Eugene Hearings Official

# AGENDA

Phone: 541-682-5377
www.eugene-or.gov/hearingsofficial

**Meeting Location:**
Harris Hall, Lane County Public Service Building
125 East 8th Avenue

The Eugene Hearings Official welcomes your interest in these agenda items. Feel free to come and go as you please at any of the meetings. This meeting location is wheelchair-accessible. For the hearing impaired, FM assistive-listening devices are available or an interpreter can be provided with 48 hours' notice. To arrange for these services, contact the Planning Division at (541) 682-5481.

**WEDNESDAY, JULY 27, 2016**
**(5:30 p.m.)**

## I. PUBLIC HEARING

### PIPER LANE PUD (PDT 16-2 and ARA 16-1)

**Request:** Tentative planned unit development to create 23 multi-family residential units in 8 buildings. Concurrent adjustment review to increase the maximum length of one building by 9-feet, 2-inches and to reduce internal pedestrian circulation requirements.

**Location:** North of Cal Young Road and east of Fir Acres Lane, at the eastern end of Piper Lane (Assessor's Map/Tax Lot: 17-03-19-13-02402)

**Applicant:** Leland Hughes

**Representative:** Carol Schirmer, Schirmer Satre Group

**Lead City Staff:** Nick Gioello, Associate Planner
Telephone: (541) 682-5453
E-mail:nick.r.gioello@ci.eugene.or.us

**Public Hearing Format:**
1. Staff introduction/presentation.
2. Public testimony from applicant and others in support of application.
3. Comments or questions from neutral parties.
4. Testimony from opponents.
5. Staff response to testimony.
6. Questions from Hearings Official.
7. Rebuttal testimony from applicant.
8. Closing of public hearing.

The Hearings Official will not make a decision at this hearing. The Eugene Code requires that a written decision must be made within 15 days of close of the public comment period. To be notified of the Hearings Official's decision, fill out a request form at the public hearing or contact the lead City staff as noted above. The decision will also be posted at www.eugene-or.us/hearingsofficial

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# TENTATIVE PLANNED UNIT DEVELOPMENT STAFF REPORT

**Application File Name (Number):**
Piper Lane PUD (PDT 16-2, ARA 16-1)

**Applicant's Request:**
Tentative Planned Unit Development and Adjustment Review approval for the creation of 23 multi-family units in 8 buildings, with a mixture of one and two story buildings and a combination of duplexes, triplexes and a 6-plex, as well as common outdoor space.

**Applicant/Owner:**
Leland Hughes

**Applicant's Representatives:**
Carol Schirmer, Schimer Satre Group. Phone: 541-686-4540

**Subject Property/Location/Zoning:**
Tax Lot 2402 of Assessor's Map 17-03-19-13; located at the east terminus of Piper Lane, and north of Cal Young Road. The site is zoned R-1 Low Density Residential and includes 2.16 acres of undeveloped land.

**Lead City Staff:**
Nicholas Gioello, Associate Planner, Eugene Planning Division, Phone: 541-682-5453

**Relevant Dates:**
A pre-application meeting was held with staff prior to the application submitted on February 22, 2016; supplemental application materials submitted on May 31, 2016 and application forced complete on May 31, 2016.

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**Purpose of Staff Report**

The Eugene Code (EC) requires City staff to prepare a written report concerning an application for tentative Planned Unit Development (PUD). In accordance with EC 9.7320, the staff report must be printed and available prior to the public hearing to allow citizens an opportunity to learn about the proposal and review the staff analysis. The staff report provides only preliminary information and recommendations.

The Hearings Official will consider additional public testimony and other materials presented at the public hearing before making a decision on the application. Pursuant to EC 9.7330, the Hearings Official's written decision on the application is made within 15 days from the close of the

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public record. The quasi-judicial hearing procedures applicable to this request are described at EC 9.7065 through EC 9.7095.

**Summary of Planned Unit Development Request**

The applicant requests tentative PUD approval for the creation of 23 multi-family units in 8 buildings. The development includes a design intended to appear as single-family units as opposed to traditional multi-family units that look like apartment complexes. Two buildings are proposed as single story, while the remaining six buildings are proposed as two story. Two parking courts are proposed, one court with eight spaces and the other with four spaces. Twelve long term bicycle parking stalls are also proposed.

The existing terminus of Piper Lane at the northwest corner of the subject property is proposed to be extended along the northern portion of the property and wrap around the east side of the property. The applicant was not able to secure an additional vehicular easement from the property owner to the east (Tax Lot 800) in order to widen and extend Piper Lane to Hammock Lane. Therefore, the applicant has proposed a 14 foot wide secondary emergency access lane in order to connect to Hammock Lane to provide emergency services.

The subject site is relatively flat throughout the northern portion of the site. A remnant non-functioning slough runs diagonally through the south portion of the site and drops approximately 14 feet in elevation. Three of the two story buildings are proposed in this lower elevation area.

The applicant is requesting adjustments to the maximum building length standard since one building is proposed to exceed the 100 foot maximum length by 9 feet 2 inches. An adjustment is also being requested to eliminate the requirement to raise pedestrian paths to standard curb heights in order to accommodate the number of curb cuts in for driveway access.

The general application requirements for this request are established at EC 9.7000 through EC 9.7030. The Type III application procedures apply, which are provided at EC 9.7300 through EC 9.7340. Application requirements specific to the tentative PUD are listed at EC 9.8310. The relevant approval criteria are addressed at EC 9.8320. Adjustment Review criteria are addressed at EC 9.8030.

Consistent with EC 9.7005 Pre-application Conference, the applicant met with staff on December 8, 2015. The applicant also held a neighborhood meeting on October 21, 2015 in compliance with EC 9.7007 Neighborhood/Applicant Meetings. With regard to EC 9.8310 Tentative Planned Unit Development General Application Requirements, the applicant indicates that the proposed PUD includes all property under contiguous ownership. With regard to the design team requirements prescribed by EC 9.8310(2), staff initially raised concerns about the lack of a certified arborist report given the large number of trees proposed for removal and concerns with some discrepancies between in the landscape plans and written narrative.

Based on input from staff, the applicant secured the services of Kyle W. King, a certified arborist and later submitted a revised tree plan. As an outcome of the new analysis by Mr. King, additional preservation trees were identified and the common area expanded which resulted in an increase in the number trees to be saved along the southern boundary.

It is noted that the applicant requests tentative PUD approval under the general approval criteria, rather than the needed housing criteria.

**Public Notice/Referrals**

In accordance with local code requirements, on June 24, 2016, the Planning Division mailed notices to adjacent property owners and signs were posted on the property with a public hearing scheduled for July 27, 2016. To date, planning staff has received inquiries from ten neighbors regarding the proposed development. Most neighbors are concerned with the additional traffic on the portion of Piper Lane and Hammock Street to the southeast. Most were concerned with the proposed emergency access that connects to Hammock Street and how that access would be controlled. Several neighbors have expressed concerns with the loss of trees from the site. One neighbor expressed concern with inadequate parking on the site and that overflow parking would occur in their neighborhood to the southeast because pedestrian access would be available. One neighbor expressed a preference to see the site develop as single-family residential homes. One neighbor had concern with additional noise from the site. One neighbor expressed concern with additional traffic on Piper Lane to the west. Several neighbors expressed the desire to restrict all access including emergency, pedestrian and bicycle from connecting to Hammock Street.

All of the testimony provided to date has been forwarded to the Hearings Official separately. Any additional testimony received following this staff report, prior to the public hearing, will be presented to the Hearings Official at the hearing.

The Planning Division provided information concerning the application to other appropriate City and County departments, public agencies, service providers, and the affected neighborhood group. All referral comments received by the Planning Division on this application are included in the application file for reference, and addressed in the context of applicable approval criteria and standards in the following evaluation.

**Tentative PUD Evaluation**

As required by the Type III land use application procedures beginning at EC 9.7300, the Hearings Official must review any PUD application and consider pertinent evidence and testimony as to whether the proposed use is consistent with the criteria required for approval (shown below in **bold** typeface). Based on the evidence available as of the date of this staff report, the following findings and recommendations are presented.

The Hearings Official shall approve, approve with conditions, or deny a tentative PUD application with findings and conclusions. Decisions approving an application, or approving with conditions shall be based on compliance with the following criteria at EC 9.8320:

**EC 9.8320(1) The PUD is consistent with applicable adopted policies of the Metro Plan.**

The Metro Plan land use diagram designates the area of the subject property for Low-Density Residential use, consistent with its existing R-1 zoning. The proposed development of 23 units on 2.16 acres equates to a gross density of 10.6 units per acre. The net area of land (minus the area for roads) is 1.82 acres and equates to a net density of 12.6 units per acre, which is consistent

with the low-density residential designation which allows up to 14 units per net acre. Also, see Metro Plan text at page II-G-3, and Policy A.9 at page III-A-7.

