

# TRANSMITTAL



**DATE:** April 14, 2010

**JOB #:** 5294

**TO:** Shane Potter, Planning Director  
City of Mollala  
117 N. Molalla Ave.  
P.O. Box 248  
Mollala OR 97038

**PROJECT:** Hart Avenue  
Apartments

**FROM:** Lynnette Martino  
**RE:** *HART AVENUE LAND USE APPLICATIONS*

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|---|--|---|---|
| <input type="checkbox"/> ENCLOSED         | <input type="checkbox"/> PLANS         | <input type="checkbox"/> FOR APPROVAL           | <input type="checkbox"/> FOR VERIFICATION |
| <input type="checkbox"/> CHECKS INCLUDED  | <input type="checkbox"/> DOCUMENTS     | <input type="checkbox"/> FOR YOUR USE           | <input type="checkbox"/> REVISE & RETURN  |
| <input type="checkbox"/> PER YOUR REQUEST | <input type="checkbox"/> FOR SIGNATURE | <input type="checkbox"/> FOR FINAL DISTRIBUTION | <input type="checkbox"/> OTHER            |

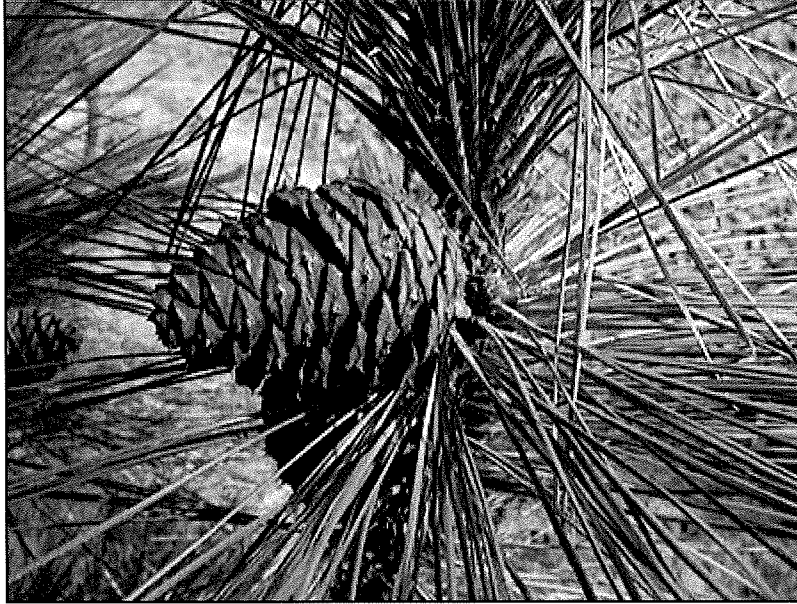
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**MESSAGE: ENCLOSED ARE THE COMBINED APPLICATIONS: A COMPREHENSIVE LAND USE PLAN CHANGE; ZONE CHANGE; PARTITIONING; CONDITIONAL USE AND DESIGN REVIEW FOR THE HART AVENUE APARTMENT/COMMERCIAL PROJECT. THE TRANSPORTATION STUDY WILL BE SUBMITTED BY THE END OF APRIL. IF YOU HAVE ANY QUESTIONS OR NEED ANY FURTHER INFORMATION REGARDING THESE APPLICATIONS, PLEASE CONTACT ME.**

**SIGNED:**   
Lynnette Martino, Senior Planner

lcm@multitech.ws  
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Cc: Troy Vest



## HART AVENUE APARTMENTS MOLALLA SUPPLEMENTAL INFORMATION

The City received the application on May 4, 2010 and by letter of June 7, requested additional information discussed below. The City indicates that the 180-day deadline for filing a complete application has been deemed to be December 27, 2010. In November, the City also indicated that a variance to the standards within **17.3.190.A.** was needed. Upon reviewing those standards, it was determined that the proposal for the drive-through facility needed to be addressed through the Conditional Use standards under **19.4.400 A-D.** In addition, the revision of the site plan added townhomes to the commercial site. Residential use in the C1-CBD zone requires a Conditional Use request, which has already been submitted for and addressed for the proposed apartments. The proposal is also subject to Design Review for the townhouses which have already been addressed to the extent that we do not believe any changes are needed at this time to complete the application process. The changes that are needed to identify the number of dwelling units, parking spaces, sizes of commercial buildings are illustrated on the revised site plans.

