

# NOTICE OF DECISION

PLANNING DIVISION  
555 LIBERTY ST. SE, RM 305  
SALEM, OREGON 97301  
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*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 1 ADJUSTMENT / CLASS 2 DRIVEWAY APPROACH PERMIT / CLASS 1 DESIGN REVIEW CASE NO.: SPR-ADJ-DAP-DR22-24**

**APPLICATION NO.: 22-101695-RP/ 22-101697-ZO / 22-101698-ZO / 22-101696-DR**

**NOTICE OF DECISION DATE:** July 1, 2022

**SUMMARY:** A proposal to construct a new 184-unit apartment complex and associated site improvements.

**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, including nine apartment buildings, a community building, off-street parking areas, and common open space, with a Class 2 Driveway Approach Permit to allow vehicle access onto Salal Street SE. The application includes a Class 1 Adjustment request to increase the maximum allowed building dimension of the senior building from 150 to 162 feet. The application includes Class 2 Adjustment requests to:

- 1) Eliminate some of the required windows on one wall of the proposed senior building;
- 2) Allow off-street parking areas to be located between the proposed buildings and Battle Creek Road;
- 3) Allow the proposed buildings to not occupy a minimum of 40 percent of the property's buildable width along Battle Creek Road; and
- 4) Allow the rear facades of five of the buildings to not have one of the design elements identified in SRC 702.020(e)(9).

The subject property is 14.88 acres in size, zoned RM-II (Multiple Family Residential-II), and located at 5205 Battle Creek Rd SE (Marion County Assessor map and tax lot numbers: 083W14 / 118 and 300).

**APPLICANT:** Ben Schonberger, Winterbrook Planning on behalf of CDP Oregon LLC (Eric Paine, Kyle Paine)

**LOCATION:** 5205 Battle Creek Rd SE, Salem OR 97306

**CRITERIA:** Salem Revised Code (SRC) Chapters 220.005(f)(3) – Class 3 Site Plan Review; 250.005(d)(2) – Class 2 Adjustment; 250.005(d)(1) – Class 1 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 July 1, 2022.

**DECISION:** The **Planning Administrator APPROVED** Class 3 Site Plan Review / Class 2 Adjustment / Class 1 Adjustment / Class 2 Driveway Approach Permit / Class 1 Design Review Case No. SPR-ADJ-DAP-DR22-24 subject to the following conditions of approval:

- Condition 1:** The applicant shall coordinate with Cherriots to locate two ADA-compliant transit stops along the site frontage, as generally depicted in **Attachment F**.
- Condition 2:** Prior to the issuance of building permit(s) for the proposed development, record the final plat for case no. SUB-TRV22-05 in accordance with Salem Revised Code 205.035.
- Condition 3:** Screening meeting the Type C standard shall be provided along the south property line.
- Condition 4:** The front openings of each solid waste service area enclosure shall be unobstructed and shall be a minimum of 12 feet in width.
- Condition 5:** All solid waste service area gates shall have restrainers in the open and closed positions.
- Condition 6:** Solid waste receptacles shall be two cubic yards or less in size, or the plans shall be revised to accommodate vehicle operation areas which are located perpendicular to the enclosure openings.
- Condition 7:** The applicant shall demonstrate the proposed dwelling units are affordable to households with incomes equal to or less than 80 percent of the median family income for Marion County or for the state, whichever income is greater.
- Condition 8:** A minimum of 46 units shall be restricted to low-income elderly housing.
- Condition 9:** 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.
- Condition 10:** Each off-street loading space shall be a minimum of 12 feet in width, 19 feet in length, and 12 feet in height.
- Condition 11:** In addition to the landscaping required under Salem Revised Code chapters 514 and 807, a minimum of seven Oregon white oak trees with a minimum caliper of 1.5 inches shall be planted on Lot 1.
- Condition 12:** All trees designated for preservation shall be marked and protected during construction. Any significant tree shall require that at least 70 percent of a circular area beneath the tree measuring one foot in radius for every one inch of dbh be protected by an above ground silt fence, or its equivalent. Protection measures shall remain in place until issuance of notice of final completion for the dwelling units on the lot, or issuance of certificate of occupancy in all other cases.
- Condition 13:** Construct a half-street improvement to minor arterial street standards along the development side of Battle Creek Road SE up to a total curb-to-curb improvement width of 46 feet.

- Condition 14:** Construct an off-site improvement of Battle Creek Road SE from the north line of the subject property to Boone Road to provide sufficient width for two through lanes, two bike lanes, a center turn lane, and a sidewalk on the west side of the street.
- Condition 15:** Construct internal streets to local street standards as specified in the City Street Design Standards and consistent with the provisions of Salem Revised Code Chapter 803, with the following exceptions:
- a) Salal Street SE within the subject property is approved to have an increased block length as shown on the applicant's tentative plan.
  - b) Internal streets are approved to have an increased curb-to-curb improvement of 34-feet.
- Condition 16:** Construct a multi-modal path within Lot 1 from the intersection of Teal Drive SE and Salal Street SE to Battle Creek Road SE and plat a public access easement granting access to the multi-modal path.
- Condition 17:** 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 or obtain a design exception from the City Engineer.
- Condition 18:** 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 19:** A minimum of two plant units shall be provided adjacent to the primary entryway of each dwelling unit, or combination of dwelling units.
- Condition 20:** 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 21:** 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 22:** 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.

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:  
All other Case Types in Application:

July 19, 2026  
July 19, 2024

Application Deemed Complete:	<u>April 19, 2022</u>
Notice of Decision Mailing Date:	<u>July 1, 2022</u>
Decision Effective Date:	<u>July 19, 2022</u>
State Mandate Date:	<u>August 17, 2022</u>

Case Manager: Brandon Pike, Planner I, [bpike@cityofsalem.net](mailto: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](mailto:planning@cityofsalem.net), no later than 5:00 p.m., Monday, July 18, 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>



**BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM**

**DECISION**

<b>IN THE MATTER OF APPROVAL OF</b>	<b>)</b>	<b>FINDINGS &amp; ORDER</b>
<b>CLASS 3 SITE PLAN REVIEW,</b>	<b>)</b>	
<b>CLASS 2 ADJUSTMENT, CLASS 1</b>	<b>)</b>	
<b>ADJUSTMENT, CLASS 2</b>	<b>)</b>	
<b>DRIVEWAY APPROACH PERMIT,</b>	<b>)</b>	
<b>AND CLASS 1 DESIGN REVIEW</b>	<b>)</b>	
<b>CASE NO. SPR-ADJ-DAP-DR22-24</b>	<b>)</b>	
<b>5205 BATTLE CREEK ROAD SE</b>	<b>)</b>	<b>JULY 1, 2022</b>

In the matter of the application for Class 3 Site Plan Review, Class 2 Adjustment, Class 1 Adjustment, Class 2 Driveway Approach Permit, and Class 1 Design Review submitted by the applicant, CDP Oregon LLC, property owner, Woodscape Glen LLC, and the applicant's representative, Ben Schonberger of Winterbrook Planning, 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 184-unit apartment complex and associated site improvements.

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, including nine apartment buildings, a community building, off-street parking areas, and common open space, with a Class 2 Driveway Approach Permit to allow vehicle access onto Salal Street SE. The application includes a Class 1 Adjustment request to increase the maximum allowed building dimension of the senior building from 150 to 162 feet. The application includes Class 2 Adjustment requests to:

- 1) Eliminate some of the required windows on one wall of the proposed senior building;
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- 3) Allow the proposed buildings to not occupy a minimum of 40 percent of the property's buildable width along Battle Creek Road; and
- 4) Allow the rear facades of five of the buildings to not have one of the design elements identified in SRC 702.020(e)(9).

The subject property is 14.88 acres in size, zoned RM-II (Multiple Family Residential-II), and located at 5205 Battle Creek Rd SE (Marion County Assessor map and tax lot numbers: 083W14 / 118 and 300).

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

## PROCEDURAL FINDINGS

### 1. Class 3 Site Plan Review Applicability

Site plan review is intended to provide a unified, consistent, and efficient means to review proposed development that requires a building permit, other than single-family, duplex residential, and installation of signs, to ensure that such development meets all applicable requirements imposed by the Salem Revised Code (SRC). SRC 220.005(b)(3) requires Class 3 Site Plan Review for any development that requires a building permit, and that involves a land use decision or limited land use decision, as those terms are defined in ORS 197.015.

Class 3 Site Plan Review is required for this application pursuant to SRC 220.005(b)(3)(C) and (F) because a Class 2 Driveway Approach Permit and Class 2 Adjustments are included in the request.

### 2. Background

On January 25, 2022, a consolidated Class 3 Site Plan Review, Class 2 Adjustment, Class 1 Adjustment, Class 2 Driveway Approach Permit, and Class 1 Design Review application was submitted for a proposal to construct a new 184-unit apartment complex.

After receiving additional required information from the applicant, the consolidated application was deemed complete for processing and notice of filing of the application was sent pursuant to SRC requirements on April 19, 2022. The 120-day state-mandated local decision deadline is August 17, 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 101695.

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

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

Applicant Neighborhood Association Contact. SRC 300.310 requires an applicant to contact the neighborhood association(s) whose boundaries include, and are adjacent to, property subject to specific land use application requests. Pursuant to SRC 300.310(b)(1), land use applications included in this proposed consolidated land use application request require neighborhood association contact. The applicant presented the plan to the South Gateway Neighborhood Association at their November 11, 2021 meeting.

Neighborhood Association Comment. Notice of the application was provided to South Gateway Neighborhood Association 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 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.

Prior to the end of the public comment period, eight comments were received from members of the public. Concerns can be summarized as follows:

- *Additional Off-Street Parking Spaces.* Some comments indicated they would prefer the development to include more off-street parking spaces than what is proposed.

**Staff Response:** As identified within *section 7* of this decision, the proposal meets the minimum off-street parking requirement of SRC chapter 806. The City cannot require additional off-street parking to mitigate a pre-existing condition in the vicinity. Parking violations can be reported to the Code Compliance Division.

- *Width of Streets.* One comment expressed concerns with the width of existing and proposed streets, requesting that new streets be wider to accommodate more traffic.

**Staff Response:** The applicant has proposed 34-foot-wide curb-to-curb street improvements for the internal local streets, allowing for adequate space for parked vehicles on both sides of the streets and travel lanes in both directions. The standard for a local street is a 30-foot-wide curb-to-curb improvement. The proposal exceeds the minimum standard.

- *Density / Number of Units.* One comment expressed concern over the number of units proposed, requesting that the proposal be modified to include fewer units.

**Staff Response:** As identified within *Section 7* of this decision, the RM-II zone allows for a minimum of 93 dwelling units and a maximum of 216 dwelling units

based on the size of the subject property. The proposed development includes a total of 184 dwelling units, which is within the range of density allowed under the RM-II zone.

- *Loss of Animal Habitat.* Some comments expressed opposition to the proposal, as it would result in the loss of animal habitat and reduce the presence of wildlife.

**Staff Response:** As identified within this decision, the UDC regulates preservation of trees and native vegetation, but nothing in the City's development code would prohibit the development of the subject property based on the presence of wildlife.

- *Protected Trees.* One comment expressed a desire to see each of the existing significant Oregon white oak trees to be preserved.

**Staff Response:** The SRC allows removal of significant trees when done in accordance with the allowances of SRC chapter 808. On June 17, 2022, the applicant received approval of a Tree Variance in conjunction with the associated Subdivision, case no. SUB-TRV22-05. As conditioned within that decision and herein, the applicant will be required to protect and preserve all trees not approved for removal, including all trees on Lots 2, 3, and 4 until the time of future development, when tree removal and preservation will be reviewed again for those lots.

- *Traffic and Adjacent Streets.* Some comments expressed concerns about increased traffic as a result of the proposal, and the existing traffic conditions along adjacent streets.

**Staff Response:** As addressed within this decision, Staff analysis, including by the City's traffic engineers, determined the proposal will not create significant impacts to the local traffic system. Residents and neighborhood associations can at any time choose to go through the City's Neighborhood Traffic Management Program. That program provides a two-step process for addressing traffic and speeding problems. The program identifies different types of traffic calming measures that are allowed, including the use of speed trailers which indicate approaching vehicle speeds and road closures.

- *Charging Stations for Electric Vehicles.* One comment requested that charging stations for electric vehicles be included.

**Staff Response:** The Salem Revised Code does not include requirements for electric vehicle charging stations. The applicant or future owners of the property may choose to install charging stations.

- *Views.* One comment expressed a desire for the City to deny the proposal due to potential impacts on views from their property.

**Staff Response:** Views of adjacent property are not regulated or protected under the City of Salem zoning code. As addressed within this decision, the proposal has

been evaluated for related zoning standards, such as height limitations and screening.

- *Transit Stops.* One comment requested that transit stops be included with the development.

**Staff Response:** As conditioned, the applicant will be required to coordinate installation of transit stops along Battle Creek Road with Cherriots, ensuring the proposed development will be served by transit.

- *Privacy.* One comment expressed concerns over loss of privacy due to the proposal.

**Staff Response:** The proposed development is subject to the development standards set forth in SRC chapters 514 and 702, which include requirements for height, setbacks, and lot coverage that are intended to ensure development of private property or use of public rights-of-way does not adversely impact the privacy of adjacent properties. Adherence with these standards is addressed within this decision.

- *Noise.* Some comments expressed concern over noise during construction and from future residents.

**Staff Response:** Noise disturbances are prohibited by SRC Chapter 93, and construction activities are specifically limited to the hours of 7 a.m. to 10 p.m. by SRC 93.020(d). The level of allowable noise during construction activities is also limited by state law. Noise violations can be reported to the appropriate City department.

- *Proximity to Baxter Road SE.* One comment requested that the buildings be moved farther away from Baxter Road.

**Staff Response:** The subject property does not abut Baxter Road, as Woodscape Linear Park is located between the subject property and Baxter Road. As addressed within *Section 7* of this decision, the applicant has demonstrated they meet the applicable setback standards.

- *Building Height.* One comment expressed concern over the proposed buildings being three stories tall and hoped to see the buildings limited to two stories or less.

**Staff Response:** The applicant is proposing one-, three- and four-story buildings, each 50 feet in height or less, which all meet the maximum height allowance of the zone—50 feet. As shown on the applicant's development plans, trees, landscaping and a sight-obscuring fence along the interior property lines will help buffer the impacts of the proposal on the surrounding properties and residents.

- *Protection of Existing Trees.* Some comments expressed they would like for fewer or no trees to be removed as a result of the proposed development.

**Staff Response:** The SRC allows removal of trees when done in accordance with the allowances of SRC chapter 808. As identified within this decision, no tree removal is approved with this application, except for trees located within the proposed rights-of-way and on Lot 1. The applicant will be required to retain and maintain trees as required under SRC chapters 807 and 808. Tree preservation will be reviewed at the time of building permit submittal and at the time of building inspection. Future retention and maintenance of trees will be regulated under the City's landscape and tree ordinances: SRC chapters 807 and 808.

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

## 5. City Department Comments

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

Building and Safety Division - Reviewed the proposal and indicated no concerns.

Fire Department - Reviewed the proposal and provided the following comments that Fire Department access and water supply are sufficient for the development.

## 6. Public Agency Comments

Notice of the proposal was provided to public agencies, and to public and private service providers.

- Salem Keizer School District - Provided comments which are included as **Attachment E**. They indicate the applicable elementary school (Pringle) and middle school (Judson) have sufficient capacity to serve the proposed development, while the applicable high school (South Salem) currently exceeds 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 within the walk zone of the applicable elementary school, and is eligible for school transportation for the applicable 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 proposed street improvements meet the standards of the Salem TSP, as identified within the memorandum from the Public Works Department. The subject property is located within one mile of Pringle Elementary School, so no bus pullout should be required for the proposed development.

- Cherriots - Provided comments which are included as **Attachment F**. They requested two transit stops on Battle Creek Road.

**Staff Response:** Providing infrastructure for all forms of transportation, including single occupant vehicles, pedestrian, bicycle, and public transportation is needed to serve the public. The addition of transit stops would serve the public and provide safe, orderly, and efficient circulation of traffic into and out of the proposed development, as required under SRC 220.005(f)(3)(B). To ensure all modes of transportation are adequately addressed, the following condition shall apply:

**Condition 1:** The applicant shall coordinate with Cherriots to locate two ADA-compliant transit stops along the site frontage, as generally depicted in **Attachment F**.

## **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 by approval criterion, 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 a new apartment complex and related site improvements.

The proposed development conforms to SRC Chapter 514 and all other applicable development standards of the Salem Revised Code as follows:

#### **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 184-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 proposal does not include a land division; therefore, this standard does not apply. 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 June 17, 2022, City of Salem subdivision case no. SUB-TRV22-05 received tentative approval for the subject property. This application divided the property into four lots, with the proposed development occurring on Lot 1 of the subdivision. The final plat has not yet been recorded with Marion County. To ensure the proposed development complies with the requirements of the Unified Development Code (UDC), the following condition of approval shall apply:

**Condition 2:** Prior to the issuance of building permit(s) for the proposed development, record the final plat for case no. SUB-TRV22-05 in accordance with Salem Revised Code 205.035.

Due to this condition of approval, this application is reviewed as if the subdivision has been platted, with applicable development standards, such as setbacks and lot coverage, reviewed against the property lines approved under case no. SUB-TRV22-05. As conditioned, the resulting property meets the minimum lot standards of the RM-II zone.

**SRC 514.010(c) – Dwelling Unit Density:**

Dwelling unit density within the RM-II zone shall conform to the standards set forth in Table 514-3. 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 (Lot 1 of SUB-TRV22-05) is 7.72 acres in size, allowing for a minimum of 93 dwelling units ( $7.72 \times 12 = 92.6$  units) and a maximum of 216 dwelling units ( $7.72 \times 28 = 216.2$  units). The proposed development includes a total of 184 dwelling units. The proposal meets the standard.

**SRC 514.010(d) – Setbacks:**

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

**Abutting Street**

**North, East, and West:** Adjacent to the north is right-of-way for Foxhaven Drive; adjacent to the east is Battle Creek Road; adjacent to the west is Salal Street. For all uses except for *single family*, *two family*, *three family*, and *four family*, buildings have a minimum setback of 12 feet, plus one foot for each one 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:** The proposed buildings range in height of 35 to 50 feet. The proposed site plan shows a setback of 205 feet between the nearest proposed buildings and the north property line, 116 feet between the nearest proposed buildings and the east property line, and 20 feet between the nearest proposed buildings and the west property line. The proposed site plan shows 110 feet between the nearest proposed vehicle use area and the north property line, 29 feet between the nearest proposed vehicle use area and the east property line, and 20 feet between the nearest proposed vehicle use area and the west property line. The proposal meets the standard.

#### *Interior Property Lines*

**South:** Adjacent to the south is property zoned RM-II (Multiple Family Residential-II). Minimum zone-to-zone setbacks to this property line for buildings, accessory structures, and vehicle use areas for all uses are established within the zone-to-zone setback table, SRC Table 514-5. 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 proposed development plans show a setback of 24 feet to the south property line for the nearest proposed building, and 25 feet to the south property line for the nearest proposed vehicle use area. Type C landscaping is shown along this property line, but the required screening is not clearly identified. The following condition of approval shall apply:

**Condition 3:** Screening meeting the Type C standard shall be provided along the south property line.

As conditioned, the proposal meets the standard.

#### *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 60,863 square feet, or 18.1 percent, with the tallest building having a height of 50 feet. The proposal meets these standards.

#### *SRC 514.010(g) - Landscaping:*

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

**Finding:** The applicant submitted a preliminary landscape plan which shows 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 below.

### **General Development Standards (SRC Chapter 800):**

#### *SRC 800.055 – Solid Waste Service Areas.*

##### *SRC 800.055(a) – Applicability.*

Solid waste service area design standards shall apply to all new solid waste, recycling, and compostable services areas, where use of a solid waste, recycling, and compostable receptacle of 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 four new solid waste service areas with receptacles of one cubic yard or larger. The standards of SRC 800.055 apply.

##### *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.

**Finding:** The applicant's development plans show the receptacles will 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, with a slope of two percent or less. The proposal meets the standard.

##### *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.

**Finding:** The applicant's development plans show the pad areas extend a minimum of one foot beyond the sides and rear of the receptacles, and a minimum of three feet beyond the front of the receptacles. The proposal shows greater than four feet of pad area where receptacles face each other. The proposal meets the standard.

##### *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.

**Finding:** The applicant's plans show a minimum of 1.5 feet between the proposed receptacles and the side walls of the enclosures. The proposal meets the standard.

***SRC 800.055(b)(3) – Vertical Clearance.***

Receptacles two cubic yards or less in size shall be provided with a minimum of eight feet of unobstructed overhead or vertical clearance for servicing. Receptacles greater than two cubic yards in size shall be provided with a minimum of 14 feet of unobstructed overhead or vertical clearance for servicing; provided, however, overhead or vertical clearance may be reduced to eight feet: For enclosures covered by partial roofs, where the partial roof over the enclosure does not cover more than the rear eight feet of the enclosure, as measured from the inside of the rear wall of the enclosure (see Figure 800-6); or where a physical barrier is installed within, and a maximum of eight feet from the front opening of, the enclosure preventing the backward movement of the receptacle (see Figure 800-7).

**Finding:** The applicant's development plans indicate at least 14 feet of unobstructed overhead or vertical clearance for servicing. The proposal meets the standard.

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

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

**Finding:** The proposal does not include permanent drop box or compactors. This standard does not apply to the proposed development.

***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 development plans show the proposed solid waste service areas will be screened with six-foot-tall sight-obscuring walls and gates. The proposal meets the standard.

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

When enclosures are used for required screening or aesthetics, such enclosures shall conform to the standards set forth in this subsection. The overall dimensions of an enclosure are dependent upon the number and size of receptacles the enclosure is designed to accommodate.

***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:** Some pages of the applicant's development plans show enclosures with a front opening of greater than 12 feet, and some pages show enclosures with a front

opening of eight feet. To ensure the proposal will meet this standard, the following condition of approval shall apply:

**Condition 4:** The front openings of each solid waste service area enclosure shall be unobstructed and shall be a minimum of 12 feet in width.

As conditioned, the proposal meets the standard.

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

Enclosures constructed of wood or chainlink fencing material shall contain a minimum four-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the enclosure to prevent damage from receptacle impacts. Enclosures constructed of concrete, brick, masonry block, or similar types of material shall contain a minimum four-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the enclosure, or a fixed bumper rail to prevent damage from receptacle impacts. The requirements under subsections (e)(2)(A) and (B) of this section shall not apply if the enclosure is designed to be separated: A minimum distance of two feet from the sides of the container or receptacles; and a minimum of three feet from the rear of the container or receptacles.

**Finding:** The applicant's development plans show enclosures constructed of a combination of concrete block material and wood. The plans show a minimum four-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the enclosures. The proposal meets the standard.

*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 includes enclosures with openings of 15 feet, which open a minimum of 90 degrees. Restrainers are in the open and closed positions are not shown. To ensure the proposal meets this standard, the following condition of approval shall apply:

**Condition 5:** All solid waste service area gates shall have restrainers in the open and closed positions.

As conditioned, the proposal meets 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 vehicle operation 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 provided plans do not indicate the size of the proposed receptacles. To ensure this standard is met, the following condition of approval shall apply:

**Condition 6:** Solid waste receptacles shall be two cubic yards or less in size, or the plans shall be revised to accommodate vehicle operation areas which are located perpendicular to the enclosure openings.

As conditioned, the proposal meets this 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 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 - 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.

**Finding:** The proposal includes a new use or activity. The off-street parking development standards of this chapter apply.

***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.

***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 184 dwelling units, with 46 units set aside for low-income elderly residents, while 138 of the units are set aside as standard affordable units. The 46 units set aside for low-income elderly residents require a minimum of one space per four dwelling units, for a total of 12 off-street parking spaces ( $46 / 4 = 11.5$ ). The 138 units set aside as standard affordable units require a minimum of one space per studio unit or dwelling unit with one bedroom, and 1.5 space per dwelling unit with two or more bedrooms. Each of the 138 standard units contains two or more bedrooms, requiring a minimum of 207 off-street parking spaces ( $1.5 \times 138 = 207$ ).

Based on these calculations, the development requires a minimum of 219 parking spaces. Pursuant to SRC Table 806-1, the minimum number of spaces per dwelling unit may be reduced by 25 percent for dwelling units that are affordable to households with incomes equal to or less than 80 percent of the median family income for the county in which the development is built or for the state, whichever income is greater. The applicant has proposed that each unit be affordable housing, reducing the minimum off-street parking requirement to 164 spaces. The site plan proposes 164 off-street parking spaces, which meets the minimum standard.

To ensure the proposal meets the off-street parking requirements of SRC chapter 806, the following conditions of approval shall apply:

**Condition 7:** The applicant shall demonstrate the proposed dwelling units are affordable to households with incomes equal to or less than 80 percent of the median family income for Marion County or for the state, whichever income is greater.

**Condition 8:** A minimum of 46 units shall be restricted to low-income elderly housing.

Based on a minimum off-street parking requirement of 164 spaces, a maximum of 123 spaces may be compact spaces ( $164 \times 0.75 = 123$ ). As shown on the applicant's site plan, no compact spaces are proposed, 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 164 spaces, the maximum number of off-street parking spaces allowed is 287 spaces ( $164 \times 1.75 = 287$ ). The proposed development includes a total of 164 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, expansion or alteration of existing off-street parking and vehicle use areas where existing paved surface is replaced with a new paved surface, or the paving of an unpaved area.

**Finding:** The proposal includes development of a new off-street parking and vehicle use area. The development standards of this section apply to the proposed development.

- 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 provides perimeter setbacks and landscaping as required by this standard.

- d) *Interior Landscaping.* Except as otherwise set forth in this section, interior landscaping shall be provided in amounts not less than those set forth in Table 806-5.

**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, bumper guards, and striping. The parking area marking, signage, and lighting shall comply with the standards of SRC chapter 806. The applicant's development plans do not clearly indicate if the required screening under SRC 806.035(m) will be provided for the off-street parking area. As conditioned herein, the applicant will be required to provide screening along the south property line in accordance with this standard.

## **Bicycle Parking**

### *SRC 806.045(a) - General Applicability.*

Bicycle 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 bicycle 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.

**Finding:** The proposal includes a new use or activity. The bicycle parking development standards of this chapter apply.



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

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

***SRC 806.055 – Amount of Bicycle Parking.***

Bicycle parking shall be provided in amounts not less than those set forth in 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 184 dwelling units, requiring a minimum of 18 spaces ( $184 \times 0.1 = 18.4$ ). The proposed site plan shows 40 bicycle parking spaces, placed in various 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 spaces to be located adjacent to each of the proposed buildings, located less than 50 feet from a primary entrance. The proposal meets the standard.

(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 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, each a minimum of four feet in width. Many of the spaces do not meet the minimum width requirement. The following condition of approval shall apply:

**Condition 9:** 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.

As conditioned, the proposal meets the standard.

- (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's plans call for 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; any change of use or activity, when such change of use or activity results in a greater number of required off-street loading spaces than the previous use or activity; or any intensification, expansion, or enlargement of a use or activity.

**Finding:** The proposal includes a new use or activity. The loading area development standards of this chapter apply.

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

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

***SRC 806.075 – Amount of Off-Street Loading.***

Pursuant to SRC Table 806-9, for *multiple family* uses with between 100 and 199 dwelling units, a minimum of two 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 184-unit apartment complex requires a minimum of two off-street loading spaces. The applicant has proposed two loading spaces, but they do not meet the minimum width standard of 12 feet. The following condition of approval shall apply:

**Condition 10:** Each off-street loading space shall be a minimum of 12 feet in width, 19 feet in length, and 12 feet in height.

Additionally, Building E is proposed as a recreation/community building. One of the proposed off-street loading areas is proposed in conjunction with the recreation/community building. As conditioned, the proposal meets this standard.

## **Landscaping**

***SRC 807 – Landscaping and Screening:*** All required setbacks shall be landscaped to the Type A or Type C standard, 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 shows adherence with the requirements of SRC chapters 514, 702, and 807, except where Staff have identified deficiencies and imposed conditions of approval.

## **Natural Resources**

***SRC 601 - Floodplain Overlay Zone:*** 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:** The applicant submitted a Tree Variance application in conjunction with the association Subdivision, case no. SUB-TRV22-05. The tree plan identifies a total of 276 trees on the property, with seven significant oaks proposed for removal. The subject property contains many trees, with some areas heavily forested. To accommodate required street improvements and to allow for development on proposed Lot 1, the applicant states they have proposed a street and site layout which maximizes tree preservation while still allowing for necessary improvements.

The applicant notes that five of the significant trees proposed for removal (trees 2, 4, 5, 20, and 39) conflict with proposed streets within the subdivision, which was required by previous partition applications. The locations of these streets are relatively fixed, as they must align with existing street stubs to the south and west, and with the intersection of Foxhaven Drive SE and Battle Creek Road SE. The two remaining significant trees proposed for removal (trees 187 and 189) are in the northern portion of proposed Lot 1 and are adjacent to a cluster of three other significant Oregon white oaks (trees 174, 175, and 176). The applicant has proposed to preserve these three oaks, as they are larger and in better condition than trees 187 and 189, according to the arborist's inventory provided by the applicant. The applicant notes that, if all five of these significant trees were to be preserved, vehicular access to the north side of Lot 1 via Salal Street would not be feasible while still providing adequate space for their required stormwater facility. The applicant received tentative approval of case no. SUB-TRV22-05 on June 17, 2022.

As conditioned within case no. SUB-TRV22-05, the applicant is required to mitigate removal of the seven significant trees and to protect those trees identified for preservation during development. To ensure the proposed development complies with the requirements of SRC chapter 808 and with the conditions of case no. SUB-TRV22-05, the following conditions of approval shall apply:

**Condition 11:** In addition to the landscaping required under Salem Revised Code chapters 514 and 807, a minimum of seven Oregon white oak trees with a minimum caliper of 1.5 inches shall be planted on Lot 1.

**Condition 12:** All trees designated for preservation shall be marked and protected during construction. Any significant tree shall require that at least 70 percent of a circular area beneath the tree measuring one foot in radius for every one inch of dbh be protected by an above ground silt fence, or its equivalent. Protection measures shall remain in place until issuance of notice of final completion for the dwelling units on the lot, or issuance of certificate of occupancy in all other cases.

**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.

The Salem-Keizer Local Wetland Inventory shows that there are wetland channels and/or hydric soils mapped on the property. The applicant should contact the Oregon Department of State Lands to verify if any permits are required for development or construction in the vicinity of the mapped wetland area(s). Wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025.

**SRC 810 - Landslide Hazards:** According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are no mapped landslide hazard areas on the subject property.

**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:** Battle Creek Road SE abuts the subject property and does not meet the current standard for a minor arterial street. The existing half-width right-of-way meets the standard requirement of 36 feet measured from centerline; therefore, no additional right-of-way or special setback is required. The existing street condition is underimproved; however, the developer of the subject property is required to construct a half-street improvement to minor arterial street standards along the frontage.

The applicant shall continue the improvement from the northern property boundary to the intersection of Boone Road SE and Battle Creek Road SE. Providing two through lanes, two bike lanes, a center turn lane, and a sidewalk on the west side of the street will ensure safe and efficient access to the site by pedestrians and all other modes of travel.

Pursuant to Land Use Decision No. PAR13-08 and as recorded in a deferral agreement (Reel 3698, Page 473), improvements to Battle Creek Road SE were deferred until Site Plan Review. Therefore, improvements are conditioned herein. Under the previous approval, the improvement width of Battle Creek Road SE was approved to be reduced to minimize impacts to existing trees along the frontage of the property. As such, in accordance with the prior decision, an alternative street standard has been approved for Battle Creek Road SE pursuant to SRC 803.065. Final improvement widths shall be determined through the plan approval process pursuant to SRC 77.091.

The following conditions of approval shall apply:

**Condition 13:** Construct a half-street improvement to minor arterial street standards along the development side of Battle Creek Road SE up to a total curb-to-curb improvement width of 46 feet.

**Condition 14:** Construct an off-site improvement of Battle Creek Road SE from the north line of the subject property to Boone Road to provide sufficient width for two through lanes, two bike lanes, a center turn lane, and a sidewalk on the west side of the street.

The applicant's tentative plan shown an extension of Teal Drive SE and Salal Drive SE within the subdivision. These streets shall be constructed to local street standards, except as otherwise authorized by the Public Works Director. The applicant's preliminary street plan shows a 34-foot curb-to-curb improvement for the new internal streets. According to the Salem TSP, local streets shall have a 30-foot curb-to-curb improvement. To allow for on-street parking on both sides of the street, the Director authorized an Alternative Street Standard under case no. SUB-TRV22-05 to allow for a wider than standard curb-to-curb improvement pursuant to SRC 803.065(a).

The applicant has also requested to allow an increased block length for Salal Street within the subdivision. A larger block length is authorized by the Director under SRC 803.030(b) because it accommodates for 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.

In lieu of meeting the 600-foot block spacing rule, the applicant proposes a pedestrian alignment to be constructed with the proposal. In lieu of providing an additional street connection, the applicant shall construct a multi-modal path and plat a public access easement for the connection from the intersection of Teal Drive and Salal Street to Battle Creek Road SE.

The following conditions of approval shall apply:

**Condition 15:** Construct internal streets to local street standards as specified in the City Street Design Standards and consistent with the provisions of Salem Revised Code Chapter 803, with the following exceptions:

- a) Salal Street SE within the subject property is approved to have an increased block length as shown on the applicant's tentative plan.
- b) Internal streets are approved to have an increased curb-to-curb improvement of 34-feet.

**Condition 16:** Construct a multi-modal path within Lot 1 from the intersection of Teal Drive SE and Salal Street SE to Battle Creek Road SE and plat a public access easement granting access to the multi-modal path.

The Applicant submitted a Trip Generation Memo as part of the application package. The memo establishes that the proposed development is under the threshold for requiring a Traffic Impact Analysis pursuant to SRC 803.015. The Assistant City Traffic Engineer has reviewed the memo and agrees with the findings. When Lots 3 and 4 of the subdivision are developed, a TIA may be required if triggered by SRC 803.015.

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. The water, sewer, and storm infrastructure are available within surrounding streets/areas and are adequate to serve the proposed development.

The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4) 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 17:** 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 or obtain a design exception from the City Engineer.

As conditioned, this criterion is met.

**8. Analysis of Class 1 Adjustment Approval Criteria**

Salem Revised Code (SRC) 250.005(d)(1) provides that an application for a Class 1 Adjustment shall be granted if the following criteria are met. The following subsections are organized with approval criteria in **bold**, followed by findings of fact upon which the decision is based. Lack of compliance with the approval criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

**SRC 250.005(d)(1)(A): The purpose underlying the specific development standard proposed for adjustment is:**

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

**Finding:** The applicant has requested one Class 1 Adjustment to increase the maximum allowed building dimension of the senior building from 150 to 162 feet. The purpose of this standard is to preclude long monotonous exterior walls. The applicant notes the senior building (Building D) is made up of two building sections, connected by a multi-story skybridge over a courtyard. The two sections of the building are offset by an angle of 12 degrees. The applicant states that this, along with the provided offsets

and recesses in the building, create an effect which satisfies the underlying purpose of the standard.

Staff concurs with the applicant's findings, with the purpose underlying the specific development standard proposed for adjustment is clearly satisfied by the proposed development.

**SRC 250.005(d)(1)(B): The proposed adjustment will not unreasonably impact surrounding existing or potential uses or development.**

**Finding:** The applicant notes the adjustment in question applies only to the south façade of the building. This façade is only visible from within certain areas of the subject property, and surrounding uses and developments will not be able to view the building from this angle. Because the purpose of this standard is to preclude long monotonous exterior walls, the applicant notes the proposal satisfies the intent of the code by limiting the prominence of this façade.

Staff concurs with the applicant's findings and finds the proposed adjustment will not unreasonably impact surrounding existing or potential uses or development.

## **9. 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 in **bold**, followed by findings of fact upon which the decision is based. Lack of compliance with the approval 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 four Class 2 Adjustments to: 1) Eliminate some of the required windows on one wall of the proposed senior building, where SRC 702.020(c)(1) requires windows be provided in all habitable rooms, other than bathrooms, on each wall that faces common open space, parking areas, and pedestrian paths; 2) Allow off-street parking areas to be located between the proposed buildings and Battle Creek Road, where SRC 702.020(d)(2) requires off-street surface parking areas and vehicle maneuvering areas to be located behind or beside buildings and structures; 3) Allow the proposed buildings to not occupy a minimum of 40 percent of the property's buildable width along Battle Creek Road, where SRC 702.020(e)(4) requires a minimum of 40 percent of the buildable width to be occupied by buildings placed at the setback line; and 4) Allow the rear facades of five of the buildings to not have one of the design elements identified in SRC 702.020(e)(9).

- *Adjustment to Eliminate Some of the Required Windows on One Wall of the Proposed Senior Building, Where SRC 702.020(C)(1) Requires Windows Be*



*Provided in All Habitable Rooms, Other than Bathrooms, on Each Wall that Faces Common Open Space, Parking Areas, and Pedestrian Paths*

The applicant has requested a Class 2 Adjustment to eliminate some of the required windows on one wall of the senior building. The purpose of this standard is to encourage visual surveillance of such areas and minimize the appearance of building bulk. The applicant notes the purpose is not to confer benefits to residents inside the units. The proposed development provides surveillance at this location by providing it from other vantage points and having all-day lighting on the building at this location. Due to their room locations, strict application of the standard to require windows facing a well-lit common open space would have no practical effect on encouraging visual surveillance or minimizing the appearance of building bulk.

The area that would be subject to surveillance by the additional windows is already highly visible from multiple other vantage points, which are part of the overall building design. The most prominent of these is the glassed-in hallway between the east and west sections of the building. This second-floor hallway and lounge is expressly designed for people-watching, as identified within the applicant's materials. This area looks directly down to the senior courtyard, including the area in front of the wall on which windows would be required. The windows of the people-watching hallway do not have shades and are always open for visibility and safety purposes, unlike dwelling unit windows, which may be shaded or curtained for privacy. Additionally, the area in front of this wall is highly visible from the ground-floor fitness room on the east section of the senior building.

