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

DECISION OF THE PLANNING ADMINISTRATOR

CLASS 3 SITE PLAN REVIEW / CLASS 2 ADJUSTMENT / CLASS 2 DRIVEWAY APPROACH PERMIT / CLASS 1 DESIGN REVIEW CASE NO.: SPR-ADJ-DAP-DR22-45

APPLICATION NO.: 22-107215-RP, 22-107216-ZO, 22-108312-ZO, 22-107217-DR

NOTICE OF DECISION DATE: December 22, 2022

SUMMARY: A proposal for a new 24-unit multi-family housing development.

REQUEST: A consolidated application for a Class 3 Site Plan Review, Class 2 Adjustments, Class 2 Driveway Approach Permit, and Class 1 Design Review for development of a multi-family apartment building consisting of 24 units, parking, and associated site improvements. The Class 2 adjustments requested are to:

- (1) Reduce the 12-foot setback abutting a street to 6 feet from the special setback line (SRC 521.010(b));
- (2) Reduce the 10-foot landscaped setback along the south property line to 6 feet (SRC 521.010(b));
- (3) Reduce the 20-foot setback for a vehicle use area abutting the RS zone to 15 feet (SRC 702.020(d)(3));
- (4) Reduce the minimum required tree canopy spacing along the perimeter of the parking area (SRC 702.020(b)(7)); and
- (5) Reduce the required driveway spacing standard of 370 feet for a driveway approach along Sunnyside Rd SE, a Minor Arterial street (SRC 804.035(d)).

The subject property is approximately 1 acre in size, zoned CO (Commercial Office), and located at 4345 Sunnyside Road SE - 97302 (Marion County Assessors Map and Tax Lot number: 083W10AC / 600).

APPLICANT: Jake Buckendorf

LOCATION: 4345 Sunnyside Rd SE, Salem OR 97302

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

FINDINGS: The findings are in the attached Decision dated December 22, 2022.

DECISION: The **Planning Administrator APPROVED** Class 3 Site Plan Review, Class 2 Adjustment, Class 2 Driveway Approach Permit, and Class 1 Design Review Case No. SPR-ADJ-DAP-DR22-45 subject to the following conditions of approval:

Condition 1: At the time of building permit review, the applicant shall provide plans showing Fire Department access, fire hydrant locations, and Fire Department Connection as required.

YOUR SERVICE



SPR-ADJ-DAP-DR22-45 Notice of Decision December 22, 2022 Page 2

- **Condition 2:** At the time of building permit review, the applicant shall provide bumper guards or wheel barriers for all parking spaces adjacent to a required landscaped setback or a pedestrian walkway only five feet in width.
- **Condition 3:** At the time of building permit review, the applicant shall provide a total of 24 bicycle parking spaces for the development site, which may be a combination of short-term or long-term bicycle parking, in compliance with the provisions of SRC 806.060.
- **Condition 4:** At the time of building permit review, the applicant shall provide a full landscape plan demonstrating how the development site meets Type A landscaping, including all new and existing landscaped areas, by providing a minimum of one plant unit per 20 square feet, with 40 percent of the plant units being trees.
- **Condition 5:** The applicant's landscape plan shall designate four trees on site that meet the tree replanting requirement, which shall be of either a shade or evergreen variety with a minimum 1.5-inch caliper.
- **Condition 6:** Along the West Fork Pringle Creek on the subject property, dedicate an Open Channel Drainage Easement. In accordance with PWDS, the easement width shall be either 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greater.
- **Condition 7:** Convey land for dedication to equal a half-width right-of-way of 36 feet on the development side of Sunnyside Road SE.
- **Condition 8:** Construct a marked crosswalk on Sunnyside Road SE at the intersection with Idylwood Drive SE pursuant to PWDS.
- **Condition 9:** Install street trees to the maximum extent feasible along Sunnyside Road SE.
- **Condition 10:** Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.
- **Condition 11:** The applicant shall provide Type C landscaping and screening along the southern property line, including a minimum of 95 plant units with 40 percent provided as trees, a six-foot-tall sight-obscuring fence along the reduced setback abutting the CO zoned property, and an eight-foot-tall sight-obscuring fence abutting the RS zoned property.
- **Condition 12:** The adjusted development standards, as approved in this report, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development standards of the Unified Development Code, unless adjusted through a future land use action.
- **Condition 13:** At the time of building permit review, the applicant shall indicate that at private open space, meeting the requirements of SRC 702.020(a)(1)(D) and Table 702-4, is provided for at least five dwelling units.

Condition 14: At the time of building permit review, the applicant shall ensure that windows are provided in all habitable rooms, other than bathrooms, on each wall that faces common open space, parking areas, and pedestrian paths.

The rights granted by the attached decision must be exercised, or an extension granted, by <u>January 7, 2027</u>, or this approval shall be null and void.

Application Deemed Complete:	<u>October 24, 2022</u>
Notice of Decision Mailing Date:	December 22, 2022
Decision Effective Date:	January 7, 2023
State Mandate Date:	February 21, 2023

Case Manager: Jamie Donaldson, Planner II, jdonaldson@cityofsalem.net, 503-540-2328

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 <u>planning@cityofsalem.net</u>, no later than <u>5:00 p.m., FRIDAY, JANUARY 6,</u> <u>2023</u>. 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, 225, 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) FINDINGS AND ORDER
CLASS 3 SITE PLAN REVIEW,)
CLASS 2 ADJUSTMENT,)
CLASS 2 DRIVEWAY APPROACH PERMIT)
AND CLASS 1 DESIGN REVIEW)
CASE NO. SPR-ADJ-DAP-DR22-45)
4345 SUNNYSIDE ROAD SE) DECEMBER 22, 2022

In the matter of the application for Class 3 Site Plan Review, Class 2 Adjustment, Class 2 Driveway Approach Permit, and Class 1 Design Review applications submitted by the applicant and property owner Jake Buckendorf, and the applicant's representative Lenity Architecture, represented by Roland Boschmann, the Planning Administrator, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

Summary: A proposal for a new 24-unit multi-family housing development.

Request: A consolidated application for a Class 3 Site Plan Review, Class 2 Adjustments, Class 2 Driveway Approach Permit, and Class 1 Design Review for development of a multi-family apartment building consisting of 24 units, parking, and associated site improvements. The Class 2 adjustments requested are to:

- Reduce the 12-foot setback abutting a street to 6 feet from the special setback line (SRC 521.010(b));
- (2) Reduce the 10-foot landscaped setback along the south property line to 6 feet (SRC 521.010(b));
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- (4) Reduce the minimum required tree canopy spacing along the perimeter of the parking area (SRC 702.020(b)(7)); and
- (5) Reduce the required driveway spacing standard of 370 feet for a driveway approach along Sunnyside Rd SE, a Minor Arterial street (SRC 804.035(d)).

The subject property is approximately 1 acre in size, zoned CO (Commercial Office), and located at 4345 Sunnyside Road SE - 97302 (Marion County Assessors Map and Tax Lot number: 083W10AC / 600).

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

PROCEDURAL FINDINGS

1. Background

On April 8, 2022, a consolidated application for Class 3 Site Plan Review, Class 2 Adjustment, and Class 1 Design Review was filed for the proposed development. After

additional information was provided, including submission of a Class 2 Driveway Approach Permit on April 27, 2022, the applications were deemed complete for processing on October 24, 2022. The 120-day state mandated decision deadline for this consolidated application is February 21, 2023.

The applicant's proposed site plan is included as **Attachment B** and the applicant's written statement addressing the approval criteria is included as **Attachment C**.

SUBSTANTIVE FINDINGS

2. 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: 22 107215.

3. Neighborhood and Public Comments

The subject property is located within the boundaries of the Faye Wright Neighborhood Association.

Applicant Neighborhood Association Contact: SRC 300.310 requires an applicant to contact the neighborhood association(s) whose boundaries include, and are adjacent to, property subject to specific land use application requests. Pursuant to SRC 300.310(b)(1), land use applications included in this proposed consolidated land use application request require neighborhood association contact. On December 17, 2021, the applicant's representative contacted the Faye Wright Neighborhood Association to provide details about the proposal.

<u>Neighborhood Association Comment</u>: Notice of the application was provided to the Neighborhood Association pursuant to SRC 300.620(b)(2)(B)(v), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. The Faye Wright Neighborhood Association submitted comments for the proposal, which are included as **Attachment D** and summarized below.

• **Driveway Access:** The Faye Wright Neighborhood association expressed concern over the proposed location of the driveway and the effects on traffic.

Staff Response: As described in the report below and the memo submitted by Public Works (**Attachment E**), the proposed driveway requires a Class 2 Driveway Approach Permit and an Adjustment for driveway spacing. These permits would be required regardless of where the driveway was located on the lot. The applicant submitted a Sight Distance Analysis for the proposed location of the driveway. The Assistant City Traffic Engineer reviewed the analysis and concurred that required sight distances are provided by the proposed driveway. Moving the proposed

driveway to the north may not provide adequate sight distances. The location of the proposed driveway balances required sight distances and conflicts with the intersection of Sunnyside Road SE and Idylwood Drive SE.

• **Number of Adjustments:** The Faye Wright Neighborhood association expressed concern over the number of adjustments requested and the negative impact on adjacent properties.

Staff Response: Requests for adjustments are required to meet the approval criteria outlined in SRC 250.005(d), and illustrate how the proposal equally or better meets the intent of the specific development standard. Staff generally works with the applicant prior to a complete application to ensure that the adjustment(s) requested still equally or better meet the intent of the standard by providing additional mitigation measures, such as fencing or more landscaping, to lessen the impact to surrounding properties. Findings for the requested adjustments can be found in Section 7 of this report.

<u>Public Comment</u>: Notice was also provided, pursuant to SRC 300.620(b)(2)(B)(iii), (vi), & (vii), to all property owners and tenants within 250 feet of the subject property. As of the date of completion of this staff report, four comments have been received from the surrounding property owners and tenants; other than the two concerns addressed above, additional comments are summarized below.

• **Nature of Adjustments:** Comments expressed concern over each specific adjustment requested with the development, including setbacks, landscaping, tree canopy, and driveway spacing.

Staff Response: Requests for adjustments are required to meet the approval criteria outlined in SRC 250.005(d), and illustrate how the proposal equally or better meets the intent of the specific development standard. The applicant may propose additional mitigation measures such as fencing or more landscaping or trees in other areas of the development as a means to meet the intent of the requested standard adjustment. Specific findings relating to each of these standards and the requested adjustment can be found in Section 7 of this report.

• **Development of apartments:** Comments expressed concern over prior conversations with the developer to provide commercial office or single-family homes, not apartments.

Staff Response: The applicant has applied for a multiple family development, which is an outright permitted use in the CO (Commercial Office) zone. The City has to evaluate development requests as designed by the applicant for conformance with approval criteria and development standards. As discussed throughout this report, the proposal has been reviewed for conformance with all applicable zoning requirements to allow a multi-family development in the CO zone.

• **Property values:** Comments expressed concern over loss of property values and the quality of life for surrounding properties and neighbors.

Staff Response: The criteria for approval of the proposed application does not require a demonstration that property values will not be adversely affected. The zoning code allows the proposed multiple family use, provided that they are conducted in accordance with all appliable provisions of the Salem Revised Code and the conditions of approval to reduce and mitigate the negative impacts of the proposed uses, which is outlined in this report.

• **Natural features and wildlife:** Comments received requested clarification as to whether waterways or wetlands were mapped on the subject property.

Staff Response: A portion of the West Fork Pringle Creek runs along the western property boundary. Surrounding the creek, portions of the subject property are designated as IFHA pursuant to SRC Chapter 601 and Administrative Rule Chapter 109, Division 020. The proposed multi-family buildings are not within the designated floodplain area; a small trash enclosure may be within the area and would be subject to a Floodplain Development Permit and the requirements of SRC Chapter 601.

Due to the presence of the West Fork Pringle Creek on the site, a wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025. A response has not yet been received. The Oregon Department of State Lands will determine if any wetland permits are required for the proposed development. In addition, the applicant has not proposed to remove any trees or vegetation within the riparian corridor of the creek, allowing the natural habitat to remain.

• Interference with solar power or satellite service: Comments expressed concern over new structures that might impede current and future use of solar power for adjacent neighbors, or impede cell or satellite service.

Staff Response: Development of the property is subject to the development standards set forth in SRC Chapter 521, which include requirements for height, setbacks, and lot coverage that are intended to ensure that development of private property or use of public rights-of-way does not adversely impact adjacent properties. Solar installments or satellite service of adjacent properties are not regulated or protected under the City of Salem zoning code.

<u>Homeowners Association</u>: The subject property is not located within a Homeowners Association.

4. City Department Comments

<u>Public Works Department</u>: Reviewed the proposal and provided a memo which is included as **Attachment E**.

Building and Safety: Review the proposal and indicated no concerns.

