

# NOTICE OF DECISION

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



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

## DECISION OF THE PLANNING ADMINISTRATOR

**PARTITION TENTATIVE PLAN / URBAN GROWTH PRELIMINARY  
DECLARATION / CLASS 3 SITE PLAN REVIEW / CLASS 2 ADJUSTMENT /  
TREE REGULATION VARIANCE / CLASS 2 DRIVEWAY APPROACH PERMIT /  
CLASS 1 DESIGN REVIEW / PROPERTY LINE ADJUSTMENT CASE NO.: PAR-  
UGA-SPR-ADJ-TRV-DAP-DR-PLA25-05**

**APPLICATION NO.: 24-125333-PLN**

**NOTICE OF DECISION DATE:** May 9, 2025

**SUMMARY:** New multi-family development of a 138-unit apartment complex.

**REQUEST:** A consolidated application for a Tentative Partition Plan and Property Line Adjustment to separate the northern portion of the property on its own parcel, and divide the remaining 9.5 acres into two parcels with a new street; an Urban Growth Preliminary Declaration, Class 3 Site Plan Review, three Class 2 Driveway Approach Permits, and Class 1 Design Review for development of a new 138-unit multi-family apartment complex on Parcel 1; a Tree Regulation Variance to remove seven significant trees; and five Class 2 Adjustment requests to:

- (1) Reduce the minimum setback abutting a street for Building G from 20 feet to 16 feet (SRC 514.010(d));
- (2) Eliminate the requirement for off-street parking areas not to be located between a building and the street for the area between Building A and Building L (SRC 702.020(d)(2));
- (3) Eliminate the requirement for off-street parking areas not to be located between a building and the street for the area between Building G and Building J (SRC 702.020(d)(2));
- (4) Reduce the 40 percent buildable width requirement for buildings along the new cul-de-sac at the end of Abbie Avenue (SRC 702.020(e)(4)); and
- (5) Reduce the 40 percent buildable width requirement for buildings along the new cul-de-sac at the end of Snowball Avenue (SRC 702.020(e)(4)).

The subject properties are approximately 11 acres in total size, zoned RM-II (Multiple Family Residential-II), and located at 1700 and 1709 Baxter Rd SE (Marion County Assessor Map and Tax lot number: 083W14BD / 100 and 200).

**APPLICANT:** Neighborly Ventures

**LOCATION:** 1700 and 1709 Baxter Rd SE, Salem OR 97306

**CRITERIA:** Salem Revised Code (SRC) Chapters 205.005(d) – Partitions; 200.025(d) & (e) – Urban Growth Preliminary Declaration; 220.005(f)(3) – Class 3 Site Plan Review; 250.005(d)(2) – Class 2 Adjustment; 808.045(d) – Tree Variance; 804.025(d) – Class 2 Driveway Approach Permit; 225.005(d) – Class 1 Design Review; 205.055(d) – Property Line Adjustment

**FINDINGS:** The findings are in the attached Decision dated May 9, 2025.

**DECISION:** The **Planning Administrator APPROVED** Partition Tentative Plan, Urban Growth Preliminary Declaration, Class 3 Site Plan Review, Class 2 Adjustment, Tree Regulation Variance, Class 2 Driveway Approach Permit, Class 1 Design Review, and Property Line Adjustment Case No. PAR-UGA-SPR-ADJ-TRV-DAP-DR-PLA25-05 subject to the following conditions of approval:

- Condition 1:** The property line adjustment to relocate the shared property line and separate the northern portion of the property shall be recorded prior to the final partition plat for the remaining 9.5 acres of adjusted Property B.
- Condition 2:** The final partition plat shall be recorded prior to issuance of any building permits for the development of Parcel 1, including construction of new residential units and the associated civil site work; except the final plat is not necessary prior to the issuance of Erosion Control, Clearing and Grubbing, Grading, and Public Works permits.
- Condition 3:** Prior to final plat approval, required right-of-way dedications and required easements shall be free and clear of encumbrances and liens unless an adjustment to SRC 200.050(d) is approved.
- Condition 4:** Prior to final plat approval, provide an engineered stormwater design pursuant to Salem Revised Code Chapter 71 and the Public Works Design Standards to accommodate new impervious surfaces in proposed rights-of-way and future impervious surfaces on proposed Parcel 1.
- Condition 5:** At time of development on Parcel 2, provide an engineered stormwater design pursuant to Salem Revised Code Chapter 71 and the Public Works Design Standards to accommodate new impervious surfaces in proposed rights-of-way and future impervious surfaces on proposed Parcel 2.
- Condition 6:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct stormwater facilities pursuant to Salem Revised Code Chapter 71 and the Public Works Design Standards to accommodate new impervious surfaces in right-of-ways.
- Condition 7:** The existing water system facilities are not considered adequate facilities pursuant to Salem Revised Code Chapter 200. To meet the requirement for an adequate facility, the applicant shall either:
- a. Construct Salem Water System Master Plan S-3 water mains to serve the development; or
  - b. Enter into a Temporary Facilities Access Agreement and construct a private water pump station to serve the proposed development. The private pump station and private water system shall be designed to accommodate elimination of the private pump station once permanent S-3 water facilities are available to serve the property.
- Condition 8:** Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct a minimum 12-inch S-2 water main in the new internal street (Snowline Street) and extend 8-inch mains from the new internal street to

the eastern and western property boundaries to create a looped system with the existing water mains in Snowball Avenue SE. The mains shall be designed and constructed in accordance with the Public Works Design Standards.

- Condition 9:** Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct a minimum 8-inch sanitary sewer main in the new internal street (Snowline Street) and to the eastern property boundary in the future alignment for Snowball Avenue SE. The mains shall be designed and constructed in accordance with the Public Works Design Standards.
- Condition 10:** Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct public stormwater mains in the new internal street (Snowline Street). The mains shall be designed and constructed in accordance with the Public Works Design Standards.
- Condition 11:** Prior to final plat approval, dedicate easements for all public infrastructure located on private property to current standards in Public Works Design Standards Section 1.8 (Easements).
- Condition 12:** On the final plat, convey land for dedication to equal full width right-of-way and cul-de-sac for the extensions and terminus of Snowball Avenue SE and Abbie Avenue SE along the western property boundary consistent with the standards of SRC Chapter 803, in Table 803-1 (Right-of-way Width).
- Condition 13:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct full-width street improvement for the extension and terminus of Snowball Avenue SE and Abbie Avenue SE along the western property boundary as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803 Table 803-2 (Pavement Width).
- Condition 14:** Prior to final plat approval, provide a preliminary engineered alignment and profile for the extension of Snowball Avenue SE from the eastern property boundary to the new internal street (Snowline Street) to demonstrate this street can be designed and constructed in accordance with SRC Chapter 803 and the Public Works Design Standards.
- Condition 15:** At time of development of Parcel 2, dedicate right-of-way for the extension of Snowball Avenue SE from the eastern property boundary to the new internal street (Snowline Street) consistent with the standards in SRC Chapter 803, in Table 803-1 (Right-of-way Width).
- Condition 16:** At time of development of Parcel 2, construct the extension of Snowball Avenue SE from the eastern property boundary to the new internal street (Snowline Street) consistent with City Street Design Standards and consistent with the provisions of SRC Chapter 803 Table 803-2 (Pavement Width).
- Condition 17:** On the final plat, dedicate a 60-foot-wide right-of-way for the new internal street (Snowline Street) as shown on the applicant's tentative plan.

- Condition 18:** Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct internal streets to local street standards as specified in the City Street Design Standards and consistent with the provisions in SRC Chapter 803, except where an Alternative Street Standard has been approved, as described in this Decision.
- Condition 19:** Prior to Issuance of a Public Construction Permit, in accordance with the Traffic Impact Analysis, the applicant shall provide plans that show how the adequate intersection sight-distance is provided at the intersection of Baxter Road SE and the new internal street (Snowline Street).
- Condition 20:** Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), the applicant shall construct any necessary modifications to Baxter Road SE to ensure adequate sight distance is provided in accordance with the City Street Design Standards.
- Condition 21:** At time of development on each parcel, install street trees to the maximum extent feasible along Baxter Road SE and the new internal streets.
- Condition 22:** Prior to final plat approval, provide a 10-foot-wide public utility easement along the frontage of Baxter Road SE, the extensions of Snowball Avenue SE and Abbie Avenue SE, and along the new internal street (Snowline Street).
- Condition 23:** At the time of building permit review, the applicant shall provide receptable sizes and construction details for the trash enclosures, indicating conformance with all applicable standards of SRC 800.055.
- Condition 24:** Prior to approval of landscape plans for the proposed development, the tree plan and landscape shall be updated to demonstrate compliance with all tree canopy standards in SRC 806.035(n)(3), including but not limited to, proximity to form a continuous canopy, no more than 20 percent overlap with buildings, and adequate soil amounts.
- Condition 25:** Prior to building permit approval, the applicant shall demonstrate that all bicycle parking provided for the development complies with the applicable standards of SRC 806.060.
- Condition 26:** Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and Public Works Design Standards (PWDS).
- Condition 27:** The applicant shall provide an additional 40 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 28:** At the time of building permit review, the applicant shall submit an updated landscape plan indicating the trees planted along the west boundary will be no less than 1.5 inches in caliper, and the materials of the fence proposed, indicating conformance with SRC 702.020(b)(2).



- Condition 29:** At the time of building permit review, the landscape plan shall be updated to ensure that the trees planted per SRC 702.020(b)(4) are located within 25 feet from the edge of each building footprint.
- Condition 30:** At time of building permit submittal, the applicant shall provide lighting details demonstrating compliance with the standards of SRC 702.015(c)(2).
- Condition 31:** At the time of building permit review, the applicant shall ensure that all ground floor units abutting a street, including Buildings A, B, C, E, J, K, and L 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 32:** The applicant shall be required to record the Property Line Adjustment at the same time as the final partition plat, in sequence, to ensure proper access is provided to adjusted Property A, or obtain approval of a Zoning Adjustment for the flag lot accessway standards.

The rights granted by the attached decision must be exercised, or an extension granted, by the dates listed below, or this approval shall be null and void.

Partition Tentative Plan:	<u>May 28, 2027</u>
Urban Growth Preliminary Declaration:	<u>May 28, 2027</u>
Class 3 Site Plan Review:	<u>May 28, 2029</u>
Class 2 Adjustment:	<u>May 28, 2029</u>
Tree Regulation Variance:	<u>May 28, 2027</u>
Class 2 Driveway Approach Permit:	<u>May 28, 2029</u>
Class 1 Design Review:	<u>May 28, 2029</u>
Property Line Adjustment:	<u>May 28, 2027</u>
Application Deemed Complete:	<u>March 14, 2025</u>
Notice of Decision Mailing Date:	<u>May 9, 2025</u>
Decision Effective Date:	<u>May 28, 2025</u>
State Mandate Date:	<u>July 12, 2025</u>

Case Manager: Jamie Donaldson, [jdonaldson@cityofsalem.net](mailto: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](mailto:planning@cityofsalem.net), no later than 5:00 p.m. Monday, May 19, 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) 205, 200, 220, 250, 808, 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 Planning Commission will review the appeal at a public hearing. After the hearing, the Planning Commission may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review 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
TENTATIVE PARTITION PLAN,	)	
URBAN GROWTH PRELIMINARY	)	
DECLARATION, CLASS 3 SITE PLAN	)	
REVIEW, CLASS 2 ADJUSTMENT,	)	
TREE REGULATION VARIANCE,	)	
CLASS 2 DRIVEWAY APPROACH PERMIT,	)	
CLASS 1 DESIGN REVIEW, AND	)	
PROPERTY LINE ADJUSTMENT, CASE NO.	)	
PAR-UGA-SPR-ADJ-TRV-DAP-DR-PLA25-05	)	
1700 & 1709 BAXTER ROAD SE	)	MAY 9, 2025

In the matter of the application for a Tentative Partition Plan, Urban Growth Preliminary Declaration, Class 3 Site Plan Review, Class 2 Adjustment, Tree Regulation Variance, Class 2 Driveway Approach Permit, and Class 1 Design Review applications submitted by the applicant's representative Brandie Dalton with Multi-Tech Engineering, on behalf of the applicant, Laura Robinson with Neighborly Development, and the property owner Linda K. Turnidge Living Trust, 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:** New multi-family development of a 138-unit apartment complex.

**Request:** A consolidated application for a Tentative Partition Plan and Property Line Adjustment to separate the northern portion of the property on its own parcel, and divide the remaining 9.5 acres into two parcels with a new street; an Urban Growth Preliminary Declaration, Class 3 Site Plan Review, three Class 2 Driveway Approach Permits, and Class 1 Design Review for development of a new 138-unit multi-family apartment complex on Parcel 1; a Tree Regulation Variance to remove seven significant trees; and five Class 2 Adjustment requests to:

- (1) Reduce the minimum setback abutting a street for Building G from 20 feet to 16 feet (SRC 514.010(d));
- (2) Eliminate the requirement for off-street parking areas not to be located between a building and the street for the area between Building A and Building L (SRC 702.020(d)(2));
- (3) Eliminate the requirement for off-street parking areas not to be located between a building and the street for the area between Building G and Building J (SRC 702.020(d)(2));
- (4) Reduce the 40 percent buildable width requirement for buildings along the new cul-de-sac at the end of Abbie Avenue (SRC 702.020(e)(4)); and
- (5) Reduce the 40 percent buildable width requirement for buildings along the new cul-de-sac at the end of Snowball Avenue (SRC 702.020(e)(4)).

The subject properties are approximately 11 acres in total size, zoned RM-II (Multiple Family Residential-II), and located at 1700 and 1709 Baxter Rd SE (Marion County Assessor Map and Tax lot number: 083W14BD / 100 and 200).

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 December 24, 2024, a consolidated application for a Partition Tentative Plan, Urban Growth Area Preliminary Declaration, Class 3 Site Plan Review, Class 2 Adjustment, Tree Regulation Variance, Class 2 Driveway Approach Permit, and Class 1 Design Review was filed proposing to ultimately divide the subject property into three parcels, separating the existing residences from the proposed development of a 12-unit apartment building.

After additional information was provided, including submission of a Property Line Adjustment application, on March 10, 2025, the applications were deemed complete for processing at the request of the applicant on March 14, 2025. The 120-day state mandated decision deadline for this consolidated application is July 12, 2025.

## **SUBSTANTIVE FINDINGS**

### **2. Proposal**

The subject property consists of two units of land located at 1700 Baxter Rd SE (tax lot 083W14BD / 100), and 1709 Baxter Rd SE (tax lot 083W14BD / 200), totaling 10.76 in size. Because partitioning land does not include adjusting existing property lines, per ORS 92.010(9)(b), the applicant is requesting a Property Line Adjustment to relocate the shared property line between the two lots to separate the northern 1.2-acre portion of land on its own parcel, herein referred to as “Proposed Property A” (**Attachment B**), and separating the remaining vacant portion to be used for development on a second parcel, herein referred to as “Proposed Property B.” The Tentative Partition Plan proposes to divide the resulting Proposed Property B of approximately 9.5 acres into three lots (**Attachment C**) by developing an internal street running north south through the property to provide one access onto Baxter Road SE, and serve the northern adjusted Property A, and a parcel dedicated to stormwater facilities. With the proposed property line adjustment and tentative partition plan, the four resulting parcels are as follows:

#### **Proposed Property A**

Address:	Vacant
Parcel Size:	52,585 square feet (1.21 acres)
Parcel Dimensions:	Approximately 165 feet in width and 320 feet in depth

#### **Proposed Parcel 1**

Address:	1709 Baxter Road SE – <i>Proposed multi-family development</i>
Parcel Size:	267,970 square feet (6.15 acres)
Parcel Dimensions:	Approximately 500 feet in width and 640 feet in depth

### **Proposed Parcel 2**

Address: Vacant  
Parcel Size: 83,238 square feet (1.91 acres)  
Parcel Dimensions: Approximately 535 feet in width and 115 feet in depth

### **Proposed Parcel 3**

Address: Stormwater Lot  
Parcel Size: 10,122 square feet (0.23 acres)  
Parcel Dimensions: Approximately 100 feet in width and 100 feet in depth

The proposal also includes a Class 3 Site Plan Review and Class 1 Design Review for the development of a 138 multi-family units across 12 apartment buildings on Proposed Parcel 1 (**Attachment D**), and an Urban Growth Preliminary Declaration to determine the required facilities to serve the development; along with a Tree Regulation Variance to remove seven significant trees (**Attachment E**), and five Class 2 Adjustment requests to setbacks, parking location, and buildable width. The applicant is also requesting Alternative Street Standards to deviate from the required block spacing for the new internal street, Snowline Street SE. Vehicular access to the proposed development will be taken from the new internal street, requiring a Class 2 Driveway Approach Permit for the new driveways.

## **3. 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 <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 24 125333.

## **4. Existing Conditions**

### **Site and Vicinity**

The proposal consists of two properties: 1700 Baxter Rd SE (tax lot 083W14BD / 100), originally 5.98 acres in size, and 1709 Baxter Rd SE (tax lot 083W14BD / 200), originally 4.78 acres. The site is an interior lot with frontage along Baxter Rd SE to the south, which is classified as a Collector street according to the Salem Transportation System Plan (TSP). There is an existing single-family residence with accessory buildings on the west property located at 1709 Baxter Rd SE, which is proposed to be demolished for development of the multi-family complex; the rest of the site is vacant land. There is an existing driveway along Baxter Road providing access to the single-family residence which will be closed, and a new local street will be developed through the site providing access to the northern portion of the site, future development on Parcel 2, and to the proposed multi-family development on Parcel 1 via two new driveways.

### **Salem Area Comprehensive Plan (SACP) Designation**

The subject property is designated “Multiple Family Residential” on the Salem Area Comprehensive Plan (SACP) Map. The surrounding properties are designated as follows:

Comprehensive Plan Map Designations of Surrounding Properties	
<b>North</b>	Multiple Family Residential
<b>East</b>	Single Family Residential
<b>South</b>	Across Baxter Rd SE, Single Family Residential
<b>West</b>	Single Family Residential

#### Zoning and Surrounding Land Use

The subject property is zoned RM-II (Multiple Family Residential-II). The surrounding properties are zoned as follows:

Zoning of Surrounding Properties	
<b>North</b>	RM-II (Multiple Family Residential-II)
<b>East</b>	RS (Single Family Residential)
<b>South</b>	Across Baxter Rd SE, RA (Residential Agriculture)
<b>West</b>	RS (Single Family Residential)

#### Relationship to Urban Service Area

The subject property lies outside the City's Urban Service Area. The Urban Service Area is that territory within City where all required public facilities (streets, water, sewer, storm water, and parks) necessary to serve development are already in place or fully committed to be extended.

Pursuant to the urban growth management requirements contained under SRC Chapter 200 (Urban Growth Management), properties located outside the Urban Service Area are required to obtain an Urban Growth Preliminary Declaration prior to development in order to determine the required public facilities necessary to fully serve the proposed development. A request for an Urban Growth Preliminary Declaration is included with the proposal.

#### Infrastructure

The subject property abuts Baxter Road SE to the south, which is a Minor Arterial street. The existing conditions of streets abutting the subject property are described in the following table:

Streets			
Street Name		Right-of-way Width	Improvement Width
<b>Baxter Road SE</b> (Collector Street)	Standard:	60-feet	34-feet
	Existing Condition:	60-feet	34-feet
<b>Abbie Avenue SE</b> (Local Cul-de-sac)	Standard:	50-feet	30-feet
	Existing Condition:	50-feet	30-feet

<b>Snowball Avenue SE</b> (Local Cul-de-sac)	Standard:	50-feet	30-feet
	Existing Condition:	50-feet	30-feet

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

<b>Utilities</b>	
<b>Type</b>	<b>Existing Conditions</b>
<b>Water</b>	Water Service Level: S-2 and S-3
	A 10-inch water main is located in Baxter Road SE.
	8-inch water mains are located in Snowball Avenue SE.
<b>Sanitary Sewer</b>	8-inch sanitary sewer mains are located in Baxter Road SE, Snowball Avenue SE, and Abbie Avenue SE.
<b>Storm Drainage</b>	A 10-inch storm main is located in Baxter Road SE.

**5. Neighborhood and Public Comments**

The subject property is located within the boundaries of the South Gateway 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 contacted the South Gateway Neighborhood Association and attended four neighborhood meetings to provide details about the proposal between July 2024 and March 2025, and formally sent notice to the neighborhood association, pursuant to SRC 300.310, on February 7, 2025.

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. The South Gateway Neighborhood Association responded after the noticing period closed; however, they indicated no objections to the proposal.

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. As of the date of this decision, staff has received comments from eight surrounding property owners and tenants 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.

**Staff Response:** As described in this decision, the proposal includes development of 138 units for a property 6.15 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, and the maximum density is 31 units per acre. The proposal provides a density of 22 units per acre ( $138 / 6.15 = 22.43$ ), meeting the minimum and maximum requirements. Staff has reviewed the proposal for conformance with all the applicable criteria to ensure a development that provides required housing and balances the provisions of required streets, utilities, open space, and pedestrian amenities, with the street system in and adjacent to the site to provide for the safe, orderly, and efficient circulation of traffic and pedestrians to and from the development ensuring the safe and orderly circulation of vehicles and pedestrians in the area.

- **Impact on Neighborhood Character and Livability:** Comments expressed concern about the impact the development will have on adjacent properties and the character of the existing neighborhood due to increased noise, lighting, crime, height of the buildings, and loss of privacy and open space.

**Staff Response:** The applicant has applied for a multiple family development, which is an outright permitted use in the RM-II (Multiple Family Residential) zone. 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. There is no development standard or approval criterion that requires development to resemble adjacent existing developments. However, the developer has taken these concerns into consideration and designed the development to include cul-de-sacs rather than through-streets that would increase access to the adjacent single-family neighborhood. Additionally, middle housing development is allowed in single-family zones, so the neighborhood could increase in density regardless of the proposed multi-family development. As discussed throughout this decision, the proposal has been reviewed for conformance with all applicable zoning requirements to allow a multi-family development in the RM-II zone, and conditions of approval are imposed to ensure vehicle and pedestrian safety are added to an underimproved area.

In regard to impacts on open space, the Salem Area Comprehensive Plan has adopted goals, policies, and plan map designations to protect identified open space areas. The subject property has not been identified as a natural open space area. Instead, the Comprehensive Plan Map designates the subject property as "Multi-family Residential", and the site has been zoned RM-II (Multiple Family Residential). While the subject property is currently under developed, it is surrounded by an already developed residential area within the corporate limits of the City of Salem, and as the City continues to grow, development is expected to occur in areas designated for residential development. The views of adjacent property owners are not a regulated or protected requirement under the City of Salem zoning code. Noise and light impacts from future residents in the proposed development are also not expected to exceed what would occur from the presumed development of land within a single family neighborhood; and no evidence has been provided to support the speculation that any crime perpetrated by future residents of the proposed subdivision would exceed what would otherwise occur from any other legal development of property within the City. Theft or other illegal activity is a police matter and should be addressed by the Salem Police Department, which has law enforcement jurisdiction over the subject property and vicinity. The proposed development is subject to regulations for exterior lighting under SRC Chapter 800, and regulations for noise levels under



SRC Chapter 51; noise disturbances are prohibited by SRC Chapter 93 and enforced through the Neighborhood Enhancement division of the Community Development Department.

The development has been reviewed for conformance with the applicable zoning requirements and design review standards for high-density development, which provides specific standards for properties abutting single-family residential uses, including but not limited to, increased setbacks based on height, higher fences, sight-obscuring railings for balconies, and tree planting and spacing standards. Approval criteria for the applications included with this proposal do not specifically address light or noise levels, or adjacent views, and no evidence has been provided that would indicate that the proposed development in the vicinity would interfere with the safe and healthful use of neighboring properties.

- **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.

- **Adjustment Request #1:** Comments received expressed concern over the adjustment to reduce the setback abutting the street.

**Staff Response:** Requests for adjustments are required to meet the approval criteria outlined in SRC 250.005(d), and illustrate how the proposal equally or better meets the intent of the specific development standard. The applicant has proposed a 16-foot setback abutting Snowline Street for only one building, which still provides adequate room for porches and building articulation, pedestrian walkways, including landscaping and trees to meet the intent of creating a visually appealing streetscape with pedestrian amenities, and a suitable buffer to mitigate any negative impacts from traffic along the street. Additional findings for the adjustment are included in Section 11 of this decision.

- **Off-Street Parking:** Comments received expressed concerns over the availability of parking on site based on the number of spaces provided, as well as the size of the spaces.

**Staff Response:** The Unified Development Code (UDC) does not require a minimum amount of off-street parking for any proposed new development. Minimum parking requirements were eliminated in response to the State's Climate Friendly and Equitable Communities rules, which aim to help Oregon reduce greenhouse gas emissions. This change provides flexibility to balance demand for parking with demand for needed housing, while promoting dense urban development more conducive to alternative modes of transportation, including walking, bicycling, and transit. As described in the findings, the proposed development is not required to include a minimum amount of off-street parking, but limits the maximum number of off-street parking spaces to serve a new use. Applicants may provide parking within the allowed maximum, and the SRC Chapter 806 allows up to 75 percent of the parking to be developed as compact parking. The proposed 211 off-street parking spaces are within the allowed maximum, and allows for 158 spaces to be dedicated to compact parking; 144 spaces are

proposed as compact, meeting this standard. Additionally, the development site is located less than a quarter mile from two bus stops on both the east and west sides, along the north side of Baxter Road SE. The applicant is providing 138 bicycle parking spaces on site, one for each multi-family dwelling unit, as well as a pedestrian sidewalk to the street to promote walking and the use of alternative modes of transportation, helping to reduce the need for vehicles and meeting the applicable standards of the UDC.

- **On-Street Parking:** Comments received indicate concerns that future residents will park vehicles on the streets in surrounding neighborhoods.

**Staff Response:** On-street parking is permitted on existing local streets surrounding the subject property, including Snowball Avenue SE, Abbie Avenue SE and Mac Street SE; on-street parking is prohibited on Baxter Road SE. The Salem Revised Code limits the maximum number of off-street parking spaces that can be developed on private property to serve new uses, but does not require new developments to provide a minimum number of on-street parking spaces. In general, on-street parking is available to the public and may be used for parking by any user where permitted; the City cannot prevent future residents of this multi-family complex from parking in any designated on-street parking areas. On-street parking may occur on surrounding local streets.

- **Street Connectivity:** Comments received indicate objections to the plan for construction of cul-de-sacs at the two stub streets along the western property boundary and to the proposed driveway connection to Snowball Avenue SE for the proposed multi-family use.

**Staff Response:** Snowball Avenue SE and Abbie Avenue SE are existing local streets constructed as part of the Kilgore Heights Subdivision (SUB3-07). City street spacing and connectivity standards required all new developments to extend streets to abutting undeveloped property for eventual connection to the street system. In this case, street spacing and connectivity standards in SRC Chapter 803 require the full extension of Snowball Avenue SE and Abbie Avenue SE through the subject property. However, the applicant is requesting alternative street standards to terminate these stub streets in a cul-de-sac rather than extending them through the subject property as full east-west local streets.

As described in the findings for this decision, Parcel 1 is zoned for multi-family residential use and is proposed to be served by a private pump station for water service, City standards require the entirety of the S-3 service level portion of the property to be one parcel. If these streets are extended the subject property would be further divided, which would necessitate construction of multiple private pump stations and would significantly reduce the developable area of the property. Staff is therefore supportive of the request to terminate these stub streets in a cul-de-sac, rather than extending them through the subject property as full east-west local streets.

Primary access for the proposed multi-family use will be by two driveway approaches providing access to Snowline Street SE, a new local street connecting to Baxter Road SE, and extending north. The applicant's development plan and statement indicate that the driveway connection to the cul-de-sac on Snowball Avenue SE will be used for emergency vehicle access only, and will otherwise remain gated. No driveway connection is proposed to the cul-de-sac on Abbie

Avenue SE. Pedestrian access and connectivity is provided from the proposed multi-family use to the cul-de-sacs.

- **Driveway Location and Traffic Volume:** Comments received indicate a concern that the proposed development will cause excess traffic and congestion, that there will be more speeding on nearby streets, and questioned whether a Traffic Impact Analysis was required for this development.

**Staff Response:** The City of Salem Transportation System Plan (TSP) provides a framework of goals, objectives, and policies for a comprehensive system of streets that serve the mobility, and multimodal travel needs of the Salem Urban Area. One of the ways this purpose is implemented is through establishment of a classification system for the City's streets based on the levels of traffic they are intended to accommodate as a result of existing and projected land use activities, the long-range mobility needs of the community, and how those streets function in terms of geographic location in relation to other streets in the City's transportation system network. In this case, the subject property has frontage on Baxter Road SE, designated as a collector street, and local streets that are stubbed to the east and western property boundaries. A new local street will be constructed connecting to Baxter Road and extending to the northern property boundary.

SRC Chapter 804 provides development standards for driveway approaches, including minimum spacing standards between driveway approaches and intersections, or to other driveways. In general, driveways are encouraged to provide access from the lowest street classification abutting the property where fewer vehicle trips and lower vehicle speeds are expected. To minimize vehicle conflicts, all driveway approaches serving the proposed multi-family use are positioned on local streets, with no direct driveway access proposed to Baxter Road SE.

A Traffic Impact Analysis prepared by DKS Associates, dated January 2025, was submitted with this land use application. The TIA indicated that the proposed multi-family use will generate approximately 960 average daily trips. Included in the TIA is a sight distance evaluation for the proposed public street connection of Snowline Street SE to Baxter Road SE, an analysis of the driveways servicing the multi-family use and on-site circulation, and intersection operations. The Assistant City Traffic Engineer has reviewed the applicant's TIA has indicated that the site plan, with the recommended conditions of approval outlined in this decision, adequately addresses concerns traffic safety and operation.

Regarding speeding, there is no approval criterion for granting or denying a development proposal based on the average speed of traveling cars. However, residents and neighborhood associations can, at any time, choose to go through the City's Neighborhood Traffic Management Program. That program provides a two-step process for addressing traffic and speeding problems. The Neighborhood Traffic Management Program Information and Application Packet provides different types of traffic calming measures that are allowed, including everything from the use of speed trailers that indicate approaching vehicle speeds, to road closures.

- **Public Infrastructure:** Comments received indicate concerns that the proposed development may cause stormwater runoff to impact downstream homes and concerns that development may impact water pressure in the area.

**Staff Response:** The developer is required to design and construct a storm drainage system with development of the subject property that is in compliance with the City of Salem standards for stormwater management found in SRC Chapter 71 and Public Works Street Design Standards (PWDS). City standards require post-development peak runoff rates for large projects, such as the proposed multi-family complex, not exceed the predevelopment peak runoff rate for different types of storm events, which reduce the risk of impacts to the adjacent properties. Stormwater quality facilities are required to be constructed that will collect stormwater runoff from new impervious surfaces, provide flow control during storm events, and water quality treatment before being discharged into the public stormwater system.

PWDS require all new development to provide public water mains of sufficient size and capacity to maintain minimum pressure during periods of maximum use and to provide sufficient volumes of water at adequate pressures to provide the expected maximum daily consumption, plus fire flows at minimum energy loss. As proposed and conditioned, the Public Works Department finds the water distribution system to be in compliance with all applicable PWDS and SRC requirements.

- **Tree Removal:** Comments submitted expressed concerns regarding the removal of significant trees from the property, and the impact and trees in neighboring properties.

**Finding:** While the applicant has submitted an application for a Tree Regulation Variance for the proposed removals of seven significant trees, pursuant to SRC 808.045, all of the trees also meet the criteria for a tree removal permit under SRC 808.030(d). Under SRC 808.030(d)(5), a tree removal permit could be granted where removal of the significant tree is necessary for the construction of a development other than single family, two family, three family, four family, or cottage cluster, and there are no reasonable design alternatives that would enable preservation of the tree. For a tree removal permit specifically related to the removal of a significant tree to accommodate multi-family housing, the factors used in determining whether there are no reasonable design alternatives include existing or planned street alignment, boundary improvements, proposed utilities, or site topography where severe grading of the critical root zone would occur in order to comply with maximum street or intersection grades, fire department access requirements, or ADA accessibility standards and the Fair Housing Act; all of which apply to the trees requested for removal. Because of the site topography, location of the existing trees, required street connections and utilities, and accessibility standards per the Fair Housing Act, the proposed variance to remove seven significant trees is consistent with all other applicable local, state, and federal laws. However, the development is also subject to standards and conditions to provide new landscaping, including an additional 40 trees for tree replacement of two trees for every tree removed within a setback, and in excess of 75 percent. Additional findings for the tree removals and tree planting requirements are discussed throughout this decision.

For trees on neighboring properties, the applicant is still responsible for ensuring the protection and health of any tree whose critical root zone is located on the developing property and not approved for removal, pursuant to SRC 808.046. By definition, “tree removal” means to cut

down a tree or remove 30 percent or more of the crown, trunk, or root system of a tree; or to damage a tree so as to cause the tree to decline or die. At the time of grading permit review, the applicant will be required to ensure that necessary tree protection measures are in place for any trees large enough where their critical root zone is on the subject property.

## 6. City Department Comments

Development Services Division: Reviewed the proposal and provided a memo with findings that have been incorporated herein by reference. The memo in full can be found in the record, accessible online as indicated above.

Building and Safety Division: Review the proposal and indicated: *Comply with accessible route and building code requirements as applicable.*

Fire Department: Reviewed the proposal and indicated: *Fire Department access and water supply are required per the Oregon Fire Code and will be reviewed at the time of building permit plan review; FDC needs to be located at a main entrance and within 100 feet of a hydrant. This will be reviewed during plan review.*

**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 Building Code or Fire Department standards, provided that the modifications meet applicable development standards, design standards, and conditions of approval.

## 7. Public and Private Agency Comments

PGE: Reviewed the proposal and provided comments indicating the requirements and process steps for the proposed development. The comments in full have been forwarded to the applicant, and can be found in the record, accessible online as indicated above.

Salem-Keizer Transit (Cherriots): Reviewed the proposal and provided comments indicating that a new transit stop is needed in coordination with the proposed street improvements for this development. The comments in full, with construction details, are attached hereto as **Attachment F**. The applicant is advised to reach out to Cherriots at [planning@cherriots.org](mailto:planning@cherriots.org) for more information.

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

## DECISION CRITERIA FINDINGS

## 8. Analysis of Tentative Partition Plan Approval Criteria

SRC 205.005(d) sets forth the following criteria that must be met before approval can be granted to a tentative partition plan. The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings of fact evaluating the proposal for conformance with the criteria. Lack of compliance with the following approval criteria is

grounds for denial of the tentative plan or for the issuance of conditions of approval to satisfy the criteria.

***SRC 205.005(d)(1): The tentative partition plan complies with the standards of this chapter and with all applicable provisions of the UDC.***

**Finding:** The Salem Revised Code (SRC), which includes the Unified Development Code (UDC), implements the Salem Area Comprehensive Plan land use goals, and governs development of property within the city limits. The subject property is zoned RM-II (Multiple Family Residential-II). The proposed tentative partition plan, as conditioned, complies with the applicable standards of the RM-II zone and all other applicable provisions of the UDC, as required by this approval criterion, as follows:

***SRC Chapter 205 – Land Division and Reconfiguration***

The intent of SRC Chapter 205 is to provide for orderly land development through the application of appropriate standards and regulations. The partition process reviews development for compliance with City standards and requirements contained in the UDC, the Salem Transportation System Plan (TSP), and the Water, Sewer, and Storm Drain System Master Plans. A second review occurs for the created parcels at the time of site plan review/building permit review to assure compliance with the UDC. Compliance with conditions of approval to satisfy the UDC is checked prior to city staff signing the final partition plat.

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

▪ ***Partitions which can be further divided***

Pursuant to SRC 205.040, for partitions of residentially zoned property, when the area of a proposed partition is such that it can be further divided resulting in four or more lots or parcels, the development standards applicable to subdivisions set forth in SRC Chapter 803 shall apply. Any improvements resulting from the application of such standards to the proposed partition shall be constructed, or the applicant shall enter into a deferral agreement which shall be attached to all property within the partition.

**Finding:** As indicated with the analysis below, the application meets the requirements of SRC Chapter 803 for a partition application, as conditioned. The application has also been conditioned to ensure that Snowball Avenue SE to the east is extended through proposed Parcel 2 at time of development on that parcel. This criterion is met.

## ❖ **ZONING AND DEVELOPMENT STANDARDS**

### ***SRC Chapter 514 – RM-II (Multiple Family Residential-II) Zone***

#### ▪ ***Uses***

Allowed uses within the RM-II zone are established under SRC 514.005, Table 514-1.

**Finding:** The proposal includes a partition to divide the subject property into three parcels. Proposed Parcel 1 will accommodate the multi-family residential development and proposed Parcel 2 will be utilized for future development. Within the RM-II zone, multi-family residential uses are allowed as a permitted use. Future development of Parcel 2 will be subject to the allowed uses and development standards of the RM-I zone at the time of development.

#### ▪ ***Land Division in the RM-II Zone***

SRC 514.010(a) provides that 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:** As shown on the tentative partition plan (**Attachment B**), the proposed partition divides the subject property into three parcels. Proposed Parcel 1 is 6.15 acres (267,970 square feet) in size, and proposed Parcel 2 is 1.91 acres (83,238 square feet) in size. Both parcels exceed the minimum 20,000 square feet for land division in the RM-II zone. Proposed Parcel 3 will be 19,553 square feet in size after land division, which is below the minimum 20,000 square feet; however, the parcel is dedicated to stormwater facilities and is therefore dedicated to a use other than household living, satisfying the requirement.

#### ▪ ***Lot Standards***

Lot size and dimension standards within the RM-II zone are established under SRC 514.010(b), Table 514-2. A summary of the lot size and dimension standards applicable to residential uses within the RM-II zone is provided in the following table:

<b>RM-II zone: Residential Use Lot Standards</b>		
<b>Lot Area</b>	Min. 6,000 sq. ft.	Applicable to all other uses (multi-family)
<b>Lot Width</b>	Min. 40 ft.	Applicable to all other uses (multi-family)
<b>Lot Depth</b>	Min. 80 ft.	Applicable to all other uses (multi-family)
	Min. 120 ft.	Applicable to double frontage lots
	Max. 300% of average lot width	
<b>Street Frontage</b>	Min. 40 ft.	Applicable to all other uses (multi-family)

**Finding:** The proposed partition divides the subject property into three parcels. Proposed Parcel 1 is 6.15 acres (267,970 square feet) in size, and proposed Parcel 2 is 1.91 acres

(83,238 square feet) in size. Other than proposed Parcel 3, which will be used for stormwater facilities, the proposed parcels exceed the minimum required lot size and dimension requirements for residential development. Proposed Parcel 1 has frontage along Baxter Road SE to the south exceeding 16 feet. Additionally, both Parcel 1 and Parcel 2 will have frontage along a new internal street, Snowline Street, running north to south for more than 300 feet on both sides, thereby exceeding the minimum street frontage requirement.

Because the proposed partition is for a resulting unit of land from the Property Line Adjustment application included with this development proposal, the property line adjustment and partition plat must be recorded in sequence, as the review for this partition is for a unit of land not yet recorded. As such, the following condition applies:

**Condition 1:** The property line adjustment to relocate the shared property line and separate the northern portion of the property shall be recorded prior to the final partition plat for the remaining 9.5 acres of adjusted Property B.

Development of the proposed lots and conformance with the remaining the development standards of the RM-II zone and SRC Chapter 514, including density, setbacks, lot coverage, and landscaping, for the multi-family housing development included with this proposal are addressed in the findings for the Site Plan Review in Section 10 below.

▪ ***Dwelling Unit Density***

Dwelling unit density for subdivisions within the RM-II zone are established under SRC 514.015(c), Table 514-3. Within the RM-II zone, 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:** Multi-family residential development is proposed for Parcel 1. As explained in the findings for the site plan review in Section 10 below, a minimum of 92 dwelling units are required based on the size of the parcel following the partition. A total of 138 dwelling units are proposed for Parcel 1, in compliance with density standards of the RM-II zone. However, to ensure the minimum dwelling unit density standards are met as proposed, which have been reviewed based on the resulting parcels following the proposed partition, the partition plat shall be recorded prior to issuance of any building permit for construction of new apartment units; however, Public Works permits necessary for the partition, as they relate to grading, utilities, and street improvements, can be issued prior to final plat.

**Condition 2:** The final partition plat shall be recorded prior to issuance of any building permits for the development of Parcel 1, including construction of new residential units and the associated civil site work; except the final plat is not necessary prior to the issuance of Erosion Control, Clearing and Grubbing, Grading, and Public Works permits.

▪ ***Setbacks***

Setbacks for buildings and accessory structures within the RM-II zone are established under SRC 514.010(d), Table 514-4 and 514-5.

**Finding:** The proposal includes a partition to divide the subject property into two parcels. Proposed Parcel 1 will accommodate a proposed multiple-family residential apartment



complex, and proposed Parcel 2 will be utilized for future development. Future development of Parcel 2 will be reviewed for adherence to setback requirements at the time of building permit review. Review for the development of the multi-family housing on proposed Parcel 1 included with this proposal is addressed in the findings for Site Plan Review in Section 10 below.

### ***SRC Chapter 800 – General Development Standards***

#### **▪ *Designation of Lot Lines***

SRC 800.020 establishes standards for the designation of front, side, and rear lot lines for interior lots, corner lots, double frontage lots, flag lots, and all other lots.

**Finding:** The proposed partition includes the creation of three parcels. Both proposed Parcel 1 and Parcel 3 are considered corner lots, and proposed Parcel 2 is considered an interior lot with frontage along the new Snowline Street. Proposed Parcel 1 has frontage along the new Snowline Street to the east, and Baxter Road SE to the south; all lot dimension requirements are met regardless of which street is designated as the front lot line. Proposed Parcel 3 is strictly dedicated to stormwater facilities, and also meets applicable standards regardless of front lot line designation. Therefore, these standards are met.

### **❖ CITY INFRASTRUCTURE STANDARDS**

The Development Services division reviewed the proposal for compliance with the City's public facility plans as they pertain to provision of water, sewer, and storm drainage facilities. While SRC Chapter 205 does not require submission of utility construction plans prior to tentative partition plan approval, it is the responsibility of the applicant to design and construct adequate City water, sewer, and storm drainage facilities to serve the proposed development prior to final plat approval without impeding service to the surrounding area. A summary of the existing and required City infrastructure improvements are 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 proposal of partitioning does not meet the definition of "development" in SRC Chapter 200; however, an Urban Growth Preliminary Declaration has been required with the consolidated application to provide adequate facilities for the multi-family development, subject to the consolidated Site Plan Review application.

#### **▪ *Acquisition of property, easements, and right-of-way:***

SRC 200.050(d) requires that right-of-way dedicated to the City be free of encumbrances and liens.

**Finding:** As described in the analysis of SRC Chapter 803 below, right-of-way dedication is required for new internal streets. As a condition of approval, the applicant shall ensure required right-of-way is unencumbered, obtain quitclaims from private utility owners where there are conflicts, or receive an adjustment to this standard per SRC 200.050(d).

**Condition 3:** Prior to final plat approval, required right-of-way dedications and required easements shall be free and clear of encumbrances and liens unless an adjustment to SRC 200.050(d) is approved.

### ***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 applicant has provided a preliminary stormwater design to accommodate impervious surfaces on proposed Parcel 1 and the public right-of-ways; a stormwater design for Parcel 2 has not been reviewed or approved. A tentative stormwater design for Parcel 1 shall be approved prior to final plat. At time of development on Parcel 2, the applicant shall submit a final stormwater design to serve all proposed parcels in compliance with Public Works Design Standards. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces on all parcels and right-of-ways.

**Condition 4:** Prior to final plat approval, provide an engineered stormwater design, pursuant to Salem Revised Code Chapter 71 and the Public Works Design Standards, to accommodate new impervious surfaces in proposed right-of-ways and future impervious surfaces on proposed Parcel 1.

**Condition 5:** At time of development on Parcel 2, provide an engineered stormwater design, pursuant to Salem Revised Code Chapter 71 and the Public Works Design Standards, to accommodate new impervious surfaces in proposed right-of-ways and future impervious surfaces on proposed Parcel 2.

**Condition 6:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct stormwater facilities pursuant to Salem Revised Code Chapter 71 and the Public Works Design Standards to accommodate new impervious surfaces in right-of-ways.

### ***SRC Chapter 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-2 and S-3 water service levels. There are existing S-2 water facilities located in Baxter Road SE, Snowball Avenue SE, and Abbie Avenue SE. There are no S-3 water facilities available to serve the S-3 portion of the property. The applicant proposes to connect development occurring within the S-3 portion of the property to the existing S-2 water system and provide a private temporary booster pump station until S-3 service becomes available. Pursuant to SRC 200.080, where a development precedes construction of required facilities that are specified to serve a development, the land use approval may be conditioned to allow the development to access temporary facilities under conditions specified with a Temporary Facilities Access Agreement.

S-3 water will not become available to serve the development site until additional S-3 public mains are constructed, per the *Salem Water System Master Plan*. In lieu of construction of these facilities, the applicant may construct a temporary private booster pump station and connect to the existing S-2 water system. The applicant will be required to record a Temporary Facilities Access Agreement to allow the development to precede construction of the necessary S-3 water service level facilities.

- Condition 7:** The existing water system facilities are not considered adequate facilities pursuant to *Salem Revised Code* Chapter 200. To meet the requirement for an adequate facility, the applicant shall either:
- a. Construct *Salem Water System Master Plan* S-3 water mains to serve the development; or
  - b. Enter into a Temporary Facilities Access Agreement and construct a private water pump station to serve the proposed development. The private pump station and private water system shall be designed to accommodate elimination of the private pump station once permanent S-3 water facilities are available to serve the property.