The applicant's written statement provides findings of consistency with regard to additional policies of the Metro Plan. To the extent that those additional findings and policies of the Metro Plan are relevant and applicable to this request, staff generally concurs and finds that the proposed development is consistent with the Metro Plan and the above criterion.

Based on the available information, there are no policies or other provisions in the Metro Plan that conflict with the proposed PUD. The proposed development is consistent with the above criterion.

**EC 9.8320(2) The PUD is consistent with applicable adopted refinement plan policies.**

The Willakenzie Area Plan (WAP) serves as the applicable adopted refinement plan for the area included in this tentative PUD proposal. The property is located within the Gilham Subarea and is designated Low-Density Residential on the Land Use Diagram in the refinement plan. The following, Residential Policies of the WAP appear to apply to this request:

> **Maintain the existing low-density residential character of existing Willakenzie neighborhoods while recognizing the need to provide housing for all income groups in the city. (Residential Policy 1, page 16):**

While the proposed development is at the upper end of low-density, it is within the low-density allowance range. The required landscaping and open space combined with the provision of a range of residential unit sizes, both in number of bedrooms and overall unit square footage will maintain the low density residential character while providing housing for a diversity of income groups consistent with this policy.

> **Ensure development plans include street sizes adequate to meet future demand (Residential Policy 3)**

As confirmed below at EC 9.8320(5), which is incorporated herein by reference, the proposed extension of Piper Lane is consistent with City standards. The proposed construction of Piper Lane and the emergency access connection to Hammock Lane will allow for a future street connection should additional right-of-way be obtained in the future and is consistent with the street connectivity standards of the Eugene Code. This will be adequate to meet any future demand for a local residential street connection to Hammock Lane.

> **Encourage a mixture of housing densities and types to address the housing needs of a diverse population (Residential Policy 4)**

While this policy appears to be guidance to the local government, it is through the PUD process which has been established by the City that a mixture of densities and types of housing can be provided. In this case the proposal is for multi-family residential units with a mixture of unit sizes

and common open space, and within the required low-density range. This proposal is consistent with the guidance provided by this policy.

The subject property is also within the Gilham Subarea described in the WAP, but no particular subarea policies or proposed actions appear to directly apply to the property. The applicant addresses additional portions of the WAP in the written statement. To the extent that those additional findings and policies, are relevant and applicable to this request, staff generally concurs and finds that the proposed development is consistent with the WAP and the above criterion.

**EC 9.8320(3) The PUD will provide adequate screening from surrounding properties including, but not limited to, anticipated building locations, bulk, and height.**

The applicant proposes to develop 23 single-family residential units in eight buildings. The property is surrounded by single-family and multi-family residential properties, both developed and undeveloped. The proposed buildings have been sited to utilize the natural topography as much as possible by placing three of the two-story buildings in the lower elevations on site (in the former slough area), and approximately 6 to 7 feet lower than surrounding existing homes. Buildings B and F as shown on the applicant's plans have been situated at 45 degree angles to their immediate neighbors so that the closest portions of these buildings are the building corners which reduces the overall bulk and appearance for these nearest neighbors. Additionally, the placement of the buildings at this angle increases the open landscaped areas that will help to screen the buildings from existing neighbors. Building heights, setbacks, density and maximum building coverage will comply with the development standards of the R-1 zone, unless otherwise granted an exception or modification through this PUD or through Adjustment Review (addressed below). Staff also notes that many surrounding homes also contain existing privacy fences which will help screen the proposed development. The proposal for tree preservation, and especially additional tree plantings as discussed below, also contribute substantially to staff's finding that adequate screening will be provided.

The property owner of adjacent Tax Lot (TL) 2401 (Elizabeth Ness at 1420 Piper Lane) has indicated a willingness to contribute monetarily to the rebuilding of the fence that borders her property and the development. Staff encourages the applicant to work with all abutting property owners to construct new fences that will provide screening and enhance the overall look of the development and the immediate neighborhood. If the Hearings Official determines that additional screening is necessary based on the above criterion, one option is that the applicant could be required to provide 6 foot tall fencing along the perimeter of the site where adjoining owners request it and no fence currently exists. Staff is also open to consideration of alternatives the applicant may propose to ensure that adequate screening is provided, in response to this criterion and any public testimony received.

Based on the above findings, staff concludes the proposed tentative PUD complies with this criterion.

**EC 9.8320(4) The PUD is designed and sited to minimize impacts to the natural environment by addressing the following:**

**(a) Protection of Natural Features.**

1. **For areas not included on the City's acknowledged Goal 5 inventory, the preservation of significant natural features to the greatest degree attainable or feasible, including:**
   - **a. Significant on-site vegetation, including rare plants (those that are proposed for listing or are listed under State or Federal law), and native plant communities.**
   - **b. All documented habitat for all rare animal species (those that are proposed for listing or are listed under State or Federal law).**
   - **c. Prominent topographic features, such as ridgelines and rock outcrops.**
   - **d. Wetlands, intermittent and perennial stream corridors, and riparian areas.**
   - **e. Natural resource areas designated in the Metro Plan diagram as "Natural Resource" and areas identified in any city-adopted natural resource inventory.**
2. **For areas included on the City's acknowledged Goal 5 inventory:**
   - **a. The proposed development's general design and character, including but not limited to anticipated building locations, bulk and height, location and distribution of recreation space, parking, roads, access and other uses, will:**
     - **(1) Avoid unnecessary disruption or removal of attractive natural features and vegetation, and**
     - **(2) Avoid conversion of natural resource areas designated in the Metropolitan Area General Plan to urban uses when alternative locations on the property are suitable for development as otherwise permitted.**
   - **b. Proposed buildings, road, and other uses are designed and sited to assure preservation of significant on-site vegetation, topographic features, and other unique and worthwhile natural features, and to prevent soil erosion or flood hazard.**

Staff has determined that the proposed site is not identified as part of the Goal 5 Water Resources Conservation Plan, and therefore subsection (2) is not applicable to the proposal.

The most significant vegetation on the site are trees, however many are in fair to poor condition according to the applicant's arborist report. The proposed development and road extension requires the removal of many of the existing trees, but the applicant has proposed saving several stands of existing trees along the southern portions of the site, which is discussed further under tree preservation criteria below. There are no known habitats for rare animals on the site. There are no prominent topographic features on the site. There is a topographic depression (a remnant slough that is not specifically identified for protection under Goal 5), where several buildings are proposed to be located in order to reduce their overall height and visibility. There are no known wetlands on the site, and the site is not identified or designated in the Metro Plan as a natural resource.

Based on the above findings, staff concludes the proposed tentative PUD complies with this

criterion.

**(b) <u>Tree Preservation</u>. The proposed project shall be designed and sited to preserve significant trees to the greatest degree attainable or feasible, with trees having the following characteristics given the highest priority for preservation:**

1. **Healthy trees that have a reasonable chance of survival considering the base zone or special area zone designation and other applicable approval criteria;**
2. **Trees located within vegetated corridors and stands rather than individual isolated trees subject to windthrow;**
3. **Trees that fulfill a screening function, provide relief from glare, or shade expansive areas of pavement;**
4. **Trees that provide a buffer between potentially incompatible land uses;**
5. **Trees located along the perimeter of the lot(s) and within building setback areas;**
6. **Trees and stands of trees located along ridgelines and within view corridors;**
7. **Trees with significant habitat value;**
8. **Trees adjacent to public parks, open space and streets;**
9. **Trees located along a water feature;**
10. **Heritage trees.**

Initially, the applicant submitted a tree health assessment without benefit of the oversight of a certified arborist. Staff had concerns that the tree assessment did not provide an accurate account of the current conditions of trees on the site and noted a number of discrepancies on the plans and in the application narrative. Out of the listed 226 trees on the site, only 13 trees were shown to be preserved. Staff questioned the high number of trees to be removed, and asked for revisions to the development layout and the submittal of an arborist report in order help assess the ability to preserve more trees.

As part of the applicant's submitted revisions (May 31, 2016) an arborist report was submitted which included a revised inventory of the site and identified the health and condition of all trees on the site. The overall number of trees on site was revised down to 215, accounting for some dead trees that were misidentified in the original submittal. The site plan was also revised to remove a large vehicular turn around and several buildings along the southern property border were repositioned so that 37 trees will remain on the property. Staff notes that the applicant has indicated that six of those trees to be preserved are considered as technical removals due to the anticipated impact to the critical root zone, therefore only 31 trees are considered to be viable candidates for preservation. The trees to be preserved are mostly in existing tree stands along the southern perimeter of the site and more likely to survive. These preserved trees will provide screening and buffering for adjacent neighbors to the south of the project. The arborist also concluded that many of the trees on the site were either unhealthy or not appropriate in an urban setting, such as cottonwood trees because they have a reputation for healthy limbs breaking and doing damage to nearby residences. Based on the available information, staff concludes that there are no ridgelines or view corridors on the site, and no trees with especially significant habitat value. There are no trees adjacent to public parks or open space, water features or any

identified heritage trees.

