



# HEARING NOTICE

## LAND USE REQUEST AFFECTING THIS AREA

### *Audiencia Pública*

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

<b>CASE NUMBER:</b>	Class 3 Design Review / Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway Approach Permit Case No.DR-SPR-ADJ-DAP17-03
<b>AMANDA APPLICATION NO:</b>	17-106045-DR, 17-106034-RP & 17-106036-ZO
<b>HEARING INFORMATION:</b>	Planning Commission, Tuesday, June 6, 2017, 5:30 P.M., Council Chambers, Room 240, Civic Center
<b>PROPERTY LOCATION:</b>	4922 Swegle Road NE & 1530 Gabriela Court NE, Salem, OR 97301
<b>OWNER(S):</b>	WSH LLC (Jayne Downing), Lulay Properties LLC (Don Lulay)
<b>APPLICANT / AGENT(S):</b>	Gabriela Townhouses LLC (Roger K Evans)
<b>REPRESENTATIVE(S):</b>	AKS Engineering and Forestry (Richard Walker)
<b>DESCRIPTION OF REQUEST:</b>	<p>Summary: Proposed development of a 14-unit apartment complex, with an Adjustment request to reduce the required setback abutting a street.</p> <p>Request: A Class 3 Design Review, Class 3 Site Plan Review, Class 2 Driveway Approach Permit for development of a 14-unit apartment complex with a Class 2 Adjustment to:</p> <ol style="list-style-type: none"><li>1) Reduce the required setback from Gabriela Court NE from 20-feet to 15.33-feet. For property approximately 0.94 acres in size, zoned RM-I (Multi-Family Residential) and located at 4922 Swegle Road NE and 1530 Gabriela Court NE - 97301 (Marion County Assessor's Map and Tax Lot number: 072W20BD01600 and 072W20CA03100).</li></ol>
<b>CRITERIA TO BE CONSIDERED:</b>	<p><b><u>CLASS 2 OR 3 DESIGN REVIEW</u></b> Pursuant to SRC 225.005(e)(2), a Class 2 or Class 3 Design Review shall be approved if all of the applicable design review guidelines are met.</p> <p><b><u>CLASS 3 SITE PLAN REVIEW</u></b> Pursuant to SRC 220.005(f)(3), an application for a Class 3 Site Plan Review shall be granted if:</p> <ol style="list-style-type: none"><li>(A) The application meets all applicable standards of the UDC;</li><li>(B) The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately;</li><li>(C) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians; and</li><li>(D) The proposed development will be adequately served with City water, sewer, stormwater facilities, and other utilities appropriate to the nature of the development.</li></ol> <p><b><u>CLASS 2 ADJUSTMENT</u></b> Pursuant to SRC 250.005(d)(2), an application for a Class 2 Adjustment shall be granted if all the following criteria are met:</p> <ol style="list-style-type: none"><li>(A) The purpose underlying the specific development standard proposed for adjustment is:<ol style="list-style-type: none"><li>(1) Clearly inapplicable to the proposed development; or</li><li>(2) Equally or better met by the proposed development.</li></ol></li><li>(B) If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.</li><li>(C) If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.</li></ol>

## CLASS 2 DRIVEWAY APPROACH PERMIT

Pursuant SRC 804.025(d), a Class 2 Driveway Approach Permit shall be granted if:

- (1) The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards;
- (2) No site conditions prevent placing the driveway approach in the required location;
- (3) The number of driveway approaches onto an arterial are minimized;
- (4) The proposed driveway approach, where possible:
  - (A) Is shared with an adjacent property; or
  - (B) Takes access from the lowest classification of street abutting the property;
- (5) The proposed driveway approach meets vision clearance standards;
- (6) The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access;
- (7) The proposed driveway approach does not result in significant adverse impacts to the vicinity;
- (8) The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections; and
- (9) The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.

