

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 informacion, por favor llame 503-588-6173

DECISION OF THE PLANNING ADMINISTRATOR

CLASS 3 SITE PLAN REVIEW / CLASS 2 ADJUSTMENT / CLASS 2 DRIVEWAY APPROACH PERMIT / CLASS 1 DESIGN REVIEW CASE NO.: SPR-ADJ-DAP-DR22-17

APPLICATION NO.: 21-119893-RP/ 21-119896-ZO/ 21-119895-ZO/ 21-120142-DR

NOTICE OF DECISION DATE: May 19, 2022

SUMMARY: A proposal to construct a new 200-unit apartment complex.

REQUEST: 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, a Class 2 Driveway Approach Permit to allow driveway access onto ~~Battle Creek Road SE~~ proposed local streets, and Class 2 Adjustment requests to:

- 1) Reduce the setback required when development sites ~~about~~ abut Residential Agriculture (RA) or Residential Single Family (RS) zoned land as required pursuant to SRC 702.020(e)(2);
- 2) Remove the requirement that 40-percent of the buildings be placed at the setback line for sites that have 75-feet of buildable width as required pursuant to SRC 702.020(e)(4); and
- 3) Remove the pedestrian connections required from each building entrance facing ~~a to the~~ an adjacent street and the requirement that the building entrance be oriented towards the street as required pursuant to SRC 702.020(e)(5).

The subject property is approximately 12.87 acres in size, zoned RM-II (Multiple Family Residential-II) and RA (Residential Agriculture) and located in the 4700 Block of Battle Creek Road SE (Marion County Assessor map and tax lot number(s): 083W11D / 00601).

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

APPLICANT: Brandie Dalton, Multi-Tech Engineering Inc., on behalf of Westwoodd Homes LLC (Richard Tood Boyce, Bill Wagoner, Todd Boyce)

LOCATION: 4700 Block of Battle Creek Rd SE

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

FINDINGS: The findings are in the attached Decision dated May 19, 2022.

DECISION: The **Planning Administrator APPROVED** Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway Approach Permit / Class 1 Design Review Case No. SPR-ADJ-DAP-DR22-17 subject to the following conditions of approval:

- Condition 1:** If building permits for the proposed development are reviewed prior to plat approval for case no. SUB-ADJ21-06, minimum and maximum setbacks between the proposed improvements of the subdivision and internal streets shall apply.
- Condition 2:** Unless a greater setback is required, interior side and rear property lines shall have a minimum setback of 10 feet with Type C landscaping and screening; landscaping as required under Salem Revised Code 702.020(b) may count toward this condition.
- Condition 3:** Landscape plans showing adherence with the minimum landscaping requirements of Salem Revised Code chapters 514 and 702 shall be approved prior to receiving certificate of occupancy for any proposed building.
- Condition 4:** At the time of building permit application, solid waste service areas shall comply with the standards of Salem Revised Code 800.055.
- Condition 5:** Each bicycle parking space shall be clearly visible from and located within 50 feet of a primary building
- Condition 6:** Acquire and convey land for dedication to equal a half-width right-of-way of 36 feet on the development side of Battle Creek Road SE along the frontage of the property and from M Street to Kuebler Boulevard SE, including sufficient right-of-way to accommodate public infrastructure at the property corners. Prior to building permit issuance, the applicant shall either:
- a. Acquire the land for dedication; or
 - b. Document good faith attempts to acquire right-of-way the land needed as outlined above, prepare the legal descriptions thereof, and transmit them to the Public Works Director.
- Condition 7:** Construct a half-street improvement along Battle Creek Road SE from M Street to Kuebler Boulevard SE to Minor Arterial standards. This improvement can be deferred through a performance guarantee pursuant to SRC 110.100 until sufficient right-of-way is acquired to construct the improvement. If the City is unable to acquire the right-of-way prior to final occupancy of all buildings in the development, then the performance guarantee shall be refunded, and the applicant is not required to construct the improvement. The SDC Eligibility Ratio for this improvement is 100 percent pursuant to Administrative Rule 109-200-2.4(c).
- Condition 8:** Construct M Street from Battle Creek Road SE to the northeast line of the development frontage as a 30-foot curb-to-curb improvement with sidewalk, street trees, and streetlights on the development side of the frontage.
- Condition 9:** Construct a full-street improvement for O Street and P Avenue to Local Street standards from M Street to the southeast property line as shown on the applicant's preliminary plan.
- Condition 10:** Construct a minimum 12-inch water main from Battle Creek Road within M Street, O Street, and P Avenue to the easterly terminus of P Avenue.

- Condition 11:** Extend the existing 8-inch sanitary sewer main from Battle Creek Road SE to the southeast property line as shown on the applicant's preliminary utility plan.
- Condition 12:** Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code Chapter 71 and Public Works Design Standards.
- Condition 13:** The adjusted setback areas adjacent to RA-zoned land shall be planted with a minimum of one plant unit per 16 square feet of landscaped area, and each adjusted setback area shall include a minimum of two shade trees.
- Condition 14:** A minimum of 40 percent of the buildable width along P Avenue shall be occupied by buildings 18 and/or 19 placed at the setback line.
- Condition 15:** Pedestrian connections to the adjacent sidewalks shall be provided between the off-street parking areas and the rear entrances of buildings 3, 10, 11, 12, 13, 14, 15, and 16, as generally depicted in **Attachment F**.
- Condition 16:** Any ground-level unit, cluster of units, interior lobbies, or portions thereof within buildings 18 and 19 and located within 25 feet of a property line abutting a street shall have a building entrance facing P Avenue, with direct pedestrian access to the adjacent sidewalk.
- Condition 17:** The adjusted development standards shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development standards of the Unified Development Code, unless adjusted through a future land use action.
- Condition 18:** A minimum of 61 new or existing trees, not less than 1.5 inches in caliper, shall be planted within the landscaped setbacks abutting RA or RS-zoned land.
- Condition 19:** A minimum six-foot-tall, decorative, sight-obscuring fence or wall meeting the standards of Salem Revised Code 702.020(b)(2)(B) shall be installed along the boundary of the development site where abutting property zoned RA or RS.
- Condition 20:** A minimum of two plant units shall be provided adjacent to the primary entryway of each dwelling unit, or combination of dwelling units.
- Condition 21:** 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.
- Condition 22:** 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.
- Condition 23:** Ground level private open space shall be physically and visually separated from common open space with perimeter landscaping or perimeter fencing.

- Condition 24:** A minimum of one canopy tree shall be planted or preserved 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.
- Condition 25:** Windows shall be provided in all habitable rooms, other than bathrooms, on each wall that faces common open space, parking areas, and pedestrian paths.
- Condition 26:** 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.
- Condition 27:** Landscaping and fencing adjacent to common open space, parking areas, and dwelling unit entryways shall be limited to a maximum height of three feet.
- Condition 28:** Balconies located on building facades that face RA or RS zoned properties, unless separated by a street, shall have fully sight-obscuring railings.

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.

Class 3 Site Plan Review	<u>June 4, 2026</u>
Other Case Types Within Application	<u>June 4, 2024</u>

Application Deemed Complete:	<u>March 17, 2022</u>
Notice of Decision Mailing Date:	<u>May 19, 2022</u>
Decision Effective Date:	<u>June 4, 2022</u>
State Mandate Date:	<u>August 22, 2022</u>

Case Manager: Brandon Pike, Planner I, bpike@cityofsalem.net, 503-540-2326

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m., FRIDAY, JUNE 3, 2022. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 220, 250, 804, and 225. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

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

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

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503-588-6173*

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

**IN THE MATTER OF APPROVAL OF) FINDINGS AND ORDER
CLASS 3 SITE PLAN REVIEW, CLASS 2)
ADJUSTMENT, CLASS 2 DRIVEWAY)
APPROACH PERMIT, AND CLASS 1)
DESIGN REVIEW CASE NO.)
SPR-ADJ-DAP-DR22-17)
4700 BLOCK OF STRONG ROAD SE) MAY 19, 2022**

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

REQUEST

Summary: A proposal to construct a new 200-unit apartment complex.

Request: 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, a Class 2 Driveway Approach Permit to allow driveway access onto ~~Battle Creek Road SE~~ proposed local streets, and Class 2 Adjustment requests to:

- 1) Reduce the setback required when development sites ~~about~~ abut Residential Agriculture (RA) or Residential Single Family (RS) zoned land as required pursuant to SRC 702.020(e)(2);
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- 3) Remove the pedestrian connections required from each building entrance facing ~~a to the~~ an adjacent street and the requirement that the building entrance be oriented towards the street as required pursuant to SRC 702.020(e)(5).

The subject property is approximately 12.87 acres in size, zoned RM-II (Multiple Family Residential-II) and RA (Residential Agriculture) and located in the 4700 Block of Battle Creek Road SE (Marion County Assessor map and tax lot number(s): 083W11D / 00601).

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

PROCEDURAL FINDINGS

1. Proposal

Development of a new apartment complex with associated site improvements, including parking and new local street. The subject property is approximately 12.87 acres in size, zoned RM-II (Multiple Family Residential-II) and RA (Residential Agriculture) and located in the 4700 Block of Battle Creek Road SE (Marion County Assessor map and tax lot number(s): 083W11D / 00601).

2. Background

On October 27, 2021, a consolidated application for Class 3 Site Plan Review, Class 2 Driveway Approach Permit, Class 1 Design Review and three Class 2 Adjustments were filed for the proposed development. After additional information was provided by the applicant, the application was deemed complete for processing on March 17, 2022. On April 20, 2022, the applicant provided a 14-day extension to the state-mandated decision deadline. Additionally, on May 18, 2022 the applicant provided an additional 30-day extension to the state-mandated decision deadline. The state-mandated decision deadline is August 22, 2022.

The applicant's proposed development plans are included as **Attachment B**, and the applicant's written statement addressing the approval criteria is included as **Attachment C**.

SUBSTANTIVE FINDINGS

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: 21 119893.

4. Neighborhood Association, Public Comments, and Homeowners Association Information

The subject property is located within the boundaries of the Morningside Neighborhood Association and adjacent to 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. On September 21, 2021,

the applicant provided notice to the neighborhood associations and an additional notice was provided on March 11, 2022.

Neighborhood Association Comment: Notice of the application was provided to the Morningside and South Gateway Neighborhood Associations. Pursuant to SRC 300.520(b)(1)(B)(v), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. Prior to the close of the comment period, no comments were received from the neighborhood associations.

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

Public Comment

Notice was also provided, pursuant to SRC 300.520(b)(1)(B)(vi) and (vii), to all property owners and tenants within 250 feet of the subject property. One public comment was received during the comment period with questions regarding roadway development of Battle Creek Road SE and potential impacts to Kuebler Boulevard SE; no substantive comments related to the applicable approval criteria were provided.

5. City Department Comments

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

The Building and Safety Division reviewed the proposal and indicated no site concerns.

The Fire Department has reviewed the proposal and indicated the following:

No FDC [Fire Department Connection] locations were provided. Fire hydrant at main entrance appears to be in the drive aisle; FDC(s) shall be in an approved location and within 100' of a fire hydrant in a location that will not obstruct fire department access when hoses are deployed. FDC(s) shall be clearly identified to indicate the address served. Fire hydrants shall be located within 600' of all portions of the buildings as measured along an approved route. Additional fire hydrant may be required at building 17 depending on FDC location to support fire fighting operations.

Staff Response: Fire Department access and connections will be addressed at the time of building permit plan review.

6. Public Agency Comments

The Salem Keizer School District reviewed the proposal and provided comments which are included as **Attachment E**. They indicate the applicable elementary and middle schools have sufficient capacity to serve the proposed development, while the applicable high school currently reaches the school's designed capacity. They note that adequate pedestrian and bicycle infrastructure should be provided, and that a bus pullout should be included with the development if located more than one mile from any

school. They also state the proposed development is eligible for school transportation for the applicable elementary, middle, and high schools.

Staff Response: As a condition of the proposed development, the applicant will be required to bring the adjacent transportation infrastructure into compliance with the Salem TSP, including dedication of right-of-way and street improvements. The subject property is located within one mile of Lee Elementary School, so no bus pullout should be required for the proposed development.

Salem-Keizer Transit (Cherriots) reviewed the proposal and commented in support of the multiple family development but did not support the Class 2 Adjustment to remove the pedestrian paths from each unit to the abutting street; the Class 2 Adjustment approval criteria are addressed within this decision. Cherriots recognized that not all paths may be possible but encouraged any direct pedestrian connections from units to the public streets. Furthermore, Cherriots noted planned fixed-route service proposed on Reed Road SE and Battle Creek Road SE with stops proposed near the intersection of Reed Road and Battle Creek Road. Cherriots states that appropriate pedestrian connections will encourage the use of public transit. The applicant is advised to reach out to Cherriots at planning@cherriots.org for more information.

Staff Response: As conditioned, the applicant will be required to provide additional pedestrian connections to the public rights-of-way, ensuring adequate access to adjacent streets and nearby transit stops will be provided.

The Oregon Department of Aviation provided comment as follows: *The proposed construction is in proximity to a navigation facility and may impact the assurance of navigation signal reception. The ODAV requests the applicant complete aeronautical evaluations for the proposed construction with the FAA and ODAV. The aeronautical evaluations are initiated by the applicant providing notice of construction to the FAA and ODAV. The applicant must receive the resulting aeronautical determination letters from the FAA and ODAV prior to approval of building permits. Please contact Seth Thompson, ODAV for assistance to begin the notice process.*

Staff Response: The applicant will be required to coordinate with the FAA and ODAV. Seth Thompson's contact information is as follows: seth.thompson@odav.oregon.gov; Office: 503-378-2529, Cell: 503-507-6965.

DECISION CRITERIA

7. Analysis of Class 3 Site Plan Review Approval Criteria

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

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

Finding: The proposal includes construction of 19 multiple family residential buildings with 200 proposed units and a recreation/office building. Three Adjustments are sought to reduce or eliminate standards of the UDC. As conditioned within this report, the subject development meets all applicable standards of the UDC. The subject property is zoned RA and RM-II, but no development is proposed within the portion of the property zoned RA, except for a portion of an internal street.

Use and Development Standards – RM-II (Multiple Family Residential-II) Zone:

SRC 514.005(a) – Uses:

Finding: Allowed uses within the RM-II zone are identified under SRC 514.005, Table 514-1. The proposal includes the development of a 200-unit apartment complex, classified as a *multiple family* use. Within the RM-II zone, *multiple family* uses are allowed as a permitted use.

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: The subject proposal does not include a land division; therefore, this standard does not apply to the proposal. Any future land division would be reviewed for conformance with this standard at that time.

SRC 514.010(b) – Lot Standards:

Within the RM-II zone, the minimum lot size for all uses except for single family is 6,000 square feet. For all uses except for single family, the minimum lot width is 40 feet. For all uses except for single family, the minimum lot depth is 80 feet (120 feet for double frontage lots) and a maximum 300 percent of the average lot width. The minimum street frontage requirement for all uses except for single family is 40 feet.

Finding: On November 17, 2020, City of Salem case no. PLA20-24 received approval for the subject property. This application adjusted existing units of land to create the parcel of land proposed for multiple family development (see recorded deed, Reel 4431, Page 84). The existing lot complies with the minimum lot standards of the RM-II zone and no changes to the lot size or dimensions are proposed.

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. The minimum density for the proposed development is 12 dwelling units per acre, and the maximum density allowed is 28 dwelling units per acre.

Finding: The subject property is 12.87 acres in size, allowing for a minimum of 154 dwelling units ($12.87 \times 12 = 154.4$ units) and a maximum of 360 dwelling units ($12.87 \times 28 = 360.4$ units). The proposed development includes a total of 200 dwelling units. The proposal meets the standard.

SRC 514.010(d) – Setbacks

Abutting Street

North: For all uses except for *single family, two family, three family, and four family*, buildings have a minimum setback of 12 feet, plus 1 foot for each 1 foot of height over 12 feet, but need not exceed 20 feet in depth. Accessory structures not more than four feet in height have no minimum setback, and accessory structures greater than four feet in height have a minimum setback of 12 feet, plus 1 foot for each 1 foot of height over 12 feet. Vehicle use areas have a minimum setback of 12 feet.

Finding: A proposed internal street, "P Avenue" creates an abutting street setback to the north of proposed buildings 18 and 19. However, the setbacks to "P Avenue" will only apply upon right-of-way dedication and/or land division. The two proposed buildings are both approximately 35 feet in height, requiring a minimum setback of 20 feet. The site plan shows a setback of between 20 to 23 feet for Building 18, and 20 to 25 feet for Building 19 to the proposed right-of-way line of "P Avenue." The vehicle use area is set back 20 feet from the proposed right-of-way of "P Avenue."

Because the plat for case no. SUB-ADJ21-06 has not yet been recorded and internal streets have not yet been dedicated, and because the applicant may submit applications for building permits prior to the plat being recorded, the following condition of approval shall apply:

Condition 1: If building permits for the proposed development are reviewed prior to plat approval for case no. SUB-ADJ21-06, minimum and maximum setbacks between the proposed improvements of the subdivision and internal streets shall apply.

As conditioned, the proposal meets these setback standards of the zone.

South: For all uses except for *single family, two family, three family, and four family*, buildings have a minimum setback of 12 feet, plus 1 foot for each 1 foot of height over 12 feet, but need not exceed 20 feet in depth. Accessory structures not more than four feet in height have no minimum setback, and accessory structures greater than four feet in height have a minimum setback of 12 feet, plus 1 foot for each 1 foot of height over 12 feet. Vehicle use areas have a minimum setback of 12 feet.

Finding: Adjacent to the south is right-of-way for Kuebler Boulevard SE. An internal street, proposed as "P Avenue," creates abutting street setbacks to the south of proposed buildings 3 and 16. However, the setbacks to "P Avenue" will only apply upon right-of-way dedication and/or land division. The two proposed buildings abutting Kuebler Boulevard SE, buildings 19 and 18, are both approximately 35 feet in height, requiring a minimum setback of 20 feet. The site plan shows a setback of between 20 to 23 feet for Building 19, and 20 to 21 feet for Building 18 to the south property line. Building 18 encroaches into the setback one foot. The encroachment is for an exterior stairway; pursuant to SRC 800.035(b), exterior stairways are allowed to project up to five feet into the minimum setback for a rear yard abutting a street, provided in no case shall such projection come closer than 6 feet to any property line.

