

NOTICE OF DECISION

PLANNING DIVISION
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DECISION OF THE PLANNING ADMINISTRATOR

CLASS 3 SITE PLAN REVIEW / CLASS 2 ADJUSTMENT CASE NO.: SPR-ADJ21-25

APPLICATION NO.: 21-106129-RP / 21-106130-ZO

NOTICE OF DECISION DATE: July 8, 2022

SUMMARY: A ~~189-unit~~ 201-unit multi-family development with an office/recreation building and pool.

REQUEST: A consolidated Class 3 Site Plan Review and Class 2 Adjustment application for a proposed development to include ~~189~~ up to 201 apartments, an office/recreation building, pool, and parking on a development site including 7.59 acres located in the MU-II (Mixed Use - II) zone at 2499, 2501, 2519, and 2551 Wallace Road NW - 97304 (Polk County Assessor Map and Tax Lot 073W09CD / 00900, 01000, 01101, 01301) and 0.51 acres located in the RD (Duplex Residential) zone at 2539 Wallace Road NW 97304 (Polk County Assessor Map and Tax Lot 073W09CD / 01300). The applicant proposes alternative street standards to deviate from the street spacing and connectivity standards in SRC Chapter 803 ~~to allow a pedestrian connection rather than a street connection to La Jolla Drive NW, eliminate required street connectivity to abutting undeveloped properties, and deviate from~~ block length standards that would require a street connection at a maximum block length of 600 feet along Wallace Road NW. The application includes adjustments to:

- (1) Increase the maximum building setback adjacent to Wallace Road NW from 10 feet to ~~12~~ 16.75 feet;
- (2) ~~Increase the maximum setback adjacent to La Jolla Drive NW from 10 feet to approximately 37 feet;~~
- (3) ~~(2)~~ Reduce building setbacks from 10 feet to 0 feet abutting internal property lines so that the buildings may cross existing internal property lines in anticipation of a future property boundary verification line adjustment;
- (4) ~~(3)~~ Reduce vehicle use area setbacks from ~~40~~ 5 feet to 0 feet abutting existing internal property lines;
- (5) ~~Reduce the street frontage requirement from 16 feet to 0 feet to allow development on 2501 Wallace Road NW, which is currently landlocked;~~
- (6) ~~(4)~~ Reduce the minimum required building frontage along Wallace Road NW from 50 percent to 0 percent.
- (5) Exceed the maximum vertical and horizontal separation standards for ground floor residential uses on Wallace Road NW.

APPLICANT: Scott Martin Construction LLC (Scott Martin)

LOCATION: 2499, 2501, 2519, 2539, and 2551 Wallace Rd NW

CRITERIA: Salem Revised Code (SRC) Chapters 220.005(f)(3) – Class 3 Site Plan Review; 250.005(d)(2) – Class 2 Adjustment

FINDINGS: The findings are in the attached Decision dated July 8, 2022.

DECISION: The **Planning Administrator APPROVED** Class 3 Site Plan Review and Class 2 Adjustment Case No. SPR-ADJ21-25 subject to the following conditions of approval:

- Condition 1:** Reconfigure the development so that buildings, accessory structures, and parking and vehicle use areas associated with the multiple family use are not located within the RD (Duplex Residential)-zoned area of the subject property (2539 Wallace Road NW). If the RD-zoned area is changed to a zone that will allow the proposed multiple family use, a modification to SPR-ADJ21-25 or a new Site Plan Review application, as required, may be submitted for review under the applicable provisions of the Salem Revised Code.
- Condition 2:** Reconfigure Buildings 1 and 2 to meet applicable zone-to-zone setbacks from the MU-II zone to the RD zone. If the RD-zoned area is changed to a zone that will allow the proposed multiple family use, a modification to SPR-ADJ21-25 or a new Site Plan Review application, as required, may be submitted for review under the applicable provisions of the Salem Revised Code.
- Condition 3:** Reconfigure Buildings 3, 5, 9, and 11 to meet all applicable setbacks.
- Condition 4:** Provide pedestrian amenities within the maximum 10-foot setback between La Jolla Drive NW and the office/recreation building and enclosed pool building.
- Condition 5:** Reconfigure the vehicle use areas north and south of Building 8 to provide minimum setbacks of 6 to 10 feet from the right-of-way of La Jolla Drive NW as required by SRC 806.035(c).
- Condition 6:** Reconfigure the vehicle use area between Buildings 1 and 2 to meet the applicable zone-to-zone setback of 5 feet with Type C landscaping from the MU-II zone to the RD zone. If the RD-zoned area is changed to a zone that will allow the proposed multiple family use, a modification to SPR-ADJ21-25 or a new Site Plan Review application, as required, may be submitted for review under the applicable provisions of the Salem Revised Code.
- Condition 7:** Provide a minimum 6-foot-tall sight-obscuring fence or wall along the property lines abutting the RS (Single Family Residential) and RM2 (Multiple Family Residential 2) zones.
- Condition 8:** Submit revised elevation drawings and plans for Building 1 at building permit to confirm a minimum height of 10 feet for the ground floor on Wallace Road NW.
- Condition 9:** Provide a revised site plan and elevation drawings at building permit to demonstrate that Building 5 and Building 9 either (1) meet the minimum horizontal distance of 5 feet and maximum horizontal distance of 10 feet with required horizontal separation in the form of a landscaped area such as private open space or hardscaped area such as a plaza or (2) meet the minimum vertical distance of 1.5 feet and maximum vertical distance of 3 feet with required vertical separation in the form of several steps or a ramp to a porch, stoop, or terrace.

- Condition 10:** Provide an elevation drawing to scale at building permit that demonstrates that Building 1 meets the minimum standard of offsets or breaks in roof elevation that are a minimum of three feet in height or at least one of the other standards for building tops.
- Condition 11:** Provide an elevation drawing to scale at building permit that demonstrates that Building 1 meets the minimum standard of 30 percent windows on the ground floor.
- Condition 12:** Provide an elevation drawing to scale at building permit that demonstrates that Building 1 weather protection meets the minimum standard of 50 percent along the ground floor adjacent to the street and the minimum clearance of at least 8 feet above the sidewalk or ground surface.
- Condition 13:** Redesign all parking and vehicle use areas abutting La Jolla Drive NW so that they are located at least as far from the right-of-way as the buildings that are adjacent to the right-of-way.
- Condition 14:** Extend La Jolla Drive NW through the proposed development to Local street standards as specified in the PWDS and consistent with the provisions of SRC Chapter 803.
- Condition 15:** Provide a vehicular and pedestrian public access easement connecting La Jolla Drive NW to Wallace Road NW.
- Condition 16:** Provide a cumulative total of a minimum of one parking space per dwelling unit prior to final occupancy for each building.
- Condition 17:** Provide an adequate turnaround at the northern end of the parking area between Buildings 1 and 2.
- Condition 18:** Provide two “No Parking” signs on each side of the driveway that leads to the abutting properties to the south (Polk County Assessor Map and Tax Lots 073W16BA / 10000 and 10003).
- Condition 19:** Provide a cumulative total of a minimum of 0.1 bike parking spaces per dwelling unit prior to final occupancy for each building.
- Condition 20:** Provide at least three feet of space between side-by-side bike racks.
- Condition 21:** Provide a minimum of two 12 foot by 19 foot by 12 foot off-street loading spaces for the first 199 units and a minimum of one additional 12 foot by 19 foot by 12 foot off-street loading space if the development exceeds 199 units.
- Condition 22:** Submit a Tree Regulation Variance application for approval to remove two existing significant trees, an Oregon white oak tree 33 inches dbh and an Oregon white oak tree 39 inches dbh, to accommodate the connectivity proposed in the revised site plan.

- Condition 23:** Submit Class 2 Driveway Approach Permits if the driveways onto La Jolla Drive NW are not installed as part of the construction of the La Jolla Drive NW extension.
- Condition 24:** Provide a minimum 20-foot-wide pipeline easement pursuant to PWDS Section 1.8 and quitclaim a portion of the existing pipeline easement for the relocation of an existing public 8-inch sewer pipeline located on the subject property.
- Condition 25:** Extend an 8-inch water main in La Jolla Drive NW from the terminus in La Jolla Drive NW to the northern property line of the subject property.
- Condition 26:** Submit documentation from the Oregon Department of Transportation certifying that the proposed rooflines, private open space, hardscaped areas, and any other amenities and structures on the plans submitted at building permit are allowed under the terms of the slope/utility easement.
- Condition 27:** Consolidate the subject properties through a series of property line adjustments prior to final occupancy for the buildings.
- Condition 28:** Consolidate the subject properties through a series of property line adjustments prior to final occupancy for the site improvements including the parking and vehicle use area.
- Condition 29:** 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.

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

Class 3 Site Plan Review:	<u>July 26, 2026</u>
Class 2 Adjustment:	<u>July 26, 2024</u>

Application Deemed Complete:	<u>October 5, 2021</u>
Notice of Decision Mailing Date:	<u>July 8, 2022</u>
Decision Effective Date:	<u>July 26, 2022</u>
State Mandate Date:	<u>September 21, 2022</u>

Case Manager: Pamela Cole, Planner II, pcole@cityofsalem.net, 503-540-2309

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m., Monday, July 25, 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 and 250. 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

IN THE MATTER OF APPROVAL OF CLASS 3) FINDINGS AND ORDER
SITE PLAN REVIEW AND CLASS 2 ADJUSTMENT)
CASE NO. SPR-ADJ21-25)
2499, 2501, 2519, 2539 & 2551)
WALLACE ROAD NW) JULY 8, 2022

REQUEST

Summary: A ~~489-unit~~ 201-unit multi-family development with an office/recreation building and pool.

Request: A consolidated Class 3 Site Plan Review and Class 2 Adjustment application for a proposed development to include ~~489~~ up to 201 apartments, an office/recreation building, pool, and parking on a development site including 7.59 acres located in the MU-II (Mixed Use - II) zone at 2499, 2501, 2519, and 2551 Wallace Road NW - 97304 (Polk County Assessor Map and Tax Lot 073W09CD / 00900, 01000, 01101, 01301) and 0.51 acres located in the RD (Duplex Residential) zone at 2539 Wallace Road NW 97304 (Polk County Assessor Map and Tax Lot 073W09CD / 01300). The applicant proposes alternative street standards to deviate from the street spacing and connectivity standards in SRC Chapter 803 ~~to allow a pedestrian connection rather than a street connection to La Jolla Drive NW, eliminate required street connectivity to abutting undeveloped properties, and deviate from block length standards that would require a street connection at a maximum block length of 600 feet along Wallace Road NW.~~ The application includes adjustments to:

- (1) Increase the maximum building setback adjacent to Wallace Road NW from 10 feet to 12 16.75 feet;
- (2) ~~Increase the maximum setback adjacent to La Jolla Drive NW from 10 feet to approximately 37 feet;~~
- (3) (2) Reduce building setbacks from 10 feet to 0 feet abutting internal property lines so that the buildings may cross existing internal property lines in anticipation of a future property boundary verification line adjustment;
- (4) (3) Reduce vehicle use area setbacks from ~~40~~ 5 feet to 0 feet abutting existing internal property lines;
- (5) ~~Reduce the street frontage requirement from 16 feet to 0 feet to allow development on 2501 Wallace Road NW, which is currently landlocked;~~
- (6) (4) Reduce the minimum required building frontage along Wallace Road NW from 50 percent to 0 percent.
- (5) Exceed the maximum vertical and horizontal separation standards for ground floor residential uses on Wallace Road NW.

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 alternative street standards and Class 2 Adjustments are included in the request.

2. Background

- a) On March 25, 2021, an application for a Class 3 site plan review and three Class 2 adjustments was submitted by Sam Thomas, Lenity Architecture, on behalf of the applicant, Scott Martin Construction, LLC, for the proposed development. On March 31, 2021, fees were paid and the application was accepted for processing.

Because multiple land use applications are required in connection with the proposed development, the applicant, pursuant to SRC 300.120(c), chose to consolidate the applications and process them together as one. When multiple applications are consolidated, the review process for the application shall follow the highest numbered procedure type required for the land use applications involved, and the Review Authority for the application shall be the highest applicable Review Authority under the highest numbered procedure type. Based on these requirements, the proposed consolidated Class 3 Site Plan Review and Class 2 Adjustments are required to be reviewed by the Planning Administrator and processed as a Type II procedure.

- b) Staff requested additional information necessary to complete the application, and the applicant's final submittal of information was September 21, 2021. Because the final submittal included written statements noting that no additional information would be provided, the application was deemed complete for processing as of September 21, 2021.
- c) On October 5, 2021, the case manager notified the applicant that an additional fee of \$600 was due for three additional Class 2 Adjustments, and the applicant paid the fee. Notice of filing of the application was sent, pursuant to SRC requirements, on October 5, 2021.
- d) On October 5, 2021, the applicant provided a 14-day extension to the state-mandated 120-day decision deadline. The extended state-mandated local decision deadline for the application was February 2, 2022.
- e) On November 15, 2021, staff notified the applicant that a denial would be issued because the proposal for a pedestrian connection to La Jolla Drive NW did not meet requirements for street connectivity.
- f) On November 19, 2021, the applicant authorized an additional 120-day extension to allow the applicant to submit revised plans.
- g) On January 14, 2022, the applicant submitted a Tree Regulation Variance application to remove two Significant trees, an Oregon white oak tree 33 inches dbh and an Oregon white oak tree 39 inches dbh, to extend La Jolla Drive NW.

- h) On January 20, 2022, staff notified the applicant that additional information was required to complete the Tree Regulation Variance application.
- i) On January 25, 2022, staff emailed the applicant requesting an additional extension of at least 120 days from the date that the applicant would be submitting a revised site plan with connectivity, revised elevations, revised adjustments, new driveway approach permits, and additional information for the Tree Variance application sufficient to deem it complete.
- j) On January 26, 2022, the applicant authorized a maximum extension of the consolidated and revised application to September 21, 2022.
- k) On May 9, 2022, the applicant submitted revisions to the written statement, site plan, tree plan, property line exhibit, and civil plans.
- l) On May 17, 2022, staff notified the applicant that additional items including fees for a Class 2 Driveway Approach application, a written statement for the Tree Regulation Variance, and revised building elevations were required before staff could issue a decision on the consolidated application.
- m) On June 9 and 10, 2022, the applicant submitted additional information including a revised Trip Generation Estimate, revised elevations, revised site plan, and revised written statement, and staff began to review the revised submittals.
- n) On June 21, 2022, the case manager notified the applicant that, in order to meet the extended 120-day deadline for Class 3 Site Plan Review – Class 2 Adjustment decision, the Tree Regulation Variance and Class 2 Driveway Approach Permit applications would be conditions of the Class 3 Site Plan Review – Class 2 Adjustment and must be processed concurrently with, rather than consolidated with, the Class 3 Site Plan Review – Class 2 Adjustment application.
- o) On June 24, 2022, staff notified the applicant that the Class 2 Driveway Approach Permit application had been cancelled after Public Works determined that driveways proposed to be constructed in coordination with the proposed extension of La Jolla Drive NW were exempt from the permit requirement.
- p) On June 29, 2022, staff mailed notice of filing and a request for comments for the concurrent Tree Regulation Variance, TRV22-02, with a comment deadline of July 13, 2022.
- q) The extended 120-day deadline for the consolidated Class 3 Site Plan Review and Class 2 Adjustment application is September 21, 2022. No further extensions are permitted.

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 106129.

4. Proposal

The application under review by the Planning Administrator is a consolidated Class 3 site plan review and Class 2 adjustment for development of property located at 2499, 2501, 2519, 2539, and 2551 Wallace Road NW - 97304 (Polk County Assessor Map and Tax Lot 073W09CD / 00900, 01000, 01101, 01300, and 01301) (**Attachment A**).

The proposed development is known as Riverbend Apartments Phase 2. The original site plan included 189 apartments in 11 buildings, a two-story office/recreation building, an enclosed swimming pool, and a new parking and vehicle use area (**Attachment B**). The **revised** proposal addressed in this decision includes 201 apartments within 11 new apartment buildings, a two-story office/recreation building, an enclosed swimming pool, and a new parking and vehicle use area (**Attachment C**). All existing buildings on the subject property are proposed to be removed. The area within the RD (Duplex Residential) zone at 2539 Wallace Road NW is proposed as a green stormwater infrastructure (GSI) facility, and the revised site plan indicates that portions of two apartment buildings encroach in the RD zone. Multiple family development, as proposed, is not permitted in the RD zone, and conditions of approval are imposed to address this issue.

With the revised proposal, vehicular access is proposed at the southwestern boundary of the subject property from a northward extension of La Jolla Drive NW; at the extension of La Jolla Drive NW from two driveways connecting to the extension; at the eastern boundary from a driveway on Wallace Road NW controlled by the Oregon Department of Transportation; and at the southeastern boundary from a driveway that extends to the south through the adjacent Riverbend Phase 1 development and connects to River Bend Road NW.

5. Applicant's Plans and Statement

Land use applications must include a statement addressing the applicable approval criteria and be supported by proof they conform to all applicable standards and criteria of the Salem Revised Code. The plans submitted by the applicant depicting the proposed development, and in support of the proposal, are attached to this report as follows:

- Original Site Plan: **Attachment B**
- Revised Site Plan: **Attachment C**
- Revised Civil Plans: **Attachment D**
- Tree Removal Plan: **Attachment E**
- Building Elevations: **Attachment F**
- Applicant's Written Statement: **Attachment G**
- Applicant's Response to Comments: **Attachment H**

Staff utilized the information from the applicant to evaluate the proposal and to establish the facts and findings included within this decision.

6. Salem Area Comprehensive Plan (SACP)

The subject properties are designated “Mixed Use” on the Salem Area Comprehensive Plan map (2499, 2501, 2519, and 2551 Wallace Road NW) and “Multi-Family Residential” (2539 Wallace Road NW). City Council will be conducting deliberations on July 11, 2022 to discuss proposed Comprehensive Plan changes in the Our Salem project including a redesignation of 2539 Wallace Road NW to “Mixed Use.”

The designations of surrounding properties are as follows:

North: “Commercial” and “Multi-Family Residential”
South: “Single-Family Residential” and “Commercial”
East: Across Wallace Road NW, “Community Service Sewage – Solid Waste” and “Multi-Family Residential”
West: “Single-Family Residential”

7. Zoning

The subject properties are zoned MU-II (Mixed Use-II) (2499, 2501, 2519, and 2551 Wallace Road NW) and RD (Duplex Residential) (2539 Wallace Road NW). City Council will be conducting deliberations on July 11, 2022 to discuss proposed Zone changes in the Our Salem project including a redesignation of 2539 Wallace Road NW to MU-II (Mixed Use-II).

The zoning of surrounding properties is as follows:

North: CR (Retail Commercial) and RM-II (Multiple Family Residential II)
South: RS (Single Family Residential), CO (Commercial Office), and CR (Retail Commercial)
East: Across Wallace Road NW, PS (Public Services), Polk County EFU (Exclusive Farm Use), and Polk County SR (Suburban Residential)
West: RS (Single Family Residential)

8. Natural Features

The property rises in elevation from northeast to southwest, with the steepest area along a slight ridge that runs from the northwest corner to the center of the southern boundary. The topography east of the ridge is relatively flat. The topography rises approximately 15 feet from the ridge toward the southwestern corner.

Trees: The City’s tree preservation ordinance (SRC Chapter 808) protects Heritage Trees, Significant Trees (*including Oregon White Oaks with diameter-at-breast-height (dbh) of 24 inches or greater*), trees and native vegetation in riparian corridors, and trees on lots and parcels greater than 20,000 square feet. The tree preservation ordinance defines “tree” as, “any living woody plant that grows to 15 feet or more in height, typically with one main stem called a trunk, which is 10 inches or more dbh, and possesses an upright arrangement of branches and leaves.”

There are no heritage trees or riparian corridor trees or native vegetation located on the development site. There are significant trees located on the development site. The applicant has submitted a concurrent Tree Regulation Variance (TRV22-02) to remove two significant trees.

Floodplain: 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.

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

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

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

The subject property is located within the boundaries of the West Salem 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's representative provided written notice of the proposal to the Neighborhood Association chair and land use chair on March 26, 2021.

Neighborhood Association Comment. Notice of the application was provided to West Salem 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.

WSNA provided comments prior to the close of the public comment period (**Attachment I**):

West Salem Neighborhood Association Comments:

Per the proposed conditions:

- (1) Increase the maximum building setback adjacent to Wallace Road NW from 10 feet to 12 feet;*
- (2) Increase the maximum setback adjacent to La Jolla Drive NW from 10 feet to approximately 37 feet;*
- (3) Reduce building setbacks from 10 feet to 0 feet abutting internal property lines so that the buildings may cross existing internal property lines in anticipation of a future property boundary verification.*
- (4) Reduce vehicle use area setbacks from 10 feet to 0 feet abutting existing internal property lines;*
- (5) Reduce the street frontage requirement from 16 feet to 0 feet to allow development on 2501 Wallace Road NW, which is currently landlocked;*
- (6) Reduce the minimum required building frontage along Wallace Road NW from 50 percent to 0 percent.*

Regarding conditions 5 & 6 and all traffic related impacts to Wallace Road, we request that the traffic impacts to Wallace Road be specifically addressed in light of traffic as of today. Previous WSNA filings on an earlier phase of this project raised key transportation issues. Wallace road does not meet V/C mobility standards and as such any additional traffic has impacts. We recognize that this is currently zoned multi family; however, we request that traffic impacts, connectivity from the project to adjacent streets including Wallace Road, and emergency vehicle flow be part of staff's review and analysis. If additional conditions are needed to implement those cited above, we ask that these be discussed with the WSNA further before filing of staff's report. A careful look at the landlocked lot and its inclusion here needs to be addressed as this was not part of the original zone change for this area.

Applicant Response: To be clear, the italicized text above is related to adjustments requested by the applicant and not proposed conditions of approval by City of Salem Staff. A traffic study has been completed by the applicant during the comprehensive plan and rezone of four (4) of the subject properties included in this application. ODOT has placed a trip cap on the subject properties and the proposed development will be under that threshold according to current ITE trip generation numbers for multi-family developments.

Staff Response: The listed items (1) through (6) are not conditions; they are requests for adjustments to development standards. Findings for the proposed adjustments are in Section 13 of this decision.

The properties within the development site are subject to conditions of approval for CPC-ZC-ZC19-10. A Transportation Planning Rule Analysis and Traffic Impact Analysis for the proposed development were reviewed for CPC-ZC-ZC19-10 proposal, which included a Comprehensive Plan Map change to "Mixed Use" and zone change to MU-II (Mixed Use-II) for 2499, 2501, and 2519 Wallace Road NW (Polk County Assessor Map and Tax Lot Numbers 073W09CD01000, 073W09CD00900, 073W09CD01101, and 073W09CD01301) and a Comprehensive Plan Map change to "Commercial" and zone change to CR (Retail Commercial) for 2465 Wallace Road NW, which is not a part of the current application. Salem City Council adopted a condition imposing a trip cap consistent with the applicant's Transportation Planning Rule Analysis, which demonstrated that the proposed development would not have a "significant effect" on the surrounding transportation system as that term is used in Oregon Administrative Rule (OAR) 660-012-0060:

Condition 3 of CPC-ZC-ZC19-10: Traffic impacts from future development on the subject property (2465, 2499, 2501, and 2519 Wallace Road NW (Polk County Assessor Map and Tax Lot Numbers 073W16BA09900, 073W09CD01000, 073W09CD00900, 073W09CD01101, and 073W09CD01301) shall be limited to a maximum of 2,085 average daily trips generated by the proposed use or uses.

The Assistant City Traffic Engineer found that the revised development proposal for 201 apartments would generate 913 average daily trips, a net increase of 875 average daily trips from existing development. A Transportation Impact Analysis

(TIA) will not be required. The proposed development would comply with the condition of approval.

Public Works has recommended approval of the revised proposal with conditions addressing the street spacing and connectivity standards of SRC 803.030(a) and SRC 803.040(a) (**Attachment J**).

The Fire Department's comments on emergency vehicle access are summarized in Section 10 of this decision.

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.

Comments from 12 persons were received prior to the close of the public comment period (**Attachment K**). Three had no objections. Other comments are summarized below:

A. Traffic –

One person commented that West Salem needs another road and/or bridge to help disperse traffic before adding so many units and vehicles.

Applicant Response Prior to Revised Submittal: The owner/developer will pay substantial traffic system development charges, among many other fees, that help offset the impact of the development. It is then up to the city decisionmakers to use money collected from those fees efficiently and effectively to study, plan, and build the rest of the City's infrastructure to meet growth demands.

Staff Response: Based on the Institute of Transportation Engineers (ITE) land use code 221 for Multi-family Housing (Mid Rise), the proposed 201 multi-family apartments would generate 913 average daily trips, or a net increase of 875 average daily trips beyond existing development. The net increase for purposes of calculating a Transportation Systems Development Charge would be 848 trips, and a Transportation Systems Development Charge will be required at building permit. The proposed development would comply with a previous condition of approval limiting trips from this property and 2465 Wallace Road NW to 2,085 average daily trips.

One person commented that the applicant should provide a bus stop.

Applicant Response Prior to Revised Submittal: The closest bus stop is at the corner of Riverbend Rd and La Jolla Drive. Cherriots has commented that they do not wish to put any bus stops along Wallace Rd.

Staff Response: Cherriots has indicated that Wallace Road NW is not a safe location for a bus stop. The nearest stop on Route 16 is west of the intersection of La Jolla Drive NW and River Bend Road NW and approximately 635 feet (0.12 mile) walking distance from the subject property.

B. Alternative street standards request –

Six persons commented that they support the applicant's proposed alternative street standards for a pedestrian connection to La Jolla Drive NW rather than a street connection, citing the following: (1) an existing oak tree north of the stubbed street is over 100 years old; (2) the applicant's plan provides adequate traffic circulation; (3) an increase of traffic on La Jolla Drive NW would burden residents and cause safety hazards to children, families, and elders.

Applicant's Response Prior to Revised Submittal: We agree the oak tree directly in front of La Jolla Drive NW is significant and should be preserved.

Staff Response: At the time the stub of La Jolla Drive NW was constructed, the Salem Revised Code did not require preservation of significant trees (defined as Oregon white oaks 24 inches or greater in diameter at the time the Class 3 Site Plan Review was submitted). The construction of a stub rather than a cul-de-sac bulb indicates that the City intended the street to be extended to the north. In order to meet the 600-foot spacing standard for north-south streets, La Jolla Drive NW must be extended through the proposed development, and the applicant's revised site plan includes the required extension of La Jolla Drive NW. The Tree Removal Plan (**Attachment E**) indicates that the extension of La Jolla Drive NW will require removal of a significant Oregon white oak tree north of the existing stub and another significant Oregon white oak tree farther north. The applicant provided documentation from an arborist indicating that the oak tree immediately north of the La Jolla Drive NW stub merits preservation, although the tree was damaged in the February 2021 ice storm, it has a significant defect in the main crotch, and it needs immediate mitigation measures including significant tip weight reduction to remove large deadwood and installation of a cabling system by an ISA Certified Arborist to support the splitting crotch. A Tree Removal Variance application is required as a condition of approval and is being processed concurrently with this application.

One person commented that exits are needed to Brush College Road NW and La Jolla Drive NW to ease traffic on Wallace Road NW.

Applicant's Response Prior to Revised Submittal: There is through access to the development to the south that would allow emergency vehicles to either make a full loop through the site back to Wallace Rd or continue south to Riverbend Rd.

Staff Response: Street connectivity and street spacing standards would require a north-south extension of La Jolla Drive NW through the subject property and an east-west street connecting to Wallace Road NW. The applicant's revised submittal includes the north-south extension of La Jolla Drive NW, and a condition of approval requires an east-west vehicular and pedestrian public access easement connecting the extension of La Jolla Drive NW to Wallace Road NW. The north-south extension of La Jolla Drive NW may reach Brush College Road NW when properties north of the subject property are developed.

C. Climate change --

One person commented that the proposed development would add more asphalt and cement and generate more heat.

Staff Response: The proposed multi-family use is permitted in the MU-II zone, and parking and vehicle use standards require pavement.

One person commented that the applicant should provide electric vehicle charging stations.

Applicant's Response Prior to Revised Submittal: Applicant will consider electric vehicle charging stations in the final design.

Staff Response: Development standards do not require charging stations for electric vehicles.

D. Development standards –

One person commented that the applicant should maximize setbacks to Wallace Road NW and La Jolla Drive NW, plant the maximum trees possible, and provide an outdoor play area.

Applicant's Response Prior to Revised Submittal: The MU-II zone has maximum setbacks from the frontage street, Wallace Rd. We are already asking for an increased setback due to an existing easement along Wallace Rd. The number of trees planted on site is above the minimum.

Staff Response: The MU-II zone has 10-foot maximum setbacks from streets to promote pedestrian-oriented development. With the revised site plan, the applicant has requested an adjustment for increased setbacks from Wallace Road NW. Findings for the proposed adjustments are in Section 13 of this decision. The applicant will be required to meet or exceed minimum landscape standards. The MU-II zone does not have a standard requiring an outdoor play area for multi-family development, but the applicant is proposing a recreation building, enclosed pool, and fenced dog park.

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

10. City Department Comments

- A. The Building and Safety Division reviewed the proposal and commented, "The Building Department has concerns for anything in the private side crossing adjacent property lines and will not issue permits prior to a legal method of combining the lots into one for Building Permit purposes. It appears the applicants want to allow zero lot line setbacks prior to the creation of a single lot. This is actually permitted if the buildings have the proper fire rating and opening protection as required by the OSSC code."

Staff Response: The applicant's requested adjustment is to reduce building setbacks to 0 feet abutting internal property lines so that the buildings may cross existing internal property lines in anticipation of a future lot consolidation. The applicant does not intend to provide fire rating and opening protection at the existing property lines. The requested adjustment is subject to a condition requiring property line adjustments to consolidate the subject properties.

- B. The Fire Department reviewed the original proposal and commented, "Fire Department access and water supply will be required per the Oregon Fire Code. It appears the second means of Fire Department access is provided from the lot to the south. Legal Fire Department access will be required. Additional address signs may be required at the driveway access points."

Staff Response: The revised proposal includes three means of Fire Department access: a driveway to Wallace Road NW, a driveway to the development site to the south, and a new street extension connecting to existing La Jolla Drive NW.

- C. The Public Works Department reviewed the proposal, provided comments regarding street and City utility improvements required to serve the development, and recommended conditions of approval to ensure conformance with the applicable requirements of the SRC. Comments from the Public Works Department are included as **Attachment J**.

11. Public Agency & Private Service Provider Comments

Notice of the proposal was provided to public agencies and to public & private service providers. The following comments were received:

- A. Salem Electric commented, "Salem Electric will provide electric service according to the rates and policies at the time of construction."
- B. Cherriots provided comments (**Attachment L**). They support a proposed pedestrian/bicycle connection, with lighting and way-finding signage, from the proposed development to La Jolla Drive NW as the closest transit stop is located on River Bend Road NW at La Jolla Drive NW; generally oppose large multi-family developments off of the Core Network, such as this one; indicate that this section of Wallace Road NW is not a safe place to locate a transit stop; and suggest limiting parking to the required number of 204 and increasing bicycle parking from 24 to 48 to mitigate the impact of the development on existing congestion on Wallace Road NW.

Applicant Response Prior to Revised Submittal: The proposed development provides a much-needed housing option for the City of Salem which has a deficit of multi-family housing to meet demand. Pathway lighting will be provided along the pedestrian connection between the proposed development and La Jolla Drive NW that would lead to the bus stop on Riverbend Rd. The proposed off-site parking was carefully planned to be within the minimum and maximum parking. Considering these are two-bedroom units, it is expected that most of the units would be rented by tenants with two vehicles. To balance the city zoning code requirements and tenant demand, it was determined that 282 parking spaces was the minimum needed. This is 75 fewer parking spaces than the maximum allowed based on a total of 189 units. The property

is currently zoned MU-II and multi-family development is an allowed use and the application demonstrates clear and objective standards.

Staff Response: Multi-family housing is a Permitted use in the MU-II zone. The proposed development is not located on a Core Transit route. However, the subject property is within approximately 0.15 mile of a Cherriots local route transit stop and a proposed link on the City's on-street bike network on River Bend Road NW and is adjacent to existing bike lanes and an on-street potential enhanced bikeway on Wallace Road NW. These bus and bicycle options help to mitigate potential vehicular traffic impacts. The minimum and maximum parking and bicycle parking requirements are determined according to the standards in effect when the application was submitted. The applicant may voluntarily provide additional bike parking.

- C. Salem-Keizer School District provided comments estimating that the originally proposed development of 189 dwelling units would accommodate 38 elementary, 15 middle school, and 16 high school students (**Attachment M**).
- D. The Oregon Department of Transportation (ODOT) provided comments indicating that the proposal will trigger a change of use and will require new approach permits from ODOT at two locations, replacement of two existing driveway approaches with standard curb, gutter, and sidewalk, and rebuilding of an existing approach to 24 feet in width. If the City requires new sidewalk along the highway frontage aside from the closed approaches, the applicant will need to rebuild the sidewalk to current ODOT standards (**Attachment N**).

Applicant Response Prior to Revised Submittal: Applicant acknowledges the above comments regarding the need to obtain a change of use and new approach permits for the proposed use from ODOT. The proposed northern driveway will be rebuilt to a dimension of 24 feet in width to meet City of Salem driveway approach standards.

Staff Response: The northern driveway in the original proposal was relocated to the south on the revised site plan and exceeds 24 feet in width. The Public Works Department stated that Wallace Road NW is fully improved and a state highway under the jurisdiction of ODOT; therefore, no additional street improvements are required as a condition of the proposed development. A condition of approval requires the applicant to submit documentation at building permit that ODOT has reviewed the revised proposal for compliance with the terms of an existing utility and slope easement.

DECISION CRITERIA

12. 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.

(A) The application meets all applicable standards of the UDC

Please note: The application was submitted in 2021 and is subject to the provisions of the Salem Revised Code that were in effect at the time of submittal. Code amendments effective March 16, 2022 are not applicable to the proposal.

Finding: The revised proposal addressed in this decision includes 201 apartments within 11 new apartment buildings, a two-story office/recreation building, an enclosed swimming pool, and a new parking and vehicle use area. All existing buildings on the subject property are proposed to be removed.

Because the proposed development does not meet all applicable standards of the UDC, as described below, the applicant has requested adjustments, and findings for those adjustments are found in Section 13.

SRC CHAPTER 512 (RD ZONE)

The subject property at 2539 Wallace Road NW is designated “Multi-Family Residential” in the Salem Area Comprehensive Plan Map and located in the RD (Duplex Residential) zone. The proposed development includes a green stormwater infrastructure (GSI) facility and portions of two apartment buildings within the RD (Duplex Residential) zone.

SRC 512.010 - Allowed Uses:

The proposed GSI facility is a permitted use within the RD zone. However, multiple family development is not a permitted, special, or conditional use in the RD zone. Adjustments or variances may not be employed to allow a use in a zone in which it is prohibited. Approximately nine of the proposed units in Building 1 and nine of the proposed units in Building 2 are located within the current RD zone, and additional proposed units are located within the required minimum zone-to-zone setbacks from the MU-II zone to the RD zone.

In order to construct the development as proposed in the revised site plan, a zone change and/or comprehensive plan change would be required to redesignate the portion of the property currently zoned RD to a zone that will allow the proposed multiple family use. The City Council is currently considering a Comprehensive Plan Change to “Mixed Use” and Zone Change to MU-II (Mixed Use-II) for the RD-zoned parcel (2539 Wallace Road NW) as part of the Our Salem project; deliberations are scheduled for July 11, 2022, after this decision must be issued, and the disposition and effective date for the potential changes to these designations are unknown at this time. This decision must be based on the current RD zoning.

If the proposed designations of the Our Salem recommendation are not adopted, the applicant could apply for a zone change and/or comprehensive plan change to appropriate designations that would allow the multiple family use within the parcel currently zoned RD.

The following condition of approval is imposed to address the use within the RD (Duplex Residential)-zoned parcel:

Condition 1: Reconfigure the development so that buildings, accessory structures, and parking and vehicle use areas associated with the multiple family use are not located within the RD (Duplex Residential)-zoned area of the subject property (2539 Wallace Road NW). If the RD-zoned area is changed to a zone that will allow the proposed multiple family use, a modification to SPR-ADJ21-25 or a new Site Plan Review application, as required, may be submitted for review under the applicable provisions of the Salem Revised Code.

SRC CHAPTER 534 (MU-II ZONE)

The majority of the development is proposed on subject properties at 2499, 2501, 2519, and 2551 Wallace Road NW that are designated “Mixed Use” on the Salem Area Comprehensive Plan Map and zoned MU-II (Mixed Use-II). The allowed uses and applicable development standards of the MU-II zone are set forth under SRC Chapter 534 as described below.

SRC 534.010 – Allowed Uses:

The proposed development within the MU-II zone includes new multi-family residential buildings, as well as an office building, recreational building, enclosed pool, and new parking and vehicle use areas serving the multi-family complex.

Allowed uses within the MU-II zone are identified under SRC 534.010, Table 534-1. Within the MU-II zone, multi-family residential is a permitted use.

