwelling units shall be subject to the multiple family design review standards set forth in SRC chapter 702.

Finding: The proposal is for a multiple family development of 150 units; therefore, it is subject to the Design Review standards of Chapter 702, which are addressed in Section 9 of this decision.

SRC Chapter 800 – General Development Standards

▪ ***Solid Waste Service Areas***

SRC 800.055(a) – Applicability.

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

Finding: The site plan indicates three new solid waste enclosures with receptacles greater than one cubic yard in size are proposed. The standards of SRC 800.055 apply. Full adherence with these standards will be ensured at the time of building permit review.

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

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

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

Finding: The applicant's trash enclosure plans indicate the three-foot area that extends beyond the front of the enclosure, but does not show enough detail to indicate the pad area surrounding the rest of the trash enclosures. To ensure compliance with the above standards, the following condition applies:

Condition 3: At the time of building permit review, the applicant shall provide construction details for the trash enclosures indicating conformance with SRC 800.055.

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

Finding: Adequate separation distance appears to be available within the enclosure. Receptacles will not be placed within 5 feet of a building or structure. As conditioned above, conformance with this standard will be verified at the time of building permit review.

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

Finding: The applicant's plans propose a roof for the trash enclosure that appear to provide the required clearance for the receptacle over 2 cubic yards. This standard is met.

SRC 800.055(c) – Permanent Drop Box and Compactor Placement Standards.

Permanent drop box and compactors shall meet the placement standards set forth in this section.

Finding: There do not appear to be any drop box or compactors proposed with the development; therefore, this standard does not apply.

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

- (1) Solid waste, recycling, and compostable service areas shall be screened from all streets abutting the property and from all abutting residentially zoned property by a minimum six-foot-tall sight-obscuring fence or wall; provided, however, where receptacles, drop boxes, and compactors are located within an enclosure, screening is not required. For the purpose of this standard, abutting property shall also include any residentially zoned property located across an alley from the property.
- (2) Existing screening at the property line shall satisfy screening requirements if it includes a six-foot-tall sight-obscuring fence or wall.

Finding: The applicant's development plans show the proposed solid waste service areas will be screened with a seven-foot-tall concrete masonry wall, with chain link and privacy slats for the gates and doors. The proposal meets the standard.

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

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

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

Finding: The applicant's development plans show an enclosure with a front opening over 14 feet in width. The proposal meets the standard.

- (2) *Measures to Prevent Damage to Enclosure.*

- (A) Enclosures constructed of wood or chain-link fencing material shall contain a minimum four-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the enclosure to prevent damage from receptacle impacts.
- (B) Enclosures constructed of concrete, brick, masonry block, or similar types of material shall contain a minimum four-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the enclosure, or a fixed bumper rail to prevent damage from receptacle impacts.

Finding: The applicant's development plans provide a bumper curb inside the perimeter of the enclosure meeting SRC 800.055(e)(2)(B). This standard is met.

- (3) *Enclosure Gates.* Any gate across the front opening of an enclosure shall swing freely without obstructions. For any enclosure opening with an unobstructed width of less than 15 feet, the gates shall open a minimum of 120 degrees. For any enclosure opening with

an unobstructed width of 15 feet or greater, the gates shall open a minimum of 90 degrees. All gates shall have restrainers in the open and closed positions.

Finding: The applicant's plans indicate the gates will open a minimum of 120 degrees, but do not show enough detail to indicate gate restrainers in the open and closed positions. As conditioned above, conformance with this standard will be verified at the time of building permit review.

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

(1) Vehicle Operation Area.

(A) A vehicle operation area shall be provided for solid waste collection service vehicles that are free of obstructions and no less than 45 feet in length and 15 feet in width; provided, however, where the front opening of an enclosure is wider than 15 feet, the width of the vehicle operation area shall be increased to equal the width of the front opening of the enclosure. Vehicle operation areas shall be made available in front of every receptacle.

Finding: The proposed site plan shows vehicle operation areas a minimum of 45 feet in length and 15 feet in width, parallel to the enclosure and extending into vehicle maneuvering areas. The proposal meets the standard.

- (B) For solid waste service areas having receptacles of two cubic yards or less, the vehicle operation area may be located:
- (i) Perpendicular to the permanent location of the receptacle or the enclosure opening (see Figure 800-8);
 - (ii) Parallel to the permanent location of the receptacle or the enclosure opening (see Figure 800-9); or
 - (iii) In a location where the receptacle can be safely maneuvered manually not more than 45 feet into a position at one end of the vehicle operation area for receptacle servicing.

Finding: The proposal includes receptacles less than two cubic yards in size, and demonstrates conformance with the vehicle operation requirements for the location parallel to the enclosure. This standard is met.

- (C) The vehicle operation area may be coincident with a parking lot drive aisle, driveway, or alley provided that such area is kept free of parked vehicles and other obstructions at all times except for the normal ingress and egress of vehicles.

Finding: The proposed site plan shows the vehicle operation area which is coincident with the parking lot drive aisle; therefore, this standard is met.

- (D) Vehicle operation areas shall have a minimum vertical clearance of 14 feet.

Finding: The vehicle operation area within the drive-aisle provides an open area to meet the vertical clearance. This standard is met.

- (E) In the event that access to the vehicle operation area is not a direct approach into

position for operation of the service vehicle, a turnaround, in conformance with the minimum dimension and turning radius requirements shown in Figure 800-10, shall be required to allow safe and convenient access for collection service.

Finding: The proposed site plan shows the vehicle operation area provides access in a direct approach; therefore, this standard does not apply.

- (2) Vehicle operation areas shall be designed so that waste collection service vehicles are not required to back onto a public street or leave the premises.

Finding: The proposed location of the trash enclosure will not require waste collection service vehicles to back onto a public street; therefore, this standard is met.

- (3) Vehicle operation areas shall be paved with asphalt, concrete, or other hard surfacing approved by the Director, and shall be adequately designed, graded, and drained to the approval of the Director.
- (4) Signs. "No Parking" signs shall be placed in a prominent location on the enclosure, or painted on the pavement in front of the enclosure or receptacle, to ensure unobstructed and safe access for the servicing of receptacles.

Finding: The proposed trash enclosure is located within the fully paved vehicle use area and thereby meets the pad area requirements. The applicant can demonstrate the required signage at the time of building permit review, as conditioned. The proposal meets the standard.

▪ ***Pedestrian Access***

SRC 800.065 – Applicability.

Except where pedestrian access standards are provided elsewhere under the UDC, all developments, other than single family, two family, three family, four family, and multiple family developments, shall include an on-site pedestrian circulation system developed in conformance with the standards in this section.

Finding: The proposal is a multiple family development; therefore, these standards are not applicable. The development standards under SRC 702 require pedestrian access and are addressed in Section 9 below. The standards of this subsection do not apply.

SRC Chapter 806 – Off-Street Parking, Loading, and Driveways

▪ ***Off-Street Parking***

SRC 806.015 – Amount Off-Street Parking.

- (a) *Maximum Off-Street Parking.* Except as otherwise provided in this section, and unless otherwise provided under the UDC, off-street parking shall not exceed the amounts set forth in Table 806-1. For the purposes of calculating the maximum amount of off-street parking allowed, driveways shall not be considered off-street parking spaces.

Finding: There are no minimum parking standards for any development within the City. The proposal includes development of a 150-unit multi-family apartment complex, which allows a maximum 1.75 times the number of units for a multi-family development; therefore, the development allows a maximum of 263 spaces ($150 \times 1.75 = 262.5$). The proposed development includes a total of 241 spaces, which is less than the maximum allowance. However,

Condition 4: At the time of building permit review, the width of the roll-up doors for the storage units shall be reduced in size so that a vehicle, compact or otherwise, cannot fit into the storage space.

As conditioned, the proposed parking meets the maximum allowed parking on site.

(b) *Compact Parking.* Up to 75 percent of the minimum off-street parking spaces provided on a development site may be compact parking spaces.

Finding: A maximum of 181 of the off-street parking spaces may be compact spaces ($241 \times .75 = 180.75$); the remaining spaces must be standard size spaces. The proposal indicates 37 compact parking spaces are proposed for the development site. This standard is met.

(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.

Finding: No carpool/vanpool spaces are required for a multi-family development. This standard does not apply.

(d) *Required electric vehicle charging spaces.* For any newly constructed building with five or more dwelling units on the same lot, including buildings with a mix of residential and nonresidential uses, a minimum of 40 percent of the off-street parking spaces provided on the site for the building shall be designated as spaces to serve electrical vehicle charging. In order to comply with this subsection, such spaces shall include provisions for electrical service capacity, as defined in ORS 455.417.

Finding: The proposal includes 12 buildings which include five or more dwelling units; therefore, this standard applies. The proposed development provides a total of 235 spaces, requiring a minimum of 94 spaces ($235 \times .4 = 94$) that should be available for Electric Vehicle (EV) charging stations by providing EV charger conduits, as defined in ORS 455.417. The applicant's plan indicate a total of 94 EV chargers will be provided on site. This standard is met.

However, the applicant's plans indicate the EV charging stations to be located within the seven-foot-wide pedestrian path on site. Pursuant to SRC 702.020(d)(4), pedestrian pathways shall be a minimum of five feet in width. To ensure compliance with this standard, the following condition applies:

Condition 5: At the time the Electric Vehicle (EV) charging stations are installed, the applicant shall ensure that the adjacent pedestrian paths still provide the minimum five-foot-width, free of obstructions.

▪ ***Parking and Vehicle Use Area Development Standards***

SRC 806.035 – For uses or activities other than single-family, two-, three-, and four-family. 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, two family, three family, and four 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 the development of new off-street parking and vehicle use areas.
- (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 unpaved area.

Finding: The proposal includes development of a vacant parcel for a multi-family use, including new parking spaces, appropriate drive-aisles and vehicle circulation, and new loading spaces; therefore, this section applies.

- (b) *Location.* Off-street parking and vehicle use areas shall not be located within required setbacks.
- (c) *Perimeter Setbacks and Landscaping.* Perimeter setbacks shall be required for off-street parking and vehicle use areas abutting streets, abutting interior front, side, and rear property lines, and adjacent to buildings and structures.

Finding: The off-street parking and vehicle use area development standards of SRC Chapter 806 are applicable to this proposal. As conditioned, the proposed off-street parking area is in compliance with the minimum setback requirements of SRC Chapters 514 and 806. Perimeter landscaping will be evaluated for compliance with the applicable standards at the time of building permit review.

- (d) *Interior Landscaping.* Interior landscaping shall be provided in amounts not less than those set forth in Table 806-4.

Finding: Pursuant to SRC 702.020(b)(8), multiple family developments with 13 or more units are exempt from the landscaping requirements in SRC chapter 806. This standard does not apply to the proposed development.

- (e) *Off-Street Parking Area Dimensions.* Off-street parking areas shall conform to the minimum dimensions set forth in Table 806-5.

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

- (f) *Off-street parking area access and maneuvering.* In order to ensure safe and convenient vehicular access and maneuvering, off-street parking areas shall:
- (1) Be designed so that vehicles enter and exit the street in a forward motion with no backing or maneuvering within the street; and
 - (2) Where a drive aisle terminates at a dead-end, include a turnaround area as shown in Figure 806-8. The turnaround shall conform to the minimum dimensions set forth in Table 806-6.

Finding: The applicant's site plan indicates two off-street parking areas adjacent to proposed trash enclosures where the drive aisle terminates at a dead-end, but does not provide the appropriate turnaround area as shown in Figure 806-9. The proposed striped area on the plans is located to the side of the enclosure, which does not provide safe and convenient vehicle maneuvering, and should be designated in front of the enclosure to allow for a vehicle back-up area. In addition, the striped access aisle adjacent to an ADA parking space does not meet the standard for safe and convenient access and maneuvering, as they need to remain free and clear for ADA access. As such, the following condition applies:

Condition 6: At the time of building permit review, the dead-end turnaround areas adjacent to a trash enclosure shall be revised to demonstrate conformance to SRC 806.035(f), with the turnaround area provided in front of the enclosure, and striping of an adjacent parking space that is not designated for ADA access, or obtain approval of a Zoning Adjustment. Each turnaround area shall be identified by striping and installing no parking signs.

- (g) *Grading.* Off-street parking and vehicle use areas shall not exceed a maximum grade of ten percent. Ramps shall not exceed a maximum grade of 15 percent.
- (h) *Surfacing.* Off-street parking and vehicle use areas shall be paved with a hard surface material meeting the Public Works Design Standards; provided, however, up to two feet of the front of a parking space may be landscaped with ground cover plants (see Figure 806-10). Such two-foot landscaped area may count towards meeting interior off-street parking area landscaping requirements when provided abutting a landscape island or planter bay with a minimum width of five feet, but shall not count towards meeting perimeter setbacks and landscaping requirements. Paving is not required for:
- (1) Vehicle storage areas within the IG zone.
 - (2) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC Chapter 701.
 - (3) Gravel off-street parking areas, approved through a conditional use permit.
- (i) *Drainage.* Off-street parking and vehicle use areas shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.

Finding: The proposed off-street parking area is developed consistent with the additional development standards for grade, surfacing, and drainage.

- (j) *Bumper guards or wheel barriers.* Off-street parking and vehicle use areas shall include bumper guards or wheel barriers so that no portion of a vehicle will overhang or project into required setbacks and landscaped areas, pedestrian accessways, streets or alleys,

or abutting property; provided, however, bumper guards or wheel barriers are not required for:

- (1) Vehicle storage areas.
- (2) Vehicle sales display areas.

Finding: The site plan indicates bumper guards will be provided for all parking spaces abutting required setback landscaping, or adjacent to a pedestrian connection; therefore, this standard is met.

- (k) *Off-street parking area striping.* Off-street parking areas shall be striped in conformance with the off-street parking area dimension standards set forth in Table 806-6; provided, however, off-street parking area striping shall not be required for:
- (1) Vehicle storage areas.
 - (2) Vehicle sales display areas.
 - (3) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC Chapter 701.
 - (4) Gravel off-street parking areas, approved through a conditional use permit.
- (l) *Marking and signage.*
- (1) *Off-street parking and vehicle use area circulation.* Where directional signs and pavement markings are included within an off-street parking or vehicle use area to control vehicle movement, such signs and marking shall conform to the Manual of Uniform Traffic Control Devices.
 - (2) *Compact parking.* Compact parking spaces shall be clearly marked indicating the spaces are reserved for compact parking only.
 - (3) *Carpool and vanpool parking.* Carpool and vanpool parking spaces shall be posted with signs indicating the spaces are reserved for carpool or vanpool use only before 9:00 a.m. on weekdays.
- (m) *Lighting.* Lighting for off-street parking and vehicle use areas shall not shine or reflect onto adjacent residentially zoned property, or property used for uses or activities falling under household living, or cast glare onto the street.

Finding: The proposed off-street parking area is developed consistent with the off-street parking area dimension standards set forth in Table 806-6. The parking area striping, marking, signage, and lighting shall comply with the standards of SRC Chapter 806, and will be verified for conformance at the time of building permit review.

▪ ***Climate Friendly and Equitable Communities (CFEC) Standards***

SRC 806.035(n) – Additional standards for new parking areas more than one-half acre in size. When a total of more than one-half acre of new off-street surface parking is proposed on one or more lots within a development site, the lot(s) proposed for development shall comply with the additional standards in this subsection. For purposes of these standards, the area of an off-street surface parking area is the sum of all areas within the perimeter of the off-street parking area, including parking spaces, aisles, planting islands, corner areas, and curbed areas, but not including interior driveways and off-street loading areas.

Finding: The total proposed surface parking area for the development is approximately 96,213 square feet in size, or approximately two acres; therefore, the additional standards in this subsection area applicable to the proposed development.

- (1) *Climate mitigation.* Development that includes a total of more than one-half acre of new off-street surface parking shall provide one or more of the following climate mitigation measures, which may be used in combination.
 - (a) *Solar power generation.* On-site solar power generation infrastructure shall be provided with a capacity of at least 0.5 kilowatts per new off-street parking space.
 - (b) *Payment into city's equitable renewable energy fund.* A payment shall be made into the city's equitable renewable energy fund at a rate of not less than \$1,500.00 per parking space and tied to inflation.
 - (c) *Increased tree canopy.* Increased on-site tree canopy area shall be provided, in conformance with the standards included under subsection (n)(3) of this section, covering at least 40 percent of new off-street parking and vehicle use areas in no more than 15 years.

Finding: The applicant's statement and plans propose to meet the climate mitigation measures through Option C, covering at least 40 percent of the new off-street parking and vehicle use areas with the projected tree canopy area. The applicant's statement and plans indicate that the proposed surface parking area is approximately 96,213 square feet in size, requiring a minimum 36,885 square feet of tree canopy ($96,213 \times 0.4 = 36,885.2$). The applicant's plans indicate 59,663 square feet of total tree canopy coverage is proposed, or approximately 62 percent. However, as indicated below, some of the trees proposed to meet the standard do not meet the tree planting standards and do not count. Based on staff's measurements, the proposal still provides approximately 47,000 square feet of tree canopy coverage when those trees are removed from the total, which is still over the 40 percent threshold. This standard is met.

- (2) *Provision of tree canopy.*
 - (a) *Trees along driveways.* Trees shall be provided along both sides of driveways in conformance with the standards included under subsection (n)(3); or
 - (b) *Tree canopy coverage.* On-site tree canopy area shall be provided, in conformance with the standards included under subsection (n)(3), covering at least 30 percent of new off-street surface parking and vehicle use areas in no more than 15 years.

Finding: Approximately 47,000 square feet of tree canopy coverage will be provided around the perimeter of the off-street parking area, equivalent to approximately 49 percent of the off-street surface parking and vehicle use areas, meeting Option B for this requirement. This standard is met.

- (3) *Tree canopy standards.* New trees shall be planted and/or existing trees shall be preserved in conformance with the following standards:
 - (a) *Expected tree canopy area.*
 - (i) Expected tree canopy area shall be based on the standards in Table 806-7.
 - (ii) New trees that are planted shall be selected from Table 806-7 or approved by the Planning Administrator.
 - (iii) Existing trees that are preserved may be included in expected tree canopy area.

- (iv) Each tree meeting the requirements of this subsection may be counted toward the total expected tree canopy area so long as the trunk of each tree is located within 10 feet of the parking area.
- (v) Exclusions include expected overlap of tree canopy area by more than five feet and portions of expected canopy that overlap existing or proposed buildings.

Finding: The development plans indicate 49 trees will be planted to meet the CFEC standards, using five types from Table 806-7; 19 of which have an expected 15-year tree canopy diameter of 50 feet (large), and 30 with an expected 15-year tree canopy diameter of 35 feet (small). The applicant's plans show an additional 11 small trees and two large trees that are not located within ten feet of the parking area, and do not count towards the CFEC requirements. The applicant may still plant these trees, but they should not be included in the totals provided for meeting the standard; therefore, the following conditions applies:

Condition 7: Prior to approval of landscape plans for the proposed development, the landscape plan shall be updated to ensure all trees planted to meet the climate mitigation requirements, demonstrating compliance with all tree canopy standards in SRC 806.035(n)(3).

- (b) *Tree Planting Standards.* Trees provided to meet tree canopy coverage requirements shall be:
 - (i) Planted in such proximity that they form a continuous canopy within 15 years of planting based on the expected tree canopy area set forth in Table 806-7, except where interrupted by vehicle use areas, solid waste service areas, buildings, power lines, stormwater infrastructure, and children's play areas;
 - (ii) Planted in islands containing a minimum of three trees and the minimum required soil amount per Table 806-7;
 - (iii) Planted to ensure that no more than 20 percent of their expected canopy overlaps with existing or proposed buildings;
 - (iv) Not less than 1.5 inch caliper in size at the time of planting; and
 - (v) Planted and maintained to meet, at minimum, the standards in the 2021 ANSI A300 handbook.

Finding: Except for the trees that are not located within ten feet of the parking area and shall be removed from the count, all of the trees are proposed to be planted within groups of at least three trees per planter island. However, the applicant did not provide details to indicated conformance with the minimum required soil amount for each tree type, per Table 806-7. As conditioned above, landscape plans will be reviewed for conformance at the time of building permit review.

- (c) *Tree Location/Utility Coordination.* Coordination shall be demonstrated with the local electric utility to ensure the compatibility of tree canopy and root systems with planned and existing utility infrastructure.

Finding: The applicant's statement and plans does not indicate that location of tree plantings has been coordinated with the local electric utility.

Condition 8: Prior to approval of landscape plans for the proposed development, the applicant shall demonstrate coordination with the local electric utility to ensure the compatibility of tree canopy and root systems with planned and existing utility infrastructure.

▪ ***Driveway Development Standards***

SRC 806.040 – For uses or activities other than single family, two family, three family, or four family.

- (a) *Access.* The off-street parking and vehicle use area shall have either separate driveways for ingress and egress, a single driveway for ingress and egress with an adequate turnaround that is always available, or a loop to the single point of access. The driveway approaches to the driveways shall conform to SRC Chapter 804.
- (b) *Location.* Driveways shall not be located within required setbacks, except where the driveway provides access to the street, alley, or abutting property; or where the driveway is a shared driveway located over the common lot line and providing access to two or more uses.
- (c) *Perimeter Setbacks and Landscaping.* Perimeter setbacks shall be required for driveways abutting streets, and abutting interior front, side, and rear property lines.
- (d) *Dimensions.* Driveways shall conform to the minimum width set forth in Table 806-8.

Finding: Two-way driveways are required to have a minimum width of 22 feet. The applicant's plans indicate a single 22-foot-wide driveway which can be used for ingress and egress on the northwest side of the development, and a second 29-foot-wide driveway for ingress and egress on the southwest side, both providing access to Eagle Dance Street S. This standard is met.

▪ ***Bicycle Parking***

SRC 806.045 – Bicycle Parking; When Required.

- (a) *General Applicability.* Bicycle parking shall be provided as required under this chapter for each proposed new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity.
- (b) *Applicability to change of use of existing building in Central Business District (CB) zone.* Notwithstanding any other provision of this chapter, the bicycle parking requirements for a change of use of an existing building within the CB zone shall be met if there are a minimum of eight bicycle parking spaces located within the public right-of-way of the block face adjacent to the primary entrance of the building. If the minimum number of required bicycle parking spaces are not present within the block face, the applicant shall be required to obtain a permit to have the required number of spaces installed. For purposes of this subsection, "block face" means the area within the public street right-of-way located along one side of a block, from intersecting street to intersecting street.
- (c) *Applicability to nonconforming bicycle parking area.* When bicycle parking is required to be added to an existing bicycle parking area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.

Finding: The proposal is for development of a new multi-family development; therefore, the bicycle parking requirements of this section apply.