The applicant's preliminary utility plan shows extension of a new 8-inch S-2 water main in the new internal street (Snowline Street) to serve the proposed development. However, according to the Public Works Design Standards and the *Salem Water System Master Plan*, a minimum 12-inch main is necessary to provide adequate flows in consideration of the pump station and due to the higher elevation of the property. Additionally, 8-inch mains are required to extend to Snowball Avenue SE along the eastern and western property boundaries to create a looped system. In conjunction with the proposed development, the applicant shall construct a 12-inch public water main in the new internal street (Snowline Street) from Baxter Road SE to the northern property line and shall extend 8-inch mains from the new internal street (Snowline Street) to the eastern and western property lines where Snowball Avenue SE stubs to the subject property. An 8-inch public water main will need to cross private property to connect between Snowline Street and Snowball Avenue SE (west) to complete the looped system.

- Condition X:** Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct a minimum 12-inch S-2 water main in the new

internal street (Snowline Street) and extend 8-inch mains from the new internal street to the eastern and western property boundaries to create a looped system with the existing water mains in Snowball Avenue SE. The mains shall be designed and constructed in accordance with the Public Works Design Standards.

**Sanitary Sewer** – The applicant’s preliminary utility plan shows construction of a new sanitary sewer main within the new internal street (Snowline Street) that extends within the undeveloped alignment of Snowball Avenue SE to the eastern property boundary. As a condition of approval, the applicant shall extend public sewer mains in the new internal streets and future street alignment to serve the proposed development.

**Condition 9:** Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct a minimum 8-inch sanitary sewer main in the new internal street (Snowline Street) and to the eastern property boundary in the future alignment for Snowball Avenue SE. The mains shall be designed and constructed in accordance with the Public Works Design Standards.

**Stormwater** – The applicant’s preliminary utility plan shows extension of a public storm main in the new internal street (Snowline Street) to provide conveyance of stormwater to the new public facility along Baxter Road SE. As a condition of approval, the applicant shall extend public stormwater mains to serve the proposed development.

**Condition 10:** Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct public stormwater mains in the new internal street (Snowline Street). The mains shall be designed and constructed in accordance with the Public Works Design Standards.

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

▪ ***Easements:***

SRC 802.020 requires the conveyance or dedication of easements for City utilities as a condition of development approval.

**Finding:** The applicant’s preliminary plans show new public utility mains on private property. As a condition of approval, the applicant shall dedicate easements for public infrastructure on the site to current standards established in the Public Works Design Standards Section 1.8 (Easements).

**Condition 11:** Prior to final plat approval, dedicate easements for all public infrastructure located on private property to current standards in Public Works Design Standards Section 1.8 (Easements).

As conditioned, the proposal meets the requirements of SRC Chapter 802.

***SRC Chapter 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 for streets and alleys shall conform to the standards set forth in Table 803-1.

**Finding:** Baxter Road SE abuts the subject property and is classified as a collector street according to the Salem Transportation System Plan (TSP). Baxter Road SE meets the minimum right-of-way width and pavement width standards established in SRC 803.025; therefore, additional improvements along Baxter Road SE are not required. There is an existing curblin sidewalk constructed along the Baxter Road frontage that is in good condition. SRC Chapter 803 requires sidewalk to be constructed at the property line, however, there are existing overhead power lines in this area creating a conflict. Per SRC 803.035(l)(2)(B), due to this conflict, the existing curblin sidewalk can remain.

Snowball Avenue SE and Abbie Avenue SE stub into the property along the western property boundary. These streets are local streets according to the Salem Transportation System Plan (TSP). As shown on the applicant's plans, these streets will be extended into the property and terminate in a cul-de-sac. As a condition of approval, the applicant shall dedicate the minimum right-of-way width required for a cul-de-sac street and construct the cul-de-sac on the subject property in accordance with the standards in SRC Chapter 803 and the Public Works Design Standards.

**Condition 12:** On the final plat, convey land for dedication to equal full width right-of-way and cul-de-sac for the extensions and terminus of Snowball Avenue SE and Abbie Avenue SE along the western property boundary consistent with the standards of SRC Chapter 803, in Table 803-1 (Right-of-way Width).

**Condition 13:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct full-width street improvement for the extension and terminus of Snowball Avenue SE and Abbie Avenue SE along the western property boundary as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803 Table 803-2 (Pavement Width).

Snowball Avenue stubs into the property along the eastern property boundary. Extension of Snowball Avenue SE from the eastern property boundary to the new internal street (Snowline Street) is proposed with development of Parcel 2. To ensure this street connection can feasibly connect with the new internal street (Snowline Street), the applicant shall provide a preliminary engineered profile and alignment for this street. The right-of-way for this street, and construction of the street, shall be completed at time of development on Parcel 2.

**Condition 14:** Prior to final plat approval, provide a preliminary engineered alignment and profile for the extension of Snowball Avenue SE from the eastern property boundary to the new internal street (Snowline Street) to demonstrate this street can be designed and constructed in accordance with SRC Chapter 803 and the Public Works Design Standards.

**Condition 15:** At time of development of Parcel 2, dedicate right-of-way for the extension of Snowball Avenue SE from the eastern property boundary to the new internal street (Snowline Street) consistent with the standards in SRC Chapter 803, in Table 803-1 (Right-of-way Width).

**Condition 16:** At time of development of Parcel 2, construct the extension of Snowball Avenue SE from the eastern property boundary to the new internal street (Snowline Street) consistent with City Street Design Standards and consistent with the provisions of SRC Chapter 803 Table 803-2 (Pavement Width).

▪ ***Street Standards***

All new public and private streets shall be improved pursuant to the standards outlined in SRC 803.030 and 803.035.

**Finding:** The applicant's site plan shows one new internal street to be constructed within the partition, Snowline Street SE, which will be classified as a Local street. The applicant's plans show a 60-foot-wide right-of-way and 30-foot-wide improvement width for this street, which is consistent with standards set forth in Table 803-1 (Right-of-way Width) and Table 803-2 (Pavement Width). However, an Alternative Street Standard to the block spacing requirement has been requested, as follows:

▪ ***Street Spacing***

SRC 803.030 establishes a 600-foot block spacing standard.

**Finding:** The new internal street has a block spacing along the western right-of-way of 720-feet from Baxter Road to the northern property line, as no connection to the west is proposed. As shown on the applicant's plan, Snowball Avenue SE and Abbie Avenue SE along the western property boundary are proposed to terminate in a cul-de-sac and not extend through the multi-family portion of the property. As described in the written UGA findings, Parcel 1 is proposed to be served by a private pump station for water, which requires the entirety of the S-3 portion of the property to be one parcel. As such, these streets will terminate and not be extended to divide the property, which would necessitate construction of multiple private pump stations. Pursuant to SRC 803.065(a)(3), an Alternative Street Standard is approved to allow a greater block spacing for the new internal street (Snowline Street) to allow for adequate water service to be provided to the development site.

In order to comply with SRC Chapter 803, relating to street standards, the applicant shall dedicate right-of-way for the new internal street (Snowline Street) and shall design and construct the street to meet SRC Chapter 803 and the Public Works Design Standards, except where an Alternative Street Standard has been approved by this decision.

**Condition 17:** On the final plat, dedicate a 60-foot-wide right-of-way for the new internal street (Snowline Street) as shown on the applicant's tentative plan.

**Condition 18:** Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct internal streets to local street standards as

specified in the City Street Design Standards and consistent with the provisions in SRC Chapter 803, except where an Alternative Street Standard has been approved, as described in this Decision.

▪ ***Traffic Impact Analysis***

SRC 803.015 establishes the requirement to submit a Traffic Impact Analysis to ensure that development generating a significant amount of traffic provides the facilities necessary to accommodate the traffic impacts of the proposed development.

**Finding:** Pursuant to SRC 803.015(b), a Traffic Impact Analysis (TIA) was required to be submitted as part of the application package. The TIA finds that all study intersections will meet City operating standards, and that no off-site mitigation is required. However, the TIA finds that at the intersection of Baxter Road SE and the new internal street (Snowline Street), modifications to the intersection and street profile are required to ensure that required intersection sight distance requirements are met. As such, prior to issuance of Public Construction Permits for the new internal street, the applicant shall provide construction plans that demonstrate minimum sight distance standards are met for the intersection of the new internal street (Snowline Street) and Baxter Road SE.

**Condition 19:** Prior to Issuance of a Public Construction Permit, in accordance with the Traffic Impact Analysis, the applicant shall provide plans that show how the adequate intersection sight-distance is provided at the intersection of Baxter Road SE and the new internal street (Snowline Street).

**Condition 20:** Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), the applicant shall construct any necessary modifications to Baxter Road SE to ensure adequate sight distance is provided in accordance with the City Street 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:** The applicant is constructing new internal streets to serve the development. Additionally, street trees may be planted along Baxter Road SE behind the existing curbline sidewalk. The applicant shall be required to provide street trees along all street frontages at the time of development on each lot.

**Condition 21:** At time of development on each parcel, install street trees to the maximum extent feasible along Baxter Road SE and the new internal streets.

▪ ***Public Utility Easements***

SRC 803.035(n) requires dedication of up to a 10-foot Public Utility Easements (PUE) along all street rights-of-way.

**Finding:** As a condition of approval, the applicant shall dedicate a 10-foot-wide PUE along the frontage of Baxter Road SE, the extensions of Snowball Avenue SE and Abbie Avenue SE, and along the new internal street (Snowline Street).

**Condition 22:** Prior to final plat approval, provide a 10-foot-wide public utility easement along the frontage of Baxter Road SE, the extensions of Snowball Avenue SE and Abbie Avenue SE, and along the new internal street (Snowline Street).

As conditioned, the proposal conforms to applicable street standards.

## ❖ **ENVIRONMENTAL FACTORS**

### ***SRC Chapter 601 – Floodplain***

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

**Finding:** Public Works staff 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***

SRC Chapter 808 (Preservation of Trees and Vegetation) requires tree conservation plans in conjunction with development proposals involving the creation of lots or parcels to be used for single family uses, two family uses, three family uses, four family uses, or cottage clusters.

**Finding:** The proposed development is for multi-family housing, and does not fall within the uses requiring a Tree Conservation Plan in conjunction with the Partition; therefore, a tree conservation plan is not required with this proposal. Further review of the tree preservation requirements are addressed with the Site Plan Review criteria in Section 9 below.

### ***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 no mapped landslide hazard areas on the subject property.

As discussed in the findings for the Site Plan Review approval criteria analysis in Section 10 below, and with completion of the conditions outlined in this decision, the proposal meets all applicable standards of the UDC. This criterion is met.

***SRC 205.005(d)(2): The tentative partition plan does not impede future access to adjacent land.***

**Finding:** The tentative partition plan proves one north-south street connection to adjoining undeveloped land and provides for the future extension of Snowball Avenue SE to the new internal street. The tentative partition plan does not impede future access to adjacent land, rather it provides new access opportunities. This criterion is met.

***SRC 205.005(d)(3): Development within the tentative partition plan can be served by City infrastructure.***

**Finding:** The Development Services division reviewed the proposal and determined that water, sewer, and storm infrastructure are available and appear to be adequate to serve the parcels within the proposed partition, subject to the conditions of approval established in this decision. This approval criterion is met.

***SRC 205.005(d)(4): The street system in and adjacent to the tentative partition plan conforms to the Salem Transportation System Plan.***

**Finding:** As described in the findings above, the subject property is located adjacent to local and collector streets under the City's Transportation System Plan (TSP). The conditions of approval established with the partition decision will require street extensions and provide for future extension opportunities. This criterion is met.

***SRC 200.005(d)(5): When the tentative partition plan is for property located more than 300 feet from an available sewer main, and the property will not connect to City water and sewer:***

- (A) The property is zoned residential;***
- (B) The property has received a favorable site evaluation from the county sanitarian for the installation of an on-site sewage disposal system; and***
- (C) The proposed parcels are at least 5 acres in size and, except for flag lots, have no dimension that is less than 100 feet.***

**Finding:** The site is served by available sewer and water; therefore, this criterion is not applicable.

## **9. Analysis of Urban Growth Preliminary Declaration**

Salem Revised Code (SRC) 200.025(d) & (e) set forth the applicable criteria that must be met before an Urban Growth Preliminary Declaration may be issued. The following subsections are organized with approval criteria followed by findings identifying those public facilities that are currently in place and those that must be constructed as a condition of the Urban Growth Preliminary Declaration in order to fully serve the development in conformance with the City's adopted Master Plans and Area Facility Plans.

***SRC 200.025(d): The Director shall review a completed application for an Urban Growth Preliminary Declaration in light of the applicable provisions of the Master Plans and the Area Facility Plans and determine:***

- (1) The required facilities necessary to fully serve the development;***
- (2) The extent to which the required facilities are in place or fully committed.***

**Finding:** Development Services has reviewed the applicable Master Plans and Area Facilities Plans and has determined what facilities are necessary to fully serve the development as well as the extent to which the facilities are in place or will be listed as a condition of approval on the development, as described in the below analysis of the development based on relevant standards in SRC 200.055 through SRC 200.075.

***SRC 200.025(e): The Urban Growth Preliminary Declaration shall list all required facilities necessary to fully serve the development and their timing and phasing which the developer must construct as conditions of any subsequent land use approval for the development.***

**Finding:** An Urban Growth Preliminary Declaration is required because the subject property is located outside the Urban Service Area in an area without required facilities. Analysis of the development based on relevant standards in SRC 200.055 through SRC 200.075 is as follows:

### ***SRC 200.055 – Standards for Street Improvements***

**Finding:** An adequate linking street is defined as the nearest point on a street that has a minimum 60-foot-wide right-of-way with a minimum 30-foot improvement for local streets or a minimum 34-foot improvement for major streets (SRC 200.055(b)). All streets abutting the property boundaries shall be designed to the greater of the standards of SRC Chapter 803 and the standards of linking streets in SRC 200.055(b).

The subject property abuts Baxter Road SE, Snowball Avenue SE, and Abbie Avenue SE. The streets abutting the subject property have an adequate "linking" improvement for their classification according to SRC Chapter 200. Additional "linking" street improvements are not required.

### ***SRC 200.060 – Standards for Sewer Improvements***

**Finding:** The proposed development shall be linked to adequate facilities by the construction of sewer lines and pumping stations, which are necessary to connect to such existing sewer facilities (SRC 200.060). The nearest available sewer facilities are located in Baxter Road SE,

adjacent to the subject property. As a condition of sewer service, all developments will be required to provide public sewers to adjacent upstream parcels, as discussed with the partition findings in Section 8 above.

#### ***SRC 200.065 – Standards for Storm Drainage Improvements***

**Finding:** The proposed development shall be linked to existing adequate facilities by the construction of storm drain lines, open channels, and detention facilities which are necessary to connect to such existing drainage facilities. The nearest available public storm system appears to be located in Baxter Road SE, adjacent to the subject property.

#### ***SRC 200.070 – Standards for Water Improvements***

**Finding:** The proposed development shall be linked to adequate facilities by the construction of water distribution lines, reservoirs, and pumping stations that connect to such existing water service facilities (SRC 200.070). The applicant shall provide linking water mains consistent with the Water System Master Plan adequate to convey fire flows to serve the proposed development as specified in the Water Distribution Design Standards.

The subject property is located within the S-2 and S-3 water service levels. There are existing S-2 water facilities located in Baxter Road SE, Snowball Avenue SE, and Abbie Avenue SE. There are no S-3 water facilities available to serve the S-3 portion of the property. The applicant proposes to connect the S-3 portion of the property to the existing S-2 water system and provide a private temporary booster pump station until S-3 service becomes available. Pursuant to SRC 200.080, where a development precedes construction of required facilities that are specified to serve a development, the land use approval may be conditioned to allow the development to access temporary facilities under conditions specified with a Temporary Facilities Access Agreement.

S-3 water will not become available to serve the development site until additional S-3 public mains are constructed, per the Salem Water System Master Plan. In lieu of construction of these facilities, the applicant may construct a temporary private booster pump station and connect to the existing S-2 water system. As conditioned with the partition findings above, the applicant will be required to record a Temporary Facilities Access Agreement to allow the development to precede construction of the necessary S-3 water service level facilities.

#### ***SRC 200.075 – Standards for Park Sites***

**Finding:** Pursuant to SRC 200.075(a), prior to development approval, the applicant shall reserve for dedication that property within the development site that is necessary for an adequate neighborhood park, access to such park, and recreation routes, or similar uninterrupted linkages, based upon the Salem Comprehensive Park System Master Plan. The subject property is served by Wes Bennet Park, located one-quarter mile east of the subject property.

### **10. 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.

### ❖ **ZONING AND DEVELOPMENT STANDARDS**

***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 12 buildings containing 138 dwelling units, with associated site improvements on property zoned RM-II (Multiple Family Residential); therefore, the following is an analysis of the proposed multi-family development on Parcel 1, which has been reviewed for conformance with the RM-II zone under SRC Chapter 514. Five adjustments are requested to setbacks, parking location, and buildable width; findings for the adjustments are included in Section 11 of this decision. The proposed development conforms to SRC Chapter 514 and all other applicable development standards of the Salem Revised Code as follows.

#### ***SRC Chapter 514 – RM-II (Multiple Family Residential-II) Zone***

##### ***SRC 514.005 – Uses.***

The permitted, special, conditional, and prohibited 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:** As described above, Proposed Parcel 2 will be 267,970 square feet (6.15 acres) in size after land division, which meets the minimum 20,000 square feet; therefore, this standard is met.

It should be noted, however, that the applicant's development plans indicate the site is 268,018 square feet in size, while the partition plan indicates Parcel 1 is 267,970 square feet in size. The difference is minimal, so review of the development standards in the following sections that require calculations using the square footage of the site, and for the design review standards in Section 14 below, will use an approximation between the two sizes of 268,000 square feet for calculating conformance with the standards.

##### ***SRC 514.010(b) – Lot standards.***

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

**Finding:** As previously addressed in findings for the tentative partition plan in Section 8, the proposed parcels meet the minimum lot standards for the RM-II zone. The proposed development is being reviewed for conformance with the development standards of the RM-II

zone with the assumption that the partition of the property is completed. Per Condition 2 above, 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, the development site is 6.15 acres, allowing for a minimum of 92 dwelling units ( $6.15 \times 15 = 92.25$ ), and a maximum of 191 dwelling units ( $6.15 \times 31 = 190.65$ ). The proposed development includes a total of 138 dwelling units, thereby meeting the minimum and maximum requirements.

*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*

For a multiple family use, Table 514-4 specifies that multi-family buildings abutting a street require a minimum setback of 12 feet plus one foot for each one foot of height over 12 feet, but need not exceed 20 feet; vehicle use areas require a minimum 12-foot setback.

**South:** Adjacent to the south is right-of-way for Baxter Road SE, designated as a Collector Street in the Salem TSP.

**Finding:** The applicant's plans indicate Buildings A, B, and C will be approximately 34 to 35 feet in height, which would require a minimum setback of 22 or 23 feet ( $34 - 12 = 22$ ), but the standard indicates it need not exceed 20 feet. The applicant's plans show the buildings along Baxter Road SE are setback at least 20 feet to property line abutting the street, meeting the minimum standards. The vehicle use area is proposed behind the buildings, and not adjacent to the street. The proposal meets the standards.

**East:** The development plan includes construction of a new internal street where Parcel 1 is adjacent to right-of-way for Snowline Street to the east, designated as a Local Street in the Salem TSP.

**Finding:** The applicant's plans indicate Buildings A, G, J, K, and L are located along Snowline Street, and will also be approximately 34 to 35 feet in height, which would require a minimum setback of 22 or 23 feet ( $34 - 12 = 22$ ); however, because the standard indicates it need not exceed 20 feet, Buildings J, K, and L are located along the 20-foot setback line, meeting the standard. Building A exceeds the minimum requirement and is setback 35 feet from the property line abutting Snowline Street, while Building G is setback only 16 feet to the property line abutting Snowline Street. Therefore, the applicant has requested an adjustment to reduce the minimum setback requirement for Building G from 20 feet to 16 feet; findings for the adjustment are included in Section 11 of this decision. Other than the driveway entrances providing access to the development from Snowline Street, all vehicle use areas use for parking are at least 20 feet from the property line abutting the street. The proposal meets the standards.

**West:** Adjacent to the west is right-of-way for two new cul-de-sacs for Snowball Avenue SE and Abbie Avenue SE, designated as Local Streets in the Salem TSP.

**Finding:** The applicant's plans indicate Buildings D and E are adjacent to Abbie Avenue SE, and Buildings E, F, and H are adjacent to Snowball Avenue SE; all of which will be approximately 34 feet in height, and requiring a minimum setback of 22 feet ( $34 - 12 = 22$ ), or at least the 20-foot minimum they need not exceed. Buildings E, F, and H are located along the 20-foot setback line, meeting the standard; and Building D exceeds the minimum requirement and is setback approximately 40 feet from the property line abutting the Abbie Avenue cul-de-sac. There are two parking areas adjacent to the Abbie Avenue cul-de-sac which appear very close to the street, but the applicant has indicated that the minimum 12-foot setback is provided. Adjacent parking areas to the Snowball Avenue cul-de-sac are over 20 feet from the property line. The proposal meets the standards.

▪ *Interior Side and Rear*

**West:** Adjacent to the west 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 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).

**Finding:** Buildings D, E, and F are setback approximately 30 feet from the western property line abutting the RS zoned properties, exceeding the minimum zone-to-zone setback. Further evaluation of the setback requirements for multi-family buildings adjacent to RS zone properties is discussed with the design review standards per SRC 702.020(e)(2), under Section 14 below. There are no vehicles use areas adjacent to the western property line. The proposal meets the standards.

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

**Finding:** The applicant's plans demonstrate approximately 30 feet is provided for the setback for Buildings F and G abutting the north property line, and the minimum ten feet is provided for the vehicle use area to the north rear property, with a six-foot-tall sight-obscuring fence. Landscape and irrigation plans will be reviewed for conformance with the requirements of SRC 807 at the time of building permit application review. The proposal meets the standards.

*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 53,124 square feet of the 6.15-acre lot, for a lot coverage of approximately 20 percent ( $53,124 / 268,000 = 19.8$ ). The applicant's building elevations indicate that all new buildings are less than 40 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 14 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 138 units; therefore, it is subject to the Design Review standards of SRC 702.020, which are addressed in Section 14 of this decision.

***SRC Chapter 602 – Airport Overlay Zone***

Development within the Airport Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable

development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone or any other overlay zone, the more restrictive development standards shall be the applicable development standard.

**SRC 602.020(a) – Height.** Except as otherwise provided in this chapter, no building, structure, or object shall be erected or increased in height, and no vegetation shall be allowed to grow, to a height in excess of the height limitations set forth in this subsection. If all or part of a lot is located in more than one Airport Overlay Zone area, the applicable height limitation shall be the most restrictive height limitation.

**Finding:** The subject property is located in the Conical Surface of the Airport Overlay Zone.

(6) **Conical area.** In the conical surface, no building, structure, object, or vegetative growth shall have a height greater than that established by a plane sloping 20 feet outward for each one foot upward beginning at the periphery of the horizontal surface, 150 feet above the airport elevation, and extending to a height of 350 feet above the airport elevation.

**Finding:** The airport elevation for McNary Field Airport is 213.4 feet above mean sea level; therefore, the maximum allowed height in the Conical area is 563.4 feet (350 + 213.4). The applicant's plans indicate that the highest roof peak for the development is 37.5 feet, and that the maximum site grade for the development will be approximately 508 feet, resulting in a total height of no more than 545.5 feet above mean sea level for any building within the development, which is below the 563.4 feet. Due to the existing topography of the property, one or more building may exceed the maximum height allowance provided in the Airport Overlay Zone. No supporting documentation from the Oregon Department of Aviation (ODAV) was provided to verify the calculations; however, no comments were made by ODAV regarding the proposed development. The applicant will be required to demonstrate compliance with the Airport Overlay Zone height restrictions at the time of building permit review.

## ***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 proposed development includes three new solid waste service areas; therefore, the standards of SRC 800.055 apply. The applicant has not indicated the size of the receptacles, however, full adherence with these standards will be ensured at the time of building permit review, as conditioned below.

**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 proposed trash enclosure is located within the fully paved vehicle use area and thereby meets the pad area requirements. This standard is met.

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

**Finding:** The applicant has provided construction details for the trash enclosure that do not appear to show adequate separation distance is provided within the enclosure. Therefore, to ensure the trash enclosure meets all development standards at the time of construction, the following condition applies:

**Condition 23:** At the time of building permit review, the applicant shall provide receptacle sizes and construction details for the trash enclosures, indicating conformance with all applicable standards of SRC 800.055.

- (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 serving.

**Finding:** The construction details for the enclosure appear to show at least ten feet of clearance for the front elevation; however, the size of the receptacles were not provided to verify the applicable standard. As conditioned above, further conformance with the standard will be verified at the time of building permit review.

***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:** The proposal does not appear to include permanent drop box or compactors. Further conformance with the standard will be verified at the time of building permit review.

***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 concrete masonry wall on three sides, and steel gates at the openings of the enclosure. 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 of 18 feet in width; therefore, this standard is met.

- (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 show the proposed solid waste service areas will be screened with a concrete masonry wall, but do not appear to include a bumper curb or rail. As conditioned above, further conformance with the standard will be verified at the time of building permit review.

- (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 development plans show an enclosure with one front opening of 18 feet in width, and appear to provide an opening of 90 degrees. However, the construction details do not indicate restrainers used for the gates. As conditioned above, the applicant can provide the required information at the time of building permit review to demonstrate conformance with the standard.

*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 a vehicle operation area perpendicular to the enclosure and extending into vehicle maneuvering area, with a minimum length of 45 feet and a width equal to the width of the enclosure. 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 applicant has not indicated the size of the receptacles. Full adherence with these standards will be verified at the time of building permit review.

- (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 construction details for the enclosure appear to show at least ten feet of clearance for the front elevation; however, the size of the receptacles were not provided to verify the applicable standard. As conditioned above, further conformance with the standard will be verified at the time of building permit review.

- (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 paving requirements. The applicant can demonstrate the required grading, drainage, and signage at the time of building permit review, as conditioned.

- ***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. For purposes of this section development means the construction of, or addition to, a building or accessory structure or the construction of, or alteration or addition to, an off-street parking or vehicle use area. Development does not include construction of, or additions to, buildings or accessory structures that are less than 200 square feet in floor area.

**Finding:** The proposal is a multiple family development; therefore, these standards are not applicable. The development standards under SRC 702.020 require pedestrian access and are addressed in Section 14 below. The standards of this subsection do not apply.

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

*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 138-unit multi-family apartment building, which allows a maximum 1.75 times the number of units for a multi-family development; therefore, the development allows a maximum of 242 spaces ( $138 \times 1.75 = 241.5$ ). The proposed development includes a total of 211 spaces, which is less than the maximum allowance. This standard is met.

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

**Finding:** A maximum of 158 of the off-street parking spaces may be compact spaces ( $211 \times 0.75 = 158.25$ ); the remaining spaces must be standard size spaces. The proposal indicates 144 compact parking spaces are proposed for the development site, which is less than the maximum allowance. This standard is met.

(b) *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.

(c) *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 219 spaces, requiring a minimum of 84 spaces ( $211 \times 0.4 = 84.4$ ) 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 90 EV chargers will be provided on site. This standard is met.

#### ▪ ***Off-Street Parking and Vehicle Use Area Development Standards***

*SRC 806.035 – For uses or activities other than single family, two family, three family 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:

- (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 off-street parking spaces comply with the minimum aisle width and dimensional requirements for standard vehicle parking spaces established in Table 806-5.

- (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 806-9. The turnaround shall conform to the minimum dimensions set forth in Table 806-6.

**Finding:** The proposed development has one off-street parking area that terminates at a dead-end, and provides one striped parking space in conformance with the turnaround dimensions in Table 806-6. The area shall be identified by striping and installing no parking signs. Further conformance will be verified at the time of building permit review. This standard is met.

- (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 widened pedestrian paths or landscape planters will provide an extra two feet for vehicle overhang, thereby ensuring that no portion of a vehicle will overhang or the minimum required areas for pedestrian paths or landscape; 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 off-street surface 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 applicant's statement and plans indicate that the proposed surface parking area is approximately 64,025 square feet in size; 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 86,361 square feet in size, requiring a minimum 34,544 square feet of tree canopy ( $86,361 \times 0.4 = 34,544.4$ ). The applicant's plans indicate 63,515 square feet of total tree canopy coverage is proposed, or approximately 74 percent. 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:** The development plans indicate 63,515 square feet of tree canopy coverage will be provided around the perimeter of the off-street parking area, equivalent to approximately 74



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 six types from Table 806-7; 20 of which have an expected 15-year tree canopy diameter of 50 feet, and 29 with an expected 15-year tree canopy diameter of 35 feet. All trees are proposed within ten feet of the parking area. These standards are met.

(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:** The development plans indicate all 49 trees will be planted throughout the site in planting areas that contain a minimum of three trees. However, the required soil amounts were not provided, and several of the trees are spaced too far apart where their projected canopies do not touch to form the continuous canopy. Additionally, one of two trees appear to overlap more than 20 percent with an adjacent building, and cannot be counted toward the total canopy. When one tree canopy cannot be counted, and its removal from the calculation affects the counting of adjacent trees that no longer form a continuous canopy or are no longer located in a planter of three, then those tree canopies also do not count towards the total canopy provided. Because the applicant has proposed approximately 74 percent of tree canopy coverage, the plans can be updated to remove trees not meeting the planting standards from the calculation and still meet the minimum 40 percent requirement, and/or make adjustments by moving some trees closer together to ensure all trees satisfy the tree planting standards. As such, the following condition applies:

**Condition 24:** Prior to approval of landscape plans for the proposed development, the tree plan and landscape shall be updated to demonstrate compliance with all tree canopy standards in SRC 806.035(n)(3), including but not limited to, proximity to form a continuous canopy, no more than 20 percent overlap with buildings, and adequate soil amounts.

*(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 did not provide a statement from PGE regarding any utility conflicts with the plans provided; however, the applicant is responsible for addressing any potential conflicts during the building permit process, while ensuring that the standards of this section are met. Substantial changes to the landscape plans or tree canopy calculation may require a modification to ensure the applicable standards are still met. Landscape plans will be further reviewed for conformance with the requirements of SRC 806.035(n) at the time of building permit review.

▪ ***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:** Pursuant to SRC 806.040(d), Table 806-7, two-way driveways are required to have a minimum width of 22 feet. The development site is served by two new 30-foot- wide driveway approaches onto Snowline Street. Both driveways exceed the minimum 22-foot width, and provide for safe turning movements into and out of the property. These standards are 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.

***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 138-unit multi-family development requires a minimum of 138 bicycle parking spaces. The applicant's plans indicate that 46 long-term bicycle parking spaces are provided in the ground floor units, and 92 spaces are provided at building entrances; providing 138 total bike parking spaces and meeting the minimum requirement.

***SRC 806.060 – Bicycle Parking Development Standards.***

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.

**Finding:** The proposal includes 12 bicycle parking areas with 3 bike racks (6 spaces), providing 72 bicycle parking spaces; two bicycle parking areas with 4 bike racks (8 spaces), providing 16 bicycle parking spaces; and one bicycle parking area with 2 bike racks providing 4 bicycle parking spaces, for a total of 92 bike parking spaces located outside of buildings and within convenient distances of a building entrances or access to common open space, meeting the standard for short-term bicycle parking location.

***(2) Long-term bicycle parking.***

***(A) Generally.*** Long-term bicycle parking shall be located:

- (i) Within a building, on the ground floor or on upper floors when the bicycle parking areas are easily accessible by an elevator; or
- (ii) On site, outside of a building, in a well-lighted secure location that is sheltered from precipitation and within a convenient distance of the primary entrance.

(B) *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 indicates that 46 bicycle parking spaces will be provided in all ground floor units; however, the buildings do not have elevators, and it is not clear if the long-term bicycle parking spaces meet all access requirements, as indicated below.

(b) *Access.* Bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance that is free of obstructions and any barriers, such as curbs or stairs, which would require users to lift their bikes in order to access the bicycle parking area.

**Finding:** The bicycle parking located in public areas are 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 for the short-term bike parking areas. However, Buildings K and L have retaining walls and stairs leading to the entrances along the street, and it is not clear if the access is clear of obstructions like stairs for all ground floor units. Therefore, the following condition applies:

**Condition 25:** Prior to building permit approval, the applicant shall demonstrate that all bicycle parking provided for the development complies with the applicable standards of SRC 806.060.

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

(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, bike rack details were not provided for the long-term spaces located in the units. As conditioned, the applicant shall demonstrate how all bike parking meets the applicable standards at the time of building permit review. Conformance with this standard will be verified 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.

**Finding:** The applicant's plans indicate the proposed short-term bicycle parking spaces will be placed on concrete slabs; therefore, this standard is met.

(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 806-12.

**Finding:** The applicant's plans indicate installation of inverted staple bike racks will be provided for the short-term bike parking spaces. The proposed bike racks conform to material requirements of SRC 806.060(e). As conditioned above, the applicant shall provide details for the long-term racks located inside units. 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.

*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.

### ❖ **CITY INFRASTRUCTURE STANDARDS**

The Development Services division reviewed the proposal for compliance with the City's public facility plans as they pertain to provision of water, sewer, and storm drainage facilities. While SRC Chapter 205 does not require submission of utility construction plans prior to tentative partition plan approval, it is the responsibility of the applicant to design and construct adequate City water, sewer, and storm drainage facilities to serve the proposed development prior to final plat approval without impeding service to the surrounding area. A summary of the existing and required City infrastructure improvements are as follows:

#### ***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 development is subject to SRC Chapter 71 and requires the use of green stormwater infrastructure to treat and detain stormwater generated by the development. The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4)(a) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible.

**Condition 26:** 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).

As conditioned, the proposed development meets the requirements of SRC Chapter 71.

#### ***SRC Chapter 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:** Pursuant to SRC 76.110, utility mains are to be laid with construction of streets and as such, the utilities necessary to serve the proposed development are conditioned to be constructed in conjunction with the partition plat and required street improvements. In order to ensure public utilities are provided to serve the multi-family development, the partition plat shall be recorded and improvement shall be constructed or secured prior to issuance of a Building Permit. As conditioned within this decision, adequate public utilities will be provided to serve the development, in compliance with SRC Chapter 802.

#### ***SRC Chapter 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:** Boundary street improvements and internal street improvements are conditioned on the consolidated application as part of the tentative partition plan approval. As the final plat has been conditioned to be recorded prior to issuance of building permits, the boundary improvements to serve the multi-family development will be secured and improved.

***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 three new driveway approaches onto the local streets internal to the development and has applied for Class 2 Driveway Approach Permits; findings for which are provided in this memo. As described in the findings below, the proposal meets the approval criteria for a Class 2 Driveway Approach Permit. With approval of the Class 2 Driveway Approach Permits, the proposed development meets 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 proposed structures do not cause a vision clearance obstruction per SRC Chapter 805.

***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 the areas to be landscaped, which provides a breakdown of the landscape requirements for each setback, the interior parking lot, and the minimum 15 percent for the development site, and demonstrates

conformance with the corresponding plant unit requirements. Landscape and irrigation plans will be further reviewed for conformance with the requirements of SRC 807 at the time of building permit review. This standard is met.

▪ ***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.

**Finding:** The applicant has submitted a tree inventory for the development site indicating 36 trees existing on site, as defined under SRC Chapter 808. The applicant has proposed removal of a 100 percent of the trees, which exceeds 75 percent of trees on the development site by nine trees ( $36 \times 0.25 = 9$ ), which shall be replanted with two new trees for each tree removed in excess of 75 percent. Additionally, 11 of the trees proposed for removal are located within a required setback, and shall be replanted with two new trees for each tree removed from a setback area; requiring a total 40 additional trees to be replanted. To ensure that trees are planted to meet the replacement ratio and size requirements of this subsection, the following condition applies:

**Condition 27:** The applicant shall provide an additional 40 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.

***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 no heritage trees or riparian trees on site. The applicant’s final tree inventory identified a total of 36 significant trees on site; all of which are proposed for removal and are not excepted under SRC 808.030(a)(2). While some of the trees seem to meet the criteria for a tree removal



permit under SRC 808.030(d), the applicant has submitted an application for a Tree Regulation Variance for review of all the proposed tree removals, pursuant to SRC 808.045. Findings for the Tree Regulation Variance can be found in Section 12 of this decision.

As discussed in the findings for the Tentative Partition Plan in Section 8 above, and with completion of the conditions outlined in this decision, the subject property also meets all applicable standards of the following chapters of the UDC: *SRC Chapter 200 – Urban Growth Management, SRC Chapter 601 – Floodplain, SRC Chapter 809 – Wetlands, and SRC Chapter 810 – Landslide Hazards*; therefore, this criterion is met.

***SRC 220.005(f)(3)(B): The transportation system into and out of the proposed development conforms to all applicable city standards.***

**Finding:** Access to the proposed development will be provided by the network of existing public streets that surround the property. As shown on the preliminary site plan an internal street is extended through the site to provide safe and convenient access to the proposed lots within the development. As conditioned, the required improvements will ensure that 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): The proposed development mitigates impacts to the transportation system consistent with the approved traffic impact analysis, where applicable.***

**Finding:** Pursuant to SRC 803.015(b), a Traffic Impact Analysis (TIA) was required to be submitted as part of the application package. The TIA finds that all study intersections will meet City operating standards and that no off-site mitigation is required. However, the TIA finds that the intersection of Baxter Road SE and the new internal Street (Snowline Street) does not meet required intersection sight distance requirements and modifications to the intersection are required to ensure intersection sight distance is met. As such, prior to issuance of Public Construction Permits for the new internal street, the applicant shall provide construction plans that demonstrate minimum sight distance standards are met for the intersection of the new internal street (Snowline Street) and Baxter Road SE. The mitigation has been required as a condition of approval. With the listed conditions of approval, the tentative subdivision plan mitigates impacts to the transportation system consistent with the approved Traffic Impact Analysis.

***SRC 220.005(f)(3)(D): The proposed development will be served with City water, sewer, storm drainage, and other utilities.***

**Finding:** The subject property is located outside of the Urban Service Area, therefore; an Urban Growth Preliminary Declaration has been required which establishes needed improvements to serve the proposed development. A request for an Urban Growth Preliminary Declaration is included with the proposal. As a 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.

## 11. 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 five Class 2 Adjustments for a building setback abutting the street, the location of two off-street parking areas, and buildable width. The following provides a detailed analysis upon which the decision is based for each individual adjustment request:

- (1) Reduce the minimum setback abutting a street for Building G from 20 feet to 16 feet, per SRC 514.010(d).***

Setbacks within the RM-II zone shall be provided as set forth in Table 514-4 and Table 521-5. 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. All buildings proposed in the development are over 20 feet; therefore, the minimum setback for buildings abutting a street is at least 20 feet. Building G is setback only 16 feet to the property line abutting Snowline Street due to site constraints and the curve of the street; therefore, the applicant has requested a Class 2 Adjustment to reduce the minimum setback requirement for Building G from 20 feet to 16 feet.

The applicant's written statement indicates that Building G has to be moved closer to the street on the east side in order to meet other code requirements for parking, maneuvering, and emergency access. Additionally, reducing the setback on the east side allows for a larger setback to be provided on the west side abutting the single-family neighborhood, helping to reduce any impacts to the single-family residences. The purpose behind the increased street setback for multi-family development is to provide pedestrian amenities and activity along the street, as well as reduce the appearance of building bulk towards the street. Reducing the setback along Snowline Street by four feet still allows for the accommodation of required site improvements, and a consistent overall design for the site. The proposed a 16-foot setback still provides adequate room for porches and building articulation, pedestrian walkways, including landscaping and trees to meet the intent of creating a visually appealing streetscape with pedestrian amenities, and a suitable buffer to mitigate any negative impacts from traffic along the street to the east, while also providing a suitable buffer to the single-family properties to the west.

Staff agrees that the development provides design challenges, as well as limited location and space for the provision of required access and setbacks. The applicant has presented a proposal which equally or better meets the intent to create a pedestrian-friendly design along

Snowline Street, while balancing other applicable development standards for the development site and being conscious of the neighboring properties. Therefore, the request equally meets the standard as proposed, and this approval criterion is met.

- (2) Eliminate the requirement for off-street parking areas not to be located between a building and the street for the area between Building A and Building L, per SRC 702.020(d)(2); and*
- (3) Eliminate the requirement for off-street parking areas not to be located between a building and the street for the area between Building G and Building J, 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 multiple street frontages, the applicant is requesting an adjustment to this standard for two small areas near each of the new driveways, where parking spaces are provided past the plane of the building, as measured in a line across the façade.

Because of the development of the surrounding partition and streets and the curve of the internal street, the applicant's grading plans indicate a steep slope with a significant change in grade is necessary across the site, including the eastern boundary to meet street standards for the new Snowline Street, making it difficult to place buildings at the perimeter of the site in all areas. At the southeast corner of the development, Building A is located at the corner of the site where Baxter Road SE and Snowline Street intersect, and the adjacent parking area is located behind Building A, and to the side of Building L, equally meeting the standard. However, because of the two street frontages and Building A being setback 35 feet from Snowline Street, the parking appears in front on Building L when viewed from Baxter Road SE, not meeting the standard. At the northeast side of the development, Buildings J and G are located where the street curves into the development, creating a challenge to provide parking spaces and building facades with straight planes parallel along a curve. Because of this, and similar to the adjustment for the setback reduction for Building G, a portion a corner of the parking area is located beyond the plane of the building, as measured in a line across the façade. The applicant's written statement indicates that the development will provide additional landscaped areas throughout the site. Additionally, the applicant's landscape plans indicate large shade trees will be provided directly adjacent to the two areas, between the parking and the street, meeting the intent 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.

Staff agrees that the development has unique site constraints due to the topography of the site, but the applicant has provided a design that meets the standard to the extent practical, and equally meet the intent of creating a more aesthetically pleasing development along the streets. Therefore, the request equally meets the standard as proposed, and this approval criterion is met.

- (4) Reduce the 40 percent buildable width requirement for buildings along the new cul-de-sac at the end of Abbie Avenue, per SRC 702.020(e)(4); and*
- (5) Reduce the 40 percent buildable width requirement for buildings along the new cul-de-sac at the end of Snowball Avenue, 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. Excluding required setbacks, the subject property has approximately 186 feet of buildable width along the Snowball Avenue cul-de-sac, requiring 74 feet ( $186 \times 0.4 = 74.4$ ) of building length to be placed at the setback line; and approximately 216 feet of buildable width along the Abbie Avenue cul-de-sac, requiring 86 feet ( $216 \times 0.4 = 86.4$ ) of building length to be placed at the setback line. As proposed, Building E provides only 42 feet along both Snowball Avenue, or 23 percent, and Abbie Avenue, or 19 percent. Therefore, the applicant has requested a Class 2 adjustment to this standard.

The applicant's written statement indicates that topography, pedestrian connections, and vehicular access create challenges in meeting the standard along the cul-de-sacs. Specifically, for Snowball Avenue, the majority of space along the street is used for the emergency access driveway. The development is also providing a widened north-south shared use pedestrian/bike path connected both cul-de-sacs with Baxter Road SE, which takes additional space along the streets. Along Abbie Avenue, the applicant has located parking closer to the cul-de-sac since in order to ensure that buildings are placed at the setback for all other streets, and because it will not be accessed by vehicles, providing a larger open space area for pedestrians and landscaping. The applicant's written statement indicates that the development will provide additional landscaped areas throughout the site, meeting the intent to provide visual interest along the streets where the adjustment is requested.

Staff finds that the applicant's plans equally meet the intent to enhance activity along the street by still providing pedestrian connections and increased landscaping along the less traveled cul-de-sacs, while ensuring the buildable width standard is met along the more traveled streets abutting the development, Snowline Street and Baxter Road SE. Therefore, the request equally meets the standard as proposed, and this approval criterion is met.

***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:** Five 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.

## **12. Analysis of Tree Removal Variance Approval Criteria**

Salem Revised Code (SRC) 808.045(d) sets forth the following criteria that must be met before approval can be granted to a request for a Tree Regulation Variance. In this case, the applicant has requested to address the hardship criteria in SRC 808.045(d)(1).

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

**Finding:** The applicant submitted a tree plan (**Attachment E**) in conjunction with the proposal identifying a total of seven significant trees on the property, including one Oregon White Oak greater than 20 inches in diameter-at-breast height (dbh), and six other trees with a dbh of 30 inches or greater. The written statement provided by the applicant indicates that a number of special conditions apply to the property that create practical difficulties that are most effectively relieved by a variance, including site topography, location of the existing trees, required street connections and utilities, and accessibility standards per the Fair Housing Act.

Under SRC 808.030(d)(5), a typical tree removal permit could be granted where removal of the significant tree is necessary for the construction of a development other than single family, two family, three family, four family, or cottage cluster, and there are no reasonable design alternatives that would enable preservation of the tree. The factors used in determining whether there are no reasonable design alternatives include existing or planned street alignment, boundary improvements, proposed utilities, or site topography where severe grading of the critical root zone would occur in order to comply with maximum street or intersection grades, fire department access requirements, or ADA accessibility standards and the Fair Housing Act; all of which apply to the trees requested for removal as follows.

The written statement indicates that the existing topography of the site includes the high point generally near the center of the property, and then slopes away in several directions at an overall incline of 10.6 percent, where the majority of significant trees are located around this hill. Because the property has three streets stubbed into it, and is required to meet planned street connections, block spacing, and improvement standards, the site requires significant grading of this hill to meet the existing stub connections for Snowball Avenue SE and Abbie Avenue SE. Construction of the cul-de-sacs at these street stubs directly affect the grading of the site for two significant trees near the Snowball Avenue cul-de-sac, a 31-inch Fir which is located where the sidewalk will be placed, and a 35-inch Fir that requires a grade reduction of approximately ten feet to meet the required street connection; and one significant tree near the Abbie Avenue cul-de-sac, a 38-inch Fir whose critical root zone extends to the sidewalk of the new cul-de-sac, which requires a grade reduction of approximately five feet to meet the required street connection. These three trees, and the other non-significant trees in the same vicinities, cannot withstand the amount of grading and ground disturbance necessary for the cul-de-sacs to meet improvement standards in accordance with the standards in SRC Chapter 803 and the Public Works Design Standards, as conditioned with this decision, and therefore create a hardship in development of the property.

