



Marion County
OREGON

ZONE CHANGE/COMPREHENSIVE PLAN CHANGE APPLICATION

RECEIVED

Do not double-side or spiral bind any documents being submitted

MAY 04 2021

Marion County
Planning

Fee: Please check the appropriate box:

☐ Zone Change - \$1880+\$30/acre

☐ Comprehensive Plan Change - \$3755+\$60/acre

☐ Zone Change/Comprehensive Plan Change - \$3755+\$60/acre

☐ Mineral Aggregate Site - \$5300 base fee +

\$25/acre - 0-100 acres

\$75/acre - 101-200 acres

\$100/acre - 201-399 acres

\$150/acre - 400+ acres

PROPERTY OWNER(S): <u>ANTHONY ARNAUTOV</u>	ADDRESS, CITY, STATE, AND ZIP: <u>7354 SE Johnson Creek Blvd., Portland OR 97206</u>
PROPERTY OWNER(S) (if more than one): <u>-</u>	ADDRESS, CITY, STATE, AND ZIP: <u>-</u>
APPLICANT REPRESENTATIVE: <u>John L. Brosy</u>	ADDRESS, CITY, STATE, ZIP <u>Salem 97301</u> <u>161 HIGH ST SE, Suite 224</u>
DAYTIME PHONE (if staff has questions about this application): <u>503-703-7305</u>	E-MAIL: <u>jlbrosey@gmail.com</u>
ADDRESS OF SUBJECT PROPERTY: <u>4310+4330 Monroe Ave NE</u>	SIZE OF SUBJECT PROPERTY: <u>2.25 acres</u>
The property owners request to change the zone from (current) <u>UD</u> to (proposed) <u>RM</u> and/or change the Comprehensive Plan designation from <u>(CITY DR)</u> to <u>CITY MR2</u> * Provide detailed information on the attached "Applicant Statement" page. * <u>IF/WHEN ANNEXED</u>	
Will a railroad highway crossing provide the only access to the subject property? () Yes (X) No If yes, which railroad:	

FOR OFFICE USE ONLY:			
Township <u>7S</u>	Range <u>2W</u>	Section <u>30DB</u>	Application elements submitted:
Tax lot number(s) <u>520 600</u>	<input checked="" type="checkbox"/> Title transfer instrument <input checked="" type="checkbox"/> 2 Site plans showing existing/proposed zoning <input checked="" type="checkbox"/> Applicant statement <input type="checkbox"/> GeoHazard Peer Review (if applicable) <input checked="" type="checkbox"/> Filing fee		
Zone: <u>UD</u>	Comp Plan: <u>DR</u>	<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural <input type="checkbox"/> TPA/header <u>AS</u>	
Zone map number: <u>127</u>	Case Number: <u>CP/2C/21-004</u> Signs given (min. agg. only): Date determined complete:		
Application accepted by: <u>R. Dyar</u> Date: <u>5/4/2021</u>			

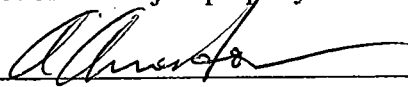
THE APPLICANT(S) SHALL CERTIFY THAT:

- A. If the application is granted the applicant(s) will exercise the rights granted in accordance with the terms and subject to all the conditions and limitations of the approval.
- B. I/We hereby declare under penalties of false swearing (ORS 162.075 and 162.085) that all the above information and statements and the statements in the plot plan, attachments and exhibits transmitted herewith are true; and the applicants so acknowledge that any permit issued on the basis of this application may be revoked if it is found that any such statements are false.
- C. I/We hereby grant permission for and consent to Marion County, its officers, agents, and employees coming upon the above-described property to gather information and inspect the property whenever it is reasonably necessary for the purpose of processing this application.
- D. The applicants have read the entire contents of the application, including the policies and criteria, and understand the requirements for approving or denying the application.

PRINTED NAME AND SIGNATURE of each owner of the subject property.