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.

Unless otherwise provided under the UDC, bicycle parking shall be provided in amounts not less than those set forth in Table 806-9.

Finding: A multi-family use requires one bicycle parking space is provided per dwelling unit; therefore, the proposed 135-unit multi-family development requires a minimum of 135 bicycle parking spaces. The applicant's plans indicate 150 bicycle parking spaces are provided on site; however, the plans only show 140 bicycle parking spaces on site, which is still meeting the minimum requirement. This standard is met

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.

- (1) Short-term bicycle parking.* Short-term 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.
- (2) Long-term bicycle parking.* Long-term bicycle parking shall be located within a building, or outside of a building, in a well-lighted secure location that is sheltered from precipitation and within a convenient distance of the primary entrance.
 - (A) Long-term bicycle parking for residential uses.* Long-term bicycle parking areas for residential uses shall be located:
 - (i)* A residential dwelling unit;
 - (ii)* A lockable garage;
 - (iii)* A restricted access lockable room serving an individual dwelling unit or multiple dwelling units;
 - (iv)* A lockable bicycle enclosure; or
 - (v)* A bicycle locker.

Finding: The proposal includes 140 bicycle parking spaces in 23 areas located outside of buildings and within convenient distances of a building entrances, meeting the standard for short-term bicycle parking location.

- (b) Access.* Bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance.

Finding: Bicycle parking will be located in public areas, providing direct access to the units and the public right-of-way through the proposed pedestrian paths and vehicle use areas. This standard is met.

- (c) Dimensions.* All bicycle parking areas shall meet the following dimension requirements:

- (1) *Bicycle parking spaces.* Bicycle parking spaces shall conform to the minimum dimensions set forth in Table 806-10.
- (2) *Access aisles.* Bicycle parking spaces shall be served by access aisles conforming to the minimum widths set forth in Table 806-10. Access aisles serving bicycle parking spaces may be located within the public right-of-way

Finding: There appears to be room within the proposed locations to accommodate the proposed bicycle parking spaces; however, the applicant did not provide bike racks details with the spacing dimensions to verify conformance with the standard. Therefore, the following condition applies:

Condition 9: Prior to building permit approval, the applicant shall demonstrate that all bicycle parking provided on site complies with the applicable standards of SRC 806.060.

Further conformance with these standards will be evaluated at the time of building permit review.

- (d) *Surfacing.* Where bicycle parking is located outside a building, the bicycle parking area shall consist of a hard surface material, such as concrete, asphalt pavement, pavers, or similar material, meeting the Public Works Design Standards.

Finding: The proposed bicycle parking spaces appear to be placed on a hard surface material. As conditioned above, the applicant shall provide construction details which include this information. Conformance with this standard will be verified at the time of building permit review.

- (e) *Bicycle Racks.* Where bicycle parking is provided in racks, the racks may be floor, wall, or ceiling racks. Bicycle racks shall meet the following standards:
 - (1) Racks must support the bicycle frame in a stable position, in two or more places a minimum of six inches horizontally apart, without damage to wheels, frame, or components.
 - (2) Racks must allow the bicycle frame and at least one wheel to be locked to the rack with a high security, U-shaped shackle lock;
 - (3) Racks shall be of a material that resists cutting, rusting, and bending or deformation; and
 - (4) Racks shall be securely anchored.
 - (5) Examples of types of bicycle racks that do, and do not, meet these standards are shown in Figure 806-10.

Finding: The applicant did not provide bike rack installation details to verify conformance with these standards. As conditioned above, the applicant shall provide construction details which include this information. Conformance with this standard will be verified at the time of building permit review.

▪ **Off-Street Loading Areas**

SRC 806.065 – Off-Street Loading Areas; When Required.

- (a) *General Applicability.* Off-street loading areas shall be provided and maintained for each proposed new use or activity; any change of use or activity, when such change of use or activity results in a greater number of required off-street loading spaces than the previous use or activity; or any intensification, expansion, or enlargement of a use or activity.
- (b) *Applicability to nonconforming off-street loading area.* When off-street loading is required to be added to an existing off-street loading area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.

Finding: The proposal is for development of a new multi-family development; therefore, the off-street loading requirements of this section apply.

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.

Unless otherwise provided under the UDC, off-street loading shall be provided in amounts and dimensions not less than those set forth in Table 806-11.

Finding: Two off-street loading spaces are required for multiple family development of 100 to 199 dwelling units, meeting the dimensions of 12 feet by 19 feet. In addition, if a recreational or service building is provided, at least one of the required loading spaces shall be located in conjunction with the recreational or service building. The applicant's plans indicate two loading spaces on site, where one is located near the development's recreation building. This standard is met.

SRC Chapter 807 – 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 applicant has provided a preliminary landscaping plan identifying types of plants to be used, but did not provide landscape totals for the areas to be landscaped. The applicant's open space plan indicates 31,959 square feet (13.7 percent) of landscaped area within setbacks for the development site. However, the preliminary landscape plans do not indicate the specific landscaping type required in each setback, specifically the 20-foot setback abutting Rise Street S, Big Mountain View Avenue S, and Eagle Dance Street S, and the 10-foot setback abutting residential properties to the north and west nor did it indicate how the design review requirements for landscaping per SRC 702.020(b) are met. As such, the following condition applies:

Condition 10: At the time of building permit review, the applicant shall provide an updated, full landscape plan demonstrating how the development site meets Type A or Type C landscaping, where applicable, as well as all multi-family landscaping requirements, by providing a summary table demonstrating conformance with the landscaping requirements of SRC Chapter 807 and SRC 702.020(b).

▪ ***Tree Replanting Requirements***

Pursuant to SRC 807.015(d), when existing trees, as defined under SRC Chapter 808, are proposed for removal from within required setbacks or from a development site in excess of 75 percent, replanting shall be required as provided in this subsection.

In addition to the landscaping required under this chapter, when existing trees, as defined under SRC Chapter 808, are proposed for removal from a development site in excess of 75 percent, replanting shall be required pursuant to SRC 807.015(d). The applicant has submitted a tree inventory for the development site indicating 11 trees existing on site, as defined under SRC Chapter 808. The applicant has proposed removal of all 11 non-significant trees, which exceeds 75 percent of trees on the development site. Three of the trees proposed for removal are in excess of 75 percent ($11 \times .75 = 2.75$), and shall be replanted with two new trees for each tree removed. To ensure that trees are planted to meet the replacement ratio and size requirements of this subsection, the following condition applies:

Condition 11: The applicant shall provide an additional six trees on site to meet the tree replanting requirement, which shall be of either a shade or evergreen variety with a minimum 1.5-inch caliper.

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

CITY INFRASTRUCTURE STANDARDS

SRC Chapter 200 – Urban Growth Management

SRC Chapter 200 (Urban Growth Management) requires issuance of an Urban Growth Preliminary Declaration (UGA) prior to development of property located outside the City's Urban Service Area.

Finding: The subject property is located outside of the Urban Service Area. The property is part of a subdivision plat, which has not yet been recorded (SUB-UGA-ADJ20-05). Therefore; the property is subject to the UGA requirements established with the subdivision tentative plan approval (SUB-UGA-ADJ20-05). As conditioned within this decision, the proposed development complies with the previous UGA and SRC Chapter 200 relating to Urban Growth Management and the provision of adequate public facilities.

SRC Chapter 71 – Stormwater

The proposed development is subject to SRC Chapter 71 and the revised Public Works Design Standards (PWDS) as adopted in Administrative Rule 109, Division 004.

Finding: The subject property is required to provide treatment and detention of runoff from the development site in order to comply with provisions in SRC Chapter 71. A storm treatment facility was constructed to serve the subject property with the subdivision tentative plan approval (SUB-UGA-ADJ20-05). However, stormwater detention will be provided on-site in a proposed stormwater detention basin. The applicant's engineer submitted a preliminary stormwater report which does not demonstrate the proposed detention basin will be constructed in accordance with the Public Works Design Standards and it appears that modifications to the facility will be required unless a Design Exception is approved by the City Engineer to allow the facility to deviate from requirements of the Public Works Design Standards. Site modifications may be necessary to accommodate a redesigned stormwater system. Prior to issuance of a building permit, the applicant's engineer shall provide a final stormwater management report that complies with the Public Works Design Standards unless a design exception is approved by the City Engineer. The following condition applies:

Condition 12: 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) unless a Design Exception is approved by the City Engineer to deviate from these standards.

SRC Chapter 802 – Public Improvements

The existing conditions of public infrastructure available to serve the subject property are described in the following table:

Utilities & Parks	
Type	Existing Conditions
Water	Water Service Level: S-3 and S-4
	8-inch public water mains are available in the streets surrounding the subject property.
Sanitary Sewer	8-inch public sanitary mains are available in the streets surrounding the subject property.
Storm Drainage	12-inch and 18-inch public storm mains are available in the streets surrounding the subject property.
Parks	The Comprehensive Park System Master Plan shows that the proposed development is served by the Bryan Johnston Park and Secor Park.

▪ *Development to be served by City utilities*

SRC 802.015 requires development to be served by City utilities designed and constructed according to all applicable provisions of the Salem Revised Code and Public Works Design Standards (PWDS).

Finding: In summary, the proposed development will be served adequately by City water, sewer, and stormwater infrastructure upon completion of the conditions described in the analysis provided for each utility type. The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the PWDS and to the satisfaction of the Public Works Director. The applicant is advised that a sewer monitoring manhole may be required, and the trash area shall be designed in compliance with Public Works Standards.

Water – The subject property is located within the S-3 and S-4 water service levels; however, the site will be fully served by the S-4 water service upon extension of public S-4 water to the subject property. The Subdivision Tentative Plan Approval requires extension of S-4 water to serve the site. The nearest S-4 water service is located in Barbaresco Street S, approximately 2,000-feet west of the subject property. In order to ensure that S-4 water is provided to serve the proposed development, the application shall be conditioned to comply with SUB-UGA-ADJ20-05 and construct an S-4 water main to serve the development. Construction plans for this improvement are currently under review by Development Services (24-115421-PC). The following condition applies:

Condition 13: Pursuant to SUB-UGA-ADJ20-05, the applicant shall construct a minimum 12-inch S-4 water main from the existing S-4 water system in Barbaresco Street S to the subject property.

Sanitary Sewer – There are existing public sanitary sewer mains in the streets surrounding the property to serve the proposed development. No additional sanitary sewer improvements are required.

Stormwater – There are existing public stormwater mains in the streets surrounding the property to serve the proposed development. No additional public stormwater improvements are required.

As conditioned, the proposed development conforms to the public improvement standards of SRC Chapter 802.

SRC Chapter 803 – Street and Right-of-way Improvements

The existing conditions of streets abutting the subject property are described in the following table:

Streets			
Street Name		Right-of-way Width	Improvement Width
Eagle Dance Street S (Local)	Standard:	60-feet	30-feet
	Existing Condition:	Unplatted	30-feet
Big Mountain Avenue S (Local)	Standard:	60-feet	30-feet
	Existing Condition:	Unplatted	30-feet

Rise Street S (Local)	Standard:	60-feet	30-feet
	Existing Condition:	Unplatted	30-feet

▪ ***Boundary Street Improvements***

Pursuant to SRC 803.025, except as otherwise provided in this chapter, right-of-way width and pavement width for streets and alleys shall conform to the standards set forth in Table 803-1 (Right-of-way Width) and Table 803-2 (Pavement Width). In addition, SRC 803.040 requires dedication of right-of-way for, and construction or improvement of, boundary streets up to one-half of the right-of-way and improvement width specified in SRC 803.025 as a condition of approval for certain development.

Finding: The property is surrounded by three streets, which will become public streets upon recording of the Liberty Road Subdivision plat, Phase 2 (SUB-UGA-ADJ20-05). Eagle Dance Street S, Big Mountain Avenue S, and Rise Street S abutting the property are classified as local streets. These streets have been constructed along the property frontage, but the right-of-way for these streets has not been dedicated. As conditioned above, the plat for the Liberty Road Subdivision, Phase 2 (SUB-UGA-ADJ20-05) shall be recorded to ensure public access to the proposed development through the abutting boundary streets (Condition 2). While these streets have been constructed to meet their improvement width requirements, no streetscape improvements have been constructed. Specifically, landscape strips, property line sidewalks, and curb ramps at street intersections are required along the frontages of Eagle Dance Street S, Big Mountain Avenue S, and Rise Street S. The following condition applies:

Condition 14: Prior to issuance of the final Certificate of Occupancy for any building proposed within the complex, construct streetscape improvements including landscape strips, property line sidewalks, and ADA curb ramps where required along the frontages of Eagle Dance Street S, Big Mountain Avenue S, and Rise Street S. Improvements shall be constructed in accordance with the Public Works Design Standards.

▪ ***Transportation Impact Analysis Mitigation***

Pursuant to SRC 803.015(b) a Traffic Impact Analysis (TIA) is required for any development which generates 200 Average Daily Trips onto a local street or 1,000 Average Daily Trips onto a collector or arterial street. The TIA is required in order to analyze the functionality of adjacent streets and intersections to ensure development does not have a significant impact on the functionality of adjacent street intersections.

Finding: The proposed development requires submittal of a Traffic Impact Analysis (TIA) pursuant to SRC 308.015(b)(1). A TIA prepared by Associated Transportation Engineering & Planning, Inc. dated March 2019 and a TIA memo prepared by Enloe Consulting, LLC dated October 2020 were submitted as part of the application package. In addition, the site is subject to conditions of approval for a previous Comprehensive Plan Map Amendment (CPC/ZC19-03) for the subject property. The CPC/ZC requires the following mitigation for the proposed development, which is consistent with the findings in the TIA:

- *Condition 1, CPC/ZC19-03: Construct a traffic signal at the intersection of Liberty Road S and Davis Road S City of Salem Standards, The signal shall be interconnected via underground fiber-optic cable to the existing traffic signal at Liberty Road S and Kuebler Boulevard SE and shall be designed to accommodate the east leg extension of Rainier Drive SE. The timing of the traffic signal installation shall be determined at the time of Site Plan Review.*
- *Condition 2, CPC/ZC19-03: Construct a traffic signal at the intersection of Liberty Road S and Mildred Lane SE to City of Salem Standards. The signal shall be interconnected via underground fiber-optic cable to the existing traffic signal at Liberty Road S and Kuebler Boulevard SE. The timing of the traffic signal installation shall be determined at the time of Site Plan Review.*

Liberty Road S and Davis Road S Signal – The Liberty and Davis signal is to be constructed by City through a Capital Improvement Project (CIP 1638) budgeted for Fiscal Year 2025. Construction of the signal is anticipated to begin during the Summer of 2025 and be completed in 2026. As the signal is required by the CPC/ZC and TIA for the subject property, the signal shall be operational prior to issuance of a Certificate of Occupancy for any structure within the development. This will ensure the proposed development does not have a functional impact on the intersection and that the negative impacts of the proposed development are adequately mitigated as required by the TIA and conditions on the CPC/ZC. The following condition applies:

Condition 15: Prior to issuance of a temporary or final Certificate of Occupancy for any building proposed within the complex, the signal at the Liberty Road S and Davis Road S shall be operational.

Liberty Road S and Mildred Lane SE Signal – In order to comply with the applicant's TIA and previous conditions of approval on the CPC/ZC, the applicant shall be required to construct the Liberty Road S and Mildred Lane S signal, prior to issuance of a Certificate of Occupancy for any structure within the development. This will ensure the proposed development does not have a functional impact on the intersection and that the negative impacts of the proposed development are adequately mitigated as required by the TIA and CPC/ZC. The following condition applies:

Condition 16: Construct a traffic signal at the intersection of Liberty Road S and Mildred Lane SE to City of Salem Standards. The signal shall be interconnected via underground fiber-optic cable to the traffic signal at the intersection of Davis Road SE and Liberty Road SE being constructed by the City of Salem. The signal shall be operational prior to issuance of a temporary or final Certificate of Occupancy for any building proposed within the complex.

- **Street Trees**

Pursuant to SRC 803.035(k) and SRC 86.015(e), anyone undertaking development along public streets shall plant new street trees to the maximum extent feasible.

Finding: As described in the findings above, landscape strips will be constructed along Eagle Dance Street S, Big Mountain Avenue S, and Rise Street S. In order to comply with SRC 803.035 and SRC Chapter 86, the applicant shall plant street trees along all street frontages abutting the property. As such, the following condition applies.

Condition 17: Prior to issuance of the final Certificate of Occupancy, install street trees to the maximum extent feasible along Eagle Dance Street S, Big Mountain Avenue S, and Rise Street S.

SRC Chapter 804 – Driveway Approaches

SRC 804 establishes development standards for driveway approaches providing access from the public right-of-way to private property in order to provide safe and efficient vehicular access to development sites.

Finding: The applicant has applied for two new driveway approaches onto Eagle Dance Street S and has applied for a Class 2 Driveway Approach Permit; findings for which are provided in Section 8 below. As described in the findings, the proposal meets the approval criteria for the Class 2 Driveway Approach Permits; therefore, the proposed development meets the applicable criteria in SRC Chapter 804 relating to driveway approaches.

SRC Chapter 805 – Vision Clearance

SRC Chapter 805 establishes vision clearance standards in order to ensure visibility for vehicular, bicycle, and pedestrian traffic at the intersections of streets, alleys, flag lot accessways, and driveways.

Finding: The proposal does not cause a vision clearance obstruction per SRC Chapter 805.

NATURAL RESOURCES

SRC Chapter 601 – Floodplain

Development in the floodplain shall be regulated to preserve and maintain the capability to the floodplain to convey the flood water discharges and to minimize danger to life and property.

Finding: The Floodplain Administrator has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

SRC Chapter 808 – Preservation of Trees and Vegetation

The City's tree preservation ordinance, under SRC Chapter 808, provides that no person shall remove the following trees unless 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:

1. Heritage Trees;

2. Significant Trees (including Oregon White Oaks with diameter-at-breast-height (*dbh*) of 20 inches or greater and any other tree with a *dbh* of 30 inches or greater, with the exception of tree of heaven, empress tree, black cottonwood, and black locust);
3. Trees and native vegetation in riparian corridors; and
4. Trees on lots or parcels 20,000 square feet or greater.

The tree preservation ordinance defines “tree” as, “any living woody plant that grows to 15 feet or more in height, typically with one main stem called a trunk, which is 10 inches or more *dbh*, and possesses an upright arrangement of branches and leaves.”

Finding: The applicant has submitted a tree inventory for the development site which indicates there are no significant trees, heritage trees, or riparian trees on site. The proposal meets the requirements of SRC Chapter 808.

SRC Chapter 809 – Wetlands

Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. State and Federal wetlands 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. SRC Chapter 809 establishes requirements for notification of DSL when an application for development is received in an area designated as a wetland on the official wetlands map.

Finding: According to the Salem-Keizer Local Wetland Inventory (LWI) the subject property does not contain any wetland areas or hydric soils.

SRC Chapter 810 – Landslide Hazards

The City’s landslide hazard ordinance (SRC Chapter 810) establishes standards and requirements for the development of land within areas of identified landslide hazard susceptibility.

Finding: According to the City’s adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are mapped 2-point landslide hazard areas on the subject property. The proposed activity of a multi-family development adds 2 activity points to the proposal, which results in a total of 4 points. Therefore, the proposed development is classified as a low landslide risk and no additional information is required.

With the conditions of approval in place, the proposal meets all applicable standards of the UDC, and this criterion is met.

SRC 220.005(f)(3)(B): The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately.

Finding: Access to the proposed development will be provided by the network of existing streets that surround the property and will be dedicated upon recording of the Liberty Road Subdivision Plat, Phase 2 (SUB-UGA-ADJ20-05). The street system in and adjacent to the

development will provide for the safe, orderly, and efficient circulation of traffic to and from the development. This criterion is met.

SRC 220.005(f)(3)(C): Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians.

Finding: The applicant proposes two driveways to serve the proposed development from an adjacent local street, Eagle Dance Street S. The driveway access onto Eagle Dance Street S will provide for safe turning movements into and out of the property. Additionally, the proposal will add 140 bicycle parking spaces, and an internal system of pedestrian walkways throughout the development connecting to adjacent sidewalks to facilitate safe and efficient movement of bicycles and pedestrians. This approval criterion is met.

SRC 220.005(f)(3)(D): The proposed development will be adequately served with City water, sewer, stormwater facilities, and other utilities appropriate to the nature of the development.

Finding: The subject property is located outside of the Urban Service Area, and therefore; an Urban Growth Preliminary Declaration was required with the tentative subdivision approval plan for the subject property (SUB-UGA-ADJ20-05). As conditioned, the proposed development is designed to accommodate required on-site and off-site improvements. With the required improvements, water, sewer, and storm infrastructure will be available and adequate to serve the proposed development. This approval criterion is met.

7. Analysis of Class 2 Adjustment Criteria

Salem Revised Code (SRC) 250.005(d)(2) provides that an application for a Class 2 Adjustment shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

SRC 250.005(d)(2)(A): The purpose underlying the specific development standard proposed for adjustment is:

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

Finding: The applicant is requesting three Class 2 Adjustments for the location of an off-street parking area, buildable width, and building orientation. The following provides a detailed analysis upon which the decision is based for each individual adjustment request:

- (1) Eliminate the requirement for off-street parking areas not to be located between a building and the street for Buildings 5 and 6, per SRC 702.020(d)(2).***

To minimize the visual impact of on-site parking and to enhance the pedestrian experience, off-street surface parking areas and vehicle maneuvering areas shall be located behind or beside buildings and structures. Off-street surface parking areas and vehicle maneuvering areas shall not be located between a building or structure and a street. Because of the site's

topography and location of the stormwater facilities, the applicant is requesting an adjustment to this standard for the vehicle use area at the east side of the development between Buildings 5 and 6, where the parking area is located adjacent to the proposed stormwater facilities, and extends beyond the façades for Buildings 5 and 6, while also being in front of Building 13, as viewed from Rise Street S and Big Mountain Avenue S.

Because of the shape of the lot and the development of the surrounding subdivision and streets, the applicant's grading plans indicate a steep slope with a significant change in grade is necessary along the eastern boundary of the property abutting Rise Street S and extending along Big Mountain Avenue S, making it difficult to place buildings near this sloped area. Additionally, the slope and topography make the area the best location for the stormwater facilities required. The applicant's written statement indicates that the development will provide additional landscaped areas throughout the site; however, improvements elsewhere on site do not meet the intent to minimize the visual impact along the streets where the adjustment is requested. Because the purpose of locating parking behind or beside buildings is to mitigate unappealing expanses of parked vehicles and create a more attractive environment for pedestrians, the applicant should provide additional landscaping in the area between the streets and surrounding the off-street parking to equally meet the intent of creating a more aesthetically pleasing development along the streets.