A significant aspect of the applicant's proposal is to provide a substantial amount of additional trees throughout the site. A total of 107 new trees are proposed with a wide varietal range including maple, ash, birch, fir, cedar and black tupelo. New trees are proposed in virtually every open space on the site. This will ensure that as the site matures, significant portions of the development will be screened from neighboring properties. The proposed landscape plan will help the developed site blend in with its surroundings, while also facilitating development of this residential infill site.

To ensure implementation of the applicant's tree preservation proposal, the following conditions of approval are recommended:

- Include a note on plan set that, "All building permits for construction on the site shall include a site plan in compliance with the approved tree preservation plan. The building permit submittal shall include sufficient detail to verify that no more than 30 percent of the Critical Root Zones (CRZ) of trees to be preserved will be impacted by construction activities on the lot, or a report from a certified arborist verifying that the proposed construction activities can otherwise be conducted in a manner that does not threaten the survival of the trees to be preserved. The building permit shall include tree protection fencing to be erected at the perimeter of the CRZ's for all trees to be preserved (or an alternative location as approved and documented by the certified arborist and the City)."

- Include a note on the plan set that, "Protective fencing for trees identified to be preserved shall be installed under the direction of a certified arborist and inspected and approved by the City prior to beginning any construction related activities. All protective tree fencing shall remain in place until completion of all construction activities; any relocation or removal of the protective fencing shall also occur under the direction of a certified arborist, with approval by the City."

- Include a note on the plan set that the Arborist Report by Kyle W. King dated May 26, 2016, and the Tree Preservation Plan (sheets L3.0 and L3.1) shall be the controlling documents in conjunction with the Landscape Plan and Tree Planting Plan.

- Include a note on the plan that "No excavation, grading, material storage, staging, vehicle parking or other construction activity shall take place within the identified tree protection areas without approval by the City."

- Include a note on the plan that "Removal of dead, diseased, or hazardous trees shall be allowed with documentation from a certified arborist as to the condition of the tree and the need for removal. Documentation must be provided to the City for review and approval prior to tree removal activity."

- Include a note on the plan that "The removal of trees indicated 'to be removed' is not required; said removal may occur at the applicant or future owners' discretion."

- Include a note on the plan that "In the event a preservation tree must be removed (i.e. dead, diseased, or hazardous trees) justification of the removal must be documented by a certified arborist. Documentation must be provided to the City for review and approval prior to tree removal activity. The tree(s) shall be replaced at a ratio of two (2) trees for each one (1) tree removed. Replacement trees shall be a minimum caliper of 2" for deciduous trees and a minimum height of 5' for coniferous or evergreen trees. Planting, watering and general maintenance of replacement trees shall be conducted by the property owner in manner that ensures their establishment and long-term survival."

The neighbor to the immediate south of the project (Elizabeth Ness, TL 2401) contacted staff with concerns regarding a possible heritage tree within City right-of-way adjacent to the proposed emergency access way that connects this development to Hammock Lane. Ms. Ness asserts that this tree is historic since it was part of the Cal Young property and associated with the historic Cal Young house. Staff from Urban Forestry investigated the tree for location, size and condition. Planning staff also researched the historic aspect of the tree. The 1975 historic designation of the Cal Young house (at 950 Call Young Road) did not include any of the subject property, trees, or landscaping, only designating the structure itself as historic. The Cal Young house is also over 900 feet away from the subject property. Therefore, planning staff determined the tree's historic value as "not significant" under the guidelines established in the Urban Forest Management Plan. Applying all the factors to determine heritage tree status, the tree in question was found to have less than the required 38,200 points needed to be declared as a heritage tree. Staff also notes that the tree in question is located outside of the proposed emergency vehicular lane, although the lane is within the critical root zone of the tree. It is unclear whether the tree would need to be removed in order to accommodate the proposed emergency access, or even full improvement of Piper Lane in the future. In the event of removal, the tree would be subject to any applicable permitting requirements for street tree removal as discussed further below under subsection (d).

Ms. Ness also requested a re-assessment of several of the maple trees that border her property, indicating that they are leaning towards her property. In the past, branches have fallen and caused damage on her property. She is requesting that "they remove these trees that will cause us damage and replace them with specimens that will add to the character, privacy and ecosystem of our neighborhood and specifically our livability". Staff recommends the following condition to address concerns with potentially breaking tree limbs and leaning trees.

- The applicant, with the aid of the arborist of record, shall reassess the trees adjacent to Tax Lot 2401 to determine if any trees have potential issues with breaking branches and/or significantly leaning trees. The arborist of record shall, with City staff concurrence, either recommend pruning or removal of any trees that have a significant potential for future breakage and damage to the neighboring property.

Given the findings and conditions provided above, this criterion is met.

**(c) Restoration or Replacement.**

**1. For areas not included on the city's acknowledged Goal 5 inventory, the proposal mitigates, to the greatest degree attainable or feasible, the loss of significant natural features described in criteria (a) and (b) above, through the restoration or replacement of natural features such as:**

**a. Planting of replacement trees within common areas; or**

**b. Re-vegetation of slopes, ridgelines, and stream corridors; or**

**c. Restoration of fish and wildlife habitat, native plant habitat, wetland areas, and riparian vegetation.**

**To the extent applicable, restoration or replacement shall be in compliance with the planting and replacement standards of EC 6.320.**

**2. For areas included on the city's acknowledged Goal 5 inventory, any loss of significant natural features described in criteria (a) and (b) above shall be consistent with the acknowledged level of protection for the features.**

As noted previously, the area is not included on the City's Goal 5 inventory, therefore subsection (1) is applicable to the proposal. The site is not within a wetland area or near a stream corridor with riparian vegetation and therefore does not require restoration of habitat. There is no indication of any substantial wildlife habitats or rare animals found on site. However, 184 trees are proposed for removal. The applicant also proposes to replant 107 new trees and a significant amount of other vegetation to ensure the development will be screened from neighboring properties and blend in with its surroundings.

Based on the available information and to ensure implementation of the applicant's proposed replacement/landscaping plans, the following condition is recommended:

- Prior to final occupancy, the applicant shall have planted all trees and vegetation as shown on the Landscape Plan (sheets L6.0 and L6.1) in the same general location, same quantity and same species as shown on the plans. Staff shall verify that all trees and vegetation have been planted in accordance with these plans prior to issuance of final occupancy. All trees and vegetation shall be maintained by watering and general maintenance, and shall be conducted by the property owner in a manner that ensures their establishment and long-term survival.

Based on these findings and with the recommended condition of approval, this criterion is met.

**(d) Street Trees. If the proposal includes removal of any street tree(s), removal of those street tree(s) has been approved, or approved with conditions according to the process at EC 6.305.**

In order to implement the proposed development plan, removal of street trees within the existing and proposed Piper Lane right-of-way may be necessary. Staff notes that trees with a caliper measurement (at 6 inches above ground level) of 1 ½ inches or greater is defined as, and regulated as, a street tree. Removal of these trees will be authorized through the PEPI process, along with payment of appraised values. To ensure that street trees are removed and replaced in accordance with City standards, the following condition is recommended:

- The Final PUD plans shall note that street tree removals will be authorized under the PEPI process and must meet the permit and replacement value requirements of EC 6.305.

With this condition, the above criterion will be met.

**EC 9.8320(5): The PUD provides safe and adequate transportation systems through compliance with the following:**

The proposed development includes private streets and sidewalks which will provide connections to the public street system for motorists, bicyclists, pedestrians and emergency vehicles subject to additional findings and conditions for compliance with EC 9.6805 through EC 9.6875, as provided below. Based on these findings, Public Works staff confirms that the proposed development complies with this criterion.

**(a) EC 9.6800 through EC 9.6875 Standards for Streets, Alleys, and Other Public Ways (not subject to modifications set forth in subsection (11) below).**

**EC 9.6805 Dedication of Public Ways**

Pursuant to EC 9.6805, as a condition of any development, the City may require dedication of public ways for bicycle and/or pedestrian use as well as for streets and alleys, provided the City makes findings to demonstrate consistency with constitutional requirements. The public ways for streets to be dedicated to the public by the applicant shall conform to the adopted right-of-way map and EC Table 9.6870.

Per the findings at EC 9.6870, there is no requirement for additional right-of-way dedication as a result of the development, beyond that which is proposed. Staff notes that the right-of-way condition will be required as a condition of the PEPI permit.

**EC 9.6810 Block Length**

Per this standard, the maximum block length for local streets is 600 feet, unless an exception is granted based on subsections (1) through (4). Upon completion of the proposed development and completion of Piper Lane, the block length between Fir Acres Road and the Hammock Drive / Piper Lane intersection will be approximately 900 feet. The applicant is requesting an exception to this standard. In addition to the street connectivity findings that no additional connecting streets are required, staff concurs with the applicant's assertion that residential development generally surrounds the subject site and further notes that a street connection through the only underdeveloped property in the direction of Cal Young Road (i.e., TL 2301 to the south) would result in a new intersection with Cal Young that would not comply with the intersection spacing standards of EC 9.6830. Based on these findings, staff recommends an exception to the block length standards per EC 9.6810(2).