ANTHONY ARNAUTOV

Print Name


Signature

Print Name

Signature

Print Name

Signature

Print Name

Signature

DATED this 7th day of April, 2021



JOHN L. BROSY

Land Planning & Development Services Consultant

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Text to 503-703-7305

May 7, 2021 (filed at County on 5/4/21)

Marion County Planning Division
5155 Silverton Road NE
Salem, OR 97305

Re: **Narrative and Proposed Findings of Fact
Comprehensive Plan and Zone Change for Monroe Village
4310 and 4330 Monroe Avenue NE**

Dear Planning Division:

The following application is submitted on behalf of Anthony Arnautov, deedholder. I am the land use planning consultant representing Mr. Arnautov. We propose to change the Marion County Comprehensive Plan designation on this property from UD, Urban Development to RM Multi-Family. We also propose to change the County Zoning Designation from UD, Urban Development to RM, Multi-Family. UD is a Plan and zone designation used in the "urbanizing" portions of the Salem metropolitan area. In fact, technically the DR Developing Residential is the City Plan designation for this site. For this part of the unincorporated area, The County has adopted the City Plan designations, even though it is not annexed. UD also indicates it is within an "Urban Growth Area" or UGA of the City of Salem. The UGA is a set of intergovernmental agreements between Marion County and the City of Salem for providing services outside the City limits as well as having consistent Plan and zone designations.

In order to better explain the development intentions if the Plan and zone change applications are approved, we also are submitting a preliminary site plan and typical elevations and unit floor plans, called Monroe Village. We understand the specific development plans will be reviewed at a later time and with additional material, etc. This application packet includes Attachments 6 and 7 to describe how the site is, in general, likely to develop if/when the requested Plan and zone change are approved.

The property now consists a total of 2.25 acres with dwellings with accessory buildings on each of two tax lots. These are tax lot 500 of Assessors Map 07 2W 30 DB (4330 Monroe Avenue NE), and tax lot 500 of the same Assessors map (4310 Monroe Avenue). Both single family dwellings front Monroe Avenue, and several accessory buildings are behind the homes to the south. One home will remain (4330 Monroe) and the home and accessory buildings on 4310 Monroe will be removed, as shown on the preliminary site plan (exhibit 7), A small additional

tax lot 800 on the far southwest of the site (10 ft. x 100 ft.) is also owned by the applicants and included in the 2.25 acres and the deeds. Please refer to attachments 1 and 4.

Statewide Goals and Policies are not addressed in this application because this is not a Comprehensive Plan change in the “traditional” sense, as the existing City Comprehensive Plan designation of DR is used in the same manner and potentially allows the same array of uses as the existing County’s UD zone. They are essentially holding zones until specific development proposals are submitted, but they anticipate the same array of uses and the same density of residential uses. We are requesting the County RM (Multi-Family, which is interchangeable with the City zone of MR-2. If RM is approved as requested, upon (future) annexation the City will place City zone MR-2 on this property.

If County Staff requires a recitation of our compliance with Statewide Goals and Policies, we will provide that later under separate cover. The most pertinent Statewide goals would likely be #6, #11, #12 and #14. We respectfully suggest that the Statewide Goals and Policies need not be addressed in this application.

	EXISTING COMPREHENSIVE PLAN MAP	EXISTING ZONING	PROPOSED COMPREHENSIVE PLAN MAP	PROPOSED ZONING
	<u>DESIGNATION</u>	<u>DESIGNATION</u>	<u>DESIGNATION</u>	<u>DESIGNATION</u>
COUNTY	Default to City plan *	UD Urban Development	Default to City Comprehensive Plan *	RM Multi-Family
CITY	DR Developing Residential	DR Developing Residential	MFR Multi-Family Residential	***
<p>* County uses City Plan and plan designation in this East Salem unincorporated area per UGA agreement.</p> <p>** RM (County is equivalent to City MR2)</p> <p>*** If/ When this application is approved and then later annexed by a searate City action MR2 zoning would automatically be placed on this site.</p>				

Please see the property map prepared by Forty Five North Surveying, LLC (exhibit 5) and the tax lot map exhibit 4. Anthony Arnautov's parents reside and will continue to live at the house on 4330 Monroe. If this Comprehensive Plan and zone change are approved, the proposal is to remove all structures on 4310 Monroe Avenue which is tax lot 600. Map The 4330 Monroe dwelling will be retained for a time uncertain. Much of the land behind that home will be used for a residential development as proposed in concept as Monroe Village, exhibit 6. In the future when the house now on tax lot 500 it is removed, approximately seven to eight multi-family units will be built on this part of the ownership, with access via the driveway and parking areas of the (proposed) project to the south. These future additional units have been considered in the Traffic Impact Study (exhibit 3). Please also refer to the preliminary site plan, exhibit 6 and the aerial photograph/map, exhibit 2.