### 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:

**Olivia Glantz, Planner II**, City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Telephone: 503-540-2343; E-mail: [OGlantz@cityofsalem.net](mailto:OGlantz@cityofsalem.net) 

### NEIGHBORHOOD ORGANIZATION:

East Lancaster Neighborhood Association (ELNA), Susann Kaltwasser, Land Use Chair; Phone: (503) 363-3998; Email: [susann@kaltwasser.com](mailto:susann@kaltwasser.com).

### 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/planning-notices-decisions.apsx](http://www.cityofsalem.net/planning-notices-decisions.apsx)

**ACCESS:**

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

**NOTICE MAILING DATE:**


May 17, 2017

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

***For more information about Planning in Salem:***

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

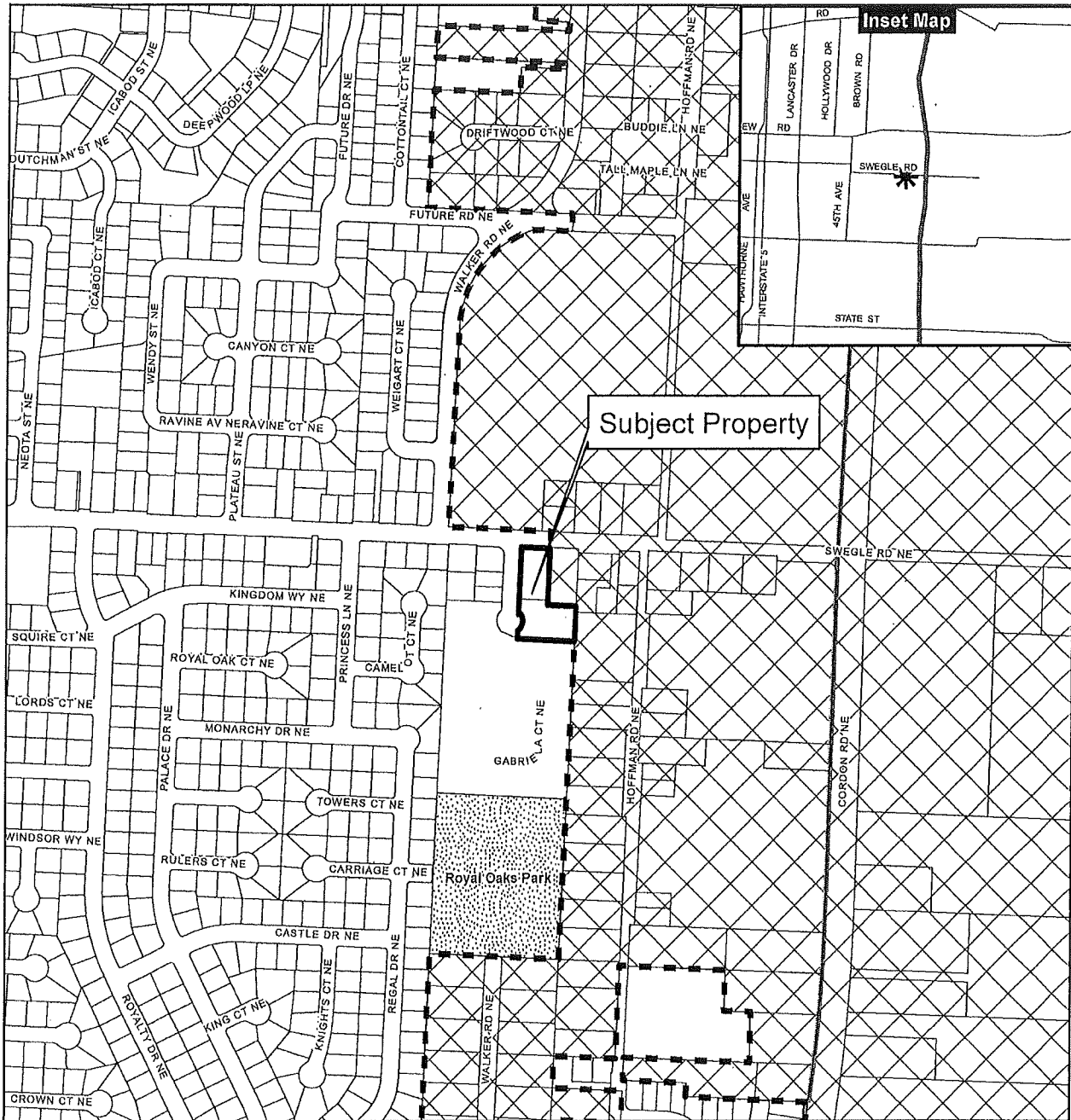
 [@Salem Planning](#)