### June 7, 2010 Letter:

The following is the applicant's response to the City's June 7, 2010 letter:

**Chapter 17.2.190:** Detailed measurements of the apartment buildings, proposed projections, and typical color renderings (enclosed) have been provided for one of the commercial and one of the residential structures. Figures on the amount of open space, porch measurements, block layout dimensions and roofline rise and fall have been previously provided.

The **color renderings** clarify "human scale" (**17.3.170**). The color renderings also help identify what type of light shielding is planned, although the specific light standard has not been chosen by the applicants at this stage of development. The color renderings are enclosed with the paper copies of the site plan and in electronic format.

A **lighting summary** (**17.3.170**) is included in the revised paper copies of the site plans, which are also in electronic format.

The **revision** has "flipped" the location of the 10-foot wide drive-through lane for the proposed drive-through building in the northeast corner. Stacking distance is illustrated on the site plan. The City

requests that the stacking distance hold at least 4 passenger vehicles, which is illustrated on the site plans.

A 3-foot high decorative brick wall has been added along the edge of the drive-through lane fronting Main Street and along Hart Avenue to block headlight glare from on-coming traffic. The location of the brick wall maintains the vision clearance triangle at the intersection of Main Street and Hart Avenue. There is a 7-foot wide pedestrian opening in the brick wall fronting Main Street to allow direct pedestrian access to the drive-through facility.

The **revision** shows that the building in the northeast corner is illustrated as a "fast food" facility for design review purposes in the application. It is designed to accommodate either a fast food restaurant or conversion to a small bank or credit union type of business. The revision eliminated some compact on-site parking spaces and added some standard size parking spaces. The site plans have been revised to show the amount of parking based upon this revision. The City has indicated that a variance is needed to **17.3.190.A.2.** because the queuing lane is within 20 feet of Hart Avenue right-of-way. The variance criteria are addressed below.

The **revision** has changed the number of dwelling units and has located townhouses on the front parcel with commercial buildings. The plan is to revise the one-story commercial buildings to buildings with second stories in order to accommodate the placement of the proposed 10 townhouse units adjacent to 3<sup>rd</sup> Street.

One apartment building was removed on the second or middle parcel adjacent to the recreational building along Shaver Street, to accommodate new off-street parking next to the recreation building. Altogether, there is a loss of approximately 14 dwelling units from the original submittal to the City in June. The mix between 1, 2 and 3 bedroom units has been changed and noted on the site plan. The mix between compact and standard parking stalls has also changed and the amounts are noted on the revised site plans.

**Chapter 18:** The applicants have submitted a narrative explaining storm water discharge and have also provided revisions on the site plans (Attachment A).

**TIA:** The City has received the applicants' Transportation Study prepared by Associated Transportation and Engineering Planning and is in the process of reviewing the study with the Oregon Department of Transportation staff.

**Angled On-Street Parking:** The City requested that the 90-degree (head-in) parking on Third Street be changed to angled parking. However, that scenario does not work. The physical dimensions of the street are too narrow to meet the minimum stall sizes for angled parking along with required sidewalks and travel lanes.

