

Pre-Application Report

Community Development Department Planning Division

555 Liberty Street SE/Room 305 Phone: 503-588-6173 www.cityofsalem.net/planning

Case Number / AMANDA No.	PRE-AP20-85 / 20-114549-PA
Applicant	Neighborly Ventures Inc. 2925 River Road S, Suite 100 Salem, OR 97302
Representative	Brandie Dalton Multi/Tech Engineering 1155 13 th Street SE Salem, OR 97302 <u>BDalton@mtengineering.net</u>
Case Manager	Bryce Bishop

Mandatory Pre-Application Conference: X Yes No

Project Descri	otion & Property Information
Project Description	Development of a 183-unit multiple family development as phase two of The Grove apartments at Fairview. Eight-four of the units are proposed on a portion of the former Fairview Training Center site located in the 4000 to 4100 Blocks of Reed Road SE and the remaining 99 units are proposed to be located on a portion of the former Fairview Training Center site located at 2110 Strong Road SE.
Property Address	Generally located at 2110 Strong Road SE and the 4000 to 4100 Blocks of Reed Road SE
Assessor's Map and Tax Lot Number	083W11A01002 & 083W0200100
Property Size	Approximately 10.57 acres
Existing Use	Undeveloped lots
Comprehensive Plan Map Designation	Mixed Use
Zoning	FMU (Fairview Mixed-Use) and within the Fairview Refinement Plan II refinement plan
Overlay Zone(s) / Historic Districts	None
	The subject property is located outside the City's Urban Service Area.
Urban Service Area	Note: When property is located outside the City's Urban Service Area an Urban Growth Preliminary Declaration is required for development of the property. An Urban Growth Preliminary Declaration (Case No. UGA04-10) was previously approved for the Pringle Creek Community Refinement Plan and subdivision. An Urban Growth Preliminary Declaration is therefore not required for the proposed multiple family development.

Urban Renewal Area(s)	None

Planning Division Comments

Proposal

Pre-application conference to discuss development of a 183-unit multiple family development as phase two of The Grove apartments at Fairview. Eight-four of the units are proposed on a portion of the former Fairview Training Center site located in the 4000 to 4100 Blocks of Reed Road SE and the remaining ninety-nine units are proposed to be located on a portion of the former Fairview Training Center site located at 2110 Strong Road SE.

The subject properties are zoned FMU (Fairview Mixed-Use), total approximately 10.57 acres in size, and are generally located at 2110 Strong Road SE and the 4000 to 4100 Blocks of Reed Road SE (Marion County Assessor Map and Tax Lot Numbers: 083W11A01002 & 083W0200100).

Past Land Use Applications

Staff reviewed the Planning Division's records to determine if there were any prior land use approvals for the subject properties. In review of those records, the following past land use actions were found:

- Comprehensive Plan Change-Neighborhood Plan Change-Zone Change Case No. CPC-NPC-ZC03-02: Creation of a new "Mixed-Use" Comprehensive Plan designation and new "Fairview Mixed-Use" FMU Zone District and application of the new comprehensive plan designation and zone district to the 275-acre former Fairview Training Center site located at 2250 Strong Road SE.
- Urban Growth Preliminary Declaration Case No. UGA04-08: An application to determine the
 public facilities required by the Urban Growth Management Program to develop the subject property
 that lies outside the Urban Service Area (USA). The proposal is to develop what was known as the
 Fairview Training Center into a mixed-use center on approximately 255.81 acres in the FMU
 (Fairview Mixed-Use) zone for property located at 2250 Strong Road SE.
- Urban Growth Preliminary Declaration Case No. UGA04-08A: An application to amend the public facilities required by the Urban Growth Management Program for the development of the former Fairview Training Center into a mixed-use center in the FMU (Fairview Mixed-Use) zone for property located at 2250 Old Strong Road SE, previously 2250 Strong Road SE. The amendment changes the water requirements for the development established under the original decision (UGA04-08, dated November 15, 2004).
- Fairview Plan Case No. FP05-01: An application to adopt the Fairview Plan, a master plan for property approximately 275 acres in size; pursuant to the requirements of the Fairview Mixed Use (FMU) zone, SRC Chapter 143C, for property designated "Mixed Use" on the Salem Area Comprehensive Plan map, zoned Fairview Mixed Use (FMU), and located at 2250 Strong Road SE.
- Fairview Refinement Plan Case No. FRP09-01: An application to adopt the Fairview Refinement Plan II, a refinement plan for a portion of the former Fairview Training Center site, approximately 40 acres in size, pursuant to the requirements of the FMU (Fairview Mixed Use) zone, SRC Chapter 143C, for property designated "Mixed Use" on the Salem Area Comprehensive Plan map, zoned FMU (Fairview Mixed Use), and located at 2250 Strong Road SE (Marion County Map and Tax Lot No. 083W02 / 100 and 400 and 083W11 / 100).
- Phased Subdivision Case No. SUB09-04: An application to subdivide approximately 40 acres into 6 phases with 30 lots ranging in size from approximately 0.6 acres to 8.94 acres for property zoned FMU (Fairview Mixed Use) and located at 2250 Strong Road SE (Marion County Map and Tax Lot No. 083W02 / 100 and 400 and 083W11 / 100).
- **Tree Conservation Plan 09-05:** A tree conservation plan in conjunction with Fairview Refinement Plan Case No. FRP09-01 and Phased Subdivision Case No. SUB09-04.