<u>Fire Department</u>: Reviewed the proposal and indicated that aerial fire department access will be required if the building height exceeds 30 feet per the Oregon fire code; fire flow will be required per OFC Appendix B. Fire Department water supply will be evaluated with the building addition at the time of building permit plan review. All

portions of the building shall be within 400 feet of a fire hydrant, or 600 feet if the building has an approved fire sprinkler system.

Staff Response: The applicant is responsible for addressing these comments during the building permit process. The configuration of the buildings and parking area may be modified, if necessary, to meet the Fire Department standards, provided that the modifications meet applicable development standards, design standards, and conditions of approval. To ensure these standards are met, the following condition applies:

Condition 1: At the time of building permit review, the applicant shall provide plans showing Fire Department access, fire hydrant locations, and Fire Department Connection as required.

5. Public and Private Agency Comments

<u>Salem-Keizer Public School District</u>: Reviewed the proposal and provided comments which are included as **Attachment F**.

DECISION CRITERIA FINDINGS

6. Analysis of Class 3 Site Plan Review Approval Criteria

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

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

Finding: The proposal includes development of a new multi-family apartment complex with associated site improvements. All applications were finally submitted on April 27, 2022. At the time this application was submitted, the subject property was zoned CO (Commercial Office). On August 24, 2022, as a result of the Our Salem project, the zoning map for the subject property was changed to MU-I (Mixed Use-I). The proposal is subject to the development standards that applied when the application was received, and has therefore been reviewed for conformance with the CO (Commercial Office) zone under SRC Chapter 521. Five adjustments are requested to setbacks, landscaping, tree canopy, and driveway spacing standards; findings for the adjustments are included in Section 7 of this report. The proposed development conforms to SRC Chapter 521 and all other applicable development standards of the Salem Revised Code as follows.

Use and Development Standards – CO (Commercial Office) Zone:

SRC 521.005(a) – Uses:

The permitted, special, conditional, and prohibited uses in the CO zone are set forth in Table 521-1.

Finding: Multiple-family use are outright permitted in the CO Zone; this standard is met.

SRC 521.010(a) – Lot Standards: Lots within the CO zone shall conform to the standards set forth in Table 521-2.

TABLE 521-2.	LOT STANDARDS	
Requirement	Standard	Limitations & Qualifications
Lot Area		
Multiple Family	Min. 5,000 sq. ft., plus additional lot area based on number of bedrooms within each dwelling unit	 Applicable to multiple family consisting of 6 or more dwelling units. Additional lot area required as follows: First through fifth dwelling units. 750 sq. ft. for each dwelling unit with 1 bedroom. 1,000 sq. ft. for each dwelling unit with 2 bedrooms. 1,200 sq. ft. for each dwelling unit with 3 to 5 bedrooms. Sixth and additional dwelling units. 1,000 sq. ft. for each dwelling unit with no more than 2 bedrooms in a 2 or more- story structure. 1,250 sq. ft. for each dwelling unit with no more than 2 bedrooms in a 1 story structure. 1,700 sq. ft. for each dwelling unit with a or more bedrooms.
Lot Width		
Single family, two family, three family, four family, and multiple family	Min. 40 ft.	
Lot Depth		
Two family, three family, four family, and multiple family	Min. 80 ft.	
Street Frontag	je	
All other uses	Min. 16 ft.	

Finding: The applicant is not proposing any changes to the lot dimensions, which already meet the standards of the zone. Multiple family developments of six or more units require a minimum of 1,000 square feet for each dwelling unit with no more than 2 bedrooms in a 2 or more-story structure, This standard is met.

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SRC 521.010(b) – Setbacks:

Setbacks within the CO zone shall be provided as set forth in Table 521-3 and Table 521-4.

TABLE 521-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	Min. 12 ft.	
Accessory Structures		
Accessory to single family,	None	Applicable to accessory structures
two family, three family, four		not more than 4 ft. in height.
family, and multiple family	Min. 12 ft.	Applicable to accessory structures
	<u> </u>	greater than 4 ft. in height.
Vehicle Use Areas		1
All uses, other than single	Mın. 12 tt.	
family, two family, three		
Interior Side		
Ruildings		
Multiple family	Min 10 ft	Required landscaping shall meet
		the Type C standard set forth in
		SRC chapter 807.
Accessory Structures	4	
Accessory to multiple family	Min. 10 ft.	Required landscaping shall meet
-		the Type C standard set forth in
		SRC chapter 807.
Vehicle Use Areas		
Multiple family	Min. 10 ft.	Required landscaping shall meet
		the Type C standard set forth in
		SRC chapter 807.
Bullaings		Dequired landscaping shall most
		Required landscaping shall meet
		SPC chanter 807
Accessory Structures		
Accessory to multiple family	Min 10 ft	Required landscaping shall meet
		the Type C standard set forth in
		SRC chapter 807.
Vehicle Use Areas	- 1	
Multiple family	Min. 10 ft.	Required landscaping shall meet
		the Type C standard set forth in
		SRC chapter 807.

Finding: The setbacks are outlined as follows, landscaping requirements are addressed in a following section:

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Abutting Street

East: The subject property is adjacent to Sunnyside Rd SE, which requires a minimum twelve-foot setback. The applicant is proposing a minimum twelve-foot setback along the eastern property line as it exists currently. However, the property is subject to special setback of six feet along Sunnyside Road, so an adjustment has been requested to this standard. Findings for the adjustment can be found in Section 7 of this report.

Interior Side and Rear

North: The northern lot line is an interior side lot line, requiring a minimum ten-foot setback. The applicant is proposing a minimum of ten feet for both building and accessory structures adjacent to the northern lot line. This standard is met.

South: The southern property is an interior side property line adjacent to a vehicle use area, which requires a minimum ten-foot setback. However, the subject property is abutting two separate zones to the south – the CO zone to the southeast and the RS zone to the southwest. Pursuant to the multi-family design review standards discussed in Section 9 of this report, a vehicle use area abutting the RS zone requires a minimum 20-foot setback. The applicant is requesting an adjustment to both the 10-foot required setback of the underlying zone and the design review standard for a vehicle use area abutting a single-family residential zone. Findings for the adjustments can be found in Section 7 of this report.

West: The western property line is an interior rear property line requiring a minimum ten-foot setback. The applicant is proposing a minimum 26-foot setback; this standard is met.

SRC 521.010(c) – Lot Coverage; Height:

Buildings and accessory structures within the CO zone shall conform to the lot coverage and height standards set forth in Table 521-5. The maximum lot coverage requirement for all uses in the CO zone is 60 percent. The maximum building height allowance for multiple family buildings is 50 feet.

Finding: The lot is approximately 43,900 square feet, requiring a maximum 26,340 sq. ft. of coverage. The applicant is proposing three buildings which cover 7,846 sq. ft. of the lot. Buildings and accessory structures are proposed at a maximum of 41 ft. This standard is met.

SRC 521.010(d) – Landscaping:

- (1) Setbacks. Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.
- (2) Vehicle use areas. Vehicle use areas shall be landscaped as provided under SRC chapters 806 and 807.
- (3) Development site. A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicle use areas, may count towards meeting this requirement.

Finding: The property is approximately 44,867 square feet in size, requiring a minimum of 6,370 square feet of landscaped area (44,867 X 0.15 = 6,730.05). The site plan indicates 17,138 square feet (38.4 percent) of landscaped area is provided on site, exceeding the minimum 15 percent required for the development site. Pursuant to SRC 702.020(b)(8), multiple family developments with 13 or more units are exempt from the landscaping requirements for vehicle use areas in SRC chapter 806, and are subject to landscaping standards under the Multiple Family Design Review Standards instead, which are addressed in Section 9 of this report. Landscape and irrigation plans will be reviewed for conformance with the requirements of SRC 807 at the time of building permit application review.

SRC 521.010(e) – Outdoor Storage:

Within the CO zone, outdoor storage of materials and equipment is prohibited, except in conjunction with residential uses where the storage is screened from adjacent streets and properties by a sight-obscuring fence, wall, or hedge.

Finding: No outdoor storage areas are proposed. This development standard is not applicable.

SRC 521.015 – Design Review:

Design review under SRC chapter 225 is required for development within the CO as follows:

- *(a)* Multiple family development shall be subject to design review according to the multiple family design review standards set forth in SRC chapter 702.
- (b) Residential care with five or more self-contained dwelling units shall be subject to the multiple family design review standards set forth in SRC chapter 702.

Finding: The proposal is for a multiple family development of 24 units; therefore, it is subject to the Design Review standards of Chapter 702, which are addressed in Section 9 of this report.

General Development Standards SRC 800

SRC 800.055(a) – Applicability.

Solid waste service area design standards shall apply to all new solid waste, recycling, and compostable services areas, where us of a solid waste, recycling, and compostable receptacle of 1 cubic yard or larger is proposed.

Finding: The site plan indicates one new solid waste enclosure with receptacles greater than one cubic yard in size are proposed.

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 4 inches thick, or on an asphalt pad that is a minimum of 6 inches thick. The pad shall have a slope of no more than 3 percent and shall be designed to discharge stormwater runoff.

(1) Pad area. In determining the total concrete pad area for any solid waste service area:

- (a) The pad area shall extend a minimum of 1-foot beyond the sides and rear of the receptacle.
- (b) The pad area shall extend a minimum 3 feet beyond the front of the receptacle.
- (c) 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 indicate a four-inch-thick concrete pad for the trash enclosure. The concrete pad area extends 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 includes two receptacles which face each other and have more than four feet between them. The proposal meets the standard.

- (2) Minimum Separation.
 - (a) A minimum separation of 1.5 feet shall be provided between the receptacle and the side wall of the enclosure.
 - (b) A minimum separation of 5 feet shall be provided between the receptacle and any combustible walls, combustible roof eave lines, or building or structure openings.

Finding: The applicant's development plans show receptacles greater than two cubic yards, with at least 18 inches provided between the receptacles of the side walls. The proposal meets the standard. Receptacles will not be placed within 5 feet of a building or structure.

(3) Vertical Clearance.

- (a) Receptacles 2 cubic yards or less in size shall be provided with a minimum of 8 feet of unobstructed overhead or vertical clearance for servicing.
- (b) Receptacles greater than 2 cubic yards in size shall be provided with a minimum of 14 feet of unobstructed overhead or vertical clearance for serving.

Finding: The applicant's development plans show receptacles greater than two cubic yards, with at least 14 feet of unobstructed overhead or vertical clearance for servicing, as no cover is proposed for this enclosure. The proposal meets the standard

SRC 800.055(c) – Permanent Drop Box and Compactor Placement Standards. Permanent drop box and compactors shall meet the placement standards set forth in this section.

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

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

(1) 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. (2) Existing screening at the property line shall satisfy screening requirements if it includes a six-foot-tall sight-obscuring fence or wall.

Finding: The applicant's development plans show the proposed solid waste service areas will be screened with six-foot-tall sight-obscuring fences and gates. The proposal meets the standard.

SRC 800.055(e) – Solid Waste Service Area Enclosure Standards. When enclosures are used for required screening or aesthetics, such enclosure shall conform to the following standards:

(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 width of the proposed front opening for the enclosure is approximately 13 feet, exceeding the minimum standard.

(2) Measures to Prevent Damage to Enclosure. 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.

Finding: The trash enclosure plans show the enclosure constructed of masonry fencing material, and indicate that a wheel stop is provided 12 inches inside the perimeter of the enclosure walls to prevent damage from receptacle impacts consistent with this standard.

(3) Enclosure Gates. Any gate across the front opening of an enclosure shall swing freely without obstructions. For any 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 less than 15 feet, which open a minimum of 120 degrees. Restrainers are shown in both the open and closed positions. The proposal meets the standard.

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

(1) Vehicle Operation Area. A vehicle operation area shall be provided for solid waste collection service vehicles that are free of obstructions and no less than 45 feet in length and 15 feet in width. Vehicle operation areas shall be made available in front of every receptacle.

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.

(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.

Finding: The proposal includes receptacles greater than two cubic yards in size. This standard does not apply.

- (*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 which are coincident with parking lot drive aisles, and located adjacent to a fire truck turnaround which meets the minimum dimensions and turning radius for collection service. The proposal meets the standard.

SRC 800.065 – Pedestrian Access.

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

Finding: The proposal is a multiple family development; therefore, these standards are not applicable. The development standards under SRC 702 require pedestrian access and are addressed in Section 9 below. The standards of this subsection do not apply.

Off-Street Parking, Loading, and Driveways SRC 806

SRC 806.005 - Off-Street Parking; When Required.

Off-street parking shall be provided and maintained as required under SRC Chapter 806 for each proposed new use or activity.

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

Required off-street parking shall be located on the same development site as the use or activity it serves.

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

SRC 806.015 - Amount of Off-Street Parking.