Typically, annexation becomes a condition of approval when a Plan/zone change is approved through the County process in this transition area. Owners/applicants are conditioned by the implementing ordinance(s) after approval that they are considered to be in favor of annexation if/when the City is able to package an application that includes properties with property lines abutting the current City limits. This arrangement is sometimes called a "waiver of right to remonstrate" (object) against a future multi-parcel annexation package. This is a brief summary of how the UGA between Marion County and the City of Salem works in practice. State law for annexations is completely separate from state law for other matters dealing with land use planning.

If the Plan and zone change is approved, other steps will later include:

- partitioning the remaining house area from the development area (likely need for finance or mortgaging purposes), including a lot line adjustment of three feet between the on the side of tax lot 500.
- Dedication of right-of-way as shown on exhibit 5 to complete the curve section of Deana Street to full right-of-way (ROW) width.
- Also, the County will be requested to remove the non-access strip shown along Deana Street on the full-size tax lot map but difficult to read with exhibit 4's reduction. This will bring Deana out to the County's preferred ROW width of the full 60 feet.

Please refer to our exhibit 10, the City Comprehensive Plan Map in this area, and also Exhibit 11, the County Zoning Map for this area.

Pre-Application Meeting

Although not required by County ordinance, we requested a pre-application meeting on Oct. 10, 2020. *Due to COVID restrictions, the meeting was conducted by telephone conference call only (no in-person meetings or “zoom” with audio and visual).* Marion County was represented by Lindsey King from the Planning Division, Paula Smith from Fire District #1, and Troy Wheeler from the Building Permits Division. City of Salem Planning was invited but did not attend. The City however did send written comments, from Austin Ross, City of Salem Planner I wrote a memo County staff prior to the Oct. 10 conference call. Those comments were very useful for this application. Also, John Rasmussen, engineer for the County’s Development Review section of Public Works, sent written comment comments on Oct. 10, 2020. All of Rasmussen’s comments pertained to the development process that will follow this Plan and zone change application, if/when approved.

Quasi-Judicial Review Procedure

The Marion County Comprehensive Plan Amendments Policy 2 (page 1-8) states: Plan changes directly involving five or less properties will be considered a quasi-judicial amendment. Quasi-judicial amendments may be initiated by the subject property owner(s) with an application form supplied by the Marion County Division. The amendment will be reviewed by the zone change procedure established by the Marion County Zoning Ordinance. A plan amendment application of this type may be processed simultaneously with a zone change request. [italics added to differentiate Plan, Code or Statewide regulations in this document.]

As described above, we are requesting this Plan and zone change (County’s Urban Zoning Code), simultaneously, which is allowed by County Code. This application will then be processed as a quasi-judicial procedure before a County land use hearings officer.

By definition found at SRC 64.020, this application is considered a “**major comprehensive plan amendment**,” by virtue of involving more than one property (two in this case). Please note that a third tax lot, known as tax lot 800 on the same Assessors tax lot map is a 10x100 ft. “sliver” at the far southeast of tax lot 600. It has been consolidated into the ownership/deed of tax lot 600 and 500. If only the SACP were proposed for change, this would be a legislative land use proceeding. However, the application is being submitted through Marion County, its zoning code definition makes this a quasi-judicial process. See page 4, quasi-judicial review procedure.

Vicinity Description

This part of the Salem metro area is relatively flat in terrain, and has a mix of single-family and multifamily dwellings. Some of those buildings are modular in design, including several abutting the subject property. Apartments include the units served by Fountain Valley Way NE on the north side of Monroe Avenue, approximately 950 feet away.

Commercial uses along Lancaster Drive NE begin 1300 feet west of this site. They are a wide of commercial uses along this significant commercial "strip" of the Salem area. The Industrial designation land near Lancaster Drive with Monroe Avenue frontage is a beer/beverage distributor including truck maneuvering area and loading docks.

Newly constructed homes on a former railroad right-of-way abut the property to the south, served by a private street called Smokestack Lane. Most streets in this area are public streets, although there are several exceptions that are private streets with private street maintenance responsibilities. They are narrower, and not through streets, such as Smokestack Lane, Fountain Valley Way, Pansy Way, Peppermint Lane, among others. The private streets are generally a result of "infilling" – type development. This site has the virtue of frontage on public streets with no need to create separate, private street arrangements.

Monroe Avenue is a collector and most other streets are local residential in nature. Elma Street in this vicinity now extends from to State Street. The nearest school is Auburn School to the northeast.

Although not as relevant to a land use application within the urban area of Marion County and Salem, soils in this vicinity and site are predominantly Class 2 Woodburn silt loam (WuA), with 0-3% slopes.