In addition, the City has required that Third Street, Hart Avenue and Shaver Streets be changed from one-way streets back to two-way streets, which has changed the on-street parking angles. On Third Street, due to its width, head-in or 90 degree parking is all that can be accommodated for two-way travel. The right-of-way width for Third Street and the dimensions of the parking stalls and travel lanes for Third Street are illustrated on the site plans. Head-in parking is only provided on one side of Third Street to allow for two 13-foot wide travel lanes and a minimum of a 25-foot wide maneuvering area for the parking stalls. "No parking" signs or striping will be provided on the opposite side of the street. This scenario provides the best functionality for Third Street, for the access it provides to the site and for its linking connection between the two Hart and Shaver streets. Therefore, we believe that the design for head-in parking along the north side of Third Street, within the current right-of-way width, works best to serve the site and link the two streets while maintaining a two-way direction on Third Street. We do not believe that eliminating on-street parking on Third Street or that parallel parking spaces serves the City's long term development goals and plans for this area of town to increase parking. We therefore do not want to change the proposal for on-street head-in parking on this section of Third Street to angled parking.

In addition, the proposed one-way directions for Shaver and Hart streets with angled parking has been revised to show two-way directions and parallel parking adjacent to the subject property, per the City's request in November.

**Landscaping:** The landscaping plans submitted with the application have not been revised. Applicable revisions can be made once the decision is complete and exact areas for landscaping plans are known. The City is ultimately the final review and approval process for any building permit applications which are required to be in conformance to code and any applicable land use decision. It is the intention of the applicant to complete any revisions to landscaping plans for building permit approval. A revised landscaping plan is not needed for Design Review because the planned landscaping can be modified or continued in areas that have been redesigned.

**Parks:** The proposal includes the amount of space to be used for outdoor and indoor recreation purposes for private use of the apartment residents. The proposal also defines the amount of open space for use by residents vs. park space that can be used by the public and this has been noted on the revised plans. Street-side benches on Main Street have been provided and can be used by the public. The revisions include the provision of the internal plans for the recreation building for the apartment site and shows how additional outdoor play equipment for tenants of the apartments can be provided. The interior and perimeter sidewalk system will be available for use by the public which adds to the City's plan for trail and park pedestrian connections between parks, residential and commercial areas of the City. The proposal facilitates walking paths for tenants and employees of the development and residents in the surrounding houses. It adds to the ability of the City to complete planned parks and access systems.

### TGM Study:

In October, 2010 the City contracted with the State of Oregon for a Transportation and Growth Management study for the subject property. The State's contractual architectural consultant returned proposed site design alternatives to the City and the applicant in November, 2010. The applicant's overall layout has been modified somewhat as a result of the TGM study but the basic conceptual design, the partitioning, street improvements, pedestrian access, on-street parking, etc., has not changed. The concept is for commercial located near Main Street with townhouses south of the commercial buildings and the apartments and recreation building south of Third Street.

### Special Use for Drive-Up Facility:

#### **Applicant's Reasons Addressing Special Development Criteria of 17.3.190A.1-4:**

The proposed Drive-Up/Drive-Through Use and Facility is a Conditional Use in the proposed CBD zone. The Drive-Up/Drive-Through Use and Facility is subject to additional special use development standards under **17.3.190**. Under **17.3.190.A.1-4**, code states that the purposes of the additional development standards "are intended to calm traffic, and protect pedestrian comfort and safety." There is nothing in code that indicates that these additional development standards are non-variable. The proposal is for a drive-through facility in the northeast corner of the subject property with the drive-through lane adjacent to Hart Avenue. Access to the facility will be via the driveways on Hart Avenue and Shaver Street.

The first special development standard under **17.3.190.A.1** is that the drive-up/drive-through facility shall orient to an alley or interior part of the lot. There is no public alley within the subject property. There are two front doors, one off the interior parking lot and one accessible to Main Street to meet the City's applicable downtown development objectives. The queuing lane for the drive-up window is through the parking lot serving the facility. All exiting and entering of the drive-through lane is through the parking lot.