- (a) Minimum Required Off-Street Parking. The applicant indicates that they anticipate a mix of office and general warehousing type uses for the development. A minimum of 1 space per 350 square feet of floor area is required for office uses. A minimum of 1 space per 15,000 square feet is required for general warehousing uses greater than 100,000 square feet of gross floor area.
- (b) Compact Parking. Up to 75 percent of the minimum off-street parking spaces required under this Chapter may be compact parking spaces.
- (c) Carpool and Vanpool Parking. New developments with 60 or more required offstreet 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 5 percent of their total off-street parking spaces for carpool or vanpool parking.
- (d) Maximum Off-Street Parking. Unless otherwise provided in the SRC, off-street parking shall not exceed the amounts set forth in Table 806-2.

Finding: The proposal includes development of a 24-unit apartment complex. Because the subject property is within one-quarter mile of the Core Network, there is no minimum off-street parking requirement.

Because there is no minimum off-street parking requirement for the proposed development, there is no maximum compact space allotment.

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

Pursuant to SRC Table 806-2B, the maximum number of off-street parking spaces allowed is 42 spaces ($24 \times 1.75 = 42$). The proposed development includes a total of 35 spaces, which meets the maximum standard.

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

- (a) General Applicability. The off-street parking and vehicle use area development standards set forth in this section apply to the development of new off-street parking and vehicle use areas.
- (b) Location. Off-street parking and vehicle use areas shall not be located within required setbacks.
- (c) Perimeter Setbacks and Landscaping. Perimeter setbacks shall be required for offstreet parking and vehicle use areas abutting streets, abutting interior front, side, and rear property lines, and adjacent to buildings and structures.

Finding: The off-street parking and vehicle use area development standards of SRC Chapter 806 are applicable to this proposal. The proposed off-street parking area is in compliance with the minimum setback requirements of SRC Chapters 521 and 806.

Landscaping will be evaluated for compliance with Type A Standards at the time of building permit review.

(*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 five percent of the interior parking area shall be landscaped. A minimum of one deciduous shade tree shall be planted for every 12 parking spaces within an off-street parking area.

Finding: Pursuant to SRC 702.020(b)(8), multiple family developments with 13 or more units are exempt from the landscaping requirements in SRC chapter 806. This standard does not apply to the proposed development.

(e) Off-Street Parking Area Dimensions. Off-street parking areas shall conform to the minimum dimensions set forth in Table 806-6.

Finding: The proposed parking spaces, driveway and drive aisle for the off-street parking area meet the minimum dimensional requirements of SRC Chapter 806.

- *(f) Off-street parking area access and maneuvering.* In order to ensure safe and convenient vehicular access and maneuvering, off-street parking areas shall:
 - (1) Be designed so that vehicles enter and exit the street in a forward motion with no backing or maneuvering within the street; and
 - (2) Where a drive aisle terminates at a dead-end, include a turnaround area as shown in Figure 806-9. The turnaround shall conform to the minimum dimensions set forth in Table 806-7.

Finding: The proposed off-street parking spaces are designed to allow safe and convenient access through the new vehicle use area, and do not require any turnaround areas.

(g) Additional Off-Street Parking Development Standards 806.035(g)-(n).

Finding: The proposed off-street parking area is developed consistent with the additional development standards for grade, surfacing, and drainage. The parking area striping, marking, signage, and lighting shall comply with SRC 806.035, and will be evaluated at the time of building permit review. Off-street parking area screening per SRC 806.035(n) is provided as part of multi-family design review and landscaping standards. Bumper guards and wheel barriers are required for the proposed vehicle use area where a portion of the vehicle will overhang or project into required landscaped setbacks or pedestrian accessways. As such, the following conditions applies:

Condition 2: At the time of building permit review, the applicant shall provide bumper guards or wheel barriers for all parking spaces adjacent to a required landscaped setback or a pedestrian walkway only five feet in width.

Bicycle Parking

SRC 806.045 - General Applicability.

Bicycle parking shall be provided and maintained for any intensification, expansion, or enlargement of a use or activity.

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

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

SRC 806.055 - Amount of Bicycle Parking.

Bicycle parking shall be provided in amounts not less than those set forth in Table 806-8. *Multiple family* uses within one-quarter mile of the Core Network require a minimum 1 space per dwelling unit.

Finding: Because the subject property is within one-quarter mile of the Core Network, the proposed development requires one bicycle parking space be provided for each dwelling unit, requiring a minimum of 24 spaces for multifamily development of 24 units. The applicant has proposed four bicycle spaces under the standard bicycle parking requirement for *multiple family* uses not located within one-quarter mile of the Core Network. As such, the following condition applies:

Condition 3: At the time of building permit review, the applicant shall provide a total of 24 bicycle parking spaces for the development site, which may be a combination of short-term or long-term bicycle parking, in compliance with the provisions of SRC 806.060.

SRC 806.060 – Bicycle Parking Development Standards

Unless otherwise provided under the UDC, bicycle parking areas shall be developed and maintained as set forth in this section.

- (a) Location. Short-term bicycle parking areas shall be located within a convenient distance of, and shall be clearly visible from, the primary building entrance. In no event shall bicycle parking areas be located more than 50 feet from the primary building entrance.
- *(b) Access*. Bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance.
- (c) Dimensions. Bicycle parking spaces shall be a minimum of 6 feet by 2 feet, and shall be served by a minimum 4-foot-wide access aisle.
- (d) Bicycle Racks. Where bicycle parking is provided in racks, the racks may be floor, wall, or ceiling racks. Bicycle racks shall accommodate the bicyclist's own locking device.

Finding: As shown on the proposed site plan, the four bicycle parking spaces proposed meet the standard for short-term bicycle parking location by having direct access to the public right-of-way through the proposed pedestrian paths and vehicle use areas, with adequate dimensions to provide pedestrian passage. Should the applicant choose to provide any number of long-term bicycle parking spaces for the additional parking requirement, then they should meet the standards outline under SRC 806.060(2)(A) and (B), as conditioned above. Further conformance with these standards will be evaluated at the time of building permit review.

Off-Street Loading Areas

SRC 806.065 - General Applicability.

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

SRC 806.070 – Proximity of Off-Street Loading Areas to Use or Activity Served. Off-street loading shall be located on the same development site as the use or activity it serves.

SRC 806.075 – Amount of Off-Street Loading. Pursuant to SRC Table 806-9, for *multiple family* uses with below 50 dwelling units, no off-street loading space are required.

Finding: No off-street loading spaces are required. This standard is not applicable.

Landscaping

SRC 807 – Landscape and Screening: All required setbacks shall be landscaped with a minimum of 1 plant unit per 20 square feet of landscaped area. A minimum of 40 percent of the required number of plant units shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees. Plant materials and minimum plant unit values are defined in SRC Chapter 807, Table 807-2.

All building permit applications for development subject to landscaping requirements shall include landscape and irrigation plans meeting the requirements of SRC Chapter 807.

Finding: The site plan indicates 17,138 square feet (38.4 percent) of landscaped area is proposed, requiring a minimum of 857 plant units (17,138 / 20 = 856.9). Of the required plant units, a minimum of 343 plant units shall be trees ($857 \times 0.4 = 342.8$). The applicant has provided a preliminary landscaping plan which shows the areas which are to be landscaped. The plan indicates a total of 573 plant units provided, 224 of which are trees. There are areas of the property that have existing landscape near the riparian corridor or will include new vegetation within stormwater planters, which were not included towards the required landscaping plant units. As such, the following condition applies:

Condition 4: At the time of building permit review, the applicant shall provide a full landscape plan demonstrating how the development site meets Type A landscaping, including all new and existing landscaped areas, by providing a minimum of one plant unit per 20 square feet, with 40 percent of the plant units being trees.

In addition to the landscaping required under this chapter, when existing trees, as defined under SRC Chapter 808, are proposed for removal from within required setbacks or from a development site in excess of 75 percent, replanting shall be required as provided in this subsection, pursuant to SRC 807.015(d). The applicant has submitted a tree inventory for the development site which indicates there are 26 trees existing on site that do not fall within areas to be cleared for required roads, utilities, sidewalks, trails, or stormwater facilities. The applicant has proposed removal of 22 non-significant trees, exceeding the 75 percent of trees on the development site by two (27 x .75 = 20.25). As such, the applicant has proposed planting two new trees for each tree removed in excess of 75 percent, meeting the standard of SRC 807.015(d)(2). To

ensure that trees are planted to meet the replacement ratio and size requirements of this subsection, the following condition applies:

Condition 5: The applicant shall provide four trees on site to meet the tree replanting requirement, which shall be of either a shade or evergreen variety with a minimum 1.5-inch caliper.

Landscape and irrigation plans will be reviewed again for conformance with the requirements of SRC 807 at the time of building permit application review.

Natural Resources and Hazards

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

Finding: Portions of the subject property are designated as Interim Flood Hazard Areas (IFHA) pursuant to SRC Chapter 601 and Administrative Rule Chapter 109, Division 020. The IFHA floodplain maps designate this area as a Zone "A" floodplain. Development within the floodplain requires a floodplain development permit and is subject to the requirements of SRC Chapter 601, including elevation of new structures to a minimum of one foot above the community-determined base flood elevation.

SRC Chapter 808 – Preservation of Trees and Vegetation: The City's tree preservation ordinance, under SRC Chapter 808, provides that no person shall remove a significant tree (Oregon White Oak greater than 20 inches in diameter-at-breast height (dbh), or any other tree with a dbh of 30 inches or greater) (SRC 808.015) or a tree or native vegetation in a riparian corridor (SRC 808.020), unless the removal is excepted under SRC 808.030(a)(2), undertaken pursuant to a permit issued under SRC 808.030(d), undertaken pursuant to a tree conservation plan approved under SRC 808.035, or permitted by a variance granted under SRC 808.045.

Finding: The applicant has submitted a tree inventory for the development site which indicates there are no significant trees on site. A portion of the West Fork Pringle Creek runs along the western property boundary and creates a riparian corridor spanning 50 feet from the top of bank on either side of the creek. The applicant has proposed a retaining wall just outside this 50-foot corridor, and proposes to maintain the riparian corridor with no removal of vegetation or trees proposed. The proposal is in conformance with the preservation of trees under SRC Chapter 808.

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

Finding: The Salem-Keizer Local Wetland Inventory shows that the West Fork Pringle Creek is designated as a riverine wetland channel. The applicant should contact the Oregon Department of State Lands to verify if any permits are required for development

or construction in the vicinity of the mapped wetland area(s). A wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025.

A portion of the West Fork Pringle Creek runs along the western property boundary. Pursuant to PWDS 1.8(d), the application is subject to open channel drainage easements to be dedicated along the creek, allowing for access and maintenance. The easement width shall be either 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greater.

Condition 6: Along the West Fork Pringle Creek on the subject property, dedicate an Open Channel Drainage Easement. In accordance with PWDS, the easement width shall be either 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greater.

SRC Chapter 810 – Landslide Hazards: A geological assessment or report is required when regulated activity is proposed in a mapped landslide hazard area.

Finding: 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 building 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.

SRC 802 – Public Improvements, SRC 803 – Streets and Right-of-Way Improvements, SRC 804 – Driveway Approaches, and SRC 805 – Vision Clearance: With completion of the conditions required by Public Works, the subject property meets all applicable standards of these chapters of the UDC.

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: Sunnyside Road SE along the development frontage has a varied improvement width. This portion of Sunnyside Road SE is a transition area from a one-way off-ramp to a two-way street. Sunnyside Road SE terminates with a cul-de-sac traveling north prior to the intersection with Commercial Street SE. Traveling south there is a one-way travel lane off-ramp from Commercial Street SE. Along Sunnyside Road SE, no pavement improvements are necessary. The existing right-of-way of Sunnyside Road SE does not meet current standards for its classification of street per the Salem TSP. The applicant shall convey for dedication a half-width right-of-way up to 36 feet to minor arterial street standards as specified in the PWDS and based on a rational nexus calculation.

Condition 7: Convey land for dedication to equal a half-width right-of-way of 36 feet on the development side of Sunnyside Road SE.

Along Sunnyside Road SE, sidewalks terminate along the eastern right-of-way edge at the northbound cul-de-sac. Sidewalks are provided along the entire frontage of the development side of the street (western right-of-way edge). Sunnyside Road SE is

classified as an arterial street, but lacks adequate crosswalks at nearby intersections. In order to provide safe and orderly pedestrian access to the proposed development, staff recommends the applicant construct an ADA crosswalk on Sunnyside Road SE at the north side of the intersection with Idylwood Drive SE.

Condition 8: Construct a marked crosswalk on Sunnyside Road SE at the intersection with Idylwood Drive SE pursuant to PWDS.

Pursuant to SRC 86.015(e), anyone undertaking development along public streets shall plant new street trees to the maximum extent feasible. Along Sunnyside Road SE, the applicant shall install street trees.

Condition 9: Install street trees to the maximum extent feasible along Sunnyside Road SE.