Additionally, the new internal street connection, Snowline Street, is required to meet block spacing requirements between Mac Street SE and Snowflake Street SE, and to provide safe driveway access to the development from a lower street classification than Baxter Road SE. The location of where Snowline Street meets Baxter Road is necessary to meet vision clearance and sight-line distances, and to meet the street alignment with the future development of Parcel 2, which will need to be connected to the Snowball Avenue to the east. And, per the Fair Housing Act, a multi-family development site must be made accessible for those with disabilities if it can do so. Therefore, to make this site accessible, and to meet street

standards and planned connections, significant grading is required for the development of Snowline Street. As such, three significant trees on the east side of the central hill are affected by the significant grading of the site: a 38-inch Walnut near Building J is at an existing ground elevation of approximately 507 feet, where grading for the project requires a ground surface elevation of 501 feet, for a six-foot difference; a 35-inch Walnut near Building L is located on slope going east at an 498 feet, where grading for the project requires a shift in direction to provide the south driveway access off of Snowline Street; and a 21-inch Oak near Building B at an existing ground elevation of 508 feet, where grading for the project requires a ground surface elevation just under 504 feet, for a four-foot difference. Grading in the areas near Buildings L and B is also required for pedestrian circulation, and efficient circulation of emergency vehicles like Fire Department access.

Finally, there is a 49-inch Walnut which falls within the location for the stormwater facilities, which will be located on proposed Parcel 3. The applicant's written statement indicates that the only possible location for the required stormwater facilities on site would require extensive retaining wall construction, which presents concerns to staff and not a supported location. In order to minimize the need for retaining walls, the location proposed on Parcel 3 is the best option to serve the development, where stormwater is able to be collected for all of Snowline and routed to this facility for treatment and detention.

Staff finds that there are special conditions that apply to the property which create reasonable hardships or practical difficulties which can be most effectively relieved by a variance. The key issues with this site are its topography, location of the existing trees, required street connections and utilities, and accessibility standards per the Fair Housing Act. Removal of the remaining seven significant trees on site are due to the location of trees well within the interior of the development site affected by substantial grading and necessary accessibility, or within areas dedicated for streets or stormwater facilities, which would interfere with providing the necessary infrastructure to meet standards. There are no other options to provide the required street connections or stormwater facilities on site due to site topography. Therefore, the proposed tree removals will most effectively relieve the unreasonable hardships or practical difficulties, and this approval criterion is met.

the proposal meets this criterion.

***SRC 808.045(d)(1)(b): The proposed variance is the minimum necessary to allow the otherwise lawful proposed development of activity.***

**Finding:** As indicated above, Staff concurs with the findings included in the applicant's written statement, and finds that there are no other design alternatives available to provide the need housing. In order to accommodate the proposed development, the applicant has chosen a site layout which meets all other applicable local, state, and federal laws, including the Fair Housing Act. The proposed variance is the minimum necessary to allow the otherwise lawful proposed development of the property, while meeting the applicable standards of the UDC. This approval criterion is met.

### **13. 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 three driveway approaches to serve the development. Two driveway approaches take access onto the new internal street (Snowline Street) and a third driveway approach is proposed for emergency vehicle access only from the proposed cul-de-sac on Snowball Avenue SE. These streets are classified as local streets according to the Salem Transportation System Plan (TSP). The driveway approaches meet standards for driveway approaches onto local streets and meet the construction standards in the Public Works Design Standards. 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 site conditions existing 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:** No driveway approaches are proposed onto an arterial street. The proposed driveway approaches access local street. 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 abuts Baxter Road SE, a collector street, and existing and proposed local streets. The new driveway approaches will take access onto the local street internal to the development and are therefore, taken from the lowest classification of street abutting the property. 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.

***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 indicates 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 indicate 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 property is located along a collector street (Baxter Street SE) and existing and proposed local streets. Three driveways are proposed to the lower classification of street abutting the property, and they each meet the spacing requirements of SRC Chapter 804. By complying with the requirements of this chapter, the applicant has minimized impacts to the functionality of 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 a collector street as well as existing and proposed local streets. The proposed driveways are all proposed to take access 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.

#### **14. 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 551.015(a) provided that multiple family development within the IC 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 268,000 square feet in size, requiring a minimum of 80,400 of permanently reserved open space. The proposal indicates 145,995 square feet of open space will be provided on site, or approximately 54 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 138 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 single common open space area of 3,040 square feet developed as a sport court area, which does not include the adjacent recreation building or recreation area of 3,400 square 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 plans indicate the single 3,040 square-foot open space area will be provided as a sport court, which will not have any slope to accommodate the court. 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 138 dwelling units, requiring a minimum of 59 units with private open space ( $279 \times .2 = 55.8$ ). All 138 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 as a sport court area of 3,040 square feet. This standard allows the improved open space to be counted as double, resulting in 6,080 square feet of open space area.

(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 served by Wes Bennet Park, located one-quarter mile east of the subject property. However, the development is meeting the minimum open space requirements without reducing it by 50 percent.

**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 268,000 square feet, requiring a minimum of 134 trees to be planted or preserved on site ( $268,000 / 2,000 = 134$ ). The applicant's development plans show 83 shade trees will be planted, and 69 evergreen, ornamental, or columnar trees, for a total of 152 trees on site. In addition, as conditioned above, the applicant is required to plant an additional 40 shade trees on site to meet the tree replanting requirements of SRC 807.015(d). 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 subject property is adjacent to RS zoned properties to the west; therefore, this standard is applicable. The applicant's landscape plan currently shows evergreen trees along the western perimeter, which identifies the size of the tree by height instead of caliper. To ensure trees of adequate size to buffer the multi-family development to the single-family properties, the following condition applies:

**Condition 28:** At the time of building permit review, the applicant shall submit an updated landscape plan indicating the trees planted along the west boundary will be no less than 1.5 inches in caliper, and the materials of the fence proposed, indicating conformance with SRC 702.020(b)(2).

- (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 landscape indicates the linear feet for each building on the development site, and the corresponding plant unit value to meet the minimum tree density requirement. However, many of the buildings do not provide adequate trees within 25 feet of the building to meet the standard. Therefore, to ensure compliance with the standard, the following condition applies:

**Condition 29:** At the time of building permit review, the landscape plan shall be updated to ensure that the trees planted per SRC 702.020(b)(4) are located within 25 feet from the edge of each building footprint.

- (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 landscape indicates the linear feet for most buildings on the development site, and the corresponding plant unit value to meet the minimum density requirement for shrubs. This standard is met.

- (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 have five-foot-high screening. This standard is met.

- (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, meeting the minimum nine feet in width, as measured from inside-of-curb to inside-of-curb. This standard is met.

- (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 does not identify areas where lighting will be provided to demonstrate conformance with this standard; therefore, the following condition applies:

**Condition 30:** At time of building permit submittal, the applicant shall provide lighting details demonstrating compliance with the standards of SRC 702.015(c)(2).

- (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 the multiple street frontages for the site, the proposed development does include off-street surface parking areas that appear in front of a building when viewed from an adjacent street, or which project past the plane of a building as

measured in a line across the façade. The applicant has requested a Class 2 adjustment to this standard. Findings for the adjustment are included in Section 11 of this decision.

- (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 not located adjacent to RS and RA-zoned 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 Aumsville Highway SE, except for a pedestrian path to connect the northwest portion of the development to the southeastern portion of the site. The applicant has requested a Class 2 adjustment to this standard. Findings for the adjustment are included in Section 11 of this decision.

*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 along the west side of the multi-family development. 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 greatest approximate height for any of the buildings proposed is approximately 34 feet, requiring a minimum 34-foot setback. The applicant has proposed an eight-foot fence along the western boundary, allowing for the five-foot reduction, for a required setback of 29 feet. The applicant's plans show a 30-foot setback abutting the RS-zoned properties to the west, meeting the requirement for one foot for each foot of building height with the five-foot reduction provided for the eight-foot fence. 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 west, with balconies on Building D and E facing the RS-zoned properties. The applicant's elevations indicate fabricated steel with sight-obscuring solid metal panel and powder-coated finish will be used for the balconies; therefore, this standard is met.

- (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:** Snowline Street provides 587 feet of buildable width when measured exclusive of the setbacks and driveways, requiring 235 feet ( $587 \times 0.4 = 234.8$ ) of the setback line to be occupied by buildings. The applicant's plans indicate approximately 305 feet of the buildings are provided at, or within ten feet of, the setback line along Snowline Street, meeting the standard. Baxter Road SE provides 460 feet of buildable width when measured exclusive of the setbacks, requiring 235 feet ( $460 \times 0.4 = 184$ ) of the setback line to be occupied by buildings, and the buildings occupy approximately 310 feet along Baxter Road SE, exceeding the standard. Each of the cul-de-sacs have approximately 186 feet of buildable width, and only 42 feet is occupied at the setback line by Building E, not meeting the minimum 40 percent of 74 feet ( $186 \times 0.4 = 74.4$ ). Therefore, the applicant has requested a Class 2 adjustment to this standard. Findings for the adjustment are included in Section 11 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:** Building D is not located with 25 feet of the property line abutting the Abbie Avenue cul-de-sac, and is therefore not required to orient towards the street. Buildings E and G are oriented with the shorter side of the building facing the street, but the applicant has provided a building entrance facing that street, with direct pedestrian access to adjacent sidewalks; Building E provides this access on both sides of the building to each cul-de-sac. All other buildings throughout the development are oriented towards the street and providing direct pedestrian access. This standard is met.

- (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 A, B, and C along Baxter Road SE, and Buildings J, K and L along Snowline Street SE 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. Additionally, the building entrances provided on both sides of Building E facing each cul-de-sac, do not provide an architecturally defined entry area for the ground level dwelling units. As such, the following condition applies:

**Condition 31:** At the time of building permit review, the applicant shall ensure that all ground floor units abutting a street, including Buildings A, B, C, E, J, K, and L 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:** The greatest dimension for any of the buildings proposed is approximately 137 feet; therefore, this standard applies. 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.

(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 changes in color are included to break up the vertical mass of the building and distinguish the first level from upper floors. This standard is met.

## **15. Analysis of Property Line Adjustment Approval Criteria**

Pursuant to SRC 205.055(a), a property line adjustment is required to relocate or eliminate all or a portion of a common property line between two abutting units of land that were lawfully established, as defined by ORS 92.010(3)(a). SRC 205.055(d) provides that an application for a property line 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.

***SRC 205.055(d)(1): The property line adjustment will not create an additional unit of land;***

**Findings:** The proposed property line adjustment relocates the common property line between two existing units of land. The proposed property line adjustment would not create an additional unit of land; therefore, this criterion is met.

***SRC 205.055(d)(2): The property line adjustment will not create nonconforming units of land or nonconforming development, or increase the degree of nonconformity in existing units of land or existing development;***

**Findings:** The subject properties are zoned RM-II (Multi-Family Residential-II), which is regulated by SRC Chapter 514. As shown on the property line adjustment site plan, this adjustment will move the property line between two units of land resulting in adjusted lot sizes of approximately 1.2 acres for Proposed Property A, and approximately 9.5 acres for Proposed Property B. Because Proposed Property B is evaluated for further division with the Tentative Partition Plan in Section 8 above, the following is an analysis of the applicable lot standards for Proposed Property A, indicating the property line adjustment will not create a nonconforming unit of land or development.

### ***SRC Chapter 514 – RM-II (Multiple Family Residential-II) Zone***

***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:** Proposed Property A will be 52,585 square feet, which meets the minimum 20,000 square feet size; therefore, this standard is met.

***SRC 514.010(b) – Lot standards.***

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

**Finding:** After relocating the property line, Proposed Property A is considered a flag lot with no frontage along the street, where a shared accessway proposed on Proposed Property B would

provide access to Baxter Road SE. However, the proposed accessway exceeds the maximum allowed length for a flag lot accessway, and would require an adjustment. In addition, the applicant would be required to grant an access easement to themselves as the properties are under the same ownership. Because Proposed Property B is to be developed with a public street which would provide access to Property A via the internal street, Snowline Street SE, the applicant shall be required to record the Property Line Adjustment at the same time as the final partition plat, in sequence, to ensure proper access is provided to Property A.

**Condition 32:** The applicant shall be required to record the Property Line Adjustment at the same time as the final partition plat, in sequence, to ensure proper access is provided to adjusted Property A, or obtain approval of a Zoning Adjustment for the flag lot accessway standards.

Proposed Property A meets all other minimum dimensions, with approximately 50 feet of width as street frontage along Baxter Road SE, approximately 102 feet in length.

As conditioned, the adjusted Property A meets the applicable standards of SRC Chapter 514, and will not create a nonconforming unit of land or development. This criterion is met.

***SRC 205.055(d)(3): The property line adjustment involves only units of land that were lawfully established, where the instruments creating the units of land have been properly recorded, or the property line adjustment involves the incorporation of excess right-of-way, acquired for street or other right-of-way purposes and subsequently sold by a public body, into a unit of land that was lawfully established.***

**Findings:** The subject properties are two single and discrete lawful units of land located at 1700 Baxter Rd SE (tax lot 083W14BD / 100), and 1709 Baxter Rd SE (tax lot 083W14BD / 200), totaling 10.76 in size. The proposed property line adjustment involves legal units of land; therefore, this criterion is met.

Additionally, this consolidated application includes a request for a Partition Tentative Plan to further divide adjusted Property B. As conditioned, the final plat for the Partition Tentative Plan shall be recorded prior to recording of the record of survey for the Property Line Adjustment, so as not to ensure that the properties are lawfully divided as proposed.

***SRC 205.055(d)(4): The property line adjustment is not prohibited by any existing City land use approval, or previous condition of approval, affecting one or both of the units of land.***

**Findings:** There are no previous land use application found for the subject property; therefore, this criterion is met.

***SRC 205.055(d)(5): The property line adjustment does not involve the relocation or elimination of any public easement or right-of-way.***

**Findings:** The proposed property line adjustment will not involve the relocation or elimination of any public easements or right-of-way; therefore, this criterion is met.

***SRC 205.055(d)(6): The property line adjustment does not adversely affect the availability or access to public and private utilities or streets.***

**Findings:** The proposed property line adjustment will adjust the common property line between two abutting lots and does not affect availability or access to public and private utilities or streets. This criterion is met.

## **16. Conclusion**

Based upon review of SRC Chapters 200, 205, 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 Partition Tentative Plan, Urban Growth Preliminary Declaration, Class 3 Site Plan Review, Class 2 Adjustment, Tree Regulation Variance, Class 2 Driveway Approach Permit, Class 1 Design Review, and Property Line Adjustment Case No. PAR-UGA-SPR-ADJ-TRV-DAP-DR-PLA25-05 is hereby **APPROVED** subject to 200, 205, 220, 225, 250, 804 and 808, the applicable standards of the Salem Revised Code, conformance with the approved site plan included as **Attachment B**, and the following conditions of approval:

- Condition 1:** The property line adjustment to relocate the shared property line and separate the northern portion of the property shall be recorded prior to the final partition plat for the remaining 9.5 acres of adjusted Property B.
- Condition 2:** The final partition plat shall be recorded prior to issuance of any building permits for the development of Parcel 1, including construction of new residential units and the associated civil site work; except the final plat is not necessary prior to the issuance of Erosion Control, Clearing and Grubbing, Grading, and Public Works permits.
- Condition 3:** Prior to final plat approval, required right-of-way dedications and required easements shall be free and clear of encumbrances and liens unless an adjustment to SRC 200.050(d) is approved.
- Condition 4:** Prior to final plat approval, provide an engineered stormwater design pursuant to Salem Revised Code Chapter 71 and the Public Works Design Standards to accommodate new impervious surfaces in proposed rights-of-way and future impervious surfaces on proposed Parcel 1.
- Condition 5:** At time of development on Parcel 2, provide an engineered stormwater design pursuant to Salem Revised Code Chapter 71 and the Public Works Design Standards to accommodate new impervious surfaces in proposed rights-of-way and future impervious surfaces on proposed Parcel 2.
- Condition 6:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct stormwater facilities pursuant to Salem Revised Code Chapter 71 and the Public Works Design Standards to accommodate new impervious surfaces in right-of-ways.

- Condition 7:** The existing water system facilities are not considered adequate facilities pursuant to Salem Revised Code Chapter 200. To meet the requirement for an adequate facility, the applicant shall either:
- a. Construct Salem Water System Master Plan S-3 water mains to serve the development; or
  - b. Enter into a Temporary Facilities Access Agreement and construct a private water pump station to serve the proposed development. The private pump station and private water system shall be designed to accommodate elimination of the private pump station once permanent S-3 water facilities are available to serve the property.
- Condition 8:** Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct a minimum 12-inch S-2 water main in the new internal street (Snowline Street) and extend 8-inch mains from the new internal street to the eastern and western property boundaries to create a looped system with the existing water mains in Snowball Avenue SE. The mains shall be designed and constructed in accordance with the Public Works Design Standards.
- Condition 9:** Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct a minimum 8-inch sanitary sewer main in the new internal street (Snowline Street) and to the eastern property boundary in the future alignment for Snowball Avenue SE. The mains shall be designed and constructed in accordance with the Public Works Design Standards.
- Condition 10:** Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct public stormwater mains in the new internal street (Snowline Street). The mains shall be designed and constructed in accordance with the Public Works Design Standards.
- Condition 11:** Prior to final plat approval, dedicate easements for all public infrastructure located on private property to current standards in Public Works Design Standards Section 1.8 (Easements).
- Condition 12:** On the final plat, convey land for dedication to equal full width right-of-way and cul-de-sac for the extensions and terminus of Snowball Avenue SE and Abbie Avenue SE along the western property boundary consistent with the standards of SRC Chapter 803, in Table 803-1 (Right-of-way Width).
- Condition 13:** Prior to final plat approval or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct full-width street improvement for the extension and terminus of Snowball Avenue SE and Abbie Avenue SE along the western property boundary as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803 Table 803-2 (Pavement Width).

- Condition 14:** Prior to final plat approval, provide a preliminary engineered alignment and profile for the extension of Snowball Avenue SE from the eastern property boundary to the new internal street (Snowline Street) to demonstrate this street can be designed and constructed in accordance with SRC Chapter 803 and the Public Works Design Standards.
- Condition 15:** At time of development of Parcel 2, dedicate right-of-way for the extension of Snowball Avenue SE from the eastern property boundary to the new internal street (Snowline Street) consistent with the standards in SRC Chapter 803, in Table 803-1 (Right-of-way Width).
- Condition 16:** At time of development of Parcel 2, construct the extension of Snowball Avenue SE from the eastern property boundary to the new internal street (Snowline Street) consistent with City Street Design Standards and consistent with the provisions of SRC Chapter 803 Table 803-2 (Pavement Width).
- Condition 17:** On the final plat, dedicate a 60-foot-wide right-of-way for the new internal street (Snowline Street) as shown on the applicant's tentative plan.
- Condition 18:** Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), construct internal streets to local street standards as specified in the City Street Design Standards and consistent with the provisions in SRC Chapter 803, except where an Alternative Street Standard has been approved, as described in this Decision.
- Condition 19:** Prior to Issuance of a Public Construction Permit, in accordance with the Traffic Impact Analysis, the applicant shall provide plans that show how the adequate intersection sight-distance is provided at the intersection of Baxter Road SE and the new internal street (Snowline Street).
- Condition 20:** Prior to final plat or delayed pursuant to improvement agreement per SRC 205.035(c)(7)(B), the applicant shall construct any necessary modifications to Baxter Road SE to ensure adequate sight distance is provided in accordance with the City Street Design Standards.
- Condition 21:** At time of development on each parcel, install street trees to the maximum extent feasible along Baxter Road SE and the new internal streets.
- Condition 22:** Prior to final plat approval, provide a 10-foot-wide public utility easement along the frontage of Baxter Road SE, the extensions of Snowball Avenue SE and Abbie Avenue SE, and along the new internal street (Snowline Street).
- Condition 23:** At the time of building permit review, the applicant shall provide receptable sizes and construction details for the trash enclosures, indicating conformance with all applicable standards of SRC 800.055.
- Condition 24:** Prior to approval of landscape plans for the proposed development, the tree plan and landscape shall be updated to demonstrate compliance with all tree

canopy standards in SRC 806.035(n)(3), including but not limited to, proximity to form a continuous canopy, no more than 20 percent overlap with buildings, and adequate soil amounts.

- Condition 25:** Prior to building permit approval, the applicant shall demonstrate that all bicycle parking provided for the development complies with the applicable standards of SRC 806.060.
- Condition 26:** Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and Public Works Design Standards (PWDS).
- Condition 27:** The applicant shall provide an additional 40 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 28:** At the time of building permit review, the applicant shall submit an updated landscape plan indicating the trees planted along the west boundary will be no less than 1.5 inches in caliper, and the materials of the fence proposed, indicating conformance with SRC 702.020(b)(2).
- Condition 29:** At the time of building permit review, the landscape plan shall be updated to ensure that the trees planted per SRC 702.020(b)(4) are located within 25 feet from the edge of each building footprint.
- Condition 30:** At time of building permit submittal, the applicant shall provide lighting details demonstrating compliance with the standards of SRC 702.015(c)(2).
- Condition 31:** At the time of building permit review, the applicant shall ensure that all ground floor units abutting a street, including Buildings A, B, C, E, J, K, and L 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 32:** The applicant shall be required to record the Property Line Adjustment at the same time as the final partition plat, in sequence, to ensure proper access is provided to adjusted Property A, or obtain approval of a Zoning Adjustment for the flag lot accessway standards.



Jamie Donaldson, Planner III



Aaron Panko, Infrastructure Planner III

On behalf of Lisa Anderson-Ogilvie, AICP  
Planning Administrator

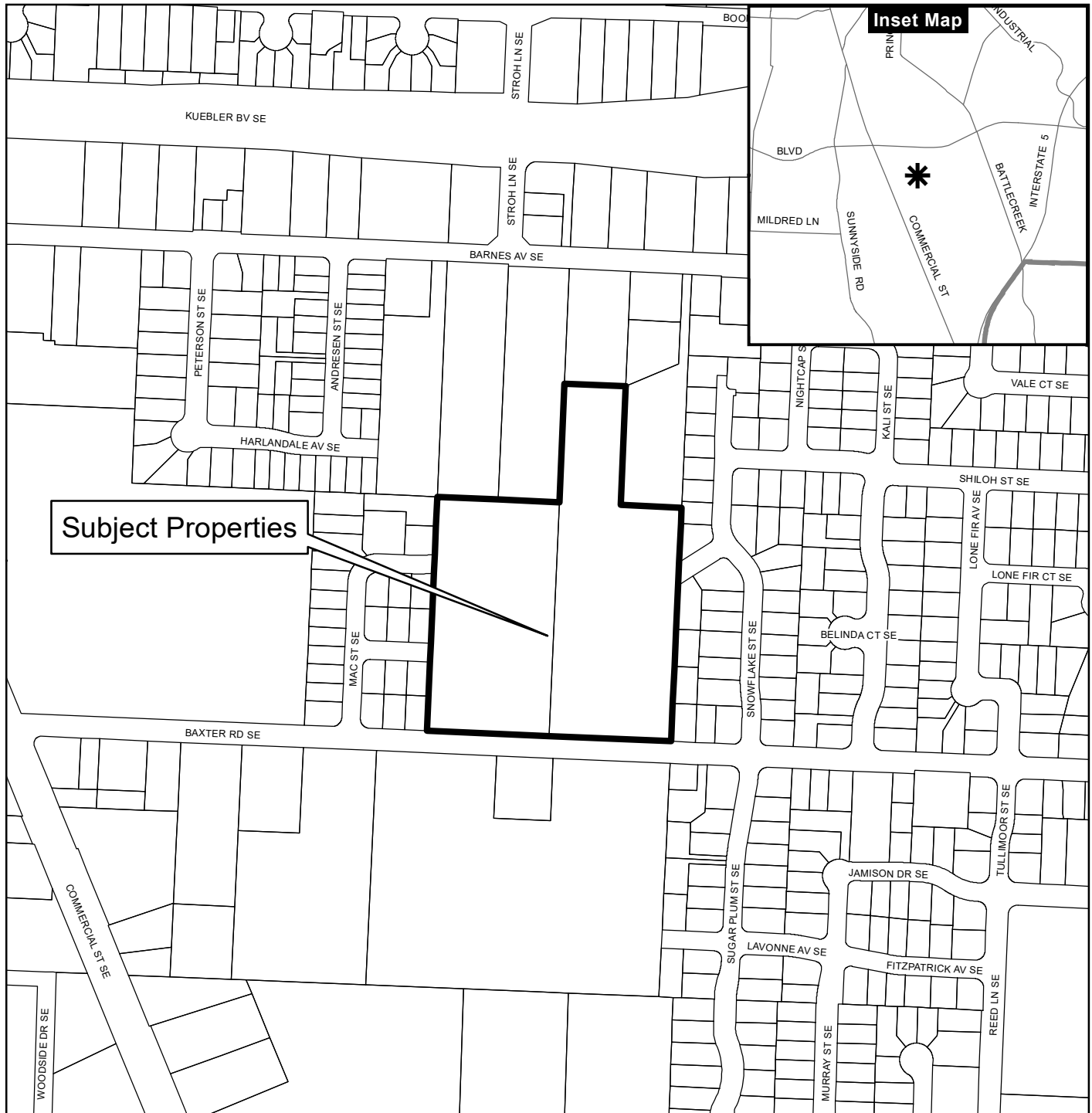
Attachments:

- A. Vicinity Map
- B. Property Line Adjustment Plan
- C. Tentative Partition Plan
- D. Applicant's Development Plan
- E. Tree Plans
- F. Cherriots Comments
- G. Salem-Keizer School District Comments

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

# Vicinity Map

## 1700 & 1709 Baxter Road SE



### Legend

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

- Parks

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Community Planning and Development

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0 100 200 400 Feet







## LOT LINE ADJUSTMENT PLAN

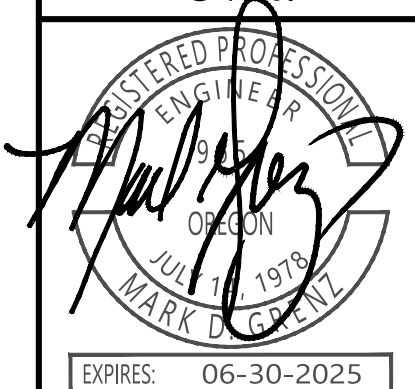
## BAXTER DEVELOPMENT

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.

2700part LL-ADJ

Design:	M.D.G.
Drawn:	J.P.H.
Checked:	B.M.G.
Issue Date:	3/4/25
Scale:	AS SHOWN



JOB # 7707



**BAXTER**  
**DEVELOPEMENT**

**MULTI-FAMILY HOUSING  
SEC. 14, T. 08 S., R. 03 W., W.M.  
CITY OF SALEM  
MARION COUNTY, OREGON**

*Owner/Developer:*

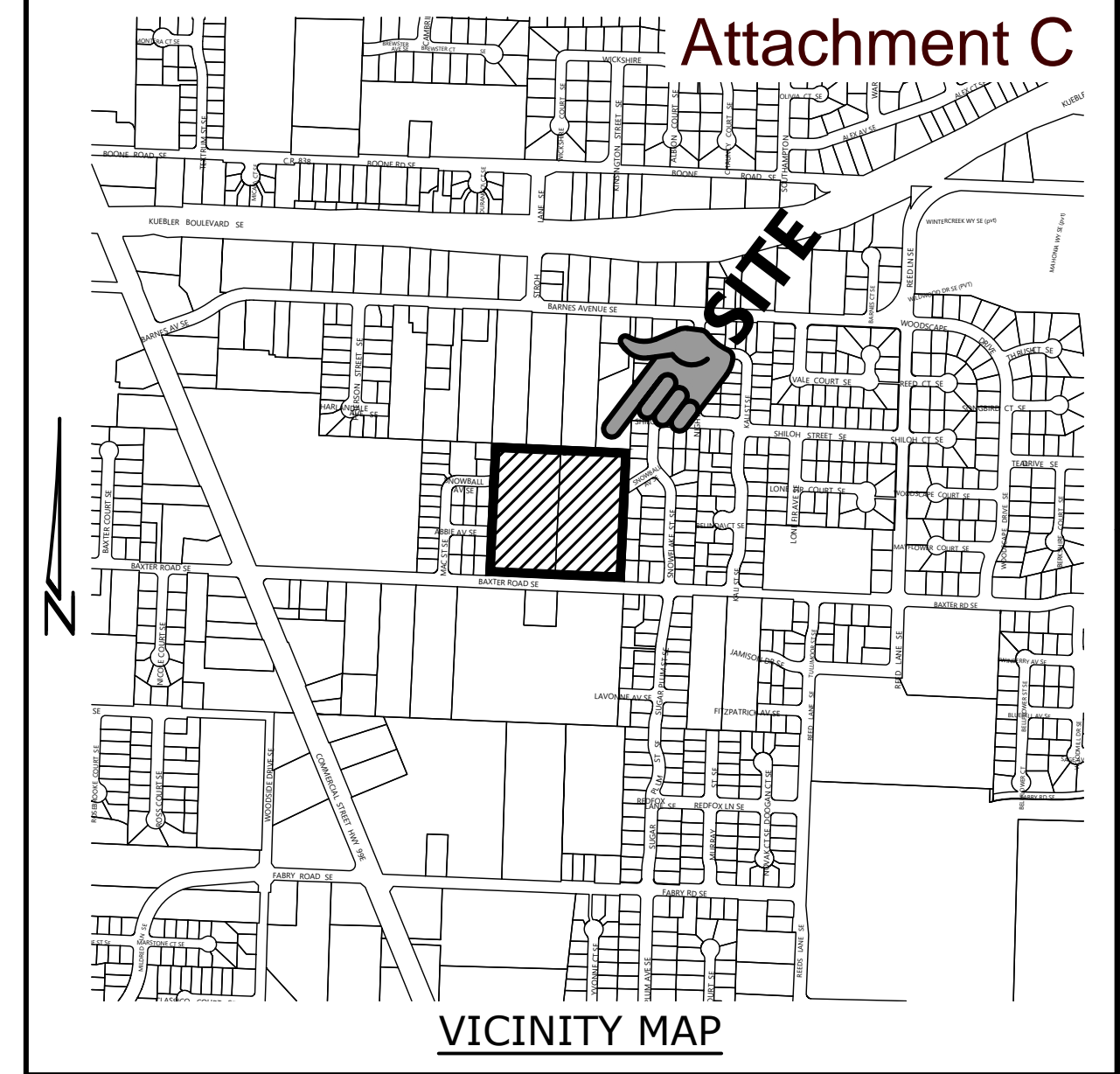
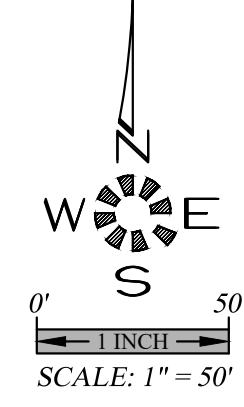
## NEIGHBORLY VENTURES

**2925 S RIVER ROAD, STE. 100  
SALEM, OR 97302**

GEELAN, DONALD C  
& GEELAN, SUSAN M  
1640 BARNES AVE SE  
SALEM, OR. 97306

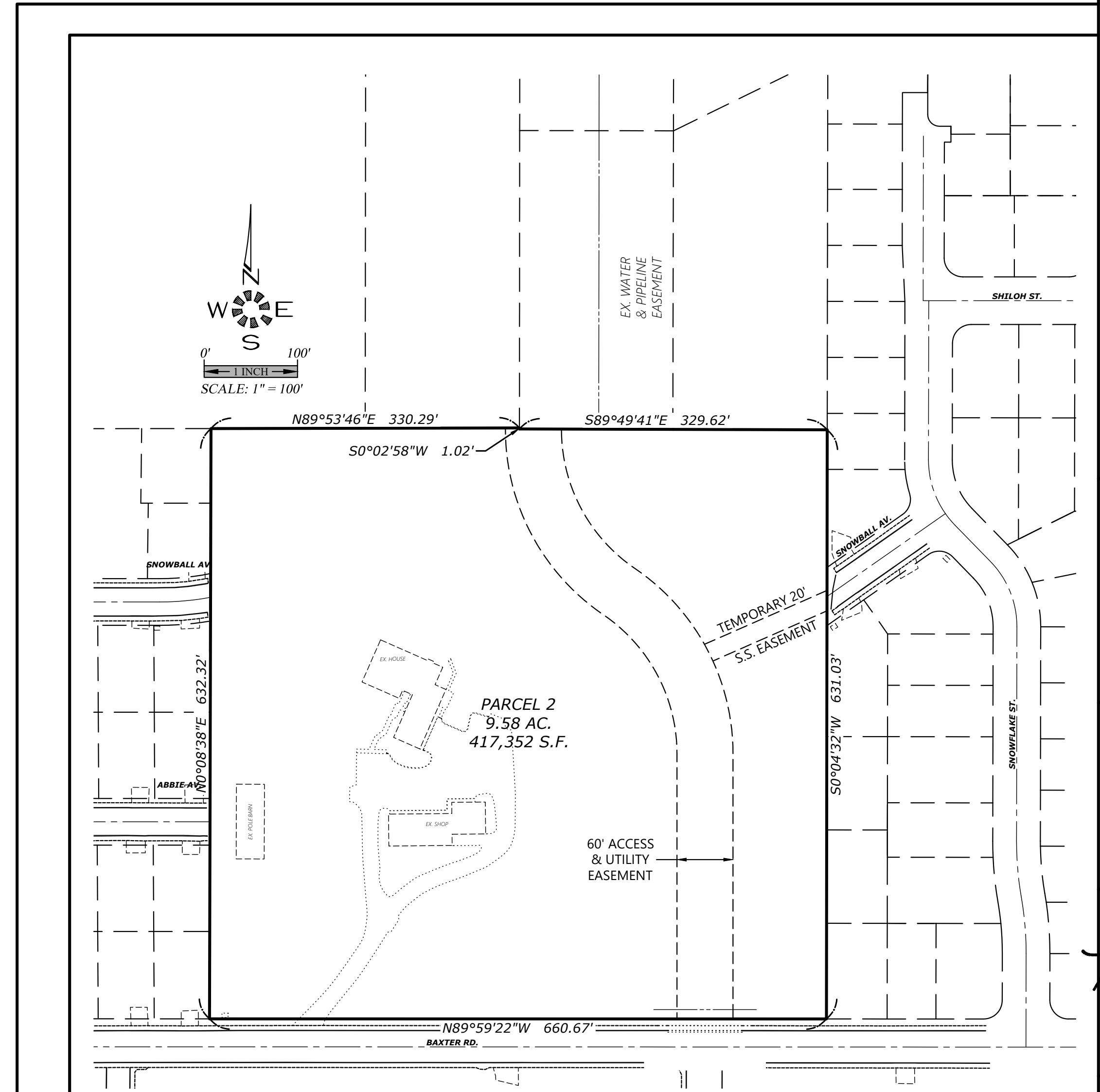
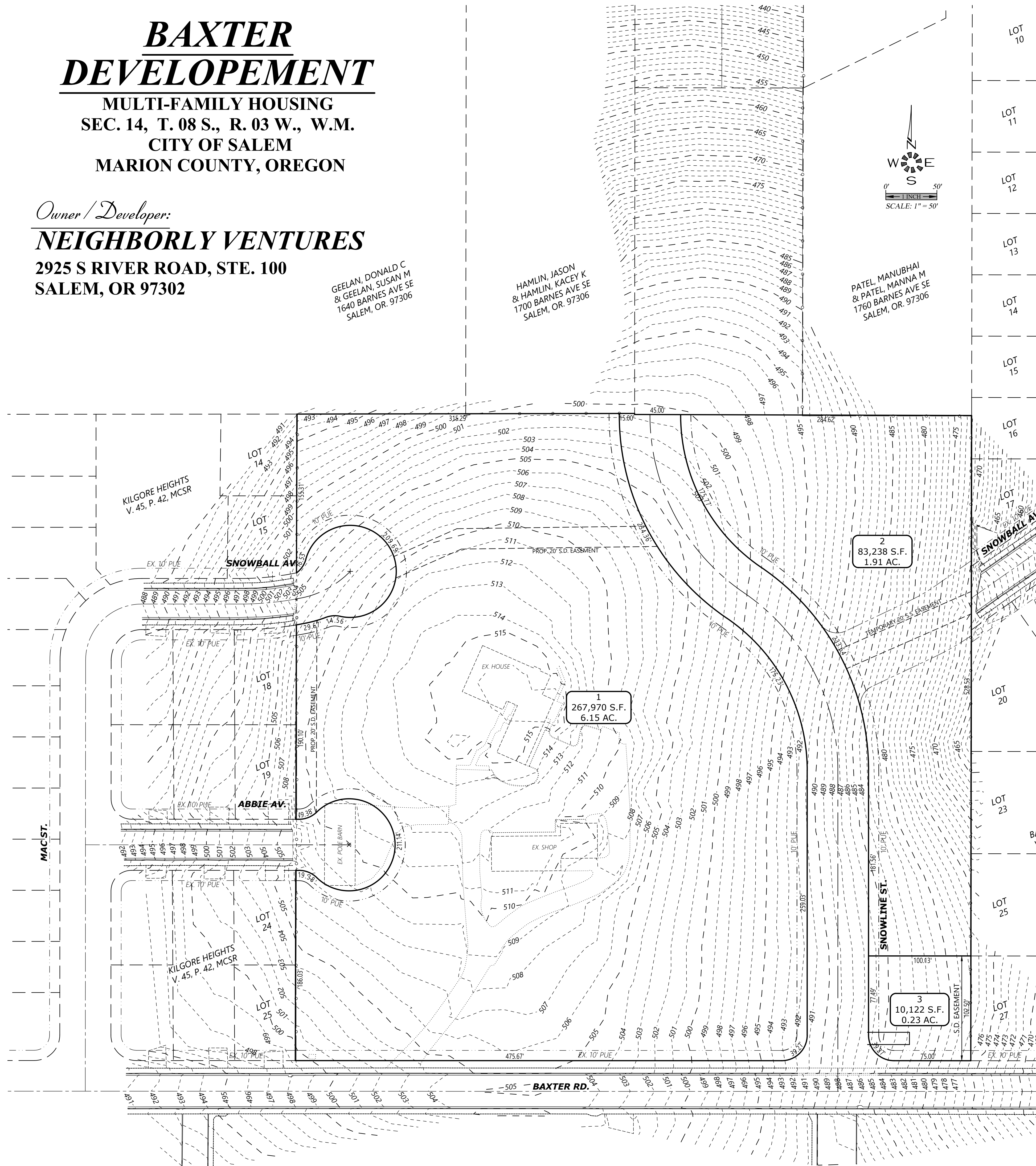
HAMLIN, JASON  
& HAMLIN, KACEY K  
1700 BARNES AVE SE  
SALEM, OR. 97306

PATEL, MANUBHAI  
& PATEL, MANNA M  
1760 BARNES AVE SE  
SALEM, OR. 97306



B.M. 406.76  
BENCH MARK 8300 - 2" ALUMINUM DISK  
IN B.R. OF CURB. NE CORNER INTERSECTION  
BAXTER CT. AND BAXTER ROAD. 20' WEST OF  
C.B. 37' NE FIRE HYDRANT., 45' E MANHOLE

- | <u>SHEET INDEX</u> |   |
|--------------------|---|
| P1                 | PARTITIONING PLAN                                     |
| P2                 | SHADOW PLAN   |
| P3                 | TREE PLAN   |
| P4                 | GRADING PLAN  |
| P5                 | TREE REMOVAL PLAN                                     |
| P6                 | STREET PLAN - SNOWLINE ST.                            |
| P7                 | STREET PLAN - HARLANDALE AV. &<br>SNOWBALL AV. (EAST) |
| P8                 | STREET PLAN - ABBIE AV.                               |
| P9                 | STREET PALN - SNOWBALL AV. (WEST)                     |



MULTI/TECH

## PARTITIONING PLAN

## MAXIMIER DEVELOPMENT I

NO CHANGES, MODIFICATIONS  
OR REPRODUCTIONS TO BE  
MADE TO THESE DRAWINGS  
WITHOUT WRITTEN  
AUTHORIZATION FROM THE  
DESIGN ENGINEER.

Design: M.D.G.  
Drawn: J.P.H.  
Checked: B.M.G.  
Issue Date: 3/4/25  
Scale: AS SHOWN



EXPIRES: 06-30-2025

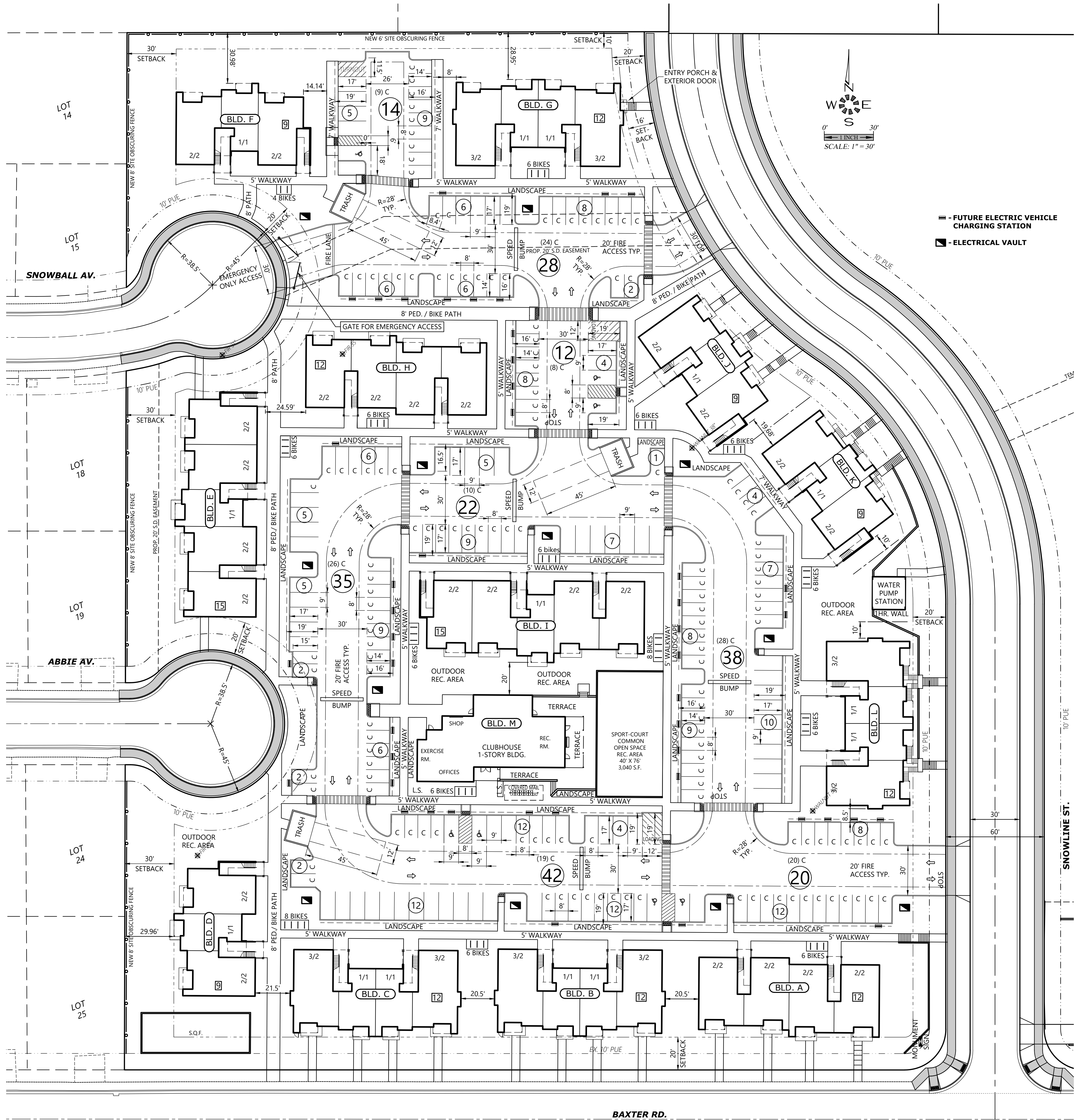
B # 7707

**1**

**EXISTING SITE**



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## SITE & PROJECT DATA

ZONING: RM-II

TOTAL SITE AREA: 268,018 S.F. (6.15 +/- ACRES)

DENSITY ALLOWED: 15 UNITS PER ACRE MINIMUM; 31 UNITS PER ACRE MAXIMUM.  
22.4 UNITS PER ACRE PROPOSED.

PROJECT TYPE: MARKET RATE APARTMENTS - (138) UNITS

OCCUPANCY GROUP: R2- APARTMENT UNITS, A3- COMMUNITY HALL, U-PUMP HOUSE & TRASH

MAXIMUM HEIGHT ALLOWED: 50' TO THE AVERAGE OF THE HIGHEST GABLE ROOF FROM HIGHEST BLDG. GRADE.  
33'-3" & 34'-11" MAXIMUM HEIGHT TO HIGHEST AVERAGE GABLE PROPOSED BY BUILDING TYPE.

BLDG. SETBACKS REQUIRED: 20'-0" FRONT YARD, & 10'-0" SIDE YARD; 10'-0" REAR YARD, BASE SETBACKS. PER TABLE 702.5 SETBACK INCREASES ABUTTING RS ZONE.  
1' SETBACK PER FOOT OF BLDG. HEIGHT SETBACK REQUIRED ABUTTING RS SINGLE FAMILY ZONE 34' MAX. PROPOSED HEIGHT = REQUIRED SETBACK = 34' AT WEST PROPERTY LINE.  
WEST REQUIRED SETBACK IS REDUCED TO 30'-0" MIN. BY PROPOSING AN 8' TALL SCREEN FENCE.