The second standard is that the driveway queuing areas or drive-through windows shall not be located within 20 feet of a street or oriented toward a street corner (**17.3.190.A.2**). The window projection is setback a minimum of 17 feet from the Hart Avenue right-of-way and approximately 25 feet from the actual travel lane on Hart Avenue. The queuing lane is setback approximately 7 feet from the right-of-way

line. It is not located on the street corner. This is the code section for which the variance is requested. It is not a Type "A" variance because the setback reduction is requested to be 7 feet where a Type "A" variance would permit the setback to be only 18 feet from the property line.

The third special use development standard (**17.3.190.A.3.**) is that the drive-up/queuing area shall be designed so that vehicles do not obstruct a driveway, fire access lane, walkway or public right-of-way. The location of the window and queuing lane do not block or cross any of these items. Queuing location and length are illustrated on the site plan. The driveway for this parcel that permits access to the drive-up/queuing lane is separate and queuing does not block it. There parking lot layout for the drive-up window allows interior parking lot queuing ability.

The fourth standard (**17.3.190.A.4.**) is that there can be no more than one drive-up/through facility for a linear distance of 400 feet along the same block face on the same side of the street. The proposal complies with this as it is the only drive-up/through facility proposed on this section of Hart Avenue. The linear length of the subject property and driveway spacing is noted on the site plans and conforms to this standard.

## Variance for Drive-Up Facility:

### **Applicant's Reasons Addressing the Variance to 17.3.190A.2.:**

The proposal is to allow the drive-through window and driveway to be located less than 20-feet from the right-of-way line of Hart Avenue. **Title 20.1.500** specifies this is a **Class "C"** variance. It requires more than a 10% deviation in the underlying code standard of a 20-foot setback adjacent to a street under **17.3.190.A.2.** The approval criterion for this type of variance is listed under **20.1.500.C.:**

- a. The proposed variance will not be materially detrimental to the purposes of this Code, to any other applicable policies and standards, and to other properties in the same land use district or vicinity;*
- b. A hardship to development exists which is peculiar to the lot size or shape, topography, or other similar circumstances related to the property over which the applicant has no control, and which are not applicable to other properties in the vicinity (e.g., the same land use district);*
- c. The use proposed will be the same as permitted under this title and City standards will be maintained to the greatest extent that is reasonably possible while permitting reasonable economic use of the land;*
- d. Existing physical and natural systems, such as but not limited to traffic, drainage, natural resources, and parks will not be adversely affected any more than would occur if the development occurred as specified by the subject Code standard;*
- e. The hardship is not self-imposed; and*
- f. The variance requested is the minimum variance that would alleviate the hardship."*

**a.** The proposal is not materially detrimental to purposes of the code. **20.1.100** states that the purpose of the variance provisions is to provide flexibility while maintaining the proposes and intent of the code. The code states that the intent of the drive-through provisions is to calm traffic and protect pedestrians. The proposed location of the drive-through lane is separated from pedestrians via a 3-foot high brick wall on the east and north sides and the building itself. Pedestrian access into the building is on the west and north via hard-surfaced sidewalks that are separated from vehicle areas by landscaping. The unintended effect of denying this variance would be that the drive-through facility would not be located in this location, which is a key factor needed for visibility for this type of facility on a main thorough-fare. It is also the intent of the developer that this facility be farther away from the proposed residential uses. This is an optimal corner, close to downtown, for a drive-through facility. The option for applying for variances is available to other properties within the City under the same procedures. This proposal does not set a precedent for other unintended uses.

**b.** The identifiable hardship inherent in the land, is the fact that the subject property is bounded by streets and access is very limited. Limiting access to certain points dictates where buildings can be placed on site and how the parking lot layout must be designed, while still meeting minimum sizes for the parking spaces, aisle ways, landscaping, and location of the drive-through lane.

**c.** The proposed use as a drive-through facility is a Conditional Use in the CBD zone. The use will be maintained because it is a long term investment by the owner and any leases of businesses or tenants of the townhouses. It has to remain attractive and clean to attract customers and residents. The drive-through use is not a separate facility but is attached to the main building. The use cannot change via the variance process as the variance process is only permitted to review changes in the quantifiable standards in the code, not uses. There are no other variances to code standards identified to permit the drive-through lane to be less than 20-feet to the right-of-way along Hart Avenue.