- Fairview Refinement Plan Minor Amendment and Site Plan Review Case No. FMU-SPR10-01: An application for a Minor Amendment to the Fairview Refinement Plan II, a refinement plan for a portion of the former Fairview Training Center site, to alter the setback requirements for schools with a collective Type II Site Plan Review for Abiqua School, on property approximately 40 acres in size, zoned FMU (Fairview Mixed Use), and located in the 2200 Block of Strong Road SE.
- Tree Conservation Plan Adjustment No. TCPA13-08: A request to adjust Tree Conservation Plan TCP09-05 to extend the TCP boundaries to include additional trees that were inadvertently excluded from the original TCP inventory, preserve two additional trees and designate 10 additional trees for removal, one of which was proposed for preservation under TCP09-05. In combination with TCP09-05, the proposed adjusted plan will result in the preservation of 156 trees (51%) within the Lindburg Green Subdivision.
- Property Line Adjustment Case No. PLA14-11: An application for a property line adjustment to relocate the common property line between two abutting units of land resulting in properties that are approximately 65.06 acres and 17.22 acres in size. The properties are zoned FMU (Fairview Mixed-Use) and located in the 4000 to 4200 Blocks of Pringle Road SE / 4300 Block of Battle Creek Road SE and 2250 Old Strong Road SE (Marion County Assessor map and Tax Lot Numbers: 083W11/200 and 083W11/100).
- Tree Conservation Plan Adjustment No. TCPA15-02: An application for a Tree Conservation Plan Adjustment to Tree Conservation Plan TCP09-05 for property zoned FMU (Fairview Mixed-Use) and located at 2250 Strong Road SE (083W11A/700, 1001, & 1002).
- Property Line Adjustment Case No. PLA16-09: An application for the first of three property line adjustments to relocate the common property line between two abutting units of land resulting in lots that are approximately 11.35 acres and 24.2 acres in size. The properties total a combined area of approximately 35.55 acres, are zoned FMU (Fairview Mixed-Use), and are located at 2250 Old Strong Road SE (Marion County Assessor Map and Tax Lot Numbers: 083W0200100 and 083W1100100).
- Property Line Adjustment Case No. PLA16-11: An application for the third of three property line adjustments to relocate the common property line between two abutting units of land resulting in lots that are approximately 12.84 acres and 14.13 acres in size. The properties total a combined area of approximately 26.97 acres, are zoned FMU (Fairview Mixed-Use), and are located at 2250 Old Strong Road SE (Marion County Assessor Map and Tax Lot Numbers: 083W1100100; and 083W11A01000).
- Fairview Refinement Plan Major Amendment Case No. FRPA16-01: An application for a Major Amendment to Fairview Refinement Plan II (Lindburg Green), a refinement plan covering a portion of the former Fairview Training Center property. The proposed major amendment:
 - 1) Expands the boundaries of the refinement plan to add property for a future 27.5-acre community park;
 - 2) Expands the boundaries of the refinement plan to include land for future development to the west and northwest of the proposed park;
 - 3) Reconfigures the layout of the existing approved refinement plan to accommodate the addition of the proposed park and the land to the west and northwest of the proposed park; and
 - 4) Modifies the development standards applicable within the refinement plan area.

The subject property totals approximately 72 acres in size, is zoned FMU (Fairview Mixed-Use), and is located at 2250 Old Strong Road SE (Marion County Assessor Map and Tax Lot numbers: 083W0200100; 083W1100100; & 083W11A00100, 200, 300, 400, 500, 600, 700, 800, 900, 1000, 1001, and 1002).

Property Line Adjustment Case No. PLA18-16: An application for a property line adjustment to relocate the common property line between two abutting units of land resulting in lots that are approximately 4.9 acres and 27.2 acres in size. The properties total a combined area of approximately 32.1 acres, are zoned FMU (Fairview Mixed-Use), and are located at 2250 Old Strong Road SE (Marion County Assessor Map and Tax Lot Numbers: 083W0200100 & 083W1100100).

- Design Review, Site Plan Review, Replat, Property Line Adjustment, Adjustment, Driveway Approach Permit Case No. DR-SPR-REP-PLA-ADJ-DAP18-08: A consolidated application for a proposed 180-unit multiple family development on approximately 9.51 acres of the former Fairview Training Center site. The application includes the following:
 - A Class 3 Design Review and Class 3 Site Plan review for the proposed multiple family development;
 - 2) A Replat to consolidate Lots 8 and 9 of the Lindburg Green subdivision plat into one lot, and consolidate and reconfigure Lots 6 and 7 of the Lindburg Green subdivision plat and Parcel 3 of Partition Plat No. 2014-03, in order to reconfigure existing lot boundaries within the subject property in order to accommodate the proposed development; and
 - A Property Line Adjustment to eliminate the property line between proposed consolidated Lot 8 and 9 of the Lindburg Green subdivision plat and the abutting property to the west in order to accommodate the proposed development;
 - 4) A Class 2 Driveway Approach Permit for the proposed driveway onto Lindburg Road SE; and
 - 5) A Class 2 Adjustment to:
 - a) Allow Lot 6 of the proposed replat to fall below the minimum lot width and exceed the maximum lot depth required under the refinement plan.
 - b) Allow the remainder of Parcel 3 as shown on the proposed replat to exceed the maximum lot depth required under the refinement plan;
 - c) Allow the consolidated 6.8 acre portion of the subject property located west of Heritage Street to fall below the minimum lot width and exceed the maximum lot depth required under the refinement plan;
 - Allow less than 70 percent of the lot/street frontage of the portion of the property within the VC (Village Center) area of the refinement plan along Lindburg Road and proposed Village Center Loop to be occupied by buildings placed at the minimum setback line as required under the refinement plan;
 - e) Allow the minimum required floor-area-ratio (lot coverage) of the portion of the property within the VC (Village Center) area of the refinement plan north of Lindburg Road and west of proposed Village Center Loop to be less than the minimum 0.75 FAR required under the refinement plan;
 - f) Allow upper floor building articulation and building eaves to project into the minimum 10foot setback abutting a street required under the refinement plan;
 - g) Allow Building No. 1, 2, 8, 14, and 17 to be setback beyond the maximum 20-foot setback abutting a street required under the refinement plan.
 - h) Allow Building No. 17 to be setback less than the minimum required 10-foot setback abutting a street required under the refinement plan;
 - Allow a proposed driveway approach onto Lindburg Road SE, which is designated as a collector street, where SRC 804.030(b)(2) requires corner lots which abut only local or collector streets to provide access to the street with the lower street classification;
 - j) Allow the driveway approaches onto the proposed private streets within the development to exceed the maximum driveway approach widths required under the refinement plan;
 - Allow five driveway approaches onto the private streets on the western portion of the subject property and three driveway approaches onto the private streets on the eastern side of the subject property where a maximum of two driveway approaches per parcel are allowed onto private streets under the refinement plan; and
 - Allow the proposed parking lot located south of Building No. 17 to be setback from the eastern edge of the private street easement less than the minimum required 20 feet under the refinement plan.

The subject property is approximately 9.51 acres in size, zoned FMU (Fairview Mixed-Use), and located in the 2100 to 2300 Blocks of Lindburg Road SE and Strong Road SE (generally north of Lindburg Road SE, South of Strong Road SE, and west of Reed Road SE) (Marion County Assessor Map and Tax Lot Numbers: 083W11A00600, 700, 800, 900, & 1002; and 083W1100100).

- Subdivision and Fairview Refinement Plan Minor Amendment Case No. SUB-FRPA20-03: A consolidated application to develop approximately 25.27 acres of the former Fairview Training Center site pursuant to the requirements of the Fairview Mixed-Use zone and the adopted Fairview refinement plan for the property, Fairview Refinement Plan II. The application includes:
 - 1) A Phased Subdivision to divide the approximate 25.27-acre property into 73 single-family residential lots, ranging in size from approximately 1,780 square feet to 11,802 square feet, and five lots within the Village Center area of the refinement plan, ranging in size from approximately 23,745 square feet to 179,957 square feet; together with common open space.
 - 2) A Fairview Refinement Plan Minor Amendment to:
 - a) Reduce the minimum required residential density within the Adaptive Use (AU) Restricted area of the refinement plan from 6 dwelling units per acre to 5.2 dwelling units per acre; and
 - b) Allow for an alternative stormwater management system to be utilized for streets consisting of curbs, grassy swales, and regional water quality facilities.