PROPOSED SETBACKS: 20'-0" STREET FRONT YARDS, 12' SIDE & REAR YARDS; 30'-0" WHERE ABUTTING RS SINGLE FAMILY ZONE., THEREFORE O.K.  
(16'-0" STREET YARD SETBACK AT N.E. BLDG. G. REQUIRES SETBACK ADJUSTMENT).

ENCROACHMENTS ALLOWED: BELT COURSES & ORNAMENT= 24 INCHES, ROOF EAVES= 24 INCHES.

PROPOSED ENCROACHMENTS: DECK GUARDRAIL= 3"; ROOF EAVES = 24 INCHES, THEREFORE O.K.

CONSTRUCTION TYPE APTS:

TYPE V-B "NON-RATED" W/ 1 HR UNIT SEPARATION WALLS  
& FLOOR/CEILING SEPARATION. 100% FIRE SPRINKLED.

PROPOSED BUILDING AREA:

UNIT TYPES:

(42) TYPE 1 UNITS (1BR./1BA.)	722 S.F. + 24 S.F.	STOR. =	746 S.F. = 31,332 S.F.
(72) TYPE 2 UNITS (2BR./2BA.)	998 S.F. + 24 S.F.	STOR. =	1,022 S.F. = 73,584 S.F.
(24) TYPE 3 UNITS (3BR./2BA.)	1,184 S.F. + 24 S.F.	STOR. =	1,208 S.F. = 28,992 S.F.
(138) UNITS TOTAL:			133,908 S.F.

RECREATION BLDG. = 3,408 S.F. FLOOR AREA.  
COVERED TRASH = 870 S.F. FLOOR AREA.  
MAIL ROOF = 215 S.F. FLOOR AREA.  
PUMP HOUSE = 400 S.F. FLOOR AREA.

TOTAL BUILDING SQUARE FOOTAGE = 138,801 S.F.

PARKING PROVIDED:

STANDARD STALLS:	60 STALLS
COMPACT STALLS:	144 STALLS (68% OF STALLS < 75% ALLOWED)
HANDICAP STALLS:	7 STALLS
TOTAL PARKING PROVIDED =	211 STALLS

PARKING RATIO PROPOSED = 1.53 STALLS PER UNIT

E.V. READY CAR PARKING REQUIRED: (211) STALLS X 40% = 85 STALLS MIN.  
PROPOSED E.V. STALLS =(2) ADA + (88) FUTURE = 90 TOTAL, O.K.

BICYCLE PARKING REQUIRED: 1 BIKE STALL PER UNIT X 138 UNITS = 138 BIKE STALLS

BICYCLE PARKING PROVIDED:

(1) STALL PER GROUND FLOOR LIVING UNIT =	(46) LONG TERM BIKE STALLS
(12) SIX BIKE, + (2) EIGHT BIKE + (1) 4 BIKE RACK =	(92) SHORT TERM BIKE STALLS
TOTAL BIKE PARKING PROVIDED =	138 BIKE STALLS

LOADING STALLS: 100 TO 199 UNITS = (2) LOADING STALLS 12' X 19'

LOADING STALLS PROPOSED = (2) 12' X 19'

COMMON OPEN SPACE:

ENTIRE SITE = 145,995 S.F. (54.48%)  
WITHIN SETBACKS = 47,148 S.F. (32.29%)

COMMON OPEN SPACE RECREATION AREA:

REQUIRED = (1,000 S.F.) + (250 S.F. FOR EA. 20 UNITS OVER FIRST 20 UNITS)  
REQUIRED = (1,000 S.F.) + [250 S.F. X (138-20) /20] = 2,500 S.F. MIN.; 25' MIN. DIM.  
PROVIDED = 3,040 S.F., 40' MIN. DIM., O.K.

LOT COVERAGE BY BLDGS.:

PROPOSED GROUND FLOOR BUILDING FOOTPRINT/BALCONY/COVERED PORCH AREA = 53,124 S.F.  
MAXIMUM ALLOWED LOT COVERAGE = 50%  
PROPOSED BUILDING LOT COVERAGE = 53,124 S.F. / 268,018 S.F. = 20%

PARKING & MANEUVERING A.C. PAVING AREA:

INCLUDES PLANTER CURBS: = 77,100 S.F.

CONCRETE AREAS:

WALKWAYS, PATIOS, REC. PATIO/TERRACE, TRASH ENCL. = 35,714 S.F.

LANDSCAPE AREA:

TOTAL LANDSCAPE (GREEN) AREA PROPOSED = 102,139 S.F. / 268,018 S.F. = (38.1%) OF SITE AREA

INTERIOR PARKING AREA LANDSCAPING:

PARKING & MANEUVERING AREA PLUS PLANTER FINGERS & CORNERS = 86,167 S.F.  
REQUIRED PARKING LOT LANDSCAPE = 8 % MIN. X 86,167 S.F. = 6,894 S.F. MIN. REQ'D.

PROPOSED INTERIOR PARKING AREA LANDSCAPE = 20,171 S.F. = 19.8% PROVIDED, O.K.

(NOTE THAT THIS DOES NOT INCLUDE L.S. STRIP IN ADDITION TO MIN. 5' WALKWAY OR L.S. BETWEEN PARKING & BLDG.)

CLIMATE MITIGATION TREE PLANTING AT PARKING:

MIN. 40% SHADE TREE OVERLAP REQUIRED = 86,167 S.F. X 40 = 34,467 S.F. OVERLAP REQUIRED.  
PROPOSED CLIMATE MITIGATION TREE OVERLAP PROVIDED = 35,623 S.F. (41.3%), O.K.

AIRPORT OVERLAY McNARY FIELD REQUIREMENTS:

PROPOSED SITE DEVELOPMENT OCCURS IN CONICAL SURFACE OVERLAY (20:1) WHICH ALLOWS FOR 350' MAXIMUM BUILDING HEIGHT ABOVE AIRPORT ELEVATION.  
McNARY FIELD ELEVATION = +213.4' ABOVE SEA LEVEL +213.4' + 350.0' MAXIMUM HEIGHT = 563.4' MAXIMUM ELEVATION.

PROPOSED MAXIMUM SITE GRADE BASE AT HIGHEST BUILDING:

+508.0' + (37.5' TO HIGHEST ROOF PEAK) = +545.5' MAXIMUM ROOF RIDGE ELEVATION, O.K.

## Attachment D

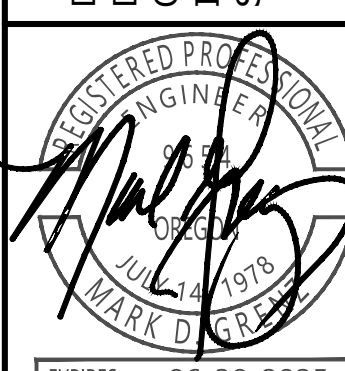


### SITE PLAN

### BAXTER DEVELOPMENT

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: J.P.H.  
Checked: B.M.G.  
Issue Date: 2/24/25  
Scale: AS SHOWN

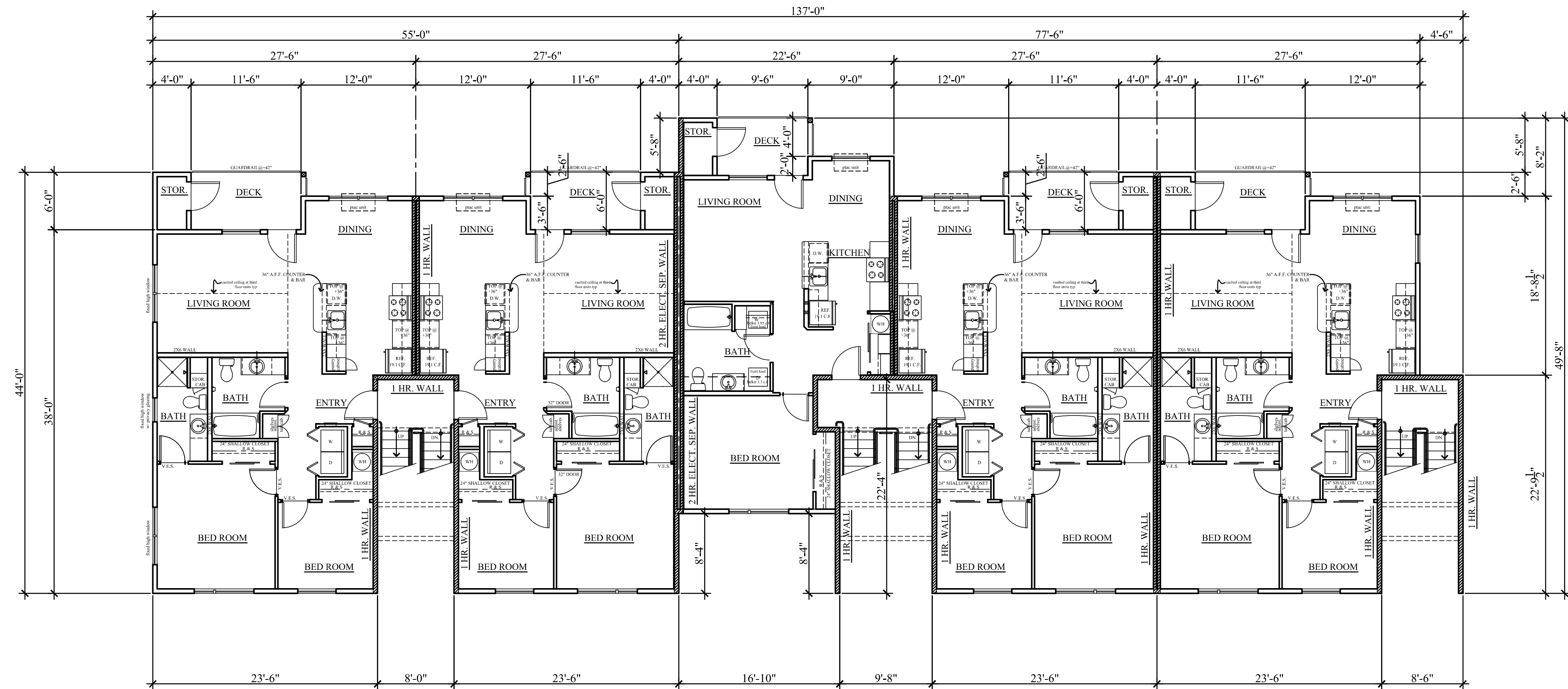


EXPIRES 06-30-2025

JOB # 7707

SDR3





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70 S.F. DECK

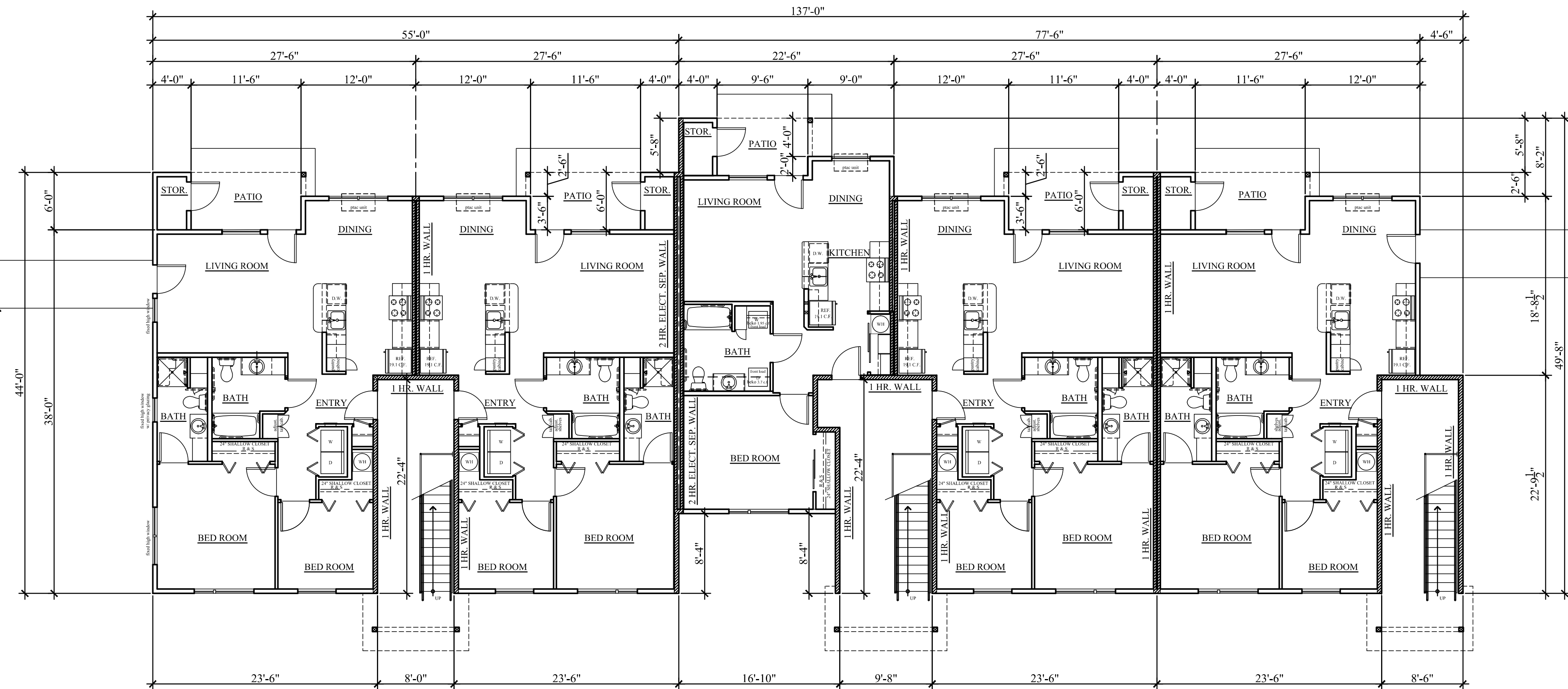
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998 S.F.+ 24 S.F. DECK STOR.  
70 S.F. DECK

UNIT TYPE 1  
722 S.F.+ 24 S.F. DECK STOR.  
58 S.F. DECK

UNIT TYPE 2  
998 S.F.+ 24 S.F. DECK STOR.  
70 S.F. DECK

UNIT TYPE 2.1  
998 S.F.+ 24 S.F. DECK STOR.  
70 S.F. DECK

SECOND & THIRD FLOORS



UNIT TYPE 2  
998 S.F.+ 24 S.F. DECK STOR.  
105 S.F. PATIO

UNIT TYPE 2  
998 S.F.+ 24 S.F. DECK STOR.  
105 S.F. PATIO

UNIT TYPE 1  
722 S.F.+ 24 S.F. DECK STOR.  
97 S.F. PATIO

UNIT TYPE 2  
998 S.F.+ 24 S.F. DECK STOR.  
105 S.F. PATIO

UNIT TYPE 2.1  
998 S.F.+ 24 S.F. DECK STOR.  
105 S.F. PATIO

FIRST FLOOR

BLDG. E

PRELIMINARY  
NOT FOR  
CONSTRUCTION

SCOTT BECK  
ARCHITECT, LLC.  
361 N.E. Third Avenue  
Canby, Oregon 97013  
(503) 266-9270

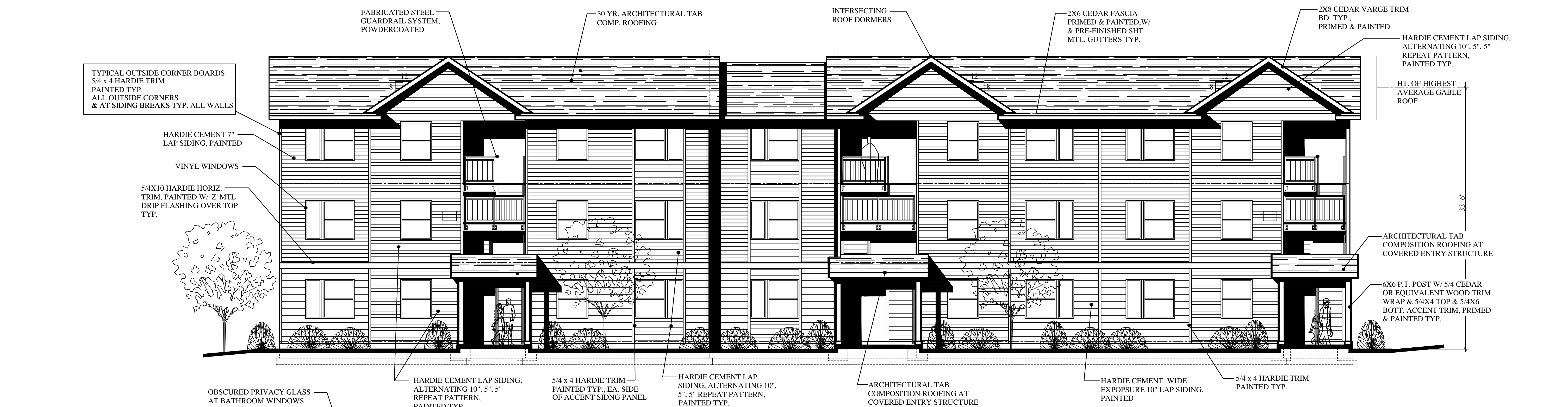
BAXTER RD.  
MULTIFAMILY HOUSING  
1709 BAXTER RD. S.E.  
SALEM, OREGON

DEVELOPER:  
NEIGHBORLY VENTURES, INC.  
2595 RIVER ROAD S., SUITE 100  
SALEM, OR 97302, TEL.: (503) 990-8909

15-PLEX  
BLDG. TYPE IV  
FLOOR PLANS  
BLDG. E

revisions:  
  
  
  
  
  
date: 1-27-2025  
scale: 1/8"=1'-0"  
drawn: S.R.B.  
job no: 2411

A2.6



FRONT ELEVATION 15-PLEX



LEFT END ELEVATION 15-PLEX

BLDG. E



RIGHT END ELEVATION 15-PLEX



REAR ELEVATION 15-PLEX

PRELIMINARY  
NOT FOR  
CONSTRUCTION

SCOTT BECK  
ARCHITECT, LLC  
361 N.E. Third Avenue  
Canby, Oregon 97013  
(503) 266-9270

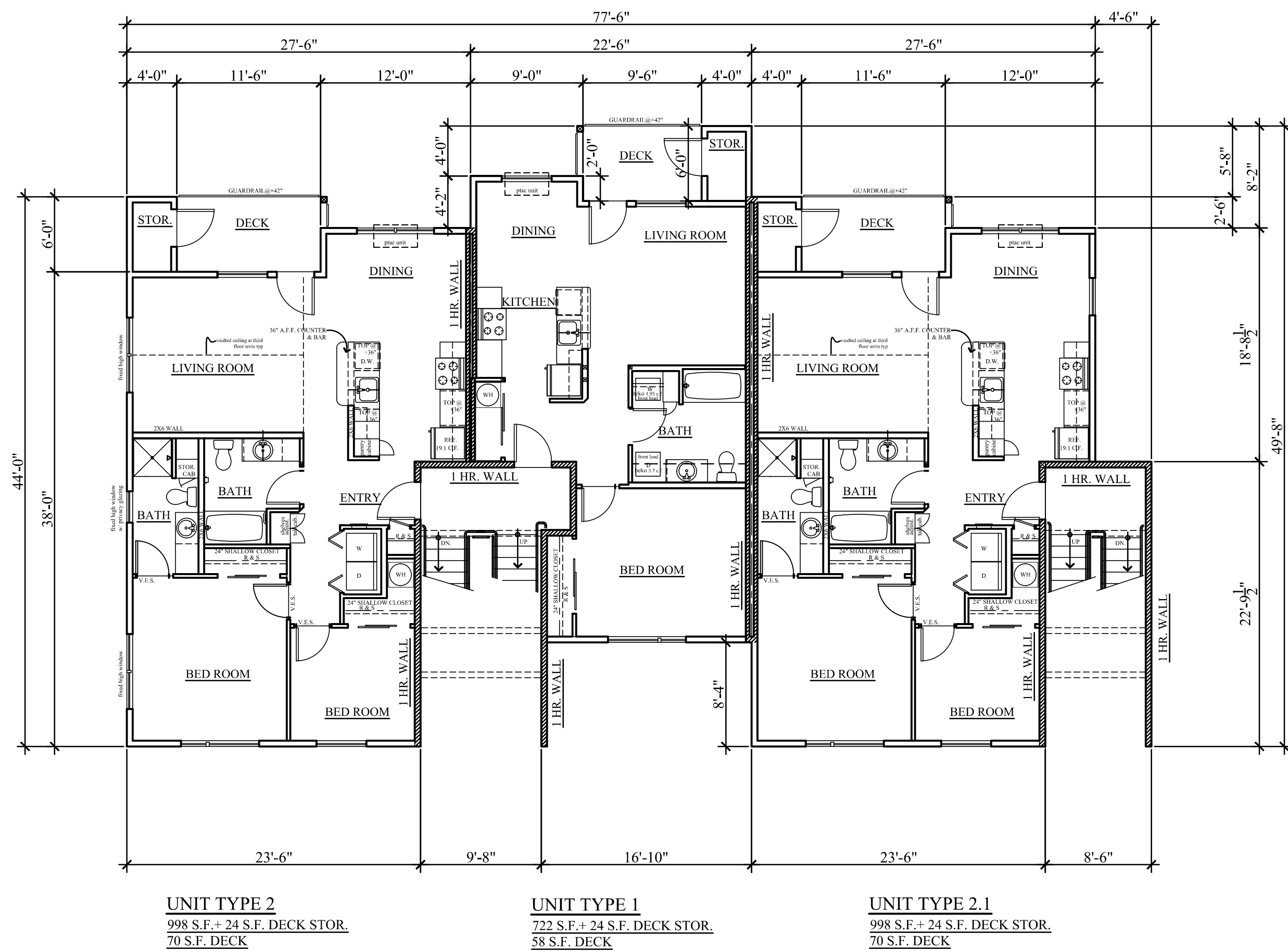
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MULTIFAMILY HOUSING  
1709 BAXTER RD. S.E.  
SALEM, OREGON

DEVELOPER:  
NEIGHBORLY VENTURES, INC.  
2595 RIVER ROAD S., SUITE 100  
SALEM, OR 97302, TEL.: (503) 990-8909

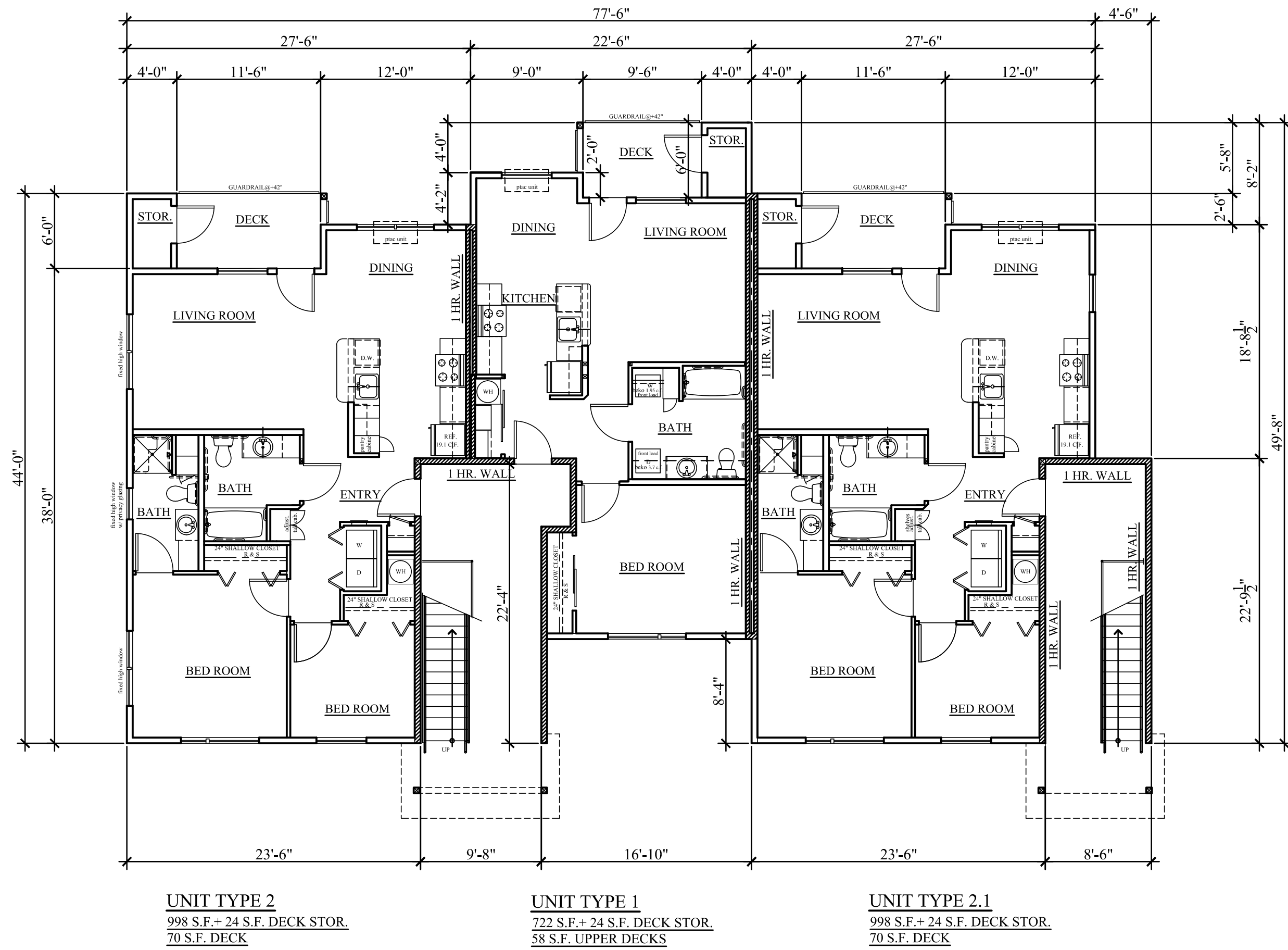
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BLDG. TYPE IV  
EXTERIOR  
ELEVATIONS  
BLDG. E

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drawn: S.R.B.  
job no: 2411

A5.5

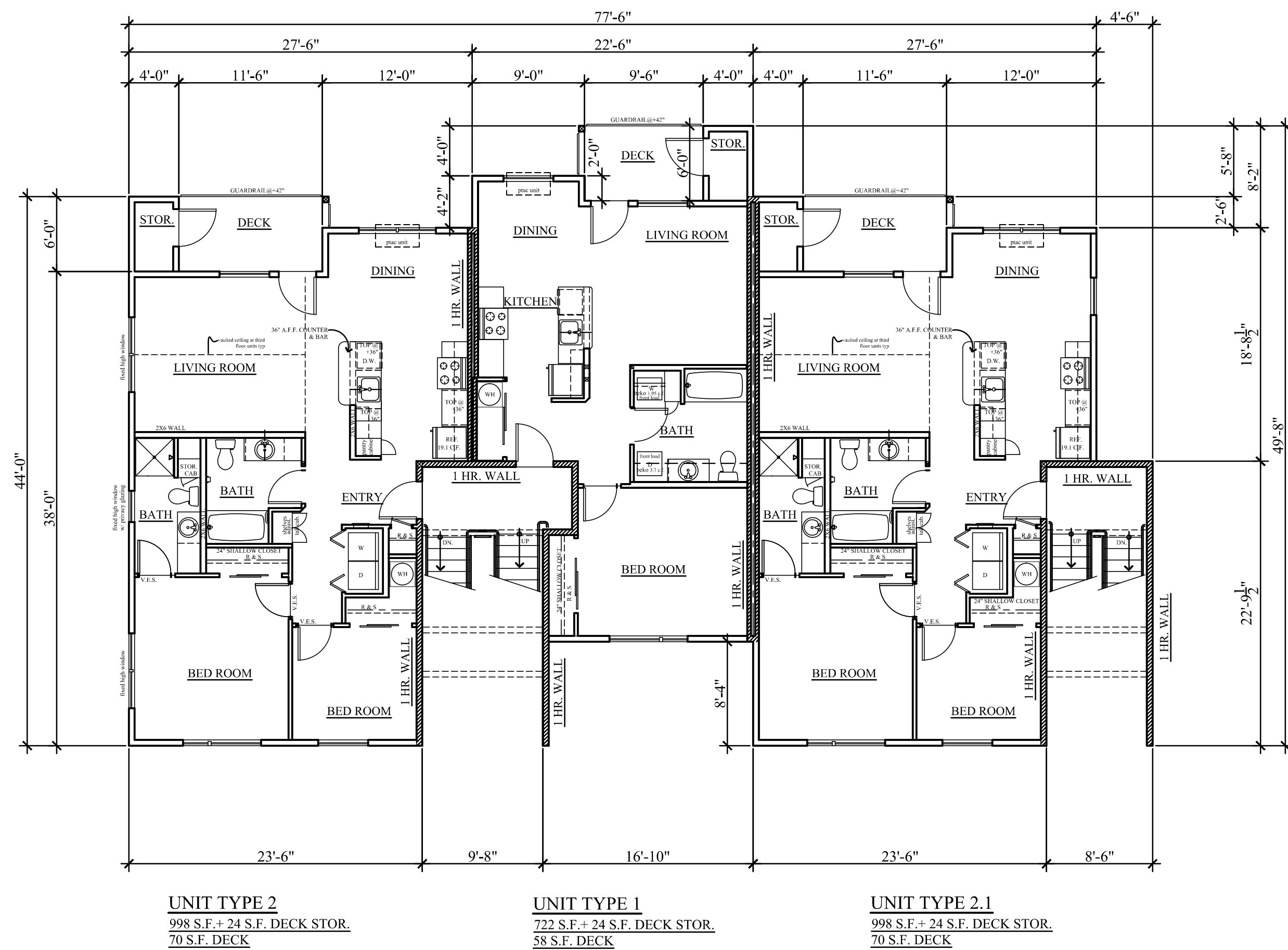


SECOND & THIRD FLOORS

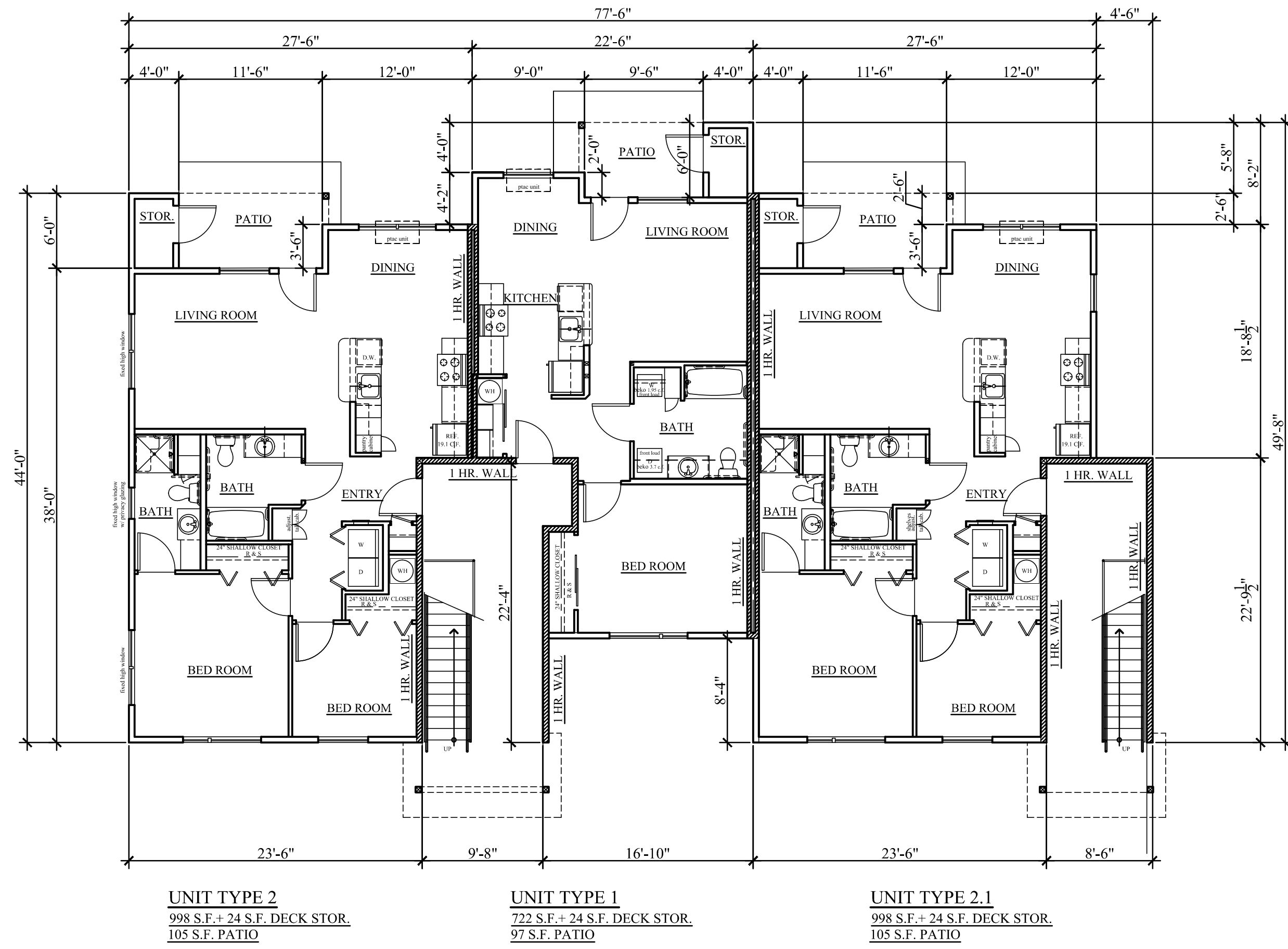


FIRST FLOOR

BLDG. F



SECOND & THIRD FLOORS



FIRST FLOOR

BLDG. D

PRELIMINARY  
NOT FOR  
CONSTRUCTION

SCOTT BECK  
ARCHITECT, LLC.  
361 N.E. Third Avenue  
Canby, Oregon 97013  
(503) 266-9270

BAXTER RD.  
MULTIFAMILY HOUSING  
1709 BAXTER RD. S.E.  
SALEM, OREGON

DEVELOPER:  
NEIGHBORLY VENTURES, INC.  
2595 RIVER ROAD S., SUITE 100  
SALEM, OR 97302, TEL.: (503) 990-8909

9-PLEX  
BLDG. TYPE I  
FLOOR PLANS  
BLDGS. D & F

revisions:

date: 1-27-2025

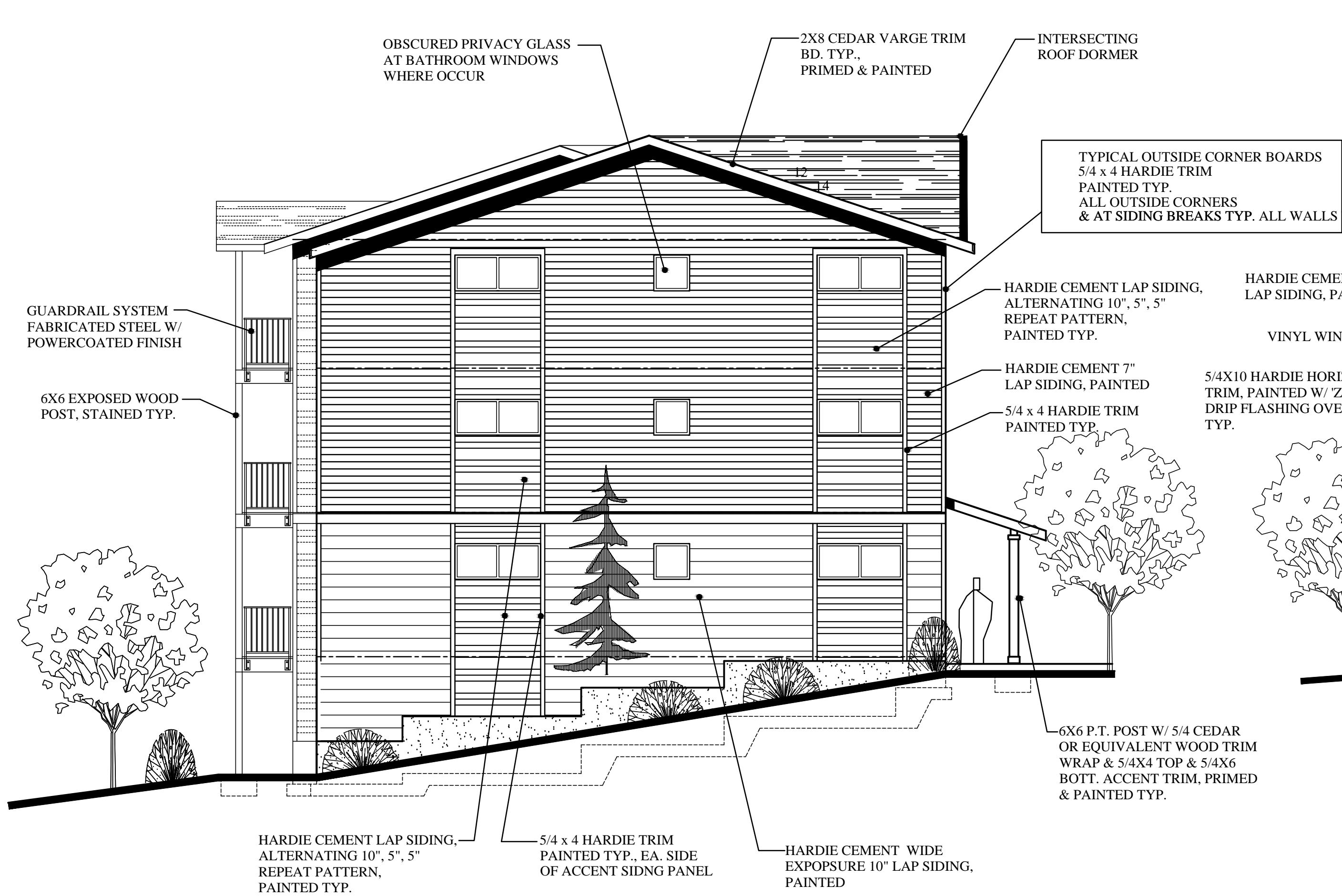
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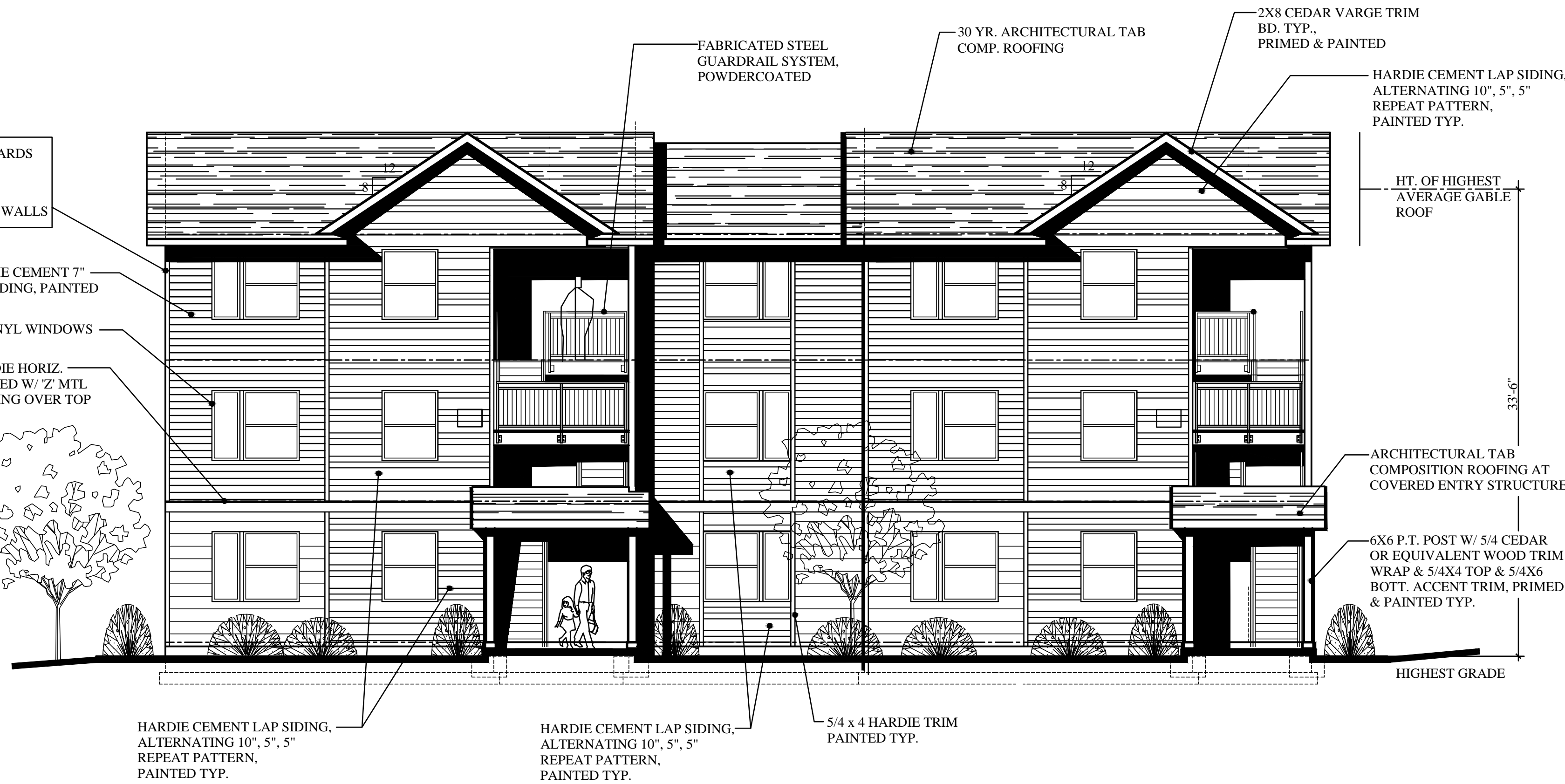
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A2.1



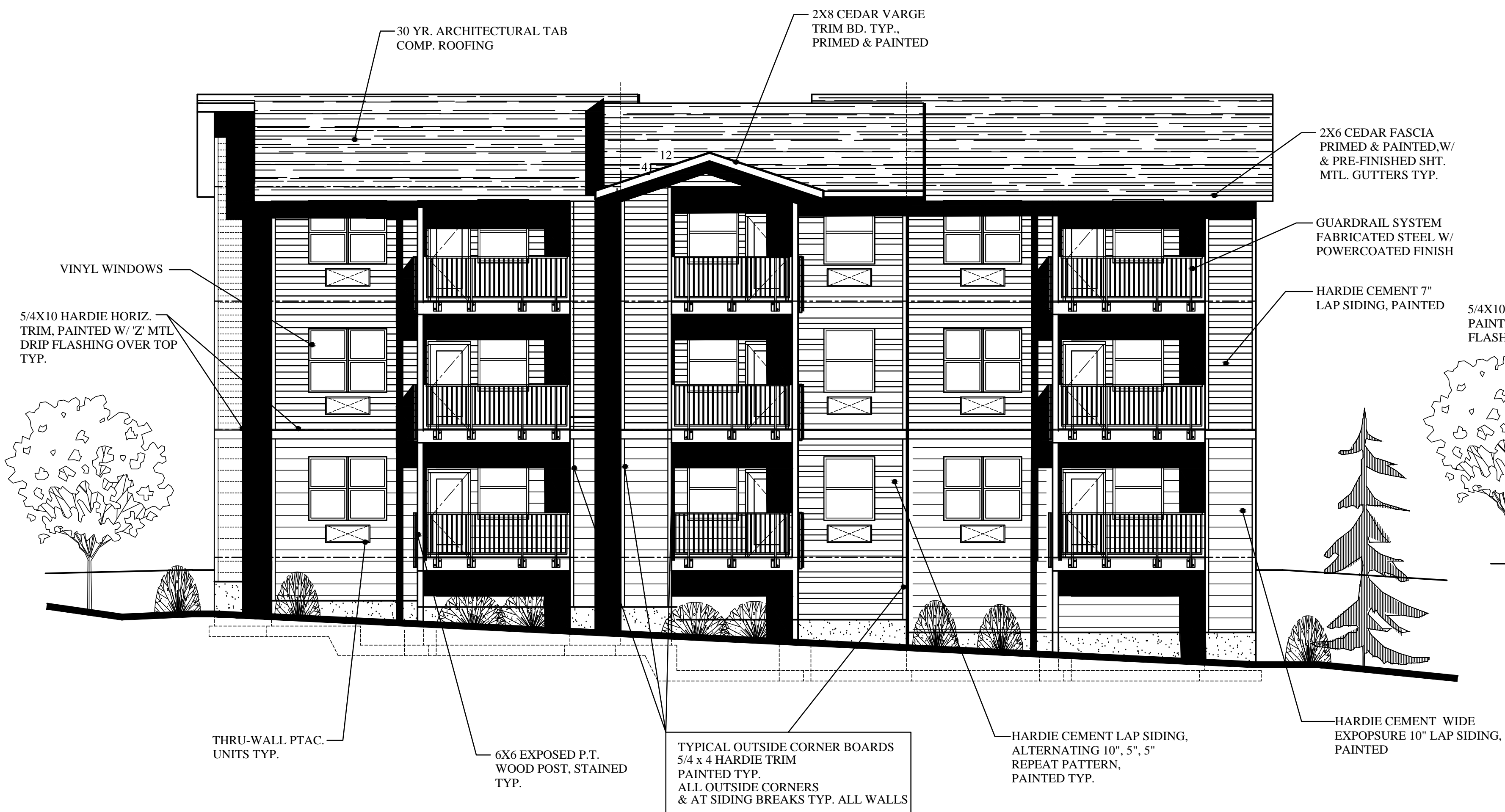


LEFT END ELEVATION 9-PLEX

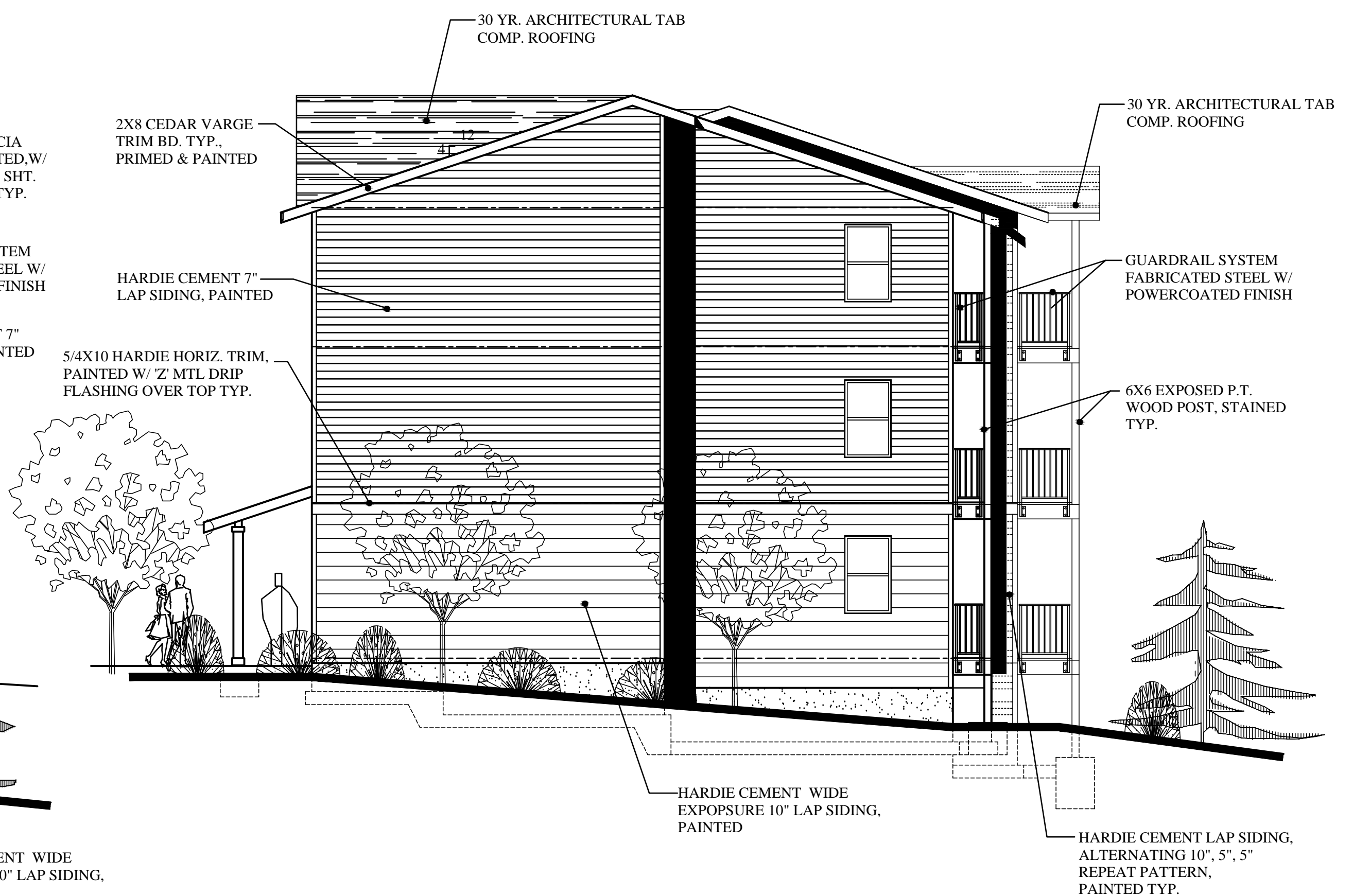


FRONT ELEVATION 9-PLEX

BLDG. F



REAR ELEVATION 9-PLEX



RIGHT END ELEVATION 9-PLEX

PRELIMINARY  
NOT FOR  
CONSTRUCTION

SCOTT BECK  
ARCHITECT, LLC  
361 N.E. Third Avenue  
Canby, Oregon 97013  
(503) 266-9270