Condition 18: At the time of building permit review, the applicant shall provide an updated landscape plan demonstrating an increased number of plant units for the area where parking is located in front of the buildings, between Rise Street S and Big Mountain Avenue S, providing a minimum of one plant unit per 16 square feet, with at least 40 percent of the plant units being trees.

Staff agrees that the development has unique site constraints due to the topography of the site, combined with the area being the best location for the stormwater facilities. As conditioned, the proposal equally meets the intent to minimize the visual impact of on-site parking and enhance the pedestrian experience along the streets by using additional plant units to beautify the large, sloped area, and help buffer the parking lot and stormwater facilities as viewed from Rise Street S and Big Mountain Avenue S.

(2) Eliminate the requirement that the 40 percent buildable width be placed at the setback line for Buildings 6 and 7 along Rise Street, per SRC 702.020(e)(4).

On sites with 75 feet or more of buildable width, a minimum of 40 percent of the buildable width shall be occupied by building placed at the setback line to enhance visual interest and activity along the street. Because of site constraints and previous conditions of approval imposed on the development, the applicant is requesting an adjustment to this standard as no buildings are located at the setback line along either street.

As discussed above, the applicant's grading plans indicate a steep slope with a significant change in grade is necessary within the first 30 feet abutting Rise Street S and continuing along the eastern boundary where the street merges with Big Mountain Avenue S. Excluding required setbacks, the subject property has approximately 350 feet of buildable width along Rise Street S, and approximately 160 feet of buildable width along Big Mountain Avenue S, for a combined total of 510 feet along the whole eastern boundary of the site where the two

streets converge. The applicant's written statement indicates that while Buildings 6 and 7 cannot be placed at the 20-foot setback line due to the steep slope abutting the street, the buildings still provide 204 feet of buildable width along the street frontage where they are setback about 30 feet, equally meeting the 40 percent requirement. Additionally, the applicant's written statement indicates that the development will provide additional landscaped area throughout the site; however, improvements elsewhere on site do not meet the intent to provide visual interest along the streets where the adjustment is requested. Because the purpose of the buildable width standard is to enhance visual interest and activity along the street, the applicant should provide additional landscaping in the area where the buildings cannot be placed at the setback line.

Condition 19: At the time of building permit review, the applicant shall provide an updated landscape plan demonstrating an increased number of plant units where the buildings cannot be placed at the setback line, between Rise Street S and Buildings 6 and 7, providing a minimum of one plant unit per 16 square feet, with at least 40 percent of the plant units being trees.

As conditioned, staff finds that the proposal equally meets the intent to enhance visual interest along the Rise Street by using additional plant units to beautify the large, sloped area, where the topography of the site presents challenges to provide all residential buildings at the setback line.

(3) Eliminate the requirement to orient buildings towards the street with direct pedestrian access to the street for Buildings 6 and 7, per SRC 702.020(e)(5).

Pursuant to SRC 702.020(e)(5), any ground-level unit abutting a street shall have an architecturally defined primary building entrance facing that street, with direct pedestrian access to adjacent sidewalks. As described in the finding above, the site's topography along Rise Street S and Big Mountain Ave S make it difficult to place all buildings along the setback line abutting all streets. Similarly, the same site constraints for topography create a difficulty to provide individual pedestrian access points for ground level units.

The purpose of this design standard is to orient buildings towards the street with direct pedestrian access is to enhance activity at the street and create a pedestrian-friendly development. The topography of the site provides steep areas along the eastern boundary where the grade is about a 50 percent slope, which presents a challenge in providing multiple pedestrian connections for each ground-floor unit of Buildings 6 and 7 along Rise Street S. The applicant has provided an alternative for individual pedestrian connections to the street, by providing one shared pedestrian accessway between Buildings 6 and 7, to connect the development site to Rise Street S to the east, equally meeting the intent to provide a pedestrian-friendly development.

Staff finds that the applicant's plans equally meet the intent to enhance activity along the street by providing a single shared pedestrian access between Buildings 6 and 7 to Rise Street, where the topography of the site makes it difficult to provide the multiple pedestrian connections to the street for each unit. In addition, the applicant indicates that the building façades facing the street incorporate visually appealing design and architectural features, and landscaping will be included along the frontage areas, as conditioned.

SRC 250.005(d)(2)(B): 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 the IC (Industrial Commercial) zone; therefore, this criterion is not applicable.

SRC 250.005(d)(2)(C): If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

Finding: Four separate Class 2 Adjustments have been requested with this development. Each of the adjustments has been evaluated separately for conformance with the Adjustment approval criteria. The cumulative impact of the adjustments results in an overall project which is consistent with the intent and purpose of the zoning code.

8. Analysis of Class 2 Driveway Approach Permit Criteria

Salem Revised Code (SRC) 804.025(d) provides that an application for a Class 2 Driveway Approach Permit shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

SRC 804.025(d)(1): The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards.

Finding: The applicant proposes two driveway approaches onto Eagle Dance Street S, which is classified as a local street according to the Salem Transportation System Plan (TSP). One driveway approach shown on the applicant's plans is labeled as "Emergency Access Only"; however, this approach meets the applicable criteria for a driveway approach permit, as described in the following analysis. Therefore, both driveway approaches serving the development site may be accessible to the public and have been permitted as driveway approaches. Both driveway approaches meet the approval criteria for a Class 2 Driveway Approach Permit, as described in the following analysis:

SRC 804.025(d)(2): No site conditions prevent placing the driveway approach in the required location.

Finding: Development Services has reviewed the proposal and determined that there are no existing site conditions prohibiting the location of the proposed driveways. This criterion is met.

SRC 804.025(d)(3): The number of driveway approaches onto an arterial are minimized.

Finding: The proposal includes two new driveway approaches onto a local street, Eagle Dance Street S. No access onto an arterial street is proposed. This criterion is met.

***SRC 804.025(d)(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 subject property has frontage on three local streets, Eagle Dance Street S, Big Mountain Avenue S, and Rise Street S. It is not feasible to serve the development through a shared access as the property is landlocked between these three public streets. The proposed accesses are taken from the lowest classification of street abutting the property, which is local. This criterion is met.

SRC 804.025(d)(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. This criterion is met.

SRC 804.025(d)(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, Development Services analysis of the proposed driveways indicate that they will not create a traffic hazard and will provide for safe turning movements for access to the subject property. This criterion is met.

SRC 804.025(d)(7): The proposed driveway approach does not result in significant adverse impacts to the vicinity.

Finding: Development Services' analysis of the proposed driveways and the evidence that has been submitted indicates that the location of the proposed driveways will not have any adverse impacts to the adjacent properties or streets. This criterion is met.

SRC 804.025(d)(8): The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections.

Finding: The proposed driveway approaches are located on a local street and do not create a significant impact to adjacent streets and intersections. This criterion is met.

SRC 804.025(d)(9): The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.

Finding: The proposed development is surrounded by residentially zoned property, and abuts local streets. Since all abutting streets are local, the proposed driveways are taken from the lowest classification street abutting the subject property. The driveways balance the adverse impacts to residentially zoned property and will not have an adverse effect on the functionality of the adjacent streets. This criterion is met.

9. Analysis of Class 1 Design Review Approval Criteria

SRC 225.005 provides that design review approval is required for development applications that are subject to design review standards and guidelines. A Class 1 design review shall be granted if the following criteria are met. The following subsections are organized with approval

criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

SRC 225.005(e): A Class 1 design review shall be approved if all of the applicable design review standards are met.

Finding: SRC 514.015(a) provides that multiple family development within the RM-II zone shall be subject to design review according to the multiple family design review standards set forth in SRC Chapter 702. The proposed development conforms to SRC Chapter 702 follows.

SRC Chapter 702 – Multiple Family Design Review Standards

SRC 702.020 – For Multiple Family Development with Thirteen or More Units.

SRC 702.020(a) – Open Space Standards.

(1) To encourage the preservation of natural open qualities that may exist on a site and to provide opportunities for active and passive recreation, all newly constructed multiple family developments shall provide a minimum 30 percent of the gross site area in designated and permanently reserved open space. For the purposes of this subsection, the term "newly constructed multiple family developments" shall not include multiple family developments created through only construction or improvements to the interior of an existing building(s). Indoor or covered recreation space may count toward this open space requirement.

Finding: The subject property is approximately 291,726 square feet in size, requiring a minimum of 87,518 of permanently reserved open space. The proposal indicates 141,023 square feet of open space will be provided on site, or approximately 48 percent of the gross site area. The proposal meets the standard.

(A) To ensure usable open space that is of sufficient size, at least one common open space area shall be provided that meets the size and dimension standards set forth in Table 702-3.

TABLE 702-3. COMMON OPEN SPACE AREA SIZE AND DIMENSIONS		
Number of Dwelling Units	Minimum Open Space Area Size	Minimum Horizontal Dimension
More than 20	1,000 sq. ft., plus an additional 250 sq. ft. for every 20 units, or portion thereof, over 20 units.	25 ft.

Finding: For a development with 135 dwelling units, at least one common open space shall be provided which is a minimum of 2,500 square feet in size, with a minimum horizontal dimension of 25 feet. The proposed site plan shows a common open space of approximately 3,300 square feet, which does not include the adjacent pickle ball court, tot lot, or recreation building feet, exceeding the standard. The proposal meets the standard.

(B) To ensure the provided open space is usable, a maximum of 15 percent of the common open space shall be located on land with slopes greater than 25 percent.

Finding: The applicant's written statement does not fully address this standard, but the applicant's grading plan does appear to have areas with slopes greater than 25 percent by staff's measurements. Additionally, there are multiple areas on site where an additional amenity can be counted as double towards the requirement, so the applicant meets the open space requirement without inclusion of any potential sloped areas. The proposal meets the standard.

- (C) To allow for a mix of different types of open space areas and flexibility in site design, private open space, meeting the size and dimension standards set forth in Table 702-4, may count toward the open space requirement. All private open space must meet the size and dimension standards set forth in Table 702-4.

TABLE 702-4. PRIVATE OPEN SPACE SIZE AND DIMENSIONS		
Location of Dwelling Unit	Minimum Open Space Area Size	Minimum Dimension
Not more than 5 feet above finished grade	96 sq. ft.	6 ft.
More than 5 feet above finished grade	48 sq. ft.	6 ft.

Finding: The applicant's development plans show private patio spaces with dimensions meeting the standards for all ground-level units, and balconies meeting the required dimensions for all upper-floor units. The proposal meets the standard.

- (D) To ensure a mix of private and common open space in larger developments, private open space, meeting the size and dimension standards set forth in Table 702-4, shall be provided for a minimum of 20 percent of the dwelling units in all newly constructed multiple family developments with 20 or more dwelling units. Private open space shall be located contiguous to the dwelling unit, with direct access to the private open space provided through a doorway.

Finding: The proposed development includes 135 dwelling units, requiring a minimum of 27 units with private open space ($135 \times .2 = 27$). All 135 units have a private open space meeting the minimum dimensions, exceeding the 20 percent minimum. This standard is met.

- (E) To encourage active recreational opportunities for residents, the square footage of an improved open space area may be counted twice toward the total amount of required open space, provided each such area meets the standards set forth in this subsection. Example: a 750-square-foot improved open space area may count as 1,500 square feet toward the open space requirement.
- (i) Be a minimum 750 square feet in size with a minimum dimension of 25 feet for all sides; and
 - (ii) Include at least one of the following types of features:
 - a. Covered pavilion.
 - b. Ornamental or food garden.
 - c. Developed and equipped children's play area, with a minimum 30-inch-tall fence to separate the children's play area from any parking lot, drive aisle, or street.
 - d. Sports area or court (e.g., tennis, handball, volleyball, basketball, soccer).
 - e. Swimming pool or wading pool.

Finding: The applicant is proposing to improve a public open space with a 900 square foot children's play area, as well as a pickleball court of approximately 1,500 square feet adjacent to the recreation building. This standard allows the improved open space to be counted as double, providing an additional 4,800 square feet of open space.

(F) To encourage proximity to and use of public parks, the total amount of required open space may be reduced by 50 percent for developments that are located within one-quarter mile of a public urban, community, or neighborhood park as measured along a route utilizing public or private streets that are existing or will be constructed with the development.

Finding: The subject property is not located within one-quarter mile of a publicly owned park; therefore, this standard does not apply.

SRC 702.020(b) – Landscaping Standards.

(1) To encourage the preservation of trees and maintain or increase tree canopy, a minimum of one tree shall be planted or preserved for every 2,000 square feet of gross site area.

Finding: The subject property has a gross site area of approximately 653,445 square feet, requiring a minimum of 327 trees to be planted or preserved on site ($653,445 / 2,000 = 326.72$). The applicant's development plans show 283 trees to be planted, and 105 trees are designated for preservation, for a total of 388 trees on site. The proposal meets the standard.

- (2) 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:
- (A) A minimum of one tree, not less than 1.5 inches in caliper, for every 30 linear feet of abutting property width; and
 - (B) 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. Chain link fencing with slats shall be not allowed to satisfy this standard.

Finding: The proposed development is located adjacent to RS-zoned properties to the south, and includes six-foot-tall sight-obscuring fence along the boundary adjacent to these properties. Final landscape plans will be reviewed for conformance with the tree planting standard at the time of development.

(3) To define and accentuate primary entryways, a minimum of two plant units, shall be provided adjacent to the primary entryway of each dwelling unit, or combination of dwelling units.

Finding: The applicant has provided a preliminary landscaping plan which indicates a minimum of two plant units are provided adjacent to the primary entryway of each ground-level dwelling unit. Final landscape plans will be reviewed for conformance with this standard at the time of development.

- (4) To soften the visual impact of buildings and create residential character, 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.

Finding: The applicant's preliminary plans do not demonstrate how this standard is met for every building. As conditioned above, the landscape plans will be updated to show conformance with all design review landscape requirements. Final landscape plans will be reviewed for conformance with this standard at the time of development.

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

Finding: The applicant's preliminary plans do not demonstrate how this standard is met for every building. As conditioned above, the landscape plans will be updated to show conformance with all design review landscape requirements. Final landscape plans will be reviewed for conformance with this standard at the time of development.

- (6) To ensure the privacy of dwelling units, ground level private open space shall be physically and visually separated from common open space with perimeter landscaping or perimeter fencing.

Finding: The applicant's written statement indicates that all ground level private open space areas will be screened with five-foot-high landscaping. Final landscape plans will be reviewed for conformance with this standard at the time of development.

- (7) To provide protection from winter wind and summer sun and to ensure trees are distributed throughout a site and along parking areas, 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 ten feet of the edge of the parking area (see Figure 702-3).

Finding: There are several off-street parking areas provided on site which appear to meet the minimum 50-foot perimeter standard on the applicant's preliminary plans. Final landscape plans will be reviewed for conformance with this standard at the time of development.

- (A) A minimum of one canopy tree shall be planted within each planter bay.
(B) A landscaped planter bay a minimum of nine feet in width shall be provided at a minimum spacing of one for every 12 spaces. (See Figure 702-3.)

Finding: The applicant's preliminary landscape plans show a planter bay meeting every 12 parking spaces throughout the development site, with a tree planter in each planter bay. However, a couple of the planter bays appear to provide only eight feet in width of planting area. As such, the following condition applies:

Condition 20: At the time of building permit review, the applicant shall ensure that all landscaped planter bays meet the minimum nine feet in width, as measured from inside-of-curb to inside-of-curb.

- (8) Multiple family developments with 13 or more units are exempt from the landscaping requirements in SRC chapter 806.

SRC 702.020(c) – Site Safety and Security.

- (1) Windows shall be provided in all habitable rooms, other than bathrooms, on each wall that faces common open space, parking areas, and pedestrian paths to encourage visual surveillance of such areas and minimize the appearance of building bulk.

Finding: The applicant has indicated that all habitable rooms that face common open space, parking areas, and pedestrian paths will have windows. The elevations and floor plans submitted show adherence to the standard.

- (2) Lighting shall be provided that illuminates all exterior dwelling unit entrances, parking areas, and pedestrian paths within the development to enhance visibility and resident safety.

Finding: The applicant's development plans show a lighting system throughout the site which adequately illuminates the development in accordance with this standard.

- (3) 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.

Finding: The applicant's proposed development plans do not show obstructed visibility between street-facing dwelling units and adjacent streets. The proposal meets the standard.

- (4) Landscaping and fencing adjacent to common open space, parking areas, and dwelling unit entryways shall be limited to a maximum height of three feet to encourage visual surveillance of such areas.

Finding: The applicant's development plans show landscaping and fencing which do not exceed three feet in height when adjacent to common open space, parking areas, and dwelling unit entryways. The proposal meets the standard.

SRC 702.020(d) – Parking and Site Design.

- (1) To minimize large expanses of continuous pavement, 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 nine feet in width. Individual parking areas may be connected by an aisle or driveway (see Figure 702-3).

Finding: The applicant's preliminary landscape plans show a planter bay meeting every 12 parking spaces throughout the development site, with a tree planter in each planter bay. As conditioned above, ensure that all landscaped planter bays meet the minimum nine feet in width, as measured from inside-of-curb to inside-of-curb.

- (2) To minimize the visual impact of on-site parking and to enhance the pedestrian experience, off-street surface parking areas and vehicle maneuvering areas shall be located behind or beside buildings and structures. Off-street surface parking areas and vehicle maneuvering areas shall not be located between a building or structure and a street.

Finding: Due to site constraints and previous conditions of approval imposed on the property, the proposed development does include off-street surface parking areas or vehicle maneuvering areas located between a building or structure and a street. The applicant has requested a Class 2 adjustment to this standard. Findings for the adjustment are included in Section 7 of this decision.

Condition 21: At the time of building permit review, the applicant shall remove the parking spaces located adjacent to Building 10 so that no portion of the off-street parking area, not including the driveway, projects beyond the Building 10, as drawn in a straight line across the building façade.

- (3) 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 to ensure parking areas are designed to consider site topography and minimize visual impacts on abutting residential properties.

Finding: The proposed development is located adjacent to RS-zoned properties to the south, but does not include any parking area on a slope 15 percent or greater adjacent to the properties; therefore, this standard does not apply.

- (4) To ensure safe pedestrian access to and throughout a development site, pedestrian pathways shall be provided that connect to and between buildings, common open space, and parking areas, and that connect the development to the public sidewalks.

Finding: The proposed site plan shows a network of pedestrian pathways which connect to and between buildings, common open space, and parking areas, and which connects the development to the public sidewalks along Eagle Dance Steet S to the west, and Rise Street S to the east. This standard is met.

SRC 702.020(e) – Façade and Building Design.

- (1) To preclude long monotonous exterior walls, buildings shall have no dimension greater than 150 feet.

Finding: No building has a dimension greater than 150 feet. This standard is met.

- (2) 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 702-5 to provide appropriate transitions between new buildings and structures on site and existing buildings and structures on abutting sites.
- (A) A 5-foot reduction is permitted to each required setback in Table 702-5 provided that the height of the required fence in Sec. 702.020(b)(2)(B) is increased to eight feet tall.

Finding: The proposed development is located adjacent to RS-zoned properties to the south, and includes two or more stories that require a minimum of one foot for each foot of building height, but in no case less than 20 feet. The applicant's plans show a 35-foot setback abutting the RS-zoned properties to the south, meeting the requirement for one foot for each foot of building height. This standard is met.

- (3) To enhance compatibility between new buildings on site and abutting residential sites, balconies located on building facades that face RA or RS zoned properties, unless separated by a street, shall have fully sight-obscuring railings.

Finding: The proposed development is located adjacent to RS-zoned properties to the south, with balconies facing the RS-zoned properties. The applicant's elevations do not show sight-obscuring railings; therefore, the following conditions applies:

Condition 22: At the time of building permit review, Buildings 2 through 5 shall have fully sight-obscuring railings for the balconies located on the building façades facing the RS zoned properties to the south.

- (4) On sites with 75 feet or more of buildable width, a minimum of 40 percent of the buildable width shall be occupied by building placed at the setback line to enhance visual interest and activity along the street. Accessory structures shall not apply towards meeting the required percentage.

Finding: The development does not meet the buildable width requirement for along the eastern boundary where Rise Street S and Big Mountain Avenue S meet. The applicant has requested a Class 2 adjustment to this standard. Findings for the adjustment are included in Section 7 of this decision.

- (5) To orient buildings to the street, any ground-level unit, cluster of units, interior lobbies, or portions thereof, located within 25 feet of the property line abutting a street shall have a building entrance facing that street, with direct pedestrian access to adjacent sidewalks.

Finding: The buildings located adjacent to Eagle Street S are oriented to the street, with direct pedestrian access to the adjacent sidewalks. The applicant has requested a Class 2 adjustment to this standard for Buildings 6 and 7 along Rise Street S. Findings for the adjustment are included in Section 7 of this decision.

- (6) A porch or architecturally defined entry area shall be provided for each ground level dwelling unit. Shared porches or entry areas shall be provided to not more than four dwelling units. Individual and common entryways shall be articulated with a differentiated roof, awning, stoop, forecourt, arcade, or portico.

Finding: The elevations for Buildings 1 and 10 along Eagle Dance Street indicate that the side of the building with the balconies will be the façade facing the street. The balconies on the second and third floors are directly above the ground-floor unit entrance, where the bottom of the second floor balcony overhangs the entrance of the ground floor unit. Using only balconies above ground floor units make the entrances look like rear patios abutting the street, and does not provide an architecturally defined entry area that presents like the primary entrances.

Condition 23: At the time of building permit review, the applicant shall ensure that all ground floor units abutting Eagle Dance Street S have an architecturally defined entry area that presents as a front porch, articulated with a differentiated roof, awning, stoop, or other distinguishing feature in accordance with SRC 702.020(e)(6).

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

Finding: The applicant's statement indicates that rooftop-mounted mechanical equipment will be screened from ground level.

(8) To reinforce the residential character of the neighborhood, 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 in height. In lieu of providing differences in elevation, a cross gable or dormer that is a minimum of four feet in length may be provided. (See Figure 702-4)

Finding: The building roof heights include differences in elevation of at least 4 feet and do not exceed a horizontal length of 100 feet. This standard is met.

(9) To minimize the appearance of building bulk, each floor of each building's vertical face that is 80 feet in length or longer shall incorporate one or more of the design elements below (see examples in Figure 702-5). Design elements shall vary from other wall surfaces by a minimum of four feet and such changes in plane shall have a minimum width of six feet.

(A) Offsets (recesses and extensions)

(B) Covered deck.

(C) Covered balcony.

(D) Cantilevered balcony, provided at least half of its depth is recessed.

(E) Covered entrance.

