



Oregon
Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

09/04/2012

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Salem Plan Amendment
DLCD File Number 003-12

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Wednesday, September 19, 2012

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Cecillia Urbani, City of Salem
Gordon Howard, DLCD Urban Planning Specialist

<paa>



FORM 2

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

☐ In person ☐ electronic ☐ mailed

DATE
STAMP

DEPT OF

AUG 30 2012

LAND CONSERVATION
AND DEVELOPMENT

For Office Use Only

Jurisdiction: **City of Salem**

Local file number: **CPC-ZC12-03**

Date of Adoption: **8/27/2012**

Date Mailed: **8/29/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date: 3/6/2012

☐ Comprehensive Plan Text Amendment

☒ Comprehensive Plan Map Amendment

☐ Land Use Regulation Amendment

☒ Zoning Map Amendment

☐ New Land Use Regulation

☐ Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

To change the Salem Area Comprehensive Plan Map designation from Developing Residential to Multi-Family Residential and change the zonedistrict from RA (Residential Agriculture) to RM2 (Multiple Family Residential) on property approximately 10.37 acres in size and located at approximately the 1500 Block of Davis Road S (Marion County Assessor's Map and Tax Lot numbers: 083W16C/00101).

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **Developing Residential** to: **Multi-Family Residential**

Zone Map Changed from: **RA (Residential Agriculture)** to: **RM2 (Multiple Family Residential)**

Location: **1500 Block of Davis Rd S**

Acres Involved: **10**

Specify Density: Previous: **Single Family Residential**

New: **Min 12 d.u. per ac.**

Applicable statewide planning goals:

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19
☒ ☒ ☐ ☐ ☒ ☒ ☐ ☒ ☐ ☒ ☒ ☒ ☐ ☐ ☐ ☐ ☐ ☐ ☐

Was an Exception Adopted? ☐ YES ☐ NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

☒ Yes ☐ No

If no, do the statewide planning goals apply?

☐ Yes ☐ No

If no, did Emergency Circumstances require immediate adoption?

☐ Yes ☐ No



COMMUNITY DEVELOPMENT DEPARTMENT

555 Liberty St. SE / Room 305 • Salem, OR 97301-3503 • (503) 588-6173 • (503) TTY 588-6353 • (503) Fax 588-6005

August 29, 2012

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

<i>Multi Tech Engineering Services Inc.</i> <i>1155 13th St SE</i> <i>Salem OR 97302</i>	<i>L.E. Tokarski Davis Road Property LLC</i> <i>201 Ferry St SE STE 400</i> <i>Salem OR 97302</i>
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NOTICE OF FINAL LAND USE DECISION *Comprehensive Plan Change, Neighborhood Plan change and Zone Change* Case No CPC/NPC/ZC12-03 for Property located in the 1500 Block of Davis Road S..

YOU ARE HEREBY NOTIFIED that the City Council of the City of Salem adopted Order No. 2012-20-CPC-NPC-ZC at the *August 27, 2012* session, adopting findings and **Affirming and Amending the Planning Commission** decision. A copy of the order is attached.

Any person with standing may appeal the City Council's decision by filing a "Notice of Intent to Appeal" with the Land Use Board of Appeals **not later than 21 days** after August 29, 2012. Anyone with questions regarding filing an appeal with the Oregon Land Use Board of Appeals should contact an attorney.

The complete case file, including findings, conclusions, modifications, and conditions of approval, if any is available for review at the Community Development Department, 555 Liberty St SE, Room 305, Salem OR 97301. If you have any further questions, you may contact the City of Salem Planning Division at 503-588-6173.

Glenn W. Gross
Urban Planning Administrator

BEFORE THE CITY COUNCIL OF THE CITY OF SALEM

IN THE MATTER OF AFFIRMING	)	ORDER NO. 2012-20-CPC-NPC-ZC
AND AMENDING THE DECISION	)	COMPREHENSIVE PLAN
OF THE PLANNING COMMISSION	)	CHANGE/NEIGHBORHOOD PLAN
FOR PROPERTY LOCATED AT THE	)	CHANGE/ZONE CHANGE
1500 BLOCK OF DAVIS ROAD S	)	CASE NO. CPC/NPC/ZC12-03

This matter coming regularly for hearing before the City Council, at its July 23, 2012, meeting, and the City Council, having received evidence and heard testimony, makes the following findings, and adopts the following order affirming and amending the decision of the Planning Commission in Comprehensive Plan Change/Neighborhood Plan Change/Zone Change Case No. 12-03 by adding a third condition, and approving the application.

PROCEDURAL FINDINGS:

- (a) On June 6, 2012, the Planning Commission issued a written decision approving the requested change of the property's Comprehensive Plan Map designation from Developing Residential to Multi Family Residential, a change of the property's Sunnyslope Neighborhood Plan Map designation from Single Family to Multi Family, and a requested zone change from RA (Residential Agriculture) to RM2 (Multiple Family Residential).
- (b) On June 25, 2012, the City Council initiated review of the Planning Commission's decision.
- (c) On July 23, 2012, the City Council held a hearing, received evidence and heard testimony. The hearing was closed on July 23 and the written record held open for the acceptance of additional written testimony until noon on August 13, 2012.
- (d) On August 13, 2012, the City Council conducted deliberations and voted to amend the decision of the Planning Commission and approve the request with a third condition.

SUBSTANTIVE FINDINGS:

- (a) The City Council adopts as findings the Planning Commission's decision and its attachments, dated June 6, 2012, and attached hereto as "Exhibit 1," and adopts the following supplemental findings in support of the amendment to add a third condition to the approval.
- (b) The subject property is located in the Battle Creek Stormwater Drainage Basin, and within the Waln Creek sub-basin. In January 2012, a large area within the Battle Creek basin experienced regional flooding due to a large storm. Based on recorded rainfall at

the Salem Airport, the January 2012 storm was an 80-year event for a 48-hour period. Because many of the properties affected by the January 2012 flooding are located downstream of the subject property, additional regulatory measures are warranted in this case in order to reduce stormwater impacts on downstream properties.

- (c) In the Stormwater Management Design Standards, developments are required to detain the 50-year flood volumes being generated from within the property. The Stormwater Management Design Standards allow for modification of detention requirements for "Developments in critical drainage basins with history of flooding or other drainage problems." Given historic flooding that has occurred in the Battle Creek basin, City Council finds that the detention requirement should be increased from a 50-year to a 100-year storm event in this case by adding the following condition to the Planning Commission's June 6, 2012 decision:

Condition 3: Consistent with the Stormwater Management Design Standards, increase required storage capacity of local stormwater detention facilities to provide flow control for the entire 100-year flood discharge from the proposed development.

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF SALEM, OREGON:

Section 1. The Planning Commission's decision approving the application for Comprehensive Plan Change/Neighborhood Plan Change/Zone Change Case No. 12-03 is hereby affirmed and amended, to add **Condition 3**, as follows:

Consistent with the Stormwater Management Design Standards, increase required storage capacity of local stormwater detention facilities to provide flow control for the entire 100-year flood discharge from the proposed development.

Section 2. This order constitutes the final land use decision and any appeal must be filed with the Oregon Land Use Board of Appeals within 21 days of the date that notice of this decision is mailed to persons with standing to appeal.

ADOPTED by the City Council this 27th day of August, 2012.

ATTEST:



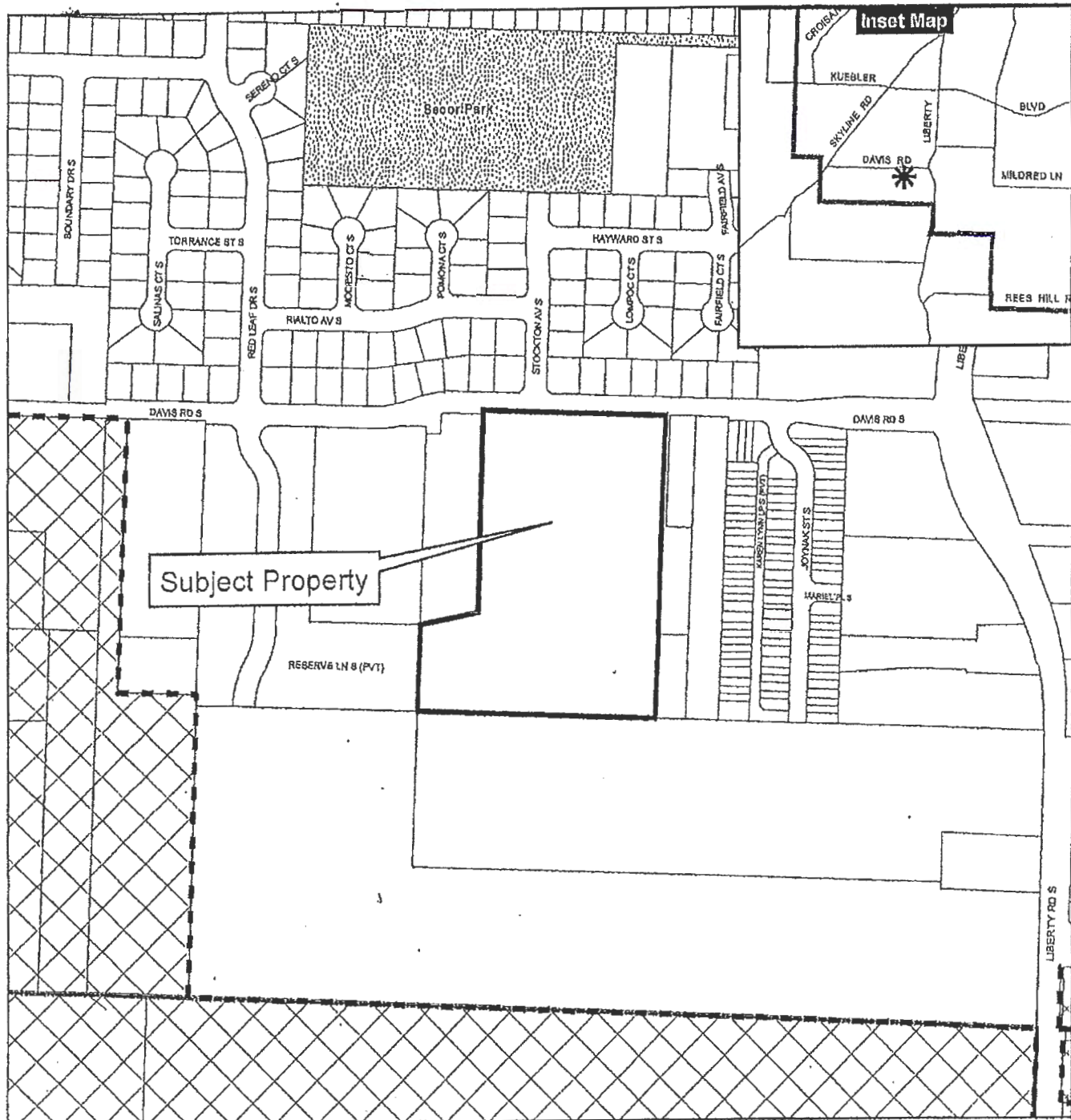
City Recorder

Checked by: B. Colbourne

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Vicinity Map 1500 Block of Davis Road S

Taxlot: 083W16C 00101

**Legend**

Taxlots

Urban Growth Boundary

City Limits

Outside Salem City Limits

Historic District

Schools

Parks

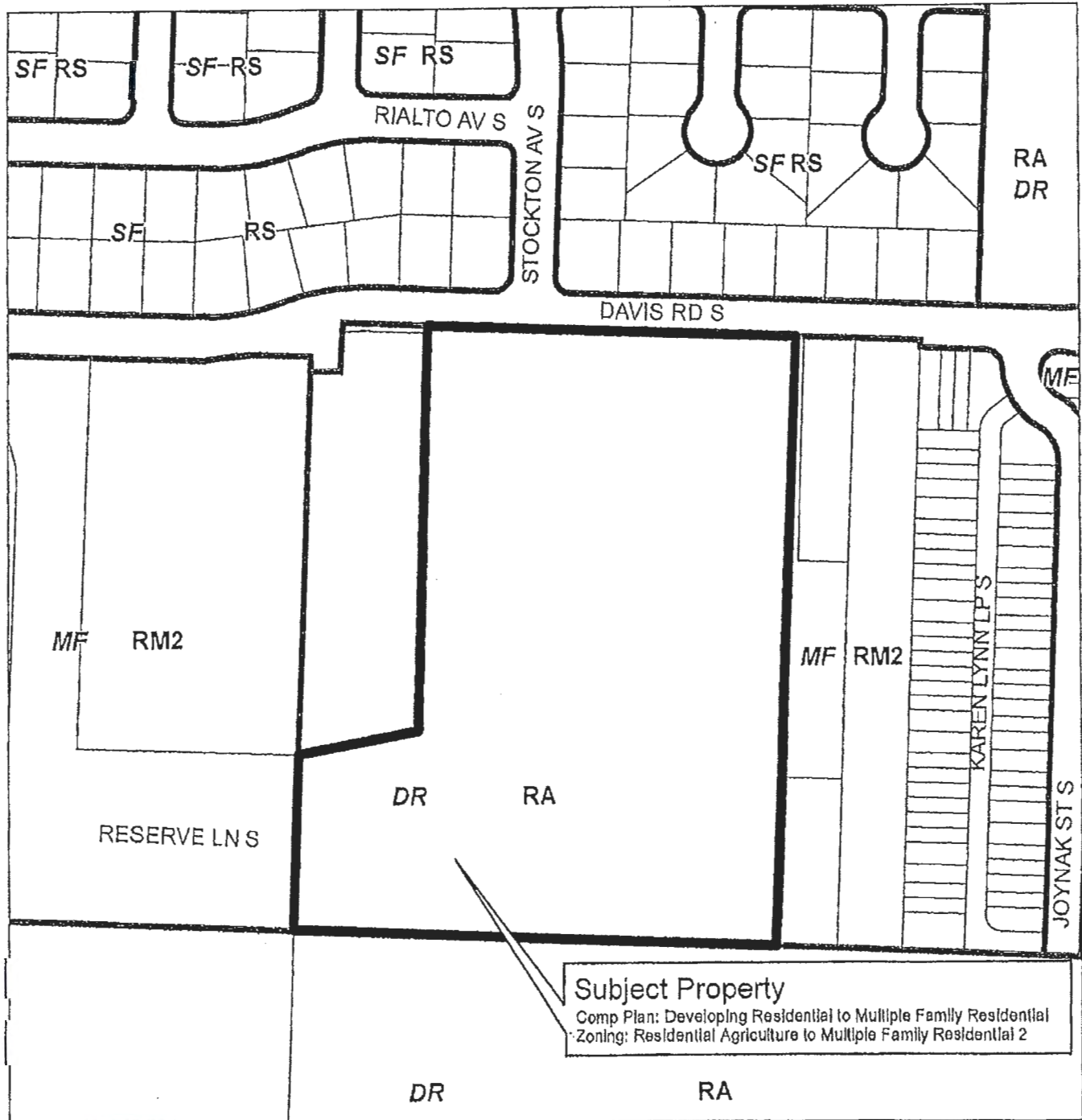
CITY OF *Salem*
AT YOUR SERVICE
Community Development Dept.

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0 100 200 400 Feet



Comprehensive Plan Change/Neighborhood Plan Change/ Zone Change 12-03



Legend

- | | |
|------------------------------|---------|
| RS Base Zoning | Taxlots |
| SF Comprehensive Plan | Parks |
| Outside Salem City Limits | Schools |

0 50 100 200 Feet



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

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005



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

**DECISION OF THE
SALEM PLANNING COMMISSION
COMPREHENSIVE PLAN CHANGE/ NEIGHBORHOOD PLAN CHANGE/
ZONE CHANGE CASE NO. CPC-NPC-ZC12-03
APPLICATION NO. : 12-102708-ZO**

NOTICE OF DECISION & MAILING DATE: June 6, 2012

REQUEST: To change the Salem Area Comprehensive Plan (SACP) Map designation from Developing Residential to Multi-Family Residential, to change the zone district from RA (Residential Agriculture) to RM2 (Multiple Family Residential), and to change the Sunnyslope Neighborhood Plan map designation from Single Family to Multi-Family, for property approximately 10.37 acres in size, and generally located in the 1500 Block of Davis Road S, 97306 (Marion County Assessor's Map and Tax Lot numbers: 083W16C / 00101).

APPLICANT: MULTI TECH ENGINEERING SERVICES INC

LOCATION: 1500 Blk DAVIS RD S

CRITERIA: Salem Revised Code Chapters 64 and 113

FINDINGS: The Planning Commission hereby adopts as its findings of fact the staff reports on this matter dated May 15, 2012 and May 22, 2012, herewith attached and by this reference incorporated herein.

DECISION: The Planning Commission *GRANTED* the application subject to the following condition of approval:

- A. The Salem Area Comprehensive Plan (SACP) map designation change request for the subject property from "Developing Residential" to "Multi-Family Residential" be **GRANTED**;
- B. The request to change the Sunnyslope Neighborhood Plan map designation from Single Family to Multi-Family be **GRANTED**;
- C. The zone change request for the subject property from RA (Residential Agriculture) to RM2 (Multiple Family Residential) be **GRANTED** subject to the following conditions of approval:

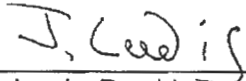
Condition 1: At the time of development, provide a public or private local street connection through the proposed development from Davis Road S to the south line of the subject property and to the west property line aligning with Reserve Lane Private Way. Alternative street design standards may be approved through Type II Site Plan Review.

Condition 2: Construct a traffic signal at the intersection of Liberty Road S and Davis Road S to the City of Salem standards. The signal shall be interconnected via underground fiber-optic cable to the existing traffic signal at Liberty Road S and Kuebler Boulevard SE and shall be designed to accommodate

the east leg extension of Rainier Drive SE. The timing of the traffic signal installation shall be determined at the time of Site Plan Review.

VOTE:

5 YES 0 NO 1 ABSENT (Schmidtke) 1 ABSTAINED (Williams)



Jim Lewis, President
Salem Planning Commission

A copy of the decision is attached.

Application Deemed Complete:	<u>April 11, 2012</u>
Public Hearing Date:	<u>May 15, 2012</u>
Notice of Decision Mailing Date:	<u>June 6, 2012</u>
Decision Effective Date:	<u>June 22, 2012</u>

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, **no later than 5:00 p.m., June 21, 2012.** Any person who presented evidence or testimony at the hearing may appeal the decision. The appeal must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapters 64 and 113. The appeal must be filed in duplicate with the City of Salem Planning Division. 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 Salem City Council will review the appeal at a public hearing. After the hearing, the City Council 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 at the Planning Division office, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

Case Manager: Bryan Colbourne, Planner III, bcolbourne@cityofsalem.net

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**SUPPLEMENTAL REPORT
FOR MEETING OF: June 5, 2012
AGENDA ITEM NO.: 6.1**

TO: PLANNING COMMISSION

FROM: GLENN W. GROSS 
URBAN PLANNING ADMINISTRATOR

DATE: MAY 22, 2012

**SUBJECT: SUPPLEMENTAL STAFF REPORT REGARDING RECOMMENDED
CONDITIONS OF APPROVAL FOR CASE NO. CPC-NPC-ZC12-03**

ISSUE

To change the Salem Area Comprehensive Plan (SACP) Map designation from Developing Residential to Multi-Family Residential, to change the zone district from RA (Residential Agriculture) to RM2 (Multiple Family Residential), and to change the Sunnyslope Neighborhood Plan map designation from Single Family to Multi-Family, for property approximately 10.37 acres in size, and generally located in the 1500 Block of Davis Road S, 97306 (Marion County Assessor's Map and Tax Lot numbers: 083W16C / 00101).

RECOMMENDATION

Staff recommends that the Planning Commission adopt the facts and findings of this supplemental staff report and the original staff report and approve the requested Comprehensive Plan Change, Neighborhood Plan Change, and Zone Change, with the revised conditions of approval as listed in this report.

FACTS AND FINDINGS

The staff report prepared for the May 15, 2012 Planning Commission meeting recommended two conditions of zone change approval.

Recommended Condition 1 requires street connectivity through the subject property. This condition did not specify when the street connections through the property are required to be built. The proposed condition also did not state whether the street connection should be a public or private street, or whether alternative street design standards would be allowed.

Staff intended to require the street connection to be built at time of development of the site. The street connection through the property may be a public or private street and alternative local street design standards may be proposed by the applicant and will be reviewed at time of Site Plan Review. The flexibility to propose alternative street design standards is provided in the Salem Transportation System Plan (TSP), Street System Element Table 3-1. Type II Site Plan Review will be required in order to consider approval of such alternative street design standards.

Recommended Condition 2 requires the construction of a traffic signal. This condition did not specify when the installation of the traffic signal is required. Because the requirement to build a

traffic signal is related to the impacts of development of the site, the timing of the traffic signal installation will be determined at time of Site Plan Review.

In order to clarify these points, Staff recommends the following revised conditions of zone change approval:

Condition 1: At the time of development, provide a public or private local street connection through the proposed development from Davis Road S to the south line of the subject property and to the west property line aligning with Reserve Lane Private Way. Alternative street design standards may be approved through Type II Site Plan Review.

Condition 2: Construct a traffic signal at the intersection of Liberty Road S and Davis Road S to the City of Salem standards. The signal shall be interconnected via underground fiber-optic cable to the existing traffic signal at Liberty Road S and Kuebler Boulevard SE and shall be designed to accommodate the east leg extension of Rainier Drive SE. The timing of the traffic signal installation shall be determined at the time of Site Plan Review.

Prepared by Bryan Colbourne, Planner III

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TO: Planning Commission

FROM: Glenn W. Gross, Urban Planning Administrator 

STAFF: Bryan Colbourne, Planner III

HEARING DATE: May 15, 2012

APPLICATION: Comprehensive Plan Change/Neighborhood Plan Change/Zone Change 12-03

LOCATION: 1500 Block Davis Road S

SIZE: Approximately 10.37 acres

REQUEST: To change the Salem Area Comprehensive Plan (SACP) Map designation from Developing Residential to Multi-Family Residential, to change the zone district from RA (Residential Agriculture) to RM2 (Multiple Family Residential), and to change the Sunnyslope Neighborhood Plan map designation from Single Family to Multi-Family, for property approximately 10.37 acres in size, and generally located in the 1500 Block of Davis Road S, 97306 (Marion County Assessor Map and Tax Lot numbers: 083W16C / 00101).

APPLICANT: Davis Road Property LLC
Mark Grenz, Representative

APPROVAL CRITERIA: Comprehensive Plan Map Amendment/Neighborhood Plan Change:
Salem Revised Code, Chapter 64

Zone Map Amendment: Salem Revised Code, Chapter 113

RECOMMENDATION: APPROVE subject to the following conditions:

- Condition 1: Provide a local street connection through the proposed development from Davis Road S to the south line of the subject property and to the west property line aligning with Reserve Lane Private Way.
- Condition 2: Construct a traffic signal at the intersection of Liberty Road S and Davis Road S to the City of Salem standards. The signal shall be interconnected via underground fiber-optic cable to the existing traffic signal at Liberty Road S and Kuebler Boulevard SE and shall be designed to accommodate the east leg extension of Rainier Drive SE.

APPLICATION PROCESSING

Subject Application

On February 11, 2012, Mark Grenz, on behalf of the applicant, Davis Road Property LLC, filed an application for a Comprehensive Plan Change, Neighborhood Plan Change, and Zone Change for the subject property. After additional information was submitted, the application was deemed complete for processing on April 11, 2012.

Notice must be given in accordance with Section 300.620(b) of the Salem Revised Code. An approval by the Planning Commission shall not be construed to have granted a variance from the provisions of any City ordinance unless the approval clearly states that a variance has been granted.

The quasi-judicial decision by the Planning Commission requires a decision be filed with the Planning Administrator and entered into the record of the proceedings within 30 days following the public hearing, unless the applicant consents to an extension for specific additional time. The Planning Administrator must record the date of the decision upon receipt of the decision. The Planning Administrator must also mail a copy of the decision to the applicant and to everyone who submitted verbal or written testimony during the process.

The public hearing for the application is scheduled for May 15, 2012.

Appeals

Appeal of a Planning Commission decision is to the Salem City Council (Council), as set forth in Table 300.100-2 of the Salem Revised Code (SRC). Written notice of an appeal and the applicable fee shall be filed with the Planning Administrator within fifteen days after the record date of the decision as set forth in SRC 300.1000 – SRC 300.1040. SRC 300.1050 states that whether or not an appeal is filed, the Council may, by majority vote, initiate review of a Planning Commission decision by resolution filed with the City Recorder. Such a review shall be initiated prior to the adjournment of the first regular Council meeting following Council notification of the Planning Commission decision. Review shall proceed according to SRC Section 300.1040.

120-Day Requirement

Amendments to an acknowledged Comprehensive Plan are not subject to the 120-day rule (Oregon Revised Statutes (ORS) 227.178).

Public Notice

1. Notice of the public hearing was mailed to property owners within 250 feet of the subject property on April 25, 2012 (Attachment 1).
2. The property was posted in accordance with the posting provision outlined in SRC 300.620.
3. State law (ORS 197.610) and SRC 300.602(b)(1) requires the City to provide the Oregon Department of Land Conservation and Development (DLCD) a minimum 45-day notice when an applicant or the City proposes an amendment to an acknowledged Comprehensive Plan or land use regulation or to adopt a new land use regulation. The City sent notice of this proposal to DLCD on March 6, 2012.

BACKGROUND INFORMATION

The subject property was annexed into the City of Salem on February 22, 2007. The property was annexed into the City with an RA zone designation. In 2007, Subdivision 07-20 was approved for the subject property. The approval allowed the development of approximately 70 single family dwellings to be built on the site. The final plat for this subdivision was never recorded, and the approval has since expired.

The subject property is located within the Salem Urban Growth Boundary and in the corporate city limits. The subject property is located outside the Urban Service Area. However, the subject property received UGA approval through UGA preliminary declaration Case No. 10-02.

Summary of Requested Action

The applicant is requesting a change of the subject property's comprehensive plan map designation from "Developing Residential" to "Multi-Family Residential", and change the property's zoning from RA to RM2. A corresponding change in the property's designation on the Sunnyslope Neighborhood Plan Map from Single Family to Multi-Family is also requested.

A preliminary site plan was submitted as part of the applicant's Traffic Impact Analysis. This site plan proposed an apartment complex with 228 dwelling units in 19 apartment buildings, together with off-street parking areas, common open space, and a common use recreation building.

Citizen and Neighborhood Association Comments

SRC 300.620(b)(2)(B)(iii) requires public notice be sent to "any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property." The subject property is within the Sunnyslope Neighborhood Association. The neighborhood association submitted a letter (Attachment 5) listing concerns about affect of stormwater run-off from the site onto nearby properties. The letter states:

We are concerned that construction of a 10-plus acre apartment complex at this site might lead to soil erosion and flooding for downslope neighbors, including neighbors along Waln Creek between Crossler Middle School and Madras Ave.

Both the Bella Cresta development and the First Slavic Baptist Church's large parking lot were apparently constructed without any stormwater retention basins. The Bella Cresta development also has existing sediment and erosion control problems which impact downslope neighbors. Please see the attached photographs of a vacant lot at Bella Cresta. These visible soil gullies send sediment into the City's stormwater system, reducing its effectiveness and causing maintenance issues.

I've reviewed some notes which Councilor Clausen provided to Battlecreek neighbors after their recent flood experience, stating his understanding that "the current [City of Salem] code does not consider downstream impacts of new development."

This may mean that the City's codes do not comply with Statewide Planning Goal 7, "to protect people and property from natural hazards," which includes flooding.

We believe that the proposal for a comprehensive plan/zoning change should be approved only if the applicant agrees to construct an adequate stormwater retention basin which protects Waln creek residents from stream rise in 100 year storm event and complies with best practices for soil and sediment control.

In addition, one interested citizen, Mr. John Shepard, submitted written comments also stating concerns about stormwater drainage from the site onto downstream properties (Attachment 6).

Staff Response: The stormwater detention requirements contained in the Salem Public Works Design Standards are the same for single family and multiple family residential uses. As such, the proposed change in Comprehensive Plan and zoning map designations will not have any measurable effect on stormwater volume being discharged from the subject property.

The City's development codes and design standards do not require developers to extensively analyze downstream drainage systems with each project. Instead, the design standards require detention for each project to reduce downstream impacts.

Regarding Statewide Planning Goal 7, the Stormwater Master Plan addresses those goals related to stormwater conveyance. The current detention standards, which retain volumes up to a 50-year storm event, are consistent with the Stormwater Master Plan.

The Bella Cresta Subdivision and Slavic Baptist Church sites were developed under the current Stormwater Management Design Standards, which require detention. Erosion control issues are addressed during construction under the requirements of SRC Chapter 75.

City Department Comments

Public Works (Development Services and City Traffic Engineer) – Public Works Department Staff reviewed the Traffic Impact Analysis (TIA) and Transportation Planning Rule Analysis (TPR) that was submitted by the applicant and agree with its findings. The Public Works Department's comments and recommended conditions are included here as Attachment 7.

Fire Department – Reviewed the proposal and submitted the following comments:

Fire department access (including surface, grade, and turning radii), water supply, and fire hydrants shall be provided in accordance with the Salem Fire Prevention Code (SRC Chapter 58). Multiple family residential projects having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads.

Police Department – Reviewed the proposal and submitted the following comments:

The change in zoning would potentially allow for a much larger population per area than the current zone permits. The concern from the Police Department is the increase in population which likely would increase calls for service; however, due to police employee numbers remaining the same, our response times could increase.

Public Agency and Private Service Provider Comments

Salem-Keizer Public Schools – Reviewed the proposal and submitted a letter, which is included as Attachment 8.

Department of Land Conservation and Development (DLCD) – DLCD was notified of the proposal and did not provide comments.