BAXTER RD.  
MULTIFAMILY HOUSING  
1709 BAXTER RD. S.E.  
SALEM, OREGON  
DEVELOPER:  
NEIGHBORLY VENTURES, INC.  
2595 RIVER ROAD S., SUITE 100  
SALEM, OR 97302, TEL.: (503) 990-8909

9-PLEX  
BLDG. TYPE I  
EXTERIOR  
ELEVATIONS  
BLDG. F

revisions:  
  
date: 1-27-2025  
scale: 5/32"=1'-0"  
drawn: S.R.B.  
job no: 2406

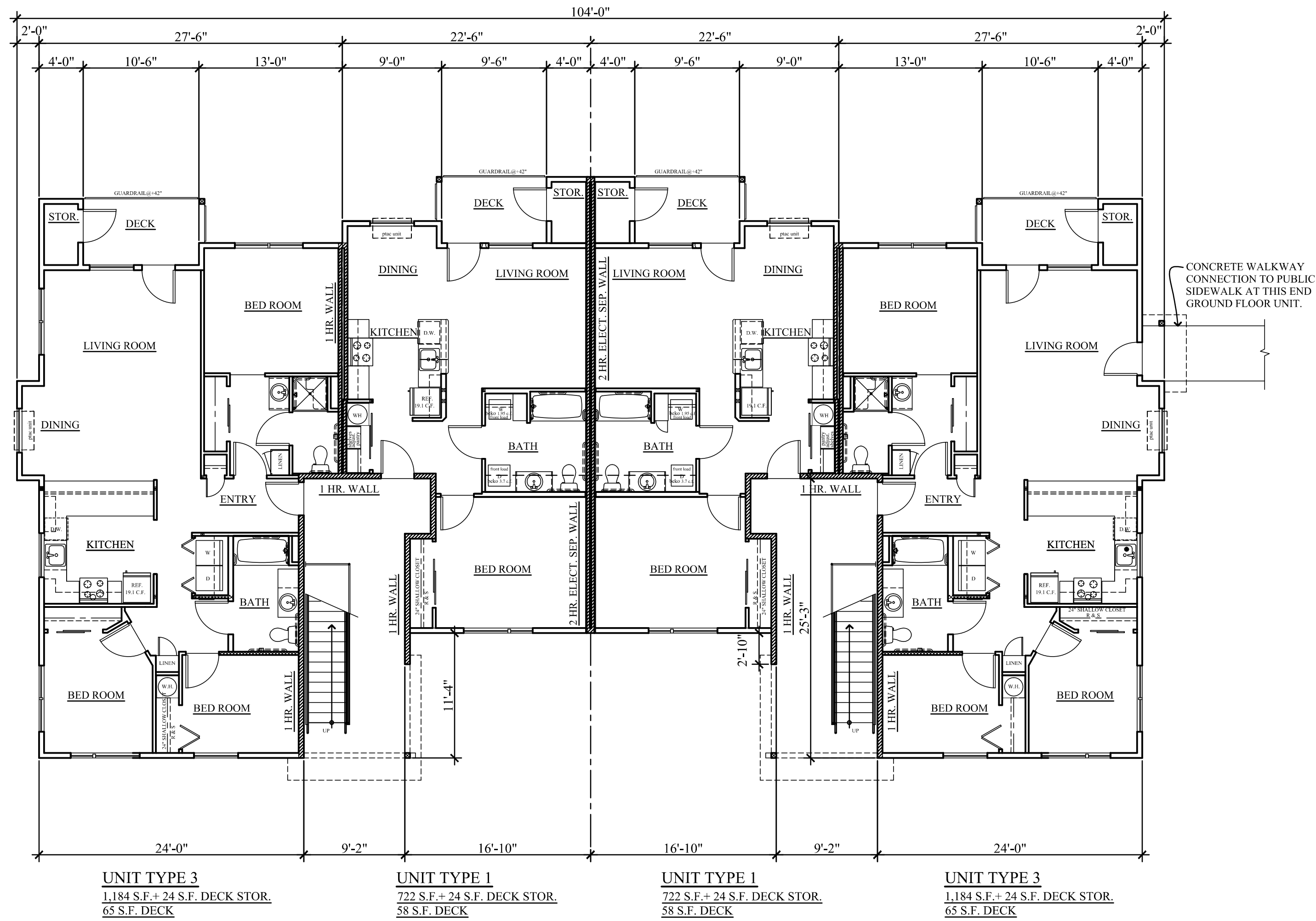
A5.2A





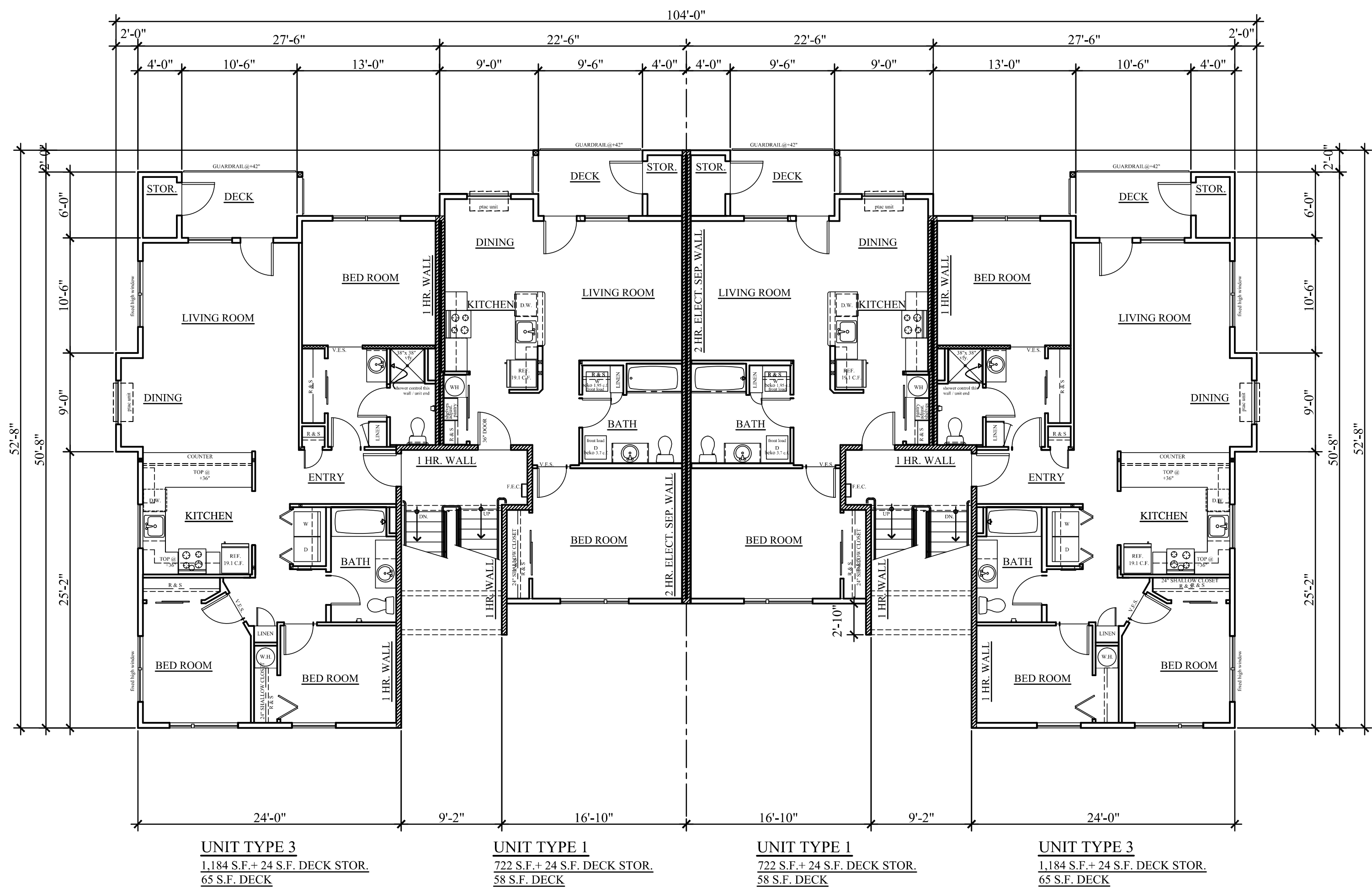


SECOND & THIRD FLOORS

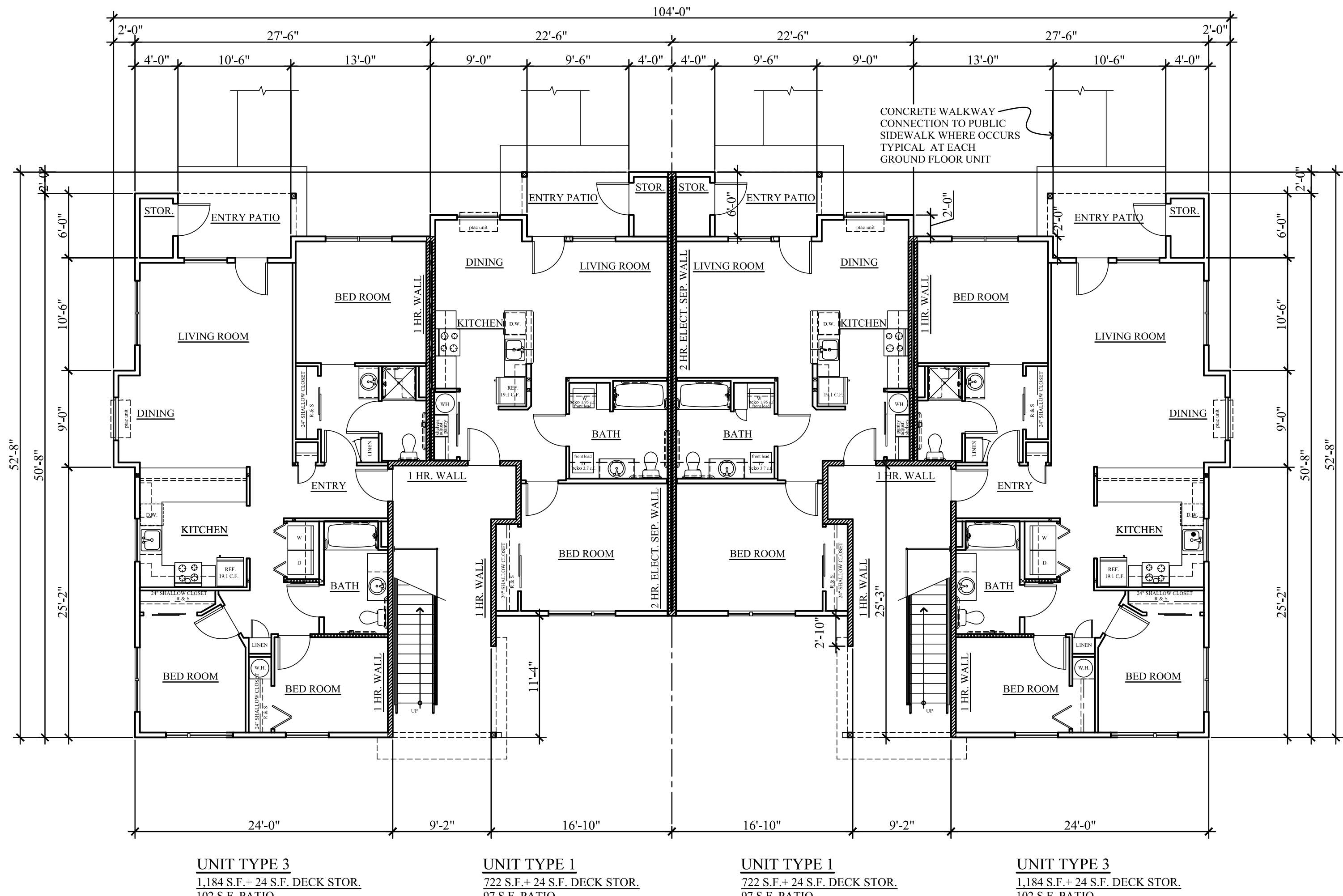


FIRST FLOOR

BLDG. G



SECOND & THIRD FLOORS



FIRST FLOOR

BLDGS. B & C similar

PRELIMINARY  
NOT FOR  
CONSTRUCTION

SCOTT BECK  
ARCHITECT, LLC.  
361 N.E. Third Avenue  
Canby, Oregon 97013  
(503) 266-9270

BAXTER RD.  
MULTIFAMILY HOUSING  
1709 BAXTER RD. S.E.  
SALEM, OREGON

DEVELOPER:  
NEIGHBORLY VENTURES, INC.  
2595 RIVER ROAD S., SUITE 100  
SALEM, OR 97302, TEL.: (503) 990-8909

12-PLEX  
BLDG. TYPE II  
FLOOR PLANS  
BLDGS. A & H  
BLDG. G

revisions:

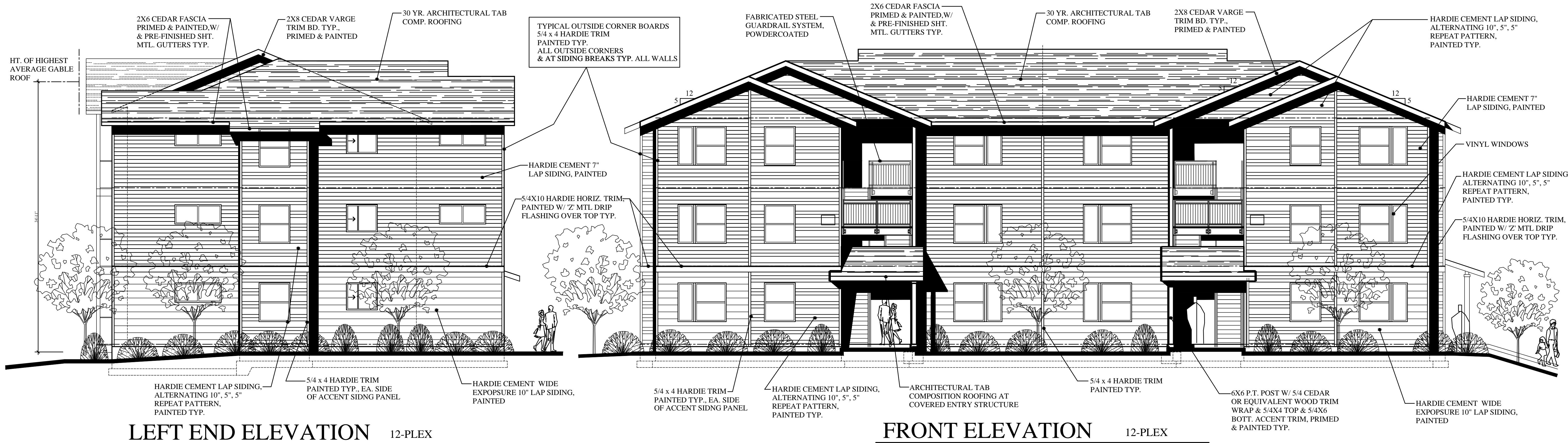
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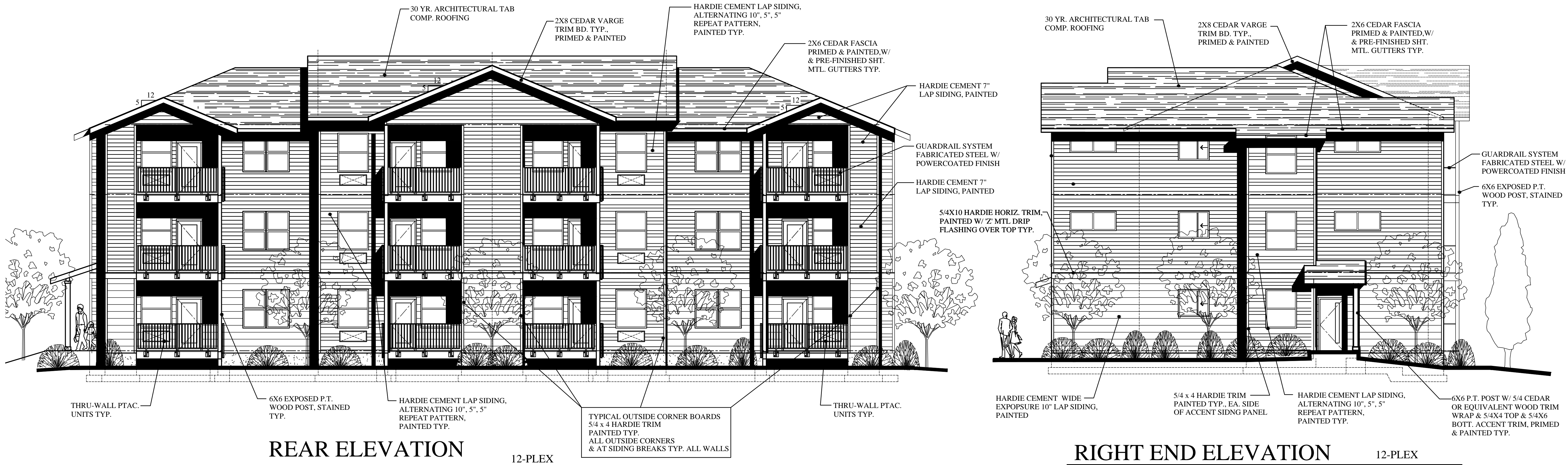
drawn: S.R.B.

job no: 2411

A2.4



## BLDG. G



PRELIMINARY  
NOT FOR  
CONSTRUCTION

SCOTT BECK  
ARCHITECT, LLC  
361 N.E. Third Avenue  
Canby, Oregon 97013  
(503) 266-9270

COMPASS POINTS  
MULTIFAMILY HOUSING  
1709 BAXTER RD. S.E.  
SALEM, OREGON

DEVELOPER:  
NEIGHBORLY VENTURES, INC.  
2595 RIVER ROAD S., SUITE 100  
SALEM, OR 97302, TEL.: (503) 990-8909

12-PLEX  
BLDG. TYPE III  
EXTERIOR  
ELEVATIONS  
BLDG. G

revisions:

date: 1/27/2025

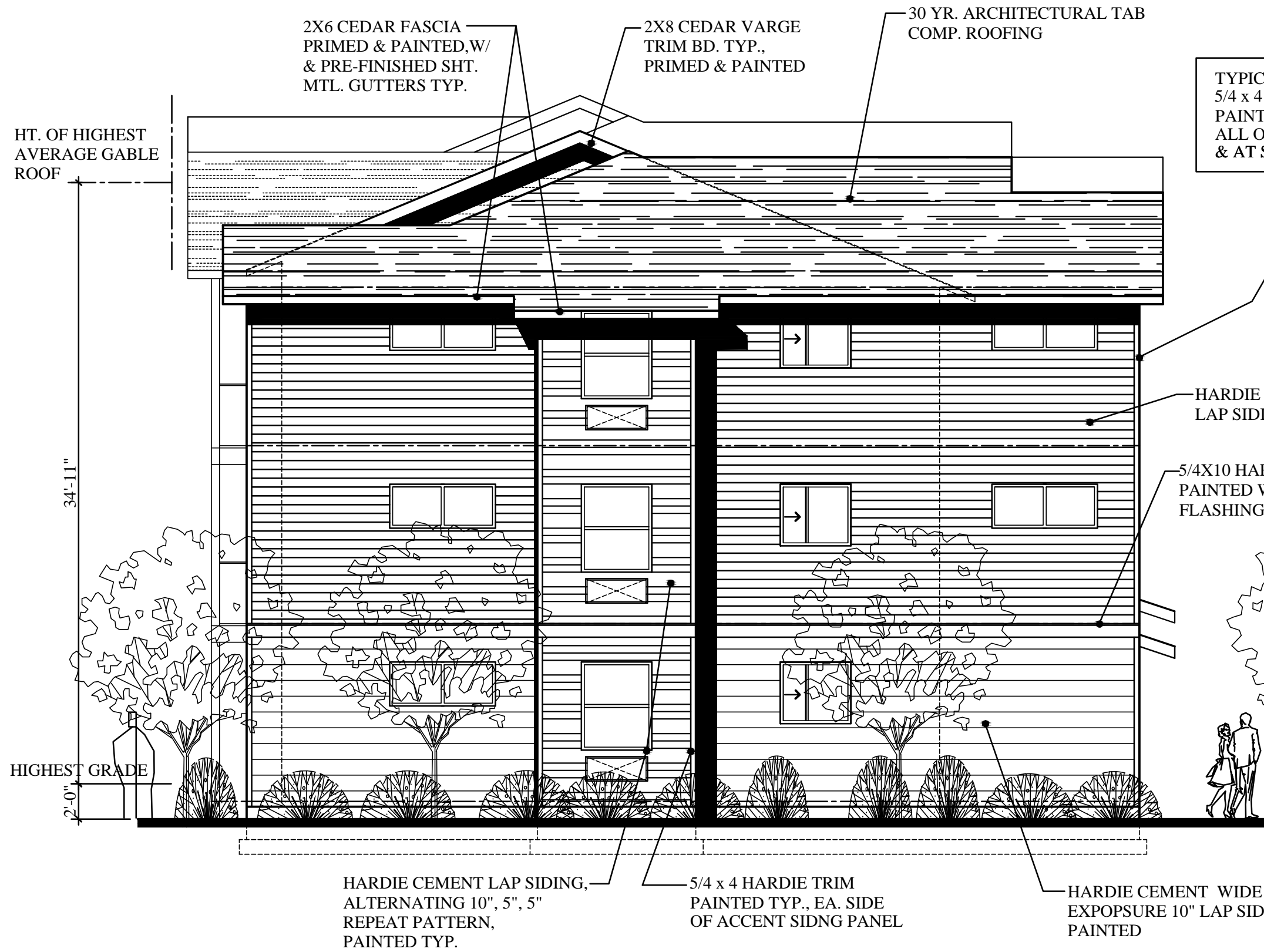
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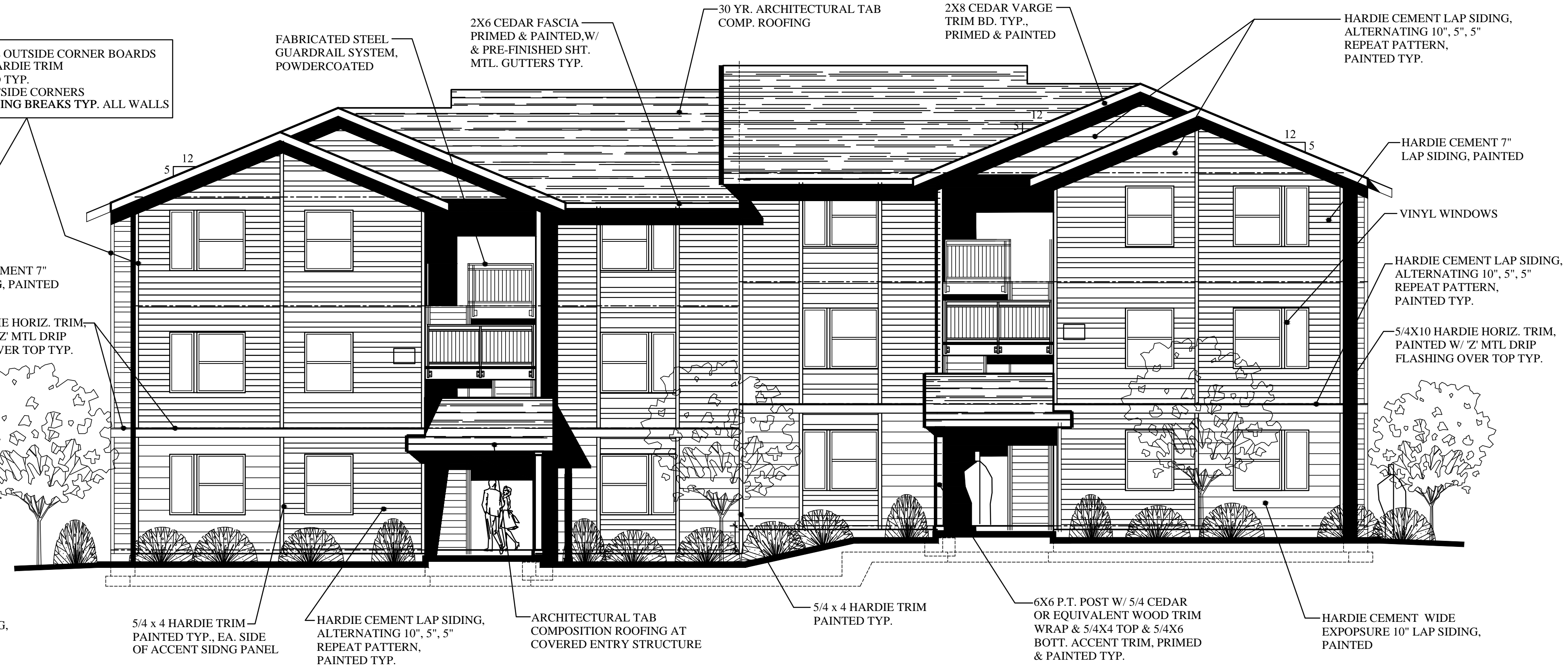
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A5.4A





LEFT END ELEVATION 12-PLEX

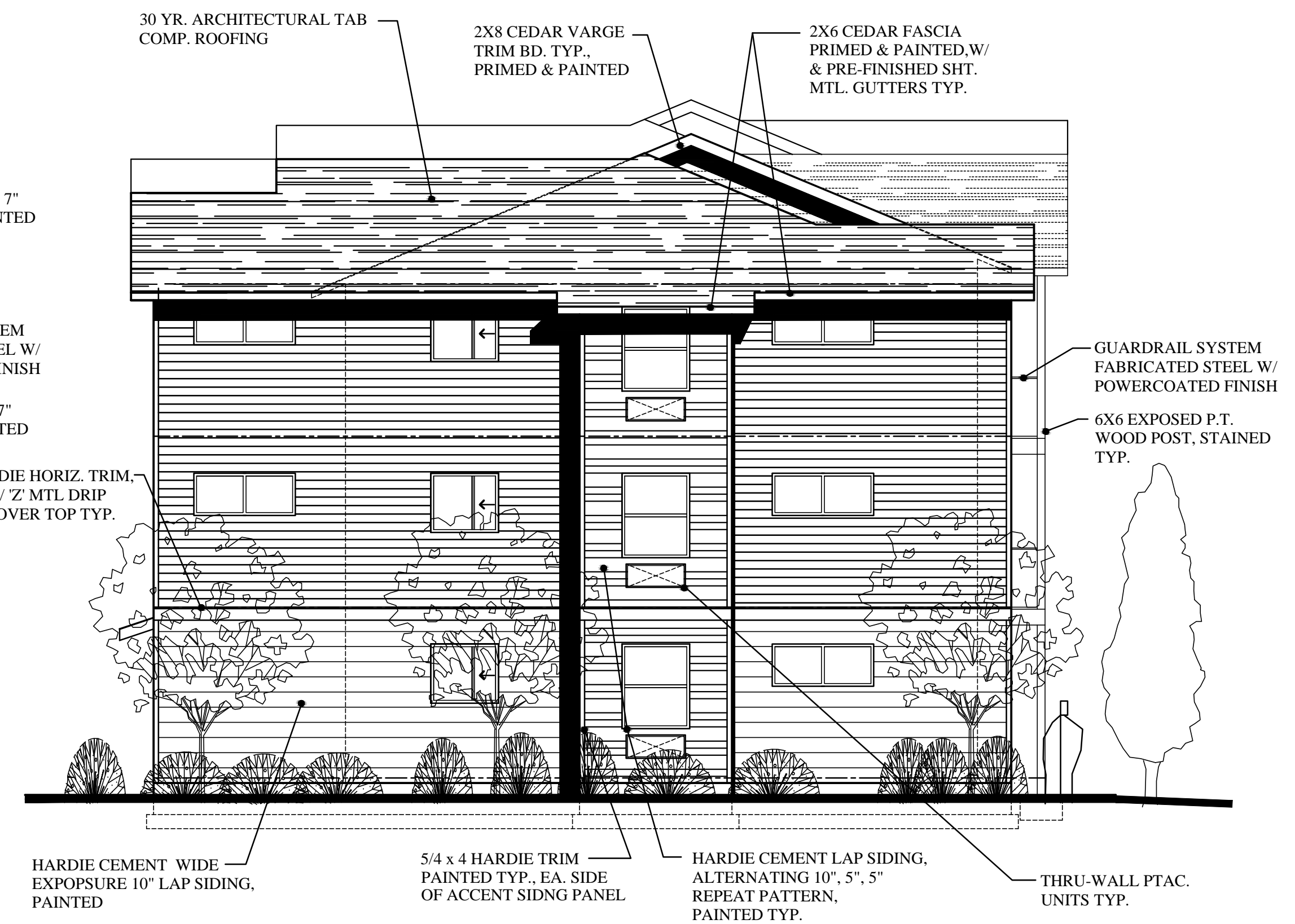


FRONT ELEVATION 12-PLEX

BLDGS. B & C similar



REAR ELEVATION 12-PLEX



RIGHT END ELEVATION 12-PLEX

PRELIMINARY  
NOT FOR  
CONSTRUCTION

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ARCHITECT, LLC  
361 N.E. Third Avenue  
Canby, Oregon 97013  
(503) 266-9270

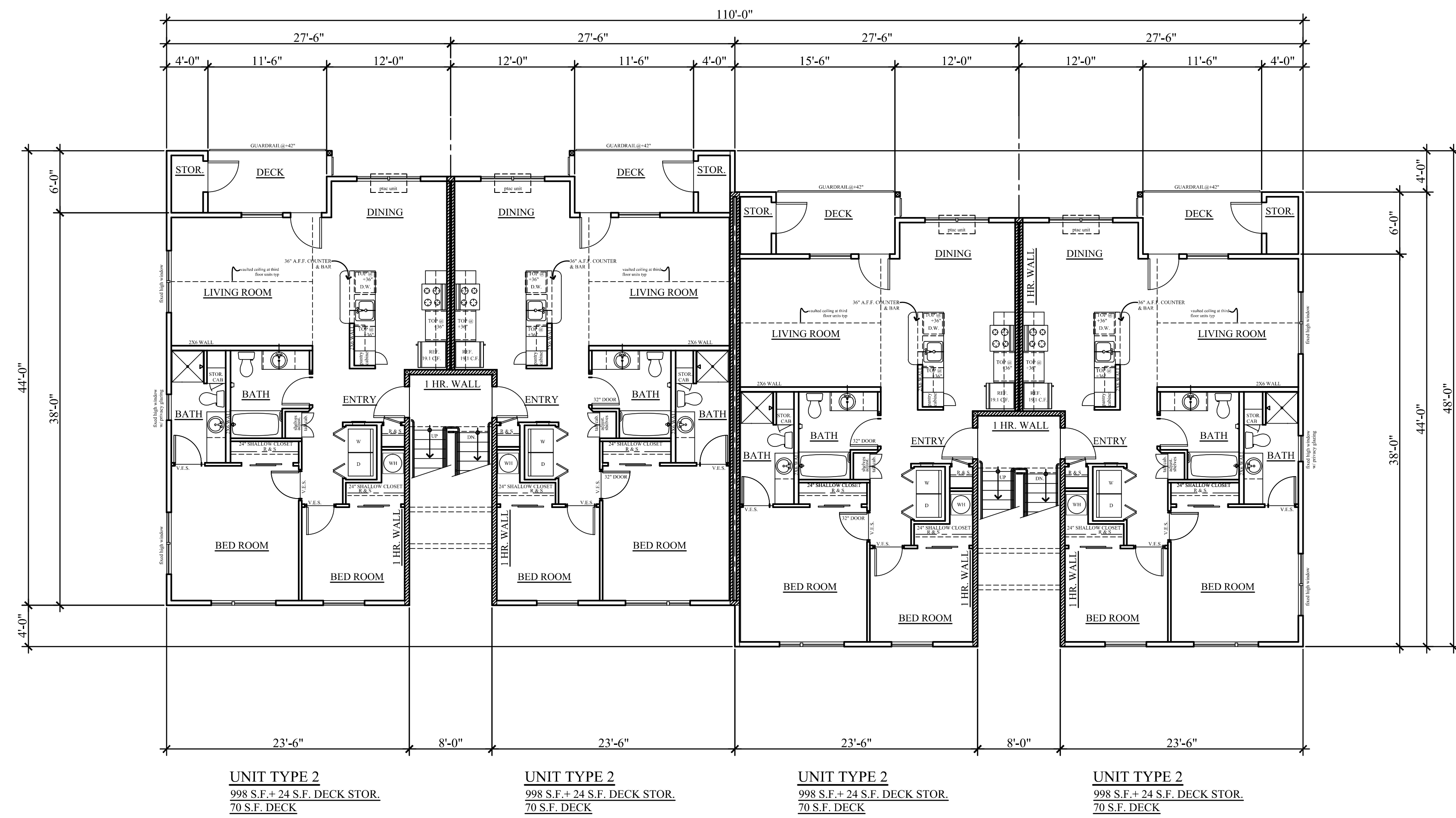
BAXTER RD.  
MULTIFAMILY HOUSING  
1709 BAXTER RD. S.E.  
SALEM, OREGON

DEVELOPER:  
NEIGHBORLY VENTURES, INC.  
2595 RIVER ROAD S., SUITE 100  
SALEM, OR 97302, TEL: (503) 990-8909

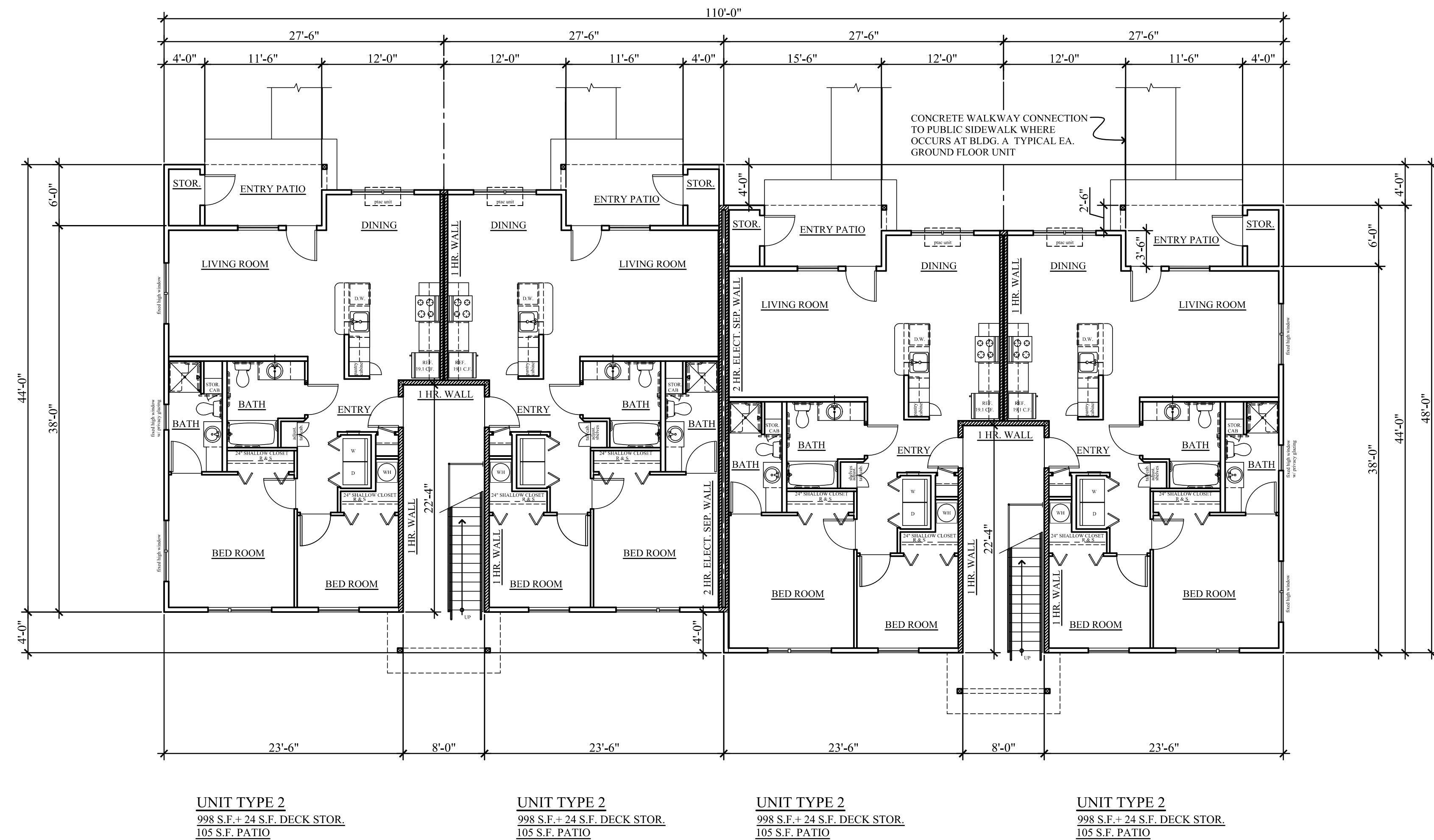
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BLDG. TYPE III  
EXTERIOR  
ELEVATIONS  
BLDGS. B & C

revisions:  
  
date: 1-27-2025  
scale: 5/32"=1'-0"  
drawn: S.R.B.  
job no: 2411

A5.4



SECOND & THIRD FLOORS



FIRST FLOOR

BLDG. A; BLDG. H similar

PRELIMINARY  
NOT FOR  
CONSTRUCTION

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ARCHITECT, LLC.  
361 N.E. Third Avenue  
Canby, Oregon 97013  
(503) 266-9270

BAXTER RD.  
MULTIFAMILY HOUSING  
1709 BAXTER RD. S.E.  
SALEM, OREGON

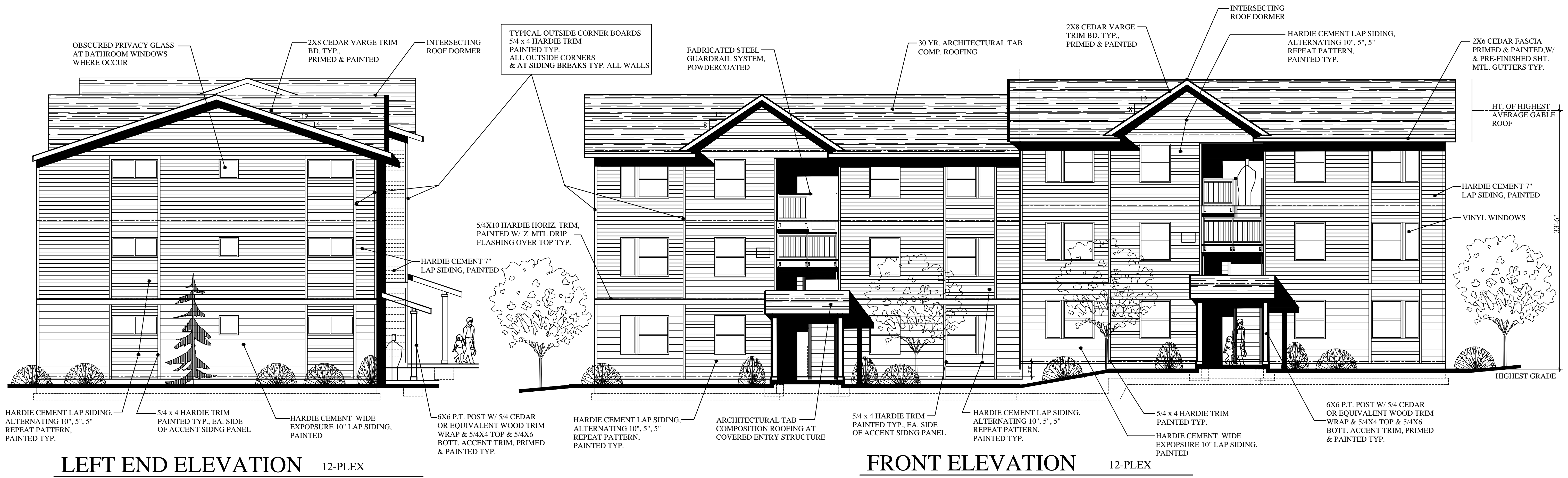
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NEIGHBORLY VENTURES, INC.  
2595 RIVER ROAD S., SUITE 100  
SALEM, OR 97302, TEL.: (503) 990-8909

12-PLEX  
BLDG. TYPE II  
FLOOR PLANS  
BLDGS. A & H

revisions:  
  
  
  
  
date: 1-27-2025  
scale: 1/8"=1'-0"  
drawn: S.R.B.  
job no: 2411

A2.3





PRELIMINARY  
NOT FOR  
CONSTRUCTION

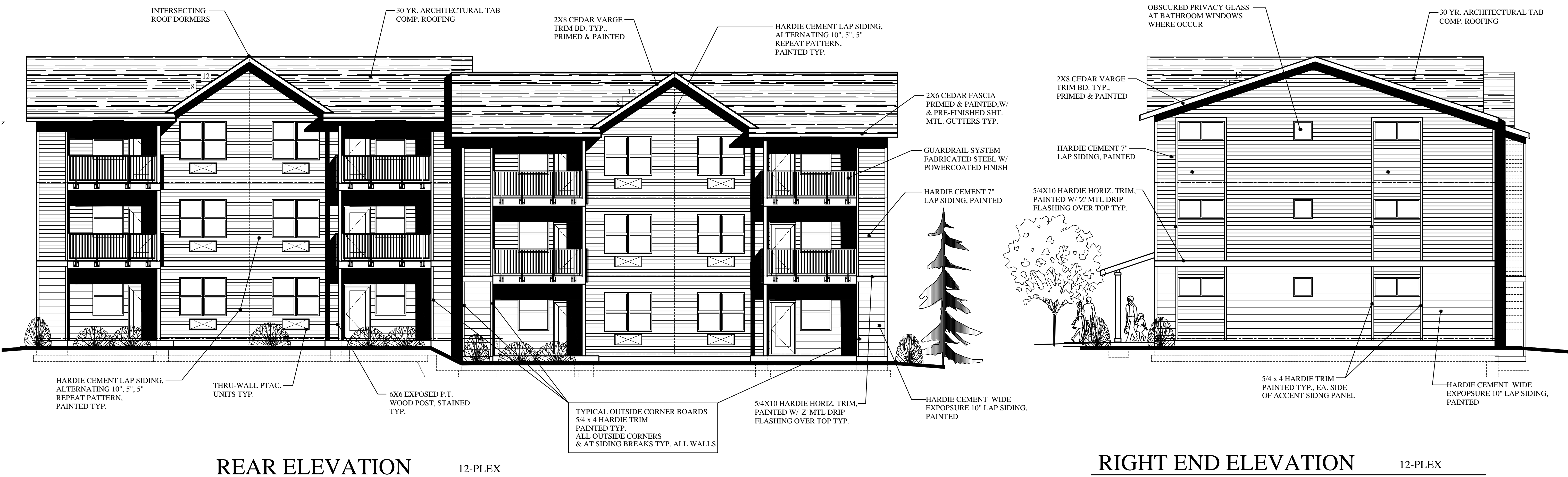
SCOTT BECK  
ARCHITECT, LLC  
361 N.E. Third Avenue  
Canby, Oregon 97013  
(503) 266-9270