The property is zoned FMU (Fairview Mixed-Use) and is located at 2250 Old Strong Road SE (Marion County Assessor Map and Tax Lot Number: 083W0200100).

Required Land Use Applications

The land use applications checked in the table below have been preliminary identified as being required for development of the subject property based upon the information provided by the applicant at the time of the pre-application conference. Additional land use applications may be required depending on the specific proposal at the time of future development.

Required Land Use Applications							
Zoning	Site	Plan Review					
Conditional Use		Class 1 Site	Plan Review				
		Class 2 Site	Plan Review				
Comprehensive Plan Change		the triggers	if the development will meet for Class 2 Site Plan Review <u>220.005(b)(2)</u>)				
		Class 3 Site	Plan Review				
Zone Change	x	the triggers	if the development will meet for Class 3 Site Plan Review <u>220.005(b)(3)</u>)				
Temporary use Permit – Class 1	Desi	gn Review					
Temporary Use Permit – Class 2	X	Class 1 Des	ign Review				
Non-Conforming Use Extension, Alteration, Expansion, or Substitution		Class 2 Des	ign Review				
Manufactured Dwelling Park Permit		Class 3 Des	ign Review				
Land Divisions		oric Design R	Review				
Property Line Adjustment		Major	Minor Commercial				
Property Boundary Verification		Major	Minor Public				

	Replat		Major		Minor Residential		
	Partition	Wire	less Commu	unicat	ion Facilities		
	Subdivision		Class 1 Per	mit			
	Phased Subdivision Modification		Class 2 Per	mit			
	Planned Unit Development Tentative Plan		Class 3 Per	mit			
	Manufactured Dwelling Park Subdivision		Temporary				
Relie	ef		Adjustment				
	Adjustment – Class 1						
X	(Applicable if the development cannot meet a multiple family design standard included under SRC Chapter 702 and the deviation from the standard is within 20 percent of the standard)	Othe	er				
	Adjustment – Class 2						
X	(Applicable if the development cannot meet a multiple family design standard included under SRC Chapter 702 and the deviation from the standard exceeds 20 percent of the standard)		Annexation	(voter	^r approval)		
	Variance		Annexation	(voter	r-exempt)		
Natu	Iral Resources	? Archeological Review			view		
	Tree Conservation Plan		Sign Adjust	ment			
	Tree Conservation Plan Adjustment		Sign Condit	ional	Use		
	Tree Removal Permit		Sign Varian	се			
	Tree Variance	х			ent Plan Major or Amendment		
	Willamette Greenway Permit – Class 1		SWMU Zon	e Dev	elopment Phasing Plan		
	Willamette Greenway Permit – Class 2		Urban Grov	vth Pre	eliminary Declaration		
		X	Driveway A	pproa	ch Permit – Class 2		
	Staff Cor	nmen	ts				
C	Fairview Refinement Plan Major & Minor Ame conference, the proposed development does not standards established in the refinement plan.	appea	nts: As discu ar to meet all	ssed a of the	at the pre-application applicable development		
c ti r f	The FMU zone, per <u>SRC 530.035</u> , identifies whe SRC 530.035 requires the approval of a major ar change is proposed to a refinement plan. A subs hings identified under SRC 530.035(b)(2) includ number of proposed residential units per acre by loor-area-ratio (FAR), lot coverage, building sets han 20 percent.	mendn stantia ing, bu more	nent to a refin I change inclu It not limited t than 20 perce	iemen udes a co, inci ent or	t whenever a substantial number of different reasing or decreasing the varying building height,		
	Minor amendments, on the other hand, are amendments to a refinement plan that do not result in a substantial change to the refinement plan.						
	In the case of the proposed development it appears that both major amendments and minor amendments will be required for the proposed development. In order to be approved, the						

In the case of the proposed development it appears that both major amendments and minor amendments will be required for the proposed development. In order to be approved, the amendments have to meet the approval criteria set forth under SRC 530.035(e).

Major amendments require public review and comment and a public hearing before the City's Planning Commission. The decision of the Planning Commission can be appealed to, or called up

for review by, the City Council. Prior to application submittal applicants are also required to hold a public open house to provide information to the public about the proposed amendment. In-lieu of hosting an open house, an applicant may instead choose to get onto the agenda and attend a regularly scheduled neighborhood association meeting to present the proposal. Additional information about the required open house/neighborhood association meeting is provided at the end of this report.

 Archeological Review: Both the eastern and western properties are located within the City's Historic and Cultural Resources Projection Zone due to the possibility of archaeological resources being present on the site. Because of this, archeological review, in addition to the land use applications identified above, may also be required for the proposed development.

Because of the potential for archaeological resources being present on the site, the applicant is required to have an **Inadvertent Discovery Plan (IDP)** for the project in place in case any resources are inadvertently discovered during construction or ground disturbing activity.

Kimberli Fitzgerald, the City's Historic Preservation Officer, is available to answer any questions you may have regarding the requirements associated with the potential archeological resources on the property. Kimberli can be reached at 503-540-2397 or <u>KFitzgerald@cityofsalem.net</u>.

Online Application Submittal Packets

The City has electronic application submittal guides for the applications identified above. The webpages include a summary of the review procedure, submittal requirements, and approval criteria. The submittal guides can be found on the City's website at the following location:

- Site Plan Review & Design Review: <u>https://www.cityofsalem.net/Pages/build-on-your-property.aspx</u>
- Adjustments: https://www.cityofsalem.net/Pages/seek-an-adjustment-to-land-use-standards.aspx

Land Use Application Fees

The applicable land use application fees for these applications can be found on the City's website at the location below. Land use application fees and descriptions can be found on **pages 23 to 33** of the document.

https://www.cityofsalem.net/CityDocuments/city-of-salem-fees.pdf

Consolidated Land Use Application Procedures

When multiple land use applications are required or proposed for a development, the City's land use procedures ordinance (SRC Chapter 300) provides alternatives methods for how such applications may be processed.

The applications may be processed individually in sequence, concurrently, or consolidated into a single application. Where multiple applications proposed to be consolidated include an application subject to review by the Historic Landmarks Commission, the application subject to Historic Landmarks Commission review shall be processed individually in sequence or concurrently.