Salem Area Comprehensive Plan (SACP) Designation

Land Use: The Salem Area Comprehensive Plan designates the subject property as "Developing Residential". The Comprehensive Plan designation of surrounding properties is as follows:

North: Across Davis Road S, "Single Family Residential"
South: "Developing Residential"
East: "Multi-Family Residential"
West: "Multi-Family Residential" and "Developing Residential"

Neighborhood Plan: The property is located within the boundaries of the Sunnyslope Neighborhood Association. The Sunnyslope NA is a City-recognized neighborhood association. Sunnyslope NA also has a Neighborhood Plan, which was adopted by the Salem City Council in 1983. The Land Use Plan Map of the Neighborhood Plan included that land that was within the neighborhood boundary in 1983 and also included all adjacent unincorporated land at that time out to the Urban

Growth Boundary. The subject property is designated "Single Family" on the Neighborhood Plan Land Use Map.

Applicable Detail Plans

Detailed plans are prepared as policy guides to the Salem Area Comprehensive Plan and are specific plans for a particular geographic area of the city, or for the provision or performance of some particular service or function. Site Plan's have been provided showing the zoning of the site and the locations of the proposed zone changes.

Salem Transportation System Plan (STSP): The STSP uses a Street Classification System to determine the functional classification of each street within the city's street system. The subject property abuts Davis Road S to the north, and provides access to the subject property. Davis Road S is classified as a collector on the STSP.

Zoning

The subject property is currently zoned RA (Residential Agriculture). Zoning of surrounding properties include:

North: Across Davis Road S, RS (Single Family Residential)
South: RA (Residential Agriculture)
East: RM2 (Multiple Family Residential)
West: RM2 and RA

Existing Site Conditions

The site is approximately 10.37 acres in size. The site is currently vacant land.

Trees: The City's tree preservation ordinance, SRC Chapter 68.100(a) requires tree conservation plans only for development proposals involving the creation of lots or parcels to be used for the construction of single-family or duplex dwelling units. Because the proposal does not involve the creation of lots or parcels for single-family or duplex dwelling unit construction, a tree conservation plan is not required.

Pursuant to SRC Chapter 68, Preservation of Trees and Vegetation, a Tree Removal Permit is required for removal of any significant trees and removal of trees within a riparian corridor.

Wetlands: No wetlands are identified on the subject property according to the City's adopted local wetlands inventory.

Landslide Hazards: SRC Chapter 69, "Landslide Hazards," sets forth the mitigation requirements that may be imposed if landslide hazards are present on a property. This is done primarily through establishing the sum of landslide hazard points (a combination of the mapped landslide hazard points and those points associated with the type of proposed development) in order to determine what mitigation, if any, is required to ensure a safe and healthful development. A geological assessment was submitted at the time of the original subdivision approval in 2007, which is on file with the City (GI 07-111).

According to the City's adopted landslide hazard susceptibility maps the site contains areas of mapped landslide susceptibility worth two points. A comprehensive plan change / zone change in itself does not add any activity points, however, building permits for an apartment complex, as proposed, are worth two activity points under SRC Chapter 69. This yields a total of four points for the site, which is classified as a low landslide risk under SRC Chapter 69. No geologic assessment or geotechnical report is required under SRC Chapter 69 for the comprehensive plan change / zone change or the subsequent multiple family development proposal.

Site Plan: A preliminary site plan for an apartment complex proposed for the site was submitted as part of the Traffic Impact Analysis. This site plan proposed 228 dwelling units in 19 apartment buildings, together with off-street parking areas, common open space, and a common use recreation building.

Applicant Submittal Information:

The applicant submitted written statements and proof that the proposal conforms to all applicable criteria imposed by the Salem Revised Code for each of the requests. The applicant's statements are included in their entirety as attachments to this staff report. Staff utilized the information from the applicant's statements to evaluate the applicant's proposal and to compose the facts and findings within the staff report.

FINDINGS APPLYING TO THE APPLICABLE SALEM REVISED CODE CRITERIA FOR A COMPREHENSIVE PLAN AMENDMENT

Salem Revised Code (SRC) Section 64.040(g) defines a minor plan change as a single proceeding for amendment to the Comprehensive Plan affecting less than five (5) privately and separately owned tax lots. This request is a Category 4 minor plan change, which is a quasi-judicial act. The burden of proof in meeting the approval criteria rests with the proponent of the change (SRC 64.090(a)). Salem Revised Code Section 64.090(b) establishes the approval criteria for Comprehensive Plan Map amendments. In order to approve a quasi-judicial Plan Map amendment request, the decision-making authority shall make findings of fact based on evidence provided by the applicant that demonstrates satisfaction of all of the applicable criteria. The applicable criteria are shown below in bold print. Following each criterion is a response and/or finding relative to the amendment requested. The applicant provided justification for all applicable criteria (Attachment 3).

Criterion 1: Lack of appropriately designated suitable alternative sites within the vicinity for a proposed use. Factors in determining the suitability of the alternative sites are limited to one or both of the following:

- (A) **Size:** Suitability of the size of the alternative sites to accommodate the proposed use; or
- (B) **Location:** Suitability of the location of the alternative sites to permit the proposed use; or

Criterion 2: A major change in circumstances affecting a significant number of properties within the vicinity. Such change is defined to include and be limited to one or both of the following:

- (A) **The construction of a major capital improvement (e.g., an arterial or major collector, a regional shopping center, etc.) which was unanticipated when the Salem Area Comprehensive Plan or elements of the Comprehensive Plan were adopted or last amended; or**
- (B) **Previously approved plan amendments for properties in an area that have changed the character of the area to the extent that the existing designations for other properties in the area are no longer appropriate.**

The proposal must satisfy either Criterion 1A or 1B, or 2A or 2B. The applicant has chosen to address 1A and 1B.

Applicant's Statement for 1(A) & 1(B): The site was chosen due to its size, location, access to major streets, and the existing RM2 developments along Davis Road. In order to address these

criteria, the vicinity has been determined to be within a specific area bounded by Skyline Road, Davis Road, Liberty Road, and Kuebler Boulevard . . .

Size/Location: There is a lack of appropriately designated vacant RM sites within this vicinity. There are no vacant and available RM zoned property located along Davis Road and Skyline Road. The existing RM zoned sites are either developed or not large enough. This site gives the applicant the ability to provide a needed housing type within this area.

As shown on the City land zone map there is no property contiguous to the existing site that is vacant, and there is none in the necessary proximity. The only appropriately designated properties within the necessary proximity to the existing site are the properties directly to the east and west of the site that are zoned RM2, but are either developed or not large enough.

According to the Housing Needs Analysis, "Salem has a deficit of capacity in the MF designation, with a deficit of 3,283 dwelling units and a deficit of 228 gross acres of residential land. With a multi-family designation, the subject property can be developed with multi-family dwellings; the rezone helps maximize the density while helping to meet housing needs within the Salem Urban Growth Boundary.

The subject property will not only be a site that will contribute to the multi-family housing needs, but it is also a site that can help improve the transportation circulation in the area. The subject property when developed has the potential to provide street connections to the properties to the south, east, and west for existing and future development.

The applicant's proposal is to rezone the site from RA to RM2 to allow a higher density to be built on the site while maintaining the character of the existing neighborhood. The surrounding properties and neighborhood have changed over the years and are continuing to change.

In 1998, in order to meet State Wide Planning Goal 10 (Housing), properties to the east, 083W16CD/1300 and Van Natta Place, of the subject property were rezoned to RM2 as part of the Salem Multi-Family Residential Land Study (SMFLS). Then in 2000, in order to meet State Wide Planning Goal 10 (Housing), property to the west (083W16C/201) of the subject property was also rezoned to RM2 as part of the Salem Multi-Family Residential Land Study (SMFLS).

In 2008, CPC/ZC 08-5 was approved for property located to the west (083W16C/300 & 400), which allowed the property to be rezoned to RM1.

As stated above, from 1998 to 2008, this is a changing area. An area changing in order to meet State Wide Goals and housing needs. This area is a changing area with properties being rezoned to multi-family. The applicant's proposal is consistent with the existing and changing neighborhood.

In conclusion, there are no sites for the proposed use located along Davis Road, Skyline Road, or Liberty Road that provide the necessary access to the major street system and adjacent properties, an area large enough for a multi-family development, or which are appropriately designated. There are no appropriately designated alternative sites within the vicinity for the proposed use that are currently vacant. Therefore, the proposal satisfies this criterion and has been met.

Finding: Staff concurs with the applicant's statement. The applicant proposes an apartment complex at the site. The vicinity defined by the applicant is an area of land bounded by Skyline Road in the west, approximately Davis Road in the south (and including those properties along the south side of Davis Road), Liberty Road in the east, and Kuebler Boulevard in the north. This is an appropriate vicinity because it represents an area of south Salem that is functionally connected by the existing street system and by historical development patterns, and with logical boundaries that follow arterial streets. As demonstrated by the applicant, the other Multi-Family Residential designated properties within the vicinity are neither sized nor located appropriately to accommodate the applicant's proposed use. Staff review of this area led to the same finding as the applicant that

there are no suitable alternative sites within the vicinity to accommodate the proposed 228-unit apartment complex. Staff concurs with the applicant and finds that this criterion has been met.

Criterion 3: The proposed plan change considers and accommodates as much as possible all applicable statewide planning goals;

Applicant's Statement:

The request is in conformance with Statewide Planning and all applicable land use standards imposed by state law and administrative regulation, which permit applications to be filed.

Development of the subject property can meet the minimum standards of the zone code and the STSP. The proposal complies with the applicable intent statements of the SACP as addressed in this report. The applicant has presented evidence sufficient to prove compliance with these standards. The following Statewide Goals are applicable to this proposal:

GOAL 1 – CITIZEN INVOLVEMENT

Applicant's Statement: The City's adopted Comprehensive Plan General Development Goal and Policies, and its adopted zone code, implement the Statewide Citizen Involvement Goal. This application will be reviewed according to the public review process established by the City of Salem. The City's Plan is acknowledged to be in compliance with this Goal. Notice of the proposal will be provided to property owners and public agencies, and posted on the property. The published notice will identify the applicable criteria. A public hearing to consider the request will be held by the Planning Commission. Through the notification and public hearing process all interested parties are afforded the opportunity to review the application, comment on the proposal, attend the public hearing, and participate in the decision. These procedures meet the requirements of this Goal for citizen involvement in the land use planning process.

Finding: Appropriate notice was given, as outlined in this staff report, and satisfies Citizen Involvement described in Goal 1.

GOAL 2 – LAND USE PLANNING

Applicant's Statement: The City's adopted Comprehensive Plan implements the Statewide Land Use Planning Goal. The Salem Area Comprehensive Plan (SACP) is acknowledged to be in compliance with the Statewide Planning Goals. This proposal is made under the goals, policies and procedures of the SACP and its implementing ordinance. A description of the proposal in relation to the intent of the Plan, its applicable goals and policies, the comprehensive plan change/zone change criteria is part of this review. Facts and evidence have been provided that support and justify the proposed comprehensive plan/zone change, along with findings and evidence to support the partitioning, zone change, site plan review, and design review applications. For these reasons, the proposal conforms to the land use planning process established by this Goal.

Finding: The Salem Area Comprehensive Plan (SACP) is acknowledged to be in compliance with the Statewide Planning Goals.

GOAL 5 – NATURAL RESOURCES, SCENIC AND HISTORIC AREAS, AND OPEN SPACES

Applicant's Statement: The City's adopted General Development, Scenic and Historic Areas, Natural Resources and Hazards Goals and Policies address the Statewide Goal. According to City map there are no mapped wetlands or waterways on the subject property. In the event that a resource is identified, the City's applicable riparian, tree protection and wetland development standards will be applied at the time of development and will ensure compliance with Goal 5. The applicant will provide a tree plan, identifying the location and size of all existing trees on the site.

A geological assessment was submitted at the time of the original subdivision approval (GI 07-111). The development of multi-family housing on a site does not warrant the need for a geological assessment. Therefore, a geological assessment is not required.

There are no significant historic buildings on the subject property. The applicant has taken the opportunity to consider existing conditions and influences that enables him to explore potential development. The City has standards in place to address access, internal circulation, topography, drainage, public facilities, overall site design and layout.

Finding: There are no known scenic, historic, or cultural resources on the subject site. The applicant's statement addressing Goal 5 may also apply to Goal 7, with regard to landslide hazards. As discussed earlier in this report, the proposal has been reviewed for compliance with Salem Revised Code Chapter 68 (Tree Preservation), Chapter 126 (Wetlands), and Chapter 69 (Landslide Hazards).

GOAL 6 – AIR, WATER, AND LAND RESOURCES QUALITY

Applicant's Statement: The City's adopted Comprehensive Plan Growth Management, Scenic and Historic Areas, Natural Resources and Hazards, Commercial, Industrial and Transportation Goals and Policies along with adopted facilities plans implement this Goal.

Development is required to meet applicable State and Federal requirements for air and water quality. The proposal to redevelop is reviewed by the City and any applicable outside agencies for impacts on environment and compliance to applicable standards and regulations. Development is required to meet applicable water, sewer, and storm drainage system master plan requirements. Upon redevelopment, the City is responsible for assuring that wastewater discharges are treated to meet the applicable standards for environmental quality.

The City has identified the process through which water, sewer and storm drainage will be supplied to the site as stated in the September 22, 2011 pre-application conference letter (Pre-App No. 11-44) to the applicant, see attached letter. Storm water runoff will be collected and removed by the City storm drainage system, in a manner determined by the City to be appropriate.

The proposed site is outside the noise contours of the air traffic, and . . . the facility will nevertheless utilize building materials that mitigate such noise, if any.

The major impact to air quality in the vicinity is vehicle traffic along the boundary street, Davis Road. This is not a major traffic route in the area. Davis Road is designated as a collector in the Salem Transportation System Plan (STSP).

The traffic generated from the site will be minor compared to the total volume of traffic in this area, and will not create a significant additional air quality impact. The TIA identifies the traffic needs for the site and mitigation measures.

The site is vacant. Development of vacant urban land is expected. The proposed change will have no significant impact on the quality of the land. Considering the location of the site within the city, the availability of public facilities to provide water, sewage disposal, and storm drainage services, and the surrounding transportation system, the proposal will have no significant impacts to the quality of the air, water or land. The City's adopted facility plans implement Goal 6.

Finding: Staff concurs with the applicant. The site is urban land, surrounded to the north, east, and west by developed properties. Through the use of public facilities, the wastewater and surface water discharges from the property will be managed according to approved standards. The Stormwater Master Plan addresses those goals related to stormwater conveyance. The current stormwater detention standards, which retain volumes up to a 50-year storm event, are consistent with the Stormwater Master Plan. The proposed plan and zone change will have no significant impacts on the quality of the air, water or land.

GOAL 8 – RECREATIONAL NEEDS

Applicant's Statement: The City's adopted Comprehensive Plan Open Space, Parks and Recreation Goal and Policies implements the Statewide Recreation Needs Goal by encouraging

conservation and identification of existing and needed park resources and funding mechanisms. Salem identifies programs, activities and policies relating to parks and recreational activities in the community. The City's needs for leisure areas and open space areas have been identified in its adopted plans. At the time of development, the proposal provides improved public pedestrian connections via hard-surfaced sidewalks. Crossler Middle School is located about two blocks to the northeast of the site. The middle school is located on the northeast corner of Davis Road and Liberty Road. Secor Park is located about 1/2 a mile to the north of the subject property. These two sites provide adequate parks and recreation within the area. However, at the time of development, the multi-family development on the site will [also] have common open space and private open space for the residents. Therefore, the proposal complies with this Goal.

Finding: Staff concurs with the applicant's statement and finds that the proposal is consistent with Goal 8.

GOAL 9 – ECONOMIC DEVELOPMENT

Applicant's Statement: The proposed zone change will have a positive impact on the economy of the City of Salem. There is not a high demand for single family homes right now. The rezone will allow the property to be developed, which will create employment along with a housing type that is a less expensive option for families.

Finding: The proposed comprehensive plan change will facilitate the development of the subject property, thereby making good use of the site. Staff concurs with the applicant's statement and finds that the proposal is consistent with Goal 9.

GOAL 10 – HOUSING

Applicant's Statement: As stated above, in 1998 and 2000, in order to meet State Wide Planning Goal 10 (Housing), adjacent properties along Davis Road were rezoned to RM1 and RM2 as part of the Salem Multi-Family Residential Land Study (SMFLS).

The applicant's proposal is to rezone the site from RA and RM2 to allow a higher density to be built on the site. As stated above, according to the Housing Needs Analysis, "Salem has a deficit of capacity in the MF designation, with a deficit of 3,283 dwelling units and a deficit of 228 gross acres of residential land. The rezone helps maximize the density while helping to meet housing needs within the Salem Urban Growth Boundary.

The development will also be located in an area in close proximity to existing and proposed services. Crossler Middle School is located about two blocks to the northeast of the site. The middle school is located on the northeast corner of Davis Road and Liberty Road. Secor Park is located about 1/2 a mile to the north of the subject property. Commercial Services are currently available to the north along Liberty Road.

The existing neighborhood consists of single family housing and some multi-family housing. In order to maintain the character of the neighborhood, the site will be developed in compliance with required Design Standards and provide bufferyards along property lines.

The City's adopted Comprehensive Plan Growth Management, Residential, Transportation Goals and Policies and applicable adopted facilities plans implement the Statewide Housing Goal.

The City's subdivision and land use processes implement applicable Housing Goals and Policies. There is a deficit in multi-family residential land in Salem.

Finding: The proposed Comprehensive Plan Change and Zone Change will increase the amount of Multi-Family designated land within the City, thereby assisting the City in providing for its projected housing needs. Staff concurs with applicant and finds that the proposal is consistent with this goal.

GOAL 11 – PUBLIC FACILITIES AND SERVICES

Applicant's Statement: The City's adopted Comprehensive Plan Growth Management, residential, and Transportation Goal and Policies and adopted Stormwater and Water Master Plans implement the Statewide Public Facilities and Services Goal by requiring development to be served by public services.

The proposal is for revitalized urban development in an area where future extensions of those services can be provided in the most feasible, efficient and economical manner. The City's capital improvement program and its minimum code standards for public facilities provide a means for improving and updating public facilities systems (water and sewer). All necessary and appropriate public services and facilities essential for development will be provided to this property at levels that are adequate to serve the proposed use.

The City maintains an infrastructure of public services that includes sewer, water, and storm drainage facilities. The City will specify any needed changes to the existing service levels at the time building permits are requested.

Sidewalks are or will be provided throughout the site to connect to the public sidewalk system. The location along a major transportation corridor facilitates access to a transit route, bicycle and pedestrian access, provides significant opportunity to reduce vehicle miles traveled. The vehicle, transit, bicycle, and pedestrian circulation systems will be designed to connect major population and employment centers in the Salem urban area, as well as provide access to local neighborhood residential, shopping, schools, and other activity centers.

Traffic from this site is diverted away from residential areas and has convenient access to the existing streets. Aesthetics and landscaping will be considered in the design of the circulation system to cut down on headlight glare, heat, and improved traffic direction.

The Salem-Keizer School District provides public education facilities. The education district's master plan provides for growth in the district and has options to meet the demand. The education district reviews the population factors to determine planning, funding and locating new schools or providing additional facilities on the sites of existing schools.

Other private service providers supply garbage, telephone, television, postal and internet services as needed by the development. The required public services and facilities to serve new development will be determined by the City at the time development permits are requested. By providing adequate public facilities and services for the proposed use, the requirements of this Goal are met.

Finding: The City maintains an infrastructure of public facilities and services as the framework for urban development. These services are made available in a timely and orderly fashion resulting in efficient urban development. The subject property is located outside the Urban Service Area. Therefore, an Urban Growth Area (UGA) permit is needed to determine the necessary facilities and services required to serve the subject project. The property received UGA approval through UGA preliminary declaration Case No. 10-02, in 2010. The linking facilities for water, sewer, and storm infrastructure are described in UGA 10-02. Site specific infrastructure requirements will be addressed in the Site Plan Review process in SRC 163. The proposal is consistent with this goal.

GOAL 12 – TRANSPORTATION

Applicant's Statement: The City's adopted Comprehensive Plan Transportation Goal and Policies and the adopted Salem Transportation System Plan (STSP) implements the Statewide Transportation Goal by encouraging a safe, convenient and economic transportation system. The subject property is located along Davis Road S. The major streets are in place due to previous development. The subject property will have the potential to provide street connections to properties to the west and south for existing and future development. However, with Davis Road, Red Leaf

Drive, and Mildred Lane already providing connectivity to the neighborhood, additional street connections to the site are not necessary. . .

Finding: Goal 12 is implemented by the Transportation Planning Rule (TPR). In summary, the TPR requires local governments to adopt Transportation System Plans (TSPs) and requires local governments to consider transportation impacts resulting from land use decisions and development. The key provision of the TPR related to local land use decisions is Oregon Administrative Rule (OAR) 660-012-0060. This provision is triggered by amendments to comprehensive plans and land use regulations that "significantly affect" a surrounding transportation facility (road, intersection, etc.). Where there is a "significant effect" on a facility, the local government must ensure that any new allowed land uses are consistent with the capacity of the facility. In the context of a site-specific comprehensive plan change request, such as this proposal, a "significant effect" is defined under Oregon Administrative Rule (OAR) 660-012-0060(1) as either an amendment that "allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility", or an amendment that would "reduce the performance standards of an existing or planned facility below the minimum acceptable level identified in the TSP."

The applicant for a comprehensive plan change is required to submit a Transportation Planning Rule (TPR) analysis to demonstrate that their request will not have a "significant effect" on the surrounding transportation system, as defined above.

The applicant submitted a Traffic Impact Analysis (TIA) in consideration of the requirements of the Transportation Planning Rule (OAR 660-012-0060). The conditions of approval are based on recommended mitigation measures in the TIA. The Assistant City Traffic Engineer concurs that the conditions of approval ensure that the proposed CPC/ZC will not have a significant effect on the transportation system.

GOAL 14 – URBANIZATION

Finding: The proposal to amend the Comprehensive Plan map from "Single Family Residential" to "Multi-Family Residential" will help facilitate the development of urban land that is within the Urban Growth Boundary and already near City services, public facilities, and infrastructure. This is consistent with the intent of this Goal to maintain a compact and efficient urban area. This proposal does not affect the Urban Growth Boundary. This proposal complies with Goal 14.

Criterion 4: The proposed change is logical and harmonious with the land use pattern for the greater area as shown on the plan map.

Applicant's Statement: The subject property is in an area characterized by single family uses, multi-family development to the east and vacant land.

New development on the site will be according to City landscaping and bufferyard standards and other improvement standards which are the minimum community development "harmony" standards established by the City. By meeting these requirements at the development stage, the development will meet the City's adopted community development standards which are designed to make abutting land uses compatible with each other. In addition, harmony will be achieved by modern building facades and landscaping that is necessary to meet the real estate demand for updated properties.

Development standards of the City further direct harmonious design with regard to the amount and direction of outdoor lighting, bufferyards, improved access, street improvements, paved parking lots and paved surfaces to limit dust. Transportation facilities are in place and local streets will be extended through the site for connections to adjacent properties.

Finding: The subject property is surrounded by a mix of both single family and multiple family residential uses and plan map designations to the north, east, and west. Given the existence of multi-family residential designated and used land, the designation of the site as "Multi-Family

Residential", with RM2 zoning is logical and harmonious with the existing pattern. This criterion is met.

Criterion 5: The proposed change conforms to all criteria imposed by applicable goals and policies of the Comprehensive Plan in light of its intent statements; and

Applicant's Statement: The SACP states that one of the intents of the Residential Development goals is, "To promote a variety of housing and opportunities for all income levels and an adequate supply of development land to support such housing."

According to the SACP, the cumulative effect of all new residential development in the Salem urban area should average 6.5 dwelling units per gross acre of residential development. The comprehensive plan change/zone change will allow the property to be developed at a higher density, therefore, meeting or exceeding the dwelling average.

The rezoning of the subject property will help to provide a variety of housing other than single family dwellings. This is a growing area that already has more than a sufficient amount of single family land for development. Multi-family development will provide a needed housing type in the area while helping to meet housing needs as well.

Residential Development Policies

Establishing Residential Uses: The applicant's proposal is to rezone the property from RA and RM2 to allow a higher density to be built on the site. As stated above, according to the Housing Needs Analysis, "Salem has a deficit of capacity in the MF designation, with a deficit of 3,283 dwelling units and a deficit of 228 gross acres of residential land. The rezone helps maximize the density while helping to meet housing needs within the Salem Urban Growth Boundary . . . [thereby] establishing a mixture of residential uses within the area.

Facilities and Services Location: The City's adopted Comprehensive Plan Transportation Goal and Policies and the adopted Salem Transportation System Plan (STSP) implements the Statewide Transportation Goal by encouraging a safe, convenient and economic transportation system. The subject property is located along Davis Road S. The major streets are in place due to previous development. Sidewalks and needed improvements will be [provided along] Davis Road, if required. Street extensions to properties to the west and south will be provided for existing and future development.

The City's adopted Comprehensive Plan Growth Management, residential, and Transportation Goal and Policies and adopted Stormwater and Water Master Plans implement the Statewide Public Facilities and Services Goal by requiring development to be served by public services. The proposal is for revitalized urban development in an area where future extensions of those services can be provided in the most feasible, efficient and economical manner. The City's capital improvement program and its minimum code standards for public facilities provide a means for improving and updating public facilities systems (water and sewer). All necessary and appropriate public services and facilities essential for development will be provided to this property at levels that are adequate to serve the proposed use.

The subject property is located within the Salem Urban Growth Boundary and in the corporate city limits. The subject property is located outside the Urban Service Area. However, the subject property received UGA approval through UGA preliminary declaration Case NO.1 0-02. The subject property is subject to the requirements of UGA 10-02. The City maintains an infrastructure of public services that includes sewer, water, and storm drainage facilities. The City will specify any needed changes to the existing service levels at the time building permits are requested.

Infill Development: The subject property is currently vacant. In order to provide a mixture of housing in the area, the applicant is requesting a zone change. In 1998 and 2000, in order to meet State

Wide Planning Goal 10 (Housing), adjacent properties were rezoned to RM1 and RM2 as part of the Salem Multi-Family Residential Land Study (SMFLS).

The comprehensive plan designation for the site is "Developing Residential". The rezoning of the site to RM2 will be consistent with adjacent properties that were rezoned as part of the SMFLS study and will also be consistent with State Wide Planning Goal 10, and current housing needs in the in area.

The comprehensive plan change/zone change will promote infill development with the development of a property that is already served by City Services and all transportation to be developed with a higher density of housing that is needed in this area.

Multi-Family Housing: The development will also be located in an area in close proximity to existing and proposed services. Crossler Middle School is located about two blocks to the northeast of the site. The middle school is located on the northeast corner of Davis Road and Liberty Road. Secor Park is located about 1/2 a mile to the north of the subject property. These two sites provide adequate parks and recreation within the area. Commercial uses are located to the north of the site along Liberty Road S.

The existing neighborhood consists of single family housing and some multi-family dwellings to the west. In order to maintain the character of the neighborhood, the site will be developed in compliance with required Design Standards.

Circulation System and Through Traffic: The subject property is located along Davis Road S. Sidewalks and needed improvements will be [provided along] . . . Davis Road if required. Street extensions to properties to the west and south will be provided for existing and future development. The major streets are in place due to previous development.

Alternative Housing Patterns: The properties to the west and east are developed as a church and multi-family development. The property to the south is zoned for single family development and property to the north is fully developed as single family dwellings. In order to provide an alternative housing pattern while being consistent with the neighborhood, the proposed development will provide a higher density of needed housing along Davis Road S.

Requests for Rezoning: The subject property is designated for Residential development. All public facilities and services are available to the site. The proposed development will meet State Wide Planning Goals and Policies pertaining to residential development. The development of the site will not impact adjacent properties.

Urban Design: The City has adopted Design Standards and process in place to help implement multi-family design standards. The applicant's development will be in compliance with the Multi Family Design Standards as outlined in SRC Chapter 148 and the City of Salem Design Handbook at the time of development.

Finding: Staff concurs that the proposal complies with the applicable goals and policies of the Salem Area Comprehensive Plan (SACP). The Plan recognizes the need to remain responsive to changing and evolving land demands within the context of Plan policies and implementing measures. As documented in the applicant's statements above, the proposal is consistent with the Goals and Policies of the SACP. Considering the facts, evidence, and reasons presented, the proposed Comprehensive Plan Map change from "Single Family Residential" to "Multi-Family Residential" conforms to all applicable Statewide Planning Goals and Comprehensive Plan policies.

Criterion 6: The proposed change benefits the public.

Applicant's Statement: The public is benefitted by creating a well-located parcel of multi-family land; it will increase the City and State tax base; it will be an attractive and efficient development; will

identify and mitigate any hazard areas in [a] reasonable and responsible manner; and will provide the ability to enhance a vacant parcel along Davis Road.

The City has facilitated this area of Salem by making some sites along Davis Road part of the SMFLS Study and by recognizing there is a need for multi-family housing in this area and Salem. The rezoning and design review address planning issues such as use, adequate parking, open space, access, internal circulation, public facilities, topography, drainage, and access. Site constraints such as configuration, frontage and topography are always taken into consideration for lot layout and access. Enhanced vehicular and pedestrian circulation is critical to the City as well as the applicant.

In summary, by establishing a use that is consistent with the future residential needs in the area, by addressing how residential needs of the Salem area are being met by this proposal, and by providing higher density for housing needs and a logical transition along Davis Road.

Finding: The proposed Comprehensive Plan change to "Multi-Family Residential" will help facilitate the future improvement of the site, thereby making good use of an urban property. Any new development at the site will require compliance with the Salem Landscape Code, SRC Chapter 132, and may result in improvements to public facilities such as streets and sidewalks. These sorts of new improvements and landscaping features will benefit the public. Staff concurs with the facts presented by the applicant's representative as stated above and concludes that the proposed Comprehensive Plan change satisfies this approval criterion.

FINDINGS APPLYING TO THE SUNNYSLOPE NEIGHBORHOOD PLAN MAP AMENDMENT FROM "SINGLE FAMILY" TO "MULTI-FAMILY"

The subject property is located within the Sunnyslope Neighborhood Association. The Sunnyslope Neighborhood Plan was adopted by the City Council on August 8, 1983.