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*It is the City of Salem's policy to assure that no person shall be discriminated against 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. Disability-related modification or accommodation, including auxiliary aids or services, in order to participate in this meeting or event, are available upon request. Sign language and interpreters for languages other than English are also available upon request. To request such an accommodation or interpretation, contact the Community Development Department at 503-588-6173 at least three business days before this meeting or event. TTD/TTY telephone 503-588-6439 is also available 24/7*

# Vicinity Map

## 4922 Swegle Road NE and 1530 Gabriela Court NE



### Legend

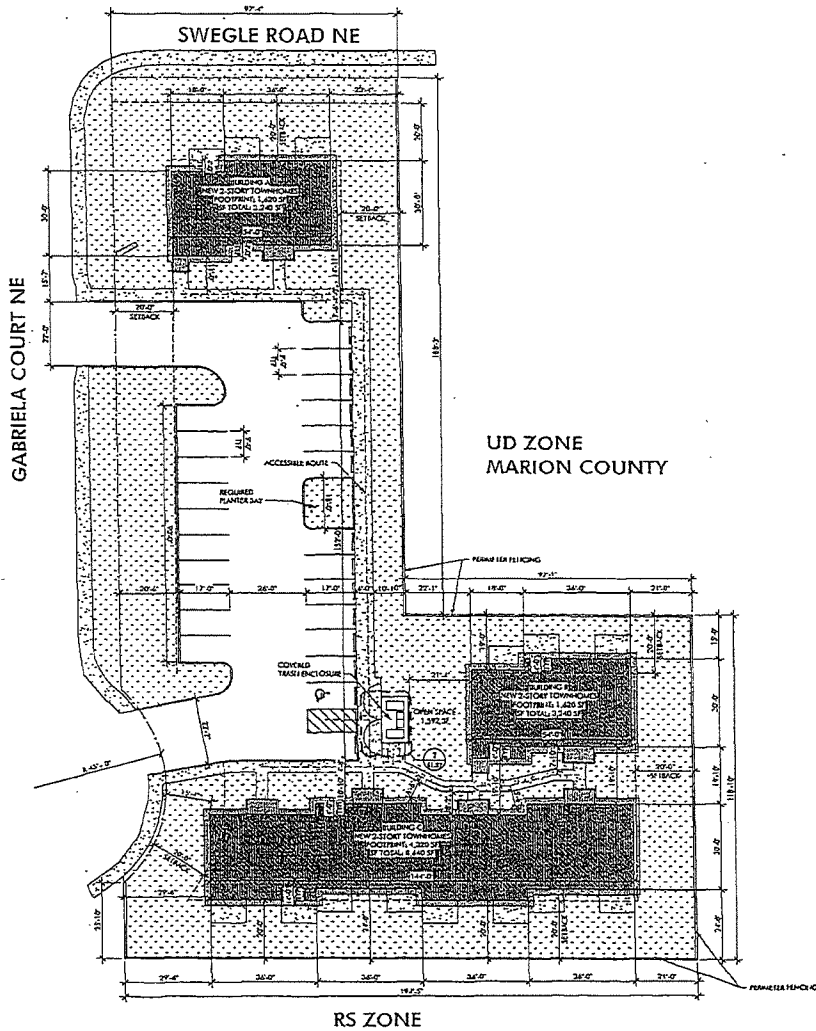
-  Taxlots
-  Urban Growth Boundary
-  City Limits
-  Outside Salem City Limits
-  Historic District
-  Schools
-  Parks

  
 CITY OF Salem  
 AT YOUR SERVICE  
 Community Development Dept.