Multiple land use applications consolidated into a single application shall be accompanied by the information and supporting documentation required for each individual land use action. Review of the application shall be according to the highest numbered procedure type and the highest Review Authority required for any of the land use applications proposed to be consolidated.

Multiple applications processed concurrently require the filing of separate applications for each land use action. Each application shall be reviewed separately according to the applicable procedure type and Review Authority, and processed simultaneously.

Development Standards

Because the subject property is zoned FMU (Fairview Mixed Use), development of the property is subject to the requirements of the FMU zone (SRC Chapter 530) as well as the requirements of the "Amended Fairview Refinement Plan II" refinement plan," the approved refinement plan for this portion of the former Fairview Training Center site.

FMU Zone Standards (SRC Chapter 530)

The majority of the standards applicable to the proposed development are contained in the *Amended Fairview Refinement Plan II* refinement plan. The FMU zone, however, includes the following additional standards which apply to development with the FMU zone:

General Development Standards (SRC 530.045):

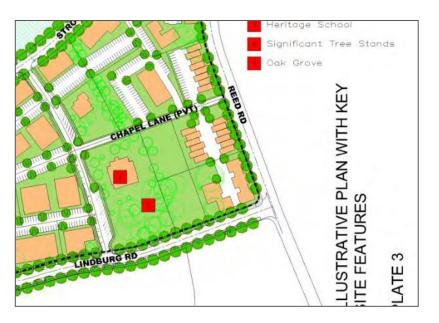
 Nonresidential development in MI area. Except for activities falling under basic education, no building used exclusively for a nonresidential use within the MI area shall have a building footprint greater than 6,000 square feet. Activities falling under basic education located within the MI area may have a building footprint greater than 6000 square feet.

The portion of the east site located between Lindburg Road and Chapel Lane, and east of Heritage School, is located within the Mixed-Intensity (MI) area. The remainder of the east site is located in the Adaptive Use (AU) area. The west site is located within the Village Center (VC) area.

The proposal includes the development of multiple family residential in the MI area. Because non-residential development is not proposed, this standard is not applicable to the proposed development.

 Open space. A minimum of 20 acres of land within the FMU zone shall be reserved as natural open space.

Natural open space areas are identified as part of the refinement plan approval process. The subject properties are not explicitly identified in the refinement plan as being part of a natural open space area. However, as identified below, the illustrative site plan included within the refinement plan does show an undeveloped open area to the east of Heritage School.



In order to comply with the vision established in the refinement plan illustrative plan, and to help protect the existing identified natural resources in this area, the buildings proposed between Lindburg Road and Chapel Lane should be located towards Reed Road and away from the Heritage School.

 Maximum number of dwelling units. The maximum number of dwelling units permitted in the FMU zone shall be 2000.

As discussed at the pre-application conference the introduction of 183 additional units to this refinement plan runs of the risk of resulting in more than 2,000 dwelling units being constructed once all of the Fairview site is ultimately developed.

Section 3 of the refinement plan (General Allocation and Identification of Major Proposed Land Uses), on page 12, includes the below provision discussing the number of dwelling units proposed:

There is no minimal amount of residential development in any area. However, residential development projects must meet the minimum and maximum density requirements for the area. The FMU zoning does not set a minimum number of residential units, but sets the maximum at 2000 units. The Fairview Plan states an expectation of 1600 units. It is anticipated that this refinement area will have units for about 280 families. Combined with those expected in the other approved refinement plans the total is about 1200. This leaves a wide range for the 14 acres of "Woods" and the 60+ acres owned by Simpson Hills that have not yet been planned.

The above paragraph explains that the refinement plan is anticipated to have units for approximately 280 families and that this number of units will leave a wide range for the 14 acres of "The Woods" and the 60+ acres owned by Simpson Hills to be developed without exceeding the maximum 2,000 residential unit limit.

The 180 units approved with The Grove apartments together with the 73 residential lots within the approved Legacy Height subdivision brings the total number of units approved for development within the refinement plan area to 253, which is nearly at the 280-unit limit discussed in the refinement plan.

Because the additional 183 units proposed will result in the maximum number of residential units anticipated in the refinement plan to be exceeded, a Major Amendment to the refinement plan will be required. In order for the major amendment to be approved it will have to be demonstrated that the amendment meets the approval criteria. As discussed at the pre-application conference, a critical element of determining whether the amendment can be approved is the impact the change will have on anticipated residential development on the rest of the Fairview site. As such, evidence will need to be provided demonstrating that the amendment will allow the entire Fairview site to be developed while still maintaining conformance with the maximum 2,000 residential unit limit.

• **FMU zone boundary setback.** All buildings and accessory structures within the FMU zone shall be set back a minimum of 20 feet from the FMU zone boundary.

The east site is located adjacent to the FMU zone boundary so this required setback is applicable to that portion of the proposed development.

Historic Preservation (SRC 530.060):

Any structure existing on December 24, 2003, identified for demolition shall, prior to issuance of a demolition permit, be documented according to the survey and inventory practices set forth by the Oregon State Historical Preservation Office.

There are no existing buildings or structures located on the west site. There are existing buildings and structures on the east site. None of the buildings and structures present on the east site, however, are identified for preservation/reuse under the Fairview Plan.

Natural Resource Guidelines (SRC 530.065):

The presence of natural resources within the FMU zone helps to define the special character of the land within it. In order to maintain this character, the Fairview plan, any subsequent refinement plan, and **any development within the FMU** zone shall identify how existing natural resources will be protected and how natural hazards will be mitigated through compliance with the following:

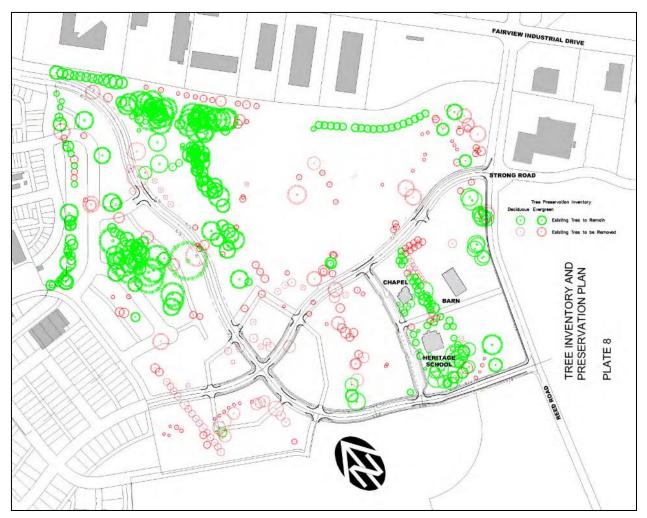
- SRC Chapter 808 (Preservation of Trees and Vegetation);
- SRC Chapter 809 (Landslide Hazards); and
- SRC Chapter 810 (Wetlands).