Finding: The Sunnyslope Neighborhood Plan includes a Land Use Plan Map, which designates the subject property as "Single Family". The area south of Davis Road was outside the City when the map was created in 1983. The Plan Map anticipated that this area, when incorporated into the City and developed, would continue the predominant pattern of single family residential development. Since 1983, however, the City has changed the SACP Map designation of two large tracts of land south of Davis Road from "Single Family" to "Multi-Family Residential". These two multi-family designated tracts are adjacent to the subject property, directly to the east and west. As stated above, these changes occurred in 1998 and 2000 in order for the City to meet Statewide Planning Goal 10 (Housing), as part of the City-wide Salem Multi-Family Residential Land Study (SMFLS). These specific changes to Multi-Family, together with the applicant's requested change to Multi-Family, could not have been anticipated in 1983, but they are consistent with the Goals and Policies of the Sunnyslope Neighborhood Association nonetheless.

The neighborhood plan states that the intent of the "Multi-Family" designation "is to permit the development of multi-family housing units in concentrated locations on arterials or collectors, primarily in the vicinity of major intersections." The proposed change will continue the pattern to group Multi-Family land along Davis Road, which is a collector street.

The Land Use goals of the Sunnyslope Neighborhood Plan are to: "1. Preserve the residential character and environmental quality of the present neighborhood," and "2. to encourage future development which will be consistent with the existing residential character of the neighborhood and which will enhance the social, economic, and environmental quality of the overall planning area." The proposed change will continue an already established pattern of multi-family land use south of Davis Road consistent with the existing mixed single and multi-family residential character of the immediate vicinity and larger neighborhood. The proposed change enhances the social, economic, and environmental quality of the neighborhood by providing a mix of housing options for residents and facilitating the development of a currently vacant piece of property. Compliance with City tree,

landslide hazard, excavation/fill, and stormwater standards at time of development will ensure the protection of the site's environmental quality.

In addition, the proposed change to Multi-Family located along a collector street with transit service is consistent with the following Multi-Family Policies of the Plan: "10. Multi-Family units should be located in concentrated locations on the arterials or collectors and within one-fourth mile of an existing transit bus route . . ." and "11. The principle access points to multi-family developments should be limited to arterial and collector streets . . ."

Finally, the proposed change to multi-family will provide more rental housing options in the neighborhood, within an area that is already made up of a mix of single family and apartment housing. This is consistent with the neighborhood plan's Housing Goal 47 "To provide for a range of housing needs which will be compatible with the existing housing stock."

Staff supports the proposal to change the subject property to "Multi-Family" on the Sunnyslope Neighborhood Plan Generalized Land Use Map.

FINDINGS APPLYING TO THE APPLICABLE SALEM REVISED CODE CRITERIA FOR ZONING MAP AMENDMENT

The following analysis addresses the re-zoning of the subject property from RA (Residential Agriculture) to RM2 (Multiple Family Residential).

SRC Chapter 113.150 provides the criteria for approval for Zone Map amendments. In order to approve a quasi-judicial Zone Map amendment request, the administrative body shall make findings based on evidence provided by the applicant demonstrating that all the following criteria and factors are satisfied. The extent of the consideration given to the various factors set forth below will depend on the nature and circumstances of each individual case. Unless any of the factors are deemed irrelevant, something more than an unsupported conclusion are required, but the degree of detail in the treatment of relevant factors depends on the degree of proposed change or deviation, and the scale and intensity of the proposed use or development. The requisite degree of consideration is directly related to the impact of the proposal: the greater the impact of a proposal in an area, the greater is the burden on the proponent.

The applicable criteria and factors are stated below in **bold print**. Following each criterion is a response and/or finding relative to the amendment requested. The applicant provided justification for all applicable criteria (Attachment 3).

Criterion (a): The applicant for any quasi-judicial zone change . . . has the burden of proving justification for the change. The greater the impact of the proposed zone change on the area, the greater the burden of proving the justification on the proponent.

Applicant's Statement: The burden of proof for the change has been presented by the applicant in the materials submitted with the application. The impact of rezoning the site from RA to RM2 is not significant. RA zoning allows one single family dwelling per 4,000 square foot lot. Therefore, approximately 112 single family lots could be placed on the site. The RM2 zoning requires a minimum of 12 units per acres with a maximum of 28 units per acre allowed. Therefore, the site could be developed with a minimum of 124 multi-family units on the site. The zone change allows the applicant to develop the site as a multi-family development and provide greater bufferyards along the property lines than what would be required of single family dwellings.

The zone change will allow the subject property to be developed with uses that are visually appealing, less dense, and provide more than adequate setbacks. The development of multi-family dwellings creates less an impact on the site and traffic then if the site were developed just as single family dwellings. Therefore, this criterion is met.

Finding: In order to measure the impact of this request, staff considered the size of the land to be rezoned, the neighborhood compatibility of the uses allowed under the proposed RM2 zoning, and the character of the existing land uses immediately surrounding the property. The existing RA zoning allows single family dwellings. The proposed RM2 zone allows apartments and other higher density residential uses, such as residential care facilities. The subject property is surrounded by a large church and apartments to the west, single family dwellings and a platted, but un-built, townhouse subdivision to the east. Single family residential uses are located to the north across Davis Road. Rural undeveloped land lies to the south. In terms of land use compatibility and potential impact on surrounding properties, a zone change from RA to RM2 at this vacant location will have little impact on the neighborhood. Staff disagrees with the applicant's calculation that "approximately 112 single family lots could be placed on the site [under the existing RA zoning]". The claimed 112 lots is apparently based on simply dividing the total lot size by the minimum allowable single family lot size of 4,000 square feet. The true number of single family lots that could be realistically developed on the subject property at the minimum lot size of 4,000 square feet would be lower than 112, to account for needed street right-of-way and site topography considerations. Regardless of this, staff finds that the applicant's analysis of potential traffic, parking, and other potential land use impacts of the proposal and the body of evidence presented in the case file corresponds to the anticipated impact of the proposal.

Criterion (b): The proposal must be supported by proof that the proposed zone change is consistent with goals and policies of the Comprehensive Plan in light of their intent statements; those portions of adopted neighborhood plans that are part of the Comprehensive Plan; and any standards imposed by state land use law. . . .

Applicant's Statement:

Residential Development Goal

The SACP states that one of the intents of the Residential Development goals is, "To promote a variety of housing and opportunities for all income levels and an adequate supply of development land to support such housing."

According to the SACP, the cumulative effect of all new residential development in the Salem urban area should average 6.5 dwelling units per gross acre of residential development.

The proposed multi-family development will average approximately 8 dwelling units per gross acre. The zone change will allow the property to be developed at a higher density, therefore, meeting or exceeding the dwelling average.

Residential Development Policies

Establishing Residential Uses: The applicant's proposal is to rezone the site from RA to RM2 to allow a higher density to be built on the site. As stated above, according to the Housing Needs Analysis, "Salem has a deficit of capacity in the MF designation, with a deficit of 3,283 dwelling units and a deficit of 228 gross acres of residential land. The rezone helps maximize the density while helping to meet housing needs within the Salem Urban Growth Boundary . . . [thereby] also establishing a mixture of residential uses within the area.

Facilities and Services Location: The City's adopted Comprehensive Plan Transportation Goal and Policies and the adopted Salem Transportation System Plan (STSP) implements the Statewide Transportation Goal by encouraging a safe, convenient and economic transportation system. The subject property is located along Davis Road. The subject development will have access to Davis Road and provide connections to adjacent properties, thus linking the site to existing and proposed transportation. The major streets are in place due to previous development.

The City's adopted Comprehensive Plan Growth Management, residential, and Transportation Goal and Policies and adopted Stormwater and Water Master Plans implement the Statewide Public Facilities and Services Goal by requiring development to be served by public services. The proposal is for revitalized urban development in an area where future extensions of those services can be provided in the most feasible, efficient and economical manner. The City's capital improvement program and its minimum code standards for public facilities provide a means for improving and updating public facilities systems (water and sewer). All necessary and appropriate public services and facilities essential for development will be provided to this property at levels that are adequate to serve the proposed use.

The City maintains an infrastructure of public services that includes sewer, water, and storm drainage facilities. The City will specify any needed changes to the existing service levels at the time building permits are requested.

Infill Development: The subject property is currently vacant. The applicant has received approval for a 70 lot subdivision on the site. However, with the need for multi-family housing in Salem and the subject area, the applicant is requesting a zone change. The comprehensive plan designation for the site is Developing Residential. The rezoning of the site from RA to RM2 will be consistent with adjacent properties, State Wide Planning Goal 10, and current housing needs in the in area.

The zone change will promote infill development with the development of a property that is already served by City Services and all transportation to be developed with a higher density of housing that is needed in this area.

Multi-Family Housing: The development will also be located in an area in close proximity to existing and proposed services. Crossler Middle School is located about two blocks to the northeast of the site. The middle school is located on the northeast corner of Davis Road and Liberty Road. Secor Park is located about ~ a mile to the north of the subject property. These two sites provide adequate parks and recreation within the area. Commercial uses are located to the north of the site along Liberty Road S.

The existing neighborhood consists of existing single family housing, existing multi-family dwellings, vacant single family zoned sites, and smaller multi-family zoned sites. In order to maintain the character of the neighborhood, the site will be developed in compliance with required Design Standards and provide large bufferyards along the north property line and the west property line.

Circulation System and Through Traffic: The subject property is located along Davis Road S. Sidewalks and needed improvements will be [provided along] . . . Davis Road, if required. Street extensions to properties to the west and south will be provided for existing and future development. However, the major streets are in place due to previous development.

Alternative Housing Patterns: The properties to the west and east are developed as a church and multi-family development. The property to the south is zoned for single family development and property to the north is fully developed as single family dwellings. In order to provide an alternative housing pattern while being consistent with the neighborhood, the proposed development will provide a higher density of needed housing along Davis Road S.

Requests for Rezoning: The subject property is designated for Residential development. All public facilities and services are available to the site. The proposed development will meet State Wide Planning Goals and Policies pertaining to residential development. The development of the site will not impact adjacent properties.

Urban Design: The City has adopted Design Standards and has a process in place to help implement multi-family design standards. The applicant's development will be in compliance with the Multi-Family Design Standards as outlined in SRC Chapter 148 and the City of Salem Design

Handbook. As required by code, the applicant will submit a Design Review and Site Plan Review application.

The rezoning of the site will help to maximize the densities in the area while providing a mixture of housing in a single family residential area. The rezoning of the property will provide 124 to 290 needed multi-family units within the area. This development will be in a location with accessible to the commercial developments on Liberty Road and Commercial Street . . . [thereby] meeting the guidelines of providing housing within in areas with services. The development of the site will encourage a mixture of housing types and higher densities within an infill lot.

Salem-Keizer Housing Needs Analysis

According to the Housing Needs Analysis, "Salem has a deficit of capacity in the MF designation, with a deficit of 3,283 dwelling units and a deficit of 228 gross acres of residential land." The rezone helps maximize the density while helping to meet housing needs.

Finding: Staff concurs with the applicant's statement. In addition, the Local Street Connectivity Element of the Transportation System Plan specifies that local streets shall be connected to neighboring undeveloped properties at no greater than 600-foot intervals. A local street connection is warranted through the proposed development from Davis Road to the south line of the subject property and to the west property line at Reserve Lane Private Way.

Condition 1: Provide a local street connection through the proposed development from Davis Road S to the south line of the subject property and to the west property line aligning with Reserve Lane Private Way.

With the recommended condition of approval, the proposed zone change has been shown to conform to the Salem Area Comprehensive Plan (SACP).

Criterion (b): . . . In addition, the following factors should be evaluated by the Review Authority, and shall be addressed in the decision:

Factor 1: The existence of [a] mistake in the compilation of any map, or in the application of a land use designation to the property;

Applicant's Statement: There is no identified mistake in the compilation of the electronic or historical zoning map for this area. The code allows for zoning modifications when a change of circumstance has occurred, and this more aptly describes the circumstances surrounding this particular case. A change in circumstances rather than mapping errors has occurred. Therefore, there is no mapping mistake identified for the subject property. Therefore, this criterion is not applicable.

Finding: Staff has found no mistakes in the zoning maps or in the application of the Comprehensive Plan designation or zone of the subject property. This factor has been addressed and is not applicable.

Factor 2: A change in the social, economic, or demographic patterns of the neighborhood or the community;

Applicant's Statement: The economic, demographic, and social nature of this area is in the process of changing. The housing needs are outlined in the Salem-Keizer Needed Housing Study. The City zone and Comprehensive Plan map show that changes are occurring with the designation of areas too higher density residential along Davis Road. The proposed zone change fits the current and future residential development pattern of the vicinity and the housing needs as outlined in the Salem-Keizer Housing Analysis Study. The Housing Needs Analysis states that, "Salem has a deficit of capacity in the MF designation, with a deficit of 3,283 dwelling units and a deficit of 228

gross acres of residential land.” The rezone helps maximize the density while helping to meet housing needs within the area. Therefore, this criterion is met.

Finding: Staff concurs with the applicant’s statement and finds that the requested RM2 zone is consistent with the evolving social, economic, and demographic patterns of the neighborhood, and is suitable for the subject property. This factor has been addressed.

Factor 3: A change of conditions in the character of the neighborhood;

Applicant’s Statement: The character of the neighborhood in the vicinity of the subject property has changed over the last 10 plus years. In 1998, in order to meet State Wide Planning Goal 10 (Housing), properties to the east, 083W16CD/1300 and Van Natta Place, of the subject property were rezoned to RM2 as part of the Salem Multi-Family Residential Land Study (SMFLS). Then in 2000, in order to meet State Wide Planning Goal 10 (Housing), properties to the west, 83W16C/201, of the subject property were also rezoned to RM2 as part of the Salem Multi-Family Residential Land Study (SMFLS).

In 2008, CPC/ZC 08-5 was approved for property located to the west (083W16C/300 & 400), which allowed the property to be rezoned to RM1. This area is a changing area with properties changing to multi-family. The applicant’s proposal is consistent with the existing neighborhood. Therefore, the multi-family development of the site will be consistent with the existing and future uses within this neighborhood. The residential development will be consistent with the neighborhoods, while providing a higher density of a needed housing type in the area. The development will also meet Design Standards that are consistent with and enhance the character neighborhood.

Finding: Staff finds that the character of the immediate neighborhood is in the process of change, from a largely homogenous area of single family residential development and rural land to a mixed residential neighborhood which includes significant multiple family residential development along with a new middle school and park in close proximity. The overriding character of the neighborhood remains that of single family residential development, but the land use of the area is no longer homogenous. Areas of higher density residential and public institutions are now part of the neighborhood character. This factor has been addressed.

Factor 4: The effect of the proposal on the neighborhood;

Applicant’s Statement: A RM2 development should have a positive effect on the neighborhood by providing a needed housing type in the area, while recognizing the physical characteristics of the site and the necessary provision of public facilities and services. All necessary public facilities are required to be made available to the subject property, and adequate transportation facilities are already in place.

Impacts will not occur until actual development occurs and will include visual differences due to new structures, new public facilities installation, paving and landscaping where the existing site is predominately a field. An overall positive finding can be made that the effects of the proposal are appropriate considering the impact on the existing single family-density neighborhood, the physical characteristics of the site, and the availability of public facilities and services to be extended upon development. The development will take an undeveloped site and create a development that is visual appealing to the neighborhood. At the time of building permits, Design Standards will be in place to help eliminate any impacts to the neighborhood and create a positive development.

Finally, there are no foreseeable adverse effects of the proposal to adjacent properties. The adjacent properties have public street frontage on and access to major streets. Interior site development standards are specified by code and can be met upon development. Therefore, this criterion is met.

Finding: The potential effects of the proposed rezone from RA to RM2 on the neighborhood will primarily be the visual and environmental impact of new multiple family development, and the increased vehicle traffic to and from any new multiple family use that locates at the property. Any new apartment complex at the site will be required to provide the necessary landscaped off-street parking area. This will reduce the likelihood of additional vehicles spilling into the public streets. Multi-family design review will also be required for any new apartment complex at the site.

The applicant submitted a Traffic Impact Analysis (TIA) in consideration of the requirements of the Transportation Planning Rule (OAR 660-012-0060). The TIA is required to demonstrate that the proposed CPC/ZC will not have a "significant effect" on the transportation system as defined by OAR 660-012-0060. The conditions of approval are based on recommended mitigation measures in the TIA. The Assistant City Traffic Engineer concurs that the conditions of approval ensure that the proposed CPC/ZC will not have a significant effect on the transportation system. Based on the recommendation of the applicant's TIA, staff recommends the following condition of zone change approval:

Condition 2: Construct a traffic signal at the intersection of Liberty Road S and Davis Road S to the City of Salem standards. The signal shall be interconnected via underground fiber-optic cable to the existing traffic signal at Liberty Road S and Kuebler Boulevard SE and shall be designed to accommodate the east leg extension of Rainier Drive SE.

It is not likely that there will be any noticeable change to the character of the neighborhood with the granting of the zone change request. Instead, the zone change will help facilitate the productive use of the site. Staff agrees with the applicant's response. As conditioned, this factor has been addressed.

Factor 5: The physical characteristics of the subject property, and public facilities and services; and

Factor 6: Any other factor that relates to the public health, safety, and general welfare that the Review Authority identifies as relevant to the proposed change;

Applicant's Statement: There are no unusual or unforeseen conditions affecting the subject property which make the need for additional review apparent at this time. The CPC/ZC process is the beginning of the review process for development of this site. However the applicant will address any other factors related to public health, safety, and general welfare deemed relevant. The conditions include but may not be limited to: increased traffic, noise, increased hard surfaces, new landscaping and disruptions to the site due to construction. All public facilities can be provided to the subject property as needed.

The standards of the zone and the public works requirements for public health and safety should effectively address any concerns regarding public health and safety. Public Works Department will review and address applicable public facility improvements needed for the level of development. Sanitary sewer and water can be provided to establish the necessary linkages required for emergency vehicle access and water for fire-fighting purposes. No adverse effects should occur due to storm drainage and sewage considerations. The subject property does not contain any sensitive environmental areas such as streams, ponds, or sensitive wildlife habitats.

No separate biological studies are needed to determine sensitive habitat areas as none exist. The site's physical attributes and natural or scenic views have to be considered in the development of the site. A landscaping plan with irrigation is required to be submitted with a building permit application. Improved pedestrian access to the public sidewalks system facilitates the State's Transportation Planning Rule by creating an environment where access to mass transit is encouraged and can be incorporated into any on-site development.

Finding: Staff concurs with the applicant's assessment that the physical characteristics of this site are appropriate to accommodate multiple family residential developments. Water, sewer, and storm infrastructure can be provided to the site, pursuant to UGA10-02.

Applicant's Conclusion: We believe that the requested Comprehensive Land Plan Change/Zone Change application is appropriate for the subject property for the reasons describe herein. The proposal is consistent and in compliance with the applicable goals and policies of the Comprehensive Plan and the Statewide Planning Goals, and satisfies all applicable criteria. As demonstrated herein, the "Multi-Family Residential" land use designation and corresponding RM2 zoning designation is appropriate for the subject property.

We believe that the materials submitted address all the relevant City criteria for a Comprehensive Plan Change/Zone Change. Obviously, there are other approval processes needed for the development of the property at the time proceeding actual development. For these reasons, we believe that the proposal is warranted and that the Planning Commission has sufficient findings to grant the proposal as requested.

Finding: Staff concurs with the statements submitted by the applicant's representative, as set forth above, and concludes that each of the factors has been addressed. Therefore, the proposed zone change conforms to Criterion B as defined under SRC 113.150(b).

The proposal is consistent with and in compliance with the applicable goals and policies of the Salem Area Comprehensive Plan and the Statewide Planning Goals and satisfies all applicable criteria.

Based on the facts and findings presented by the applicant, staff concludes that the proposed amendment meets the criteria for approval. The applicant met their burden of proof in satisfying the Statewide Planning Goals, and the evaluation of factors for zone change defined under SRC 113.150, thereby meeting the approval criteria for a zone change.

RECOMMENDATION

Staff recommends that the Planning Commission adopt the facts and findings of the staff report and **APPROVE**, by resolution, the following actions for Comprehensive Plan Change/Neighborhood Plan Change/Zone Change 12-03, for property 10.37 acres in size and located at 1500 Block of Davis Road S, 97306 (Marion County Assessor Map and Tax Lot numbers: 083W16C / 00101):

- A. That the Salem Area Comprehensive Plan (SACP) map designation change request for the subject property from "Developing Residential" to "Multi-Family Residential" be GRANTED;
- B. That the request to change the Sunnyslope Neighborhood Plan map designation from Single Family to Multi-Family be GRANTED;
- C. That the zone change request for the subject property from RA (Residential Agriculture) to RM2 (Multiple Family Residential) be GRANTED subject to the following conditions of approval:

Condition 1: Provide a local street connection through the proposed development from Davis Road S to the south line of the subject property and to the west property line aligning with Reserve Lane Private Way.

Condition 2: Construct a traffic signal at the intersection of Liberty Road S and Davis Road S to the City of Salem standards. The signal shall be interconnected via underground fiber-optic cable to the existing traffic signal at Liberty Road S and Kuebler Boulevard SE and shall be designed to accommodate the east leg extension of Rainier Drive SE.

- Attachments:**
1. Public Hearing Notice
 2. Vicinity Map
 3. Applicant's Statement
 4. Traffic Impact Analysis
 5. Letter from the Sunnyslope Neighborhood Association
 6. Comments from Mr. John Shepard.
 7. Public Works Department Memorandum
 8. Salem-Keizer School District Comments

Prepared by: Bryan Colbourne, Planner III



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RESCHEDULED

HEARING NOTICE

LAND USE REQUEST AFFECTING THIS AREA

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

CASE NUMBER:	Comprehensive Plan Change/Neighborhood Plan Change/Zone Change Case No.CPC-NPC-ZC12-03
AMANDA APPLICATION NO:	12-102708-ZO
HEARING INFORMATION:	Salem Planning Commission, RESCHEDULED TO Tuesday, <u>MAY 15, 2012</u> , 5:30 p.m., Council Chambers, Room 240, Civic Center
PROPERTY LOCATION:	1500 Block of DAVIS ROAD S, SALEM OR 97301
OWNER:	Davis Road Property LLC
APPLICANT / AGENT:	Mark Grenz, Multi-Tech Engineering
DESCRIPTION OF REQUEST:	To change the Salem Area Comprehensive Plan (SACP) Map designation from Developing Residential to Multi-Family Residential, to change the zone district from RA (Residential Agriculture) to RM2 (Multiple Family Residential), and to change the Sunnyslope Neighborhood Plan map designation from Single Family to Multi-Family, for property approximately 10.37 acres in size, and generally located in the 1500 Block of Davis Road S, 97306 (Marion County Assessor's Map and Tax Lot numbers: 083W16C / 00101).
CRITERIA TO BE CONSIDERED:	❖ Comprehensive Plan Change / Neighborhood Plan Change Pursuant to SRC 64.090, the testimony and evidence for the COMPREHENSIVE PLAN CHANGE must be directed toward the following criteria: 1. A lack of appropriately designated suitable alternative sites within the vicinity for a proposed use in regard to (a) size, or (b) location; or 2. A major change in circumstances affecting a significant number of properties within the vicinity such as: (a) the construction of a major capital improvement, or (b) previously approved plan amendments for properties in the area; and 3. The proposed plan change considers and accommodates as much as possible all applicable statewide planning goals; and 4. The proposed change is logical and harmonious with the land use pattern for the greater area as shown on the detailed and general plan maps; and 5. The proposed change conforms to all criteria imposed by applicable goals and policies of the comprehensive plan in light of its intent statements; and 6. The proposed change benefits the public. ❖ Zone Change Pursuant to SRC 113.150(b), the testimony and evidence for the ZONE CHANGE must be directed to the following criteria: 1. The existence of a mistake in the compilation of any map, or in the application of a land use designation to the property; 2. A change in the social, economic, or demographic patterns of the neighborhood or the community; 3. A change of conditions in the character of the neighborhood; 4. The effect of the proposal on the neighborhood; 5. The physical characteristics of the subject property, and public facilities and services; and 6. Any other factor that relates to the public health, safety, and general welfare that the Review Authority identifies as relevant to the proposed change.

**HOW TO PROVIDE
TESTIMONY:**

Any person wishing to speak either for or against the proposed request may do so in person or by representative at the Public Hearing. Written comments may also be submitted at the Public Hearing. Include case number with the written comments. Prior to the Public Hearing, written comments may be filed with the Salem Planning Division, Community Development Department, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Only those participating at the hearing, in person or by submission of written testimony, have the right to appeal the decision.

HEARING PROCEDURE:

The hearing will be conducted with the staff presentation first, followed by the applicant's case, neighborhood organization comments, testimony of persons in favor or opposition, and rebuttal by the applicant, if necessary. The applicant has the burden of proof to show that the approval criteria can be satisfied by the facts. Opponents may rebut the applicant's testimony by showing alternative facts or by showing that the evidence submitted does not satisfy the approval criteria. Any participant may request an opportunity to present additional evidence or testimony regarding the application. A ruling will then be made to either continue the Public Hearing to another date or leave the record open to receive additional written testimony.

Failure to raise an issue in person or by letter prior to the close of the Public Hearing with sufficient specificity to provide the opportunity to respond to the issue, precludes appeal to the Land Use Board of Appeals (LUBA) on this issue. A similar failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.

Following the close of the Public Hearing a decision will be issued and mailed to the applicant, property owner, affected neighborhood association, anyone who participated in the hearing, either in person or in writing, and anyone who requested to receive notice of the decision.

CASE MANAGER:

Bryan Colbourne, Planner III, Case Manager, City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Telephone: 503-588-6173 ext 7463
E-mail: bcolbourne@cityofsalem.net. 

**NEIGHBORHOOD
ORGANIZATION:**

Sunnyslope Neighborhood Association, Evan White, Land Use Chair; Phone: (503)585-4814; Email: epwhitehouse@comcast.net.

**DOCUMENTATION
AND STAFF REPORT:**

Copies of the application, all documents and evidence submitted by the applicant are available for inspection at no cost at the Planning Division office, City Hall, 555 Liberty Street SE, Room 305, during regular business hours. Copies can be obtained at a reasonable cost. The Staff Report will be available seven (7) days prior to the hearing, and will thereafter be posted on the Community Development website:

www.cityofsalem.net/Departments/CommunityDevelopment/Planning/PlanningCommission/Pages/default.aspx

ACCESS:

The Americans with Disabilities Act (ADA) accommodations will be provided on request.

NOTICE MAILING DATE:

April 25, 2012

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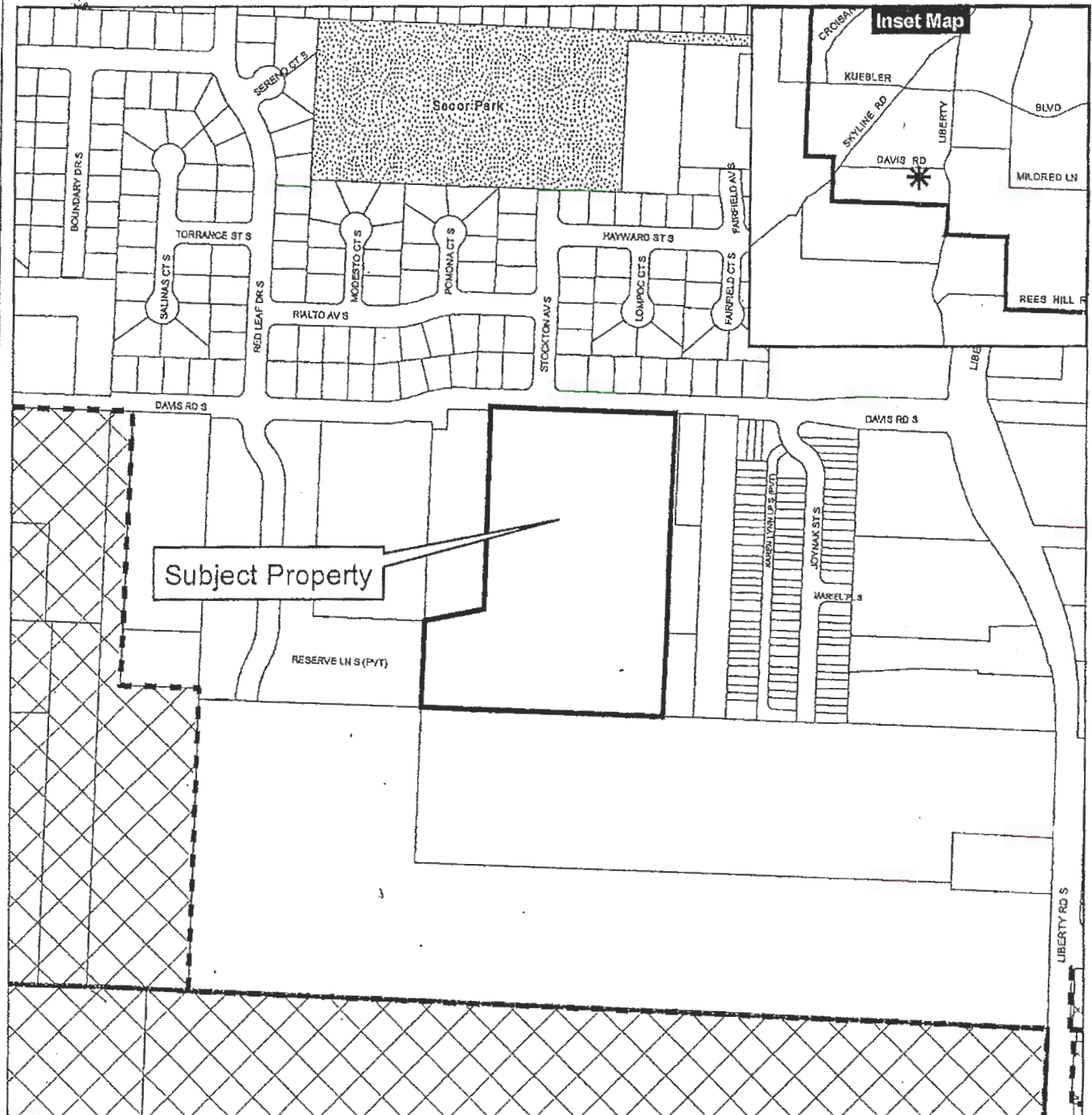
PLEASE PROMPTLY FORWARD A COPY OF THIS NOTICE TO ANY OTHER OWNER, TENANT OR LESSEE.