As shown on the first-floor plan (Sheet A2.11B) and inner east side elevation (Sheet A3.02), a both a full-height window and double exterior door are on the opposite wall from the area of the courtyard that is at issue. The community room window and two exterior doors creates an *eyes-on-the-street* design. Entries are located on each side of the building, underneath the glassed-in, second-floor hallway. The movement of residents in and out of these main entrances will provide many opportunities for surveillance of the senior courtyard, including the area that would be outside the forgone windows of these residential units. Finally, although it is somewhat more distant, the Community Building main entry faces the senior courtyard and has an unobstructed view of this location. Altogether, numerous other locations provide unobstructed and continuous visual surveillance of the common area in question.

Staff concurs with the applicant's statement and finds the proposal will equally or better meet the purpose underlying the standard in question.

- *Adjustment to Allow Off-Street Parking Areas to Be Located Between the Proposed Buildings and Battle Creek Road, Where SRC 702.020(D)(2) Requires Off-Street Surface Parking Areas and Vehicle Maneuvering Areas to Be Located Behind or Beside Buildings and Structures*

The purpose of this standard is to minimize the visual impact of on-site parking and to enhance the pedestrian experience. Staff notes the subject property has street frontage on three existing or proposed streets; meeting this standard in all cases

would be quite difficult while still meeting the other standards of the UDC. Strict adherence to this standard would require buildings to be pushed to the margins of the site, with a large parking lot located in the center of the site. The applicant notes this would conflict with the stated intent of the standard, to enhance pedestrian experience. Instead, the applicant has proposed a looping parking lot and a central plaza and gathering area, complete with on-site pedestrian paths and landscaping which provides pedestrian infrastructure which will equally or better meet the intent of the code.

As conditioned, the applicant will be required to provide a multi-modal path and public easement granting east-west access across the site, meaning the proposed pedestrian amenities will be accessible not just to residents and visitors of the proposed development, but also to members of the public.

The applicant also notes that preservation of trees along Battle Creek Road, along with changes of topography between the subject property and Battle Creek Road, reduce the visual impact the proposed parking areas will have on adjacent properties and residents.

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

- *Adjustment to Allow the Proposed Buildings to Not Occupy a Minimum of 40 Percent of the Property's Buildable Width Along Battle Creek Road, as Required Under SRC 702.020(e)(4)*

The applicant has requested an Adjustment to SRC 702.020(e)(4) for the proposed buildings. 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 and to enhance visual interest and activity along the street. The applicant notes challenges related to lot shape and a large buildable width in terms of locating buildings adjacent to Battle Creek Road.

The same elements of design described previously that enhance the Battle Creek Road edge of the site also satisfy the purpose of this standard. Generous buffering and landscaping exceed minimum standards at the edge of the public multi-use path and within the parking lot. The visual interest of the street edge will be reinforced by the multi-use path's meandering design, preservation of mature trees, and variability in topography. Specifically, the parking area is consistently at a slightly lower elevation than the multi-use path, which minimizes the visual impact of the parking to pedestrians and bicyclists who use this corridor. The applicant notes the treatment of the street edge at this location is generally consistent with other developed sections along the Battle Creek Road corridor.

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

- *Adjustment to Allow the Rear Facades of Five of the Buildings to Not Have One of the Design Elements Identified in SRC 702.020(e)(9)*

The stated purpose of this standard is to minimize the appearance of building bulk. The applicant states the proposed development equally meets this purpose by dividing the back façades of the buildings into easily identifiable sections, each shorter than 80 feet. Those sections are clearly visually defined by separate gabled roofs. Each roof gable aligns with the three housing units on the floors below.

In addition to the gabled roofs, a continuous, contrasting, vertical, recessed band of different material will align with the end of each gable to further visually separate building sections and minimize the appearance of the structure's overall bulk. The two distinct sections of the Type A building will be divided by a single vertical recess, and the three distinct sections of the Type C building will have two of these recesses. Because of the roof gables and the vertical element, the back façades of these buildings will be reduced into "vertical faces" that appear shorter than the 80-foot threshold in the standard.

The applicant also notes that, for three of the five buildings in question, another consideration is that these buildings are located on the Salal Street setback line. The 40 percent of buildable width standard of SRC 702.020(e)(4), which is discussed above, maximizes the length of front façades placed at the setback line. Conversely, the building face length standard in SRC 702.020(e)(9) encourages offsets and setbacks that potentially pull the façade away from the setback line. Choosing between two potentially conflicting standards, the applicant has set buildings closer to Salal Street to encourage a sense of street enclosure. This results in the need for an Adjustment to a standard that would potentially pull buildings away from the street.

As proposed, 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 proposed and conditioned, the development will include a public-access multi-modal path and additional trees 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 five 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 18:** 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.

#### **10. 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 in **bold**, 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 meets the standards of SRC chapter 804 and PWDS.

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

**Finding:** Staff found 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 onto an arterial street. The proposal meets this standard.

**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 abutting the subject property. Due to existing developments on the neighboring property, shared access to the property would not be feasible.

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

**Finding:** The proposed driveway approaches meet the PWDS vision clearance standards set forth in SRC chapter 805.

**SRC 804.025(d)(6): The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access.**

**Finding:** No evidence has been submitted to indicate the proposed driveway approaches will create traffic hazards or unsafe turning movements. Additionally, Staff analysis of the proposed driveway approaches indicate they will not create a traffic hazard and will provide for safe turning movements for access to the subject property.

**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 location of the proposed 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 a local street 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 development abuts one arterial street and multiple local streets, with access from one local street proposed. Staff finds the proposed driveway approaches balance the adverse impacts to residentially zoned property with the functionality of the adjacent streets and intersections.

## **11. Analysis of Class 1 Design Review Approval Criteria**

Salem Revised Code 225.005(e)(1) provides that an application for a Class 1 Design Review application shall be granted if all the applicable design review standards are met. The proposal is subject to the design review standards of SRC 702.020. The following subsections are organized with design review standards in **bold**, followed by findings of fact upon which the decision is based. Lack of compliance with the following

standards is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

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(a) – Open Space Standards.**

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

**Finding:** The subject property is approximately 7.72 acres (336,273 square feet) in size, requiring a minimum of 2.32 acres (100,882 square feet) of permanently reserved open space. The proposal calls for 4.56 acres (198,773 square feet) of open space, or approximately 59 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 184 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 larger than 3,250 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 site generally slopes downhill from the southern boundary to the north. The property rises from approximately 370 feet in the northeast corner to 416 feet above sea level in the southeast corner. A minimum of 100,882 square feet of common open space is required, allowing for a maximum of 15,132 square feet of the required common open space to be located on land with slopes greater than 25 percent. None 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 for 39 of the units with dimensions of six feet or greater in width and depth, and 96 square feet in area or greater. Each of the proposed private open spaces meets the minimum size and dimension requirements set forth in SRC Table 702-4.

- (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:** For a development with 184 dwelling units, a minimum of 37 units are required to include private open space under this section ( $184 \times 0.2 = 36.8$ ). The applicant's development plans show private open spaces for 38 dwelling units, 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 includes improved open space areas as allowed under this subsection, including a community food garden and a developed and equipped children's play area. However, the applicant has chosen not to employ the reduction in required open space allowed under this section.

- (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:** While the subject property is within one-quarter mile of a publicly owned park (Woodscape Linear Park), the applicant has not chosen to reduce their total amount of open space as allowed under this section.

**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 336,273 square feet, requiring a minimum of 168 trees to be planted or preserved on site ( $336,273 / 2,000 = 168.1$ ). The applicant's development plans show 391 trees to be planted or preserved throughout the site. The proposal meets the standard.

- (2) Where a development site abuts property that is zoned Residential Agricultural (RA) or Single Family Residential (RS), a combination of landscaping and screening shall be provided to buffer between the multiple family development and the abutting RA or RS zoned property. The landscaping and screening shall include the following:**
- (A) A minimum of one tree, not less than 1.5 inches in caliper, for every 30 linear feet of abutting property width; and**
  - (B) A minimum six-foot tall, decorative, sight-obscuring fence or wall. The fence or wall shall be constructed of materials commonly used in the construction of fences and walls, such as wood, stone, rock, brick, or other durable materials. Chainlink fencing with slats shall be not allowed to satisfy this standard.**

**Finding:** The subject property does not abut RA- or RS-zoned land. This standard does not apply to the proposal.

- (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 19:** 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 show adherence with this standard.

- (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 20:** 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 preliminary landscape plans show shrubs placed around ground level private open space. The proposal meets the standard.

- (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 shade trees planted within planter bays and canopy trees planted adjacent to parking areas in accordance with this standard.

- (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:** Except where an Adjustment has been requested, the applicant's development plans show windows in all habitable rooms, other than bathrooms, as required by this 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 development plans show compliance with this standard, with a maximum height of four feet proposed for adjacent landscaping and walls.

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

**Finding:** The applicant's development plans indicate landscaping adjacent to some common open space, parking areas, and dwelling unit entryways which exceeds three feet in height. The following condition of approval shall apply:

**Condition 21:** 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 will meet this 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:** Except where the applicant has requested an Adjustment to this standard, the proposed development meets this 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 subject property does not abut property zoned RA or RS. This standard does not apply to the proposed development.

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

**Finding:** The proposed site plan shows pedestrian pathways which connect to and between buildings, common open space, and parking areas, and which connect the development to the public sidewalks along adjacent streets. The proposal meets the standard.

**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:** Except where the applicant has requested an Adjustment to this standard, the proposed development meets this 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 property does not abut property zoned RA or RS. This standard does not apply to the proposed development.

- (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 subject property does not abut property zoned RA or RS. This standard does not apply to the proposed development.

- (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 along the Battle Creek Road frontage. Except where an Adjustment has 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's development plans show building entrances facing the street, with direct pedestrian access to the sidewalk along Salal Street, for all ground-level units located within 25 feet of the property line abutting Salal Street, except for two units within the southernmost building. The following condition of approval shall apply:

**Condition 22:** 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.

As conditioned, the proposal meets the standard.

- (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 applicant has requested an Adjustment to this standard for five of the proposed buildings. Otherwise, the proposal meets the standard.

- (10) To visually break up the building's vertical mass, the first floor of each building, except for single-story buildings, shall be distinguished from its upper floors by at least one of the following (see examples in Figure 702-6):**
- (A) Change in materials.**
  - (B) Change in color.**
  - (C) Molding or other horizontally distinguishing transition piece.**

**Finding:** 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.

## **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 1 Adjustment, Class 2 Driveway Approach Permit, and Class 1 Design Review case no. SPR-ADJ-

DAP-DR22-24 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:** The applicant shall coordinate with Cherriots to locate two ADA-compliant transit stops along the site frontage, as generally depicted in **Attachment F**.
- Condition 2:** Prior to the issuance of building permit(s) for the proposed development, record the final plat for case no. SUB-TRV22-05 in accordance with Salem Revised Code 205.035.
- Condition 3:** Screening meeting the Type C standard shall be provided along the south property line.
- Condition 4:** The front openings of each solid waste service area enclosure shall be unobstructed and shall be a minimum of 12 feet in width.
- Condition 5:** All solid waste service area gates shall have restrainers in the open and closed positions.
- Condition 6:** Solid waste receptacles shall be two cubic yards or less in size, or the plans shall be revised to accommodate vehicle operation areas which are located perpendicular to the enclosure openings.
- Condition 7:** The applicant shall demonstrate the proposed dwelling units are affordable to households with incomes equal to or less than 80 percent of the median family income for Marion County or for the state, whichever income is greater.
- Condition 8:** A minimum of 46 units shall be restricted to low-income elderly housing.
- Condition 9:** 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.
- Condition 10:** Each off-street loading space shall be a minimum of 12 feet in width, 19 feet in length, and 12 feet in height.
- Condition 11:** In addition to the landscaping required under Salem Revised Code chapters 514 and 807, a minimum of seven Oregon white oak trees with a minimum caliper of 1.5 inches shall be planted on Lot 1.
- Condition 12:** All trees designated for preservation shall be marked and protected during construction. Any significant tree shall require that at least 70 percent of a circular area beneath the tree measuring one foot in radius for every one inch of dbh be protected by an above ground silt fence, or

its equivalent. Protection measures shall remain in place until issuance of notice of final completion for the dwelling units on the lot, or issuance of certificate of occupancy in all other cases.

**Condition 13:** Construct a half-street improvement to minor arterial street standards along the development side of Battle Creek Road SE up to a total curb-to-curb improvement width of 46 feet.

**Condition 14:** Construct an off-site improvement of Battle Creek Road SE from the north line of the subject property to Boone Road to provide sufficient width for two through lanes, two bike lanes, a center turn lane, and a sidewalk on the west side of the street.

**Condition 15:** Construct internal streets to local street standards as specified in the City Street Design Standards and consistent with the provisions of Salem Revised Code Chapter 803, with the following exceptions:

- a) Salal Street SE within the subject property is approved to have an increased block length as shown on the applicant's tentative plan.
- b) Internal streets are approved to have an increased curb-to-curb improvement of 34-feet.

**Condition 16:** Construct a multi-modal path within Lot 1 from the intersection of Teal Drive SE and Salal Street SE to Battle Creek Road SE and plat a public access easement granting access to the multi-modal path.

**Condition 17:** 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 or obtain a design exception from the City Engineer.

**Condition 18:** 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 19:** A minimum of two plant units shall be provided adjacent to the primary entryway of each dwelling unit, or combination of dwelling units.

**Condition 20:** 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 21:** 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 22:** 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.



---

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

Prepared by Brandon Pike, Planner I

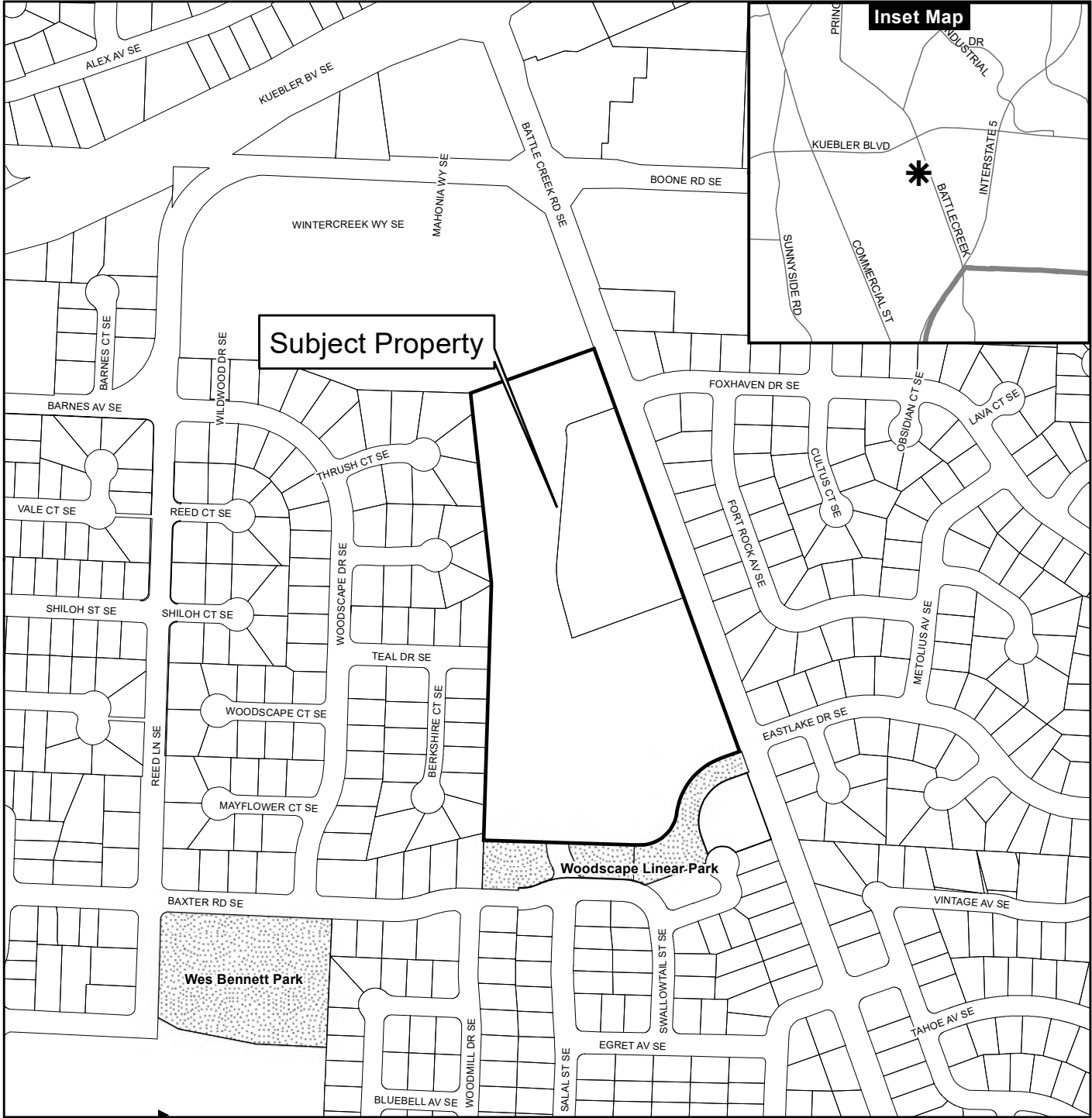
Attachments:

- A. Vicinity Map
- B. Proposed Development Plans
- C. Applicant's Written Statement
- D. Memo from the Public Works Department
- E. Letter from Salem-Keizer Public Schools, Dated Apr. 29, 2022
- F. Comment from Cherriots

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



Vicinity Map  
5205 Battle Creek Rd SE



Legend

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

Parks

CITY OF *Salem*  
AT YOUR SERVICE  
Community Development Dept.

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0 100 200 400 Feet





ATTACHMENT B

LEGEND

GROSS SITE AREA - PHASE 1 (336,359 SF)

BUILDING FOOTPRINT AREA: 60,573 SF (17% of GSA)

OPEN SPACE: 201,106 SF (60% of GSA)

COMMON OPEN SPACE: 4,228 SF (3,050 SF MIN. REQUIRED)

PRIVATE OPEN SPACE: 4,583 SF IN 38 PATIOS

PEDESTRIAN WALKWAYS AND PLAZAS: 61,460 SF (17% of GSA)

LANDSCAPED AREAS: 113,567 SF (30% of GSA)

CHILDREN PLAY AREA: 2,427 SF

NATURE PLAY AREA: 794 SF

STORM WATER PLANTER AREA: 14,046 SF

EXISTING TREES TO BE PRESERVED: 7 (IN PHASE 1)

NEW TREES: 306 SITE TREES, 47 STREET TREES (IN PHASE 1)

VEHICULAR & PARKING AREA: 61,856 SF (17% of GSA)

STANDARD SPACES: 156

A.D.A SPACES: 6

LOADING: 2

TOTAL: 164 (164 REQUIRED)

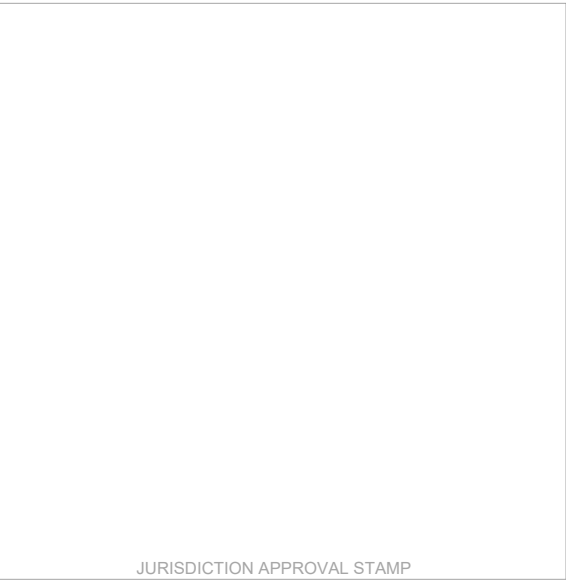
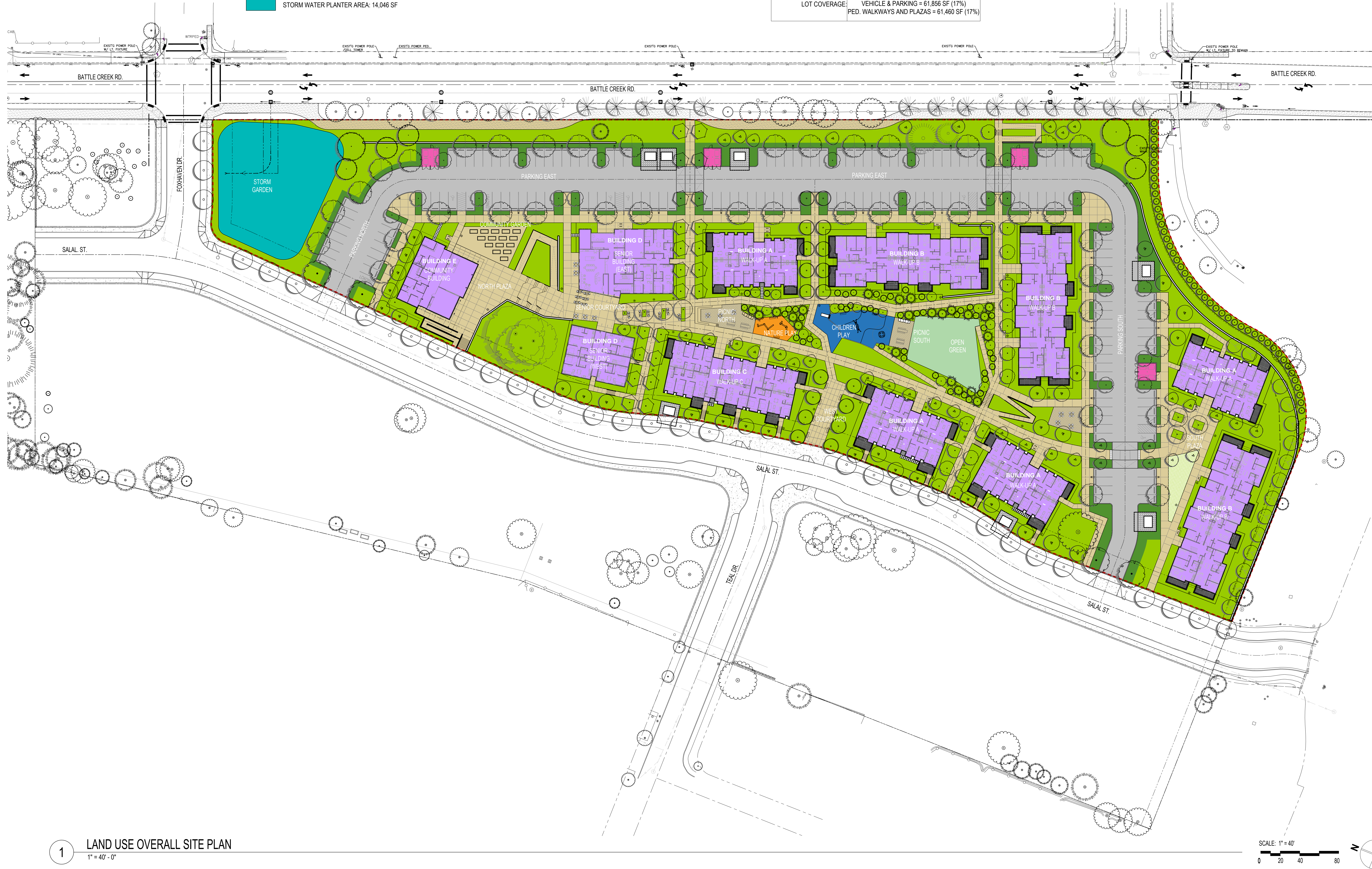
PARKING LANDSCAPE & SCREENING AREA: 16,091 SF

SOLID WASTE ENCLOSURE AREAS: 1,368 SF

NOTE:

SEE CIVIL FOR RIGHT-OF-WAY AND STREET IMPROVEMENTS

SUMMARY TABLE	
ZONING:	RM-II
GROSS FLOOR AREA OF BUILDINGS:	190,864 SF, ALL RESIDENTIAL USE
BUILDING HEIGHT:	45 FT MAX (SENIOR BUILDING)
PARKING:	164 SPACES TOTAL: 156 STANDARD 6 A.D.A. 2 LOADING
LOT COVERAGE:	BUILDINGS = 60,573 SF (17%) VEHICLE & PARKING = 61,856 SF (17%) PED. WALKWAYS AND PLAZAS = 61,460 SF (17%)

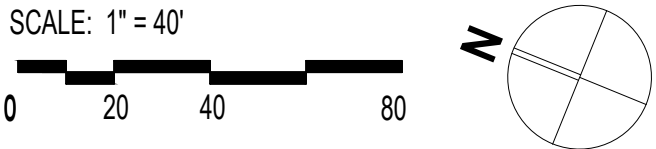


NOT FOR CONSTRUCTION

CDP SALEM SITE  
Job Number: 21031  
PARCEL 2 & PARCEL 3,  
BATTLECREK RD SE  
SALEM, OR 97306



PLACE  
735 NW 18TH AVE  
PORTLAND, OR 97209  
(503) 334 2080



1 LAND USE OVERALL SITE PLAN  
1" = 40' - 0"

LAND USE SUBMISSION 03.11.22  
ISSUE DATE  
Drawing:  
LAND USE SITE PLAN

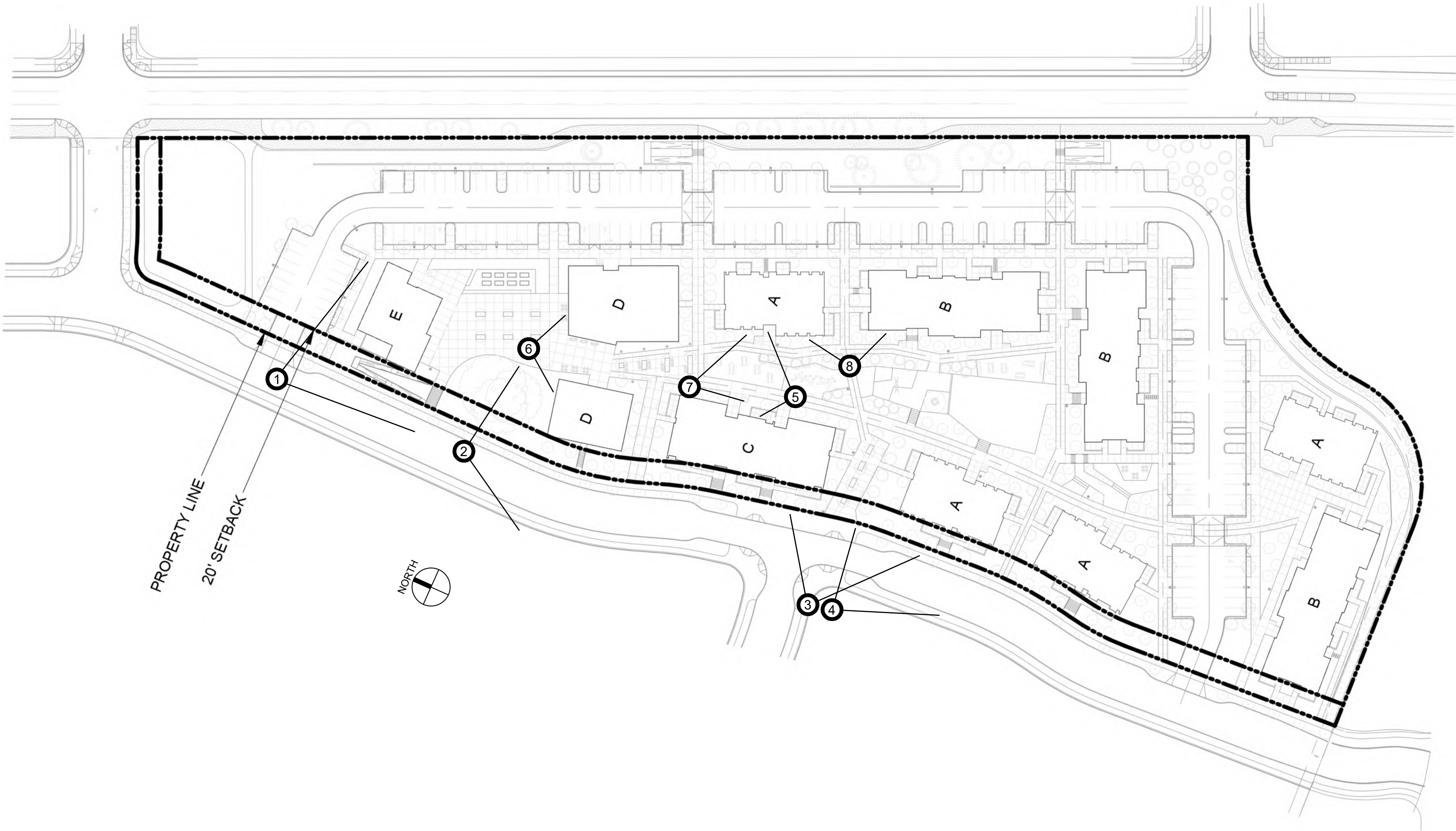
THESE DRAWINGS ARE THE ORIGINAL UNPUBLISHED WORK OF THE ARCHITECT AND MAY NOT BE DUPLICATED OR USED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.



FILE PATH: C:\Revit\_Local\21031\_CDP Salem Gateway\_Site\_22\_acano.rvt



1 - VIEW FROM SALAL LOOKING SOUTH



2 - VIEW FROM SALAL LOOKING SOUTH



3 - VIEW AT TEAL CROSSING LOOKING EAST



4 - VIEW FROM SALAL LOOKING EAST

\* SITE AND LANDSCAPING SHOWN FOR REFERENCE ONLY. SEE CIVIL AND LANDSCAPE DRAWINGS FOR FULL DESIGN.

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CONSTRUCTION

CDP SALEM -  
SITE/  
LANDSCAPE

Job Number: 21031

5205 BATTLE CREEK RD SE  
SALEM, OR 97306

Community  
Development  
Partners

LAND USE SUBMISSION  
ISSUE DATE

Drawing:

RENDERS

Sheet No:

L3.00

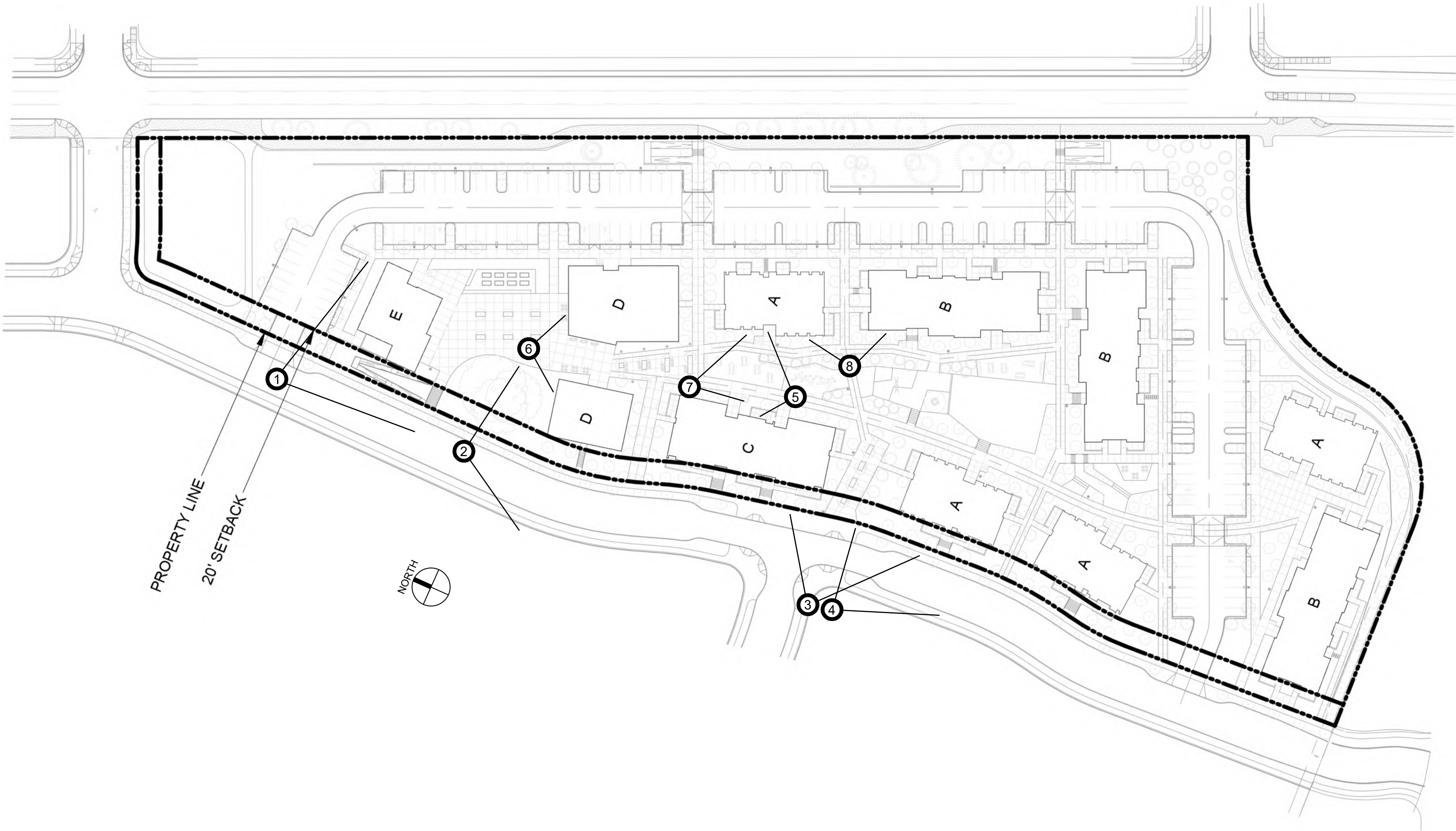
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FILE PATH: C:\Revit\_Local\21031\_CDP Salem Gateway\_Site\_22\_acano.rvt



5 - VIEW FROM PARK LOOKING NORTH



6 - VIEW FROM PLAZA LOOKING SOUTH



7 - VIEW FROM PARK LOOKING EAST



8 - PATHWAY BETWEEN BUILDINGS A AND B LOOKING EAST

\* SITE AND LANDSCAPING SHOWN FOR REFERENCE ONLY. SEE CIVIL AND LANDSCAPE DRAWINGS FOR FULL DESIGN.

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SITE/  
LANDSCAPE**  
Job Number: 21031  
5205 BATTLE CREEK RD SE  
SALEM, OR 97306

**C  
D P** Community  
Development  
Partners

LAND USE SUBMISSION  
ISSUE DATE  
Drawing:  
**RENDERS**

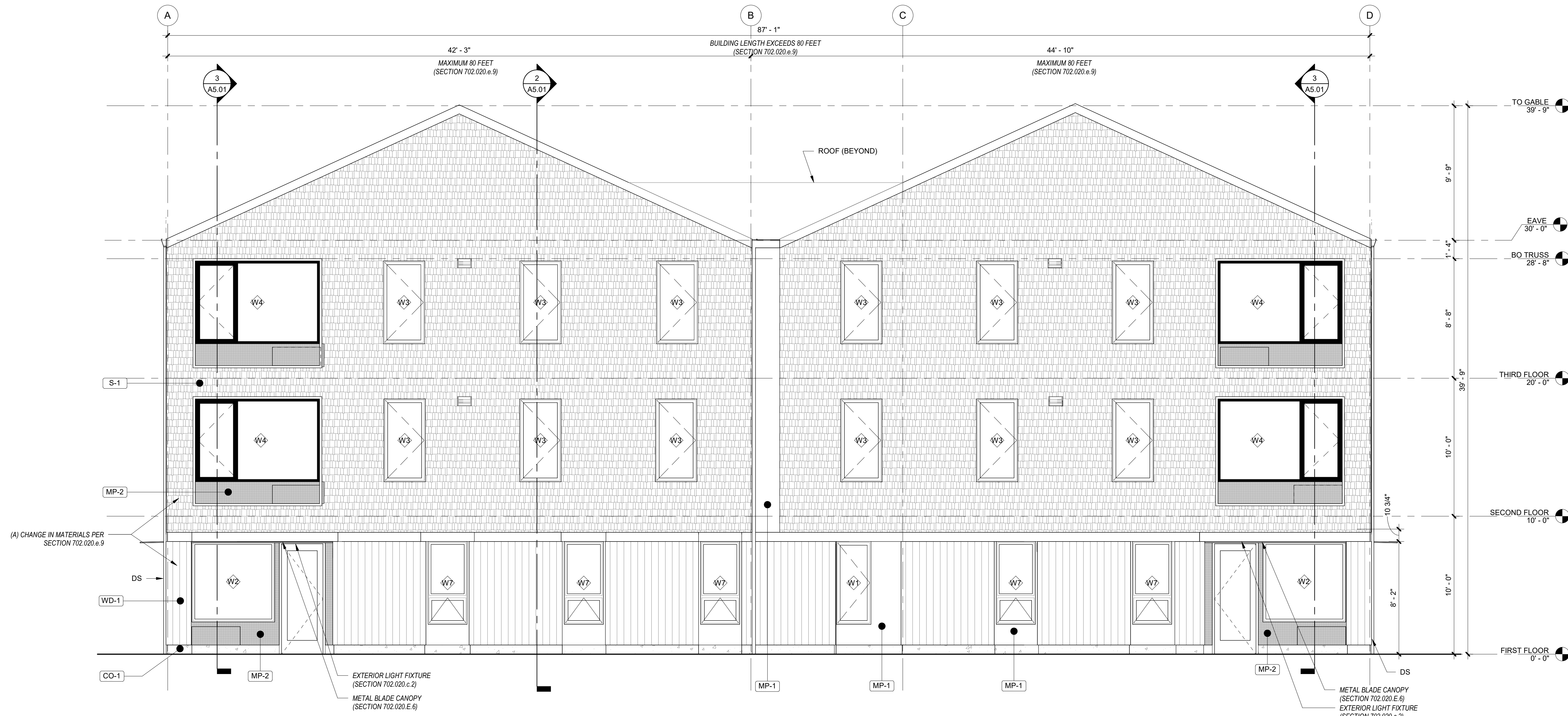
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**L3.01**

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WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.