<u>Trees (SRC Chapter 808)</u>: The City's tree preservation ordinance protects Heritage Trees, Significant Trees (including Oregon White Oaks with diameter-at-breast-height of 24 inches or greater), trees and native vegetation in riparian corridors, and trees on lots and parcels greater than 20,000 square feet. 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."

There are trees present on the subject property, including significant Oregon White Oaks. The Fairview Plan Natural Resources Inventory (<u>Exhibit 4</u> to the Fairview Plan master plan) identifies three significant tree stands on/adjacent to the east site (see section of natural resource inventory map below with significant tree stands identified by white outline).

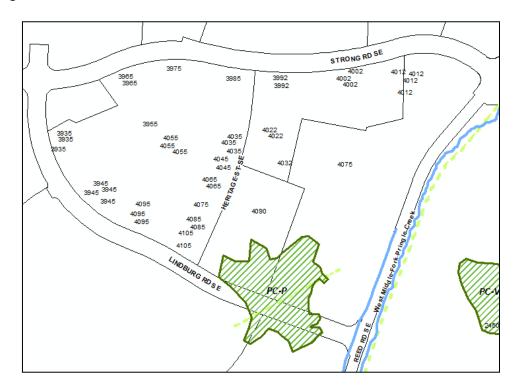


Section 10 of the refinement plan (Tree Inventory and Preservation Plan) establishes provisions for the preservation of trees within the refinement plan area.

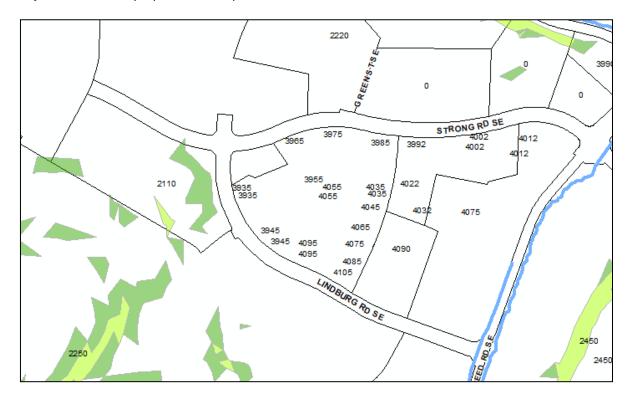


The proposed development must conform to the tree preservation requirements of SRC Chapter 808 and the tree preservation requirements of the refinement plan.

<u>Wetlands (SRC Chapter 809)</u>: According to the Salem-Keizer Local Wetland Inventory (LWI) and the <u>Natural Resources Inventory</u> of the Fairview Plan, there is a large mapped wetland area to the north of Lindburg Road which is located on both the southwest portion of the east site and the southeast portion of the Heritage School property. The map below identifies the location of the wetland as shown on the Salem-Keizer LWI. The site plan provided for the east site shows a proposed street going through the wetland area providing a connection between Chapel Lane and Lindburg Road. Because of the presence of the wetland, however, it does not appear possible to provide a street connection as shown and the site plan will need to be reconfigured to conform to the natural resource preservation requirements of the refinement plan and FMU zone.



Landslide Hazard Susceptibility (SRC Chapter 810): According to the City's adopted landslide hazard susceptibility maps the east site does not contain any areas of mapped landslide hazard susceptibility. As shown on the below map, however, the west site does include areas of 2 to 3 points mapped landslide hazard susceptibility points. Based on the requirements of SRC Chapter 810 (Landslide Hazards), the cumulative total 4 to 5 landslide hazard susceptibility points between those associated with the land and those associated with the proposed development activity indicates a moderate landslide susceptibility risk. As such, a Geologic Assessment will be required in conjunction with the proposed development.



Refinement Plan Standards

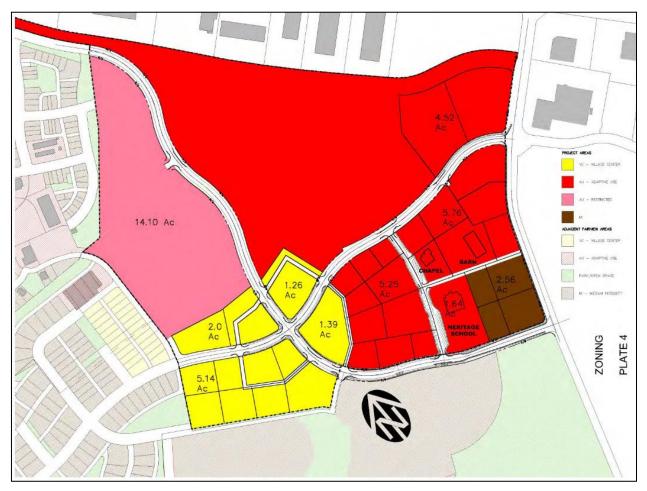
Because the subject property is located within the boundaries of the *Fairview Refinement Plan II* refinement plan, the proposed development is also subject to the development standards included in this refinement plan. The refinement plan can be found on the City's website at the following location:

https://www.cityofsalem.net/CityDocuments/fairview-refinement-plan-ii.pdf

In order to further regulate use and development within the FMU zone and within individual refinement plans, the FMU zone is broken down into the following four overlay areas which are further described under SRC 530.010 and include:

- Low-Intensity Residential (LI)
- Mixed-Intensity (MI)
- Adaptive Use (AU)
- Village Center (VC)

As shown on the below overlay areas map included in the Fairview Refinement Plan II refinement plan, the portions of the Fairview site where the subject properties are located fall within the VC (Village Center), AU (Adaptive Reuse), and MI (Mixed-Intensity) overlay areas of the FMU zone and the refinement plan.



SRC 530.010(c) describes the Adaptive Use area as being, "...intended to comprise the highest concentration of existing buildings and historic development patterns. Residential and nonresidential development within this area may occur within existing structures that have been rehabilitated or within new structures."

The Village Center area is described as comprising, "...the most intense and pedestrian-oriented residential, commercial, employment, and public services uses. Residential uses will have densities of no less than 16 dwelling units per net acre. Nonresidential uses include a mix of large and small-scale commercial establishments, which cumulatively will be limited to not more than approximately 80,000 square feet of pedestrian-oriented retail. Office uses are encouraged."

The Mixed Intensity area is described as comprising, "..primarily residential uses, along with a mix of small-scale neighborhood commercial, employment, and public services uses. Buildings will be a mix of one-story to three-story detached, attached, or stacked housing types sited on smaller individually-owned lots with private yards and street and/or alley access, or larger lots under multiple or separate ownership with shared street and/or alley access. Townhouse development is appropriate at the higher density range."