SRC 534.015(a) – Lot Standards:

The minimum lot size and dimension requirements applicable to the subject properties based on its MU-II zoning designation are included under SRC 534.015(a), Table 534-2.

A summary of the applicable minimum lot size and dimension requirements is provided in the following table:

MU-II Zone Lot Size & Dimension Standards	
Lot Area (All Uses)	None
Lot Width (All Uses)	None
Lot Depth (All Uses)	None
Street Frontage (All Uses)	16 feet

Finding: The individual properties within the development site, with the exception of Tax Lot 073W09CD00900 (2501 Wallace Road NW), currently appear to meet the standard for 16 feet of street frontage. The applicant requested an adjustment to reduce the street frontage from 16 feet to 0 feet for that parcel, believing that the property had no frontage. However, the revised site plan includes an extension of La

Jolla Drive NW that would create street frontage to that tax lot, and the requested adjustment is no longer required. As revised, the proposal meets the applicable lot size and dimension standards.

SRC 534.015(b) – Dwelling Unit Density:

Development within the MU-II zone that is exclusively residential shall have a minimum density of 12 dwelling units per acre.

Finding: The proposed development is exclusively residential. The minimum density standard applies. The original proposal for 189 units in the current MU-II area of the subject property would have resulted in a density of approximately 23.38 dwelling units per acre. The revised proposal for 201 units within the current MU-II area and the current RD area would result in a density of approximately 24.86 dwelling units per acre. Subtracting the 0.58 area that will be dedicated as right-of-way for the La Jolla Drive NW extension, the net density with 201 units would be approximately 26.78 dwelling units per acre. The revised proposal meets the standard.

SRC 534.015(c) – Setbacks:

Setback requirements for buildings and accessory structures within the MU-II zone are established under SRC 534.015(c), Tables 534-3 and 534-4. Pursuant to SRC 534.010(b), setback requirements for off-street parking and vehicle use areas within the MU-II zone are based on the zone-to-zone setback requirements under Table 534-4 and SRC Chapter 806 (Off-Street Parking, Loading, and Driveways). SRC 806.035(c) establishes perimeter setback requirements for parking and vehicle use areas adjacent to streets, interior property lines, and buildings.

Based on the requirements of SRC 534.015(c) and SRC 806.035(c), the required building, accessory structure, and off-street parking and vehicle use area setbacks applicable to the proposed development are as follows:

Required Setbacks		
	Standard	Limitations & Qualifications
Abutting Street		
Buildings (All Uses)	0 ft.	(1) Maximum setback of up to 10 feet is permitted if the setback area is used for pedestrian amenities.
		(2) A minimum setback of five feet to a maximum setback of 10 feet is permitted for ground-floor residential uses if horizontal separation is provided pursuant to 534.015(h).
Accessory Structures (All Uses)	Min. 5 ft.	

Vehicle Use Areas (All Uses)	Min. 6 ft. to 10 ft.	Per alternative setback methods under SRC 806.035(c)(2). The use of a berm under 806.035(c)(2)(B) is prohibited.
Interior Side & Rear		
Buildings & Accessory Structures (All Uses)	None	Applicable abutting a mixed-use zone or commercial zone. <i>(Per Zone-to-Zone Setback under Table 534-4)</i>
Vehicle Use Areas (All Uses)	Min. 5 ft. with Type A Landscaping ⁽¹⁾	Applicable abutting a mixed-use zone or commercial zone. <i>(Per Zone-to-Zone Setback under Table 534-4)</i>
Buildings & Accessory Structures (All Uses)	Min. 10 ft. plus 1.5 feet for each 1 foot of building height above 15 feet ⁽²⁾ with Type C Landscaping	Applicable abutting a residential zone. <i>(Per Zone-to-Zone Setback under Table 534-4)</i>
Vehicle Use Areas (All Uses)	Min. 5 ft. with Type C Landscaping	Applicable abutting a residential zone. <i>(Per Zone-to-Zone Setback under Table 534-4)</i>
<p style="text-align: center;"><u>Notes</u></p> <p>(1) Zone-to-zone setbacks are not required abutting an alley.</p> <p>(2) The additional 1.5-feet for each 1-foot of building height above 15 feet does not apply abutting a creek.</p> <p>(3) Table 800-2 allows certain projections into required setbacks.</p> <ul style="list-style-type: none"> Ornamental features – 24 inches into front or side abutting street, interior side, rear abutting street, or interior rear Cornices, eaves, and gutters – 24 inches into front or side abutting street; one-third the width of the interior side setback or 3 feet, whichever is less; 24 inches into rear abutting a street or interior rear Porches and decks (covered, but unenclosed) – not allowed in front abutting street, side abutting street, rear abutting street, or interior rear if structure covering the porch or deck exceeds 15 feet above grade or floor area of porch or deck exceeds 4 feet above grade; not allowed in interior side Balconies, outside stairways, and other unenclosed, unroofed projections – not allowed in front or side abutting street or interior side; 5 feet in rear abutting street or interior rear, provided the projection shall not come closer than 6 feet to any property line. 		

Finding: As illustrated on the revised site plan, the proposed buildings meet setbacks, with exceptions:

- Building 1 is 33 feet 4 inches in height and crosses a property line contiguous with the boundary between the MU-II zone and RD zone, where the required

zone-to-zone setback is 37.50 feet ($10 + 1.5*(33.33-15)$). Twelve of the proposed units are either located on the RD-zoned property or within the required setback from the RD-zoned property. The maximum setback of Building 1 is approximately 16 feet 9 inches from the property line abutting Wallace Road NW, where a maximum setback of 10 feet is allowed. The applicant has requested an adjustment. Findings for this adjustment are found in Section 13. Building 1 also crosses an internal property line. An adjustment has been requested to reduce building setbacks to 0 feet abutting internal property lines so that the buildings may cross existing internal property lines in anticipation of a future property line adjustment. Findings for this adjustment are found in Section 13.

- Building 2 is 31 feet 6 inches in height and crosses a property line contiguous with the boundary between the MU-II zone and RD zone, where the required zone-to-zone setback is 34.75 feet ($10 + 1.5*(31.5-15)$). Fifteen of the proposed units are either located on the RD-zoned property or within the required setback from the RD-zoned property. Building 2 also crosses an internal property line. An adjustment has been requested to reduce building setbacks to 0 feet abutting internal property lines so that the buildings may cross existing internal property lines in anticipation of a future property line adjustment. Findings for this adjustment are found in Section 13.
- Building 3 is 31 feet 6 inches in height and approximately 34 feet 7 inches from the RS zone, measured from the posts on the covered decks of the eastern half of the building, where the required zone-to-zone setback is 34.75 feet ($10 + 1.5*(31.5-15)$). The wall of the building meets the setbacks, but the covered decks on the eastern half of the building do not meet the setback.
- Building 4 is 31 feet 6 inches in height and approximately 34 feet 10 inches from the RS zone, measured from the posts on the covered decks, where the required zone-to-zone setback is 34.75 feet ($10 + 1.5*(31.5-15)$). The building meets the setbacks.
- Building 5 is 31 feet 6 inches in height and approximately 33 feet 1 inches from the RS zone, measured from the nearest wall, where the required zone-to-zone setback is 34.75 feet ($10 + 1.5*(31.5-15)$). The nearest walls and all of the covered decks do not meet the setback. Building 5 is approximately 9 to 15 feet from the proposed La Jolla Drive NW right-of-way, where a minimum setback of five feet to a maximum setback of 10 feet for ground-floor residential uses is allowed if horizontal separation is provided pursuant to 534.015(h). Building 5 meets the minimum setback but exceeds the maximum setback.
- Building 6 is located in the interior of the site and meets setbacks.
- Building 7 is located in the interior of the site and meets setbacks.
- Building 8 is approximately 6 feet 3 inches to 9 feet 8 inches from the proposed La Jolla Drive NW right-of-way, where a minimum setback of five feet to a maximum setback of 10 feet for ground-floor residential uses is allowed if horizontal separation is provided pursuant to 534.015(h). The site

plan indicates horizontal separation including pedestrian amenities. Building 8 meets setbacks.

- Building 9 exceeds the minimum 0-foot setback from the CR zone to the north. Building 9 is approximately 3 feet 7 inches to 7 feet from the proposed La Jolla Drive NW right-of-way, where a minimum setback of five feet to a maximum setback of 10 feet for ground-floor residential uses is allowed if horizontal separation is provided pursuant to 534.015(h). The site plan indicates horizontal separation including pedestrian amenities. Building 9 does not meet the minimum setback but meets the maximum setback.
- Building 10 meets the setback from the RM2 zone to the north but crosses an internal property line. An adjustment has been requested to reduce building setbacks to 0 feet abutting internal property lines so that the buildings may cross existing internal property lines in anticipation of a future property line adjustment. Findings for this adjustment are found in Section 13.
- Building 11 is 31 feet 6 inches in height and is approximately 32 feet 9 inches from the RD zone to the east, where the required zone-to-zone setback is 34.75 feet ($10 + 1.5*(31.5-15)$). An ornamental feature is approximately 30 feet 9 inches from the RD zone, where a minimum setback of 32 feet 9 inches is required. Three of the proposed units are located within the minimum setback from the RD zone. Building 11 is approximately 34 feet measured from the nearest wall and 34 feet 3 inches measured from the posts on the covered decks from the RM2 zone, where the required zone-to-zone setback is 34.75 feet ($10 + 1.5*(31.5-15)$). The nearest wall and the covered decks do not meet the setbacks from the RM2 zone.
- The office building is 27 feet 4 inches in height and approximately 30 feet 5 inches from the RS zone to the west and 100 feet from the RS zone to the south, where the required zone-to-zone setback is 28.5 feet ($10 + 1.5*(27.33-15)$) from the RS zone. The office building is approximately 3 feet 10 inches to 8 feet 4 inches from the proposed right-of-way of La Jolla Drive NW, where the minimum setback is 0 feet but a maximum setback of 10 feet is allowed if pedestrian amenities are provided. It meets the setbacks, but insufficient details were provided to demonstrate pedestrian amenities.
- The pool building is 15 feet in height and approximately 33 feet 5 inches from the RS zone to the west and 13 feet 9 inches from the RS zone the south, where the required zone-to-zone setback is 10 feet ($10 + 1.5*(15-15)$) from the RS zone. The pool building is approximately 9 feet 8 inches from the proposed right-of-way of La Jolla Drive NW, where the minimum setback is 0 feet but a maximum setback of 10 feet is allowed if pedestrian amenities are provided. It meets the setbacks, but insufficient details were provided to demonstrate pedestrian amenities.

The following conditions are required to ensure that the development meets setbacks for which adjustments have not been requested:

Condition 2: Reconfigure Buildings 1 and 2 to meet applicable zone-to-zone setbacks from the MU-II zone to the RD zone. If the RD-zoned area

is changed to a zone that will allow the proposed multiple family use, a modification to SPR-ADJ21-25 or a new Site Plan Review application, as required, may be submitted for review under the applicable provisions of the Salem Revised Code.

Condition 3: Reconfigure Buildings 3, 5, 9, and 11 to meet all applicable setbacks.

Condition 4: Provide pedestrian amenities within the maximum 10-foot setback between La Jolla Drive NW and the office/recreation building and enclosed pool building.

Vehicle use areas abutting a street are subject to a minimum setback of 6 to 10 feet per SRC 806.035. The proposed parking and vehicle use areas meet this setback, with the following exceptions: the loading zone south of Building 8 is less than the required 6 to 10 feet from the proposed La Jolla Drive NW right-of-way; the parking and vehicle use area north of Building 8 is less than the required 6 to 10 feet from the proposed La Jolla Drive NW right-of-way. The following condition is required to ensure that the vehicle use areas meet the required setbacks abutting streets:

Condition 5: Reconfigure the vehicle use areas north and south of Building 8 to provide minimum setbacks of 6 to 10 feet from the right-of-way of La Jolla Drive NW as required by SRC 806.035(c).

Vehicle use areas abutting a mixed-use zone or commercial zone have a minimum zone-to-zone setback of 5 feet, with Type A landscaping required. Vehicle use areas abutting a residential zone have a minimum zone-to-zone setback of 5 feet, with Type C landscaping required, except where a driveway provides direct access to a street or abutting property. The proposed vehicle use areas meet applicable setbacks to abutting properties in the CO (Commercial Office) and RS (Single Family Residential) zones to the south and to the CR (Retail Commercial) and RM2 (Multiple Family Residential 2) zones to the north. The proposed vehicle use areas do not meet the required zone-to-zone setbacks abutting the RD (Duplex Residential) zone. The following condition is required to ensure that the vehicle use areas meet the zone-to-zone setbacks:

Condition 6: Reconfigure the vehicle use area between Buildings 1 and 2 to meet the applicable zone-to-zone setback of 5 feet with Type C landscaping from the MU-II zone to the RD zone. If the RD-zoned area is changed to a zone that will allow the proposed multiple family use, a modification to SPR-ADJ21-25 or a new Site Plan Review application, as required, may be submitted for review under the applicable provisions of the Salem Revised Code.

Vehicle use areas abutting a residential zone have a minimum zone-to-zone setback of 5 feet, with Type C landscaping consisting of a minimum 6-foot-tall sight-obscuring fence or wall and a minimum of one plant unit per 20 square feet of landscaped area. The site plan indicates a fence along the property line separating the development from the RS zone to the south and west, the CR zone to the north, and the RM2 zone to the north. The site plan and written statement do not indicate whether the proposed fence is sight-obscuring and at least 6 feet in height to meet

the Type C screening requirement. The following condition is required to ensure compliance with the screening requirement:

Condition 7: Provide a minimum 6-foot-tall sight-obscuring fence or wall along the property lines abutting the RS (Single Family Residential) and RM2 (Multiple Family Residential 2) zones.

The proposed vehicle use areas cross multiple interior property lines within the development site, and the applicant has requested a Class 2 adjustment to reduce the minimum interior setback standard for vehicle use areas from 5 feet to 0 feet. Analysis of the Class 2 Adjustment requests and findings relative to the Class 2 Adjustment approval criteria are included in Section 13 of this decision.

As conditioned above, the proposal meets standards, except for those standards for which Adjustments have been requested.

SRC 534.015(d) - Lot Coverage:

Lot coverage requirements within the MU-II zone are established under SRC 534.015(d), Table 534-5. There is no maximum lot coverage for buildings and accessory structures within the MU-II zone.

Finding: There is no maximum lot coverage standard for buildings and accessory structures. The proposed development meets the standard.

SRC 534.015(d) - Height:

Height requirements for buildings and accessory structures within the MU-II zone are established under SRC 534.015(d), Table 534-5. Within the MU-II zone, the maximum height is 45 feet for buildings and accessory structures on a lot or lots that are contiguous to a National Register Residential Historic District, and 55 feet for buildings and accessory structures on all other lots.

Finding: The subject properties are not contiguous to a National Register Residential Historic District. The proposed multi-family buildings, except for Building 1, are 31 feet 6 inches in height. Building 1 is 33 feet 4 inches in height. The proposed office/recreation building is 27 feet 4 inches in height. The proposed pool building is 15 feet in height. The proposed development meets the standard.

SRC 534.015(d) – Building Frontage:

Building frontage requirements within the MU-II zone are established under SRC 534.015(d), Table 534-5. Within the MU-II zone, the minimum building frontage for all uses is 50 percent when not located on a corner lot.

Finding: The subject properties are not corner lots. The building frontage standard is applicable to Building 1 abutting Wallace Road NW, a primary street. *Building frontage* means the portion of a building occupying the front setback line. The front setback line is the line extending across the front of the site at the front setback distance. In the MU-II zone, a maximum setback of 10 feet is permitted if the setback area is used for pedestrian amenities, or a minimum setback of five feet to

a maximum setback of 10 feet is permitted for ground-floor residential uses if horizontal separation is provided pursuant to 534.015(h).

Because the applicant is requesting an adjustment that would increase the maximum setback of Building 6 from 10 feet to approximately 16 feet 9 inches abutting Wallace Road NW, Building 1 will not be placed at the front setback line. Therefore, the applicant is also requesting an adjustment to reduce the minimum building frontage to 0 percent.

Analysis of the Class 2 Adjustment requests and findings relative to the Class 2 Adjustment approval criteria are included in Section 13 of this decision.

SRC 534.015(e) - Parking:

Parking requirements within the MU-II zone are established under SRC 534.015(e). Required off-street parking shall not be located on a new standalone surface parking lot in the MU-I zone or MU-II zone.

Finding: The proposed development includes off-street parking areas that are not standalone surface parking lots. The proposed development meets the standard.

SRC 534.015(f) - Landscaping:

Landscaping requirements within the MU-II zone are established under SRC 534.015(f):

- (1) **Setbacks.** Required setbacks, except setback areas abutting a street that provide pedestrian amenities or horizontal separation pursuant to SRC 534.015(h), 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: Landscaping requirements within setbacks are addressed in the findings for setbacks above and findings for Landscaping below. Landscaping requirements for vehicle use areas are also addressed under the Off-Street Parking and Vehicle Use Area Development Standards subsection below.

SRC 534.015(h) - Pedestrian-Oriented Design:

Development within the MU-II zone, excluding development requiring historic design review, shall conform to the pedestrian-oriented design standards set forth in Table 534-6.

Ground Floor Height. A minimum height of 10 feet is required for ground floors on primary streets.

Finding: As defined under SRC 534.005, within the MU-II zone, a primary street means a street that is classified in the Salem Transportation System Plan (TSP) as an arterial or collector. Wallace Road NW is classified as a major arterial, and La Jolla Street NW is classified as a local street. The standard applies to Building 1, which faces Wallace Road NW. The elevation drawings for the original proposal indicated a 10-foot height from floor to ceiling for the building nearest Wallace Road

NW. However, the revised elevations for Building 1 in **Attachment F** do not confirm the 10-foot ceiling height and are not drawn to scale. The following condition is required to ensure that the proposal meets the standard:

Condition 8: Submit revised elevation drawings and plans for Building 1 at building permit to confirm a minimum height of 10 feet for the ground floor on Wallace Road NW.

Separation of Ground Floor Residential Uses. This standard applies when a dwelling unit is located on the ground floor. Vertical or horizontal separation shall be provided between the public right-of-way and the residential entryway and habitable room.

Vertical Distance – Minimum 1.5 feet and maximum 3 feet; vertical separation shall take the form of several steps or a ramp to a porch, stoop, or terrace.

Horizontal Distance – Minimum 5 feet and maximum 10 feet; horizontal separation shall take the form of a landscaped area such as private open space or hardscaped area such as a plaza.

Finding: This standard is applicable to proposed Buildings 1, 5, 8, and 9. The applicant's written statement does not address Building 5. The applicant's written statement indicates that vertical separation ranges between 1.5 feet and 3 feet and horizontal separation of 12 feet will be provided between Wallace Road NW right-of-way and dwelling unit entrance. Staff measured horizontal separation of up to 16 feet 9 inches for Building 1. Proposed Building 1 provides horizontal distance exceeding the maximum separation and does not meet the standard. An adjustment to this standard is necessary along with the adjustment to exceed the maximum setback of 10 feet from Wallace Road NW. Findings for the adjustment are found in Section 13.

Proposed Building 8 meets the standard for horizontal separation.

Proposed Building 5 provides horizontal distance of 9 feet to 15 feet, exceeding the maximum horizontal distance. The applicant did not provide an elevation drawing for Building 5.

Proposed Building 9 provides horizontal distance of approximately 3 feet 7 inches to 7 feet and does not meet the minimum horizontal distance standard.

The following condition is necessary to meet the standard:

Condition 9: Provide a revised site plan and elevation drawings at building permit to demonstrate that Building 5 and Building 9 either (1) meet the minimum horizontal distance of 5 feet and maximum horizontal distance of 10 feet with required horizontal separation in the form of a landscaped area such as private open space or hardscaped area such as a plaza or (2) meet the minimum vertical distance of 1.5 feet and maximum vertical distance of 3 feet with required vertical separation in the form of several steps or a ramp to a porch, stoop, or terrace.

Building Façade Articulation. This standard applies to building façades facing primary streets. Buildings shall incorporate vertical and horizontal articulation and shall divide vertical mass into a base, middle, and top.

- a) Base: Ground floor façades shall be distinguished from middle façades by at least one of the following standards:
 - 1. Change in materials.
 - 2. Change in color.
 - 3. Molding or other horizontally-articulated transition piece.
- b) Middle: Middle façades shall provide visual interest by incorporating at a minimum of every 50 feet at least one of the following standards:
 - 1. Recesses of a minimum depth of two feet.
 - 2. Extensions of a minimum depth of two feet.
 - 3. Vertically-oriented windows.
 - 4. Pilasters that project away from the building.
- c) Top: Building tops shall be defined by at least one of the following standards:
 - 1. Cornice that is a minimum of eight inches tall and a minimum of three inches beyond the face of the facade.
 - 2. Change in material from the upper floors, with that material being a minimum of eight inches tall.
 - 3. Offsets or breaks in roof elevation that are a minimum of three feet in height.
 - 4. A roof overhang that is a minimum of eight inches beyond the face of the façade.

Finding: For the Building 1 façade facing Wallace Road NW, the applicant proposes a change in materials to distinguish the base from the middle of the building. Proposed Building 1 is approximately 158 feet 6 inches long and includes extensions two feet in depth at intervals of less than 50 feet along the middle façade. The proposed building includes breaks in roof elevation at six locations along the building façade, and the applicant's written statement indicates that the breaks are at least three feet in height, but the elevation drawing is not to scale, and staff cannot determine whether the breaks meet the minimum standard of three feet in height. With the following condition, the proposal for Building 1 meets the standards for building façade articulation for the base, middle, and top portions of the building.

Condition 10: Provide an elevation drawing to scale at building permit that demonstrates that Building 1 meets the minimum standard of offsets or breaks in roof elevation that are a minimum of three feet in height or at least one of the other standards for building tops.

Ground Floor Windows. This standard applies to building ground floors on primary streets. For residential uses, a minimum of 30 percent of the building façade shall incorporate ground floor windows.

Finding: The proposed Building 1 façade facing Wallace Road includes windows on the ground floor, and the written statement indicates that ground floor windows amount to 32 percent of the façade. However, the elevation drawing is not to scale, and staff cannot determine whether the windows meet the minimum standard. The following condition is required to ensure compliance:

Condition 11: Provide an elevation drawing to scale at building permit that demonstrates that Building 1 meets the minimum standard of 30 percent windows on the ground floor.

Building Entrances. For residential uses on the ground floor, a primary building entrance for each building facade facing a primary street shall be located on the primary street. Building entrances shall include weather protection.

Finding: The proposed Building 1 includes primary building entrances facing Wallace Road, a primary street; the entrances include weather protection in the form of second story decks above the ground floor entrance. The proposal meets the standard.

Weather Protection. This standard applies to building ground floors adjacent to a street. For residential uses, a minimum of 50 percent of the ground floor building façade shall include weather protection in the form of awnings or canopies. Awnings or canopies shall have a minimum clearance height above the sidewalk or ground surface of 8 feet and may encroach into the street right-of-way as provided in SRC 76.160.

Finding: The written statement indicates that weather protection is provided along a minimum of 50 percent of the Building 1 façade. However, the elevation drawing is not to scale, and staff cannot determine whether the weather protection meets the minimum standard of 50 percent of the ground floor building façade or whether the clearance above the sidewalk or ground surface is at least 8 feet. The following condition is required to ensure compliance:

Condition 12: Provide an elevation drawing to scale at building permit that demonstrates that Building 1 weather protection meets the minimum standard of 50 percent along the ground floor adjacent to the street and the minimum clearance of at least 8 feet above the sidewalk or ground surface.

Parking Location. This standard applies to off-street parking areas and vehicle maneuvering areas. 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: All off-street parking areas and vehicle maneuvering areas are located behind or beside a building in relation to the street, except the loading space in the vehicle use area south of Building 8 is located closer to the proposed La Jolla Drive NW right-of-way than Building 8. The following condition is required to ensure that the proposal meets the standard:

Condition 13: Redesign all parking and vehicle use areas abutting La Jolla Drive NW so that they are located at least as far from the right-of-way as the buildings that are adjacent to the right-of-way.

Mechanical and Service Equipment. This standard applies to mechanical and service equipment. Ground level mechanical and service equipment shall be screened with landscaping or a site-obscuring fence or wall. Ground level

mechanical and service equipment shall be located behind or beside buildings. Rooftop mechanical equipment, with the exception of solar panels and wind generators, shall be set back or screened so as to not be visible to a person standing at ground level 60 feet from the building.

Finding: The proposed site plan and the proposed elevations do not indicate any mechanical and service equipment within the development. Adherence to this standard will be reviewed at the time of building permit.

SRC CHAPTER 601 (FLOODPLAIN OVERLAY ZONE)

SRC Chapter 601 establishes development standards related to the floodplain and floodway.

Finding: No floodplain or floodway areas exist on the subject property.

SRC CHAPTER 800 (GENERAL DEVELOPMENT STANDARDS)

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 seven 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 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 and more than five feet between the receptacles and combustible walls, combustible roof eave lines, or building or structure openings. 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 site detail plans indicate that the enclosures will not be covered, thus providing at least 14 feet of unobstructed overhead or vertical clearance for servicing. The proposal meets the standard.

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 site detail plans (Sheet A1.2 dated 06/03/2021) show the proposed solid waste service areas will be screened with concrete block walls 6 feet 4 inches in height, and a note on the revised site plan indicates the enclosures will be 6 feet in height. 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: The site plans indicate enclosures with a front opening greater than 12 feet. 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 site detail plans (Sheet A1.2 dated 06/03/2021) show enclosures constructed of concrete block material with a 6-inch concrete bumper curb located 12 inches inside the wall. 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 18 feet, which open a minimum of 90 degrees. The applicant's site detail plans (Sheet A1.2 dated 06/03/2021) show restrainers in the open and closed positions. The proposal meets this standard.

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

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

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.

(A) 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.
- (B) 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.
- (C) Vehicle operation areas shall have a minimum vertical clearance of 14 feet.
- (D) 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 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.

SRC CHAPTER 802 (PUBLIC IMPROVEMENTS)

SRC Chapter 802 establishes development standards for public improvements.

Finding: The subject property meets or can meet all applicable standards of SRC Chapter 802.

SRC CHAPTER 803 – STREETS AND RIGHT-OF-WAY IMPROVEMENTS

SRC Chapter 803 establishes standards for streets and other improvements within public right-of-way in the City.

Finding: The applicant proposes alternative street standards to deviate from the street spacing and connectivity standards in SRC Chapter 803. The original site plan (**Attachment B**) proposed a pedestrian connection rather than a street connection to La Jolla Drive NW, provided no required street connectivity to abutting undeveloped properties, and deviated from block length standards that would require a street connection at a maximum block length of 600 feet along Wallace Road NW.

Staff notified the applicant in November, 2021, that the original proposal would be denied because the application did not meet the applicable standards of SRC 803. Public Works and Planning staff worked with the applicant to develop an alternate proposal that could be approved. The applicant submitted a revised plan (**Attachment C**).

The surrounding development does not currently meet street connectivity and street spacing requirements needed for safe, orderly, and efficient circulation of traffic into and out of the proposed development. SRC 803.030(a) states, 'Streets shall have a maximum spacing of 600 feet from right-of-way line to right-of way line along one axis, and not less than 120 feet and not more than 400 feet from right-of-way line to right-of-way line along the other axis.' SRC 803.035(a) states, 'Local streets shall

be oriented or connected to existing or planned streets, existing or planned schools, parks, shopping areas, transit stops, and employment centers located within one-half-mile of the development. Local streets shall be extended to adjoining undeveloped properties for eventual connection with the existing street system. Connections to existing or planned streets and adjoining undeveloped properties for eventual connection with the existing street system shall be provided at no greater than 600-foot intervals....”

Wintergreen Avenue NW is a north-south street located west of the subject property. Wallace Road abuts the subject property and travels primarily in north-south direction. The average distance between Wintergreen Avenue and Wallace Road is approximately 1,200 feet, exceeding the 600-foot standard. La Jolla Drive NW is a north-south street between Wintergreen Avenue and Wallace Road that terminates at the south line of the subject property. To meet street connectivity and street spacing requirements as specified in SRC 803.030(a) and SRC 803.035(a), La Jolla Drive NW shall be extended through the proposed development to Local street standards as specified in the Public Works Design Standards (PWDS) and consistent with the provisions of SRC Chapter 803, as shown on the applicant's revised site plan (**Attachment C**):

Condition 14: Extend La Jolla Drive NW through the proposed development to Local street standards as specified in the PWDS and consistent with the provisions of SRC Chapter 803.

Similarly, Brush College Road is an east-west street located north of the subject property, and River Bend Road NW is an east-west street located south of the subject property. The distance between Brush College Road and River Bend Road is over 1,200 feet. In lieu of providing a street connection as required by SRC 803.030(a) and SRC 803.035(a), the applicant shall provide a public access easement for vehicular and pedestrian access along the southern parking lot drive aisle connecting La Jolla Drive NW to Wallace Road NW:

Condition 15: Provide a vehicular and pedestrian public access easement connecting La Jolla Drive NW to Wallace Road NW.

SRC CHAPTER 806 (OFF-STREET PARKING, LOADING, & DRIVEWAYS)

SRC Chapter 806 establishes requirements for off-street parking, loading, and driveways. Included in the chapter are standards for minimum and maximum off-street vehicle parking, minimum bicycle parking, minimum off-street loading spaces, and vehicle use area development standards.

Off-Street Parking and Vehicle Use Areas:

Minimum Off-Street Vehicle Parking (SRC 806.015(a)). Minimum off-street vehicle parking requirements are established under SRC Chapter 806, Table 806-1. The minimum off-street parking requirement for a multiple family development of 13 or more dwelling units located within the MU-II zone, and not located within the CSDP area or one quarter-mile of the Core Network, is one parking space per dwelling unit.

Maximum Off-Street Vehicle Parking (SRC 806.015(d)). Maximum off-street vehicle parking requirements are established under SRC 806.015(d), Table 806-2. The maximum number of allowed parking spaces is based upon the minimum number of spaces required for the proposed development. If the minimum number of spaces required equals 20 spaces or less, the maximum allowed parking is 2.5 times the minimum number of spaces required. If the minimum number of spaces required equals more than 20 spaces, the maximum allowed parking is 1.75 times the minimum number of spaces required.

Finding: The original proposal for 189 dwelling units would have required a minimum of 189 off-street parking spaces. The maximum parking allowed would have been 331 spaces ($189 \times 1.75 = 330.75$). The revised proposal for up to 201 dwelling units would require a minimum of 201 off-street parking spaces and maximum of 352 spaces ($201 \times 1.75 = 351.75$). The revised proposal for 226 parking spaces meets minimum and maximum standards.

Because Condition 1 prohibits development of multiple family uses within the current RD zone and Condition 2 requires Buildings 1 and 2 to meet applicable zone-to-zone setbacks from the MU-II zone to the RD zone, staff cannot determine the total number of units that will be constructed, and the following condition is required:

Condition 16: Provide a cumulative total of a minimum of one parking space per dwelling unit prior to final occupancy for each building.

As conditioned, the proposal meets the standard.

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

- a) *General Applicability.* The off-street parking and vehicle use area development standards set forth in this section shall apply to: the development of new off-street parking and vehicle use areas; the expansion of existing off-street parking and vehicle use areas, where additional paved surface is added; the alteration of existing off-street parking and vehicle use areas, where the existing paved surface is replaced with a new paved surface; and the paving of an unpaved area.
- 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.

Adjacent to Buildings and Structures: The off-street parking or vehicle use area shall be set back from the exterior wall of the building or structure by a minimum 5-foot-wide landscape strip or by a minimum 5-foot-wide paved pedestrian walkway.

Finding: Except where a Class 2 adjustment has been requested to eliminate the vehicle use area minimum setback requirement along the interior property lines separating the existing properties, and where Condition 5 requires vehicle use areas

north and south of Building 8 to be reconfigured to provide setbacks abutting La Jolla Drive NW that comply with 806.035(c)(3), the proposed vehicle use area complies with the minimum perimeter setback standards identified in the MU-II zone development standards and by SRC Chapter 806, and the minimum 5-foot setback requirement adjacent to a building or structure.

- d) *Interior Landscaping.* Interior landscaping shall be provided in amounts not less than those set forth in Table 806-5. For parking areas less than 50,000 square feet in size, a minimum of 5 percent of the interior parking area shall be landscaped. For parking areas 50,000 square feet and greater, a minimum of 8 percent of the interior parking area shall be landscaped.

Finding: The applicant proposes interior parking lot landscaping exceeding 8 percent of the proposed parking lot area, with landscape islands at least 5 feet in width and 25 square feet in area distributed within the parking areas to break up expanses of paving and long rows of parking spaces and to accommodate at least one deciduous shade tree for every 12 parking spaces. The proposal meets the standard.

- 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 parking spaces, driveway and drive aisles for the off-street parking areas meet the minimum dimensional requirements of SRC Chapter 806.

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

Finding: The proposed off-street parking area will be developed consistent with the additional development standards for grade, surfacing, drainage, bumper guards or wheel barriers, striping, marking and signage, lighting, and screening.

Driveway Development Standards (SRC 806.040).

- a) *Access.* Off-street parking and vehicle use areas shall have either separate driveways for ingress and egress, a single driveway for ingress and egress with an adequate turnaround that is always available, or a loop to the single point of access. The driveway approaches to the driveways shall conform to SRC chapter 804.

Finding: Four driveways are proposed – two to the extension of La Jolla Drive NW, one to Wallace Road NW, and one to the abutting property to the south. The driveways form a loop within the development site so that all of the parking areas, with one exception, meet the access standard. The proposed parking and vehicle use area between Buildings 1 and 2 has only one interior driveway for ingress and egress and does not have an adequate turnaround. The following condition is required to ensure compliance:

Condition 17: Provide an adequate turnaround at the northern end of the parking area between Buildings 1 and 2.

- b) *Location*. Driveways shall not be located within required setbacks except where:
- (1) The driveway provides direct access to the street, alley, or abutting property.
 - (2) The driveway is a shared driveway located over the common lot line and providing access to two or more uses.

Finding: The proposed driveways meet the standard.

- c) *Setbacks and Landscaping*. Perimeter setbacks and landscaping shall be required for driveways abutting streets and abutting interior front, side, and rear property lines; provided, however, perimeter setbacks and landscaping are not required where: (A) The driveway provides direct access to the street, alley, or abutting property. (B) The driveway is a shared driveway located over the common lot line and provided access to two or more uses.

Finding: The proposed driveways meet the standard.

- d) *Dimensions*. Driveways shall conform to the minimum width set forth in Table 806-7. Minimum driveway width for a two-way driveway is 22 feet, with an inside radius of curves and corners of 25 feet, measured at curb or pavement edge.

Finding: The proposed driveways to Wallace Road NW and the extension of La Jolla Drive NW are 26 feet in width. The proposed driveway to the abutting property to the south is 24 feet in width. The proposed driveways meet the standard.

- e) *Surfacing*. All driveways, other than access roads required by the Public Works Design Standards to provide access to City utilities, shall be paved with a hard surface material meeting the Public Works Design Standards.

Finding: The proposed driveways meet the standard.

- f) *Drainage*. Driveways shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.

Finding: The proposed driveways meet the standard.

- g) *"No Parking" signs*. Driveways shall be posted with one "no parking" sign for every 60 feet of driveway length, but in no event shall less than two signs be posted.

Finding: The proposed driveways do not exceed 60 feet in length, except the proposed driveway to the abutting properties to the south is approximately 140 feet in length. The following condition is required to ensure compliance:

Condition 18: Provide two "No Parking" signs on each side of the driveway that leads to the abutting properties to the south (Polk County Assessor Map and Tax Lots 073W16BA / 10000 and 10003).

Bicycle Parking:

Amount of Bicycle Parking (SRC 806.055). Minimum bicycle parking requirements are established under SRC 806.055, Table 806-8. The minimum bicycle parking requirement for the proposed multi-family development is the greater of 4 spaces or 0.1 spaces per dwelling unit.

Finding: For the original proposed development of 189 multi-family dwelling units, a minimum of 19 bicycle parking spaces would have been required ($189 * 0.1 = 18.9$). For the revised development proposal of up to 201 dwelling units, as shown on the revised site plan, a minimum of 20 bike spaces is required ($201 * 0.1 = 20.1$). The notes on the revised site plan indicate that the proposed development will include 24 new bicycle parking spaces to meet the bicycle parking requirements for the development, but only 20 spaces are depicted.

Because Condition 1 prohibits development of multiple family uses within the current RD zone and Condition 2 requires Buildings 1 and 2 to meet applicable zone-to-zone setbacks from the MU-II zone to the RD zone, staff cannot determine the total number of units that will be constructed, and the following condition is required:

Condition 19: Provide a cumulative total of a minimum of 0.1 bike parking spaces per dwelling unit prior to final occupancy for each building.

As conditioned, the proposal meets the standard.

Bicycle Parking Location (SRC 806.060(a)). 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: As shown on the site plan, the bicycle parking spaces provided for the proposed development are located within 50 feet of the primary entrances of buildings, in conformance with the requirements of SRC 806.060(a).

Bicycle Parking Access (SRC 806.060(b)). Bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance that is free of obstructions and any barriers, such as curbs or stairs, which would require users to lift their bikes in order to access the bicycle parking area.