Finding: According to the applicant's written statement and proposed building elevation plans, building offsets, covered decks, recessed balconies, and covered entrances will be incorporated into the design for each building in compliance with this standard. However, the plans were revised to include storage units in two buildings north of Eagle Dance Street S, which are greater than 80 feet in length and do not incorporate any design elements to break up the vertical face and minimize the appearance of building bulk. As such, the following condition applies:

Condition 24: At the time of building permit review, each of the storage buildings north of Eagle Dance Street S shall be revised to incorporate at least one design element as set forth in SRC 702.020(e)(9), or obtain approval of a Zoning Adjustment to use an alternative design element to break up the vertical face of the buildings, including but not limited to, alternative siding, faux windows, or gable roofs.

(10) To visually break up the building's vertical mass, the first floor of each building, except for single-story buildings, shall be distinguished from its upper floors by at least one of the following (see examples in Figure 702-6):

- (A) Change in materials.
- (B) Change in color.
- (C) Molding or other horizontally-distinguishing transition piece.

Finding: Changes in material and horizontally-distinguishing transition pieces are included to break up the vertical mass of the residential buildings and distinguish the first level from upper floors. This standard is met.

10. Conclusion

Based upon review of SRC Chapters 220, 225, 250, 804 and 808, the applicable standards of the Salem Revised Code, the findings contained herein, and due consideration of comments received, the application complies with the requirements for an affirmative decision.

IT IS HEREBY ORDERED

Final approval of Class 3 Site Plan Review, Class 2 Adjustment, Class 2 Driveway Approach Permit, and Class 1 Design Review Case No. SPR-ADJ-DAP-DR24-35 is hereby **APPROVED** subject to SRC Chapters 220, 225, 250, and 804, the applicable standards of the Salem Revised Code, conformance with the approved site plan included as **Attachment B**, and the following conditions of approval:

- Condition 1:** At the time of building permit review, the applicant shall provide plans showing Fire Department access, fire hydrant locations, required fire sprinklers, and location of the Fire Department Connection.
- Condition 2:** Prior to the issuance of any building permit for the proposed development, the final plat for the Liberty Road Subdivision (SUB-UGA-ADJ20-05), Phase 2, shall be recorded in accordance with Salem Revised Code 205.035.
- Condition 3:** At the time of building permit review, the applicant shall provide construction details for the trash enclosures indicating conformance with SRC 800.055.
- Condition 4:** At the time of building permit review, the width of the roll-up doors for the storage units shall be reduced in size so that a vehicle, compact or otherwise, cannot fit into the storage space.
- Condition 5:** At the time the Electric Vehicle (EV) charging stations are installed, the applicant shall ensure that the adjacent pedestrian paths still provide the minimum five-foot-width, free of obstructions.
- Condition 6:** At the time of building permit review, the dead-end turnaround areas adjacent to a trash enclosure shall be revised to demonstrate conformance to SRC 806.035(f), with the turnaround area provided in front of the enclosure, and striping of an adjacent parking space that is not designated for ADA access,

or obtain approval of a Zoning Adjustment. Each turnaround area shall be identified by striping and installing no parking signs.

- Condition 7:** Prior to approval of landscape plans for the proposed development, the landscape plan shall be updated to ensure all trees planted to meet the climate mitigation requirements, demonstrating compliance with all tree canopy standards in SRC 806.035(n)(3).
- Condition 8:** Prior to approval of landscape plans for the proposed development, the applicant shall demonstrate coordination with the local electric utility to ensure the compatibility of tree canopy and root systems with planned and existing utility infrastructure.
- Condition 9:** Prior to building permit approval, the applicant shall demonstrate that all bicycle parking provided on site complies with the applicable standards of SRC 806.060.
- Condition 10:** At the time of building permit review, the applicant shall provide an updated, full landscape plan demonstrating how the development site meets Type A or Type C landscaping, where applicable, as well as all multi-family landscaping requirements, by providing a summary table demonstrating conformance with the landscaping requirements of SRC Chapter 807 and SRC 702.020(b).
- Condition 11:** The applicant shall provide an additional six trees on site to meet the tree replanting requirement, which shall be of either a shade or evergreen variety with a minimum 1.5-inch caliper.
- Condition 12:** 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) unless a Design Exception is approved by the City Engineer to deviate from these standards.
- Condition 13:** Pursuant to SUB-UGA-ADJ20-05, the applicant shall construct a minimum 12-inch S-4 water main from the existing S-4 water system in Barbaresco Street S to the subject property.
- Condition 14:** Prior to issuance of the final Certificate of Occupancy for any building proposed within the complex, construct streetscape improvements including landscape strips, property line sidewalks, and ADA curb ramps where required along the frontages of Eagle Dance Street S, Big Mountain Avenue S, and Rise Street S. Improvements shall be constructed in accordance with the Public Works Design Standards.
- Condition 15:** Prior to issuance of a temporary or final Certificate of Occupancy for any building proposed within the complex, the signal at the Liberty Road S and Davis Road S shall be operational.
- Condition 16:** Construct a traffic signal at the intersection of Liberty Road S and Mildred

Lane SE to City of Salem Standards. The signal shall be interconnected via underground fiber-optic cable to the traffic signal at the intersection of Davis Road SE and Liberty Road SE being constructed by the City of Salem. The signal shall be operational prior to issuance of a temporary or final Certificate of Occupancy for any building proposed within the complex.

- Condition 17:** Prior to issuance of the final Certificate of Occupancy, install street trees to the maximum extent feasible along Eagle Dance Street S, Big Mountain Avenue S, and Rise Street S.
- Condition 18:** At the time of building permit review, the applicant shall provide an updated landscape plan demonstrating an increased number of plant units for the area where parking is located in front of the buildings, between Rise Street S and Big Mountain Avenue S, providing a minimum of one plant unit per 16 square feet, with at least 40 percent of the plant units being trees.
- Condition 19:** At the time of building permit review, the applicant shall provide an updated landscape plan demonstrating an increased number of plant units where the buildings cannot be placed at the setback line, between Rise Street S and Buildings 6 and 7, providing a minimum of one plant unit per 16 square feet, with at least 40 percent of the plant units being trees.
- Condition 20:** At the time of building permit review, the applicant shall ensure that all landscaped planter bays meet the minimum nine feet in width, as measured from inside-of-curb to inside-of-curb.
- Condition 21:** At the time of building permit review, the applicant shall remove the parking spaces located adjacent to Building 10 so that no portion of the off-street parking area, not including the driveway, projects beyond the Building 10, as drawn in a straight line across the building façade.
- Condition 22:** At the time of building permit review, Buildings 2 through 5 shall have fully sight-obscuring railings for the balconies located on the building façades facing the RS zoned properties to the south.
- Condition 23:** At the time of building permit review, the applicant shall ensure that all ground floor units abutting Eagle Dance Street S have an architecturally defined entry area that presents as a front porch, articulated with a differentiated roof, awning, stoop, or other distinguishing feature in accordance with SRC 702.020(e)(6).
- Condition 24:** At the time of building permit review, each of the storage buildings north of Eagle Dance Street S shall be revised to incorporate at least one design element as set forth in SRC 702.020(e)(9), or obtain approval of a Zoning Adjustment to use an alternative design element to break up the vertical face of the buildings, including but not limited to, alternative siding, faux windows, or gable roofs.



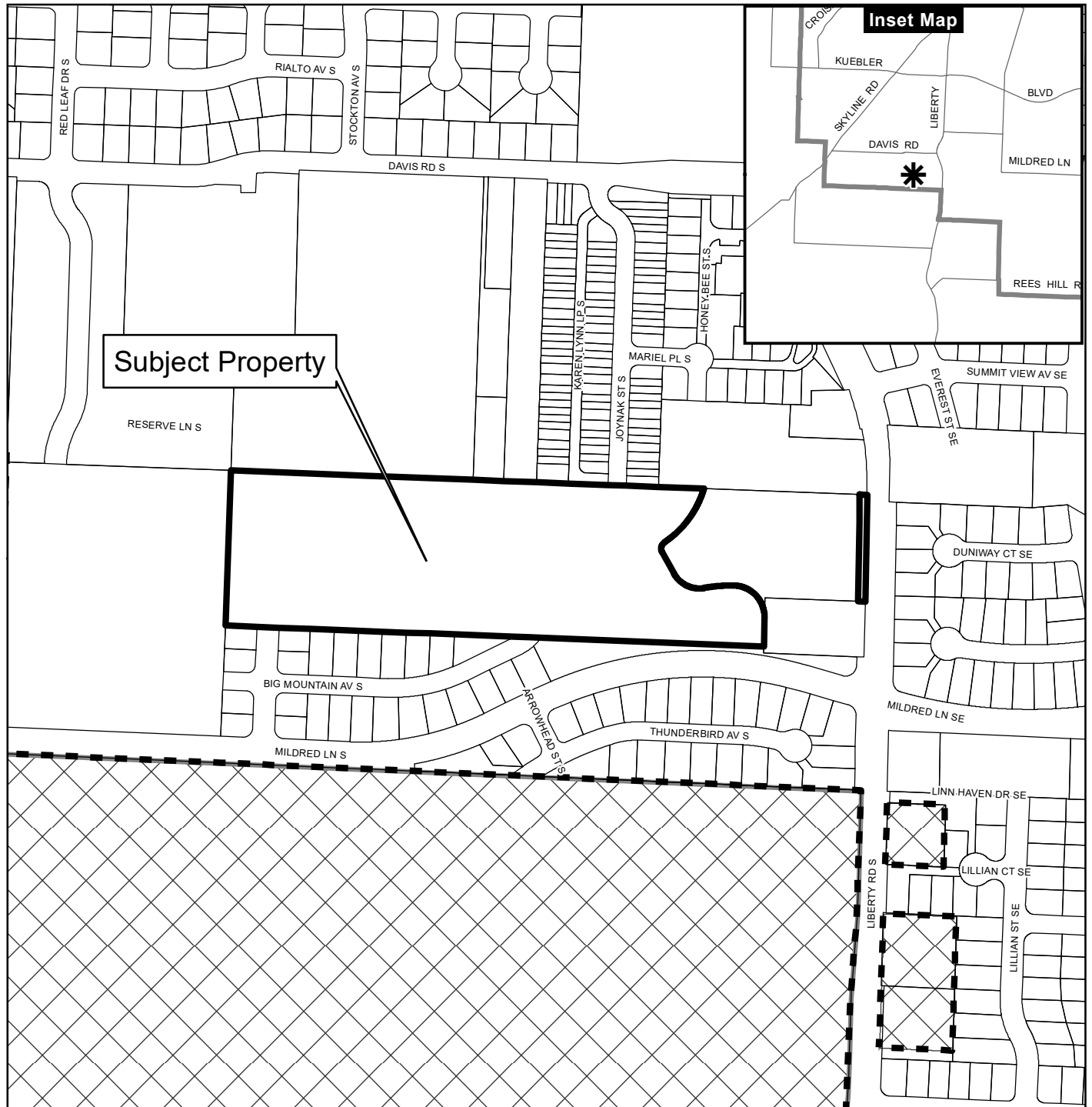
Jamie Donaldson, Planner III, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

Attachments: A. Vicinity Map
 B. Proposed Development Plans and Elevations
 C. Development Services Infrastructure Memo
 D. Salem-Keizer School District Comments

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Docs\SPR-ADJ-DAP-DR24-35.jld.docx

Vicinity Map

5871 Liberty Road S



Legend

Taxlots

Urban Growth Boundary

City Limits

Outside Salem City Limits

Historic District

Schools

Parks

CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

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0 100 200 400 Feet



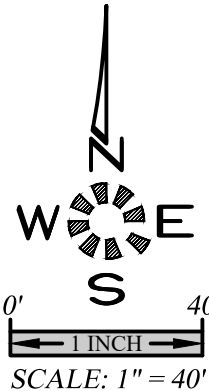
LIBERTY ROAD APARTMENTS WEST

SEC. 16, T. 8 S., R. 3 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON

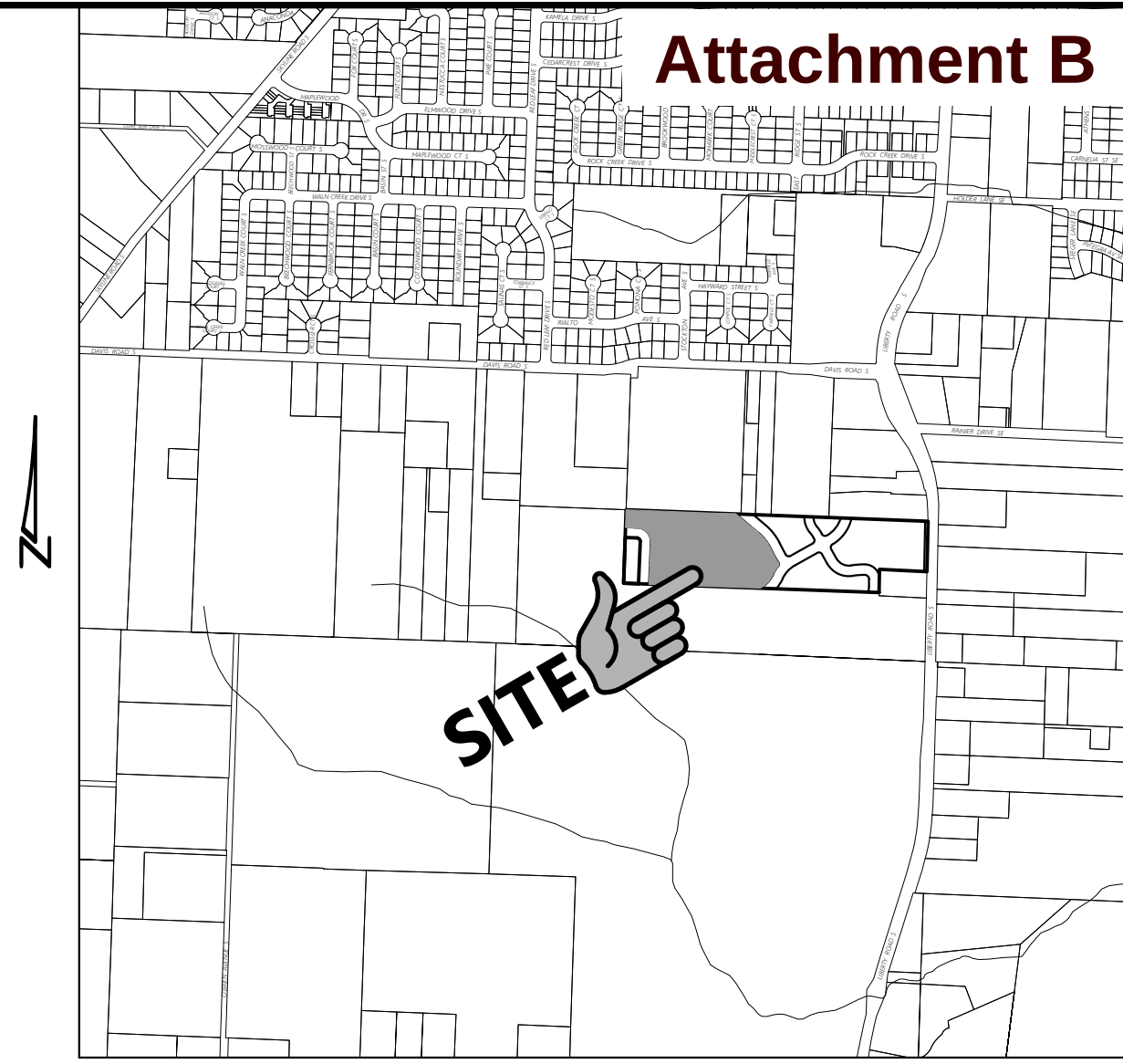
Owner / Developer:

HARRISON INDUSTRIES, L.L.C.

S10355 Liberty Road S.
SALEM, OREGON 97306



Attachment B



COVER SHEET

LIBERTY ROAD APARTMENTS
WEST

NO CHANGES, MODIFICATIONS
OR REPRODUCTIONS TO BE
MADE TO THESE DRAWINGS
WITHOUT WRITTEN
AUTHORIZATION FROM THE
DESIGN ENGINEER.
DIMENSIONS & NOTES TAKE
PRECEDENCE OVER
GRAPHICAL REPRESENTATION.

Design: M.D.G.
Drawn: P.H.S. & M.K.D.
Checked: M.D.G.
Date: JULY 14, 1978
Scale: AS SHOWN



JOB # 7586

SDR1

SHEET INDEX

- SDR1 COVER SHEET
SDR2 EXISTING CONDITIONS PLAN
SDR3 SITE PLAN
SDR4 OPEN SPACE PLAN
SDR5 GRADING PLAN
SDR6 PRIVATE STORM DRAIN PLAN
SDR7 PRIVATE SANITARY SEWER PLAN
SDR8 PRIVATE DOMESTIC WATER PLAN
SDR9 PRIVATE FIRE SERVICE PLAN

- L1.1 SCHEMATIC LANDSCAPE PLAN
L1.2 SCHEMATIC LANDSCAPE PLAN
L1.3 SCHEMATIC LANDSCAPE PLAN
L1.4 SCHEMATIC LANDSCAPE PLAN

ABBREVIATIONS

A.C.	ASPHALTIC CONCRETE	L.P.	LIGHT POLE
A.C.M.P.	ALUMINIZED CMP	M.	METER, MAIN
ASSY.	ASSEMBLY	M.H.	MANHOLE
B.O.	BLOW OFF	MTL	METAL
B.F.V.	BUTTERFLY VALVE	O.H.	OVERHEAD
C & G	CURB & GUTTER	PC	POINT OF CURVE
CATV	CABLE TELEVISION	PCC	POINT OF CONTINUING CURVE
C.B.	CATCH BASIN	PED.	PEDESTAL
C.B.C.O.	CATCH BASIN CLEANOUT	PRC	POINT OF REVERSE CURVE
C.B.I.	CATCH BASIN INLET	PROP.	PROPOSED
C.L.	CENTERLINE	PT	POINT OF TANGENCY
CMP	CORRUGATED METAL PIPE	PUB.	PUBLIC
C.O.	CLEANOUT	PUE	PUBLIC UTILITY EASMT.
CONC.	CONCRETE	PVC	POLYVINYL CHLORIDE
CONST.	CONSTRUCT	PVT.	PRIVATE
D.I.	DUCTILE IRON	P.P.	POWER POLE
DIA.	DIAMETER	P.L.	PROPERTY LINE
DWG.	DRAWING	R	RADIUS
EASMT.	EASEMENT	R-	RIM
E.G.	EXIST. GRADE / GROUND	RD	ROOF DRAIN
EOP, E.P.	EDGE OF PAVEMENT	R.O.W.	RIGHT-OF-WAY
ELEC.	ELECTRIC	SAN.S. or S.S.	SANITARY SEWER
ELEV. or EL.	ELEVATION	S	SLOPE
EX. or EXIST.	EXISTING	STA.	STATION
FT.	FEET	STD.	STANDARD
F.F.	FINISH FLOOR	STL	STEEL
F.G.	FINISH GRADE	STM DRN. or S.D.	STORM DRAIN
F.H.	FIRE HYDRANT	SVC.	SERVICE
F.M.	FORCE MAIN	SW	SIDEWALK
GUT. or GTR.	GUTTER	T.C.	TOP OF CURB
G.V.	GATE VALVE	TEL.	TELEPHONE
IMP.	IMPROVEMENT	TYP.	TYPICAL
INST.	INSERT	U.G.	UNDERGROUND
INV. or I-	INVERT	VLT.	VAULT
L	LENGTH, LINE	W.M.	WATER MAIN

SYMBOLS

EXIST. PROP.	EXIST. PROP.	EXIST. PROP.	EXIST. PROP.
⊖	⊖ BLOW OFF ASSY.	⊖	⊖ MANHOLE SAN. SEWER
⊖	⊖ CATCH BASIN	⊖	⊖ MANHOLE STORM DRAIN
⊖	⊖ CATCH BASIN CLEANOUT	⊖	⊖ 2' DIA. C.O. / M.H.
⊖	⊖ CATCH BASIN INLET	⊖	⊖ MANHOLE TELEPHONE
⊖	⊖ CATV PED. / BOX	⊖	⊖ MANHOLE WATER
⊖	⊖ CLEANOUT	⊖	⊖ REDUCER / INCREASER
⊖	⊖ ELEC. PED. / BOX	⊖	⊖ TEL. PED. / BOX
⊖	⊖ FIRE HYDRANT	⊖	⊖ TRAFFIC PED. / BOX
⊖	⊖ GAS LOCATION MARKER	⊖	⊖ UTILITY / POWER POLE
⊖	⊖ GAS VALVE	⊖	⊖ WATER METER
⊖	⊖ MAIL BOX	⊖	⊖ WATER VALVE
---	--- CABLE TELEVISION	---	--- SANITARY SEWER EXIST.
---	--- CENTERLINE	---	--- SANITARY SEWER PROP.
---	--- DITCH C.L.	---	--- STORM DRAIN EXIST.
---	--- ELECTRICAL LINE	---	--- STORM DRAIN PROP.
---	--- GAS MAIN	---	--- WATER MAIN EXIST.
---	--- TELEPHONE LINE	---	--- WATER MAIN PROP.