It is the City of Salem's policy to assure that no person shall be discriminated on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income, as provided by Salem Revised Code Chapter 97. The City of Salem also fully complies with Title VI of the Civil Rights Act of 1964, and related statutes and regulations, in all programs and activities.

Individuals needing special accommodations such as sign or other language interpreters to participate in the meeting, must request such services at least two working days (48 hours) in advance by calling the Community Development Department at 503-588-6173
(Text Telephone: 503-588-6353)
Equipment for the hearing impaired is available upon request.

Vicinity Map 1500 Block of Davis Road S

Taxlot: 083W16C 00101



Legend

Taxlots

Urban Growth Boundary

City Limits

Outside Salem City Limits

Historic District

Schools

Parks

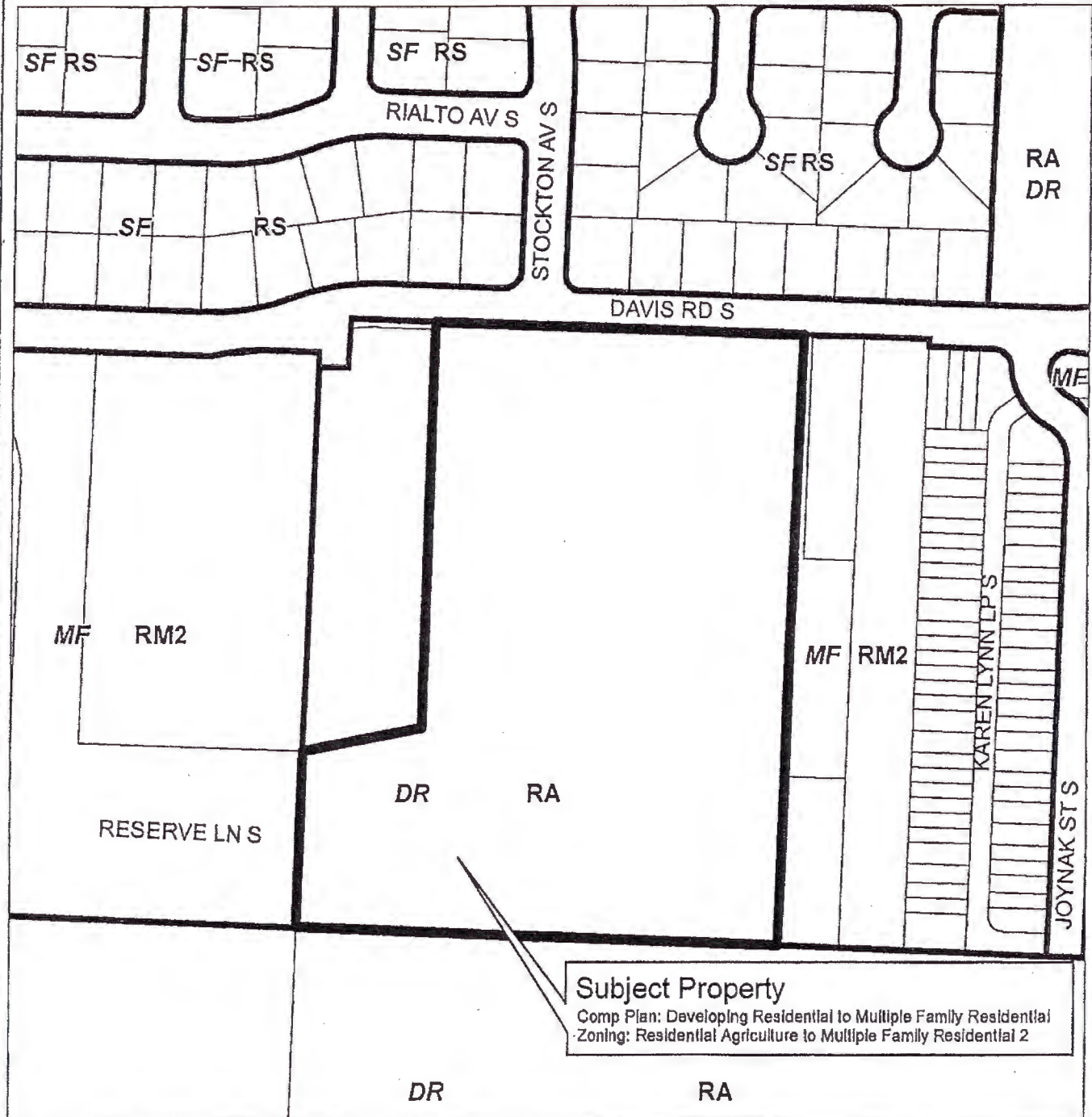
CITY OF Salem
AT YOUR SERVICE
Community Development Dept.



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Comprehensive Plan Change/Neighborhood Plan Change/ Zone Change 12-03



Legend

- | | |
|------------------------------|---------|
| RS Base Zoning | Taxlots |
| SF Comprehensive Plan | Parks |
| Outside Salem City Limits | Schools |

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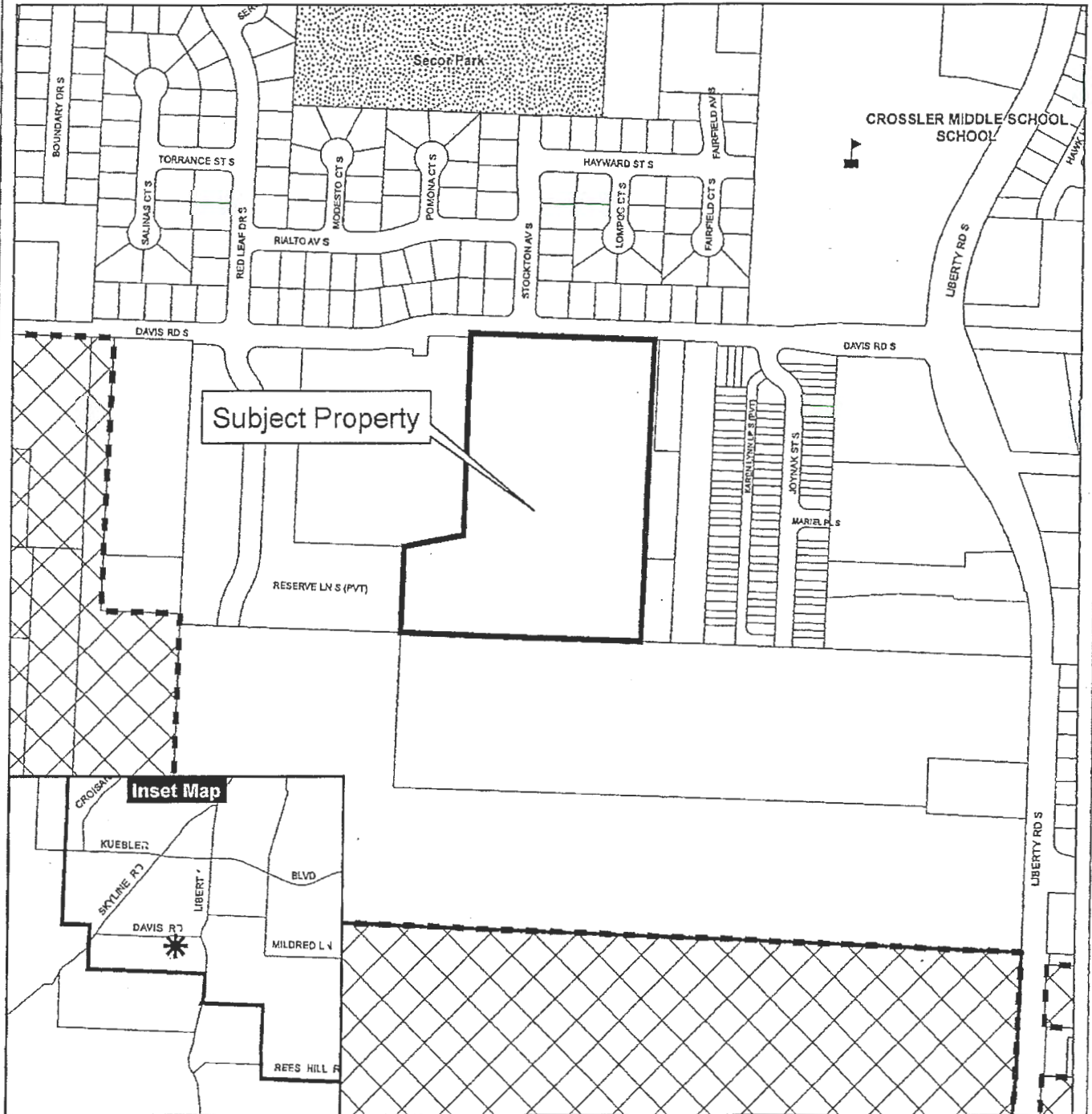
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CITY OF *Salem*
 AT YOUR SERVICE
 Community Development Dept.

Vicinity Map 1500 Block of Davis Road S

Taxlot: 083W16C 00101



Legend

Taxlots

Urban Growth Boundary

City Limits

Outside Salem City Limits

Historic District

Schools

Parks

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

0 100 200 400 Feet



Mendenhall Heights: Comprehensive Plan Change and Zone Change

BACKGROUND/PROPOSAL

The subject property is approximately 10.37 acres in size and located at 1656 Davis Road S (083W16C/101). The subject property is zoned RA (Residential Agriculture). The subject property is designated as "Developing Residential" on the Salem Area Comprehensive Plan (SACP) Map.

The subject property was annexed into the City of Salem on February 22, 2007. The property was annexed into the City with an RA zone designation.

In 2007, a Subdivision 07-20 was approved for the subject property. The approval allowed the development of approximately 70 single family dwellings to be built on the site.

The subject property is located within the Salem Urban Growth Boundary and in the corporate city limits. The subject property is located outside the Urban Service Area. However, the subject property received UGA approval through UGA preliminary declaration Case No. 10-02.

On September 22, 2011, the applicant met with City Staff to discuss the development of the subject property, Pre-Applications Conference No. 11-44.

The applicant is proposing to rezone the subject property from RA to RM2 and change the comprehensive plan designation from "Developing Residential" to "Multi-Family Residential". See Site Plan.

EXISTING SITE CONDITIONS

The property has street frontage on and access to Davis Road to the north. The site is currently vacant.

Vicinity Information:

The subject property is located on the south side of Davis Road. The vicinity map is attached as shown. The surrounding land uses within the vicinity are zoned and used as follows and as shown.

North: Across Davis Road, RS (Single Family Residential); existing single family dwellings

East: RM2 (Multi-Family Residential); vacant

South: RA (Residential Agriculture); vacant

West: RM2 (Multi-Family Residential); existing church and existing apartments
RA (Residential Agriculture); existing church

Applicable Detail Plans:

Detailed plans are prepared as policy guides to the Salem Area Comprehensive Plan and are specific plans for a particular geographic area of the city, or for the provision or performance of some particular service or function. Site Plan's have been provided showing the zoning of the site and the proposed zoning.

Salem Transportation System Plan (STSP): The STSP uses a Street Classification System to

determine the functional classification of each street within the city's street system. The subject property abuts Davis Road to the north. Connection through the site to adjacent properties to the east and south could be available at the time of development.

Connectivity within the area has been provided. Red Leaf Drive located to the west of the site is designated as a 'collector' and will provide connections and circulation to the north and south neighborhoods to Davis Road and Mildred Lane.

The functional classifications for the streets are Parkway, Local Road, and Minor Arterial, respectively. The Davis Road is classified as a collector on the STSP.

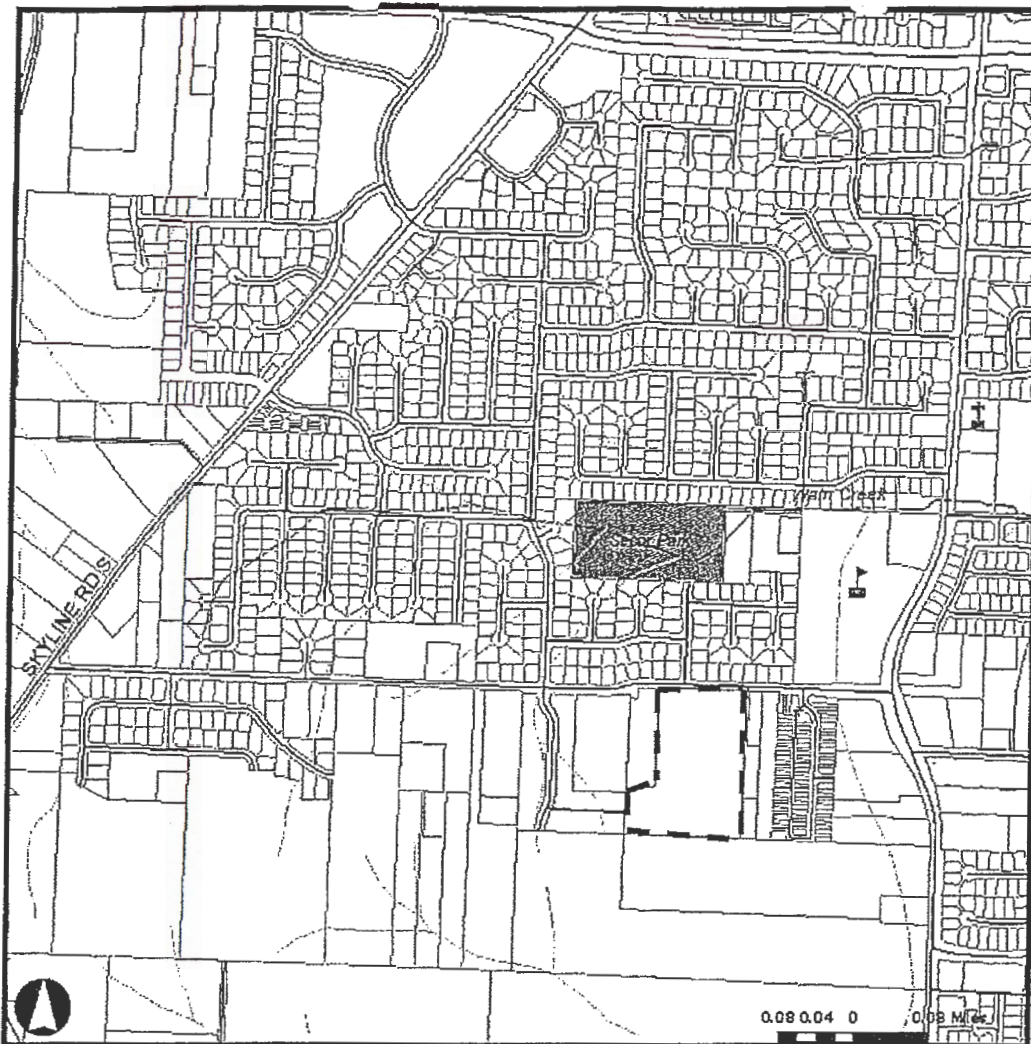
APPLICANT'S REASONS ADDRESSING THE COMPREHENSIVE PLAN CHANGE CRITERIA

SRC 64.040(g) defines a minor plan change as a single proceeding for amending the Comprehensive Plan map affecting less than five privately and separately owned tax lots. This request is a Category 2 minor plan change under SRC 64.050, which is a quasi-judicial act. The burden of proof in meeting the approval criteria rests with the proponent of the change (SRC 64.090(a)).

This is a minor plan change in that it only involves the land that the applicant owns. The minor plan change is consistent with the overall objectives of the SACP. No substantive changes are needed to SACP policies or text amendments to accomplish the change in designation. The applicant has the option of addressing either Criteria 1 or 2 and must address Criteria 3-6. The applicant has chosen to address Criterion 1.

Criterion 1: A lack of appropriately designated suitable alternative sites within the vicinity for a proposed Use. Factors in determining the suitability of alternative sites are limited to one or both of the following:

- (a) Size: Suitability of the size of the alternative sites to accommodate the proposed use; or
- (b) Location: Suitability of the location of the alternative sites to permit the proposed use; or



The site was chosen due to its size, location, access to major streets, and the existing RM2 developments along Davis Road. In order to address these criteria, the vicinity has been determined to be within a specific area bounded by Skyline Road, Davis Road, Liberty Road, and Kuebler Boulevard shown in Attachment 1.

Size/Location: There is a lack of appropriately designated vacant RM sites within this vicinity. There are no vacant and available RM zoned property located along Davis Road and Skyline Road. The existing RM zoned sites are either developed or not large enough. This site gives the applicant the ability to provide a needed housing type within this area.

As shown on the City land zone map there is no property contiguous to the existing site that is vacant, and there is none in the necessary proximity. The only appropriately designated property within the necessary proximity to the existing site is the property directly to the east and west of the site that are zoned RM2, but are either developed or not large enough sites.

According to the Housing Needs Analysis, "Salem has a deficit of capacity in the MF designation, with a deficit of 3,283 dwelling units and a deficit of 228 gross acres of residential land. With a multi-family designation, the subject property can be developed with multi-family dwellings; the rezone helps maximize the density while helping to meet housing needs within the Salem Urban Growth Boundary.

The subject property will not only be a site that will contribute to the multi-family housing needs, but it is also a site that can help improve the transportation circulation in the area. The subject property when developed has the potential to provide street connections to the properties to the south, east, and west for existing and future development.

The applicant's proposal is to rezone the site from RA to RM2 to allow a higher density to be built on the site while maintaining the character of the existing neighborhood. The surrounding properties and neighborhood have changed over the years and are continuing to change.

In 1998, in order to meet State Wide Planning Goal 10 (Housing), properties to the east, 083W16CD/1300 and Van Natta Place, of the subject property were rezoned to RM2 as part of the Salem Multi-Family Residential Land Study (SMFLS). Then in 2000, in order to meet State Wide Planning Goal 10 (Housing), property to the west (083W16C/201) of the subject property was also rezoned to RM2 as part of the Salem Multi-Family Residential Land Study (SMFLS).

In 2008, CPC/ZC 08-5 was approved for property located to the west (083W16C/300 & 400), which allowed the property to be rezoned to RM1.

As stated above, from 1998 to 2008, this is a changing area. An area changing in order to meet State Wide Goals and housing needs. This area is a changing area with properties being rezoned to multi-family. The applicant's proposal is consistent with the existing and changing neighborhood.

In conclusion, there are no sites for the proposed use located along Davis Road, Skyline Road, or Liberty Road that provide the necessary access to the major street system and adjacent properties, an area large enough for a multi-family development, or which are appropriately designated. There are no appropriately designated alternative sites within the vicinity for the proposed use that are currently vacant. Therefore, the proposal satisfies this criterion and has been met.

Criterion 3 is addressed as follows:

The following Statewide Planning Goals apply to this proposal:

The request is in conformance with State Wide Planning and all applicable land use standards imposed by state law and administrative regulation, which permit applications to be filed. Development of the subject property can meet the minimum standards of the zone code and the STSP. The proposal complies with the applicable intent statements of the SACP as addressed in this report. The applicant has presented evidence sufficient to prove compliance with these standards.

Goal 1 – Citizen Involvement:

The City's adopted Comprehensive Plan General Development Goal and Policies, and its adopted zone code, implement the Statewide Citizen Involvement Goal. This application will be reviewed according to the public review process established by the City of Salem. The City's Plan is acknowledged to be in compliance with this Goal. Notice of the proposal will be provided to property owners and public agencies, and posted on the property. The published notice will identify the applicable criteria. A public hearing to consider the request will be held by the Planning Commission. Through the notification and public hearing process all interested parties are afforded the opportunity to review the application, comment on the proposal, attend the public hearing, and participate in the decision. These procedures meet the requirements of this Goal for citizen involvement in the land use planning process.

Goal 2 – Land Use Planning:

The City's adopted Comprehensive Plan implements the Statewide Land Use Planning Goal. The Salem Area Comprehensive Plan (SACP) is acknowledged to be in compliance with the Statewide Planning Goals. This proposal is made under the goals, policies and procedures of the SACP and its implementing ordinance. A description of the proposal in relation to the intent of the Plan, its applicable goals and policies, the comprehensive plan change/zone change criteria is part of this review. Facts and evidence have been provided that support and justify the proposed comprehensive plan/zone change, along with findings and evidence to support the partitioning, zone change, site plan review, and design review applications. For these reasons, the proposal conforms to the land use planning process established by this Goal.

Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces:

The City's adopted General Development, Scenic and Historic Areas, Natural Resources and Hazards Goals and Policies address the Statewide Goal. According to City map there are no mapped wetlands or waterways on the subject property. In the event that a resource is identified, the City's applicable riparian, tree protection and wetland development standards will be applied at the time of development and will ensure compliance with Goal 5. The applicant will provide a tree plan, identifying the location and size of all existing trees on the site.

A geological assessment was submitted at the time of the original subdivision approval (GI 17-111). The development of multi-family housing on a site does not warrant the need for a geological assessment. Therefore, a geological assessment is not required.

There are no significant historic buildings on the subject property. The applicant has taken the opportunity to consider existing conditions and influences that enables him to explore potential

development. The City has standards in place to address access, internal circulation, topography, drainage, public facilities, overall site design and layout.

Goal 6 – Air, Water and Land Resources Quality:

The City's adopted Comprehensive Plan Growth Management, Scenic and Historic Areas, Natural Resources and Hazards, Commercial, Industrial and Transportation Goals and Policies along with adopted facilities plans implement this Goal.

Development is required to meet applicable State and Federal requirements for air and water quality. The proposal to redevelop is reviewed by the City and any applicable outside agencies for impacts on environment and compliance to applicable standards and regulations. Development is required to meet applicable water, sewer, and storm drainage system master plan requirements. Upon redevelopment, the City is responsible for assuring that wastewater discharges are treated to meet the applicable standards for environmental quality.

The City has identified the process through which water, sewer and storm drainage will be supplied to the site as stated in the September 22, 2011 preapplication conference letter (Pre-App No. 11-44) to the applicant, see attached letter. Storm water runoff will be collected and removed by the City storm drainage system, in a manner determined by the City to be appropriate.

The proposed site is outside the noise contours of the air traffic, and that the facility will nevertheless utilize building materials that mitigate such noise, if any.

The major impact to air quality in the vicinity is vehicle traffic along the boundary street, Davis Road. This is not a major traffic route in the area. Davis Road is designated as a collector in the Salem Transportation System Plan (STSP). The traffic generated from the site will be minor compared to the total volume of traffic in this area, and will not create a significant additional air quality impact. The TIA will identify the traffic needs for the site and mitigation measures.

A Traffic Impact Analysis is currently being worked on and will be submitted to the City in a timely manner.

The site is vacant. Development of vacant urban land is expected. The proposed change will have no significant impact on the quality of the land. Considering the location of the site within the city, the availability of public facilities to provide water, sewage disposal and storm drainage services, and the surrounding transportation system, the proposal will have no significant impacts to the quality of the air, water or land. The City's adopted facility plans implement Goal 6.

Goal 8 – Recreational Needs:

The City's adopted Comprehensive Plan Open Space, Parks and Recreation Goal and Policies implements the Statewide Recreation Needs Goal by encouraging conservation and identification of existing and needed park resources and funding mechanisms. Salem identifies programs, activities and policies relating to parks and recreational activities in the community. The City's needs for leisure areas and open space areas have been identified in its adopted plans. At the time of development, the proposal provides improved public pedestrian connections via hard-surfaced sidewalks. Crossler Middle School is located about two blocks to the northeast of the site. The middle school is located on the northeast corner of Davis Road

and Liberty Road. Secor Park is located about ½ a mile to the north of the subject property. These two sites provide adequate parks and recreation within the area. However, at the time of development, the multi-family development on the site will have common open space and private open space for the residents. Therefore, the proposal complies with this Goal.

Goal 9-Economic Development:

The proposed zone changed will have a positive impact on the economy of the City of Salem. There is not a high demand for single family homes right now. The rezone will allow the property to be developed, which will create employment along with a housing type that is a less expensive option for families.

Goal 10 – Housing:

As stated above, in 1998 and 2000, in order to meet State Wide Planning Goal 10 (Housing), adjacent properties along Davis Road were rezoned to RM1 and RM2 as part of the Salem Multi-Family Residential Land Study (SMFLS).

The applicant's proposal is to rezone the site from RA and RM2 to allow a higher density to be built on the site. As stated above, according to the Housing Needs Analysis, "Salem has a deficit of capacity in the MF designation, with a deficit of 3,283 dwelling units and a deficit of 228 gross acres of residential land. The rezone helps maximize the density while helping to meet housing needs within the Salem Urban Growth Boundary.

The development will also be located in an area in close proximity to existing and proposed services. Crossler Middle School is located about two blocks to the northeast of the site. The middle school is located on the northeast corner of Davis Road and Liberty Road. Secor Park is located about ½ a mile to the north of the subject property. Commercial Services are currently available to the north along Liberty Road.

The existing neighborhood consists of single family housing and some multi-family housing. In order to maintain the character of the neighborhood, the site will be developed in compliance with required Design Standards and provide bufferyards along property lines.

The City's adopted Comprehensive Plan Growth Management, Residential, Transportation Goals and Policies and applicable adopted facilities plans implement the Statewide Housing Goal.

The City's subdivision and land use processes implement applicable Housing Goals and Policies. There is a deficit in multi-family residential land in Salem.

Goal 11 - Public Facilities and Services:

The City's adopted Comprehensive Plan Growth Management, residential, and Transportation Goal and Polices and adopted Stormwater and Water Master Plans implement the Statewide Public Facilities and Services Goal by requiring development to be served by public services. The proposal is for revitalized urban development in an area where future extensions of those services can be provided in the most feasible, efficient and economical manner. The City's capital improvement program and its minimum code standards for public facilities provide a means for improving and updating public facilities systems (water and sewer). All necessary

and appropriate public services and facilities essential for development will be provided to this property at levels that are adequate to serve the proposed use.

The City maintains an infrastructure of public services that includes sewer, water, and storm drainage facilities. The City will specify any needed changes to the existing service levels at the time building permits are requested.

Sidewalks are or will be provided throughout the site to connect to the public sidewalk system. The location along a major transportation corridor facilitates access to a transit route, bicycle and pedestrian access, provides significant opportunity to reduce vehicle miles traveled. The vehicle, transit, bicycle, and pedestrian circulation systems will be designed to connect major population and employment centers in the Salem urban area, as well as provide access to local neighborhood residential, shopping, schools, and other activity centers.

Traffic from this site is diverted away from residential areas and has convenient access to the existing streets. Aesthetics and landscaping will be considered in the design of the circulation system to cut down on headlight glare, heat, and improved traffic direction.

The Salem-Keizer School District provides public education facilities. The education district's master plan provides for growth in the district and has options to meet the demand. The education district reviews the population factors to determine planning, funding and locating new schools or providing additional facilities on the sites of existing schools.

Other private service providers supply garbage, telephone, television, postal and internet services as needed by the development. The required public services and facilities to serve new development will be determined by the City at the time development permits are requested. By providing adequate public facilities and services for the proposed use, the requirements of this Goal are met.

Goal 12 – Transportation:

The City's adopted Comprehensive Plan Transportation Goal and Policies and the adopted Salem Transportation System Plan (STSP) implements the Statewide Transportation Goal by encouraging a safe, convenient and economic transportation system. The subject property is located along Davis Road S. The major streets are in place due to previous development. The subject property will have the potential to provide street connections to properties to the west and south for existing and future development. However, with Davis Road, Red Leaf Drive, and Mildred Lane already providing connectivity to the neighborhood, additional street connections to the site are not necessary.

A Traffic Impact Analysis is currently being worked on and will be submitted to the City in a timely manner.

Criterion 4 is addressed as follows:

The subject property is in an area characterized by single family uses, multi-family development to the east and vacant land.

New development on the site will be according to City landscaping and bufferyard standards and other improvement standards which are the minimum community development "harmony" standards established by the City. By meeting these requirements at the development stage,

the development will meet the City's adopted community development standards which are designed to make abutting land uses compatible with each other. In addition, harmony will be achieved by modern building facades and landscaping that is necessary to meet the real estate demand for updated properties.

Development standards of the City further direct harmonious design with regard to the amount and direction of outdoor lighting, bufferyards, improved access, street improvements, paved parking lots and paved surfaces to limit dust. Transportation facilities are in place and local streets will be extended through the site for connections to adjacent properties.

Criterion 5 is addressed as follows:

The SACP states that one of the intents of the Residential Development goals is, "To promote a variety of housing and opportunities for all income levels and an adequate supply of development land to support such housing."

According to the SACP, the cumulative effect of all new residential development in the Salem urban area should average 6.5 dwelling units per gross acre of residential development. The comprehensive plan change/zone change will allow the property to be developed at a higher density, therefore, meeting or exceeding the dwelling average.

The rezoning of the subject property will help to provide a variety of housing other than single family dwellings. This is a growing area that already has more than a sufficient amount of single family land for development. Multi-family development will provide a needed housing type in the area while helping to meet housing needs as well.

Residential Development Policies

Establishing Residential Uses: The applicant's proposal is to rezone the property from RA and RM2 to allow a higher density to be built on the site. As stated above, according to the Housing Needs Analysis, "Salem has a deficit of capacity in the MF designation, with a deficit of 3,283 dwelling units and a deficit of 228 gross acres of residential land. The rezone helps maximize the density while helping to meet housing needs within the Salem Urban Growth Boundary. Therefore, establishing a mixture of residential uses within the area.

Facilities and Services Location: The City's adopted Comprehensive Plan Transportation Goal and Policies and the adopted Salem Transportation System Plan (STSP) implements the Statewide Transportation Goal by encouraging a safe, convenient and economic transportation system. The subject property is located along Davis Road S. The major streets are in place due to previous development. Sidewalks and needed improvements will be made to Davis Road if required. Street extensions to properties to the west and south will be provided for existing and future development.