Because the subject property is located within the VC, AU, and MI areas of the refinement plan, development of the property is subject to the allowed uses and development standards applicable to those areas within the refinement plan.

- Use: Section 2 of the refinement plan (Permitted Land Uses) identifies the land uses that are allowed and defers to the list of allowed uses included in the FMU Zone (<u>SRC 530.040, Table 530-1</u>). Pursuant to SRC 530.040, Table 530-1, Multiple Family is a permitted use in the VC, AU, and MI areas.
- Development Standards: Standards applicable to development within the VC, AU, and MI areas of the refinement plan are included in Section 7 of the refinement plan (Development Standards). Please see the comments included on the attached plans for review of the proposal for conformance with the standards.

Multiple Family Design Review Standards

In addition to the standards included in the refinement plan, multiple family developments of more than five units within the refinement plan are required to comply with the City's multiple family design review standards included under SRC Chapter 702. Under Section 7, Table 2, of the refinement plan (Fairview Alternative Multi-Family Design Standards), alternative standards are identified for some multiple family requirements which supersede the standards included under SRC Chapter 702.

The proposed development needs to comply with the multiple family design standards of SRC Chapter 702 that are applicable to multiple family developments of 13 or more units, except where such standards are superseded by the alternative multi-family standards in the refinement plan. The design standards for multiple family developments of 13 or more units are included under <u>SRC 702.020</u>.

Off-Street Parking, Loading, & Driveways

Off-street parking, loading, and driveways must conform to the requirements SRC Chapter 806 (Off-Street Parking, Loading, & Driveways) except where different standards are established under the refinement. Plan.

Solid Waste Service Areas

Solid waste service areas are required to provide for the safe and convenient collection of solid waste, recyclable, and compostable materials by the local solid waste collection franchisee. Pursuant to SRC 800.055(a), the solid waste service area design standards included under SRC 800.055 apply to:

(1) All new solid waste, recycling, and compostable service areas, where use of a solid waste, recycling, and compostable receptacle one cubic yard or larger is proposed, and

(2) Any change to an existing solid waste service area for receptacles one cubic yard or larger that requires a building permit.

As discussed at the pre-application conference, the trash/recycling area(s) within the proposed development will need to conform to the requirements of SRC 800.055.

It's strongly recommended that you contact the franchised trash hauler for this area to ensure that the number of trash areas to be provided for the development will be sufficient and that their location for pick up will meet the access and servicing requirements for the hauler.

Contact information for the franchised trash hauler for this area of the City can be obtained through the Mid-Valley Garbage & Recycling Association website at the following location:

https://mrtrashrecycles.com/

Neighborhood Association Contact and Open House

Applicants are required to contact the applicable neighborhood association for certain types of land use applications prior to application submittal. For a limited number of application types, an open house or presentation at a neighborhood association meeting is required. This allows the neighborhood association to be involved early in the process and helps to identify any potential issues that might arise.

The table below indicates if the proposed development must meet either the neighborhood association contact requirement or open house/neighborhood association meeting requirement prior to application submittal. For specific requirements, see <u>SRC 300</u>.

	Pre-Submittal Requirements						
	Neighborhood Association Contact (SRC 300.310)XOpen House/Neighborhood Association Meeting (SRC 300.320)						
Staff Comments							
	Because the proposed development will require a Major Amendment to the refinement plan an Open House/Neighborhood Association Meeting is required for the proposal.						

Neighborhood Association Contact

When a land use application requires neighborhood association contact, the applicant must contact the City-recognized neighborhood association(s) whose boundaries include, and are adjacent to, the subject property via e-mail or letter.

The e-mail or letter must be sent to **<u>both</u>** the Neighborhood Association Chair(s) and Land Use Chair(s) of the applicable neighborhood association and contain the following information:

- 1) The name, telephone number, and e-mail address of the applicant;
- 2) The address of the subject property;
- 3) A summary of the proposal;
- 4) A conceptual site plan, if applicable, that includes the proposed development; and
- 5) The date on which the e-mail or letter is being sent.

Note: Land use applications requiring neighborhood association contact will not be accepted unless they are accompanied by a copy of the e-mail or letter that was sent to the neighborhood association and a list of the e-mail or postal addresses to which the e-mail or letter was sent.

Open House/Neighborhood Association Meeting

When a land use application requires an open house, the applicant must arrange and attend one open house to share the development proposal with the neighborhood and surrounding property owners and residents prior to application submittal.

The open house must be within the boundaries of the City-recognized neighborhood association in which the subject property is located or within two miles of the subject property. The applicant must provide written notice of the open house to the applicable neighborhood association(s) and the Planning Administrator; and must also post notice of the open house on the subject property.

In-lieu of arranging and attending an open house, an applicant can instead choose to present their proposal at a regularly scheduled neighborhood association meeting, as provided under SRC 300.320(f).

Note: Land use applications requiring an open house/neighborhood association meeting will not be accepted unless they are accompanied by either:

- <u>A copy of the sign-in sheet from the open house and a summary of the comments</u> provided (applicable when applicant holds an open house); or
- <u>A summary of the comments provided at the neighborhood association meeting</u> (applicable when applicant attends a regularly schedule neighborhood association meeting).

Neighborhood Association Information

For your convenience, neighborhood association(s) contact information is included below. Please note that the identified neighborhood association chair(s) and land use chair(s), and their corresponding contact information, is current as of the date of the pre-application conference, but this information is subject to change if the chair(s) or their contact information has changed subsequent to the date of the pre-application conference.

Up-to-date contact information for neighborhood representatives may also be obtained by contacting the City's Neighborhood Enhancement Division at 503-588-6207 or by visiting the City's website at the following location: <u>https://www.cityofsalem.net/my-neighborhood</u>

Applicable Neighborhood Association(s):	Meeting Date, Time, & Location	Neighborhood Association Chair(s) & Land Use Chair(s)
		Chair(s)
Morningside Neighborhood Association	2 nd Wednesday of each month @ 6:30 p.m. at Pringle Creek Community	Pamela Schmidling sidrakdragon@live.com
	Painters Hall - 3911 Village Center DR	Land Use Chair(s)
		Geoffrey James geoffreyjames@comcast.net

Salem Revised Code Available On-Line

The entire Salem Revised Code can be accessed online through the City's website at:

http://www.cityofsalem.net/Departments/Legal/Pages/SalemRevisedCodes.aspx

[7] DEVELOPMENT STANDARDS

Tables 1 and 2 below establish standards for development within the Amended Refinement Plan. The development standards, regulations, and guidelines in the refinement plan are intended to implement the principles in the Fairview Plan, approved by the City in 2004, develop the area consistent with the Fairview Mixed Use Zone (FMU/SRC 530), and realize SFA's vision for a vibrant, compact, walkable, and sustainable community. Unless otherwise noted, terms used in the Alternate Development Standards tables following shall adhere to the definitions set forth in SRC Chapter 111.