T.B.M. 626.08

EXISTING SANITARY SEWER MANHOLE RIM IN THE
INTERSECTION OF EAGLE DANCE ST. S. & BIG MOUNTAIN AV.
BASED ON SURVEY CONTROL 8207 - ALUMINUM DISC AT
THE NE CORNER OF LIBERTY RD SE AND KUEBLER BLVD. SE,
8.3' N OF M.H., 12.2' SW OF SIGNAL POLE.
(DATUM NGVD 1929)



★★ THE INDICATED LOWER FLOOR UNITS IN BUILDINGS 2,6 & 8 ARE TO BE TYPE A UNITS IN ACCORDANCE WITH THE 2022 OSSC SEC. T107.6.2.1.1 (NOTED ON FLOOR PLANS). ALL OTHER LOWER FLOOR UNITS TO BE TYPE B UNITS IN ACCORDANCE WITH THE 2022 OSSC SEC. T107.6.2.1.2

- Ⓟ - POLE LIGHT MAXIMUM 14' TALL
- Ⓢ - POST LIGHT MAXIMUM 5' TALL
- ▢ - WALL PACK MOUNTED ON BUILDING
- ▨ - LOCATION OF ELECTRICAL SEPARATION WALL
- ① - MAXIMUM 1:12 SLOPE ON SIDEWALK END RAMPS
- ▢▢ - 6 BICYCLE SPACES
- ▢ - 4 BICYCLE SPACES

135 TOTAL APARTMENT UNITS
30 TYPE "A" 2-Bd, 1-Ba 903 (S.F.) UNITS
27 TYPE "B" 2-Bd, 2-Ba 1,005 (S.F.) UNITS
42 TYPE "C" 2-Bd, 2-Ba 1,139 (S.F.) UNITS
18 TYPE "D" 3-Bd, 2-Ba 1,123 (S.F.) UNITS
18 TYPE "E" 1-Bd, 1-Ba 728 (S.F.) UNITS
7 9'x10' STORAGE UNITS
5 10'x10' STORAGE UNITS

235 TOTAL PARKING STALLS
179 STANDARD STALLS
46 COMPACT STALLS
10 HANDICAP STALLS
2 12'x20' LOADING ZONES
25 STORAGE UNITS
150 BICYCLE SPACES IN 25 RACKS
1 CLUBHOUSE / MANAGER'S OFFICE
1 PICKLEBALL COURT
1 30'x30' TOT LOT
4 TRASH / RECYCLE
1 PLAY AREA
1 U.S. MAIL BOX AREA
EVC - ELECTRIC VEHICLE PARKING:
94 TOTAL PARKING STALLS (40%)
60 STANDARD STALLS
32 COMPACT STALLS
2 HANDICAP STALLS

ADA HANDICAP ACCESSIBILITY NOTES:

- ALL ON-SITE WALKWAYS, PEDESTRIAN CONNECTIONS TO THE PUBLIC SIDEWALK AND ROUTES TO BUILDING ENTRANCES ARE ACCESSIBLE WITH RUNNING SLOPES LESS THAN 5% AND CROSS SLOPE LESS THAN 2% MAX. LANDINGS AT BOTTOM OF STAIRS AND EXT. FACE OF ENTRANCE DOORS SHALL HAVE A SLOPE IN THE DIRECTION OF TRAVEL NOT TO EXCEED 2%.
- HANDICAP PARKING STALLS AND ACCESS AISLES ARE TO HAVE SLOPES IN ANY DIRECTION OF LESS THAN 2% MAX. GRAPHIC MARKINGS & SIGNAGE FOR HANDICAP AND VAN ACCESSIBLE STALLS WILL BE PER OSSC 2010 CHPTR. 11 AND ORS. REQUIREMENTS.
- HANDICAP ACCESSIBLE CURB RAMPS SHALL HAVE A RUNNING SLOPE NOT TO EXCEED 1:12 MAX. AND A CROSS SLOPE NOT TO EXCEED 1%.
- THE COMMUNITY BUILDING & ON-SITE LAUNDRY FACILITIES WILL BE FULLY HANDICAP ACCESSIBLE IN ACCORDANCE WITH ANSI A117.1 AND CHAPTER 11 OF THE 2010 OSSC.
- 2% OF THE LIVING UNITS OR (3) UNITS WILL BE TYPE 'A' HANDICAP ACCESSIBLE. THESE INCLUDE A 1, 2 AND 3 BEDROOM UNIT AS INDICATED ON THIS SITE PLAN. THE BALANCE OF THE GROUND FLOOR UNITS WILL BE TYPE 'B' ADAPTABLE UNITS IN ACCORDANCE WITH ANSI A117.1.

SITE PLAN ALTERNATE #1

LIBERTY ROAD APARTMENTS WEST

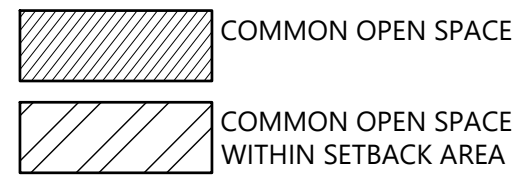
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Design: M.D.G.
Drawn: P.H.S. & M.K.D.
Checked: M.D.G.
Date: 06-30-2025
Scale: AS SHOWN

REGISTERED PROFESSIONAL ENGINEER
MARK D. GIBSON
EXPIRES 06-30-2025

JOB # 7586

SDR3

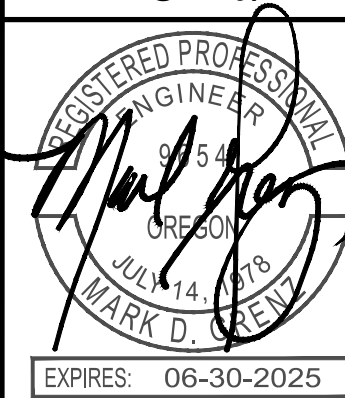


SITE AREAS	
BOUNDARY	291,276 S.F.
TOTAL SITE	291,276 S.F.
R.O.W. DEDICATION	0 S.F.
NET DEVELOPABLE	291,276 S.F.

SITE AREA	291,276 S.F. (100%)
COMMON OPEN SPACE (TOTAL)	141,023 S.F. (48%)
COMMON OPEN SPACE WITHIN SETBACKS	31,959 S.F.
PRIVATE SPACE (GROUND FLOOR PATIOS)	4,011 S.F.
LANDSCAPE (TOTAL)	105,895 S.F. (36%)
PARKING LOT LANDSCAPING	6,049 S.F.
BUILDING FOOTPRINT	49,683 S.F. (17%)
REC. BUILDING	2,646 S.F.
REC. AREA 1	1,341 S.F.
REC. AREA 2	3,354 S.F.

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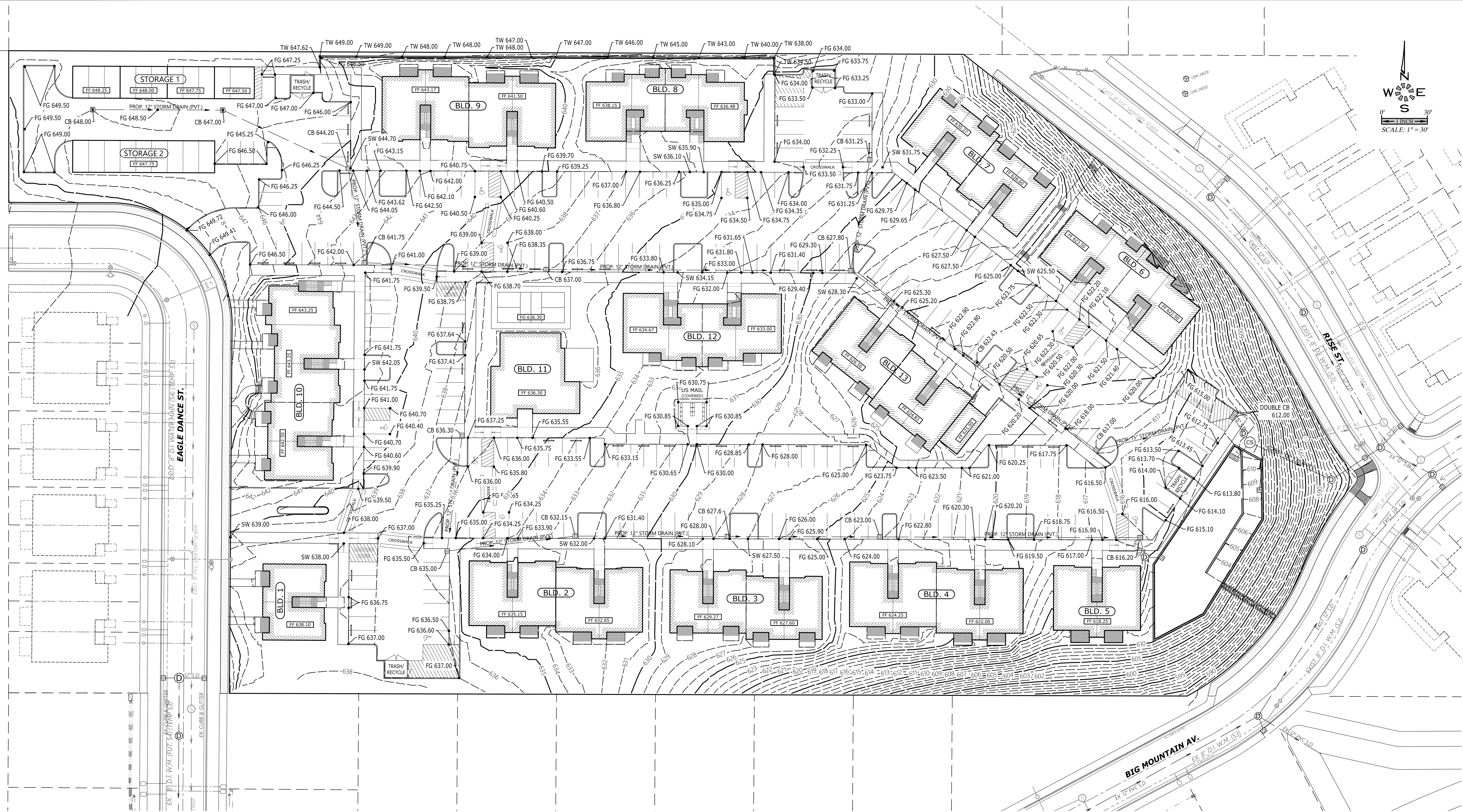
JOB # 7586

SDR4

MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH: (503) 363 - 9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

LIBERTY ROAD APARTMENTS WEST OPEN SPACE PLAN

J:\150\1501-LibertyRoadWest\Draw\4217586.dwg, 5/28/2015, 10:11:02 AM, E26161.AAC, C:\



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ENGINEERING SERVICES, INC.
1155 13th St., S.E. Salem, OR. 97302
PH. (503) 383-9227 FAX (503) 384-1280
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GRADING PLAN

LIBERTY ROAD APARTMENTS
WEST

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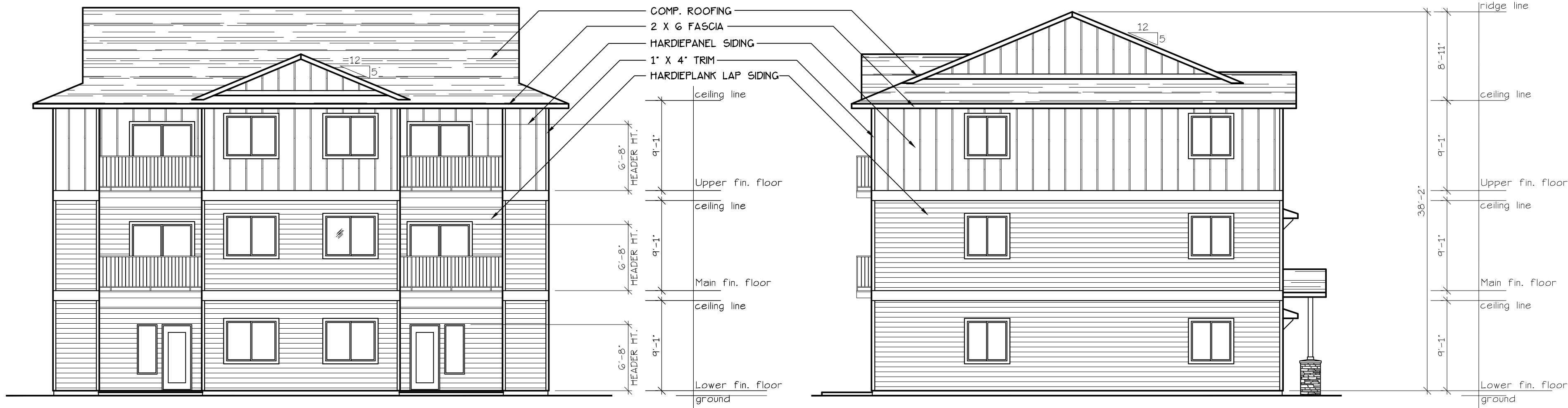
Design: M.D.G.
Drawn: P.H.S. & M.K.D.
Checked: M.D.G.
Date: 5/28/2015
Scale: AS SHOWN

REGISTERED PROFESSIONAL
ENGINEER
P.H.S. & M.K.D.
JULY 14, 1978
MAINE D. 00346

EXPIRES: 06-30-2025

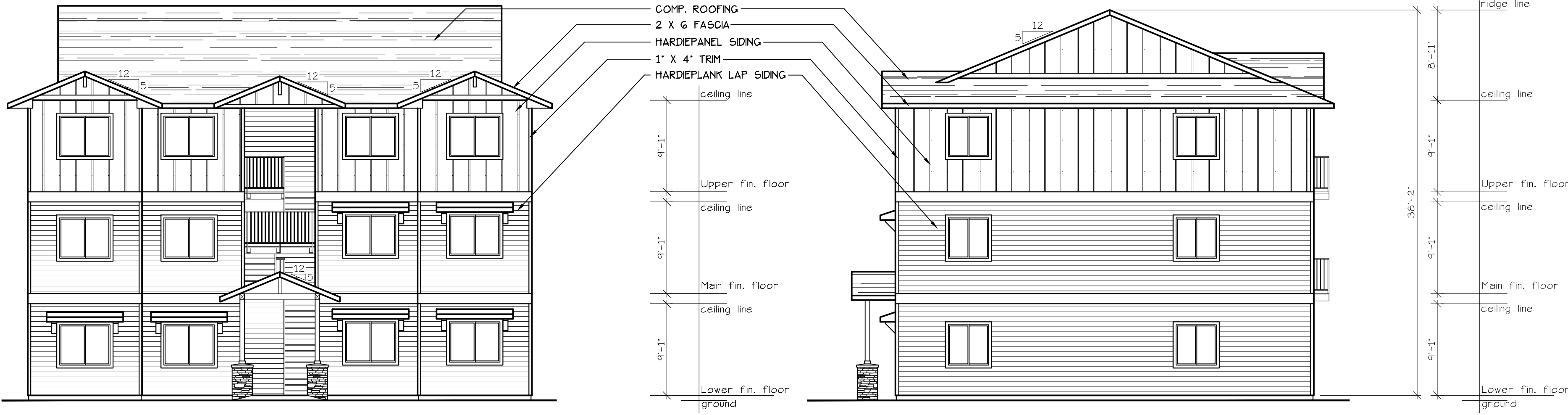
JOB # 7586

SDR5



WEST ELEVATION (TYPE A UNITS)
SCALE: 1/8" = 1'-0"
BLD. 1

SOUTH ELEVATION (TYPE A UNITS)
SCALE: 1/8" = 1'-0"
BLD. 1



EAST ELEVATION (TYPE A UNITS)
SCALE: 1/8" = 1'-0"
BLD. 1

NORTH ELEVATION (TYPE A UNITS)
SCALE: 1/8" = 1'-0"
BLD. 1



SOUTH ELEVATION (TYPE C UNITS)
SCALE: 1/8" = 1'-0"
BLD. 2

COMP. ROOFING
2 X 6 FASCIA
HARDIEPANEL SIDING
1" X 4" TRIM
HARDIEPLANK LAP SIDING

ceiling line
Upper fin. floor
ceiling line
Main fin. floor
ceiling line
Lower fin. floor
ground



EAST ELEVATION (TYPE C UNITS)
SCALE: 1/8" = 1'-0"
BLD. 2

ridge line
ceiling line
Upper fin. floor
ceiling line
Main fin. floor
ceiling line
Lower fin. floor
ground



NORTH ELEVATION (TYPE C UNITS)
SCALE: 1/8" = 1'-0"
BLD. 2

COMP. ROOFING
2 X 6 FASCIA
HARDIEPANEL SIDING
1" X 4" TRIM
HARDIEPLANK LAP SIDING

ceiling line
Upper fin. floor
ceiling line
Main fin. floor
ceiling line
Lower fin. floor
ground



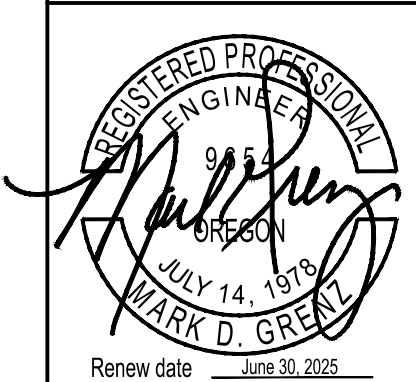
WEST ELEVATION (TYPE C UNITS)
SCALE: 1/8" = 1'-0"
BLD. 2

ridge line
ceiling line
Upper fin. floor
ceiling line
Main fin. floor
ceiling line
Lower fin. floor
ground

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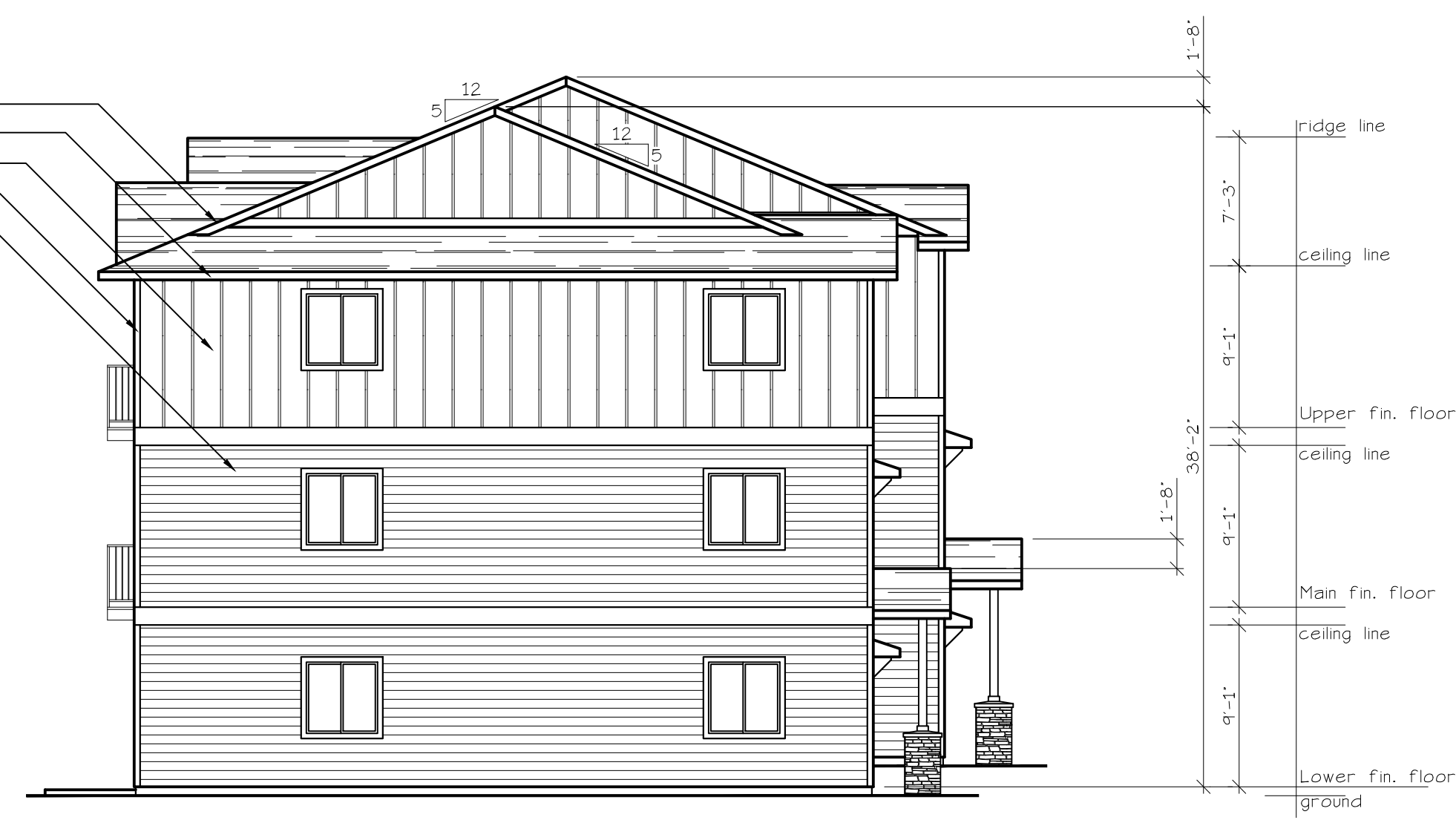
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Drawn: G.I.D.
Checked: M.D.G.
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Scale: AS SHOWN

JOB # 7586





SOUTH ELEVATION (TYPE A UNITS)
SCALE: 1/8" = 1'-0"
BLD. 3



EAST ELEVATION (TYPE A UNITS)
SCALE: 1/8" = 1'-0"
BLD. 3



NORTH ELEVATION (TYPE A UNITS)
SCALE: 1/8" = 1'-0"
BLD. 3



WEST ELEVATION (TYPE A UNITS)
SCALE: 1/8" = 1'-0"
BLD. 3



SOUTH ELEVATION (TYPE C UNITS)
SCALE: 1/8" = 1'-0"
BLD. 4

COMP. ROOFING
2 X 6 FASCIA
HARDIPANEL SIDING
1" X 4" TRIM
HARDIEPLANK LAP SIDING

ceiling line
Upper fin. floor
ceiling line
Main fin. floor
ceiling line
Lower fin. floor
ground



EAST ELEVATION (TYPE C UNITS)
SCALE: 1/8" = 1'-0"
BLD. 4

ridge line
ceiling line
Upper fin. floor
ceiling line
Main fin. floor
ceiling line
Lower fin. floor
ground



NORTH ELEVATION (TYPE C UNITS)
SCALE: 1/8" = 1'-0"
BLD. 4

COMP. ROOFING
2 X 6 FASCIA
HARDIPANEL SIDING
1" X 4" TRIM
HARDIEPLANK LAP SIDING

ceiling line
Upper fin. floor
ceiling line
Main fin. floor
ceiling line
Lower fin. floor
ground



WEST ELEVATION (TYPE C UNITS)
SCALE: 1/8" = 1'-0"
BLD. 4

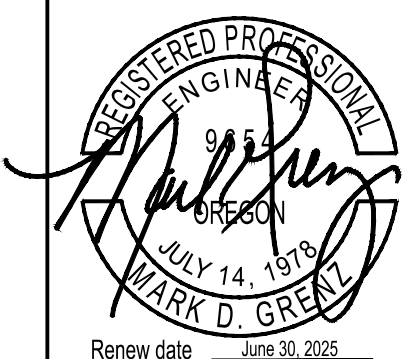
ridge line
ceiling line
Upper fin. floor
ceiling line
Main fin. floor
ceiling line
Lower fin. floor
ground

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BLD4C-12-2506-PR-001
A4.80/ELEV

Design:	P.L.M.
Drawn:	G.I.D.
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Date:	Oct-23
Scale:	AS SHOWN