Finding: The proposed bicycle parking spaces have direct access to the public right-of-way and to primary building entrances in conformance with the requirements of SRC 806.060(b), as shown on the proposed site plan.

Bicycle Parking Dimensions (SRC 806.060(c)). 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 pads are 10 feet x 6 feet for a pod of 4 bicycle stalls and are located adjacent to paved pedestrian connections more than 4 feet in width. The site plan does not clearly indicate that parallel bike racks are at least 3 feet apart, but adequate area is provided for the racks and spaces. To ensure compliance, the following condition is required:

Condition 20: Provide at least three feet of space between side-by-side bike racks.

Bicycle Parking Surfacing (SRC 806.060(d)). 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 is paved.

Bicycle Racks (SRC 806.060(d)). *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 site detail plans indicate staple racks that meet the standards. Compliance would be reviewed at building permit.

Off-Street Loading:

Minimum off-street loading requirements are established under SRC Chapter 806.075, Table 806-9. For the original proposal of 189 units, the minimum loading requirement for a multi-family development of 100 to 199 dwelling units is two 12 foot by 19 foot by 12 foot spaces. For the revised proposal of up to 201 dwelling units, the minimum loading requirement for a multi-family development of 200 or more dwelling units is three 12 foot by 19 foot by 12 foot spaces. If a recreational or service building is provided, at least one of the required loading spaces shall be located in conjunction with the recreational or service building.

Finding: Two 12 foot by 19 foot by 12 foot off-street loading spaces are required for up to 199 units, and one must be located near the recreational building. The proposed site plan indicates two loading spaces meeting the standards. A third loading space would be required if the development exceeds 199 dwelling units.

Because Condition 1 prohibits development of multiple family uses within the current RD zone and Condition 2 requires Buildings 1 and 2 to meet applicable zone-to-zone setbacks from the MU-II zone to the RD zone, staff cannot determine the total number of units that will be constructed, and the following condition is required:

Condition 21: Provide a minimum of two 12 foot by 19 foot by 12 foot off-street loading spaces for the first 199 units and a minimum of one additional 12 foot by 19 foot by 12 foot off-street loading space if the development exceeds 199 units.

SRC CHAPTER 808 (PRESERVATION OF TREES & VEGETATION)

The City's tree preservation ordinance (SRC Chapter 808) in effect at the time of the application submittal protects Heritage Trees, Significant Trees (*including Oregon White Oaks with diameter-at-breast-height (dbh) of 24 inches or greater*), trees and native vegetation in riparian corridors, and trees on lots and parcels greater than 20,000 square feet. The tree preservation ordinance defines *tree* as, "any living woody plant that grows to 15 feet or more in height, typically with one main stem called a trunk, which is 10 inches or more dbh, and possesses an upright arrangement of branches and leaves."

Finding: There are no heritage trees or riparian corridor located on the development site. There are significant trees, as shown on the site plan. The applicant did not propose removal of a significant tree with the original proposal. However, in order to comply with connectivity and street spacing requirements, La Jolla Drive NW must be extended through the proposed development, and the applicant's revised site plan indicates that the extension of La Jolla Drive NW would require removal of two significant Oregon white oak trees north of the existing stub. Staff found that materials submitted by the applicant were insufficient to demonstrate that the trees met criteria for a Tree Removal Permit. The following condition is required to ensure that the appropriate process is followed to obtain approval to remove the trees:

Condition 22: Submit a Tree Regulation Variance application for approval to remove two existing significant trees, an Oregon white oak tree 33 inches dbh and an Oregon white oak tree 39 inches dbh, to accommodate the connectivity proposed in the revised site plan.

SRC CHAPTER 809 (WETLANDS):

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

SRC CHAPTER 810 (LANDSLIDE HAZARDS)

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

- (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: Wallace Road is fully improved and is a state highway under the jurisdiction of ODOT; therefore, no additional street improvements are required as a condition of the proposed development.

The applicant's original site plan (**Attachment B**) included a proposal for alternative street standards to deviate from the street spacing and connectivity standards in SRC Chapter 803 by providing a pedestrian connection rather than a street connection to La Jolla Drive NW, eliminating required street connectivity to abutting undeveloped properties, and deviating from block length standards that require a street connection at a maximum block length of 600 feet along Wallace Road NW.

Staff determined that the original proposal would not meet the applicable standards of SRC 803 and notified the applicant that the proposal would be denied. Staff worked with the applicant to develop a connectivity plan that could be approved. The applicant submitted the revised site plan (**Attachment C**) to address the connectivity standards.

The surrounding development does not currently meet street connectivity and street spacing requirements needed for safe, orderly, and efficient circulation of traffic into and out of the proposed development. SRC 803.030(a) states, "Streets shall have a maximum spacing of 600 feet from right-of-way line to right-of-way line along one axis, and not less than 120 feet and not more than 400 feet from right-of-way line to right-of-way line along the other axis." SRC 803.035(a) states, "Local streets shall be oriented or connected to existing or planned streets, existing or planned schools, parks, shopping areas, transit stops, and employment centers located within one-half-mile of the development. Local streets shall be extended to adjoining undeveloped properties for eventual connection with the existing street system. Connections to existing or planned streets and adjoining undeveloped properties for eventual connection with the existing street system shall be provided at no greater than 600-foot intervals...."

Wintergreen Avenue NW is a north-south street located west of the subject property. Wallace Road NW abuts the subject property and travels primarily in north-south

direction. The average distance between Wintergreen Avenue NW and Wallace Road NW is approximately 1,200 feet, exceeding the 600-foot standard. La Jolla Drive NW is a north-south street between Wintergreen Avenue NW and Wallace Road NW that terminates at the south line of the subject property. To meet street connectivity and street spacing requirements as specified in SRC 803.030(a) and SRC 803.035(a), La Jolla Drive NW shall be extended through the proposed development to Local street standards as specified in the PWDS and consistent with the provisions of SRC Chapter 803, as shown on the applicant's site plan. Condition 14 in the findings for SRC Chapter 803 addresses this requirement.

Similarly, Brush College Road NW is an east-west street located north of the subject property, and River Bend Road NW is an east-west street located south of the subject property. The distance between Brush College Road NW and River Bend Road NW is over 1,200 feet. In lieu of providing a street connection as required by SRC 803.030(a) and SRC 803.035(a), the applicant shall provide a public access easement for vehicular and pedestrian access along the southern parking lot drive aisle connecting La Jolla Drive NW to Wallace Road NW. Condition 15 in the findings for SRC Chapter 803 addresses this requirement.

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

Finding: The driveway access onto Wallace Road NW is under the jurisdiction of the Oregon Department of Transportation. The applicant is responsible for obtaining the required permits from ODOT for the proposed connection and improvements to Wallace Road NW.

The applicant's site plan shows two proposed driveway approaches onto La Jolla Drive NW. This Site Plan Review application does not contain approval of the proposed driveway approaches. If the approaches are installed as part of the construction of the La Jolla Drive NW extension, a driveway approach permit is not required pursuant to SRC 804.015(b)(2), and the driveway locations will be approved with the Public Construction plan review process. If the driveways are not installed as part of the public street extension, the applicant must obtain Class 2 Driveway Approach permits pursuant to SRC Chapter 804. The following condition is required to ensure compliance:

Condition 23: Submit Class 2 Driveway Approach Permits if the driveways onto La Jolla Drive NW are not installed as part of the construction of the La Jolla Drive NW extension.

(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.

An existing 8-inch public sewer main is proposed to be relocated on the subject property. As a result, the applicant shall provide a minimum 20-foot-wide pipeline easement pursuant to PWDS Section 1.8 and quitclaim a portion of the existing pipeline easement recorded in Polk County as Instrument No. 2019-003534. The following condition is required to ensure compliance:

Condition 24: Provide a minimum 20-foot-wide pipeline easement pursuant to PWDS Section 1.8 and quitclaim a portion of the existing pipeline easement for the relocation of an existing public 8-inch sewer pipeline located on the subject property.

The applicant proposes a 6-inch water main extension in the future La Jolla Drive NW extension. Pursuant to PWDS Section 5.2, all developments are required to provide public water mains of sufficient size for fire protection to adjacent parcels. PWDS Table 5-3 requires a minimum 8-inch water main. The proposed plan shall be modified to include an 8-inch water main from the terminus in La Jolla Drive NW to the northern property line of the subject property. The following condition is required to ensure compliance:

Condition 25: Extend an 8-inch water main in La Jolla Drive NW from the terminus in La Jolla Drive NW to the northern property line of the subject property.

The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4)(b) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible. The applicant shall design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and Public Works Design Standards (PWDS).

13. 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)(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: With the revised proposal, the applicant has requested a Class 2 adjustment to five development standards of the SRC in conjunction with the proposed development:

- (1) Increase the maximum building setback adjacent to Wallace Road NW from 10 feet to 42 16.75 feet**

The written statement provided by the applicant (**Attachment D**) indicates that this adjustment is requested because the area along Wallace Road NW contains a variable width easement to ODOT; no permanent structures would be allowed within this easement.

The ODOT slope/utility easement lies along the entire development site's frontage on Wallace Road NW. It varies in width: approximately 9 feet at the northernmost point on the frontage, 9 feet 9 inches near the northernmost point of Building 1, 15 inches near the southernmost point of Building 1, and 23 feet near the southernmost point on the frontage.

Another factor constraining the number of multi-family units that can be placed near the front property line along Wallace Road NW is the requirement for green stormwater infrastructure. The applicant is proposing a green stormwater infrastructure area along approximately 115 feet of the frontage of the RD (Duplex Residential)-zoned parcel that abuts Wallace Road NW.

The applicant states that the standard is better met by the proposed development because increasing the maximum setback adjacent to Wallace Road NW will allow for more pedestrian area in front of each residential unit.

The purpose underlying the development standard is to create pedestrian-oriented buildings near the street. The development standards of the MU-II zone are intended to promote pedestrian-oriented development in vibrant mixed-use districts and encourage a mix of compatible uses in multi-story buildings.

Building 1 is exclusively residential. For ground-floor residential uses, the setback standards allow a minimum setback of five feet to maximum setback of 10 feet if horizontal separation is provided pursuant to SRC 534.015(h), which requires a landscaped area such as private open space or hardscaped area such as a plaza. The applicant is proposing a building with walls that are up to 16.75 feet from the property line and 0 to 6 feet from the easement.

To equally or better meet the purpose of the standard, the applicant is proposing an articulated building with rooflines and awnings that are located just outside the easement and landscaped areas including private patios and hardscaped plazas that are located between the private patios and street.

The revised site plan appears to indicate several rooflines extending over the easement. Structures are generally not permitted within utility easements. In order to confirm that these rooflines are acceptable to the Oregon Department of Transportation, the following condition is required:

Condition 26: Submit documentation from the Oregon Department of Transportation certifying that the proposed rooflines, private open space, hardscaped areas, and any other amenities and structures on the plans submitted at building permit are allowed under the terms of the slope/utility easement.

Because the proposal includes private patios and hardscaped plazas oriented toward and located near Wallace Road NW, staff finds that the purpose underlying the minimum and maximum setbacks is equally or better met by the proposed development.

This criterion is met.

(2) ~~Increase the maximum setback adjacent to La Jolla Drive NW from 10 feet to approximately 37 feet~~

The original site plan indicated a setback of approximately 37 feet from the stub of La Jolla Drive NW to the nearest building. With the revised proposal including the extension of La Jolla Drive NW, Building 5 is subject to a minimum setback of 5 feet and maximum setback of 10 feet abutting the street, along with development standards for vertical or horizontal separation. The revised proposal places Building 5 within approximately 9 feet to 15 feet of the right-of-way of the proposed La Jolla Drive NW extension. With conditions of approval above, the proposal can meet the applicable setback standard, and this adjustment to increase the setback from 10 feet to 37 feet is no longer required.

(2) (3) ~~Reduce building setbacks from 10 feet to 0 feet abutting internal property lines so that the buildings may cross existing internal property lines in anticipation of a future property boundary verification line adjustment~~

The written statement provided by the applicant indicates that the proposed development currently consists of five separate legal parcels and is proposed to be consolidated through a series of property line adjustments. The proposed development site is laid out with buildings that cross internal property lines.

Buildings 1, 2, and 10 on the revised plan cross existing interior property lines. The applicant requests the adjustment to allow approval of buildings across property lines until a future property line adjustment is completed.

The written statement provided by the applicant indicates that the proposed development equally or better meets the intent of the code because, once the property line adjustments are complete, the building permit criteria will no longer be applicable.

The minimum zone-to-zone building setback is 0 feet where an MU-II property abuts another MU-II property or Commercial property. However, building code would require fire-rated construction and opening protection on both sides of an existing property line to allow a setback of 0 feet. The applicant does not indicate that the buildings would have fire-rated construction and opening protection on both sides of an existing property line; dwelling units would cross property lines.

At the time the application was submitted, the Salem Revised Code allowed a Property Boundary Verification process to provide a process whereby the outside boundary of two or more contiguous units of land held under the same ownership could be established as the property line for purposes of application of the Building Code. The applicant has not submitted a Property Boundary Verification application, and the Salem Revised Code amendments that became effective March 16, 2022 eliminated the Property Boundary Verification process. The applicant must consolidate or reconfigure the lawfully established units of land, which are not platted units of land, through property line adjustments.

Because the applicant has the option of consolidating the properties to eliminate the need for the adjustment, the following condition is required in order for the proposal to equally or better meet the purpose of the development standard:

Condition 27: Consolidate the subject properties through a series of property line adjustments prior to final occupancy for the buildings.

With the condition of approval, the proposal meets this criterion.

(3) (4) Reduce vehicle use area setbacks from 10 5 feet to 0 feet abutting existing internal property lines

The written statement provided by the applicant indicates that the proposed development currently consists of five separate legal parcels and is proposed to be consolidated through a series of property line adjustments. The proposed development site is laid out with parking areas and drive aisles that cross internal property lines.

Vehicle use areas abutting a mixed-use zone or commercial zone have a minimum zone-to-zone setback of 5 feet, with Type A landscaping required. The proposed vehicle use areas cross multiple interior property lines within the development site, and the applicant has requested a Class 2 adjustment to reduce the minimum interior setback standard for vehicle use areas from 5 feet to 0 feet.

The written statement provided by the applicant indicates that the proposed development equally or better meets the intent of the code because, once the property line adjustments are complete, the vehicle use area setback criteria will no longer be applicable.

The purpose of the development standard is to provide separation between a parking area on one property and buildings or parking areas on an abutting property. In this case, the properties on both sides of the proposed property lines are under common ownership, all properties are part of the same development, and the development plans include landscaping and pedestrian sidewalks between the parking areas and the proposed buildings on both sides of this parking area.

A similar adjustment was approved for the applicant's properties in Phase 1 of the Riverbend development, where a property line adjustment was subsequently approved to relocate a property line down the center of a north-south drive aisle, and the boundary between the CO zone and CR zone was subsequently established down the center of the north-south drive aisle. The sequence of approvals resulted in logical boundaries.

The current proposal includes many property lines crossing multiple parking and vehicle use areas. The applicant has the option of consolidating the properties so that the adjustment is not required. While the properties are under common ownership now, there is no guarantee that they will not be separately owned in the future. Because the applicant has the option of consolidating the properties to eliminate the need for the adjustment, the following condition is required in order for the proposal to equally or better meet the purpose of the development standard:

Condition 28: Consolidate the subject properties through a series of property line adjustments prior to final occupancy for the site improvements including the parking and vehicle use area.

With the condition of approval, the proposal meets this criterion.

(5) — Reduce the street frontage requirement from 16 feet to 0 feet to allow development on 2501 Wallace Road NW, which is currently landlocked

The individual properties within the development site, with the exception of Tax Lot 073W09CD00900 (2501 Wallace Road NW), currently appear to meet the standard for 16 feet of street frontage. The applicant requested an adjustment to reduce the street frontage from 16 feet to 0 feet for that parcel. However, the revised site and connectivity plan including the extension of La Jolla Drive NW would provide street frontage to that tax lot, and the requested adjustment is no longer required. As revised, the proposal meets the applicable street frontage standard, and this adjustment is not required.

(4) ~~(6)~~ Reduce the minimum required building frontage along Wallace Road NW from 50 percent to 0 percent

The written statement provided by the applicant (**Attachment G**) states that, due to the site topography, needed drainage facility, proposed access driveway to Wallace Road NW on the north, and connecting driveway to the adjacent southern property, there is limited space along Wallace Rd to place multi-family dwelling units.

The purpose of the building frontage standard is to provide pedestrian-oriented development near the primary street. The building frontage standard is applicable to Building 1 abutting Wallace Road NW, a primary street. *Building frontage* means the portion of a building occupying the front setback line. The front setback line is the line extending across the front of the site at the front setback distance. In the MU-II zone, a maximum setback of 10 feet is permitted if the setback area is used for pedestrian amenities, or a minimum setback of five feet to a maximum setback of 10 feet is permitted for ground-floor residential uses if horizontal separation is provided pursuant to 534.015(h).

Because the applicant is requesting an adjustment that would increase the maximum setback of Building 1 from 10 feet to approximately 16 feet 9 inches abutting Wallace Road NW, Building 1 will not be placed at the front setback line. Therefore, the applicant is also requesting this adjustment to reduce the minimum building frontage to 0 percent.

The ODOT slope/utility easement lies along the entire development site's frontage on Wallace Road NW. It varies in width: approximately 9 feet at the northernmost point on the frontage, 9 feet 9 inches near the northernmost point of Building 1, 15 inches near the southernmost point of Building 1, and 23 feet near the southernmost point on the frontage.

The ODOT easement prevents residential buildings from being placed where they can meet the applicable minimum and maximum setbacks. The applicant's stormwater facility must be placed near Wallace Road in the area currently zoned RD. Due to required setbacks from the RM2 zone to the north and the RD zone within the development site, the area between the RD zone and north property line is too narrow for another apartment building to be placed near the ODOT easement along the building frontage.

The applicant's proposal to provide pedestrian amenities within the area between the building and Wallace Road NW equally or better meets the purpose of the standard by providing a building as close as possible to Wallace Road NW to create a pedestrian-oriented design. The proposal meets the criterion.

(5) Exceed the maximum vertical and horizontal separation standards for ground floor residential uses on Wallace Road NW

Building 1 is exclusively residential. For ground-floor residential uses, the setback standards allow a minimum setback of five feet to maximum setback of 10 feet if horizontal separation is provided pursuant to SRC 534.015(h), which requires a landscaped area such as private open space or hardscaped area such as a plaza.

The standard for separation of ground floor residential uses requires vertical separation of 1.5 to 3 feet (in the form of steps or a ramp to a porch, stoop, or terrace) or horizontal separation of 5 feet to 10 feet in the form of a landscaped area such as private open space or hardscaped area such as a plaza.

Due to the presence of the easement, the applicant is proposing a building with walls that are approximately 16 to 21 feet from the property line and four to five feet from the easement. Therefore, the building must also exceed the maximum horizontal separation of 10 feet.

The adjustment to exceed maximum vertical and horizontal separation standards is necessary because an ODOT slope/utility easement lies along the entire development site's frontage on Wallace Road NW. It varies in width: approximately 9 feet at the northernmost point on the frontage, 9 feet 9 inches near the northernmost point of Building 1, 15 inches near the southernmost point of Building 1, and 23 feet near the southernmost point on the frontage.

The purpose of the maximum vertical and horizontal separation standards for ground floor residential uses is to ensure that the proposed buildings provide a degree of privacy to residents but retain a relationship to the street.

To equally or better meet the purpose of the standard, the applicant is proposing an articulated building with landscaped areas including private patios and hardscaped plazas that are located between the private patios and street. Due to the slope, steps are proposed from the public sidewalk to the private patios and hardscaped plazas.

Because the proposal includes steps, private patios, and hardscaped plazas oriented toward and located near Wallace Road NW, staff finds that the purpose underlying the maximum separation standards is equally or better met by the proposed development. This criterion is met.

SRC 250.005(d)(1)(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 properties are zoned MU-II (Mixed Use-II). Since the MU-II zone is not categorized as a *residential* zone under SRC 110.025, this criterion is not applicable to the proposed development.

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: The written statement provided by the applicant (**Attachment G**) states that the cumulative effect of the adjustments will result in a project that is still consistent with the overall purpose of the zone but does not provide substantial findings.

Five adjustments have been requested by the applicant for the revised proposal. As set forth in SRC 534.001, the purpose of the MU-II zone is to promote pedestrian-oriented development in vibrant mixed-use districts and encourage a mix of compatible uses in multi-story buildings. The proposed development includes one exclusively residential building with pedestrian amenities provided between the building and public sidewalk near the primary street (Wallace Road NW). The conditions of approval above ensure that the three residential buildings, office/recreation building, and enclosed pool building proposed near the extension of La Jolla Drive NW will include pedestrian amenities and meet the standards related to pedestrian orientation on that new local street.

The revised proposal with north-south street and pedestrian connectivity provided by the La Jolla Drive NW extension and east-west pedestrian connectivity provided by an easement from La Jolla Drive NW to Wallace Road NW provide opportunities for pedestrian amenities and promote a more vibrant development in keeping with the purpose of the zone.

Staff finds that the cumulative effect of the adjustments, as conditioned, results in a project which is consistent with the overall purpose of the MU-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 29: 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.

CONCLUSION

Based upon review of SRC Chapters 220 and 250, 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 and Class 2 Adjustment case no. SPR-ADJ21-25 is hereby **APPROVED** subject to SRC Chapters 220 and 250, the applicable standards of the Salem Revised Code, conformance with the approved development plans included as **Attachment C**, and the following conditions of approval:

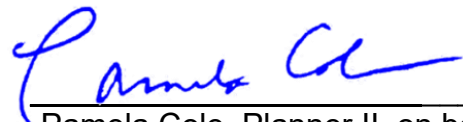
Condition 1: Reconfigure the development so that buildings, accessory structures, and parking and vehicle use areas associated with the multiple family use are not located within the RD (Duplex Residential)-zoned area of the subject property (2539 Wallace Road NW). If the RD-zoned area is changed to a zone that will allow the proposed multiple family use, a modification to SPR-ADJ21-25 or a

new Site Plan Review application, as required, may be submitted for review under the applicable provisions of the Salem Revised Code.

- Condition 2:** Reconfigure Buildings 1 and 2 to meet applicable zone-to-zone setbacks from the MU-II zone to the RD zone. If the RD-zoned area is changed to a zone that will allow the proposed multiple family use, a modification to SPR-ADJ21-25 or a new Site Plan Review application, as required, may be submitted for review under the applicable provisions of the Salem Revised Code.
- Condition 3:** Reconfigure Buildings 3, 5, 9, and 11 to meet all applicable setbacks.
- Condition 4:** Provide pedestrian amenities within the maximum 10-foot setback between La Jolla Drive NW and the office/recreation building and enclosed pool building.
- Condition 5:** Reconfigure the vehicle use areas north and south of Building 8 to provide minimum setbacks of 6 to 10 feet from the right-of-way of La Jolla Drive NW as required by SRC 806.035(c).
- Condition 6:** Reconfigure the vehicle use area between Buildings 1 and 2 to meet the applicable zone-to-zone setback of 5 feet with Type C landscaping from the MU-II zone to the RD zone. If the RD-zoned area is changed to a zone that will allow the proposed multiple family use, a modification to SPR-ADJ21-25 or a new Site Plan Review application, as required, may be submitted for review under the applicable provisions of the Salem Revised Code.
- Condition 7:** Provide a minimum 6-foot-tall sight-obscuring fence or wall along the property lines abutting the RS (Single Family Residential) and RM2 (Multiple Family Residential 2) zones.
- Condition 8:** Submit revised elevation drawings and plans for Building 1 at building permit to confirm a minimum height of 10 feet for the ground floor on Wallace Road NW.
- Condition 9:** Provide a revised site plan and elevation drawings at building permit to demonstrate that Building 5 and Building 9 either (1) meet the minimum horizontal distance of 5 feet and maximum horizontal distance of 10 feet with required horizontal separation in the form of a landscaped area such as private open space or hardscaped area such as a plaza or (2) meet the minimum vertical distance of 1.5 feet and maximum vertical distance of 3 feet with required vertical separation in the form of several steps or a ramp to a porch, stoop, or terrace.
- Condition 10:** Provide an elevation drawing to scale at building permit that demonstrates that Building 1 meets the minimum standard of offsets or breaks in roof elevation that are a minimum of three feet in height or at least one of the other standards for building tops.
- Condition 11:** Provide an elevation drawing to scale at building permit that demonstrates that Building 1 meets the minimum standard of 30 percent windows on the ground floor.

- Condition 12:** Provide an elevation drawing to scale at building permit that demonstrates that Building 1 weather protection meets the minimum standard of 50 percent along the ground floor adjacent to the street and the minimum clearance of at least 8 feet above the sidewalk or ground surface.
- Condition 13:** Redesign all parking and vehicle use areas abutting La Jolla Drive NW so that they are located at least as far from the right-of-way as the buildings that are adjacent to the right-of-way.
- Condition 14:** Extend La Jolla Drive NW through the proposed development to Local street standards as specified in the PWDS and consistent with the provisions of SRC Chapter 803.
- Condition 15:** Provide a vehicular and pedestrian public access easement connecting La Jolla Drive NW to Wallace Road NW.
- Condition 16:** Provide a cumulative total of a minimum of one parking space per dwelling unit prior to final occupancy for each building.
- Condition 17:** Provide an adequate turnaround at the northern end of the parking area between Buildings 1 and 2.
- Condition 18:** Provide two “No Parking” signs on each side of the driveway that leads to the abutting properties to the south (Polk County Assessor Map and Tax Lots 073W16BA / 10000 and 10003).
- Condition 19:** Provide a cumulative total of a minimum of 0.1 bike parking spaces per dwelling unit prior to final occupancy for each building.
- Condition 20:** Provide at least three feet of space between side-by-side bike racks.
- Condition 21:** Provide a minimum of two 12 foot by 19 foot by 12 foot off-street loading spaces for the first 199 units and a minimum of one additional 12 foot by 19 foot by 12 foot off-street loading space if the development exceeds 199 units.
- Condition 22:** Submit a Tree Regulation Variance application for approval to remove two existing significant trees, an Oregon white oak tree 33 inches dbh and an Oregon white oak tree 39 inches dbh, to accommodate the connectivity proposed in the revised site plan.
- Condition 23:** Submit Class 2 Driveway Approach Permits if the driveways onto La Jolla Drive NW are not installed as part of the construction of the La Jolla Drive NW extension.
- Condition 24:** Provide a minimum 20-foot-wide pipeline easement pursuant to PWDS Section 1.8 and quitclaim a portion of the existing pipeline easement for the relocation of an existing public 8-inch sewer pipeline located on the subject property.

- Condition 25:** Extend an 8-inch water main in La Jolla Drive NW from the terminus in La Jolla Drive NW to the northern property line of the subject property.
- Condition 26:** Submit documentation from the Oregon Department of Transportation certifying that the proposed rooflines, private open space, hardscaped areas, and any other amenities and structures on the plans submitted at building permit are allowed under the terms of the slope/utility easement.
- Condition 27:** Consolidate the subject properties through a series of property line adjustments prior to final occupancy for the buildings.
- Condition 28:** Consolidate the subject properties through a series of property line adjustments prior to final occupancy for the site improvements including the parking and vehicle use area.
- Condition 29:** 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.



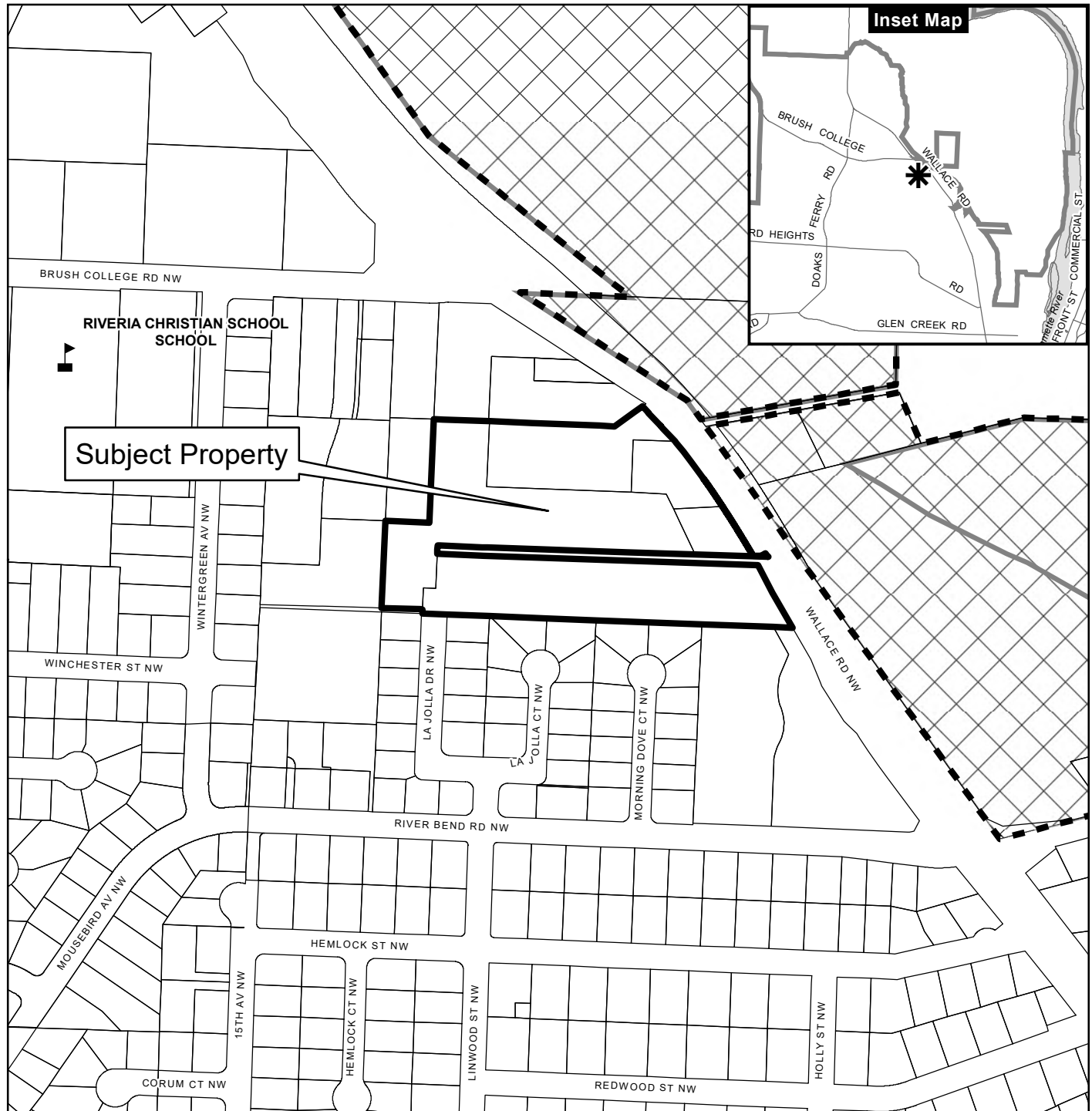
Pamela Cole, Planner II, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

- Attachments:
- A. Vicinity Map
 - B. Original Site Plan
 - C. Revised Site Plan
 - D. Revised Civil Plans
 - E. Tree Removal Plan
 - F. Building Elevations
 - G. Applicant's Written Statement
 - H. Applicant's Response to Comments
 - I. West Salem Neighborhood Association Comments
 - J. Public Works Department Memorandum
 - K. Public Comments
 - L. Cherriots Comments
 - M. Salem-Keizer School District Comments
 - N. Oregon Department of Transportation Comments

cc: Alan Kessler, GIS

Vicinity Map

2499, 2501, 2519, 2539, 2551 Wallace Road NW



Legend

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

- Parks

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Community Development Dept.

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0 100 200 400 Feet



RIVERBEND APARTMENTS PHASE 2

CLASS III SITE PLAN REVIEW

2499, 2501, 2519, 2539 WALLACE RD NW, SALEM, OR 97304

PROJECT TEAM:

OWNER:
3030 RIVERBEND LLC.
PO BOX 5850
SALEM, OR 97304

ARCHITECT:
LENITY ARCHITECTURE
3150 KETTLE CT. SE.
SALEM, OR 97301
PHONE: (503) 399-1090
FAX: (503) 399-0565
PROJECT ARCHITECT: LEE GWYN
lee@lenityarchitecture.com

CIVIL ENGINEER:
WESTTECH ENGINEERING, INC.
STEVE WARD, PE
3841 FAIRVIEW IND. DR. STE 100
SALEM, OR 97302
503.585.2474
SWARD@WESTTECH-ENG.COM

PROJECT STATISTICS:

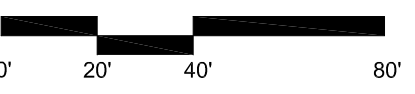
RIVERBEND PHASE #2 MULTI-FAMILY DEVELOPMENT CONSISTING OF 189 UNIT APARTMENTS/ OFFICE AND POOL BLDGS 2499, 2501, 2519, 2551 & 2539 WALLACE RD SALEM, OR 97304		CITY OF SALEM, POLK COUNTY 7.3.9 CD - 00900, 01000, 01101, 01301 & 01300
ZONE:	MU-II (MIXED USE/II)	
USE:	SINGLE-FAMILY DWELLINGS	
EXISTING:	MULTI-FAMILY	
PROPOSED:		
ALLOWED BLDG. HEIGHT:	55 FT MAX.	
PROPOSED BLDG. HEIGHT/ FOOTPRINT:		
BUILDING #1	31 FT, 6 IN / 6,925 S.F.	
BUILDING #2	31 FT, 6 IN / 5,581 S.F.	
BUILDING #3	31 FT, 6 IN / 4,980 S.F.	
BUILDING #4	31 FT, 6 IN / 7,797 S.F.	
BUILDING #5	31 FT, 6 IN / 7,797 S.F.	
BUILDING #6	33 FT, 4 IN / 4,980 S.F.	
BUILDING #7	31 FT, 6 IN / 3,905 S.F.	
BUILDING #8	31 FT, 6 IN / 3,905 S.F.	
BUILDING #9	NOT USED	
BUILDING #10	31 FT, 6 IN / 7,785 S.F.	
BUILDING #11	31 FT, 6 IN / 3,907 S.F.	
BUILDING #12	31 FT, 6 IN / 3,907 S.F.	
OFFICE BUILDING	27 FT, 4 IN / 2,616 S.F.	
POOL BUILDING	15 FT / 1,551 S.F.	
TRASH ENCLOSURE	6 FT / 248 S.F.	
BLDG. SETBACK (T534-3):		
STREET:	0' MIN, 10' MAX WITH PED. AMEN.	
SIDE: ZONE-TO-ZONE (T534-4)		
MUII TO RESIDENTIAL:	10' MIN + ((BLDG. HT - 15 FT)x1.5) TYPE "C"	
MUII TO COMMERCIAL:	NONE	
REAR: ZONE-TO-ZONE (T534-4)		
MUII TO RESIDENTIAL:	10' MIN + ((BLDG. HT - 15 FT)x1.5) TYPE "C"	
MUII TO COMMERCIAL:	NONE	
ACCESSORY STR. SETBACK (T534-3):		
STREET:	5' MIN	
SIDE: ZONE-TO-ZONE (T534-4)		
MUII TO RESIDENTIAL:	10' MIN + ((BLDG. HT - 15 FT)x1.5) TYPE "C"	
MUII TO COMMERCIAL:	NONE	
REAR: ZONE-TO-ZONE (T534-4)		
MUII TO RESIDENTIAL:	10' MIN + ((BLDG. HT - 15 FT)x1.5) TYPE "C"	
MUII TO COMMERCIAL:	NONE	
VEHICLE USE AREA SETBACK (TABLE 534-4):		
STREET:	10' MIN TYPE "A"	
SIDE: ZONE-TO-ZONE (T534-4)		
MUII TO RESIDENTIAL:	5' MIN TYPE "C"	
MUII TO COMMERCIAL:	5' MIN TYPE "A"	
REAR: ZONE-TO-ZONE (T534-4)		
MUII TO RESIDENTIAL:	5' MIN TYPE "C"	
MUII TO COMMERCIAL:	5' MIN TYPE "A"	
BUILDING:	5' MIN TYPE "A"	
SITE AREA:	8.08 AC (352,137 S.F.)	
DWELLING UNIT DENSITY REQUIRED:	12 UNITS PER ACRE	
DWELLING UNIT DENSITY PROVIDED:	24 UNITS PER ACRE	
TOTAL LOT COVERAGE:	NO MAX.	
TOTAL LANDSCAPE AREA:	148,312 S.F. (42%)	
TOTAL PARKING LOT INTERIOR LANDSCAPE AREA:	7,278 S.F. (8.2%)	
TOTAL PARKING AREA:	88,671 S.F.	
MULTI-FAMILY: 1 STALL DWELLING UNIT	189 x 1 = 189 SPACES	
OFFICE: 1 SP / 350 S.F.	5,200 / 350 = 15 SPACES	
REQ'D PARKING MIN:	204 SPACES	
ALLOWED PARKING MAX:	204 * 1.75 = 357 SPACES MAX	
RECD. BICYCLE SPACES:		
(0.1 SP. PER DWELLING UNIT-MIN. (4) T.806.8)	189 x 0.1 = 18.9 SPACE	
(1/3,500 S.F. - MIN. (4) T.806.8)	5,200 / 3,500 = 1.5 SPACE	
LOADING ZONE:	TOTAL REQ: 23 SPACES	
(GREATER THAN 100 BUT LESS THAN 199 UNITS T806-9)	2	

KEYNOTES SCHEDULE

A1	ADJUSTMENT #1: INCREASE MAXIMUM BUILDING SETBACK ADJACENT TO WALLACE RD. REQUEST TO INCREASE MAXIMUM BUILDING SETBACK FROM 10 FEET TO 12 FEET FOR BUILDING 6 ALONG WALLACE RD DUE TO ODOT EASEMENT
A2	ADJUSTMENT #2: INCREASE MAXIMUM BUILDING SETBACK ADJACENT TO LA JOLLA DRIVE. PROPOSE TO INCREASE MAXIMUM BUILDING SETBACK FROM 10 FEET TO 35 FEET FOR BUILDING 3 ADJACENT TO LA JOLLA DRIVE.
A3	ADJUSTMENT #3: BUILDING SETBACKS ADJACENT TO INTERNAL LOT LINES. REDUCE BUILDING SETBACKS TO 0 FEET FOR INTERNAL PROPERTY LINES.
A4	ADJUSTMENT #4: VEHICLE USE AREAS ADJACENT TO INTERNAL LOT LINES. REDUCE VEHICLE USE AREA SETBACKS TO 0 FEET FOR DRIVE AISLES AND PARKING AREAS
A5	ADJUSTMENT #5: ADJUSTMENT #5: REDUCE BUILDING FRONTAGE SETBACK FROM 16' TO 0' FEET FOR 2501 WALLACE ROAD NW. PROPERTY IS LANDLOCKED.