1 BUILDING ELEVATION  
1/4" = 1'-0"



2 BUILDING ELEVATION  
1/4" = 1'-0"

## GENERAL SHEET NOTES

- REFERENCE FLOOR PLANS FOR DOOR AND WINDOW LOCATIONS.
- REFERENCE ELECTRICAL FOR EXTERIOR LIGHT APPLICATIONS.
- CONFIRM ALL EXHAUST OPENINGS ARE MINIMUM 3'-0" FROM OPERABLE OPENINGS.
- ALL EXTERIOR LOUVERS TO BE PAINTED TO MATCH THE EXTERIOR FINISH IT PENETRATES.
- PREFINISHED 22 GAUGE FORMED SHEET METAL WINDOW TRIM, JAMB, AND SILL AT WINDOWS.
- PREFINISHED 22 GAUGE METAL THROUGH WALL FLASHING AT WINDOW HEADS.
- TRANSITION BETWEEN FIBER CEMENT SIDING PROFILES TO FOLLOW MANUFACTURER DETAILING AND REQUIREMENTS.

## LEGEND

- |  |   |
|--|---|
|  | <b>SHINGLE SIDING</b><br>PRODUCT: SHINGLE SIDING,<br>STRAIGHT EDGE PANEL<br>COLOR: TBD, LIGHT |
|  | <b>ASPHALT SHINGLE ROOF</b><br>PRODUCT: TBD<br>COLOR: TBD                                     |
|  | <b>FLAT METAL PANEL</b><br>PRODUCT: TBD<br>FINISH: BLACK                                      |
|  | <b>FLAT METAL PANEL, PERFORATED</b><br>PRODUCT: TBD<br>FINISH: BLACK                          |
|  | <b>VERTICAL WOOD SIDING</b><br>PRODUCT: TBD<br>FINISH: TBD                                    |
|  | <b>CONCRETE STEM WALL</b>   |
|  | <b>X-VENT</b>   |
|  | <b>PTHP (BEYOND)</b>  |

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## CDP SALEM - BUILDING A

Job Number: 21031

5205 BATTLE CREEK RD SE  
SALEM, OR 97306



LAND USE  
SUBMISSION  
ISSUE

03.11.2022

DATE

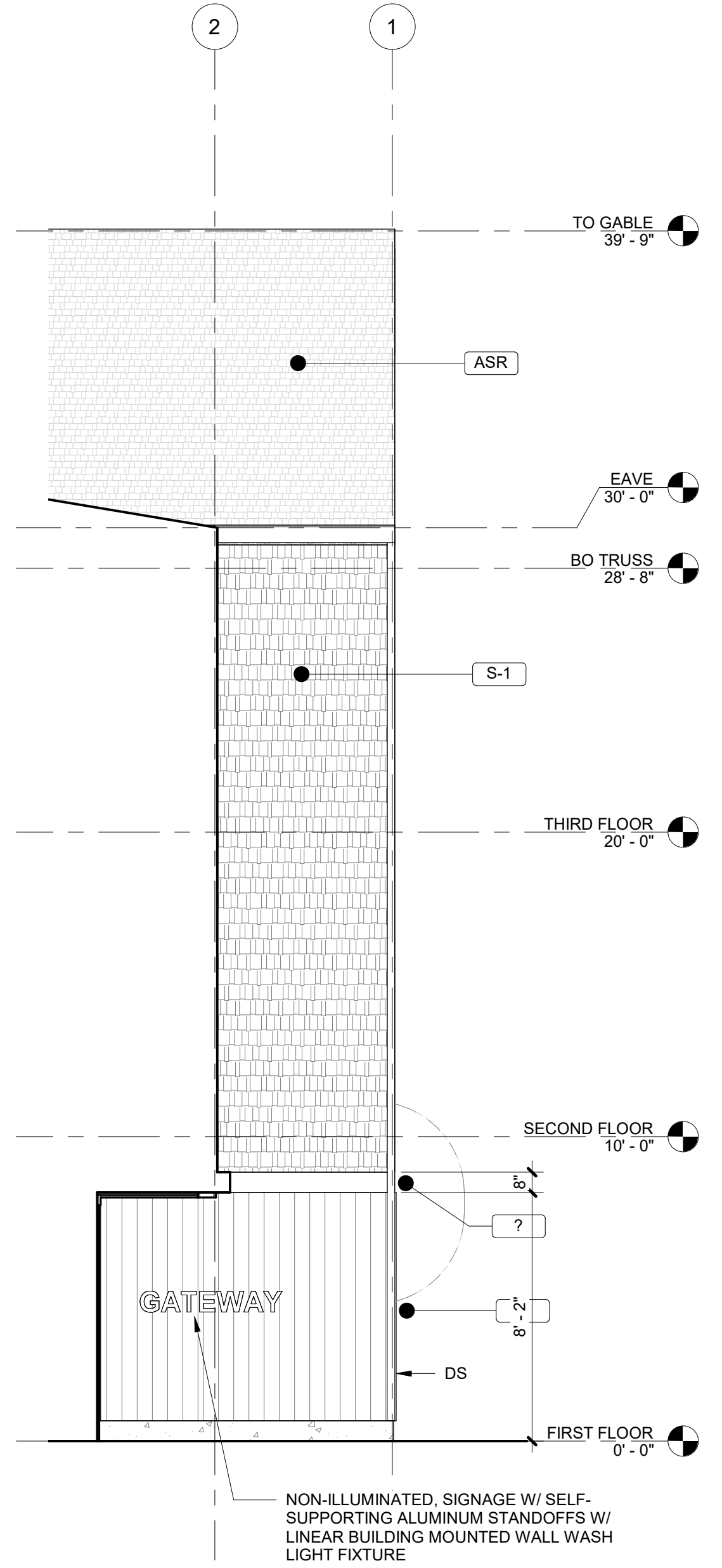
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EXTERIOR  
ELEVATIONS

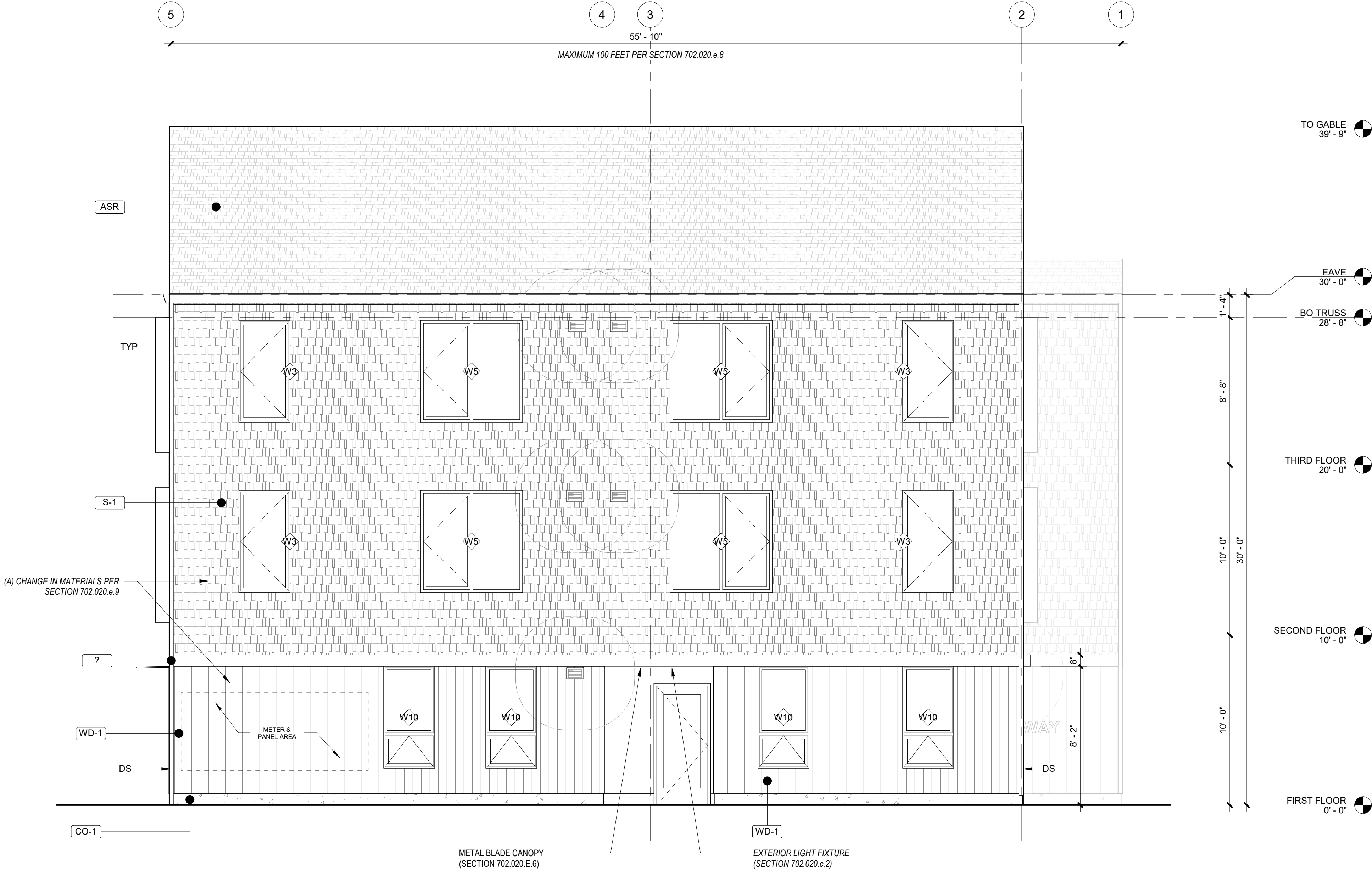
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Building A -

A3.01





1 BUILDING ELEVATION  
1/4" = 1'-0"



2 BUILDING ELEVATION  
1/4" = 1'-0"

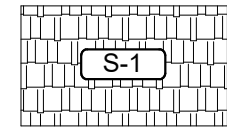


3 BUILDING ELEVATION  
1/4" = 1'-0"

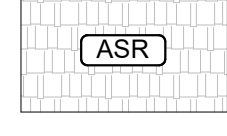
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- PREFINISHED 22 GAUGE METAL THROUGH WALL FLASHING AT WINDOW HEADS.
- TRANSITION BETWEEN FIBER CEMENT SIDING PROFILES TO FOLLOW MANUFACTURER DETAILING AND REQUIREMENTS.

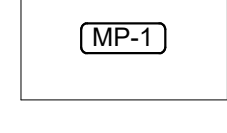
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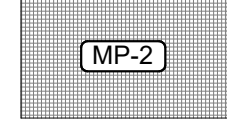
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COLOR: TBD, LIGHT



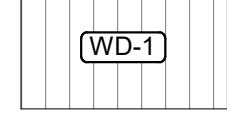
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COLOR: TBD



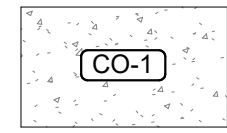
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FINISH: BLACK



**FLAT METAL PANEL, PERFORATED**  
PRODUCT: TBD  
FINISH: BLACK



**VERTICAL WOOD SIDING**  
PRODUCT: TBD  
FINISH: TBD



**CONCRETE STEM WALL**



X-VENT



PTHP (BEYOND)

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## CDP SALEM - BUILDING A

Job Number: 21031

5205 BATTLE CREEK RD SE  
SALEM, OR 97306



LAND USE  
SUBMISSION  
ISSUE

03.11.2022

DATE

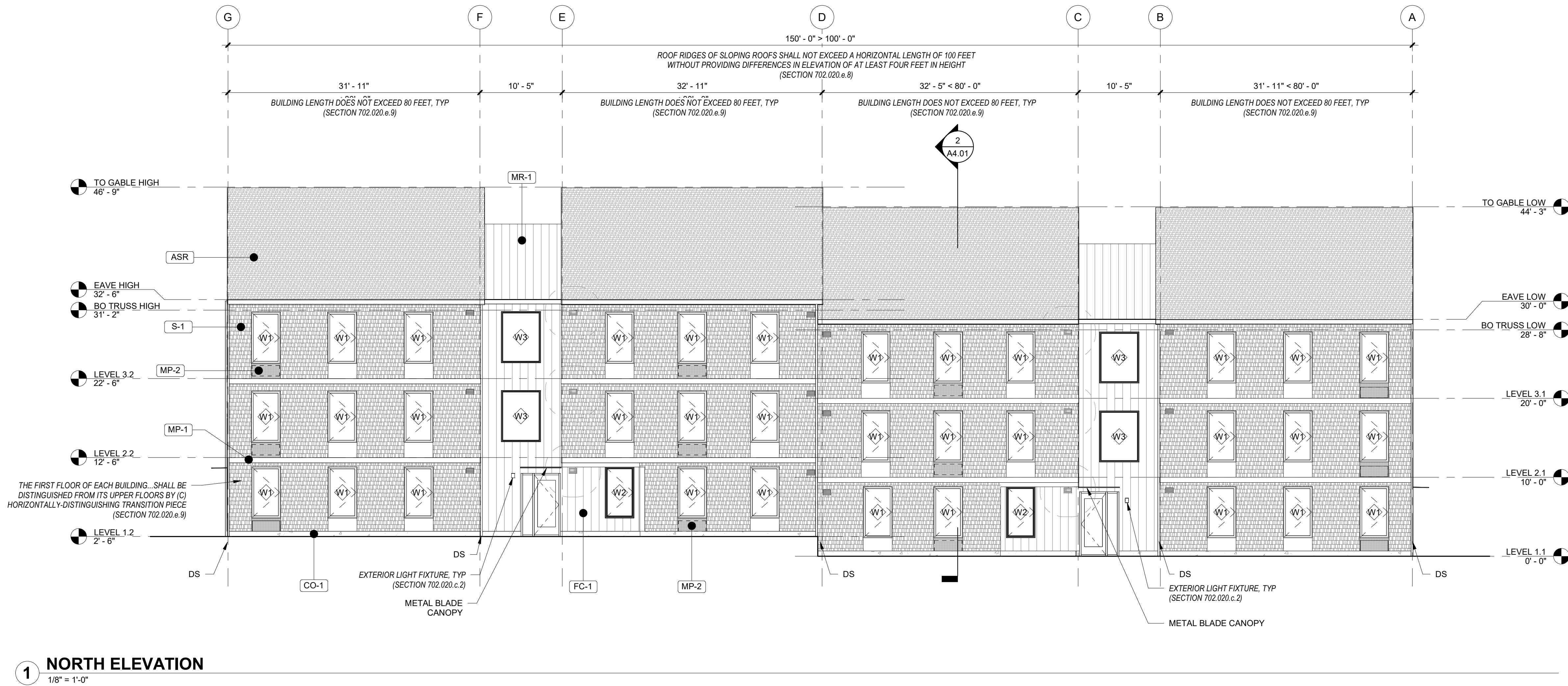
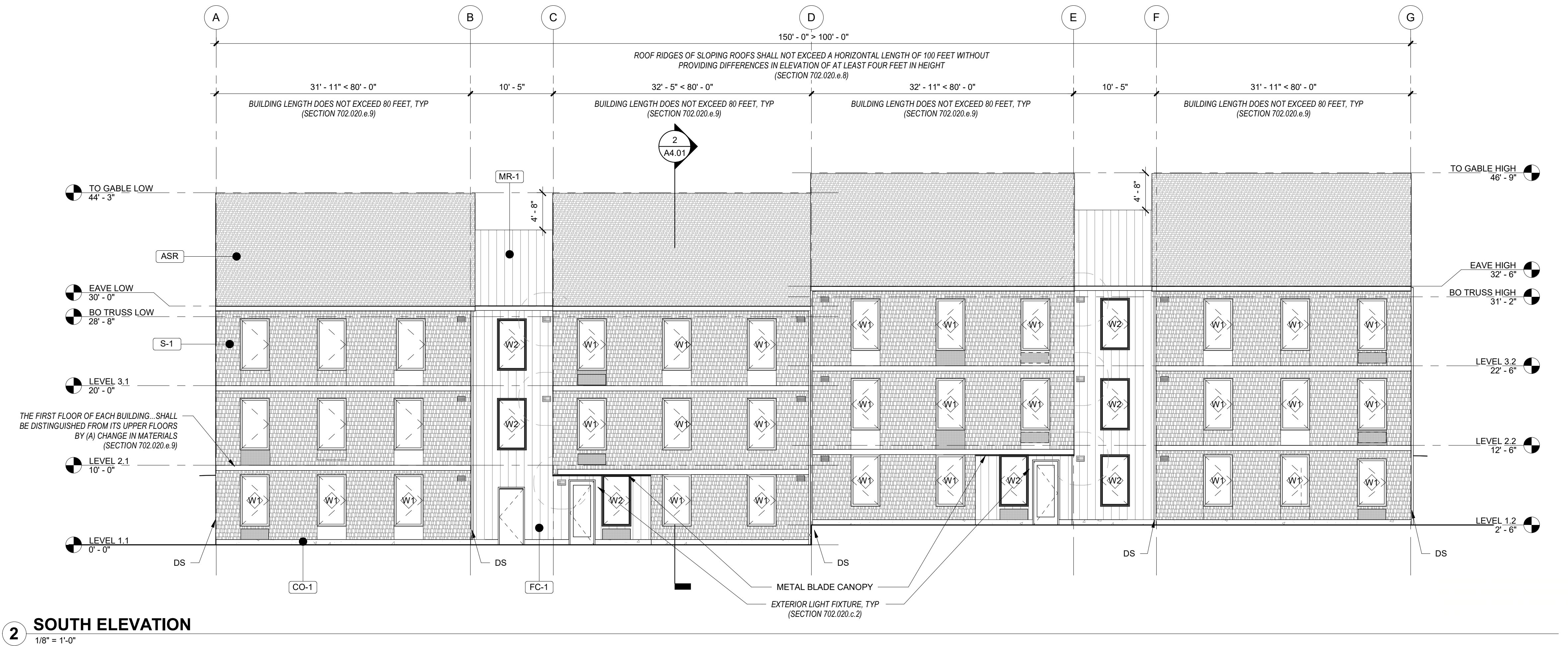
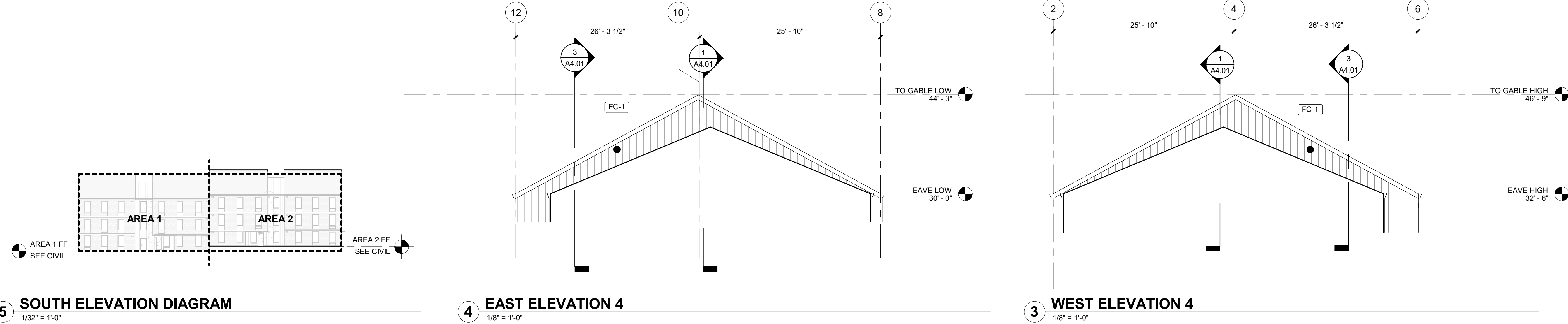
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EXTERIOR  
ELEVATIONS

Sheet No:  
Building A -

# A3.02





## GENERAL SHEET NOTES

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## LEGEND

- S-1** SHINGLE SIDING  
PRODUCT: FIBER CEMENT SHINGLE SIDING, STRAIGHT EDGE PANEL  
COLOR: TBD, DARK
- ASR** ASPHALT SHINGLE ROOF  
PRODUCT: TBD  
COLOR: TBD
- MP-1** FLAT METAL PANEL  
PRODUCT: TBD  
FINISH: BLACK
- MP-2** FLAT METAL PANEL, PERFORATED  
PRODUCT: TBD  
FINISH: BLACK
- FC-1** BOARD & BATTEN SIDING  
PRODUCT: FIBER CEMENT SMOOTH FLAT PANEL  
COLOR: WHITE
- MR-1** STANDING SEAM METAL ROOF  
PRODUCT: TBD  
COLOR: WHITE
- CO-1** CONCRETE STEM WALL
- X-VENT  
PTHP (BEYOND)

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## CDP SALEM - BUILDING B

Job Number: 21031

5205 BATTLE CREEK RD SE  
SALEM, OR 97306



LAND USE  
SUBMISSION  
ISSUE

03.11.2022

DATE

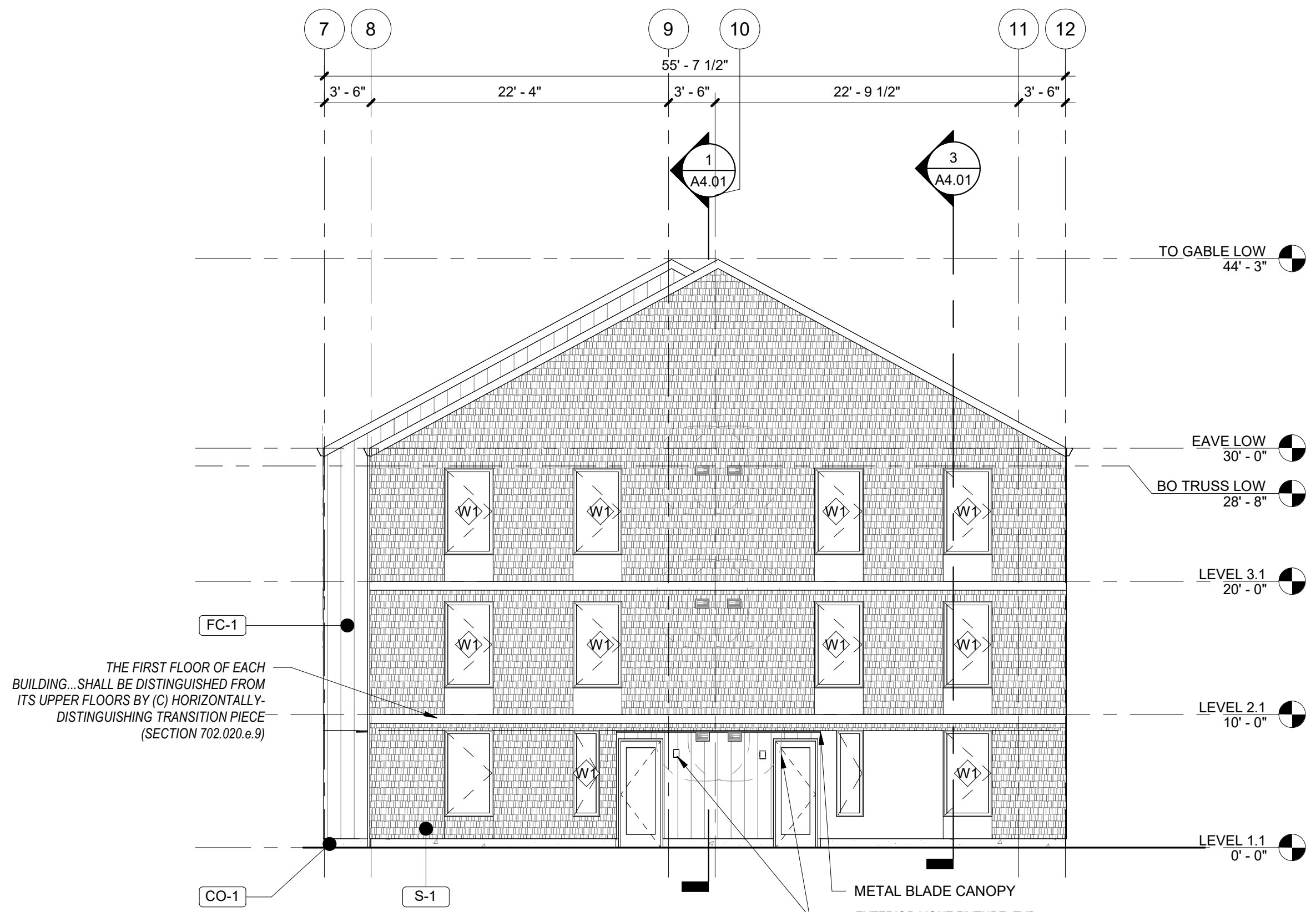
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EXTERIOR  
ELEVATIONS

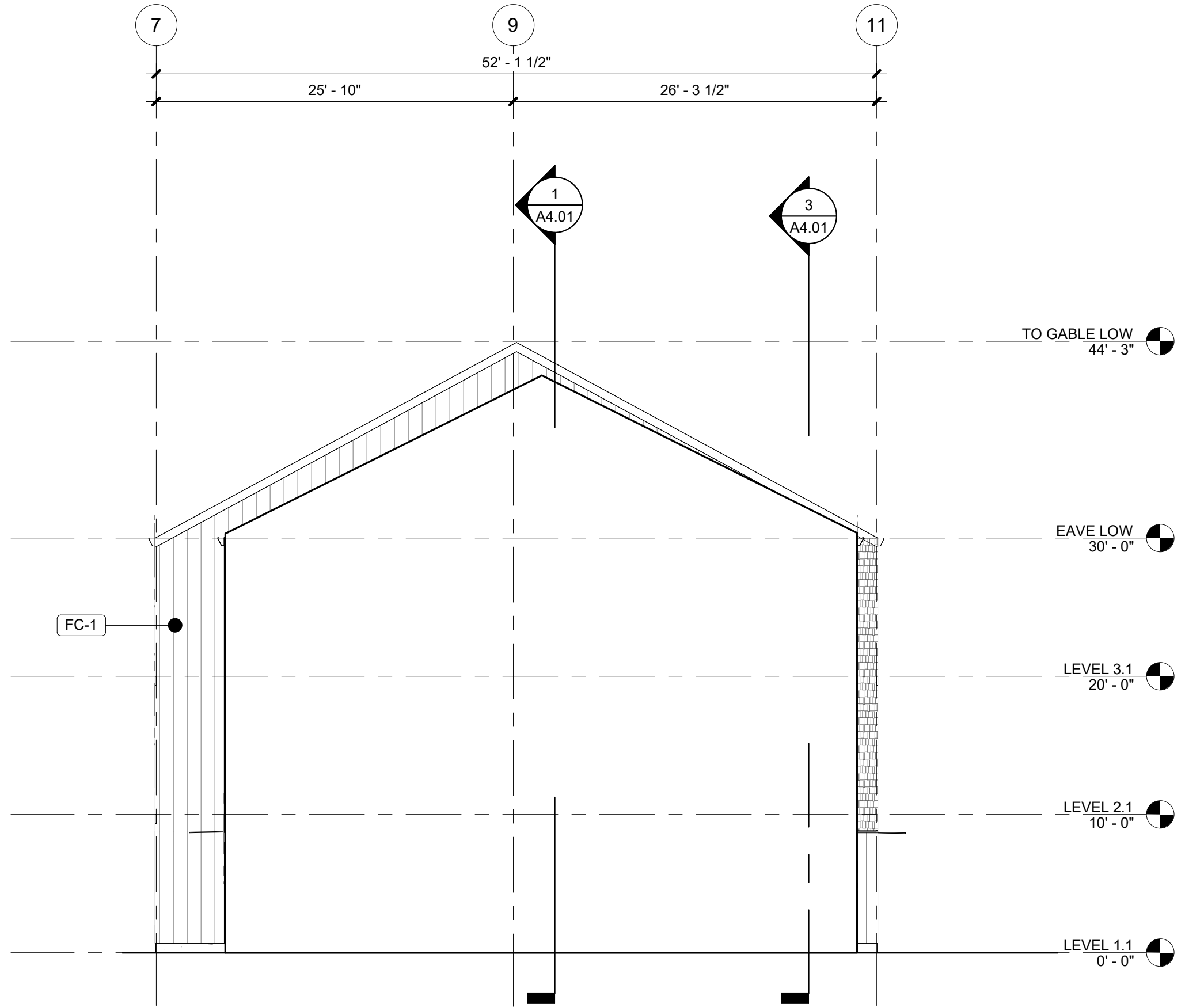
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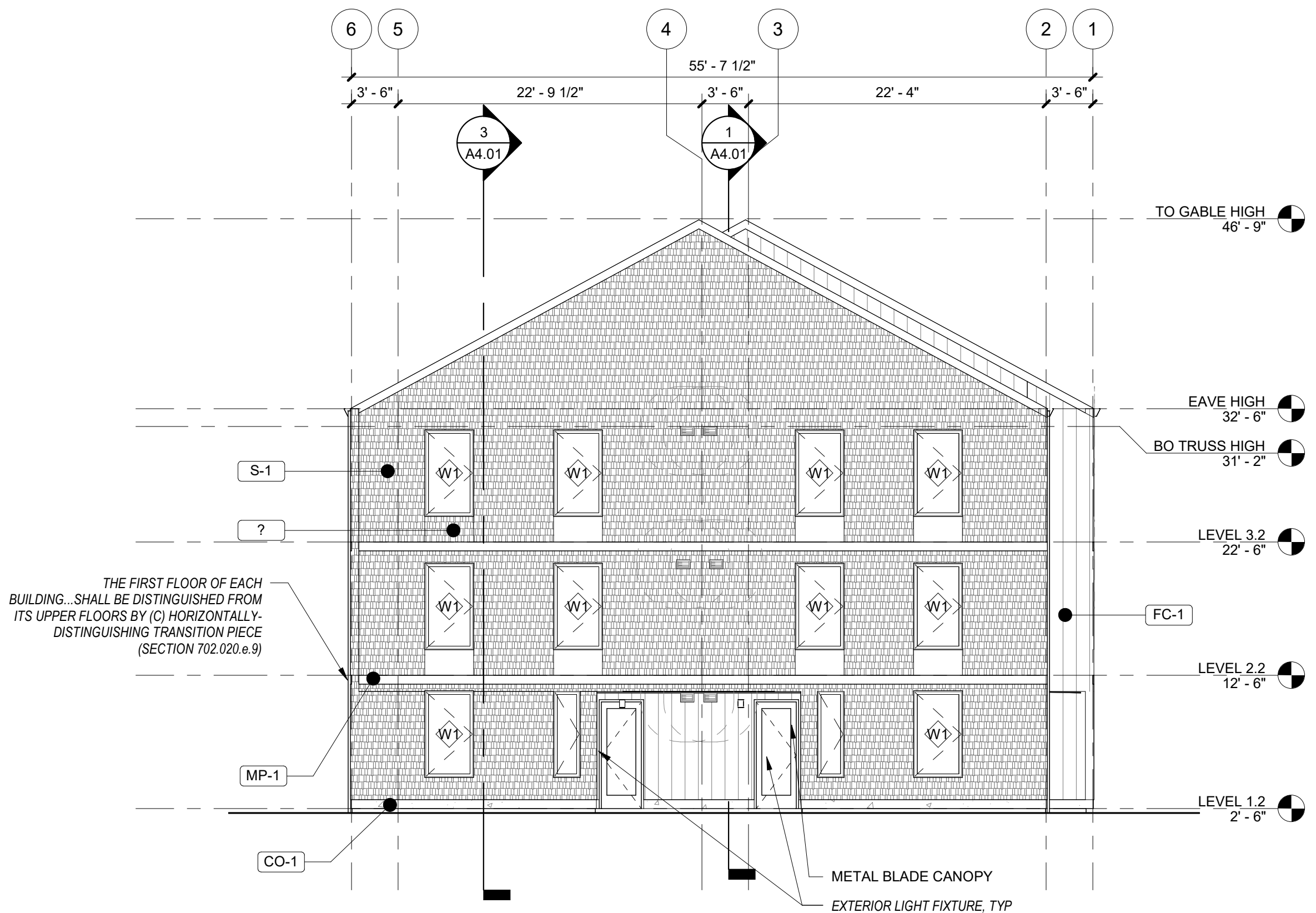




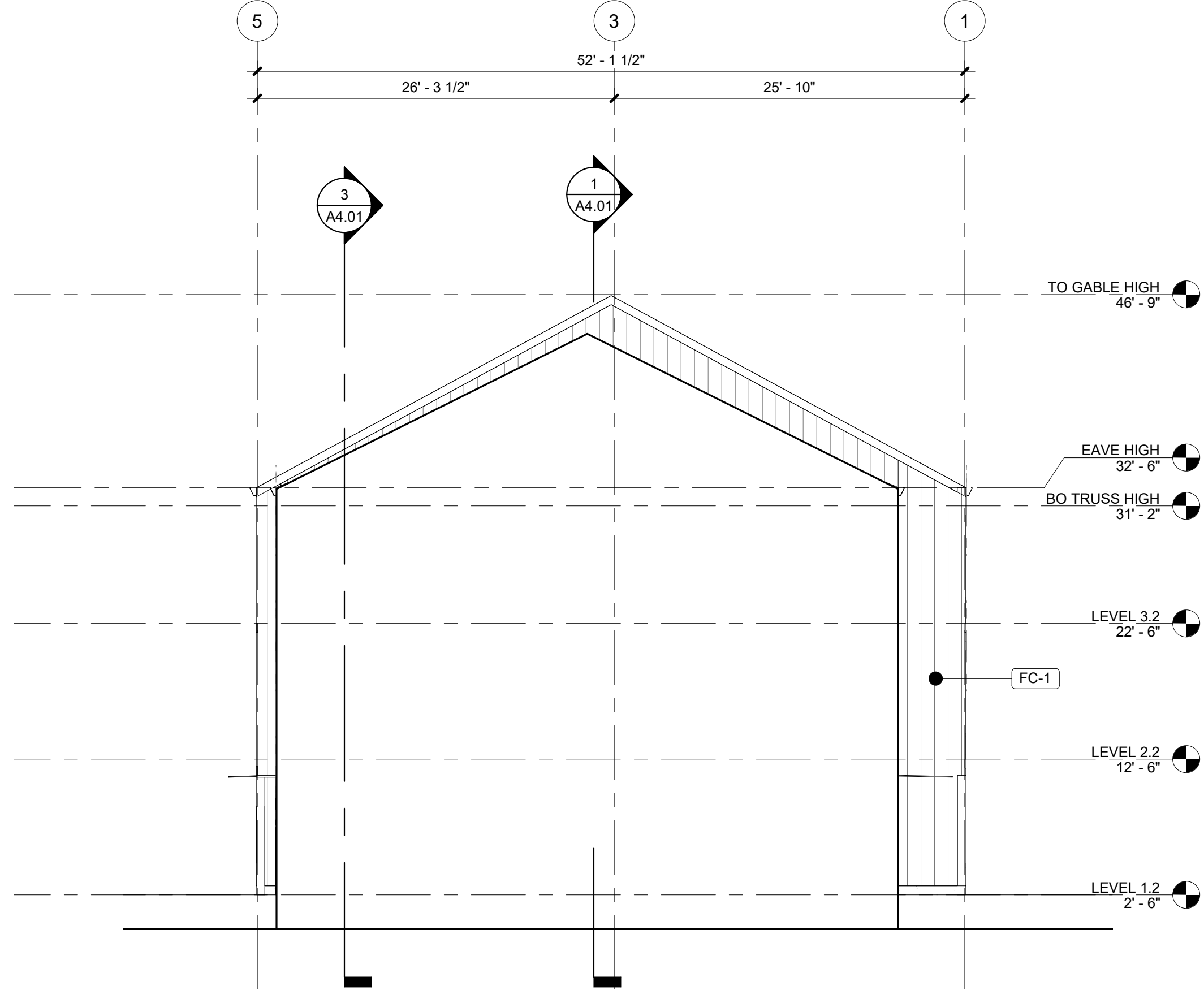
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1/8" = 1'-0"