The City's adopted Comprehensive Plan Growth Management, residential, and Transportation Goal and Policies and adopted Stormwater and Water Master Plans implement the Statewide Public Facilities and Services Goal by requiring development to be served by public services. The proposal is for revitalized urban development in an area where future extensions of those services can be provided in the most feasible, efficient and economical manner. The City's capital improvement program and its minimum code standards for public facilities provide a means for improving and updating public facilities systems (water and sewer). All necessary

and appropriate public services and facilities essential for development will be provided to this property at levels that are adequate to serve the proposed use.

The subject property is located within the Salem Urban Growth Boundary and in the corporate city limits. The subject property is located outside the Urban Service Area. However, the subject property received UGA approval through UGA preliminary declaration Case No. 10-02. The subject property is subject to the requirements of UGA 10-02.

The City maintains an infrastructure of public services that includes sewer, water, and storm drainage facilities. The City will specify any needed changes to the existing service levels at the time building permits are requested.

Infill Development: The subject property is currently vacant. In order to provide a mixture of housing in the area, the applicant is requesting a zone change. In 1998 and 2000, in order to meet State Wide Planning Goal 10 (Housing), adjacent properties were rezoned to RM1 and RM2 as part of the Salem Multi-Family Residential Land Study (SMFLS).

The comprehensive plan designation for the site is "Developing Residential". The rezoning of the site to RM2 will be consistent with adjacent properties that were rezoned as part of the SMFLS study and will also be consistent with State Wide Planning Goal 10, and current housing needs in the area.

The comprehensive plan change/zone change will promote infill development with the development of a property that is already served by City Services and all transportation to be developed with a higher density of housing that is needed in this area.

Multi-Family Housing: The development will also be located in an area in close proximity to existing and proposed services. Crossler Middle School is located about two blocks to the northeast of the site. The middle school is located on the northeast corner of Davis Road and Liberty Road. Secor Park is located about ½ a mile to the north of the subject property. These two sites provide adequate parks and recreation within the area. Commercial uses are located to the north of the site along Liberty Road S.

The existing neighborhood consists of single family housing and some multi-family dwellings to the west. In order to maintain the character of the neighborhood, the site will be developed in compliance with required Design Standards.

Circulation System and Through Traffic: The subject property is located along Davis Road S. Sidewalks and needed improvements will be made to Davis Road if required. Street extensions to properties to the west and south will be provided for existing and future development. The major streets are in place due to previous development.

Alternative Housing Patterns: The properties to the west and east are developed as a church and multi-family development. The property to the south is zoned for single family development and property to the north is fully developed as single family dwellings. In order to provide an alternative housing pattern while being consistent with the neighborhood, the proposed development will provide a higher density of needed housing along Davis Road S.

Requests for Rezoning: The subject property is designated for Residential development. All public facilities and services are available to the site. The proposed development will meet

State Wide Planning Goals and Policies pertaining to residential development . The development of the site will not impact adjacent properties.

Urban Design: The City has adopted Design Standards and process in place to help implement multi-family design standards. The applicant's development will be in compliance with the Multi-Family Design Standards as outlined in SRC Chapter 148 and the City of Salem Design Handbook at the time of development.

Criterion 6 is addressed as follows:

The public is benefitted by creating a well-located parcel of multi-family land; it will increase the City and State tax base; it will be an attractive and efficient development; will identify and mitigate any hazard areas in reasonable and a responsible manner; and will provide the ability to enhance a vacant parcel along Davis Road.

The City has facilitated this area of Salem by making some sites along Davis Road part of the SMFLS Study and by recognizing there is a need for multi-family housing in this area and Salem. The rezoning and design review address planning issues such as use, adequate parking, open space, access, internal circulation, public facilities, topography, drainage, and access. Site constraints such as configuration, frontage and topography are always taken into consideration for lot layout and access. Enhanced vehicular and pedestrian circulation is critical to City as well as the applicant.

In summary, by establishing a use that is consistent with the future residential needs in the area, by addressing how residential needs of the Salem area are being met by this proposal, and by providing higher density for housing needs and a logical transition along Davis Road.

APPLICANT'S RESONS ADDRESSING THE ZONE CHANGE CRITERIA

The intent and purpose of zone changes is described in SRC 113.100(a). In this section, it is recognized that due to a variety of factors including normal and anticipated growth, changing development patterns and concepts, and other factors which cannot be specifically anticipated, the zoning pattern cannot remain static. The zone change review process is established as a means of reviewing proposals and determining when they are appropriate.

The subject property is currently zoned RA but is underdeveloped.

The proposed RM2 zone will implement the requested "Multi-Family Residential" SACP map designation.

Criterion (a) is addressed as follows:

Applicant Response To SRC 113.150(a): The burden of proof for the change has been presented by the applicant in the materials submitted with the application. The impact of rezoning the site from RA to RM2 is not significant. RA zoning allows one single family dwelling per 4,000 square foot lot. Therefore, approximately 112 single family lots could be placed on the site. The RM2 zoning requires a minimum of 12 units per acres with a maximum of 28 units per acre allowed. Therefore, the site could be developed with a minimum of 124 multi-family units on the site. The zone change allows the applicant to develop the site as a multi-family development and provide greater bufferyards along the property lines than what would be required of single family dwellings.

The zone change will allow the subject property to be developed with uses that are visually appealing, less dense, and provide more than adequate setbacks. The development of multi-family dwellings creates less an impact on the site and traffic then if the site were developed just as single family dwellings. Therefore, this criterion is met.

Criterion (b) is addressed as follows:

Applicant Response To SRC 113.150(b):

Residential Development Goal

The SACP states that one of the intents of the Residential Development goals is, "To promote a variety of housing and opportunities for all income levels and an adequate supply of development land to support such housing."

According to the SACP, the cumulative effect of all new residential development in the Salem urban area should average 6.5 dwelling units per gross acre of residential development.

The proposed multi-family development will average approximately 8 dwelling units per gross acre. The zone change will allow the property to be developed at a higher density, therefore, meeting or exceeding the dwelling average.

Residential Development Policies

Establishing Residential Uses: The applicant's proposal is to rezone the site from RA to RM2 to allow a higher density to be built on the site. As stated above, according to the Housing Needs Analysis, "Salem has a deficit of capacity in the MF designation, with a deficit of 3,283 dwelling units and a deficit of 228 gross acres of residential land. The rezone helps maximize the density while helping to meet housing needs within the Salem Urban Growth Boundary. Therefore, also establishing a mixture of residential uses within the area.

Facilities and Services Location: The City's adopted Comprehensive Plan Transportation Goal and Policies and the adopted Salem Transportation System Plan (STSP) implements the Statewide Transportation Goal by encouraging a safe, convenient and economic transportation system. The subject property is located along Davis Road. The subject development will have access to Davis Road and provide connections to adjacent properties, thus linking the site to existing and proposed transportation. The major streets are in place due to previous development.

The City's adopted Comprehensive Plan Growth Management, residential, and Transportation Goal and Policies and adopted Stormwater and Water Master Plans implement the Statewide Public Facilities and Services Goal by requiring development to be served by public services. The proposal is for revitalized urban development in an area where future extensions of those services can be provided in the most feasible, efficient and economical manner. The City's capital improvement program and its minimum code standards for public facilities provide a means for improving and updating public facilities systems (water and sewer). All necessary and appropriate public services and facilities essential for development will be provided to this property at levels that are adequate to serve the proposed use.

The City maintains an infrastructure of public services that includes sewer, water, and storm drainage facilities. The City will specify any needed changes to the existing service levels at the time building permits are requested.

Infill Development: The subject property is currently vacant. The applicant has received approval for a 70 lot subdivision on the site. However, with the need for multi-family housing in Salem and the subject area, the applicant is requesting a zone change. The comprehensive plan designation for the site is Developing Residential. The rezoning of the site from RA a to RM2 will be consistent with adjacent properties, State Wide Planning Goal 10, and current housing needs in the in area.

The zone change will promote infill development with the development of a property that is already served by City Services and all transportation to be developed with a higher density of housing that is needed in this area.

Multi-Family Housing: The development will also be located in an area in close proximity to existing and proposed services. Crossler Middle School is located about two blocks to the northeast of the site. The middle school is located on the northeast corner of Davis Road and Liberty Road. Secor Park is located about ½ a mile to the north of the subject property. These two sites provide adequate parks and recreation within the area. Commercial uses are located to the north of the site along Liberty Road S.

The existing neighborhood consists of existing single family housing, existing multi-family dwellings, vacant single family zoned sites, and smaller multi-family zoned sites. In order to maintain the character of the neighborhood, the site will be developed in compliance with required Design Standards and provide large bufferyards along the north property line and the west property line.

Circulation System and Through Traffic: The subject property is located along Davis Road S. Sidewalks and needed improvements will be made to Davis Road if required. Street extensions to properties to the west and south will be provided for existing and future development. However, the major streets are in place due to previous development.

Alternative Housing Patterns: The properties to the west and east are developed as a church and multi-family development. The property to the south is zoned for single family development and property to the north is fully developed as single family dwellings. In order to provide an alternative housing pattern while being consistent with the neighborhood, the proposed development will provide a higher density of needed housing along Davis Road S.

Requests for Rezoning: The subject property is designated for Residential development. All public facilities and services are available to the site. The proposed development will meet State Wide Planning Goals and Policies pertaining to residential development . The development of the site will not impact adjacent properties.

Urban Design: The City has adopted Design Standards and has a process in place to help implement multi-family design standards. The applicant's development will be in compliance with the Multi-Family Design Standards as outlined in SRC Chapter 148 and the City of Salem Design Handbook. As required by code, the applicant will submit a Design Review and Site Plan Review application.

The rezoning of the site will help to maximize the densities in the area while providing a mixture of housing in a single family residential area. The rezoning of the property will provide 124 to 290 needed multi-family units within the area. This development will be in a location with accessible to the commercial developments on Liberty Road and Commercial Street. Therefore, meeting the guidelines of providing housing within in areas with services. The development of the site will encourage a mixture of housing types and higher densities within an infill lot.

Salem-Keizer Housing Needs Analysis:

According to the Housing Needs Analysis, "Salem has a deficit of capacity in the MF designation, with a deficit of 3,283 dwelling units and a deficit of 228 gross acres of residential land. The rezone helps maximize the density while helping to meet housing needs.

Criterion (b) (1) is addressed as follows:

There is no identified mistake in the compilation of the electronic or historical zoning map for this area. The code allows for zoning modifications when a change of circumstance has occurred, and this more aptly describes the circumstances surrounding this particular case. A change in circumstances rather than mapping errors has occurred. Therefore, there is no mapping mistake identified for the subject property. Therefore, this criterion is not applicable.

Criterion (b) (2) is addressed as follows:

The economic, demographic, and social nature of this area is in the process of changing. The housing needs are outlined in the Salem-Keizer Needed Housing Study. The City zone and Comprehensive Plan map show that changes are occurring with the designation of areas too higher density residential along Davis Road. The proposed zone change fits the current and future residential development pattern of the vicinity and the housing needs as outlined in the Salem-Keizer Housing Analysis Study. The Housing Needs Analysis states that, "Salem has a deficit of capacity in the MF designation, with a deficit of 3,283 dwelling units and a deficit of 228 gross acres of residential land. The rezone helps maximize the density while helping to meet housing needs within the area. Therefore, this criterion is met.

Criterion (b) (3) is addressed as follows:

The character of the neighborhood in the vicinity of the subject property has changed over the last 10 plus years. In 1998, in order to meet State Wide Planning Goal 10 (Housing), properties to the east, 083W16CD/1300 and Van Natta Place, of the subject property were rezoned to RM2 as part of the Salem Multi-Family Residential Land Study (SMFLS). Then in 2000, in order to meet State Wide Planning Goal 10 (Housing), properties to the west, 083W16C/201, of the subject property were also rezoned to RM2 as part of the Salem Multi-Family Residential Land Study (SMFLS).

In 2008, CPC/ZC 08-5 was approved for property located to the west (083W16C/300 & 400), which allowed the property to be rezoned to RM1.

This area is a changing area with properties changing to multi-family. The applicant's proposal is consistent with the existing neighborhood.

Therefore, the multi-family development of the site will be consistent with the existing and future uses within this neighborhood. The residential development will be consistent with the neighborhoods, while providing a higher density of a needed housing type in the area. The development will also meet Design Standards that are consistent with and enhance the character neighborhood.

Criterion (b) (4) is addressed as follows:

A RM2 development should have a positive effect on the neighborhood by providing a needed housing type in the area, while recognizing the physical characteristics of the site and the necessary provision of public facilities and services. All necessary public facilities are required to be made available to the subject property, and adequate transportation facilities are already in place.

Impacts will not occur until actual development occurs and will include visual differences due to new structures, new public facilities installation, paving and landscaping where the existing site is predominately a field. An overall positive finding can be made that the effects of the proposal are appropriate considering the impact on the existing single family-density neighborhood, the physical characteristics of the site, and the availability of public facilities and services to be extended upon development. The development will take an undeveloped site and create a development that is visual appealing to the neighborhood. At the time of building permits, Design Standards will be in place to help eliminate any impacts to the neighborhood and create a positive development.

Finally, there are no foreseeable adverse effects of the proposal to adjacent properties. The adjacent properties have public street frontage on and access to major streets. Interior site development standards are specified by code and can be met upon development. Therefore, this criterion is met.

Criterion (b) (5) is addressed as follows:

There are no unusual or unforeseen conditions affecting the subject property which make the need for additional review apparent at this time. The CPC/ZC process is the beginning of the review process for development of this site. However the applicant will address any other factors related to public health, safety, and general welfare deemed relevant. The conditions include but may not be limited to: increased traffic, noise, increased hard surfaces, new landscaping and disruptions to the site due to construction. All public facilities can be provided to the subject property as needed.

The standards of the zone and the public works requirements for public health and safety should effectively address any concerns regarding public health and safety. Public Works Department will review and address applicable public facility improvements needed for the level of development. Sanitary sewer and water can be provided to establish the necessary linkages required for emergency vehicle access and water for fire-fighting purposes. No adverse effects should occur due to storm drainage and sewage considerations. The subject property does not contain any sensitive environmental areas such as streams, ponds, or sensitive wildlife habitats. No separate biological studies are needed to determine sensitive habitat areas as none exist. The site's physical attributes and natural or scenic views have to be considered in the development of the site. A landscaping plan with irrigation is required to be submitted with a building permit application. Improved pedestrian access to the public sidewalks system

facilitates the State's Transportation Planning Rule by creating an environment where access to mass transit is encouraged and can be incorporated into any on-site development.

CONCLUSIONS

We believe that the requested Comprehensive Land Plan Change/Zone Change application is appropriate for the subject property for the reasons describe herein. The proposal is consistent and in compliance with the applicable goals and policies of the Comprehensive Plan and the Statewide Planning Goals, and satisfies all applicable criteria. As demonstrated herein, the "Multi-Family Residential" land use designation and corresponding RM2 zoning designation is appropriate for the subject property.

We believe that the materials submitted address all the relevant City criteria for a Comprehensive Plan Change/Zone Change. Obviously, there are other approval processes needed for the development of the property at the time proceeding actual development. For these reasons, we believe that the proposal is warranted and that the Planning Commission has sufficient findings to grant the proposal as requested.

Associated Transportation Engineering & Planning, Inc

Revised Mendenhall Apartments TIA/TPR

Traffic Impact Analysis/Transportation Planning Rule

Revised

Transportation Planning Rule/Traffic Impact Analysis

Mendenhall Apartments

Salem, Oregon

Prepared for:
MultiTech Engineering
Salem, Oregon



Prepared by:
Associated Transportation Engineering & Planning, Inc. (ATEP)
PO Box 3047
Salem, OR 97302

12-262

April 18, 2012

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Appendix A – Traffic Counts, SKATS Plots
Appendix B – 2012 Existing Zone Level of Service Calculations
Appendix C – 2012 Proposed Level of Service Calculations
Appendix D – 2032 Background Level of Service Calculations,
Appendix E – 2032 Existing Zone Level of Service Calculations
Appendix F – 2032 Proposed Zone Level of Service Calculations
Appendix G – 2032 Proposed Zone Mitigation Level of Service Calculations

TRANSPORTATION ANALYSIS
MENDENHALL APARTMENTS

LOCATED IN
SALEM, OREGON

INTRODUCTION

The intent of this analysis is to provide assumptions and conclusions of engineering analysis used for this Traffic Impact Analysis (TIA) for Mendenhall Apartments located in Salem, Oregon.

The proposed project will develop an approximately 10.46 acre site on the south end of Davis Road Street. (T08.3W.16C Tax Lot 101). The project proposes to develop a 228 unit apartment complex located on Davis Road west of Liberty Road S. See Figures 1 and 2.

The theme of this transportation analysis is to assess the transportation impacts from the proposed development on the surrounding street network based on four different scenarios:

- Scenario 1 - the impact of development of the property with the existing traffic conditions.
- Scenario 2 - the impact of development of the property with the proposed development.

TPR ANALYSIS.

- Scenario 3 - (Transportation Planning Rule (TPR) analysis) Existing zoning in 20 years
- Scenario 4 - (Transportation Planning Rule (TPR) analysis) Proposed zoning in 20 years

The format used in this report was established by Tony Martin, City of Salem Transportation Planning in the Salem TIA Requirements. See Appendix A. Specific traffic related issues discussed in this report include:

Specific traffic related issues discussed in this report include:

- Traffic analysis for the study area
- Existing land use and traffic conditions in the project area
- Proposed land use and future traffic conditions in the project area
- Conditions 20 years with the existing and proposed land designations
- Trip Generation estimates for the Mendenhall Apartments
- Site access locations and operations
- Safety considerations at the site access locations including, but not limited to sight distance analysis, turn lane and channelization needs

This report was prepared using the latest land use and transportation data available from the City of Salem (hereafter referred to as City), Marion County, and the Oregon Department of Transportation (ODOT).

REPORT METHODOLOGY

Morning and evening peak period turning movement traffic counts were conducted on January 10th, 2012 and were used as a basis for this report. These traffic counts indicated that the morning peak hour was between 7:00 to 8:00 a.m. (this includes the morning school peak hour) and the evening peak hour was from 4:45 to 5:45 p.m. Upon review of these peak hour counts, the p.m. peak period was determined to be the most critical time in terms of traffic impacts at the intersections in the study area.

The operating characteristics at each of the key signalized and unsignalized intersections during the peak periods were examined using the methods outlined in the 2000 Highway Capacity Manual utilizing the Traffix computer software. Traffic queues were established using the Syncho Suite of computer programs. The operating characteristics examined included the average vehicle delay, volume to capacity (v/c) ratio, level of service, and estimated queue length.

The criteria used for the intersection analysis included the guidelines set forth by the City of Salem and ODOT. These guidelines state that each signalized intersection analyzed should operate at a Level of Service (LOS) D with a volume to capacity (v/c) ratio of 0.85 or less.

ASSUMPTIONS

Site Access Points

For the purposes of analysis the site has one access point.

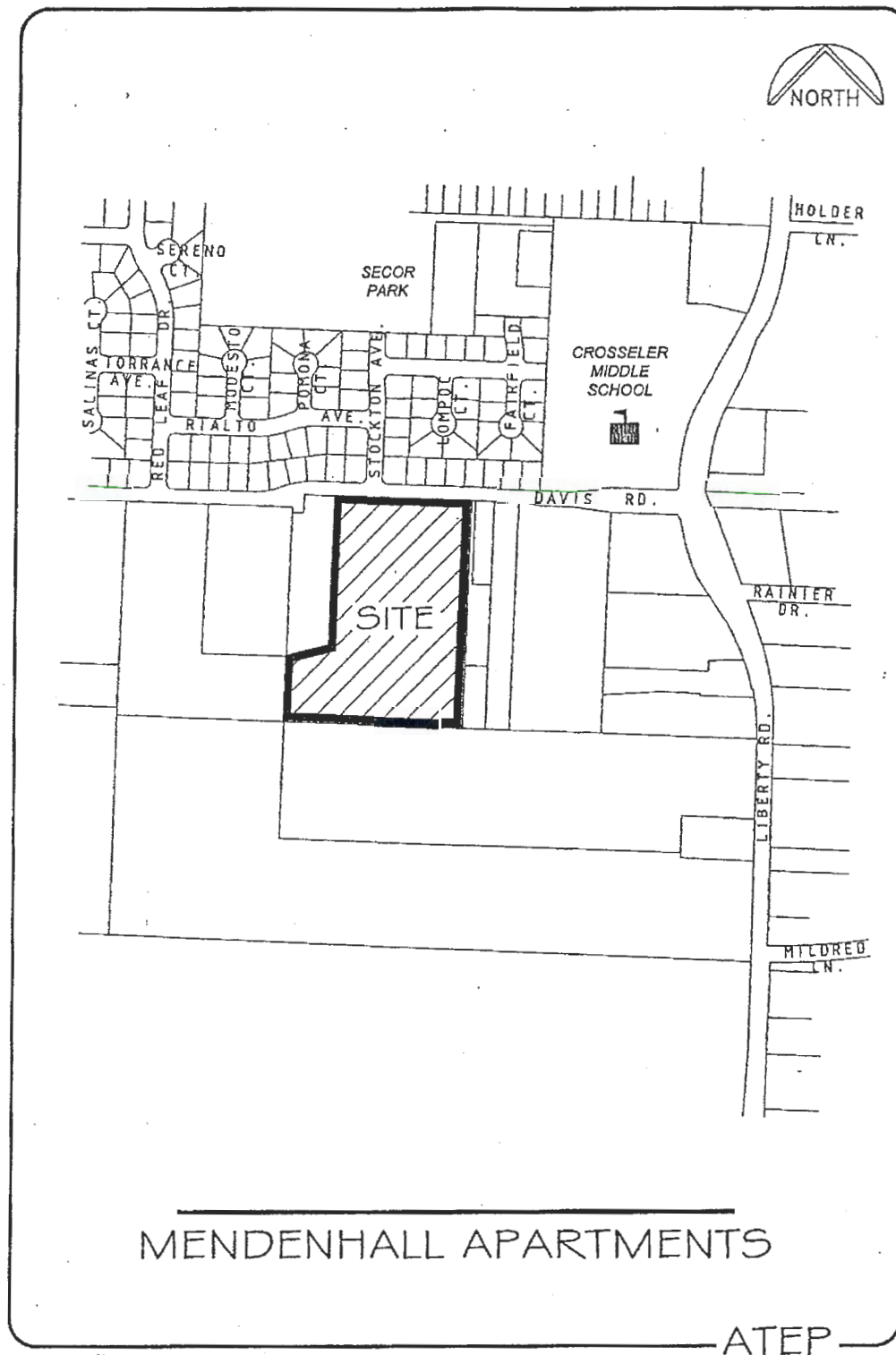
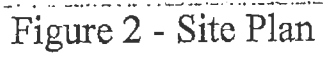


Figure 1 - Vicinity Map



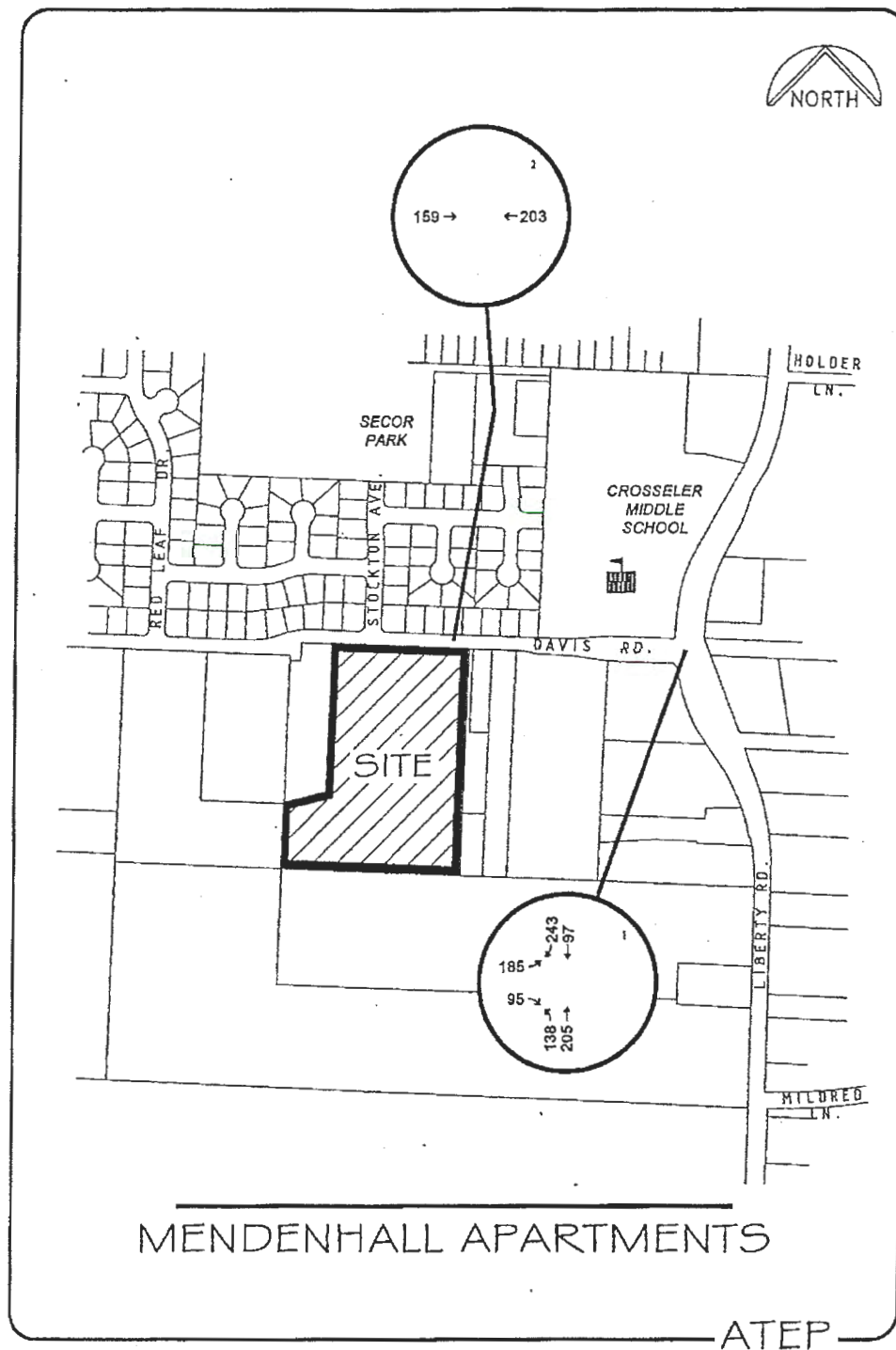


Figure 3 - 2012 AM Traffic Volumes

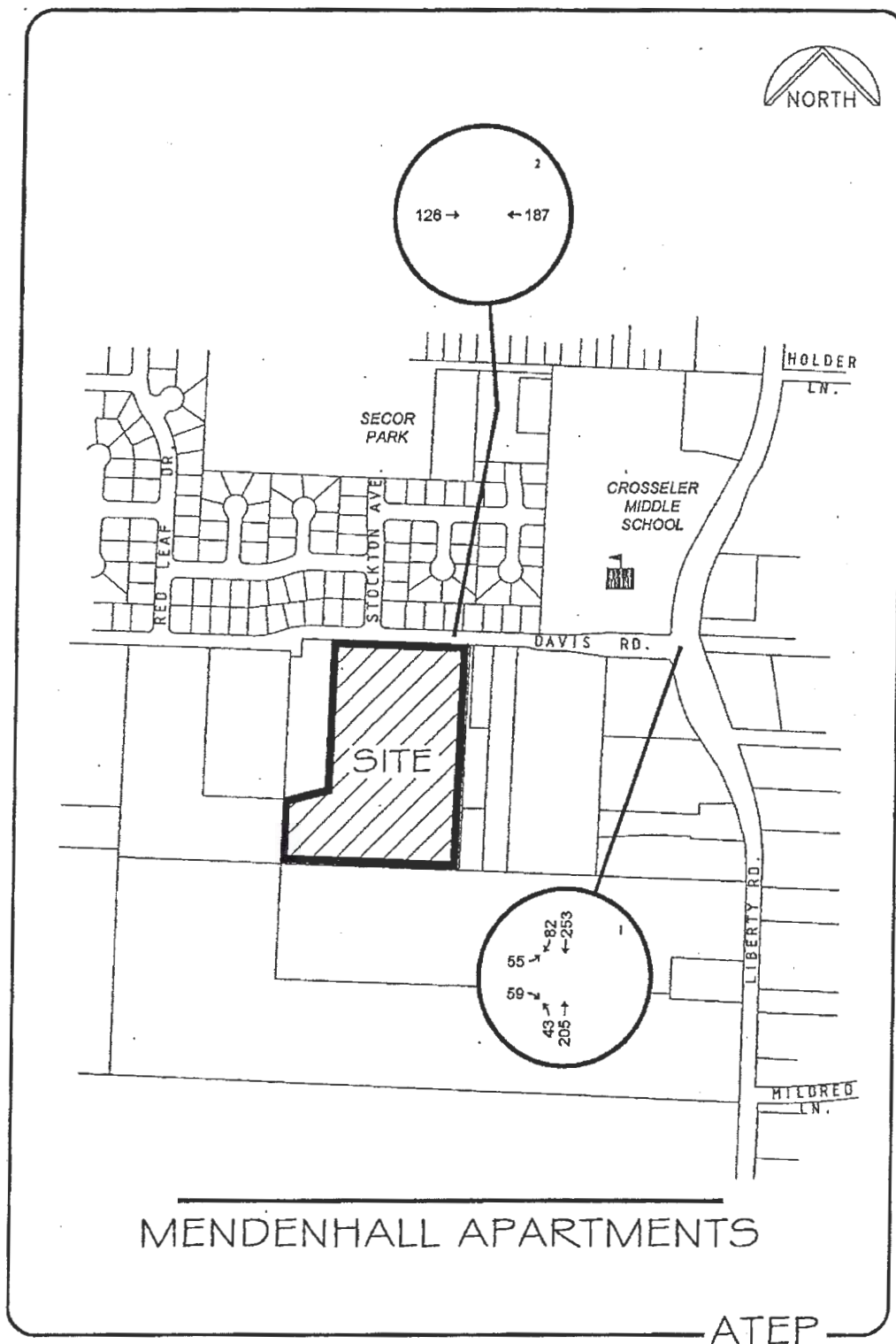


Figure 4 - 2012 PM Peak Volumes

INTERSECTION ANALYSIS ASSUMPTIONS

In order to analyze each intersection, there were certain common assumptions made. These assumptions, in general, are as follows:

1. Existing traffic signal timings* were used where the intersection level of service determined was level of service "D" or better. *(taken from previous studies)
2. Peak hour factors used based on existing traffic counts were 0.89 for the p.m. peak and 0.78 for the a.m. peak.
3. Truck percentages used in the analysis were based on the truck counts performed during turning movement counts.
4. Each intersection operates as an isolated intersection.