SITE / PARKING SUMMARY

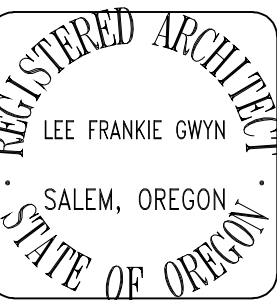
PROPOSED PARKING LOT SHADE TREE



PHASE II MASTER PLAN OVERALL SITE PLAN

SCALE: 1" = 40'

ATTACHMENT B



3030 RIVERBEND LLC
PO BOX 5850 SALEM OR 97304
(503) 931-1739

RIVERBEND APARTMENTS
PHASE 2
WALLACE RD. NW SALEM OR 97304

SITE
PLAN REVIEW
CLASS III

DATE
06/03/2021

REVISED DATE

SHEET

A1.0

SITE PLAN REVIEW SET 07.19.21

ATTACHMENT C

RIVERBEND PHASE #2 MULTI-FAMILY DEVELOPMENT CONSISTING OF 201 UNIT
APARTMENTS/ OFFICE AND POOL BLDGS
2499, 2501, 2519, 2551 & 2539 WALLACE RD
SALEM, OR 97304

CITY OF SALEM, POLK COUNTY
7.3.9 CD - 00900, 01000, 01101,

PROPOSED: MULTI-FAMILY

ALLOWED BLDG. HEIGHT: 55 FT MAX.

BUILDING #1	33 FT, 4 IN / 5,851 S.F.
BUILDING #2	31 FT, 6 IN / 7,797 S.F.
BUILDING #3	31 FT, 6 IN / 7,797 S.F.
BUILDING #4	31 FT, 6 IN / 7,797 S.F.
BUILDING #5	31 FT, 6 IN / 4,979 S.F.
BUILDING #6	31 FT, 6 IN / 7,797 S.F.
BUILDING #7	31 FT, 6 IN / 5,851 S.F.
BUILDING #8	31 FT, 6 IN / 4,922 S.F.
BUILDING #9	31 FT, 6 IN / 2,931 S.F.
BUILDING #10	31 FT, 6 IN / 6,777 S.F.
BUILDING #11	31 FT, 6 IN / 2,931 S.F.

OFFICE BUILDING	27 FT, 4 IN / 2,931 S.F.
POOL BUILDING	15 FT / 1,551 S.F.
TRASH ENCLOSURE	6 FT / 248 S.F.

BLDG. SETBACK ((T534-3):
STREET: 0' MIN, 10' MAX WITH PED. AMEN.
SIDE: ZONE TO ZONE (T534-4)

MUII TO RESIDENTIAL:	10' MIN + ((BLDG. HT - 15 FT) x1.5') TYPE "C"
MUII TO COMMERCIAL:	NONE
REAR: ZONE-TO-ZONE (T534-4)	
MUII TO RESIDENTIAL:	10' MIN + ((BLDG. HT - 15 FT) x1.5') TYPE "C"
MUII TO COMMERCIAL:	NONE

ACCESSORY STR. SETBACK (T534-3):
STREET: 5' MIN

MUII TO RESIDENTIAL:	10' MIN + ((BLDG. HT - 15 FT) x1.5') TYPE "C"
MUII TO COMMERCIAL:	NONE
REAR: ZONE-TO-ZONE (T534-4)	
MUII TO RESIDENTIAL:	10' MIN + ((BLDG. HT - 15 FT) x1.5') TYPE "C"
MUII TO COMMERCIAL:	NONE

VEHICLE USE AREA SETBACK (TABLE 534-4):

SIDE: ZONE-TO-ZONE (T534-4)	
MUII TO RESIDENTIAL:	5' MIN TYPE "C"
MUII TO COMMERCIAL:	5' MIN TYPE "A"
REAR: ZONE-TO-ZONE (T534-4)	
MUII TO RESIDENTIAL:	5' MIN TYPE "C"
MUII TO COMMERCIAL:	5' MIN TYPE "A"
BUILDING:	5' MIN TYPE "A"

SITE AREA:	8.08 AC (352,137 S.F.)
LA JOLLA DRIVE NW DEDICATION AREA:	0.58 AC (25,196 S.F.)
NET SITE AREA:	7.49 AC (326,221 S.F.)
DWELLING UNIT DENSITY REQUIRED:	12 UNITS PER ACRE
DWELLING UNIT DENSITY PROVIDED:	24 UNITS PER ACRE

TOTAL LOT COVERAGE:	NO MAX.
TOTAL LANDSCAPE AREA: (15% SEC. 551.010, d, 3)	135,463 S.F. (41%)
TOTAL PARKING LOT INTERIOR LANDSCAPE AREA: (8% SEC. 806.035, d, 2)	10,188 S.F. (12.5%)
TOTAL PARKING AREA:	81,314 S.F.

MULTI-FAMILY: 1 STALL DWELLING UNIT	201 x 1 = 201 SPACES
OFFICE: 1 SP / 350 S.F.	5,200 / 350 = 15 SPACES
REQ'D PARKING MIN:	216 SPACES
ALLOWED PARKING MAX:	216 * 1.75 = 378 SPACES MAX

REQ'D. BICYCLE SPACES:	
(0.1 SP. PER DWELLING UNIT- MIN. (4) T.806.8)	201 x 0.1 = 20.1 SPACE
(1/3,500 S.F. - MIN. (4) T.806.8	5,200 / 3,500 = 4 SPACES
	TOTAL REQ: 24 SPACES
LOADING ZONE:	2
(GREATER THAN 100 BUT LESS THAN 199 UNITS T806.9)	

PROPOSED	PROPOSED PARKING SPACES:	
	STANDARD (9' x 19'):	154 SPACES
	ACCESSIBLE:	8 SPACES
	COMPACT (8' x 19')	37 SPACES
	COMPACT (8' x 15'):	27 SPACES (27.5% COMPACT COMBINED)
	TOTAL NEW:	226 SPACES

NEW BICYCLE SPACES:	24 SPACES
LOADING ZONE (12' x 19'):	2

ADJUSTMENT KEYNOTES:

A1	ADJUSTMENT #1: INCREASE MAXIMUM BUILDING SETBACK ADJACENT TO WALLACE RD. REQUEST TO INCREASE MAXIMUM BUILDING SETBACK FROM 10 FEET TO 15 FEET FOR BUILDING 1 ALONG WALLACE RD DUE TO EXISTING ODOT EASEMENTS
A2	ADJUSTMENT #2: BUILDING SETBACKS ADJACENT TO INTERNAL LOT LINES. REDUCE BUILDING SETBACKS TO 0 FEET FOR INTERNAL PROPERTY LINES.
A3	ADJUSTMENT #3: VEHICLE USE AREAS ADJACENT TO INTERNAL LOT LINES. REDUCE VEHICLE USE AREA SETBACKS TO 0 FEET FOR DRIVE AISLES AND PARKING AREAS
A4	ADJUSTMENT #4: REDUCE BUILDING FRONTAGE MINIMUM FROM 50% TO 0% FOR WALLACE ROAD NW.

SITE / PARKING SUMMARY

PROPOSED PARKING
LOT SHADE TREE

OWNER:
3030 RIVERBEND LLC,
PO BOX 5850
SALEM, OR 97304

ARCHITECT:
LENITY ARCHITECTURE
3150 KETTLE CT. SE.
SALEM, OR 97301
PHONE: (503) 399-1090
FAX: (503) 399-0565
PROJECT ARCHITECT: LEE GWYN
lee@lenityarchitecture.com

CIVIL ENGINEER:
WESTECH ENGINEERING, INC.
STEVE WARD, PE
3841 FAIRVIEW IND. DR. STE 100
SALEM, OR 97302
503.585.2474
SWARD@WESTECH-ENG.COM

STANDARD SPACES-	154
ACCESSIBLE SPACES -	8
COMPACT SPACES -	64
TOTAL SPACES -	<u>226</u>

BLDG. 1 18 UNITS 5,851 SQ. FT.	BLDG. 7 18 UNITS 5,851 SQ. FT.
BLDG. 2 24 UNITS 7,797 SQ. FT.	BLDG. 8 15 UNITS 4,922 SQ. FT.
BLDG. 3 24 UNITS 7,797 SQ. FT.	BLDG. 9 9 UNITS 2,931 SQ. FT.
BLDG. 4 24 UNITS 7,797 SQ. FT.	BLDG. 10 21 UNITS 6,777 SQ. FT.
BLDG. 5 15 UNITS 4,979 SQ. FT.	BLDG. 11 9 UNITS 2,931 SQ. FT.
BLDG. 6 24 UNITS 7,797 SQ. FT.	
TOTAL UNITS = 201	

The site plan illustrates a multi-unit residential development with the following features:

- Buildings:** 11 buildings (BLDG. 1-11) with unit counts ranging from 9 to 24 units per building.
- Parking:** Various parking areas including an enclosed pool, a 2-story office/rec. bldg., and a dog park.
- Landscaping:** Trees #1, #2, #3, and #4 are marked, along with a tree cluster.
- Infrastructure:** Fire riser rooms, dog park, and various easements (e.g., drainage, utility, fire) are shown.
- Adjacent Zones:** CR - ZONE, RM2 - ZONE, RS - ZONE, RD - ZONE, and CO - ZONE.
- Table 1: Building Summary**
- Table 2: Setback Requirements**
- Table 3: Site / Parking Summary**

BLDG.	UNITS	SQ. FT.
BLDG. 1	18 UNITS	5,851 SQ. FT.
BLDG. 2	24 UNITS	7,797 SQ. FT.
BLDG. 3	24 UNITS	7,797 SQ. FT.
BLDG. 4	24 UNITS	7,797 SQ. FT.
BLDG. 5	15 UNITS	4,979 SQ. FT.
BLDG. 6	24 UNITS	7,797 SQ. FT.
BLDG. 7	18 UNITS	5,851 SQ. FT.
BLDG. 8	15 UNITS	4,922 SQ. FT.
BLDG. 9	9 UNITS	2,931 SQ. FT.
BLDG. 10	21 UNITS	6,777 SQ. FT.
BLDG. 11	9 UNITS	2,931 SQ. FT.
TOTAL	201	

BLDG.	UNITS	SQ. FT.
BLDG. 1	18 UNITS	5,851 SQ. FT.
BLDG. 2	24 UNITS	7,797 SQ. FT.
BLDG. 3	24 UNITS	7,797 SQ. FT.
BLDG. 4	24 UNITS	7,797 SQ. FT.
BLDG. 5	15 UNITS	4,979 SQ. FT.
BLDG. 6	24 UNITS	7,797 SQ. FT.
BLDG. 7	18 UNITS	5,851 SQ. FT.
BLDG. 8	15 UNITS	4,922 SQ. FT.
BLDG. 9	9 UNITS	2,931 SQ. FT.
BLDG. 10	21 UNITS	6,777 SQ. FT.
BLDG. 11	9 UNITS	2,931 SQ. FT.
TOTAL	201	

BLDG.	UNITS	SQ. FT.
BLDG. 1	18 UNITS	5,851 SQ. FT.
BLDG. 2	24 UNITS	7,797 SQ. FT.
BLDG. 3	24 UNITS	7,797 SQ. FT.
BLDG. 4	24 UNITS	7,797 SQ. FT.
BLDG. 5	15 UNITS	4,979 SQ. FT.
BLDG. 6	24 UNITS	7,797 SQ. FT.
BLDG. 7	18 UNITS	5,851 SQ. FT.
BLDG. 8	15 UNITS	4,922 SQ. FT.
BLDG. 9	9 UNITS	2,931 SQ. FT.
BLDG. 10	21 UNITS	6,777 SQ. FT.
BLDG. 11	9 UNITS	2,931 SQ. FT.
TOTAL	201	

lenity
architecture, inc.

3150 Kettie Court SE, Salem, Oregon 97301
F 503 399 1090 W lenityarchitecture.com

3030 RIVERBEND LLC
PO BOX 5850 SALEM OR 97304
(503) 931-1739

**RIVERBEND APARTMENTS
PHASE 2**
WALLACE RD. NW SALEM OR 97304

SITE PLAN REVIEW CLASS III

R

DATE
05/06/2022

REVISÉ DATE


SHEET

A1.0

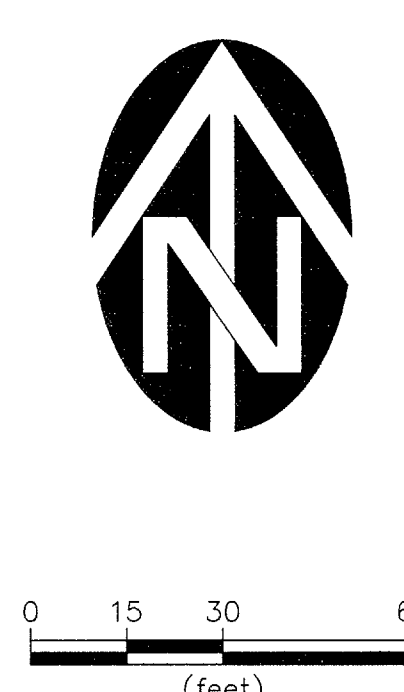
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






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PHASE II MASTER PLAN OVERALL SITE PLAN
SCALE: 1" = 40'
REVISED 2022.01.13



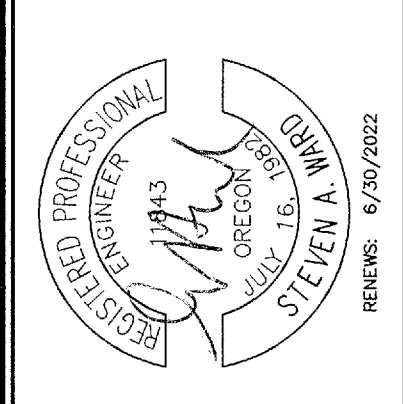
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	LANDSCAPING
	AC/PCC PAVEMENT
	SIDEWALK
	WQ
	EXISTING PWMT, CONCRETE, BUILDING, OR GRAVEL
	BIO BAGS/CHECK DAM
	SILT SACK; INLET PROTECTION USE BIO BAGS ON CURB INLET CATCH BASINS. USE SILT SACKS ON STANDARD CATCH BASINS.

SCOTT MARTIN
RIVERBEND ROAD SITE PHASE II
POST EROSION CONTROL F

DRAWING
C2.4
JOB NUMBER
3048.3002.0

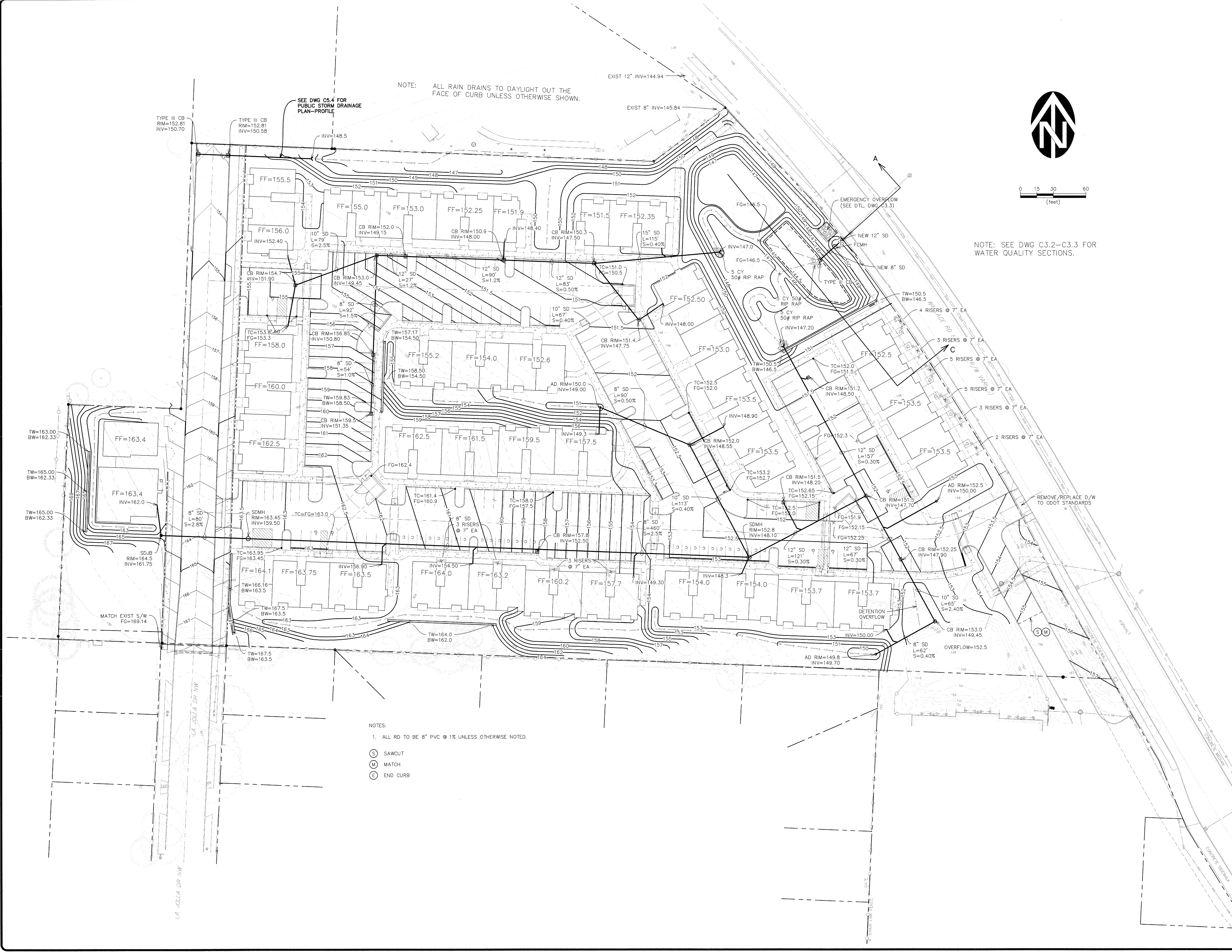
WESTECH ENGINEERING, INC.
CONSULTING ENGINEERS AND PLANNERS

41 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302
Phone: (503) 585-2474 Fax: (503) 585-1986
E-mail: westech@westech-eng.com

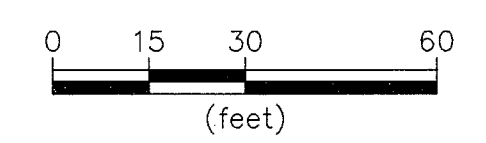
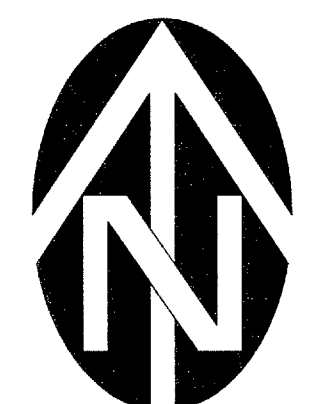


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VERT:			
DSN	SAW	1	02/19/21
ARK	ARK		
CGO	SW		
DATE: FEB 2022		PER DFO COMMENTS	DESCRIPTION
		NO.	REVISIONS
			BY

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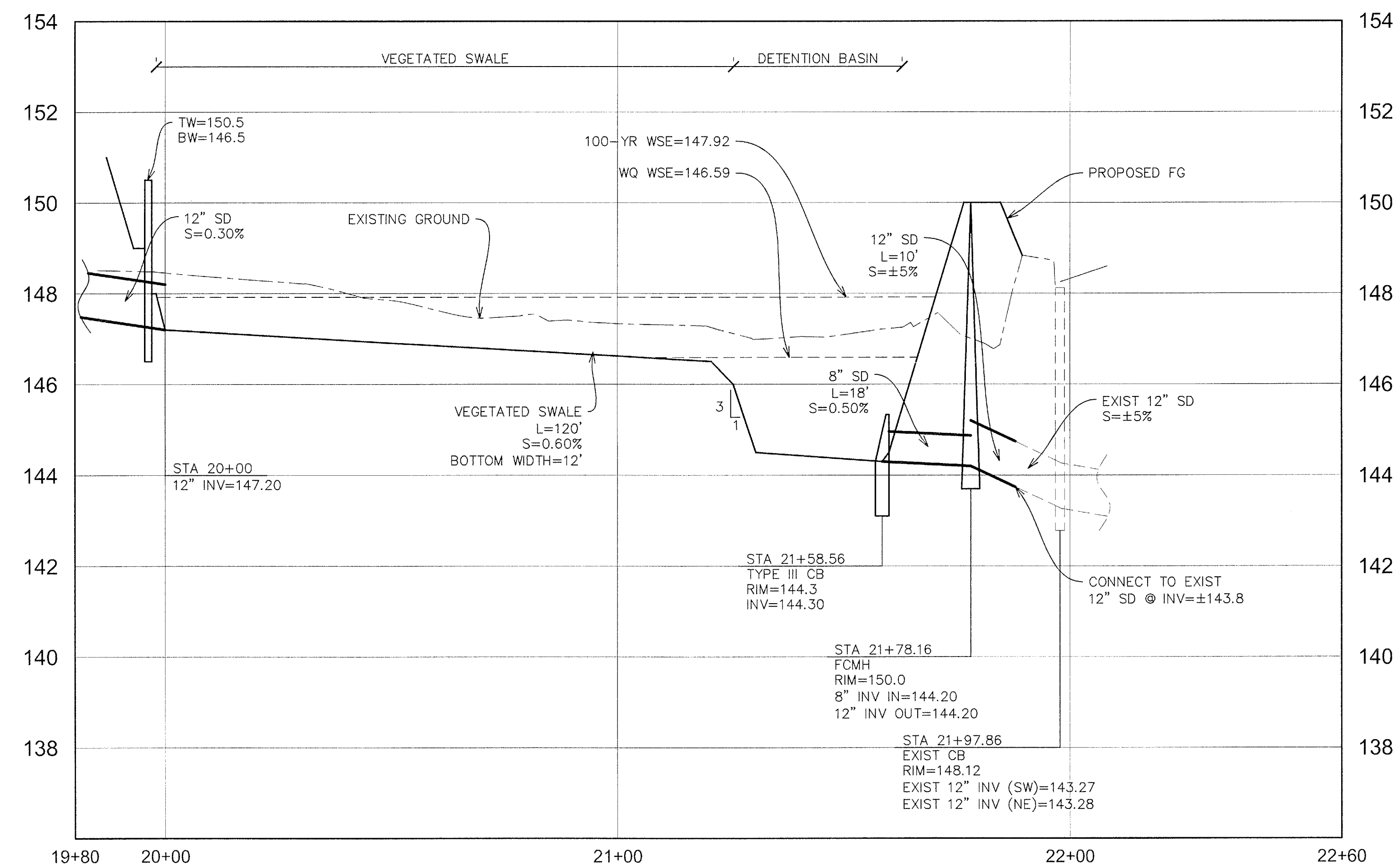
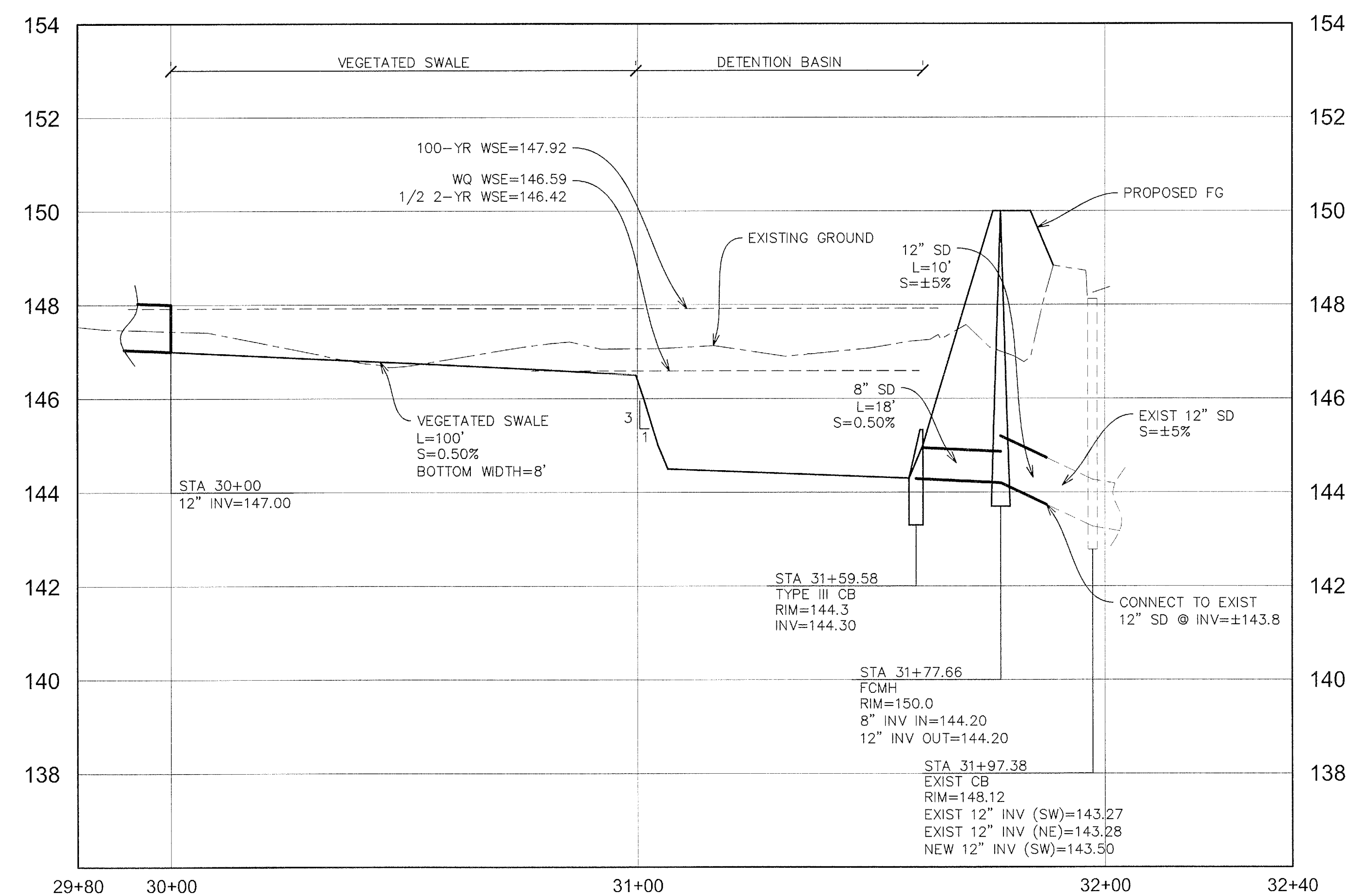
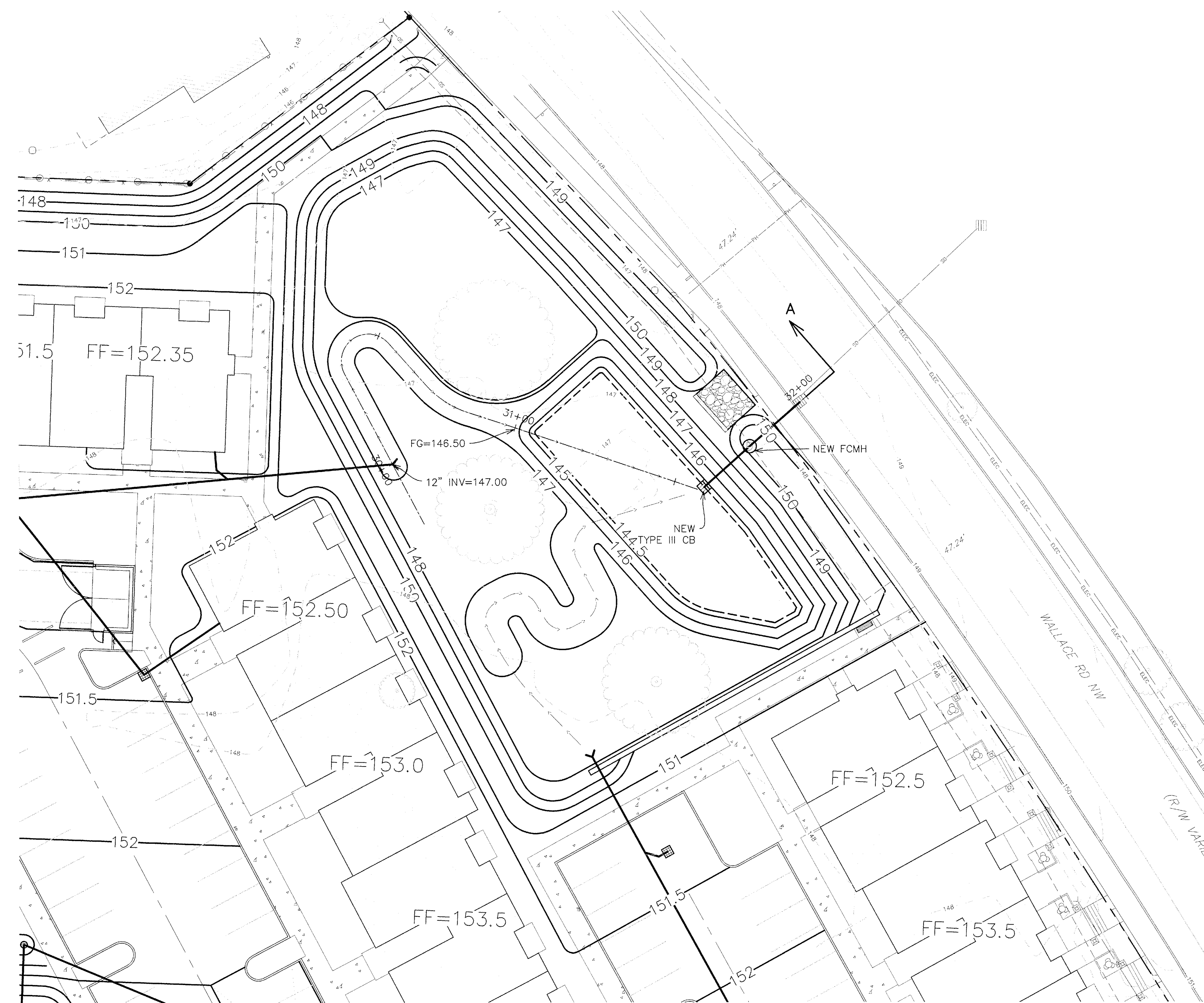