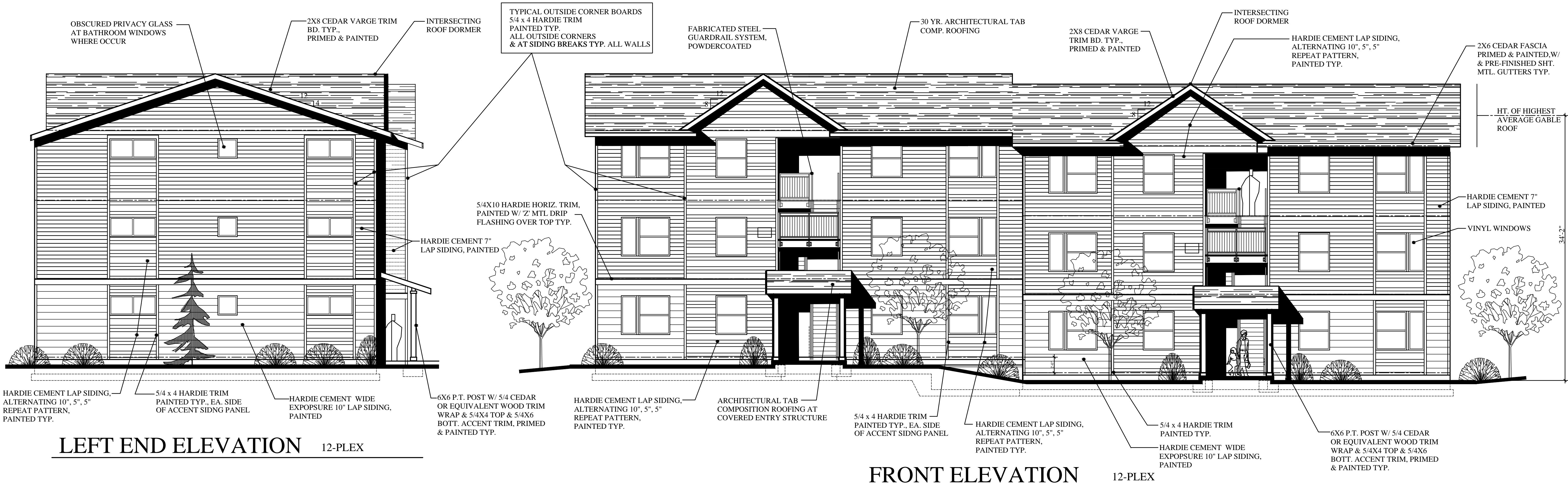
BAXTER RD.  
MULTIFAMILY HOUSING  
1709 BAXTER RD. S.E.  
SALEM, OREGON  
DEVELOPER:  
NEIGHBORLY VENTURES, INC.  
2595 RIVER ROAD S., SUITE 100  
SALEM, OR 97302, TEL.: (503) 990-8909

12-PLEX  
BLDG. TYPE II  
EXTERIOR  
ELEVATIONS  
BLDG. A

revisions:  
  
date: 1- 27-2025  
scale: 5/32"=1'-0"  
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job no: 2411

A5.3

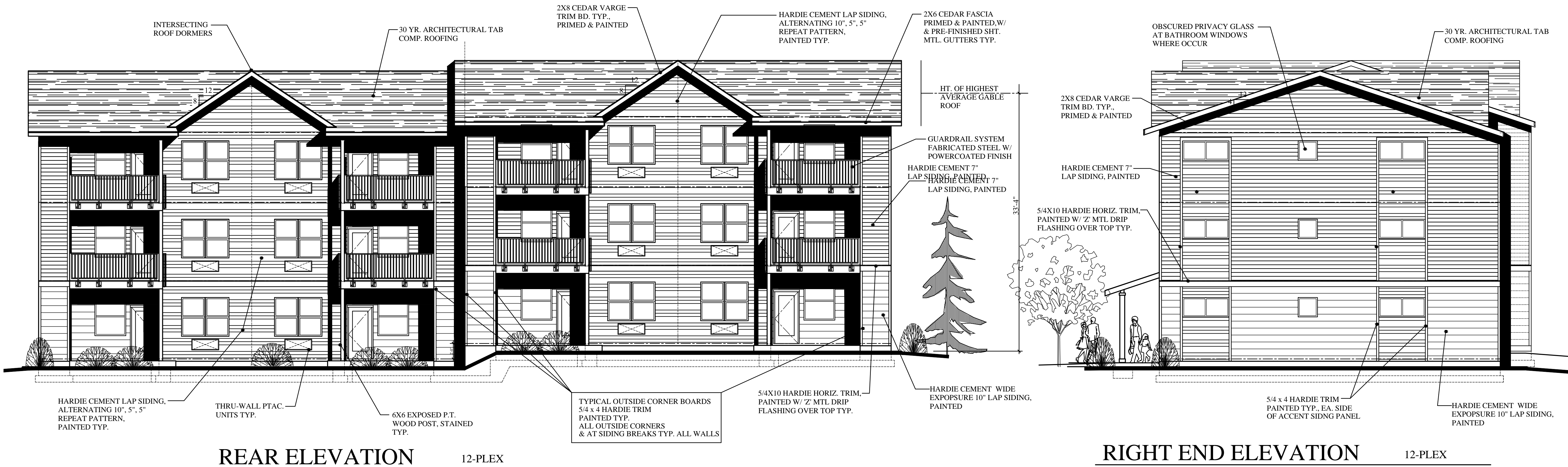




LEFT END ELEVATION 12-PLEX

FRONT ELEVATION 12-PLEX

BLDG. H



REAR ELEVATION 12-PLEX

RIGHT END ELEVATION 12-PLEX

PRELIMINARY  
NOT FOR  
CONSTRUCTION

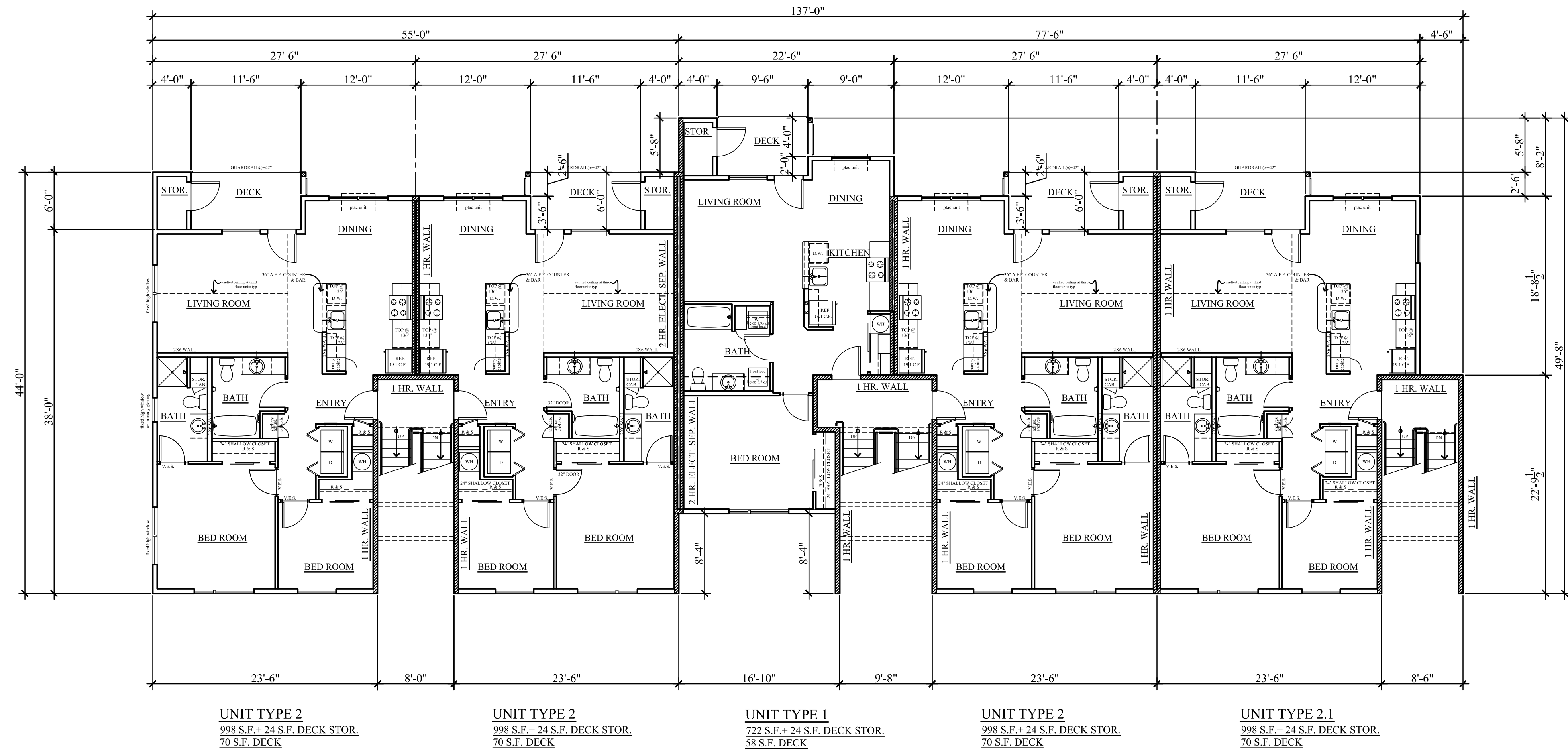
SCOTT BECK  
ARCHITECT, LLC  
361 N.E. Third Avenue  
Canby, Oregon 97013  
(503) 266-9270

BAXTER RD.  
MULTIFAMILY HOUSING  
1709 BAXTER RD. S.E.  
SALEM, OREGON  
DEVELOPER:  
NEIGHBORLY VENTURES, INC.  
2595 RIVER ROAD S., SUITE 100  
SALEM, OR 97302, TEL: (503) 990-8909

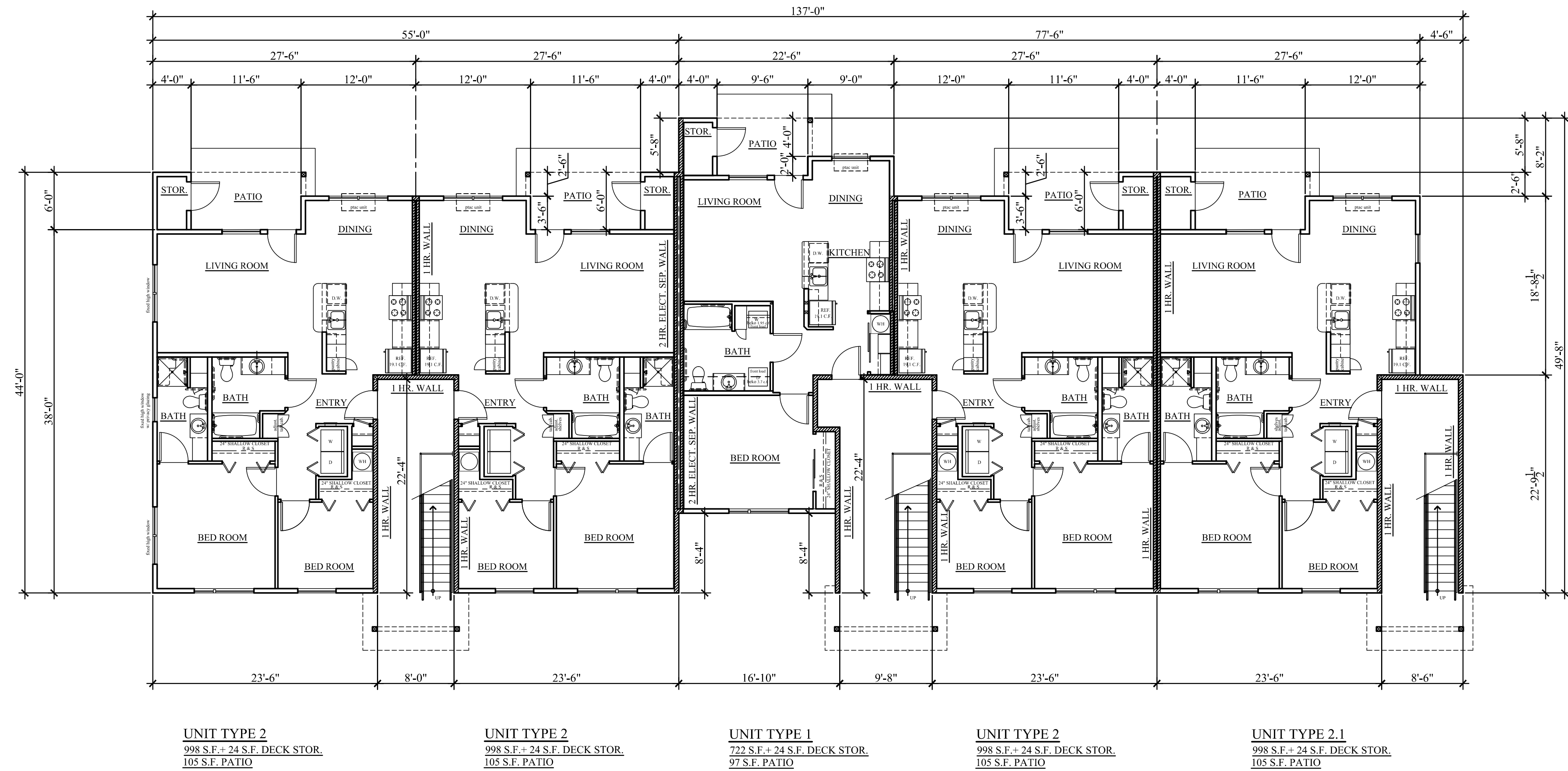
12-PLEX  
BLDG. TYPE II  
EXTERIOR  
ELEVATIONS  
BLDG. H

revisions:  
  
date: 1-27-2025  
scale: 5/32"=1'-0"  
drawn: S.R.B.  
job no: 2411

A5.3A



SECOND & THIRD FLOORS



FIRST FLOOR

BLDG. I

PRELIMINARY  
NOT FOR  
CONSTRUCTION

SCOTT BECK  
ARCHITECT, LLC.  
361 N.E. Third Avenue  
Canby, Oregon 97013  
(503) 266-9270

BAXTER RD.  
MULTIFAMILY HOUSING  
1709 BAXTER RD. S.E.  
SALEM, OREGON

DEVELOPER:  
NEIGHBORLY VENTURES, INC.  
2595 RIVER ROAD S., SUITE 100  
SALEM, OR 97302, TEL.: (503) 990-8909

15-PLEX  
BLDG. TYPE IV  
FLOOR PLANS  
BLDG. I

revisions:

date: 1-27-2025

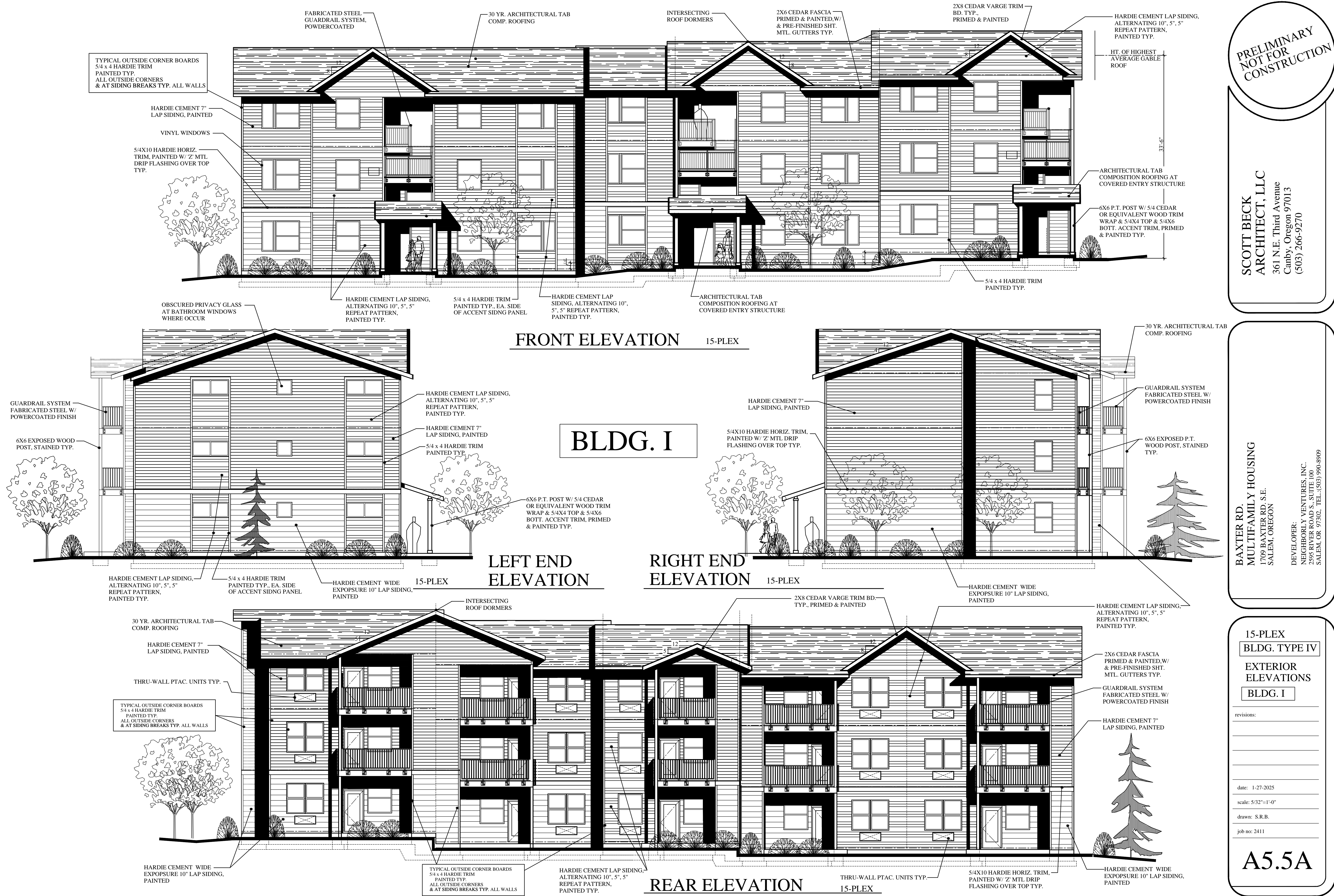
scale: 1/8"=1'-0"

drawn: S.R.B.

job no: 2411

A2.7





PRELIMINARY  
NOT FOR  
CONSTRUCTION

SCOTT BECK  
ARCHITECT, LLC  
361 N.E. Third Avenue  
Canby, Oregon 97013  
(503) 266-9270

BAXTER RD.  
MULTIFAMILY HOUSING  
1709 BAXTER RD. S.E.  
SALEM, OREGON  
DEVELOPER:  
NEIGHBORLY VENTURES, INC.  
2595 RIVER ROAD S., SUITE 100  
SALEM, OR 97302, TEL.: (503) 990-8909

15-PLEX  
BLDG. TYPE IV  
EXTERIOR  
ELEVATIONS  
BLDG. I

revisions:

date: 1-27-2025

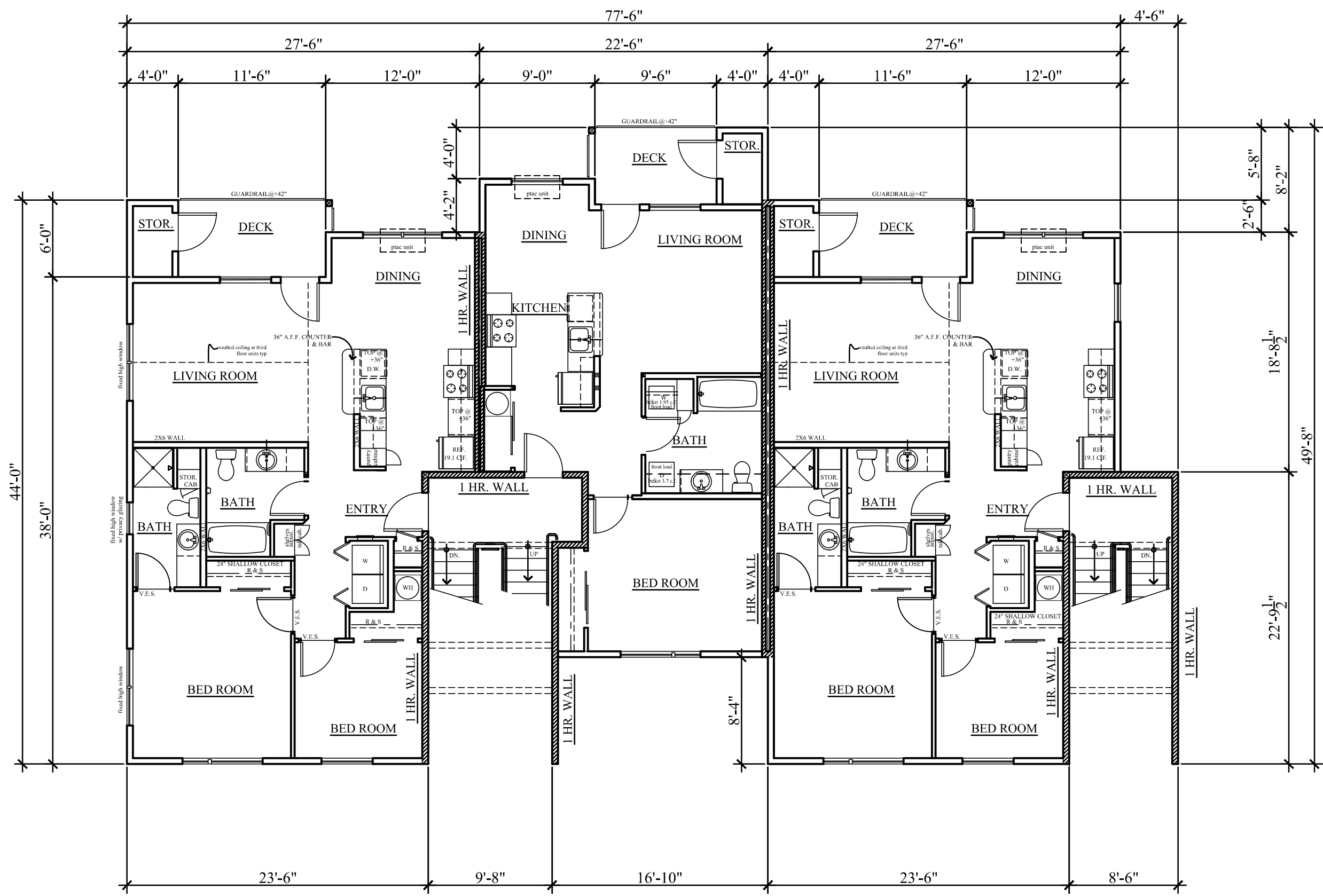
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drawn: S.R.B.

job no: 2411

A5.5A



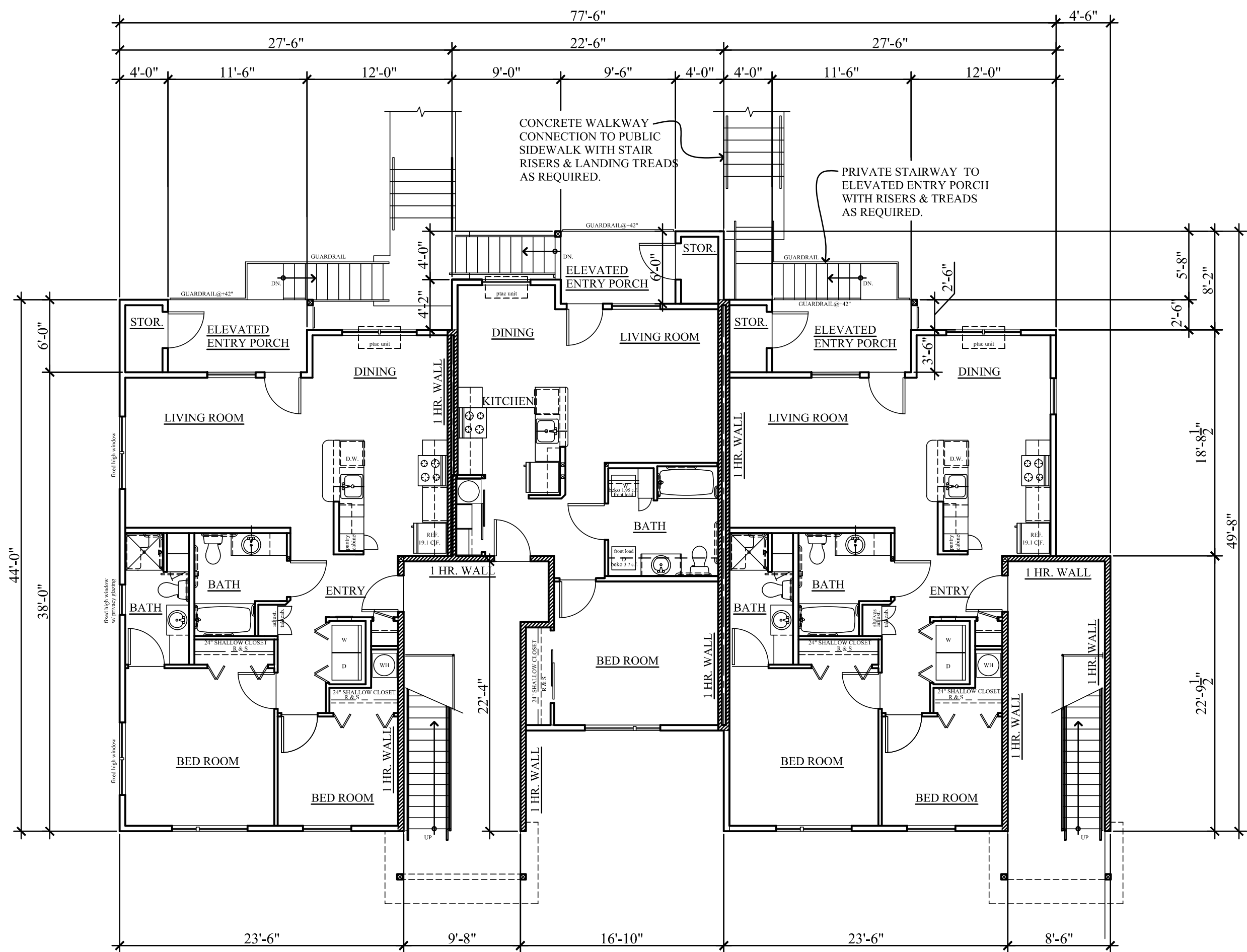


UNIT TYPE 2  
998 S.F. + 24 S.F. DECK STOR.  
70 S.F. DECK

UNIT TYPE 1  
722 S.F. + 24 S.F. DECK STOR.  
58 S.F. DECK

UNIT TYPE 2.1  
998 S.F. + 24 S.F. DECK STOR.  
70 S.F. DECK

SECOND & THIRD FLOORS



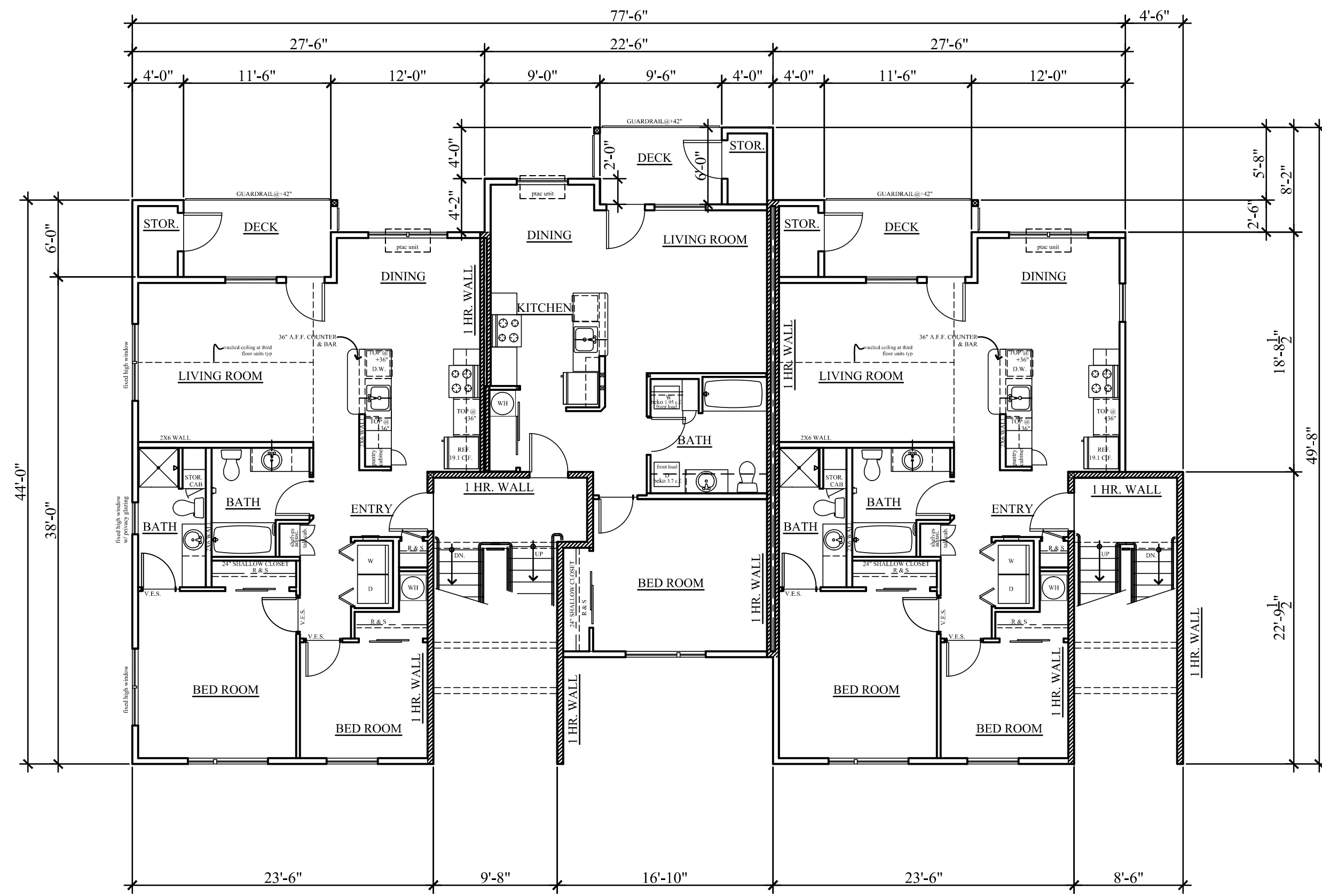
UNIT TYPE 2  
998 S.F. + 24 S.F. DECK STOR.  
70 S.F. ELEVATED DECK

UNIT TYPE 1  
722 S.F. + 24 S.F. DECK STOR.  
58 S.F. ELEVATED DECK

UNIT TYPE 2.1  
998 S.F. + 24 S.F. DECK STOR.  
70 S.F. ELEVATED DECK

FIRST FLOOR

BLDG. K

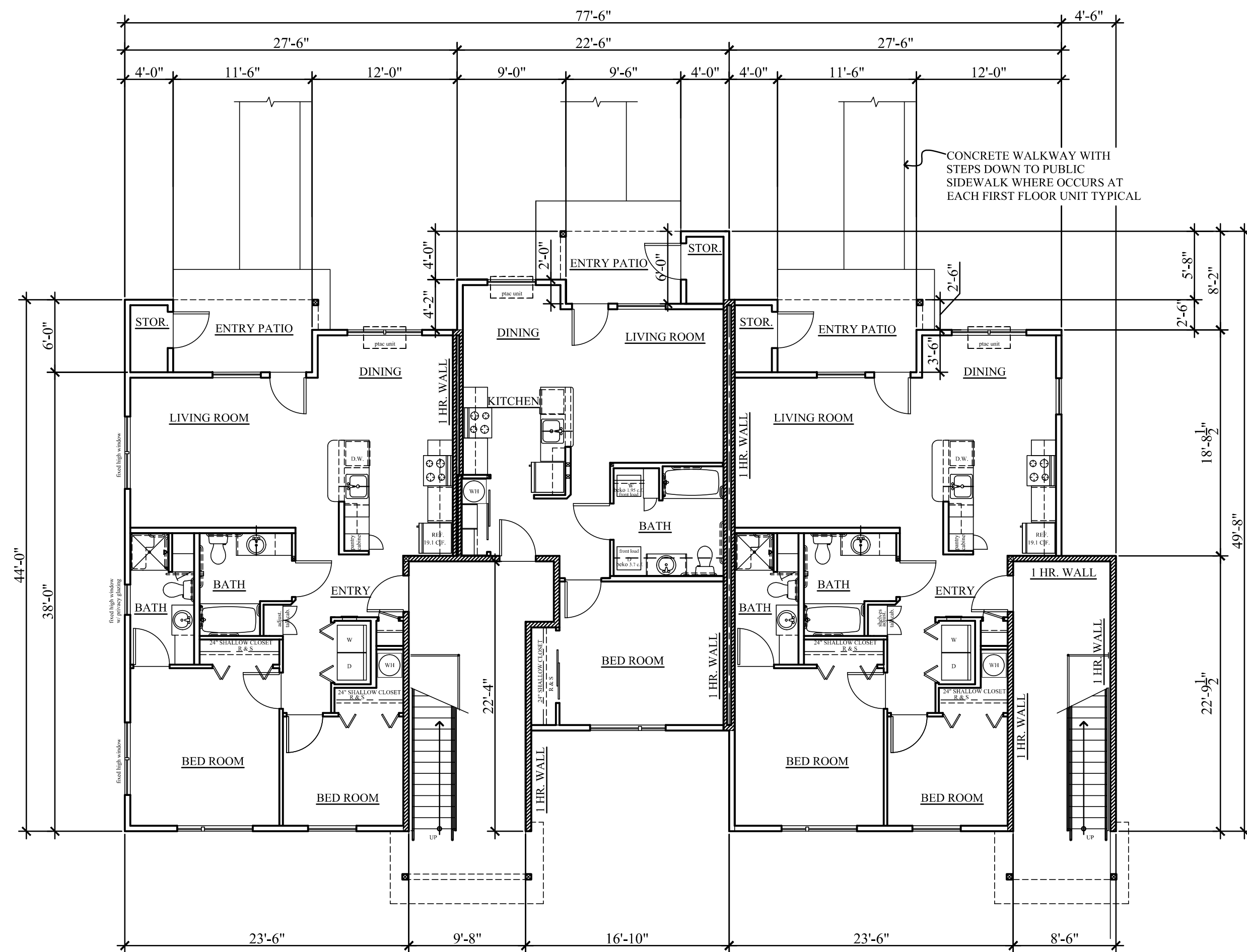


UNIT TYPE 2  
998 S.F. + 24 S.F. DECK STOR.  
70 S.F. DECK

UNIT TYPE 1  
722 S.F. + 24 S.F. DECK STOR.  
58 S.F. DECK

UNIT TYPE 2.1  
998 S.F. + 24 S.F. DECK STOR.  
70 S.F. DECK

SECOND & THIRD FLOORS



UNIT TYPE 2  
998 S.F. + 24 S.F. DECK STOR.  
105 S.F. PATIO

UNIT TYPE 1  
722 S.F. + 24 S.F. DECK STOR.  
97 S.F. PATIO

UNIT TYPE 2.1  
998 S.F. + 24 S.F. DECK STOR.  
105 S.F. PATIO

FIRST FLOOR

BLDG. J

PRELIMINARY  
NOT FOR  
CONSTRUCTION

SCOTT BECK  
ARCHITECT, LLC.  
361 N.E. Third Avenue  
Canby, Oregon 97013  
(503) 266-9270

BAXTER RD.  
MULTIFAMILY HOUSING  
1709 BAXTER RD. S.E.  
SALEM, OREGON

DEVELOPER:  
NEIGHBORLY VENTURES, INC.  
2595 RIVER ROAD S., SUITE 100  
SALEM, OR 97302, TEL.: (503) 990-8909

9-PLEX  
BLDG. TYPE I  
FLOOR PLANS  
BLDGS. J & K

revisions:

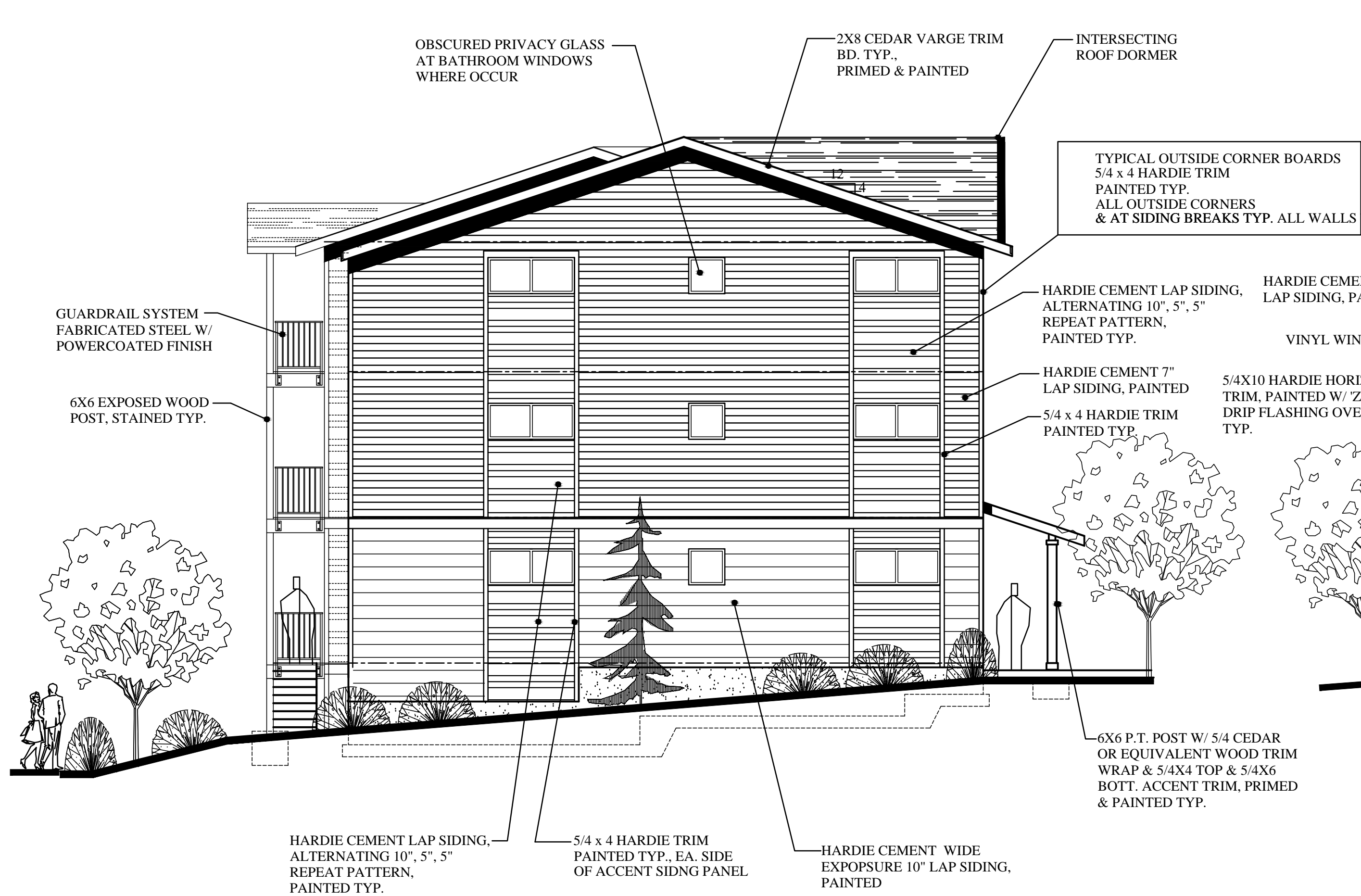
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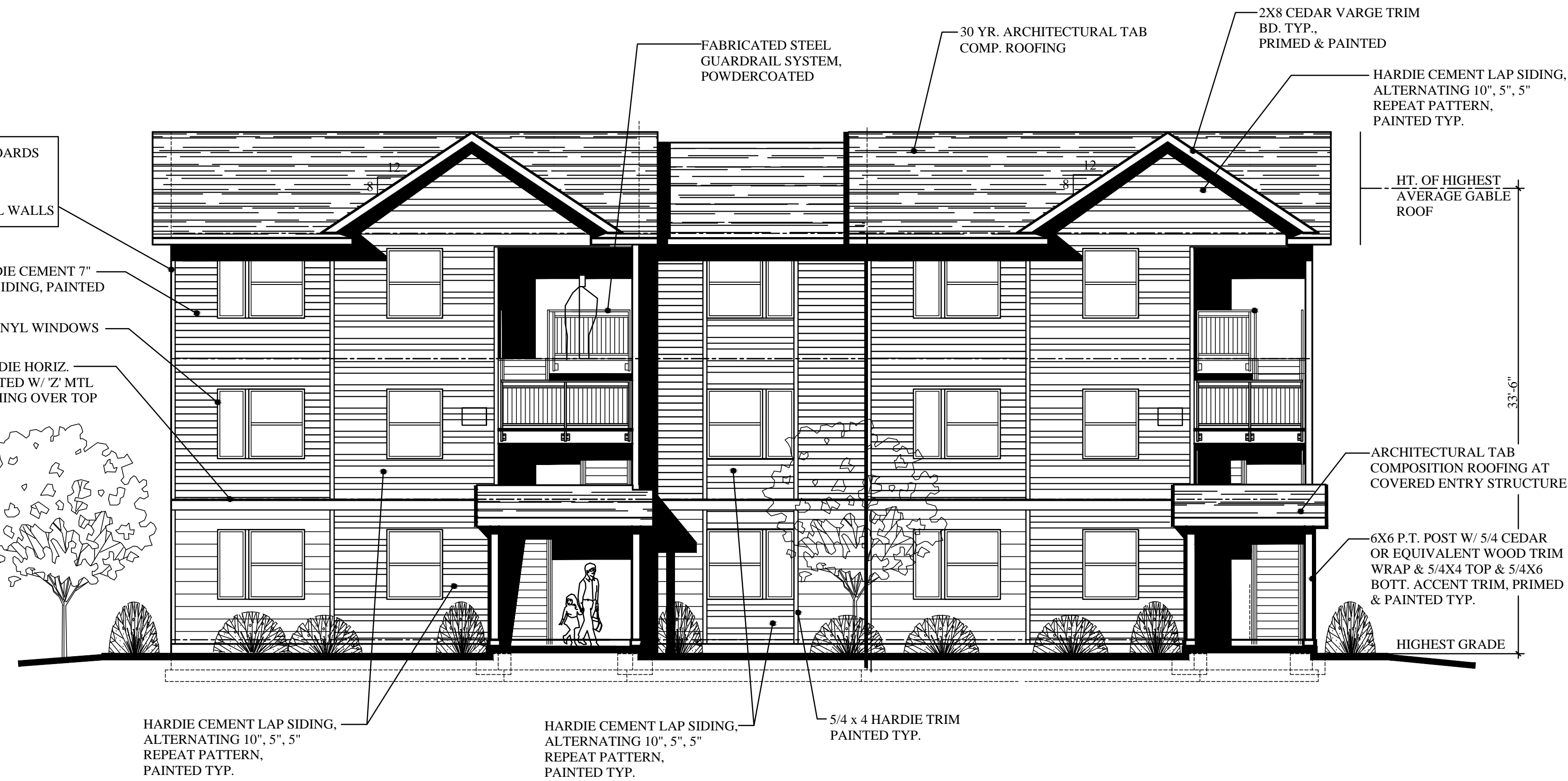
drawn: S.R.B.