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 applicant proposes one driveway onto Sunnyside Road SE, near the southern property boundary. As described below, the proposed driveway requires a Class 2 Driveway Approach Permit and an Adjustment for driveway spacing. The applicant submitted a Sight Distance Analysis for the proposed driveway. The Assistant City Traffic Engineer reviewed the analysis and concurred that required sight distances are provided by the proposed driveway. Moving the proposed driveway to the north may not provide adequate sight distances. The location of the proposed driveway balances required sight distances and conflicts with the intersection of Sunnyside Road SE and Idylwood Drive SE. The proposed driveway access onto Sunnyside Road SE provides for safe turning movements into and out of the property.

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

Finding: The subject property is located inside the Urban Service Area and adequate facilities are available. No Urban Growth Area permit is required.

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.

There is a 6-inch public sewer main within the subject property that serves the northerly neighbor and the subject property. The applicant's utility plan proposes reconstruction of a portion of the existing public main and a new 6-inch private lateral to serve the proposed development. Reconstruction of the public main will require the main terminate with a new manhole pursuant to PWDS and unimpeded all-weather access be maintained. Alternatively, the applicant has the option to relocate the neighboring property's private service connection and convert the public main on the subject property to a private service. The proposed utility plan shall be updated at the time of building permit application.

The proposed development is considered a large project pursuant to SRC Chapter 71 and PWDS, which requires green stormwater infrastructure (GSI) for water treatment and detention. The proposed plan that sets aside area for GSI provides no detailed information on sizing of the proposed facility. The applicant's engineer shall design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

Condition 10: Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the PWDS and to the satisfaction of the Public Works Director.

7. Analysis of Class 2 Adjustment Criteria

Salem Revised Code (SRC) 250.005(d)(2) provides that an application for a Class 2 Adjustment shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

SRC 250.005(d)(2)(A): The purpose underlying the specific development standard proposed for adjustment is:

(i) Clearly inapplicable to the proposed development; or

(ii) Equally or better met by the proposed development.

Finding: The applicant is requesting two Class 2 Adjustments to:

- (1) Reduce the 12-foot setback abutting a street to 6 feet from the special setback line (SRC 521.010(b));
- (2) Reduce the 10-foot landscaped setback along the south property line to 6 feet (SRC 521.010(b));
- (3) Reduce the 20-foot setback for a vehicle use area abutting the RS zone to 15 feet (SRC 702.020(d)(3));
- (4) Reduce the minimum required tree canopy spacing along the perimeter of the parking area (SRC 702.020(b)(7)); and
- (5) Reduce the required driveway spacing standard of 370 feet for a driveway approach along Sunnyside Rd SE, a Minor Arterial street (SRC 804.035(d)).

Reduce the 12-foot setback abutting a street to 6 feet from the special setback line, per SRC 521.010(b).

Setbacks within the CO zone shall be provided as set forth in Table 521-3 and Table 521-4, which requires a minimum setback of 12 feet for buildings abutting a street in the CO zone. The subject property is abutting Sunnyside Road SE to the east, which is designated as a minor arterial street in the Salem Transportation System Plan (TSP). The standard for this street classification is a 72-foot-wide right-of-way, but the existing right-of-way of Sunnyside Road SE does not meet current standards for its classification of street, per the Salem TSP. Per Condition 7 above, the applicant is required to convey

land for dedication equal to a half-width right-of-way of 36 feet on the development side of Sunnyside Road SE. The existing width from centerline of Sunnyside Road SE is 30 feet; therefore, the applicant shall dedicate six feet of land from the subject property to right-of-way. The applicant's original plans provided the required 12-foot setback abutting the street; however, due to site constraints and the required dedication of six feet, the applicant's plans provide only a six-foot setback abutting Sunnyside Road SE.

The developable area of the site is greatly reduced due to the riparian corridor along the west end of the property, as well as the required dedication along Sunnyside Road SE. In addition, as a result of the Our Salem project, the zoning map for the subject property was changed to MU-I (Mixed Use-I). Under its new zoning designation, there is no minimum setback for uses abutting the street, with a maximum setback of ten feet if the setback area is used for pedestrian amenities. The applicant's plans do indicate a pedestrian connection for the three ground-floor units abutting Sunnyside Road SE within the six-foot setback provided.

Staff agrees that the development has unique site constraints which limit the developable area, and the applicant has presented a proposal which meets all other applicable criteria, including land dedication to improve Sunnyside Road SE. In addition, the setback abutting the street as proposed would equally meet the intent of the new MU-I zoning of the site by providing pedestrian amenities for the ground-floor units within ten feet of the new property line.

Reduce the 10-foot landscaped setback along the south property line to 6 feet, per SRC 521.010(b).

Setbacks within the CO zone shall be provided as set forth in Table 521-3 and Table 521-4. The subject property is adjacent to a CO zoned property to the south. For interior property lines, there is a minimum zone-to-zone setback of 10 feet with Type C landscaping and screening for vehicle use areas. The applicant's plans include pedestrian pathways along the perimeter of the parking area on both the north and south sides in an effort to provide safe pedestrian access throughout the site, and is therefore unable to provide the required landscaping within the ten-foot setback abutting the CO zone in an effort to meet the required pedestrian connections. The applicant has requested an adjustment to this standard due to site constraints and the location of required pedestrian pathways.

The applicant has proposed Type C landscaping and screening within the reduced setback to meet the intent of a landscape buffer to the adjacent property, including a six-foot-tall sight obscuring fence abutting the CO zone, and an eight-foot-tall fence abutting the RS zoned property. The requested area for the adjustment is approximately 190-feet in length along the southern property line for the new parking area, which would require 95 plant units within the setback (190 x 10 = 1,900 sq. ft; 1,900 / 20 = 95 plant units). In addition, 36 of those plant units, or 40 percent (95 x .4 = 36) shall be trees. The applicant has provided a preliminary plan which includes 113 plant units in the reduced landscape planter along the southern property line, 40 plant units of which are trees, which better meets the intent of the standard. In addition, the applicant has provided landscape for approximately 38 percent of the development site, which greatly exceeds the minimum 15 percent requirement.

To ensure the proposal maintains adequate screening for reduced setbacks abutting the southern property line and equally or better meets the intent of the standard, the following condition applies:

Condition 11: The applicant shall provide Type C landscaping and screening along the southern property line, including a minimum of 95 plant units with 40 percent provided as trees, a six-foot-tall sight-obscuring fence along the reduced setback abutting the CO zoned property, and an eight-foot-tall sight-obscuring fence abutting the RS zoned property.

Reduce the 20-foot setback for a vehicle use area abutting the RS zone to 15 feet, per SRC 702.020(d)(3).

The proposed development includes a vehicle use area located adjacent to RS-zoned property along the southwestern portion of the subject property. The applicant requested an adjustment to the design review standard requiring a larger setback of 20-feet for vehicle use areas abutting the RS zone. However, on further review of the proposal and applicable standards, the specific development standard applies where a development site abuts, and is located uphill from, property zoned Residential Agriculture (RA) or Single Family Residential (RS). The applicant has provided a written statement indicating the proposed parking area would be located downhill from adjacent residential zones and would have minimal visual impact on surrounding residential properties. Therefore, this standard is not applicable.

The applicant's plans indicate a 15-foot setback adjacent to the RS-zoned property to the southwest, which meets the zone-to-zone setback requirement for CO zone. In addition, Type C landscaping and screening are proposed within the setback to meet the intent of a landscape buffer to the adjacent property, including an eight-foot-tall sight obscuring fence.

Reduce the minimum required tree canopy spacing along the perimeter of the parking area, per SRC 702.020(b)(7).

The parking perimeter for the new vehicle use area consists of approximately 340 linear feet, requiring seven canopy trees (340 / 50 = 6.8) The proposed site includes nine canopy trees for the parking area; however, they are not distributed along every 50 feet due to the location of pedestrian paths on site. The applicant has requested an adjustment to this standard due to site constraints and the location of required pedestrian pathways.

The subject property has the unique natural feature of the West Fork Pringle Creek which runs along the western property boundary and creates a riparian corridor spanning 50 feet from the top of bank on either side of the creek. This greatly limits the developable area of the site, and causes constraints for meeting all applicable development standards such as pedestrian accessways, open space, and landscaping.

The applicant's plans include pedestrian pathways along the perimeter of the parking area on both the north and south sides in an effort to provide safe pedestrian access throughout the site, and is therefore unable to provide the required spacing for the trees

in an effort to meet the required pedestrian connections. The purpose of the tree canopy standard is to provide protection from winter wind and summer sun and to ensure trees are distributed throughout a site and along parking areas. The applicant proposes to provide nine canopy trees near and around the parking area, exceeding the minimum requirement of seven. In addition, five of those canopy trees are located in planer bays within the parking area to equally meet the intent of providing protection from the weather. The other four canopy trees are provided at the southwest corner of the property to better meet the intent of the setback requirements abutting the RS zone by providing additional buffering and mitigation for the adjacent residential properties.

Reduce the required driveway spacing standard of 370 feet for a driveway approach along Sunnyside Rd SE, a Minor Arterial street, per SRC 804.035(d).

The applicant is requesting a Class 2 adjustment to allow for reduced spacing between driveways less than the standard of 370 feet. The development is proposing one driveway onto an arterial street, with approximately 175 feet spacing from the proposed driveway to the intersection of Sunnyside Road SE and Idylwood Drive SE. Regardless of where the driveway is located on Sunnyside Road SE, an adjustment for driveway spacing would be required as the northernmost point of the property is less than 370 feet from the intersection of Sunnyside Road SE and Idylwood Drive SE and the property does not have access to a lower classification street.

The applicant submitted a Sight Distance Analysis for the proposed driveway. The Assistant City Traffic Engineer reviewed the analysis and concurred that required sight distances are provided by the proposed driveway. Moving the proposed driveway to the north may not provide adequate sight distances. The location of the proposed driveway balances required sight distances and conflicts with the intersection of Sunnyside Road SE and Idylwood Drive SE. The proposed driveway configuration meets the adjustment criteria by allowing for turning movements and traffic safety equal to what would be accomplished by meeting the development standard.

SRC 250.005(d)(2)(B): If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.

Finding: The subject property is located within the CO (Commercial Office) zone; therefore, this criterion is not applicable.

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: Five separate Class 2 Adjustments have been requested with this development. Each of the adjustments has been evaluated separately for conformance with the Adjustment approval criteria. The cumulative impact of the adjustments results in an overall project which is consistent with the intent and purpose of the zoning code. To ensure that all future development proposed at this development site shall be subject to the applicable development standards of the Salem Revised Code, the following condition applies:

Condition 12: The adjusted development standards, as approved in this report, 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.

8. Analysis of Class 2 Driveway Approach Permit Criteria

Salem Revised Code (SRC) 804.025(d) provides that an application for a Class 2 Driveway Approach Permit shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

SRC 804.025(d)(1): The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards.

Finding: The proposed driveway is located less than 370 feet from the intersection with ldylwood Drive SE; therefore, a Class 2 adjustment is required for driveway spacing as described below. Otherwise, the proposed driveway meets the standards for SRC 804 and PWDS.

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

Finding: There are no site conditions prohibiting the location of the proposed driveways.

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

Finding: Only one access is proposed to the arterial street.

SRC 804.025(d)(4): The proposed driveway approach, where possible:

- (A) Is shared with an adjacent property; or
- (B) Takes access from the lowest classification of street abutting the property

Finding: The subject property abuts only one street, which has a minor arterial classification.

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

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

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

Finding: No evidence has been submitted to indicate that the proposed driveway will create traffic hazards or unsafe turning movements. The applicant submitted a Sight Distance Analysis for the proposed driveway which demonstrates that adequate site distances can be met. Additionally, staff analysis of the proposed driveway indicates that it will not create a traffic hazard and will provide for safe turning movements for access to the subject property.

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

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

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

Finding: The proposed driveway approach is located on a minor arterial street and does not create a significant impact to adjacent streets and intersections.

SRC 804.025(d)(9): The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.

Finding: The proposed development is surrounded by residentially zoned property. The proposed development abuts a minor arterial street. The proposed driveway is taken from the lowest classification street abutting the subject property. The driveway balances the adverse impacts to residentially zoned property and will not have an adverse effect on the functionality of the adjacent streets.

9. Analysis of Class 1 Design Review Approval Criteria

SRC 225.005 provides that design review approval is required for development applications that are subject to design review standards and guidelines. A Class 1 design review shall be approved if all of the applicable design review standards are met.

SRC 521.015(a) provides that multiple family development within the CO (Commercial Office) zone shall be subject to design review according to the multiple family design review standards set forth in SRC Chapter 702. The proposed development conforms to SRC Chapter 702 follows.

Development Standards – Multiple Family Design Review Standards SRC 702

SRC 702.020 – Design Review Standards for Multiple Family Development with Thirteen or More Units.

SRC 702.020(a) – Open Space Standards.

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

Finding: The subject property is approximately 44,867 square feet in size, requiring a minimum of 13,460 of permanently reserved open space. The proposal indicates 20,627 square feet of open space will be provided on site, or approximately 46 percent of the gross site area. The proposal meets the standard.

(*A*) To ensure usable open space that is of sufficient size, at least one common open space area shall be provided that meets the size and dimension standards set forth in Table 702-3.