### EC 9.6815 Connectivity for Streets

In order to meet street connectivity standards, the proposed development must, at a minimum, provide extensions of the public way which are consistent with subsections (2)(b), (2)(c) and (2)(d). EC 9.6815(2)(b) requires street connections in the direction of any planned or existing streets within ¼ mile of the development site and connections to any streets that abut, are adjacent to, or terminate at the development site. EC 9.6815(2)(c) requires that the proposed development include streets that extend to undeveloped or partially developed land adjacent to the development site in locations that will enable adjoining properties to connect to the proposed development's street system. EC 9.6815(2)(d) requires secondary access for fire and emergency vehicles. Subsection (2)(a) is not applicable because no private streets are proposed.

Regarding subsection (2)(b), streets within ¼ mile of the development site include Piper Lane, which abuts the northerly boundary and also terminates at the southeast corner of the subject site (between 1420 and 1421 Piper Lane). The right-of-way at this point consists of a 25-foot right-of-way on the west side of the street centerline. The applicant's proposal to connect Piper Lane on the west to Piper Lane and Hammock Street to the south by completing the Piper Lane right-of-way along the northerly boundary and by extending the right-of-way along the easterly boundary to the current terminus of Piper Lane demonstrates compliance with this standard.

Regarding subsection (2)(c), with the exception of a single partially developed property (17-03-19-13 TL 2301), the subject site is generally bordered by developed lots. Since TL 2301 can be fully developed with a shared driveway from Cal Young Road, there is no need for a street connection in this direction.

Regarding subsection (2)(d), the proposed development of a secondary emergency access through the existing 25 foot wide Piper Lane right-of-way adjacent to 17-03-19-13 TL 2401 (aka 1420 Piper Lane), see Sheet L2.0 – Site Plan, demonstrates compliance with this standard.

Regarding subsection (2)(e), staff concurs with the applicant's assertion that the proposed street alignment is relatively flat, excavation will be minimal and there are no proposed embankments or disturbance of natural resources. Also, there are no water related features on the development site.

The standard at subsection (2)(f) is not applicable since the proposed development will not extend an existing street that has not been improved to City standards and has an inadequate driving surface.

Given the available information and based on the foregoing findings, the street connectivity standards are met.

### EC 9.6820 Cul-de-Sacs and Turnarounds

These standards do not apply because no new public cul-de-sacs or streets are proposed or required. Per the condition imposed at EC 9.6505(3), below, the vehicle turnaround near Building G will need to be removed from the Final PUD plans.

### EC 9.6830 Intersections of Streets and Alleys

These standards are not applicable because no new intersections are proposed or required.

### EC 9.6835 Public Accessways

As shown on Note 11 on the applicant's Topographic Survey, there is a 25-foot wide Emergency Access, Pedestrian and Bicycle Way (aka Public Accessway) with a 25-foot nominal width that is adjacent to TL 2401 and is identified on Sheet L2.0 – Site Plan as a 25-foot wide right-of-way. As depicted on Sheet L2.0, the applicant proposes the construction of a 14-foot roadway for Emergency Secondary Access that is capable of accommodating 80,000 lb. Gross Vehicle Weight. Additionally, it is noted that the emergency access will be constructed through the PEPI process in accordance with City standards and will also accommodate bicycles and pedestrians.

### EC 9.6840 Reserve Strips

EC 9.6840(1) enables the City to require the developer to prevent access to abutting land at the end of a street in order to assure the proper extension of the street pattern and the orderly development of land lying beyond the street. EC 9.6840(2) also enables the City to require the developer to prevent access to the side of a street where additional width is required to meet the right-of-way standards provided in Table 9.6870 Right-of-Way and Paving Widths.

As discussed at EC 9.6870, additional right-of-way will be needed from 17-03-19-14 TL 800 in order to complete the Piper Lane improvements in the future. Staff notes that there is an existing 1-foot reserve strip adjacent to the southerly portion (per LPPN 1996-90787) of TL 800, however there are no reserve strips adjacent to the remaining northerly portion of TL 800 that abuts the subject site. Therefore, the following condition is warranted:

- The applicant shall create a 1 foot reserve strip along the easterly margin of Piper Lane that abuts 17-03-19-14 TL800. The reserve strip shall be conveyed to the City on a standard City form that will be reviewed with the right-of-way deeds prior to recording of the documents.

Staff notes that a reserve strip will not be required adjacent to 17-03-19-14 TL600 because the proposed 40-foot dedication will allow for all improvements in Piper Lane, with the exception of a setback sidewalk on the east side to be constructed. Based on the above findings and condition, the standard for reserve strips is met.

### EC 9.6845 Special Safety Requirements

There are no special safety requirements necessary to discourage use of the streets by non-local motor vehicle traffic.

**EC 9.6850 Street Classification Map**

The proposal complies with this standard as discussed in EC 9.6870 Street Width, which is incorporated herein by reference.

**EC 9.6855 Street Names**

The proposal does not amend the right-of-way map. This criterion is not applicable.

**EC 9.6860 Street Right-of-Way Map**

The proposal does not amend the right-of-way map. This criterion is not applicable.

**EC 9.6870 Street Width**

Pursuant to EC 9.6870, the right-of-way and paving widths of streets, "shall conform to those widths designated on the adopted Street Right-of-Way map. When a street segment right-of-way width is not designated on the adopted Street Right-of-Way map, the required street width shall be the minimum width shown for its type in Table 9.6870 Right-of-Way and Paving Widths". A greater width can be required based on adopted plans and policies, such as the adopted "Design Standards and Guidelines for Eugene Streets, Sidewalks, Bikeways and Accessways", or other factors which in the judgment of the planning and public works director necessitate a greater street width.

Once the connection has been completed between Chasa Street and Cal Young Road, Piper Lane will function as a low volume local street, based on an expected 250-750 average daily trips (ADT). Per EC Table 9.6870, low volume local streets are required to have between 20 and 28 feet of paving with 45 to 55 feet of right-of-way. The applicant's proposal for 21 foot paving within a 45 foot right-of-way is one of the options identified for low-volume streets in Table 2 – Local Street Standards of the adopted Design Standards and Guidelines for Eugene Streets, Sidewalks, Bikeway and Accessways and is the same width as Hammock Street to the south, which was designed and constructed to City standards. Staff notes that the width of the right-of-way dedication necessary to complete the 45 foot right-of-way along the northerly boundary may vary slightly due to the variability of existing right-of-way from tax lot to tax lot on the north. Along the easterly boundary, the right-of-way dedication will vary from 40 feet along the portion of the property that is generally adjacent to the adjoining TL 600 (see Sheet L2.0 – Site Plan) and 25 feet of right-of-way over the most southerly portion of the development site as it abuts TL 800. Following these dedications, the westerly 25 feet of right-of-way will be continuous to the south line of the adjoining TL 2401. The 40 foot right-of-way dedication is sufficient for the construction of a full street improvement, including 21-foot paving, curbs & gutters on both sides of the street, and setback sidewalks on the development (west) side of the street and the area of 25 foot right-of-way dedication will accommodate 14-foot paving (for one-way secondary access) with curbs & gutters and sidewalks on the west side of the street only. The remaining components of the street will be completed in the future, likely at the time of development of TL 600 or TL 800 at which time, the dedication of the remainder of the 45 foot right-of-way will be required.

Based on the applicant's plans including proposed street improvements and right-of-way dedication for Piper Lane, this standard is met.

**EC 9.6873 Slope Easements**

Since the site is relatively flat, there is no requirement for slope easements as a condition of development.

**EC 9.6875 Private Street Design Standards**

These standards do not apply because no private streets are proposed.

**(b) Pedestrian, bicycle and transit circulation, including related facilities, as needed among buildings and related uses on the development site, as well as to adjacent and nearby residential areas, transit stops, neighborhood activity centers, office parks, and industrial parks, provided the city makes findings to demonstrate consistency with constitutional requirements. "Nearby" means uses within ¼ mile that can reasonably be expected to be used by pedestrians, and uses within 2 miles that can reasonably be expected to be used by bicyclists.**

The applicant's proposed sidewalk and street improvements associated with the extension of Piper Lane and the pedestrian/bicycle pedestrian connection to Hammock Lane will provide access to existing public sidewalks and streets.