The two proposed buildings abutting proposed "P Avenue" to the south are buildings 3 and 16; both are 35 feet in height, requiring a minimum setback of 20 feet. The site plan

displays a proposed right-of-way line and a setback of between 20 to 23 feet for Building 3 and 20 to 22 feet for Building 16 to the south property line. Building 3 encroaches the setback two feet. The encroachment is for covered porches and patios. Pursuant to SRC 800.035(b), covered porches and patios may encroach into the setback but can come no closer than ten feet to the property line when the height of the structure covering the porch or patio is greater than 15 feet in height. The proposal meets these setback standards of the zone.

West: For all uses except for *single family, two family, three family, and four family*, buildings have a minimum setback of 12 feet, plus 1 foot for each 1 foot of height over 12 feet, but need not exceed 20 feet in depth. Accessory structures not more than four feet in height have no minimum setback, and accessory structures greater than four feet in height have a minimum setback of 12 feet, plus one foot for each one foot of height over 12 feet. Vehicle use areas have a minimum setback of 12 feet.

Finding: Adjacent to the west is right-of-way for Battle Creek Road SE. For the portions of the development site with frontage along Battle Creek Road SE there are no proposed structures or off-street vehicle use areas within the vicinity of the property line. The closest structure and/or vehicle use area is in excess of 400 feet from the property line abutting Battle Creek Road SE, meeting the standard.

West/Northwest: For all uses except for *single family, two family, three family, and four family*, buildings have a minimum setback of 12 feet, plus 1 foot for each 1 foot of height over 12 feet, but need not exceed 20 feet in depth. Accessory structures not more than four feet in height have no minimum setback, and accessory structures greater than four feet in height have a minimum setback of 12 feet, plus 1 foot for each 1 foot of height over 12 feet. Vehicle use areas have a minimum setback of 12 feet.

Finding: Two internal streets, proposed as “O Street” and “M Street,” create abutting street setbacks to the west/northwest within this development proposal. The seven proposed buildings abutting “O Street” and “M Street” are buildings 10 through 16, are all approximately 35 feet in height, requiring a minimum setback of 20 feet. The site plan shows setbacks for these seven buildings of 20 to 50.5 feet, meeting or exceeding the standard. All seven buildings encroach the applicable abutting street setback by ranging from one to five feet. The encroachments are for covered porches/patios. Pursuant to SRC 800.035(b), covered porches and patios may encroach into the setback but can come no closer than ten feet to the property line when the height of the structure covering the porch or patio is greater than 15 feet in height. The proposed vehicle use areas are to the east/southeast of the buildings, thus having a greater setback than the buildings as outlined above, meeting the standard.

East: For all uses except for *single family, two family, three family, and four family*, buildings have a minimum setback of 12 feet, plus 1 foot for each 1 foot of height over 12 feet, but need not exceed 20 feet in depth. Accessory structures not more than four feet in height have no minimum setback, and accessory structures greater than four feet in height have a minimum setback of 12 feet, plus 1 foot for each 1 foot of height over 12 feet. Vehicle use areas have a minimum setback of 12 feet.

Finding: One internal street, proposed as “O Street,” creates abutting street setbacks to the east in this development proposal. The one proposed building abutting “O Street” to the east is Building 17 and is approximately 35 feet in height, requiring a minimum setback of 20 feet. The site plan shows a setback of 21 feet, exceeding the standard.

The nearest proposed vehicle use area is set back 20 feet. The proposal meets this standard.

Interior Property Lines

North, South, East, and West: For all uses except for *single family, two family, three family, and four family*, buildings, accessory structures, and vehicle use areas have a minimum zone-to-zone setback of 10 feet with Type C landscaping and screening abutting residential zones.

Finding: The interior side property lines abut residentially zoned land to the north, south, east, and west along the interior property lines.

As displayed on the site plan, the setback for Building 17 is between 17 and 22 feet, and the vehicle use area is north of the building, exceeding the 10-foot minimum setback. It is unclear if Type C landscaping is proposed. As conditioned within this decision, the proposal will meet this standard.

Buildings 1 through 3 abut an interior property line to the east and north with a setback of approximately 35-feet, with the vehicle uses area setback along these property lines ranging from 10 to 43 feet. The proposed trash compactor is shown to be within a fenced area with a setback of 10 feet. Buildings 18 and 19 are shown to be set back approximately 20 and 14 feet, respectively, from the eastern and western interior side property lines. The vehicle use area for buildings 18-19 is between the two buildings with a setback between 79-88 feet meeting the standard. Building 17 is adjacent to an interior side property line to the west and is shown to be setback approximately 28 feet. Meeting the standard. The vehicle use area for Building 17 is shown to be 10 to 18 feet from the west interior side property line. Buildings 4 through 16 are west of the proposed vehicle use area abutting the eastern interior side property lines; the vehicle use area is displayed as 10 feet from the eastern interior side property line, meeting the standard.

Building 7 is south of the vehicle use area that abuts the interior rear property line to the north; the vehicle use area is set back between 20 and 66 feet from this property line, meeting the minimum setback standard. Building 10 is shown to be set back from the northern interior property line by 35 feet, meeting the standard. Building 1 is shown to be set back at least 35 feet from the interior property line and the vehicle use area within the vicinity of Building 1 is shown to be setback approximately 13 to 23 feet, meeting the standard.

Within the submitted materials, it was not indicated whether Type C landscaping and screening is proposed, consistent with the required zone-to-zone setback. As such, the following condition of approval shall apply:

Condition 2: Unless a greater setback is required, interior side and rear property lines shall have a minimum setback of 10 feet with Type C landscaping and screening; landscaping as required under Salem Revised Code 702.020(b) may count toward this condition.

SRC 514.010(e) – Lot Coverage, Height:

In the RM-II zone, the maximum lot coverage for buildings and accessory structures for all uses is 60 percent. The maximum height of buildings for *multiple family, residential care, nursing care, and short-term commercial lodging* uses is 50 feet. The maximum height of accessory structures for all uses is 15 feet.

Finding: The proposed development plans indicate a lot coverage of approximately 84,190 square feet, or 22.5 percent, with the tallest buildings having a height of approximately 35 feet. The proposal meets these standards.

SRC 514.010(g) - Landscaping:

- (A) Setbacks. Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807.
- (B) Vehicle Use Areas. Vehicle use areas shall be landscaped as provided under SRC Chapter 806 and SRC Chapter 807.

Finding: The applicant has submitted a preliminary landscaping plan which does not show full adherence with the landscaping standards of the RM-II zone. Adherence to requirements related to interior landscaping for vehicle use areas are addressed under the Off-Street Parking and Vehicle Use Area Development Standards subsection within this decision.

To ensure the proposal provides the necessary landscaping and screening as required under the SRC, the following condition of approval shall apply:

Condition 3: Landscape plans showing adherence with the minimum landscaping requirements of Salem Revised Code chapters 514 and 702 shall be approved prior to receiving certificate of occupancy for any proposed building.

As conditioned, the proposal will meet the standard.

General Development Standards SRC 800

SRC 800.055(a) – Applicability.

Solid waste service area design standards shall apply to all new solid waste, recycling, and compostable services areas, where use of a solid waste, recycling, and compostable receptacle of one cubic yard or larger is proposed; and where any change is proposed to an existing solid waste service area for receptacles of one cubic yard or larger that requires a building permit.

Finding: The proposed development includes two new solid waste service areas. The first area is on the eastern portion of the development site, between buildings 2 and 3; the second area is on the southern portion of the development site between buildings 18 and 19. The standards of SRC 800.055 apply to the proposal.

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 four inches thick, or on an asphalt pad that is a minimum of six inches thick. The pad shall have a slope of no more than a three percent and shall be designed to

discharge stormwater runoff consistent with the overall stormwater management plan for the site approved by the Director.

SRC 800.055(b)(1) – Pad Area.

The pad area shall extend a minimum of one foot beyond the sides and rear of the receptacle; and the pad area shall extend a minimum three feet beyond the front of the receptacle. In situations where receptacles face each other, a minimum four feet of pad area shall be required between the fronts of the facing receptacles.

SRC 800.055(b)(2) – Minimum Separation.

A minimum separation of 1.5 feet shall be provided between the receptacle and the side wall of the enclosure. A minimum separation of five feet shall be provided between the receptacle and any combustible walls, combustible roof eave lines, or building or structure openings.

SRC 800.055(b)(3) through (c)(4) – Vertical Clearance, and Permanent Drop Box and Compactor Placement Standards.

Solid waste service areas shall meet the applicable standards set forth in these sections.

Finding: The proposed site plan shows pad areas of 45 feet wide by 25 feet deep for Solid Waste Service Area One and a pad area of 15 feet wide and 11 feet deep for Solid Waste Service Area Two, allowing for adequate clearance to the front, rear, and sides of the receptacles. The amount of detail provided in the application submittal materials does not indicate the vertical clearance, minimum separation or whether the compactor placement standards are met. As such, the following condition of approval shall apply:

Condition 4: At the time of building permit application, solid waste service areas shall comply with the standards of Salem Revised Code 800.055.

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

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. 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 written statement indicates the proposed solid waste service area will be screened with a six-foot-tall sight-obscuring fence or wall. The proposal meets the standard.

SRC 800.055(e)(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 proposed site plan shows openings on the front of the enclosures of 12 and 15 feet. The proposal meets the standard.

SRC 800.055(e)(2) – Measures to Prevent Damage to Enclosure.

Solid waste enclosures shall be constructed with the measures set forth in this section to prevent damage to the enclosure.

SRC 800.055(e)(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 proposed development plans do not clearly show if the standards of SRC 800.055(e)(2) and (3) are met. As conditioned above, the proposal will meet the standard.

SRC 800.055(e)(4) – Prohibited Structures.

Receptacles shall not be stored in buildings or entirely enclosed structures unless as set forth in this section.

Finding: The proposed site plan does not show a receptacle within an entirely enclosed structure. The proposal meets the standard.

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

SRC 800.055(f)(1) – Vehicle Operation Area.

(A) A vehicle operation area shall be provided for solid waste collection service vehicles that is 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 perpendicular to the front of every receptacle, or, in the case of multiple receptacles within an enclosure, perpendicular to every enclosure opening.

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

(B) For solid waste service areas having receptacles of two cubic yards or less, the vehicle operation area may be located:

- (i) Perpendicular to the permanent location of the receptacle or the enclosure opening (see Figure 800-8);
- (ii) Parallel to the permanent location of the receptacle or the enclosure opening (see Figure 800-9); or
- (iii) In a location where the receptacle can be safely maneuvered manually not more than 45 feet into a position at one end of the vehicle operation area for receptacle servicing.

Finding: The proposed site plan shows vehicle operation areas perpendicular to the enclosure openings but does not indicate the size of the receptacles. As conditioned, the proposal will meet the standard.

- (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.
- (D) Vehicle operation areas shall have a minimum vertical clearance of 14 feet.
- (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 vehicle operation areas which are coincident with parking lot drive aisles, and which meet the vertical clearance and vehicle operation area standards set forth in these subsections. The proposal meets these standards.

SRC 800.065 – Pedestrian Access.

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

Finding: Because the proposed development involves a *multiple family* use, the pedestrian access standards of SRC chapter 800 do not apply.

Off-Street Parking, Loading, and Driveways SRC 806

SRC 806.005(a) – Off-Street Parking; When Required.

Off-street parking 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 parking ratio requiring a greater number of spaces than the previous use or activity; or any intensification, expansion, or enlargement of a use or activity.

SRC 806.010 – Proximity of Off-Street Parking to Use or Activity Served.

Required off-street parking shall be located on the same development site as the use or activity it serves, or within the additional locations set forth under this section.

Finding: The proposal includes development of new off-street parking areas located on the same development site as the proposed buildings.

SRC 806.015 – Amount of Off-Street Parking.

- a) *Minimum Required Off-Street Parking.* The minimum off-street parking requirement for multiple family uses consisting of 13 or more dwelling units is: one per studio unit or dwelling unit with one bedroom, and 1.5 per dwelling unit with two or more bedrooms.

- b) *Compact Parking.* Up to 75 percent of the minimum off-street parking spaces required under this Chapter may be compact parking spaces.
- c) *Carpool and Vanpool Parking.* New developments with 60 or more required off-street parking spaces, and falling within the public services and industrial use classifications, and the business and professional services use category, shall designate a minimum of five percent of their total off-street parking spaces for carpool or vanpool parking.
- d) *Maximum Off-Street Parking.* Except as otherwise provided in this section, and otherwise provided under the UDC, off-street parking shall not exceed the amounts set forth in Table 806-2A. For uses requiring 20 spaces or less, the maximum number of off-street parking spaces allowed is 2.5 times the minimum number of spaces required. For uses requiring more than 20 spaces, the maximum number of off-street parking spaces allowed is 1.75 times the minimum number of spaces required.

Finding: The proposal includes 200 dwelling units, with 38 one-bedroom units and 162 units with two or more bedrooms. The development requires a minimum of 281 parking spaces ($(1 \times 38 = 38) + (1.5 \times 162 = 243) = 281$). The site plan proposes 348 off-street parking spaces, which meets the minimum standard.

Based on a minimum off-street parking requirement of 243 spaces, a maximum of 211 spaces may be compact spaces. As shown on the applicant's site plan, 115 are proposed as compact spaces, meeting the compact parking space allotment standard set forth in SRC 806.015(b).

The proposed development does not fall within the public services and industrial use classifications or the business and professional services use category. No carpool or vanpool spaces are required.

Based on a minimum off-street parking requirement of 281 spaces, the maximum number of off-street parking spaces allowed is 492 spaces ($281 \times 1.75 = 491.75$). The proposed development includes a total of 348 spaces, which meets the maximum standard.

SRC 806.035 – Off-Street Parking and Vehicle Use Area Development Standards.

- a) *General Applicability.* The off-street parking and vehicle use area development standards set forth in this section apply to the development of new off-street parking and vehicle use areas.
- 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 proposal includes development of new off-street parking and vehicle use area. The development standards of this section apply to the proposed development.

- d) *Interior Landscaping.* Interior landscaping shall be provided in amounts not less than those set forth in Table 806-5. For off-street parking areas 50,000 square

feet in size and greater, a minimum of 8 percent of the parking area interior shall be landscaped.

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 806-6.

Finding: The proposed off-street parking spaces, driveways, and drive aisles comply with the minimum dimensional requirements of Table 806-6.

- f) *Additional Off-Street Parking Development Standards 806.035(f)-(m).*

Finding: The proposed off-street parking area is developed consistent with the additional development standards for grade, surfacing, drainage, and striping. The parking area marking, signage, and lighting shall comply with the standards of SRC Chapter 806. As conditioned within this decision, off-street parking area screening meeting the standards of SRC 806.035(m) will be provided.

Bicycle Parking

SRC 806.045 – General Applicability.

Bicycle parking shall be provided and maintained for each proposed new use or activity.

SRC 806.050 – Proximity of Bicycle Parking to use or Activity Served.

Bicycle parking shall be located on the same development site as the use or activity it serves.

SRC 806.055 – Amount of Bicycle Parking.

Per SRC Chapter 806, Table 806-8, *multiple family* uses require a minimum of the greater of four spaces or 0.1 spaces per dwelling unit.

Finding: The proposed development includes 200 dwelling units, requiring a minimum of 20 spaces ($200 \times 0.1 = 20$). The proposed site plan shows 20 bicycle parking spaces, placed in five locations throughout the development site. The proposal meets the standard.

SRC 806.060 – Bicycle Parking Development Standards.

- (a) Location. Except as otherwise provided in this section, bicycle parking shall be located outside a building.

- (1) Bicycle parking located outside a building shall be located within a convenient distance of, and be clearly visible from, the primary building entrance. In no event shall bicycle parking be located more than 50 feet from the primary building entrance, as measured along a direct pedestrian access route.
- (2) Where bicycle parking cannot be located outside a building, it may be located inside a building within a convenient distance of, and accessible from, the primary building entrance.

Finding: The proposal calls for the bike parking to be located in five locations throughout the development site—16 spaces are adjacent to primary entrances of the apartment buildings, within 50 feet of the primary entrances. Four spaces are placed adjacent to a trash enclosure, and not within 50 feet of a primary building entrance. The following condition of approval shall apply:

Condition 5: Each bicycle parking space shall be clearly visible from and located within 50 feet of a primary building entrance, as measured along a direct pedestrian access route.

As conditioned, this standard will be met.

(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: As shown on the proposed site plan, the proposed bicycle parking areas have direct access to the public right-of-way through the proposed pedestrian paths and vehicle use areas. Additionally, the bicycle parking areas have direct access to primary building entrances through the proposed pedestrian pathways in conformance with the requirements of SRC 806.060(b).

(c) *Dimensions.* Except as provided in subsection (f) of this section, bicycle parking areas shall meet the following dimension requirements:

- (1) *Bicycle parking spaces.* Bicycle parking spaces shall be a minimum of six feet in length and two feet in width with the bicycle rack centered along the long edge of the bicycle parking space. Bicycle parking space width may be reduced, however, to a minimum of three feet between racks where the racks are located side-by-side.
- (2) *Access aisles.* Bicycle parking spaces shall be served by a minimum four-foot-wide access aisle. Access aisles serving bicycle parking spaces may be located within the public right-of-way.

Finding: The proposed bicycle parking spaces are located adjacent to paved walkways, with adequate dimensions to provide pedestrian passage for the groupings of four spaces in each of the five locations. Each grouping of four spaces contains spaces that are each two-foot-wide and six-foot-deep meeting the minimum space dimensions. The racks are arranged in one aisle and adjacent to proposed six-foot-wide pedestrian accessways, meeting the access standards of this subsection.

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

Finding: The proposed bicycle parking spaces are placed on hard surface materials. The proposal meets the standard.

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

Finding: The applicant has proposed a total of ten staple racks which meet these standards.

Off-Street Loading Areas

SRC 806.065 – General Applicability.

Off-street loading areas shall be provided and maintained for each proposed new use or activity.

SRC 806.070 – Proximity of Off-Street Loading Areas to use or Activity Served.

Off-street loading shall be located on the same development site as the use or activity it serves.

SRC 806.075 – Amount of Off-Street Loading.

Pursuant to SRC Table 806-9, for *multiple family* uses with 200 or more dwelling units, a minimum of three off-street loading spaces are required. The required spaces must have the following minimum dimensions: 12 feet in width, 19 feet in length, and 12 feet in height. Additionally, the following Limitations/Qualification is applicable to off-street loading areas for multiple family developments: If a recreational or service building is provided, at least 1 of the required loading spaces shall be located in conjunction with the recreational or service building.

Finding: The proposed 200-unit apartment complex requires a minimum of three off-street loading spaces. The applicant has proposed three loading space which meet the minimum dimensional standards of this chapter. Additionally, Building 4 is proposed as a recreation/office use. One of the proposed off-street loading areas is proposed in conjunction with the recreation/office building. The proposal meets this standard.