0 100 200 400 Feet



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**SITE PLAN REVIEW:**

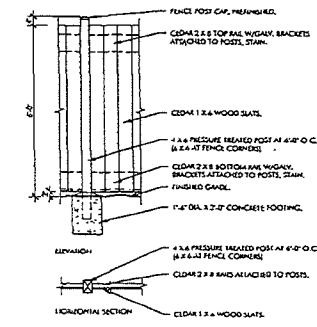
Zoning Classification: RM  
 Sub Area: 40,724 SF - 933 SF  
 Minimum of 6' Dual-Setback Minimum for Dual-Setback  
 Parcel#: 14 97 02A  
 Apartment Unit Limit: 14  
 (14) 2 Bedrooms  
 Zoning of Surrounding Properties:  
 Neighb. Right of Way: See Single-Family RM  
 Scale: AS Shown/Noted  
 Date: 02-16-2017  
 West Right of Way for Gabriella Court  
 1st Coverage: 7,560 SF of building and necessary structure for coverage of 10,724 SF of site area = 70% lot coverage  
 2nd Coverage: 13,164 SF of building and necessary structure for coverage of 10,724 SF of site area = 123% lot coverage  
 Parking Requirements: 1.2 spaces per parking unit.  
 14 DU = 17 spaces = 21 required spaces  
 Parcel#: 27 spaces including (11) ADA-compliant spaces  
 No on-street parking provided.

**SITE PLAN LEGEND:**

- BUILDING AREA
- BUILDING OVERHANG ABOVE
- LANDSCAPE
- CONCRETE FLOOR/SIDEWALK/DRIVEWAY
- OPEN SPACE

**LOT COVERAGE:**

ITEM AREA DESCRIPTION	AREA	%
BUILDINGS	7,560 SF	70%
PARKING, SIDEWALKS	13,164 SF	123%
LANDSCAPE	14,680 SF	137%
TOTAL SITE AREA	40,724 SF	100%