TABLE 702-3.	COMMON OPEN SPACE AREA SIZE AND	DIMENSIONS
Number of Dwelling Units	Minimum Open Space Area Size	Minimum Horizontal Dimension
More than 20	1,000 sq. ft., plus an additional 250 sq. ft. for every 20 units, or portion thereof, over 20 units.	25 ft.

Finding: For a development with 24 dwelling units, at least one common open space shall be provided which is a minimum of 1,250 square feet in size, with a minimum horizontal dimension of 25 feet. The proposed site plan shows a common open space at the west end of the property which is 1,000 square feet, with an children's playground, which counts as double open space per 702.020(a)(E)(ii)(c), totaling 2,000 square feet of open space. The proposal meets the standard.

(*B*) To ensure the provided open space is usable, a maximum of 15 percent of the common open space shall be located on land with slopes greater than 25 percent.

Finding: The applicant's grading plan has proposed a retaining wall which separates the development from the riparian corridor to the west. The open space area is located on flat ground outside of the retaining wall, and therefore has no slopes greater than 25 percent. The proposal meets the standard.

(*C*) To allow for a mix of different types of open space areas and flexibility in site design, private open space, meeting the size and dimension standards set forth in Table 702-4, may count toward the open space requirement. All private open space must meet the size and dimension standards set forth in Table 702-4.

TABLE 702-4. PRIVATE OPEN SPACE SIZE AND DIMENSIONS			
Location of Dwelling Unit	Minimum Open Space Area Size	Minimum Dimension	
Not more than 5 feet above finished grade	96 sq. ft.	6 ft.	

More than 5 feet above	48 sq. ft.	6 ft.
finished grade		

Finding: The applicant's development plans show ground-level private patio spaces with dimensions meeting the standards. However, not all patios meet the minimum 96 square feet for ground-level units. The applicant has satisfied the open space requirements without inclusion of the private open spaces provided. The proposal meets the standard.

(D) To ensure a mix of private and common open space in larger developments, private open space, meeting the size and dimension standards set forth in Table 702-4, shall be provided for a minimum of 20 percent of the dwelling units in all newly constructed multiple family developments with 20 or more dwelling units. Private open space shall be located contiguous to the dwelling unit, with direct access to the private open space provided through a doorway.

Finding: The proposed development includes 24 dwelling units, requiring a minimum of five units with private open space $(24 \times .2 = 4.8)$. The applicant did not provide a floor plan to verify conformance with these standards for any unit above ground-level. As such, the following condition applies:

- **Condition 13:** At the time of building permit review, the applicant shall indicate that at private open space, meeting the requirements of SRC 702.020(a)(1)(D) and Table 702-4, is provided for at least five dwelling units.
- *(E)* To encourage active recreational opportunities for residents, the square footage of an improved open space area may be counted twice toward the total amount of required open space, provided each such area meets the standards set forth in this subsection. Example: a 750-square-foot improved open space area may count as 1,500 square feet toward the open space requirement.
 - *(i)* Be a minimum 750 square feet in size with a minimum dimension of 25 feet for all sides; and
 - (ii) Include at least one of the following types of features:
 - a. Covered pavilion.
 - b. Ornamental or food garden.
 - *c.* Developed and equipped children's play area, with a minimum 30-inch-tall fence to separate the children's play area from any parking lot, drive aisle, or street.
 - d. Sports area or court (e.g., tennis, handball, volleyball, basketball, soccer).
 - e. Swimming pool or wading pool.

Finding: The applicant is proposing to improve a public open space with a children's play area with a minimum 30-inch-tall fence to separate the children's play area from the drive aisle to the south. This standard allows the improved open space to be counted as double.

(*F*) To encourage proximity to and use of public parks, the total amount of required open space may be reduced by 50 percent for developments that are located

within one-quarter mile of a public urban, community, or neighborhood park as measured along a route utilizing public or private streets that are existing or will be constructed with the development.

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

SRC 702.020(b) – Landscaping Standards.

(1) To encourage the preservation of trees and maintain or increase tree canopy, a minimum of one tree shall be planted or preserved for every 2,000 square feet of gross site area.

Finding: The subject property has a gross site area of approximately 44,867 square feet, requiring a minimum of 22 trees to be planted or preserved on site (44,867 / 2,000 = 22.4). The applicant's development plans show 27 trees to be planted or preserved on site. The proposal meets the standard.

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

Finding: The subject property abuts RS-zoned land to the west, and small portions to the northwest and southwest. The majority of the property abutting the northwest and the west boundaries will be maintained as natural habitat for the riparian corridor along West Fork Pringle Creek, with existing trees and vegetation acting as a natural buffer to the RS-zoned property to the west and north. The total shared boundary length of development site abutting the RS-zoned property is approximately 285 feet, requiring a minimum of ten trees planted adjacent to these property lines (285 / 30 = 9.5). The applicant's development plans show five trees to be preserved within the riparian corridor, and six proposed trees planted along the retaining wall abutting the riparian zone and along the property lines abutting an RS zone to the southwest. The applicant has also indicated an eight-foot-tall cedar fence or retaining wall between the multiple family development and the abutting RS zones. This standard is met.

(3) To define and accentuate primary entryways, a minimum of two plant units, shall be provided adjacent to the primary entryway of each dwelling unit, or combination of dwelling units.

Finding: The applicant has provided a preliminary landscaping plan which indicates a minimum of two plant units are provided adjacent to the primary entryway of each ground-level dwelling unit, excluding interior corridor access units. Final landscape

plans will be reviewed for conformance with this standard at the time of development.

(4) To soften the visual impact of buildings and create residential character, new trees shall be planted, or existing trees shall be preserved, at a minimum density of ten plant units per 60 linear feet of exterior building wall. Such trees shall be located not more than 25 feet from the edge of the building footprint.

Finding: The applicant's preliminary landscape indicates 150 linear feet for the North Building wall, requiring 25 tree plant units $(150 / 60 = 2.5 \times 10 = 25)$; 72 linear feet for the West Building wall, requiring 12 tree plant units $(72 / 62 = 1.2 \times 10 = 12)$; 150 linear feet for the South Building wall requiring 25 tree plant units $(150 / 60 = 2.5 \times 10 = 25)$; and 72 linear feet for the East Building wall, requiring 12 tree plant units $(72 / 62 = 1.2 \times 10 = 12)$. The applicant's preliminary plans show adherence with this standard. Final landscape plans will be reviewed for conformance with this standard at the time of development.

(5) Shrubs shall be distributed around the perimeter of buildings at a minimum density of one plant unit per 15 linear feet of exterior building wall.

Finding: The applicant's preliminary landscape indicates 150 linear feet for the North Building wall, requiring 10 shrub plant units (150 / 15 = 10); 72 linear feet for the West Building wall, requiring 5 shrub plant units (72 / 15 = 5); 150 linear feet for the South Building wall requiring 10 shrub plant units (150 / 15 = 10); and 72 linear feet for the East Building wall, requiring 5 shrub plant units (72 / 15 = 5). The applicant's preliminary plans show adherence with this standard. Final landscape plans will be reviewed for conformance with this standard at the time of development.

(6) To ensure the privacy of dwelling units, ground level private open space shall be physically and visually separated from common open space with perimeter landscaping or perimeter fencing.

Finding: Ground level private open space is separated by perimeter landscaping by means of a screening hedge and fencing surrounding the play area.

(7) To provide protection from winter wind and summer sun and to ensure trees are distributed throughout a site and along parking areas, a minimum of one canopy tree shall be planted along every 50 feet of the perimeter of parking areas. Trunks of the trees shall be located within ten feet of the edge of the parking area (see Figure 702-3).

Finding: The parking perimeter consists of approximately 340 linear feet, requiring seven canopy trees (340 / 50 = 6.8) The proposed site includes nine canopy trees for the parking area; however, they are not distributed along every 50 feet due to the location of pedestrian paths on site. The applicant has requested an adjustment to this standard. Findings for the adjustment are found in Section 7 above.

(A) A minimum of one canopy tree shall be planted within each planter bay.

(*B*) A landscaped planter bay a minimum of nine feet in width shall be provided at a minimum spacing of one for every 12 spaces. (See Figure 702-3.)

Finding: The proposed parking lot includes 35 parking spaces, requiring a minimum of three planter bays (35 / 12 = 2.9). Due to the parking layout and spacing of planter bays every 12 parking spaces, the applicant has provided five planter bays with a minimum width of nine feet and a canopy tree in each planter bay, exceeding the standard.

(8) Multiple family developments with 13 or more units are exempt from the landscaping requirements in SRC chapter 806.

SRC 702.020(c) – Site Safety and Security.

(1) Windows shall be provided in all habitable rooms, other than bathrooms, on each wall that faces common open space, parking areas, and pedestrian paths to encourage visual surveillance of such areas and minimize the appearance of building bulk.

Finding: The applicant has indicated that all habitable rooms that face common open space, parking areas, and pedestrian paths will have windows. The elevations submitted appear to show adherence to the standard; however, floor plans were not submitted to verify conformance. As such, the following condition applies:

- **Condition 14:** At the time of building permit review, the applicant shall ensure that windows are provided in all habitable rooms, other than bathrooms, on each wall that faces common open space, parking areas, and pedestrian paths.
- (2) Lighting shall be provided that illuminates all exterior dwelling unit entrances, parking areas, and pedestrian paths within the development to enhance visibility and resident safety.

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

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

Finding: The applicant's proposed development plans do not show obstructed visibility between street-facing dwelling units and adjacent streets. The proposal meets the standard.

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

Finding: The applicant's development plans show landscaping and fencing which do not exceed three feet in height when adjacent to common open space, parking areas, and dwelling unit entryways. The proposal meets the standard.

SRC 702.020(d) – Parking and Site Design.

(1) To minimize large expanses of continuous pavement, parking areas greater than 6,700 square feet in area shall be physically and visually separated with landscaped planter bays that are a minimum of nine feet in width. Individual parking areas may be connected by an aisle or driveway (see Figure 702-3).

Finding: The applicant has provided minimum nine-foot planter areas that help break up large expanses of pavement. This standard is met.

(2) To minimize the visual impact of on-site parking and to enhance the pedestrian experience, off-street surface parking areas and vehicle maneuvering areas shall be located behind or beside buildings and structures. Off-street surface parking areas and vehicle maneuvering areas shall not be located between a building or structure and a street.

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

(3) Where a development site abuts, and is located uphill from, property zoned Residential Agriculture (RA) or Single Family Residential (RS), and the slope of the development site within 40 feet of the abutting RA or RS zoned property is 15 percent or greater, parking areas shall be set back not less than 20 feet from the property line of the abutting RA or RS zoned property to ensure parking areas are designed to consider site topography and minimize visual impacts on abutting residential properties.

Finding: The proposed development is located adjacent to RS-zoned properties along the north and southwestern portion of the subject property. The proposed parking area would be located downhill from adjacent residential zones and would have minimal visual impact on surrounding residential properties. This standard is met.

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

Finding: The proposed site plan shows a network of pedestrian pathways which connect to and between buildings, common open space, and parking areas, and which connects the development to the public sidewalks along Sunnyside Road SE.

SRC 702.020(e) – Façade and Building Design.

(1) To preclude long monotonous exterior walls, buildings shall have no dimension greater than 150 feet.

Finding: No building has a dimension greater than 150 feet. This standard is met.

- (2) Where a development site abuts property zoned Residential Agricultural (RA) or Single Family Residential (RS), buildings shall be setback from the abutting RA or RS zoned property as set forth in Table 702-5 to provide appropriate transitions between new buildings and structures on site and existing buildings and structures on abutting sites.
 - (A) A 5-foot reduction is permitted to each required setback in Table 702-5 provided that the height of the required fence in Sec. 702.020(b)(2)(B) is increased to eight feet tall.

Finding: There are no buildings proposed near the portions of the property abutting an RS-zoned property. The proposal meets the standard.

(3) To enhance compatibility between new buildings on site and abutting residential sites, balconies located on building facades that face RA or RS zoned properties, unless separated by a street, shall have fully sight-obscuring railings.

Finding: Where there are balconies located on building facades that face RA or RS zoned properties, the applicant has indicated sight-obscuring railings have been provided. This standard is met.

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

Finding: The proposed structure nearest to Sunnyside Rd has approximately 41.7% of the sites buildable width located at the 12-foot setback line. This standard is met.

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

Finding: The proposed development includes ground-level units with patios facing the street that could be used as unit entrances. These units are directly connected to the pedestrian system with access to Sunnyside Road SE. This standard is met.

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

Finding: An architecturally defined entry areas is provided for each ground level dwelling unit. This standard is met.

(7) Roof-mounted mechanical equipment, other than vents or ventilators, shall be screened from ground level view. Screening shall be as high as the top of the mechanical equipment, and shall be integrated with exterior building design.

Finding: The applicant's statement indicates that rooftop-mounted mechanical equipment will be screened from ground level.