**d.** The variance is to reduce a setback adjacent to a street. Setbacks provide light, air and spatial separation, help to reduce mass of a building and enhance the physical setting. The setback for a queuing lane physically prevents the encroachment of vehicles onto public sidewalks or onto the public travel lanes of the street. The proposed queuing lane accomplishes this as shown on the site plan by maintaining a minimal setback and by being screened by a 3-foot high wall. Thus, vehicle and pedestrian conflicts are eliminated. The proposed location of the queuing lane does not eliminate or cause the removal of any necessary public utilities or negatively impact the planned storm drainage design for the site. There are no existing or planned floodways, floodplains, significant trees, wetlands, hazard areas, wildlife habitats, or other natural scenic or historic resources in the area of the queuing lane.

**e.** The identified hardship that the reducing the 20-foot setback is that the paved portion of the queuing lane is located within an area that would normally be landscaped with plant materials. However, in the CBD zone, it is allowable to have a zero-foot street side building setback along Hart Avenue (17.3.112.H.). Since a building could be built up to the right-of-way line, the landscaped setback along this portion of Hart Avenue would be eliminated under this scenario. Therefore, the reduction in setback does not eliminate the setback entirely, it only reduces the minimum setback to the queuing lane. The actual window projection is setback about 17 feet from the right-of-way line. The revised site design proposes that the queuing lane be setback 7 feet from the right-of-way.

**f.** The proposal is for a reduction of setback from 20-feet to 7 for the queuing lane and about 17 feet for the window projection. The queuing lane is proposed as 10 wide, curb to curb, which is the narrowest it should be to accommodate passenger vehicles and trucks and the turning movements. Therefore, this variance is the minimum amount of setback reduction that is being requested.

The reasons address all the applicable criteria for a variance to reduce the drive-up facility setback in the CBD zone. We believe that the criteria are addressed sufficiently that the variance is warranted and should be granted.

### Conditional Use Permit for Drive-Through Facility:

**19.4.400 A.1.** The applicants have designed the drive-through facility as part of a mixed use residential and commercial development to fit within the confines and dimensions of the subject property. The revised site plan illustrates the proposed building layout, on-site parking and maneuvering, access, landscaped areas, building dimensions, spacing between buildings, setbacks to property lines, walkway connections, location of the proposed extension of Third and Fifth Streets through the site, off-site parking, revised turning movement on Hart/ Shaver/Main streets, etc.

Landscaping and code requirements will be reviewed through the accompanying Design Review process to assure that the City's aesthetic interests are met. The site itself does not present any topographical limitations to landscape or building development. Paved and landscaped areas will minimize or eliminate dust, odor, noise, vibrations, exhaust/emissions, screen headlight glare, maintain vision clearance,

increase the safety and aesthetic features through the application of new development and new code standards. Permanent underground irrigation system will be provided when development plans are final. Any changes needed to the landscaping and irrigation plans can be accommodated at the building permit review process. Thus, the proposal complies with this standard.

**19.4.400 A.2.** The applicant's Traffic Impact Study has been submitted to City, addressing the requirements of code as outlined in **19.1.910**. Thus, the proposal complies with this standard. The City has indicated there will be a need for changes to the turning movements at the intersections of Hart and Shaver and Main streets. The City is in current discussions with the State regarding traffic signals.