**2 FENCE DETAIL**



PROJECT # 2016-1-07  
 DATE 2/16/2017  
 REVISIONS

**NEW MULTI-FAMILY BUILDING  
 GABRIELA TOWNHOUSES**  
 4911 AND 4922 SWEGLE ROAD NE - SALEM, OREGON 97301

SHEET:  
**A1.01**

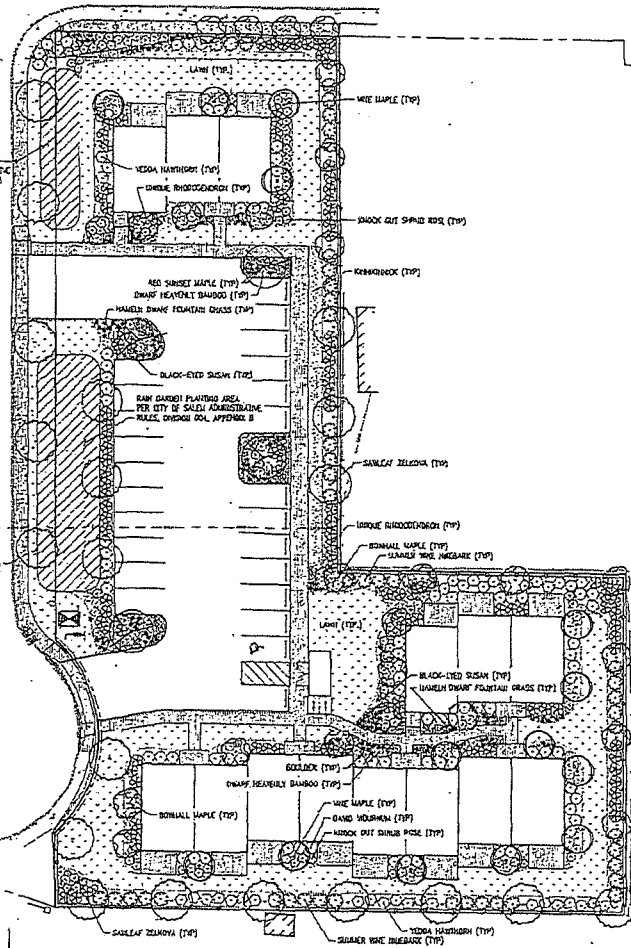
**1 SITE PLAN**



**2 FENCE DETAIL**

SWEGLE ROAD NE

GABRIELA STREET NE



PLANT SCHEDULE

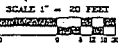
TREE	QTY	SCIENTIFIC NAME	COMMON NAME	SIZE/CONTAINER	ESTIMATED COST AT 5% TO MARKET
	15	ACER ORBICULUM	WEE MAPLE	1 1/2" CAL. B&B	10'-12" FT. HT.
	25	ACER RUBRUM 'BURNING BUSH'	BURNING MAPLE	2" CAL. B&B	20'-25" FT. HT.
	4	ACER RUBRUM 'RED SUNSET'	RED SUNSET MAPLE	2" CAL. B&B	20'-25" FT. HT.
	20	ZELKOVA SERRATA 'GREEN VASE'	SANLEAF ZELKOVA	2" CAL. B&B	20'-25" FT. HT.
SHRUB	QTY	SCIENTIFIC NAME	COMMON NAME	SIZE/CONTAINER	ESTIMATED COST AT 5% TO MARKET
	84	MADEIRA DRACENIDA 'HARBOR DRIFT'	DRIFT HEAVENLY BAMBOO	2 GAL. CONT.	30" x 30" WIDE
	160	PONIKETIA ALONZOAREZ 'JAMILEY'	HAWKIN DRIFT FOUNTAIN GRASS	1 GAL. CONT.	24" x 30" WIDE
	45	PHYSCOPARUS OBLIQUEFOLIUS 'DARKER WINE'	SHADED WINE FINEBARK	3 GAL. CONT.	40" x 40" WIDE
	36	IMPATIENS LANCEOLATA	YESSA HATHORIK	3 GAL. CONT.	40" x 40" WIDE
	122	PHODODENDRON 'UNIQUE'	UNIQUE PHODODENDRON	5 GAL. CONT.	40" x 40" WIDE
	70	ROSA 'BLACKAZZ'	BLACK-EYED SUSAN	2 GAL. CONT.	30" x 40" WIDE
	31	MORNING GLORY	DAWN WILLOW	3 GAL. CONT.	40" x 40" WIDE
GROUND COVER	QTY	SCIENTIFIC NAME	COMMON NAME	SIZE/CONTAINER	ESTIMATED COST AT 5% TO MARKET
	840 SF	ANCISTAPHILUS UVA-URS	KUMMUCK	1 GAL. CONT.	30" x 40" WIDE
	7,500 SF	LAWN		SEED OR SOIL AT OWNER OPTION	

LANDSCAPE DATA:

TOTAL SITE AREA: ± 40,724 SF  
 TOTAL LANDSCAPE AREA WITHIN PROJECT LIMITS: ± 15,800 SF (10%)  
 MINIMUM SITE TREES PER SPEC 702.020 (b) (2) (4): 20 TREES (1 PER 2,000 SF OF SITE AREA)  
 TOTAL PROPOSED SITE TREES: 63 TREES (EXCLUDES STREET TREES)  
 TOTAL CONDO UNIT SPACE (INCLUDING DETACHMENT AREAS): ± 15,335 SF (40%)  
 TOTAL PROPOSED INTERIOR AREA OF THE PARKING LOT (INCLUDING THE SUM OF ALL PARKING SPACES, AISLES, PLANTING ISLANDS, CORNER AREAS AND CURBED AREAS PER CODE SECTION 602.02 (4)(2): ± 10,475 SF  
 MINIMUM INTERIOR PARKING LOT AREA REQUIRED: 5K  
 TOTAL PROPOSED PARKING LOT LANDSCAPING AREA: 789 SF (7%)  
 NUMBER OF PARKING SPACES: 24 STALLS  
 MINIMUM NUMBER OF PARKING LOT TREES (1 PER 10 PARKING STALLS): 3 TREES  
 PROPOSED NUMBER OF PARKING LOT TREES: 12 TREES