Landscaping

SRC 807 – Landscaping and Screening: All required setbacks shall be landscaped to either the Type A or Type C standards, as identified herein, 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 provided a preliminary landscape plan which does not show full adherence with the requirements of SRC chapters 514, 702, and 807. As conditioned, the applicant will be required to provide landscape plans at the time of development ensuring compliance with the landscaping and screening requirements of SRC chapter 807.

Natural Resources

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

Finding: 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 808 – Preservation of Trees and Vegetation: The City's tree preservation ordinance, under SRC Chapter 808, provides that no person shall remove a significant tree (Oregon White Oak greater than 24 inches in diameter at breast height) (SRC 808.015) or a tree or native vegetation in a riparian corridor (SRC 808.020), unless the removal is excepted under SRC 808.030(a)(2), undertaken pursuant to a permit issued under SRC 808.030(d), undertaken pursuant to a tree conservation plan approved under SRC 808.035, or permitted by a variance granted under SRC 808.045.

Finding: No trees or native vegetation protected under SRC chapter 808 are identified for removal.

SRC 809 – Wetlands: Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. State and Federal wetland laws are also administered by the DSL and Army Corps, and potential impacts to jurisdictional wetlands are addressed through application and enforcement of appropriate mitigation measures.

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

SRC 810 – Landslide Hazards: 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 complex 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 does not require any additional information based on SRC Chapter 810.

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: Kuebler Boulevard SE meets the right-of-way width and pavement width standards pursuant to the Salem TSP; therefore, no additional street improvements are required as a condition of the proposed development.

The existing condition of Battle Creek Road SE does not meet current standards for its classification of street per the *Salem Transportation System Plan*. The proposed development generates a significant amount of pedestrian traffic, and there is not a continuous sidewalk available to pedestrians for access to Kuebler Boulevard. To provide safe and efficient pedestrian circulation into and out of the proposed development, the applicant will be required to obtain right-of-way and construct a half-street improvement to Minor Arterial standards from M Street along Battle Creek Road SE to the intersection of Battle Creek Road SE and Kuebler Boulevard SE. To provide for safe, orderly, and efficient access toward Reed Road, the applicant shall construct a half-street improvement from M Street to the southerly limit of the Reed/Battle Creek intersection realignment. The Reed/Battle Creek intersection realignment is required as a condition of development for Coburn Grand View subdivision adjacent to the subject property and will be constructed by others.

Because off-site right-of-way acquisition is necessary to complete the required half-street improvement, the applicant may defer construction of the improvement until off-site right-of-way can be acquired pursuant to SRC 803.070. The following conditions of approval shall apply:

- Condition 6:** Acquire and convey land for dedication to equal a half-width right-of-way of 36 feet on the development side of Battle Creek Road SE along the frontage of the property and from M Street to Kuebler Boulevard SE, including sufficient right-of-way to accommodate public infrastructure at the property corners. Prior to building permit issuance, the applicant shall either:
- a. Acquire the land for dedication; or
 - b. Document good faith attempts to acquire right-of-way the land needed as outlined above, prepare the legal descriptions thereof, and transmit them to the Public Works Director.
- Condition 7:** Construct a half-street improvement along Battle Creek Road SE from M Street to Kuebler Boulevard SE to Minor Arterial standards. This improvement can be deferred through a performance guarantee pursuant to SRC 110.100 until sufficient right-of-way is acquired to construct the improvement. If the City is unable to acquire the right-of-way prior to final occupancy of all buildings in the development, then the performance guarantee shall be refunded, and the applicant is not required to construct the improvement. The SDC Eligibility Ratio for this improvement is 100 percent pursuant to Administrative Rule 109-200-2.4(c).

The applicant's site plan shows new public streets extending from Battle Creek Road SE to the northern property lines and within the complex development. The applicant shall be required to construct internal streets as follows:

Condition 8: Construct M Street from Battle Creek Road SE to the northeast line of the development frontage as a 30-foot curb-to-curb improvement with sidewalk, street trees, and streetlights on the development side of the frontage.

Condition 9: Construct a full-street improvement for O Street and P Avenue to Local Street standards from M Street to the southeast property line as shown on the applicant's preliminary plan.

As conditioned, this criterion is met.

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

Finding: As conditioned, the proposed development includes on-site vehicle, pedestrian, and bicycle infrastructure which will allow for safe and efficient movement throughout the site's parking areas, driveways, and walkways.

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

Finding: The Public Works Department has reviewed the applicant's preliminary plan for this site. With completion of the recommended conditions, water, sewer, and storm infrastructure will be available within surrounding streets/areas and are adequate to serve the proposed development.

The lot is within the S-1 and S-2 water services levels. The proposed development area is served by S-2 and not within the S-1 water service level. There is an 18-inch S-2 water main located in Battle Creek Road SE. The applicant's preliminary utility plan shows an extension of the public main from Battle Creek Road SE to the southeastern property line. The water main shall be a minimum 12-inch line in order to provide adequate flow to the proposed development and neighboring properties. The following condition of approval shall apply:

Condition 10: Construct a minimum 12-inch water main from Battle Creek Road within M Street, O Street, and P Avenue to the easterly terminus of P Avenue.

There is an 8-inch sanitary sewer main within Battle Creek Road SE, abutting the subject property. The applicant shall be required to extend the existing main through M Street, O Street, and P Avenue to the southeast property line, to serve the proposed development and adjacent undeveloped property. The following condition of approval shall apply:

Condition 11: Extend the existing 8-inch sanitary sewer main from Battle Creek Road SE to the southeast property line as shown on the applicant's preliminary utility plan.

The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible. The following condition of approval shall apply:

Condition 12: Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code Chapter 71 and Public Works Design Standards.

As conditioned, this criterion is met.

8. Analysis of Class 2 Adjustment Approval 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 has requested three Class 2 Adjustments to: 1) Reduce the setback required when development sites abut Residential Agriculture (RA) or Single Family Residential (RS) zoned land to between 14 and 20 feet, where SRC 702.020(e)(2) requires a minimum of 35 feet; 2) Remove the requirement that 40 percent of the buildings be placed at the setback line for sites that have 75 feet of buildable width as required pursuant to SRC 702.020(e)(4); and 3) Remove the pedestrian connections required from each building entrance facing an adjacent street and the requirement that the building entrance be oriented towards the street as required pursuant to SRC 702.020(e)(5).

- *Adjustment to Reduce the Setback Required When Development Sites Abut Residential Agriculture (RA) or Single Family Residential (RS) Zoned Land to Between 14 and 20 Feet, Where SRC 702.020(e)(2) Requires a Minimum of 35 Feet*

The applicant has requested a Class 2 Adjustment to reduce the minimum setback to between 14 and 20 feet to adjacent RA-zoned land for three of the proposed apartment buildings (buildings 17, 18, and 19), where SRC 702.020(e)(2) would require a minimum setback of 35 feet.

Staff notes the underlying purpose of minimum setbacks is to maintain adequate light, air circulation, and to provide reasonable separation between developments

and surrounding properties or residents. The applicant states the shape and topography of the properties which contain buildings 17, 18, and 19 is such that meeting each of the minimum setback standards is not possible. The properties are irregular in shape, with angled property lines. The applicant identifies other areas of the development site which exceed the setback and landscaping requirements, and argues this justifies the requested adjustments.

Staff notes that additional landscaping in the areas subject to the reduced setbacks can be provided to mitigate the impacts of the proposed adjustment. While the RM-II zone requires these setbacks to be landscaped to the Type C standard with a minimum of one plant unit per 20 square feet of landscaped area, by providing a minimum of one plant unit per 16 square feet of landscaped area, as well as requiring shade trees to be planted within the area subject to the adjustment, the proposal can equally or better meet the intent of the SRC. To ensure the proposal provides additional landscaping to mitigate the impacts of the requested adjustment, the following condition of approval shall apply:

Condition 13: The adjusted setback areas adjacent to RA-zoned land shall be planted with a minimum of one plant unit per 16 square feet of landscaped area, and each adjusted setback area shall include a minimum of two shade trees.

As conditioned, Staff finds the proposal will equally or better meet the purpose underlying the standard in question.

- *Adjustment to Remove the Requirement that 40 Percent of the Buildings Be Placed at the Setback Line for Sites that Have 75 Feet of Buildable Width, as Required Pursuant to SRC 702.020(e)(4)*

The applicant has requested an Adjustment to SRC 702.020(e)(4) for three of the proposed buildings: 17, 18, and 19. In summary, the applicant's written statement indicates the underlying purpose of the standard is to provide a pedestrian friendly development with buildings located close to the sidewalks. The applicant notes challenges related to lot shape in terms of locating these three buildings adjacent to the proposed internal streets.

Staff notes the triangular shape and large buildable width (approximately 130 feet) of the property containing proposed Building 17 makes this standard quite difficult or impossible to meet while still meeting the other provisions of the UDC, such as minimum off-street parking and setback standards. However, the street-abutting property line adjacent to proposed buildings 18 and 19 is relatively straight and the property is almost rectangular in shape, and Staff notes the applicant did not provide sufficient justification for this Adjustment for buildings 18 and 19.

The following condition of approval shall apply:

Condition 14: A minimum of 40 percent of the buildable width along P Avenue shall be occupied by buildings 18 and/or 19 placed at the setback line.

As conditioned, Staff finds the proposal will equally or better meet the purpose underlying the standard in question.

- *Adjustment to Remove the Pedestrian Connections Required from Each Building Entrance Facing an Adjacent Street and the Requirement that the Building Entrance Be Oriented Towards the Street as Required Pursuant to SRC 702.020(e)(5).*

The applicant is requesting a Class 2 Adjustment to eliminate required pedestrian connections between the proposed buildings and adjacent streets, and to eliminate the requirement that 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, as required under SRC 702.020(e)(5).

The applicant states that, given the steep topography of the site, providing ADA-accessible walkways from the buildings to the streets will not be feasible. However, Staff notes that these pedestrian connections are not required to meet ADA (the Americans with Disabilities Act of 1990) standards and can include steps and grade changes not allowed under the ADA. Staff acknowledges that the additional engineering and design considerations which may be necessary for walkways and steps across this steep topography is a potential challenge for the applicant. However, Staff also notes the intent of this standard is to orient buildings toward the street and give pedestrians efficient access to the buildings. As proposed, only five pedestrian connections are proposed to the adjacent streets, while a total of 11 buildings require one under this standard. Additionally, none of the five proposed connections provide a direct connection to building entrances, leading instead to other walkways, exterior stairways, or parking areas.

Staff notes that, by providing slight modifications to the applicant's proposed plans and including additional pedestrian connections to the street, the proposal can meet the intent of the UDC while taking the limitations of the site into account. Staff has communicated with the applicant's representative regarding additional pedestrian connections between the development and the adjacent sidewalks. Based on those communications, the following condition of approval shall apply:

- Condition 15:** Pedestrian connections to the adjacent sidewalks shall be provided between the off-street parking areas and the rear entrances of buildings 3, 10, 11, 12, 13, 14, 15, and 16, as generally depicted in **Attachment F**.

Additionally, as conditioned herein, the applicant will be required to reorient buildings 18 and 19 so they face P Avenue and have a minimum of 40 percent of the buildable width along P Avenue be occupied by buildings placed at the setback line. This redesign will allow for additional pedestrian connections between these buildings and the adjacent sidewalk. Therefore, the following condition of approval shall apply:

- Condition 16:** Any ground-level unit, cluster of units, interior lobbies, or portions thereof within buildings 18 and 19 and located within 25 feet of a property line abutting a street shall have a building entrance facing P Avenue, with direct pedestrian access to the adjacent sidewalk.

As conditioned, Staff finds the proposal will equally or better meet the purpose underlying the standard in question.

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 a residential zone. As conditioned, the proposed development will be required to provide additional landscaping, pedestrian paths, and to reorient two of the buildings to meet the intent of the Salem Revised Code, minimizing the impact of the requested adjustments. Staff finds the proposed development will not detract from the livability or appearance of the residential area.

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: A total of three adjustments have been requested. Pursuant to SRC chapter 514, the purpose of the RM-II zone is to implement the multiple family residential designation of the Salem Area Comprehensive Plan and generally allows multiple family residential uses, along with a mix of other uses that are compatible with and/or provide services to the residential area. The requested adjustments allow for the development of a complex multi-family residential facility with physical restraints, including changes in topography and vehicle circulation limitations. Each of the adjustments have 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 RM-II zone. Any future development, beyond what is shown in the proposed plans, shall conform to all applicable development standards of the UDC, unless adjusted through a future land use action. The following condition of approval shall apply:

Condition 17: The adjusted development standards shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development standards of the Unified Development Code, unless adjusted through a future land use action.

9. Analysis of Class 2 Driveway Approach Permit Approval 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 proposed driveway approaches meet the standards of SRC chapter 804 and the Public Works Design Standards (PWDS).

SRC 804.025(d)(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 approaches.

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

Finding: The proposed driveway approaches do not provide access to an arterial street.

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 proposed driveway approaches are located with access to the lowest classification of street—local—which abut the subject development site.

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

Finding: The proposed driveway approach meets the 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 driveway approaches will create traffic hazards or unsafe turning movements. Additionally, Staff analysis of the proposed driveway approaches indicates they will not create a traffic hazard and will provide for safe turning movements for access to the subject development site.

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

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

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

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

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 driveway approaches take access from the lowest classification of street abutting the development site. Staff finds the proposed driveway approaches balance the adverse impacts to residentially zoned property with the functionality of the adjacent streets and intersections.

10. 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 approved if all of the applicable design review standards are met.

SRC 702.005 provides that multiple family development must adhere to the design review process outlined in SRC Chapter 225. Additionally, SRC 702.010(b) states that multiple family development with 13 or more dwelling units shall comply with the design review standards as set forth in SRC 702.020.

SRC 702.020 – Design Review Standards 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: After subtracting internal streets and the portion of the property which is zoned RA, the subject development site is approximately 8.60 acres (374,493 square feet) in size, requiring a minimum of 2.58 acres (112,348 square feet) of permanently reserved open space. The proposal calls for 3.86 acres (168,293 square feet) of open space, or approximately 44.9 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.

Finding: For a development with 200 dwelling units, at least one common open space shall be provided which is a minimum of 3,250 square feet in size, with a minimum horizontal dimension of 25 feet. The proposed site plan shows a common

open space in the central portion of the property which is over 8,000 square feet in size and exceeds the minimum horizontal dimensions. 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 subject property slopes predominantly from east to west, with varying slopes ranging from relatively flat (0-5 percent) to moderately sloped (25-30 percent). The average cross slope of the development site is approximately 11 percent. Approximately 112,348 square feet of common open space is required, allowing for a maximum of 16,852 square feet of the required common open space to be located on land with slopes greater than 25 percent. The proposal includes 168,293 square feet of common open space. While the proposal includes 59,937 square feet of total common open space located on land with slopes greater than 25 percent, only 3,992 square feet of the required open space is located on land with slopes greater than 25 percent. 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.

Finding: The applicant's development plans show ground-level private open spaces with dimensions of six feet or greater in width and depth, and 96 square feet or greater in area. The plans show upper floor balconies with dimensions of six feet or greater in width and depth, and 60 square feet or greater in area. Each of the proposed private open spaces meets the minimum size and dimension requirements set forth in SRC Table 702-4. 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 applicant's development plans show private open spaces for each dwelling unit, located contiguous to the dwelling units, with direct access to the private open space provided through a doorway. The proposal meets the standard.

- (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 proposal does not include an improved open space area as allowed under this subsection. This standard does not apply to the proposed development.

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

Finding: The subject property is not within one-quarter mile of an existing publicly owned park. This standard does not apply to the proposed development.

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 development site has a gross site area of approximately 374,493 square feet, requiring a minimum of 187 trees to be planted or preserved on site ($374,493 / 2,000 = 187.2$). The applicant's development plans show 240 trees to be planted or preserved. 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. Chainlink fencing with slats shall be not allowed to satisfy this standard.

Finding: The subject development site abuts RA-zoned land along each interior property line, with a total shared boundary of approximately 1,838 feet in length, requiring a minimum of 61 trees planted adjacent to these interior property lines ($1,838 / 30 = 61.27$). The applicant's development plans show 27 existing or proposed trees planted along these property lines. The following condition of approval shall apply:

Condition 18: A minimum of 61 new or existing trees, not less than 1.5 inches in caliper, shall be planted within the landscaped setbacks abutting RA or RS-zoned land.

The applicant's development plans do not show the required decorative fence or wall along this property line. To ensure the proposal meets this standard, the following condition of approval shall apply:

Condition 19: A minimum six-foot-tall, decorative, sight-obscuring fence or wall meeting the standards of Salem Revised Code 702.020(b)(2)(B) shall be installed along the boundary of the development site where abutting property zoned RA or RS.

As conditioned, this standard is met.

(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 preliminary landscape plans do not show adherence with this standard. The following condition of approval shall apply:

Condition 20: A minimum of two plant units shall be provided adjacent to the primary entryway of each dwelling unit, or combination of dwelling units.

As conditioned, this standard is met.

(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 plans do not show full adherence with this standard. The following condition of approval shall apply:

Condition 21: 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.

As conditioned, this standard is met.

(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 plans do not fully identify the plant unit values for many of the areas planted with shrubs. To ensure the proposal meets this standard, the following condition of approval shall apply:

Condition 22: 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.

As conditioned, 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 plans do not show full adherence with this standard. The following condition of approval shall apply:

Condition 23: Ground level private open space shall be physically and visually separated from common open space with perimeter landscaping or perimeter fencing.

As conditioned, 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).

(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 plan shows canopy trees planted within planter bays in accordance with this standard. The plan does not show adherence with the standard which requires canopy trees be planted adjacent to parking areas. To ensure this standard is met, the following condition of approval shall apply:

Condition 24: A minimum of one canopy tree shall be planted or preserved 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.

As conditioned, this standard will be 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's development plans show some buildings which do not contain windows in all habitable rooms, other than bathrooms, as required by this standard. The following condition of approval shall apply:

Condition 25: Windows shall be provided in all habitable rooms, other than bathrooms, on each wall that faces common open space, parking areas, and pedestrian paths.

As conditioned, the proposal meets the standard.

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

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

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

Finding: The applicant's proposed development plans do not show enough information to determine if this standard is met. The following condition of approval shall apply:

Condition 26: 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.