**19.4.400 A.3.** The major impacts caused by drive-through facilities are stacking distances for cars and headlight glare for on-coming traffic. Car and restaurant ventilation exhaust are the other major negative impacts if the facility is used as a restaurant or is adjacent to residential. The building is located adjacent to a main highway in a commercially developing area of Mollala. The reason for the drive-through lane in the proposed location next to Hart Avenue is to help exhaust fumes to dissipate before they reach residential uses. There is no direct street access proposed to Main Street thus eliminating traffic stacking problems. The queuing is all handled on-site and it can maneuver around the parking area. The City indicates that they would like the queuing distance to handle at least 4 cars which is roughly a 60-foot length of driveway. The proposal accommodates 6 cars between the entrance to the queuing lane and the window. More than 6 car lengths should be handles through the parking lot, not the driveway to Hart Street. The parking area can be signed and marked to direct the drive-through traffic.

Staff has indicated a need to block headlight glare from the queuing lanes into oncoming traffic. The revised site plan shows the location of a 3-foot high decorative brick wall along Main Street and around the corner along Hart Avenue. The location of the brick wall is outside the vision clearance triangle at the street intersection.

There are no negative public facility (water and sewer) impacts, screening, pedestrian access, impacts on an ODOT road, noise, view, noxious odors, dust or glare impacts identified that have not been addressed or will be corrected through appropriate conditions of approval via the landscaping/site design/Conditional Use/Zone Change/Plat/Conditional Use/Variance process to the extent that the development should not be approved. The proposal can or will comply with all applicable Design Review standards and any recommendations from the traffic study and as modified by the grant of any variances to development standards.

School impacts are addressed through the CPC/ZC process. There are no identified school impacts because a drive-through facility does not generate student population.

Other impacts are addressed through the imposition of and collection of taxes based upon increased development for the provision of other government services, including mass transit facilities and park funding.

The City's preapplication letter emphasized the need for on-site and on-street parking because the subject property will generate the need for parking and because the site is within close proximity to the downtown core. The development will create and improve two new streets and add on-street parking on Shaver and Hart Streets. The City's urban renewal efforts are focused on restoring and improving the core area, attracting businesses, providing additional housing and increasing the district's tax base for urban renewal funding. The proposal contributes its fair share of tax increment financing to the urban renewal district. Thus, the proposal complies with this standard.

**19.4.400 A. 4.** The City's Public Works Department has identified the location and capacity of water and sewer lines that currently exist or are in need of extension or upgrading to serve the site with new residential and commercial tenants. The installation of the identified facilities is the responsibility of the developer and will be conveyed as needed to the public for public maintenance and ownership. Thus, the proposal complies with this standard.

**19.4.400 B.** The site design review and approval criteria have been and are being addressed through these concurrent applications with review and assistance by City staff. The applicant has engaged a professional engineering firm for geotechnical and traffic studies, for architecture and landscaping, for land use planning, and for project construction to design and plan the site, file required applications and oversee physical construction of the public facilities. There are no previously approved land use approvals on this site that have to be taken into consideration as part of this proposal. Thus, the proposal complies with this standard.

**19.4.400 C.1.** The hours of operation for the drive-through use are dependent upon the type of commercial use. Generally restaurant uses are open longer hours and more days than banking uses. However, banking uses are generally capable of 24-hour ATM services. Since there are no specific commercial uses proposed, the hours/days, place and/or manner of operations is not applicable at this time. Commercial uses are generally expected to be open during evenings and weekends. Thus, the proposal complies with this standard.

**19.4.400 C.2.** The site design requires that off-street parking be surrounded by buildings and landscaping in order to buffer the vehicular use areas. Parking and maneuvering areas are required to be hard-surfaced, drained, and screened by landscaping to cut down on glare and heat and deflect vehicle lighting. Exhaust and emissions are controlled by requiring head-in parking on-street and off-street which deflect fumes from entering into doors and windows. Dust and erosion are eliminated because the surfaces are hard-surfaced and include landscaping with trees and vegetation. Code does not permit unpaved parking areas or driveways. Thus, the proposal complies with this standard.