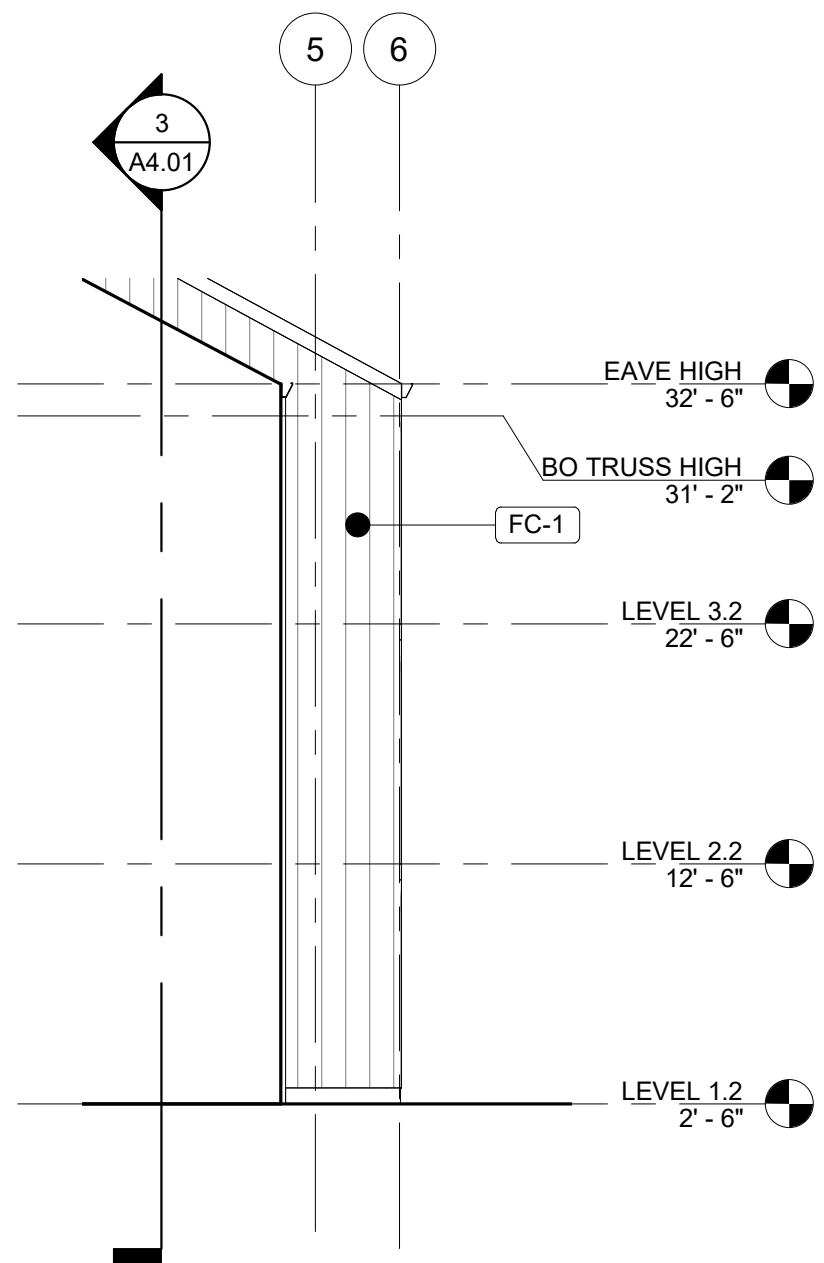
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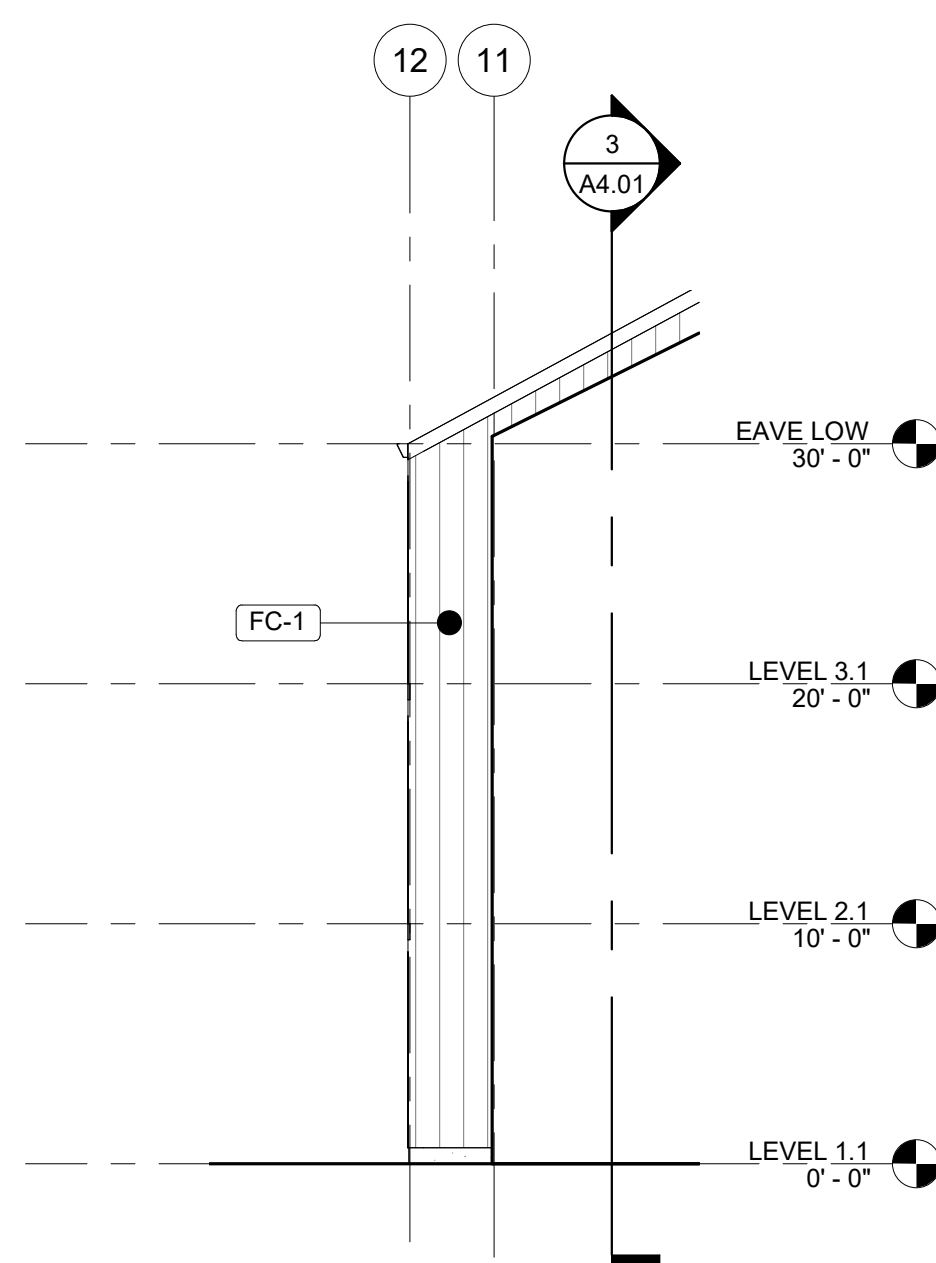
1 EAST ELEVATION 1  
1/8" = 1'-0"



3 EAST ELEVATION 2  
1/8" = 1'-0"



6 WEST ELEVATION 3  
1/8" = 1'-0"



5 EAST ELEVATION 3  
1/8" = 1'-0"

## GENERAL SHEET NOTES

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## LEGEND

- |  |  |
|--|--|
|  | <b>SHINGLE SIDING</b><br>PRODUCT: FIBER CEMENT SHINGLE SIDING, STRAIGHT EDGE PANEL<br>COLOR: TBD, DARK |
|  | <b>ASPHALT SHINGLE ROOF</b><br>PRODUCT: TBD<br>COLOR: TBD  |
|  | <b>FLAT METAL PANEL</b><br>PRODUCT: TBD<br>FINISH: BLACK   |
|  | <b>FLAT METAL PANEL, PERFORATED</b><br>PRODUCT: TBD<br>FINISH: BLACK                                   |
|  | <b>BOARD &amp; BATTEN SIDING</b><br>PRODUCT: FIBER CEMENT SMOOTH FLAT PANEL<br>COLOR: WHITE            |
|  | <b>STANDING SEAM METAL ROOF</b><br>PRODUCT: TBD<br>COLOR: WHITE  |
|  | <b>CONCRETE STEM WALL</b>  |
|  | X-VENT   |
|  | PTHP (BEYOND)  |

# S|E A

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## CDP SALEM - BUILDING B

Job Number: 21031

5205 BATTLE CREEK RD SE  
SALEM, OR 97306



LAND USE  
SUBMISSION  
ISSUE

03.11.2022

DATE

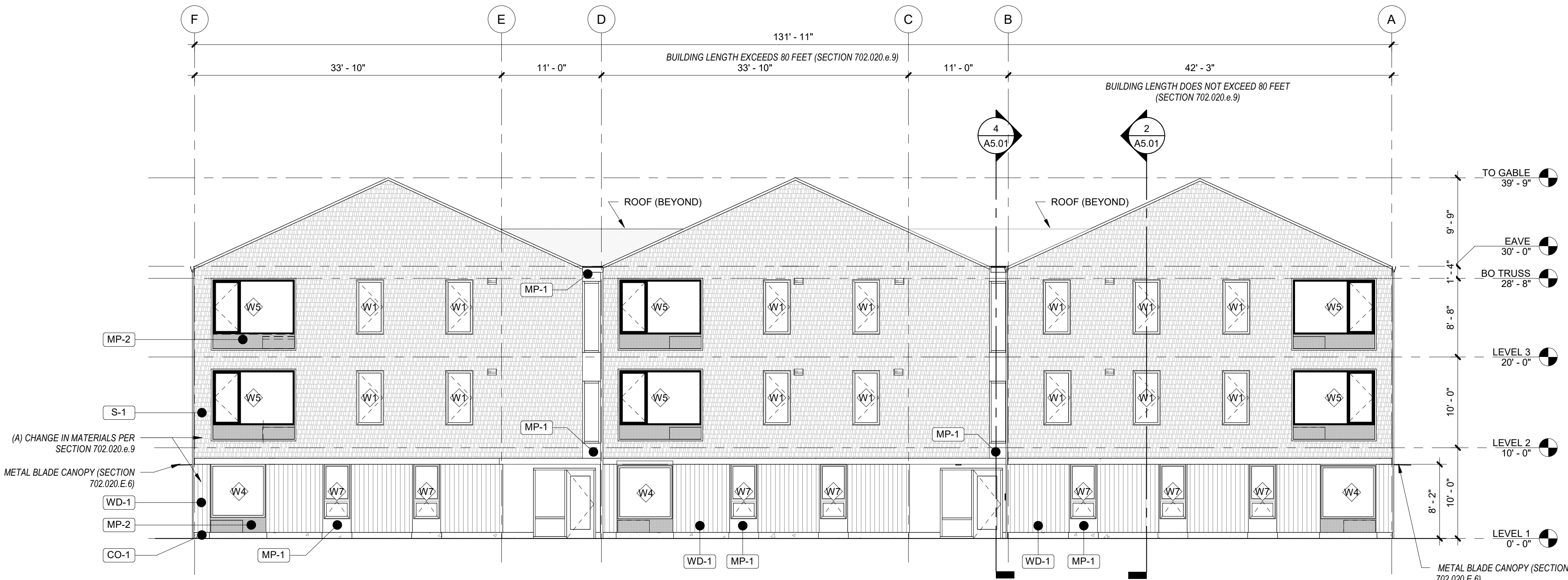
Drawing:

EXTERIOR  
ELEVATIONS

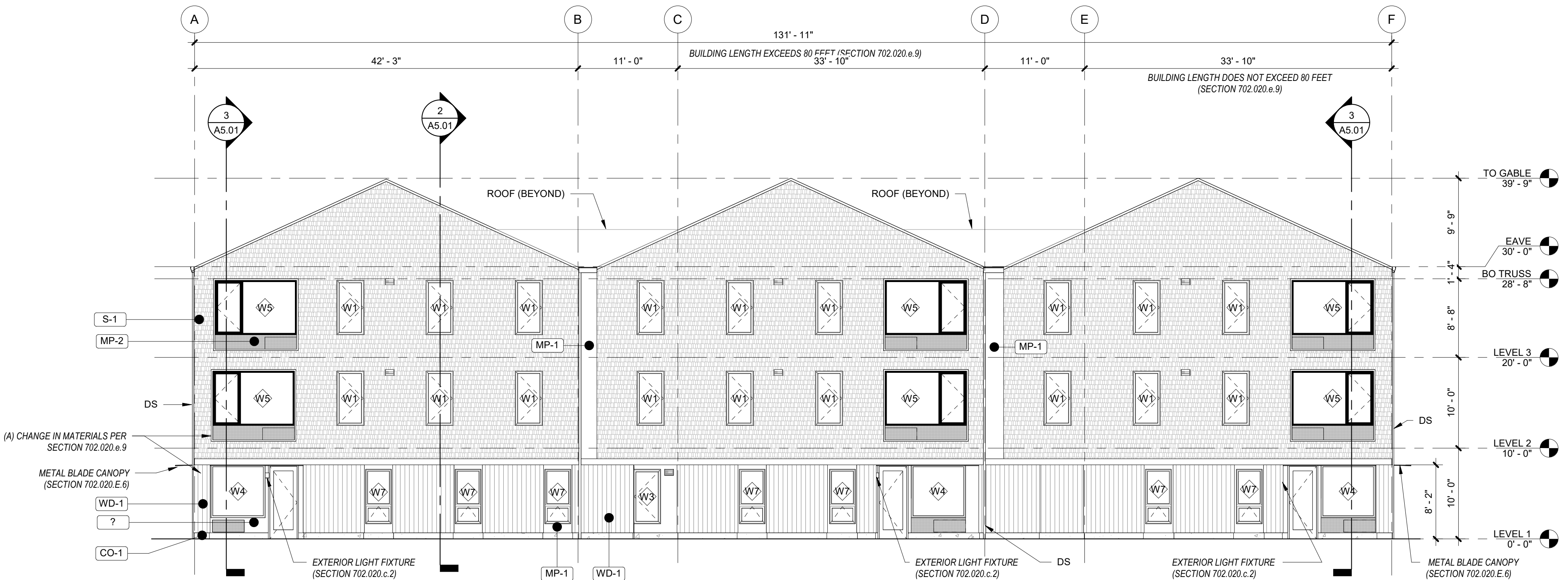
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Building B -

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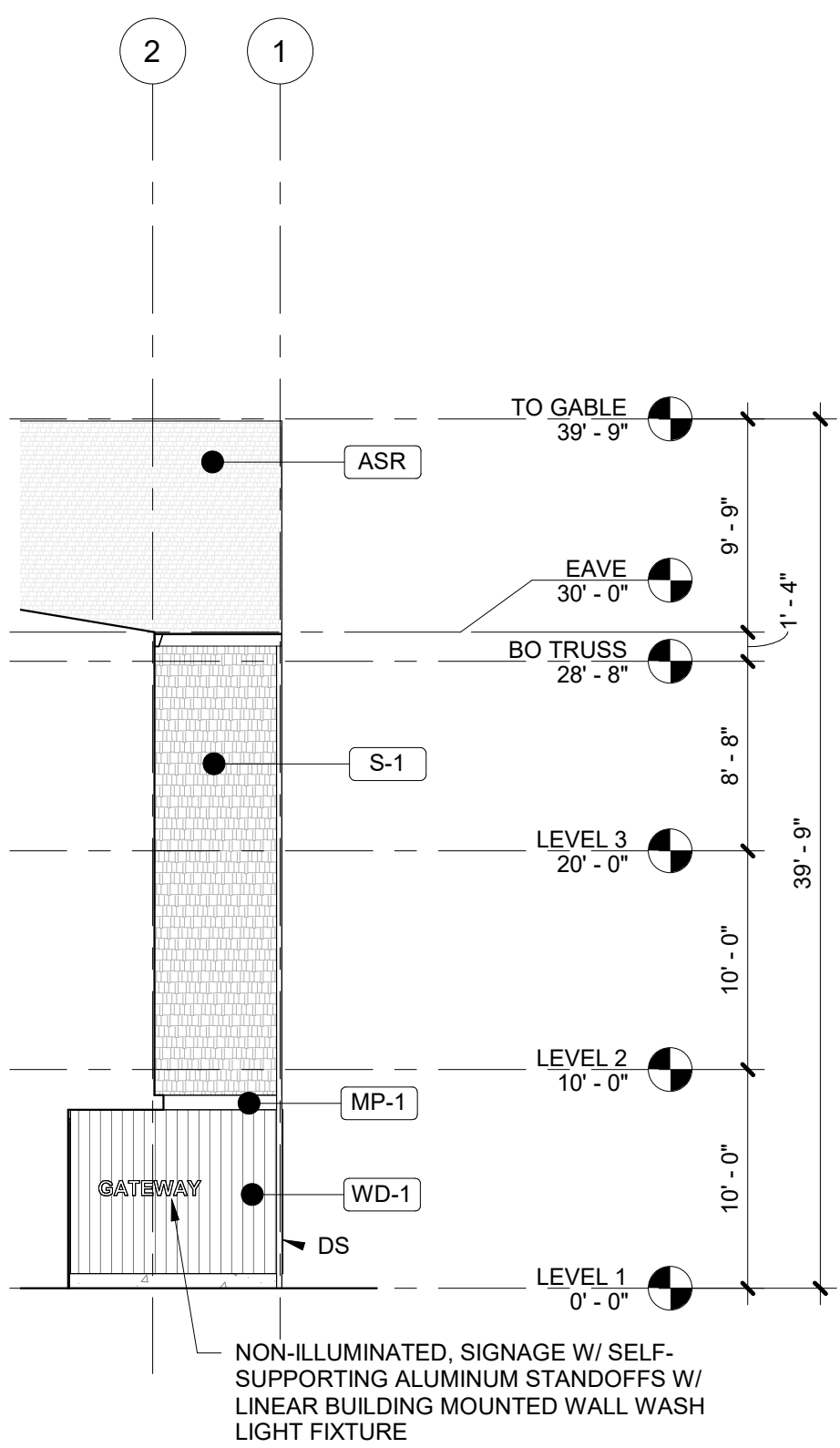




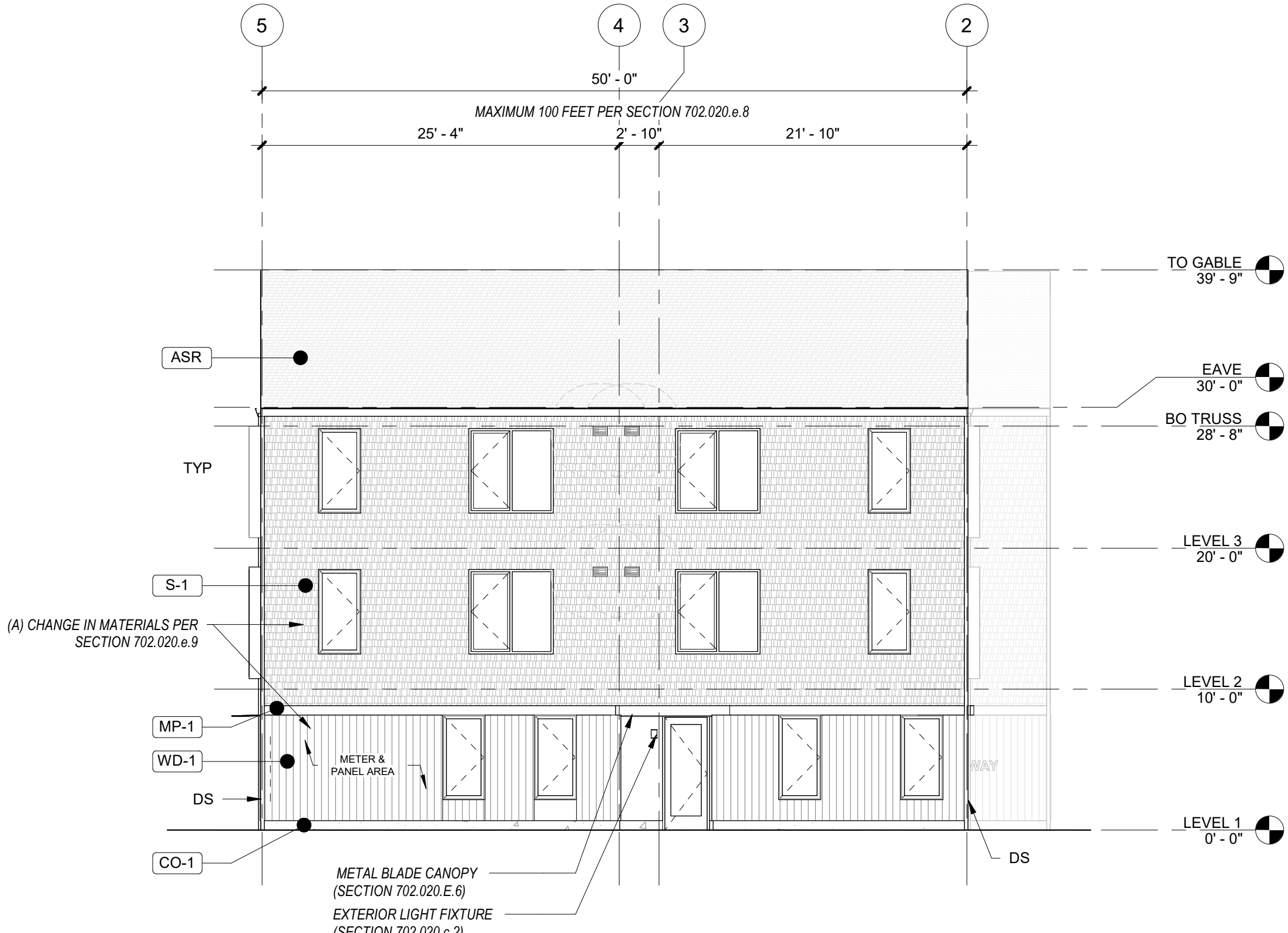
1 BUILDING ELEVATION  
1/8" = 1'-0"



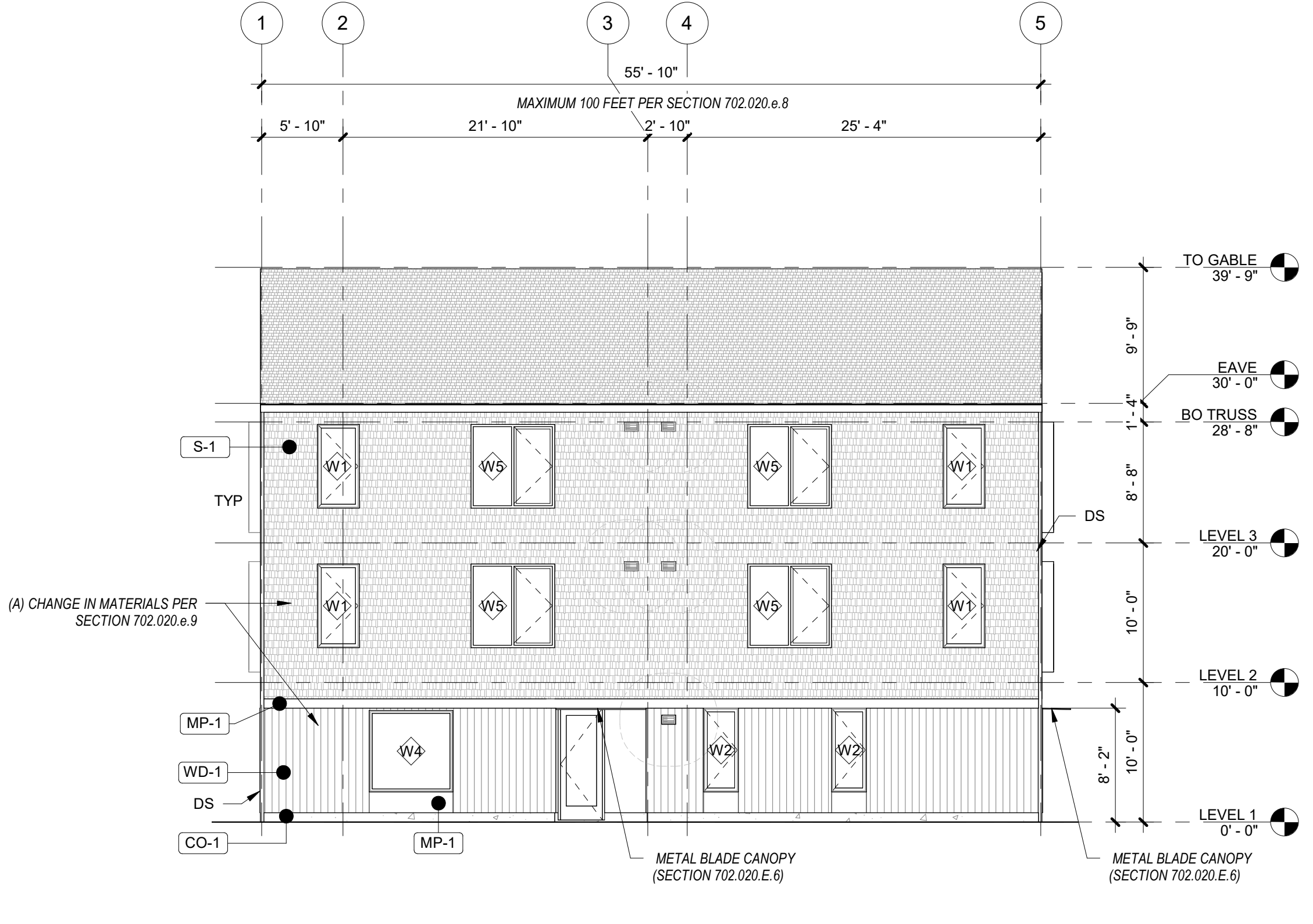
2 BUILDING ELEVATION  
1/8" = 1'-0"



3 BUILDING ELEVATION  
1/8" = 1'-0"



4 BUILDING ELEVATION  
1/8" = 1'-0"



5 BUILDING ELEVATION  
1/8" = 1'-0"

## GENERAL SHEET NOTES

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## LEGEND

	<b>SHINGLE SIDING</b> PRODUCT: SHINGLE SIDING, STRAIGHT EDGE PANEL COLOR: TBD, LIGHT
	<b>ASPHALT SHINGLE ROOF</b> PRODUCT: TBD COLOR: TBD
	<b>FLAT METAL PANEL</b> PRODUCT: TBD FINISH: BLACK
	<b>FLAT METAL PANEL, PERFORATED</b> PRODUCT: TBD FINISH: BLACK
	<b>VERTICAL WOOD SIDING</b> PRODUCT: TBD FINISH: TBD
	<b>CONCRETE STEM WALL</b>
	X-VENT
	PTHP (BEYOND)

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NOT FOR  
CONSTRUCTION

## CDP SALEM - BUILDING C

Job Number: 21031  
5205 BATTLE CREEK RD SE  
SALEM, OR 97306



LAND USE  
SUBMISSION  
ISSUE

03.09.2022

DATE

Drawing:

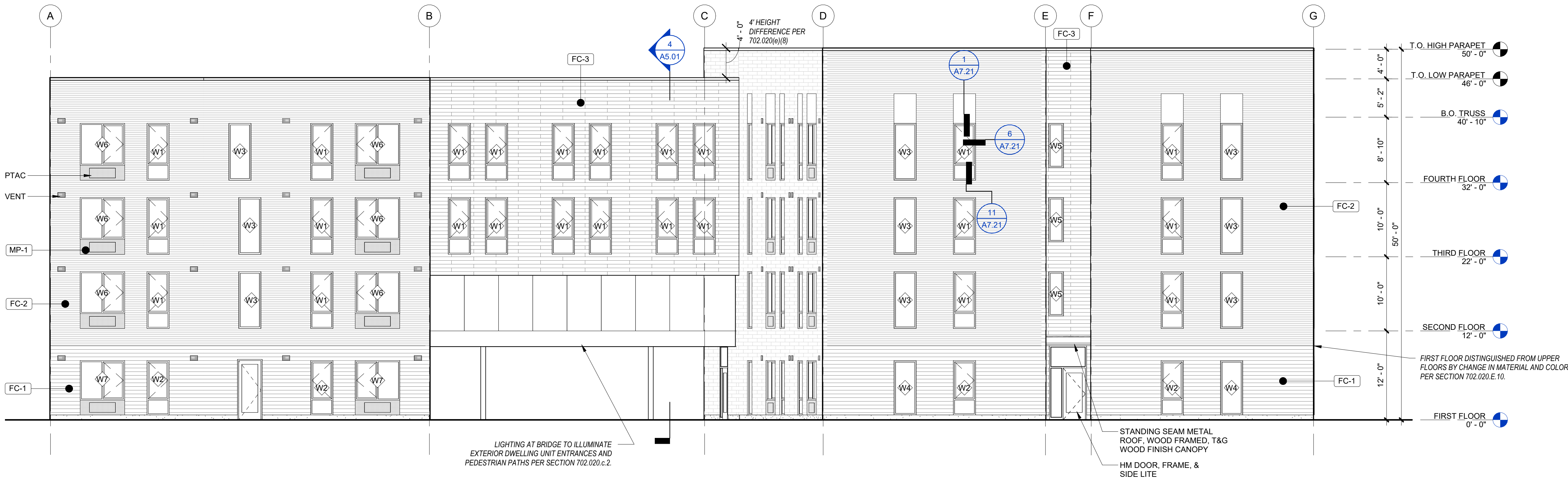
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ELEVATIONS

Sheet No:  
Building C -

A3.01



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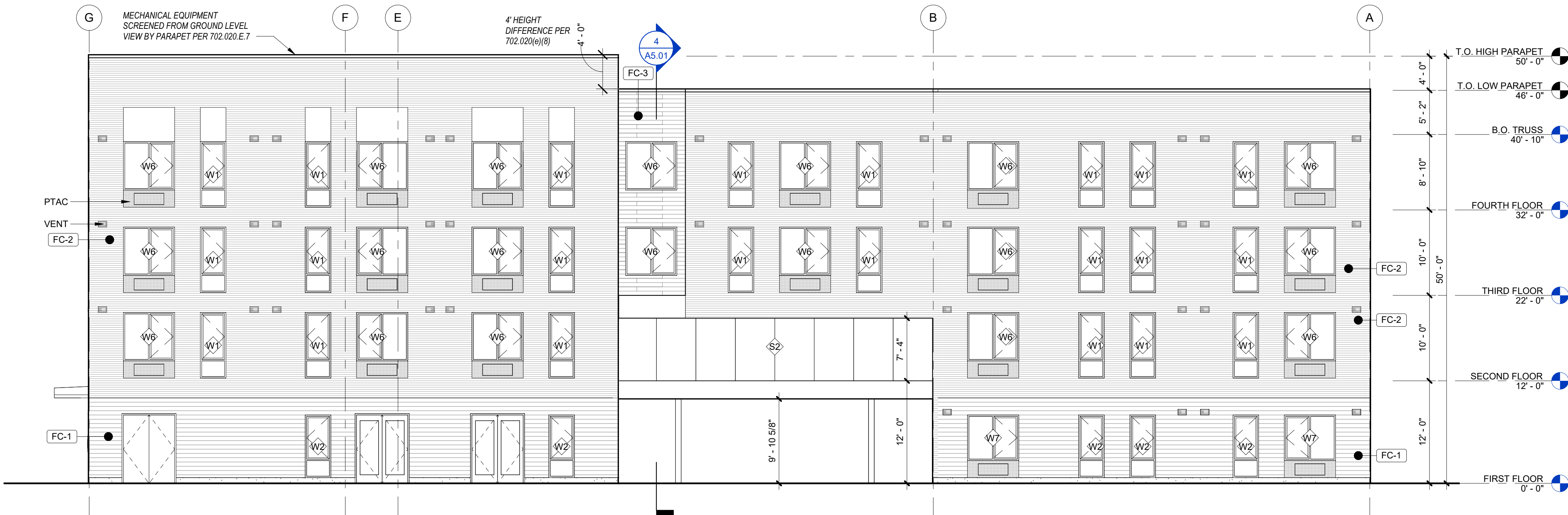


1 SOUTH ELEVATION LEFT  
A3.01 1/8" = 1'-0"

2 SOUTH ELEVATION RIGHT  
A3.01 1/8" = 1'-0"

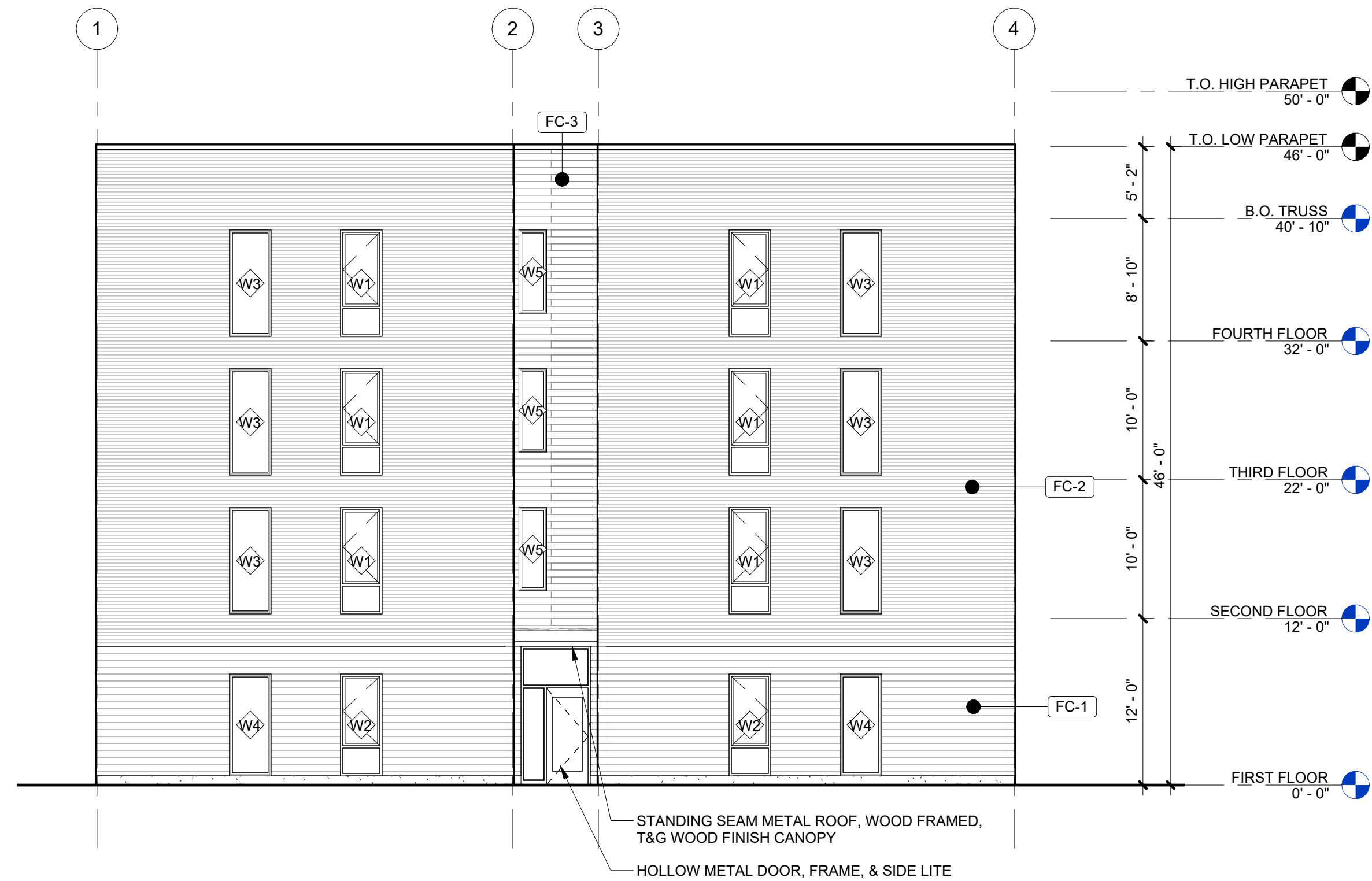


3 EAST ELEVATION  
A3.01 1/8" = 1'-0"



4 NORTH ELEVATION LEFT  
A3.01 1/8" = 1'-0"

5 NORTH ELEVATION RIGHT  
A3.01 1/8" = 1'-0"



6 WEST ELEVATION  
A3.01 1/8" = 1'-0"

## GENERAL SHEET NOTES

- REFERENCE FLOOR PLANS FOR DOOR AND WINDOW LOCATIONS.
- REFERENCE ELECTRICAL FOR EXTERIOR LIGHT APPLICATIONS.
- CONFIRM ALL EXHAUST OPENINGS ARE MINIMUM 3'-0" FROM OPERABLE OPENINGS.
- ALL EXTERIOR LOUVERS TO BE PAINTED TO MATCH THE EXTERIOR FINISH IT PENETRATES.
- PREFINISHED 22 GAUGE FORMED SHEET METAL WINDOW TRIM, JAMB, AND SILL AT WINDOWS.
- PREFINISHED 22 GAUGE METAL THROUGH WALL FLASHING AT WINDOWS.
- TRANSITION BETWEEN FIBER CEMENT SIDING PROFILES TO FOLLOW MANUFACTURER DETAILING AND REQUIREMENTS.