INTERSECTION ANALYSIS PROCEDURE

The analysis of the key intersections included four different traffic scenarios for the a.m. and p.m. peak periods. These scenarios include:

- Existing Conditions with the existing traffic conditions
- Existing Conditions with the proposed land use designations
- TPR analysis 20 years in the future with the existing zoning
- TPR analysis 20 years in the future with the proposed zoning

SUMMARY OF FINDINGS

Based on the analysis found later in this report, the following findings are made:

1. The intersections within the study area do not operated at acceptable levels of service with the existing traffic and will continue to operate at unacceptable levels of service with the addition of the Mendenhall Development traffic.
2. The proposed zone changes impact will be mitigated by the installation of a traffic signal at Liberty Road at Davis Road which will allow the intersection operate at acceptable levels of service through 2032.

SCENARIO 1 – TIA EXISTING TRAFFIC

EXISTING ROADWAYS

Davis Road is classified by the City of Salem as a collector street, Liberty Road as a Major Arterial and both streets have one travel lane in each direction. Liberty Road is a 2 lane roadway with left turn pockets at major intersections.

Table 1 provides a summary of key transportation facilities within the site area.

Table 1 - Existing Roadway Characteristics

Street	Classification	Lanes	Posted Speed (mph)	Sidewalks	Bicycle Lanes	On-Street Parking
Liberty Road	<i>Major Arterial</i>	2	45	No	Yes	No
Davis Road	<i>Collector</i>	2	25	Yes*	No	Yes*

* Improved street sections only

PEAK HOUR TRAFFIC VOLUMES AND OPERATIONS

Morning and evening peak hour turning movement traffic counts were conducted at the key intersections for the preparation of this report. These counts indicate the morning peak hour to be 7: 00 to 8: 00 a.m. and the evening peak hour from 4: 45 to 5: 45 p.m. Upon review of these peak hour traffic counts, the p.m. peak period was determined to be the most critical time in terms of traffic impacts at the intersections in the study area.

LEVEL OF SERVICE

All level-of-service (LOS) analysis described in this report was performed in accordance with the procedures stated in the *2000 Highway Capacity Manual*. The appendix also indicates how level-of-service is measured and what is generally considered to be the acceptable range of level-of-service.

To ensure that this analysis was based on a worst-case scenario, the peak 15-minute flow rate during each of the study periods was used in the evaluation of all intersection levels of service. For this reason, the analysis reflects conditions that are only likely to occur for 15 minutes out of each average peak hour. Traffic conditions during all other weekday time periods and throughout the weekend will likely operate under better conditions than described in this report.

Figures 3 and 4 illustrate the 2012 volumes at the study intersections during the weekday a.m. and p.m. peak hours. As Table 2 shows, during the peak periods the study intersections operates at acceptable level of service and v/c ratio.

Table 2 – TIA 2012 Level of Service				
	AM LOS	Am v/c Ratio	PM LOS	PM v/c ratio
Liberty Road at Davis Road	D	0.697	B	0.417
Davis Road at site driveway	A	0.00*	A	0.00*

* Not yet constructed

Sight Distance

The intersection of Davis Road at Liberty Road is located a major curve in Liberty Road.

1. Thus, the alignment starting from Davis Road is shown 15' back from the existing Liberty Road travel lane at the proposed elevation of Davis Road.
2. The sight distance was measured to be approximately 752 feet to the south and 685 feet to the north.

The result of this analysis is that the intersection has more than the required intersection sight distance. Since Liberty Road has a 45 mph speed limit the calculated sight distance for the intersection is 500 feet in both directions.

SCENARIO 2 – PROPOSED DEVELOPMENT

Under this scenario, the project proposes to develop a 228 unit apartment complex.

For the purposes of this report the total development of the site was considered. This was done to show as near as possible the total impact of the development on the surrounding street system.

TRIP GENERATION

Estimates of total daily a.m. and p.m. peak hour driveway volumes for the existing uses were developed from empirical observations at many similar-sized facilities located throughout the United States. These empirical observations are summarized in a standard reference manual published by the Institute of Transportation Engineers (ITE) *Trip Generation, 8th Edition* and the procedures and data provided in the *ITE Trip Generation Handbook*.

Estimating the number of vehicle trip ends that will be generated by the proposed development is of prime importance in order to accurately assess the impacts of development on the road network.

The figures shown in Table 3 below, represent the expected number of vehicle trip ends to be generated by the proposed development on a daily p.m. peak hour basis based on the mathematical regression equations found on page 326 Section 220 of the *Trip Generation Manual (8th Edition)*.

Table 3 Trip Generation for Proposed Development									
Land Use			AM peak			PM peak			Daily volumes
	ITE Code	# of Units	In	Out	Total	In	Out	Total	
Apartments	220	228	23	93	116	92	49	141	1,532

For the purposes of this analysis, it is assumed that none of the home related person trips will be made by mass transit. This assumption ignores the recent statewide projections that 4-6 percent of all home based person trips for purposes unrelated to work will be made by transit. Therefore, this assumption tends to cause the analysis to reflect a worst-case condition, and over estimate the traffic impacts associated with this development.

TRIP DISTRIBUTION

The distribution of generated trips onto the roadway system within the site area is based on the 2031 Salem Keizer

Area Transportation System (SKATS) EMME 2¹ Computer Model (Included in Appendix A) area distributions. See Figure 5.

The site-generated traffic shown in Figures 6 and 7 were combined with the 2012 base traffic volumes shown in Figures 3 and 4 to arrive at the total traffic for the proposed development for the a.m. peak and the p.m. peak periods shown in Figures 8 and 9.

Peak hour level of service was determined at the intersections within the study area for the development of the site under the existing land use plan designations.

¹ Email drawings from Rainier Apartments TIA Report, Kelly Engineering, and June, 09.

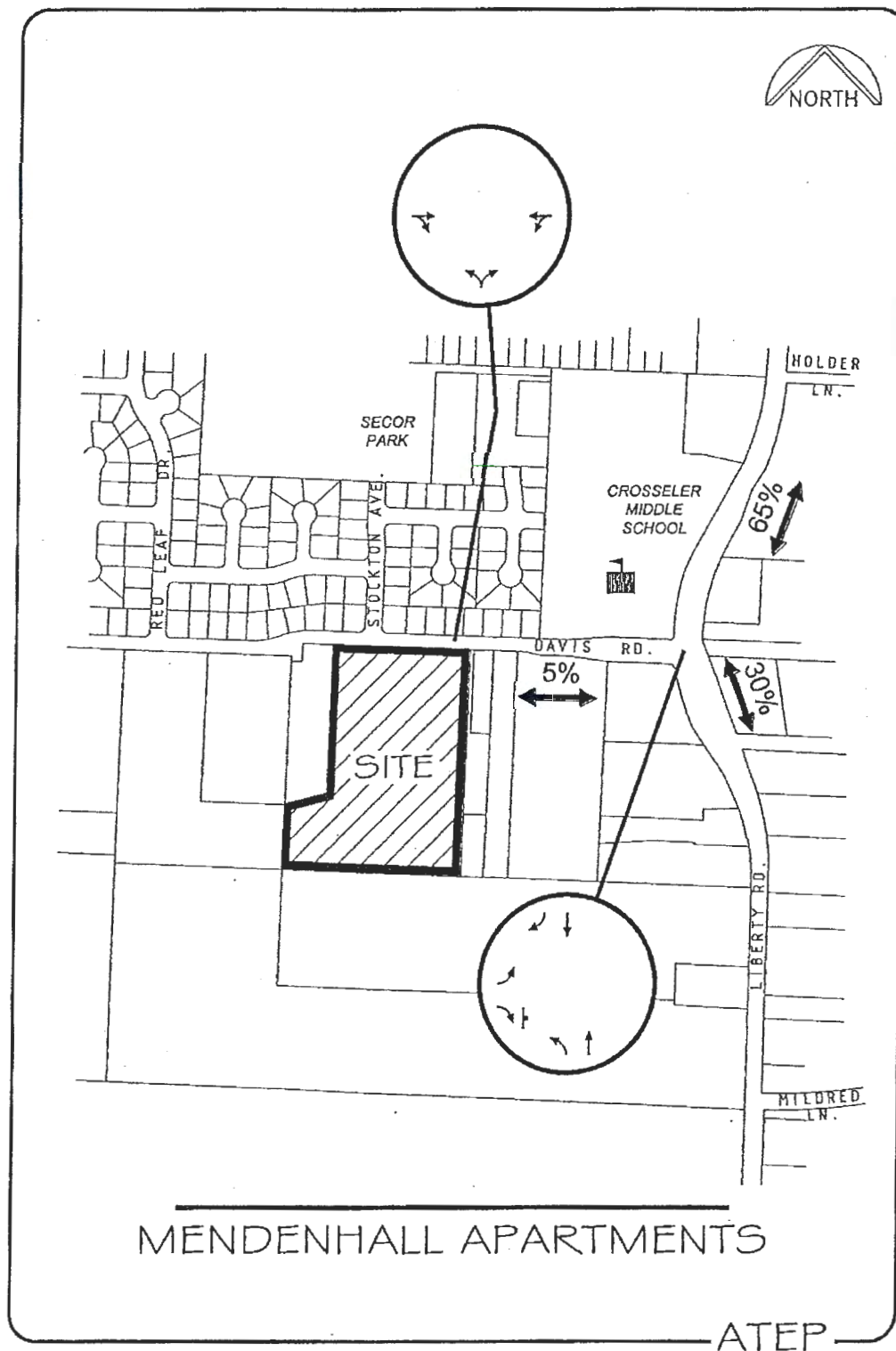


Figure 5 -Trip Distribution, Lane Configuration & Traffic Control Devices

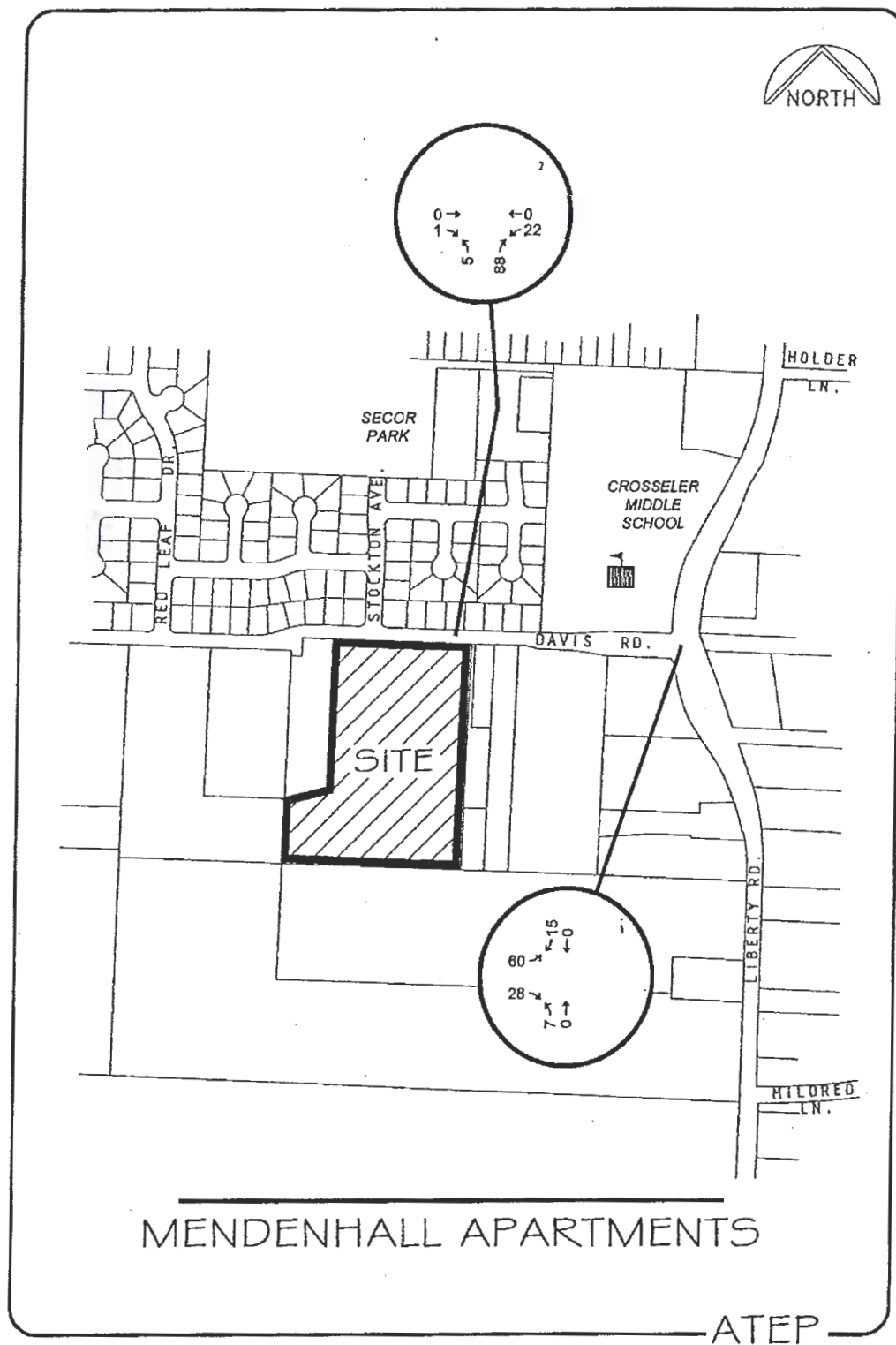


Figure 6 – Proposed Development Site Generated AM Traffic Volumes

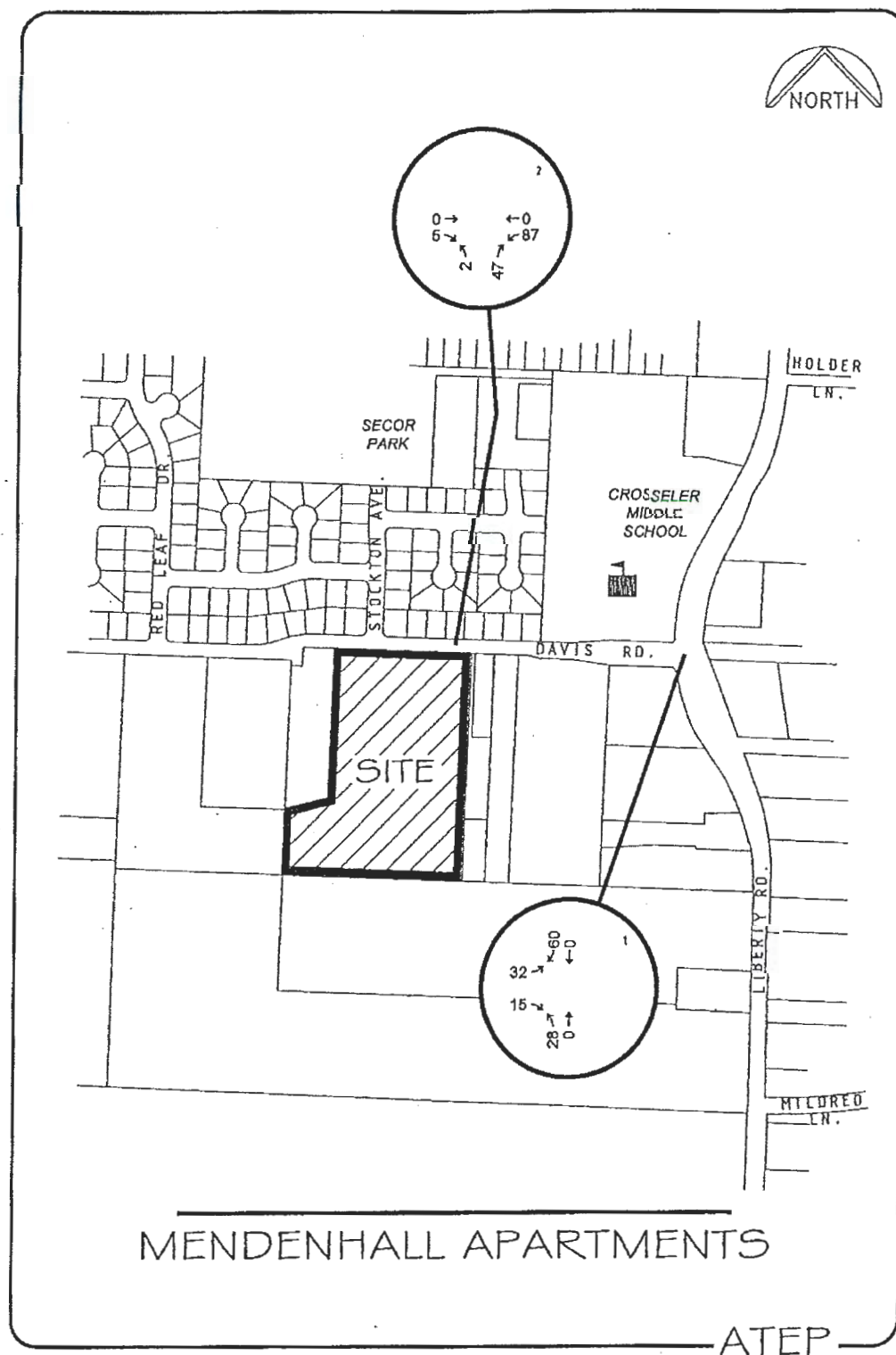


Figure 7 – Proposed Development Site Generated PM Traffic Volumes

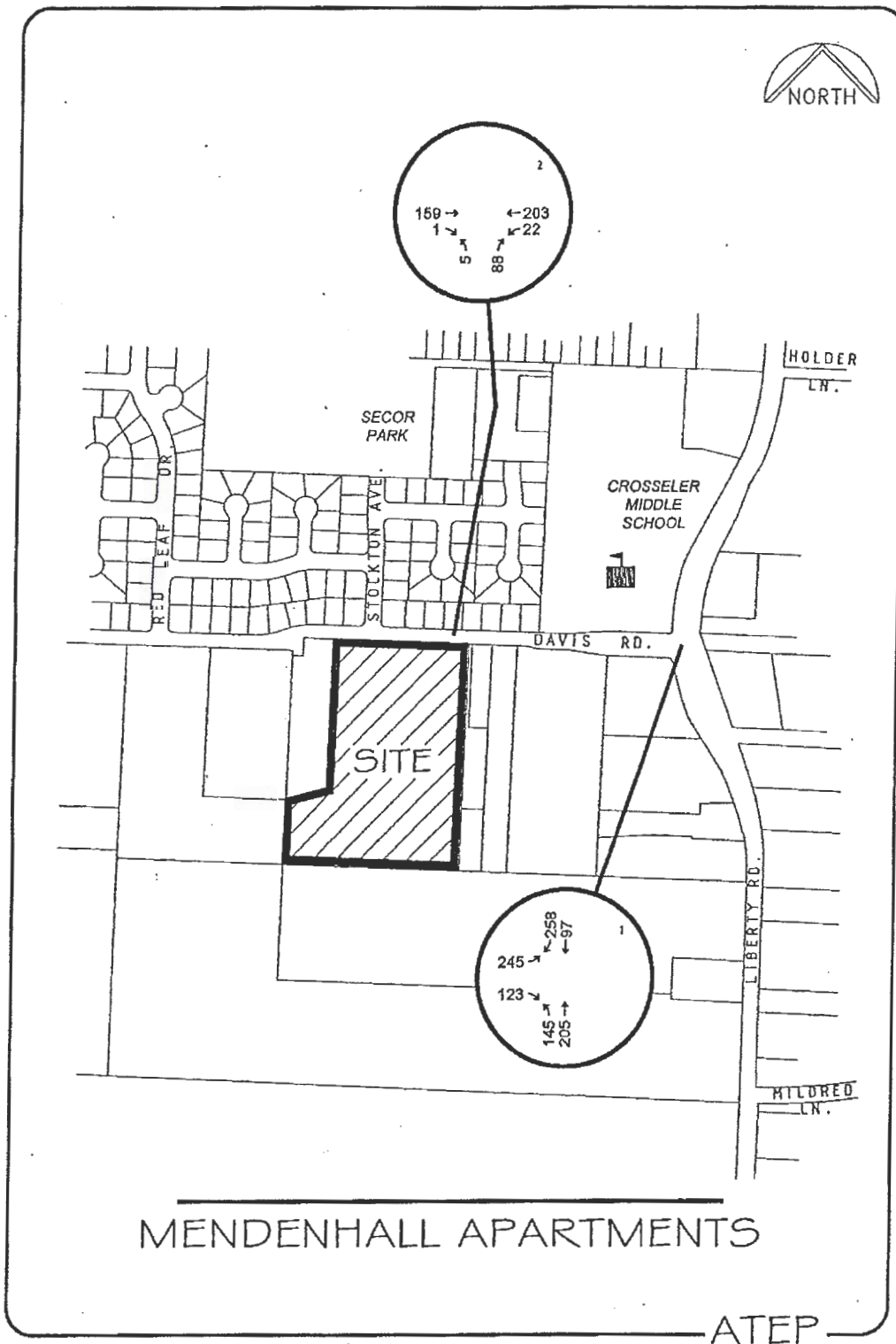


Figure 8 – 2012 Proposed Development Total AM Traffic Volumes

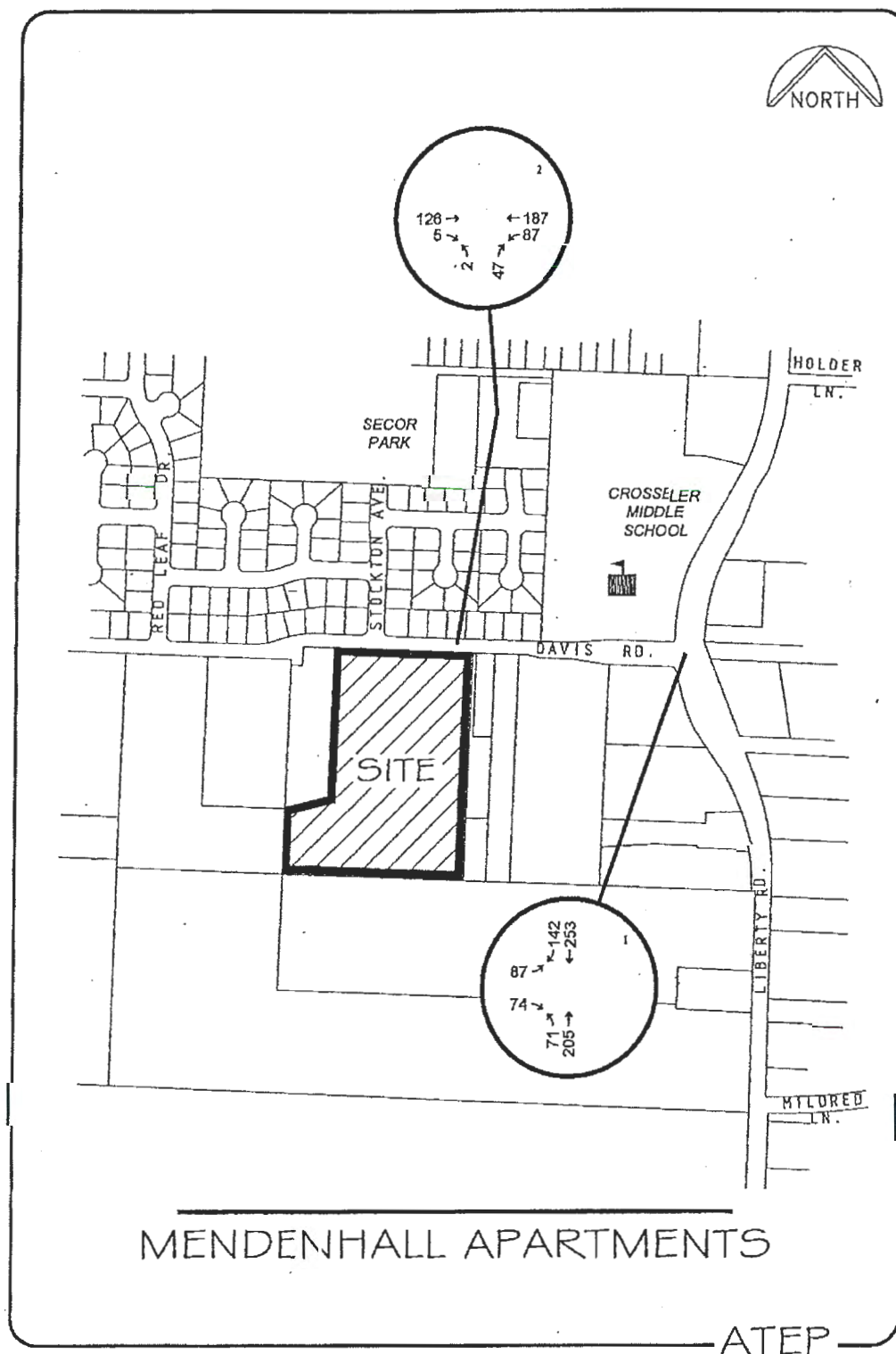


Figure 9 - 2012 Proposed Development Total PM Volumes

Table 3 estimates the level of service at the studied intersections in 2012 during the am and pm peak hour with the background traffic plus the Mendenhall Apartment complex. This provides a base level of service measure against which to compare the impacts of traffic from the site.

TIA Table 3 – 2012 Level of Service				
	AM LOS	Am v/c Ratio	PM LOS	PM v/c ratio
Liberty Road at Davis Road	F	0.955	C	0.478
Davis Road at site driveway	A	0.00*	A	0.074

Table 3 indicates that if the property were developed under the existing conditions the intersection of Liberty Road at Davis Road falls below acceptable levels of service during the a.m. peak hour

SCENARIO 3 - TPR ANALYSIS EXISTING ZONE

The zone changes requested by the development consists of 10.37 acres currently designated Residential Agriculture (RA) in the Salem comprehensive plan map and is zoned Developing Residential. The owners are requesting the City of Salem to change the comprehensive plan map designation to RM 2. The traffic volumes shown in Figures 3 and 4 were increased by a four percent per year growth rate. This growth rate was based on traffic projections supplied by 2031 Salem Keizer Area Transportation System (SKATS) EMME 2² Computer Model.

The tax lots are zoned RA under the Salem Revised Code (SRC Chapter 145). The functional classification of the surrounding traffic facilities was based on the anticipated impact of the property's residential use consistent with its Comprehensive Plan and described in the Salem Transportation System Plan. Oregon land use law requires that the Transportation Planning Rule (TPR) be met whenever a land use action like this is undertaken. Goal 12 of the TPR requires that the land use action, in this case a comprehensive plan map amendment and zone change, not "significantly affect an existing or planned transportation facility" without specific steps being taken. The intent of this analysis is to establish parameters so that the proposed land use actions to not significantly affect a transportation facility. The City requires that a comprehensive plan map amendment request address Statewide Planning Goal 12 of the Transportation Planning Rule (TPR). OAR 660-012-0060(1) states"

"Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility...."

This analysis will determine whether the proposed comprehensive plan amendment and zone change significantly affect existing or planned transportation facilities. The analysis begins with determining the number of trips that could be generated from the site under the existing comprehensive plan map designation and zoning. Trip generation volumes will be measured as Average Daily Traffic (ADT) and PM Peak Hour trips using the current

² Email drawings from Rainer Apartments TIA Report, Kelly Engineering, and June, 09.

ITE Trip Generation Manual. It should be noted that the lane configuration shown on Figure 5 were used in the analysis to provide consistency though out the analysis except for the installation of a traffic signal at Liberty Road at Davis Road for the 2032 analysis. No additional lanes were added for the 2032 analysis.

TRIP GENERATION

Estimates of total daily a.m. and p.m. peak hour driveway volumes for the existing uses were developed from empirical observations at many similar-sized facilities located throughout the United States. These empirical observations are summarized in a standard reference manual published by the Institute of Transportation Engineers (ITE) *Trip Generation, 8th Edition* and the procedures and data provided in the *ITE Trip Generation Handbook*.

Estimating the number of vehicle trip ends that will be generated by the proposed development is of prime importance in order to accurately assess the impacts of development on the road network.

The figures shown in Table 4 below, represent the expected number of vehicle trip ends to be generated by the reasonable worst case land use on a daily, a.m. and p.m. peak hour basis based on the mathematical regression equations found on page 290 Section 210 of the Trip Generation Manual (8th Edition).

Table 4 - Trip Generation for Existing Zoning									
Land Use			AM peak			PM peak			Daily volumes
	ITE Code	# of Units	In	Out	Total	In	Out	Total	
Single Family	210	60	11	34	45	38	22	61	574

For the purposes of this analysis, it is assumed that none of the home related person trips will be made by mass transit. This assumption ignores the recent statewide projections that 4-6 percent of all home based person trips for purposes unrelated to work will be made by transit. Therefore, this assumption tends to cause the analysis to reflect a worst-case condition, and over estimate the traffic impacts associated with this development.

TRIP DISTRIBUTION

The distribution of generated trips onto the roadway system within the site area is based on the 2031 Salem Keizer Area Transportation System (SKATS) EMME 2³ Computer Model (Included in Appendix A) area distributions. See Figure 5.

The site-generated traffic shown in Figures 10, 11 were combined with the 2032 background traffic volumes shown in Figures 12 and 13 to arrive at the total traffic for the existing use for the a.m. peak and the p.m. peak periods shown in Figures 16 and 17.