(8) To reinforce the residential character of the neighborhood, flat roofs, and the roof ridges of sloping roofs, shall not exceed a horizontal length of 100 feet without providing differences in elevation of at least four feet in height. In lieu of providing differences in elevation, a cross gable or dormer that is a minimum of four feet in length may be provided. (See Figure 702-4)

Finding: The building roof heights include differences in elevation of at least 4 feet and do not exceed a horizontal length of 100 feet. This standard is met.

- (9) To minimize the appearance of building bulk, each floor of each building's vertical face that is 80 feet in length or longer shall incorporate one or more of the design elements below (see examples in Figure 702-5). Design elements shall vary from other wall surfaces by a minimum of four feet and such changes in plane shall have a minimum width of six feet.
 - (A) Offsets (recesses and extensions)
 - (B) Covered deck.
 - (C) Covered balcony.
 - (D) Cantilevered balcony, provided at least half of its depth is recessed.
 - (E) Covered entrance.

Finding: The greatest dimension for any of the three buildings proposed is 72 feet; therefore, this standard does not apply.

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

Finding: Changes in material and changes in color are included to break up the vertical mass of the building and distinguish the first level from upper floors. This standard is met.

10. Conclusion

Based upon review of SRC Chapters 220, 225, 250, and 804, the applicable standards of the Salem Revised Code, the findings contained herein, and due consideration of comments received, the application complies with the requirements for an affirmative decision.

IT IS HEREBY ORDERED

Final approval of Class 3 Site Plan Review, Class 2 Adjustment, Class 2 Driveway Approach Permit, and Class 1 Design Review Case No. SPR-ADJ-DAP-DR22-45 is hereby **APPROVED** subject to SRC Chapters 220, 225, 250, and 804, the applicable standards of the Salem Revised Code, conformance with the approved site plan included as **Attachment B**, and the following conditions of approval:

- **Condition 1:** At the time of building permit review, the applicant shall provide plans showing Fire Department access, fire hydrant locations, and Fire Department Connection as required.
- **Condition 2:** At the time of building permit review, the applicant shall provide bumper guards or wheel barriers for all parking spaces adjacent to a required landscaped setback or a pedestrian walkway only five feet in width.
- **Condition 3:** At the time of building permit review, the applicant shall provide a total of 24 bicycle parking spaces for the development site, which may be a combination of short-term or long-term bicycle parking, in compliance with the provisions of SRC 806.060.
- **Condition 4:** At the time of building permit review, the applicant shall provide a full landscape plan demonstrating how the development site meets Type A landscaping, including all new and existing landscaped areas, by providing a minimum of one plant unit per 20 square feet, with 40 percent of the plant units being trees.
- **Condition 5:** The applicant's landscape plan shall designate four trees on site that meet the tree replanting requirement, which shall be of either a shade or evergreen variety with a minimum 1.5-inch caliper.
- **Condition 6:** Along the West Fork Pringle Creek on the subject property, dedicate an Open Channel Drainage Easement. In accordance with PWDS, the easement width shall be either 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greater.
- **Condition 7:** Convey land for dedication to equal a half-width right-of-way of 36 feet on the development side of Sunnyside Road SE.
- **Condition 8:** Construct a marked crosswalk on Sunnyside Road SE at the intersection with Idylwood Drive SE pursuant to PWDS.
- **Condition 9:** Install street trees to the maximum extent feasible along Sunnyside Road SE.
- **Condition 10:** Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

SPR-ADJ-DAP-DR22-45 December 22, 2022 Page 35 of 35

- **Condition 11:** The applicant shall provide Type C landscaping and screening along the southern property line, including a minimum of 95 plant units with 40 percent provided as trees, a six-foot-tall sight-obscuring fence along the reduced setback abutting the CO zoned property, and an eight-foot-tall sight-obscuring fence abutting the RS zoned property.
- **Condition 12:** The adjusted development standards, as approved in this report, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development standards of the Unified Development Code, unless adjusted through a future land use action.
- **Condition 13:** At the time of building permit review, the applicant shall indicate that at private open space, meeting the requirements of SRC 702.020(a)(1)(D) and Table 702-4, is provided for at least five dwelling units.
- **Condition 14:** At the time of building permit review, the applicant shall ensure that windows are provided in all habitable rooms, other than bathrooms, on each wall that faces common open space, parking areas, and pedestrian paths.

Jamie Donaldson, Planner II, on behalf of Lisa Anderson-Ogilvie, AICP Planning Administrator

Attachments: A. Vicinity Map

- B. Proposed Development Plans
- C. Applicant's Written Statement
- D. Faye Wright Neighborhood Association Comments
- E. Public Works Memo
- F. Salem Keizer Public Schools Memo Dated 11-17-2022

http://www.cityofsalem.net/planning

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Attachment A



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PROJECT TEAM:

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Barker Surveying Greg Wilson, Presiden 3657 Kashmir Way SE Salem, OR 97317 503.588.8800 greg@barkerwilson.cor

Attachment B



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4345 SUNNYSIDE RD S

1.03 A. 44,867 SQ. FT.

083W10AC00600





ZONE:			CO (COM. OFFIC	E)
PROPOSED USE:			MULTIPLE FAMIL	Ŷ
SITE AREA BREAKDOWN:	PRO	POSED	REQUIRED/ AL	LOWED
APARTMENT BUILDING	24 (2) BEDROO	M UNITS		
BLDG. "A" FOOTPRINT:	2,978 SQ.FT.			
BIDG. "B" FOOTPRINT:	1,890 SQ FT			
BLDG "C" FOOTPRINT:	2 9786 SO FT			
	7 8/6 SO FT	(17.1%)		
BOILDINGT COTTAINT TOTAL.	7,040 00.1 1.	(17.470)		
			50 ET MAY	
BUILDING HEIGHT.	4171.		JUFT. WAA	
TRASH ENCLOSURE STRUCTURE:	200 SQ.FT.	(0.5%)		
TRASH ENCLOSURE HEIGHT:	16 [°] F1.		15 FT. MAX	
SETBACKS:				
BUILDING SETBACK:				
STREET:	12 FT.		12 FT.	
INTERIOR FRONT:	N/A		N/A	
SIDE:	13'-4"		10 FT. TYPE "C"	I
REAR:	94'-5"		BLDG, HT, 20 F	T. MIN
ACCESSORY STR. SETBACK:				
STREET	N/A		12 FT	
	Ν/Δ		Ν/Δ	
	52' 6"			1
	02-0			
	20-1		IUFI. IYPE C	
VEHICLE USE SETBACK:				
SIREEI:	20'-0"		12 FT.	
INTERIOR FRONT:	N/A		N/A	
SIDE:	10'-0"		10 FT. TYPE "C"	
REAR:	20'-0"		10 FT. TYPE "C"	' (20' RS)
				\frown
	· · · ·	× ×		× ×
LANDSCAPING AREA:	17,138 SQ.FT.	(38.0%)	6,730 SQ.FT.	(15.0%)
\geq				
PATIOS / WALKS:	5,307SQ.FT.	(11.8%)	K	
DRIVES:	2.702 SQ.FT.	(6.0%))	
PARKING AREA (INC. INT. LS.)	10.924 SQ FT	(24.3%)	<	
	10,02104.11	()	
	990 SO FT	(9.0%)	546 SO FT	(5.0%)
	000000.111	(0.070)	04000.11.	(0.070)
	20 627 SO ET	(45.0%)	12 460 SO ET	(20.0%)
OFEN SFACE.	20,027 30.71.	(45.9%)	13,400 SQ.FT.	(30.0%)
COMMON OPEN SPACE:	1/50 SQ.FT.(X2=1	,500 S.F.	1,250 SQ.FT.	
PRIVATE OPEN SPACE:	756 SQ.FT.		\	
			/	
>				
IMPERVIOUS AREA:	27,729 SQ.FT.	(62.0%)	2	
PERVIOUS AREA:	17,138 SQ.FT.	(38.0%)		
			/	
7	\sim	\sim		
PARKING BREAKDOWN (1.5 xUNIT):	•			
24 UNITS *1.5			NO MIN. REQ'D	
OPEN STANDARD SPACES	(9' x 19')	9	WITHIN 1/4 MIL	E OF
COMPACT SPACES	(8' x 15')	24	CORE NETWOR	₹К
ACCESSIBLE SPACES	(9' x 19')	2		
TOTAL SPACES		=		
		\sim		
		-		-
	<u> </u>	-		
24 UNITO U.I	(6' v 2')	A	(+) OF ACES RE	ωD.
		<u>4</u>		

DRAWING INDEX

SITE PLAN: A1.1 COVER SHEET/ SITE PLAN

A1.2 OPEN SPACE PLAN A6.1 BUILDING ELEVATIONS

CIVIL PLANS: C1.0 EXISTING CONDITIONS, EROSION CONTROL,& DEMOLITION PLAN C2.0 GRADING PLAN & DRAINAGE PLAN

C3.0 UTILITY PLAN

C7.0 INTERSECTION SIGHT DISTANCE ANALYSIS

LANDSCAPE PLAN: L1.1 PLANTING PLAN





SHEET

A1.1





NTITY	BOTANICAL NAME	COMMON NAME	SIZE	TYPE	PUF
	Note- Tree symbols are reduced in scale	e in Planting Schedule			
3	Acer rubrum 'Bowhall'	Sawleaf Zelkova (Street Tree)	2.00" caliper	B&B	10
4	Carpinus betulus 'Fastigiata'	Columnar European Hornbeam	1.50" caliper	B&B	10
2	Nyssa sylvatica	Sour Gum- heavy/wet soil tolerant	1.50" caliper	B&B	10
4	Zelkova serrata 'Green Vase'	Sawleaf Zelkova	1.50" caliper	B&B	10
	Note- Tree symbols are reduced in scale	e in Planting Schedule			
5	Thuja plicata 'Fastigiata'	Hogan Cedar- native	6-7 ft.	B&B	5
REES	Note- Tree symbols are reduced in scale	in Planting Schedule			
7	Acer circinatum	Vine Maple- native	8-10 ft.	B&B	2
		•			
I					
2	Mahonia eurybracteata 'Soft Caress'	Soft Caress Mahonia	3 gal.	Container	2
23	Osmanthus heterophyllus 'Goshiki'	Goshiki Hollyleaf Osmanthus	3 gal.	Container	2
5	Phormium 'Sundowner'	Sundowner New Zealand Flax	5 gal.	Container	2
4	Ribes sanguineum	Pink Winter Currant- native	3 gal.	Container	2
21	Vaccinium ovatum	Evergreen Huckleberry- native	3 gal.	Container	2
SHRU	BS				
55	Abelia x chinensis 'Rose Creek'	Rose Creek Glossy Abelia	1 gal.	Container	1
8	Cornus stolonifera 'Kelseyi'	Kelsey Dogwood- native	1 gal.	Container	1
21	Escallonia 'Newport Dwarf'	Newport Dwarf Escallonia	2 gal.	Container	1
26	Gaultheria shallon	Salal- native	1 gal.	Container	1
52	Mahonia repens	Creeping Mahonia- native	1 gal.	Container	1
24	Nandina domestica 'Harbour Dwarf'	Harbor Dwarf Heavenly Bamboo	1 gal.	Container	1
38	Rhaphiolepis x delacouri 'Georgia Petite'	Georgia Petite India Hawthorn	2 gal.	Container	1
INNIAL	.S				
6	Calamagrostis x acutifolia 'Karl Foerster'	Feather Reed Grass	1 gal.	Container	1
9	Carex morrowii 'Ice Dance'	Variegated Japanese Sedge	1 gal.	Container	1
6	Festuca ovina 'Elijah Blue'	Elijah Blue Fescue	1 gal.	Container	1
				Total PU	

dges required) Carex obnupta (sedge) Slough Sedge 184- 1 gal. container Triangular spacing @ 24" o.c. Tufted Hairgrass 184- 1 gal. container 368 grass & sedge / 484 = 76% Deschampsia caespitosa (grass) 6 shrubs/100 s.f. required 116- 1 gal. container Cornus sericea 'Kelseyi' (shrub) Kelsey Redtwig Dogwood 19.36 x 6= 116 shrubs required

U Subtotal REMARKS

30

40

25

46

10

8

21

26

52

24

24 38

573

Standard form- limbed at 7 ft.

Standard form- limbed at 7 ft.

Standard form- limbed at 7 ft.

4-5 ft. high natural* hedge

38 30-36" high low screening hedge

42 5-6 ft. high natural* hedge

Natural form

Low-branching

14 Natural form

All shrub/ground cover beds to receive a 2" layer of medium fresh fir or hemlock bark mulch. Bottom of stormwater planters to receive a 1" layer of 1/2-3/4" river pebble.

Landscape Contractor shall provide an automatic irrigation system utilizing SMART Technology providing 100% coverage to all planted areas.

44,867 s.f. 6730 s.f.