West Fork Little Pudding River Drainage Basin

This area is part of the Pudding River drainage basin. A series of ditches in this vicinity are part of that basin and are maintained by the ESSD (East Side Service District) operated by Marion County. In fact, the ditch that is immediately east of the subject property is considered the West Fork of the Little Pudding River. That particular ditch comes from further south of the site, then adject to this site, then takes a bend and flows easterly between two homes on lots 1 and 2 of the Cornerstone Addition subdivision, before continuing northward.

This ditch or drainageway system flows under local streets in culverts. The ditch adjacent to this site has a relatively "shallow" profile and is within a 30-ft. wide easement as shown on the adjacent Cornerstone Subdivision Plat. The ditch is well-maintained and is predominated by field grasses. The profiles of these ditches vary, but generally they become deeper as the drainage way flows northward.

Pudding River originates in the foothills southeast of Salem and winds 62 miles northward into the Molalla River near Canby, less than one mile from the Willamette River. The entire basin drains approximately 528 sq. miles.

Property Description

The property is nearly flat, with two existing dwellings fronting Monroe Avenue on the northern portion of this 2.25-acre site. There are also large outbuildings on both addresses. The house at 4310 Monroe was built in 1940 and remodeled in 1953. The house on 4330 Monroe was built in 1962. The balance of the site has mostly field grasses, some old fruit trees, and some large, untended hazelnut trees. The site has a long frontage with the drainage way, described above.

Urban Growth Area Agreement

Coordination for some utilities in this vicinity is organized and managed via an Urban Growth Agreement (UGA) between Marion County and the City of Salem. This arrangement was formerly known as an Urban Planning Area Agreement (UPAA). As noted, this site is within the City of Salem's Planning Area but individual land use applications may be processed via the Marion County review procedures.

Utilities

East Salem Service District

Urban services are provided in this part of unincorporated Marion County by the East Salem Service District (ESSD). According to Marion County's official website, the ESSD

"helps manage services provided to the area of East Salem that are outside the City of Salem limits. The area is growing quickly and while not technically part of the City, it has needs for utilities, street lights and other services. ESSD provides the following services:

Storm-water management services

Sheriff's office law enforcement services

PGE to add and maintain street lights where they are needed"

Storm Water Management

Marion County Public Works' Environmental Services Division is responsible for planning and maintaining storm water within the Pudding River Basin, and particularly the West Fork of the Pudding River/adjacent drainage way. This property is within, but on the western edge of that drainage basin. The series of open ditches and run through this neighborhood, together with large culverts under street intersections is maintained by this division of County Public Works.

Since the property profile is fairly "flat," development of this site can utilize the existing storm sewer line in Deana Street to the west, or an open drainage way (ditch) abutting the property. The ditch easement is 30 ft. wide and is on the adjacent lots via a series of easements on adjacent homesite lots off Cornerstone Court NE. The easements are identified on the subdivision plat for the Cornerstone Subdivision, platted in 2003.

Storm water collection is provided by the drainage course adjacent and immediately east of this site (see Exhibit 9). Also, a large (54 inch) facility is within the Deana Street ROW adjacent to the west, and a line in the Monroe Avenue frontage. This site is remarkably well served by existing storm sewer facilities including the open drainage discussed often in this application.

Storm water line mystery and mystery solved

Please note our exhibits 8 and 9 (which show utilities overlain on aerial photography with other data “layers.” Exhibit 9 shows storm water runoff including the “West Fork of the Little Pudding River.” There are a number of separate maps/aerials for this area including our site. A “mysterious,” apparent drainage line is shown (mapped) on several of those maps indicating a location through 4330 Monroe Ave. (tax lot 500) (it is shown on exhibit 8). In fact, that line either never or does not now exist at least anywhere close to that location. It is likely the result of confusion over five different sets of maps showing the drainage ways associated with the “West Fork of the Little Pudding River.” This is according to Robin Dahlke, the City of Salem’s Development Services Operations Manager. She provided the aerial/utility map shown as exhibit 9 which is the latest and most reliable map for drainage facilities available. The client family has owned 4330 for a number of years and are convinced no such line existed, at least during their “tenure” on this site. Suffice it to say, the mystery has been solved for all practical purposes.