Peak hour level of service was determined at the intersections within the study area for the development of the site under the existing land use plan designations.

³ Email drawings from Rainer Apartments TIA Report, Kelly Engineering, and June, 09.

Table 5 - 2032 Background Volumes Level of Service				
	AM LOS	Am v/c Ratio	PM LOS	PM v/c ratio
Liberty Road at Davis Road	F	3.038	C	0.508
Davis Road at Site Driveway	A	0.000	A	0.000

Table 6 - 2032 Total Existing Zone Volumes Level of Service				
	AM LOS	Am v/c Ratio	PM LOS	PM v/c ratio
Liberty Road at Davis Road	F	3.895	E	0.838
Davis Road at site driveway	B	0.191	A	0.088

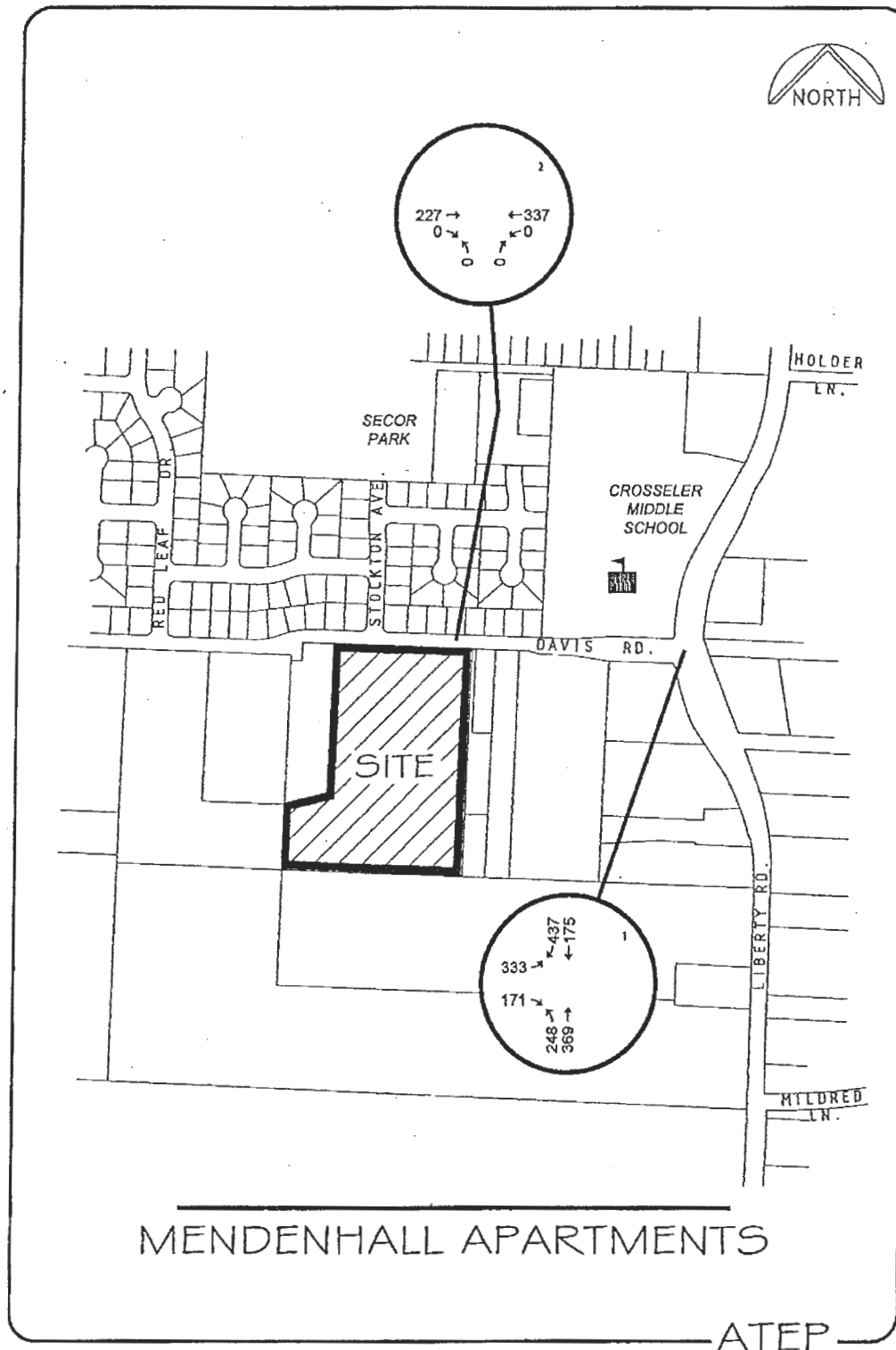


Figure 10 – 2032 AM Background Traffic Volumes

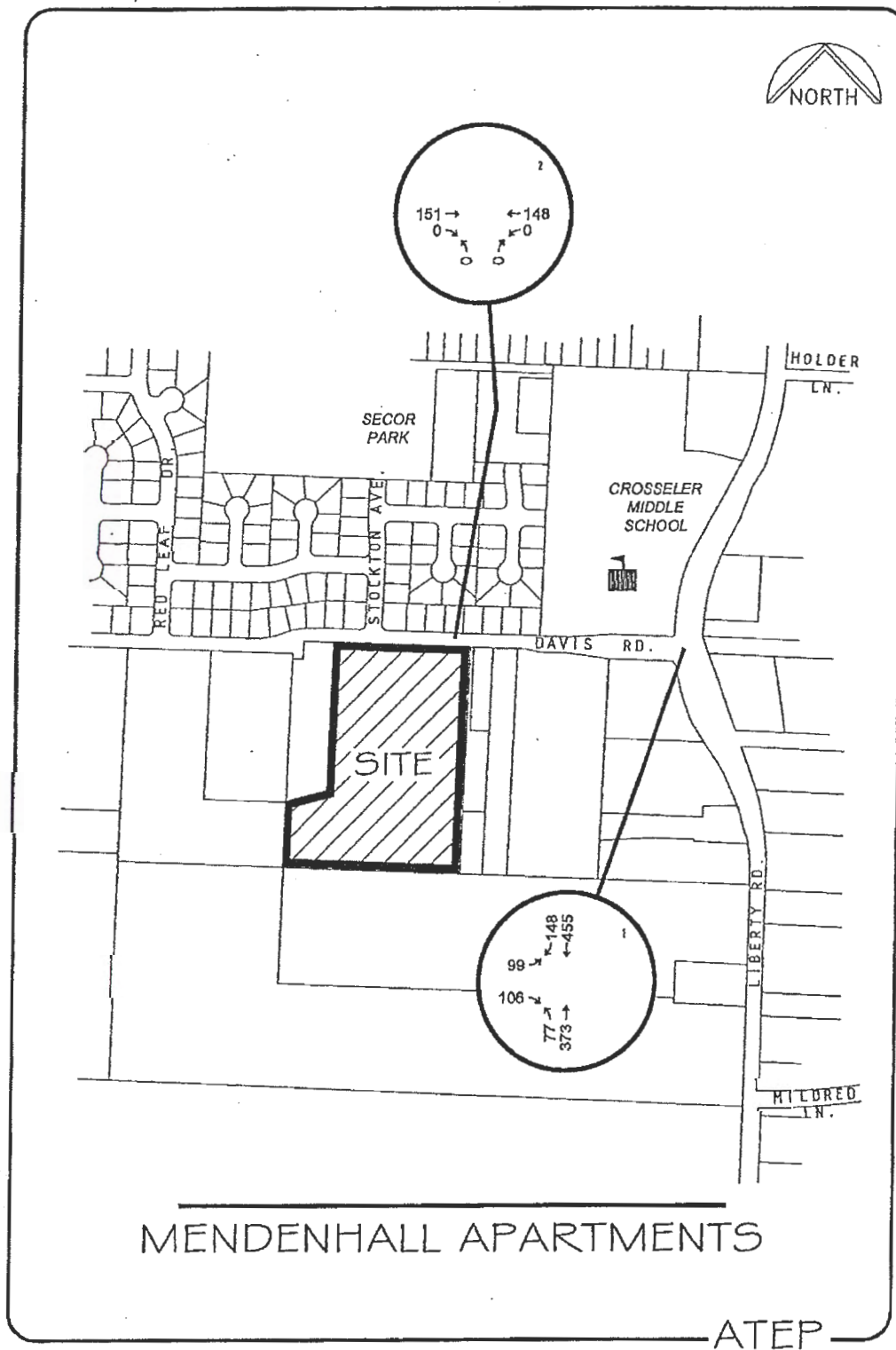


Figure 11 - 2032 PM Background Traffic Volumes

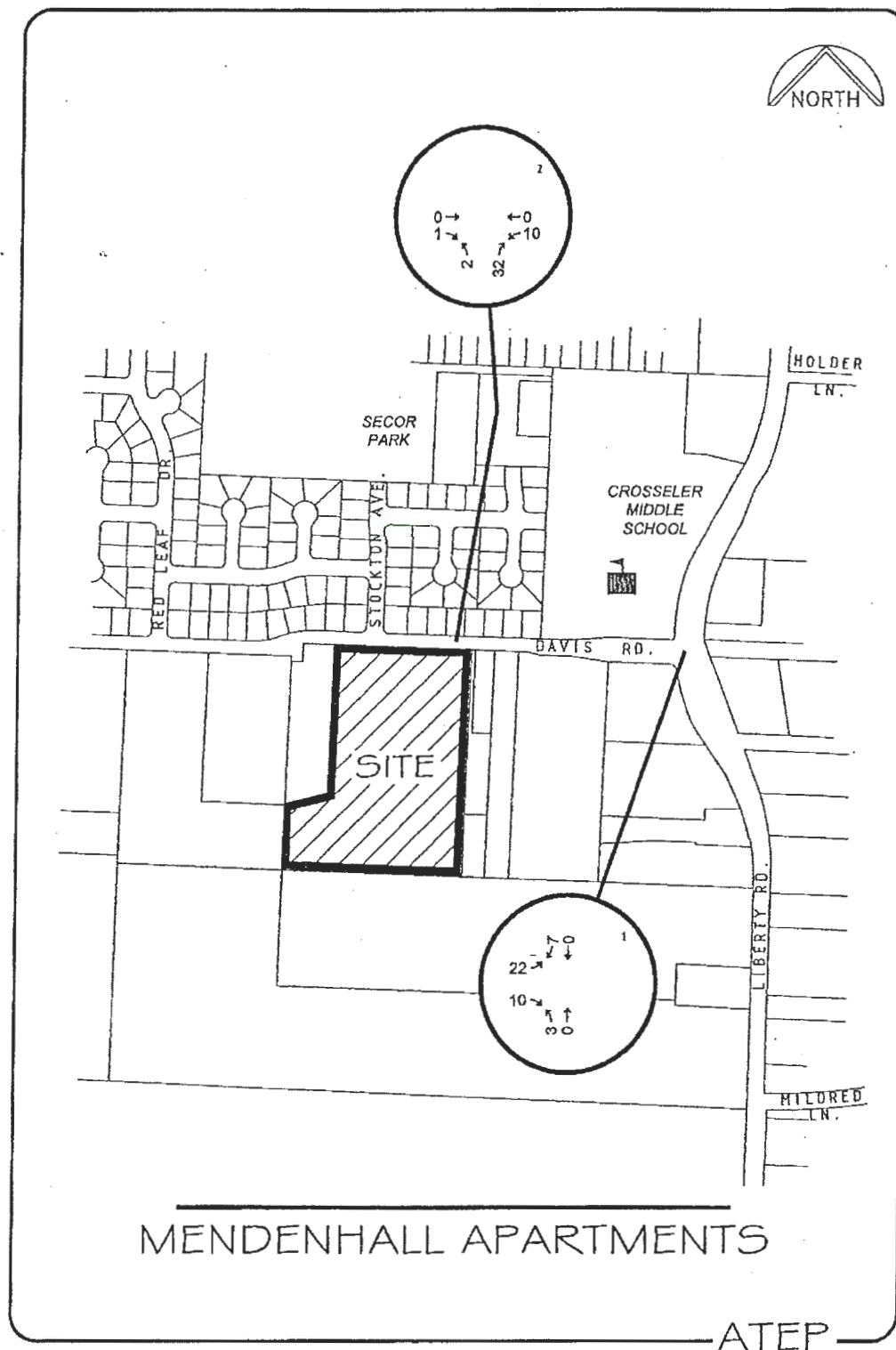


Figure 12 – Existing Zone Site Generated AM Traffic Volumes

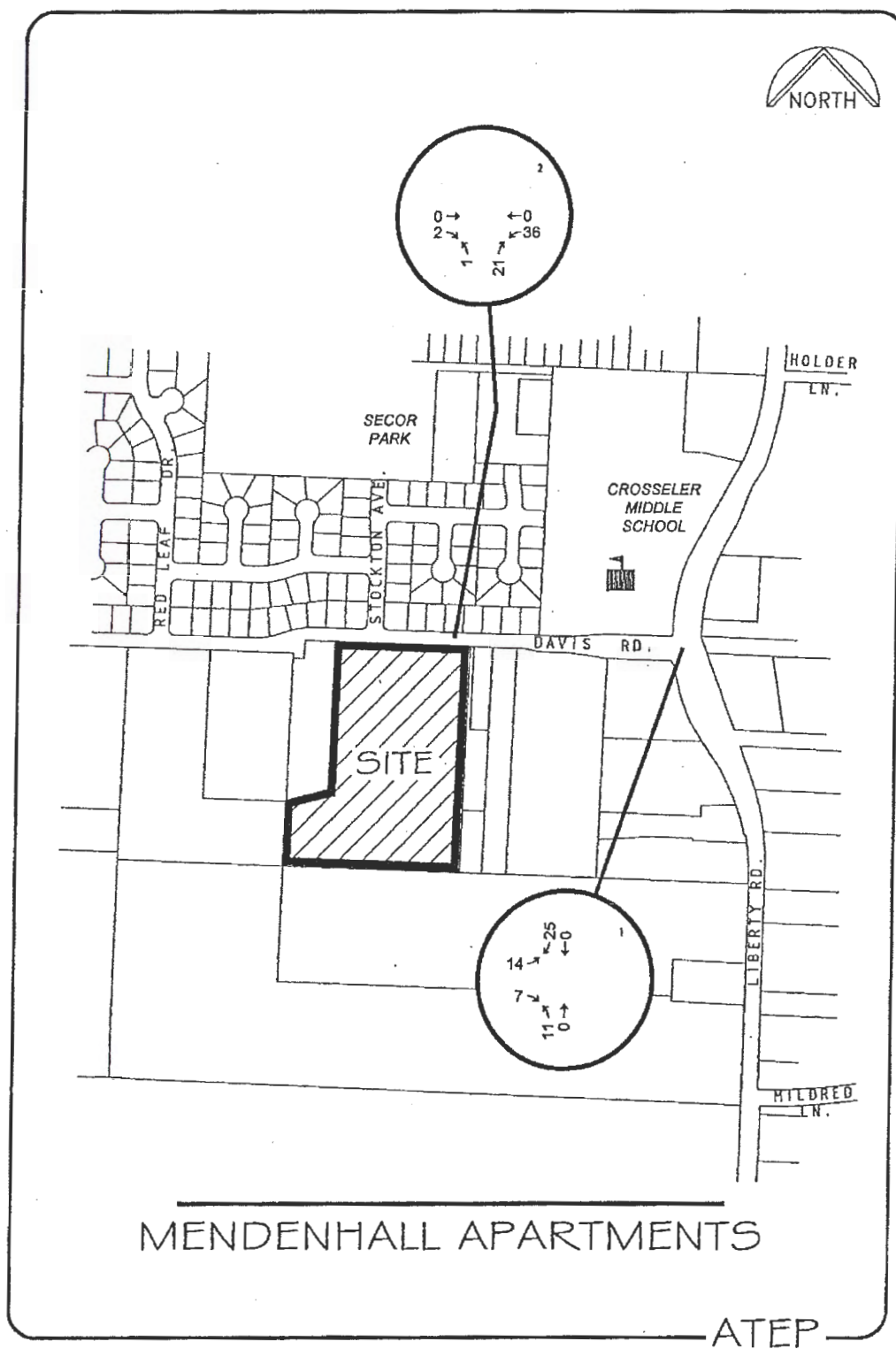


Figure 13 – Existing Zone Site Generated PM Traffic Volumes

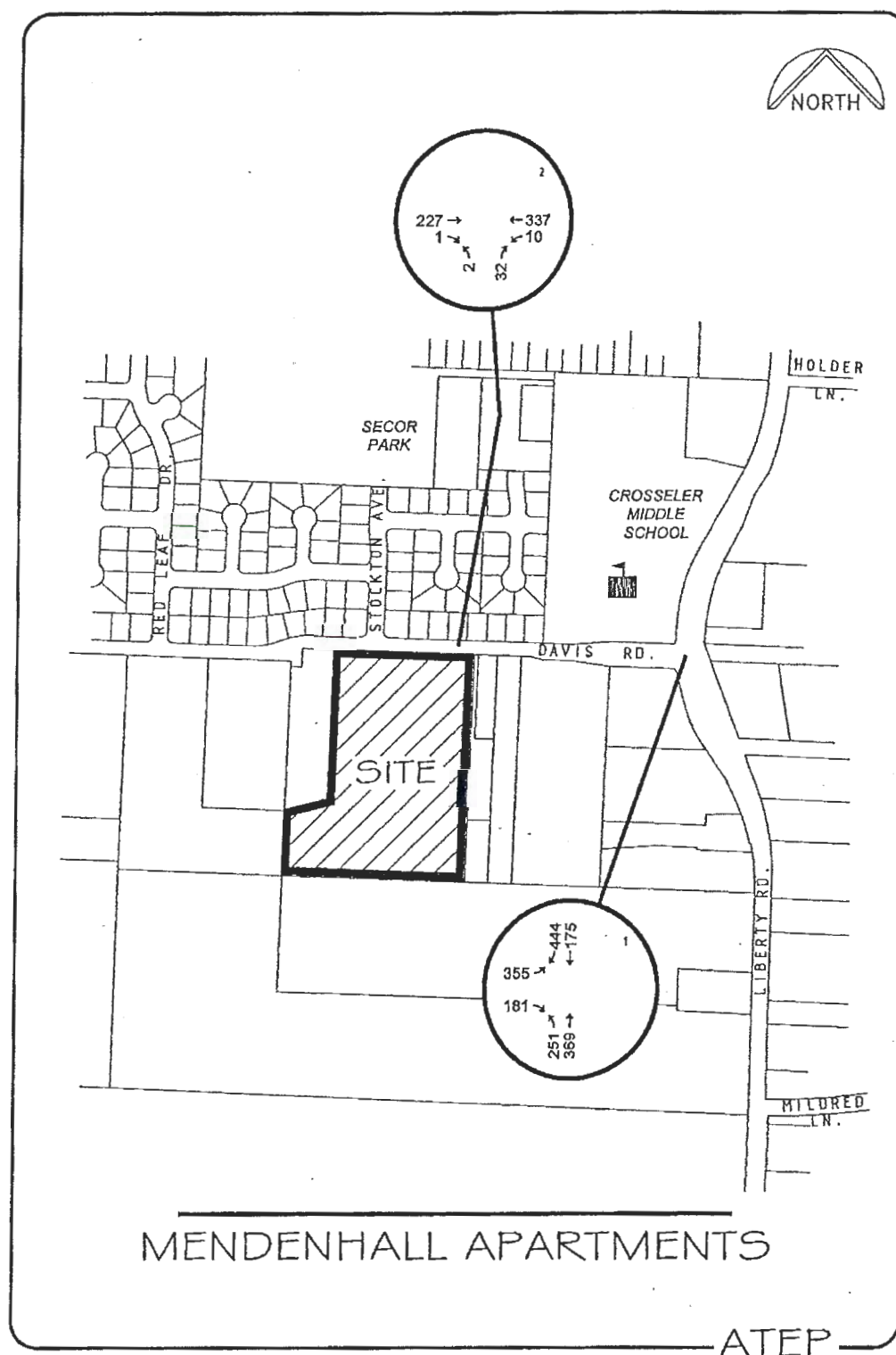


Figure 14 - 2032 Existing Zone Total AM Traffic Volumes

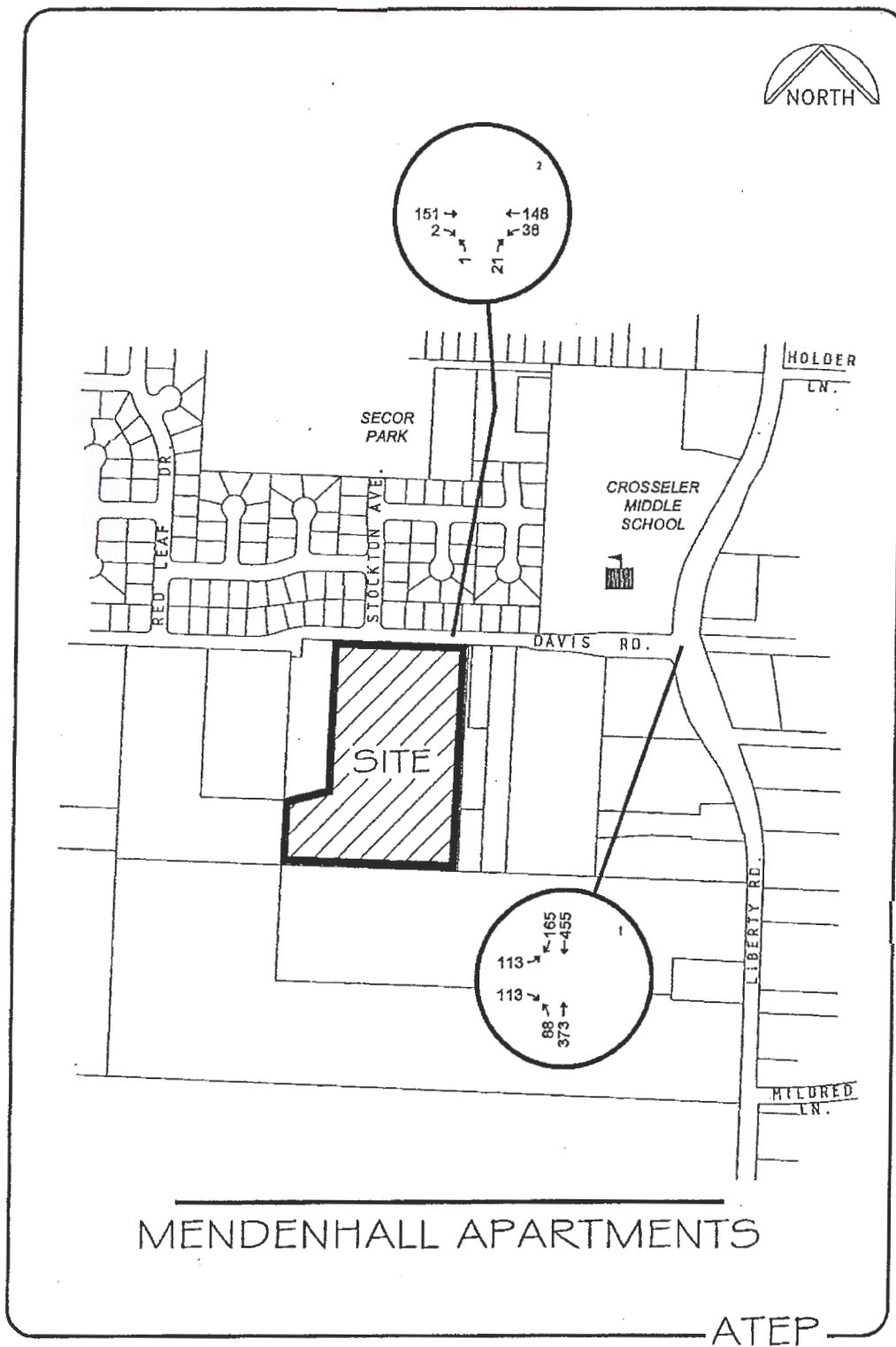


Figure 15 - 2032 Existing Zone Total PM Traffic Volumes

SCENARIO 4 – PROPOSED ZONE 2032 TRAFFIC VOLUMES

This Scenario consists of the Proposed RM 2 zone built with a reasonable worst case number of approximately 290 apartment units.

TRIP GENERATION

Estimates of total daily a.m. and p.m. peak hour driveway volumes for the existing uses were developed from empirical observations at many similar-sized facilities located throughout the United States. These empirical observations are summarized in a standard reference manual published by the Institute of Transportation Engineers (ITE) *Trip Generation, 8th Edition* and the procedures and data provided in the *ITE Trip Generation Handbook*.

Estimating the number of vehicle trip ends that will be generated by the proposed development is of prime importance in order to accurately assess the impacts of development on the road network.

The figures shown in Table 8 below, represent the expected number of vehicle trip ends to be generated by the reasonable worst case land use on a daily p.m. peak hour basis based on the mathematical regression equations found on page 326 Section 220 of the Trip Generation Manual (8th Edition).

Table 7 - Trip Generation for Proposed Zoning									
Land Use			AM peak			PM peak			Daily volumes
	ITE Code	#of units	In	Out	Total	In	Out	Total	
Apartments	220	290	30	118	148	117	63	180	1,949

For the purposes of this analysis, it is assumed that none of the home related person trips will be made by mass transit. This assumption ignores the recent statewide projections that 4-6 percent of all home based person trips for purposes unrelated to work will be made by transit. Therefore, this assumption tends to cause the analysis to reflect a worst-case condition, and over estimate the traffic impacts associated with this development.

TRIP DISTRIBUTION

The distribution of generated trips onto the roadway system within the site area is based on the 2031 Salem Keizer Area Transportation System (SKATS) EMME 2⁴ Computer Model (Included in Appendix A) area distributions. See Figure 7.

The site-generated traffic shown in Figures 16 and 17 were combined with the 2032 base traffic volumes shown in Figures 10 and 11 to arrive at the total traffic for the proposed zone for the a.m. peak and the p.m. peak periods shown in Figures 18 and 19.

Peak hour level of service was determined at the intersections within the study area for the development of the site under the existing land use plan designations.

⁴ Email drawings from Marion County Council of Governments, dated 2009

Table 8 - 2032 Proposed Zone Level of Service				
	AM LOS	Am v/c Ratio	PM LOS	PM v/c ratio
Liberty Road at Davis Road	F	3.895	C	0.438
Davis Road at site driveway	B	0.191	A	0.088

The comparison between Table 6 the existing zone level of service and Table 8 the proposed zone level of service indicates that all of the intersections will operate at acceptable levels of service.

As shown Table 7 and 8 the Liberty Road at Davis Road intersection fails to meet the required operational level of service during the am peak hour.

In order to mitigate the proposed land use the intersection was improved with a traffic signal. The operational level of service with the signal is shown in Table 9.