Standards for Community Park: In lieu of the development standards established in this amended refinement plan, development of the Community Park shall be subject to the approved parks master plan and the applicable development standards of the PA (Public Amusement) zone.

DEVELOPMENT	ST	ANDARDS		TABLE 1 AMENDED FAIRVIEW REFINEMENT PLAN II
SUBJECT		AREAS	NOTE	STANDARD
DENSITY				
Residential		DK AU		Minimum 6 du/acre. Maximum 35 du/acre
	C	ОК мі		Minimum 7 du/acre. Maximum 30 du/acre
	C	DK vc		Minimum 13 du/acre. Maximum 35 du/acre
LOT STANDARDS				May be an issue w/ max. In
Lot area	Ok	AU, MI, VC		Minimum 1000 sq. ft.
Lot width	O	〈 VC		Minimum 20 ft. Multifamily maximum 30 ft. /du
	0	🖌 AU, MI		Minimum 22 ft. Multifamily minimum 6 ft./du OK
Lot depth		AU, VC		Minimum 40 ft. OK Maximum 200 ft for mixed use/commercial and multifamily
		MI		Minimum 40 ft. OK Maximum 150 ft. for mixed use/commercial and multifamily
LOT COVERAGE				Max. lot depth exceeded
Building coverage	O	🕻 AU, MI, VC	1	Maximum 70%
Building footprint		KAU, MI, VC		Maximum 10,000 sq. ft.
	Ŭ			Maximum accessory structure 1,000 sq. ft.
Floor area ratio		VC		Minimum 0.75 Min. FAR in VC in met.
SETBACKS				
FMU Zone Boundary Setback	O	🕻 AU, MI, VC		Minimum 20 ft. from boundary of FMU zone (applicable to all buildings and accessory structures)
				buildings and accessory structures) Bldg. 13 exceeds 20 ft. max. sett Minimum 10 ft Maximum 20 ft.
Strong and Lindburg Roads		VC		Minimum 70 percent of lot frontage shall be occupied by buildings placed at the minimum setback line.
Front abutting street		AU, MI, VC		Minimum 10 ft. Maximum 20 ft.
Street front open porches and entries	I	AU, MI, VC	2	Up to 5 ft. into setback for Household Living setback
Side street		AU, MI, VC		Minimum 10 ft. Maximum 20 ft.)-Max. setbacks abutting street not n
Side interior	OK	VC		Minimum 5 ft. for Multifamily;

Min. VC lot frontage requirement not met. Approx. 350.47 ft. of building frontage required on Lindburg and Strong Roads, but only 252.75 ft. of building frontage provided.

	STANDARDS	TABLE 1 FOR AMENDED FAIRVIEW REFINEMENT PLAN II
DEVELOPIVIEINTS		
		Minimum 8 ft. for any use when abutting single family; Min. 0 ft. all other
		Minimum 5 ft. for duplex and detached single family;
		Minimum 0 ft. for single family townhouse; Minimum 8 ft. for multifamily residential and non-residential
Side interior	ΟΚ Αυ, ΜΙ	abutting single family;
Side interior		Minimum 0 ft. all other.
		Min. rear setback not met
Rear principal building	OK VC	Minimum 5 ft.
Rear principal building	AU,MI	Minimum 0 ft. for single family and duplex;
· · · · ·		Minimum 30 ft. for all other
Rear other buidlings	AU, MI, VC	Minimum 5 ft., except residential accessory buildings min. 2 ft.
BUILDING DIMENSIONS		
Height	OK AU, MI, VC	Maximum 45 ft. Maximum 18 ft. for accessory buildings
Exterior wall length	OK AU, MI, VC	Maximum 100 ft. without 4 ft. change of plane for mixed-
zacenor wan iengen		use/commercial and multifamily
		No building used exclusively for a non-residential use within the-
Building Size. Max	MI parking exceede	MI area shall have a building footprint greater than 6,000 square
PARKING AND LOADING		Applicant needs to document conformance w/ standard
Parking stalls	AU, MI, VC	3 Minimum 1/du residential, 1/500 sq. non-residential
		50% of required parking may be located on street within 100 ft.
Eligible on street parking	AU, MI, VC	of the lot it serves for mult/-family; 50% of required parking may-
		be lcoated on street within 200 ft. of the lot it serves for all other
Surface parking coverage	AU, MI, VC	Maximum 40% of parce, tuck-in areas exempt.
Bicycle parking	AU, MI, VC	6 Minimum 1/du residential multi-family and mixed use. 1/500 sq. ft. non-residential No bike parking shown
Parking lot setbacks		Parking setback abutting street not met in a
Front/street setback	AU, MI, VC	Minimum 20 ft. locations
Side setback adjacent to		
residential	AU, MI, VC	Minimum 10 ft. May not meet setback in all areas dependin
Side setback adjacent to non-		on side and rear lot line designations.
residential	ОК AU, MI, VC	Minimum 5 ft.
Private garages		Max. 2 curb cuts exc
Depth	AU, MI, VC	Maximum 24 ft. on east property. Th are provided.
Width	AU, MI, VC	Maximum 12 ft. single, 24 ft. double
DRIVEWAYS/CURB CUTS		Apply only on private streets, SRC applies on public streets
Maximum per parcel	AU, MI, VC	2 except 1 for mixed use in MI and for single family and duplex
Access	AU, MI, VC	Only from lesser class ROW/Easement
Separate wheel tracks allowed	AU, MI, VC	Only for single family, duplex and their accessories.
Width		

On west property a driveway approach is provided onto Strong Road (Collector). Access is only allowed to the lesser class ROW or easement.