As conditioned, 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 proposed development plans do not include enough detail to determine if this standard is met. The following condition of approval shall apply:

Condition 27: Landscaping and fencing adjacent to common open space, parking areas, and dwelling unit entryways shall be limited to a maximum height of three feet.

As conditioned, 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 proposed development includes landscaped planter bays which are a minimum of nine feet in width and separate parking areas as required under this subsection. The proposal meets the standard.

- (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: The proposed development does not include off-street surface parking areas or vehicle maneuvering areas located between a building or structure and a street. The proposal meets the standard.

- (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 applicant's development plans indicate that, where the development site is located uphill from 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 are set back a minimum of 20 feet. The proposal meets the standard.

- (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: As conditioned, the applicant will be required to provide additional pedestrian connections to public sidewalks from buildings and parking areas, ensuring this standard will be met at the time of development.

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: None of the proposed buildings exceed 125 feet in their longest dimension. The proposal meets the standard.

- (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 subject development site abuts property zoned RA to the east and west. Proposed buildings 1 through 3 are adjacent to RA-zoned land to the east; buildings 17 and 18 are adjacent to RA-zoned property to the west. Buildings 1 through 3 are 35 feet in height. Pursuant to SRC Table 702-5, the minimum setback to the east property line is 35 feet. The proposed site plan shows a 35-foot building setback to this property line, except where the applicant has requested an Adjustment to reduce the setback for Building 19.

Building 17 has a variable height, ranging from 24 feet for the two-story portion of the building to 35 feet for the three-story portion of the building; the three-story portion of the building abuts the RA-zoned property to the west. Buildings 18 and 19 are 35 feet in height where it abuts RA-zoned property to the east and west. Pursuant to SRC Table 702-5, a minimum setback of 35 feet is required between the three-story portion of the building and the adjacent property lines. The proposed site plan shows a 27-foot setback for Building 17, 14-foot setback for Building 18, and a 20-foot setback for Building 19 to the adjacent RA-zoned property to the east and west. The applicant has requested an Adjustment to this standard for these three buildings. Except where the applicant has requested Adjustments, the proposal meets the standard.

- (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 does include building facades which face RA or RS zoned properties. The proposed development plans do not clearly show compliance with this standard. The following condition of approval shall apply:

- Condition 28:** Balconies located on building facades that face RA or RS zoned properties, unless separated by a street, shall have fully sight-obscuring railings.

As conditioned, the proposal meets the standard.

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

Finding: The applicant has requested an adjustment to this standard for the west frontage of O Street and the south frontage of P Avenue. Findings addressing the adjustment approval criteria are included within *section 8* of this decision.

As demonstrated within the applicant's development plans and written statement, except where adjustments have been requested, the proposal meets the standard.

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

Finding: The applicant has requested an adjustment to this standard. Findings addressing the adjustment approval criteria are included within *section 8* of this decision.

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

Finding: The applicant's development plans show adherence with this standard, with no more than four ground level dwelling units served by each architecturally defined entry area.

- (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 proposed plans do not show roof-mounted mechanical equipment other than vents or ventilators. This standard does not apply to the proposed development.

- (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 applicant's development plans show the proposed buildings as having roof ridges which do not exceed a horizontal length of 100 feet without providing differences in elevation of at least four feet in height. The proposal meets the standard.

- (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 proposed development plans show offsets, covered decks and covered entrances which meet this standard on each building.

- (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: The proposed elevations show molding transition pieces and/or changes in materials between the first floor and the upper floors of the buildings. The proposal meets the standard.

11. Conclusion

Based upon review of SRC Chapters 220, 225, 250, and 804, 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.

ORDER

Final approval of Class 3 Site Plan Review, Class 2 Adjustment, Class 2 Driveway Approach Permit, and Class 1 Design Review Case No. SPR-ADJ-DAP-DR22-17 is hereby **APPROVED** subject to SRC Chapters 220, 225, 250, and 804, the applicable standards of the Salem Revised Code, conformance with the approved development plans included as **Attachment B**, and the following conditions of approval:

- Condition 1:** If building permits for the proposed development are reviewed prior to plat approval for case no. SUB-ADJ21-06, minimum and maximum setbacks between the proposed improvements of the subdivision and internal streets shall apply.
- Condition 2:** Unless a greater setback is required, interior side and rear property lines shall have a minimum setback of 10 feet with Type C landscaping and screening; landscaping as required under Salem Revised Code 702.020(b) may count toward this condition.
- Condition 3:** Landscape plans showing adherence with the minimum landscaping requirements of Salem Revised Code chapters 514 and 702 shall be approved prior to receiving certificate of occupancy for any proposed building.
- Condition 4:** At the time of building permit application, solid waste service areas shall comply with the standards of Salem Revised Code 800.055.
- Condition 5:** Each bicycle parking space shall be clearly visible from and located within 50 feet of a primary building
- Condition 6:** Acquire and convey land for dedication to equal a half-width right-of-way of 36 feet on the development side of Battle Creek Road SE along the frontage of the property and from M Street to Kuebler Boulevard SE, including sufficient right-of-way to accommodate public

infrastructure at the property corners. Prior to building permit issuance, the applicant shall either:

- a. Acquire the land for dedication; or
- b. Document good faith attempts to acquire right-of-way the land needed as outlined above, prepare the legal descriptions thereof, and transmit them to the Public Works Director.

- Condition 7:** Construct a half-street improvement along Battle Creek Road SE from M Street to Kuebler Boulevard SE to Minor Arterial standards. This improvement can be deferred through a performance guarantee pursuant to SRC 110.100 until sufficient right-of-way is acquired to construct the improvement. If the City is unable to acquire the right-of-way prior to final occupancy of all buildings in the development, then the performance guarantee shall be refunded, and the applicant is not required to construct the improvement. The SDC Eligibility Ratio for this improvement is 100 percent pursuant to Administrative Rule 109-200-2.4(c).
- Condition 8:** Construct M Street from Battle Creek Road SE to the northeast line of the development frontage as a 30-foot curb-to-curb improvement with sidewalk, street trees, and streetlights on the development side of the frontage.
- Condition 9:** Construct a full-street improvement for O Street and P Avenue to Local Street standards from M Street to the southeast property line as shown on the applicant's preliminary plan.
- Condition 10:** Construct a minimum 12-inch water main from Battle Creek Road within M Street, O Street, and P Avenue to the easterly terminus of P Avenue.
- Condition 11:** Extend the existing 8-inch sanitary sewer main from Battle Creek Road SE to the southeast property line as shown on the applicant's preliminary utility plan.
- Condition 12:** Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code Chapter 71 and Public Works Design Standards.
- Condition 13:** The adjusted setback areas adjacent to RA-zoned land shall be planted with a minimum of one plant unit per 16 square feet of landscaped area, and each adjusted setback area shall include a minimum of two shade trees.
- Condition 14:** A minimum of 40 percent of the buildable width along P Avenue shall be occupied by buildings 18 and/or 19 placed at the setback line.

- Condition 15:** Pedestrian connections to the adjacent sidewalks shall be provided between the off-street parking areas and the rear entrances of buildings 3, 10, 11, 12, 13, 14, 15, and 16, as generally depicted in **Attachment F**.
- Condition 16:** Any ground-level unit, cluster of units, interior lobbies, or portions thereof within buildings 18 and 19 and located within 25 feet of a property line abutting a street shall have a building entrance facing P Avenue, with direct pedestrian access to the adjacent sidewalk.
- Condition 17:** The adjusted development standards shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development standards of the Unified Development Code, unless adjusted through a future land use action.
- Condition 18:** A minimum of 61 new or existing trees, not less than 1.5 inches in caliper, shall be planted within the landscaped setbacks abutting RA or RS-zoned land.
- Condition 19:** A minimum six-foot-tall, decorative, sight-obscuring fence or wall meeting the standards of Salem Revised Code 702.020(b)(2)(B) shall be installed along the boundary of the development site where abutting property zoned RA or RS.
- Condition 20:** A minimum of two plant units shall be provided adjacent to the primary entryway of each dwelling unit, or combination of dwelling units.
- Condition 21:** 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.
- Condition 22:** 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.
- Condition 23:** Ground level private open space shall be physically and visually separated from common open space with perimeter landscaping or perimeter fencing.
- Condition 24:** A minimum of one canopy tree shall be planted or preserved 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.
- Condition 25:** Windows shall be provided in all habitable rooms, other than bathrooms, on each wall that faces common open space, parking areas, and pedestrian paths.

- Condition 26:** 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.
- Condition 27:** Landscaping and fencing adjacent to common open space, parking areas, and dwelling unit entryways shall be limited to a maximum height of three feet.
- Condition 28:** Balconies located on building facades that face RA or RS zoned properties, unless separated by a street, shall have fully sight-obscuring railings.

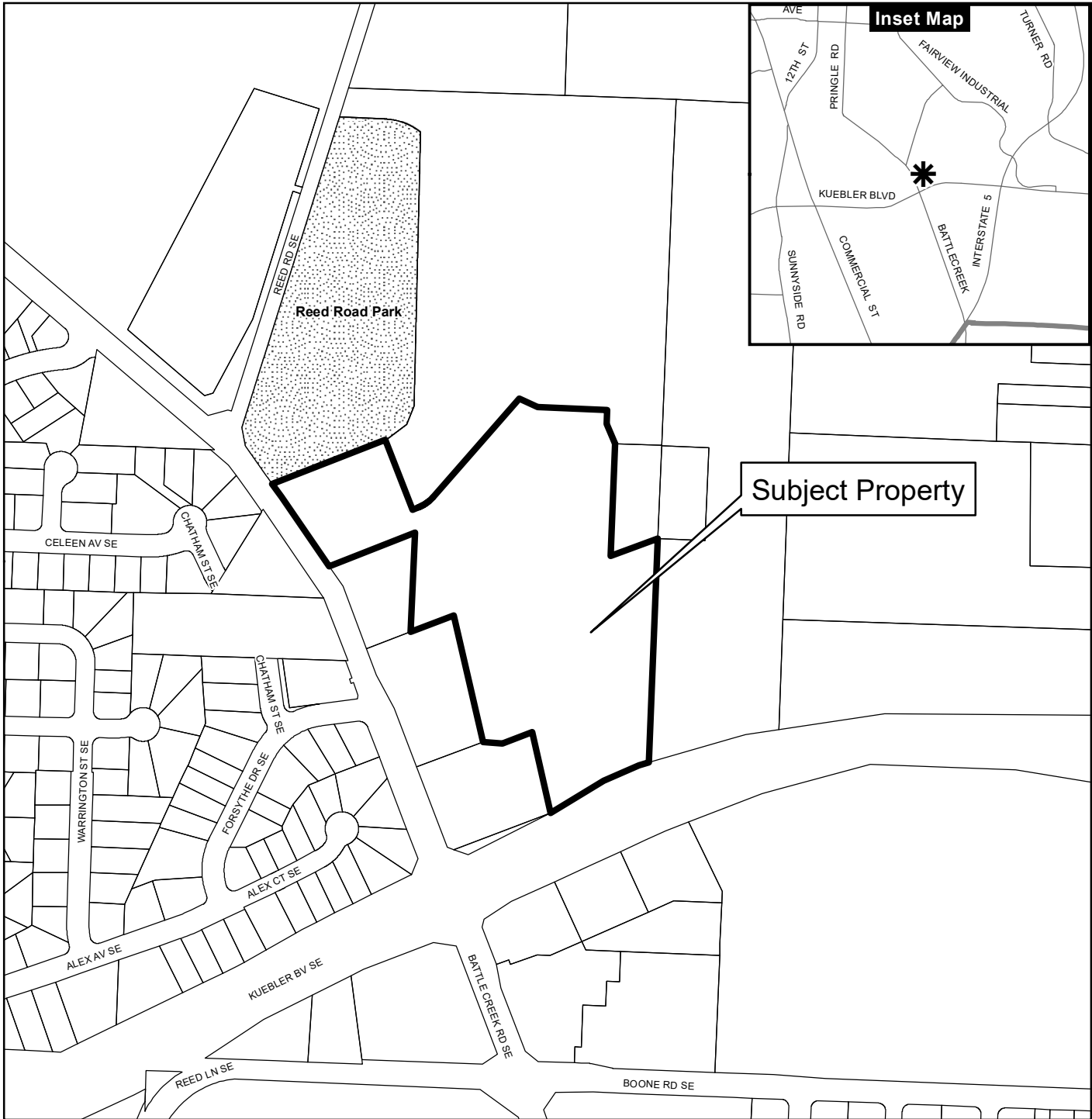


Brandon Pike, Planner I, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

- Attachments:
- A. Vicinity Map
 - B. Proposed Development Plans
 - C. Applicant's Written Statement
 - D. Memo from the Public Works Department
 - E. Salem Keizer Public Schools Memo, Dated Mar. 3, 2022
 - F. Pedestrian Connection Plan








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

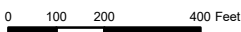
Vicinity Map 4700 Block of Battle Creek Road SE



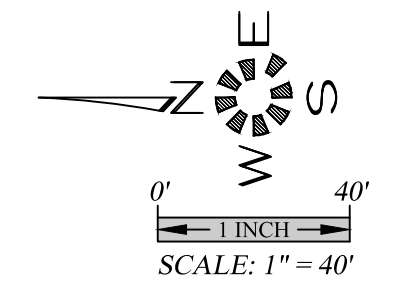
Subject Property

Legend

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



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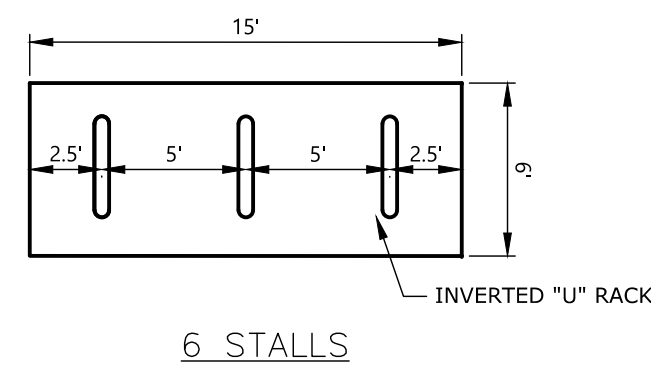


SITE PLAN

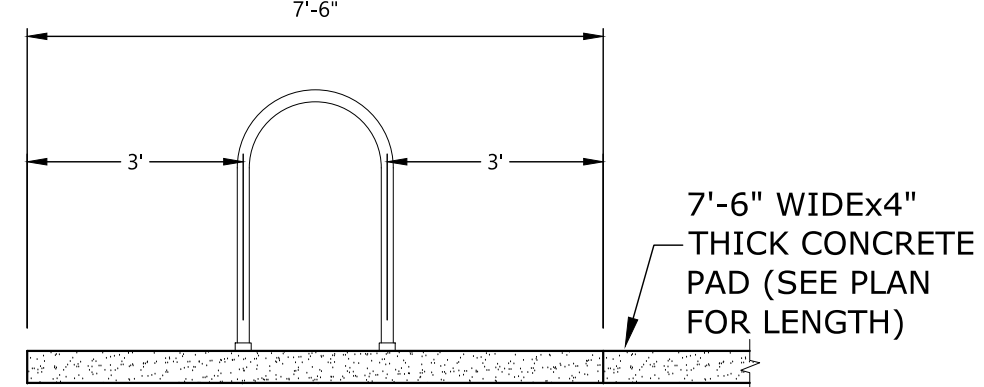
COBURN APARTMENTS



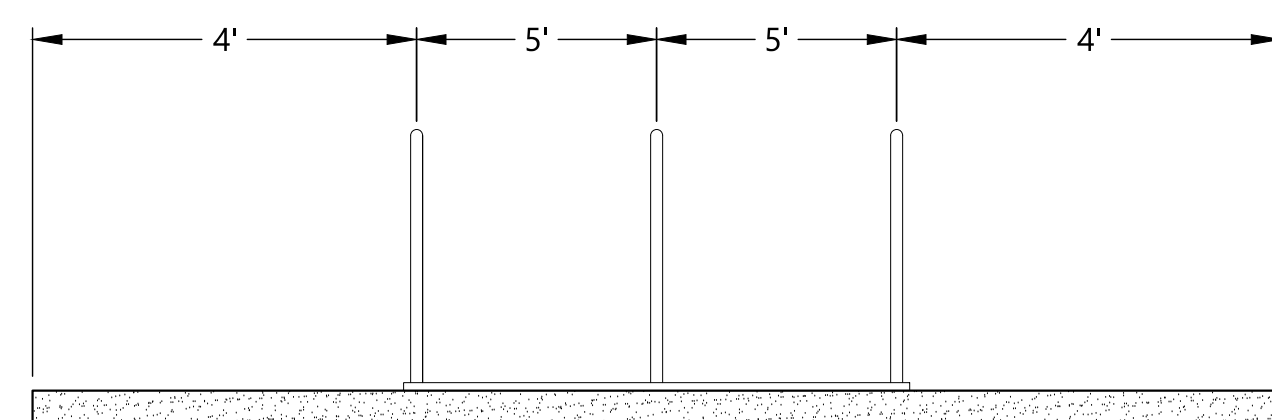
NOT INCLUDED
FUTURE DEVELOPMENT



TYPICAL BICYCLE RACKS
NTS



BIKE RACK SECTION
-NTS-



- ||||| - 6 BICYCLE SPACES
- - LOCATION OF ELECTRICAL SEPARATION WALL
- ⊙ - POLE LITE MAX. 14' IN HEIGHT
- ⊙ - POST LITE MAX. 5' IN HEIGHT
- MAXIMUM. 1:12 SLOPE ON SIDEWALK END RAMPS

****** THIS LOWER FLOOR UNIT IN BLD. #3, BLD. #6, BLD. #13, & BLD. #17 IS TO BE A TYPE A UNIT IN ACCORDANCE WITH THE 2014 OSSC SEC. 1107.6.2.1.1 (NOTED ON FLOOR PLANS). ALL OTHER LOWER FLOOR UNITS TO BE A TYPE B UNIT IN ACCORDANCE WITH THE 2010 OSSC SEC. 1107.6.2.1.2.