## LEGEND

- |  |   |
|--|---|
|  | <b>FIBER CEMENT SIDING</b><br>PRODUCT: GERACLAD<br>TEXTURE: 8-REVEAL<br>COLOR: CHARCOAL                     |
|  | <b>FIBER CEMENT SIDING</b><br>PRODUCT: GERACLAD<br>TEXTURE: MODERN STRIPE<br>COLOR: CHARCOAL                |
|  | <b>FIBER CEMENT SIDING</b><br>PRODUCT: RIEDER CONCRETE SKIN<br>TEXTURE: FERRO, FERRO LIGHT<br>COLOR: SAHARA |
|  | <b>FIBER CEMENT SIDING</b><br>PRODUCT: RIEDER CONCRETE SKIN<br>TEXTURE: MATT<br>COLOR: SAHARA               |
|  | <b>PERFORATED METAL PANEL</b><br>PRODUCT: TBD<br>FINISH: GRAY   |
|  | <b>METAL PANEL</b><br>PRODUCT: TBD<br>FINISH: GRAY  |
|  | <b>PTHP (BEHIND PERF. METAL PANEL)</b>  |
|  | <b>EXHAUST LOUVER</b>   |
|  | <b>INTAKE LOUVER</b>  |

# S|E A

SCOTT|EDWARDS ARCHITECTURE LLP.  
2525 E Burnside Street, Portland, OR 97214  
phone: (503) 226-3617 www.sealp.com

NOT FOR  
CONSTRUCTION

## CDP SALEM - BUILDING D

Job Number: 21031

5205 BATTLE CREEK RD SE  
SALEM, OR 97306



LAND USE  
SUBMISSION  
ISSUE

03.11.2022

DATE

Drawing:

EXTERIOR  
ELEVATIONS

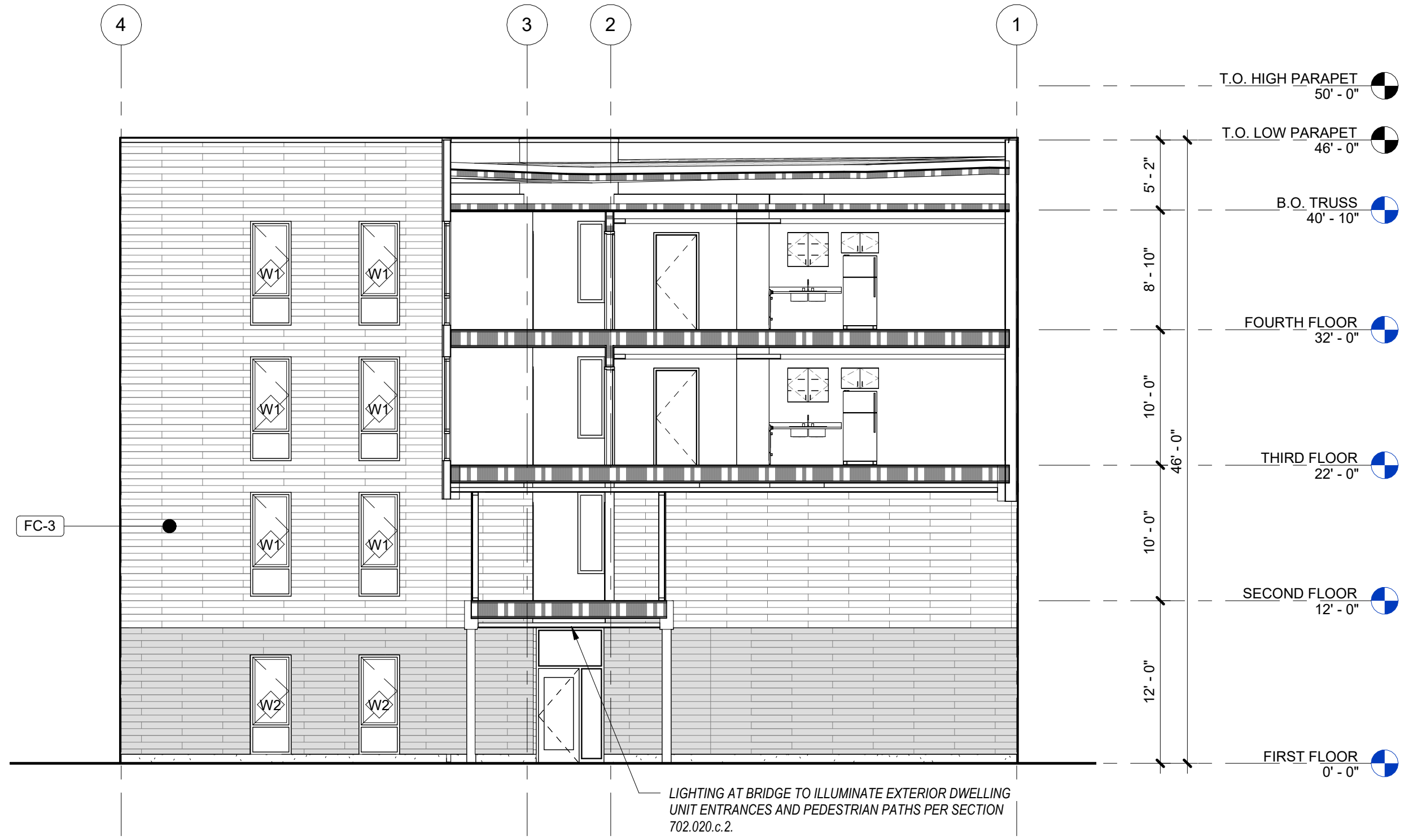
Sheet No:  
Building D -

# A3.01

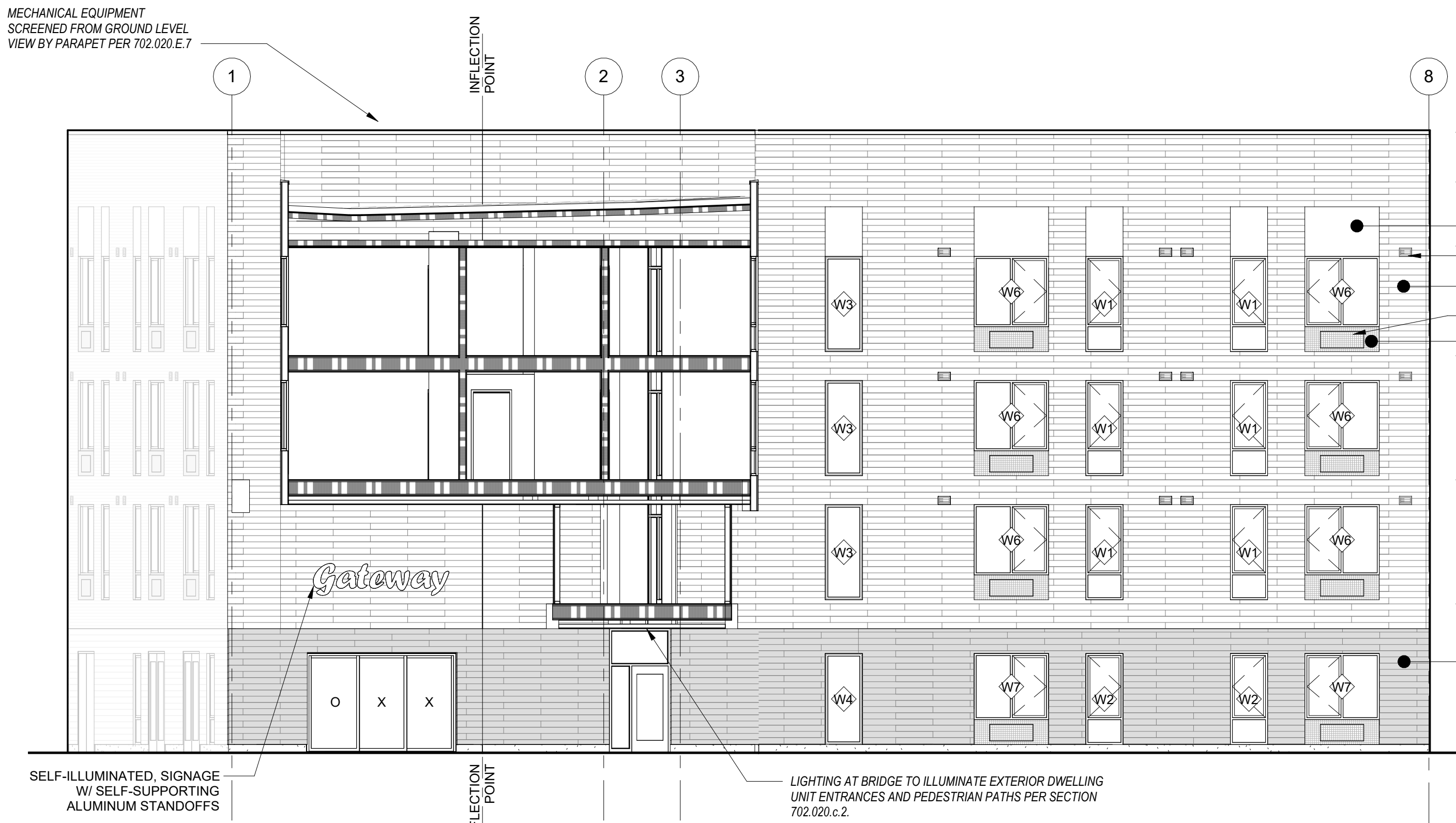
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1  
A3.02  
1/8" = 1'-0"



2  
A3.02  
1/8" = 1'-0"

3  
A3.02  
1/8" = 1'-0"

## GENERAL SHEET NOTES

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- PREFINISHED 22 GAUGE FORMED SHEET METAL WINDOW TRIM, JAMB, AND SILL AT WINDOWS.
- FLASHING AT WINDOW HEADS.
- TRANSITION BETWEEN FIBER CEMENT SIDING PROFILES TO FOLLOW MANUFACTURER DETAILING AND REQUIREMENTS.

## LEGEND

- |  |   |
|--|---|
|  | <b>FIBER CEMENT SIDING</b><br>PRODUCT: GERACLAD<br>TEXTURE: 8-REVEAL<br>COLOR: CHARCOAL                     |
|  | <b>FIBER CEMENT SIDING</b><br>PRODUCT: GERACLAD<br>TEXTURE: MODERN STRIPE<br>COLOR: CHARCOAL                |
|  | <b>FIBER CEMENT SIDING</b><br>PRODUCT: RIEDER CONCRETE SKIN<br>TEXTURE: FERRO, FERRO LIGHT<br>COLOR: SAHARA |
|  | <b>FIBER CEMENT SIDING</b><br>PRODUCT: RIEDER CONCRETE SKIN<br>TEXTURE: MATT<br>COLOR: SAHARA               |
|  | <b>PERFORATED METAL PANEL</b><br>PRODUCT: TBD<br>FINISH: GRAY   |
|  | <b>METAL PANEL</b><br>PRODUCT: TBD<br>FINISH: GRAY  |
|  | <b>PTHP (BEHIND PERF. METAL PANEL)</b>  |
|  | <b>EXHAUST LOUVER</b>   |
|  | <b>INTAKE LOUVER</b>  |

# S|E A

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NOT FOR  
CONSTRUCTION

**CDP SALEM -  
BUILDING D**  
Job Number: 21031  
5205 BATTLE CREEK RD SE  
SALEM, OR 97306

C  
D P  
Community  
Development  
Partners

LAND USE SUBMISSION  
ISSUE DATE

Drawing:

**EXTERIOR  
ELEVATIONS**

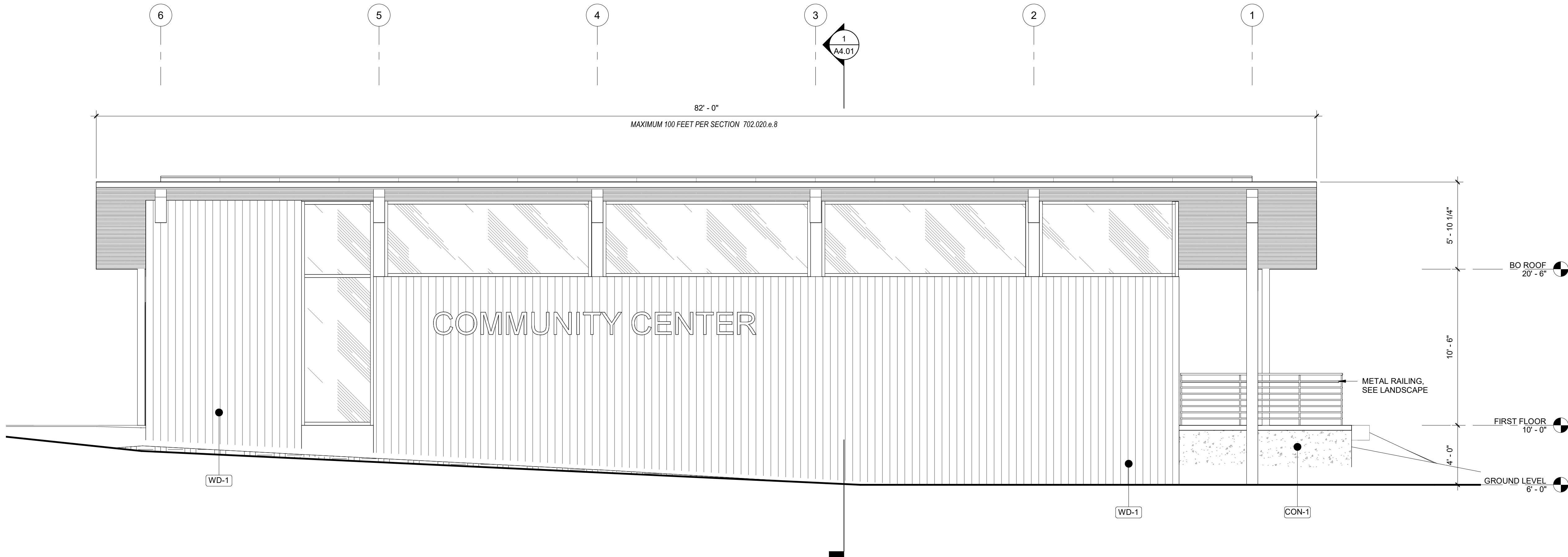
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Building D -

# A3.02

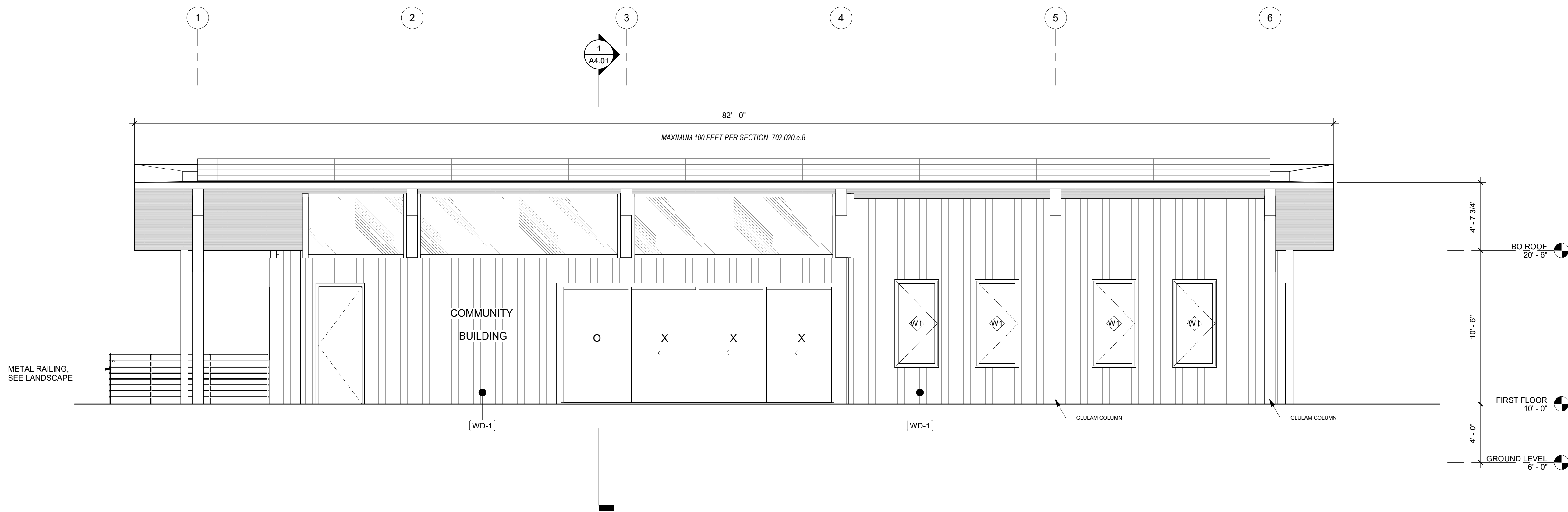
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2 NORTH ELEVATION  
1/4" = 1'-0"



1 SOUTH ELEVATION  
1/4" = 1'-0"

## GENERAL SHEET NOTES

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- PREFINISHED 22 GAUGE METAL THROUGH WALL FLASHING AT WINDOW HEADS.
- TRANSITION BETWEEN FIBER CEMENT SIDING PROFILES TO FOLLOW MANUFACTURER DETAILING AND REQUIREMENTS.

## LEGEND

- |  |  |
|--|--|
|  | <b>VERTICAL WOOD SIDING</b><br>PRODUCT: THERMORY<br>FINISH: IGNITE SPRUCE CLADDING<br>PRODUCT ALT: TERRAMAI<br>FINISH ALT: FAUX SUGI BAN |
|  | <b>CONCRETE WALL</b><br>FINISH: BOARD POURED   |

# S|E A

SCOTT|EDWARDS ARCHITECTURE LLP.  
2525 E Burnside Street, Portland, OR 97214  
phone: (503) 226-3617    www.seallp.com

NOT FOR  
CONSTRUCTION

## CDP SALEM - BUILDING E

Job Number: 21031

5205 BATTLE CREEK RD SE  
SALEM, OR 97306



LAND USE SUBMISSION  
ISSUE DATE

03.11.2022

Drawing:

EXTERIOR  
ELEVATIONS

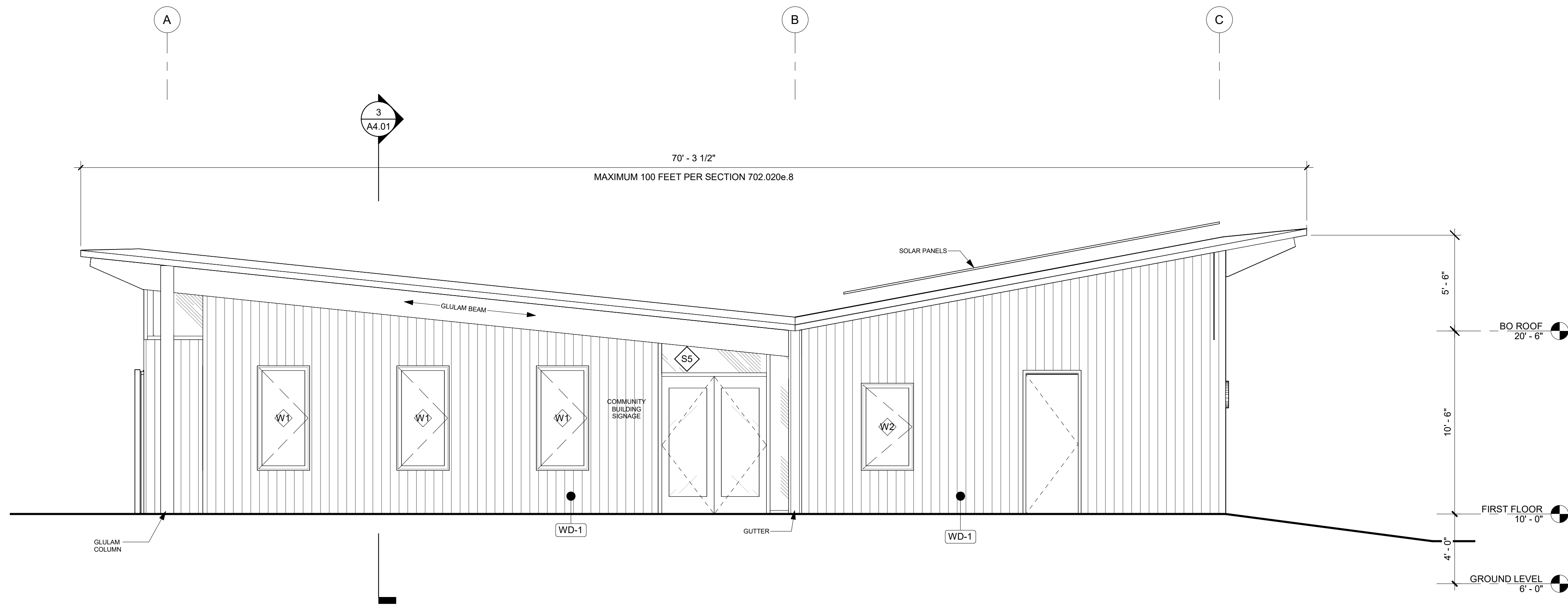
Sheet No:  
Building E -

# A3.01

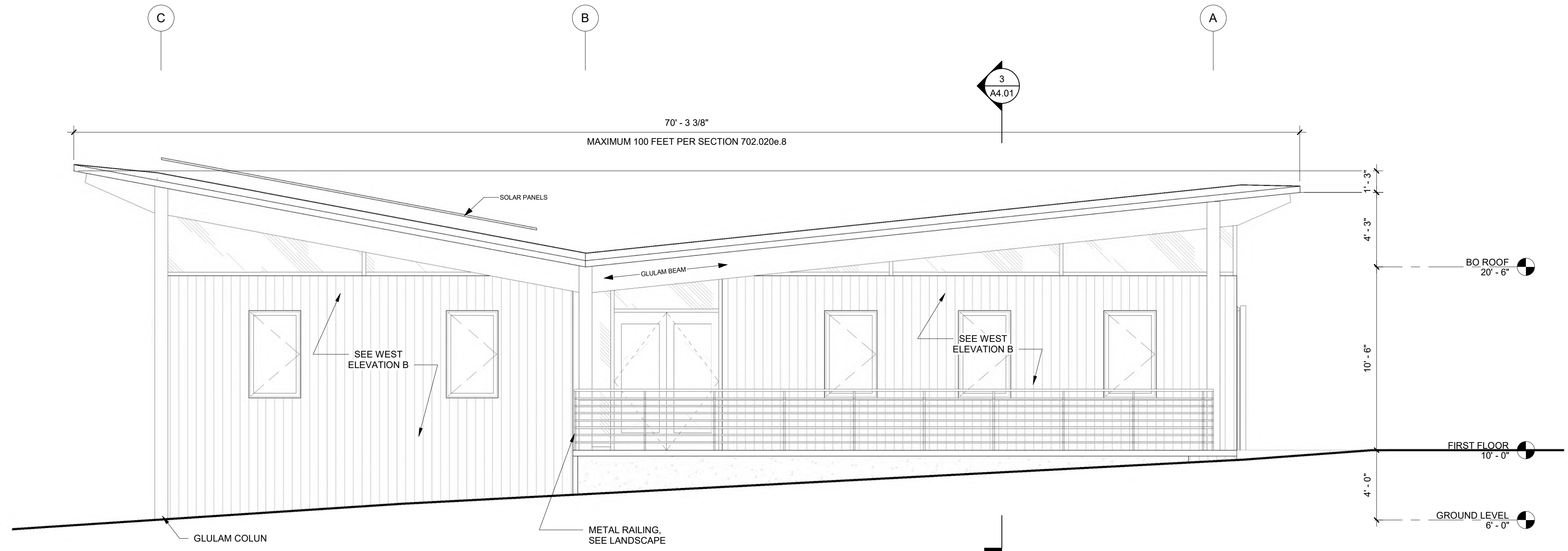


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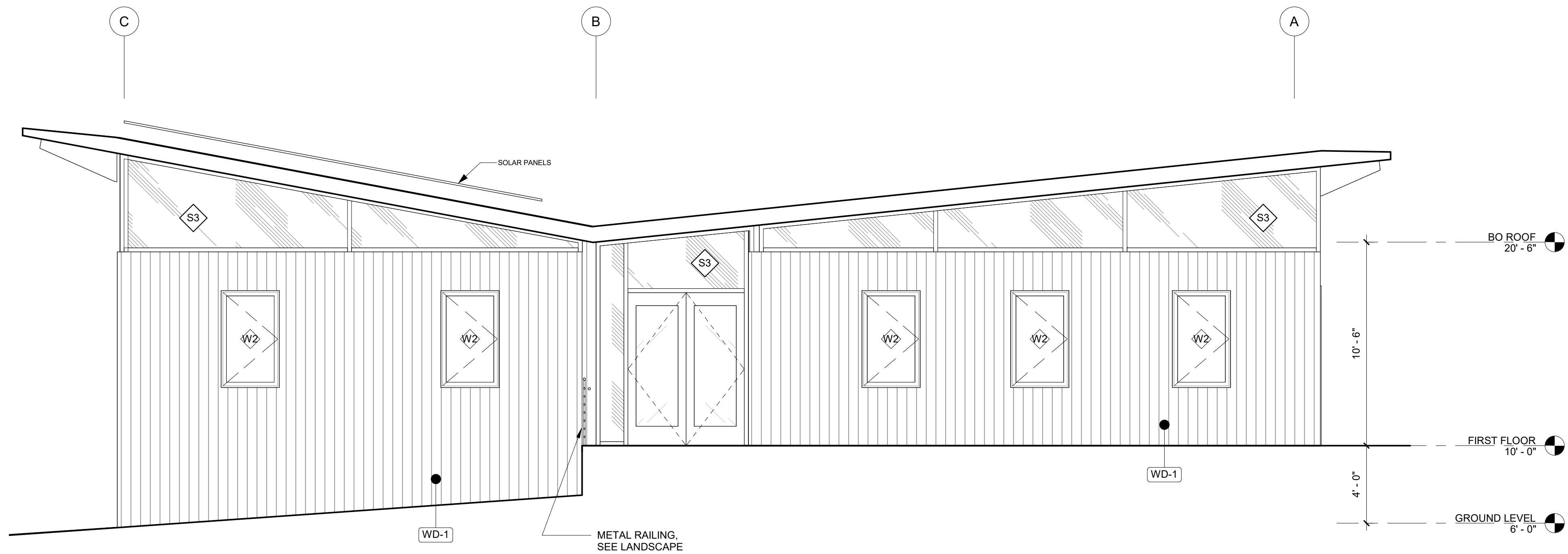
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2 EAST ELEVATION  
1/4" = 1'-0"



1 WEST ELEVATION A  
1/4" = 1'-0"



3 WEST ELEVATION B  
1/4" = 1'-0"

#### GENERAL SHEET NOTES

- REFERENCE FLOOR PLANS FOR DOOR AND WINDOW LOCATIONS.
- REFERENCE ELECTRICAL FOR EXTERIOR LIGHT APPLICATIONS.
- CONFIRM ALL EXHAUST OPENINGS ARE MINIMUM 3'-0" FROM OPERABLE OPENINGS.
- ALL EXTERIOR LOUVERS TO BE PAINTED TO MATCH THE EXTERIOR FINISH IT PENETRATES.
- PRE-FINISHED 22 GAUGE FORMED SHEET METAL WINDOW TRIM, JAMB, AND SILL AT WINDOWS.
- PRE-FINISHED 22 GAUGE METAL THROUGH WALL FLASHING AT WINDOW HEADS.
- TRANSITION BETWEEN FIBER CEMENT SIDING PROFILES TO FOLLOW MANUFACTURER DETAILING AND REQUIREMENTS.

#### LEGEND

- |      |   |
|------|---|
| WD-1 | VERTICAL WOOD SIDING<br>PRODUCT: THERMORY<br>FINISH: IGNITE SPRUCE CLADDING<br>PRODUCT ALT: TERRAMAI<br>FINISH ALT: FAUX SUGI BAN |
| CO-1 | CONCRETE WALL<br>FINISH: BOARD POURED   |

S|E A

SCOTT|EDWARDS ARCHITECTURE LLP.  
2525 E Burnside Street, Portland, OR 97214  
phone: (503) 226-3617 www.seallp.com

NOT FOR  
CONSTRUCTION

#### CDP SALEM - BUILDING E

Job Number: 21031

5205 BATTLE CREEK RD SE  
SALEM, OR 97306



LAND USE SUBMISSION ISSUE 03.11.2022 DATE

Drawing:

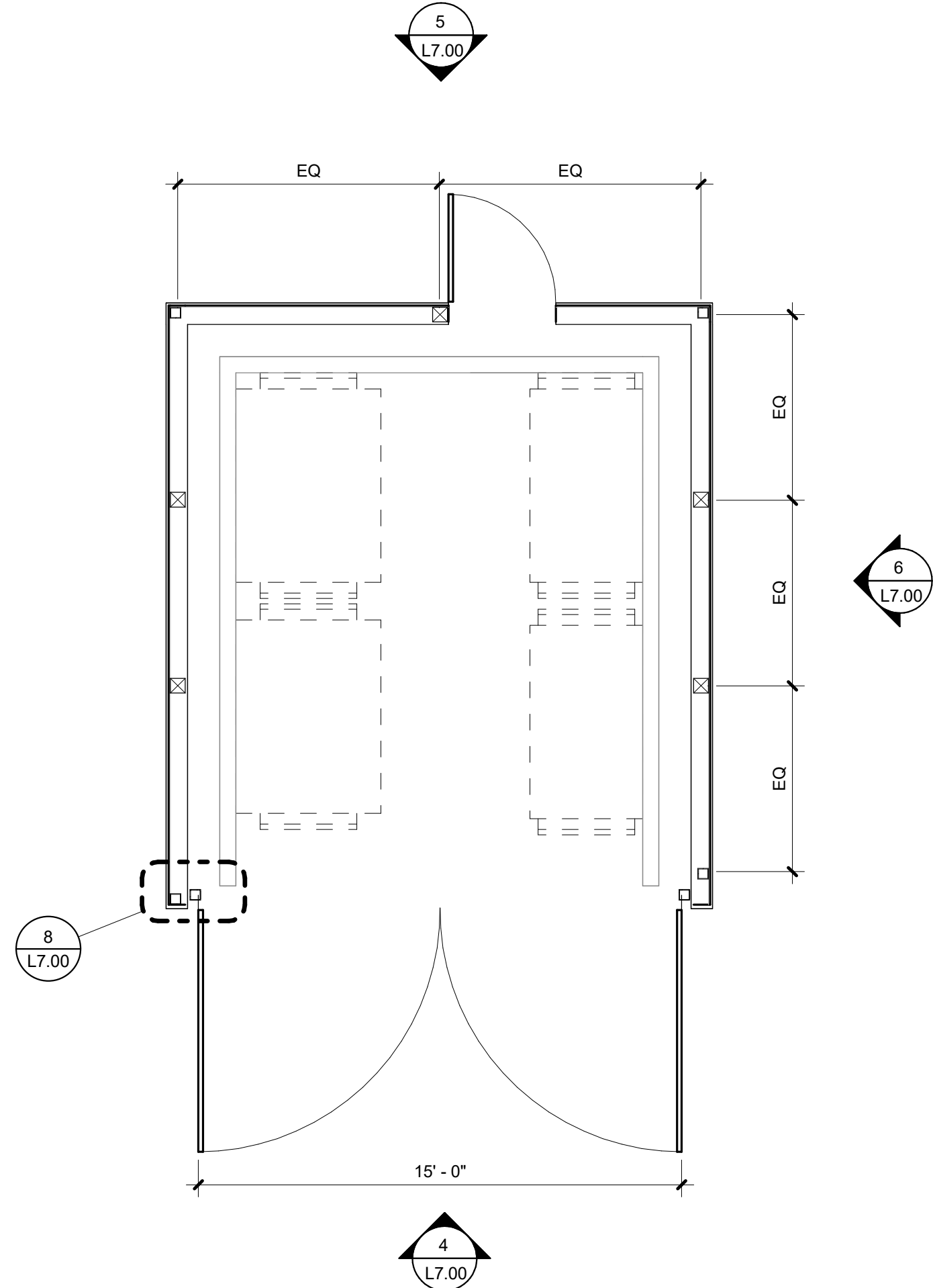
EXTERIOR  
ELEVATIONS

Sheet No:  
Building E -

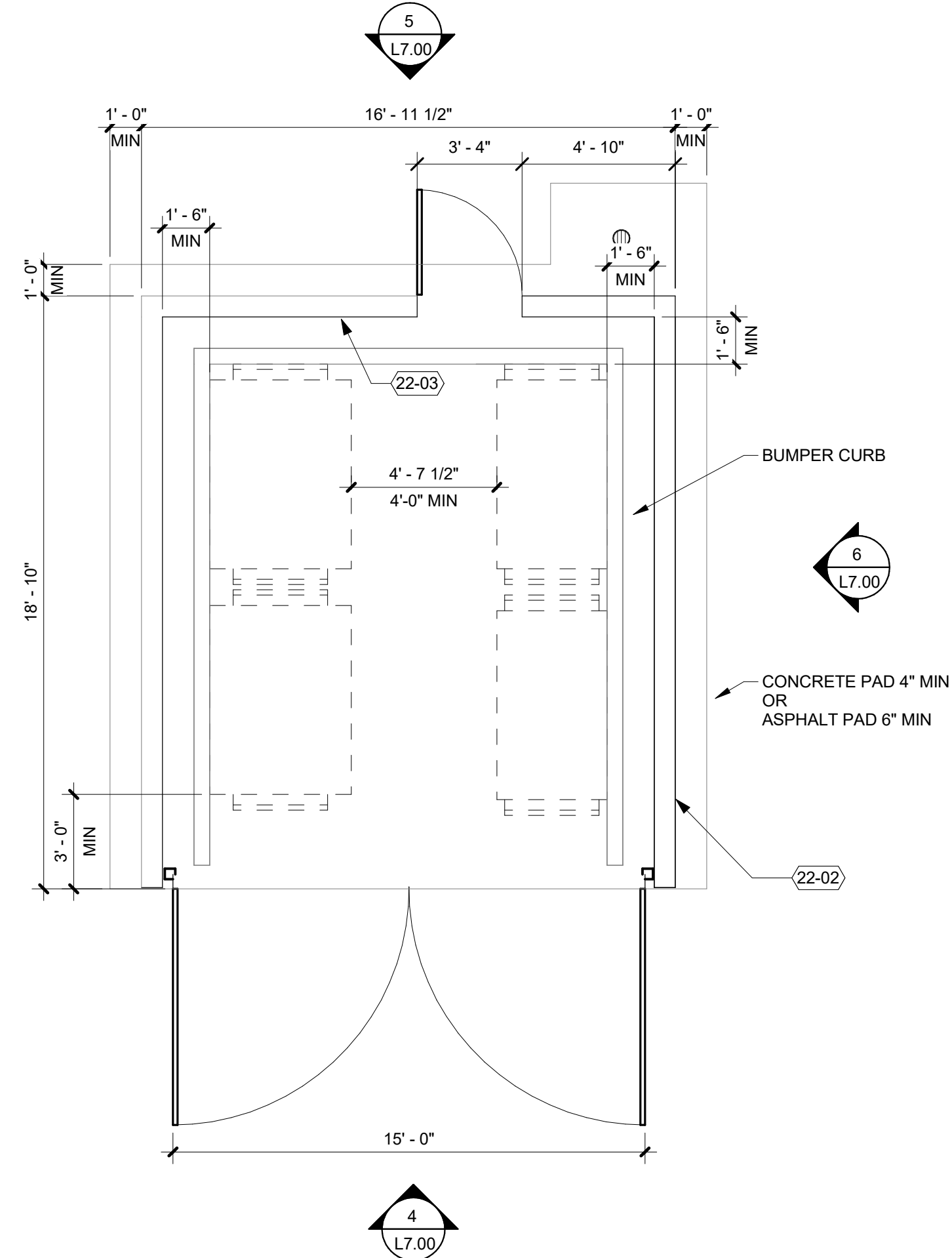
A3.02

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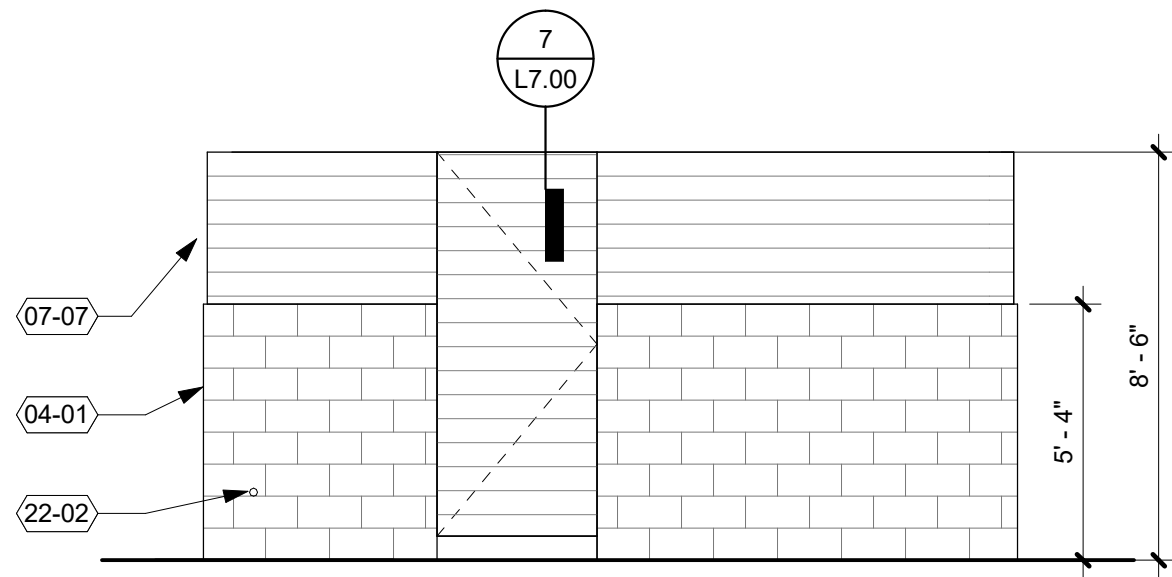
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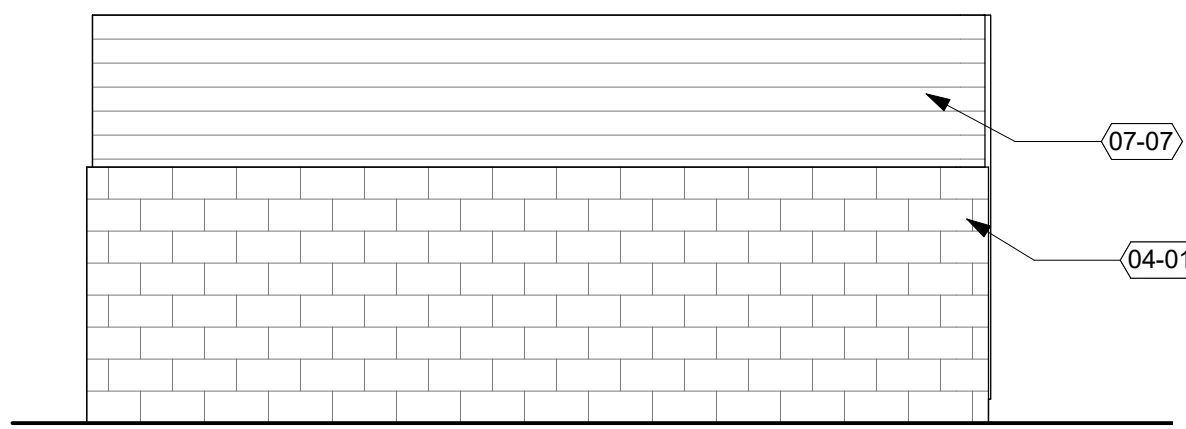
2 TRASH ENCLOSURE PLAN @ WOOD SLATS  
1/4" = 1'-0"



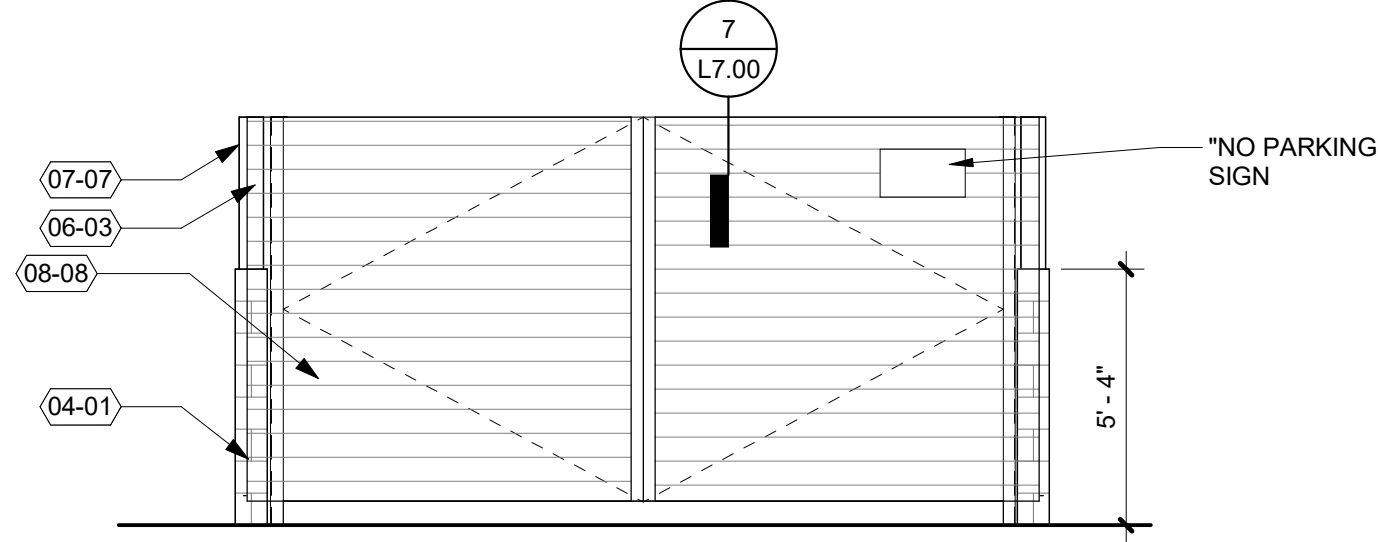
1 TRASH ENCLOSURE PLAN @ CMU  
1/4" = 1'-0"