There are no nearby or adjacent office or industrial parks; however, a bus stop exists east of the development site near the intersection of Cal Young Road and Gilham Street (LTD Bus #96) approximately ½ mile from site. A commercial center (Sheldon Plaza) and commercial corridor exists approximately 1.13 miles from the subject property along Coburg Road. These amenities are within 2 miles of the subject site, and could therefore be accessed by bicyclists. A neighborhood convenience store exists approximately ¼ mile from the site at the intersection of Cal Young road and Fir Acres Road. The public system is fully improved in the area which provides pedestrian, bicycle and transit circulation as required by the above criterion, however most of these are further than ¼ mile of the proposed PUD; therefore it would not be expected that all of these amenities are used by pedestrians.

**(c) The provisions of the Traffic Impact Analysis Review of EC 9.8650 through 9.8680 where applicable.**

The anticipated traffic generated by the proposed subdivision does not meet any of the thresholds established in EC 9.8650 through 9.8680. The anticipated amount of peak hour trips (17 trips) for the proposed 23 units (Land Use Category 224 – Rental Townhouse = 0.72 peak hour trips per unit) does not reach the threshold of 100 or more peak hour trips, there are no documented concerns to warrant further review under these standards, nor will the proposed residential development generate or receive vehicles of heavy weight in routine daily operations. Based on these findings, this criterion is not applicable.

**EC 9.8320(6) The PUD will not be a significant risk to public health and safety, including but not limited to soil erosion, slope failure, stormwater or flood hazard, or an impediment to emergency response.**

Regarding soil erosion and slope failure, due to the size of the development, an erosion prevention permit will be required prior to any ground-disturbing activities. Based on the conclusions of the applicant's geotechnical report, the site is geologically and "geotechnically" suitable for the proposed development. With regard to risk of stormwater or flood hazard, there are no proposed structures within a regulated special flood hazard area and the development itself will not result in unreasonable risk of flood per the stormwater management evaluation at EC 9.8320(11)(j). The proposed emergency vehicular access to Hammock Street and Piper Lane to the southwest will improve public health and safety not only for the new development, but also for existing neighbors on TL 800 and 600.

**EC 9.8320(7) Adequate public facilities and services are available to the site, or if public services and facilities are not presently available, the applicant demonstrates that the services and facilities will be available prior to need. Demonstration of future availability requires evidence of at least one of the following:**

**(a) Prior written commitment of public funds by the appropriate public agencies.**

**(b) Prior acceptance by the appropriate public agency of a written commitment by the applicant or other party to provide private services and facilities.**

**(c) A written commitment by the applicant or other party to provide for offsetting all added public costs or early commitment of public funds made necessary by development, submitted on a form acceptable to the city manager.**

Staff concurs with the applicant's statement that adequate public utilities and services, including stormwater and wastewater service, are presently available to the site as indicated on the applicant's plans. Findings at EC 9.8320(10)(b) and (j), regarding public improvements and stormwater respectively, are incorporated herein by reference as further evidence that these services are available to the site. Given these findings, the proposal is in compliance with this criterion. The provision of water and electric services and other utilities is subject to review by EWEB or other utility providers.

**EC 9.8320(8) Residents of the PUD will have sufficient usable recreation area and open space that is convenient and safely accessible.**

As shown on the applicant's site plan, 32,273 square feet of total common area open space is provided. The open space includes lawn and hard surfaced areas with amenities such as drinking fountains, vegetation, pathways, tables and benches. The total area far exceeds the minimum requirement of 20 percent of the site (as applicable under multi-family standards at EC 9.5500), which equates to 15,856 square feet, therefore this criterion is met.

**EC 9.8320(9): Lots proposed for development with one-family detached dwellings shall comply with EC 9.2790 Solar Lot Standards or as modified according to subsection (10) below.**

Since the entire project and land area will be under common ownership, and includes no detached single-family dwellings, this criterion is not applicable.

**EC 9.8320(10): The PUD complies with all of the following:**

**(a) EC 9.2000 through 9.3915 regarding lot dimensions and density requirements for the subject zone. Within the /WR Water Resources Conservation Overlay Zone or /WQ Water Quality Overlay Zone, no new lot may be created if more than 33% of the lot, as created, would be occupied by either:**

The development site consists of one lot under common ownership. In regards to density, based on the R-1 Low-Density Residential zoning and EC 9.2750 Residential Zone Development Standards, the subject property is permitted to have a maximum net density of 14 units per acre. The proposed development will create 23 multi-family units on a net area of 1.82 acres. The resulting net development density of 12.6 units per net acre is within the density requirements of the applicable R-1 zone.

The subject property is not within the /WR Water Resources Conservation Overlay Zone or the /WQ Water Quality Overlay Zone. Additional residential development standards are addressed below at EC 9.8320(11)(k).

**(b) EC 9.6500 through EC 9.6505 Public Improvement Standards.**

**EC 9.6500 Easements**

This section authorizes the City to require dedication of easements for public utilities and access under certain circumstances. Per the applicant's written statement, proposed utility easements are shown on the site plan. Based on staff review of Sheet L2.0 – Site Plan, the applicant proposes to dedicate a 7-foot PUE adjacent to the development side (south and west) of the proposed right-of-way and also proposes to dedicate a 3.5 foot PUE along the westerly boundary. Currently, the public storm drain that the applicant proposes to connect to is located on adjacent property approximately 4 feet from the property line, which is also the easterly edge of a 7-foot wide PUE. With an additional 3.5 feet of PUE, the overall PUE width will be 10.5 feet and the distance from the pipe to the edge of the PUE will be over 7 feet, which is typical in standard 14-foot PUEs. As with the right-of-way dedication, the PUE dedication will be required as part of the PEPI permit necessary for construction of public improvements.

EC 9.6500 also requires that no building, structure, tree or other obstruction shall be placed on or located in a public utility easement and that prior to approval of a final PUD, final site review plans or final plats, the above restriction shall be noted thereon. For compliance with this standard, the following condition is recommended:

- The following restriction shall be shown on the Final PUD plan: "No building, structure, tree or other obstruction shall be placed or located on or in a Public Utility Easement."

Based on these findings and the condition recommended above, EC 9.6500 is met.

### EC 9.6505 Improvements–Specifications

This section requires that all public improvements be designed and constructed in accordance with adopted plans and policies, the procedures specified in EC Chapter 7, and standards and specifications adopted pursuant to EC Chapter 7. The public improvement standards in EC Chapter 7 also require the developer to enter into an agreement establishing installation and maintenance responsibilities for street trees in accordance with the standards in EC 7.280. Additionally, all developments are required to be served by and implement infrastructure improvements including water, sewage, streets, street trees, street lights, sidewalks, access ways, and stormwater drainage. As an informational item, staff notes that an Engineering and Construction agreement is also required for the private construction of public improvements and must be submitted when the construction plans are submitted for review and approval. The configuration and size of the public improvements shall further be subject to approval by the City Engineer upon review of the design and supporting analysis prepared by the applicant's engineer.

In order to ensure compliance with EC 9.6505, the following conditions are recommended according to referral comments from Public Works staff:

- The following note shall be added to the Final PUD plans, "Prior to development, a PEPI permit shall be issued for the construction of public improvements.

- The following note shall be added to the Final PUD plans, "A street tree agreement application with a street tree plan shall be submitted to the City Urban Forester for review. A financial guarantee shall be submitted insuring street trees will be planted and maintained in accordance with applicable EC 7.280 requirements. The approved street tree agreement shall be completed prior to development."

Based on these findings (and those below, related to subsections of EC 9.6505), recommended conditions, and subsequent permit requirements, EC 9.6505 is met.

### EC 9.6505(1) Water Supply

As required by this standards, water service for the proposed development must be provided in accordance with Eugene Water and Electric Board (EWEB) policies and procedures.

### EC 9.6505(2) Sewage

This standard requires all developments to be served by wastewater sewage systems of the city, in compliance with the provisions of EC Chapter 6. As depicted on Sheet C3.0 – Site Utilities Plan, the applicant proposes to connect to the 8-inch wastewater mainline that is currently stubbed to the end of the existing paved surface in Piper Lane and extend the public system by constructing approximately 380 feet of new mainline. The proposed extension will include the construction of public laterals to the proposed development as well as additional public laterals to provide service to the tax lots on the north and east side of Piper Lane, consistent with the City's Sanitary Master plan.

Public wastewater will be reviewed in more detail during the PEPI process, at which time the applicant will be directed to minimize and consolidate the number of proposed public laterals to the development site (currently proposed as six), and to address inflow & infiltration issues. Additionally, the private system as shown on Sheet C3.0 – Site Utilities Plan will be reviewed at the time of the site development permit.

**EC 9.6505(3) <u>Streets and Alleys and (4) Sidewalks</u>**

EC 9.6505(3)(a) and (b) requires all streets in and adjacent to the development site to be paved to the width specified in EC 9.6870, and improved according to adopted standards and specifications pursuant to EC Chapter 7, unless such streets have already been paved to that width. The improvements are to include drainage, curbs & gutters, sidewalks, street trees and street lights adjacent to the development site according to the Design Standards and Guidelines for Eugene Streets, Sidewalks, Bikeways and Accessways, and standards and specifications adopted pursuant to EC Chapter 7 and other adopted plans and policies.