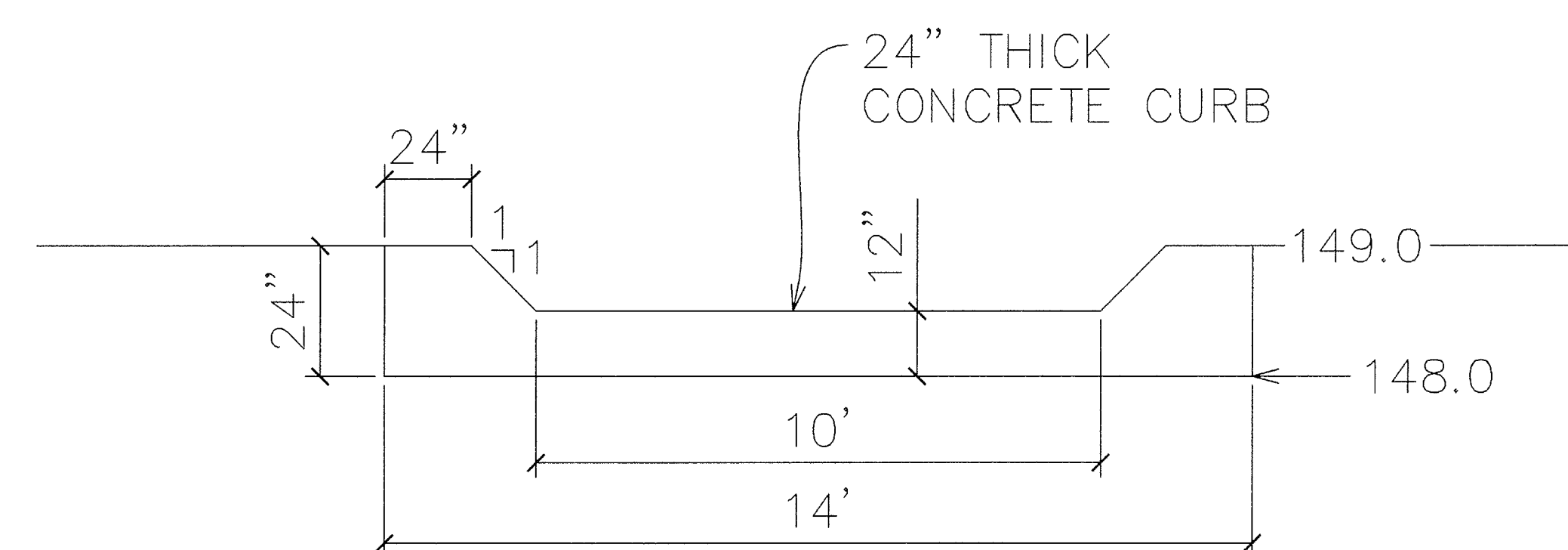
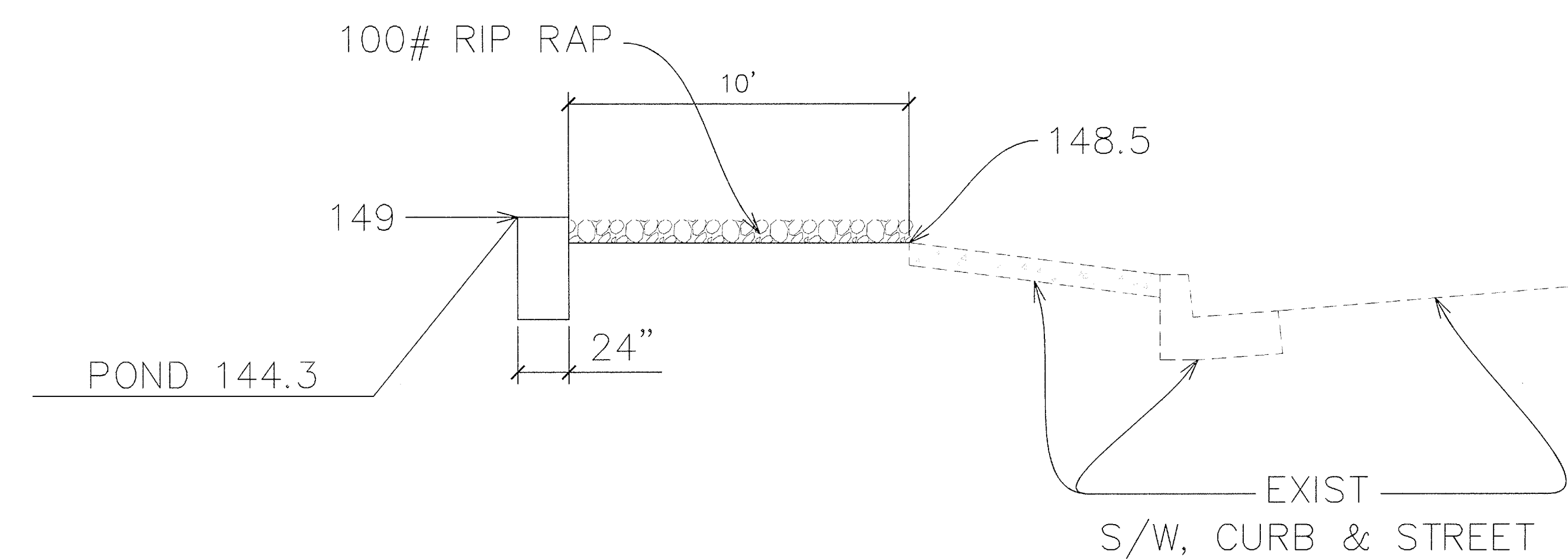
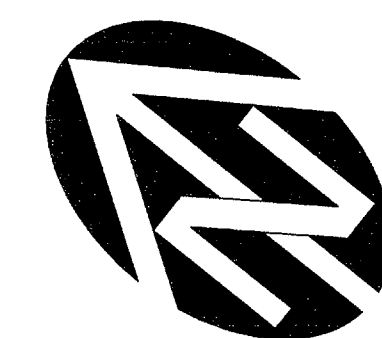
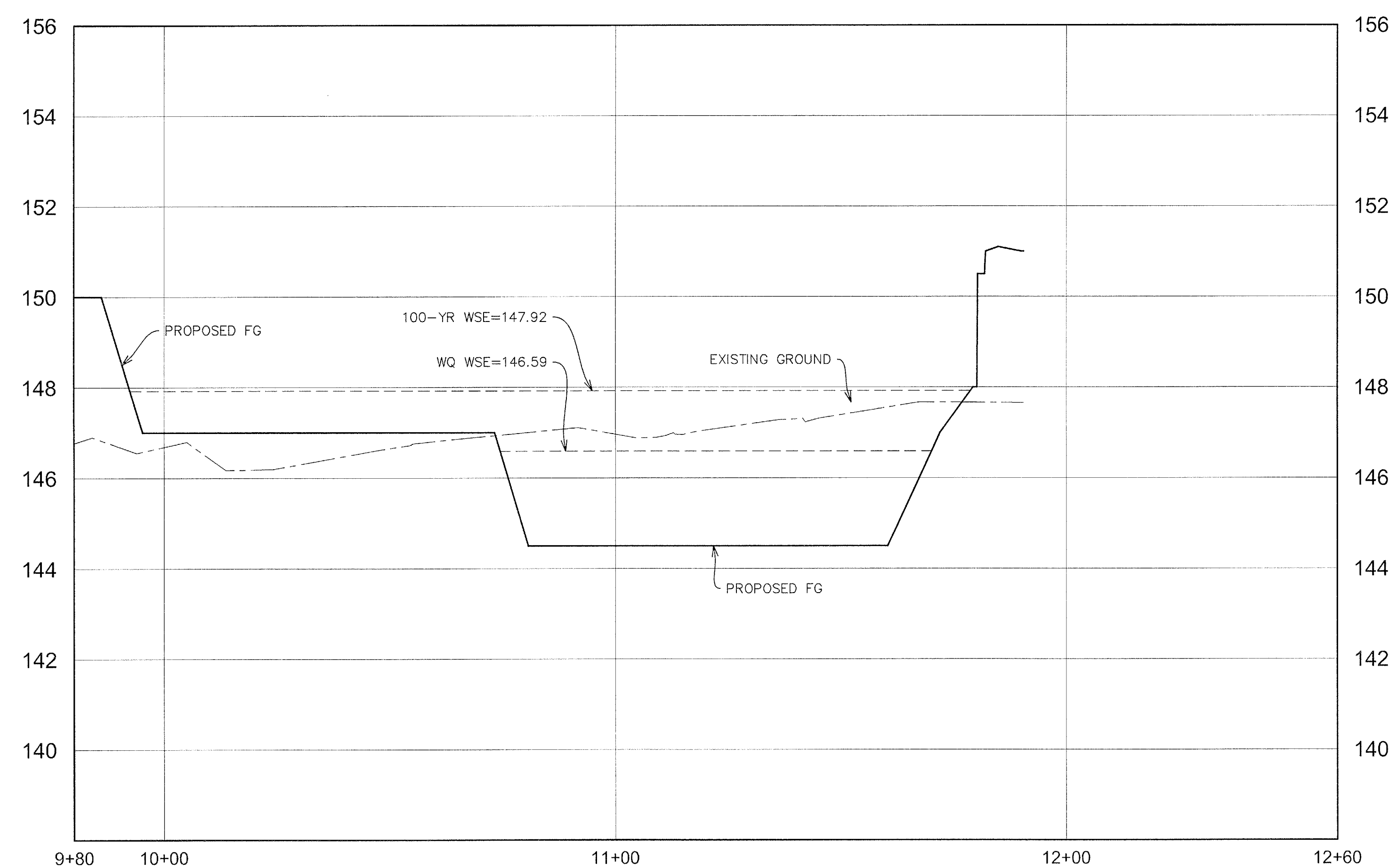
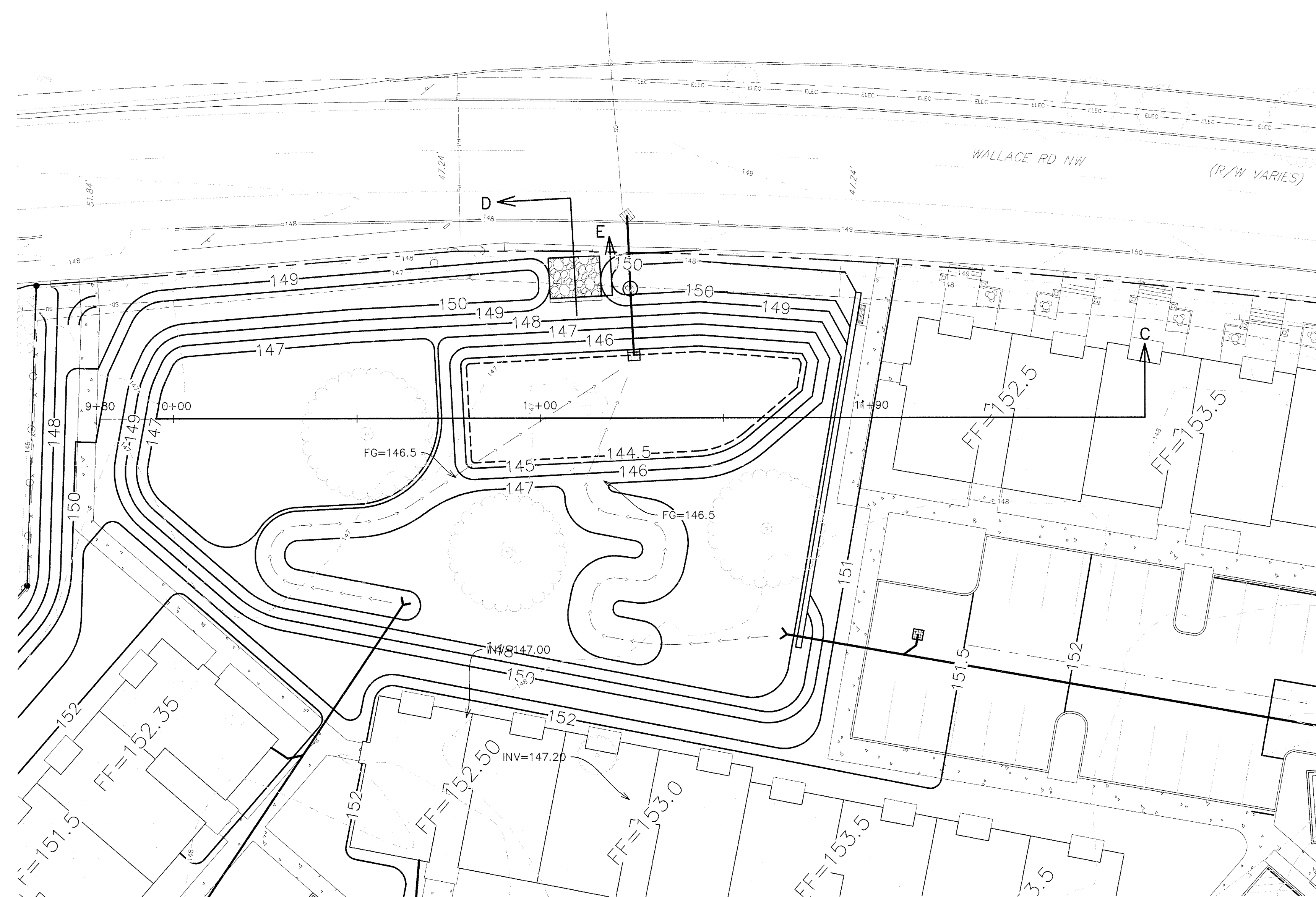
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1. ALL RD TO BE 8" PVC @ 1% UNLESS OTHERWISE NOTED.
- (S) SAWCUT
(M) MATCH
(E) END CURB



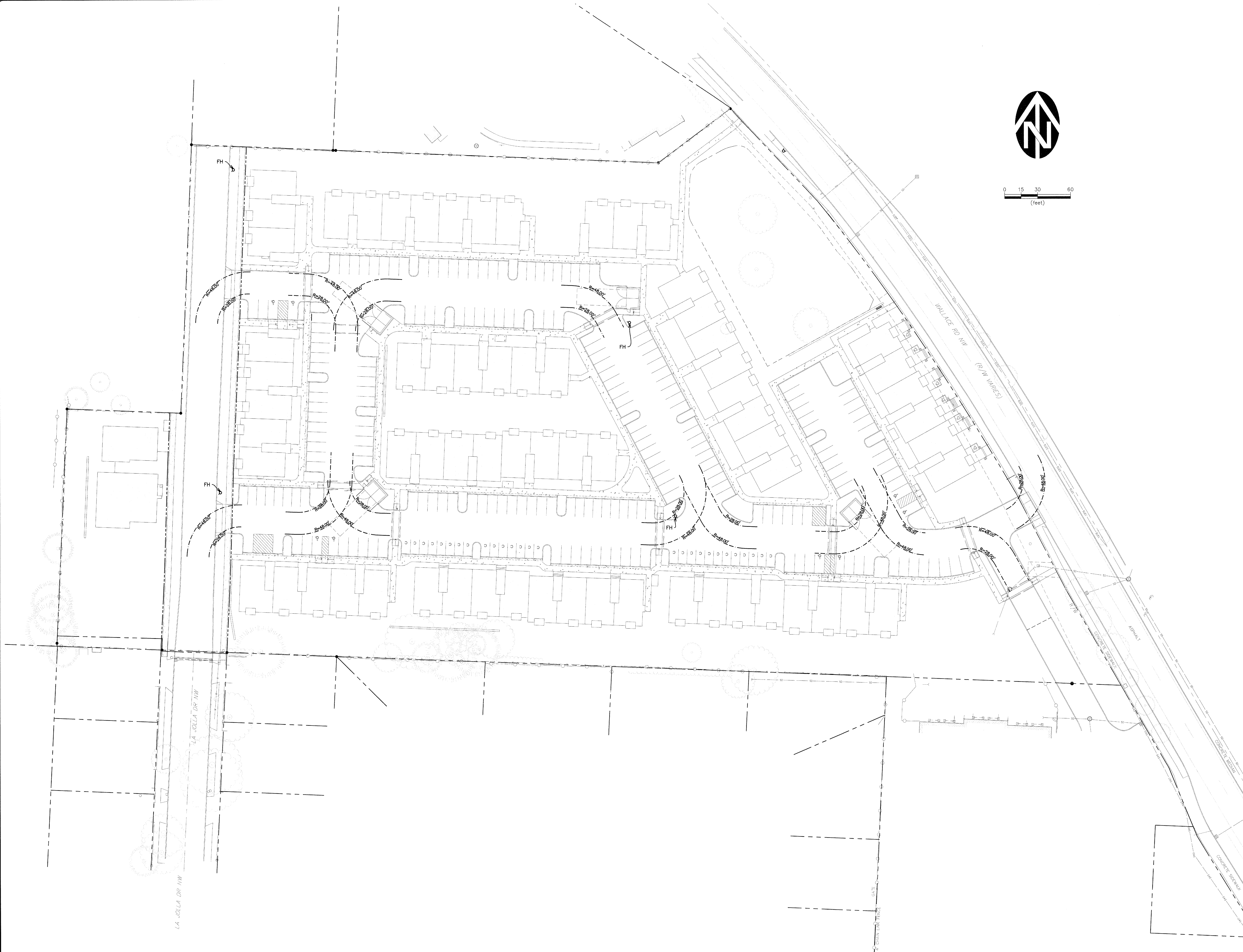
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WATER QUALITY SECTIONS.


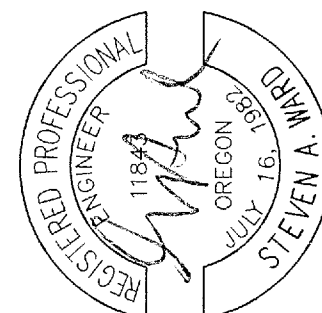
SCOTT MARTIN RIVERBEND ROAD SITE PHASE II DRAWING C3.0 JOB NUMBER 3048.3002.0		WESTTECH ENGINEERING, INC. CONSULTING ENGINEERS AND PLANNERS 3541 Fairview Industrial Dr., S.E., Suite 100, Salem, OR 97302 Phone: (503) 580-3886 Fax: (503) 580-3886 E-mail: westtech@westtech-eng.com		REVISIONS NO. DATE DESCRIPTION BY	
SCALE		HORIZ: 1"=40'		DATE: FEB 2022	
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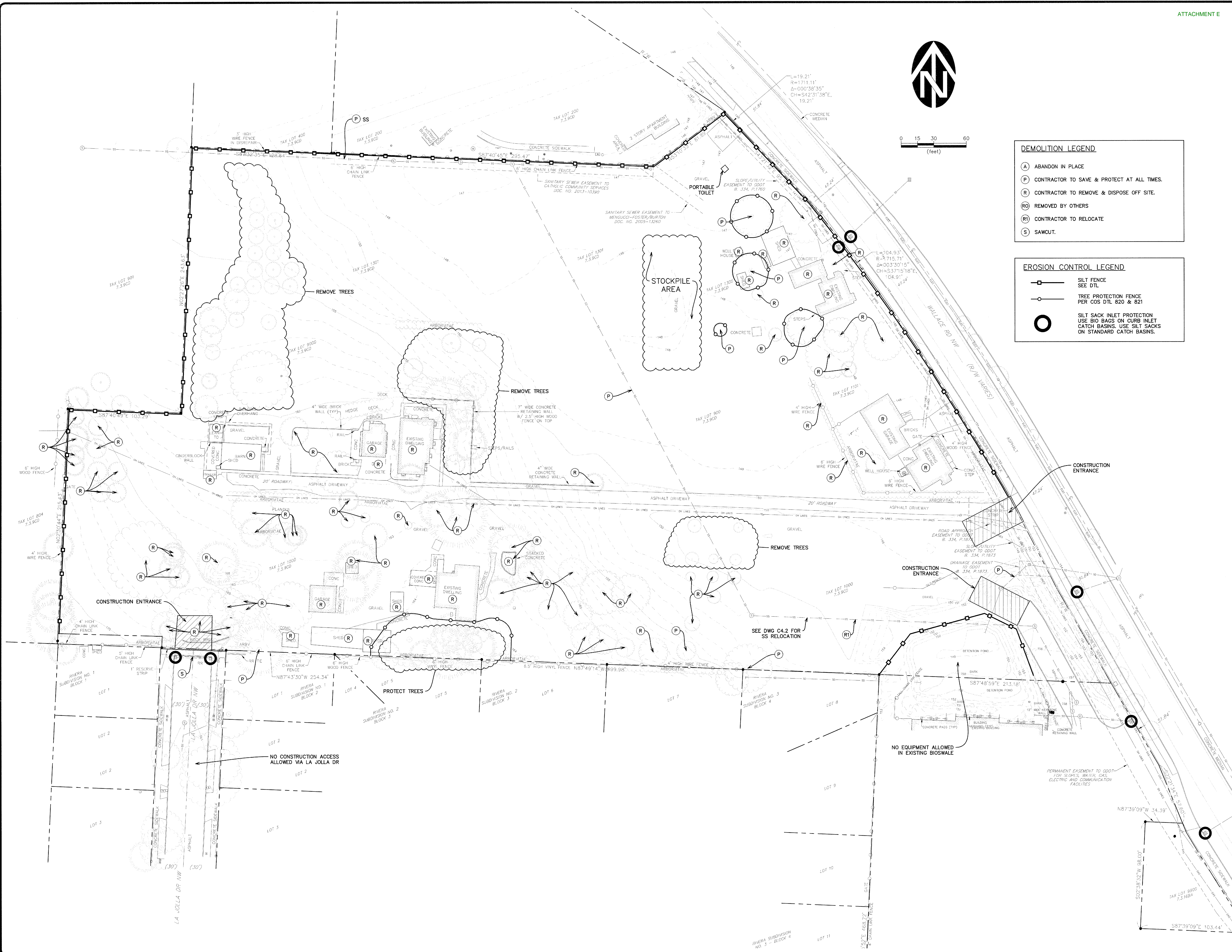


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DRAWING C4.2		JOB NUMBER 3048.3002.0	
SCOTT MARTIN RIVERBEND ROAD SITE PHASE II FIRE ACCESS/FIRE HYDRANT PLAN			
 WESTECH ENGINEERING, INC. CONSULTING ENGINEERS AND PLANNERS 3841 Fairview Industrial Dr., S.E., Suite 100, Salem, OR 97302 Phone: (503) 585-2886 E-mail: westech@westech-eng.com			
SCALE HORIZ: _____ VERT: _____		DATE: FEB. 2022	
DSN: SAW CKD: SAW		NO. 1	
ADDED FIRE ACCESS PLAN		DESCRIPTION	
BY		REVISIONS	

4/18/2022 3:45:43 PM
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DEMOLITION LEGEND	
(A)	ABANDON IN PLACE
(P)	CONTRACTOR TO SAVE & PROTECT AT ALL TIMES.
(R)	CONTRACTOR TO REMOVE & DISPOSE OFF SITE.
(RO)	REMOVED BY OTHERS
(R1)	CONTRACTOR TO RELOCATE
(S)	SAWCUT.

EROSION CONTROL LEGEND	
	SILT FENCE SEE DTL.
	TREE PROTECTION FENCE PER COS DTL 820 & 821
	SILT SACK INLET PROTECTION USE BIO BAGS ON CURB INLET CATCH BASINS. USE SILT SACKS ON STANDARD CATCH BASINS.

SCOTT MARTIN
RIVERBEND ROAD SITE PHASE II

EXISTING CONDITIONS, EROSION CONTROL
& DEMOLITION PLAN

DRAWING
C2.0
JOB NUMBER
3048.3002.0

SCALE
HORIZ:
VERT:

DATE: FEB. 09/2022

WESTTECH ENGINEERING, INC.
CONSULTING ENGINEERS AND PLANNERS
3541 Parkway Industrial Dr., S.E., Suite 100, Salem, OR 97302
Phone: (503) 585-3860
E-mail: westtech@westtech-eng.com

PROFESSIONAL
ENGINEER
JULIE A. WESTTECH
JUL 15, 2015
OREGON

NO.	DATE	DESCRIPTION	BY
1	09/03/21	PER DEC COMMENTS	AR



1 BUILDING #1 REAR ELEVATION FACING WALLACE RD NW



8 BUILDING #8 REAR ELEVATION FACING LA JOLLA DR NW



9 BUILDING ~~#8~~ REAR ELEVATION FACING LA JOLLA DR NW

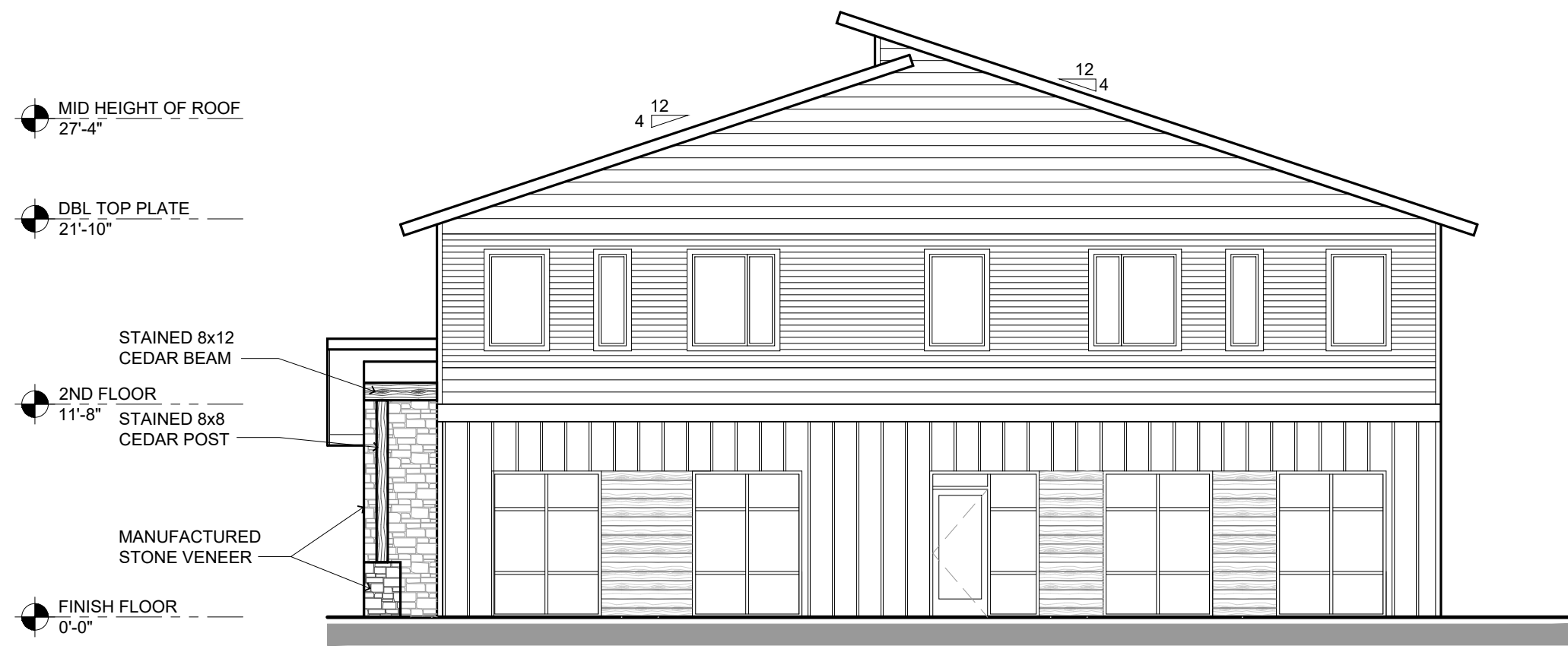
ELEVATIONS

DATE: JUNE 10 2022
NOT TO SCALE

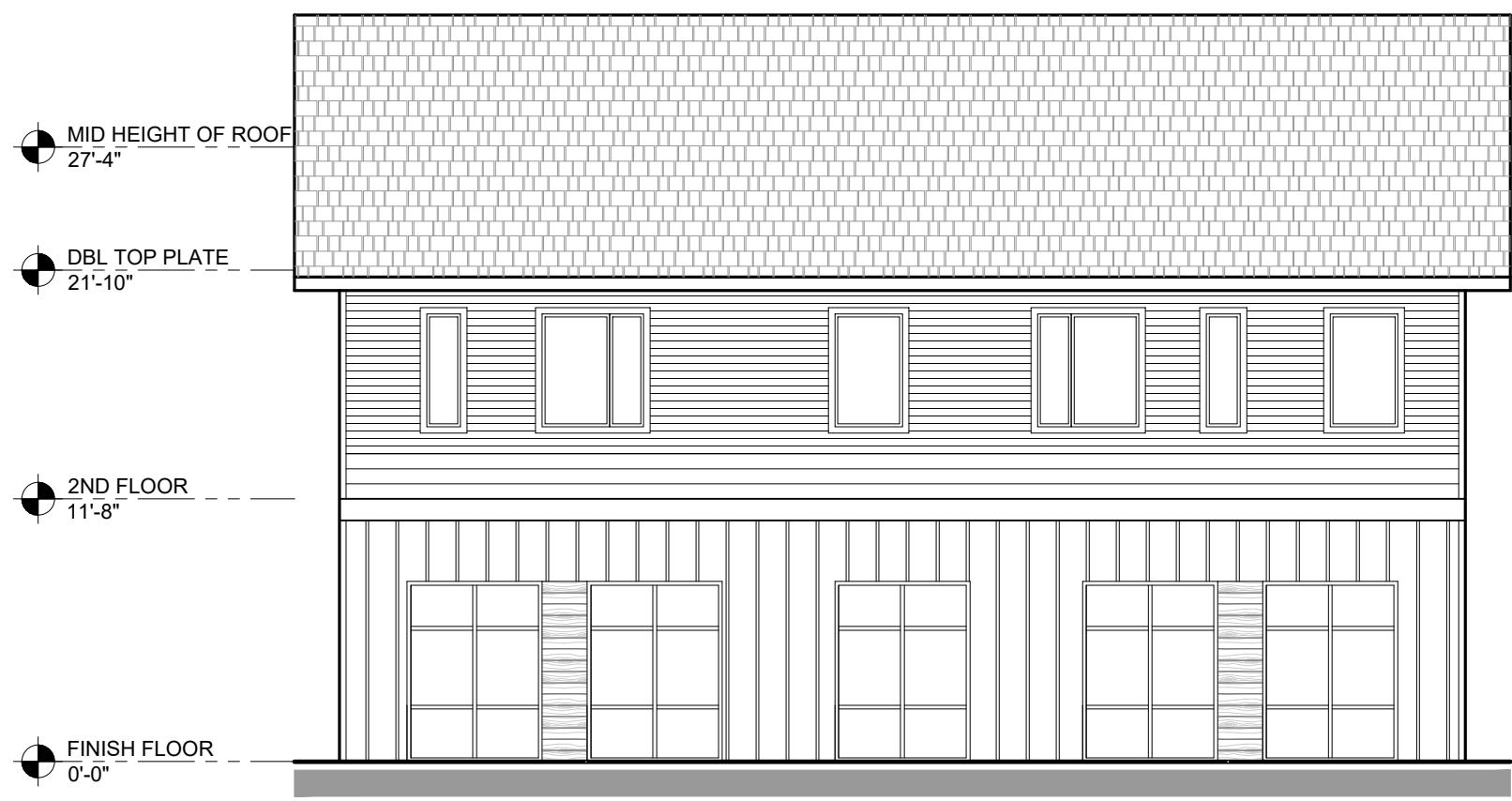
lenity
architecture, inc.

3150 Kettle Court SE, Salem, Oregon 97301
P 503 399 1090 F 503 399 0565 W lenityarchitecture.com

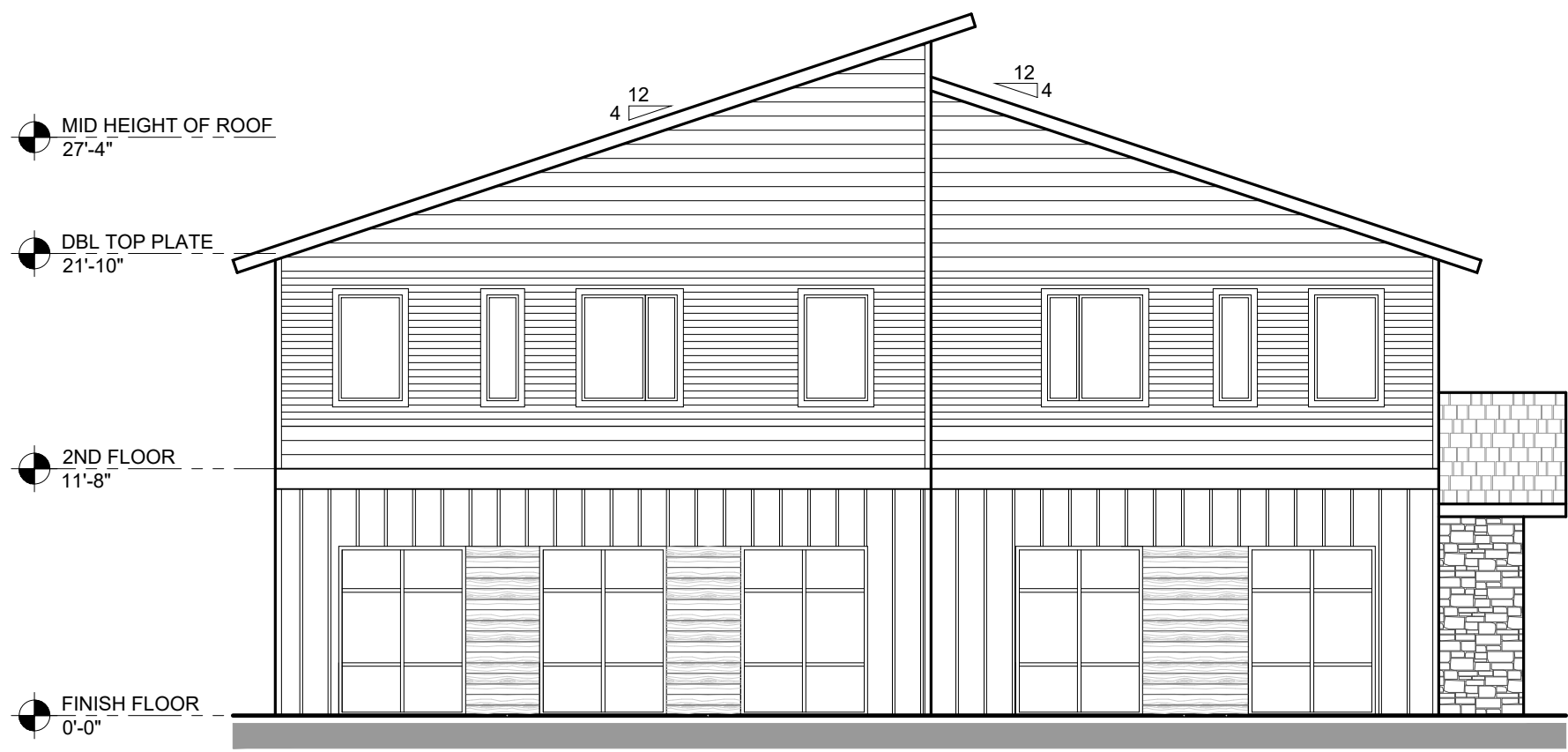
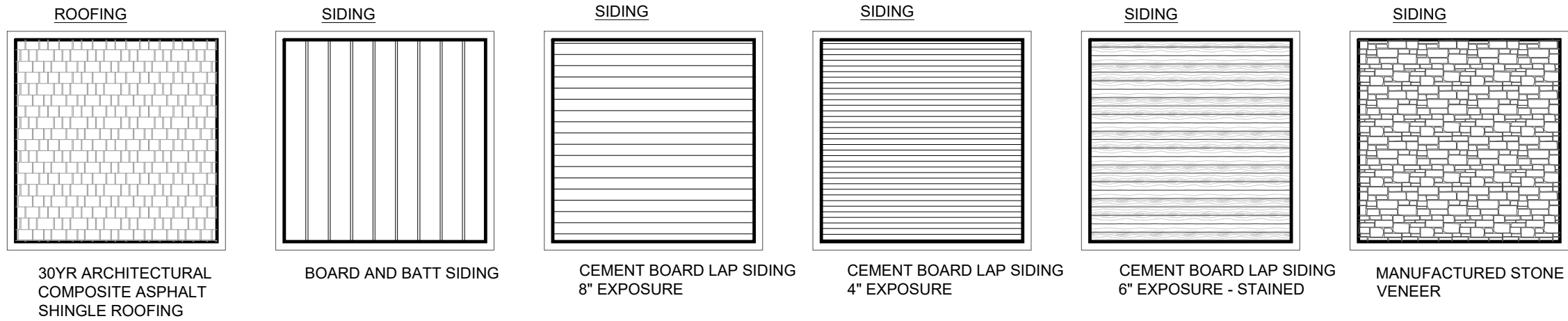
MARTIN
Scott Martin Construction LLC



A NORTH ELEVATION
SCALE: 1/8"=1'-0"



