

TO: Brandon Pike, Planner I
Community Development Department

FROM: Glenn J. Davis, PE, CFM, Chief Development Engineer
Public Works Department



DATE: November 3, 2021

**SUBJECT: REVISED PUBLIC WORKS RECOMMENDATION
SPR-ADJ-DAP-TRV-DR-24 (21-105391-RP)
5871 LIBERTY ROAD S
66-UNIT APARTMENT COMPLEX**

PROPOSAL

A consolidated application containing a Class 3 Site Plan Review and Class 1 Design Review for the development of a new apartment complex with associated site improvements, with a Class 2 Driveway Approach Permit to allow driveway access onto Big Mountain Avenue S, a Tree Variance to remove two significant Oregon white oak trees, and Class 2 Adjustments. The subject property is approximately 3.09 acres in size, zoned RM-II (Multiple Family Residential-II) and located at 5871 Liberty Road S (Marion County Assessor map and tax lot number: 083W16C00600 00601).

RECOMMENDED CONDITIONS OF APPROVAL

1. Complete the requirements for Phase 1 Subdivision / Urban Growth Preliminary Declaration / Class 2 Adjustment Case No. SUB-UGA-ADJ20-05.
2. Ensure construction of the future traffic signal located at the intersection of Liberty Road S and Mildred Lane S as follows:
 - a. As a condition of building permit issuance for any residential structure, the applicant shall provide a performance guarantee for the engineer's estimated cost of the signal.
 - b. As a condition of final occupancy for any residential structure, the applicant shall obtain plan approval from the Public Works Director pursuant to SRC 77.091 for construction of the signal.

3. Pay a temporary access fee of \$2,000 per dwelling unit in lieu of constructing the Skyline #2 S-3 water reservoir.
4. Construct stormwater facilities in compliance with PWDS. This may include construction of off-site facilities on private property or in public right-of-way, as needed, to convey stormwater runoff from the subject property.

FACTS

Streets

1. Liberty Road S

- a. Standard—This street is designated as a Collector street in the Salem TSP. The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Conditions—This street has an approximate 50-foot improvement within an 80-foot-wide right-of-way abutting the subject property.

2. Big Mountain Avenue S

- a. Standard—This street is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Conditions—This street has an approximate 30-foot improvement within a 50-foot-wide right-of-way abutting the subject property.

3. Joynak Street S

- a. Standard—This street is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Conditions—This street has an approximate 30-foot improvement within a 50-foot-wide right-of-way abutting the subject property.

Storm Drainage

1. Existing Conditions

- a. A 15-inch storm main is located in Liberty Road S.
- b. A 12-inch storm main is located in Big Mountain Avenue S.

- c. A 10-inch storm main is located in Joynak Street S.

Water

1. Existing Conditions

- a. The subject property is located in the S-3 water service level.
- b. A 12-inch water main is located in Liberty Road S. Mains of this size generally convey flows of 2,100 to 4,900 gallons per minute.
- c. An 8-inch water main is located in Big Mountain Avenue S. Mains of this size generally convey flows of 500 to 1,100 gallons per minute.
- d. An 8-inch water main is located in Joynak Street S. Mains of this size generally convey flows of 900 to 2,200 gallons per minute.

Sanitary Sewer

1. Existing Conditions

- a. There are 8-inch sewer mains located in Liberty Road S, Big Mountain Avenue S, and Joynak Street S.

CRITERIA AND FINDINGS

Analysis of the development based on relevant criteria in SRC 220.005(f)(3) is as follows:

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

Finding—With completion of the conditions above, the subject property meets all applicable standards of the following chapters of the UDC: 601—Floodplain; 802—Public Improvements; 803—Streets and Right-of-Way Improvements; 804—Driveway Approaches; 805—Vision Clearance; 809—Wetlands; and 810—Landslides.

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.

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

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

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

Finding—The existing condition of Liberty Road S does not meet current standards for its classification of street per the Salem TSP. As specified in Subdivision / Urban Growth Preliminary Declaration / Class 2 Adjustment Case No.: SUB-UGA-ADJ20-05, the applicant shall convey for dedication a half-width right-of-way up to 48 feet and construct a minimum 23-foot-wide improvement along the entire frontage of Liberty Road S. The street configuration may be modified as needed to protect the existing significant oak tree. Removal of trees located within the right-of-way requires a street tree removal permit pursuant to SRC Chapter 86.

Comprehensive Plan Change/Zone Change Case No. CPC-ZC19-03 required construction of two traffic signals, one at the Liberty/Davis intersection and the other at the Liberty/Mildred intersection. The signal at Liberty/Davis is required as a condition of SUB-UGA-ADJ20-05. The Assistant City Traffic Engineer has determined, based on the applicant's TIA, that this 66-unit phase of the development warrants a proportional share toward construction of the Liberty/Mildred traffic signal. However, construction of the signal as a condition of this phase of the overall development site is not warranted. Therefore, as a condition of building permit issuance for any residential structure, the applicant shall provide a performance guarantee for the engineer's estimated cost of the signal. As a condition of final occupancy for any residential structure, the applicant shall obtain plan approval from the Public Works Director pursuant to SRC 77.091 for construction of the signal. These conditions will allow the signal project to be adequately assured while not causing excessive delays in the overall development as a whole. As a result of these conditions of approval, the signal construction will be on schedule to be completed prior to occupancy of the next phase of construction.

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

Finding—The driveway access onto the internal local street system provides for safe turning movements into and out of the property.

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

Finding—The Public Works Department has reviewed the applicant’s preliminary plan for this site. Water, sewer, and stormwater infrastructure constructed as a condition of SUB-UGA-ADJ20-05 are adequate to serve the proposed development except as described below.

The applicant’s engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4)(b) and SRC Chapter 71. Public Works staff has determined that modifications are needed to the tentative stormwater design in order to comply with PWDS. The applicant is required to construct stormwater facilities in compliance with PWDS. This may include construction of off-site facilities on private property or in public right-of-way as needed to convey stormwater runoff from the subject property.

Condition 15 of SUB-UGA-ADJ20-05 states, “The applicant shall construct the Skyline #2, S-3 reservoir, or pay a temporary access fee of \$2,000 per dwelling unit to be collected at the time of building permit issuance.” Therefore, based on 66 units multiplied by \$2,000 per unit, the applicant shall pay a temporary access fee of \$132,000 in lieu of constructing the Skyline #2 S-3 water reservoir.

Criteria—A Class 2 Driveway Approach Permit shall be granted if:

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

Finding—The proposed driveway meets the standards for SRC Chapter 804 and PWDS.

- (2) No site conditions prevent placing the driveway approach in the required location;**

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

- (3) The number of driveway approaches onto an arterial are minimized;**

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

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

- i. **Is shared with an adjacent property; or**
- ii. **Takes access from the lowest classification of street abutting the property;**

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

(5) Proposed driveway approach meets vision clearance standards;

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

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

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

(7) The proposed driveway approach does not result in significant adverse impacts to the vicinity;

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

(8) The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections; and

Finding—The applicant is proposing a driveway to the lower classification of street and it meets the spacing requirements of SRC Chapter 803. By complying with the requirements of this chapter, the applicant has minimized impacts to the functionality of adjacent streets and intersections.

(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 driveway is taken from the lowest classification street abutting the subject property. The driveway balances the adverse impacts to residentially zoned property and will not have an adverse effect on the functionality of the adjacent streets.

cc: File