ADA HANDICAP ACCESSIBILITY NOTES:

1. ALL ON-SITE WALKWAYS, PEDESTRIAN CONNECTIONS TO THE PUBLIC SIDEWALK AND ROUTES TO BUILDING ENTRANCES ARE ACCESSIBLE WITH RUNNING SLOPES LESS THAN 5% AND CROSS SLOPE LESS THAN 2% MAX. LANDINGS AT BOTTOM OF STAIRS AND EXT. FACE OF ENTRANCE DOORS SHALL HAVE A SLOPE IN THE DIRECTION OF TRAVEL NOT TO EXCEED 2%.
2. HANDICAP PARKING STALLS AND ACCESS AISLES ARE TO HAVE SLOPES IN ANY DIRECTION OF LESS THAN 2% MAX. GRAPHIC MARKINGS & SIGNAGE FOR HANDICAP AND VAN ACCESSIBLE STALLS WILL BE PER OSSC 2010 CHPTR. 11 AND ORS. REQUIREMENTS.
3. HANDICAP ACCESSIBLE CURB RAMPS SHALL HAVE A RUNNING SLOPE NOT TO EXCEED 1:12 MAX. AND A CROSS SLOPE NOT TO EXCEED 1%.
4. THE COMMUNITY BUILDING & ON-SITE LAUNDRY FACILITIES WILL BE FULLY HANDICAP ACCESSIBLE IN ACCORDANCE WITH ANS1 A117.1 AND CHAPTER 11 OF THE 2010 OSSC.
5. 2% OF THE LIVING UNITS OR (3) UNITS WILL BE TYPE 'A' HANDICAP ACCESSIBLE. THESE INCLUDE A 1, 2 AND 3 BEDROOM UNIT AS INDICATED ON THIS SITE PLAN. THE BALANCE OF THE GROUND FLOOR LIVING UNITS WILL BE TYPE 'B' ADAPTABLE UNITS IN ACCORDANCE WITH ANS1 A117.1.

- 200 TOTAL APARTMENT UNITS
- 36 TYPE "A" 2-Bd, 2-Ba (963 S.F.) UNITS
- 24 TYPE "B" 2-Bd, 2-Ba (1,029 S.F.) UNITS
- 38 TYPE "C" 1-Bd, 1-Ba (728 S.F.) UNITS
- 12 TYPE "F" 3-Bd, 2-Ba (1,210 S.F.) UNITS
- 90 TYPE "G" 2-Bd, 2-Ba (1,051 S.F.) UNITS

- 351 TOTAL PARKING STALLS
- 232 STANDARD STALLS
- 110 COMPACT STALLS
- 24 BICYCLE SPACES
- 9 HANDICAP STALLS
- 1 LOADING ZONE

- 1 RECREATION BLD. / MANAGER'S OFFICE
- 1 TRASH COMPACTOR / RECYCLE
- 2 REC/PLAY AREA
- 3 TRASH
- 3 U.S. MAIL BOX AREA

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.

71929 - 5043-SITE
 Design: M.D.G.
 Drawn: J.N.S.
 Checked: J.J.G.
 Date: APR 2021
 Scale: AS SHOWN



EXPIRES: 06-30-2023

JOB # 7192

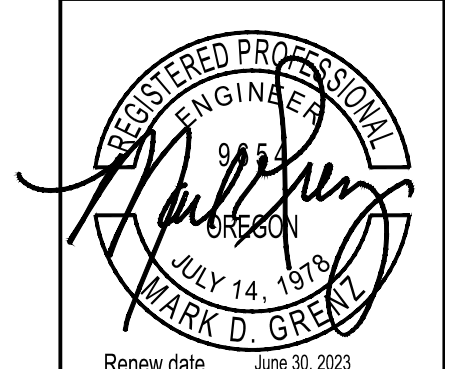
**BUILDING
 ELEVATIONS**

**COBURN
 APARTMENT COMPLEX**

NO CHANGES, MODIFICATIONS OR
 REVISIONS TO BE MADE TO
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 AUTHORIZATION FROM THE DESIGN
 ENGINEER.
 DIMENSIONS & NOTES TAKE
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 REPRESENTATION.

DESIGN: P.L.M.
 DRAWN: G.L.D.
 CHECKED: M.D.G.
 DATE: JUN-21
 SCALE: AS SHOWN

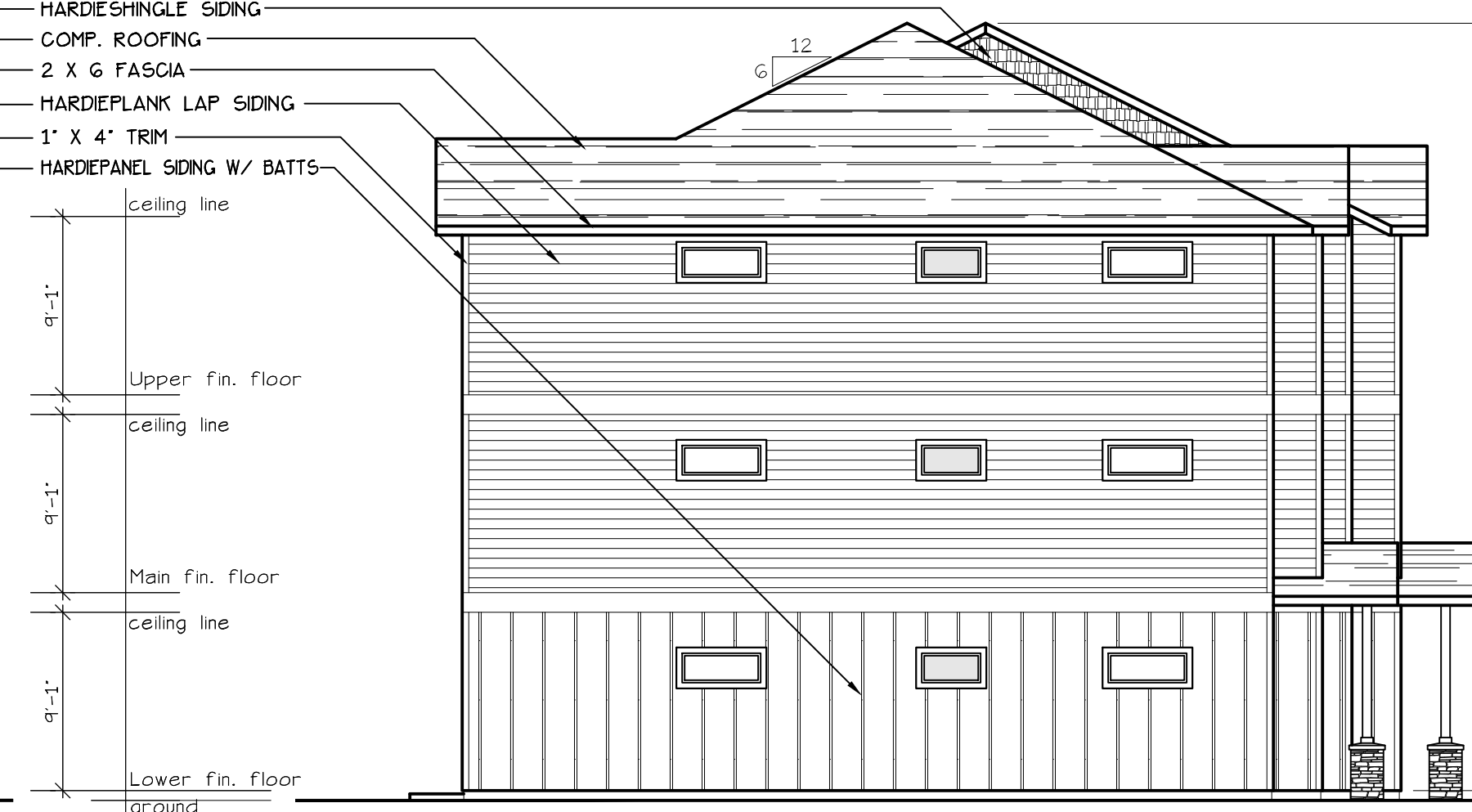
JOB # 7192



A5.90



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

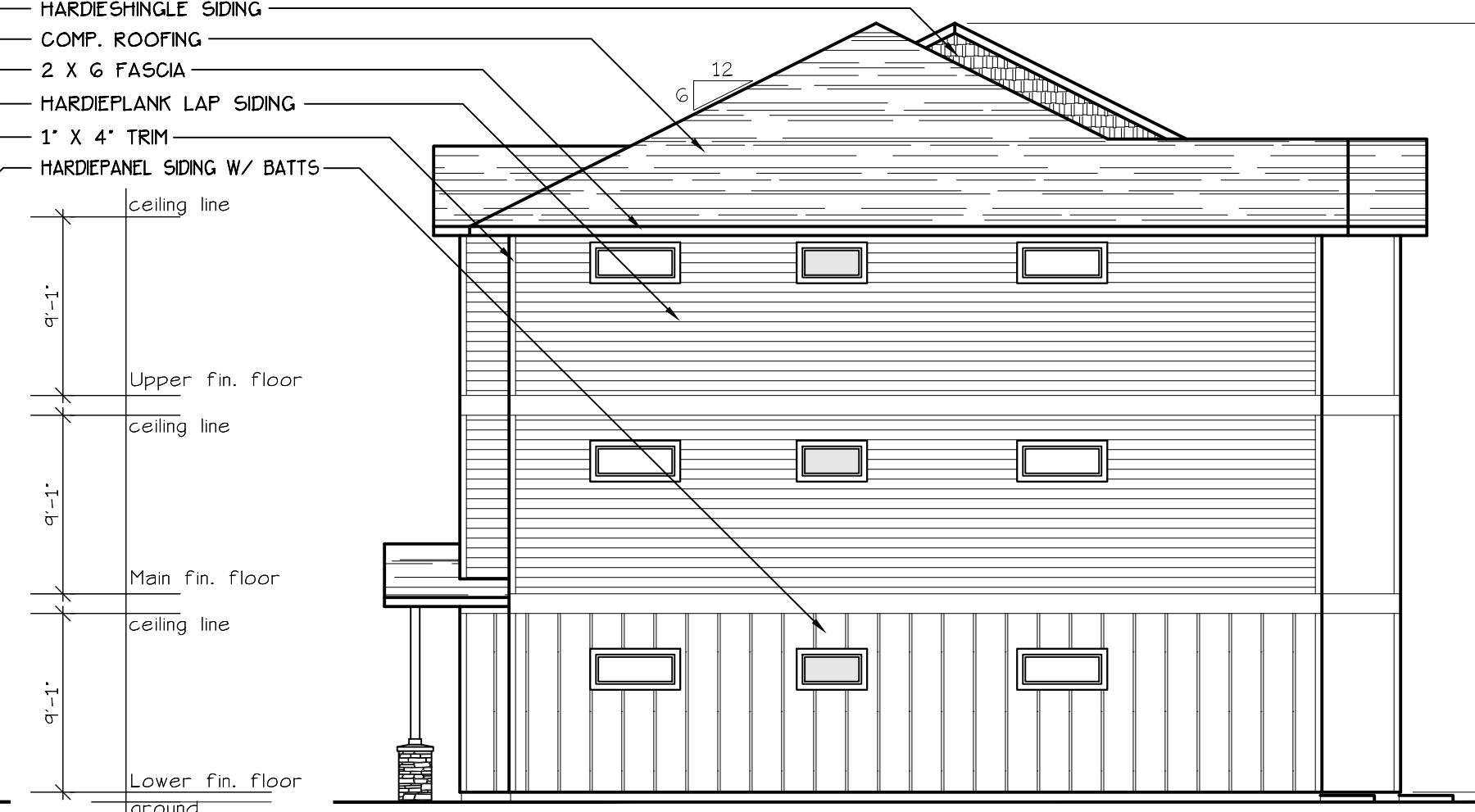


NORTH ELEVATION (TYPE C UNITS)
 SCALE: 1/8" = 1'-0"
(BLD. 1+3)



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

EXHAUST VENT 3'-0" CLEAR OF OPERABLE WINDOW AREA TYP.



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

HARDIESHINGLE SIDING
 COMP. ROOFING
 2 X 6 FASCIA
 HARDEPLANK LAP SIDING
 1' X 4" TRIM
 HARDEPANEL SIDING W/ BATTS

ceiling line
 9'-1"
 Upper fin. floor
 ceiling line
 9'-1"
 Main fin. floor
 ceiling line
 9'-1"
 Lower fin. floor
 ground

ridge line
 9'-10"
 ceiling line
 9'-1"
 Upper fin. floor
 ceiling line
 9'-1"
 Main fin. floor
 ceiling line
 9'-1"
 Lower fin. floor
 ground

HARDIESHINGLE SIDING
 COMP. ROOFING
 2 X 6 FASCIA
 HARDEPLANK LAP SIDING
 1' X 4" TRIM
 HARDEPANEL SIDING W/ BATTS

ceiling line
 9'-1"
 Upper fin. floor
 ceiling line
 9'-1"
 Main fin. floor
 ceiling line
 9'-1"
 Lower fin. floor
 ground

ridge line
 9'-10"
 ceiling line
 9'-1"
 Upper fin. floor
 ceiling line
 9'-1"
 Main fin. floor
 ceiling line
 9'-1"
 Lower fin. floor
 ground

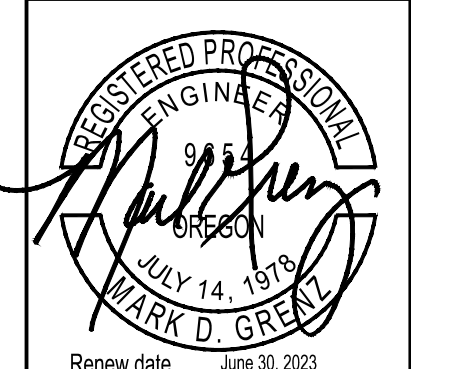
**BUILDING
 ELEVATIONS**

**COBURN
 APARTMENT COMPLEX**

NO CHANGES, MODIFICATIONS OR
 REVISIONS TO BE MADE TO
 DIMENSIONS OR INFORMATION
 AUTHORIZATION FROM THE DESIGN
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8.00-12-2020/011
 A8.90/REV
 Design: P.L.M.
 Drawn: G.L.D.
 Checked: M.D.G.
 Date: Jun-21
 Scale: AS SHOWN

JOB # 7192



Renew date: June 30, 2023

A8.90



WEST ELEVATION (TYPE G UNITS)
 SCALE: 1/8" = 1'-0"
BLD. 2.7.9-12+15



SOUTH ELEVATION (TYPE G UNITS)
 SCALE: 1/8" = 1'-0"
BLD. 2.7.9-12+15



EAST ELEVATION (TYPE G UNITS)
 SCALE: 1/8" = 1'-0"
BLD. 2.7.9-12+15



NORTH ELEVATION (TYPE G UNITS)
 SCALE: 1/8" = 1'-0"
BLD. 2.7.9-12+15

BUILDING ELEVATIONS

COBURN APARTMENT COMPLEX

NO CHANGES, MODIFICATIONS OR REVISIONS TO BE MADE TO THIS DRAWING WITHOUT THE AUTHORIZATION FROM THE DESIGN ENGINEER.
 DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

BLD. 5.6.13+16
 ALBEELEY
 Design: P.L.M.
 Drawn: G.L.D.
 Checked: M.D.G.
 Date: Jun-21
 Scale: AS SHOWN

JOB # 7192



A1.80



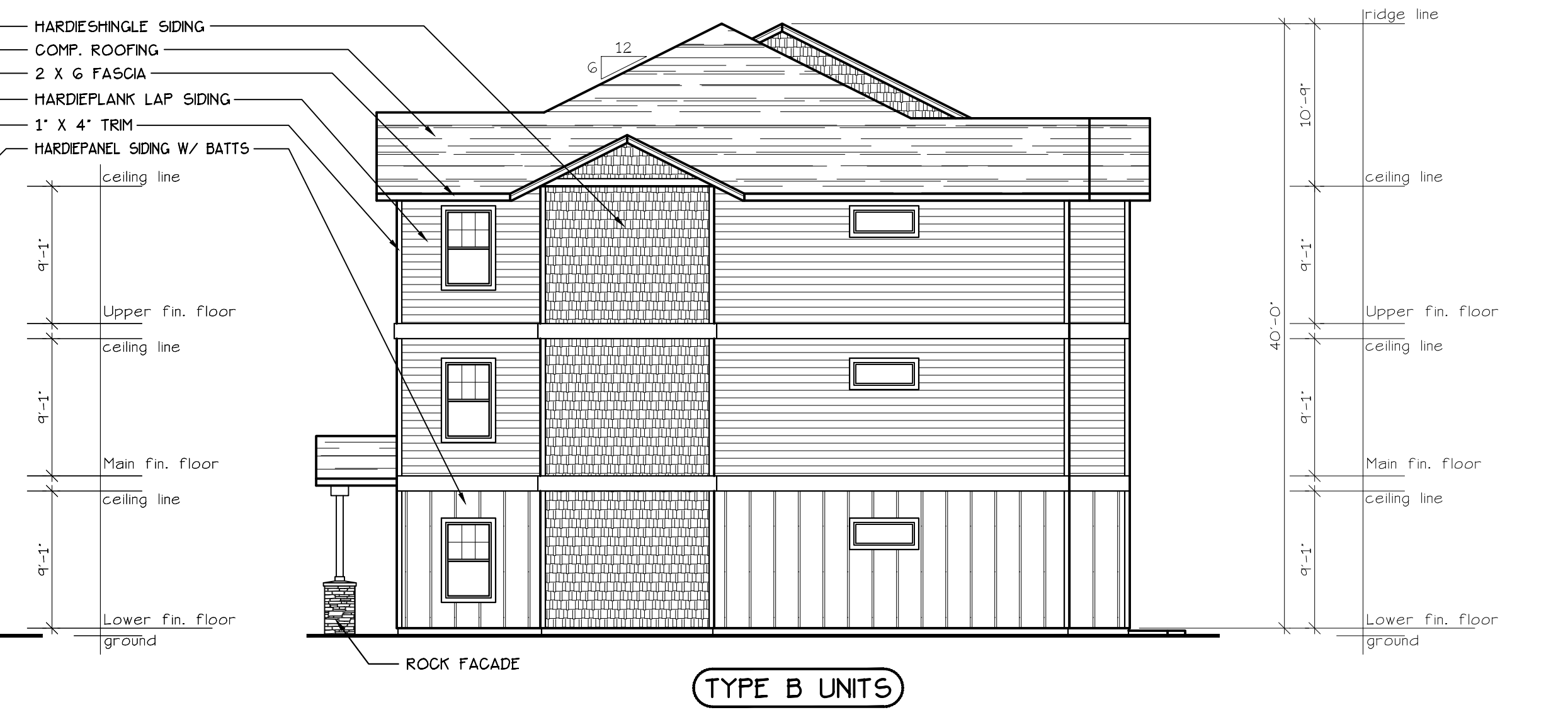
WEST ELEVATION (BLD. 5.6.13+16)
 SCALE: 1/8" = 1'-0"