Table 9 - 2032 Proposed Zone Mitigation Level of Service -				
	AM LOS	Am v/c Ratio	PM LOS	PM v/c ratio
Liberty Road at Davis Road	C	0.705	C	0.458
Davis Road at site driveway	B	0.191	A	0.088

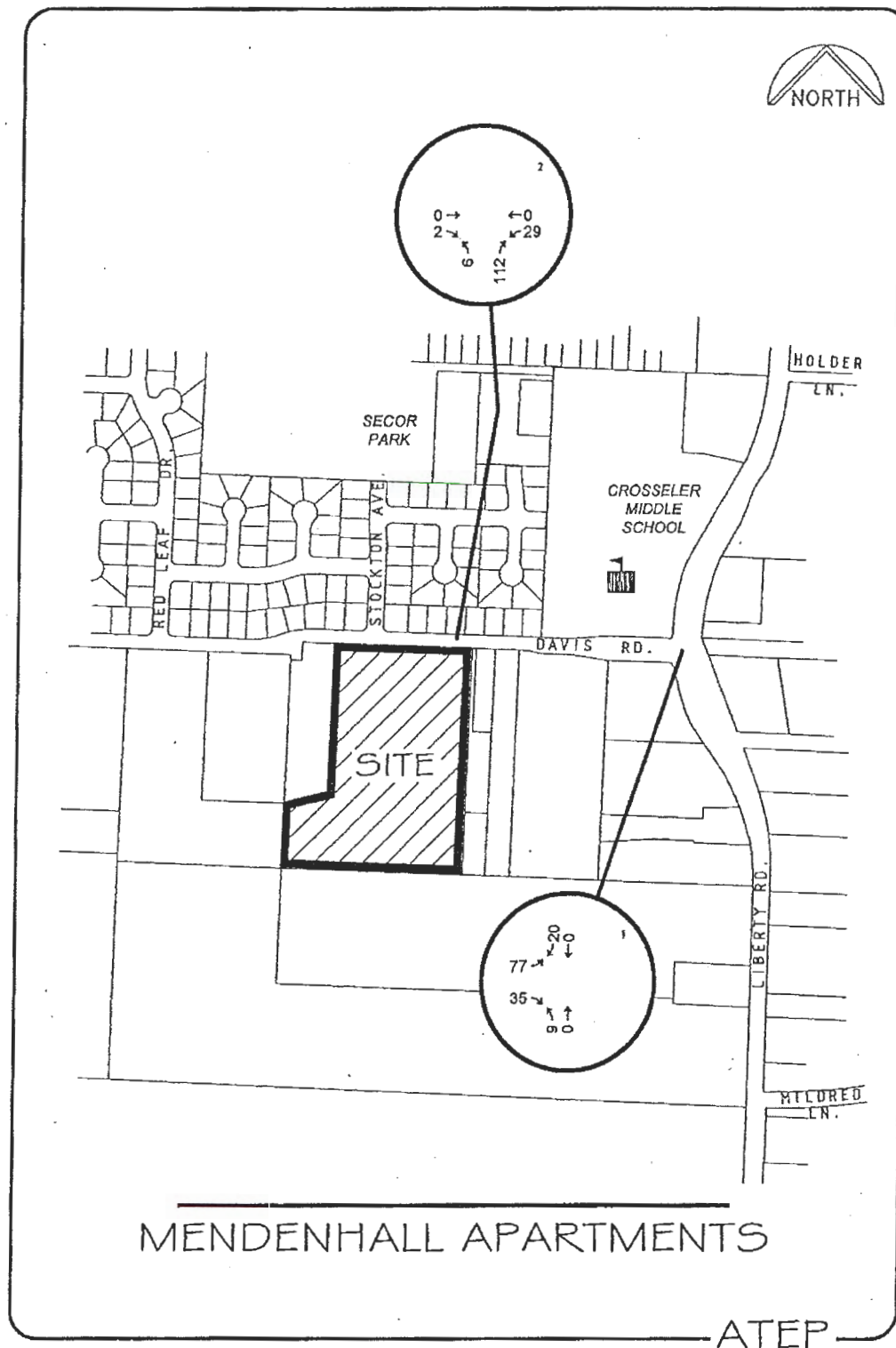


Figure 16 – Proposed Zone AM Site Generated Traffic Volumes

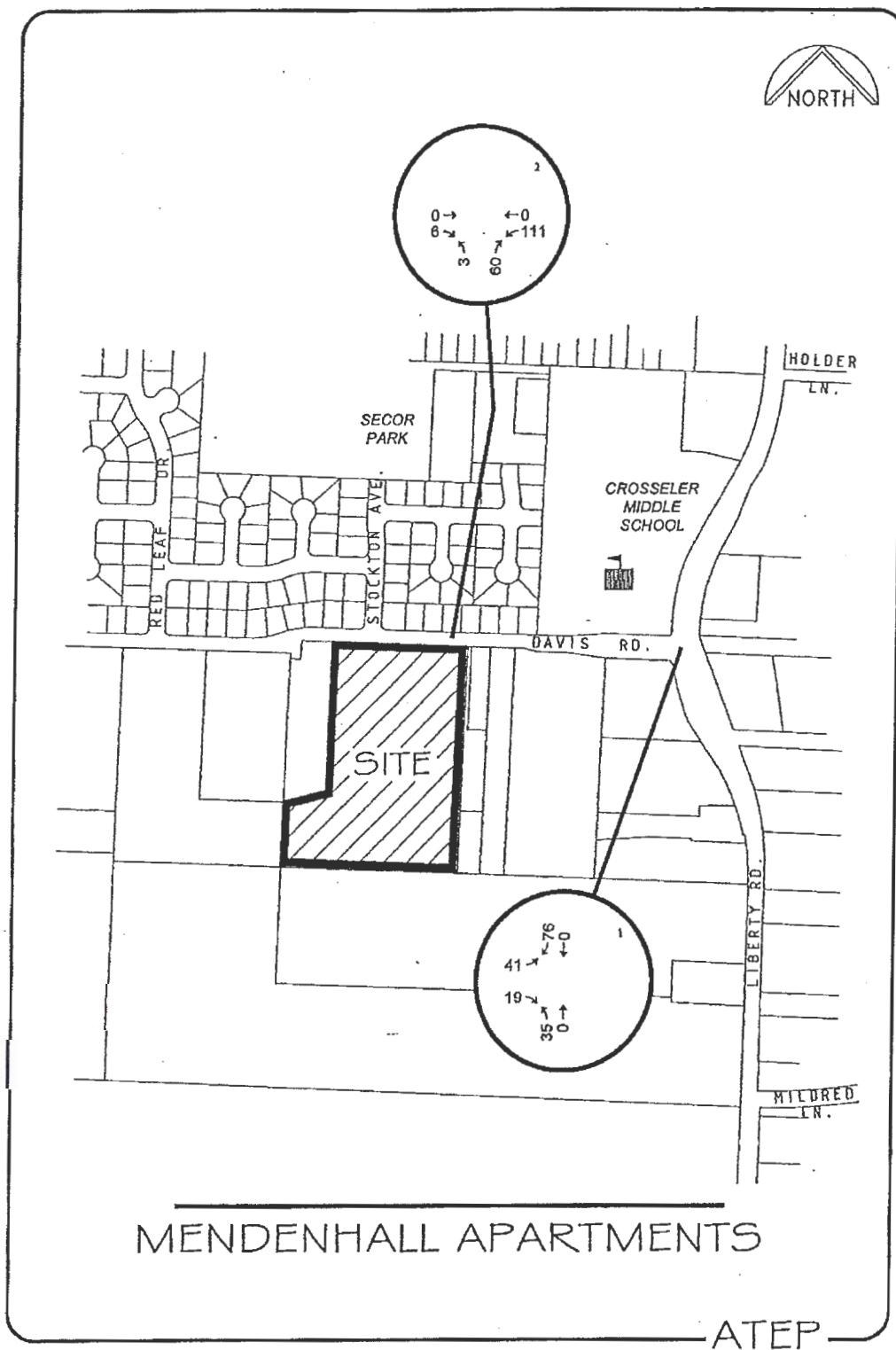


Figure 17 - Proposed Zone Site Generated PM Traffic Volumes

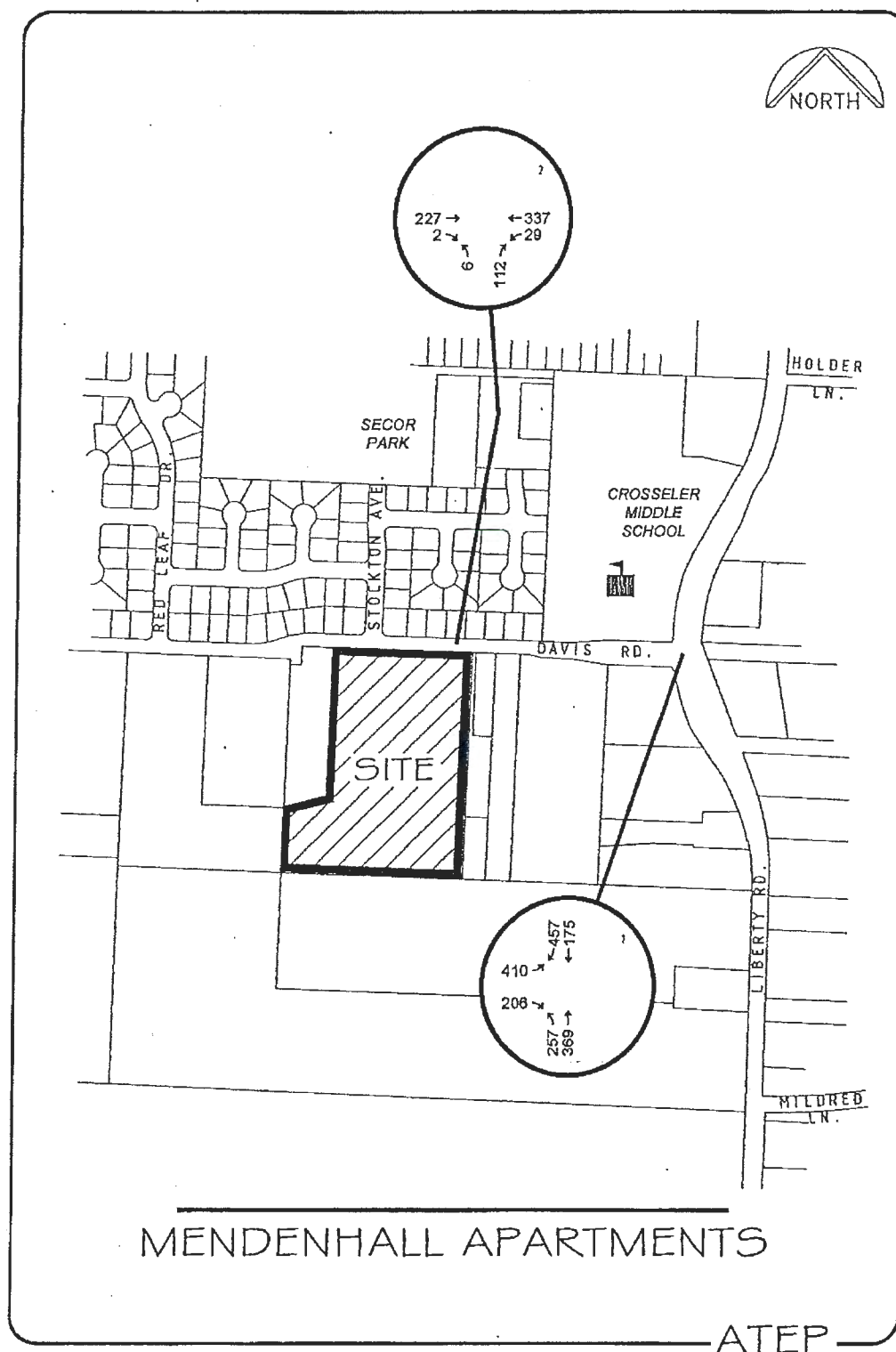


Figure 18 - 2032 Proposed Zone Total AM Traffic Volumes

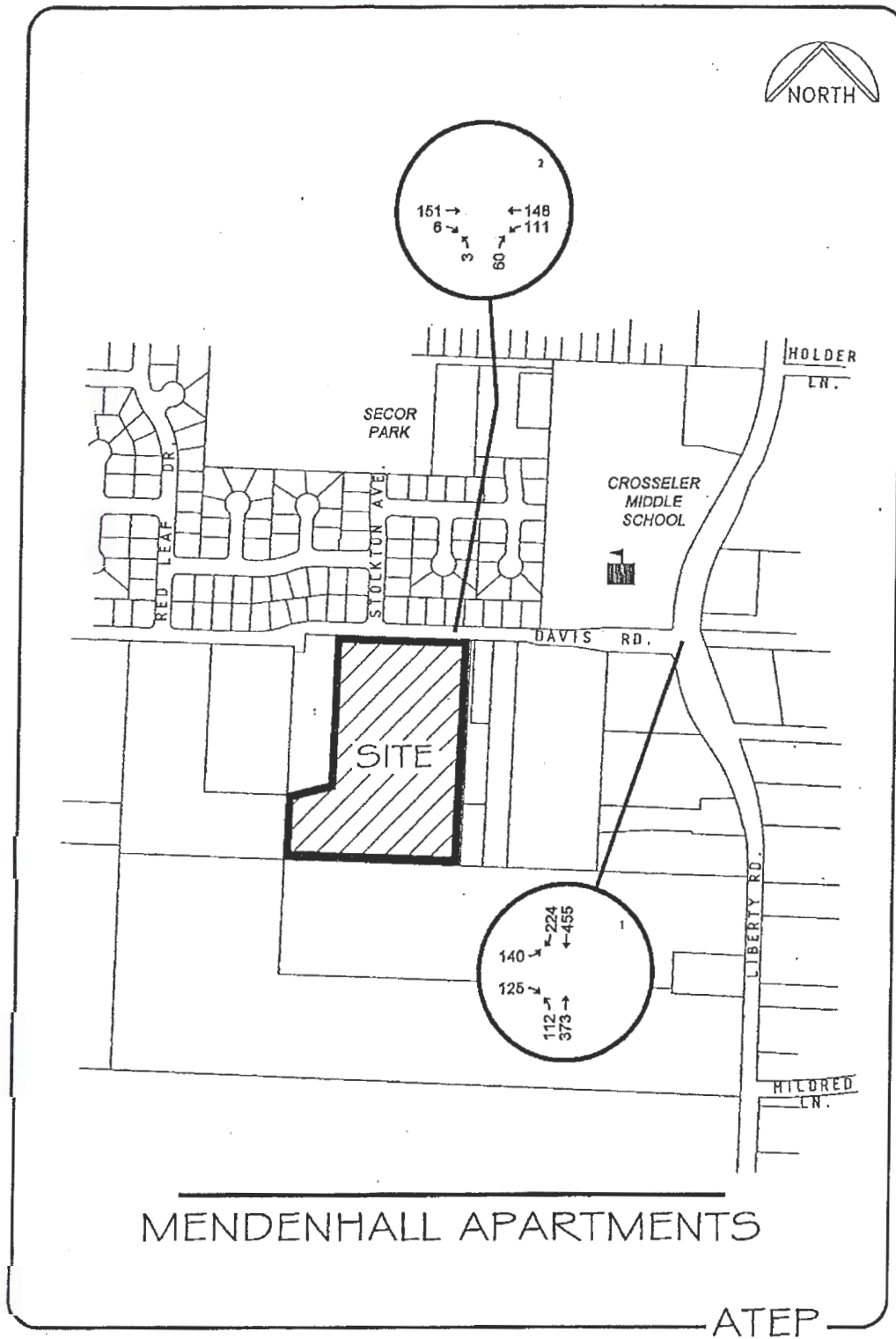


Figure 19 - 2032 Proposed Zone Total PM Traffic Volumes

FINDINGS

The intersections in this study are not functioning with levels of service that are within generally accepted standards during the am and pm peak hour now and in the future through 2032. This will need to be mitigated.

RECOMMENDATIONS

It is recommended that:

1. The Mendenhall zone change be required to design and construct a traffic signal at the intersection of Liberty Road and Davis Road. The traffic signal should be constructed as per the City of Salem requirements.

Bryan
RECEIVED

MAY 05 2012

City of Salem Planning Division
Room 320
555 Liberty Street SE
Salem, OR 97301

COMMUNITY DEVELOPMENT

Comprehensive Plan Change/Neighborhood Plan Change/Zone Change
Case No. CPC-NPC-ZC12-03

May 4, 2012

I am writing on behalf of the Sunnyslope Neighborhood Association, which discussed this proposal at its regularly scheduled meeting on April 19, 2012.

We are concerned that construction of a 10+ acre apartment complex at this site might lead to soil erosion and flooding for downslope neighbors, including neighbors along Waln Creek between Crossler Middle School and Madras Ave.

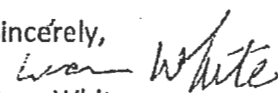
Both the Bella Cresta development and the First Slavic Baptist Church's large parking lot were apparently constructed without any stormwater retention basins. The Bella Cresta development also has existing sediment and erosion control problems which impact downslope neighbors. Please see the attached photographs of a vacant lot at Bella Cresta. These visible soil gullies send sediment into the City's stormwater system, reducing its effectiveness and causing maintenance issues.

I've reviewed some notes which Councilor Clausen provided to Battlecreek neighbors after their recent flood experience, stating his understanding that *"the current [City of Salem] code does not consider downstream impacts of new development."*

This may mean that the City's codes do not comply with Statewide Planning Goal 7, "to protect people and property from natural hazards," which includes flooding.

We believe that the proposal for a comprehensive plan/zoning change should be approved only if the applicant agrees to construct an adequate stormwater retention basin which protects Waln creek residents from stream rise in 100 year storm event and complies with best practices for soil and sediment control.

Sincerely,


Evan White

Land Use Chair,
Sunnyslope Neighborhood Association
4553 Brock Loop S.
Salem, OR 97302

Copy: Alan Alexander
Enclosure: photo of Bella Cresta

ATTACHMENT 5



Bryan Colbourne - Corrected Case Manager for Notice of Rescheduled Hearing for Comp Plan/Neighborhood Plan/Zone Change No. CPC-NPC-ZC12-03 - 1500 Block of Davis Rd S, Salem

From: JS <infosgna@gmail.com>
To: Bryan Colbourne <bcolbourne@cityofsalem.net>
Date: 4/30/2012 10:17 AM
Subject: Corrected Case Manager for Notice of Rescheduled Hearing for Comp Plan/Neighborhood Plan/Zone Change No. CPC-NPC-ZC12-03 - 1500 Block of Davis Rd S, Salem
CC: Sidney Brewster <brewsterlaw@comcast.net>, Betty Charnholm <bjcham@juno...>

Thank you Bryan for the update.

Public Works has not yet provided responses to the questions regarding flood hazards on Waln Creek resulting from storm water in 50 or 100 yr rain events for 28 unit per acre project on subject property.

We are still working on the issue and will provide testimony in written form (as soon as the PW information is provided).

We will testify at the Public Hearing as the Battlecreek watershed representative for the Mill Creek Watershed Council.

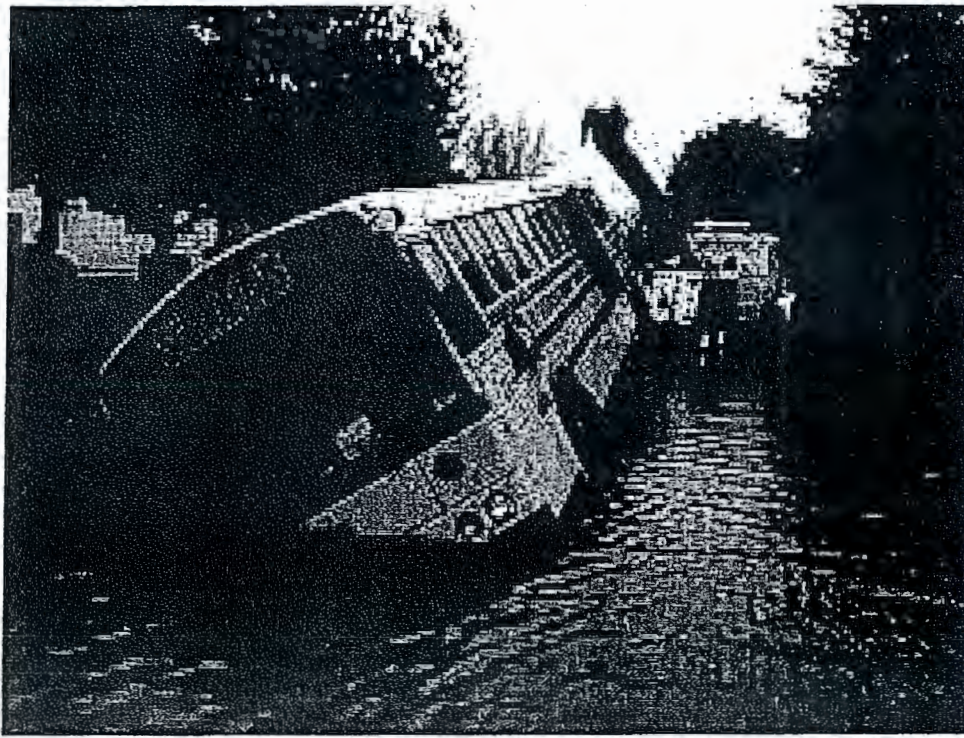
Your view of the adjacent property 'multi-family development' status and the concept of clustering such developments does not pose a problem.

The issues of Flood Hazards are legally addressed in a Land Use/Zone change application. This application has not addressed the issue. The application claims they have met the requirements by stating "the City will specify any needed changes to existing service levels at time of building permit". If conditions are delayed to time of permit this will appear to constitute a taking by the City when permit requirements are placed. The time to address the issue of storm water capacities is now.

Waln Creek currently exceeds storm water capacity. The change from RA to RM2 for 10 acres of sloped land with 92% storm runoff dumped into the Waln Creek endangers the existing residents along the stream from Madras to Crossler Middle School. The added storm water puts property values, health and life at risk and no one at Public Works has been able to provide information regarding these risks or the changes to the risk if RM2 change is approved.

The flooding issue on Madras reached National News status with the photo of Salem Keizer School bus in the flooded ditch on 19 January. We note that the accident occurred before the streams reached peak flood stage.

ATTACHMENT 6



SALEM, Ore. — A school bus loaded with kids got stuck in deep water and slid into a ditch in Salem on Thursday morning.

Nobody was hurt and the students were able to get out of the bus, according to Salem Police dispatchers.

The incident happened at Commercial Street and Madras Street SE.

The parent of a student on the bus told KATU that the driver either accidentally steered into the ditch, which was covered by water, or that the flow of water pushed the bus in.

Once offloaded from the stuck bus, the students gathered in the office of a nearby apartment building to dry off until the second bus arrived. They were all junior high students.

The image focuses our eyes on the bus. Look at the volume of Waln Creek storm water in the street.

The change as identified by the applicant will add 1 acre feet of storm water to this strained creek storm water system based on the proposed land use change using current storm water regulations.

There needs to be a better plan. We cannot continue to endanger the residents down stream with new storm water flooding. This watershed needs greater detention on sight. Failure to provide for greater on sight detention endangers the community.

John Shepard

On 4/30/2012 8:49 AM, Bryan Colbourne wrote:

John,

FYI...the public hearing has been rescheduled to 5/15.

Bryan

>>> Helen Beckman 4/25/2012 4:15 PM >>>

Good Afternoon,

I just realized that I did not list the correct contact person in my previous email to you. The correct case manager to contact is:

Bryan Colbourne, Planner III
503-540-2363
bcolbourne@cityofsalem.net

Helen Beckman
Staff Assistant
Salem Community Development
503-540-2313

>>> Helen Beckman 4/25/12 3:21 PM >>>

Good Afternoon,

The public hearing notice for the above-referenced Comprehensive Plan/neighborhood plan/zone change case is attached for your information. Hard copies will go out in the U.S. mail today to those of you who are to receive one.

Case Manager: Amy Dixon, Planner II
503-540-2304
adixon@cityofsalem.net

Helen Beckman
Staff Assistant
Salem Community Development
503-540-2313

RECEIVED

PUBLIC

MAY 03 2012

CITY OF *Salem*
AT YOUR SERVICE

COMMUNITY DEVELOPMENT

MEMO

WORKS

TO: Bryan Colbourne, Planner III
Community Development Department

FROM: *For* Glenn J. Davis, P.E., C.F.M., Chief Development Engineer
Public Works Department

DATE: May 3, 2012

SUBJECT: PUBLIC WORKS RECOMMENDATIONS
CPC/ZC NO. 12-03 (12-102708)
1500 BLOCK OF DAVIS ROAD S

PROPOSAL

To change the Salem Area Comprehensive Plan (SACP) Map designation from Developing Residential to Multi-Family Residential, and to change the zone district from RA (Residential Agriculture) to RM2 (Multiple Family Residential). Change the Sunnyslope Neighborhood Plan map designation from Single Family to Multi-Family, for property approximately 10.37 acres in size, and generally located in the 1500 Block of Davis Road S.

RECOMMENDED CONDITIONS OF APPROVAL:

1. Construct a traffic signal at the intersection of Liberty Road S (Liberty) and Davis Road S to (Davis) the City of Salem standards. The signal shall be interconnected via underground fiber-optic cable to the existing traffic signal at Liberty and Kuebler Boulevard SE and shall be designed to accommodate the east leg extension of Rainier Drive SE.
2. Provide a local street connection through the proposed development from Davis to the south line of the subject property and to the west property line aligning with Reserve Lane Private Way.

FACTS AND FINDINGS:

Public Infrastructure Plan – The *Water System Master Plan*, *Wastewater Management Master Plan*, and *Stormwater Master Plan* provide the outline for facilities adequate to serve the proposed zone.

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

ATTACHMENT 7

Transportation Planning Rule - The applicant submitted a Traffic Impact Analysis (TIA) in consideration of the requirements of the Transportation Planning Rule (OAR 660-012-0060).

CRITERIA AND FINDINGS

SRC 113.150(b) The proposal must be supported by proof that the proposed zone change is consistent with goals and policies of the comprehensive plan in light of their intent statements.

Finding: The Local Street Connectivity Element of the Transportation System Plan specifies that local streets shall be connected to neighboring undeveloped properties at no greater than 600-foot intervals. A local street connection is warranted through the proposed development from Davis to the south line of the subject property and to the west property line at Reserve Lane Private Way.

SRC 113.205(b)(5) Size, location, screening, drainage, and surfacing of driveways, parking and loading areas, and street access.

Finding: A minimum of 200 feet on center is required between (collector or arterial) street intersections and driveways (PWDS Development Bulletin No. 34).

SRC 113.205(b)(11) Availability and improvement of urban services, including street improvements, dedication of street right-of-way, traffic signs and signals, sewer, storm drainage, water, and mass transportation.

Finding: The applicant submitted a Traffic Impact Analysis (TIA) in consideration of the requirements of the Transportation Planning Rule (OAR 660-012-0060). The TIA is required to demonstrate that the proposed CPC/ZC will not have a significant effect on the transportation system as defined by OAR 660-012-0060. The conditions of approval are based on recommended mitigation measures in the TIA. The Assistant City Traffic Engineer concurs that the conditions of approval ensure that the proposed CPC/ZC will not have a significant effect on the transportation system.

Site-specific infrastructure requirements will be addressed in the Site Plan Review process in SRC Chapter 163. The applicant should be advised that the existing Temporary Facilities Access Agreement, drafted for single-family development of the subject property, will require amendment to accommodate for multi-family development.

Prepared by: Robin Bunse, Administrative Analyst II
cc: File



DAVID FRIDENMAKER, Manager
Facilities and Planning Department
Planning and Property Services
3630 State Street, Bldg. C • Salem, Oregon 97301
503-399-3290 • Mobile: 503-932-4727 • FAX: 503-375-7847
E-mail: fridenmaker_david@salk12.or.us

Sandy Husk, Superintendent

April 11, 2012

Bryan Colbourne, Planner III
Planning Division, City of Salem
555 Liberty Street SE, Room 305
Salem OR 97301

FAX No. 503-588-6005

RE: Land Use Activity
Salem Case No. CPC-ZC12-03, 1500 blk Davis Rd. S

SUMMARY OF COMMENTS

School District: Subject property is located within the Salem-Keizer School District
School Assignment: Schools serving the property include Liberty Elementary, Crossler Middle and Sprague High School.
School Capacity: Sufficient school capacity currently exists at all three schools to serve the proposed development.
School Transportation Services: Elementary school and high school students residing at the subject property location will be eligible for school transportation services due to distance from the schools. Middle school students are within the walk zone for Crossler Middle School and will not be eligible for school transportation services.

Below is data and the District's comments regarding the proposed land use activity identified above. If you have questions, please call at (503) 399-3290.

ELEMENTARY SCHOOL INFORMATION (GRADES K TO 5)

1. School Name: Liberty Elementary School
2. Estimated change in student enrollment due to proposed development: 30
3. Current school capacity: 529
4. Estimate of school enrollment including new development: 398
5. Ratio of estimated school enrollment to total capacity including new development: 75%.
6. Walk Zone Review: Eligible for transportation to Elementary School.
7. Estimate of additional students due to previous 2011 land use applications: 0
8. Estimate of additional students due to previous 2012 land use applications: 1
9. Estimated cumulative impact of 2011-12 land use actions on school capacity: 75% of capacity.

MIDDLE SCHOOL INFORMATION (GRADES 6 TO 8)

1. School Name: Crossler Middle School
2. Estimated change in student enrollment due to proposed development: 11
3. Current school capacity: 946
4. Estimate of school enrollment including new development: 842
5. Ratio of estimated school enrollment to total capacity including new development: 89%

6. Walk Zone Review: Within walk zone of Middle School.
7. Estimate of additional students due to previous 2011 land use applications: 1
8. Estimate of additional students due to previous 2012 land use applications: 0
9. Estimated cumulative impact of 2011-12 land use actions on school capacity: 89% of capacity.

HIGH SCHOOL INFORMATION (GRADES 9 TO 12)

1. School Name: Sprague High School
2. Estimated change in student enrollment due to proposed development: 11
3. Current school capacity: 2,111
4. Estimate of school enrollment including new development: 1,767
5. Ratio of estimated school enrollment to total capacity including new development: 84%
6. Walk Zone Review: Eligible for transportation to High School.
7. Estimate of additional students due to previous 2011 land use applications: 1
8. Estimate of additional students due to previous 2012 land use applications: 1
9. Estimated cumulative impact of 2011-12 land use actions on school capacity: 84% of capacity.

ESTIMATE SUMMARY (GRADES K TO 12):

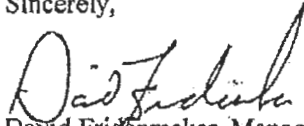
1. Total estimated change in student enrollment: 52
2. Total estimated student enrollment over capacity: 0
3. Estimated short-term cost to District for new facilities, beyond current facility capacity, due to change in student enrollment: \$ 0
4. Total estimated additional income to District for new facilities due to change in student enrollment: \$ 0

Developer should provide paved walk route(s) to allow pedestrian access and bicycle access to school(s) from all residences within the new development and should provide all improvements required by the City of Salem where new transportation routes are established or existing transportation routes change, such as school flashers, crosswalks, and signage. As per ORS 195.115, when the walk zone review indicates "eligible for transportation due to hazard" the District requests that the City initiate a planning process with the District to identify the barriers and hazards to children walking or bicycling to and from school, determine if the hazards can be eliminated by physical or policy changes and include the hazard elimination in the City's planning and budgeting process.

ASSUMPTIONS:

1. When land use request is granted, 228 new residence(s) will be built.
2. Estimates are computed using the Student Rate per Dwelling Method described in the District's Facility Study for years 2001-2020.
3. If current capacity exists at the schools currently serving the parcel then an estimate of zero cost, or no significant impact, is made.
4. If current capacity does not exist at the schools currently serving the parcel then an estimate of cost for one-time capital improvements is made.
5. Income from the proposed land use for capital improvement is assumed to be zero since capital improvement funds come from voter approved bond measures that can be an unpredictable and irregular source of income.
6. Income from a State School Facilities grant may be available depending on state funding. The grant amount ranges from 0% to 8% of the construction cost. Since the funding is unpredictable, it has not been included as income. The current 2009-11 biennium facilities grant funding for the District was \$20,802.
7. General Fund Budget Amount for the 2011-12 school year is \$8,848 per student (ADM). The State School Fund Revenue for 2011-12 is estimated to be \$6,214 per student (ADM). ADM is "Average daily membership" as defined in ORS 327.006 (3).

Sincerely,



David Fridenmaker, Manager
Planning and Property Services

c: Mike Wolfe, Chief Operations Officer
Jim Jenney, Interim Director of Facilities and Planning Dept.
Kelly Carlisle, Director of Secondary Education
Melissa Cole, Director of Secondary Education
Ron Speck, Director of Elementary Education
Meera Kreitzer, Director of Elementary Education
Mike Bednarek, Special Projects Coordinator
Gene Bloom, Risk Management Dept.
Michael Shields, Director of Transportation

CITY OF SALEM
COMMUNITY DEVELOPMENT DEPARTMENT
655 LIBERTY ST. S.E. - ROOM 305
SALEM, OR 97301



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DEPT OF

AUG 30 2012

LAND CONSERVATION
AND DEVELOPMENT

Attention: Plan Amendment Specialist