**19.4.400 C.3.** The minimum setbacks for the commercial uses from the interior and exterior property lines are zero feet in the C-1 CDB zone. The site plan proposes that the building be setback approximately 32 feet from the property line along Main Street and about 16 feet from the side property line along Hart Avenue. The setbacks are noted on the site plan. The greater setback area will be landscaped and irrigated as needed. The greater setback areas help to minimize the height and mass of the proposed buildings on adjacent properties and increase the value of the property. The setbacks also provide room needed to plant shade trees. All buildings are easily accessible across the setback areas via improved walkways that are lighted, hard-surfaced and fairly direct. Slope does not present an issue for accessibility. Thus, the proposal complies with this standard.

**19.4.400 C.4.** The height of the commercial building does not exceed the maximum standard of 45 feet. Pitched roof lines break up the building and mass and comply with the design standards which call for off-sets in facades for adjacent buildings. The building façade treatment is illustrated on the elevation drawings. Thus, the proposal complies with this standard.

**19.4.400 C.5.** The City's Public Works Department and ODOT regulate access points to the public streets. The proposed access points are located as proposed to provide convenient access and to decrease the amount of turning movements into and out of the development. The extension of Third and Fifth Streets will provide a convenient access for commercial and residential access. There are no vehicle accesses points proposed or permitted to Main Street. There is a curb line sidewalk along Main Street that contributes to direct and convenient pedestrian and transit access. Thus, the proposal complies with this standard.

**19.4.400 C.6.** The subject property is located in an area where the City has requirements for improving the streetscape. Landscaping and street trees are proposed for the side streets and along the frontage of Main Street in order to meet the City's policy and code. New sidewalks are required to be hard-surfaced and free of obstructions. Drop curbs will be installed to facilitate handicap access. Interior walkways will also be hard-surfaced unless otherwise specified for recreational walking purposes. Thus, the proposal complies with this standard.

**19.4.400 C.7.** All parking and loading facilities are required to be improved, signed or marked for directional purposes or for specific uses, meet minimum dimensional standards, be located within a convenient distance to the dwellings or main doors of the buildings they are designed to serve, be lighted

with pedestrian-scale lighting, and be landscaped with a minimum amount of plant materials. A minimum number of handicap parking stalls and their landing areas are as required by code or by the State and are located to be accessible to the buildings they serve. The location of the parking and landscaping islands or areas are illustrated on the site plans. Thus, the proposal complies with this standard.

**19.4.400 C. 8.** Interior signage is regulated by code. **Title 18.8** specifies the location, size and lighting standards for signs. The applicant is willing to consider a development condition that bans free-standing billboards or video bill boards as they detract from the character of the area and from the "Main Street" feel that the City is trying to achieve through its design standards. There are no cell towers or other types of towers proposed as part of the CPC/ZC or Conditional Use applications. Thus, the proposal complies with this standard.

**19.4.400 C.9.** Internal development requires outdoor lighting or the benefit of the customers and employees of the drive-through facility. No lights will glare or shine upon streets or surrounding residential uses. The code calls for "Night Sky" type of lighting that shields lighting from glaring or shining up into the night sky by providing covers for the lights. There are no specific lighted signs proposed for the commercial uses that would require a variance to any code standards. It is the applicant's intent that all signage and outdoor lighting be keyed into the design style of the commercial/residential style of building. The City's permit process for signs allows the City to review signs for code compliance and design review standards. Thus, the proposal complies with this standard.

**19.4.400 C.10.** There is no reason to provide berms to screen or separate the property from adjacent uses or to separate the buildings from each other. The applicants' landscape architect has designed the location of landscaping that enhances the interior and exterior of the buildings and property. The plan provides visual separation between the commercial and residential uses. The applicant desires a long-term investment in this property and therefore it will be maintained. Thus, the proposal complies with this standard.

**19.4.400 C.11.** Fencing, landscaping and street standards are specified in **Title 18.2**. The screening along the Main Street frontage is limited to the easterly 2/3 of the frontage. It screens the parking lot, the proposed drive-through lane and along Hart Avenue as far as needed to block the drive-through lane. It will be a decorative brick wall and will be 3-feet high. It is located outside the vision clearance triangle at the street intersection. Thus, the proposal complies with these standards.