JOB # 7586





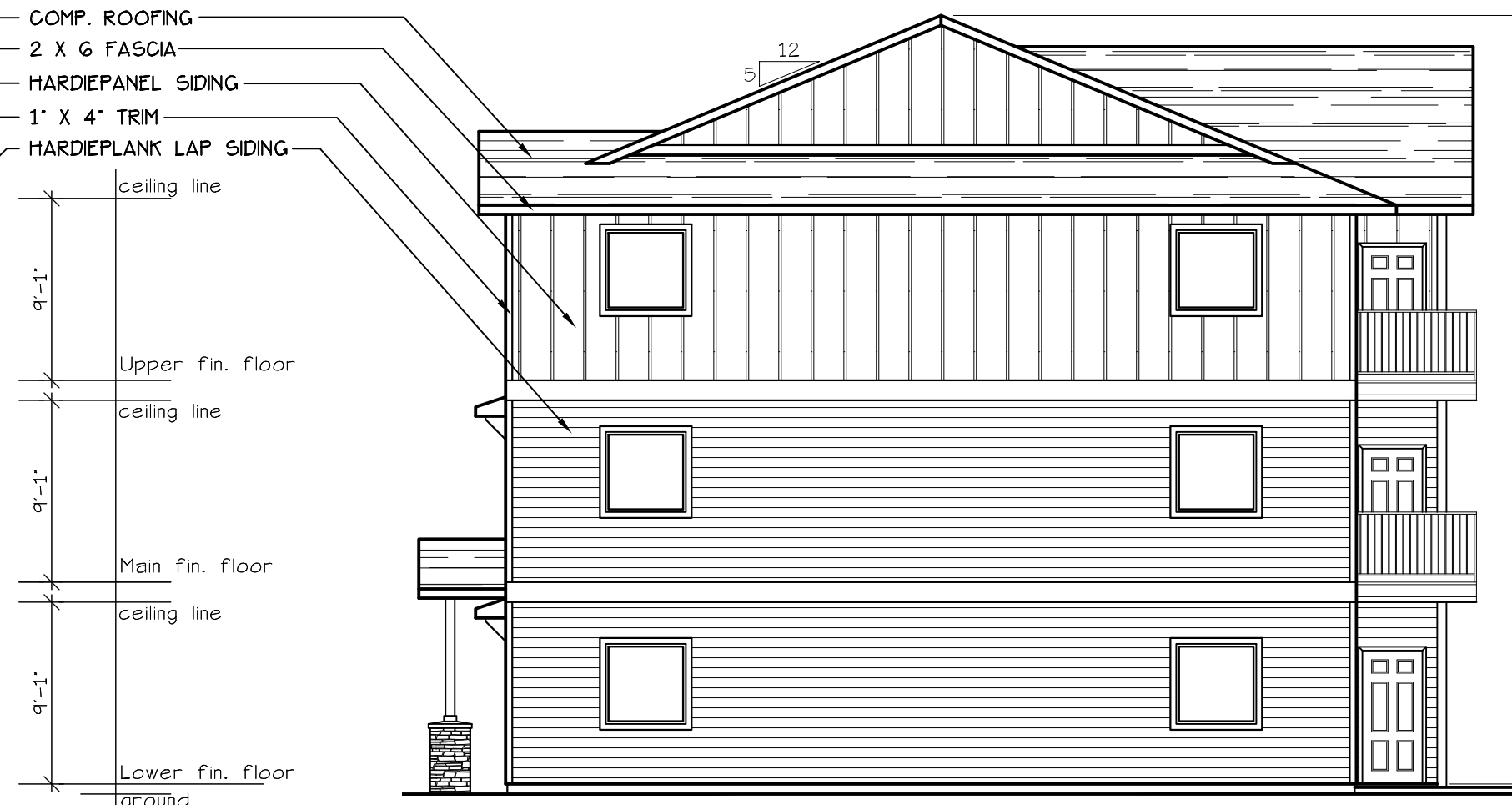
SOUTH ELEVATION (TYPE C UNITS)
SCALE: 1/8" = 1'-0"
BLD. 5



EAST ELEVATION (TYPE C UNITS)
SCALE: 1/8" = 1'-0"
BLD. 5



NORTH ELEVATION (TYPE C UNITS)
SCALE: 1/8" = 1'-0"
BLD. 5

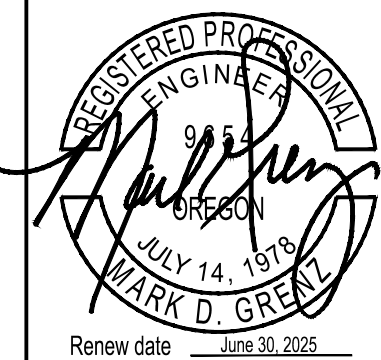


WEST ELEVATION (TYPE C UNITS)
SCALE: 1/8" = 1'-0"
BLD. 5

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DRAWN: G.L.D.
CHECKED: M.D.G.
DATE: Oct-23
SCALE: AS SHOWN

JOB # 7586





NORTHEAST ELEVATION (BLD. 6)
SCALE: 1/8" = 1'-0"



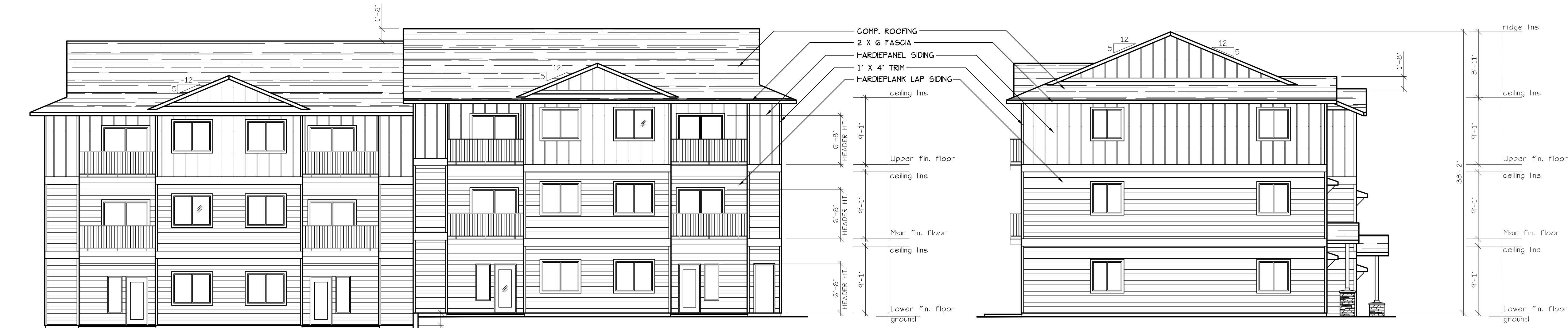
NORTHWEST ELEVATION (TYPE D UNITS)
SCALE: 1/8" = 1'-0"
(BLD. 6)



SOUTHWEST ELEVATION (BLD. 6)
SCALE: 1/8" = 1'-0"

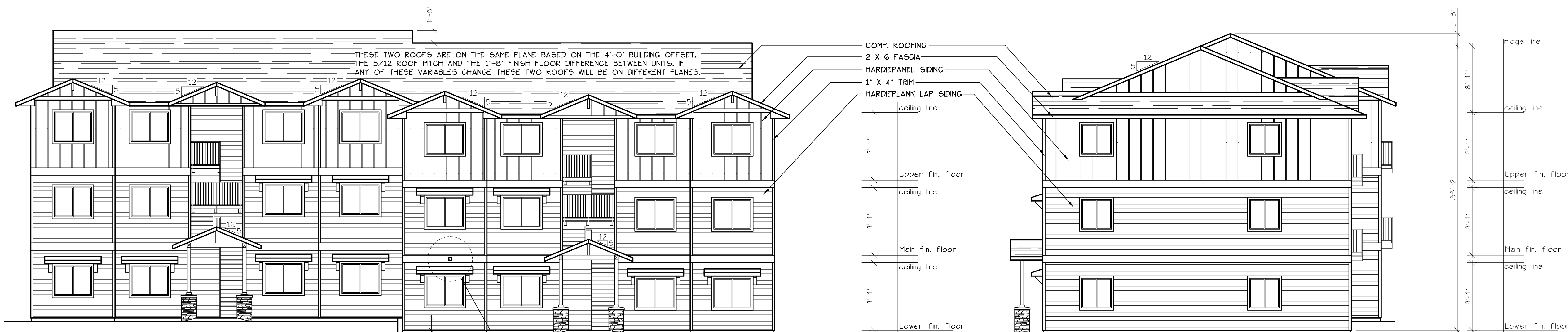


SOUTHEAST ELEVATION (TYPE D UNITS)
SCALE: 1/8" = 1'-0"
(BLD. 6)



NORTHEAST ELEVATION (TYPE A UNITS)
SCALE: 1/8" = 1'-0"
BLD. 7

NORTHWEST ELEVATION (TYPE A UNITS)
SCALE: 1/8" = 1'-0"
BLD. 7



SOUTHWEST ELEVATION (TYPE A UNITS)
SCALE: 1/8" = 1'-0"
BLD. 7

SOUTHEAST ELEVATION (TYPE A UNITS)
SCALE: 1/8" = 1'-0"
BLD. 7



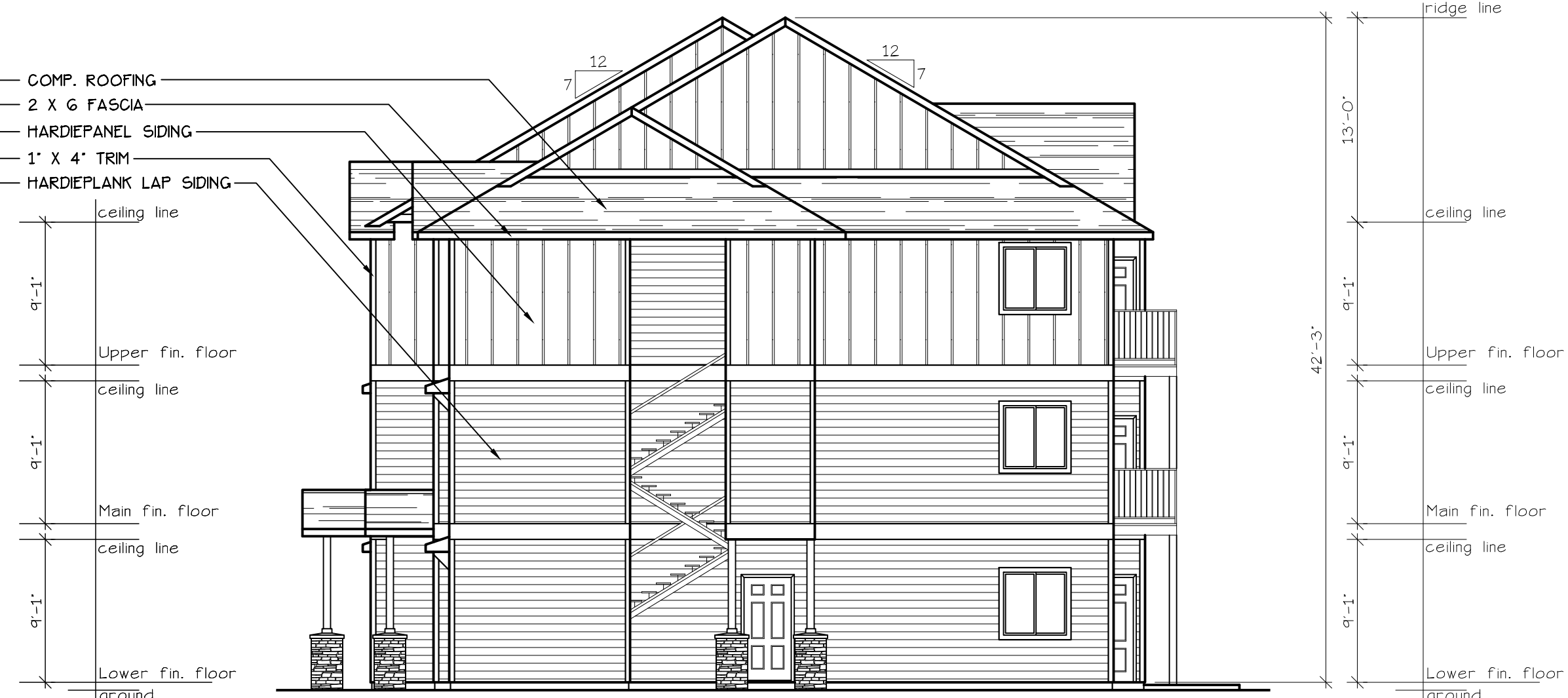
WEST ELEVATION (TYPE B UNITS)
SCALE: 1/8" = 1'-0"
BLD. 10



SOUTH ELEVATION (TYPE B UNITS)
SCALE: 1/8" = 1'-0"
BLD. 10



EAST ELEVATION (TYPE B UNITS)
SCALE: 1/8" = 1'-0"
BLD. 10



NORTH ELEVATION (TYPE B UNITS)
SCALE: 1/8" = 1'-0"
BLD. 10



SOUTHWEST ELEVATION (TYPE B UNITS)
SCALE: 1/8" = 1'-0"
BLD. 13

COMP. ROOFING
2 X 6 FASCIA
HARDIEPANEL SIDING
1" X 4" TRIM
HARDIEPLANK LAP SIDING

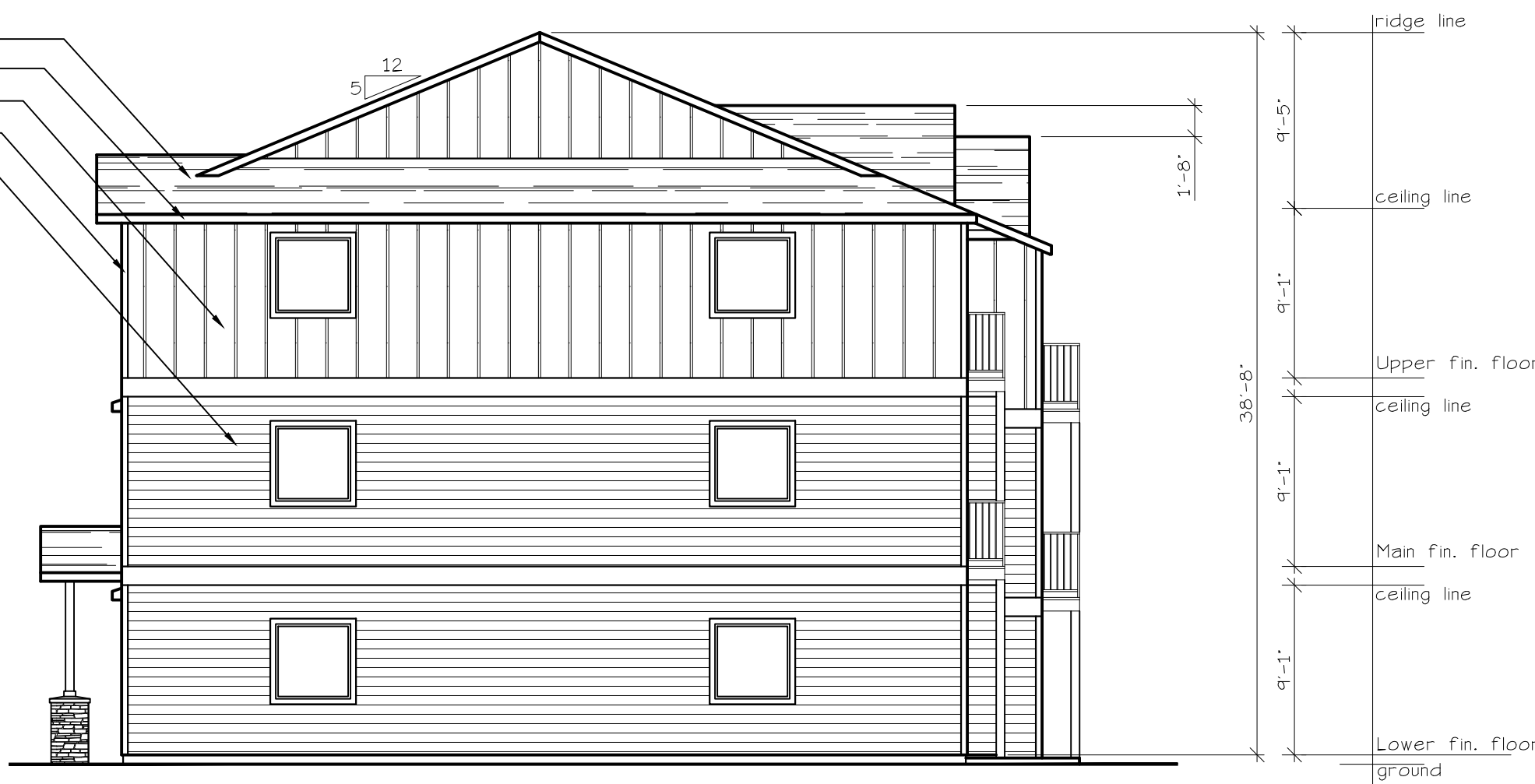


SOUTHEAST ELEVATION (TYPE B UNITS)
SCALE: 1/8" = 1'-0"
BLD. 13

COMP. ROOFING
2 X 6 FASCIA
HARDIEPANEL SIDING
1" X 4" TRIM
HARDIEPLANK LAP SIDING



NORTHEAST ELEVATION (TYPE B UNITS)
SCALE: 1/8" = 1'-0"
BLD. 13

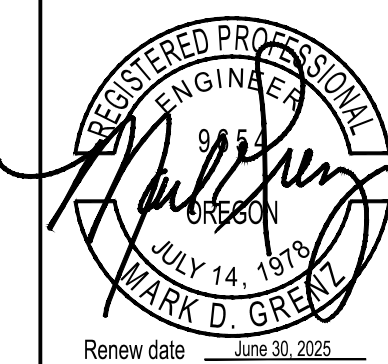


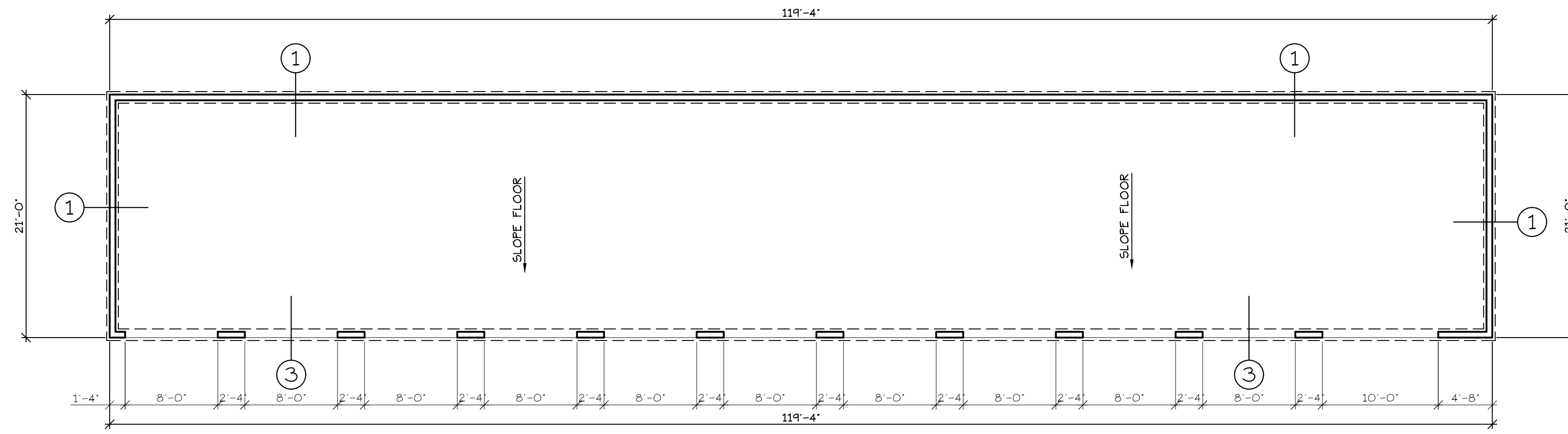
NORTHWEST ELEVATION (TYPE B UNITS)
SCALE: 1/8" = 1'-0"
BLD. 13

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Checked: M.D.G.
Date: Jul-24
Scale: AS SHOWN

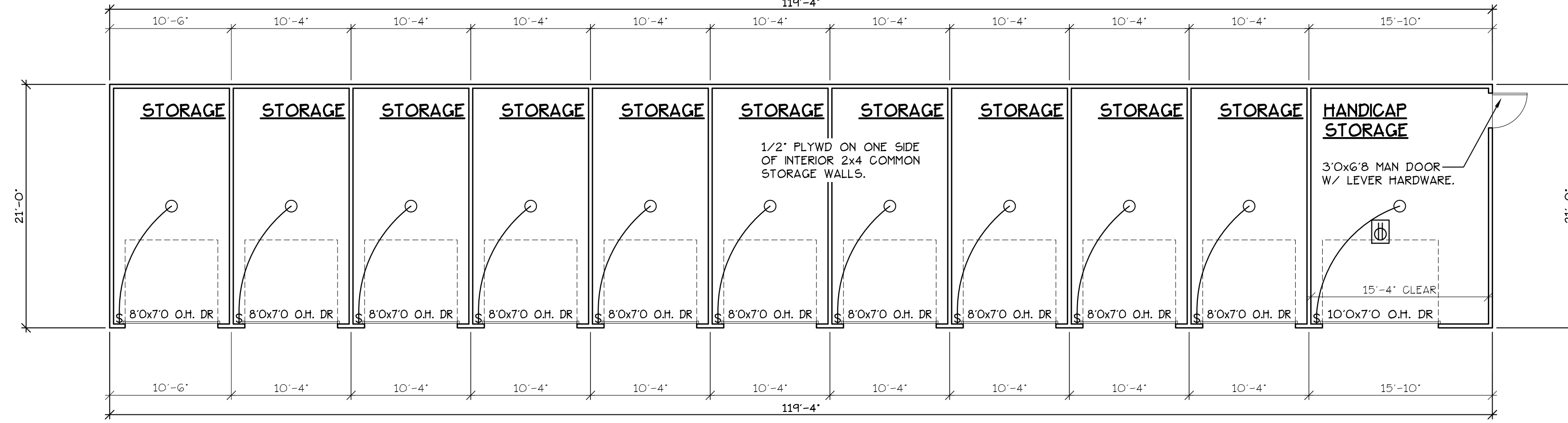
JOB # 7586





FOUNDATION PLAN
SCALE: 1/8" = 1'-0"

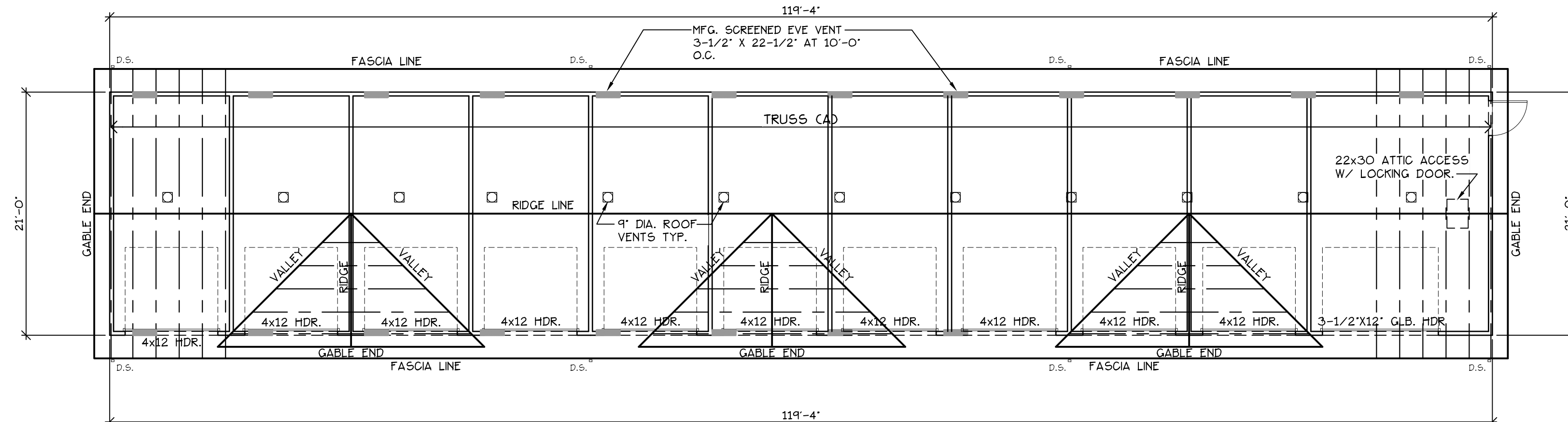
STORAGE 1 (11 STORAGE)



FLOOR PLAN
SCALE: 1/8" = 1'-0"

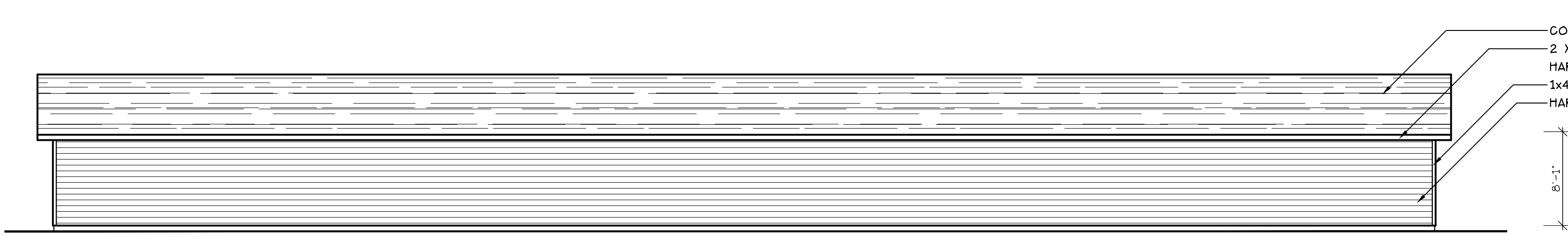
STORAGE 1 (11 STORAGE)

NOTE: ALL WALLS TO BE FRAMED WITH 2x4 STUDS, UNLESS NOTED OTHERWISE.