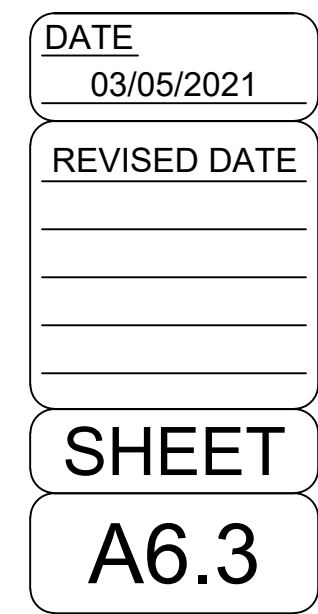
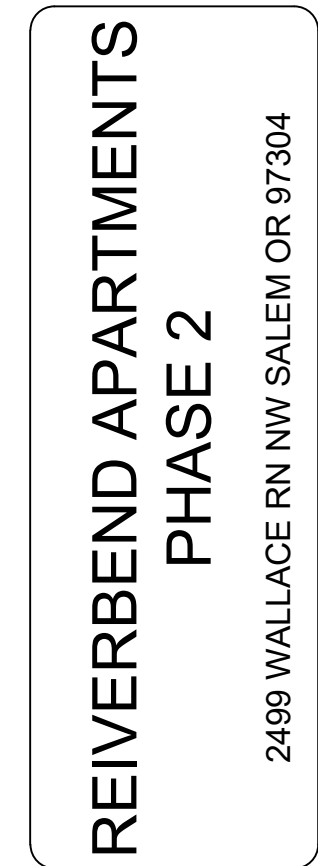
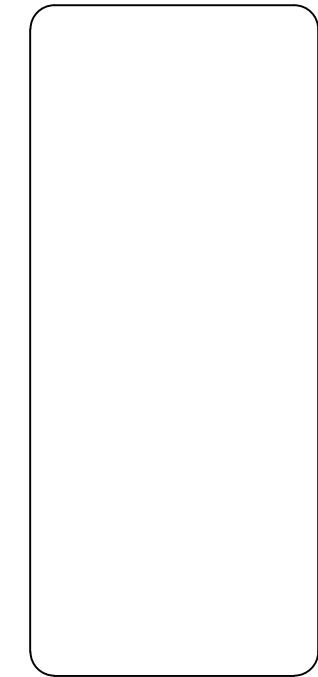
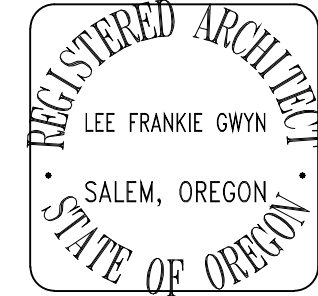
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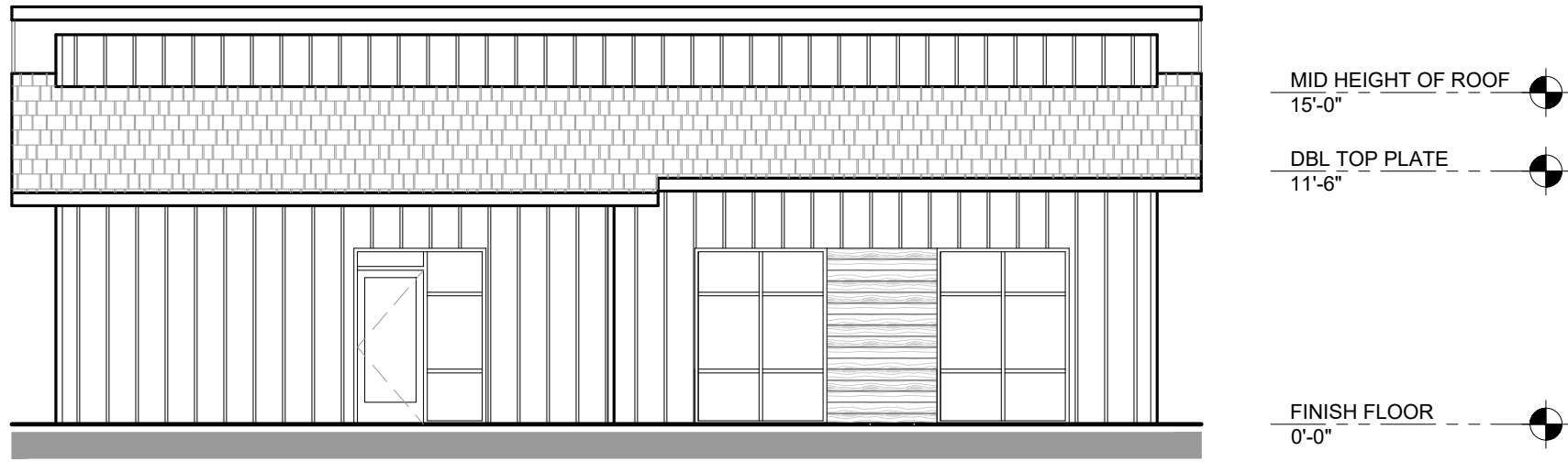
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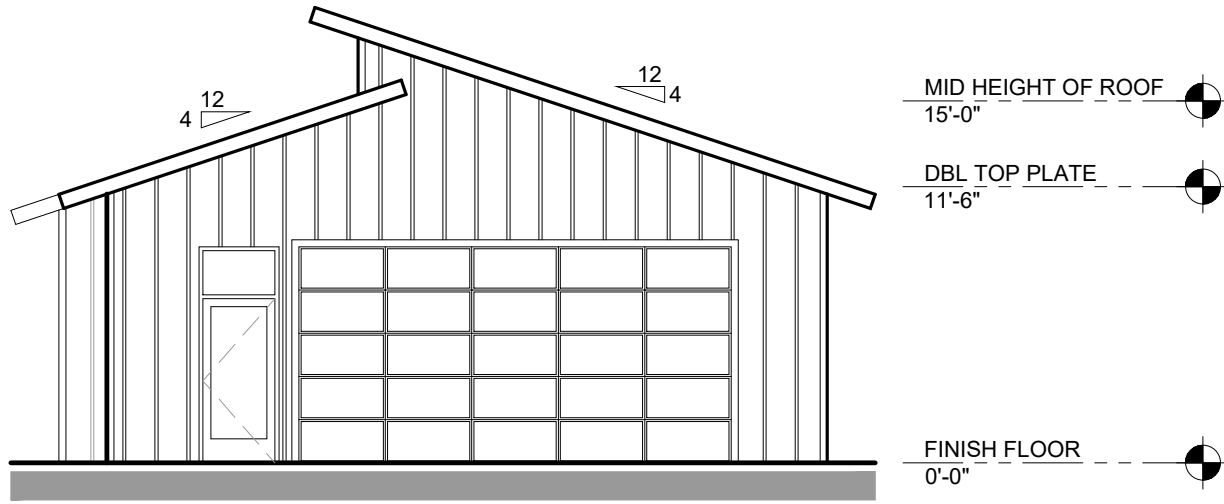
D EAST ELEVATION
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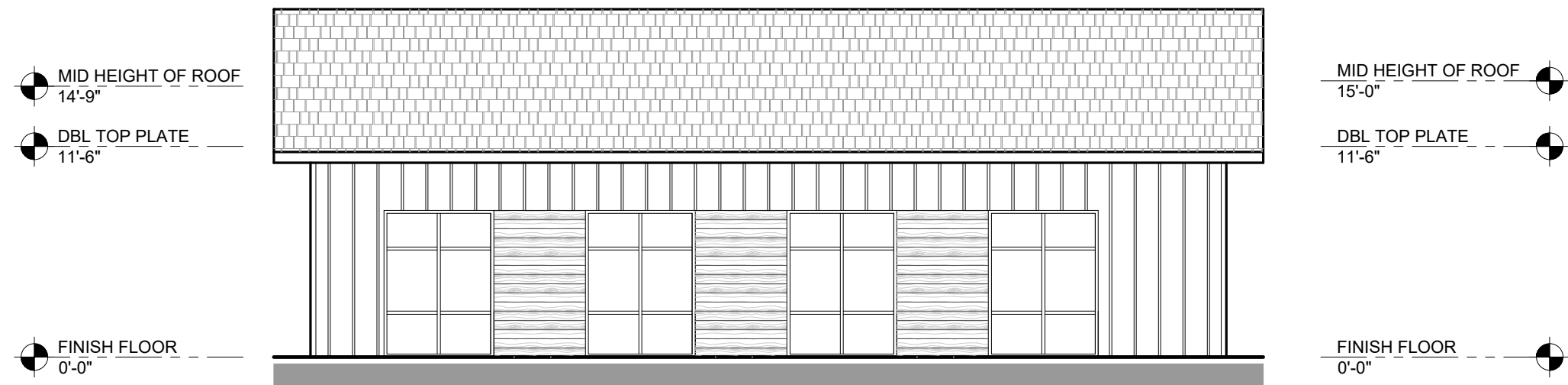
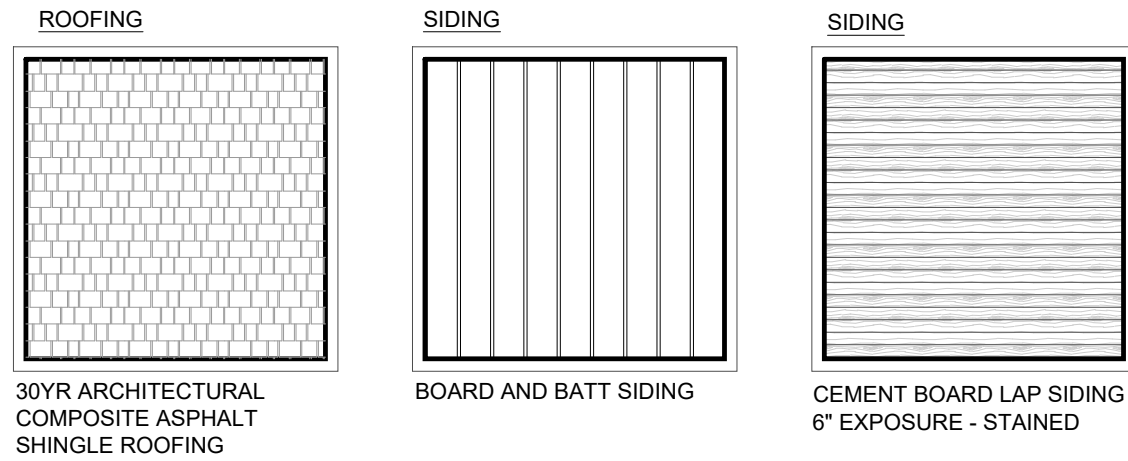
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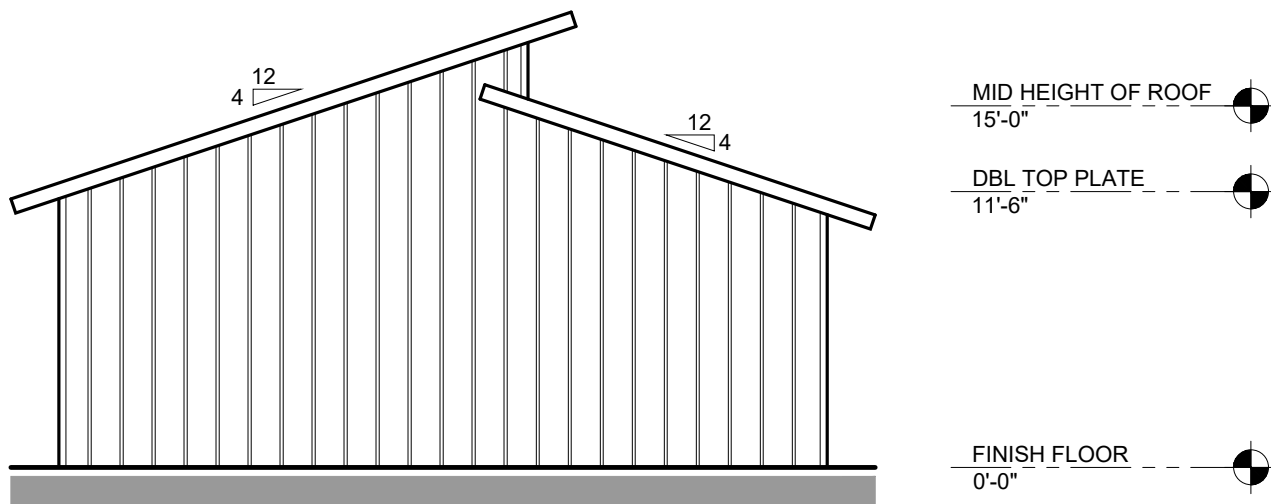
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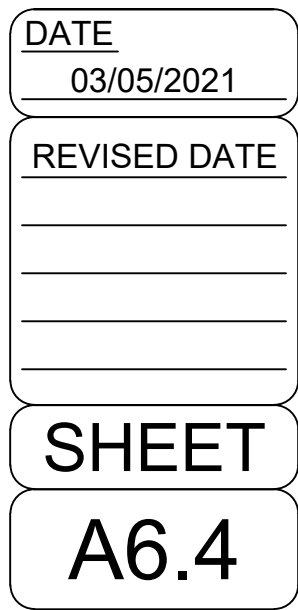
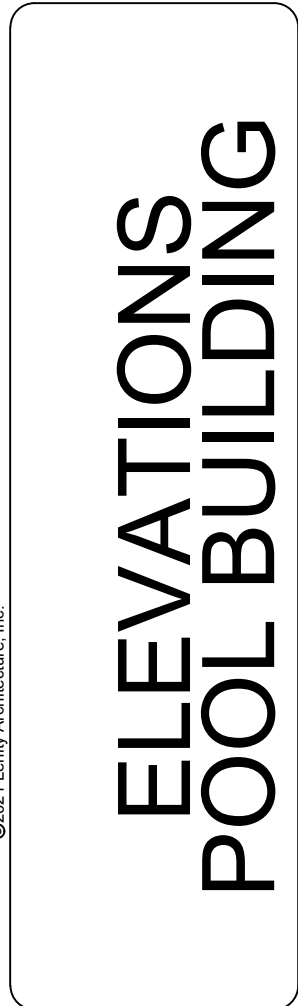
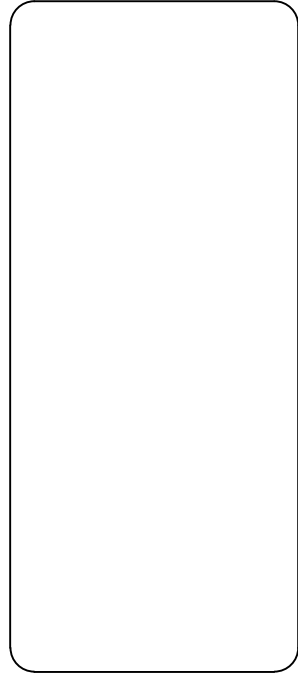
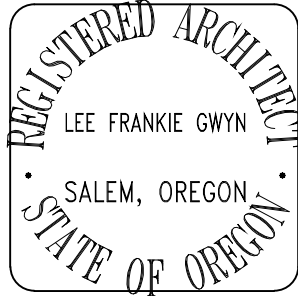
B EAST ELEVATION
SCALE: 1/8"=1'-0"



C NORTH ELEVATION
SCALE: 1/8"=1'-0"



D WEST ELEVATION
SCALE: 1/8"=1'-0"





STAFF NOTE: TREE VARIANCE IS BEING PROCESSED AS A SEPARATE, CONCURRENT APPLICATION; LOT LINE ADJUSTMENT APPLICATION HAS NOT BEEN SUBMITTED

**RIVERBEND APARTMENTS – WRITTEN STATEMENT
SITE PLAN REVIEW – CLASS 3, ADJUSTMENT – CLASS 2, ~~TREE VARIANCE,~~
~~LOT LINE ADJUSTMENT~~**

SHAREHOLDERS

Aaron Clark
Architect
Lee Gwyn
Architect
Holly Benton

BOARD OF DIRECTORS

Aaron Clark
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Lee Gwyn
Architect / Co-President
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Engineer
Nathan P. Jones
Engineer
Brian Lind
Landscape Architect

Exhibit E

June 10, 2022

PAGES THAT DO NOT INCLUDE APPLICANT'S WRITTEN RESPONSES RELEVANT TO THE SPR-ADJ21-25 APPLICATION HAVE BEEN DELETED FROM THIS ATTACHMENT

Project Description:

The proposed project would construct a new multi-family residential along Wallace Rd NW between Brush College Rd NW and River Bend Rd NW in West Salem. The subject properties are currently zoned MU-II and RD and consist of approximately 8.08 acres. The Comprehensive Plan designation for the subject properties is Mixed-Use (MU) and Multi-Family Residential (MF).

Existing structures on site include single-family homes that will be removed to establish the proposed multi-family development.

The proposed development will consist of a total of 201 multi-family dwelling units. A total of 226 parking spaces will be provided. Each dwelling unit contains two bedrooms, bathrooms, living space, kitchen, and a private patio (ground floor units) or decks.

Property Ownership/Configuration:

All 5 separate parcels are now owned by 3030 Riverbend LLC. One of the subject properties is under separate ownership but is under contract to purchase by 3030 Riverbend LLC. A lot line adjustment is sought to consolidate the parcels into a single unit of land

Adjustment Requests:

The proposed development is seeking four (4) adjustments to the following standards:

Adjustment #1: Increase the maximum setback adjacent to Wallace Rd for Building 1 from 10 feet to 15 feet.

Adjustment #2: Building setbacks adjacent to internal lot lines. Reduce building setbacks to zero (0) feet for internal property lines.

Adjustment #3: Vehicle use areas adjacent to internal lot lines. Reduce vehicle use area setbacks to zero (0) feet for drive aisles and parking areas.

Adjustment #4: Reduce minimum required building frontage from 50% to 0% for properties with frontage on Wallace Rd NW.

Applicable Review and Decision Criteria:

Chapter 534 – Mixed Use-II

Sec. 534.010 – Uses

Sec. 534.015. - Development standards.

Development within the MU-II zone must comply with the development standards set forth in this section.

(a) Lot standards. Lots within the MU-II zone shall conform to the standards set forth in Table 534-2.

TABLE 534-2

LOT STANDARDS

Lot Area – All Uses - None

Lot Width – All Uses-- None

Lot Depth – All Uses -- None

Street Frontage – All Uses – 16 ft.

(b) Dwelling unit density. Development within the MU-II zone that is exclusively residential shall have a minimum density of 12 dwelling units per acre.

Applicant Response: The gross site acreage of the five parcels proposed for development is 8.08 acres. The required minimum density based on a net developable area of 7.49 acres x 12 dwelling units/acre = 90 dwelling units. The proposed development would construct 201 dwelling units (201 du/7.49 acre = 26.8 du/acre) which exceeds the minimum number of 12 dwelling units/acre.

(c) Setbacks. Setbacks within the MU-II zone shall conform to the standards set forth in Tables 534-3 and 534-4.

Applicant Response: The proposed development complies with most setbacks. An adjustment is sought along Wallace Rd. where conformance is hindered by an existing permanent easement.

CHAPTER 534. - MIXED USE-II

Sec. 534.001. - Purpose.

The purpose of the Mixed Use-II (MU-II) zone is to identify allowed uses, establish development standards that promote pedestrian-oriented development in vibrant mixed-use districts, and encourage a mix of compatible uses in multi-story buildings.

Sec. 534.010. - Uses.

(a) The permitted (P), special (S), conditional (C), and prohibited (N) uses in the MU-II zone are set forth in Table 534-1.

TABLE 534-1
USES

Table 534-1: Uses		
	Status	

Household Living		
Single family	P	The following single family activities: <ul style="list-style-type: none"> • Townhouse. • Residential home, as defined under ORS 197.660.
	N	All other single family.
Two family	N	
Three family	P	
Four family	P	
Multiple family	P	
Group Living		
Room and board	P	Room and board serving 5 or fewer persons.
	C	Room and board serving 6 to 75 persons.
	N	All other room and board
Residential care	P	The following residential care activities: <ul style="list-style-type: none"> • Residential facility, as defined under ORS 197.660. • Assisted living.
	N	All other residential care.
Nursing care	N	
Lodging		
Short-term commercial lodging	P	
Long-term commercial lodging	N	
Non-profit shelters	P	Non-profit shelters serving 5 or fewer persons.
	C	Non-profit shelters serving 6 to 75 persons.
	N	All other non-profit shelters.

Keeping of livestock and other animals	N	
Animal services	P	
Other Uses		
Home occupations	S	Home occupations, subject to SRC 700.020.
Accessory dwelling units	S	Accessory dwelling units, subject to SRC 700.007.

- (b) *Prohibited uses.* Notwithstanding Table 534-1, any permitted, special, or conditional use within the MU-I zone shall be a prohibited use if developed with a drive-through.
- (c) *Continued uses.* Existing uses within the MU-II zone established prior to September 12, 2018, but which would otherwise be made non-conforming by this chapter, are hereby deemed continued uses.
- (1) Buildings or structures housing a continued use may be structurally altered, enlarged, or rebuilt following damage or destruction, provided:
 - (A) Such alteration, enlargement, or rebuilding of a conforming development complies with the standards in this chapter; or
 - (B) Such alteration, enlargement, or rebuilding of a continued development complies with the standards set forth in SRC 534.015(g).
 - (2) A continued use shall terminate if the building or structure ceases to be occupied for that continued use for any reason for a continuous period of one year.
 - (3) Conversion of the building or structure to a conforming use shall thereafter prevent conversion back to the former continued use or any other continued use.

Applicant Response: The proposed development includes new multi-family dwelling units. Multi-family dwelling units are listed as a permitted use under Table 534-1: Uses. No continued or prohibited uses are proposed.

Sec. 534.015. - Development standards.

Development within the MU-II zone must comply with the development standards set forth in this section.

- (a) *Lot standards.* Lots within the MU-II zone shall conform to the standards set forth in Table 534-2.

TABLE 534-2 LOT STANDARDS

Table 534-2: Lot Standards

Requirement	Standard	Limitations & Qualifications
Lot Area		
All Uses	None	
Lot Width		
All Uses	None	
Lot Depth		
All Uses	None	
Street Frontage		
All Uses	16 ft.	

Applicant Response: The proposed development site consists of 5 separate parcels totaling approximately 8.08 acres.

Taxlot 1301 (no site address) has approximately 112' of street frontage along Wallace Rd NW (State Highway 221).

Taxlot 1300 (2539 Wallace Rd NW) has approximately 189' feet of street frontage along Wallace Rd NW.

Taxlot 1101 (2519 Wallace Rd NW) has approximately 136' feet of street frontage along Wallace Rd NW.

Taxlot 1000 (2499 Wallace Rd NW) has approximately 195 feet of street frontage along Wallace Rd NW.

Taxlot 900 (2501 Wallace Rd NW) is currently landlocked and does not have frontage on Wallace Rd NW.

A lot consolidation is proposed as part of this application to consolidate the five separate parcels into one (1) unit of land. Additional street frontage will be developed with the extension of La Jolla Drive.

An adjustment is requested to reduce the minimum street frontage required from 16 feet to 0 feet for building 1 along Wallace Rd.

- (b) *Dwelling unit density.* Development within the MU-II zone that is exclusively residential shall have a minimum density of 12 dwelling units per acre.

Applicant Response: The proposed development consists of 5 separate parcels totaling approximately 8.08 acres. A total of 189 dwelling units are proposed. Therefore 189 dwelling units / 8.08 acres = approximately 23.4 dwelling units per acre. The proposed development exceeds the minimum dwelling unit density. The above criterion is satisfied.

- (c) *Setbacks.* Setbacks within the MU-II zone shall conform to the standards set forth in Tables 534-3 and 534-4.

**TABLE 534-3
SETBACKS**

Table 534-3: Setbacks		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	0 ft.	(1) Maximum setback of up to 10 feet is permitted if the setback area is used for pedestrian amenities.
		(2) A minimum setback of five feet to a maximum setback of 10 feet is permitted for ground-floor residential uses if horizontal separation is provided pursuant to 534.015(h).
Accessory Structures		
All uses	Min. 5 ft.	
Vehicle Use Areas		
All uses	Per SRC chapter 806	The use of a berm under 806.035(c)(2)(B) is prohibited.
Interior Side		
Buildings		
All uses	Zone-to-zone setback (Table 534-4)	
Accessory Structures		

All uses	Zone-to-zone setback (Table 534-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 534-4)	
Interior Rear		
Buildings		
All uses	Zone-to-zone setback (Table 534-4)	
Accessory Structures		
All uses	Zone-to-zone setback (Table 534-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 534-4)	

Applicant Response: The proposed buildings conform to the minimum and maximum setbacks above except for Building 1 along Wallace Rd. Due to an ODOT slope/utility easement and need for a large storm water quality facility, there is a constraint on the number of multi-family units that can be placed near the front property line along Wallace Rd. An adjustment is being sought to increase the maximum setback from 10 feet to 12 feet for Building 1 along Wallace Rd NW.

**TABLE 534-4
ZONE-TO-ZONE SETBACKS**

Table 534-4: Zone-to-Zone Setbacks			
Abutting Zone	Type of Improvement	Setback	Landscaping & Screening
EFU	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft. ⁽¹⁾	Type A
Residential zone	Buildings and accessory structures	Min. 10 ft. plus 1.5 feet for each 1 foot of building height above 15 feet ⁽²⁾	Type C
	Vehicle Use Areas	Min. 5 ft.	Type C
Mixed-use zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft. ⁽¹⁾	Type A
Commercial zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft. ⁽¹⁾	Type A
Public zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft. ⁽¹⁾	Type A
Industrial and employment zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft. ⁽¹⁾	Type A
Limitations & Qualifications			
(1) Zone-to-zone setbacks are not required abutting an alley.			
(2) The additional 1.5-feet for each 1-foot of building height above 15 feet does not apply abutting a creek.			

Applicant Response: Four of the subject parcels that are part of the proposed development are zoned MU-II. The proposed development property is adjacent to properties zoned AF-10 (Polk County) to the

east, RM2 and CR to the north, RS to the west, and RS and CO to the south. The zone-to-zone setback adjacent to residential zones is dependent upon the proposed building heights.

All proposed multi-family buildings, excepting Building 1, are 31 feet, 6 inches in height. Building 1 is 33 feet, 4 inches in height.

Except for Building 1, minimum setbacks along residential zones would be 34.75 feet. $31.5 \text{ feet} - 15 \text{ feet} = 16.5 \text{ feet}$ $\times 1.5 \text{ feet} = 24.75 \text{ feet}$ $+ 10 \text{ feet minimum setback} = 34.75 \text{ feet}$. The proposed setback along residentially zoned properties is a minimum of 34.75 feet along the east and south sides.

- (d) *Lot coverage; height; building frontage.* Buildings and accessory structures within the MU-II zone shall conform to the lot coverage, height, and building frontage standards set forth in Table 534-5.

**TABLE 534-5
LOT COVERAGE; HEIGHT; BUILDING FRONTAGE**

Table 533-5: Lot Coverage; Height; Building Frontage		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
All uses	No Max.	
Rear Yard Coverage		
Buildings		
All uses	NA	
Accessory Structures		
All uses	No Max.	
Height		
Buildings and Accessory Structures		
All uses	Max. 45 ft.	Applicable to buildings on a lot or lots that are contiguous to a National Register Residential Historic District. For the purposes of this standard, contiguous shall include a lot or lots that are separated from a National Register Residential Historic District by an alley.

	Max. 55 ft.	Applicable to buildings on all other lots.
Building Frontage		
Buildings and Accessory Structures		
All uses	Min. 50%	(1) For corner lots, this standard must be met on the frontage of the street with the highest street classification. For the intersecting street, the building frontage standard is a minimum of 40%.
		(2) For corner lots where both streets have the same classification, the applicant may choose on which street to meet the minimum 50% building frontage standard and on which street to meet the minimum 40% building frontage standard.

Applicant Response: The MU-II does not have a maximum lot coverage standard.

The proposed 3-story multi-family buildings, except Building 1, are approximately 31 feet, 6 inches in height.

Building 1 is approximately 33 feet, 4 inches in height.

The proposed office/recreational building is 2-stories and approximately 27 feet, 4 inches in height.

The proposed pool building is a single story and is approximately 14 feet in height.

All proposed building are less than the maximum height of 45 feet.

The proposed development site includes approximately 632 feet of building frontage along Wallace Rd. Building 1 is approximately 134 feet long. Therefore, 134 feet building / 632 feet roadway frontage = 21.2% building frontage.

An adjustment is requested to reduce the building frontage from 50% to 21.2% due the need for an access point on the northern portion of the site and driveway connection on the southern portion of the site and drainage facility.

- (e) *Parking.* Required off-street parking shall not be located on a new standalone surface parking lot in the MU-I zone or MU-II zone.

Applicant Response: The proposed parking is on the same site and is accessory to the proposed multi-family development and is not a standalone parking lot.

- (f) *Landscaping.*
 - (1) *Setback areas.* Required setbacks, except setback areas abutting a street that provide pedestrian amenities or horizontal separation pursuant to [SRC] 534.015(h), shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

Applicant Response: Setback areas will be landscaped in accordance with SRC Chapter 807. See below for detailed responses for site landscaping.

- (2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapter 806 and SRC chapter 807.

Applicant Response: Vehicle use areas will be landscaped in accordance with SRC Chapters 806 and 807. See below for detailed responses for vehicle use area landscaping.

- (g) *Continued development.* Buildings and structures existing within the MU-II zone on September 12, 2018, that would be made non-conforming development by this chapter are hereby deemed continued development. The owner shall have the burden to demonstrate continued development status under this subsection.

- (1) *Single family uses.*

- (A) *Buildings.* Continued development housing a continued single family use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to development standards of the Single Family Residential (RS) zone set forth in SRC chapter 511 and to all other applicable provisions of the UDC, except for lot size and dimension standards in SRC chapter 511.
 - (B) *Accessory structures.* Existing accessory structures on the same property as a continued single family use may be structurally altered or enlarged, or rebuilt following damage or destruction, and new accessory structures to a continued use may be constructed, provided such alteration, enlargement, rebuilding, or new accessory structure construction conforms to the development standards of the Single Family Residential (RS) zone set forth in SRC chapter 511, except the lot size and dimensions standards, and to all other applicable provisions of the UDC.
 - (C) *Option to rebuild in same location.* Notwithstanding SRC 543.015(h)(1)(A) and (B), any continued development housing a continued single family use or associated accessory structure rebuilt following damage or destruction may either be located on the same location on the lot as the original building or structure, or in compliance with the setbacks of the Single Family Residential (RS) zone set forth in SRC 511.010(b).
- (2) *All other uses.* Continued development, housing a use other than a continued single family use, may be structurally altered, enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to the following standards:
 - (A) *Minor alterations.* Exterior alterations to buildings that alter less than 20 percent of an existing building facade area facing a primary street are exempt from all of the development standards in this chapter. Such alterations shall not increase the building facade's nonconformity to the pedestrian-oriented design standards in Table 534-6.
 - (B) *Minor additions.* Additions to buildings that enlarge or alter an existing building facade area facing a primary street by less than 20 percent are exempt from all of the development standards in this chapter except for interior setbacks, parking, landscaping, and maximum height standards. Such additions shall not increase the building facade's nonconformity to the pedestrian-oriented design standards in Table 534-6.
 - (C) *Major alterations.* Exterior alterations to buildings that alter between 20 percent and 60 percent of an existing building facade area facing a primary street shall decrease that building facade's nonconformity to all pedestrian-oriented design standards in Table 534-6 that are applicable to that alteration. Such alterations are exempt from all other development standards in this chapter.
 - (D) *Major additions.* Additions to buildings that enlarge or alter an existing building facade area facing a primary street by between 20 percent and 60 percent shall:

- (i) Comply with a minimum of three of the pedestrian-oriented design standards in Table 534-6; or
- (ii) Comply with a minimum of one of the pedestrian-oriented design standards in Table 534-6 and add perimeter landscaping in vehicle use areas if such landscaping is not already required under SRC 534.015(f).

For the purposes of [SRC] 534.015(h)(2)(C)(i) and (ii), the pedestrian-oriented design standards in Table 534-6 shall apply to the addition. Major additions must meet all other development standards in this chapter except for building frontage and maximum setback abutting a street.

- (E) *Substantial alterations.* Exterior alterations to buildings that alter more than 60 percent of an existing building facade area facing a primary street shall meet all applicable pedestrian-oriented design standards in Table 534-6. Such alterations are exempt from all other development standards in this chapter.
- (F) *Substantial additions or redevelopment.* Additions to buildings that enlarge or alter an existing building facade area facing a primary street by more than 60 percent shall meet all applicable development standards in this chapter. Continued development that is rebuilt following damage or destruction shall meet all development standards in this chapter.

Applicant Response: The existing buildings and uses on site are single-family dwellings. The single-family dwellings will be removed as part of this development. No continued uses will exist on site.

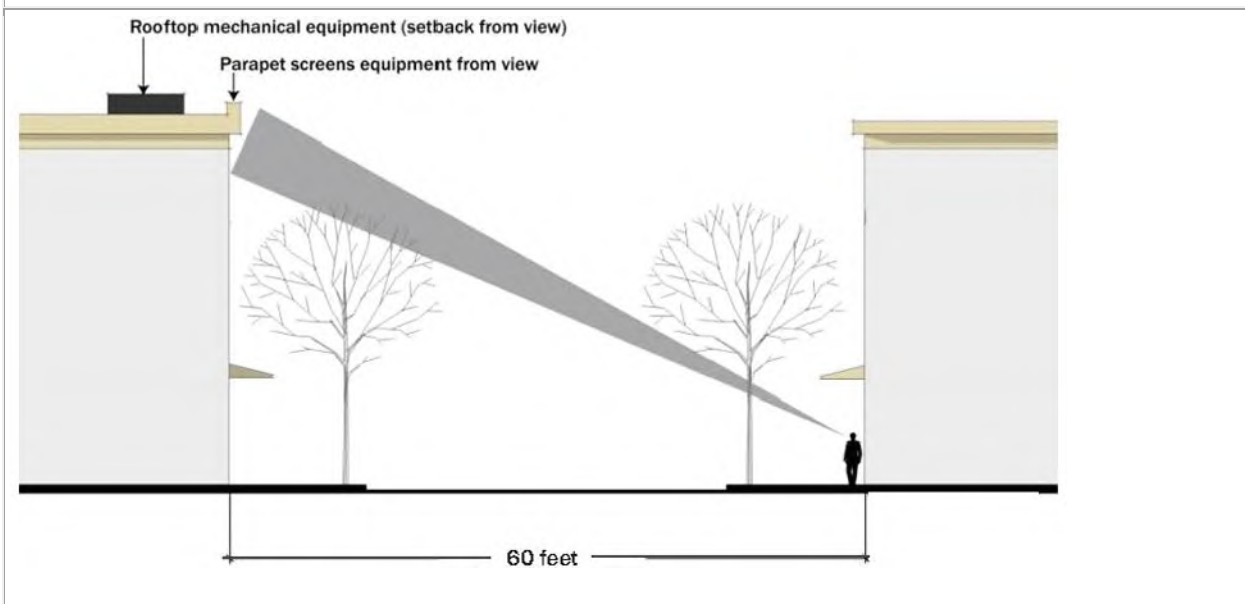
- (h) *Pedestrian-oriented design.* Development within the MU-II zone, excluding development requiring historic design review, shall conform to the pedestrian-oriented design standards set forth in Table 534-6. Any development requiring historic design review shall only be subject to design review according to the historic design review standards or the historic design review guidelines set forth in SRC chapter 230.

**TABLE 534-6
PEDESTRIAN-ORIENTED DESIGN**

Table 534-6: Pedestrian-Oriented Design		
Requirement	Standard	Limitations & Qualifications
Ground Floor Height		
This standard applies to building ground floors on primary streets.	Min. 10 ft.	For the purposes of this standard, ground floor height is measured from the floor to the ceiling of the first floor.
FIGURE 534-1 GROUND FLOOR HEIGHT		



FIGURE 534-9
ROOFTOP MECHANICAL EQUIPMENT



Applicant Response: The design of proposed Building 1 along Wallace Road and Buildings 8 and 9, along the proposed La Jolla Dr extension, will incorporate the pedestrian-oriented standards above. A horizontal separation of 12 feet will be included between the Wallace Rd. right-of-way and dwelling unit entrance. Vertical separation ranges between 1.5 feet and 3 feet. The proposed elevations for Building 1 show a first-floor height of 10 feet.

Building façade articulation is achieved with a change of materials between the base and middle/top floor from board and bat on the base to lap siding on the middle and top. The middle is distinguished by deck extensions of upper levels that are at least two feet or more in depth. The building top is distinguished by incorporating breaks in roof elevation that are a minimum of three feet in height.

Ground floor windows are included that amount to 32% or more of the wall area. See Sheet A6.1 for details and calculation. Window specifications will have a minimum visible transmittance (VT) of 37%.

The ground floor includes a primary building entrance facing the primary street, Wallace Rd. Weather protection in the form of the 2nd story deck above the ground floor entrance.

Weather protection is provided along a minimum of 50% of the Building 1 façade.

Off-street parking and maneuvering areas are located behind structures located along the street, Wallace Road. No parking is proposed between buildings and the adjacent street.

Rooftop mechanical equipment will be screened from view where necessary. No large rooftop units are anticipated.

Sec. 534.020. - Design review.

Design review under SRC chapter 225 is not required for development within the MU-II zone. Multifamily development within the MU-II zone is not subject to design review according to the multiple family design review standards set forth in SRC chapter 702.

- (2) Off-street parking for employees or residents may be located within 2,000 feet of the development site containing the use or activity it serves.
- (d) *South waterfront mixed-use zone.* Within the South Waterfront Mixed Use (SWMU) Zone, required off-street parking may be located anywhere within the South Waterfront Mixed Use (SWMU) Zone. Required off-street parking shall not be located in a different zone.
- (e) *Broadway/High Street Retail Overlay Zone, Broadway/High Street Housing Overlay Zone and Broadway/High Street Transition Overlay Zone.* Within the Broadway/High Street Retail Overlay Zone, Broadway/High Street Housing Overlay Zone and Broadway/High Street Transition Zone, required off-street parking may be located within 800 feet of the development site containing the use or activity it serves.
- (f) *West Salem Central Business District Zone.* Within the West Salem Central Business (WSCB) Zone, required off-street parking may be located within 800 feet of the development site containing the use or activity it serves.
- (g) *Mixed Use-I (MU-I) and Mixed Use-II (MU-II).* Within the Mixed Use-I (MU-I) and Mixed Use-II (MU-II) zones, required off-street parking may be located within 800 feet of the development site containing the use or activity it serves.
- (h) *Exception.* Notwithstanding subsections (a) through (g) of this section, where required off-street parking is to be located off-site from the use or activity it serves, it shall only be located in a zone where the use or activity it serves is allowed, or where commercial parking is allowed.

Applicant Response: Proposed off-street parking will be located on the development site it serves. No off-site parking is proposed.

Sec. 806.015. - Amount off-street parking.

- (a) *Minimum required off-street parking.* Unless otherwise provided under the UDC, off-street parking shall be provided in amounts not less than those set forth in Table 806-1.

TABLE 806-1. MINIMUM OFF-STREET PARKING		
Use	Minimum Number of Spaces Required ⁽¹⁾	Limitations & Qualifications
Household Living		
Single family	2	Applicable to all single family, unless noted below.
	1	Applicable to single family located within the CSDP area.
Two family	2 per dwelling unit	Applicable to all two family, unless noted below.
	1 per dwelling unit	Applicable to two family located within the CSDP area.
	3	Applicable to two family shared dwellings.

Three family	None	Applicable to three family located within the CSDP area or one quarter-mile of the Core Network. ⁽³⁾
	1 per dwelling unit	Applicable to all other three family.
Four family	None	Applicable to four family located within the CSDP area or one quarter-mile of the Core Network. ⁽³⁾
	1 per dwelling unit	Applicable to all other four family.
Multiple family ⁽²⁾	None	Applicable to multiple family located within the CSDP area or one quarter-mile of the Core Network. ⁽³⁾
	1 per dwelling unit	Applicable to all other multiple family consisting of 5 to 12 dwelling units.
	1 per studio unit or dwelling unit with 1 bedroom	Applicable to all other multiple family consisting of 13 or more dwelling units.
	1.5 per dwelling unit with 2 or more bedrooms	
	1 per dwelling unit	Applicable to all other multiple family consisting of 13 or more dwelling units located within the MU-I zone or MU-II zone.
	1 per 4 dwelling units	Applicable to low income elderly housing.
Group Living		
Room and board facilities	None	
Residential care	1 per 350 sq. ft.	
Nursing care	1 per 3 beds	
Lodging		
Short-term commercial lodging	1 per guest room or suite	
Long-term commercial lodging		
Nonprofit shelters	1 per guest room or suite	Applicable to nonprofit Shelters serving victims of domestic violence

Accessory dwelling units	None	
<p>(1) Unless otherwise provided, when required off-street parking is expressed in terms of a number of spaces per a square footage, the square footage shall equal the gross floor area.</p> <p>(2) 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.</p> <p>(3) The distance shall be measured along a route utilizing public or private streets that are existing or will be constructed with the development.</p>		

Applicant Response: The proposed development consists of 201 2-bedroom dwelling units. The minimum number of parking spaces for each dwelling unit in the MU-II is 1.0 space/unit. Additionally, office uses require 1 space per 350 sq. ft. Therefore, 201 2-bedroom dwelling units x 1.0 spaces = 201 vehicle parking spaces and 5,200 sq. ft. office / 350 sq. ft = 15 spaces. A total of 216 parking spaces would be required. The proposed vehicle parking area consists of 226 parking stalls. The proposed development exceeds the minimum number of vehicle parking spaces.

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

Applicant Response: The proposed vehicle parking consists of a total of 226 vehicle parking spaces. 64 vehicle parking spaces are proposed to be compact size which is approximately 27.5% of the total proposed 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.

Applicant Response: The proposed development is multi-family residential. The above criterion is not applicable to this development.

- (d) *Maximum off-street parking.*

- (1) Maximum off-street parking is based upon the minimum number of required off-street parking spaces. 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.

TABLE 806-2A. MAXIMUM OFF-STREET PARKING	
Minimum Number of Off-Street Parking Spaces Required (From Table 806-1)	Maximum Number of Off-Street Parking Spaces Allowed
20 spaces or less	2.5 times minimum number of spaces required.

More than 20 spaces	1.75 times minimum number of spaces required.
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- (2) *Maximum off-street parking where no minimum off-street parking is required.* Where an activity does not require a minimum number of off-street parking spaces based on the requirements of Table 806-1, or because it is located in an area where no minimum off-street parking is required for the activity, maximum off-street parking shall be determined based on the assumed minimum off-street parking set forth in Table 806-2B. Parks and open space are exempt from maximum off-street parking standards.