SOUTH ELEVATION (BLD. 5.6.13+16)
 SCALE: 1/8" = 1'-0"



EAST ELEVATION (BLD. 5.6.13+16)
 SCALE: 1/8" = 1'-0"



NORTH ELEVATION (BLD. 5.6.13+16)
 SCALE: 1/8" = 1'-0"

- HARD SHINGLE SIDING
- COMP. ROOFING
- 2 X 6 FASCIA
- HARDEPLANK LAP SIDING
- 1' X 4' TRIM
- HARDEPANEL SIDING W/ BATTIS
- Ceiling line
- 9'-1"
- Upper fin. floor ceiling line
- 9'-1"
- Main fin. floor ceiling line
- 9'-1"
- Lower fin. floor ground

- HARD SHINGLE SIDING
- COMP. ROOFING
- 2 X 6 FASCIA
- HARDEPLANK LAP SIDING
- 1' X 4' TRIM
- HARDEPANEL SIDING W/ BATTIS
- Ceiling line
- 9'-1"
- Upper fin. floor ceiling line
- 9'-1"
- Main fin. floor ceiling line
- 9'-1"
- Lower fin. floor ground

- ridge line
- 10'-9"
- ceiling line
- 9'-1"
- Upper fin. floor ceiling line
- 40'-0"
- Main fin. floor ceiling line
- 9'-1"
- Lower fin. floor ground

- ridge line
- 10'-9"
- ceiling line
- 9'-1"
- Upper fin. floor ceiling line
- 40'-0"
- Main fin. floor ceiling line
- 9'-1"
- Lower fin. floor ground

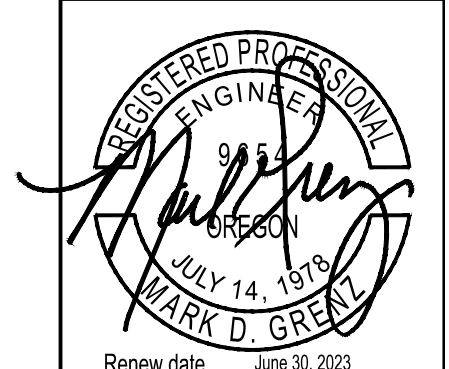
BUILDING ELEVATIONS

COBURN APARTMENT COMPLEX

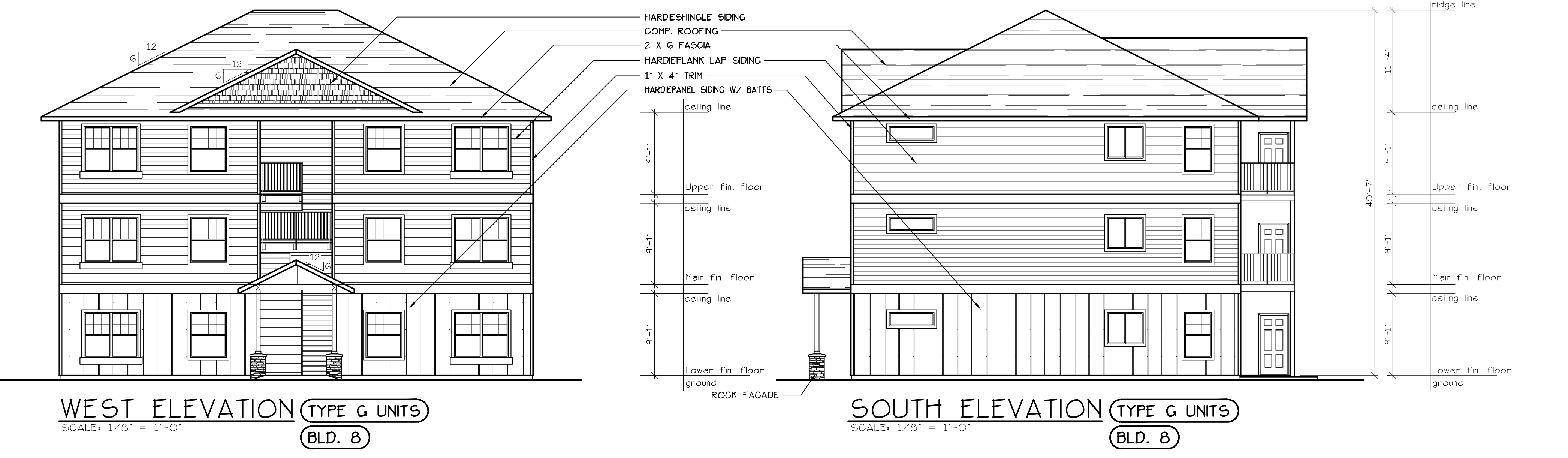
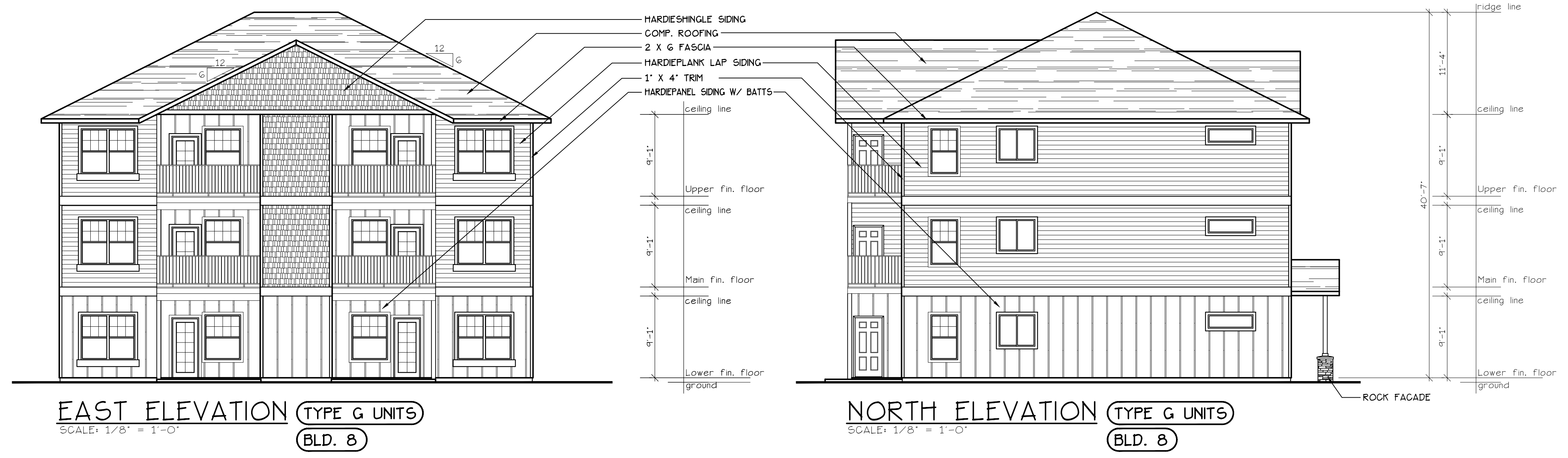
NO CHANGES, MODIFICATIONS OR REVISIONS TO BE MADE TO THIS DRAWING WITHOUT THE AUTHORIZATION FROM THE DESIGN ENGINEER.
 DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

DESIGN: P.L.M.
 DRAWN: G.L.D.
 CHECKED: M.D.G.
 DATE: JUN-21
 SCALE: AS SHOWN

JOB # 7192



A7.90



BUILDING ELEVATIONS

COBURN APARTMENT COMPLEX

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

BDP-12-208-PR-011
 A6.80/LEY
 Design: P.L.M.
 Drawn: G.L.D.
 Checked: M.D.G.
 Date: Jun-21
 Scale: AS SHOWN

JOB # 7192



A6.80



WEST ELEVATION (TYPE F UNITS)
 SCALE: 1/8" = 1'-0"
BLD. 14



SOUTH ELEVATION (TYPE F UNITS)
 SCALE: 1/8" = 1'-0"
BLD. 14



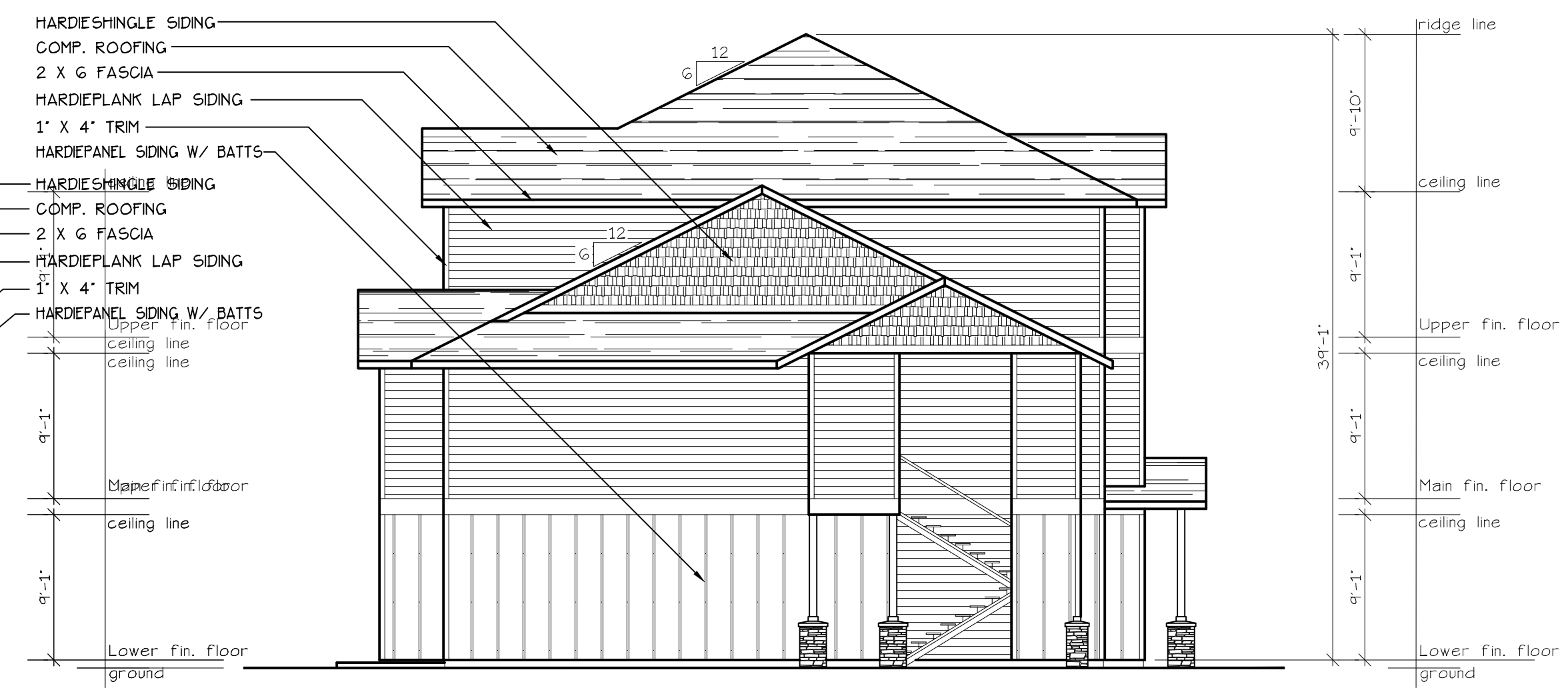
EAST ELEVATION (TYPE F UNITS)
 SCALE: 1/8" = 1'-0"
BLD. 14



NORTH ELEVATION (TYPE F UNITS)
 SCALE: 1/8" = 1'-0"
BLD. 14



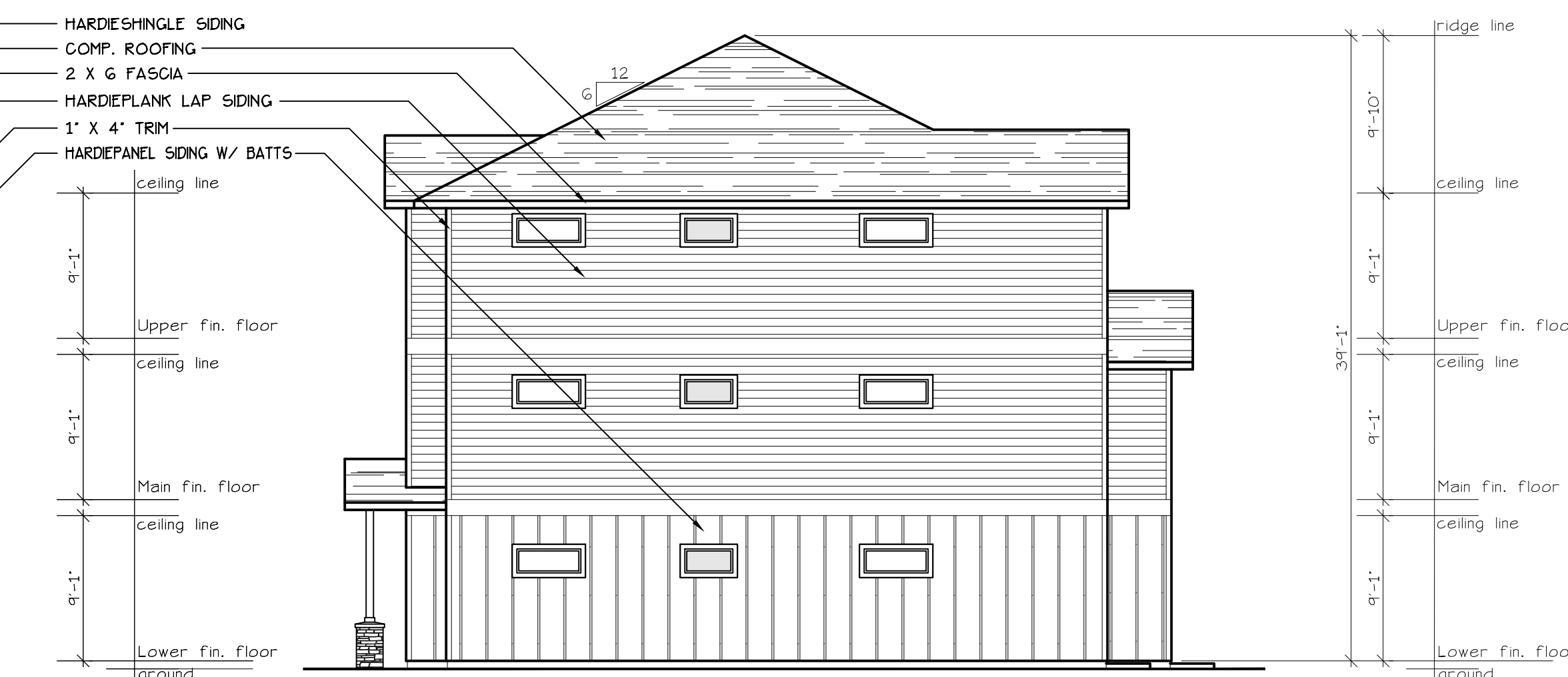
SOUTH ELEVATION (TYPE C UNITS)
SCALE: 1/8" = 1'-0"
BLD. 17



EAST ELEVATION (TYPE C UNITS)
SCALE: 1/8" = 1'-0"
BLD. 17



NORTH ELEVATION (TYPE C UNITS)
SCALE: 1/8" = 1'-0"
BLD. 17

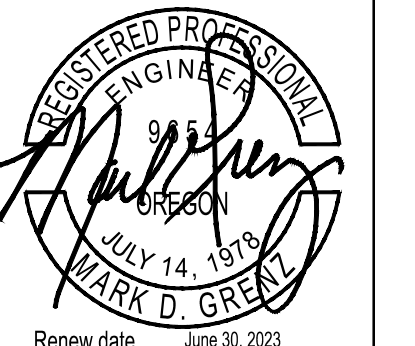


WEST ELEVATION (TYPE C UNITS)
SCALE: 1/8" = 1'-0"
BLD. 17

NO CHANGES, MODIFICATIONS OR REVISIONS TO BE MADE TO THIS DRAWING WITHOUT THE AUTHORIZATION FROM THE DESIGN ENGINEER.
DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