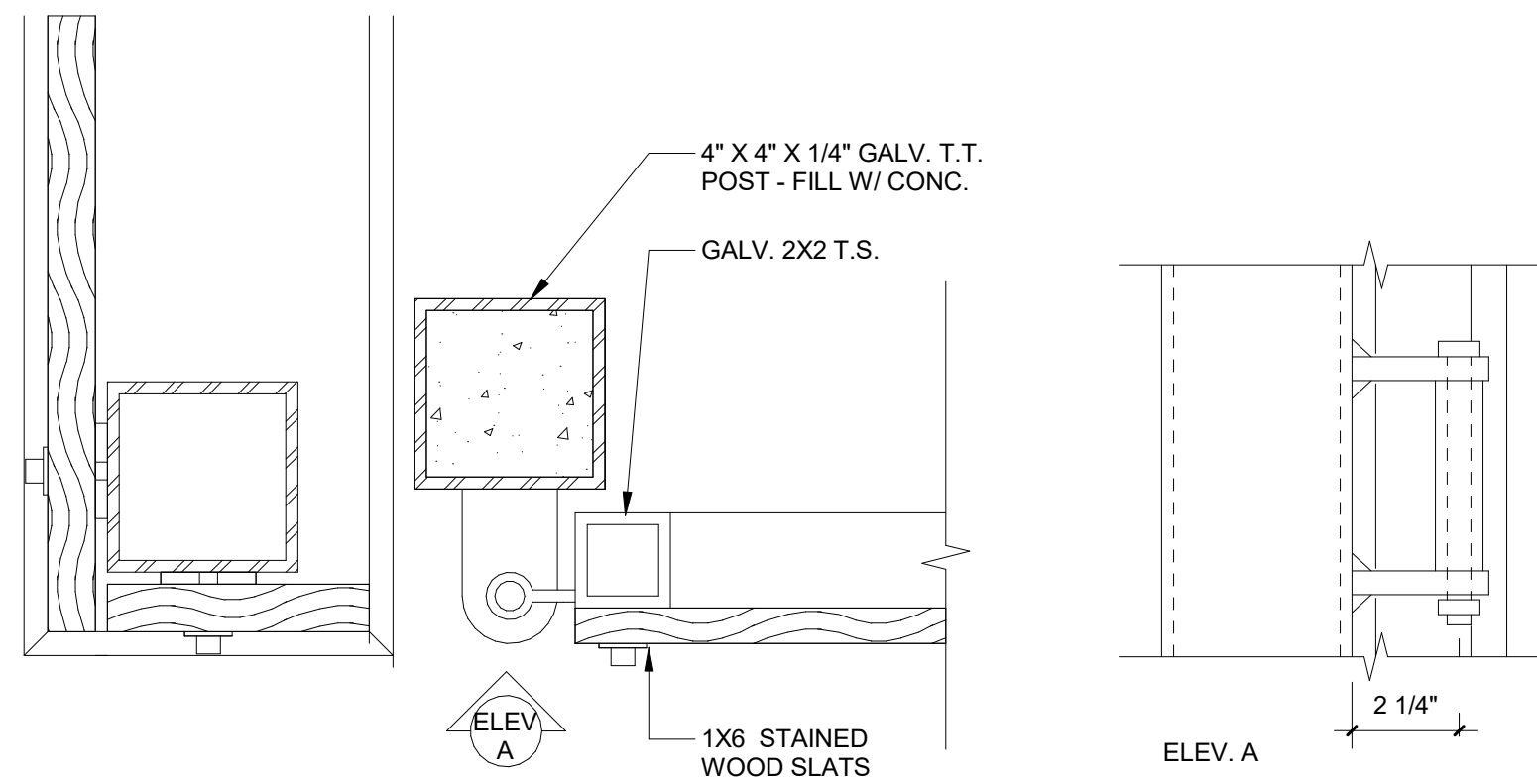
5 TRASH ENCLOSURE REAR ELEV  
1/4" = 1'-0"



6 TRASH ENCLOSURE SIDE ELEV  
1/4" = 1'-0"

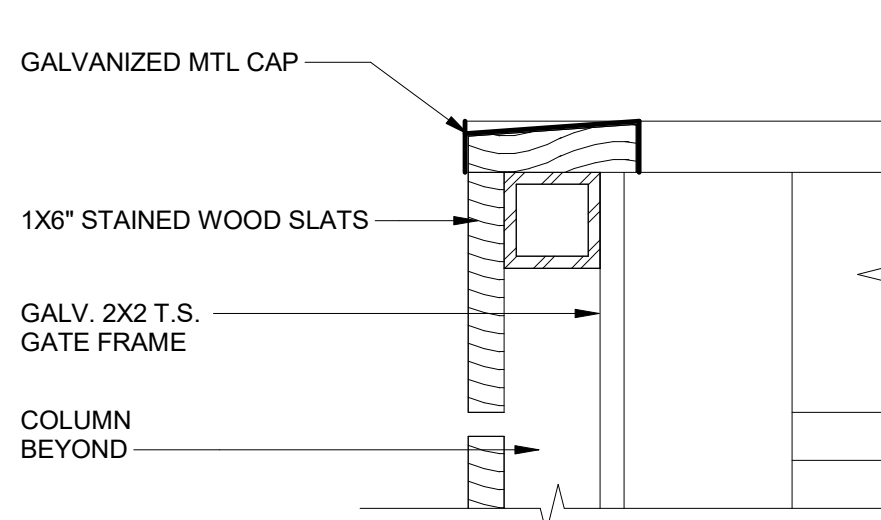


4 TRASH ENCLOSURE FRONT ELEV  
1/4" = 1'-0"



NOTE:  
ALL EXPOSED STEEL AND METAL SHALL BE HOT DIPPED GALVANIZED AT TRASH ENCLOSURE

8 GATE JAMB  
3" = 1'-0"



7 GATE TOP  
3" = 1'-0"

KEYNOTES	LEGEND
04-01 SPLIT-FACE CMU	ASPHALT SHINGLE ROOF
06-03 WOOD POST PER STRUCT, TYP	CMU WALL
07-07 1x6 CEDAR SPACED 1/2"	1X6 WOOD CEDAR SLATS
08-08 GATE: 1x6 CEDAR ON METAL FRAME	
22-02 HOSE BIBB / BOOT WASH STATION	
22-03 HOSE BIBB	

S|E A

SCOTT|EDWARDS ARCHITECTURE LLP.  
2525 E Burnside Street, Portland, OR 97214  
phone: (503) 226-3617 www.seallp.com

NOT FOR  
CONSTRUCTION

NUEVA  
ESPERANZA

Job Number: 20205

NE 53RD AVE & HIDDEN CREEK  
DR  
HILLSBORO, OR

C  
D P  
Community  
Development  
Partners

2 PLAN CHECK 11.05.21  
1 BID SET 10.15.21

PLAN CHECK 11.05.21

ISSUE DATE

Drawing:

SITE DETAILS

Sheet No:

L7.00

- (iii) *The location and design of the existing and proposed on-site pedestrian and vehicle circulation system.*
- (iv) *Locations and dimensions of all existing and proposed outdoor storage areas, including, but not limited to, trash collection and recycling areas.*
- (B) *Architectural drawings, renderings, or sketches showing all elevations of proposed buildings as they will appear on completion.*
- (C) *A landscape plan showing the location of natural features, trees, and plant materials proposed to be removed, retained, or planted; the amount, height, type, and location of landscaped areas, planting beds, and plant materials and provisions for irrigation.*
- (D) *A topographic survey and grading plan showing two-foot contour intervals on hillside lots and five-foot contour intervals on all other lots.*
- (E) *An open space plan showing locations of common and private open space, including active and passive recreational areas. The open space plan shall show the total area of individual classifications of proposed open space and shall be drawn to scale.*
- (F) *A statement as to whether the application is intended to meet the standards or the guidelines.*

**Response:** The included materials have all the elements listed above. A detailed set of drawings for the site and all proposed buildings is included with this application as Exhibit A. Site plan information is shown on Sheet G1.10 and L1.00. Architectural drawings are on Sheets A0.01 through A7.01 for each building. Landscape plans are on Sheets L1.00 through L1.03. The application is intended to meet the standards.

*(e) Criteria.*

*(1) A Class 1 design review shall be approved if all of the applicable design review standards are met.*

*(2) A Class 2 or Class 3 design review shall be approved if all of the applicable design review guidelines are met.*

*(f) Conditions of approval. Notwithstanding SRC 300.820, the Review Authority may not attach conditions to a Class 1 design review approval.*

**Response:** The proposed development is subject to a Class 1 design review and all the applicable design review standards of SRC Chapter 702, Multiple Family Design Standards, are addressed below in the findings for that section.

## **Adjustments – Chapter 250**

### **Purpose – 250.001**

*The purpose of this chapter is to provide a process to allow deviations from the development standards of the UDC for developments that, while not meeting the standards of the UDC, will continue to meet the intended purpose of those standards. Adjustments provide for an alternative way to meet the purposes of the Code and provide for flexibility to allow reasonable development of property where special conditions or unusual circumstances exist.*

**Response:** The requested adjustments will allow reasonable development of this property because special conditions or unusual circumstances exist. With respect to this property, the development site has two frontages – Salal Street on one side and Battle Creek Road on the other – that make it difficult to create a site design with 40 percent building frontage along that many linear feet of streets. Flexibility in this circumstance is justified.

### **Adjustments – 250.005**

*(a) Applicability.*

*(1) Classes.*

*(A) A Class 1 adjustment is an adjustment to any numerical development standard in the UDC that increases or decreases the standard by not more than 20 percent.*

*(B) A Class 2 adjustment is an adjustment to any development standard in the UDC other than a Class 1 adjustment, including an adjustment to any numerical development standard in the UDC that increases or decreases the standard by more than 20 percent.*

**Response:** The proposed application requests three adjustments, all from the multiple family design standards listed in SRC 702.020.

The first adjustment is from SRC 702.020(d)(2), which requires all off-street parking areas to be behind or beside buildings. Five site buildings have elevations that face Battle Creek Road, but they are not located behind the off-street parking areas, as required.

The second adjustment is from SRC 702.020(e)(4), which requires buildings to occupy 40 percent of the street frontage's buildable width. The site has two qualifying street frontages. The Battle Creek Road frontage does not meet the standard.

The third adjustment is from SRC 702.020(e)(9), which requires building faces of more than 80 feet to have one of several listed design elements to increase articulation. The upper two stories of the “back” façades of Walk Up Building Type A and C do not have one of these features. The back façade on the Type A buildings is 87’ 1” and on the Type C building is 131’ 11” which are both longer than the 80 foot limit.

In all three adjustment situations, the difference between the standard and the proposed design is greater than 20 percent, which therefore requires Class 2 adjustments.

*(2) Prohibition. Notwithstanding subsection (a)(1) of this section, an adjustment shall not be granted to:*

*(A) Allow a use or activity not allowed under the UDC;*

*(B) Change the status of a use or activity under the UDC;*



- (C) Modify a definition or use classification;
  - (D) Modify a use standard;
  - (E) Modify the applicability of any requirement under the UDC;
  - (F) Modify a development standard specifically identified as non-adjustable;
  - (G) Modify a development standard that contains the word "prohibited";
  - (H) Modify a procedural requirement under the UDC;
  - (I) Modify a condition of approval placed on property through a previous planning action;
  - (J) A design review guideline or design review standard, except Multiple Family Design Review Standards in SRC chapter 702, which may be adjusted; or
  - (K) The required landscaping in the Industrial Business Campus (IBC) Zone.
- (b) Procedure type. Class 1 and Class 2 adjustments are processed as a Type II Procedure under SRC chapter 300.

**Response:** Subsection (J) above explicitly permits Multiple Family Design Review Standards in SRC Chapter 702 to go through the adjustment process. The requested adjustments are therefore not prohibited.

(c) Submittal requirements. In addition to the submittal requirements for a Type II application under SRC chapter 300, an application for a Class 1 or Class 2 adjustment shall include the following:

(1) A site plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing all information necessary to establish satisfaction with the approval criteria. By way of example, but not of limitation, such information may include the following:

- (A) The total site area, dimensions, and orientation relative to north;
- (B) The location of all proposed primary and accessory structures and other improvements, including fences, walls, and driveway locations, indicating distance to such structures from all property lines and adjacent on-site structures;
- (C) All proposed landscape areas on the site, with an indication of square footage and as a percentage of site area;
- (D) The location, height, and material of fences, berms, walls, and other proposed screening as they relate to landscaping and screening required by SRC chapter 807;
- (E) The location of all trees and vegetation required to be protected pursuant to SRC chapter 808; and

(F) Identification of vehicle, pedestrian, and bicycle parking and circulation areas, including handicapped parking stalls, disembarking areas, accessible routes of travel, and proposed ramps.

(2) An existing conditions plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:

- (A) The total site area, dimensions, and orientation relative to north;
- (B) The location of existing structures and other improvements on the site, including accessory structures, fences, walls, and driveways, noting their distance from property lines;
- (C) The location of the 100-year floodplain, if applicable; and
- (D) The location of drainage patterns and drainage courses, if applicable.

**Response:** The proposed adjustment request is part of a consolidated application that includes site and building drawings that have all the listed elements above, and were previously addressed under the finding for site plan review submittal requirements, SRC 225.005(d).

(d) *Criteria.*

(1) *An application for a Class 1 adjustment shall be granted if all of the following criteria are met:[...]*

(2) *An application for a Class 2 adjustment shall be granted if all of the following criteria are met:*

(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.*

**Response:** The purpose statement for the section that includes the standards is in SRC 702.001:

*“The purpose of this chapter is to establish design review standards for multiple family development.”*

This purpose does not illuminate the reasons for the parking lot location requirement, buildable width minimum, or building face length limitation. However, the “underlying” purposes of these standards may be found within the language of each individual standard.

#### 1. Parking lot location -- SRC 702.020(d)(2)

The standard indicates that the purpose underlying the regulation is “to minimize the visual impact of on-site parking and to enhance the pedestrian experience.” The proposed development equally meets this purpose by providing generous buffering and landscaping that exceeds minimum standards in the zone between the public sidewalk and the edge of the parking area, and developing an overall design of the street edge that minimizes the visual impact of the parking.

One way the design minimizes the visual impact of the parking is an outcome of its natural topography. To accommodate the change in grade, the site plan (Sheet G1.10) shows two long, low retaining walls at the east edge of the parking area. These low walls obscure the large segments of the parking area and minimize the visual impact of vehicle parking. A planting zone between the east side of these retaining walls and the edge of the sidewalk will enhance the pedestrian experience and create a pleasant environment for users walking along the new Battle Creek Road sidewalk. In this way

the conditions of the site and its relation to the street will still allow a positive pedestrian experience. A section drawing through the Battle Creek frontage that shows this is on Sheet L1.00.

Also, though a new sidewalk would be required anyway, the one along Battle Creek Road has been designed with several meanders along this site frontage to preserve some existing trees and replace what is now an unpaved shoulder, creating a superior pedestrian experience. Keeping existing mature trees along this corridor increases variability in planting materials and helps diffuse traffic noise. Overall, the sidewalk, new landscaping, and natural topography minimizes the impacts that are ordinarily associated with placing parking near the street edge.

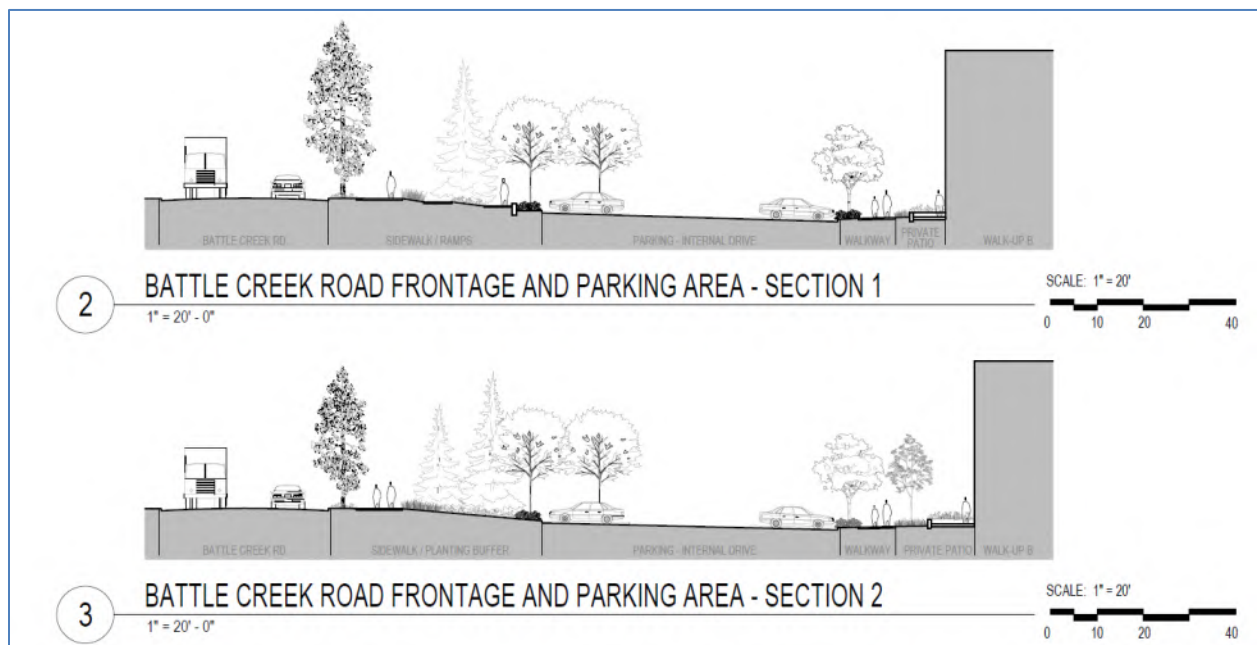


Figure 10. Battle Creek Road Frontage and Parking Areas (Sheet L1.00)

## 2. Buildable width -- SRC 702.020(e)(4)

The standard indicates that the purpose underlying this regulation is “to enhance visual interest and activity along the street.”

The same elements of design described previously that enhance the Battle Creek Road edge of the site also satisfy the purpose of this standard. Generous buffering and landscaping exceeds minimum standards at the edge of the public multi-use path and within the parking lot. The visual interest of the street edge will be reinforced by the multi-use path’s meandering design, preservation of mature trees, and variability in

topography. Specifically, the parking area is consistently at a slightly lower elevation than the multi-use path, which minimizes the visual impact of the parking to pedestrians and bicyclists that use this corridor. The treatment of the street edge at this location is generally consistent with other developed sections along the Battle Creek Road corridor, as is discussed in more detail with relation to criterion B below.

In this way the conditions of the site and its relation to the street still create visual interest and activity, and a positive pedestrian experience. Though a dedicated pedestrian facility would be required in any case, a new multi-use path along Battle Creek Road has a full 10-foot width and several meanders along its frontage, primarily to preserve some existing trees and to provide visual interest for users. The path replaces an existing, unpaved shoulder, creating a far superior experience for users. Keeping existing mature trees along this corridor increases variability of sizes and ages in planting materials and makes the area more aesthetically pleasing. Overall, the multi-use path, new landscaping, and integrating natural topography into the design creates a street edge that enhances visual interest equally as well as meeting the standard.

### 3. Building face length -- SRC 702.020(e)(9)

The standard indicates that the purpose underlying the regulation is “to minimize the appearance of building bulk.” The proposed development equally meets this purpose by dividing the back façade of the building into easily identifiable sections, each shorter than 80 feet. Those sections are clearly visually-defined by separate gabled roofs. Each roof gable aligns with the three housing units on the floors below it.



Figure 11. Back elevation of Building Type A

In addition to the roofs, a continuous, contrasting, vertical, recessed band of different material will align with the end of each gable to further visually separate building sections and minimize the appearance of the structure's overall bulk. The two distinct sections of the Type A building will be divided by a single vertical recess, and the three distinct sections of the Type C building will have two of these recesses. Because of the roof gables and the vertical element, the back façades of these buildings will be reduced into "vertical faces" that appear shorter than the 80 foot threshold in the standard. The design therefore equally meets the intent of the standard to minimize the appearance of building bulk.

Another consideration is that three of the five building façades that require this adjustment are located on the Salal Street setback line. The 40 percent of buildable width standard of SRC 702.020(e)(4), which is discussed above, maximizes the length of front façades placed at the setback line. Conversely, the building face length standard encourages offsets and setbacks that potentially pull the façade away from the setback line. Choosing between two potentially conflicting standards, the applicant has set buildings closer to Salal Street to encourage a sense of street enclosure. This results in the need for an adjustment to a standard that would potentially pull buildings away from the street.

Finally, the amount of the request is small for four of the five locations where it is requested. For the Walk Up Type A buildings, the length of the vertical faces on the upper stories of the back of the building is 87' 1". If this façade were 2.1 feet shorter, the standard would not apply. The back façade of the Walk Up Type C building is somewhat longer. Because the ground level of all five applicable façades have "covered entrances" that meet width and depth requirements listed in the standard (See Sheets A2.11 and A3.10), only the upper two stories of these façades require an adjustment.

In short, the design of the Walk Up Type A and C buildings reduces the perception of building size, even on the façades where the adjustment is required. Specifically, the roof configuration, covered entrances on the ground floor, and a dividing vertical element between building sections indicate a segmented structure and give the impression that the building is smaller than it is. These design choices equally meet the purpose underlying the standard, to minimize the appearance of building bulk.

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

**Response:** The proposed adjustments are within a residential zone, the RM-II. The proposed development will not detract from the livability of appearance of the residential area for the following reasons.

## 1. Parking lot location

In the context of this design standard, the “residential area” affected by allowing the adjustment is limited to the row of properties immediately across Battle Creek Road from the site. The parking lot will not be visible from any other residential property farther away from the site.

Allowing parking in front of, rather than behind, buildings on the east side of the development does not detract from livability or appearance, because the proposed development includes new pedestrian amenities, landscaping, and visual interest along this stretch of Battle Creek Road. Compared with existing conditions, which is just a gravel shoulder on an existing high-volume, high-speed arterial road, the proposed development is a vast improvement to the area’s livability and appearance.

Existing conditions directly across Battle Creek Road from the site are important for context, and because they define the “appearance of the area,” per this criterion. Also, properties across the road are those most directly affected by the proposed adjustment. Revealingly, these properties uniformly turn their backs on Battle Creek Road. These lots are oriented to the east, facing the local residential streets on the other side and away from the minor arterial, because Battle Creek Road’s fast, high-volume vehicle traffic creates visual and noise impacts. Every one of the adjacent residential lots has a sight-obscuring fence, dense vegetation, or both.

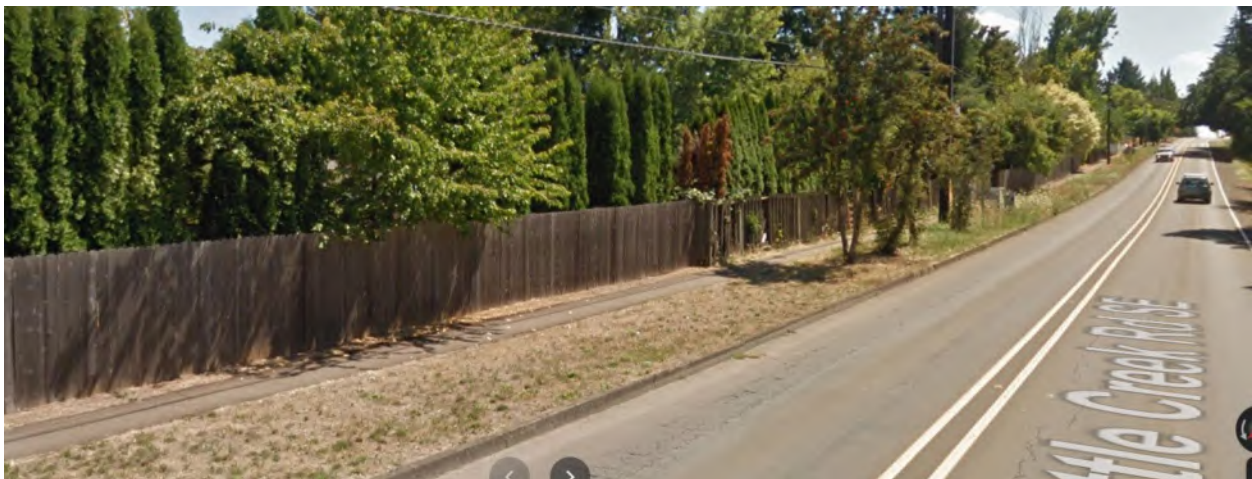


Figure 12. East side of Battle Creek Road SE

In contrast to an unbroken wall of fencing and hedges that block views and access on the east side of the street, the west side of the road will have a new multi-use path, new and preserved vegetation of varying sizes and species, a pedestrian connection into the private property, and views toward an occupied housing development. This

development has high-quality buildings with architecturally-detailed facades that include main entries oriented toward the parking area and the street beyond. The pedestrian experience on Battle Creek Road will be vastly improved over existing conditions (paved shoulder only), and the overall condition will be more livable and attractive.

## 2. Buildable width

Allowing building length at the setback line to be less than 40 percent along the Battle Creek Road frontage still allows the development to contribute to the livability and appearance of the residential area because the final condition is an attractive pedestrian environment with a new multi-use path and other amenities.

The proposed development contributes to the aesthetic condition of the area at the Battle Creek Road setback line with new pedestrian amenities, plantings, and architectural interest. Compared with existing conditions, which is just a gravel shoulder on an existing high-volume, high-speed arterial road, the proposed development is a vast improvement to the area's livability and appearance.

As with parking lot location, the "residential area" that will be affected by allowing the adjustment is limited. In the context of this design standard, the residential area can be defined as the row of properties immediately across Battle Creek Road from the site. For residential property farther away from the site than this, the development site is not visible, and it would not be apparent to them whether new buildings occupy more or less of the street frontage setback.

Along Battle Creek Road, different zoning the east side of the road does not require that owners of these properties observe the same minimum buildable width requirement. Nevertheless, the current condition of these properties is oriented away from the street to avoid its visual and noise impacts. This condition sets a baseline for the "appearance of the residential area" from which the proposed new development must not detract. The face these property owners present to the street is a sight-obscuring fence, dense vegetation, or both. If it were applicable, none of the existing residential development would meet the 40 percent standard. In contrast, the proposed condition on the west side of the road offers more visual interest and amenities than existing conditions or surrounding properties, and therefore contributes to the livability and appearance of the area.

In general, the pedestrian experience along all the abutting streets in the new development will be vastly improved and at a very high quality, and even with less than 40 percent buildings on the Battle Creek Road setback line. The overall condition still enhances the livability and appearance of the residential area.



### 3. Building face length

The “residential area” affected by the proposed adjustment to building face length is limited to the immediately facing properties that would have any view of the façades in question. Those properties without direct line of sight of the five façades that where the standard applies and is not met would not be affected by a change to this design standard. Of the qualifying building faces, three of the five face Salal Street, one faces Woodscape Linear Park, and one faces the parking area between Battle Creek Road and the cluster of buildings at the center of the site. As a practical matter, the difference between this proposal and a fully-compliant building face given the distant view from across Battle Creek Road or a heavily-screened by vegetation view from the linear park is negligible.

Nevertheless, as discussed in the response to the previous criterion, the mitigation for building length on the upper stories of these buildings consists of the roof line and a vertical dividing element. Both these design elements are more visible and more relevant to neighboring properties than if the building were six feet shorter, in the case of the Type A Buildings, or if one of the listed design elements were added. The properties across Salal Street from the three applicable building faces will have a clearer view of the adjusted façades, but will also not suffer a reduction in livability or appearance because of the roofs and dividing elements. Those properties will also be part of a larger, multi-family development integrated with this first phase. Carefully designed, high-quality buildings that incorporate elements to minimize the appearance of building bulk maintain livability and improve the appearance of the area.

As described, building design elements are incorporated into the longer façades that minimize the overall appearance of building bulk, therefore maintaining the residential appearance of the area. Among these elements are individual gabled roofs, which reflect the pitched roofs that are a common feature of houses in the surrounding area. Also used to break up the façade are a continuous, contrasting, vertical, recessed band of different material aligned with the end of each gable. These two design elements functionally divide the back façades of these buildings into shorter “vertical faces” that minimize building size and maintain the livability and 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.*

**Response:** Three adjustments are requested, to SRC 702.020(d)(2), SRC 702.020(e)(4), and SRC 702.020(e)(9). The first two are related to the placement of buildings and



parking areas on the east side of the site, and the last is related to the length of building faces.

The “overall purpose of the zone” is listed in SRC 514.001:

*“The purpose of the Multiple Family Residential-II (RM-II) Zone is to implement the multiple family residential designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The RM-II zone 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 project, with the proposed adjustments, has no direct impact on the purpose of the zone as listed in this statement. Specifically, it does not change implementation of the comprehensive plan designation, identification of allowed uses, or establishment of development standards. The proposed use of the site is multiple family residential, which is an allowed use and not affected by the adjustments. The spirit of the design and development standards, to increase visual interest and enhance the pedestrian experience, has been met by significant upgrades to the condition of the site along the edge of the Battle Creek Road frontage and the overall context of existing conditions. This was explained in the response to adjustment criterion (2)(A)(ii). Larger buildings are consistent with multi-family residential uses, and the larger buildings have been broken up into smaller segments using design elements like roof lines and vertical changes in material and color. In general, the proposed multiple family project will be a high-quality housing development in a multiple family zone that was explicitly designated to create opportunities like this. For that reason, it is consistent with the overall purpose of the zone.

## RM-II Multiple Family Residential – Chapter 514

### Purpose – 514.001

*The purpose of the Multiple Family Residential-II (RM-II) Zone is to implement the multiple family residential designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The RM-II zone 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.*

### Uses – 514.005

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

## **Salem Gateway Housing - Supplemental Adjustment Findings**

### **5205 Battle Creek Road SE, Salem case file 22 101695 00 RP**

#### **Winterbrook Planning, March 12, 2022**

As part of the completeness review for the project proposed at 5205 Battle Creek Road SE (application no. 22-101695-00 RP) a letter from Salem planning staff on February 15 determined that some multiple family design standards are not met by the proposed design. In some of these instances, the applicant modified the design to comply. In two specific instances, though, it seeks an adjustment to the relevant standard. Specifically:

- From a standard which requires buildings to have “no dimension” greater than 150 feet, SRC 702.020(e)(1). The south elevation of the Senior Building has a dimension on the south façade from corner to corner of more than 150 feet.
- From a standard that requires a window on each wall of all habitable rooms that face common open space, SRC 702.020(c)(1). This standard is not met on one interior-facing wall for two dwelling units of the Senior Building.

Together with the other adjustments requested in the original narrative, this brings the total number of adjustments requested to five. Adjustments are limited in scope to a single or small number of locations, not broadly to all buildings on the site. Also, given the request is for the development of 10 buildings and 7.7 acres of site area, situations needing adjustments are still relatively few.

Adjustments “allow reasonable development of property where special conditions or unusual circumstances exist,” as stated in the code. For the two additional adjustment requests listed above, one of the special conditions of this site is the double frontage lot, which creates a need for the Senior Building to have identifiable frontage on both the east and west sides, elongating the building in that dimension.

As noted in greater detail in the adjustment findings, the proposed design clearly satisfies the purpose of the window standard by creating a mechanism to “encourage visual surveillance” through other measures of building and site design. It equally or better meets the purpose of the building dimension standard by creating varied wall planes on the Senior Building to break up its longest façades.

## **Adjustments – Chapter 250**

### **Purpose – 250.001**

*The purpose of this chapter is to provide a process to allow deviations from the development standards of the UDC for developments that, while not meeting the standards of the UDC, will continue to meet the intended purpose of those standards. Adjustments provide for an alternative*

way to meet the purposes of the Code and provide for flexibility to allow reasonable development of property where special conditions or unusual circumstances exist.

**Response:** The requested adjustments will allow reasonable development of this property because special conditions or unusual circumstances exist. With respect to this property, one of those conditions is having two frontages, which elongates a building design that strives to have frontage both on the east and west sides of the site. Flexibility in this circumstance is justified.

### **Adjustments – 250.005**

(a) *Applicability.*

(1) *Classes.*

(A) A Class 1 adjustment is an adjustment to any numerical development standard in the UDC that increases or decreases the standard by not more than 20 percent.

(B) A Class 2 adjustment is an adjustment to any development standard in the UDC other than a Class 1 adjustment, including an adjustment to any numerical development standard in the UDC that increases or decreases the standard by more than 20 percent.

**Response:** The proposed application requests two additional adjustments, both from the multiple family design standards listed in SRC 702.020.

The first adjustment is from SRC 702.020(e)(1), which requires that no dimension of a building be greater than 150 feet. A horizontal measurement of the Senior Building from its southwest corner to its southeast corner, is 162.1 feet.

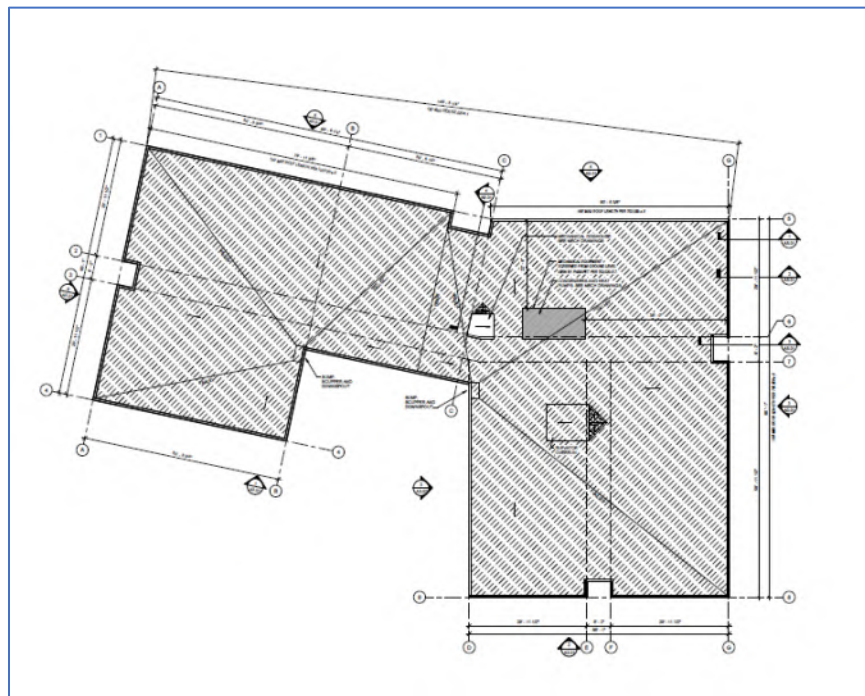


Figure 1. Senior Building roof plan

The building dimension differs from the standard by only 8 percent (*i.e.*, 162.1 feet vs. 150 feet), and is therefore subject to the Class 1 adjustment criteria.

The second adjustment is from SRC 702.020(c)(1), which requires all habitable rooms have windows on each wall that faces common open space, parking areas, and pedestrian paths. This standard is not met on one wall of the Senior Building, where a corner room on the first and second floors has windows that face north, but does not have windows facing east, toward the “Senior Courtyard.” These two apartment units are designated 111 and 211 on Sheets A2.11B and A2.12B.



Figure 2. Detail from first floor plan of Senior Building



The difference between the window placement standard and the proposed design is greater than 20 percent (*i.e.*, windows are proposed on one wall vs. “each wall”), and therefore this request requires response to the Class 2 adjustment criteria.

*(2) Prohibition. Notwithstanding subsection (a)(1) of this section, an adjustment shall not be granted to:*

- (A) Allow a use or activity not allowed under the UDC;*
  - (B) Change the status of a use or activity under the UDC;*
  - (C) Modify a definition or use classification;*
  - (D) Modify a use standard;*
  - (E) Modify the applicability of any requirement under the UDC;*
  - (F) Modify a development standard specifically identified as non-adjustable;*
  - (G) Modify a development standard that contains the word "prohibited";*
  - (H) Modify a procedural requirement under the UDC;*
  - (I) Modify a condition of approval placed on property through a previous planning action;*
  - (J) A design review guideline or design review standard, except Multiple Family Design Review Standards in SRC chapter 702, which may be adjusted; or*
  - (K) The required landscaping in the Industrial Business Campus (IBC) Zone.*
- (b) Procedure type. Class 1 and Class 2 adjustments are processed as a Type II Procedure under SRC chapter 300.*

**Response:** Subsection (J) above explicitly permits Multiple Family Design Review Standards in SRC Chapter 702 to go through the adjustment process. The requested adjustments are therefore not prohibited.



*(c) Submittal requirements. In addition to the submittal requirements for a Type II application under SRC chapter 300, an application for a Class 1 or Class 2 adjustment shall include the following:*

*(1) A site plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing all information necessary to establish satisfaction with the approval criteria. By way of example, but not of limitation, such information may include the following:*

*(A) The total site area, dimensions, and orientation relative to north;*

*(B) The location of all proposed primary and accessory structures and other improvements, including fences, walls, and driveway locations, indicating distance to such structures from all property lines and adjacent on-site structures;*

*(C) All proposed landscape areas on the site, with an indication of square footage and as a percentage of site area;*

*(D) The location, height, and material of fences, berms, walls, and other proposed screening as they relate to landscaping and screening required by SRC chapter 807;*

*(E) The location of all trees and vegetation required to be protected pursuant to SRC chapter 808; and*

*(F) Identification of vehicle, pedestrian, and bicycle parking and circulation areas, including handicapped parking stalls, disembarking areas, accessible routes of travel, and proposed ramps.*

*(2) An existing conditions plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:*

*(A) The total site area, dimensions, and orientation relative to north;*

*(B) The location of existing structures and other improvements on the site, including accessory structures, fences, walls, and driveways, noting their distance from property lines;*

*(C) The location of the 100-year floodplain, if applicable; and*

*(D) The location of drainage patterns and drainage courses, if applicable.*

**Response:** The proposed adjustment request is part of a consolidated application that includes site and building drawings that have all the listed elements above. These were previously addressed under the finding for site plan review submittal requirements, SRC 225.005(d), in the original application narrative.