Sanitary Sewer service

Existing sanitary sewer service is provided by the City of Salem via their agreement with the County and as anticipated by the ESSD (mentioned earlier). Their lines that serve the site (both Monroe Avenue and Deana Street) and vicinity are shown on exhibit 8. There is an 8-inch sanitary sewer line in the site’s Monroe Avenue frontage. There also is a sanitary sewer line in Deana Street and Donalyn Street. The sanitary sewer collection system in this vicinity is extensive, adjacent to the site at two frontages (Monroe and Deana), and typically is sized for additional densities of development, according to the City of Salem Public Works Department.

Water Service

Water service to this site is provided by the Suburban East Water Company/District, a private water district (actually a private company) but included within the City/County UGA and identified in the East Salem Service District “compact.” Please see attachments 13 and 14, which are sheets from the “as-built” drawings of the water lines built in Deana Street and Monroe Avenue, respectively. They show that the Deana St. ROW and the Monroe Ave. ROW have six inch mains, and are considered adequate for the existing neighborhood as well as additional density as proposed.

Streets

Streets in this area are described in attachment 3, Traffic Impact Study. Note that right-of-way will be added to Deana as shown on attachment 5. and also, our preliminary site plan, attachment 6. A small amount of ROW may also be requested on the Monroe Avenue frontage during the plans review/building permit process (please see tax lot map, exhibit 4. This small frontage dedication will also be mentioned by County Public Works as a likely requirement during the development review process. Capacities of vicinity intersections were analyzed in this Traffic Impact Study (Attachment 3). Elma Street is now open to points further south including Hudson Street, and that was factored into the TIS. That was not known at the time of the by the City's written comments associated with our pre-application conference meeting at the County in October 2020.

The standard street width for "fully improved streets" in this area per County and City agreement is 34 ft. curb to curb with sidewalks and catch basins. This is the County intention for Deana Street, as well as the Monroe Avenue frontage. We anticipate this as part of the subsequent development review process, assuming the requested Plan and zone change are approved. The adjacent Deana Street ROW will be provided as anticipated by the County, and will be improved per City and County agreement.

Access to Monroe Street was discussed in Rasmussen's memo for the 10/20 meeting, and his comments are incorporated into our preliminary Traffic Impact Study (attachment 3) and site plan (attachment 6).

Fire Protection services

The site is served by Marion County Fire District #1. A representative from their Fire Marshal's office participated in the October 2020 pre-application conference call. She discussed general development standards including fire hydrant requirements, access requirements and turn-around requirements within the future site plan and development. The fire marshal for County Fire District #1 (Paula Smith) made comments at the October 2020 pre-application conference call and is being copied with our preliminary site plan. Ms. Smith's comments at the 10/20 meeting mostly pertained to the upcoming development review process, because this area is well serviced by the water district/company mentioned earlier in this narrative.

Schools

The site is within the Salem-Keizer School District. The nearest grade school is Auburn school, approximately one-quarter mile to the northeast on Auburn Road. This is considered walking

distance from the site, and through streets and sidewalks exist for that route. The school-age population in this area is growing steadily. Anticipating additional growth, the school district recently made major improvements/additions to Auburn School.

The site is not within walking distance to the district's middle school or high school "fed" by the Auburn School attendance area, although students in this vicinity and site are eligible for school transportation (busses) to those other schools.

Parks

The previously mentioned Auburn School has outdoor play facilities. Please refer to attachment 11, County Zoning Map which shows the Auburn school and grounds (the blue color on that zoning map segment). Weathers Street Park is approximately one mile from this site.

Neighborhood Associations

We will offer to discuss this property and present our proposal to the East Salem Neighborhood Association well in advance of the Hearings Officer public hearing. Their meetings are held in Fire District #1's headquarters. We will report that meetings to County staff after it occurs.

Street connectivity has been a challenge for this community's access to schools and parks for several years but is improving as new development is added and conditions regarding street connectivity are being made. Please note Elma Street now extends to Hudson Street to the south and will eventually extend to State Street. South of Hudson Street, the route exists but some sections require careful driving, as local residents will attest.

These connectivity issues are also discussed in our Traffic Impact Study, which is attachment 3.

Transit

Our site is approximately ¼ mile from Lancaster Drive via Monroe Avenue, which provides access to employment, shopping and transit service. Cherriots route 11, which is part of the Core Network of transit in Salem, covers Lancaster Drive and with a stop at the intersection with Monroe Avenue NE.