job no: 2411

A2.2

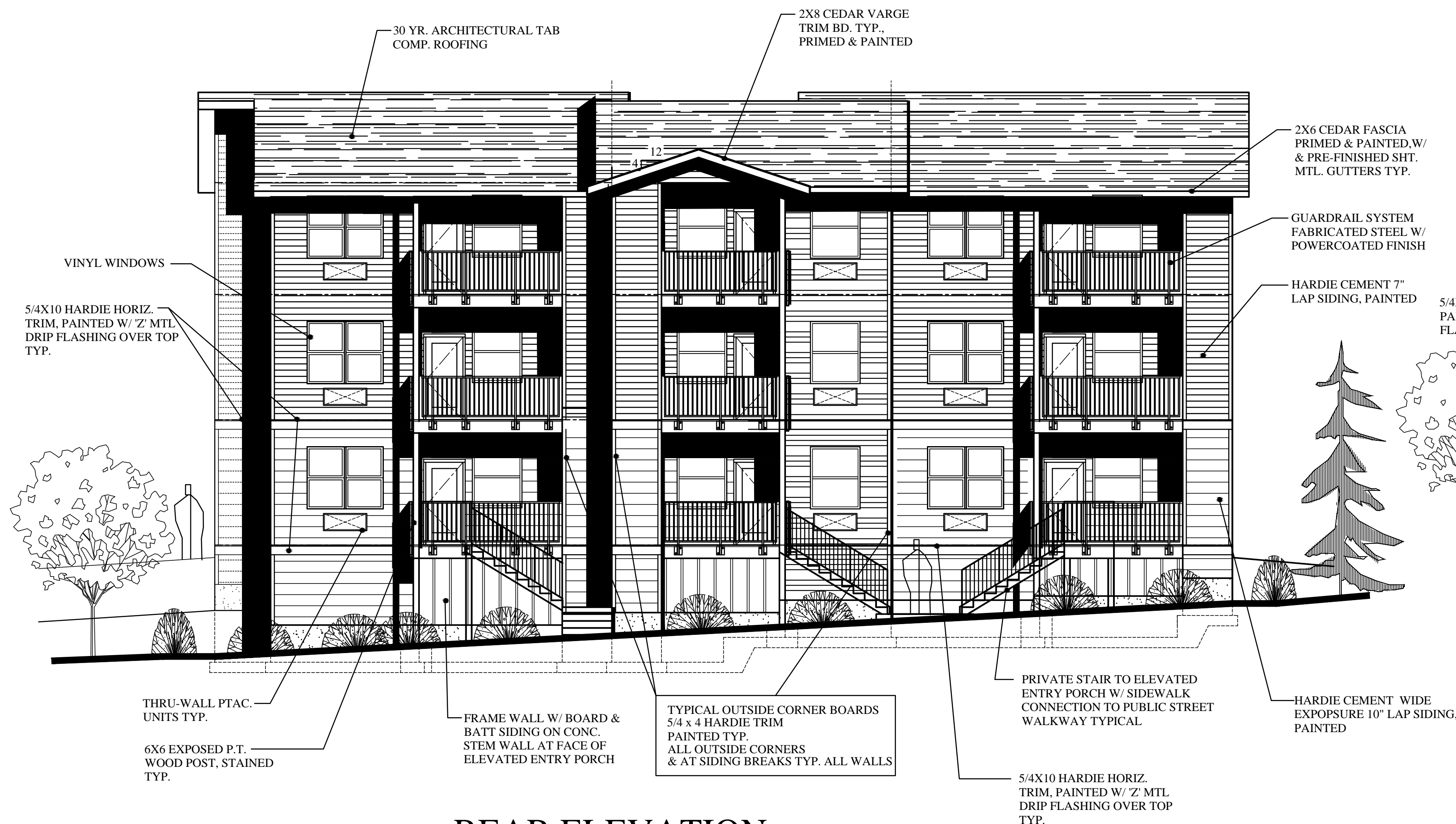


LEFT END ELEVATION 9-PLEX

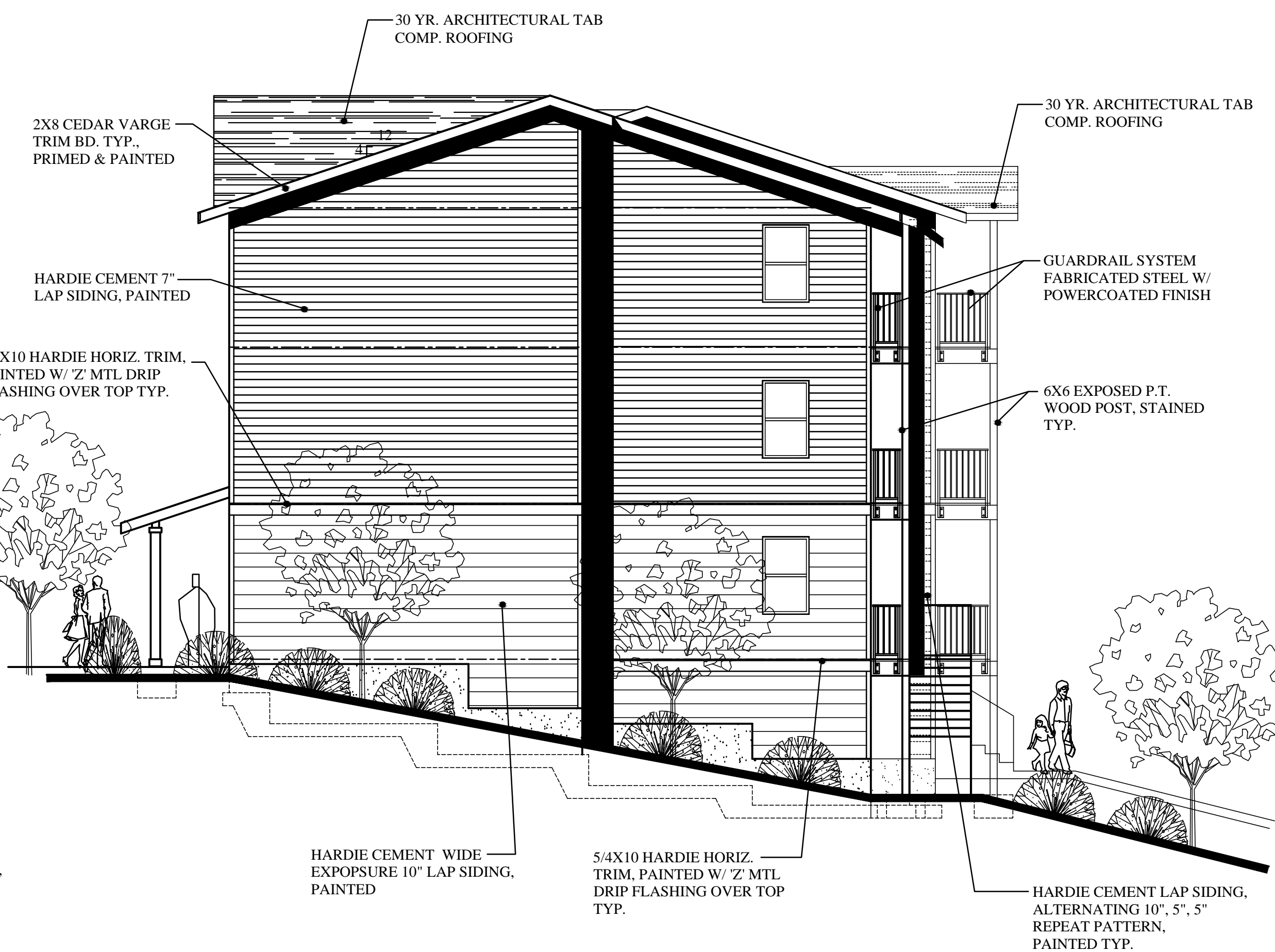


FRONT ELEVATION 9-PLEX

BLDG. K



REAR ELEVATION 9-PLEX



RIGHT END ELEVATION 9-PLEX

PRELIMINARY  
NOT FOR  
CONSTRUCTION

SCOTT BECK  
ARCHITECT, LLC  
361 N.E. Third Avenue  
Canby, Oregon 97013  
(503) 266-9270

BAXTER RD.  
MULTIFAMILY HOUSING  
1709 BAXTER RD. S.E.  
SALEM, OREGON  
DEVELOPER:  
NEIGHBORLY VENTURES, INC.  
2595 RIVER ROAD S., SUITE 100  
SALEM, OR 97302, TEL.: (503) 990-8909

9-PLEX  
BLDG. TYPE I  
EXTERIOR  
ELEVATIONS  
BLDG. K

revisions:  
  
date: 1-27-2025  
scale: 5/32"=1'-0"  
drawn: S.R.B.  
job no: 2406

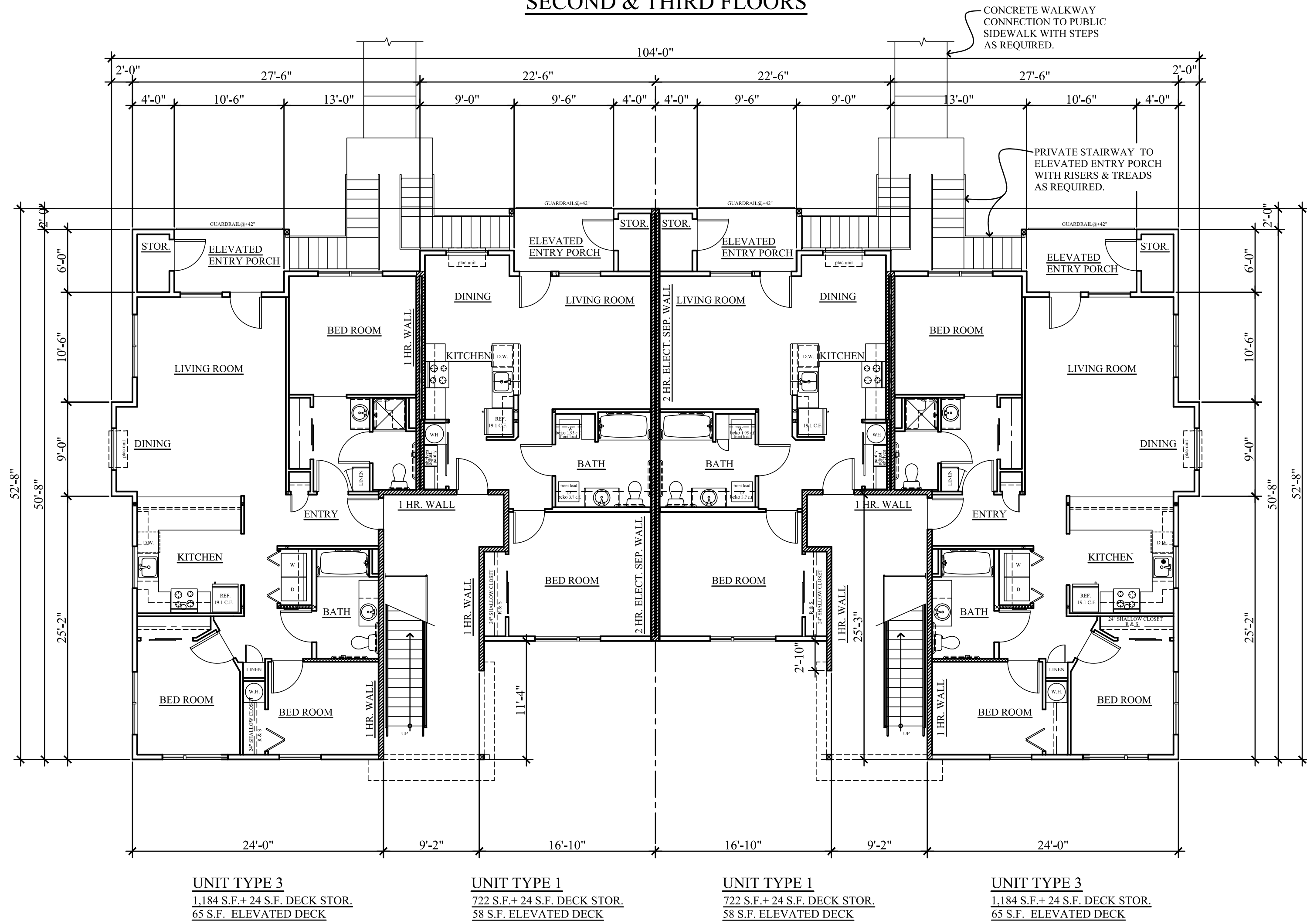
A5.2C







SECOND & THIRD FLOORS



FIRST FLOOR

BLDG. L

PRELIMINARY  
NOT FOR  
CONSTRUCTION

SCOTT BECK  
ARCHITECT, LLC.  
361 N.E. Third Avenue  
Canby, Oregon 97013  
(503) 266-9270

BAXTER RD.  
MULTIFAMILY HOUSING  
1709 BAXTER RD. S.E.  
SALEM, OREGON

DEVELOPER:  
NEIGHBORLY VENTURES, INC.  
2595 RIVER ROAD S., SUITE 100  
SALEM, OR 97302, TEL.: (503) 990-8909

12-PLEX  
BLDG. TYPE III  
FLOOR PLANS  
BLDG. L

revisions:

date: 1-27-2025

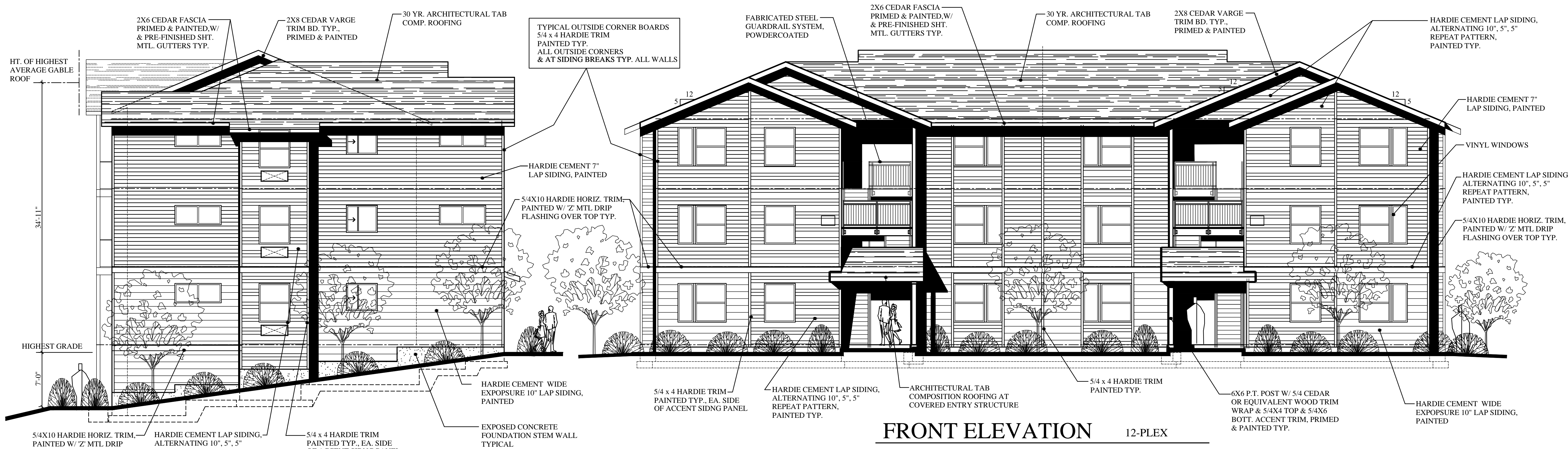
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drawn: S.R.B.

job no: 2411

A2.5

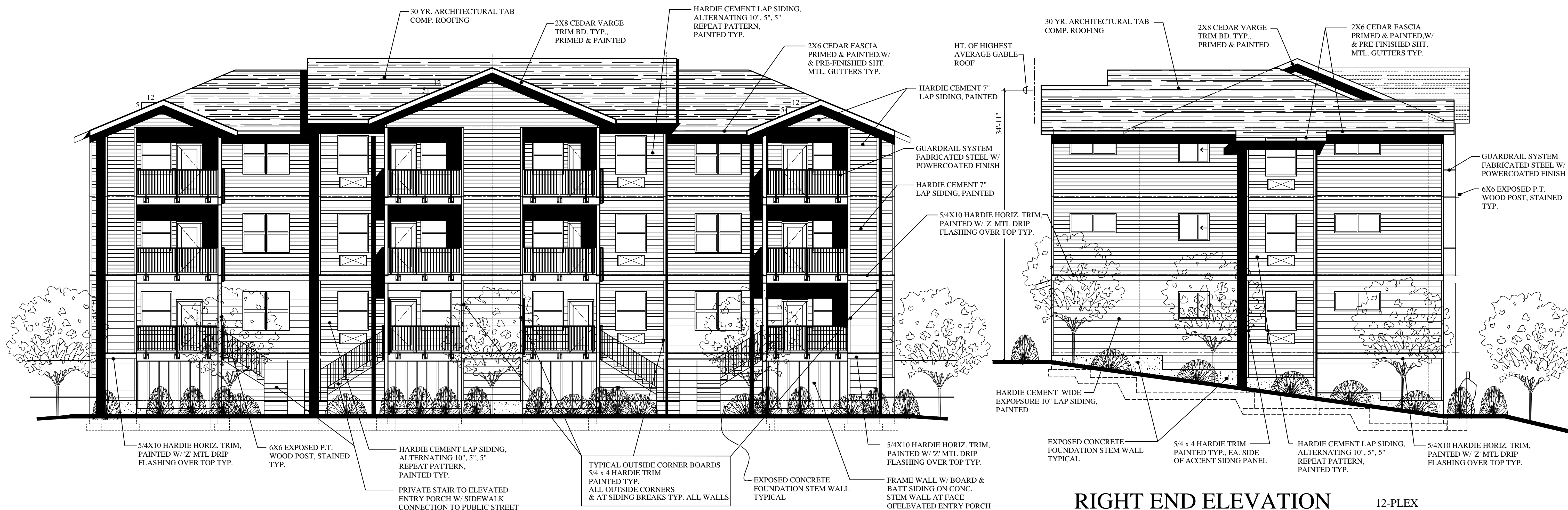




LEFT END ELEVATION 12-PLEX

FRONT ELEVATION 12-PLEX

BLDG. L



REAR ELEVATION 12-PLEX

RIGHT END ELEVATION 12-PLEX

PRELIMINARY  
NOT FOR  
CONSTRUCTION

SCOTT BECK  
ARCHITECT, LLC  
361 N.E. Third Avenue  
Canby, Oregon 97013  
(503) 266-9270

BAXTER RD.  
MULTIFAMILY HOUSING  
1709 BAXTER RD. S.E.  
SALEM, OREGON  
DEVELOPER:  
NEIGHBORLY VENTURES, INC.  
2595 RIVER ROAD S., SUITE 100  
SALEM, OR 97302, TEL.: (503) 990-8909

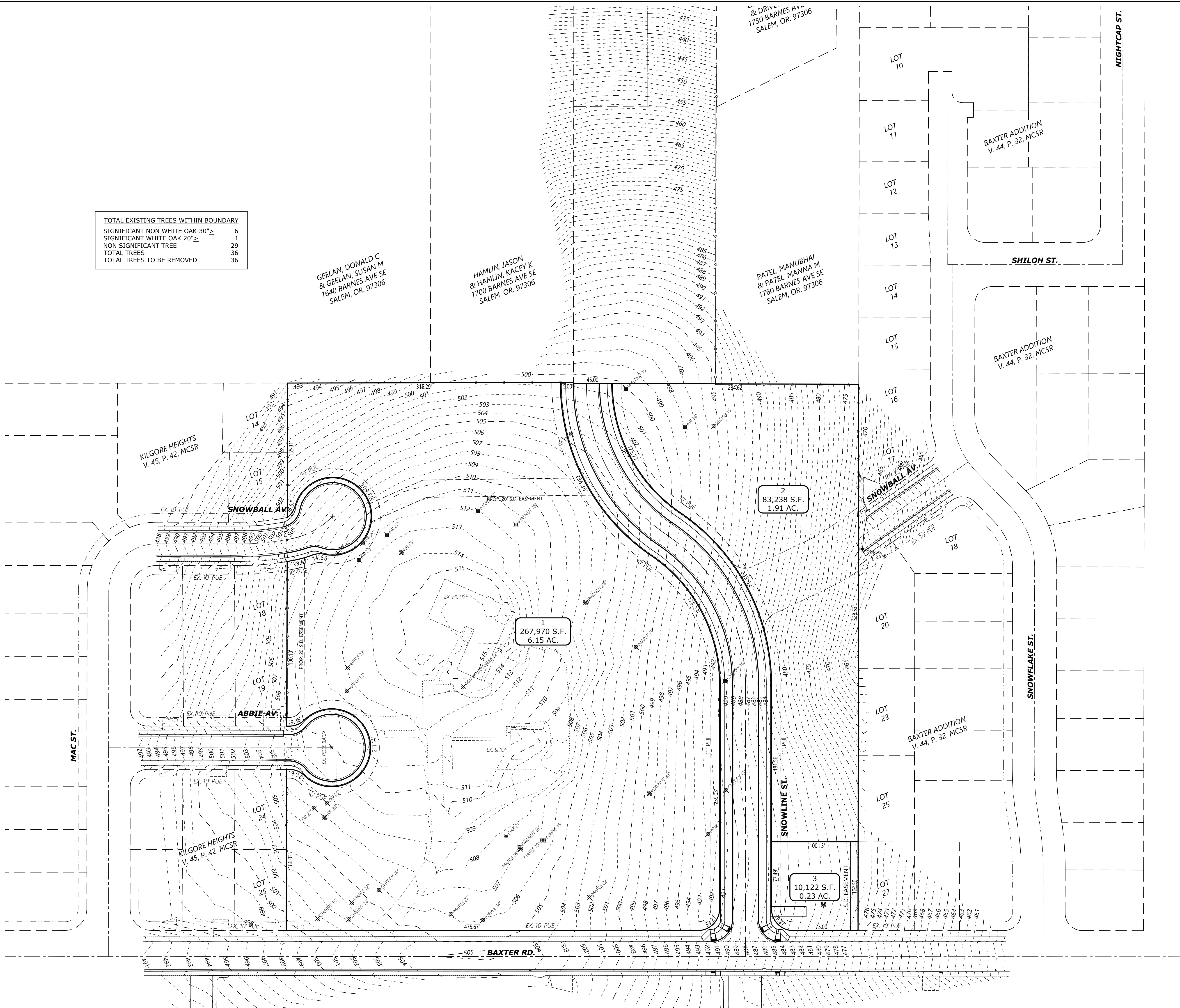
12-PLEX  
BLDG. TYPE III  
EXTERIOR  
ELEVATIONS  
BLDG. L

revisions:  
  
date: 1-27-2025  
scale: 5/32"=1'-0"  
drawn: S.R.B.  
job no: 2411

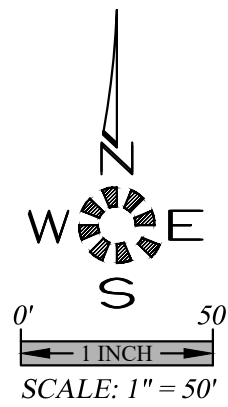
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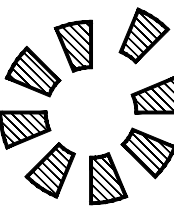
J:\7707\7707 BaxterDevelopment.dwg (2/27/2025 8:14:02 AM) D:\cadd



TOTAL EXISTING TREES WITHIN BOUNDARY	
SIGNIFICANT NON WHITE OAK 30"≥	6
SIGNIFICANT WHITE OAK 20"≥	1
NON SIGNIFICANT TREE	29
TOTAL TREES	36
TOTAL TREES TO BE REMOVED	36



Attachment E



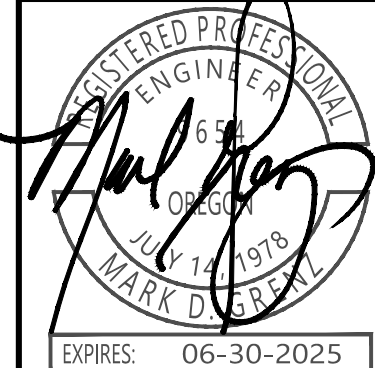
ENGINEERING SERVICES, INC.  
11555 13th St., S.E. Salem, OR, 97302  
PH: (503) 363 - 9227 FAX: (503) 364-1260  
www.mtengineering.net office@mtengineering.net

**TREE PLAN**

**BAXTER DEVELOPMENT**

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.

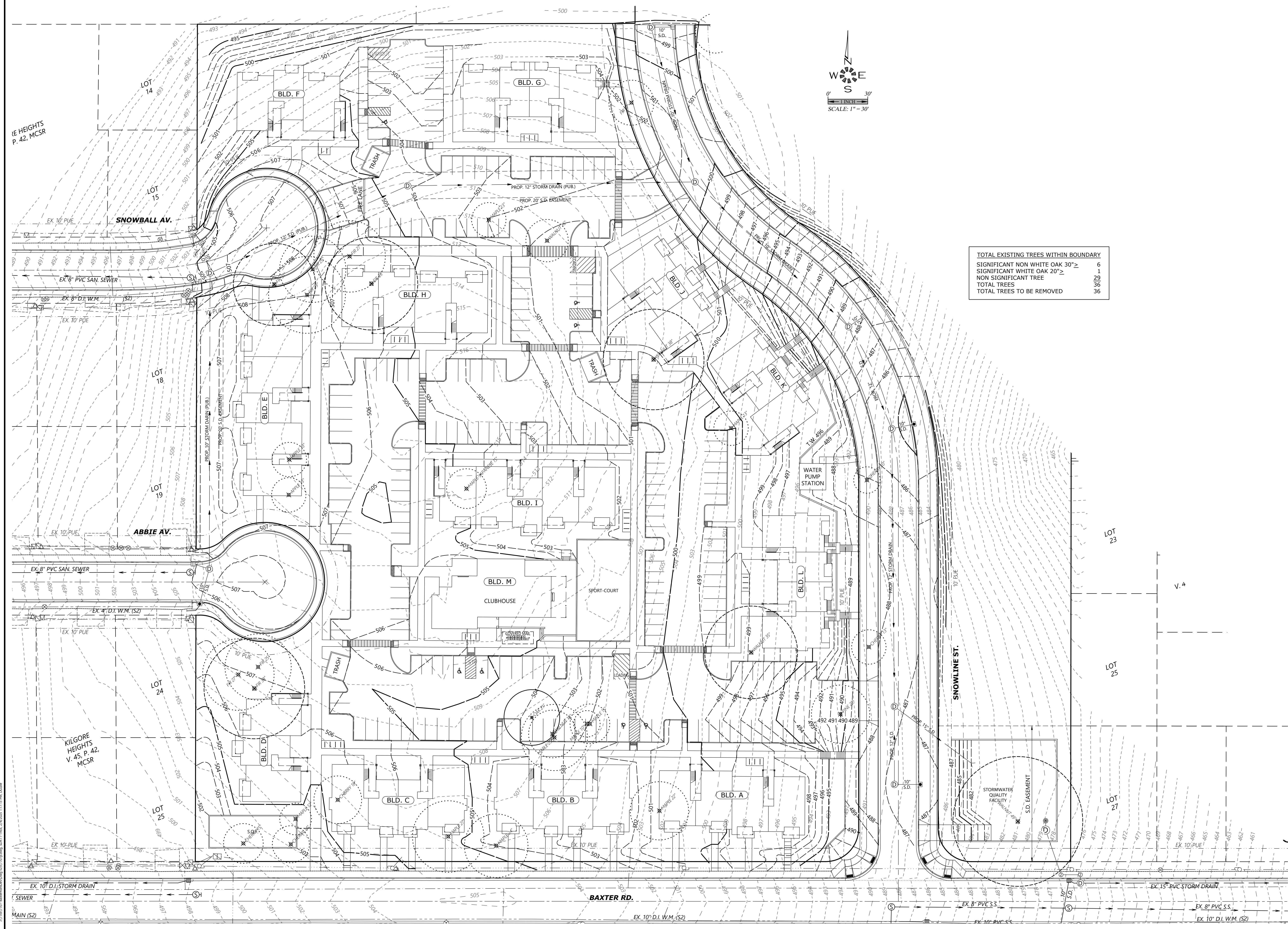
Design: M.D.G.  
Drawn: J.P.H.  
Checked: B.M.G.  
Issue Date: 3/4/25  
Scale: AS SHOWN



7707 PART 03 TREE

**P3**





TOTAL EXISTING TREES WITHIN BOUNDARY	
SIGNIFICANT NON WHITE OAK 30"≥	6
SIGNIFICANT WHITE OAK 20"≥	1
NON SIGNIFICANT TREE	29
TOTAL TREES	36
TOTAL TREES TO BE REMOVED	36

TREE REMOVAL PLAN

BAXTER DEVELOPMENT

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

Design: M.D.G.  
Drawn: J.P.H.  
Checked: B.M.G.  
Issue Date: 2/4/25  
Scale: AS SHOWN



EXPIRES 06-30-2025  
JOB # 7707



## RESPONSE TO REQUEST FOR COMMENTS

**DATE:** 3/27/2025

**CASE/APP NUMBER:** PAR-UGA-SPR-ADJ-TRV-DAP-DR-PLA25-05

**PROPERTY LOCATION:** 1700 and 1709 Baxter Rd SE, Salem OR 97306

**CASE MANAGER:** Jamie Donaldson, Planner III, City of Salem

**Email:** [jdonaldson@cityofsalem.net](mailto:jdonaldson@cityofsalem.net)

**COMMENTS FROM:** Jolynn Franke, Transit Planner II, Cherriots

**Email:** [planning@cherriots.org](mailto:planning@cherriots.org)

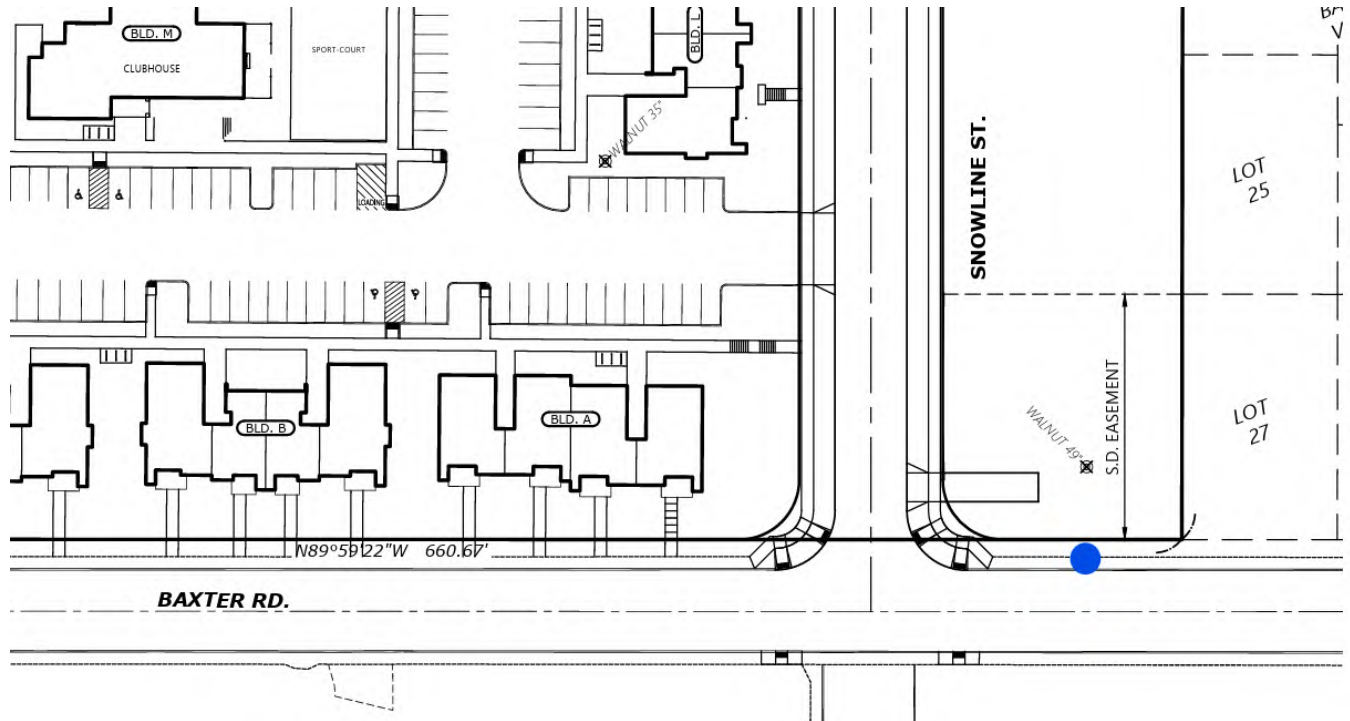
**COMMENTS:** A transit stop has been identified as needed in connection with this proposed development. The Salem Area Mass Transit District (the District) requests a transit stop conforming to the applicable standards of the District to be constructed and right-of-way dedication, if necessary, to be provided as part of the street improvements for this development. On-street parking shall be restricted in the area of the transit stop in order to ensure unobstructed access by transit.

- The transit stop shall be located on the north side of Baxter Rd SE, 50 feet east of the end of the curb radius of the new street labeled Snowline Street. A screenshot of the approximate location is provided on the following page.
- The transit stop shall conform to the District's standard design for ADA compliant transit stops as depicted in drawing C1 of the attached Cherriots Standard Design drawings, according to the applicable sidewalk design.



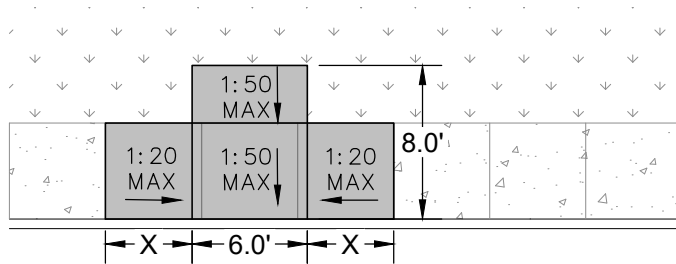


Approximate location depicted by blue dot:



Additionally, Cherriots offers a variety of programs and services aimed at improving community access to public transit while fostering economic growth and sustainability. Our Group Pass Program allows residents to access heavily discounted transit passes, making public transportation more affordable and accessible for organizations like schools, nonprofits, and businesses. Additionally, our subsidized vanpool program presents a cost-effective commuting alternative for groups traveling together longer distances, helping to alleviate congestion and encouraging eco-friendly travel. By incorporating these initiatives, developers can contribute to building a more connected and transit-centric community, enhancing residents' quality of life and bolstering local development initiatives.

Please reach out to [planning@cherriots.org](mailto:planning@cherriots.org) with any questions.



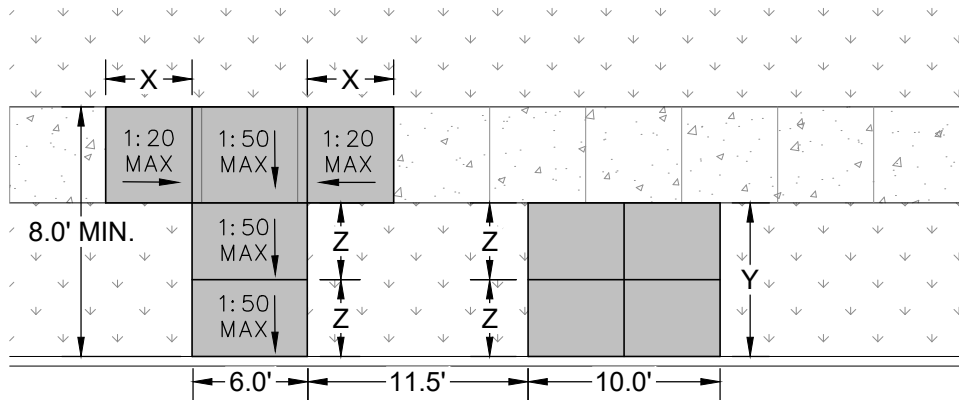
EXISTING ROADWAY

### BUS STOP PADS - CURB LINE SIDEWALK

NOT TO SCALE

#### NOTES:

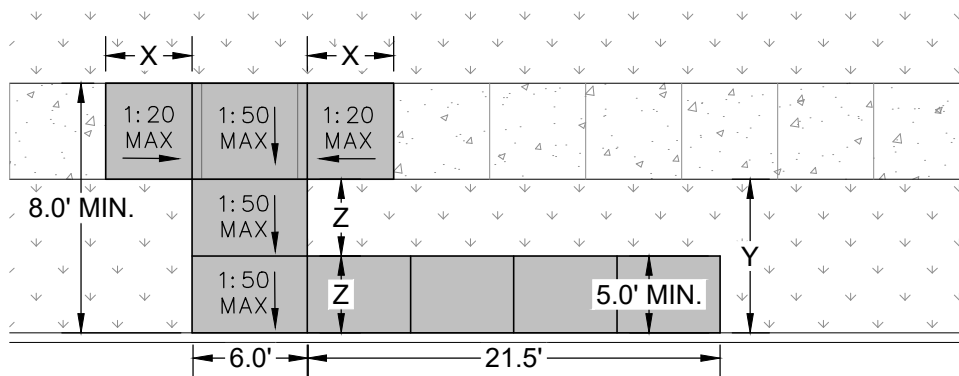
1. "X" WIDTH TO BE A MINIMUM OF 3.0' OR MATCH EXISTING SIDEWALK JOINT SPACING.
2. "Y" LENGTH TO BE EQUAL TO THE WIDTH OF THE PLANTER STRIP, FROM BACK OF CURB TO FRONT OF SIDEWALK.
3. JOINT SPACING, "Z" SHALL BE 3' MINIMUM, 6' MAXIMUM. PROVIDE SIDEWALK PANELS THAT ARE AS SQUARE AS POSSIBLE.
4. MATCH EXISTING WIDTH WHERE PROPOSED BUS STOP PANELS CONNECT TO THE EXISTING WALK.



EXISTING ROADWAY

### BUS STOP PADS - PLANTER STRIP (12' WIDE OR LESS)

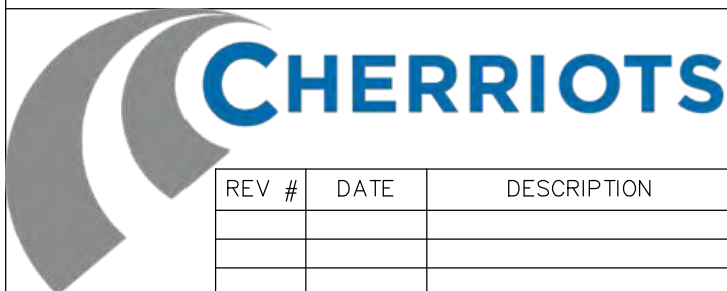
NOT TO SCALE



EXISTING ROADWAY

### BUS STOP PADS - PLANTER STRIP (WIDER THAN 12')

NOT TO SCALE



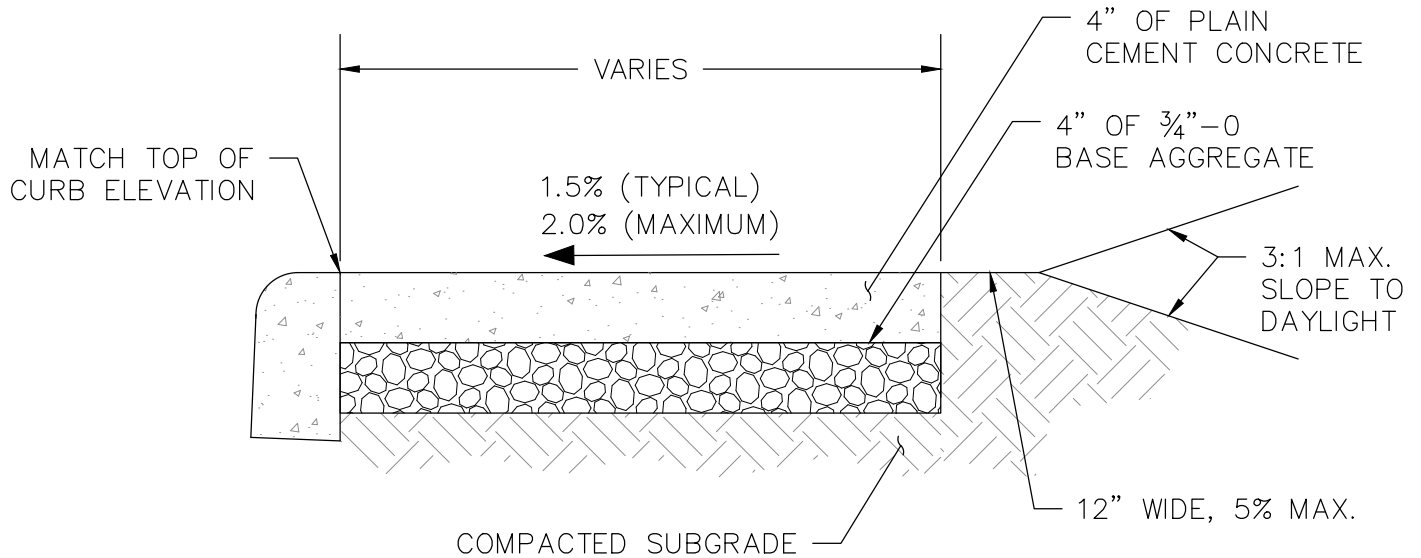
### BUS STOP PADS LAYOUT

REV #	DATE	DESCRIPTION

BY EGW  
DATE 03/03/22

CHECKED RDV  
DATE 03/03/22

C1



**NOTES:**

1. CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3000 P.S.I. AT 28 DAYS.
2. CONTRACTION JOINTS OF THE WEAKENED PLANE TYPE SHALL BE  $1\frac{1}{4}$ " DEEP AND TOOL ROUNDED BEFORE BROOMING. MATCH EXISTING JOINT SPACING. 15' MAXIMUM.
3. EXPANSION JOINTS TO BE PLACED AT SIDES OF DRIVEWAY APPROACHES, UTILITY VAULTS, ADA CURB RAMPS, AND AT SPACING NOT TO EXCEED 45 FEET.
4. FOR SIDEWALKS ADJACENT TO THE CURB AND POURED AT THE SAME TIME AS THE CURB, THE JOINT BETWEEN THEM SHALL BE A TROWELED JOINT WITH A MIN.  $\frac{1}{2}$  INCH RADIUS.
5. FINISH WITH BROOM AND EDGE ALL JOINTS.
6. ALL EDGES SHALL BE TOOL ROUNDED AND SHINED PER JURISDICTIONAL REQUIREMENTS AFTER BROOMING. PROVIDE 3" SHINE IF NO OTHER REQUIREMENTS EXIST.
7. BASE AGGREGATE TO BE COMPACTED TO 95% OF AASHTO T-99.



**CHERRIOTS**

**STANDARD  
SIDEWALK**

**C2**

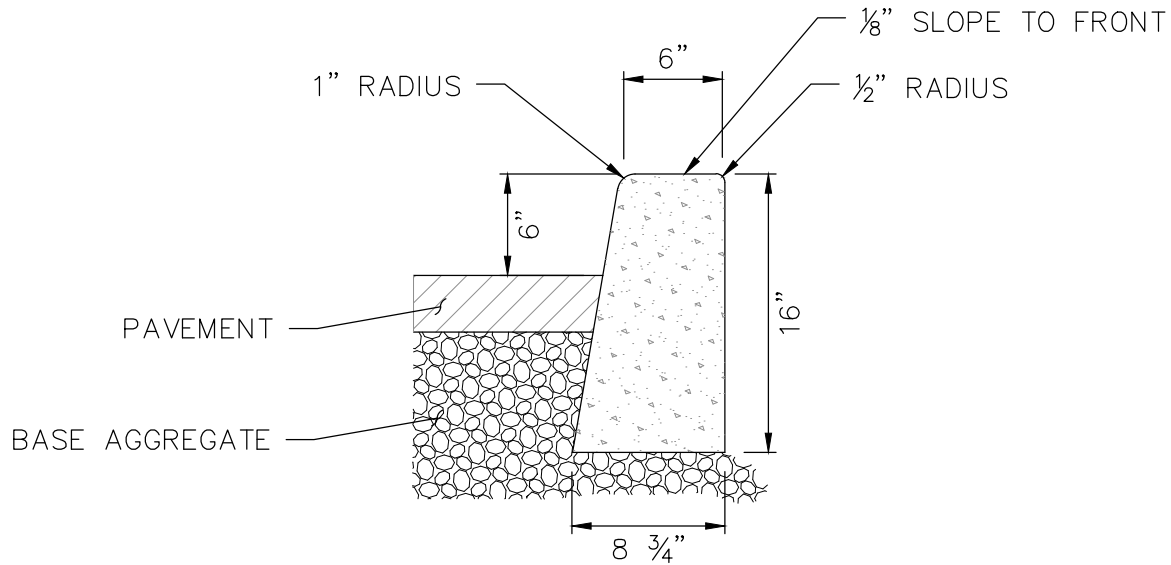
REV #	DATE	DESCRIPTION

BY EGW

DATE 03/03/22

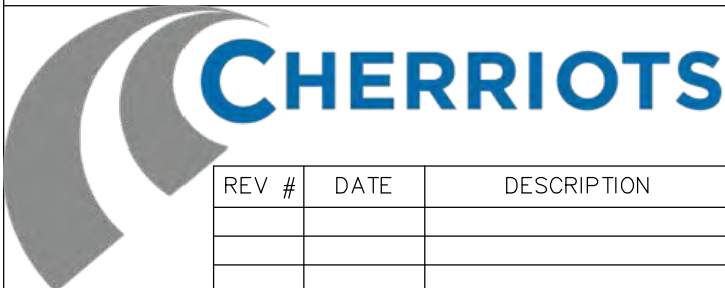
CHECKED RDV

DATE 03/03/22



**NOTES:**

1. CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3000 P.S.I. AT 28 DAYS.
2. EXPANSION JOINTS
  - 2.A. TO BE PROVIDED:
    - 2.A.1. AT EACH POINT OF TANGENCY OF THE CURB.
    - 2.A.2. AT EACH COLD JOINT.
    - 2.A.3. AT EACH SIDE OF THE INLET STRUCTURES.
    - 2.A.4. AT EACH END OF DRIVEWAYS.
    - 2.A.5. AT LOCATIONS NECESSARY TO LIMIT SPACING TO 45 FEET.
3. CONTRACTION JOINTS:
  - 3.A. SPACING TO BE NOT MORE THAN 15 FEET.
  - 3.B. THE DEPTH OF THE JOINT SHALL BE AT LEAST 1-1/2 INCHES.
4. BASE AGGREGATE TO BE 1 1/2"-0" OR 3/4"-0" COMPACTED TO 95% OF AASHTO T-99 AND SHALL BE TO SUBGRADE, STREET STRUCTURE, OR 4" IN DEPTH, WHICHEVER IS GREATER.