38%

27 PI

25 Pl

= 10 PU PU= 6 PU PU= <u>18 PU</u> 24 PU
: 5 PU PU= 15 PU
i= 10 PU V= 8 PU PU= <u>19 PU</u> 27 PU
5 PU PU= 18 PU PU= <u>5 PU</u> 23 PU
oval Calculations ee Quantity:

al Calculations	
e Quantity:	27 trees
eservation/replacement:	20 trees
removed:	22 trees
ement required:	
1:1 ratio=	21 trees
1 ratio=	2 trees
equired=	23 trees
roposed:	25 trees

common open space with perimeter landscaping or perimeter fencing. Ground level private open space is separated by perimeter landscaping by means of a low hedge maintaining security visibility.

private open space shall be physically and visually separated from

(6) Requirement- To ensure the privacy of dwelling units, ground level

(7) Requirement- To provide protection from winter wind and summer sun and to ensure trees are distributed throughout a site and along parking areas, a minimum of one canopy tree shall be planted along every 50 feet of the perimeter of parking areas. Trunks of the trees shall be located within ten feet of the edge of the parking area.

Parking perimeter (217 I.f.) 217 / 50= 4.3 (4) Canopy trees (6) Perimeter Parking Canopy trees provided within 10 ft.

(A) A minimum of one canopy tree shall be planted within each planter bay. One (1) canopy tree provided within each planter bay.

(B) Landscaped planter bay a minimum of nine feet in width shall be provided at a minimum spacing of one for every 12 spaces. All Planter bays are 9 ft. min. wide. 35 stalls / 12= 3 canopy trees required.

Canopy trees provided= 3	
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	$\sim\sim\sim\sim$

	<b>H</b> 43			
Species	Trunk DBH	Disposition	Mitigation Required	
Cherry	17"	Remove	Yes	<b>}</b> [
Ash	21"	Remove	Yes	
Deciduous- no ident.	10"	Remove	No- lies within ROW dedication	<b>{</b> (
Maple	13"	Remove	Yes	
Ash	15"	Remove	Yes	
Plum	11"	Remove	Yes	
Plum	10"	Remove	Yes	
Ash	21"	Remove	Yes	
Ash	10"	Remove	Yes	
Ash	16"	Remove	Yes	
Ash	15"	Remove	Yes	
Cherry	10"	Remove	Yes	
Ash	24"	Remove	Yes	
Cherry	20"	Remove	Yes	
Ash	17"	Remove	Yes	
Deciduous- no ident.	10"	Remove	Yes	
Deciduous- no ident.	10"	Remove	Yes	
Cherry	11"	Remove	Yes	
Cherry	10"	Remove	Yes	
Deciduous- no ident.	16"	Preserve		
Ash	12"	Preserve		
Ash	15"	Preserve		
Ash	14"	Preserve		
Deciduous- no ident.	16"	Preserve		
Deciduous- no ident.	20"	Remove	Yes	
Deciduous- no ident.	28"	Remove	Yes	
Deciduous- no ident.	15"	Remove	Yes	
Ash	21"	Remove	Yes	
	-			
				}
				<b> </b> {
				{
				}
Exempt Tree		1		
		22		
		5		
reserved free fold				
Tree Total		27 trees		
				15\



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### Attachment C

#### SHAREHOLDERS

Daniel Roach Architect

Marcus Hite Kristin Newland

BOARD OF DIRECTORS

Daniel Roach Architect / President Aaron Clark

Architect

Lee Gwyn

Stephen Hockman

Robert J. Hazleton, Jr.

Brian Lind

October 21, 2022

#### **Project Description:**

Develop a new 3-story, 24-unit multi-family community at 4345 Sunnyside Rd SE. The subject property is currently zoned Commercial Office (CO) and consists of approximately 44,867 square feet (1.03-acres).

A multiple-family development is permitted outright in the CO zone but is subject to the Multiple Family Design Review Standards of Chapter 702.

WRITTEN STATEMENT - 4345 SUNNYSIDE RD

**DESIGN REVIEW – CLASS 1** 

SITE PLAN REVIEW – CLASS 3

### Below are responses to the applicable review and decision criteria found in Unified Development Code (UDC) chapters of the Salem Revised Code (SRC).

220.005 (f)(3)Class 3 site plan review.

An application for Class 3 site plan review shall be granted if:

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

### Applicant Response: The proposed development meets the requirements of UDC with the exception of the requested adjustments, as detailed below.

(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;

Applicant Response: The proposed development is located along the frontage of Sunnyside Rd and will be designed to provide efficient circulation of traffic into and out of the proposed development. Any potential negative impacts, though none have been identified, will be mitigated adequately.

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

Applicant Response: The proposed development has been designed to provide safe and efficient vehicle, pedestrian, and bicycle users.

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

Applicant Response: The proposed development is located along a major arterial with access to City water, sewer, stormwater facilities, electricity, and phone/internet services as shown on the civil plans. The application complies with this criterion.

SRC 804.025 – Class 2 driveway approach permit

(d) Criteria. A Class 2 driveway approach permit shall be granted if:

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

### Applicant Response: The proposed driveway approach has been designed to comply with the standards of this chapter and the Public Works Design Standards.

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

Applicant Response: There are no known site conditions that would prevent placing the driveway approach at the proposed location.

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

### Applicant Response: There is proposed to be a single driveway approach for vehicle ingress/egress from Sunnyside Rd. The subject property does not front any other public streets.

(4) The proposed driveway approach, where possible:

(A) Is shared with an adjacent property; or

Applicant Response: There are no adjacent properties with a driveway that could be shared. Adjacent properties are residential and commercial.

(B) Takes access from the lowest classification of street abutting the property;

#### Applicant Response: The only public street for which the subject property could take access is Sunnyside Rd.

(5) The proposed driveway approach meets vision clearance standards;

#### Applicant Response: The proposed driveway approach has been designed to meet vision clearance standards.

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

Applicant Response: The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access.

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

### Applicant Response: The proposed driveway approach would not result in significant adverse impacts to the vicinity.

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

### Applicant Response: The proposed driveway approach would minimize impact to the functionality of adjacent streets and intersections.

(9) The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.

### Applicant Response: The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.

CHAPTER 225. - DESIGN REVIEW

(e) Criteria.

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

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

### Applicant Response: The proposed development meets all of the applicable design standards for a Class 1 design review.

#### Adjustments Requests:

#### Adjustment #1 (A1 on Site Plan) – Reduced Vehicle Parking Setback (SRC 702.020(d)(3))

(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: This request is to reduce the vehicle use are setback from 20 feet to 15 feet along the southwest portion of the site that is adjacent to the RS zone. The purpose of this development standard is to provide horizontal separation between commercial parking uses and adjacent residential uses. Applicant is proposing to install an 8' tall cedar fence to provide additional screening height to obscure view and create more privacy for the adjacent residential zone. The purpose underlying the specific development standard is equally met with the proposal for fencing above the minimum height requirement of 6 feet.

(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 subject property 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: Five (5) adjustments total are being requested. The cumulative effect of all the adjustments would still result in a project that is consistent with the overall purpose of the zone.

#### Adjustment #2 (A2 on Site Plan) – Tree Canopy Spacing Along Perimeter of Parking Areas – (SRC Figure 702-3)

(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: This request is to reduce the total number of canopy trees along the perimeter of the parking area due to site constraints. Wider than minimum landscape islands have been installed as a way to make up for the reduced perimeter plantings. This development standard is equally met with the proposal to widen the landscape islands.

(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 subject property 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: Five (5) adjustments total are being requested. The cumulative effect of all the adjustments would still result in a project that is consistent with the overall purpose of the zone.

#### Adjustment #3 (A3 on Site Plan) – Landscape Width on South Side of Property (SRC 521.010(b) and Table 521-3.)

(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: This request is to reduce the landscape buffer width due to site width constraints. A 6foot-tall cedar fence is proposed in order to provide screening and privacy for adjacent properties to the south in lieu of the setback. Additionally, the proposed landscaping areas is 38% which exceeds the minimum landscaping area of 15%. This development standard is better met by the proposed increased landscape area and 6-foot cedar fencing. (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 subject property 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: Five (5) adjustments total are being requested. The cumulative effect of all the adjustments would still result in a project that is consistent with the overall purpose of the zone.

#### Adjustment #4 (A4 on Site Plan) - Driveway Spacing (804.035(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: This request is to allow a reduction to the driveway spacing standard. The proposed driveway is proposed as far south on the subject property as possible to maximize space. A sight distance analysis has been completed by a licensed civil engineer showing that the proposed driveway will have adequate sight distance of oncoming traffic. The proposal equally meets the underlying development standard.

(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 subject property 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: Five (5) adjustments total are being requested. The cumulative effect of all the adjustments would still result in a project that is consistent with the overall purpose of the zone.

#### Adjustment #5 (A5 on Site Plan) – Reduce Building Setback Abutting Street from 12' to 6' (SRC TABLE 521-3)

(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: This request is to reduce the building setback abutting a street from 12' to 6'. Due to the site topography, a reduced setback is needed to meet accessibility requirements for the site.

(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 subject property 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: Five (5) adjustments total are being requested. The cumulative effect of all the adjustments would still result in a project that is consistent with the overall purpose of the zone.

CHAPTER 521. - CO-COMMERCIAL OFFICE

Sec. 521.005. - Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the CO zone are set forth in Table 521-1.

### Applicant Response: Pursuant to Table 521-1 Uses, multiple family is allowed as a permitted use in the CO zone.

Sec. 521.010. - Development standards.

Development within the CO zone must comply with the development standards set forth in this section.

(a)Lot standards. Lots within the CO zone shall conform to the standards set forth in Table 521-2.

Applicant Response: Pursuant to Table 521-3 Lot Standards, multiple family developments of 6 or more units require a minimum of 1,000 sq. ft. for each dwelling unit with no more than 2 bedrooms in a 2, or more, story structure. The proposed development site consists of approximately 44,867 square feet. Therefore, a maximum of 44.867 units could be allowed (44,867 / 1000 = 44.867). The proposed development includes a request for 24 units which is below maximum allowed. The application complies with this criterion.

Sec. 800.055. - Solid waste service areas

Applicant Response: The propsoed solid waste service areas comply with the standards in 800.055. See details on sheet A1.1 for enclosure dimensions.

CHAPTER 702. - MULTIPLE FAMILY DESIGN REVIEW STANDARDS

Sec. 702.001. - Purpose. The purpose of this chapter is to establish design review standards for multiple family development.

Sec. 702.005. - Multiple family design review.

### **Attachment D**



### Faye Wright Neighborhood Association

- Date: November 18, 2022
- To: Jamie Donaldson, Planner II City of Salem – Planning Division 555 Liberty St SE, Room 305, Salem OR 97301
- From: Susan Hecox, FWNA Board Member and Land Use Chair
- Re: Faye Wright Neighborhood Association Comments Design Review Case No SPR-ADJ-DAP-DR22-45

The Faye Wright Neighborhood Association provides the following comments regarding the proposed development of a new 24-unit multi-family housing development at 4345 Sunnyside Rd SE, Salem, OR 97302.

- 1. Although the driveway intersection with Sunnyside Rd is as far south on the property as possible, it is very close to the point where traffic exiting South Commercial enters Sunnyside and begins to pick up speed. Also, just beyond the adjacent property to the south, there is the intersection with Idylwood Dr. Cars heading both north and south on Sunnyside may turn west on Idylwood. This creates an increased risk of collisions in that area. Although there are no apparent alternatives for the location of the driveway for the property, there needs to be an effort to identify a way to address the increased risk of collisions that result from the traffic entering and exiting the property.
- 2. The five requested Class 2 adjustments, although they apparently would benefit the development of the property, most of them especially the reduced setbacks will have a negative effect on adjacent properties. Since the property is currently vacant, the developer has ample opportunity to develop a plan that does not require the adjustments listed in the request.

In summary, the Faye Wright Neighborhood Association recommends that the application for the development of 4345 Sunnyside Rd SE be denied.

Please feel free to contact me or Bev Ecklund, Board Chair, should you have any questions.



# MEMO

- TO: Jamie Donaldson, Planner II Community Development Department
- FROM: Laurel Christian, Development Services Planner II Public Works Department
- DATE: December 8, 2022

SUBJECT: PUBLIC WORKS RECOMMENDATIONS SPR-ADJ-DAP-DR22-45 (22-107215) 4345 SUNNYSIDE ROAD SE MULTI-FAMILY HOUSING

### **PROPOSAL**

A consolidated application for a Class 3 Site Plan Review, Class 2 Adjustments, Class 2 Driveway Approach Permit, and Class 1 Design Review for development of a multi-family apartment building consisting of 24 units, parking, and associated site improvements. The subject property is approximately 1 acre in size, zoned CO (Commercial Office), and located at 4345 Sunnyside Road SE - 97302 (Marion County Assessors Map and Tax Lot number: 083W10AC / 600).