County-City Plan Cooperation

The Arnautov property is outside the City of Salem city limits but within the Salem UGB. Marion County has jurisdiction in this area just east of Lancaster Drive but must coordinate land use applications with the City of Salem, per the agreements mentioned earlier. The City will

have ample time to comment on this application after our filing date. The City was invited to attend our (voluntary) pre-application conference call (COVID protocol) in October 2020 and submitted written comments. In preparing this application, we talked with senior members of the City Planning staff and anticipate more discussions as the review process is underway.

The official name is the Salem Area Comprehensive Plan (SACP), at Section 64 of Salem Revised Codes. Please note: *Although not yet directly effecting this kind of land use application, the City has a planning initiative for the Lancaster Drive "strip" as part of its "Our Salem" initiative. We are monitoring that City program but at this point it is not likely to have any direct effect on our application.*

Since Marion County uses the City of Salem Comprehensive Plan also as its controlling Plan document in this area, when addressing Marion County zone change approval criteria, many references and responses will also involve the SACP description and standards.

Marion County Zone Change Approval Criteria

The Marion County Zoning Ordinance (Urban, Section 16.39.050 contains the following zone change criteria:

- A. The proposed zone is appropriate for the Comprehensive Plan land use designation on the property and is consistent with the description and policies of the applicable Comprehensive Plan land use classification.*

Response: Our response to County zone change approval criterium A. is a response to the Salem Comprehensive Plan, which is the "applicable Comprehensive Plan" for this area. City Plan designations are described in City Plan Policy Section A.3., Plan Map Designations. Developing Residential (DR) is the existing City Plan designation, while Urban Development (UD) is the existing County zoning designation (County "defaults" to the Salem SACP). Those two "holding" – zones are essentially interchangeable in their purpose and list of approved uses.

As the City's Plan designation for this site is *DR, Developing Residential*, please refer to our exhibit 10, which is the SACP map for this broad vicinity of the metro area. The map is presented at this scale to best show the overall, east Salem Plan pattern. That map pattern shows a "smattering" of several DR Plan designations, included this site. These individual sites are undeveloped or under-developed parcels, as understood by both City and County Planning documents and their staff.

Since this property does not now abut the City's corporate limits, we fully expect that a condition of approval for our Plan and zone change application will be not remonstrating against a future

annexation action of the City of Salem. If and when that occurs, our proposed RM County zone will “automatically” convert to City MR2. Those zones are interchangeable.

The following Salem Plan (SACP) policies pertain to our application.

Residential Development Policy 3- City codes and ordinances shall encourage the development of passed over lands or underutilized land to promote the efficient use of residential land and encourage the stability of neighborhoods.

Response:

This site is 2.25 acres in size but presently only has two single family dwellings on the north end of the site fronting Monroe Avenue. Except for some accessory buildings, most of which will be removed upon development, the site is vacant. In the context of the SACP, it is “underutilized” and “passed over.” The property meets this SACP policy 6. a.

We intend to build apartments in the general configuration and density as shown on our preliminary site plan (attachment 6).

Residential development Policy 6 - Multi-family housing shall be located in areas proximate to existing or planned transportation corridors, public facilities and services:

- a. To encourage the efficient use of residential land and public facilities, development regulations shall require minimum densities for multiple family development zones.*

Our proposal includes a site plan concept that will be carried through to the County’s development review process if this Plan/zone change is approved. Please refer to our attachment 6, preliminary site plan.

This shows a density that fits within the County RM zone and City MR-2 zone which are interchangeable. The maximum density allowed in both City and County zones is one residential unit per 1500 sq. ft. of site area. **This entire ownership is proposed to be changed to County RM and the City Plan designation of MFR (Multi-Family Residential) and eventually after annexation (as explained earlier), the City zone of MR-2 (Multi-Family Residential).**

Residential development policy 7 - Residential neighborhoods shall be served by transportation systems that provide access for pedestrian, bicycles and vehicles while recognizing the neighborhoods physical constraints and transportation service needs:

- a. *The transportation systems shall promote all modes of transportation and dispersal rather than concentration of through traffic;*

Response: The pattern of reliance on Lancaster Avenue that concentrates traffic partly because much of east Salem has relatively poor local street “connectivity” is a pattern that began in the 1940’s and continues over 80 years later. It is beyond the power of one 2.25-acre land use application to change this. However, as east county grows, connectivity is gradually improving. Elma Street that was discussed earlier is a prime example. Monroe Avenue now dead-ends east of this site (see attachment 11), but as the area east of the existing dead-end develops, it will likely be extended all the way to Cordon Road. Meanwhile, traffic filters through various local streets to get either south or north from this application site. Please also refer to our Traffic Impact Study, attachment 3. This policy is met.