ROOF + TRUSS PLAN
SCALE: 1/8" = 1'-0"

STORAGE 1 (11 STORAGE)



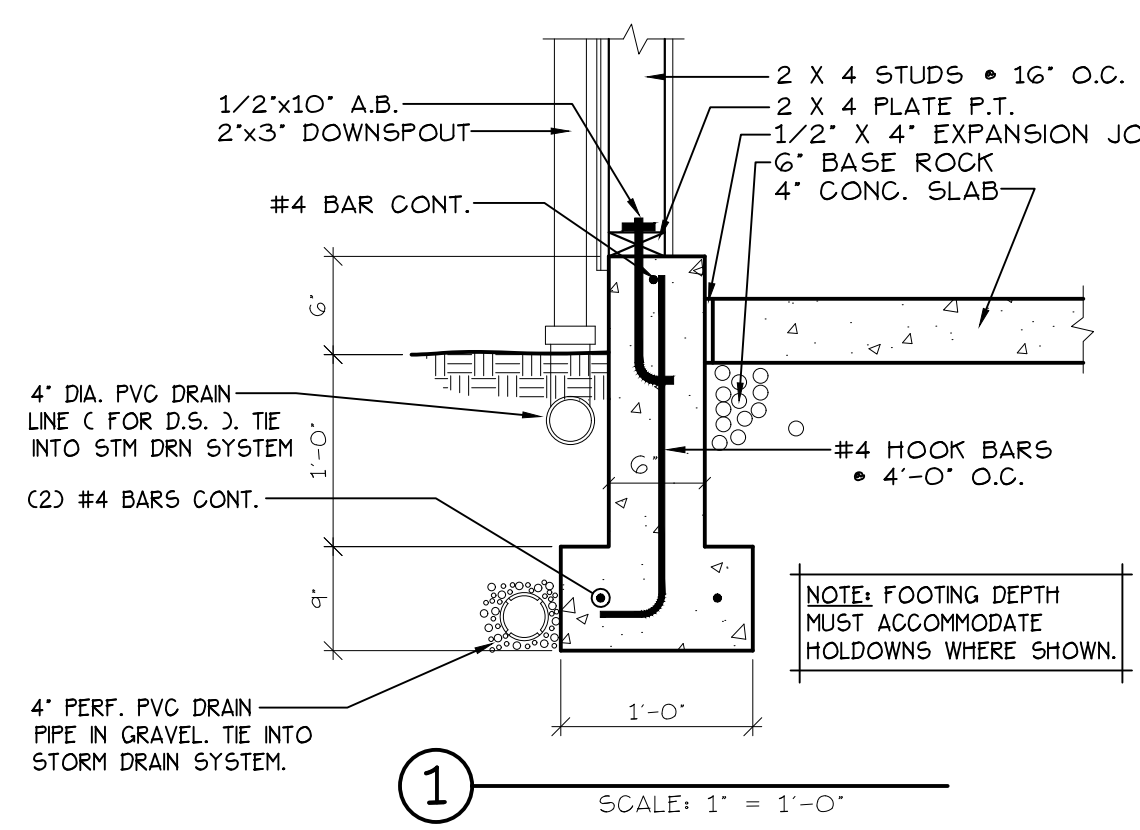
NORTH ELEVATION
SCALE: 1/8" = 1'-0"

STORAGE 1 (11 STORAGE)

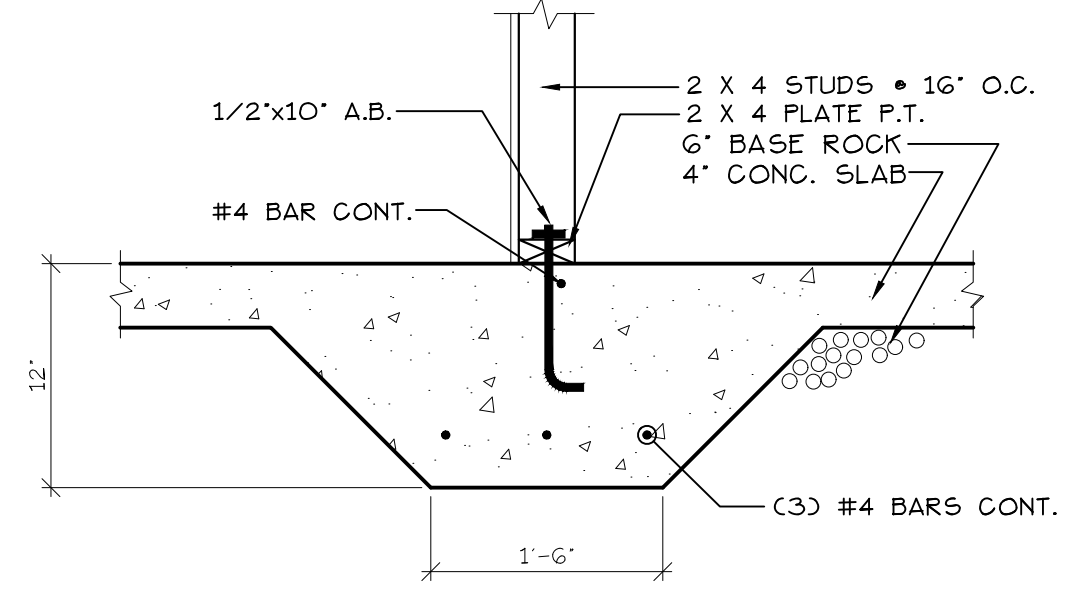


SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

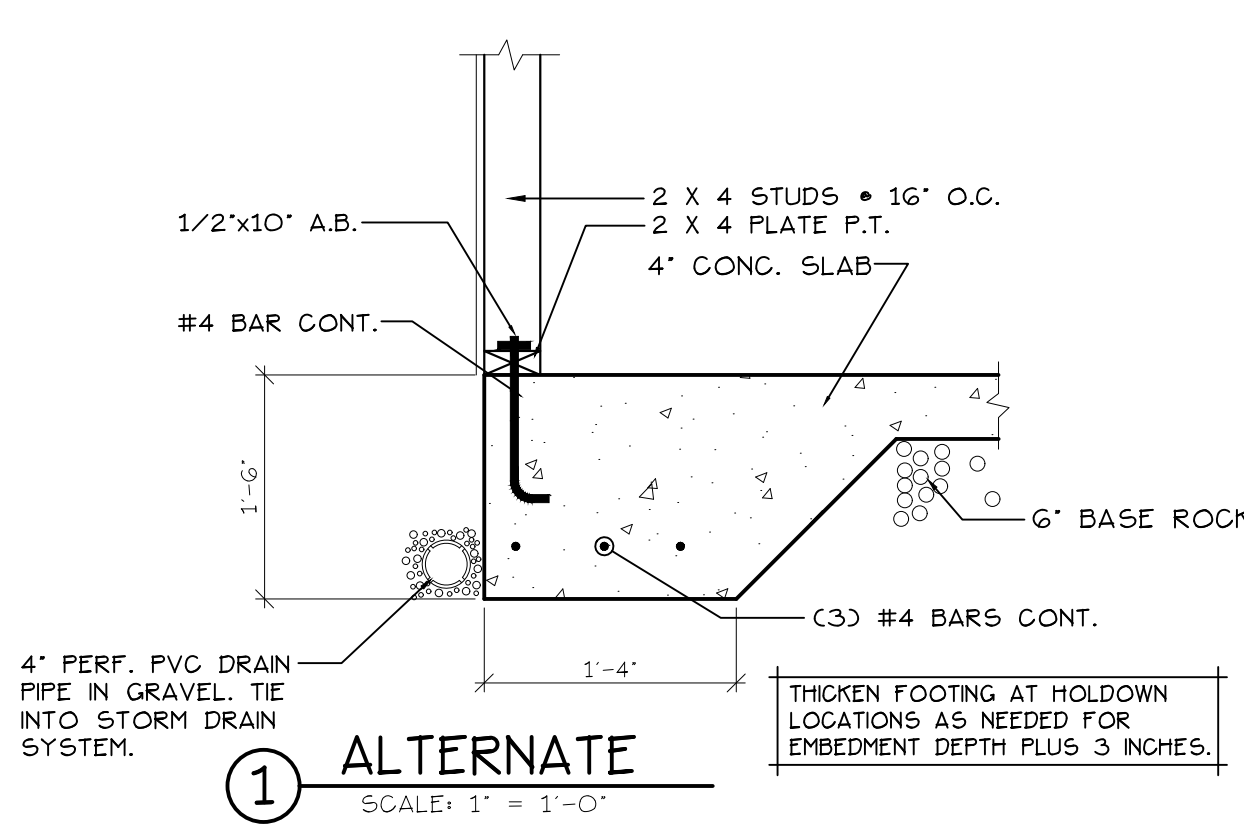
STORAGE 1 (11 STORAGE)



1 SCALE: 1" = 1'-0"

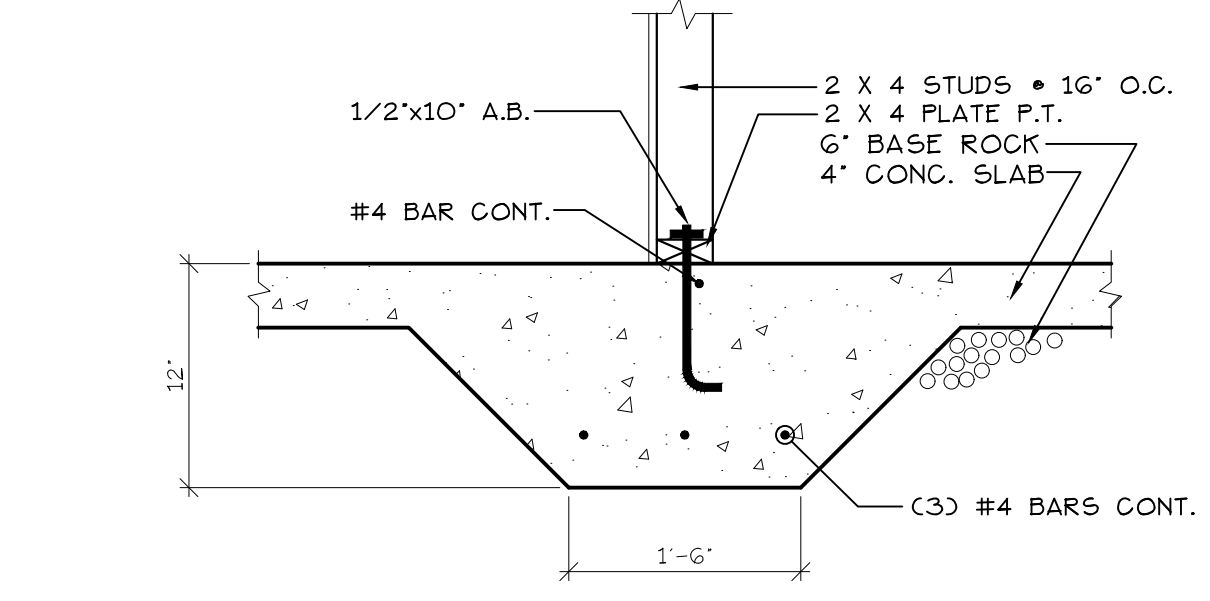


2 SCALE: 1" = 1'-0"

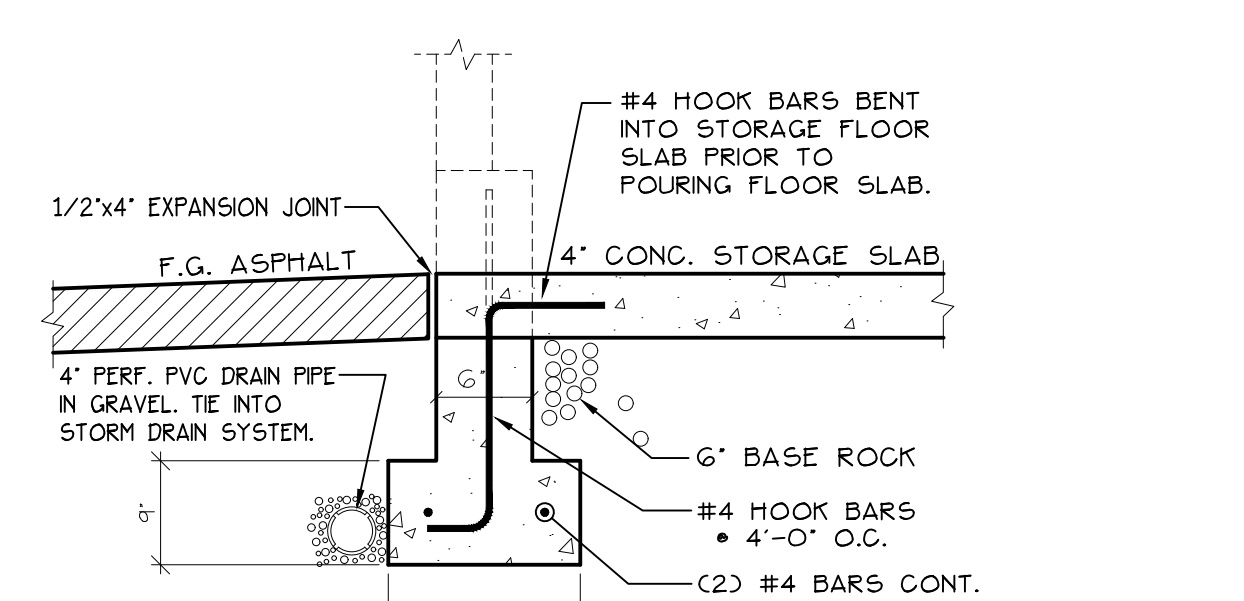


3 SCALE: 1" = 1'-0"

ALTERNATE

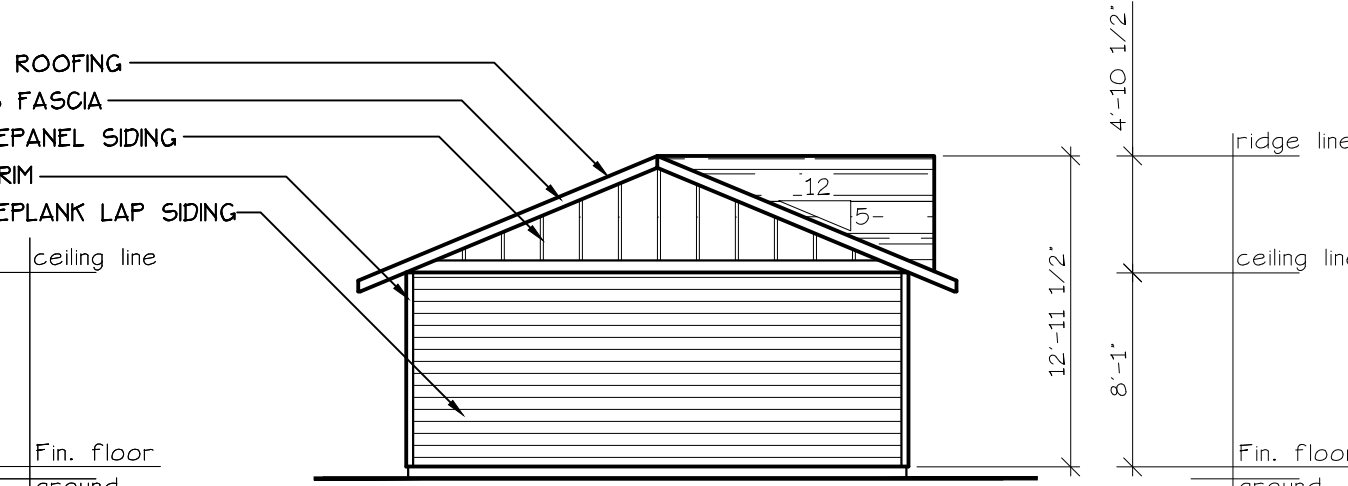


2 SCALE: 1" = 1'-0"



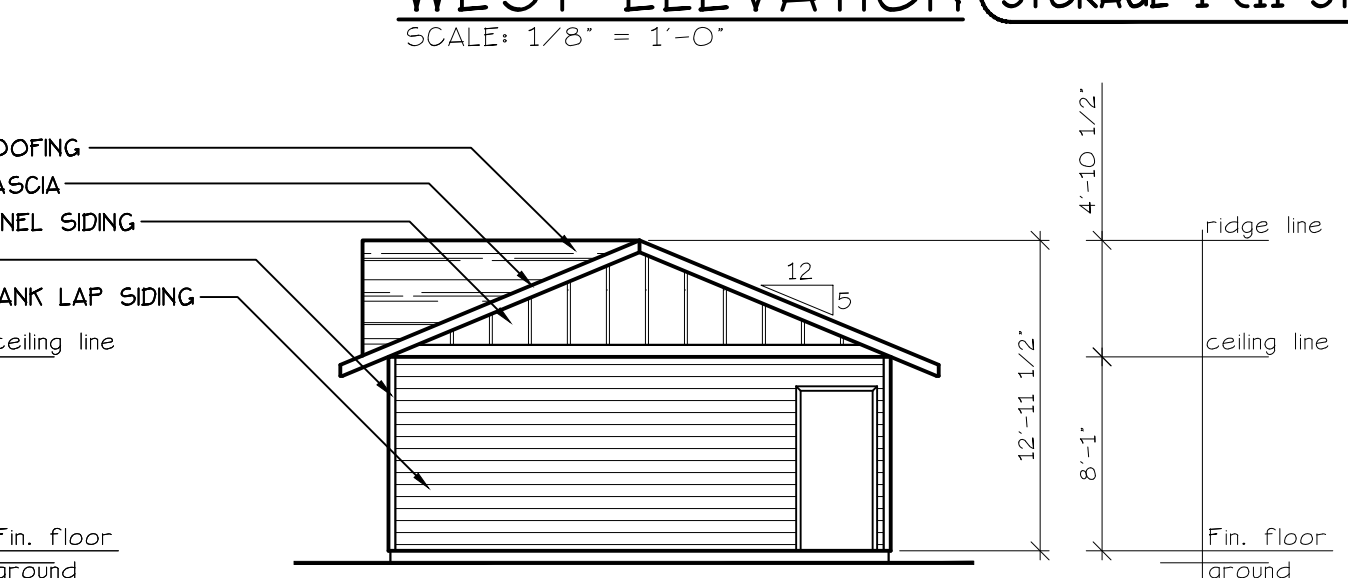
3 SCALE: 1" = 1'-0"

ALTERNATE



WEST ELEVATION
SCALE: 1/8" = 1'-0"

STORAGE 1 (11 STORAGE)



EAST ELEVATION
SCALE: 1/8" = 1'-0"

STORAGE 1 (11 STORAGE)



MEMO

TO: Jamie Donaldson, Planner III
Community Planning and Development Department

FROM: Laurel Christian, Infrastructure Planner III
Community Planning and Development Department 

DATE: February 11, 2025

SUBJECT: **Infrastructure Memo**
SPR-ADJ-DAP-DR24-35 (24-116100-PLN)
5871 Liberty Road S
Multi-family Development

PROPOSAL

A consolidated application for a Class 3 Site Plan Review, two Class 2 Driveway Approach Permits, and Class 1 Design Review for the development of a new 135-unit apartment complex, with three Class 2 Adjustment requests. The subject property is a portion of property approximately 6.7 acres in size, zoned RM-II (Multiple Family Residential-II), and located at 5871 Liberty Rd S (Marion County Assessor Map and Tax lot number: 083W16C / 600).