GENERAL NOTES:

- PLANTS AND PLANTINGS ARE SHOWN TO PURVEY THE CHARACTER OF THE SITE. PLANT REVISIONS INCLUDING CHANGES TO PLANT SPECIES, SIZES, SPACING, QUANTITIES, ETC., DUE TO PLANT AVAILABILITY OR UNFORESEEN SITE CONDITIONS MAY BE MADE BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION WHERE ALLOWED BY THE CITY OF SALEM'S DESIGN STANDARDS.
- CONTRACTOR IS RESPONSIBLE FOR VERIFYING PLANT QUANTITIES AND ALL MATERIALS PRIOR TO BEGINNING AND CONSTRUCTION. IF DISCREPANCIES OCCUR, DESIGN INTENT PREVAILS OVER QUANTITIES LISTED.
- ALL PLANTS AND INSTALLATION SHALL CONFORM TO THE CITY OF SALEM'S LANDSCAPE DESIGN STANDARDS AND TO THE AMERICAN HURBERT STANDARDS FOR NURSERY STOCK IN ALL WAYS. PLANT IN ACCORDANCE WITH BEST PRACTICE STANDARDS ADOPED BY THE Oregon LANDSCAPE CONTRACTORS BOARD (OLCB) AND THE AMERICAN ASSOCIATION OF NURSERYMEN, INC. FIELD ADJUSTMENT PLANT LOCATION AS NECESSARY TO AVOID CONFLICTS WITH UTILITIES, TREE CANOPIES, BUILDING OVERHANGS, EXISTING VEGETATION TO REMAIN, ETC.
- TREES TO BE PLANTED SHALL MEET THE REQUIREMENTS OF THE AMERICAN ASSOCIATION OF NURSERYMEN (AANM) STANDARDS FOR NURSERY STOCK (AHS 2012). FOR GRADE NO. 1 OR BETTER. DOUBLE STAKE ALL TREES UNLESS OTHERWISE SPECIFIED. TREES SHALL BE PLANTED NO CLOSER THAN 2" O.C. FROM SIDEWALKS, CURBS OR OTHER HARDSCAPING. TREES IN PLANTING ISLANDS SHALL BE CENTERED IN ISLAND. REFER ALSO TO THE CITY OF SALEM STANDARD TREE-SHUB PLANTING DETAIL DR. 503 (THIS SHEET).
- ALL LANDSCAPING SHALL BE INSTALLED AT THE TIME OF CONSTRUCTION UNLESS OTHERWISE APPROVED BY THE CITY OF SALEM DUE TO INCLEMENT WEATHER OR TEMPORARY SITE CONDITIONS. UPON INSTALLATION, ALL PLANT MATERIALS SHALL BE WATERED, WELL-SEASONS AND WELL-SEASONS. WELL-IRRIGATED ROOT SYSTEMS, FREE FROM DISEASE, PESTS AND INJURIES.
- PLANTING AND INSTALLATION OF ALL REQUIRED LANDSCAPING SHALL BE INSPECTED AND APPROVED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY UNLESS OTHERWISE APPROVED BY THE CITY OF SALEM.
- EVERY EFFORT SHALL BE MADE TO PROTECT EXISTING VEGETATION TO REMAIN DURING SITE CONSTRUCTION.
- A PERMANENT UNDERGROUND OR DRIP IRRIGATION SYSTEM WITH A BACKFLOW DEVICE APPROVED BY THE CITY OF SALEM, SHALL BE PROVIDED FOR ALL NEW AND IMPROVED LANDSCAPED AREAS WITHIN THE PROJECT WORK AREA FOR THE ESTABLISHMENT AND LONG-TERM HEALTH OF PLANT MATERIAL. THE IRRIGATION SYSTEM SHALL BE "DESIGN-BUILT" BY THE LANDSCAPE CONTRACTOR, USING CURRENT WATER-SAVING TECHNOLOGY, AND INCLUDE ALL MATERIALS, COMPONENTS, CITY APPROVED BACKFLOW OR ANTI-SIPHON DEVICES, VALVES, ETC. NECESSARY FOR THE COMPLETE AND EFFICIENT COVERAGE OF LANDSCAPE AREAS SHOWN. THE LANDSCAPE CONTRACTOR SHALL COORDINATE WITH THE GENERAL CONTRACTOR AND OWNER FOR POINT-OF-CONSTRUCTION (POC), SLEEPING LOCATION, AND MARKING LAYOUT PRIOR TO ANY PAVING REPAIR OR STRIPING, AND SHALL PROVIDE THE CITY OF SALEM WITH AN IRRIGATION PLAN INCLUDING ZONING AND COMPONENT LAYOUT FOR APPROVAL PRIOR TO INSTALLATION.
- THE OWNER AND DESIGN SHALL BE JOINTLY RESPONSIBLE FOR MAINTAINING ALL LANDSCAPE MATERIAL IN GOOD CONDITION SO AS TO PRESENT A HEALTHY, NEAT AND ORDERLY APPEARANCE IN KEEPING WITH CURRENT INDUSTRY STANDARDS. USABILITY OF READ PLANT MATERIALS SHALL BE REPLACED IN CONFORMANCE TO THE REQUIREMENTS OF THE ORIGINALLY APPROVED LANDSCAPE PLAN.
- BUILDING APPLY 2" DEEP WELL-WASH DARK MULCH OR PIR, MEDIUM GRADE, UNDER AND AROUND ALL PLANTS IN PLANTING BEDS.
- GROUNDCOVER SHALL NOT BE PLANTED CLOSER THAN 24" FROM CATCH BASINS OR DRAIN AREAS. SHRUBS SHALL NOT BE PLANTED CLOSER THAN 36" FROM CATCH BASINS AND 42" FROM BUILDING FOUNDATIONS.
- ADJUST PLANTING ON SITE AS NECESSARY TO AVOID CONFLICTS WITH UTILITIES, SEWERS, LIGHTS, BUILDING OVERHANGS, ETC.