- b. *Through traffic shall be addressed by siting street improvements and road networks that serve new development so that short trips can be made without driving;*

Response: Please refer to our Traffic Impact Study (TIS), attachment 3. This policy is met.

- c. *The transportation system shall provide for a network of streets fitted to the terrain with due consideration for safety, drainage, views, and vegetation.*

Response: This vicinity is nearly flat, and intersections are generally broad and safe. The vicinity is very well drained. Please refer to our earlier section on storm drainage and the West Fork of the Little Pudding River drainage/ditch network. There are no real “views,” since the neighborhood is so flat and within a relatively large urban area. The street network does not need to contend with significant vegetation such as trees, since very few trees remain to cause a hindrance in extending streets in this part of east Salem. This policy is met.

Residential development policy 9 - Alternative Residential Development Patterns, Subdivision and zoning regulations shall provide opportunities for increased housing densities, alternative housing patterns and reduced development costs. Development regulations shall promote residential development patterns that encourage:

- a. *The use of all modes of transportation;*
b. *Reduction in vehicle miles traveled and length of auto trips; and*
c. *Efficiency in providing public services.*

Response: Please see our TIS, attachment 3.

Residential development policy 10 - Requests for rezonings to higher density residential uses to meeting identified housing needs will be deemed appropriate provided:

a. *The site is so designated on the comprehensive plan.*

Response: The SACP classifies this site as DR, Developing Residential. Multi-Family is one development density that is anticipated by that SACP designation. Our application meets this policy.

b. *Adequate public services are planned to serve the site;*

Response: Essentially, all public services exist (please see the previous discussion on utilities and other public services). Streets are being built gradually as the area infills, according to the joint agreement about local street development standards between City and County, also previously discussed. This standard is met.

c. *The site's physical characteristics support higher density development; and*

Response: This neighborhood is essentially flat and well drained, as previously described in some detail. The proximity to Lancaster Drive, a major regional arterial only ¼ mile to the north makes this site an excellent candidate for the level of development we propose.

d. *Residential Development Policy 7 is met.*

Response: We addressed this Residential Development Policy 7 earlier in this narrative and we found that each aspect of that policy is met by our application.

Our site is 2.25 acres (98,010 sq. ft.), minus the homesite that will remain in the “mid-term” (approximately 15,456 sq. ft.). This leaves 82,554 sq. ft., divided by 1,500 sq. ft. per unit equals a maximum of 55 units. Attachment 6 shows 54 units. This preliminary site plan therefore conforms to both County RM and City MR-2 zones.

Also, the number of off-street parking spaces shown on attachment 6 shows 82 parking spaces, where both County RM and City MR-2 both require a minimum of 1.5 parking spaces per residential unit. Our preliminary plan (attachment 6) shows 82 parking spaces, where both City and County zones require a minimum of 81 parking spaces. This aspect of the preliminary site plan also therefore complies with both zones.

Residential Development Policy 6 – Multi-family housing shall be located in areas proximate to existing or planned transportation corridors, public facilities and services:

- a. To encourage the efficient use of residential land and public facilities, development regulations shall require minimum densities for multiple family development zones.*

Response: This is a directive for the County and the City, not applicants. This is the general notion that properties that are zoned for multi-family should not be development way less than the maximum density, in order to preserve valuable multi-family land and the jurisdictions' investment in its infrastructure.

- b. Development regulations shall promote a range of densities that encourage a variety of housing types;*

Response: This is also a directive to the County and the City, and not the applicant.

- c. Multiple family developments shall be located in areas that provide walking, auto or transit connections to:*

- (1) Employment centers;*
- (2) Shopping areas;*
- (3) Transit services;*
- (4) Parks;*
- (5) Public buildings*

Response to SACP Policy 6. c. (1): A wide variety of employment “centers” are accessible from this site via Monroe Avenue to Lancaster Drive, only ¼ mile distant. This policy is met.

Response to SACP Policy 6. c. (2): Likewise, multiple shopping areas are readily available along Lancaster Avenue via Monroe Avenue, only ¼ mile distant. This policy is met.

Response to SACP Policy 6. c. (3): Please see our description of transit earlier in this document. This policy is met.

Response to SACP Policy 6. c. (4): Please see our description of parks earlier in this document. This policy is met.