RECOMMENDED CONDITIONS OF APPROVAL

1. 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) unless a Design Exception is approved by the City Engineer to deviate from these standards.
2. Pursuant to SUB-UGA-ADJ20-05, the applicant shall construct a minimum 12-inch S-4 water main from the existing S-4 water system in Barbaresco Street S to the subject property.
3. Prior to issuance of the final Certificate of Occupancy for any building proposed within the complex, construct streetscape improvements including landscape strips, property line sidewalks, and ADA curb ramps where required along the frontages of Eagle Dance Street S, Big Mountain Avenue S, and Rise Street S. Improvements shall be constructed in accordance with the Public Works Design Standards.

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

4. Prior to issuance of the final Certificate of Occupancy, install street trees to the maximum extent feasible along Eagle Dance Street S, Big Mountain Avenue S, and Rise Street S.
5. Prior to issuance of a temporary or final Certificate of Occupancy for any building proposed within the complex, the signal at the Liberty Road S and Davis Road S shall be operational.
6. Construct a traffic signal at the intersection of Liberty Road S and Mildred Lane SE to City of Salem Standards. The signal shall be interconnected via underground fiber-optic cable to the traffic signal at the intersection of Davis Road SE and Liberty Road SE being constructed by the City of Salem. The signal shall be operational prior to issuance of a temporary or final Certificate of Occupancy for any building proposed within the complex.

EXISTING CONDITIONS – INFRASTRUCTURE

The existing conditions of streets abutting the subject property are described in the following table:

Streets			
Street Name		Right-of-way Width	Improvement Width
Eagle Dance Street S (Local)	Standard:	60-feet	30-feet
	Existing Condition:	Unplatted	30-feet
Big Mountain Avenue S (Local)	Standard:	60-feet	30-feet
	Existing Condition:	Unplatted	30-feet
Rise Street S (Local)	Standard:	60-feet	30-feet
	Existing Condition:	Unplatted	30-feet

The existing conditions of public infrastructure available to serve the subject property are described in the following table:

Utilities & Parks	
Type	Existing Conditions
Water	Water Service Level: S-3 and S-4
	8-inch public water mains are available in the streets surrounding the subject property.
Sanitary Sewer	8-inch public sanitary mains are available in the streets surrounding the subject property.
Storm Drainage	12-inch and 18-inch public storm mains are available in the

	streets surrounding the subject property.
Parks	The Comprehensive Park System Master Plan shows that the proposed development is served by the Bryan Johnston Park and Secor Park.

SITE PLAN REVIEW DECISION CRITERIA

The following Code references indicate the criteria that must be found to exist before an affirmative decision may be made. The applicable criteria and the corresponding findings are as follows:

SRC 220.005(f)(3)(A) The application meets all applicable standards of the UDC (*Unified Development Code*)

Finding—As proposed and conditioned in the findings within the memo, the development meets all the applicable standards in the UDC as follows:

SRC Chapter 200 - Urban Growth Management:

SRC Chapter 200 (Urban Growth Management) requires issuance of an Urban Growth Preliminary Declaration (UGA) prior to development of property located outside the City's Urban Service Area.

Finding: The subject property is located outside of the Urban Service Area. The property is part of a subdivision plat, which has not yet been recorded (SUB-UGA-ADJ20-05). Therefore; the property is subject to the UGA requirements established with the subdivision tentative plan approval (SUB-UGA-ADJ20-05). As conditioned within this decision, the proposed development complies with the previous UGA and SRC Chapter 200 relating to Urban Growth Management and the provision of adequate public facilities.

SRC Chapter 71 – Stormwater:

The proposed development is subject to SRC Chapter 71 and the revised Public Works Design Standards (PWDS) as adopted in Administrative Rule 109, Division 004.

Finding: The subject property is required to provide treatment and detention of runoff from the development site in order to comply with provisions in SRC Chapter 71. A storm treatment facility was constructed to serve the subject property with the subdivision tentative plan approval (SUB-UGA-ADJ20-05). However, stormwater detention will be provided on-site in a proposed stormwater detention basin. The applicant's engineer submitted a preliminary stormwater report which does not demonstrate the proposed detention basin will be constructed in accordance with the Public Works Design Standards and it appears that modifications to the facility will be

required unless a Design Exception is approved by the City Engineer to allow the facility to deviate from requirements of the Public Works Design Standards. Site modifications may be necessary to accommodate a redesigned stormwater system. Prior to issuance of a building permit, the applicant's engineer shall provide a final stormwater management report that complies with the Public Works Design Standards unless a design exception is approved by the City Engineer. The following condition applies:

Condition: 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) unless a Design Exception is approved by the City Engineer to deviate from these standards.

SRC 802 – Public Improvements:

▪ ***Development to be served by City utilities:***

SRC 802.015 requires development to be served by City utilities designed and constructed according to all applicable provisions of the Salem Revised Code and Public Works Design Standards (PWDS).

Finding: In summary, the proposed development will be served adequately by City water, sewer, and stormwater infrastructure upon completion of the conditions described in the analysis provided for each utility type. The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the PWDS and to the satisfaction of the Public Works Director. The applicant is advised that a sewer monitoring manhole may be required, and the trash area shall be designed in compliance with Public Works Standards.

Water – The subject property is located within the S-3 and S-4 water service levels; however, the site will be fully served by the S-4 water service upon extension of public S-4 water to the subject property. The Subdivision Tentative Plan Approval requires extension of S-4 water to serve the site. The nearest S-4 water service is located in Barbaresco Street S, approximately 2,000-feet west of the subject property. In order to ensure that S-4 water is provided to serve the proposed development, the application shall be conditioned to comply with SUB-UGA-ADJ20-05 and construct an S-4 water main to serve the development. Construction plans for this improvement are currently under review by Development Services (24-115421-PC). The following condition applies:

Condition: Pursuant to SUB-UGA-ADJ20-05, the applicant shall construct a minimum 12-inch S-4 water main from the existing S-4 water system in Barbaresco Street S to the subject property.

Sanitary Sewer – There are existing public sanitary sewer mains in the streets surrounding the property to serve the proposed development. No additional sanitary sewer improvements are required.

Stormwater – There are existing public stormwater mains in the streets surrounding the property to serve the proposed development. No additional public stormwater improvements are required.

As conditioned, the proposed development conforms to the public improvement standards of SRC Chapter 802.

SRC 803 – Street and Right-of-way Improvements

▪ ***Boundary Street Improvements***

Pursuant to SRC 803.025, except as otherwise provided in this chapter, right-of-way width and pavement width for streets and alleys shall conform to the standards set forth in Table 803-1 (Right-of-way Width) and Table 803-2 (Pavement Width). In addition, SRC 803.040 requires dedication of right-of-way for, and construction or improvement of, boundary streets up to one-half of the right-of-way and improvement width specified in SRC 803.025 as a condition of approval for certain development.

Finding: The property is surrounded by three streets, which will become public streets upon recording of the Liberty Road Subdivision plat, Phase 2 (SUB-UGA-ADJ20-05). Eagle Dance Street S, Big Mountain Avenue S, and Rise Street S abutting the property are classified as local streets. These streets have been constructed along the property frontage, but the right-of-way for these streets has not been dedicated. As conditioned above, the plat for the Liberty Road Subdivision, Phase 2 (SUB-UGA-ADJ20-05) shall be recorded to ensure public access to the proposed development through the abutting boundary streets (Condition 2). While these streets have been constructed to meet their improvement width requirements, no streetscape improvements have been constructed. Specifically, landscape strips, property line sidewalks, and curb ramps at street intersections are required along the frontages of Eagle Dance Street S, Big Mountain Avenue S, and Rise Street S. The following condition applies:

Condition: Prior to issuance of the final Certificate of Occupancy for any building proposed within the complex, construct streetscape improvements including landscape strips, property line sidewalks, and ADA curb ramps where required along the frontages of Eagle Dance Street S, Big Mountain Avenue S, and Rise Street S. Improvements shall be constructed in accordance with the Public Works Design Standards.

▪ ***Street Trees***

Pursuant to SRC 803.035(k) and SRC 86.015(e), anyone undertaking development along public streets shall plant new street trees to the maximum extent feasible.

Finding: As described in the written findings, above landscape strips will be constructed along Eagle Dance Street S, Big Mountain Avenue S, and Rise Street S. In order to comply with SRC 803.035 and SRC Chapter 86, the applicant shall plant street trees along all street frontages abutting the property. The following condition applies:

Condition: Prior to issuance of the final Certificate of Occupancy, install street trees to the maximum extent feasible along Eagle Dance Street S, Big Mountain Avenue S, and Rise Street S.

▪ Traffic Impact Analysis

Pursuant to SRC 803.015(b) a Traffic Impact Analysis (TIA) is required for any development which generates 200 Average Daily Trips onto a local street or 1,000 Average Daily Trips onto a collector or arterial street. The TIA is required in order to analyze the functionality of adjacent streets and intersections to ensure development does not have a significant impact on the functionality of adjacent street intersections.

Finding: The proposed development requires submittal of a Traffic Impact Analysis (TIA) pursuant to SRC 308.015(b)(1). A TIA prepared by Associated Transportation Engineering & Planning, Inc. dated March 2019 and a TIA memo prepared by Enloe Consulting, LLC dated October 2020 were submitted as part of the application package. In addition, the site is subject to conditions of approval for a previous Comprehensive Plan Map Amendment (CPC/ZC19-03) for the subject property. The CPC/ZC requires the following mitigation for the proposed development, which is consistent with the findings in the TIA:

CPC/ZC19-03 Condition 1: Construct a traffic signal at the intersection of Liberty Road S and Davis Road S City of Salem Standards, The signal shall be interconnected via underground fiber-optic cable to the existing traffic signal at Liberty Road S and Kuebler Boulevard SE and shall be designed to accommodate the east leg extension of Rainier Drive SE. The timing of the traffic signal installation shall be determined at the time of Site Plan Review.

CPC/ZC19-03 Condition 2: Construct a traffic signal at the intersection of Liberty Road S and Mildred Lane SE to City of Salem Standards. The signal shall be interconnected via underground fiber-optic cable to the existing traffic signal at Liberty Road S and Kuebler Boulevard SE. The timing of the traffic signal installation shall be determined at the time of Site Plan Review.

Liberty Road S and Davis Road S Signal: The Liberty and Davis signal is to be constructed by City through a Capital Improvement Project (CIP 1638) budgeted for Fiscal Year 2025. Construction of the signal is anticipated to begin during the Summer

of 2025 and be completed in 2026. As the signal is required by the CPC/ZC and TIA for the subject property, the signal shall be operational prior to issuance of a Certificate of Occupancy for any structure within the development. This will ensure the proposed development does not have a functional impact on the intersection and that the negative impacts of the proposed development are adequately mitigated as required by the TIA and conditions on the CPC/ZC. The following condition applies:

Condition: Prior to issuance of a temporary or final Certificate of Occupancy for any building proposed within the complex, the signal at the Liberty Road S and Davis Road S shall be operational.

Liberty Road S and Mildred Lane SE Signal: In order to comply with the applicant's TIA and previous conditions of approval on the CPC/ZC, the applicant shall be required to construct the Liberty Road S and Mildred Lane S signal, prior to issuance of a Certificate of Occupancy for any structure within the development. This will ensure the proposed development does not have a functional impact on the intersection and that the negative impacts of the proposed development are adequately mitigated as required by the TIA and CPC/ZC. The following condition applies:

Condition: Construct a traffic signal at the intersection of Liberty Road S and Mildred Lane SE to City of Salem Standards. The signal shall be interconnected via underground fiber-optic cable to the traffic signal at the intersection of Davis Road SE and Liberty Road SE being constructed by the City of Salem. The signal shall be operational prior to issuance of a temporary or final Certificate of Occupancy for any building proposed within the complex.

SRC Chapter 804 – Driveway Approaches:

SRC Chapter 804 establishes development standards for driveway approaches providing access from the public right-of-way to private property in order to provide safe and efficient vehicular access to development sites.

Finding: The applicant proposes two new driveway approaches onto Eagle Dance Street S and has applied for a Class 2 Driveway Approach Permit; findings for which are provided in this memo. As described in the findings below, the proposal meets the approval criteria for the Class 2 Driveway Approach Permits; therefore, the proposed development meets the applicable criteria in SRC Chapter 804 relating to driveway approaches.

SRC Chapter 805 – Vision Clearance:

SRC Chapter 805 establishes vision clearance standards in order to ensure visibility for vehicular, bicycle, and pedestrian traffic at the intersections of streets, alleys, flag lot accessways, and driveways.

Finding: The proposal does not cause a vision clearance obstruction per SRC Chapter 805.

Natural Resources:

SRC 601 – Floodplain: Development in the floodplain shall be regulated to preserve and maintain the capability to the floodplain to convey the flood water discharges and to minimize danger to life and property.

Finding: The Floodplain Administrator has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

SRC Chapter 809 – Wetlands: Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. State and Federal wetlands 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. SRC Chapter 809 establishes requirements for notification of DSL when an application for development is received in an area designated as a wetland on the official wetlands map.

Finding: According to the Salem-Keizer Local Wetland Inventory (LWI) the subject property does not contain any wetland areas or hydric soils.

SRC Chapter 810 - Landslide Hazards: The City's landslide hazard ordinance (SRC Chapter 810) establishes standards and requirements for the development of land within areas of identified landslide hazard susceptibility.

Finding: According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are mapped 2-point landslide hazard areas on the subject property. The proposed activity of a multi-family development adds 2 activity points to the proposal, which results in a total of 4 points. Therefore, the proposed development is classified as a low landslide risk and no additional information is required.

Criteria: SRC 220.005(f)(3)(B) The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately

Finding: Access to the proposed development will be provided by the network of existing streets that surround the property and will be dedicated upon recording of the Liberty Road Subdivision Plat, Phase 2 (SUB-UGA-ADJ20-05). The street system in and adjacent to the development will provide for the safe, orderly, and efficient circulation of traffic to and from the development. This criterion is met.

Criteria: SRC 220.005(f)(3)(C) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians

Finding: The applicant proposes two driveways to serve the proposed development from an adjacent local street, Eagle Dance Street S. The driveway access onto Eagle Dance Street S will provide for safe turning movements into and out of the property. This approval criterion is met.

Criteria: SRC 220.005(f)(3)(D) The proposed development will be adequately served with City water, sewer, storm drainage, and other utilities appropriate to the nature of the development

Finding: The subject property is located outside of the Urban Service Area, and therefore; an Urban Growth Preliminary Declaration was required with the tentative subdivision approval plan for the subject property (SUB-UGA-ADJ20-05). As conditioned, the proposed development is designed to accommodate required on-site and off-site improvements. With the required improvements, water, sewer, and storm infrastructure will be available and adequate to serve the proposed development. This approval criterion is met.

CLASS 2 DRIVEWAY APPROACH PERMIT DECISION CRITERIA

Salem Revised Code (SRC) 804.025(d) provides that an application for a Class 2 Driveway Approach Permit shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

The applicant proposes two driveway approaches onto Eagle Dance Street S, which is classified as a local street according to the Salem Transportation System Plan (TSP). One driveway approach shown on the applicant's plans is labeled as "Emergency Access Only"; however, this approach meets the applicable criteria for a driveway approach permit, as described in the following analysis. Therefore, both driveway approaches serving the development site can be accessible to the public and have been permitted as driveway approaches. Both driveway approaches meet the approval criteria for a Class 2 Driveway Approach Permit, as described in the following analysis:

SRC 804.025(d)(1): The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards.

Finding: The proposed driveways meet the standards for SRC Chapter 804 and Public Works Design Standards (PWDS). This criterion is met.

SRC 804.025(d)(2): No site conditions prevent placing the driveway approach in

the required location.

Finding: Development Services has reviewed the proposal and determined that no existing site conditions prohibit the location of the proposed driveways. This criterion is met.

SRC 804.025(d)(3): The number of driveway approaches onto an arterial are minimized.

Finding: The proposal includes two new driveway approaches onto a local street, Eagle Dance Street S. No access onto an arterial street is proposed. This criterion is met.

SRC 804.025(d)(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 subject property has frontage on three local streets, Eagle Dance Street S, Big Mountain Avenue S, and Rise Street S. It is not feasible to serve the development through a shared access as the property is landlocked between these three public streets. The proposed accesses are taken from the lowest classification of street abutting the property, which is local. This criterion is met.

SRC 804.025(d)(5): The proposed driveway approach meets vision clearance standards.

Finding: The proposed driveways meet the PWDS vision clearance standards set forth in SRC Chapter 805. This criterion is met.

SRC 804.025(d)(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 driveways will create traffic hazards or unsafe turning movements. Additionally, Development Services analysis of the proposed driveways indicate that they will not create a traffic hazard and will provide for safe turning movements for access to the subject property. This criterion is met.

SRC 804.025(d)(7): The proposed driveway approach does not result in significant adverse impacts to the vicinity.

Finding: Development Services' analysis of the proposed driveways and the evidence that has been submitted indicates that the location of the proposed driveways will not have any adverse impacts to the adjacent properties or streets. This criterion is met.

SRC 804.025(d)(8): The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections.

Finding: The proposed driveway approaches are located on a local street and do not create a significant impact to adjacent streets and intersections. This criterion is met.

SRC 804.025(d)(9): The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.

Finding: The proposed development is surrounded by residentially zoned property. The proposed development abuts local streets. The proposed driveways are taken from the lowest classification street abutting the subject property. The driveways balance the adverse impacts to residentially zoned property and will not have an adverse effect on the functionality of the adjacent streets. This criterion is met.

Response to Public Comments

- 1. Pump Station:** Comments received express concerns for water pressure in the area and how the proposed development would impact existing water pressures.

Staff Response: The previous Subdivision Tentative Plan and Urban Growth Preliminary Declaration approval for the subject property, Case No. SUB-UGA-ADJ20-05, requires two Salem Water System Master Plan Improvements:

SUB-UGA-ADJ20-05 Condition 15: The applicant shall construct the Skyline #2, S-3 reservoir, or pay a temporary access fee of \$2,000 per dwelling unit to be collected at the time of building permit issuance.

SUB-UGA-ADJ20-05 Condition 16: The applicant shall construct a minimum 12-inch S-4 water main from the existing S-4 water system in Barbaresco Street S to the subject property.

The proposed development will not have a negative impact of existing water pressures in the area because it will be served by a higher elevation system. As described in the written findings above, the property is located within both the S-3 and S-4 water service levels; however, the proposed development phase will be served exclusively from the S-4 pressure zone through extension of a new S-4 water main to serve the property. Therefore, there is no requirement for the proposed development to construct the Skyline #2 S-3 reservoir, or pay a temporary access fee for construction of this facility by the City. As such, there are no plans or existing conditions for a pump station to be constructed to serve the proposed development, but the proposed development will not have a negative impact of existing water pressures in the area because it will be served by a higher elevation system.

2. **Traffic:** Comments received express concerns for the additional traffic generated by the development and the impacts to the existing transportation system.

Staff Response: As described in the written findings and conditions of approval, two traffic signals are required to be constructed and operational prior to occupancy of the proposed development. With these conditions of approval, the development will adequately mitigate the traffic generated by the development, according to the applicant's TIA and conditions of approval on the CPC/ZC for the property.

In addition, the Salem TSP provides guidance for how to address the impacts of growth citywide. Cumulative impacts of growth that affect overall traffic patterns are addressed through collection of System Development Charges (SDCs). The development will pay Transportation SDCs that are collected and used to pay for street improvements that add capacity to mitigate impacts of growth.

3. **Stormwater Runoff:** Comments received express concerns for how stormwater runoff from the development would be managed to ensure neighboring downstream properties are not negatively affected.

Staff Response: As shown on the applicant's preliminary utility plan, stormwater runoff will be contained through a private pipe system and conveyed to a stormwater basin for detention before discharging at a controlled rate into the public system. The proposed stormwater management system is conditioned to be designed and constructed to meet the Public Works Design Standards. The private system conveys flows towards existing drainage patterns and provides stormwater detention and treatment as required by SRC Chapter 71 and the Public Works Design Standards.

Prepared by: Laurel Christian, Infrastructure Planner III
cc: File



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Andrea Castañeda, Superintendent

December 17, 2024

Jamie Donaldson, Planner
 Planning Division, City of Salem
 555 Liberty Street SE, Room 305
 Salem OR 97301

RE: Land Use Activity Case No. SPR-ADJ-DAP-DR24-35, 5871 Liberty Rd S

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
Liberty	Elementary	K thru 5
Crossler	Middle	6 thru 8
Sprague	High	9 thru 12

Table 1

SCHOOL CAPACITY & CURRENT ENROLLMENT

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

School Name	School Type	School Enrollment	School Design Capacity	Enroll./Capacity Ratio
Liberty	Elementary	397	529	75%
Crossler	Middle	784	944	83%
Sprague	High	1,685	2,248	75%

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), multi-family (MF) and mobile home park (MHP). The School District commissioned a study by the Mid-Willamette Valley Council of Governments in 2021 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	135	MF	0.164	22
Middle			0.085	11
High			0.096	13

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
Liberty	Elem.	397	6	22	28	529	80%
Crossler	Mid.	784	12	11	23	944	86%
Sprague	High	1,685	58	13	71	2,248	78%

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 Transportation
Liberty	Elementary	Eligible for School Transportation (See Note 2)
Crossler	Middle	Walk Zone (See Note 1)
Sprague	High	Eligible for School Transportation (See Note 2)

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*
Elementary	Liberty	\$87,035	\$1,914,770
Middle	Crossler	\$106,854	\$1,175,394
High	Sprague	\$126,672	\$1,646,736
TOTAL			\$4,736,900

Table 6

*Estimates based on average of Indicative Construction Costs from “RLB Construction Cost Report North America Q2 2024”

Note 1. To support safe and connected pedestrian paths for students that walk to school we request completion of pedestrian paths between the subject property to Crossler Middle School at Davis Rd. S via Joynak St. S. Specifically, prior to occupancy, to complete all sidewalks (project side of the streets) along Eagle Dance St S to Big Mountain Av S and Rise St S to Big Mountain Ave S and the entire undeveloped length of Big Mountain Av S to Joynak St. S.

Note 2. To support student transportation to Liberty Elementary and Sprague High Schools via school buses, completely connect the roadway loop to accommodate through travel of school buses from Mildred Ln S to Eagle Dance St. S, to Big Mountain Av. S, to Joynak St. S and back to Mildred Ln. S (or Davis Rd. S.).

Sincerely,

David Fridenmaker
Business and Support Services

c: Robert Silva, Chief Operations Officer, David Hughes, Director of Operations & Logistics, T.J. Crockett, Director of Transportation