TABLE 1DEVELOPMENT STANDARDS FOR AMENDED FAIRVIEW REFINEMENT PLAN II

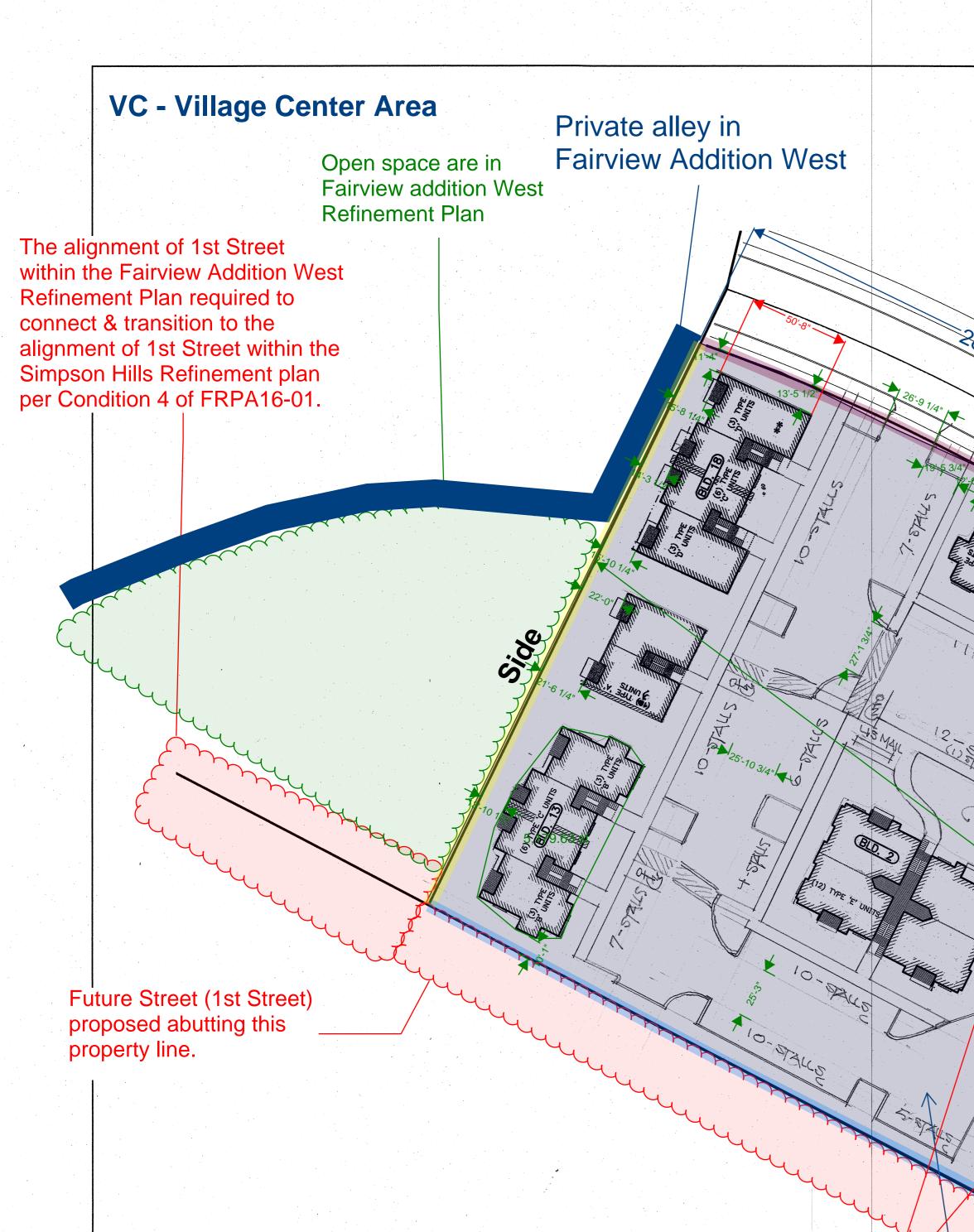
Ac stal	cess driveways serving 15+ Is	VC	Minimum 10 ft. Maximum 18 ft. Driveway widths exceed max. 18 ft. width.			
		AU, MI	Minimum 12 ft. Maximum 16 ft. Driveway widths exceed			
/ stal	Access driveways serving 4-14 Is	AU, MI, VC	Minimum 10 ft. Maximum 14 ft. max. 16 ft. width.			
/ stal	Access driveways serving 1-4 Is	AU, MI, VC	Minimum 8 ft. single family. Minimum 12 ft. for more than 1 du			
Dep	oth	AU, MI, VC	Maximum 20 ft. for single family, duplex and their accessories			
Cur	b cuts	AU, MI, VC	Maximum 2/parcel			
LAN	NDSCAPE					
Fen	ICES					
R	esidential front street	AU, MI, VC	Maximum 4 ft.			
R	esidential side street	AU, MI, VC	Maximum 6 ft.			
R	esidential all other	AU, MI, VC	Maximum 6 ft.			
Ν	Ion-residential front street	AU, MI, VC	Maximum zero in VC, 4 ft. in AU and MI			
Ν	Ion-residential all other	AU, MI, VC	Maximum street side 4' in VC. All other maxima 6'			
NO	TES:					
1	Accessory buildings footprint counted in coverage.					
2	Porches and entryways must be roofed. If enclosed, then minimum 50% screened and/or glass.					
3	Parking stalls are standard SRC sizes.					
4	FAR: Floor Area Ratio is enclosed floor space area divided by lot area.					
5	A master list of share parking should be kept with City and POA.					
6	Bicycle racks allowed in the "Street Furniture, Accessories and Trees zone of public ROW.					

TABLE 2

FAIRVIEW ALTERNATIVE MULTI-FAMILY DESIGN STANDARDS

Note: Except where such standards/guidelines are specifically modified by the Fairview Alternative Multi-Family Design Standards outlined below, the City of Salem will review plans for Multifamily buildings (projects > 5 units) for conformance with the City's multiple family design review guidelines/standards of SRC Chapter 702. Additional standards and guidelines will apply through Conditions, Covenants and Restrictions.

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COMMON OPEN SPACE	
Requirements	None required in VC or within ~600" of Public Open Space
PLAY AND RECREATION AREAS	
Requirements	None required in VC or within ~600" of Public Open Space
PRIVATE OPEN SPACE	
Private open space located not	
more than 5 feet above finished	Minimum 48 square feet per dwelling unit in VC;
grade	Minimum 96 square feet per dwelling unit in all other areas.
LANDSCAPE DESIGN	
Multiple family buffer abutting	Buffer multi-family from single family uses with minimum 6 ft. fence and
single family	trees > 1.5" caliber every 20 ft. Subject to Design Review
Parking Area Perimeter	Minimum one canopy tree per 30 ft. of parking area perimeter. Trees must
Landscaping	be planted within 15 ft. of paving
Canopy Tree Planter Bays	Plant canopy trees in > 9 ft. wide planter bays
BUILDING MASS AND FAÇADE	
	Parcels > 75 ft. wide build to > 70% of frontage in VC;
Building Frontage	Parcels > 75 ft. wide build to > 50% of frontage in AU,MI
Cide Vard Facado Cathaol: Diara	Vertical 28 ft. in height plus 45° additional setback above 28 ft. in height.
Side Yard Façade Setback Plane	Subject to Design Review



Buildings don't meet max 20-foot front and side abutting street setback.

Density (VC):

-Min. 13 du/acre = 53.69 or <u>54 units min.</u> -Max. 35 du/acre = 144.55 or <u>145 units max.</u> -Units Proposed: 99 units = 23.97 du/acre (OK)