### **RECOMMENDED CONDITIONS OF APPROVAL**

- 1. Along the West Fork Pringle Creek on the subject property, dedicate an Open Channel Drainage Easement. In accordance with PWDS, the easement width shall be either 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greater.
- 2. Convey land for dedication to equal a half-width right-of-way of 36 feet on the development side of Sunnyside Road SE.
- 3. Construct a marked crosswalk on Sunnyside Road SE at the intersection with Idylwood Drive SE pursuant to PWDS.
- 4. Install street trees to the maximum extent feasible along Sunnyside Road SE.
- 5. Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

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

### FACTS

### Streets

- 1. Sunnyside Road SE
  - a. <u>Standard</u>—This street is designated as a minor arterial street in the Salem TSP. The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way.
  - b. <u>Existing Conditions</u>—This street has an approximate 18-to-63-foot improvement within a 62-foot-wide right-of-way abutting the subject property.

### Storm Drainage

- 1. Existing Conditions
  - a. A 12-inch storm main is located in Sunnyside Road SE.

#### Water

- 1. Existing Conditions
  - a. The subject property is located in the S-2 water service level.
  - b. A 12-inch water main is located in Sunnyside Road SE. Mains of this size generally convey flows of 2,100 to 4,900 gallons per minute.

#### **Sanitary Sewer**

- 1. Existing Conditions
  - a. There is a 6-inch public sewer main located on the subject property within sewer easement numbers 1169 and 1170 (Volume 597, Page 27, and Volume 609, Page 185, respectively).

### SITE PLAN REVIEW 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)

Jamie Donaldson, Planner II December 8, 2022 Page 3

**Finding**—With completion of the conditions above and approval of the adjustment for driveway spacing, the subject property meets all applicable standards of the following chapters of the UDC: 601 – Floodplain Overlay Zone; 802 – Public Improvements; 803 – Streets and Right-of-Way Improvements; 804 – Driveway Approaches; 805 – Vision Clearance; 809 – Wetlands; and 810 – Landslide Hazards.

Portions of the subject property are designated as Interim Flood Hazard Areas (IFHA) pursuant to SRC Chapter 601 and Administrative Rule Chapter 109, Division 020. The IFHA floodplain maps designate this area as a Zone "A" floodplain. Development within the floodplain requires a floodplain development permit and is subject to the requirements of SRC Chapter 601, including elevation of new structures to a minimum of one foot above the community-determined base flood elevation.

The Salem-Keizer Local Wetland Inventory shows that the West Fork Pringle Creek is designated as a riverine wetland channel. The applicant should contact the Oregon Department of State Lands to verify if any permits are required for development or construction in the vicinity of the mapped wetland area(s). A wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025.

A portion of the West Fork Pringle Creek runs along the western property boundary. Pursuant to PWDS 1.8(d), the application is subject to open channel drainage easements to be dedicated along the creek, allowing for access and maintenance. The easement width shall be either 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greater.

**Condition:** Along the West Fork Pringle Creek on the subject property, dedicate an Open Channel Drainage Easement. In accordance with PWDS, the easement width shall be either 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greater.

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 building 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.

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**—Sunnyside Road SE along the development frontage has a varied improvement width. This portion of Sunnyside Road SE is a transition area from a

one-way off-ramp to a two-way street. Sunnyside Road SE terminates with a cul-de-sac traveling north prior to the intersection with Commercial Street SE. Traveling south there is a one-way travel lane off-ramp from Commercial Street SE. Along Sunnyside Road SE, no pavement improvements are necessary. The existing right-of-way of Sunnyside Road SE does not meet current standards for its classification of street per the Salem TSP. The applicant shall convey for dedication a half-width right-of-way up to 36 feet to minor arterial street standards as specified in the PWDS and based on a rational nexus calculation.

**Condition:** Convey land for dedication to equal a half-width right-of-way of 36 feet on the development side of Sunnyside Road SE.

Along Sunnyside Road SE, sidewalks terminate along the eastern right-of-way edge at the northbound cul-de-sac. Sidewalks are provided along the entire frontage of the development side of the street (western right-of-way edge). Sunnyside Road SE is classified as an arterial street, but lacks adequate crosswalks at nearby intersections. In order to provide safe and orderly pedestrian access to the proposed development, staff recommends the applicant construct an ADA crosswalk on Sunnyside Road SE at the north side of the intersection with Idylwood Drive SE.

**Condition:** Construct a marked crosswalk on Sunnyside Road SE at the intersection with Idylwood Drive SE pursuant to PWDS.

Pursuant to SRC 86.015(e), anyone undertaking development along public streets shall plant new street trees to the maximum extent feasible. Along Sunnyside Road SE, the applicant shall install street trees.

**Condition:** Install street trees to the maximum extent feasible along Sunnyside Road SE.

### 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 applicant proposes one driveway onto Sunnyside Road SE, near the southern property boundary. As described below, the proposed driveway requires a Class 2 Driveway Approach Permit and an Adjustment for driveway spacing. The applicant submitted a Sight Distance Analysis for the proposed driveway. The Assistant City Traffic Engineer reviewed the analysis and concurred that required sight distances are provided by the proposed driveway. Moving the proposed driveway to the north may not provide adequate sight distances. The location of the proposed driveway balances required sight distances and conflicts with the intersection of Sunnyside Road SE and Idylwood Drive SE. The proposed driveway access onto Sunnyside Road SE provides for safe turning movements into and out of the property.

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

**Finding**—The subject property is located inside the Urban Service Area and adequate facilities are available. No Urban Growth Area permit is required.

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.

There is a 6-inch public sewer main within the subject property that serves the northerly neighbor and the subject property. The applicant's utility plan proposes reconstruction of a portion of the existing public main and a new 6-inch private lateral to serve the proposed development. Reconstruction of the public main will require the main terminate with a new manhole pursuant to PWDS and unimpeded all-weather access be maintained. Alternatively, the applicant has the option to relocate the neighboring property's private service connection and convert the public main on the subject property to a private service. The proposed utility plan shall be updated at the time of building permit application.

The proposed development is considered a large project pursuant to SRC Chapter 71 and PWDS, which requires green stormwater infrastructure (GSI) for water treatment and detention. The proposed plan that sets aside area for GSI provides no detailed information on sizing of the proposed facility. The applicant's engineer shall design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

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

The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the PWDS and to the satisfaction of the Public Works Director.

#### DRIVEWAY APPROACH CRITERIA AND FINDINGS

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

(1) The proposed driveway approach meets the standards of this Chapter and the PWDS;

**Finding**—The proposed driveway is located less than 370 feet from the intersection with Idylwood Drive SE; therefore, a Class 2 adjustment is required

for driveway spacing as described below. Otherwise, the proposed driveway meets the standards for SRC 804 and PWDS.

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

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

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

Finding—One access is proposed to the arterial street.

#### (4) The proposed driveway approach, where possible:

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

**Finding**—The subject property abuts only one street, which has a minor arterial classification.

#### (5) Proposed driveway approach meets vision clearance standards;

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

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

**Finding**—No evidence has been submitted to indicate that the proposed driveway will create traffic hazards or unsafe turning movements. The applicant submitted a Sight Distance Analysis for the proposed driveway which demonstrates that adequate site distances can be met. Additionally, staff analysis of the proposed driveway indicates that it will not create a traffic hazard and will provide for safe turning movements for access to the subject property.

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

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

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

**Finding**—The proposed driveway approach is located on a minor arterial street and does not create a significant impact to adjacent streets and intersections.

### (9) The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.

**Finding**—The proposed development is surrounded by residentially-zoned property. The proposed development abuts a minor arterial street. The proposed driveway is taken from the lowest classification street abutting the subject property. The driveway balances the adverse impacts to residentially zoned property and will not have an adverse effect on the functionality of the adjacent streets.

### **ADJUSTMENT CRITERIA AND FINDINGS**

Analysis of the proposed Class 2 adjustment based on relevant criteria in SRC 250.005(d)(2) is as follows:

Criteria—The purpose underlying the specific development standard proposed for adjustment is:

- 1. Clearly inapplicable to the proposed development; or
- 2. Equally or better met by the proposed development.

**Finding**—The applicant is requesting a Class 2 adjustment to allow for reduced spacing between driveways less than the standard of 370 feet. The development is proposing one driveway onto an arterial street, with approximately 175 feet spacing from the proposed driveway to the intersection of Sunnyside Road SE and Idylwood Drive SE. Regardless of where the driveway is located on Sunnyside Road SE, an adjustment for driveway spacing would be required as the northernmost point of the property is less than 370 feet from the intersection of Sunnyside Road SE and Idylwood Drive SE and the property does not have access to a lower classification street.

The applicant submitted a Sight Distance Analysis for the proposed driveway. The Assistant City Traffic Engineer reviewed the analysis and concurred that required sight distances are provided by the proposed driveway. Moving the proposed driveway to the north may not provide adequate sight distances. The location of the proposed driveway balances required sight distances and conflicts with the intersection of Sunnyside Road SE and Idylwood Drive SE. The proposed driveway configuration meets the

adjustment criteria by allowing for turning movements and traffic safety equal to what would be accomplished by meeting the development standard.

### **RESPONSE TO COMMENTS**

1. **Driveway Access:** Comments received express concerns with the proposed driveway location.

**Staff Response:** As described in the above analysis, the proposed driveway requires a Class 2 Driveway Approach Permit and an Adjustment for driveway spacing. These permits would be required regardless of where the driveway was located on the lot. The applicant submitted a Sight Distance Analysis for the proposed driveway. The Assistant City Traffic Engineer reviewed the analysis and concurred that required sight distances are provided by the proposed driveway. Moving the proposed driveway to the north may not provide adequate sight distances and conflicts with the intersection of Sunnyside Road SE and Idylwood Drive SE.

2. Wetlands and Waterways: Comments received requested clarification as to whether waterways or wetlands were mapped on the subject property.

**Staff Response:** A portion of the West Fork Pringle Creek runs along the western property boundary. Surrounding the creek, portions of the subject property are designated as IFHA pursuant to SRC Chapter 601 and Administrative Rule Chapter 109, Division 020. The proposed multi-family buildings are not within the designated floodplain area; a small trash enclosure may be within the area and would be subject to a Floodplain Development Permit and the requirements of SRC Chapter 601.

Due to the presence of the West Fork Pringle Creek on the site, a wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025. A response has not yet been received. The Oregon Department of State Lands will determine if any wetland permits are required for the proposed development.

Prepared by: Laurel Christian, Development Services Planner II cc: File



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

Christy Perry, Superintendent

November 17, 2022

Jamie Donaldson, Planner Planning Division, City of Salem 555 Liberty Street SE, Room 305 Salem OR 97301

RE: Land Use Activity Case No. SPR-ADJ-DAP-DR22-45, 4345 Sunnyside Rd. SE

The City of Salem issued a Request for Comments for a Land Use Case as referenced above. Please find below comments on the impact of the proposed land use change on the Salem-Keizer School District.

### **IDENTIFICATION OF SCHOOLS SERVING THE SUBJECT PROPERTY**

The School District has established geographical school attendance areas for each school known as school boundaries. Students residing in any residence within that boundary are assigned to the school identified to serve that area. There are three school levels, elementary school serving kindergarten thru fifth grade, middle school serving sixth thru eighth grade, and high school serving ninth thru twelfth grade. The schools identified to serve the subject property are:

School Name	School Type	Grades Served
Wright	Elementary	K thru 5
Judson	Middle	6 thru 8
Sprague	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
Wright	Elementary	378	510	74%
Judson	Middle	860	1,059	81%
Sprague	High	1,857	2,248	83%

Table 2

### POTENTIAL ADDITIONAL STUDENTS IN BOUNDARY AREA RESULTING FROM APPROVAL OF LAND USE CASE

The School District anticipates the number of students that may reside at the proposed development based on the housing type, single family (SF), duplex/triplex/four-plex (DU), multi-family (MF) and mobile home park (MHP). The School District commissioned a study by the Mid-Willamette Valley Council of Governments in 2021 to determine an estimate of students per residence, for the Salem-Keizer area, in each of the four housing types. Since the results are averages, the actual number of students in any given housing type will vary. The table below represents the resulting estimates for the subject property:

School Type	Qty. of New Residences	Housing Type	Average Qty. of Students per Residence	Total New Students	
Elementary			0.164	4	
Middle	24	MF	0.085	2	
High			0.096	2	

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
Wright	Elem.	378	0	4	4	510	75%
Judson	Mid.	860	167	2	169	1,059	97%
Sprague	High	1,857	60	2	62	2,248	85%

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		
Wright	Elementary	Walk Zone		
Judson	Middle	Walk Zone		
Sprague High Eligible for S		Eligible for School Transportation		

Table 5

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

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

School Type	Number of Students	Estimate of Facility Cost Per Student*	Total Cost of Facilities for Proposed Development*
Elementary	4	\$64,220	\$256,880
Middle	2	\$76,882	\$153,764
High	2	\$89,544	\$179,088
TOTAL			\$589,732

Table 6

*Cornerstone Management Group, Inc. estimates based on RLB cost index average, 2022 First Quarter.

Sincerely,

Davil Farlennula

David Fridenmaker, Manager Planning and Property Services

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