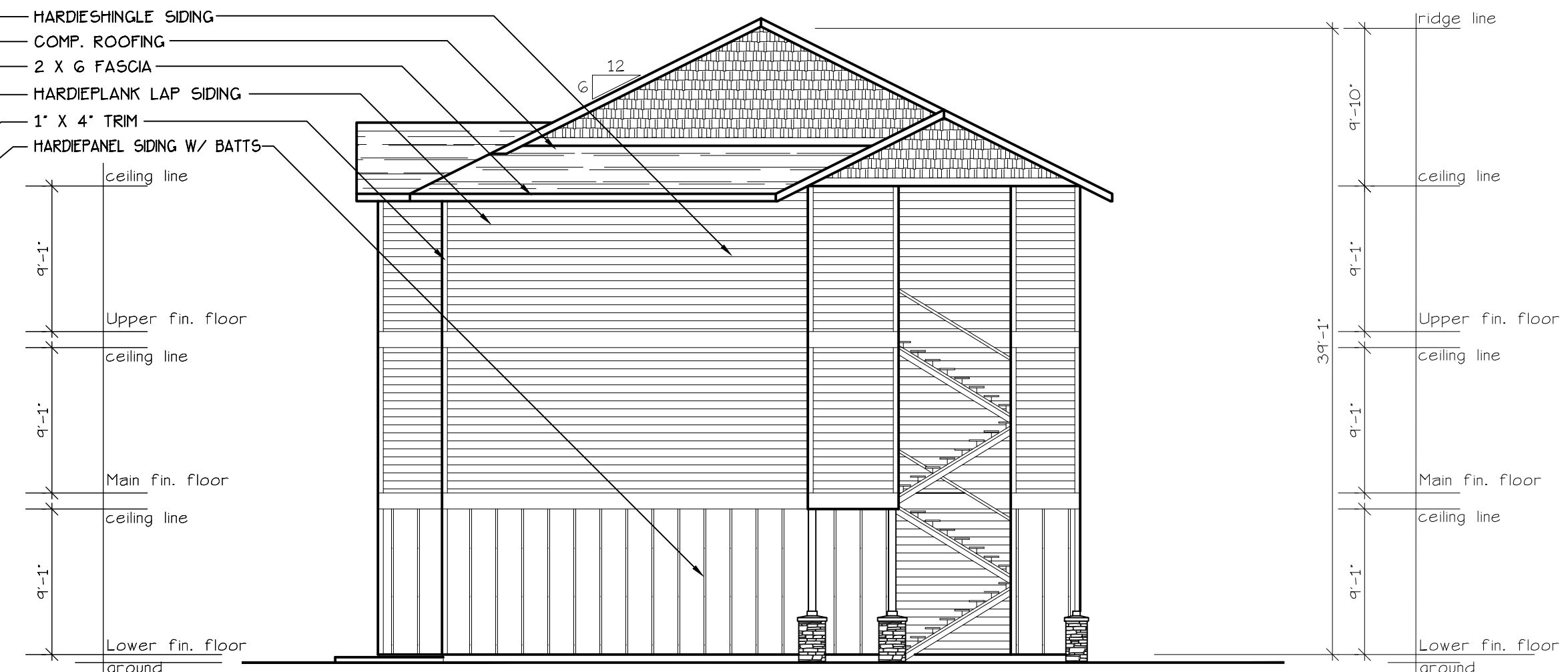
DESIGN: P.L.M.
DRAWN: G.L.D.
CHECKED: M.D.G.
DATE: JUN-21
SCALE: AS SHOWN

JOB # 7192





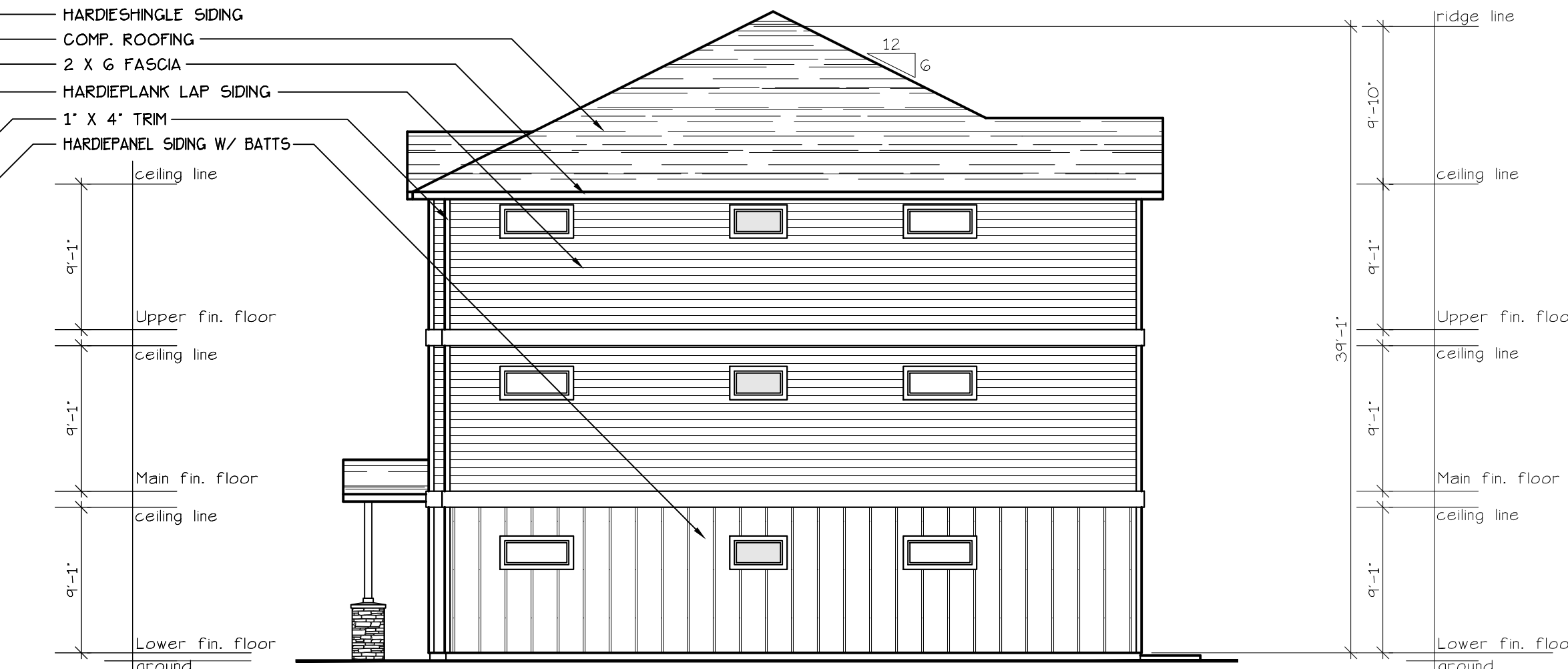
WEST ELEVATION (BLD. 18)
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION (TYPE C UNITS) (BLD. 18)
SCALE: 1/8" = 1'-0"



EAST ELEVATION (BLD. 18)
SCALE: 1/8" = 1'-0"



NORTH ELEVATION (TYPE A UNITS) (BLD. 18)
SCALE: 1/8" = 1'-0"

NO CHANGES, MODIFICATIONS OR REVISIONS TO BE MADE TO THIS DRAWING WITHOUT THE AUTHORIZATION FROM THE DESIGN ENGINEER.
DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

Design: P.L.M.
Drawn: G.L.D.
Checked: M.D.G.
Date: Jul-21
Scale: AS SHOWN

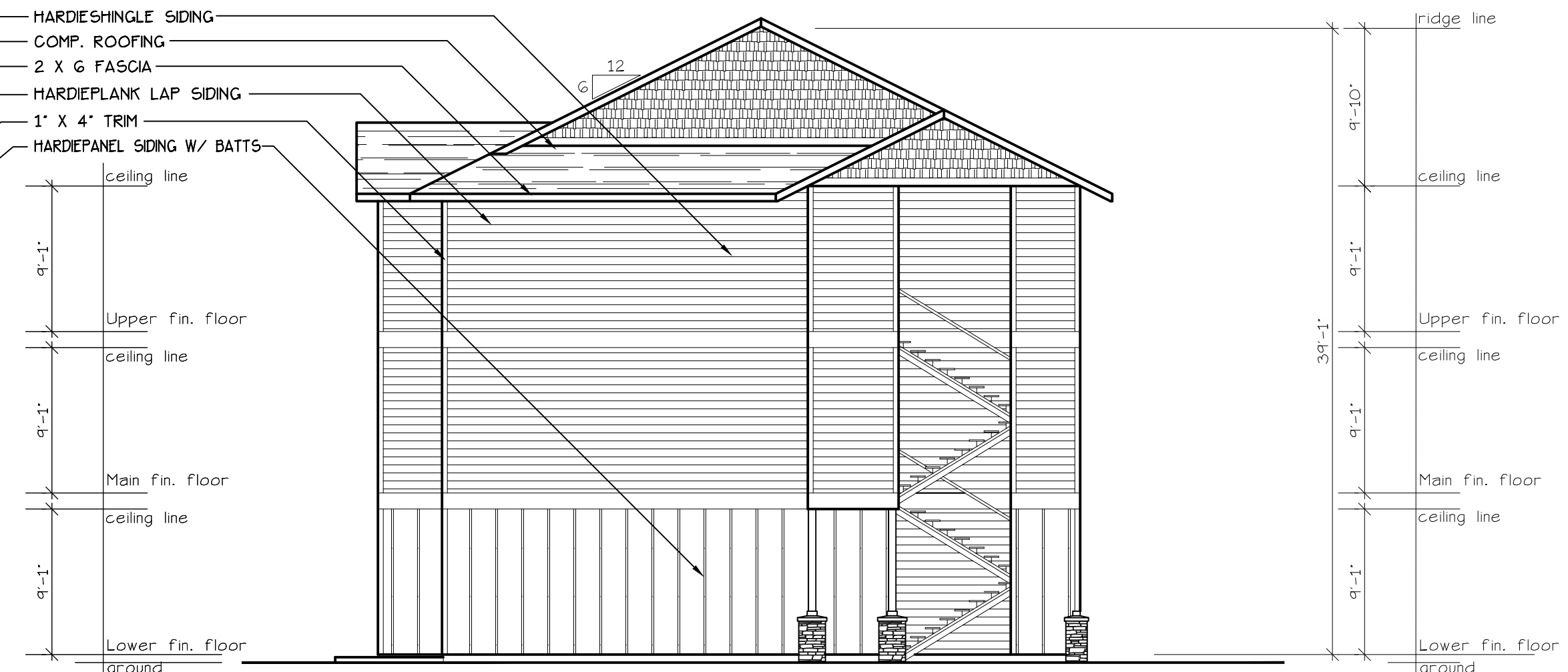
JOB # 7192



Renew date: June 30, 2023



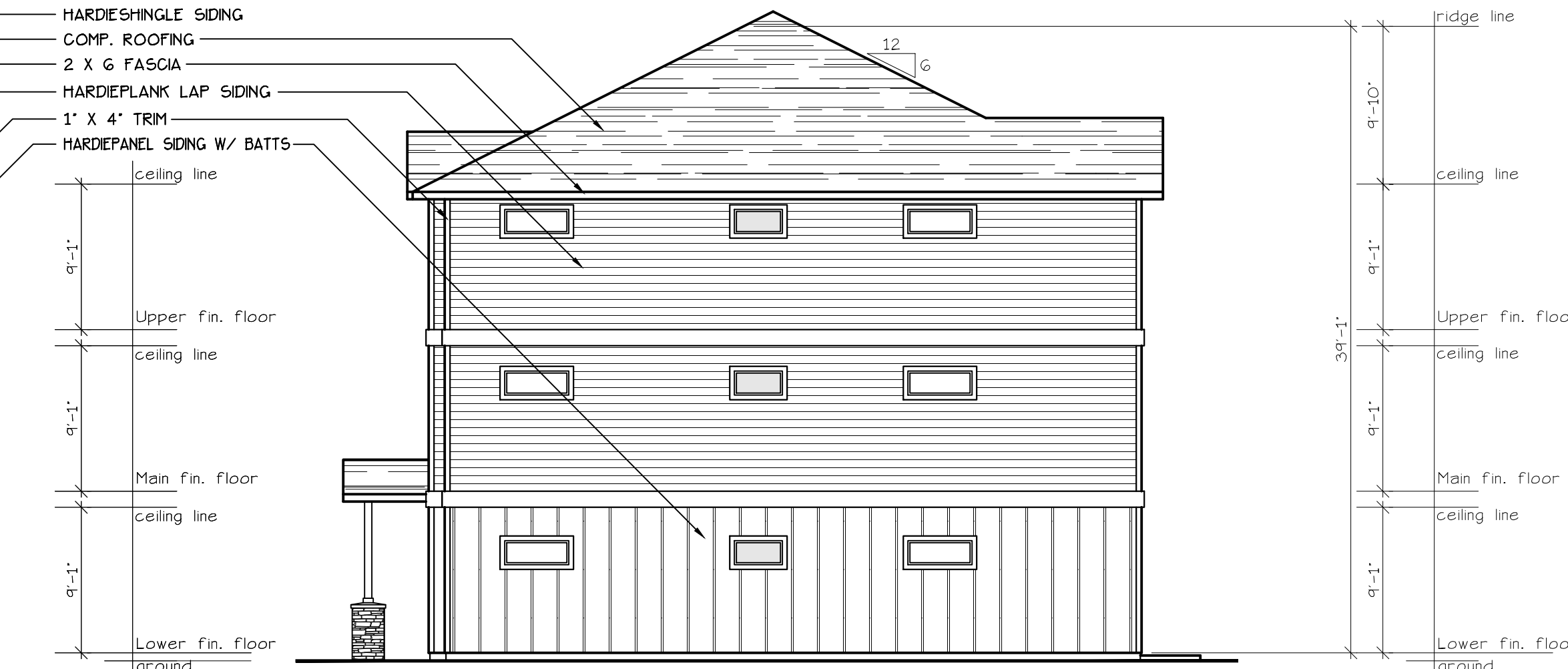
EAST ELEVATION (BLD. 19)
SCALE: 1/8" = 1'-0"



NORTH ELEVATION (TYPE C UNITS) (BLD. 19)
SCALE: 1/8" = 1'-0"



WEST ELEVATION (BLD. 19)
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION (BLD. 19)
SCALE: 1/8" = 1'-0"

NO CHANGES, MODIFICATIONS OR REVISIONS TO BE MADE TO THIS DRAWING WITHOUT THE AUTHORIZATION FROM THE DESIGN ENGINEER.
DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

Design: P.L.M.
Drawn: G.L.D.
Checked: M.D.G.
Date: Jul-21
Scale: AS SHOWN

JOB # 7192

REGISTERED PROFESSIONAL ENGINEER
Mark D. Greely
JULY 14, 1976
MARK D. GREELY
Renew date: June 30, 2023

Coburn Apartments

Adjustment Class-2 Application

October 21, 2021

Proposal:

The subject property is 8.60 acres in size, zoned RMII, and located east of Battlecreek Road (08 3W 11D/Tax Lot 601). The subject property is Parcel 1 of recorded Plat P.P. 2019-036.

There are required streets that run through the development. However, the entire development will be owned by the same owner and will share all amenities.

The applicant is proposing a development consisting of 200-apartment units as shown on the site plans.

The applicant is requesting an adjustment greater than 20% adjustment to Sec. 702.020(e)(5) Façade and building design:

“(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.”

Adjustment Criteria-SRC 250.005(d)(2) Criteria:

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

Applicant Findings:

- (A) The purpose of this requirement is to provide a pedestrian friendly development with buildings entrances facing the street. The applicant is requesting an adjustment to eliminate the pedestrian pathways from the buildings to the right-of-way. Due to the topography of the site and street connections, providing these pedestrian paths is not feasible. All pedestrian pathways would have to consist of stairs, which are not ADA.

All buildings face the interior of the lot. The street side of these buildings (rear/side) will be designed to be visually appealing, by providing similar design as is being provided for the front building facade for all buildings. In order to be consistent with the front facade of the building; windows, offsets, and architectural features will be incorporated in the portions of the building facing the right-of-way.

All buildings within the development have direct pedestrian access onto sidewalks via the internal pedestrian pathways. The internal pedestrian circulation system consists of hard 6-foot-wide surfaced sidewalks that provide easily identifiable and safe connections between the residential units, parking, recreation areas, manager's apartment, and the trash disposal area. The pedestrian system connects the buildings to the public sidewalk system within M Street, O Street, and P Avenue via the proposed internal sidewalk system.

Proposed and existing sidewalks will further enhance the pedestrian connections and circulation to and from the site. The proposed sidewalks to and from the site will provide pedestrian circulation to the entrances of the buildings.

One of the requirements in SRC 702.020(d)(4) is "To ensure safe pedestrian access to and throughout the 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". The proposal still meets the requirement of SRC 702.020(d)(4) by providing a sidewalk connection from within the project to the public sidewalks.

Due to the slope of the site, the buildings are above the street. Making it very difficult to provide pedestrian paths that are ADA.

Proposed pedestrian sidewalk connections are illustrated on the tentative site plan. The proposed development provides safe and convenient bicycle and pedestrian access from within the development to adjacent residential areas. Therefore, due to the layout of the site and internal pedestrian paths, the proposal is equally met.

- (B) The apartment development will provide landscaped areas throughout the site along with pedestrian paths/sidewalks throughout, along with visual appealing buildings. All of which will create a pedestrian friendly development. Buildings not facing the street will have no effect on the proposed use or surrounding uses.
- (C) There is more than one adjustments being requested for this proposal. The adjustments do not have any effect on the project.

Coburn Apartments

Adjustment Class-2 Application

Proposal:

The subject property is 8.60 acres in size, zoned RMII, and located east of Battlecreek Road (08 3W 11D/Tax Lot 601). The subject property is Parcel 1 of recorded Plat P.P. 2019-036.

There are required streets that run through the development. However, the entire development will be owned by the same owner and will share all amenities.

The applicant is proposing a development consisting of 200-apartment units as shown on the site plans.

The applicant is requesting an adjustment greater than 20% adjustment to Sec. 702.020(e)(4) Façade and building design:

“(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.”

Adjustment Criteria-SRC 250.005(d)(2) Criteria:

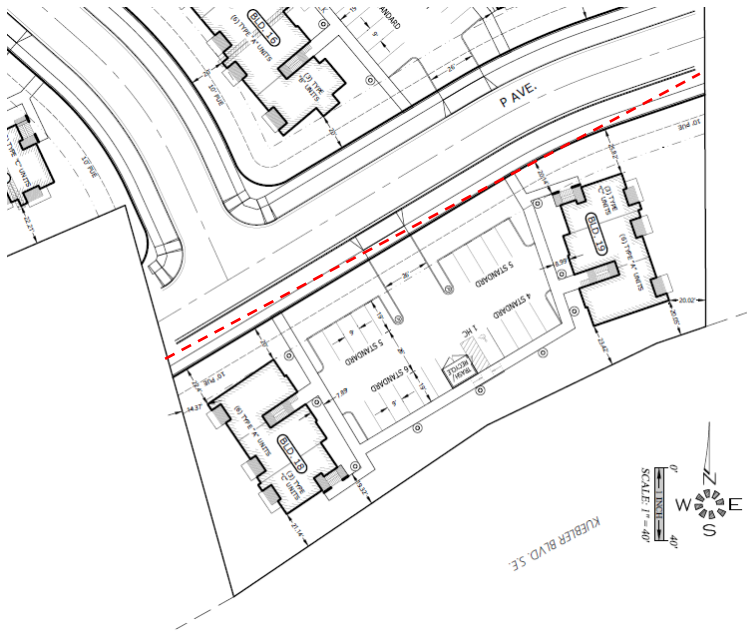
- (A) The purpose underlying the specific development standard proposed for adjustment is:**
- (i) Clearly inapplicable to the proposed development; or**
 - (ii) Equally or better met by the proposed development.**
- (B) If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.**
- (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.**

Applicant Findings:

- (A) The purpose of this requirement is to provide a pedestrian friendly development with building located close to the sidewalks instead of parking areas.**

O Street (west side)

The subject property has 207 feet of buildable width (this excludes required side setbacks and driveway) along O Drive. Code requires a minimum of 40% of the buildable width be occupied by buildings. As shown on the site plan, the Building 17 totals 36 feet of the buildable width along the street frontage. Due to the required right-of-way extension through the site, odd shape lots have been created. The old shape areas of the development make it difficult to provide additional buildings on the setback lines. Therefore, this standard cannot be met. Therefore, occupying 17% of the buildable width of street frontage along O Drive.



- (B) The apartment development will provide additional landscaped areas throughout the site along with pedestrian paths/sidewalks through, along with visual appealing buildings. All of which will create a pedestrian friendly development. The reduction of buildings along the setback line will have no effect on the proposed use or surrounding uses.
- (C) There three adjustments being requested for this proposal. The three adjustment do not have any effect on the project.