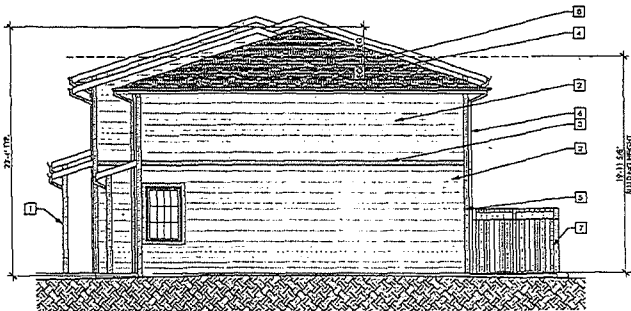


GABRIELA TOWNHOUSES  
 OREGON  
 SALEM  
 PRELIMINARY LANDSCAPE PLAN

DESIGN BY: [Signature]  
 DATE: 07/27/2021  
 REGISTERED PROFESSIONAL ARCHITECT  
 JOB NUMBER: 5240  
 SHEET: P2.0



1 BUILDING C SOUTH ELEVATION



2 BUILDING C WEST ELEVATION

ELEVATION NOTES:

- 1 WOOD POST TO SUPPORT ENTRY COVER.
- 2 FIBER CEMENT LAP SIDING.
- 3 BELLY BANG.
- 4 COMPOSITION SHINGLE ROOF.
- 5 PAINTED FIBER CEMENT CORNER/ENDING SILL.
- 6 DOWNPOUT PAINTED TO MATCH SIDING.
- 7 CEDAR PRIVACY FENCE, 6'-0" TALL, TYP.
- 8 AREA HEIGHT OF ROOF STRUCTURE.