Response to SACP Policy 6. c. (5): Public buildings include schools (Auburn School). Also included near this site is Fire District #1's station and district headquarters at 300 Cordon Road, staffed 24/7, and Salem Fire Station 10 at 3611 State Street NE., also staffed 24/7. This policy is met.

Pedestrian routes are improving in this neighborhood as it "in-fills." Our site will include sidewalks on Monroe Street as well as Deana Street, both fronting streets. This is a detail that will be guaranteed through the later development review process. Please refer to our attachment 3, Traffic Impact Study for discussion regarding connectivity of the street pattern for emergency vehicle trips as well as convenience in the neighborhood. Generally, the "connectivity" situation is improving as infill projects are constructed.

B. Adequate public facilities, services, and transportation networks are in place, or are planned to be provided concurrently with the development of the property.

Response: The site is served by the water district previously described and City sewer. All other public facilities and services are in place or will be made available to support the proposed use. This criterion is met.

C. The request shall be consistent with the purpose statement of for the proposed zone.

Response: We propose County RM. Section 16.04.000 of the County zoning code describes RM as: *The RM (multiple-family residential) zone is primarily intended to provide for multiple-family dwellings on a lot, or attached dwellings on separate lots, at residential densities greater than permitted in the RL zone. Other uses compatible with residential development are also appropriate. RM zones are located in areas designated as multiple-family residential or an equivalent designation in the applicable urban area comprehensive plan and are provided with urban services. They are suited to locations near commercial office and retail zones and along collector and arterial streets.*

We are proposing a density greater than RL. Other uses can be compatible with residential development, according to this purpose statement. This proposed RM zone is on a site that the SACP has designated DR which is interchangeable with County UD. The range of possible uses includes multi-family residential. The site is provided with urban services, as previously described. The site is located near commercial office and retail zones (Lancaster Drive ¼ mile away). Please refer to our TIS, attachment 3. Also note this property abuts Monroe Avenue, a collector street. Our preliminary plan, attachment 6, shows our northern access on Deana to be 180 ft. from Monroe Avenue, a safe distance for turning onto that collector street (Monroe

Avenue). Other traffic will have no problem filtering through local residential streets to the west and south, eventually getting to Hudson Street, another collector. Please also refer to our TIS, attachment 3. In this way, our proposal meets the purpose statement of the proposed zone (RM).

D. If the proposed zone allows uses more restrictive than uses in other zones appropriate for the land use designation, the proposed zone will not allow uses that would significantly adversely effect allowed uses on adjacent properties zoned for less intensive uses.

Response: The RL zone is the most restrictive zone consistent with the Multi-Family Residential designation of the City's Comprehensive Plan (SACP). The proposed RM zone allows the same types of uses as the RL zone but at a higher density. This site is adjacent to single family dwellings and zoning. Please refer to County zoning shown on our attachment 11. Development standards in the RM zone are intended to provide buffering from any adjacent lower residential density zones.

Please refer to our preliminary site plan, attachment 6. Per the RM zone standards, it has a 20 ft. setback on the south, and the code requires landscaping in that setback area. Also, per the RM zone standards, we show a 12 ft. setback on the east. This is enhanced by the location of the adjacent drainage way and easement which is 30 ft. in width, per easement recorded on the Cornerstone Addition plat to the east. All homes to the east that are in the Cornerstone Addition are required by easement to be setback at least 30 ft from their west property lines. The "West Fork of the Little Pudding River" at this location is a drainage way with relatively gentle slopes compared to the ditch system further downstream to the north. The 12-ft. setback on this side of the site plan will be landscaped. Landscape vegetation on the top of the drainageway slope (on the subject property) will create buffering to the east. That drainage way is well-maintained and has ample access to the drainage district from other properties. Please also refer to our attachment 12 which is a photograph of that drainage way.

Attachment 6 shows how the appearance of bulk can be broken up by not having barracks-length apartment buildings, which with all due respect, have been unfortunately built in other places in East Salem. Please also refer to the elevations that are part of our attachment 7 A-D. The preliminary design is sensitive to its surrounding residential uses and their generally lower densities.

In these ways, our application meets County zone change standard D.

SUMMARY

Our application, comprised of this narrative and proposed findings of fact, together with our 14 attachments, is consistent with all aspects of the Marion County zone change requirements and is also consistent with the Salem Area Comprehensive Plan. The application therefore should be approved.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'JBrosy', with a long horizontal flourish extending to the right.

John L. Brosy, Planning Consultant

Representing Anthony Arnautov, property owner