**19.4.400 C.12.** There are no identified exceptional or outstanding existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, historic resources, cultural resources, and/or sensitive lands on this site that need to be protected or otherwise taken into consideration for additional development standards for this type of development in this location of the City. Engineered building foundations are required when permits are submitted to the City. Thus, the proposal complies with this standard.

**19.4.400 C.13.** The Public Works Department has reviewed and will determine the level of public infrastructure that the development is required to do to complete the project. Thus, the proposal complies with this standard.

**19.4.500.** Staff has identified the need for a variance to **17.3.190.A.** to process this application. The reasons for the variance are addressed in the body of this report. Thus, the proposal complies with this standard.

### Conditional Use Permit for Townhouses in CBD District:

We believe that the criteria for a conditional use to allow townhouses is sufficiently addressed in the original application, except to request that it be expanded to allow 10 townhouse units to be established on the front parcel, located adjacent to Third Street. The change in the number of dwelling units/density/location on the entire site is shown on the site plans. The architectural standards under **17.3.170** are met for the townhouses or will be met, once the development is completed.

## Additional Items:

Staff has recently identified the need for other changes to the site plan such as 7-foot wide sidewalks, removal of vacate alley, and the provision of off-site improvements. It is our intent that these development issues have been or are being addressed by these recent revisions. Platting the partition will clear up underlying old property lines. Specific improvement agreements with the City will address off-site improvement requirements as part of the City's review of construction plans for public facilities.

## Conclusions:

Based upon the supplemental information and the materials submitted with this revision, we conclude that the proposal qualifies for residential/commercial development by satisfaction of all the applicable Review Criteria and Review Standards. The application should be approved subject to the conditions contained in the applicant's TIA/TPR analysis.

## Enclosures and Attachments:

Fourteen sets of full size site plans and one reduced set of revised site plans are included. The revision also includes a .pdf.

Attachment A: Storm Drainage Narrative

This concludes the applicant's narrative for revisions requested by the City and additional issues needed to address the code standards for a Comprehensive Plan Map/Zone Change/Conditional Use/Design Review/Partition for property on Main Street. If you have any questions or comments regarding this application, please contact Mark Grenz P.E., at Multi/Tech Engineering, Inc., Salem, OR at (503) 363-9227.

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# HART AVENUE APARTMENTS STORM DRAINAGE NARRATIVE

June 8, 2010



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The following narrative is an overall description of the storm drainage conveyance system design for the proposed Hart Avenue Apartments.

The system will be designed per the City of Molalla's Design Standards. The system will have the capacity to convey a 25-year storm event for developed conditions with no detention. Where sections of the system are under an arterial street, the system will have the capacity to convey a 50-year storm event. In addition, areas that naturally flow through the drainage basin have been taken into consideration in the design sizing of the system.

The proposed development will have multiple on-site surface detention basins that will detain the storm runoff difference between the pre-developed conditions for a 10-year storm event and post developed conditions for a 25-year storm event. Storm water runoff will be controlled at a rate not to exceed the pre-developed 10-year storm event. In addition, storm water discharging from the development will be treated prior to entering the conveyance system. It should be noted that water quality standards will meet or exceed City standards.

The proposed conveyance system will outlet to the north of the site along the old railroad line. There are currently drainage ditches along both sides of the old railroad line. The conveyance system will outlet to the most westerly ditch of the rail line. This ditch system will be cleared of all the overgrown vegetation and regarded to a uniform cross section for approximately 500 feet until the new ditch day lights with the existing ditch.

This narrative addresses section 18.5 of the land use application process. Please see the revised site plan pages C1.0 and C1.1. It should be noted that the current drainage system for the area along Highway 211 is undersized. During high intensity or prolonged storm events, storm water backs up along the highway. The construction of this system will alleviate those symptoms of an undersized and poorly functioning storm drainage system.