STUDIO

3

ARCHITECTURE  
154-C OREGON AVENUE  
SALEM, OREGON 97301

322-C OREGON AVENUE  
SALEM, OREGON 97301  
TEL: 503.546.3100  
WWW.STUDIO3ARCH.COM



PROJECT # 2016-147  
DATE 2/16/2017

REVISIONS

NEW MULTI-FAMILY BUILDING  
GABRIELA TOWNHOUSES  
4911 AND 4922 SWEGLE ROAD NE - SALEM, OREGON 97301

SHEET:

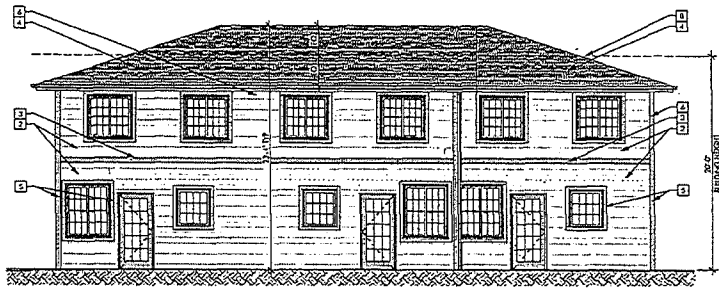
A2.02



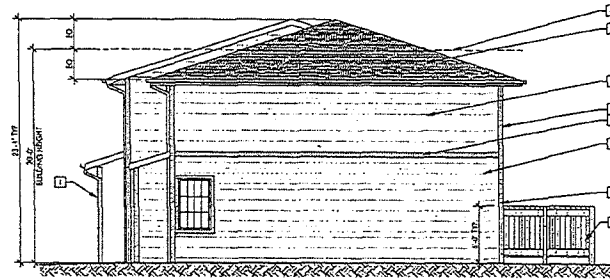
DATE: 2/16/2017  
PROJECT # 2016-147

DATE: 2/16/2017

REVISIONS



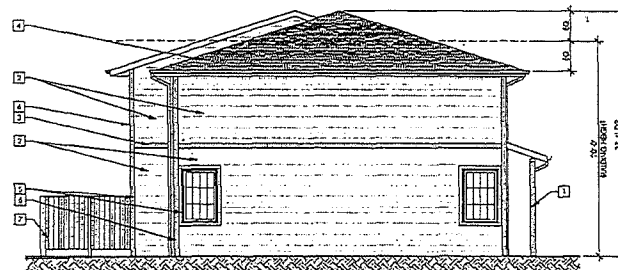
1 BUILDINGS A/B NORTH ELEVATION  
3/16" = 1'-0"



2 BUILDINGS A/B EAST ELEVATION  
3/16" = 1'-0"



3 BUILDING A/B SOUTH ELEVATION  
3/16" = 1'-0"



4 BUILDINGS A/B WEST ELEVATION  
3/16" = 1'-0"

**ELEVATION NOTES:**

- 1 WOOD POST TO SUPPORT ENTRY COVER.
- 2 FINE CEMENT LAMINATION.
- 3 BRICK BAND.
- 4 COMPOSITION SHINGLE ROOF.
- 5 PAINTED FIBER GLASS COMPOSITE TRIM.
- 6 DOWNSPOUT FINISHED TO MATCH BRICK TRIM.
- 7 CEDAR PRIVACY FENCE, 4'-0" TALL, TYP.
- 8 AVERAGE HEIGHT OF ROOF STRUCTURE.

**NEW MULTI-FAMILY BUILDING  
GABRIELA TOWNHOUSES**  
4911 AND 4922 SWEIGLE ROAD NE - SALEM, OREGON 97301

SHEET:

**A2.03**