*(d) Criteria.*

*(1) An application for a Class 1 adjustment shall be granted if all of the following criteria are met:*

*(A) The purpose underlying the specific development standard proposed for adjustment is:*

*(i) Clearly inapplicable to the proposed development; or*

*(ii) Clearly satisfied by the proposed development.*

**Response:**

- Building dimension limit -- SRC 702.020(e)(1)

The proposed adjustment for a building dimension greater than 150 feet is subject to the Class 1 adjustment criteria because the proposed dimension is only 8 percent larger than the standard, 162 feet.

The purpose statement for the section that includes the standards is in SRC 702.001:

*"The purpose of this chapter is to establish design review standards for multiple family development."*

This purpose section does not illuminate the reasons for the building dimension limitation. However, the "underlying" purpose of the standard may be found within the language of the standard itself, which reads, "to preclude long monotonous exterior walls, buildings shall have no greater dimension than 150 feet." The purpose underlying this regulation is "to preclude long monotonous exterior walls." This is clearly satisfied by the design of the proposed Senior Building because recesses and projections on the south façade results in it appearing as multiple walls, which are therefore neither long, nor monotonous.

As shown clearly in Figure 3 above and site plan and floor plan drawings, the Senior building is in fact made of two building masses, connected at a 12-degree angle. The reason for the offset is that the west side building mass is oriented to face Salal Street, while the east side building mass is oriented towards Battle Creek Road. This has the effect of tilting the building at a 12-degree angle and making the north and south sides of the structure appear to have separate façades. Moreover, the south elevation has a center segment, 39 feet wide, recessed deep into the building at the first two stories. The depth of this recess, from the south-facing wall of the west section to the skybridge, is 26 feet, a major difference in plane. This has the effect of completely dividing the western and eastern sections of the building. They read, visually, as separate façades, or at least as separate exterior walls..

All of the exterior wall segments, measured in any other way than one far corner to the other, are shorter than the 150-foot limit listed in this standard. In effect, the south façade has three exterior walls, a west section of 50' 4", a center section of 39' 6", and an east section of 66' 1", each on their own building plane. "Dimension" is not defined in the code, nor does it offer guidance about how to measure a "dimension." Measuring corner-to-corner on each façade is the most restrictive interpretation, especially for a building that has visually separate exterior wall segments and when those two corners do not have line of sight from each other. "Exterior wall" is a term mentioned in the standard and seems the more relevant unit of analysis for measuring dimensions. Each of these is shorter than the limit.

In any case, the south façade cannot be considered "long" and "monotonous" by any reasonable assessment, regardless of how it is measured. Major design elements of the building have been discussed above: a 12-degree offset angle, a recess for the middle section that includes a glassed-in hallway on the second floor, and three visually distinct exterior walls. Other design elements that ensure the façade is not long and monotonous are generous windows on all south-facing walls, a different color and material at the center of the building, a material change between the ground and upper floors, a higher roof line at the west building mass, and multiple active building entrances that face the courtyard.



Figure 4. Senior Building south façade

Overall, the purpose of the standard to limit long and monotonous walls is clearly satisfied by the proposed design, and the way it breaks up the façade into different segments, as opposed to limiting building façade length.

*(B) The proposed adjustment will not unreasonably impact surrounding existing potential uses or development.*

**Response:** In the context of the proposed limit to building dimensions, the “surrounding existing potential uses or development” affected by allowing the adjustment is limited to properties that have clear sight lines to the south façade, which is the relevant dimension exceeding the limit. As with other adjustments discussed in this and the original application, surrounding properties are not affected by aesthetic considerations if they have no view of the feature.

A complete, end-to-end view of the south façade of the Senior Building is impossible from any vantage point outside the development itself. The nearest neighboring property – which is the publicly-owned Woodscape Linear Park – is far away and completely blocked by multiple other buildings and proposed vegetation. Even oblique views of the south façade, from Salal or Battle Creek, are partially blocked by proposed buildings in the development. The potentially “long monotonous” exterior wall this design standard is intended to preclude is simply not visible from any outside vantage point, and a full view of it is the exception even within the site. Because this wall is not visible in its full length from any other property, it will have virtually no effect on them, and therefore does not create an unreasonable impact.



(2) An application for a Class 2 adjustment shall be granted if all of the following criteria are met:  
(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.

**Response:**

- Window placement-- SRC 702.020(c)(1)

The proposed window placement adjustment is to not have two windows that would otherwise be required in two corner units of the Senior Building. Because this is greater than a 20 percent reduction from (*i.e.*, from windows on “each wall” to only one wall) the criteria for a Class 2 adjustment apply.

The purpose statement for the section that includes the window standard is in SRC 702.001:

*“The purpose of this chapter is to establish design review standards for multiple family development.”*

This purpose section does not illuminate the reasons for the window requirement. However, the “underlying” purpose of the standard may be found within the language of each individual standard. The applicable standard reads, “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.” The language therefore specifies that the purpose underlying the regulation is “to encourage visual surveillance of such areas and minimize the appearance of building bulk.”

People outside the building receive the benefits of surveillance and a different building appearance created by this standard. Importantly, the purpose statement indicates the purpose is not to confer benefits to residents inside the units. The proposed development provides surveillance at this location by providing it from other, superior vantage points and having 24-7 lighting on the building at this location. Due to their room locations, strict application of the standard to require windows facing a well-lit common open space would have no *practical* effect on encouraging visual surveillance or minimizing the appearance of building bulk, as is explained below.

The area that would presumably be subject to surveillance by the additional windows is already highly visible from multiple other vantage points, which are part of the overall building design. The most prominent of these is the glassed-in hallway between the east and west parts of the building. This second-floor hallway and lounge is expressly designed for people-watching. It looks directly down to the Senior Courtyard, including the area in front of the wall on which windows would be required. The windows of the people-

watching hallway do not have shades and are always open for visibility and safety purposes, unlike dwelling unit windows, which may be shaded or curtained for privacy, thereby eliminating the surveillance benefit. Additionally, the area in front of this wall is highly visible from the ground-floor fitness room on the east mass of the Senior Building. As shown on the first-floor plan (Sheet A2.11B) and inner east side elevation (Sheet A3.02), both a full-height window and double exterior door are on the opposite wall from the area of the courtyard that is at issue. The community room window and two exterior doors will create more “eyes on the street” and activity than a residential unit window. Entries are located on each side of the building, underneath the glassed-in, second-floor hallway. The movement of residents in and out of these main entrances will provide many opportunities for surveillance of the Senior Courtyard, including the area that would be outside the forgone windows of these residential units. Finally, although it is somewhat more distant, the Community Building main entry faces the Senior Courtyard and has an unobstructed view of this location. Altogether, numerous other locations provide unobstructed and continuous visual surveillance of the common area.

Lighting will also provide site safety and security at this location. As shown on the landscape plan (Sheet L1.01) and building plans, outdoor pole-mounted and building-mounted lighting is provided that is directed at the courtyard. Because this area of the courtyard has three exterior doors, this area will be well illuminated to meet building code standards. Lighting underneath the bridge will illuminate both the pathway underneath it and the entry doors on both sides of it. Likewise, the courtyard will be fully illuminated during all night and evening hours for safety and security reasons. This equally or better meets the purpose of encouraging visual surveillance.

Because the area in front of the building wall at issue will be lighted during non-daylight hours, it would be very likely that the residents of the two affected units would keep their shades closed virtually the entire time. Otherwise, the security lighting on the courtyard would shine into the residential units. Especially for the ground floor dwelling, the windows on this wall would create a “fish bowl” for those sitting in the courtyard, those people-watching from the bridge, or leaving the fitness room on the opposite wall. Whether to maintain privacy or eliminate light intrusion, drawn shades eliminate any surveillance benefit of windows.

The second clause of the standard, “minimize the appearance of building bulk,” is unrelated to “site safety and security,” which is the heading of the section. A different design standard, more appropriately under section (e), “façade and building design,” uses the exact same language about minimizing bulk. This wall complies with that standard, SRC 702.020(e)(9), which does not require rooms to have additional windows. The aesthetics of a building and its perceived bulk is not logically related to the operational safety or security of the development site.

In context, the meaning of this phrase also raises the question, “appearance” to whom? This wall of the building is entirely internal to the development. It is not visible from any adjacent public street or neighboring property. No one except residents of the development

have views of this wall. Consequently, it has no effect on site safety and security. Insofar as aesthetics are related to safety, adding windows at this location would have virtually no impact on either building bulk or the appearance of it. Those additional windows would not change the dimensions of the actual structure – which is compliant with all the relevant dimensional standards for height, setbacks, and lot coverage. The length of this internal-to-the-building wall is relatively short. Following a different design standard, the first and second floors are distinguished by a change in materials on this wall. The building wall has multiple other features that break down the perception of its size, including windows on upper stories, an exterior door, and the signature architectural element of the adjacent glassed-in hallway. In short, the combination of these other design features of that wall, and the building overall, equally or better minimize the appearance of building bulk as opposed to simply adding several more windows.

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

**Response:** The proposed adjustments are within a residential zone, the RM-II. The proposed development will not detract from the livability or appearance of the residential area for the following reasons.

- Window placement

In the context of this design standard, the “residential area” affected by allowing the adjustment is limited to other properties that have clear sight lines to the relevant architectural feature. As with other adjustments, the area does not expand to adjacent properties if they have no view of the feature, in this case, windows on one wall of the Senior Building.

The windows on this wall that are the subject of the adjustment request are entirely internal to the development. They are blocked from Salal by the west building mass, from Foxhaven by the Community Building, and from Battle Creek Road and the south side of the property by distance, other buildings, and landscaping. Forgoing windows on a wall that is interior to the development and invisible to surrounding property will have virtually no effect on the livability or appearance of this 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.*

**Response:** Including the adjustments requested in the original application, five total adjustments are requested, from:

- SRC 702.020(c)(1) – window placement
- SRC 702.020(d)(2) – parking lot location
- SRC 702.020(e)(1) – building dimension limit
- SRC 702.020(e)(4) – buildable width

- SRC 702.020(e)(9) – building face length

Two are related to the placement of buildings and parking areas on the east side of the site, two are related to the length of building faces, and one is related to window placement. The development site encompasses 7.7 acres of property, the applicant has proposed 10 separate buildings with 200,000 square feet of floor area, and Salem has dozens of specific standards in its code. Due to this scale and scope, it is reasonable for the application to request five adjustments that apply in only very specific locations. Because they have limited applicability to buildings and areas of the site, their cumulative effect is minor, compared with outright compliance with all standards and no adjustments.

The “overall purpose of the zone” is listed in SRC 514.001:

*“The purpose of the Multiple Family Residential-II (RM-II) Zone is to implement the multiple family residential designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The RM-II zone 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 project, with the proposed adjustments, has no direct impact on the purpose of the zone as listed in this statement. Specifically, it does not change implementation of the comprehensive plan designation, identification of allowed uses, or establishment of development standards. The proposed use of the site is multiple family residential, which is an allowed use and not affected by the adjustments. The spirit of the design and development standards, to increase visual interest and enhance the pedestrian experience, has been met by significant upgrades to the condition of the site along the edge of the Battle Creek Road frontage and the overall context of existing conditions. This was explained in the response to adjustment criterion (2)(A)(ii). Larger buildings are consistent with multi-family residential uses, and the larger buildings have been broken up into smaller segments using design elements like angles, offset walls, roof lines, and vertical changes in material and color. In general, the proposed multiple family project will be a high-quality housing development in a multiple family zone, a zone that was explicitly designated to create opportunities like this. For that reason, it is consistent with its overall purpose.



## MEMO

**TO:** Brandon Pike, Planner I  
Community Development Department

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

**DATE:** June 24, 2022

**SUBJECT:** PUBLIC WORKS RECOMMENDATIONS  
SPR-ADJ-DAP-DR22-24 (22-101695-RP)  
5205 BATTLE CREEK ROAD SE  
184-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, including nine apartment buildings, a community building, off-street parking areas, and common open space, with a Class 2 Driveway Approach Permit to allow vehicle access onto Salal Street SE. The application includes a Class 1 Adjustment and Class 2 Adjustment requests.

The subject property is 14.88 acres in size, zoned RM-II (Multiple Family Residential-II), and located at 5205 Battle Creek Road SE (Marion County Assessor map and tax lot numbers: 083W14 / 118 and 300).

**RECOMMENDED CONDITIONS OF APPROVAL**

1. Construct a half-street improvement to Minor Arterial street standards along the development side of Battle Creek Road SE for a total curb-to-curb improvement width of 46 feet.
2. Construct an off-site improvement of Battle Creek Road SE from the north line of the subject property to Boone Road SE to provide sufficient width for two through lanes, two bike lanes, a center turn lane, and a sidewalk on the west side of the street.
3. Construct internal streets to Local street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803, with the following exceptions:

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).

- a. Salal Street SE within the subject property is approved to have an increased block length as shown on the applicant's tentative plan.
  - b. Internal streets are approved to have an increased curb-to-curb improvement of 34 feet.
4. Construct a multi-modal path within Lot 1 from the intersection of Teal Drive SE and Salal Street SE to Battle Creek Road SE, and plat a public access easement granting access to the multi-modal path.
5. Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS or obtain a design exception from the City Engineer.

## **FACTS AND FINDINGS**

### **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 Condition—This street has an approximate 25-foot improvement within a 72-foot-wide right-of-way abutting the subject property.
2. Teal Drive SE
  - a. Standard—This street is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
  - b. Existing Condition—This street has an approximate 30-foot improvement within a 60-foot-wide right-of-way abutting the subject property.
3. Salal Street SE
  - a. Standard—This street is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
  - b. Existing Condition—This street has an approximate 30-foot improvement within a 60-foot-wide right-of-way abutting the subject property.

## **Water**

### 1. Existing Conditions

- a. The subject property is located within the S-2 water service level.
- b. A 20-inch water main is located in Battle Creek Road SE.
- c. An 8-inch water main is located in Teal Drive SE and Salal Street SE.

## **Sanitary Sewer**

### 1. Existing Conditions

- a. A 24-inch sewer main is located in Battle Creek Road SE at the intersection of Battle Creek Road SE and Foxhaven Drive SE.
- b. There are 24-inch and 8-inch sewer mains located on the subject property within an easement. These mains will be located under the proposed streets of the subdivision.
- c. An 8-inch sewer main is located in Teal Drive SE and Salal Street SE.

## **Storm Drainage**

### 1. Existing Conditions

- a. A 12-inch storm main is located in Battle Creek Drive SE.
- b. A 24-inch storm main is located in Salal Street SE.
- c. A 10-inch storm main is located in Teal Drive 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.

The Salem-Keizer Local Wetland Inventory shows that there are wetland channels and/or hydric soils mapped on the property. The applicant should contact the Oregon Department of State Lands to verify if any permits are required for development or construction in the vicinity of the mapped wetland area(s). Wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025.

According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are no mapped landslide hazard areas on the subject property.

**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—** Battle Creek Road SE abuts the subject property and does not meet the current standard for a Minor Arterial street. The existing half-width right-of-way meets the standard requirement of 36 feet measured from centerline; therefore, no additional right-of-way or special setback is required. The existing street condition is underimproved; however, the developer of the subject property is required to construct a half-street improvement to Minor Arterial street standards along the frontage. This improvement has an SDC Eligibility Ratio of 34 percent pursuant to Administrative Rule 109-200-2.4(c)

The applicant shall continue the improvement from the northern property boundary to the intersection of Boone Road SE and Battle Creek Road SE. Providing two through lanes, two bike lanes, a center turn lane, and a sidewalk on the west side of the street will ensure safe and efficient access to the site by pedestrians and all other modes of travel. This improvement is not abutting the proposed development and has an SDC Eligibility Ratio of 100 percent pursuant to Administrative Rule 109-200-2.4(c).

Pursuant to Land Use Decision No. PAR13-08 and as recorded in a deferral agreement (Reel 3698, Page 473), improvements to Battle Creek Road SE were deferred until Site Plan Review. Therefore, improvements are recommended as a condition of approval. Under the previous approval, the improvement width of Battle Creek Road SE was approved to be reduced to minimize impacts to existing trees along the frontage of the property. As such, in accordance with the prior decision, an alternative street standard is approved for Battle Creek Road SE pursuant to SRC 803.065. Final improvement



widths shall be determined through the plan approval process pursuant to SRC 77.091.

**Condition:** Construct a half-street improvement to Minor Arterial street standards along the development side of Battle Creek Road SE up to a total curb-to-curb improvement width of 46 feet.

**Condition:** Construct an off-site improvement of Battle Creek Road SE from the north line of the subject property to Boone Road to provide sufficient width for two through lanes, two bike lanes, a center turn lane, and a sidewalk on the west side of the street.

The applicant's tentative plan shows an extension of Teal Drive SE and Salal Drive SE within the subdivision. These streets shall be constructed to Local street standards, except as otherwise authorized by the Public Works Director. The applicant's preliminary street plan shows a 34-foot curb-to-curb improvement for the new internal streets. According to the Salem TSP, local streets shall have a 30-foot curb-to-curb improvement. To allow for on-street parking on both sides of the street, the Director authorizes an Alternative Street Standard to allow for a wider than standard curb-to-curb improvement pursuant to SRC 803.065(a).

The applicant has also requested to allow an increased block length for Salal Street SE within the subdivision. A larger block length is authorized by the Director under SRC 803.030(b) because it accommodates for 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.

In lieu of meeting the 600-foot block spacing rule, the applicant proposes a pedestrian alignment to be constructed with the Apartment Complex on Lot 1, currently under review (SPR-ADJ-DAP-DR22-24). In lieu of providing an additional street connection, the applicant shall construct a multi-modal path and plat a public access easement for the connection from the intersection of Teal Drive SE and Salal Street SE to Battle Creek Road SE.

**Condition:** Construct internal streets to Local street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803, with the following exceptions:

- a. Salal Street SE within the subject property is approved to have an increased block length as shown on the applicant's tentative plan.
- b. Internal streets are approved to have an increased curb-to-curb improvement of 34 feet.

**Condition:** Construct a multi-modal path within Lot 1 from the intersection of Teal Drive SE and Salal Street SE to Battle Creek Road SE and plat a public access easement granting access to the multi-modal path.

The Applicant submitted a Trip Generation Memo as part of the application package. The memo establishes that the proposed development is under the threshold for requiring a Traffic Impact Analysis pursuant to SRC 803.015. The Assistant City Traffic Engineer has reviewed the memo and agrees with the findings. When Lots 3 and 4 of the subdivision are developed, a TIA may be required if triggered by SRC 803.015.

**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 Salal Street SE provides for safe turning movements into and out of the property.

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

**Finding**—The Public Works Department has reviewed the applicant's preliminary plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets/areas and are adequate to serve the proposed development.

The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4) 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 or obtain a design exception from the City Engineer.

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 driveway approaches 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 approaches meet 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 approaches will create traffic hazards or unsafe turning movements. Additionally, staff analysis of the proposed driveway approaches indicate they 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 approaches and the evidence that has been submitted indicate that the proposed locations 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 approaches are located on a Local street and do 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 development abuts an Arterial and Local street. The proposed driveway approaches are taken from the lowest classification street abutting the subject property. The driveway approaches balance 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

April 29, 2022

Brandon Pike, Planner  
Planning Division, City of Salem  
555 Liberty Street SE, Room 305  
Salem OR 97301

RE: Land Use Activity Case No. SPR-ADJ-DAP-DR22-24, 5205 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
Pringle	Elementary	K thru 5
Judson	Middle	6 thru 8
South Salem	High	9 thru 12

Table 1

#### **SCHOOL CAPACITY & CURRENT ENROLLMENT**

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



School Name	School Type	School Enrollment	School Design Capacity	Enroll./Capacity Ratio
Pringle	Elementary	515	663	78%
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	184	MF	0.164	30
Middle			0.085	16
High			0.096	18

Table 3

### POTENTIAL EFFECT OF THIS DEVELOPMENT ON SCHOOL ENROLLMENT

To determine the impact of the new residential development on school enrollment, the School District compares the school capacity to the current enrollment plus estimates of potential additional students resulting from land use cases over the previous two calendar years. A ratio of the existing and new students is then compared with the school design capacity and expressed as a percentage to show how much of the school capacity may be used.

School Name	School Type	School Enrollment	New Students During Past 2 yrs	New Student from this Case	Total New Students	School Design Cap.	Enroll./Cap. Ratio
Pringle	Elem.	515	88	30	118	663	96%
Judson	Mid.	860	129	15	145	1,059	95%
South Salem	High	2,258	234	18	252	2,248	112%

Table 4

### ESTIMATE OF THE EFFECT ON INFRASTRUCTURE – IDENTIFICATION OF WALK ZONES AND SCHOOL TRANSPORTATION SERVICE

Civic infrastructure needed to provide connectivity between the new residential development and the schools serving the new development will generally require roads, sidewalks and bicycle lanes. When developing within one mile of school(s), adequate pathways to the school should be provided that would have raised sidewalks. If there are a large number of students walking, the sidewalks should be wider to accommodate the number of students that would be traveling the



path at the same time. Bike lanes should be included, crosswalks with flashing lights and signs where appropriate, traffic signals to allow for safe crossings at busy intersections, and any easements that would allow students to travel through neighborhoods. If the development is farther than one mile away from any school, provide bus pullouts and a covered shelter (like those provided by the transit district). Locate in collaboration with the District at a reasonable distance away from an intersection for buses if the distance is greater than ½ mile from the main road. If the distance is less than a ½ mile then raised sidewalks should be provided with stop signs where students would cross intersections within the development as access to the bus stop on the main road. Following is an identification, for the new development location, that the development is either located in a school walk zone or is eligible for school transportation services.

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

Table 5

### ESTIMATE OF NEW SCHOOL CONSTRUCTION NEEDED TO SERVE DEVELOPMENT

The School District estimates the cost of constructing new school facilities to serve our community. The costs of new school construction is estimated using the Rider Levett Bucknall (RLB) North America Quarterly Construction Cost Report and building area per student from Cornerstone Management Group, Inc. estimates. The costs to construct school facilities to serve the proposed development are in the following table.

School Type	Number of Students	Estimate of Facility Cost Per Student*	Total Cost of Facilities for Proposed Development*
Elementary	30	\$64,220	\$1,926,600,
Middle	16	\$76,882	\$1,230,112
High	18	\$89,544	\$1,611,792
TOTAL			\$4,768,504

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



## **RESPONSE TO REQUEST FOR COMMENTS**

**DATE:** Thursday, April 28, 2022

**CASE/APP NUMBER:** SPR-ADJ-DAP-DR22-24

**PROPERTY LOCATION:** 5205 Battle Creek Rd SE, Salem OR 97306

**CASE MANAGER:** Brandon Pike, Planner I, City of Salem

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

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

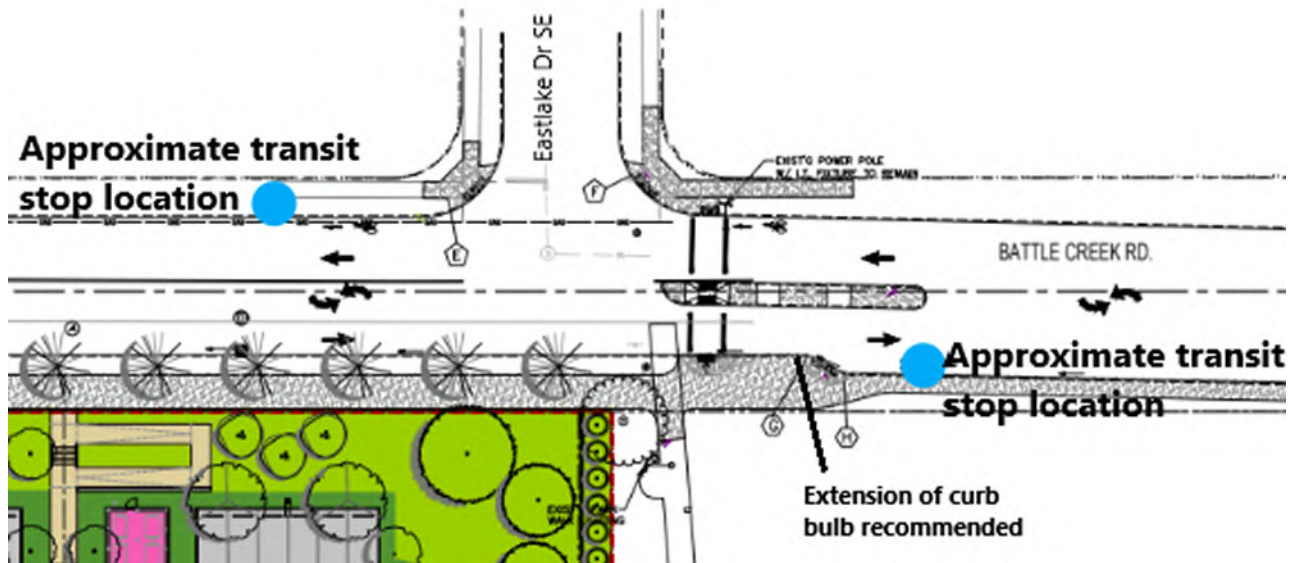
**Email:** [planning@cherriots.org](mailto:planning@cherriots.org)

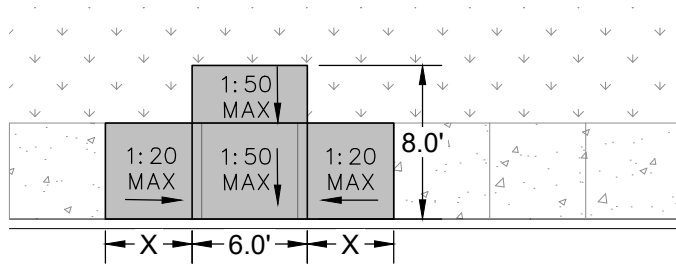
**COMMENTS:** Transit stops have been identified as needed in connection with this proposed development. Cherriots requests two transit stops conforming to the applicable standards of the Salem Area Mass Transit District to be constructed and right-of-way dedication, if necessary, to be provided as part of the street improvements for this development. On-street parking shall be restricted in the areas of the transit stops in order to ensure unobstructed access by transit. The transit stops should be located on Battle Creek Rd SE at the intersection with Eastlake Dr SE, far-side of the pedestrian crossing in both directions. Approximate locations are marked in the screenshot on the following page. The southbound stop should be a minimum of 50 feet away from the crosswalk. Cherriots recommends extending the curb bulb design depicted in the drawings to match the length of the median in order to accommodate the stop. The northbound stop should be a minimum of 50 feet away from the Eastlake Dr SE intersection (measured from the tangent of the intersecting street). Per our conversation with Public Works, bus pullouts are not requested for these stops. Also included in the following pages are Cherriots standard bus stop and no-parking zone design drawings.





Approximate transit stop locations requested:





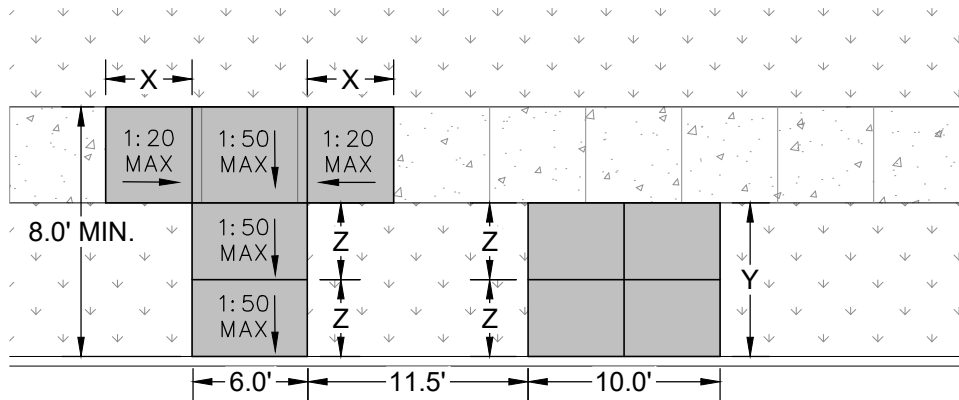
EXISTING ROADWAY

### BUS STOP PADS - CURB LINE SIDEWALK

NOT TO SCALE

#### NOTES:

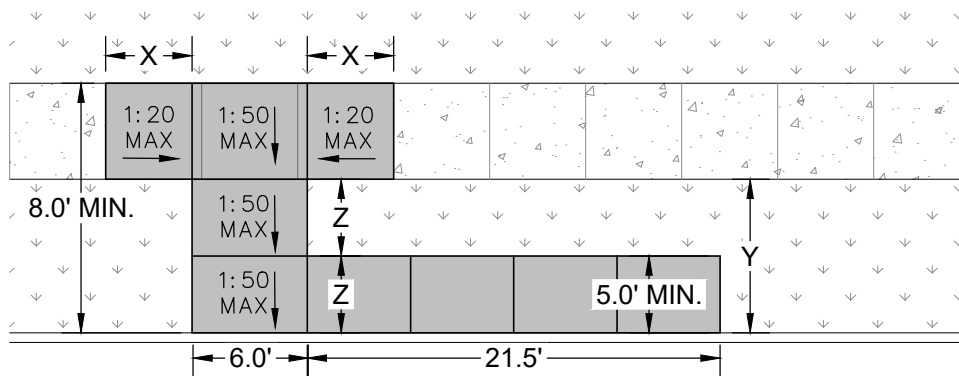
1. "X" WIDTH TO BE A MINIMUM OF 3.0' OR MATCH EXISTING SIDEWALK JOINT SPACING.
2. "Y" LENGTH TO BE EQUAL TO THE WIDTH OF THE PLANTER STRIP, FROM BACK OF CURB TO FRONT OF SIDEWALK.
3. JOINT SPACING, "Z" SHALL BE 3' MINIMUM, 6' MAXIMUM. PROVIDE SIDEWALK PANELS THAT ARE AS SQUARE AS POSSIBLE.
4. MATCH EXISTING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



EXISTING ROADWAY

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

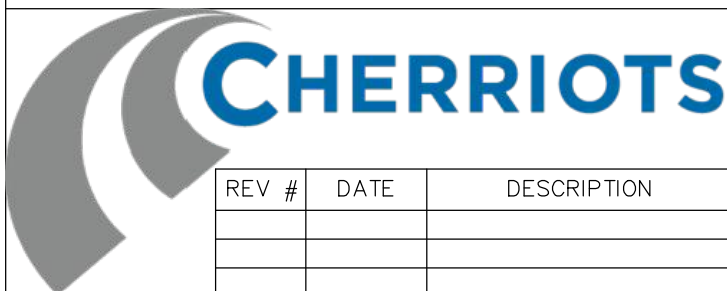
NOT TO SCALE



EXISTING ROADWAY

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

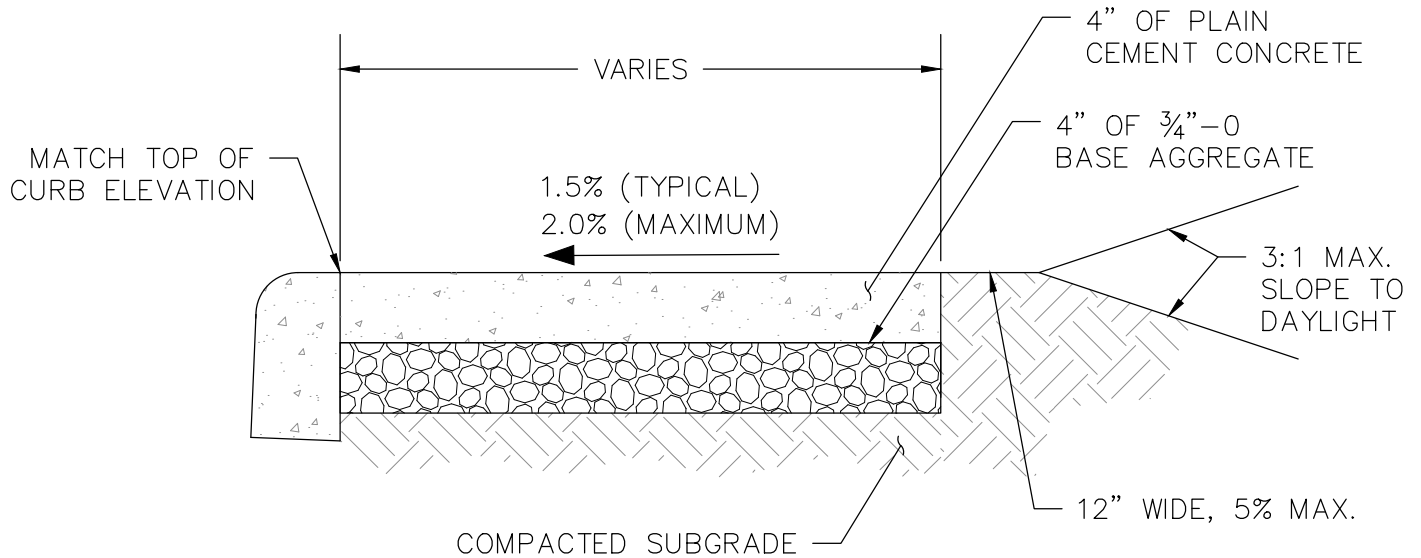
NOT TO SCALE



### BUS STOP PADS LAYOUT

C1

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



**NOTES:**

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



**CHERRIOTS**

**STANDARD  
SIDEWALK**

**C2**

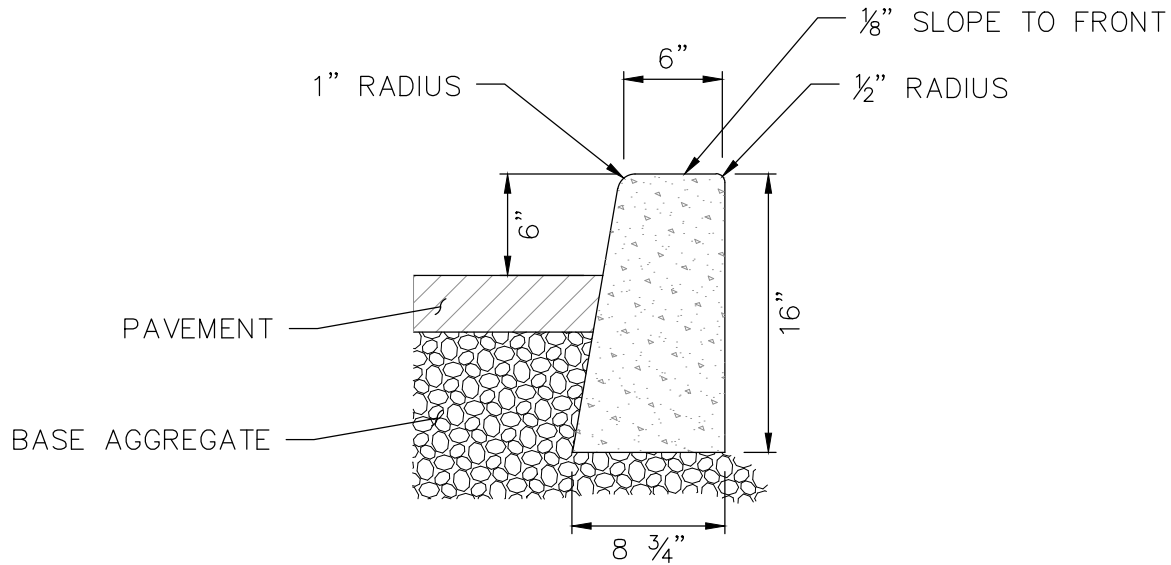
REV #	DATE	DESCRIPTION

BY EGW

DATE 03/03/22

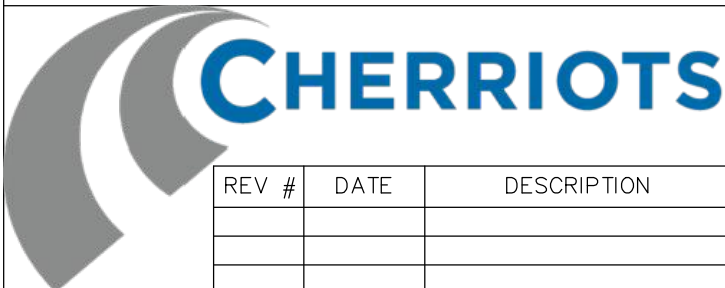
CHECKED RDV

DATE 03/03/22



**NOTES:**

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



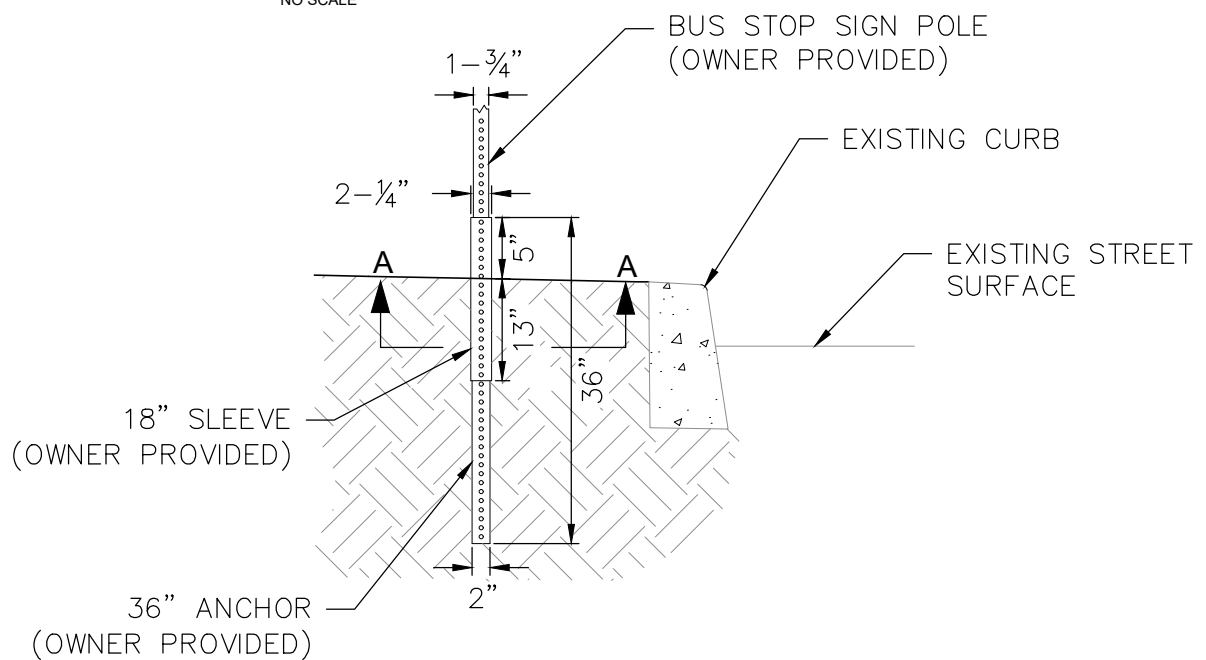
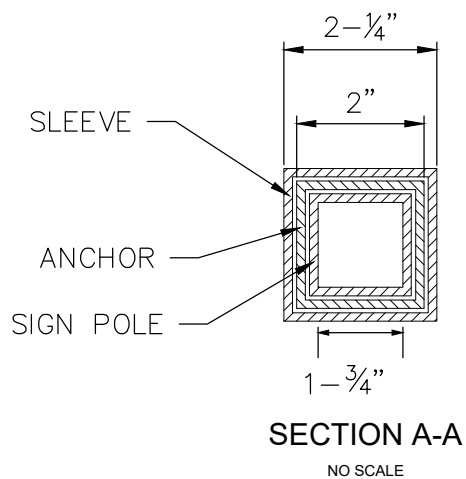
**STANDARD  
CURB**

**C3**

REV #	DATE	DESCRIPTION

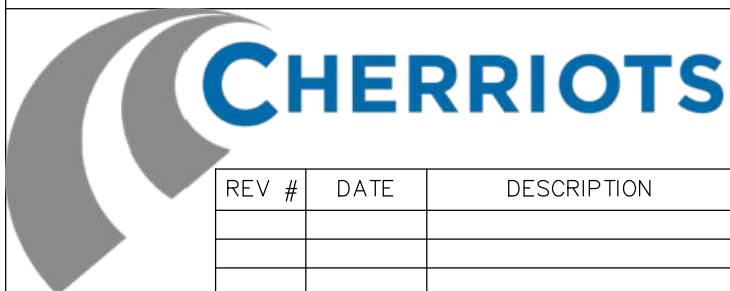
BY EGW  
DATE 03/03/22

CHECKED RDV  
DATE 03/03/22



NOTES:

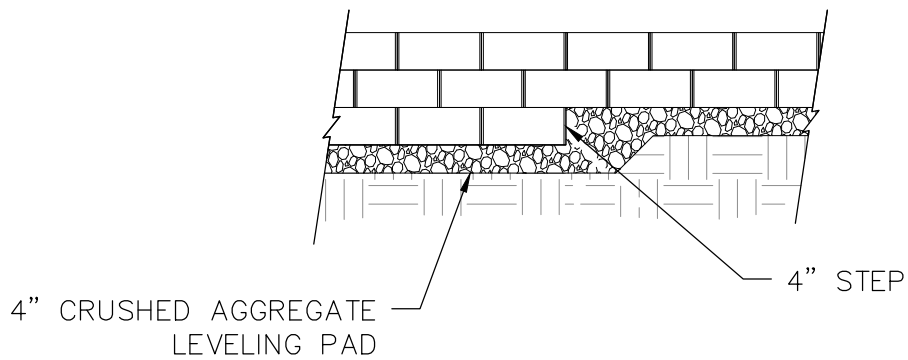
1. CONTACT STEVE DICKEY AT (503) 588-2424 TO OBTAIN SIGN MATERIALS.