TABLE 806-2B. MAXIMUM OFF-STREET PARKING WHERE NO MINIMUM OFF-STREET PARKING IS REQUIRED

No Minimum Off-Street Parking Required:	Maximum Off-Street Parking	Limitations & Qualifications
Based on requirements of Table 806-1	1.75 per dwelling unit	Applicable to three family, four family, and multiple family located within the CSDP area or one quarter-mile of the Core Network
	1 per 900 sq. ft.	Applicable to all other uses
Because activity is located in area where no minimum off-street parking is required for the activity	The maximum off-street parking otherwise allowed for the activity if it were located in an area where minimum off-street parking was required.	

Applicant Response: The minimum number of parking spaces for the proposed development is 1.75 x 216 spaces = 378 spaces. The proposed number of parking spaces is 226. The proposed number of parking spaces is below the maximum number of parking spaces of 378.

- (e) *Reductions to required off-street parking through alternative modes of transportation.*

- (1) Construction of transit related improvements. When adjacent to transit service, minimum required off-street parking may be reduced by up to ten percent for redevelopment of an existing off-street parking area for transit-related improvements, including transit stops, pullouts and shelters, park and ride lots, transit-oriented developments, and similar facilities.
- (2) Satisfaction of off-street parking through implementation of a plan for alternative modes of transportation. Minimum required off-street parking for uses or activities other than household living may be reduced through implementation of a plan providing for the use of alternative modes of transportation to decrease the need for off-street parking. The plan shall be reviewed as a Class 2 Adjustment under SRC chapter 250.

Applicant Response: No vehicle parking reductions are requested as part of the proposed development.

- (f) *Reductions to required off-street parking for multiple family developments.*
- (1) For multiple family developments, the minimum number of required off-street parking spaces may be reduced through one or more of the following options, provided that the total number of off-street parking spaces reduced shall not exceed 25 percent:
- (A) *Transit access.* The minimum number of required off-street parking spaces may be reduced by:
- (i) 10 percent where developments are located within one-quarter mile of a transit stop as measured along a route utilizing public or private streets that are existing or will be constructed with the development; or
- (ii) 20 percent where developments are located within one-quarter mile of a transit stop that has 15-minute transit service as measured along a route utilizing public or private streets that are existing or will be constructed with the development.
- (B) *Covered bicycle parking.* The minimum number of required off-street parking spaces may be reduced by one space for every four covered bicycle parking spaces provided in addition to the minimum number of bicycle parking spaces required as set forth in SRC 806.055. The additional covered bicycle parking spaces must meet the standards of SRC 806.060 and must be located on site either outdoors or in a bike storage room that is accessible to all residents of the multiple family development.
- (C) *Shared car or van.* The minimum number of required off-street parking spaces may be reduced by four spaces for every shared car or shuttle van that is provided on site and available for use by all residents.

Applicant Response: No vehicle parking reductions are requested as part of the proposed development.

Sec. 806.020. - Method of providing off-street parking.

- (a) *General.* Off-street parking shall be provided through one or more of the following methods:
- (1) *Ownership.* Ownership in fee by the owner of the property served by the parking;
- (2) *Easement.* A permanent and irrevocable easement appurtenant to the property served by the parking;
- (3) *Lease Agreement.* A lease agreement with a minimum term of five years; such agreement may be utilized for:
- (A) Uses or activities other than single family and two family in all zones other than the Central Business (CB) Zone; and
- (B) All uses in the Central Business (CB) Zone;
- (4) *Lease or rental agreement in parking structure.* A lease or rental agreement in an off-street parking facility established pursuant to ORS 223.805 to 223.845; such agreement may be utilized for:
- (A) Uses or activities other than single family and two family in all zones other than the Central Business (CB) Zone; and
- (B) All uses in the Central Business (CB) Zone;
- (5) *Joint parking agreement.* A joint parking agreement between the owners of two or more uses or activities, buildings or structures, or lots may be approved by the City. Joint use of required off-street parking spaces through a joint parking agreement may occur where two or more uses or activities on the same or separate development sites are able to share the same parking spaces because their parking demands occur at different times. Joint parking shall meet the following standards:

- (A) Proximity of joint parking to uses or activities served. Joint parking areas shall be located as set forth in SRC 806.010.
- (B) Compatible hours of operation. The hours of operation for the uses or activities subject to a joint parking agreement shall not substantially overlap and there shall be no substantial conflict in the principal operating hours.
- (b) *Review and filing of agreement.* Prior to execution of any lease, rental, or joint parking agreement set forth in this section, the form of such agreement shall be reviewed by the City Attorney. An executed copy of the approved agreement shall be filed with the Planning Administrator.
- (c) *Effect of expiration or termination of agreement.* Upon expiration or termination of any lease, rental, or joint parking agreement set forth in this section, the parking requirements set forth in this chapter shall be fully met within 60 days of the date of such expiration or termination or the use or activity discontinued until the parking requirements are met.

Applicant Response: All parking will be owned. No lease or joint-parking agreements are proposed with this development.

Sec. 806.025. - Off-street parking and vehicle storage area development standards for single family, two family, three family, and four family uses or activities.

Unless otherwise provided under the UDC, off-street parking and vehicle storage areas for single family, two family, three family, and four family uses or activities shall be developed and maintained as provided in this section.

(a) *Location within yards.*

- (1) *Front yard abutting street.* Within a front yard abutting a street, off-street parking and vehicle storage shall be allowed only:
 - (A) Within a garage or carport; or
 - (B) On a driveway leading to:
 - (i) A garage or carport;
 - (ii) A garage that has been legally converted to another use subsequent to its construction as a garage;
 - (iii) A screened off-street parking area; or
 - (iv) A screened vehicle storage area.
- (2) *Side and rear yards abutting street.* Within side and rear yards abutting a street, off-street parking and vehicle storage shall be allowed only:
 - (A) Within a garage or carport;
 - (B) Within an off-street parking area or vehicle storage area that is screened as set forth in SRC 806.025(f); or
 - (C) On a driveway leading to:
 - (i) A garage or carport;
 - (ii) A garage that has been legally converted to another use subsequent to its construction as a garage;
 - (iii) A screened off-street parking area; or
 - (iv) A screened vehicle storage area.
- (3) *Interior front, side, and rear yards.* Within interior front, side, and rear yards, off-street parking and vehicle storage shall be allowed only:

- (A) Within a garage or carport;
- (B) Within an off-street parking area or vehicle storage area that is screened as set forth in SRC 806.025(f); or
- (C) On a driveway leading to:
 - (i) A garage or carport;
 - (ii) A garage that has been legally converted to another use subsequent to its construction as a garage;
 - (iii) A screened off-street parking area; or
 - (iv) A screened vehicle storage area.
- (b) *Garage or carport vehicle entrance setback abutting street or flag lot accessway.* The vehicle entrance of a garage or carport facing a street or flag lot accessway shall be setback a minimum of 20 feet.

Applicant Response: The proposed development does not include single-family homes or garages. The criteria above are not applicable to the proposed development.

- (c) *Dimensions.* Off-street parking spaces shall conform to the minimum dimensions set forth in Table 806-3.

TABLE 806-3. MINIMUM OFF-STREET PARKING SPACE DIMENSIONS		
Type of Space	Width	Depth
Compact	8 ft.	15 ft.
Standard	9 ft.	19 ft.

Applicant Response: The proposed development will include parking spaces at either the compact or standard dimensions per Table 806-3 above.

- (d) *Maneuvering.* Where access to off-street parking is taken from an alley, a minimum maneuvering depth of 24 feet shall be provided between the back of the parking space and the opposite side of the alley.

Applicant Response: The proposed development will include parking spaces at either the compact or standard dimensions per Table 806-3 above.

- (e) *Surfacing.* Any area that is used for off-street parking shall be paved with a hard surface material meeting the Public Works Design Standards. Vehicle storage areas are not required to be paved.

Applicant Response: The proposed development will include loading spaces to meet Public Works Design Standards.

- (f) *Screening.* Off-street parking areas and vehicle storage areas shall be screened as follows:
 - (1) Off-street parking areas located within a garage or carport or on a driveway are not required to be screened. All other off-street parking areas shall be screened from all public areas, public streets, and abutting residential uses by a minimum six-foot-tall sight-obscuring fence, wall, or hedge.

- (2) Vehicle storage areas within an enclosed structure or on a driveway are not required to be screened. All other vehicle storage areas shall be screened from all public areas, public streets, and abutting residential uses by a minimum six-foot-tall sight-obscuring fence, wall, or hedge.

Applicant Response: Off-street parking areas will be screened from public view by a hedge.

Sec. 806.035. - Off-street parking and vehicle use area development standards for uses or activities other than single family, two family, three family, and four family.

TABLE 806-5. INTERIOR OFF-STREET PARKING AREA LANDSCAPING	
Total Interior Area of Off-Street Parking Area	Percentage Required to be Landscaped
Less than 50,000 sq. ft.	Min. 5%
50,000 sq. ft. and greater	Min. 8%

Applicant Response: The parking area is approximately 81,314 square feet. Therefore, a minimum interior landscape area of 8% is required. The proposed interior parking landscape area is 12.5% (10,188 sq. ft.).

- (3) *Trees.* A minimum of one deciduous shade tree shall be planted for every 12 parking spaces within an off-street parking area. Trees may be clustered within landscape islands or planter bays, and shall be distributed throughout the off-street parking area to create a canopy effect and to break up expanses of paving and long rows of parking spaces.

Applicant Response: The proposed development includes 226 auto parking spaces. Therefore, 226 auto parking spaces / 12 parking spaces = 19 trees. The site will include 32 trees within planter islands in the proposed parking area.

- (4) *Landscape islands and planter bays.* Landscape islands and planter bays shall have a minimum planting area of 25 square feet, and shall have a minimum width of five feet (see Figure 806-7).

Applicant Response: Landscape islands and planter bays have been designed to meet the minimum planting area dimensions above.

FIGURE 806-7. INTERIOR LANDSCAPING

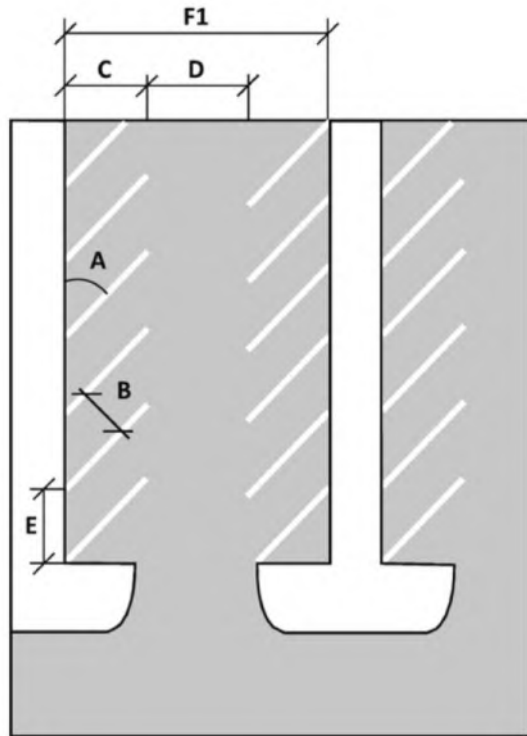
	Standard	8'6" (4)	20.8	19.5	9.0	61.1	58.2
		9'0"	21.0	19.0	9.6	61.0	57.9
		9'6"	21.2	18.5	10.1	60.9	57.7
		10'0"	21.2	18.0	10.6	60.4	57.0
80°	Compact	8'0"	16.2	22.0	8.1	56.4	55.0
	Standard	9'0"	20.3	24.0	9.1	64.3	62.7
		9'6"	20.4	24.0	9.6	64.4	62.7
		10'0"	20.5	24.0	10.2	65.0	63.3
90°	Compact	8'0"	15.0	22.0	8.0	54.0	-
		8'6" (5)	15.0	22.0	8.0	54.0	-
	Standard	9'0"	19.0	24.0	9.0	62.0	-
		9'6"	19.0	24.0	9.5	62.0	-
		10'0"	19.0	24.0	10.0	62.0	-

Limitations and Qualifications

- (1) For two-way circulation the width of an aisle shall be a minimum of 22 feet.
- (2) The width of an aisle serving both standard and compact parking spaces 80 degrees or more shall be a minimum of 24 feet.
- (3) See Figure 806-8 for corresponding off-street parking area layout requirements.
- (4) Minimum 8'6" standard stall width applies within parking structures of two or more stories.
- (5) Minimum 8'6" compact stall width applies when the side of the parking space abuts a wall or post.

Applicant Response: The proposed vehicle parking spaces will conform the dimensional standards above.

FIGURE 806-8. OFF-STREET PARKING AREA LAYOUT REQUIREMENTS



- (f) *Grade.* Off-street parking and vehicle use areas shall not exceed a maximum grade of ten percent. Ramps shall not exceed a maximum grade of 15 percent.
- (g) *Surfacing.* Off-street parking and vehicle use areas shall be paved with a hard surface material meeting the Public Works Design Standards; provided, however, up to two feet of the front of a parking space may be landscaped with ground cover plants (see Figure 806-9). Such two-foot landscaped area counts towards meeting interior off-street parking area landscaping requirements, but shall not count towards meeting perimeter setbacks and landscaping requirements. Paving is not required for:
 - (1) Vehicle storage areas within the IG zone.
 - (2) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701.
 - (3) Gravel off-street parking areas, approved through a conditional use permit.

Applicant Response: The proposed vehicle parking spaces will conform the dimensional standards above.

- (d) *Dimensions.* Driveways shall conform to the minimum width set forth in Table 806-7.

TABLE 806-7. MINIMUM DRIVEWAY WIDTH		
Type of Driveway	Width	Inside Radius of Curves & Corners
One-way driveway	12 ft.	25 ft., measured at curb or pavement edge

Two-way driveway	22 ft.	25 ft., measured at curb or pavement edge
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- (e) *Surfacing.* All driveways, other than access roads required by the Public Works Design Standards to provide access to City utilities, shall be paved with a hard surface material meeting the Public Works Design Standards. Access roads required by the Public Works Design Standards to provide access to City utilities shall be an all-weather surface material meeting the Public Works Design Standards; provided, however, the first ten feet of the access road leading into the property, as measured from the property line, shall be paved with a hard surface material.
- (f) *Drainage.* Driveways shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.
- (g) *"No Parking" signs.* Driveways shall be posted with one "no parking" sign for every 60 feet of driveway length, but in no event shall less than two signs be posted.

Applicant Response: Drive aisles have been designed to meet the dimensional standards above.

Sec. 806.045. - Bicycle parking; when required.

- (a) *General applicability.* Bicycle parking shall be provided as required under this chapter for:
 - (1) Each proposed new use or activity.
 - (2) 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.
 - (3) Any intensification, expansion, or enlargement of a use or activity.
- (b) *Applicability to nonconforming bicycle parking area.* When bicycle parking is required to be added to an existing bicycle parking area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.

Applicant Response: New bicycle parking areas will be developed in accordance with the standards of this chapter and are described in further detail below.

Sec. 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.

Applicant Response: All bicycle parking is located within the proposed development site.

Sec. 806.055. - Amount of bicycle parking.

Unless otherwise provided under the UDC, bicycle parking shall be provided in amounts not less than those set forth in Table 806-8.

TABLE 806-8. MINIMUM BICYCLE PARKING		
Use	Minimum Number of Spaces Required ⁽¹⁾	Limitations & Qualifications
Household Living		

Single family	None	
Two family		
Three family		
Four family		
Multiple family	The greater of 4 spaces or 0.1 spaces per dwelling unit.	
Group Living		
Room and board facilities	The greater of 4 spaces or 1 space per 50 rooms.	
Residential care	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Nursing care	1 per 30 beds	
Lodging		
Short-term commercial lodging	The greater of 4 spaces or 1 space per 50 rooms.	
Long-term commercial lodging		
Nonprofit shelters	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Retail Sales and Service		

Home occupations	None	
Accessory dwelling unit	None	
⁽¹⁾ Unless otherwise provided, when required bicycle parking is expressed in terms of a number of spaces per a square footage, the square footage shall equal the gross floor area.		

Applicant Response: Multi-family development requires the greater of 4 bicycle parking stalls or 0.1 stalls per unit. The proposed development includes 201 dwelling units. Therefore, 201 dwelling units x 0.1 spaces = 20.1 bicycle parking spaces. Additionally, a minimum of 4 bicycle parking spaces are required for the office. A total of 24 bicycle parking spaces are required at minimum. The proposed development includes 24 bicycle parking spaces.

Sec. 806.060. - Bicycle parking development standards.

Unless otherwise provided under the UDC, bicycle parking shall be provided in racks or lockers developed and maintained as set forth in this section. The standards set forth in this section shall not apply to City approved bike share stations which utilize bike docking stations.

- (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.

Applicant Response: All bicycle parking is located outside and adjacent to dwelling units along sidewalks.

- (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.

Applicant Response: All bicycle parking has direct access to the public right-of-way and is free from obstructions or barriers.

- (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.

Applicant Response: Bicycle parking space areas are 14 feet x 9 feet for a pod of 4 bicycle stalls.

- (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.










Applicant Response: Bicycle parking areas will be surfaced in concrete.

- (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.

Applicant Response: All proposed bicycle racks will be staple/inverted style and will meet the standards above. See detail 3 on Sheet A1.2.

- (f) *Bicycle lockers.* Where bicycle parking is provided in lockers, the lockers shall meet the following standards:
- (1) Lockers, except for pie-shaped lockers, shall be a minimum of six feet in length, two feet in width, and four feet in height;
 - (2) Pie-shaped lockers shall be a minimum of six feet in length, 30 inches in width at the widest end, and four feet in height;
 - (3) Lockers shall be served by a minimum four-foot-wide access aisle in front of each locker opening. Access aisles may be located within the public right-of-way; and
 - (4) Lockers shall be securely anchored.

Applicant Response: No bicycle lockers are proposed with this development.

Bike Racks That <u>MEET</u> Standards		Bike Racks That <u>DO NOT MEET</u> Standards		
Staple/Inverted	Post & Ring	Wave	Spiral	Bollard
				
Loop		Schoolyard	Wheel Well	Coat Hanger
				
<p><u>Note:</u> These bike rack styles support the bike frame in a stable position in two or more places a minimum of six-inches horizontally apart without damage to wheels, frame, or components; allow the frame and at least one wheel to be locked with a U-shaped shackle lock; and support a wide variety of bikes.</p>		<p><u>Note:</u> These bike rack styles do not support the bike frame in a stable position in two or more places a minimum of six-inches horizontally apart; do not allow the frame and at least one wheel to be locked with a U-shaped shackle lock; or include features that limit the types of bikes that can be accommodated and which can promote damage to wheels and frames.</p>		

Sec. 806.065. - Off-street loading areas; when required.

- (a) *General applicability.* Off-street loading shall be provided and maintained as required under this chapter for:
- (1) Each proposed new use or activity.
 - (2) 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.
 - (3) Any intensification, expansion, or enlargement of a use or activity.
- (b) *Applicability to nonconforming off-street loading area.* When off-street loading is required to be added to an existing off-street loading area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.

Sec. 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.

Applicant Response: The proposed development will include 2 off-street loading areas in conformance with the standards below.

Sec. 806.075. - Amount of off-street loading.

Unless otherwise provided under the UDC, off-street loading shall be provided in amounts not less than those set forth in Table 806-9.

TABLE 806-9. MINIMUM OFF-STREET LOADING; DIMENSIONS			
Use Category/Use		Dimensions	Limitations & Qualifications

	Minimum Number of Spaces Required ⁽¹⁾		Width	Length	Height	
Use: <ul style="list-style-type: none"> ■ Single family ■ Two family ■ Three family ■ Four family ■ Commercial parking ■ Park-and-ride facility ■ Parks and open space ■ Cemeteries ■ Basic utilities ■ Wireless communication facilities ■ Agriculture ■ Forestry ■ Accessory short-term rentals ■ Temporary uses ■ Home occupations ■ Accessory dwelling units 	None		N/A	N/A	N/A	
Use: <ul style="list-style-type: none"> ■ Multiple family 	None	5 to 49 dwelling units	N/A	N/A	N/A	
	1	50 to 99 dwelling units	12 ft.	19 ft.	12 ft.	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.
	2	100 to 199 dwelling units	12 ft.	19 ft.	12 ft.	
	3	200 or more dwelling units	12 ft.	19 ft.	12 ft.	
Use Category:	None	Less than 5,000 sq. ft.	N/A	N/A	N/A	

Sec. 806.080. - Off-street loading development standards.

Unless otherwise provided under the UDC, off-street loading shall be developed and maintained as set forth in this section.

- (a) *Location.* Off-street loading areas shall not be located within required setbacks.

Applicant Response: Off-street loading areas shown are not located within required setbacks.

- (b) *Perimeter setbacks and landscaping.*

- (1) *Perimeter setbacks and landscaping abutting streets.* Unless a greater setback is required elsewhere within the UDC, off-street loading areas abutting a street shall be setback and landscaped according to the off-street parking and vehicle use area perimeter setback and landscaping standards set forth under SRC 806.035(c)(2).
- (2) *Perimeter setbacks and landscaping abutting interior front, side, and rear property lines.* Unless a greater setback is required elsewhere within the UDC, off-street loading areas abutting an interior front, side, or rear property line shall be setback a minimum of five feet. The setback shall be landscaped according to the Type A landscaping standard of SRC chapter 807.

Applicant Response: The areas around the proposed loading areas will be setback at least 5' from any adjacent properties and will include perimeter landscaping.

- (c) *Dimensions.* Loading areas shall conform to the minimum dimensions set forth in Table 806-9.

Applicant Response: The areas around the proposed loading areas will be setback at least 5' from any adjacent properties and will include perimeter landscaping.

- (d) *Maneuvering.* Off-street loading areas shall be of sufficient size, and all curves and corners of sufficient radius, to accommodate the safe operation of a delivery vehicle.
- (e) *Surfacing.* All loading areas shall be paved with a hard surface material meeting the Public Works Design Standards; provided, however, paving is not required for:
- (1) Temporary and seasonal gravel loading areas, approved pursuant to SRC chapter 701.
- (2) Gravel loading areas, approved through a conditional use permit.
- (f) *Drainage.* Loading areas shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.
- (g) *Lighting.* Lighting for off-street loading areas shall not shine or reflect onto adjacent residentially zoned property, or property used for uses or activities falling under household living, or cast glare onto the street.

Applicant Response: The proposed loading spaces will comply with above maneuvering, surfacing, drainage, and lighting standards above.

CHAPTER 807. - LANDSCAPING AND SCREENING

Sec. 807.010. - Applicability.

The provisions of this chapter apply to all required landscaping and screening under the UDC.

(Prior Code, § 807.010; Ord. No. 31-13)

Sec. 807.015. - Landscaping and screening.

of the remaining security deposited with the City shall be returned. The final landscape inspection shall be made prior to any security being returned. Any portions of the plan not installed, not properly installed, or not properly maintained shall cause the inspection to be postponed until the project is completed or cause the security to be used by the City to complete the project.

Applicant Response: Conceptual site landscaping is shown on Sheet A1.1. A detailed landscape plan will be provided with the building permit application.

Criteria and Responses for Adjustment Requests:

Adjustment #1 - Increase the maximum setback adjacent to Wallace Rd for Building 1 from 10 feet to 15 feet.

250.005(d)(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.

Applicant Response: The area along Wallace Rd contains a variable width easement to the benefit of ODOT. No permanent structures would be allowed within this easement. Increasing the maximum setback adjacent to Wallace Rd will allow for more pedestrian area in front of each residential units. The development standard to be adjusted is better met by the proposed development.

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

Applicant Response: The proposed development is not located within a residential zone.

- (C) If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

Applicant Response: The cumulative effect of the four (4) proposed adjustments will result in a project that is still consistent with the overall purpose of the zone.

Adjustment #2 – Reduce building setbacks to zero (0) feet for internal property lines.

250.005(d)(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.

Applicant Response: The proposed development currently consists of five (5) separate legal parcels and is proposed to be consolidated through a series of property line adjustments. The proposed development site is laid out with buildings that cross internal property lines. Once the property line adjustments are complete, which we would accept a condition that this is complete prior to building permit release, the building setback criteria will no longer be applicable.

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

Applicant Response: The proposed development is not located within a residential zone.

- (C) If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

Applicant Response: The cumulative effect of the four (4) proposed adjustments will result in a project that is still consistent with the overall purpose of the zone.

Adjustment #3 – Reduce vehicle use area setbacks to zero (0) feet for internal property lines.

250.005(d)(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.

Applicant Response: The proposed development currently consists of five (5) separate legal parcels and is proposed to be consolidated through a series of property line adjustments. The proposed development site is laid out with parking areas and drive aisles that cross internal property lines. Once the property line adjustments are complete, which we would accept a condition that this is complete prior to building permit release, the vehicle use area setback criteria will no longer be applicable.

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

Applicant Response: The proposed development is not located within a residential zone.

(C) If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

Applicant Response: The cumulative effect of the four (4) proposed adjustments will result in a project that is still consistent with the overall purpose of the zone.

Adjustment #4 - Reduce building frontage to less than 50% on Wallace Rd.

250.005(d)(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.

Applicant Response: Due to the site topography, needed drainage facility, proposed access driveway to Wallace Rd on the north, and connecting driveway to the adjacent southern property, there is limited space along Wallace Rd to place multi-family dwelling units.

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

Applicant Response: The proposed development is not located within a residential zone.

(C) If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

Applicant Response: The cumulative effect of the four (4) proposed adjustments will result in a project that is still consistent with the overall purpose of the zone.



SHAREHOLDERS

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Architect
Lee Gwyn
Architect
Holly Benton

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10/26/2021

Pamela Cole
Planner II
City of Salem Community Development Department
555 Liberty St SE, Suite 305
Salem, OR 97301

Dear Pamela:

Below are the applicant's responses to select agency and public comments received during the notice period of October 5, 2021 and October 19, 2021:

ODOT Comments

From: KNECHT Casey <Casey.KNECHT@odot.state.or.us>

Sent: Tuesday, October 19, 2021 4:11 PM

To: Pamela Cole

Subject: ODOT Comments for City of Salem Case No. SPR-ADJ21-25 - Martin

Pamela,

Thank you for notifying the Oregon Department of Transportation (ODOT) of the proposal at 2499-2551 Wallace Rd NW in Salem. Please include these comments in the public record and notify ODOT of the decision by sending a copy to odotr2planmgr@odot.state.or.us when available.

The site is adjacent to Salem-Dayton Highway, No. 150 (OR-221), and is subject to state laws administered by ODOT. The site currently has three highway approaches:

- MP 18.79 serving TL 1301; permitted in 1980 for five residences (Permit #26694)
- MP 18.85 serving TL 1101; presumed to be permitted for one residence
- MP 18.87 serving public right-of-way between TL 1101 and 1000

The site plan shows an internal connection with a neighboring property, which would result in an additional highway approach to serve the site:

- MP 18.92 serving TL 10000; permitted in 2020 for 48 apartments and 11,250 sq.ft of office/retail (Permit #57359)

The proposal to construct 189 additional apartments will trigger a Change of Use (OAR 734-051) and will require the applicant to obtain new approach permits from ODOT at MP 18.79 and 18.92. The site plan shows that the approaches at MP 18.85 and 18.87 will be closed. These will need to be replaced with standard curb, gutter, and sidewalk. The approach at MP 18.79 appears to be between 16 and 20 feet in width. This will likely not be wide enough to adequately serve the new use of the site. Rebuilding the approach to 24' would be appropriate for the use and the right-in right-out turning limitations due to the raised median in the highway.

ODOT generally defers frontage improvements to the city. If the city requires new sidewalk along any portion of the highway frontage aside from the closed approaches, the applicant will need to rebuild the sidewalk to current ODOT standards. The frontage work can be included under the same permits as the approaches. Please contact me with any questions and to start the permitting process.

Casey Knecht, P.E.

Development Review Coordinator | ODOT Region 2

503-986-5170 | casey.knecht@odot.state.or.us

Applicant Response: Applicant acknowledges the above comments regarding the need to obtain a change of use and new approach permits for the proposed use from ODOT. The proposed northern driveway will be rebuilt to a dimension of 24 feet in width to meet City of Salem driveway approach standards.

Cherriots Comments:

DATE: Wednesday, October 6, 2021

CASE/APP NUMBER: Class 3 Site Plan Review / Class 2 Adjustment Case No. SPR-ADJ21-25

PROPERTY LOCATION: 2499, 2501, 2519, 2539, and 2551 Wallace Rd NW, Salem OR 97304

CASE MANAGER: Pamela Cole, Planner II, City of Salem Planning Division

Email: pcole@cityofsalem.net

COMMENTS FROM: Jolynn Franke, Transit Planner I, Cherriots Planning Department

Email: planning@cherriots.org

COMMENTS: Cherriots would support a pedestrian/bicycle connection from the proposed development to La Jolla Dr NW as the closest transit stop is located on Riverbend Rd NW at La Jolla Dr NW (see map). Sufficient lighting should be provided for the pedestrian/bicycle connection as well as clear way-finding signage. However, in general, Cherriots is opposed to large multi-family developments constructed off of the Core Network corridors (see attached Core Network Policy), such as this one, because non-Core Network corridors are typically the more difficult areas for large buses to navigate resulting in less frequent and less attractive transit service. Due to traffic speeds and roadway configuration, this section of Wallace Rd NW is not a safe place to locate transit stops, again making public transit a less attractive option to residents. As identified in section 3 of the Salem Congestion Relief Task Force - Final Report: "Existing traffic congestion is directly related to vehicle flows to, from, and across the Center Street and Marion Street bridges. During morning and evening commutes, traffic on the bridges nears or exceeds capacity in many areas. This produces long vehicle queues on **Wallace Road**, Highway 22, and Glen Creek Road leading to the Center Street Bridge in the peak morning traffic commuting hours. In the evening peak traffic commuting hours, Commercial Street, Marion Street, and Front Street leading to the Marion Street Bridge are also congested with long vehicle queues". Cherriots would suggest limiting the number of parking spaces within the development to the required number of 204 and increasing the number of bicycle parking from 24 to 48 as a way to mitigate the impact this development would have on the already existing congestion problems on Wallace Rd NW.

Applicant Response: The proposed development provides a much-needed housing option for the City of Salem which has a deficit of multi-family housing to meet demand. Pathway lighting will be provided along the pedestrian connection between the proposed development and La Jolla Drive NW that would lead to the bus stop on Riverbend Rd.

The proposed off-site parking was carefully planned to be within the minimum and maximum parking. Considering these are two-bedroom units, it is expected that most of the units would be rented by tenants with two vehicles. To balance the city zoning code requirements and tenant demand, it was determined that 282 parking spaces was the minimum needed. This is 75 fewer parking spaces than the maximum allowed based on a total of 189 units.

The property is currently zone MU-II and multi-family development is an allowed use and the application demonstrates clear and objective standards.

TO: Pamela Cole, Case Manager

RE: Case No. SPR-ADJ-25

2499, 2501, 2539, 2551 Wallace Rd NW

189 Unit Multi Family Development

FR: Steven A. Anderson, West Salem Neighborhood Association Land Use Chair

Per the proposed conditions:

(1) Increase the maximum building setback adjacent to Wallace Road NW from 10 feet to 12 feet;

(2) Increase the maximum setback adjacent to La Jolla Drive NW from 10 feet to approximately 37 feet;

(3) Reduce building setbacks from 10 feet to 0 feet abutting internal property lines so that the buildings may cross existing internal property lines in anticipation of a future property boundary verification.

(4) Reduce vehicle use area setbacks from 10 feet to 0 feet abutting existing internal property lines;

(5) Reduce the street frontage requirement from 16 feet to 0 feet to allow development on 2501 Wallace Road NW, which is currently landlocked;

(6) Reduce the minimum required building frontage along Wallace Road NW from 50 percent to 0 percent.

Regarding conditions 5 & 6 and all traffic related impacts to Wallace Road, we request that the traffic impacts to Wallace Road be specifically addressed in light of traffic as of today. Previous WSNA filings on an earlier phase of this project raised key transportation issues. Wallace road does not meet V/C mobility standards and as such any additional traffic has impacts. We recognize that this is currently zoned multi family; however, we request that traffic impacts, connectivity from the project to adjacent streets including Wallace Road, and emergency vehicle flow be part of staff's review and analysis. If additional conditions are needed to implement those cited above, we ask that these be discussed with the WSNA further before filing of staff's report. A careful look at the landlocked lot and its inclusion here needs to be addressed as this was not part of the original zone change for this area.

Respectively,

Steven A. Anderson, West Salem Neighborhood Association Land Use Chair

Applicant Response: To be clear, the italicized text above is related to adjustments requested by the applicant and not proposed conditions of approval by City of Salem Staff. A traffic study has been

completed by the applicant during the comprehensive plan and rezone of four (4) of the subject properties included in this application. ODOT has placed a trip cap on the subject properties and the proposed development will be under that threshold according to current ITE trip generation numbers for multi-family developments.

From: Bobby Van Kleek <pastor_bobby@comcast.net>

Sent: Thursday, October 14, 2021 1:48 PM

To: Pamela Cole

Subject: Class 3 Site Plan Review / Class 2 Adjustment Case No. SPR-ADJ21-25

CASE MANAGER: Pamela Cole, Planner II, City of Salem, Planning Division; 555 Liberty St SE, Room 305, Salem, OR 97301; Phone: 5035402309; E-Mail: pcole@cityofsalem.net.

PLEASE CHECK THE FOLLOWING THAT APPLY:

XXXXX 2. I have reviewed the proposal and have the following comments:

Here is my comment towards the proposal.

I am not opposed to apartment buildings. I grew up most of my life living in apartment buildings and I know firsthand of their importance for families.

How much vehicle traffic will this add to an already congested roadway? In my opinion, West Salem is long due another roadway which will alleviate the congestion moving south towards our only bridge across the Willamette river.

Again, I'm all for apartments. I really question the timing of adding so many units when traffic is already terrible at times. We need another road/bridge helping disperse traffic before we keep adding vehicles to a problematic system.

Thank you for allowing me to share my thoughts.

Applicant Response: Thank you for taking the time provide your comments. Based on the Institute of Transportation Engineers (ITE) land use code 221 for Multi-family Housing (Mid Rise), the proposed additional vehicle trips by including 189 multi-family apartments would be:

Total trips per day: 1,028

AM weekday peak: 64

PM weekday peak: 82

Keep in mind, the owner/developer will pay substantial traffic system development charges, among many other fees, that help offset the impact of the development. It is then up to the city decision-makers to use money collected from those fees efficiently and effectively to study, plan, and build the rest of the City's infrastructure to meet growth demands.

Comments from Mr. & Mrs. Michael Watson

The oak that is over 100 years old needs to stay! There are other means and ways to put traffic through to Wallace Rd. Scott Martin has a very plannable, workable objective. Stay w/it!

Applicant Response: Thank you for the comments. We agree the oak tree directly in front of La Jolla Drive NW is significant and should be preserved.

Comments from Meg Olson

ER exits needed to Brush College Rd to ease traffic congestion on Wallace at Rush Hr. La Jolla drive another exit. Building 6 too close to Wallace, maximize setbacks to Wallace + La Jolla to leave street frontage alone at 10' + 50%. Allow room for charging electric cars! Plant maximum trees, outdoor play area? Bus stop? What is RD zone? Recreation?

Applicant Response: Thank you for taking the time to provide comments. There is through access to the development to the south that would allow emergency vehicles to either make a full loop through the site back Wallace Rd or continue south to Riverbend Rd. The MU-II zone has maximum setbacks from the frontage street, Wallace Rd. We are already asking for an increased setback due to an existing easement along Wallace Rd. Applicant will consider electric vehicle charging stations in the final design. The number of trees planted on site is above the minimum. The RD zone is the "Duplex Residential" zone. This area will be solely used for stormwater management. The closes bus stop is at the corner of Riverbend Rd and La Jolla Drive. Cherriots has commented that they do not wish to put any bus stops along Wallace Rd.



19 October 2021

TO: Pamela Cole, Case Manager

RE: Case No. SPR-ADJ-25
2499, 2501, 2539, 2551 Wallace Rd NW
189 Unit Multi Family Development

FR: Steven A. Anderson, West Salem Neighborhood Association Land Use Chair

Per the proposed conditions:

- (1) Increase the maximum building setback adjacent to Wallace Road NW from 10 feet to 12 feet;*
- (2) Increase the maximum setback adjacent to La Jolla Drive NW from 10 feet to approximately 37 feet;*
- (3) Reduce building setbacks from 10 feet to 0 feet abutting internal property lines so that the buildings may cross existing internal property lines in anticipation of a future property boundary verification.*
- (4) Reduce vehicle use area setbacks from 10 feet to 0 feet abutting existing internal property lines;*
- (5) Reduce the street frontage requirement from 16 feet to 0 feet to allow development on 2501 Wallace Road NW, which is currently landlocked;*
- (6) Reduce the minimum required building frontage along Wallace Road NW from 50 percent to 0 percent.*

Regarding conditions 5 & 6 and all traffic related impacts to Wallace Road, we request that the traffic impacts to Wallace Road be specifically addressed in light of traffic as of today.. Previous WSNA filings on an earlier phase of this project raised key transportation issues. Wallace road does not meet V/C mobility standards and as such any additional traffic has impacts. We recognize that this is currently zoned multi family; however, we request that traffic impacts, connectivity from the project to adjacent streets including Wallace Road, and emergency vehicle flow be part of staff's review and analysis. If additional conditions are needed to implement those cited above, we ask that these be discussed with the WSNA further before filing of staff's report. A careful look at the landlocked lot and its inclusion here needs to be addressed as this was not part of the original zone change for this area.