As previously discussed at EC 9.6870, the applicant proposes to construct Piper Lane with 21-foot wide paving, curbs and gutters on both sides and a setback sidewalk on the south side. However, in order to maintain the historical right of access to Hammock Street that was granted to the owners of TL600 and TL800 over the easterly 15-feet of the subject site and westerly 15 feet of TL 800, the applicant proposes to terminate the curb & gutter in the curve near the northeast corner of the development site.

Under this proposal, the edge of the paving would fall in the middle of the existing gravel drive. Without edge protection such as a curb and gutter, the structural integrity of the asphalt surface would be compromised and there would be an inordinate need for maintenance of the street as a result of gravel and other debris on the roadway. Additionally, the distinction between the private gravel drive crossing TL 600 and TL 800 would be blurred and it is likely that the private drive would be utilized as a short cut by unauthorized vehicles.

Staff also acknowledges that a two-way through connection to the Piper / Hammock intersection is not possible at this time because the necessary right-of-way is not available. Until such time that the remaining right-of-way becomes available, full width paving is not needed, beyond the point where access connections will be provided to existing lots to the north, which previously dedicated right-of-way. In lieu of a 21 foot paved surface, a 14 foot wide surface will adequately provide for the needs of emergency vehicles, bicyclists and pedestrians. As a result of these findings from Public Work staff, the following condition is warranted:

- The Final PUD plans shall be modified so that the Piper Lane paved section is reduced to a 14-feet width, beginning at the end of the proposed curb and gutter near the northeast corner of the development site and proceeding in a southerly direction towards the northwest corner of TL 800. The plans shall also note the construction of a barrier which will prevent motorists from gaining access to the private roadway easement. The plans shall also be modified to indicate that the 14-foot paved section is for Fire, Bicycle and Pedestrian purposes only and the proposed vehicle turnaround adjacent to Building G shall

be removed from the plans.

The specific street design and the placement of any restrictive devises such as bollards and signage will be more closely reviewed for compliance with applicable standards during the Privately-Engineered Public Improvement (PEPI) permit process. Staff encourages the applicant to consider placing signage and bollards or some other appropriate restrictive devise closer to the driveway entrance and prior to the road curve in order to eliminate the difficulty of turning a vehicle around on a half-street. As an informational item, staff notes that "bump-outs", such as the one shown near the entrance to the private driveway are not permitted on local streets.

At the time of writing this staff report, the applicant responded to concerns of the neighbors and staff regarding how emergency only vehicular access would be controlled to the southwest (Hammock Street). An alternative design was submitted that staff has not had the ability to thoroughly review. Preliminary review of this alternative design indicate restricting vehicles at the Piper Lane curve (northeast corner) with a vehicular turnaround and removable bollards to restrict access. Staff will further review the alternative design and provide more information at the public hearing.

**EC 9.6505(5) Bicycle Paths and Accessways.**

As noted above, the proposed 14 foot lane extending from the fully paved street to the intersection of Hammock and Piper Lane will allow for emergency vehicle, bicycle and pedestrian access. The roadway will be constructed through the PEPI process in accordance with City standards.

**(c) EC 9.6706 Development in Flood Plains through EC 9.6709 Special Flood Hazard Areas – Standards.**

These standards do not apply because the subject property is not located within a Flood Plain or Special Flood Hazard Area.

**(d) EC 9.6710 Geological and Geotechnical Analysis.**

The geotechnical analysis requirements beginning at EC 9.6710 apply because, pursuant to EC 9.6710(2)(a-b), the proposed development is a PUD with slopes greater than 5% and includes dedication and construction of public street, storm drainage, and wastewater systems. Public Works staff confirms that the applicant's analysis, prepared by Ronald J. Derrick, P.E., G.E. of Branch Engineering, Inc., which is dated February 9, 2016, meets the Level One and Level Two Analysis requirements of EC 9.6710(4)(a) and (4)(b), which consists of a compilation of record geological data, site conditions, sub-surface investigation and testing and a report discussing site and soil characteristics in relation to the proposed development and other applicable standards. The report concludes that the site is geologically and "geotechnically" suitable for the proposed development. The report also includes a number of construction recommendations including the design and construction of the proposed residential building pads and foundations and public street and sewer improvements. Public Works staff concurs with this initial geotechnical assessment. Adherence to the report recommendations will be required during the subsequent

PEPI permit, and building and site development processes. Based on these findings and future permit requirements, the development complies with this criterion.

**(e) EC 9.6730 Pedestrian Circulation On-Site.**

The applicant's site plan shows a system of pedestrian sidewalks that will allow access throughout most of the development and also provide access connections beyond the property to the northwest and the southeast corners of the property. The applicant is requesting an adjustment to the on-site pedestrian circulation standards for sidewalks to connect each unit to every other unit on the development site in order to conserve space to save existing trees, which is further addressed in section 2 of the staff report.

EC 9.6730(3)(e) also requires all on-site pedestrian paths to include pedestrian scale lighting in conformance with the Outdoor Lighting Standards at EC 9.6725. On-site lighting will be especially important to increase safety and functionality within the enhanced pedestrian areas. To ensure sufficient lighting is constructed, staff recommends the following condition:

- Pedestrian scale lighting along all pedestrian paths and within the enhanced pedestrian areas shall be constructed in compliance with EC 9.6725 Outdoor Lighting Standards. The lighting shall be shown on Final PUD Plans and implemented before final occupancy. A manufacturer's detail sheet of the selected lighting shall also be submitted with the Final PUD Plans.

Based on these findings and the recommended condition of approval, the project meets the on-site pedestrian circulation standards.

**(f) EC 9.6735 Public Access Required.**

According to referral comments from Public Works staff, this standard is met.

**(g) EC 9.6750 Special Setback Standards.**

No special setbacks are required for future right-of-way or public utility easements. As discussed previously EC 9.6870, Piper Lane will comply with applicable right-of-way width requirements.

**(h) EC 9.6775 Underground Utilities.**

All on-site utilities will be placed underground consistent with EC 9.6775.

**(i) EC 9.6780 Vision Clearance Area.**

This standard does not apply because the subject property is not located at a street intersection.

**(j) EC 9.6791 through 9.6797 regarding stormwater flood control, quality, flow control for headwaters area, oil control, source control, easements, and operation and maintenance.**

**EC 9.6791 <u>Stormwater Flood Control</u>**

The applicant submitted a report entitled Stormwater Analysis Report For: Piper Lane PUD, which was prepared by SSW Engineers and stamped by Michael Alan Cox, P.E. in support of the applicant's storm drainage proposal.

Staff confirms that the proposed development is located within Sub-basin WKDP-120 of the Willakenzie Basin. For conveyance of runoff from the proposed Piper Street extension, the applicant proposes to extend the existing public storm drainage in an easterly direction from a manhole located at the end of the existing paved surface in Piper Lane and terminating at a proposed manhole to be constructed in the approximate northeast corner of the subject site.

After being treated for water quality, runoff from the public roadway will be collected in the newly constructed public storm drain. Runoff from the private portions of the development, will be collected at a new manhole to be constructed over an existing 24-inch storm drain that is located along the westerly boundary of the site. Staff confirms that based on the Eugene Stormwater Basin Master Plan there are no identified capacity deficiencies in the modeled portion of the downstream public stormwater system that is downstream of the 24-inch storm drain pipe in Piper Lane. Additionally, the applicant's engineer submitted an addendum to the original stormwater analysis, entitled Stormwater Study Report: For Willakenzie Stormwater Basin – Main System in Piper Lane to Fir Acres Drive. This report concludes that the 24-inch storm drain that is upstream from the modeled segments has adequate capacity for flows from the full buildout of the proposed residential units and that the additional flow will not cause backflow upstream in the stormwater system.

Additionally, in response to concerns that the 24-inch storm drain pipe that runs diagonally between TL 2502 and TL 2603 is an active line with at least one house connected to it (i.e., 1387 Cal Young Road), the applicant's engineer indicated that no changes would be made to the existing outfall and that it will continue to function in the same manner that it currently functions.

In order to ensure compliance with this standard, the following condition is recommended:

- The Final PUD plans shall include a note indicating that the outfall from the storm drain pipe that runs diagonally between TL 2502 and TL 2603 shall not be altered and will remain exposed in its current condition.

With this condition, and future permit requirements noted above, staff finds that this criterion will be met.

**EC 9.6792 <u>Stormwater Quality</u>**

The proposed PUD includes the construction of a public street and development of multiple residential structures and associated driveways parking areas and walkways within the private portion of the development site. Because of the poor soils on the site, all water quality facilities will be filtration, as opposed to infiltration type facilities. The overflow will be discharged to the

public storm system in Piper Lane. The applicant proposes to treat runoff from the public street with four filtration stormwater planters that will be located behind the curbs. The planters have been sized using the 2014 SIM Form and a sizing factor of 0.03. While the stormwater planters are conceptually acceptable, the final sizing and design details will be determined during the PEPI review.