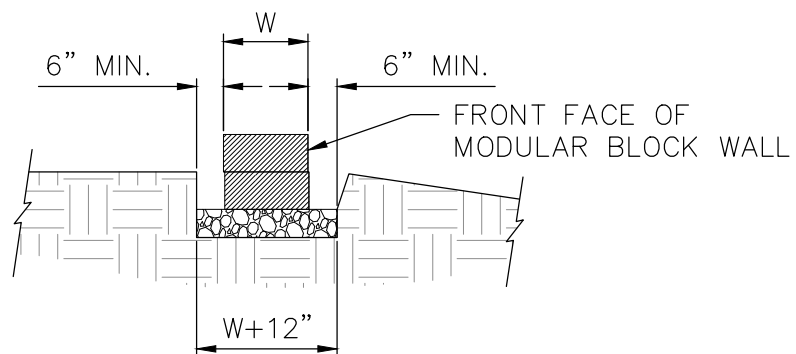
## BUS STOP SIGN POLE, ANCHOR & SLEEVE DETAIL

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

# C4



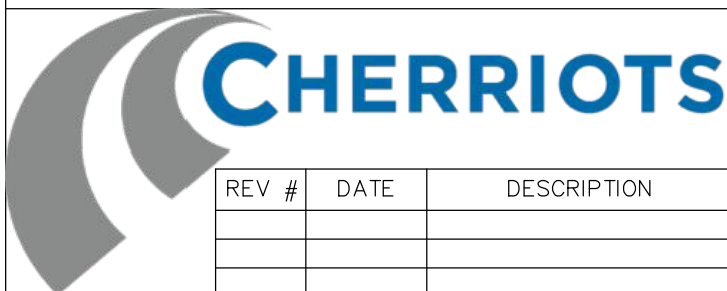
ELEVATION



SECTION

NOTE:

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



LEVELING PAD  
DETAIL

REV #	DATE	DESCRIPTION

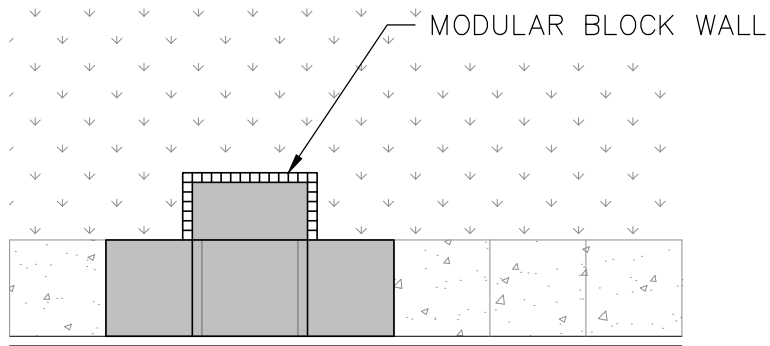
BY EGW

DATE 03/03/22

CHECKED RDV

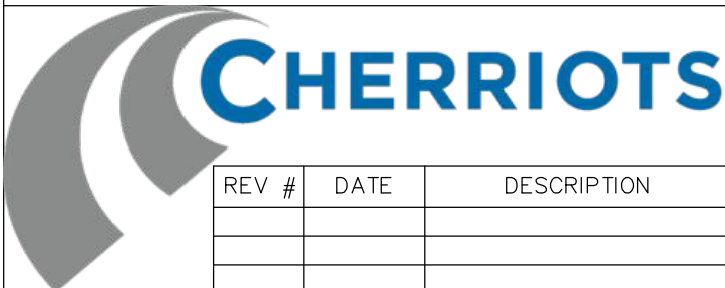
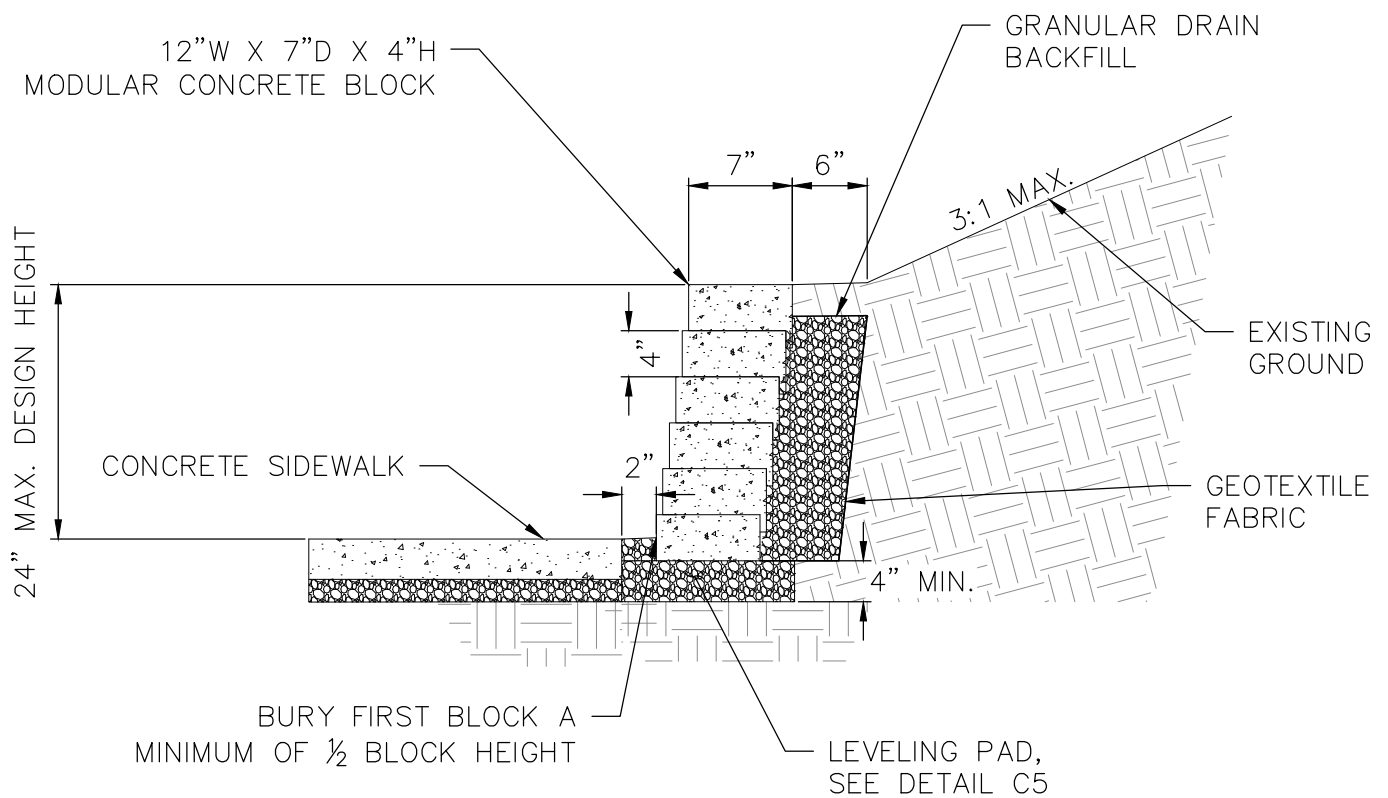
DATE 03/03/22

C5



**NOTES:**

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



**MODULAR BLOCK  
WALL DETAIL**

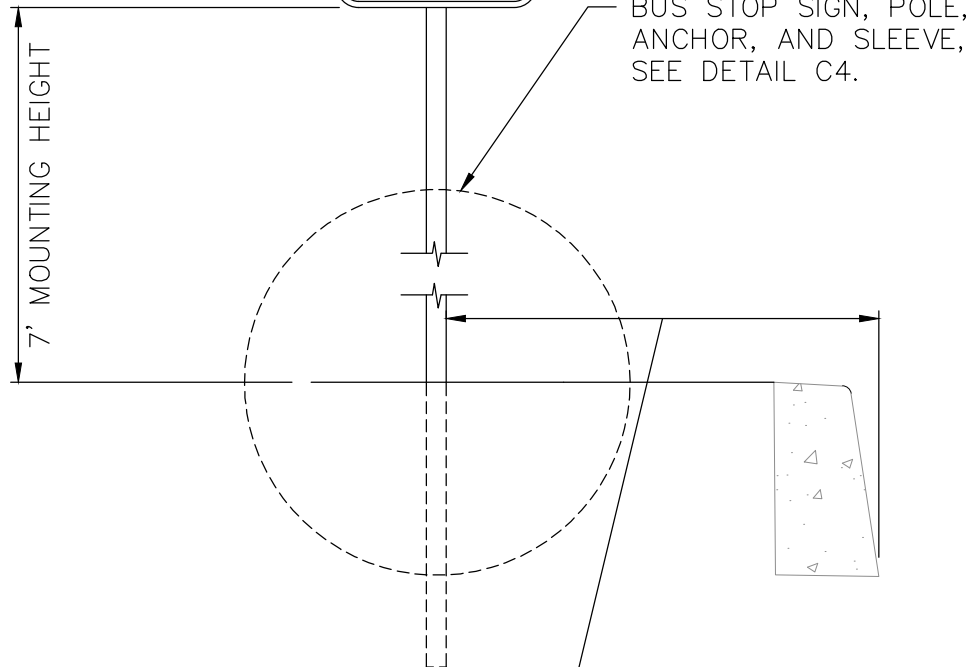
**C6**

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

BUS STOP SIGN  
(OWNER PROVIDED)




BUS STOP  
SIGN



BUS STOP SIGN, POLE,  
ANCHOR, AND SLEEVE,  
SEE DETAIL C4.

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



**CHERRIOTS**

REV #	DATE	DESCRIPTION

### TYPICAL BUS STOP SIGN PLACEMENT DETAIL

BY EGW

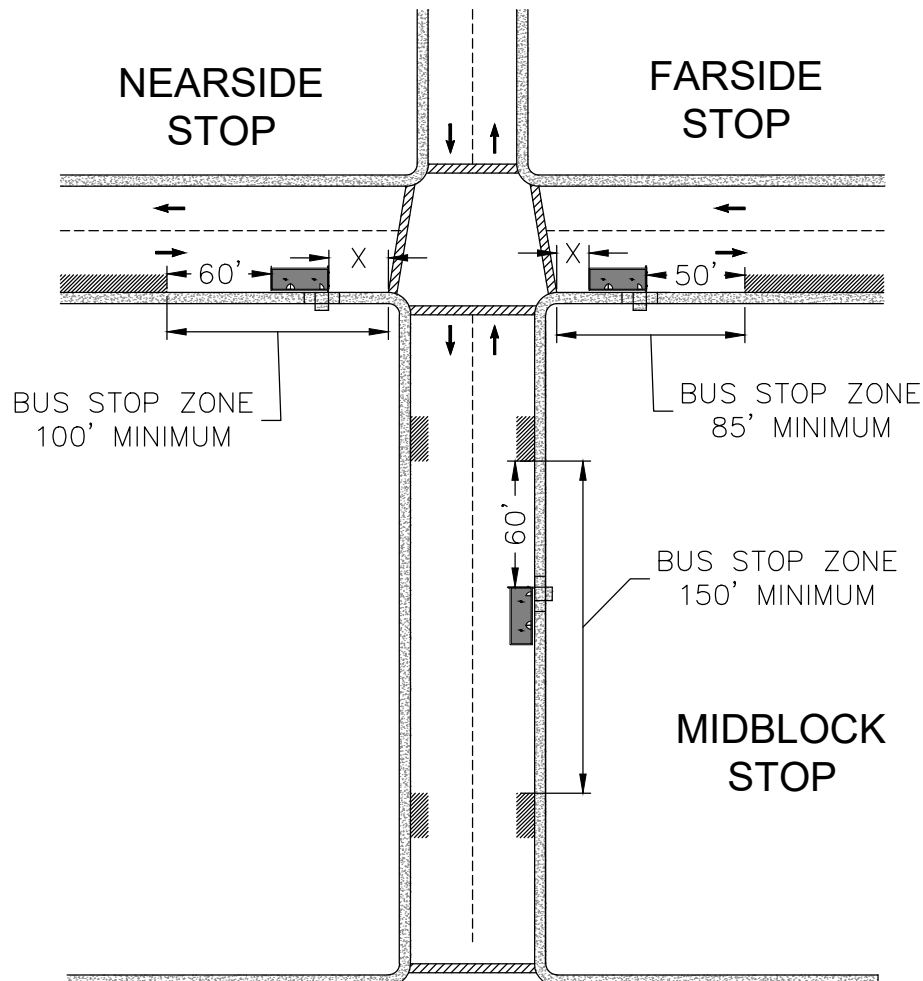
DATE 03/03/22

CHECKED RDV

DATE 03/03/22

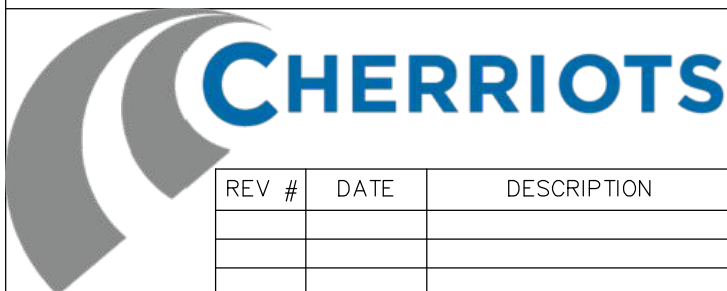
**C7**





**NOTES:**

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



**NO PARKING ZONES  
AT INTERSECTIONS  
DETAIL**

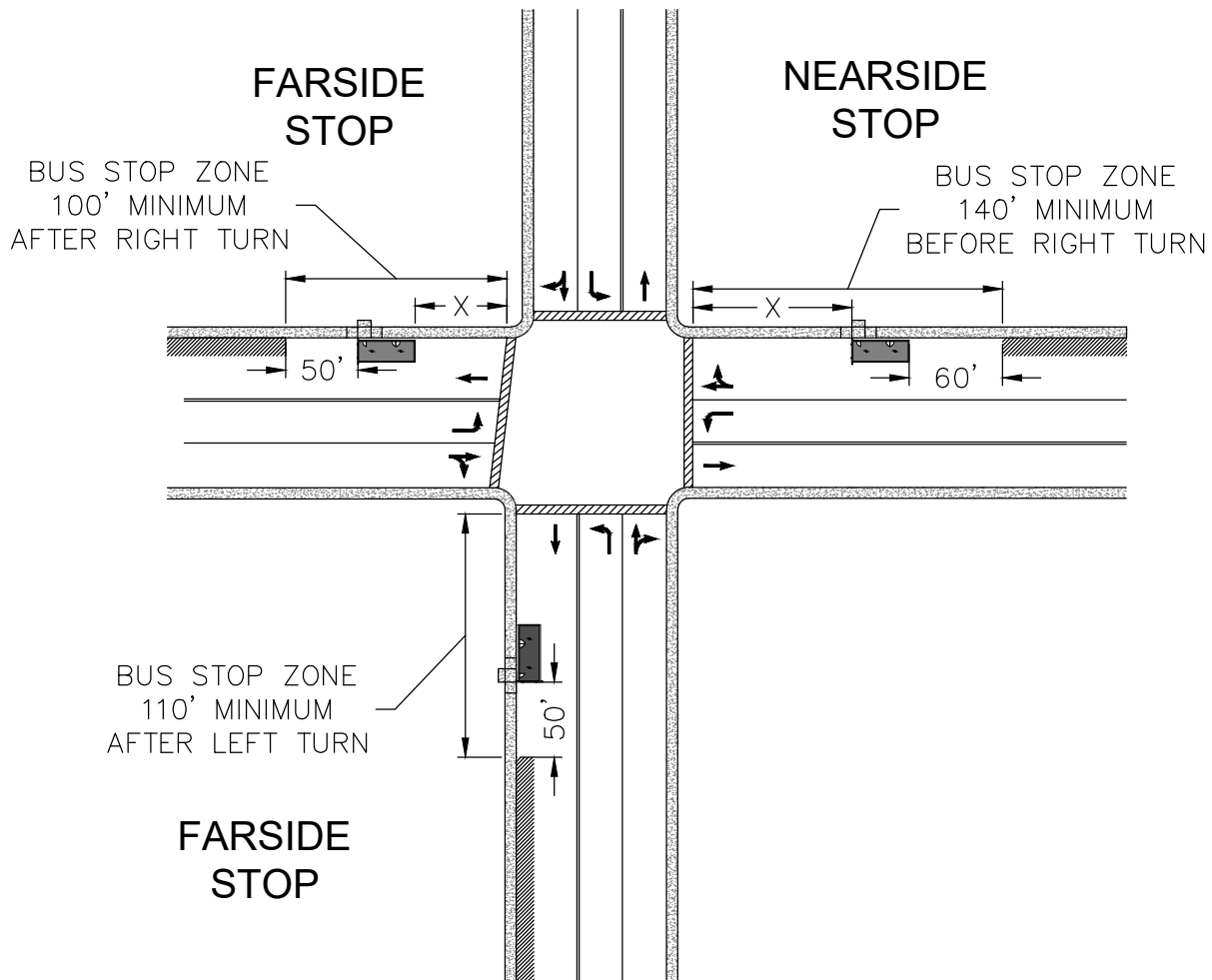
BY EGW

DATE 03/03/22

CHECKED RDV

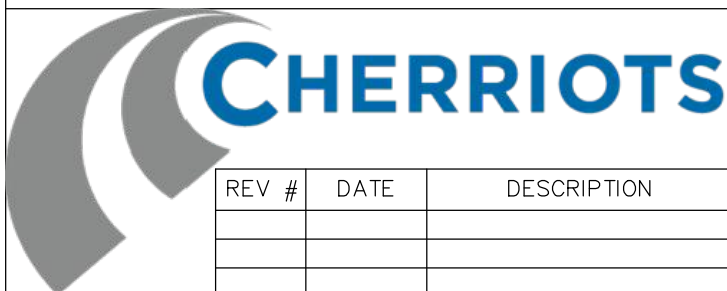
DATE 03/03/22

**C8**



**NOTES:**

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



**NO PARKING ZONES  
WITH TURN LANES  
DETAIL**

**C9**

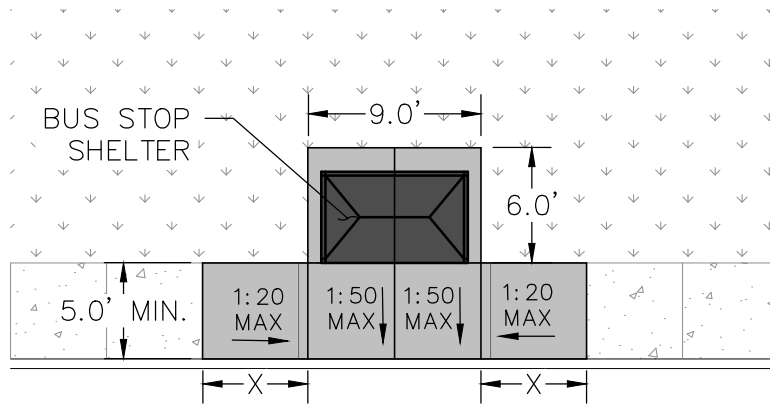
REV #	DATE	DESCRIPTION

BY EGW

DATE 03/03/22

CHECKED RDV

DATE 03/03/22

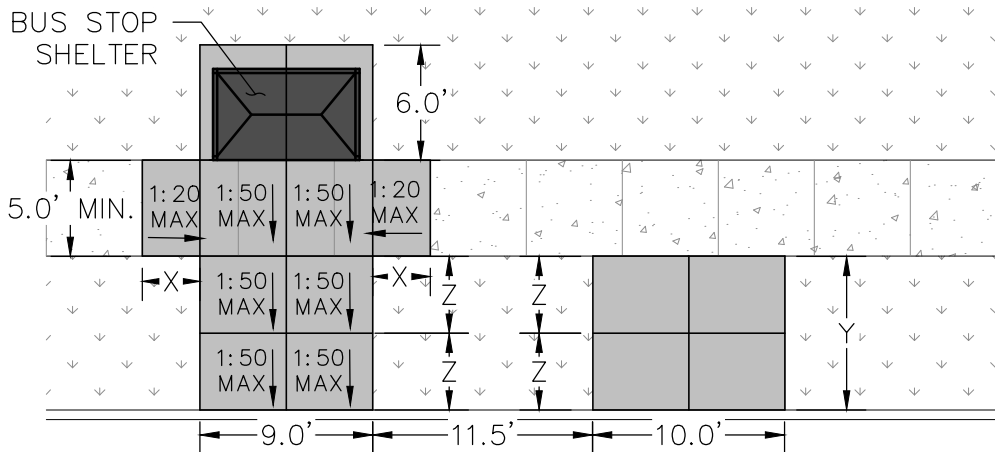


### BUS SHELTER ON CURB-TIGHT SIDEWALK

NOT TO SCALE

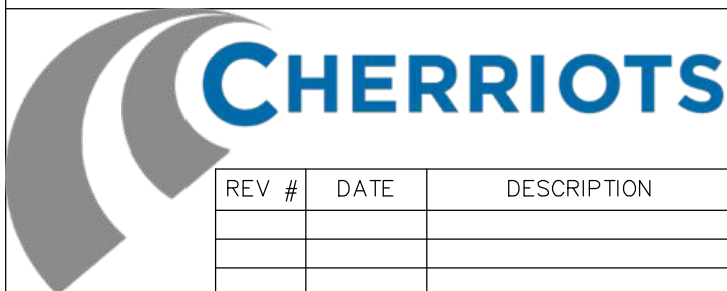
#### NOTES:

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



### BUS SHELTER ON SIDEWALK WITH PLANTER STRIP

NOT TO SCALE



### BUS STOP WITH SHELTER DETAIL

REV #	DATE	DESCRIPTION

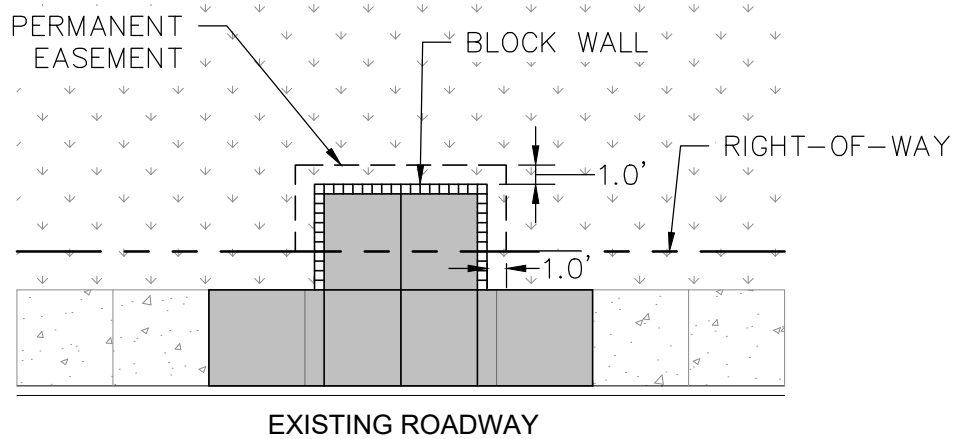
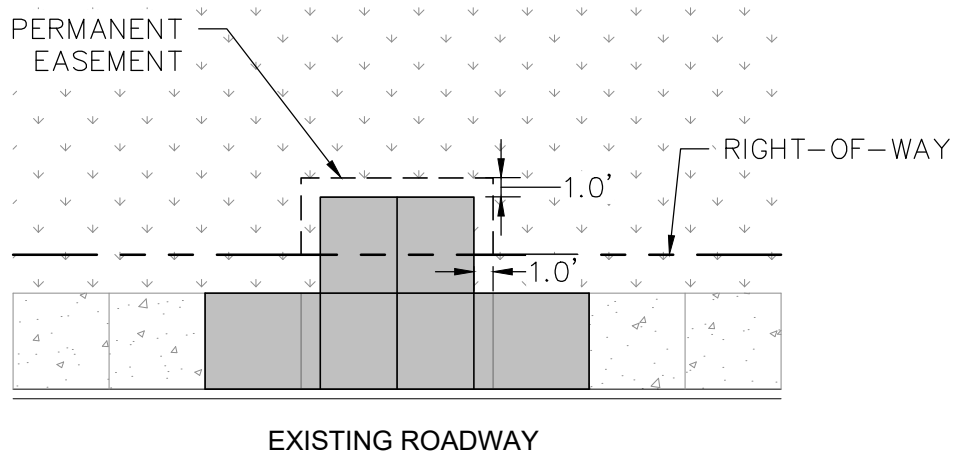
BY EGW

DATE 03/03/22

CHECKED RDV

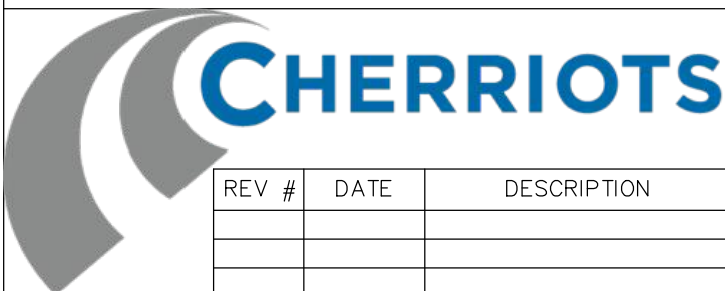
DATE 03/03/22

C10



**NOTES:**

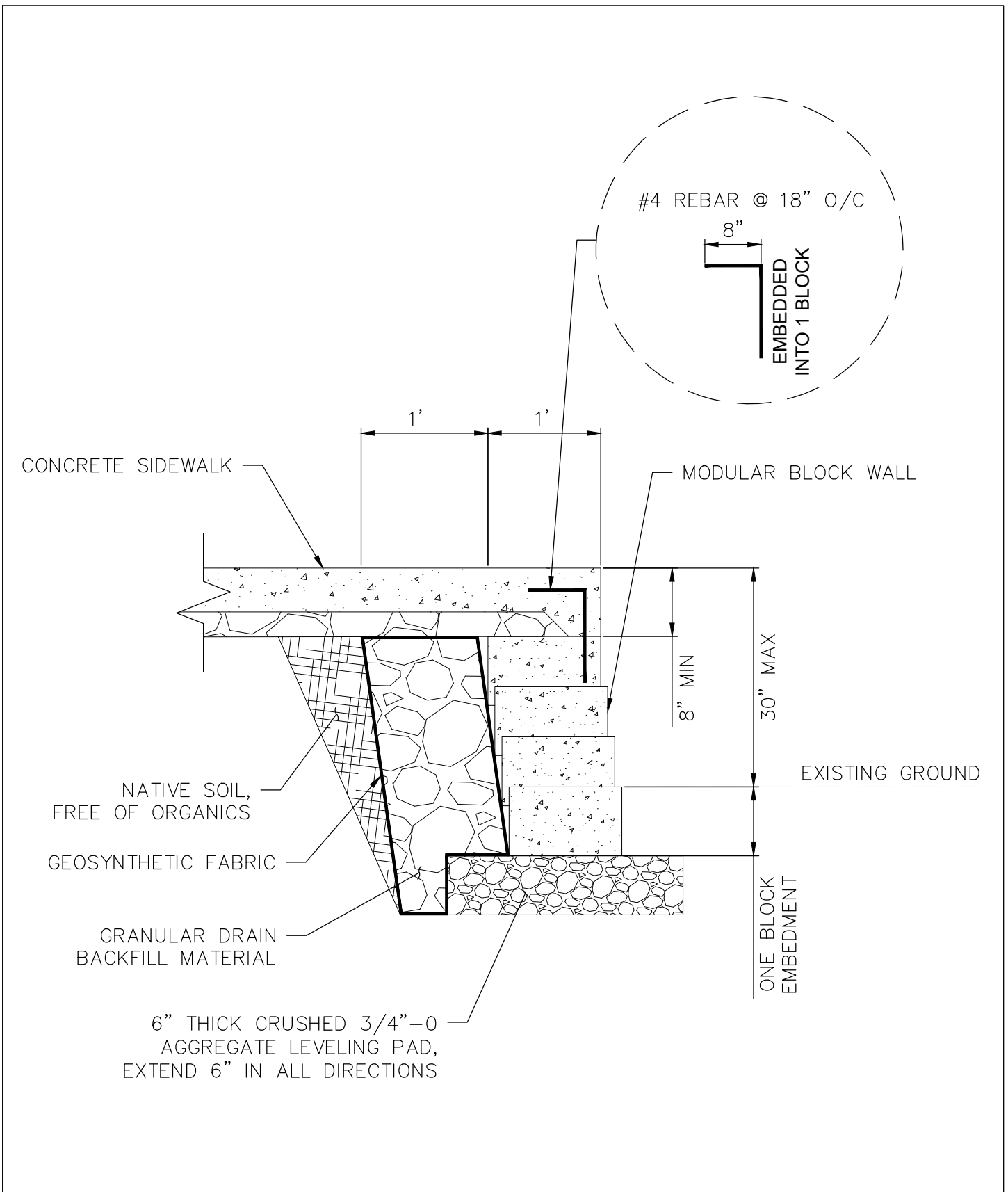
1. PERMANENT EASEMENT IS REQUIRED WHEN EXTENTS OF DESIGN ENCROACH UPON RIGHT-OF-WAY.
2. PERMANENT EASEMENTS ARE TO BE A MINIMUM OF 1' OFFSET FROM THE PROPOSED CONSTRUCTION EXTENTS THAT FALL OUTSIDE OF RIGHT-OF-WAY.

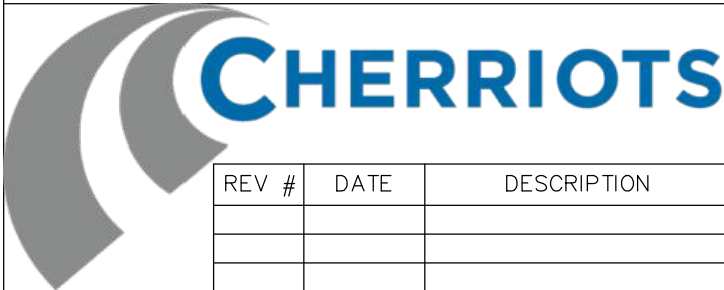


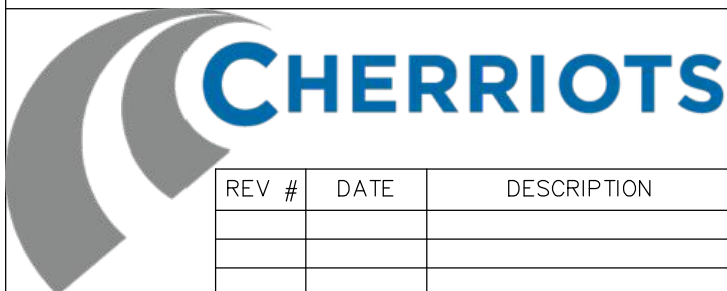
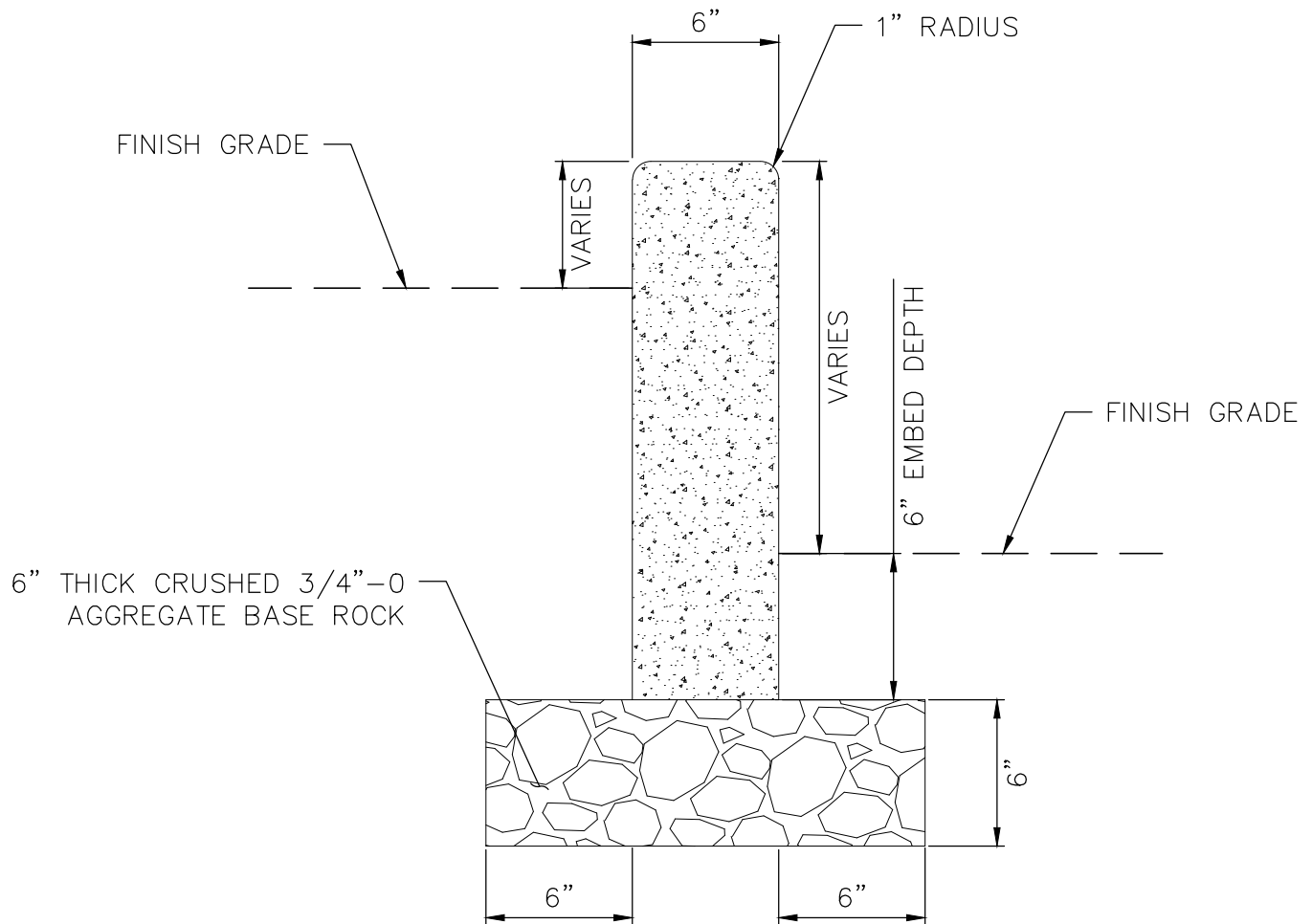
**PERMANENT  
EASEMENT DETAIL**

**C11**

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



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



## PEDESTRIAN CURB DETAIL

# C13

REV #	DATE	DESCRIPTION

BY EGW  
DATE 03/03/22

CHECKED RDV  
DATE 03/03/22