Coburn Apartments

Adjustment Class-2 Application

Proposal:

The subject property is 8.60 acres in size, zoned RMII, and located east of Battlecreek Road (08 3W 11D/Tax Lot 601). The subject property is Parcel 1 of recorded Plat P.P. 2019-036.

There are required streets that run through the development. However, the entire development will be owned by the same owner and will share all amenities.

The applicant is proposing a development consisting of 200-apartment units as shown on the site plans.

The applicant is requesting an adjustment greater than 20% adjustment to SRC 702.020(e)(2)-Table 702-5 (Setbacks Abutting Property Zoned RA and RS):

“(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.

Table 702-5 requires a minimum setback of 1 foot for each 1 foot of building height, but in no case less than 20 ft.”

The subject properties to the north, east, south and west are zoned RA and vacant. The following buildings do not meet the required setbacks.

East (RA-vacant land):

Building 19

Required Setback: 34.55 Setback

Provided Setback: 20-foot setback

South (RA-vacant land):

Building 17

Required Setback: 34.55 Setback

Provided Setback: 17 to 22-foot setback

Building 18 (Adjacent Kuebler Blvd)

Required Setback: 34.55 Setback

Provided Setback: 19-foot setback

Building 19 (Adjacent Kuebler Blvd)

Required Setback: 34.55 Setback

Provided Setback: 20-foot setback

West (RA-vacant land):

Building 18

Required Setback: 34.55-foot setback

Provided Setback: 14-foot setback

Building 17

Required Setback: 22.75-foot setback

Provided Setback: 27-foot setback

Adjustment Criteria-SRC 250.005(d)(2) Criteria

(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.**

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

(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.

Applicant Findings:

(A) The purpose of this requirement is to provide a visible and separated landscaped setback, along with privacy for residents

The applicant is proposing a development consisting of 200-apartment units as shown on the site plans. There are only 3 buildings within the development that do not meet this standard, Buildings 17, 18, and 19. Even though these buildings do not meet the setbacks, as shown on the site plans and landscape plans, more than adequate setbacks are being provided. Landscaping and the provided setbacks help to achieve the purpose of this requirement.

Due to the shape and location of the property, providing a larger setback along these areas of the property is not feasible. The reduction in the setback allows the applicant to provide adequate parking and maneuvering areas and locate the buildings closer to the sidewalks. Therefore, providing a more visible appealing and pedestrian friendly development.

The shape and location of the site creates a difficulty in the placement of building and parking areas on the site. The reduction in this requirement and providing adequate setbacks and landscaping on the site, is better for the development.

See attached site plans and landscape plans.


(B) The apartment development will provide landscaped open space areas throughout the site, which makes up for the reduction of the required setback along those property lines. Adequate landscaping will be provided along the property lines to help meet requirements. The reduction of this setback will have no effect on the proposed use or surrounding uses.

(C) There are three adjustments being requested for this proposal. The adjustments do not have any effect on the project.



MEMO

TO: Brandon Pike, Planner I
Community Development Department

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

DATE: May 16, 2022

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS
SPR-ADJ-DAP-DR22-17 (21-119893; 21-119895; 21-119896;
21-120142)
4700 BLOCK OF BATTLE CREEK ROAD SE
200-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, a Class 2 Driveway Approach Permit to allow driveway access onto proposed Local streets, and Class 2 Adjustment requests. The subject property is approximately 12.87 acres in size, zoned RM-II (Multiple Family Residential-II) and located in the 4700 Block of Battle Creek Road SE (Marion County Assessor map and tax lot number(s): 083W11D / 00601).

RECOMMENDED CONDITIONS OF APPROVAL

1. Acquire and convey land for dedication to equal a half-width right-of-way of 36 feet on the development side of Battle Creek Road SE along the frontage of the property and from M Street to Kuebler Boulevard SE, including sufficient right-of-way to accommodate public infrastructure at the property corners. Prior to building permit issuance, the applicant shall either:
 - a. Acquire the land for dedication; or
 - b. Document good faith attempts to acquire right-of-way the land needed as outlined above, prepare the legal descriptions thereof, and transmit them to the Public Works Director.
2. Construct a half-street improvement along Battle Creek Road SE from M Street to Kuebler Boulevard SE to Minor Arterial standards. This improvement can be deferred through a performance guarantee pursuant to SRC 110.100 until sufficient right-of-way is acquired to construct the improvement. If the City is unable to acquire the right-of-way prior to final occupancy of all buildings in the development, then the

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

performance guarantee shall be refunded, and the applicant is not required to construct the improvement. The SDC Eligibility Ratio for this improvement is 100 percent pursuant to Administrative Rule 109-200-2.4(c).

3. Construct M Street from Battle Creek Road SE to the northeast line of the development frontage as a 30-foot curb-to-curb improvement with sidewalk, street trees, and streetlights on the development side of the frontage.
4. Construct a full-street improvement for O Street and P Avenue to Local street standards from M Street to the southeast property line as shown on the applicant's preliminary plan.
5. Construct a minimum 12-inch water main from Battle Creek Road SE within M Street, O Street, and P Avenue to the easterly terminus of P Avenue.
6. Extend the existing 8-inch sanitary sewer main from Battle Creek Road SE to the southeast property line as shown on the applicant's preliminary utility plan.
7. Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

FACTS

Streets

1. Battle Creek Road SE
 - a. Standard—This street is designated as a Minor Arterial street in the Salem TSP. The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way.
 - b. Existing Conditions—This street has an approximate 27-foot improvement within a 60-foot-wide right-of-way abutting the subject property.
2. Kuebler Boulevard SE
 - a. Standard—This street is designated as a Parkway street in the Salem TSP. The standard for this street classification is an 80-foot-wide improvement within a 120-foot-wide right-of-way.
 - b. Existing Conditions—This street has an approximate 85-foot-wide improvement within a 175-foot-wide right-of-way abutting the subject property.

Storm Drainage

1. Existing Conditions

- a. A 12-inch storm main is located in Battle Creek Road SE.
- b. A 6-inch storm main is located in Kuebler Boulevard SE.

Water

1. Existing Conditions

- a. The subject property is located in the S-1 and S-2 water service level.
- b. An 18-inch S-2 water main is located in Battle Creek Road SE. Mains of this size generally convey flows of 4,800 to 11,100 gallons per minute.

Sanitary Sewer

1. Existing Conditions

- a. A 15-inch sewer main is located in Battle Creek Road SE.

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 complex 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 does not require any additional information based on SRC Chapter 810.

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—Kuebler Boulevard SE meets the right-of-way width and pavement width standards pursuant to the Salem TSP; therefore, no additional street improvements are required as a condition of the proposed development.

The existing condition of Battle Creek Road SE does not meet current standards for its classification of street per the Salem TSP. The proposed development generates a significant amount of pedestrian traffic, and there is no continuous sidewalk available to pedestrians for access to Kuebler Boulevard SE. In order to provide safe and efficient pedestrian circulation into and out of the proposed development, the applicant shall obtain right-of-way and construct a half-street improvement to Minor Arterial standards from M Street along Battle Creek Road SE to the intersection of Battle Creek Road SE and Kuebler Boulevard SE. To provide for safe, orderly, and efficient access toward Reed Road SE, the applicant shall construct a half-street improvement from M Street to the southerly limit of the Reed/Battle Creek intersection realignment. The SDC Eligible Projects (309) list shows this section of Battle Creek Road SE from Reed Road SE to Kuebler Boulevard SE to be a Maximum Eligibility of 80 percent. However, the 20-percent portion of Battle Creek Road ineligible for SDC funding is being funded by Fairview Development District fees. Therefore, there is no Developer's Share required for this improvement, and the SDC Eligibility Ratio for this improvement is 100 percent pursuant to Administrative Rule 109-200-2.4(c).

The Reed/Battle Creek intersection realignment is required as a condition of development for Coburn Grand View subdivision adjacent to the subject property and will be constructed by others.

Because off-site right-of-way acquisition is necessary to complete the required half-street improvement along Battle Creek Road SE from M Street SE to Kuebler Boulevard SE, the applicant may defer construction of the improvement until off-site right-of-way can be acquired pursuant to SRC 803.070. Prior to building permit issuance, the applicant is responsible for making a good faith effort to acquire the right-of-way needed to construct the improvement. If such good faith efforts are unsuccessful, then the applicant shall transmit to the Public Works Director legal descriptions of the land to be acquired. The City will attempt to acquire right-of-way while the proposed development is being constructed. If the City is unable to acquire the right-of-way prior to final occupancy of all buildings in the development, then the

performance guarantee shall be refunded and the applicant is not required to construct the improvement because of proportionality constraints, and the City will construct the improvement through its Capital Improvement Program at a later time.

Condition: Acquire and convey land for dedication to equal a half-width right-of-way of 36 feet on the development side of Battle Creek Road SE along the frontage of the property and from M Street to Kuebler Boulevard SE, including sufficient right-of-way to accommodate public infrastructure at the property corners. Prior to building permit issuance, the applicant shall either:

- a. Acquire the land for dedication; or
- b. Document good faith attempts to acquire right of way the land needed as outlined above, prepare the legal descriptions thereof, and transmit them to the Public Works Director.

Condition: Construct a half-street improvement along Battle Creek Road SE from M Street to Kuebler Boulevard SE to Minor Arterial standards. This improvement can be deferred through a performance guarantee pursuant to SRC 110.100 until sufficient right-of-way is acquired to construct the improvement. If the City is unable to acquire the right-of-way prior to final occupancy of all buildings in the development, then the performance guarantee shall be refunded, and the applicant is not required to construct the improvement. The SDC Eligibility Ratio for this improvement is 100 percent pursuant to Administrative Rule 109-200-2.4(c).

The applicants site plan shows new public streets extending from Battle Creek Road SE to the northern property lines and within the complex development. Applicant shall be required to construct internal streets as follows:

Condition: Construct M Street from Battle Creek Road SE to the northeast line of the development frontage as a 30-foot curb-to-curb improvement with sidewalk, street trees, and streetlights on the development side of the frontage.

Condition: Construct a full-street improvement for O Street and P Avenue to Local street standards from M Street to the southeast property line as shown on the applicant's preliminary plan.

The block length of O Street is approximately 730 feet between M Street and P Avenue, exceeding the 600-foot block length requirement in SRC 803.030. A larger block length is authorized by the Director under SRC 803.030(b) because it accommodates more efficient and denser development with less impervious surface, and strict application of the spacing requirements would result in a street network that is no more beneficial to vehicular, pedestrian, or bicycle traffic.

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 proposed driveway accesses onto O Street and P Avenue and provide 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. With recommended conditions, water, sewer, and storm infrastructure will be available within surrounding streets/areas and are adequate to serve the proposed development.

The lot is within the S-1 and S-2 water services levels. The proposed development area is served by S-2 and not within the S-1 water service level. There is an 18-inch S-2 water main located in Battle Creek Road SE. The applicant's preliminary utility plan shows an extension of the public main from Battle Creek Road SE to the southeastern property line. The water main shall be a minimum 12-inch line in order to provide adequate flow to the proposed development and neighboring properties.

Condition: Construct a minimum 12-inch water main from Battle Creek Road SE within M Street, O Street, and P Avenue to the easterly terminus of P Avenue.

There is an 8-inch sanitary sewer main within Battle Creek Road SE, abutting the subject property. The applicant shall be required to extend the existing main through M Street, O Street, and P Avenue to the southeast property line, to serve the proposed development and adjacent undeveloped property.

Condition: Extend the existing 8-inch sanitary sewer main from Battle Creek Road SE to the southeast property line as shown on the applicant's preliminary utility plan.

The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible.

Condition: Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

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.

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 approaches meet 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 approaches.

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

Finding—The proposed driveway approaches are 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 driveways are 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 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 proposed driveway approach is located on a Local street and does not create a significant impact to 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.

Prepared by: Laurel Christian, Program Coordinator
cc: File



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

Christy Perry, Superintendent

March 31, 2022

Kyle Kearns, Planner
Planning Division, City of Salem
555 Liberty Street SE, Room 305
Salem OR 97301

RE: Land Use Activity Case No. SPR-ADJ-DAP-DR22-17, 4700 Block of Battle Creek 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
Lee	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
Lee	Elementary	271	475	57%
Judson	Middle	860	1,059	81%
South Salem	High	2,258	2,248	100%

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	200	MF	0.164	33
Middle			0.085	17
High			0.096	19

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
Lee	Elem.	271	88	33	121	475	83%
Judson	Mid.	860	84	17	101	1,059	91%
South Salem	High	2,258	178	19	197	2,248	109%

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
Lee	Elementary	Eligible for School Transportation
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	33	\$64,220	\$2,119,260
Middle	17	\$76,882	\$1,306,994
High	19	\$89,544	\$1,701,336
TOTAL			\$5,127,590

Table 6

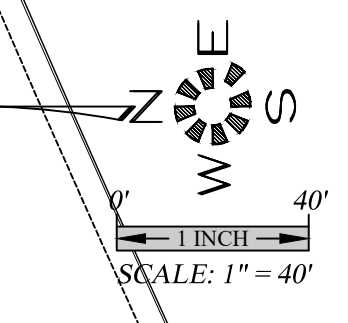
*Cornerstone Management Group, Inc. estimates based on RLB cost index average, 2021 Fourth Quarter.

Sincerely,

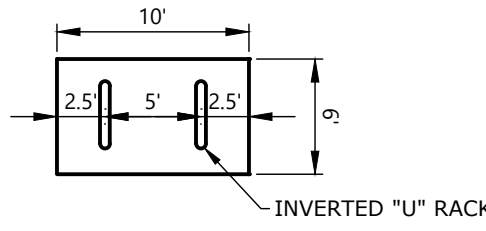
David Fridenmaker, Manager
Planning and Property Services

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

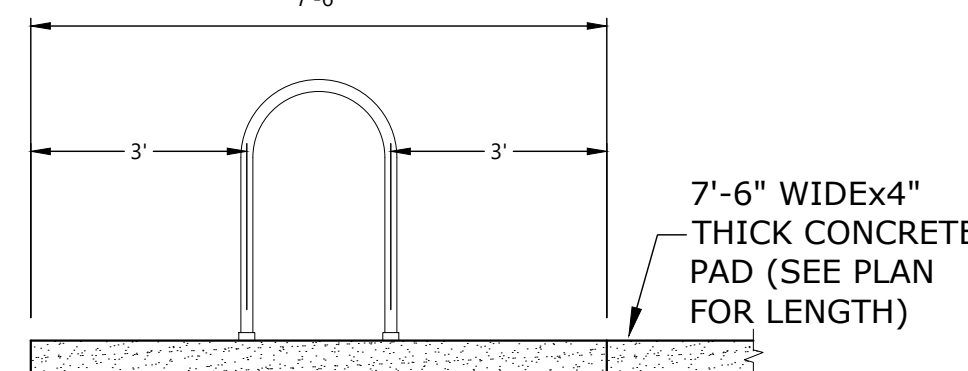
ATTACHMENT F



NOT INCLUDED
FUTURE DEVELOPMENT

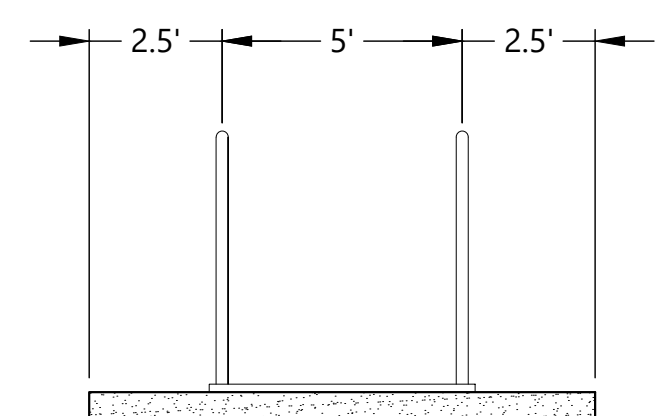


TYPICAL BICYCLE RACKS
-NTS-



BIKE RACK SECTION
-NTS-

SEE SITE PLAN FOR
NUMBER OF RACKS AND
LENGTH.



BIKE RACK SECTION
-NTS-

- - Additional pedestrian walkways
- 4 BICYCLE SPACES
- LOCATION OF ELECTRICAL SEPARATION WALL
- POLE LITE MAX. 14' IN HEIGHT
- POST LITE MAX. 5' IN HEIGHT
- MAXIMUM. 1:12 SLOPE ON SIDEWALK END RAMPS

****** THIS LOWER FLOOR UNIT IN BLD. #3, BLD. #6, BLD. #13, & BLD. #17 IS TO BE A TYPE A UNIT IN ACCORDANCE WITH THE 2014 OSSC SEC. 1107.6.2.1.1 (NOTED ON FLOOR PLANS). ALL OTHER LOWER FLOOR UNITS TO BE A TYPE B UNIT IN ACCORDANCE WITH THE 2010 OSSC SEC. 1107.6.2.1.2.

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

- 200 TOTAL APARTMENT UNITS
- 36 TYPE "A" 2-Bd, 2-Ba (963 S.F.) UNITS
- 24 TYPE "B" 2-Bd, 2-Ba (1,029 S.F.) UNITS
- 38 TYPE "C" 1-Bd, 1-Ba (728 S.F.) UNITS
- 12 TYPE "F" 3-Bd, 2-Ba (1,210 S.F.) UNITS
- 90 TYPE "G" 2-Bd, 2-Ba (1,051 S.F.) UNITS

- 348 TOTAL PARKING STALLS
- 224 STANDARD STALLS
- 115 COMPACT STALLS
- 20 BICYCLE SPACES
- 9 HANDICAP STALLS
- 3 LOADING ZONES

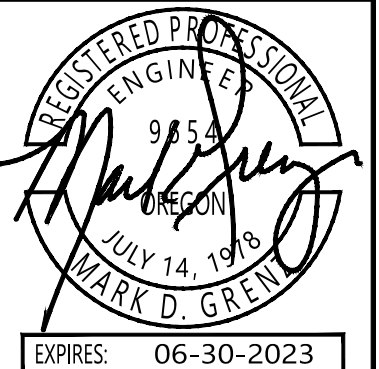
- 1 RECREATION BLD. / MANAGER'S OFFICE
- 1 TRASH COMPACTOR / RECYCLE
- 2 REC/PLAY AREA
- 3 TRASH
- 3 U.S. MAIL BOX AREA

SITE PLAN

COBURN APARTMENTS

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.

71929 - SDR3-SITE
Design: M.D.G.
Drawn: T.M.S.
Checked: J.J.G.
Date: APR 2021
Scale: AS SHOWN



EXPIRES: 06-30-2023
JOB # 7192

SDR3

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