Storm water runoff from the private portion of the development site will be collected and treated in three separate basins. Runoff from the roof downspouts of each building will drain onto the private drives through weepholes where it will be conveyed to a water quality facility or will be discharged directly into the proposed water quality facilities. Filtration stormwater planters are proposed for stormwater basins 1 and 2 and a filtration rain garden is proposed for stormwater basin 3. The storm water report prepared by the applicant's engineer utilizes SIM form calculations for the filtration planters and presumptive sizing calculations for the filtration rain garden in order to demonstrate compliance with the City's Stormwater Management Manual. Details of facility installation, including specific design details such setbacks will be reviewed in greater detail during the building permit process for compliance with applicable specifications.

**EC 9.6793 Stormwater Flow Control (Headwaters)**

This standard does not apply because runoff from the development site is not discharged into a headwaters stream and or into a pipe that discharges into an existing open waterway that is above 500 feet in elevation.

**EC 9.6794 Stormwater Oil Control**

This standard does not apply because the application will not result in any of the conditions listed under EC 9.6794 (a)-(d).

**EC 9.6795 Stormwater Source Controls**

This standard applies per EC 9.6795(2)(c), for the proposed solid waste storage areas that is identified on Sheet L2.0 – Site Plan as a covered trash enclosure. At the time of the building permit, the facility will be required to be covered, hydraulically isolated and connected to the private wastewater system.

**EC 9.6796 Dedication of Stormwater Easements**

As discussed in EC 9.6791 and EC 9.6500, runoff from the private portions of the development will be conveyed to the public storm drainage system located in the adjacent property to the west. The existing storm drain line is located 4-feet from the common property line which is also the easterly edge of a 7-foot wide PUE. With the addition of another 3.5 feet of PUE, the overall PUE width will be 10.5 feet and the distance from the pipe to the edge of the PUE will be over 7 feet, which is typical in standard 14-foot PUEs. As such, the proposed development complies with this standard.

**EC 9.6797 Stormwater Operation and Maintenance**

This standard applies to all facilities designed and constructed in accordance with the stormwater development standards. This section also specifies when, and under what conditions, the public will accept functional maintenance. Consistent with these standards, the applicant proposes private operation and maintenance of the on-site stormwater management facilities. To ensure compliance with EC 9.6797(3)(c), as proposed, the following condition of approval is recommended:

- Final PUD plans shall include the note: "On-site stormwater management facilities will be privately owned and operated. An operation and maintenance plan will be developed consistent with the City's Stormwater Management Manual, and notice of this plan will be recorded, during the building permit process."

Based on the findings and conditions above, this criterion is met.

**(k) All other applicable development standards for features explicitly included in the application except where the applicant has shown that a proposed noncompliance is consistent with the purposes set out in EC 9.8300 Purpose of Planned Unit Development.**

**An approved adjustment to a standard pursuant to the provisions beginning at EC 9.8015 of the land use code constitutes compliance with the standard.**

A feature explicitly included in the application that triggers review of other development standards are the parking courts which requires compliance with EC 9.6420 Parking Area Standards. Based on the dimensions shown on Sheet L2.0 for the two parking courts, Public Works staff confirms that the stall and aisle dimensions comply with the parking area standards at EC 9.6420(1). Additionally the proposed parking lot complies with the parking lot drainage requirements at EC 9.6420(2). Land Use staff referral comments otherwise indicate that all applicable development standards are met (e.g. multi-family standards at EC 9.5500) except as addressed in the Adjustment Review evaluation provided below.

**EC 9.8320(11) The proposed development shall have minimal off-site impacts, including such impacts as traffic, noise, stormwater runoff and environmental quality.**

The development will have minimal off-site traffic impacts per the findings provided previously at criterion EC 9.8320(5) regarding traffic impact analysis and applicable street standards regarding the existing and proposed street system. Off-site impacts of stormwater runoff is addressed as part of the applicant's proposed public stormwater collection, conveyance, and treatment system, as discussed previously at criterion EC 9.8320(10)(j). Based on these findings, staff concludes that the proposed PUD will comply with the applicable criterion.

**EC 9.8320 (12) The proposed development shall be reasonably compatible and harmonious with adjacent and nearby land uses.**

All adjacent and nearby land uses are primarily residential in nature, including single-family and multi-family housing. The proposed development of 23 residential units equates to a net density of 12.6 units per acre, which is consistent with the low-density residential designation of the zone.

Several buildings have been oriented at 45 degrees to the street and therefore lessens the visual impacts and increase the buffering to neighboring existing homes. Many of the existing homes in the area have larger footprints than the proposed buildings. Five of the buildings are proposed with three story elements, however three of these buildings are located in the remnant slough that provides the appearance of two stories due to the lower elevation. The proposal is compatible with the surrounding land uses in bulk, height and scale, therefore this criterion is met.

**EC 9.8320 (13) If the tentative PUD application proposes a land division, nothing in the approval of the tentative application exempts future land divisions from compliance with state or local surveying requirements.**

This criterion does not apply since a land division is not proposed.

**EC 9.8320 (14) If the proposed PUD is located within a special area zone, the applicant shall demonstrate that the proposal is consistent with the purpose(s) of the special area zone.**

The property is not located in a special area zone, therefore this criterion is not applicable.

**EC 9.8320 (15) For property with the /SR Site Review Overly Zone the PUD complies with any additional site-specific criteria that were specified at the time the /SR designation was applied to the property.**

The property does not have the /SR Overlay Zone designation, therefore this criterion is not applicable.

**Adjustment Review Evaluation**

EC 9.8015 Adjustment Review – Purpose explains this process as encouraging design proposals that respond to the intent of the code in an efficient and effective manner. EC 9.8020 Adjustment Review – Applicability confirms that this process is available only where the land use code states that a specific standard may be adjusted. In summary, the applicant is requesting adjustments to the following:

1. **EC 9.5500(6)** Building Mass and Façade – Maximum Building Dimension which requires any wall of a building, with a portion of the building within 40 feet of a front property line, to be less than 100 feet in length (see EC 9. 5500(6)(c)). The proposed north and south walls of Building B are 109 feet in length.

2. **EC 9.5500(13)** On-Site Pedestrian Circulation which requires safe on-site pedestrian circulation according to EC 9.6730 Pedestrian Circulation On-site. The applicant requests an adjustment to the on-site pedestrian circulation general standard for sidewalks to connect each unit to every other unit on the development site (see EC 9.6730(2)(c)1.). In addition, the applicant requests an adjustment to the on-site pedestrian circulation general standard for sidewalks to be raised to standard curb height when adjacent to public and private streets and driveways (see EC 9.6730(3)(c)). The applicant proposes that some units will not have a sidewalk due to driveways and conserving space to save existing trees. Also, the applicant proposes at-grade sidewalks at short driveways to individual dwelling units.

Staff confirms that that these standards are adjustable. EC 9.8020 also states that applications for an adjustment review shall be considered under a Type II application process. However, in this case the request is elevated to a Type III application process so it can run concurrently with the Tentative PUD application.

**Adjustment #1 – Building Mass and Façade – Maximum Building Dimension**

An adjustment to building mass and facade is allowed per EC 9. 5500(6)(c) if consistent with the criteria in EC 9.8030(8)(a), which is stated below.

> **(8) Multiple-Family Standards Adjustment. Where this land use code provides that the multiple-family standards may be adjusted, the standards may be adjusted upon finding that the design achieves all of the following:**
>
> **(a) Maximum Building Dimension. The requirements set forth in EC 9.5500(6)(a) may be adjusted if the proposal creates building massing and/or facades that:**

"Building B" has a north and south wall that is 109 feet in length rather than the general standard of 100 feet. The east/west axis of the building is angled approximately 35 degrees to the southeast. The north corner of the building is 14 feet from the front property line. Approximately 14 percent of the footprint of the building is within 40 feet of the front property line.

**1. Create a vibrant street facade with visual detail.**

Articulation of the Building B façade along Piper Lane is substantial and provides definition between the dwelling units. The articulation uses a combination of offsets, windows, doors, roof heights, root pitches and overhangs to help delineate where entrances occur. Common areas with a substantial and varied types of vegetation are proposed that will enhance pedestrian scale spaces while softening the street façade and adding interest. The building features deep recessions of 6 to 9 feet which are larger than normally seen in the community and break up the building mass. The additions of porches provide space for social interaction and adds to the vibrancy of the space along the façade. The roof and offsets provides significant visual detail and help define the area of each dwelling. This building is not a typical large simple rectangle design without articulation as found throughout Eugene. In addition, since the building is not parallel to Piper Lane, its mass is mitigated by being farther from the front property line. The northeast corner of the building facing the street is approximately 74 feet from Piper Lane. This angled design also provides additional visual interest while reducing mass and thus limiting impacts to neighbors.