Respectively,

Steven A. Anderson, West Salem Neighborhood Association Land Use Chair



MEMO

TO: Pamela Cole, Planner II
Community Development Department

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

DATE: June 27, 2022

SUBJECT: PUBLIC WORKS RECOMMENDATIONS
SPR-ADJ21-25 (21-106129-RP)
2499 WALLACE ROAD NW
201-UNIT MULTI-FAMILY DEVELOPMENT

PROPOSAL

A consolidated Class 3 Site Plan Review and Class 2 Adjustment application for a proposed development to include 201 apartments, an office/recreation building, pool, and parking at 2499, 2501, 2519, and 2551 Wallace Road NW (Polk County Assessor Map and Tax Lot 073W09CD / 01300 and 073W09CD / 00900, 01000, 01101, 01301).

RECOMMENDED CONDITIONS OF APPROVAL

1. Extend La Jolla Drive NW through the proposed development to Local street standards as specified in the PWDS and consistent with the provisions of SRC Chapter 803.
2. Provide a vehicular and pedestrian public access easement connecting La Jolla Drive NW to Wallace Road NW.
3. Provide a minimum 20-foot-wide pipeline easement pursuant to PWDS Section 1.8 and quitclaim a portion of the existing pipeline easement for the relocation of an existing public 8-inch sewer pipeline located on the subject property.
4. Extend an 8-inch water main in La Jolla Drive NW from the terminus in La Jolla Drive NW to the northern property line of the subject property.

FACTS

Streets

1. Wallace Road NW

- a. Standard—This street is designated as a State Highway and is under the jurisdiction of the Oregon Department of Transportation (ODOT).
- b. Existing Conditions—This street has an approximate 78-foot improvement within a 100-foot-wide right-of-way abutting the subject property.

2. La Jolla Drive NW

- a. Standard—This street is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Conditions—This street has an approximate 34-foot improvement within a 60-foot-wide right-of-way abutting the subject property.

Storm Drainage

1. Existing Conditions

- a. A 30-inch storm main is located in Wallace Street NW.
- b. A 10-inch storm main is located along the southern property line within an easement. This storm main connects to La Jolla Court NW.

Water

1. Existing Conditions

- a. The subject property is located in the G-0 water service level.
- b. A 12-inch water main is located in Wallace Street NW.
- c. A 6-inch water main is located in La Jolla Drive NW.

Sanitary Sewer

1. Existing Conditions

- a. An 8-inch sewer main is located within an easement on the subject property extending from the southeast corner of the property to the northern property line.

CRITERIA AND FINDINGS

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

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

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

Public Works staff has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

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

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

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

Finding—Wallace Road NW is fully improved and is a state highway under the jurisdiction of ODOT; therefore, no additional street improvements are required as a condition of the proposed development.

The surrounding transportation system does not currently meet street connectivity and street spacing requirements needed for safe, orderly, and efficient circulation of traffic into and out of the proposed development. SRC 803.030(a) states, 'Streets shall have a maximum spacing of 600 feet from right-of-way line to right-of-way line along one axis, and not less than 120 feet and not more than 400 feet from right-of-way line to right-of-way line along the other axis.' SRC 803.035(a) states, "Local streets shall be oriented or connected to existing or planned streets, existing or planned schools, parks, shopping areas, transit stops, and employment centers located within one-half-mile of the development. Local streets shall be extended to adjoining undeveloped properties for eventual connection with the existing street system. Connections to existing or

planned streets and adjoining undeveloped properties for eventual connection with the existing street system shall be provided at no greater than 600-foot intervals....”

Wintergreen Avenue NW is a north-south street located west of the subject property. Wallace Road NW abuts the subject property and travels primarily in a north-south direction. The average distance between Wintergreen Avenue NW and Wallace Road NW is approximately 1,200 feet, exceeding the 600-foot standard. La Jolla Drive NW is a north-south street between Wintergreen Avenue NW and Wallace Road NW that terminates at the south line of the subject property. To meet street connectivity and street spacing requirements as specified in SRC 803.030(a) and SRC 803.035(a), La Jolla Drive NW shall be extended through the proposed development to Local street standards as specified in the PWDS and consistent with the provisions of SRC Chapter 803, as shown on the applicant's site plan.

Similarly, Brush College Road NW is an east-west street located north of the subject property, and River Bend Road NW is an east-west street located south of the subject property. The distance between Brush College Road NW and River Bend Road NW is over 1,200 feet. In lieu of a providing a street connection as required by SRC 803.030(a) and SRC 803.035(a), the applicant shall provide a public access easement for vehicular and pedestrian access along the southern parking lot drive aisle connecting La Jolla Drive NW to Wallace Road NW.

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

Finding—The driveway access onto Wallace Road NW is under the jurisdiction of the ODOT. The applicant is responsible for obtaining the required permits from ODOT for the proposed connection and improvements to Wallace Road NW.

The applicant's site plan shows two proposed driveway approaches along La Jolla Drive NW. This Site Plan Review application does not contain approval of the proposed driveway approaches. If the approaches are installed as part of the construction of the La Jolla Drive NW extension, a driveway approach permit is not required pursuant to SRC 804.015(b)(2), and the driveway locations will be approved with the Public Construction plan review process. If the driveways are not installed as part of the public street extension, the applicant must obtain Class 2 Driveway Approach permits pursuant to SRC Chapter 804.

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.

An existing 8-inch public sewer main is proposed to be relocated on the subject property. As a result, the applicant shall provide a minimum 20-foot-wide pipeline easement pursuant to PWDS Section 1.8 and quitclaim a portion of the existing pipeline easement recorded in Polk County as Instrument No. 2019-003534.

The applicant proposes a 6-inch water main extension in the future La Jolla Drive NW street extension. Pursuant to PWDS Section 5.2, all developments are required to provide public water mains of sufficient size for fire protection to adjacent parcels. PWDS Table 5-3 requires a minimum 8-inch water main. The proposed plan shall be modified to include an 8-inch water main from the terminus in La Jolla Drive NW to the northern property line of the subject property.

The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4)(b) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible. The applicant shall design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

cc: File

REQUEST FOR COMMENTS**Si necesita ayuda para comprender esta informacion, por favor llame 503-588-6173**

REGARDING: Class 3 Site Plan Review / Class 2 Adjustment Case No. SPR-ADJ21-25

PROJECT ADDRESS: 2499, 2501, 2519, 2539, and 2551 Wallace Rd NW, Salem OR 97304

AMANDA Application No.: 21-106129-RP, 21-106130-ZO

COMMENT PERIOD ENDS: October 19, 2021

SUMMARY: A 189-unit multi-family development with an office/recreation building and pool.

REQUEST: A consolidated Class 3 Site Plan Review and Class 2 Adjustment application for a proposed development to include 189 apartments, an office/recreation building, pool, and parking on a development site including 7.59 acres located in the MU-II (Mixed Use - II) zone at 2499, 2501, 2519, and 2551 Wallace Road NW - 97304 (Polk County Assessor Map and Tax Lot 073W09CD / 00900, 01000, 01101, 01301) and 0.51 acres located in the RD (Duplex Residential) zone at 2539 Wallace Road NW 97304 (Polk County Assessor Map and Tax Lot 073W09CD / 01300). The applicant proposes alternative street standards to deviate from the street spacing and connectivity standards in SRC Chapter 803 to allow a pedestrian connection rather than a street connection to La Jolla Drive NW, eliminate required street connectivity to abutting undeveloped properties, and deviate from block length standards that would require a street connection at a maximum block length of 600 feet along Wallace Road NW. The application includes adjustments to:

- (1) Increase the maximum building setback adjacent to Wallace Road NW from 10 feet to 12 feet;
- (2) Increase the maximum setback adjacent to La Jolla Drive NW from 10 feet to approximately 37 feet;
- (3) Reduce building setbacks from 10 feet to 0 feet abutting internal property lines so that the buildings may cross existing internal property lines in anticipation of a future property boundary verification;
- (4) Reduce vehicle use area setbacks from 10 feet to 0 feet abutting existing internal property lines;
- (5) Reduce the street frontage requirement from 16 feet to 0 feet to allow development on 2501 Wallace Road NW, which is currently landlocked;
- (6) Reduce the minimum required building frontage along Wallace Road NW from 50 percent to 0 percent.

The Planning Division is interested in hearing from you about the attached proposal. Staff will prepare a Decision that includes consideration of comments received during this comment period. We are interested in receiving pertinent, factual information such as neighborhood association recommendations and comments of affected property owners or residents. The complete case file, including all materials submitted by the applicant and any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports, are available upon request.

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CASE MANAGER: Pamela Cole, Planner II, City of Salem, Planning Division; 555 Liberty St SE, Room 305, Salem, OR 97301; Phone: 5035402309; E-Mail: pcole@cityofsalem.net.

RECEIVED

For information about Planning in Salem, please visit: <http://www.cityofsalem.net/planning>

PLEASE CHECK THE FOLLOWING THAT APPLY:

OCT 12 2021

- ☒ 1. I have reviewed the proposal and have no objections to it.
- ☐ 2. I have reviewed the proposal and have the following comments: _____

COMMUNITY DEVELOPMENT

Name/Agency: Allie Mathis

Address: 1225 Riverbend Rd NW #103

Phone: 360-388-0180

Email: allie7014@gmail.com

Date: 10-8-2021

IMPORTANT: IF YOU MAIL COMMENTS, PLEASE FOLD AND RETURN THIS POSTAGE-PAID FORM

REQUEST FOR COMMENTS

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

REGARDING: Class 3 Site Plan Review / Class 2 Adjustment Case No. SPR-ADJ21-25

PROJECT ADDRESS: 2499, 2501, 2519, 2539, and 2551 Wallace Rd NW, Salem OR 97304

AMANDA Application No.: 21-106129-RP, 21-106130-ZO

COMMENT PERIOD ENDS: October 19, 2021

SUMMARY: A 189-unit multi-family development with an office/recreation building and pool.

REQUEST: A consolidated Class 3 Site Plan Review and Class 2 Adjustment application for a proposed development to include 189 apartments, an office/recreation building, pool, and parking on a development site including 7.59 acres located in the MU-II (Mixed Use - II) zone at 2499, 2501, 2519, and 2551 Wallace Road NW - 97304 (Polk County Assessor Map and Tax Lot 073W09CD / 00900, 01000, 01101, 01301) and 0.51 acres located in the RD (Duplex Residential) zone at 2539 Wallace Road NW 97304 (Polk County Assessor Map and Tax Lot 073W09CD / 01300). The applicant proposes alternative street standards to deviate from the street spacing and connectivity standards in SRC Chapter 803 to allow a pedestrian connection rather than a street connection to La Jolla Drive NW, eliminate required street connectivity to abutting undeveloped properties, and deviate from block length standards that would require a street connection at a maximum block length of 600 feet along Wallace Road NW. The application includes adjustments to:

- (1) Increase the maximum building setback adjacent to Wallace Road NW from 10 feet to 12 feet;
- (2) Increase the maximum setback adjacent to La Jolla Drive NW from 10 feet to approximately 37 feet;
- (3) Reduce building setbacks from 10 feet to 0 feet abutting internal property lines so that the buildings may cross existing internal property lines in anticipation of a future property boundary verification;
- (4) Reduce vehicle use area setbacks from 10 feet to 0 feet abutting existing internal property lines;
- (5) Reduce the street frontage requirement from 16 feet to 0 feet to allow development on 2501 Wallace Road NW, which is currently landlocked;
- (6) Reduce the minimum required building frontage along Wallace Road NW from 50 percent to 0 percent.

The Planning Division is interested in hearing from you about the attached proposal. Staff will prepare a Decision that includes consideration of comments received during this comment period. We are interested in receiving pertinent, factual information such as neighborhood association recommendations and comments of affected property owners or residents. The complete case file, including all materials submitted by the applicant and any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports, are available upon request.

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For information about Planning in Salem, please visit: <http://www.cityofsalem.net/planning>

PLEASE CHECK THE FOLLOWING THAT APPLY:

☒ 1. I have reviewed the proposal and have no objections to it.

☒ 2. I have reviewed the proposal and have the following comments:

THE OAK TREE THAT IS OVER 100 YRS. OLD, NEEDS TO STAY. THERE ARE OTHER MEANS & WAYS TO PUT TRAFFIC THROUGH TO WALLACE RD. SCOTT MARTIN HAS A VERY PLANNABLE, WORKABLE OBJECTIVE. STAY W/ IT.

Name/Agency: MR. & MRS. MICHAEL WATSON
Address: 2456 LA JOLLA DR. NW SALEM, OR 97304
Phone: (503) 990-8340
Email: thewatsons4@yahoo.com
Date: 10/18/21

RECEIVED

IMPORTANT: IF YOU MAIL COMMENTS, PLEASE FOLD AND RETURN THIS POSTAGE-PAID FORM OCT 12 2021

REQUEST FOR COMMENTS

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

REGARDING: Class 3 Site Plan Review / Class 2 Adjustment Case No. SPR-ADJ21-25

PROJECT ADDRESS: 2499, 2501, 2519, 2539, and 2551 Wallace Rd NW, Salem OR 97304

AMANDA Application No.: 21-106129-RP, 21-106130-ZO

COMMENT PERIOD ENDS: October 19, 2021

SUMMARY: A 189-unit multi-family development with an office/recreation building and pool.

REQUEST: A consolidated Class 3 Site Plan Review and Class 2 Adjustment application for a proposed development to include 189 apartments, an office/recreation building, pool, and parking on a development site including 7.59 acres located in the MU-II (Mixed Use - II) zone at 2499, 2501, 2519, and 2551 Wallace Road NW - 97304 (Polk County Assessor Map and Tax Lot 073W09CD / 00900, 01000, 01101, 01301) and 0.51 acres located in the RD (Duplex Residential) zone at 2539 Wallace Road NW 97304 (Polk County Assessor Map and Tax Lot 073W09CD / 01300). The applicant proposes alternative street standards to deviate from the street spacing and connectivity standards in SRC Chapter 803 to allow a pedestrian connection rather than a street connection to La Jolla Drive NW, eliminate required street connectivity to abutting undeveloped properties, and deviate from block length standards that would require a street connection at a maximum block length of 600 feet along Wallace Road NW. The application includes adjustments to:

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- (3) Reduce building setbacks from 10 feet to 0 feet abutting internal property lines so that the buildings may cross existing internal property lines in anticipation of a future property boundary verification;
- (4) Reduce vehicle use area setbacks from 10 feet to 0 feet abutting existing internal property lines;
- (5) Reduce the street frontage requirement from 16 feet to 0 feet to allow development on 2501 Wallace Road NW, which is currently landlocked;
- (6) Reduce the minimum required building frontage along Wallace Road NW from 50 percent to 0 percent.

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For information about Planning in Salem, please visit: <http://www.cityofsalem.net/planning>

PLEASE CHECK THE FOLLOWING THAT APPLY:

- ☐ 1. I have reviewed the proposal and have no objections to it.
- ☒ 2. I have reviewed the proposal and have the following comments: I agree with Scott Martin
Construction ROP but I disagree with City proposal.

Name/Agency: Manoochehr Mehr Manoochehr Mehr

Address: 2437 La Jolla Drive NW

Phone: 503-807-6057

Email: mehrm1@comcast.net mehrm1@comcast.net

Date: 10-2-21

IMPORTANT: IF YOU MAIL COMMENTS, PLEASE FOLD AND RETURN THIS POSTAGE-PAID FORM

Please contact me, 503-807-6057 or
for any questions, mehrm1@comcast.net

OCT 19 2021

COMMUNITY DEVELOPMENT

Pamela Cole

From: Bobby Van Kleek <pastor_bobby@comcast.net>
Sent: Thursday, October 14, 2021 1:48 PM
To: Pamela Cole
Subject: Class 3 Site Plan Review / Class 2 Adjustment Case No. SPR-ADJ21-25

CASE MANAGER: Pamela Cole, Planner II, City of Salem, Planning Division; 555 Liberty St SE, Room 305, Salem, OR 97301; Phone: 5035402309; E-Mail: pcole@cityofsalem.net.

PLEASE CHECK THE FOLLOWING THAT APPLY:

XXXXX 2. I have reviewed the proposal and have the following comments:

Here is my comment towards the proposal.

I am not opposed to apartment buildings. I grew up most of my life living in apartment buildings and I know firsthand of their importance for families.

How much vehicle traffic will this add to an already congested roadway? In my opinion, West Salem is long due another roadway which will alleviate the congestion moving south towards our only bridge across the Willamette river.

Again, I'm all for apartments. I really question the timing of adding so many units when traffic is already terrible at times. We need another road/bridge helping disperse traffic before we keep adding vehicles to a problematic system.

Thank you for allowing me to share my thoughts.

Name/Agency: Bobby Van Kleek
Address: 1059 Hemlock St. NW, Salem OR 97304
Phone: 971-239-8077
Email: pastor_bobby@comcast.net
Date 10-14-2021

REQUEST FOR COMMENTS

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

REGARDING: Class 3 Site Plan Review / Class 2 Adjustment Case No. SPR-ADJ21-25

PROJECT ADDRESS: 2499, 2501, 2519, 2539, and 2551 Wallace Rd NW, Salem OR 97304

AMANDA Application No.: 21-106129-RP, 21-106130-ZO

COMMENT PERIOD ENDS: October 19, 2021

SUMMARY: A 189-unit multi-family development with an office/recreation building and pool.

REQUEST: A consolidated Class 3 Site Plan Review and Class 2 Adjustment application for a proposed development to include 189 apartments, an office/recreation building, pool, and parking on a development site including 7.59 acres located in the MU-II (Mixed Use - II) zone at 2499, 2501, 2519, and 2551 Wallace Road NW - 97304 (Polk County Assessor Map and Tax Lot 073W09CD / 00900, 01000, 01101, 01301) and 0.51 acres located in the RD (Duplex Residential) zone at 2539 Wallace Road NW 97304 (Polk County Assessor Map and Tax Lot 073W09CD / 01300). The applicant proposes alternative street standards to deviate from the street spacing and connectivity standards in SRC Chapter 803 to allow a pedestrian connection rather than a street connection to La Jolla Drive NW, eliminate required street connectivity to abutting undeveloped properties, and deviate from block length standards that would require a street connection at a maximum block length of 600 feet along Wallace Road NW. The application includes adjustments to:

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PLEASE CHECK THE FOLLOWING THAT APPLY:

- ☒ 1. I have reviewed the proposal and have no objections to it.
- ☐ 2. I have reviewed the proposal and have the following comments: _____

Name/Agency: Terrell + Deanna JACKSON (Hair System N.W.)
Address: 1452 BRUSH COLLEGE RD.
Phone: 503-541-4432
Email: NA
Date: 10/14/21

RECEIVED

IMPORTANT: IF YOU MAIL COMMENTS, PLEASE FOLD AND RETURN THIS POSTAGE-PAID FORM
OCT 15 2021

REQUEST FOR COMMENTS

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

REGARDING: Class 3 Site Plan Review / Class 2 Adjustment Case No. SPR-ADJ21-25
PROJECT ADDRESS: 2499, 2501, 2519, 2539, and 2551 Wallace Rd NW, Salem OR 97304
AMANDA Application No.: 21-106129-RP, 21-106130-ZO
COMMENT PERIOD ENDS: October 19, 2021

SUMMARY: A 189-unit multi-family development with an office/recreation building and pool.

REQUEST: A consolidated Class 3 Site Plan Review and Class 2 Adjustment application for a proposed development to include 189 apartments, an office/recreation building, pool, and parking on a development site including 7.59 acres located in the MU-II (Mixed Use - II) zone at 2499, 2501, 2519, and 2551 Wallace Road NW - 97304 (Polk County Assessor Map and Tax Lot 073W09CD / 00900, 01000, 01101, 01301) and 0.51 acres located in the RD (Duplex Residential) zone at 2539 Wallace Road NW 97304 (Polk County Assessor Map and Tax Lot 073W09CD / 01300). The applicant proposes alternative street standards to deviate from the street spacing and connectivity standards in SRC Chapter 803 to allow a pedestrian connection rather than a street connection to La Jolla Drive NW, eliminate required street connectivity to abutting undeveloped properties, and deviate from block length standards that would require a street connection at a maximum block length of 600 feet along Wallace Road NW. The application includes adjustments to:

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CASE MANAGER: Pamela Cole, Planner II, City of Salem, Planning Division; 555 Liberty St SE, Room 305, Salem, OR 97301; Phone: 5035402309; E-Mail: pcole@cityofsalem.net.

For information about Planning in Salem, please visit: <http://www.cityofsalem.net/planning>

PLEASE CHECK THE FOLLOWING THAT APPLY:

- ☐ 1. I have reviewed the proposal and have no objections to it.
- ☐ 2. I have reviewed the proposal and have the following comments: *ER*
2 exits needed to Brush College Rd + to
ease traffic congestion on Wallace at Brush. In Jolla Drive another exit
Building too close to Wallace. Maximize setbacks to Wallace + La Jolla to
leave street frontage alone at 16' + 90' to. Allow room for charging electric cars!
Plant maximum trees
outdoor play area
Bus stop?

RECEIVED

OCT 18 2021

Name/Agency: *Meg Olson*
Address: *2430 La Jolla Ct NW*
Phone: *503-583-1797*
Email: *meg-ol@4567cloud.com*
Date: *October 19, 2021*

what is
RD zone recreation?

COMMUNITY DEVELOPMENT
IMPORTANT: IF YOU MAIL COMMENTS, PLEASE FOLD AND RETURN THIS POSTAGE-PAID FORM

REQUEST FOR COMMENTS

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

REGARDING: Class 3 Site Plan Review / Class 2 Adjustment Case No. SPR-ADJ21-25
PROJECT ADDRESS: 2499, 2501, 2519, 2539, and 2551 Wallace Rd NW, Salem OR 97304
AMANDA Application No.: 21-106129-RP, 21-106130-ZO
COMMENT PERIOD ENDS: October 19, 2021

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PLEASE CHECK THE FOLLOWING THAT APPLY:

☐ 1. I have reviewed the proposal and have no objections to it.

☒ 2. I have reviewed the proposal and have the following comments: *I thought we have an issue with climate change, so just lay more asphalt and cement to generate more heat to pollute into atmosphere.*

Name/Agency: *Rita M. [Signature]*
Address: *2539 Wallace Rd, N.W. Salem, Or. 97304*
Phone: *503 358-1424*
Email: *lucke1949@yahoo.com*
Date: *10-15-21*

IMPORTANT: IF YOU MAIL COMMENTS, PLEASE FOLD AND RETURN THIS POSTAGE-PAID FORM

Pamela Cole

From: Sara Baldwin <sbaldwi7@my.chemeketa.edu>
Sent: Monday, October 18, 2021 7:57 PM
To: Pamela Cole
Subject: Fwd: Comments for SPR-ADJ21-25

Hello!

I am forwarding you the email I sent earlier. I have never provided comments to a city meeting so I am unsure if I got them to the right spot. Thank you!

Sara Baldwin

Sent from my iPhone

Begin forwarded message:

From: Sara Baldwin <sbaldwi7@my.chemeketa.edu>
Date: October 18, 2021 at 09:38:11 PDT
To: manager@cityofsalem.net
Subject: Comments for SPR-ADJ21-25

Hello,

My name is Sara Baldwin and I am a long time resident of La Jolla Dr NW. We were recently notified of this proposal effecting the property development on Wallace Road. I have no objections to the proposal. I strongly agree with the proposal to allow a pedestrian access rather than a street connection. La Jolla Dr has long been a street of either young families or retired couples. The increase in traffic that would result from a street connection to Wallace Road would be an incredible burden to the residents of my street and a safety hazard. Allowing pedestrian access would give my neighbors and myself the access to green space and safe places to walk.

I strongly approve this proposal and have no objections.

Thank you

Sara Baldwin
2427 La Jolla Dr NW
Salem, OR 97304
503-586-4222

Sent from my iPhone

Pamela Cole

From: Jeri Baldwin <jerismurfturf@yahoo.com>
Sent: Monday, October 18, 2021 8:01 PM
To: Pamela Cole
Subject: Comments for SPR-ADJ21-25

We have lived on La Jolla Drive for 23 years. It's a street where elders walk their dogs and children play ball in the street and ride their bikes. Connecting to Wallace Road would make that impossible. We fully support the proposal to approve a pedestrian connection instead of a vehicle connection.

Thank you
Dennis and Jeri Baldwin
2427 La Jolla Dr NW
Salem, OR 97304
503-363-5474

Sent from my iPhone



RESPONSE TO REQUEST FOR COMMENTS

DATE: Wednesday, October 6, 2021

CASE/APP NUMBER: Class 3 Site Plan Review / Class 2 Adjustment Case No. SPR-ADJ21-25

PROPERTY LOCATION: 2499, 2501, 2519, 2539, and 2551 Wallace Rd NW, Salem OR 97304

CASE MANAGER: Pamela Cole, Planner II, City of Salem Planning Division

Email: pcole@cityofsalem.net

COMMENTS FROM: Jolynn Franke, Transit Planner I, Cherriots Planning Department

Email: planning@cherriots.org

COMMENTS: Cherriots would support a pedestrian/bicycle connection from the proposed development to La Jolla Dr NW as the closest transit stop is located on Riverbend Rd NW at La Jolla Dr NW (see map). Sufficient lighting should be provided for the pedestrian/bicycle connection as well as clear way-finding signage. However, in general, Cherriots is opposed to large multi-family developments constructed off of the Core Network corridors (see attached Core Network Policy), such as this one, because non-Core Network corridors are typically the more difficult areas for large buses to navigate resulting in less frequent and less attractive transit service. Due to traffic speeds and roadway configuration, this section of Wallace Rd NW is not a safe place to locate transit stops, again making public transit a less attractive option to residents. As identified in section 3 of the Salem Congestion Relief Task Force - Final Report: "Existing traffic congestion is directly related to vehicle flows to, from, and across the Center Street and Marion Street bridges. During morning and evening commutes, traffic on the bridges nears or exceeds capacity in many areas. This produces long vehicle queues on **Wallace Road**, Highway 22, and Glen Creek Road leading to the Center Street Bridge in the peak morning traffic commuting hours. In the evening peak traffic commuting hours, Commercial Street, Marion Street, and Front Street leading to the Marion Street Bridge are also congested with long vehicle queues". Cherriots would suggest limiting the number of parking spaces within the development to the required number of 204 and increasing the number of bicycle parking from 24 to 48 as a way to mitigate the impact



this development would have on the already existing congestion problems on Wallace Rd NW.



Policy:	Core Network	Number: 118
Resolution #2017-10 adopted by the SAMTD Board of Directors on 07/27/2017	Effective Date: 07-27-17	Page 1 of 2

118.01 PURPOSE

To establish a Core Network of bus service corridors in Salem and Keizer that represents the highest priority for service run by Salem Area Mass Transit District (SAMTD). The Core Network will ensure riders, residents, developers, businesses, and municipal planning organizations know where SAMTD plans to invest the most in transit service. Routes serving the corridors of the Core Network may change over time, but service along these corridors will be maintained and prioritized, both in the case of service reductions and service expansions.

118.02 APPLICATION

To set guidelines to facilitate the decision making process in the case of future service reductions and service expansions.

118.03 CORRIDORS DEFINED

The following streets define SAMTD's Core Network -

- High St NE, Broadway St NE and River Rd N (*from Union St NE to Lockhaven Dr NE*)
- Lockhaven Dr NE (*from River Rd N to Chemawa Rd NE*)
- Summer St NE, Capitol St NE, Fairgrounds Rd NE, and Portland Rd NE (*from Union St NE to Hayesville Dr NE*)
- Lancaster Dr NE (*from Hayesville Dr NE to Rickey St SE*)
- Market St NE (*from Capitol St NE to Lancaster Dr NE*)
- Center St NE (*from 13th St NE to Lancaster Dr NE*)
- State St (*from 13th St NE to Lancaster Dr NE*)
- Commercial St SE (*from Trade St SE to Kuebler Blvd SE*)
- Liberty St SE (*from Commercial St SE to Trade St SE*)
- Skyline Rd S and Liberty Rd S (*from Madrona Ave S to Kuebler Blvd*)
- Marion and Center Street Bridges (*from Wallace Rd NW to Commercial St NE*)
- Edgewater St NW (*from Eola Dr NW to Gerth St NW*)
- Madrona Ave SE from Commercial St SE to Liberty St S
- Salem's Downtown (*between Front St NE, Union St NE, 13th St NE, and Trade St SE*)

118.04 RULES OF THE CORE NETWORK**1. Corridor Changes**

The Core Network corridors cannot be added to or altered without formal action by SAMTD Board of Directors.

Policy:	Core Network	Number: 118
Resolution #2017-10 adopted by the SAMTD Board of Directors on 07/27/2017	Effective Date: 07-27-17	Page 2 of 2

2. Service Priorities

Priority will be given to service on the Core Network on all days of service, with the highest frequency prioritized on these corridors. All Core Network corridors will have service operating with a minimum of 30 minute headways during all hours of weekday service, and a goal of 15 minute headways during peak periods. Weekend and holidays service, will have a minimum of 60 minute headways, and a goal of 30 minute headways for all. The Salem Downtown area will always have service. However, the paths of the buses traveling through this area may change over time as streets change (one-way to two-way, additional bike lanes, etc.)

3. Service Reductions and Expansions

In the event of service reductions and expansions, the Core Network will be prioritized over coverage in other areas of the system.

4. Public Hearing Requirements

SAMTD shall hold a public hearing when any Core Network change is proposed that results in removal or reduction of service in a corridor. The public hearing process must be conducted in accordance with SAMTD Policy 707.04 (A).

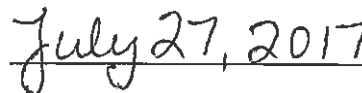
5. Implementation of Changes

No Core Network removal or reduction shall be instituted until after a public hearing is held and after consideration to views and comments expressed in the hearing is given.

118.05 EXCEPTIONS

There may be exceptions to the above policies for emergency situations such as a long term closure of a section of roadway.

Adopted by:**Date:**

President, SAMTD Board of Directors / General Manager

July 27, 2017

REQUEST FOR COMMENTS

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

REGARDING: Class 3 Site Plan Review / Class 2 Adjustment Case No. SPR-ADJ21-25

PROJECT ADDRESS: 2499, 2501, 2519, 2539, and 2551 Wallace Rd NW, Salem OR 97304

AMANDA Application No.: 21-106129-RP, 21-106130-ZO

COMMENT PERIOD ENDS: October 19, 2021

SUMMARY: A 189-unit multi-family development with an office/recreation building and pool.

REQUEST: A consolidated Class 3 Site Plan Review and Class 2 Adjustment application for a proposed development to include 189 apartments, an office/recreation building, pool, and parking on a development site including 7.59 acres located in the MU-II (Mixed Use - II) zone at 2499, 2501, 2519, and 2551 Wallace Road NW - 97304 (Polk County Assessor Map and Tax Lot 073W09CD / 00900, 01000, 01101, 01301) and 0.51 acres located in the RD (Duplex Residential) zone at 2539 Wallace Road NW 97304 (Polk County Assessor Map and Tax Lot 073W09CD / 01300). The applicant proposes alternative street standards to deviate from the street spacing and connectivity standards in SRC Chapter 803 to allow a pedestrian connection rather than a street connection to La Jolla Drive NW, eliminate required street connectivity to abutting undeveloped properties, and deviate from block length standards that would require a street connection at a maximum block length of 600 feet along Wallace Road NW. The application includes adjustments to:

- (1) Increase the maximum building setback adjacent to Wallace Road NW from 10 feet to 12 feet;
- (2) Increase the maximum setback adjacent to La Jolla Drive NW from 10 feet to approximately 37 feet;
- (3) Reduce building setbacks from 10 feet to 0 feet abutting internal property lines so that the buildings may cross existing internal property lines in anticipation of a future property boundary verification;
- (4) Reduce vehicle use area setbacks from 10 feet to 0 feet abutting existing internal property lines;
- (5) Reduce the street frontage requirement from 16 feet to 0 feet to allow development on 2501 Wallace Road NW, which is currently landlocked;
- (6) Reduce the minimum required building frontage along Wallace Road NW from 50 percent to 0 percent.

The Planning Division is interested in hearing from you about the attached proposal. Staff will prepare a Decision that includes consideration of comments received during this comment period. We are interested in receiving pertinent, factual information such as neighborhood association recommendations and comments of affected property owners or residents. The complete case file, including all materials submitted by the applicant and any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports, are available upon request.

Comments received by 5:00 p.m. Tuesday, October 19, 2021, will be considered in the decision process. Comments received after this date will be not considered. *Comments submitted are public record. This includes any personal information provided in your comment such as name, email, physical address and phone number. Mailed comments can take up to 7 calendar days to arrive at our office. To ensure that your comments are received by the deadline, we recommend that you e-mail your comments to the Case Manager listed below.*

CASE MANAGER: Pamela Cole, Planner II, City of Salem, Planning Division; 555 Liberty St SE, Room 305, Salem, OR 97301; Phone: 5035402309; E-Mail: pcole@cityofsalem.net.

For information about Planning in Salem, please visit: <http://www.cityofsalem.net/planning>

PLEASE CHECK THE FOLLOWING THAT APPLY:

☐ 1. I have reviewed the proposal and have no objections to it.

☒ 2. I have reviewed the proposal and have the following comments: See attached

Name/Agency: Salem-Keizer Public Schools, Planning and Property Services
 Address: 3630 State Street, Salem OR 97301
 Phone: David Fridenmaker, Manager
 Email: 503-399-3335
 Date: 10-12-21

IMPORTANT: IF YOU MAIL COMMENTS, PLEASE FOLD AND RETURN THIS POSTAGE-PAID FORM



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

October 12, 2021

Pamela Cole, Planner
Planning Division, City of Salem
555 Liberty Street SE, Room 305
Salem OR 97301

RE: Land Use Activity Case No. SPR-ADJ21-25

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
Harritt	Elementary	K thru 5
Walker	Middle	6 thru 8
West 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
Harritt	Elementary	485	577	84%
Walker	Middle	629	1,058	59%
West Salem	High	1,698	1,749	97%

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 2014 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	189	MF	0.201	38
Middle			0.077	15
High			0.084	16

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
Harritt	Elem.	485	0	38	38	577	91%
Walker	Mid.	629	3	15	18	1,058	61%
West Salem	High	1,698	13	16	29	1,749	99%

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
Harritt	Elementary	Walk Zone
Walker	Middle	Eligible for School Transportation
West Salem	High	Walk Zone

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	38	\$60,840	\$2,311,920
Middle	15	\$72,735	\$1,091,025
High	16	\$84,630	\$1,354,080
TOTAL			\$4,757,025

Table 6

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

Sincerely,

David Fridenmaker, Manager
Planning and Property Services

c: Mike Wolfe, Chief Operations Officer, David Hughes, Director – Custodial, Property and Auxiliary Services, T.J. Crockett, Director of Transportation

Pamela Cole

From: KNECHT Casey <Casey.KNECHT@odot.state.or.us>
Sent: Tuesday, October 19, 2021 4:11 PM
To: Pamela Cole
Subject: ODOT Comments for City of Salem Case No. SPR-ADJ21-25 - Martin

Pamela,

Thank you for notifying the Oregon Department of Transportation (ODOT) of the proposal at 2499-2551 Wallace Rd NW in Salem. Please include these comments in the public record and notify ODOT of the decision by sending a copy to odotr2planmgr@odot.state.or.us when available.

The site is adjacent to Salem-Dayton Highway, No. 150 (OR-221), and is subject to state laws administered by ODOT. The site currently has three highway approaches:

- MP 18.79 serving TL 1301; permitted in 1980 for five residences (Permit #26694)
- MP 18.85 serving TL 1101; presumed to be permitted for one residence
- MP 18.87 serving public right-of-way between TL 1101 and 1000

The site plan shows an internal connection with a neighboring property, which would result in an additional highway approach to serve the site:

- MP 18.92 serving TL 10000; permitted in 2020 for 48 apartments and 11,250 sqft of office/retail (Permit #57359)

The proposal to construct 189 additional apartments will trigger a Change of Use (OAR 734-051) and will require the applicant to obtain new approach permits from ODOT at MP 18.79 and 18.92. The site plan shows that the approaches at MP 18.85 and 18.87 will be closed. These will need to be replaced with standard curb, gutter, and sidewalk. The approach at MP 18.79 appears to be between 16 and 20 feet in width. This will likely not be wide enough to adequately serve the new use of the site. Rebuilding the approach to 24' would be appropriate for the use and the right-in right-out turning limitations due to the raised median in the highway.

ODOT generally defers frontage improvements to the city. If the city requires new sidewalk along any portion of the highway frontage aside from the closed approaches, the applicant will need to rebuild the sidewalk to current ODOT standards. The frontage work can be included under the same permits as the approaches.

Please contact me with any questions and to start the permitting process.

Casey Knecht, P.E.

Development Review Coordinator | ODOT Region 2

503-986-5170 | casey.knecht@odot.state.or.us