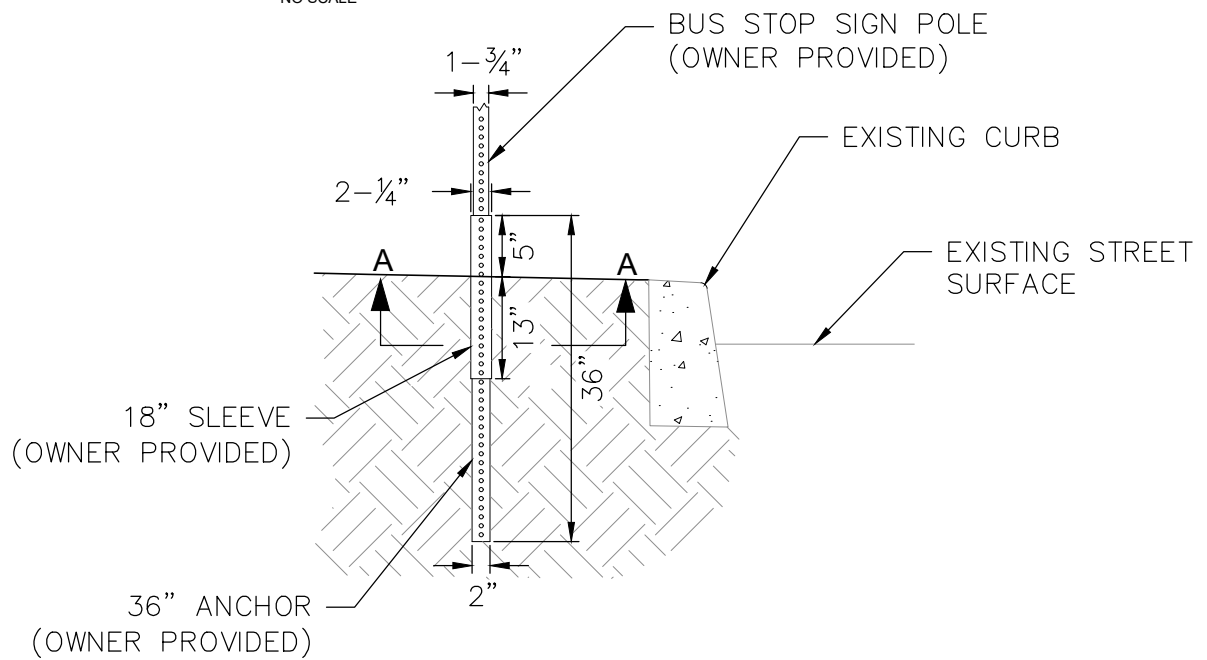
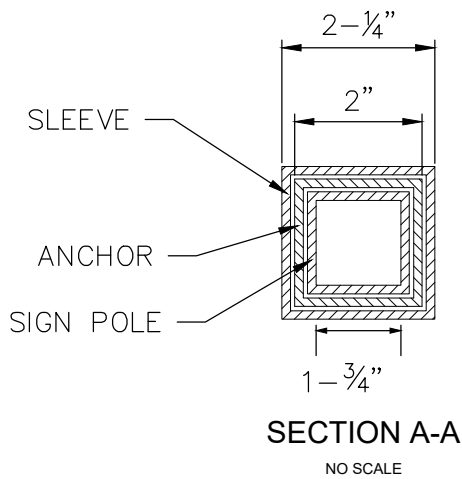
**STANDARD  
CURB**

**C3**

REV #	DATE	DESCRIPTION

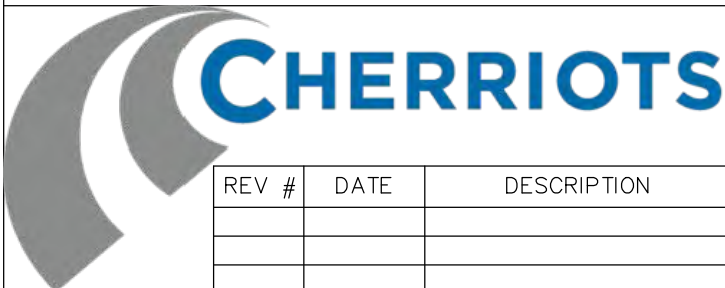
BY EGW  
DATE 03/03/22

CHECKED RDV  
DATE 03/03/22



**NOTES:**

1. CONTACT CHERRIOTS PLANNING STAFF AT (503) 588-2424 TO OBTAIN SIGN MATERIALS.



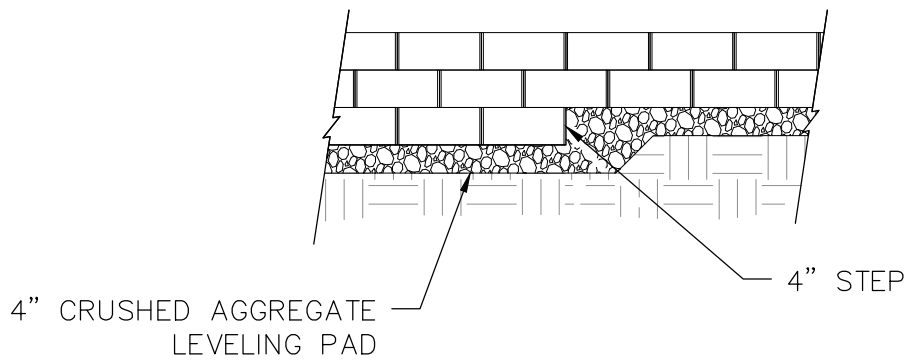
**BUS STOP SIGN POLE,  
ANCHOR & SLEEVE  
DETAIL**

REV #	DATE	DESCRIPTION

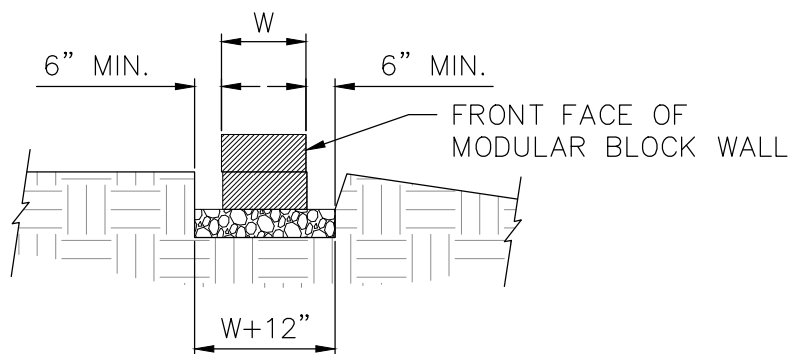
BY EGW  
DATE 03/03/22

CHECKED RDV  
DATE 03/03/22

**C4**



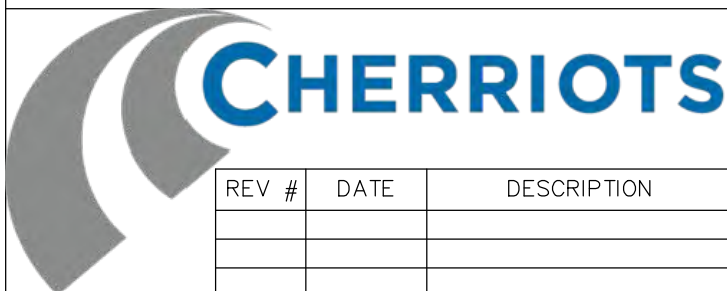
ELEVATION



SECTION

NOTE:

1. LEVELING PAD TO BE  $\frac{3}{4}$ "-0 CRUSHED AGGREGATE COMPACTED TO 95% OF AASHTO T-99



LEVELING PAD  
DETAIL

REV #	DATE	DESCRIPTION

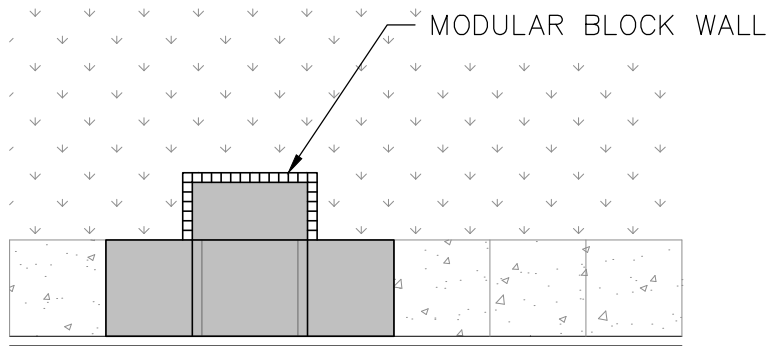
BY EGW

DATE 03/03/22

CHECKED RDV

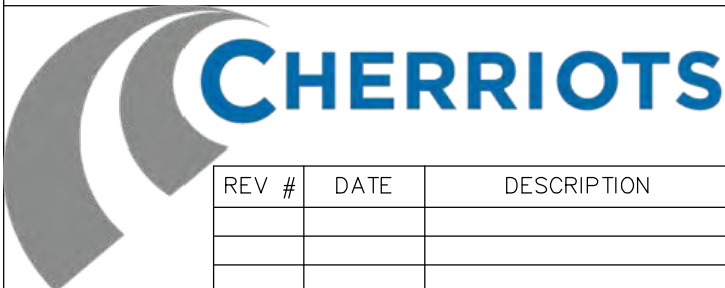
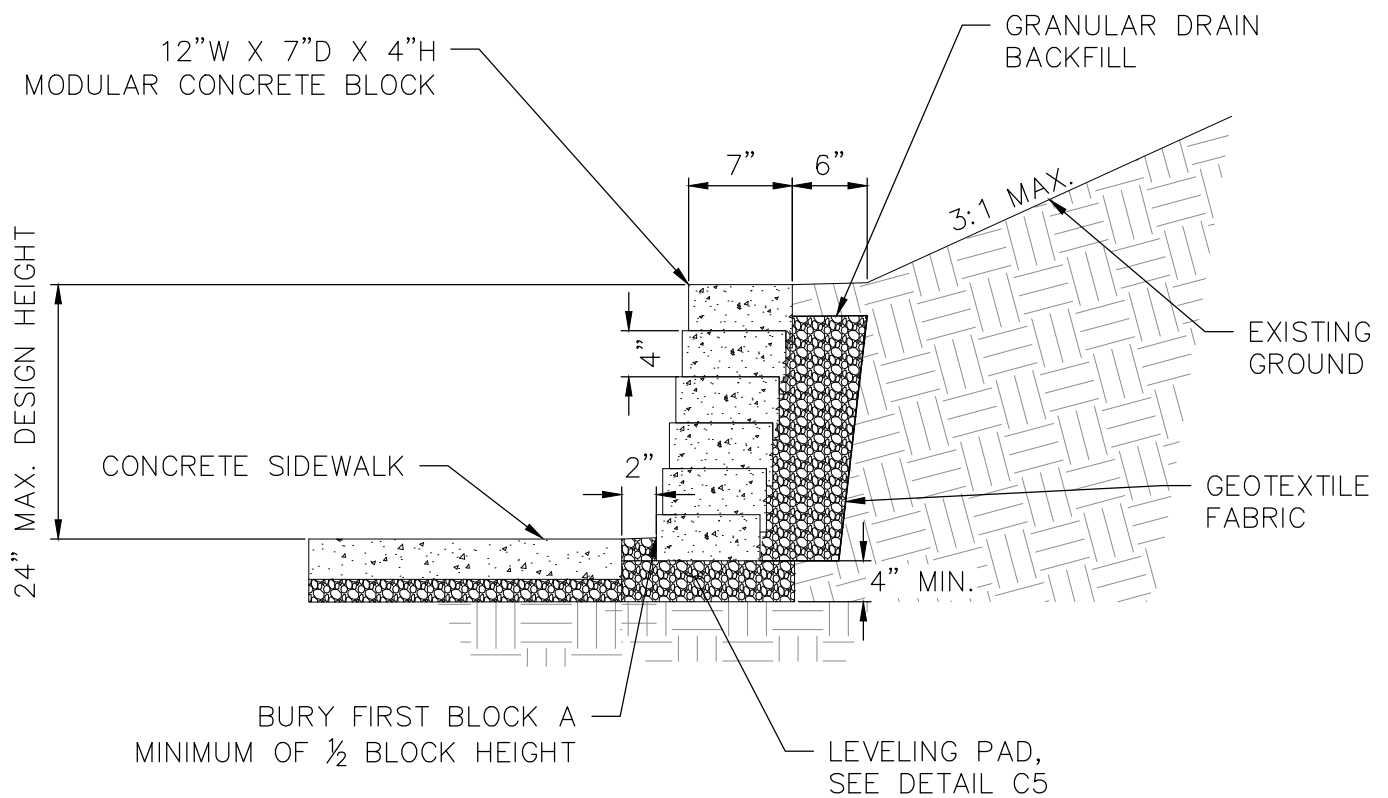
DATE 03/03/22

C5



**NOTES:**

1. MODULAR BLOCK WALL SHALL BE REQUIRED WHEN SLOPE GRADING TO DAYLIGHT AT 3:1 MAX. CANNOT BE ACHIEVED.
2. THE MODULAR BLOCK WALL SHALL BE CONSTRUCTED WHEN WALL EXPOSURE IS TO BE GREATER THAN 6".



**MODULAR BLOCK  
WALL DETAIL**

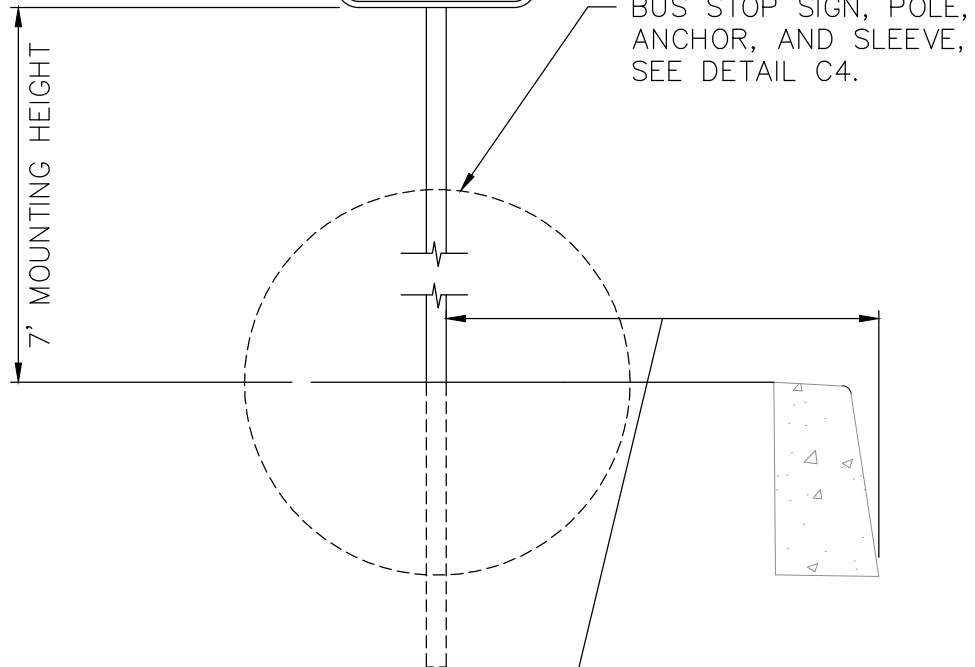
**C6**

REV #	DATE	DESCRIPTION	BY EGV	CHECKED RDV
			DATE 03/03/22	DATE 03/03/22


BUS STOP SIGN  
(OWNER PROVIDED)



BUS STOP  
SIGN



2' FROM FACE OF CURB OR  
1' FROM BACK OF SIDEWALK



**CHERRIOTS**

REV #	DATE	DESCRIPTION

### TYPICAL BUS STOP SIGN PLACEMENT DETAIL

BY EGW

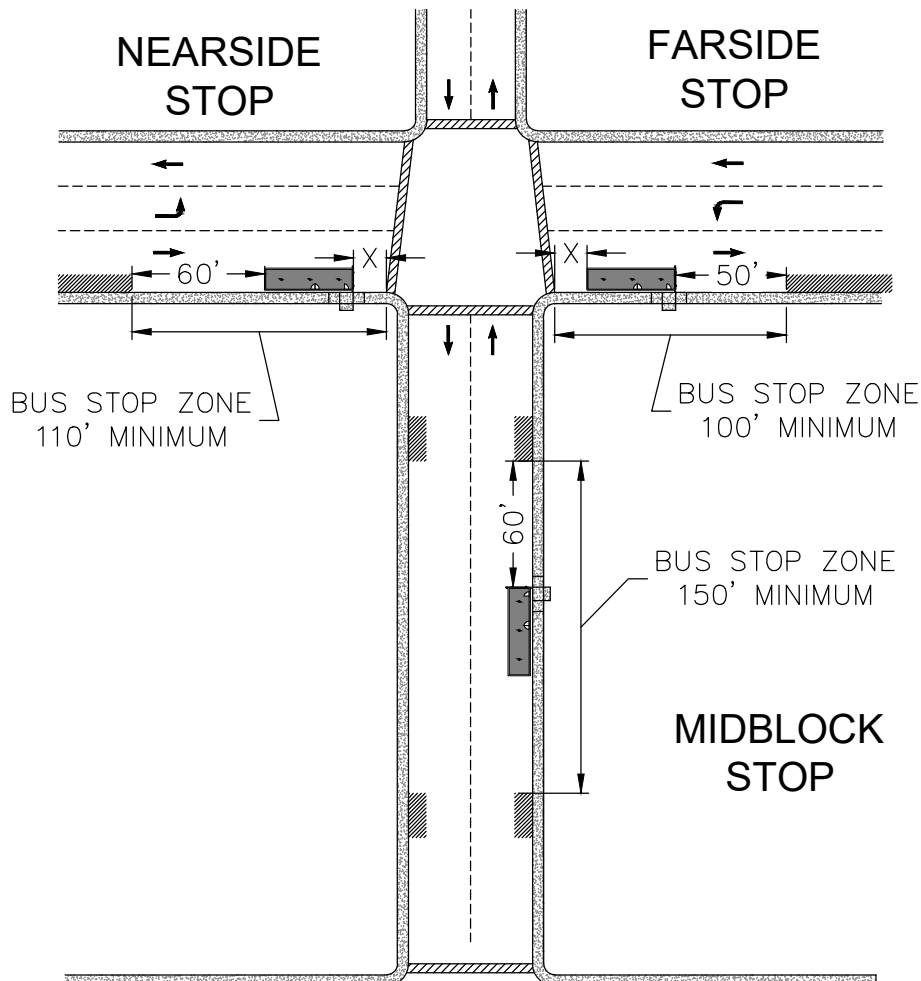
DATE 03/03/22

CHECKED RDV

DATE 03/03/22

**C7**



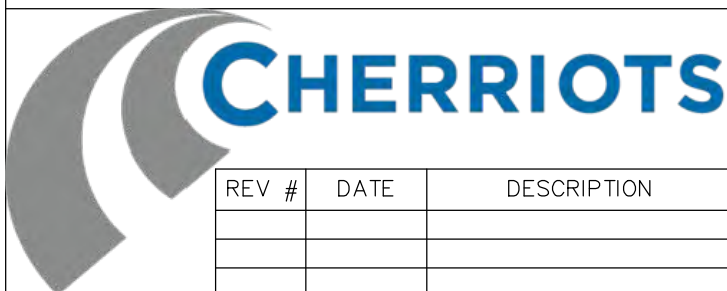


**NOTES:**

1. CHERRIOTS TO PROVIDE INFORMATION REGARDING BUS TYPE, LENGTH, AND QUANTITY OF BUSES TO BE SERVICED BY BUS STOP.
2. FOR MULTIPLE BUSES BEING SERVED AT ONE STOP:
  - 2.A. ADD 50 FEET FOR EACH ADDITIONAL STANDARD 40-FOOT BUS.
  - 2.B. ADD 70 FEET FOR EACH ADDITIONAL 60-FOOT ARTICULATED BUS.
3. BUS STOP ZONE SHALL BE SIGNED AS A NO PARKING ZONE PER STANDARDS OF LOCAL JURISDICTION.
4. X = 10' MINIMUM FROM EDGE OF CROSSWALK OR END OF RADIUS, WHICHEVER IS FURTHER FROM THE INTERSECTION.

**MINIMUM DISTANCE BETWEEN A BUS STOP AND LEFT TURN (FT)**

POSTED SPEED LIMIT	LANE CHANGES			
	1	2	3	4
30 MPH OR LESS	430	610	790	970
35 MPH	625	875	1125	1375
40 MPH	780	1080	1380	1680
45 MPH	1080	1430	1780	2130
50 MPH	1415	1865	2135	2765
55 MPH	1830	2380	2930	3480



**NO PARKING ZONES  
AT INTERSECTIONS  
DETAIL**

**C8**

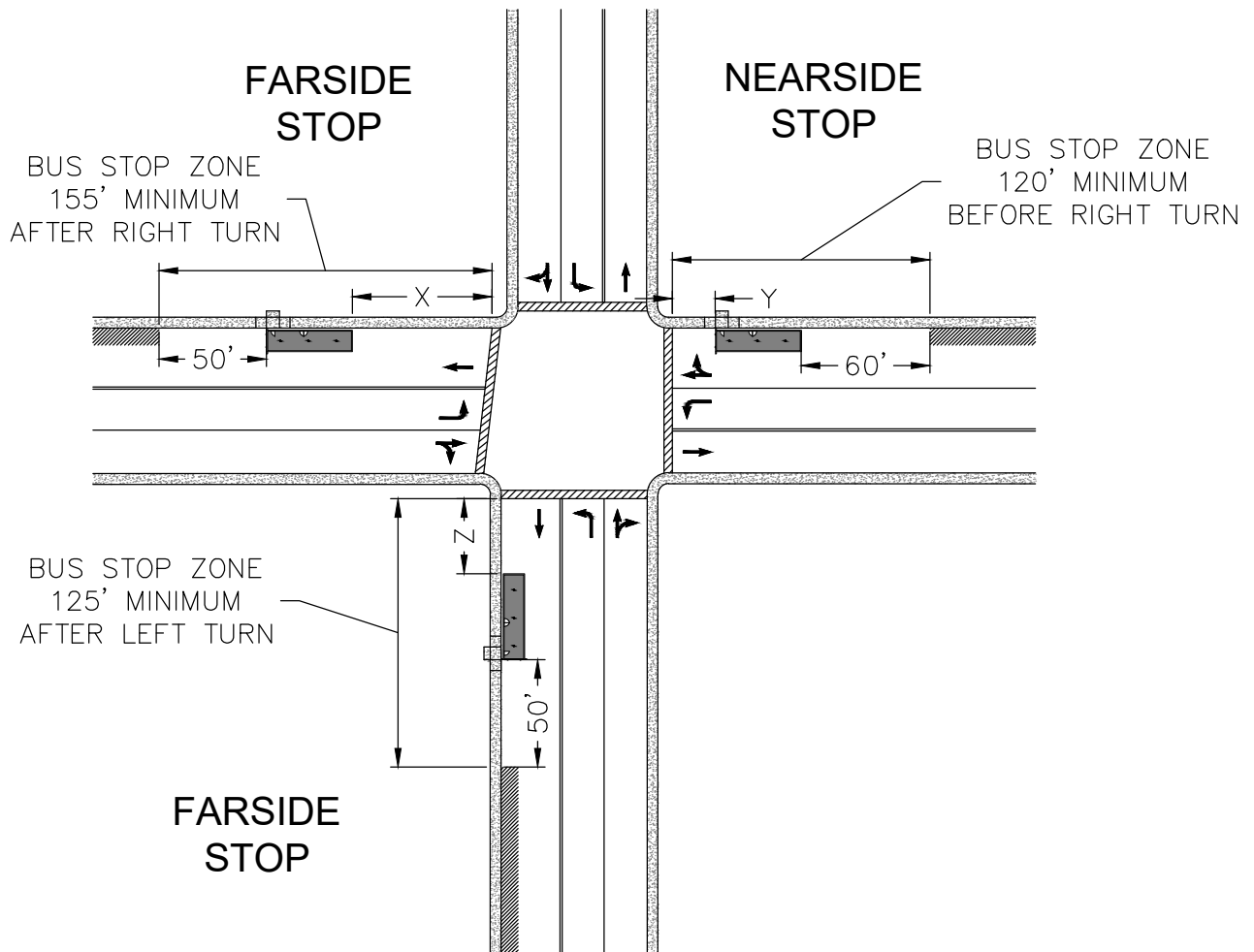
REV #	DATE	DESCRIPTION

BY EGW

DATE 09/22/22

CHECKED RDV

DATE 09/22/22

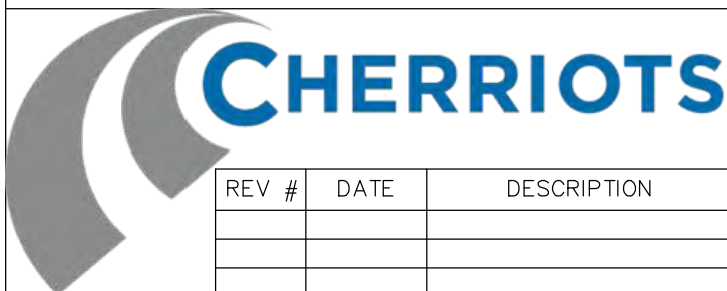


**NOTES:**

1. CHERRIOTS TO PROVIDE INFORMATION REGARDING BUS TYPE, LENGTH, AND QUANTITY OF BUSES TO BE SERVICED BY BUS STOP.
2. FOR MULTIPLE BUSES BEING SERVED AT ONE STOP:
  - 2.A. ADD 50 FEET FOR EACH ADDITIONAL STANDARD 40-FOOT BUS.
  - 2.B. ADD 70 FEET FOR EACH ADDITIONAL 60-FOOT ARTICULATED BUS.
3. BUS STOP ZONE SHALL BE SIGNED AS A NO PARKING ZONE PER STANDARDS OF LOCAL JURISDICTION.
4. X = 65' MIN. FROM EDGE OF CROSSWALK OR END OF RADIUS, WHICHEVER IS GREATER.
5. Y = 20' MIN. FROM EDGE OF CROSSWALK OR END OF RADIUS, WHICHEVER IS GREATER.
6. Z = 35' MIN. FROM EDGE OF CROSSWALK OR END OF RADIUS, WHICHEVER IS GREATER.

**MINIMUM DISTANCE BETWEEN A BUS STOP AND LEFT TURN (FT)**

POSTED SPEED LIMIT	LANE CHANGES			
	1	2	3	4
30 MPH OR LESS	430	610	790	970
35 MPH	625	875	1125	1375
40 MPH	780	1080	1380	1680
45 MPH	1080	1430	1780	2130
50 MPH	1415	1865	2135	2765
55 MPH	1830	2380	2930	3480



**NO PARKING ZONES WITH TURN LANES DETAIL**

**C9**

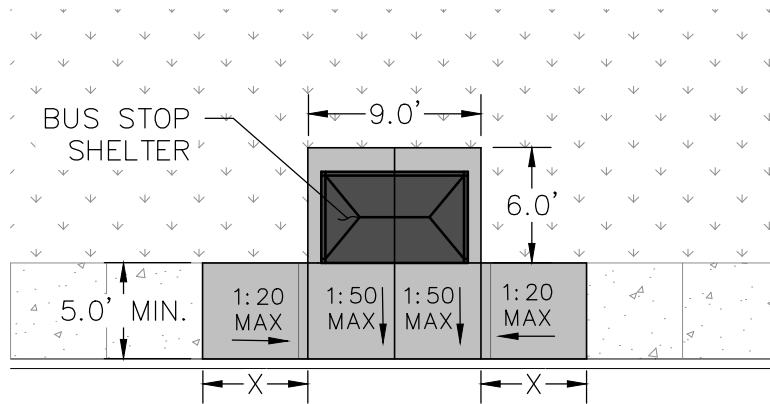
REV #	DATE	DESCRIPTION

BY EGW

DATE 09/27/22

CHECKED RDV

DATE 09/27/22



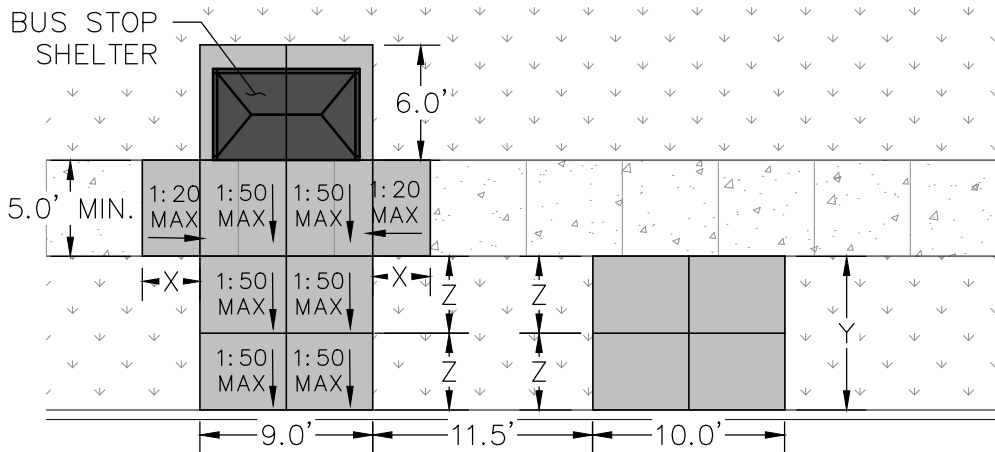
EXISTING ROADWAY

### BUS SHELTER ON CURB-TIGHT SIDEWALK

NOT TO SCALE

#### NOTES:

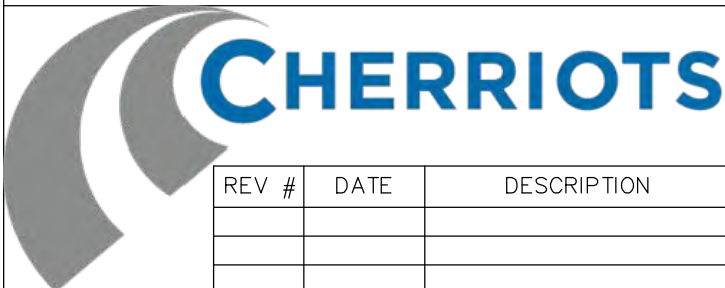
1. "X" WIDTH TO BE A MINIMUM OF 3.0' OR MATCH EXISTING SIDEWALK JOINT SPACING.
2. "Y" LENGTH TO BE EQUAL TO THE WIDTH OF THE PLANTER STRIP, FROM BACK OF CURB TO FRONT OF SIDEWALK.
3. JOINT SPACING, "Z" SHALL BE 3' MINIMUM, 6' MAXIMUM. PROVIDE SIDEWALK PANELS THAT ARE AS SQUARE AS POSSIBLE.
4. MATCH EXISTING WIDTH WHERE PROPOSED BUS STOP PANELS CONNECT TO THE EXISTING WALK.
5. BUS STOP SHELTER TO BE STANDARD BRASCO BUS STOP SHELTER, UNLESS OTHERWISE APPROVED BY CHERRIOTS.
6. BUS STOP SHELTER TO BE CONSTRUCTED AT BACK OF EXISTING WALK.



EXISTING ROADWAY

### BUS SHELTER ON SIDEWALK WITH PLANTER STRIP

NOT TO SCALE



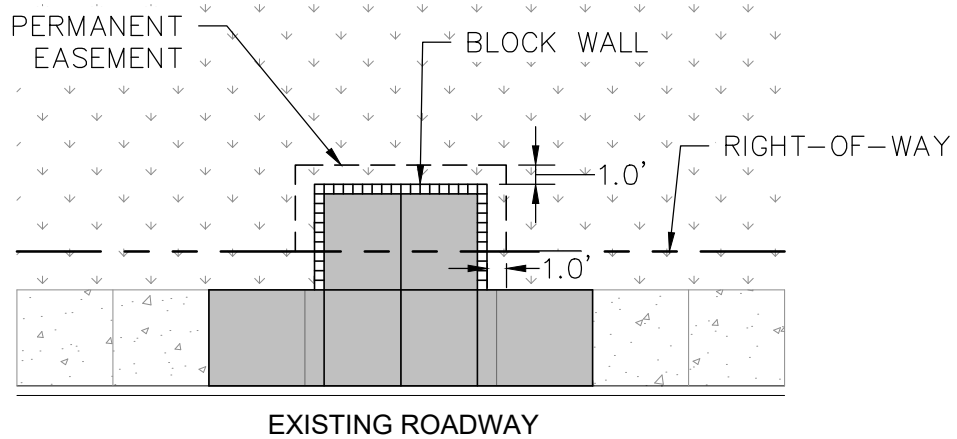
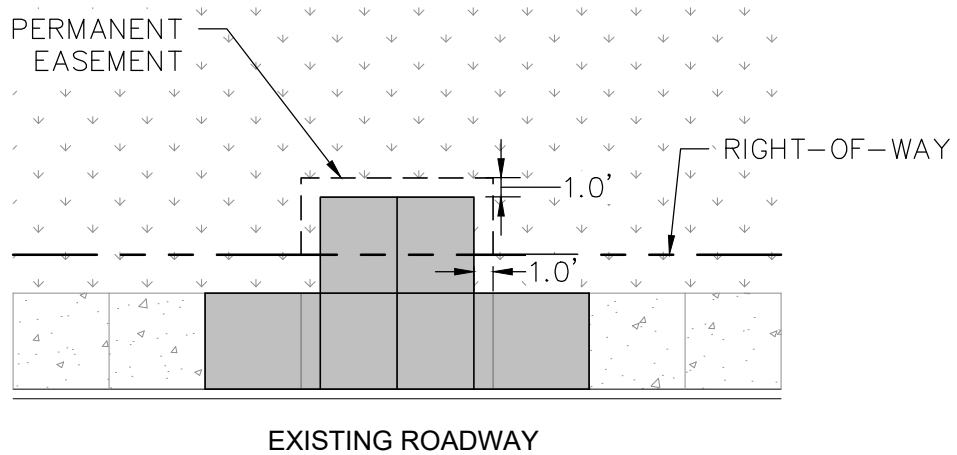
### BUS STOP WITH SHELTER DETAIL

# C10

REV #	DATE	DESCRIPTION

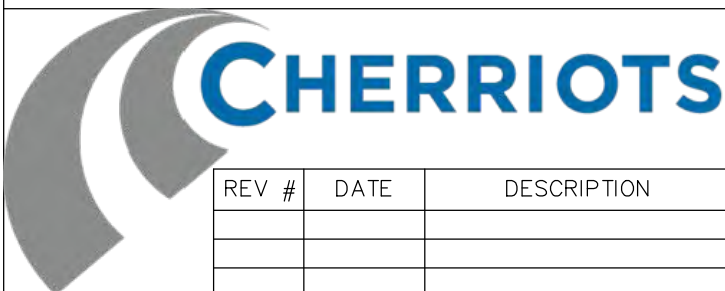
BY EGW  
DATE 03/03/22

CHECKED RDV  
DATE 03/03/22



**NOTES:**

1. PERMANENT EASEMENT IS REQUIRED WHEN EXTENTS OF DESIGN ENCROACH UPON RIGHT-OF-WAY.
2. PERMANENT EASEMENTS ARE TO BE A MINIMUM OF 1' OFFSET FROM THE PROPOSED CONSTRUCTION EXTENTS THAT FALL OUTSIDE OF RIGHT-OF-WAY.



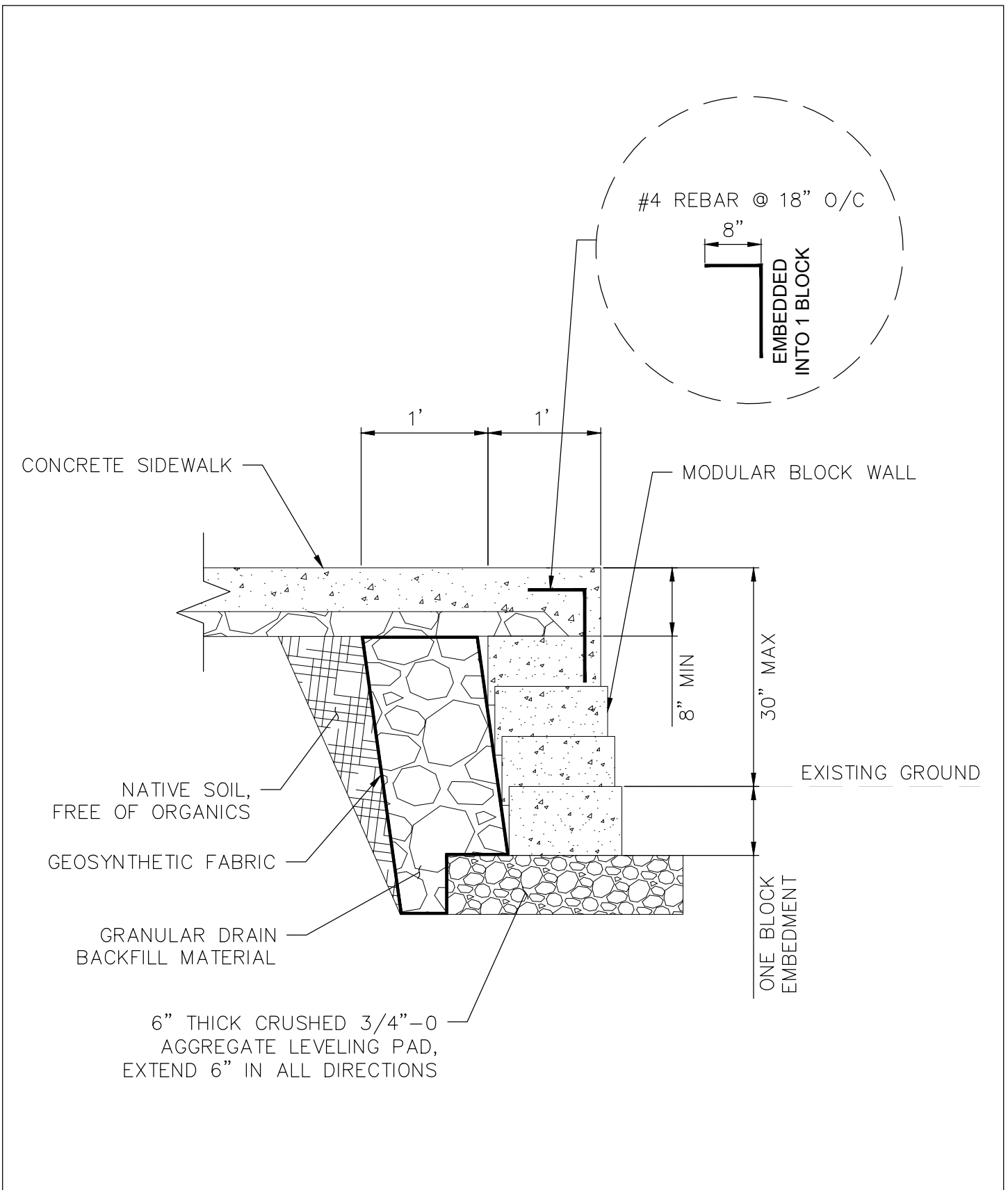
**PERMANENT EASEMENT DETAIL**

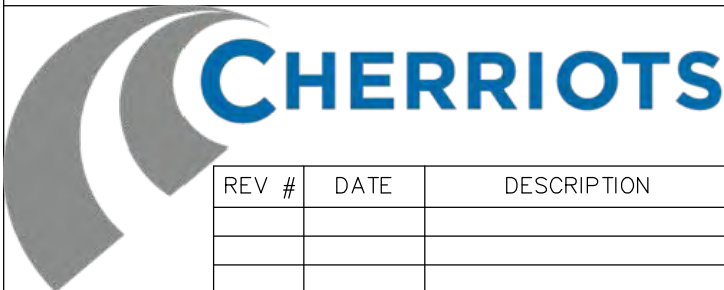
**C11**

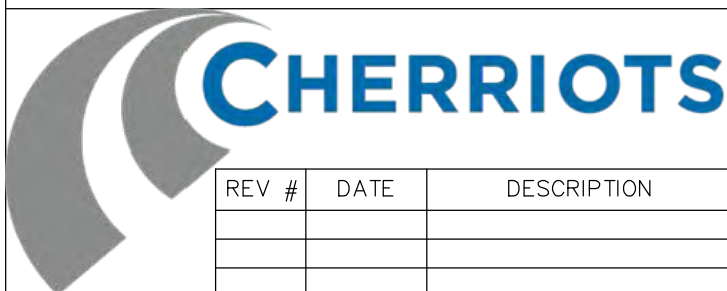
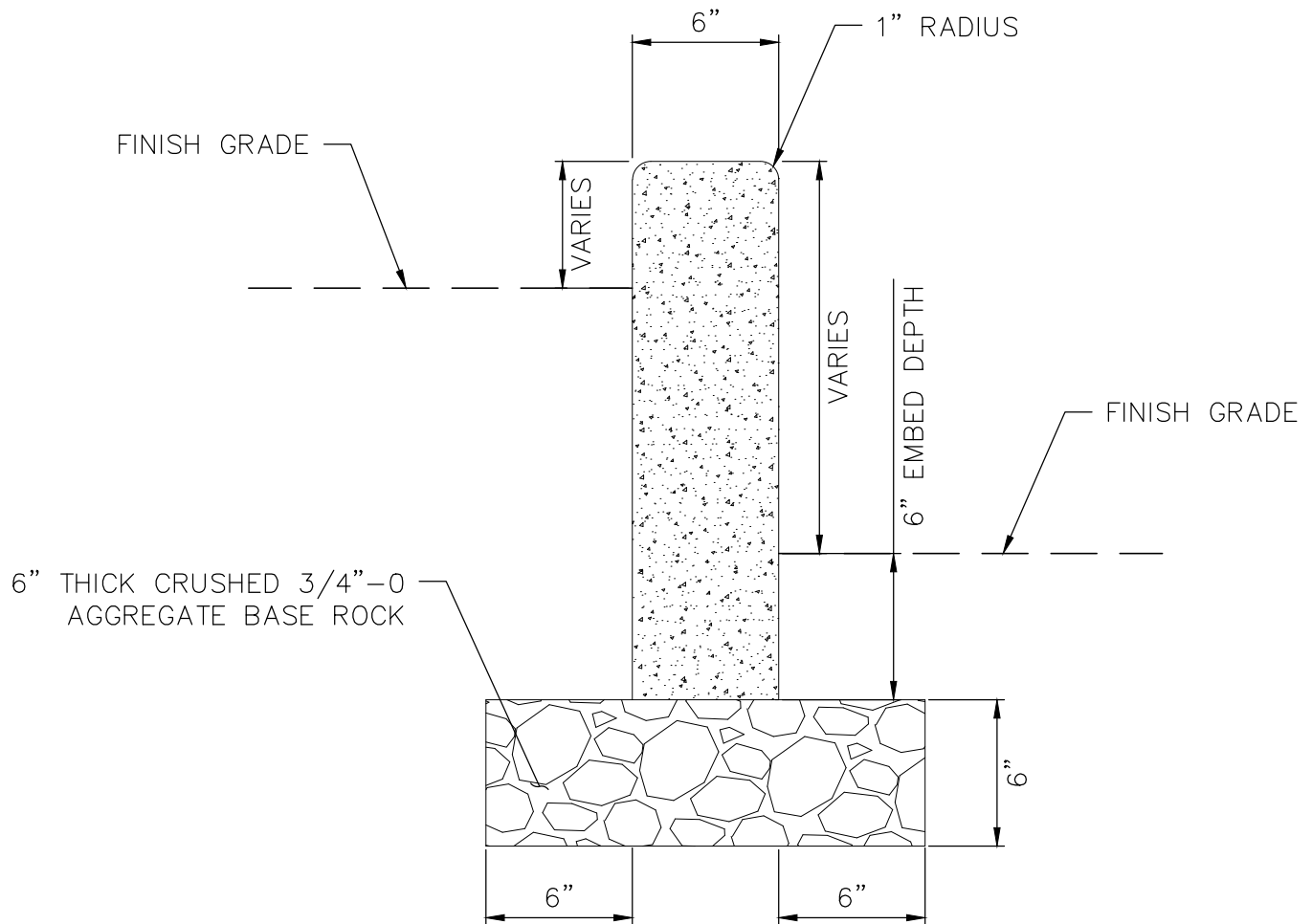
REV #	DATE	DESCRIPTION

BY EGW  
DATE 03/03/22

CHECKED RDV  
DATE 03/03/22



	BELOW-GRADE WALL DETAIL		C12
	REV #	DATE	DESCRIPTION
BY EGW		CHECKED RDV	
DATE 03/03/22		DATE 03/03/22	



## PEDESTRIAN CURB DETAIL

# C13

REV #	DATE	DESCRIPTION

BY EGW  
DATE 03/03/22

CHECKED RDV  
DATE 03/03/22



Business & Support Services  
 2450 Lancaster Drive NE • PO Box 12024 • Salem, Oregon 97309  
 503-399-3036 • FAX: 503-399-3407

Andrea Castañeda, Superintendent

March 27, 2025

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

RE: Land Use Activity Case No. PAR-UGA-SPR-ADJ-TRV-DAP-DR-PLA25-05, 1700 & 1709 Baxter Rd SE

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
Pringle	Elementary	K thru 5
Judson	Middle	6 thru 8
South Salem	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
Pringle	Elementary	488	691	71%
Judson	Middle	797	1,059	75%
South Salem	High	2,145	2,248	95%

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	138	MF	0.164	23
Middle			0.085	12
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
Pringle	Elem.	488	0	23	23	691	74%
Judson	Mid.	797	7	12	19	1,059	77%
South Salem	High	2,145	106	13	119	2,248	101%

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
Pringle	Elementary	Walk Zone
Judson	Middle	Eligible for School Transportation
South Salem	High	Eligible for School Transportation

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	23	\$92,105	\$2,118,415
Middle	12	\$113,211	\$1,358,532
High	13	\$134,316	\$1,746,108
TOTAL			\$5,223,055

Table 6

\*Estimates based on average of Indicative Construction Costs from “RLB Construction Cost Report North America Q4 2024”

Sincerely,

David Fridenmaker  
Business and Support Services

c: T.J. Crockett, Acting Chief Operations Officer, David Hughes, Director of Operations & Logistics, Mitch Hamilton, Acting Director of Transportation