**2. Provide multiple entrances to building or yards.**

Building B has multiple entrances on the north and south walls which provide access to the adjacent yards. These entrances further articulate the walls. The north wall has three entrances with well-defined space while the south wall also has three entrances. The three dwellings in this building have an entrance to their living area from both the north and south walls.

Based on these findings, staff concludes the criteria for this adjustment request are met.

**Adjustments #2: On-Site Pedestrian Circulation**

An adjustment to on-site pedestrian circulation is allowed per EC 9. 5500(13) which requires compliance with EC 9.6730 Pedestrian Circulation On-Site. EC 9.6730(4) allows an adjustment if consistent with the criteria in EC 9.8030(22), which is stated below.

**(22) Pedestrian Circulation On-site Adjustment. Where this land use code provides that on-site pedestrian circulation may be adjusted, the standards may be adjusted upon finding that, considering site constraints or practical difficulties, the proposed design provides adequate pedestrian connections:**

The applicant requests an adjustment to the on-site pedestrian circulation standard for sidewalks to connect each unit to every other unit on the development site, and for sidewalks to be raised to standard curb height when adjacent to public and private streets and driveways. The evaluation below outlines how the adjustment review criteria are met by the subject project.

**(a) The proposed design provides adequate pedestrian connections between building entrances and streets or accessways**

The modified proposed design has a smaller building footprint which results in more tree protection areas to the south. In addition, Buildings B, C, D, E and F provide a parking space or garage with internal landscaping between other individual parking spaces to enhance the livability of the site, rather than providing a more common row of parking spaces.

Providing enhanced parking along with vehicular and pedestrian circulation on the site is constrained by the size of the lot and the goal of preserving as many existing trees as possible. The two “dead end” accessways at the south end of the proposal that are not served by a sidewalk contain only 5 or 6 dwelling units each, unlike a typical parking court with 15 to 25 units. Since primarily residents or guests of these few units will use the short accessway, traffic volume will be low and vehicle speeds will be slow.

Allowing the sidewalk in front of Buildings A and G to ramp down to each driveway and ramp up is appropriate as mitigation to provide interior landscaping between driveways.

Based on all these factors the proposed design provides adequate pedestrian connections between building entrances and streets or accessways.

**(b) The proposed design provides adequate pedestrian connections between new and existing buildings on the development site, including recreation and community facilities.**

There are no existing buildings or community facilities proposed for this project. All the proposed buildings connect with each other by sidewalk or accessway as previously discussed. The portion

of the sidewalk at grade within driveways still provides the desired pedestrian connection in these areas, just not at a continuous curb height within each driveway.

The proposed design provides adequate pedestrian connections between new buildings on the development site, therefore this criterion is met.

**(c) The proposed design provides adequate pedestrian connections from proposed employment and industrial, commercial and institutional uses to adjacent parcels having similar existing or planned uses.**

There are no proposed employment and industrial, commercial and institutional uses proposed for this site. This criterion does not apply.

**(d) The proposed design provides adequate pedestrian connections to nearby transit stops, parks and other recreation facilities.**

All proposed pedestrian paths connect to the public right of way which connects to nearby transit stops on Cal Young Road and Gilham Road as well as parks and other recreation facilities. This criterion is met.

**(e) The proposed design provides adequate pedestrian connections between parking lots and main buildings.**

Parking lots in front of main residential buildings do have adequate connection to adjacent dwelling entrances as previously noted.

Staff finds that the pedestrian circulation design provides adequate access while balancing the goal of tree preservation and interior landscaping to increase the livability of the site. Therefore, staff recommends approval of this adjustment.

**Staff Recommendation**

Based on the available information and materials, and the findings and conditions of approval contained in this report, staff recommends that the Hearings Official grant tentative PUD approval subject to the following conditions of approval.

**Conditions of Approval**

1. The Final PUD plans shall note that street tree removals will be authorized under the PEPI process and must meet the permit and replacement value requirements of EC 6.305.

2. The applicant shall create a 1 foot reserve strip along the easterly margin of Piper Lane that abuts 17-03-19-14 TL 800. The reserve strip shall be conveyed to the City on a standard City form that will be reviewed with the right-of-way deeds prior to recording of the documents.

3. The following note shall be added to the Final PUD plans, “A street tree agreement application with a street tree plan shall be submitted to the City Urban Forester for review. A financial guarantee shall be submitted insuring street trees will be planted and maintained in accordance with applicable EC 7.280 requirements. The approved street tree agreement shall be completed prior to development.”

4. The Final PUD plans shall include a note indicating that the outfall from the storm drain pipe that runs diagonally between TL 2502 and TL 2603 shall not be altered and will remain exposed in its current condition.

5. Final PUD plans shall include the note: “On-site stormwater management facilities will be privately owned and operated. An operation and maintenance plan will be developed consistent with the City’s Stormwater Management Manual, and notice of this plan will be recorded, during the building permit process.”

6. The following restriction shall be shown on the Final PUD plan, “No building, structure, tree or other obstruction shall be placed or located on or in a Public Utility Easement.”

7. The following note shall be added to the Final PUD plans, “Prior to development, a PEPI permit shall be issued for the construction of public improvements.

8. The Final PUD plans shall be modified so that the Piper Lane paved section is reduced to a 14-feet width, beginning at the end of the proposed curb and gutter near the northeast corner of the development site and proceeding in a southerly direction towards the northwest corner of TL 800. The plans shall also note the construction of a barrier which will prevent motorists from gaining access to the private roadway easement. The plans shall also be modified to indicate that the 14-foot paved section is for Fire, Bicycle and Pedestrian purposes only and the proposed vehicle turnaround adjacent to Building G shall be removed from the plans.

9. Include a note on plan set that, “All building permits for construction on the site shall include a site plan in compliance with the approved tree preservation plan. The building permit submittal shall include sufficient detail to verify that no more than 30 percent of the Critical Root Zones (CRZ) of trees to be preserved will be impacted by construction activities on the lot, or a report from a certified arborist verifying that the proposed construction activities can otherwise be conducted in a manner that does not threaten the survival of the trees to be preserved. The building permit shall include tree protection fencing to be erected at the perimeter of the CRZ’s for all trees to be preserved (or an alternative location as approved and documented by the certified arborist and the City).”

10. Include a note on the plan set that, “Protective fencing for trees identified to be preserved shall be installed under the direction of a certified arborist and inspected and approved by the City prior to beginning any construction related activities. All protective tree fencing shall remain in place until completion of all construction activities; any relocation or removal of the protective fencing shall also occur under the direction of a certified arborist, with approval by the City.”

11. Include a note on the plan set that the Arborist Report by Kyle W. King dated May 26, 2016, and the Tree Preservation Plan (sheets L3.0 and L3.1) shall be the controlling documents in conjunction with the Landscape Plan and Tree Planting Plan.

12. Include a note on the plan that "No excavation, grading, material storage, staging, vehicle parking or other construction activity shall take place within the identified tree protection areas without approval by the City."

13. Include a note on the plan that "Removal of dead, diseased, or hazardous trees shall be allowed with documentation from a certified arborist as to the condition of the tree and the need for removal. Documentation must be provided to the City for review and approval prior to tree removal activity."

14. Include a note on the plan that "The removal of trees indicated 'to be removed' is not required; said removal may occur at the applicant or future owners' discretion."

15. Include a note on the plan that "In the event a preservation tree must be removed (i.e. dead, diseased, or hazardous trees) justification of the removal must be documented by a certified arborist. Documentation must be provided to the City for review and approval prior to tree removal activity. The tree(s) shall be replaced at a ratio of two (2) trees for each one (1) tree removed. Replacement trees shall be a minimum caliper of 2" for deciduous trees and a minimum height of 5' for coniferous or evergreen trees. Planting, watering and general maintenance of replacement trees shall be conducted by the property owner in manner that ensures their establishment and long-term survival."

16. The applicant, with the aid of the arborist of record, shall reassess the trees adjacent to Tax Lot 2401 to determine if any trees have potential issues with breaking branches and/or significantly leaning trees. The arborist of record shall, with city staff concurrence, either prune or remove trees that have a significant potential for future breakage and damage to the neighboring property.

17. Prior to final occupancy, the applicant shall have planted all trees and vegetation as shown on the Landscape Plan (sheets L6.0 and L6.1) in the same general location, same quantity and same species as shown on the plans. Staff shall verify that all trees and vegetation have been planted in accordance with these plans prior to issuance of final occupancy. All trees and vegetation shall be maintained by watering and general maintenance, and shall be conducted by the property owner in a manner that ensures their establishment and long-term survival.

18. Pedestrian scale lighting along all pedestrian paths and within the enhanced pedestrian areas shall be constructed in compliance with EC 9.6725 Outdoor Lighting Standards. The lighting shall be shown on Final PUD Plans and implemented before final occupancy. A manufacturer's detail sheet of the selected lighting shall also be submitted with the Final PUD Plans.

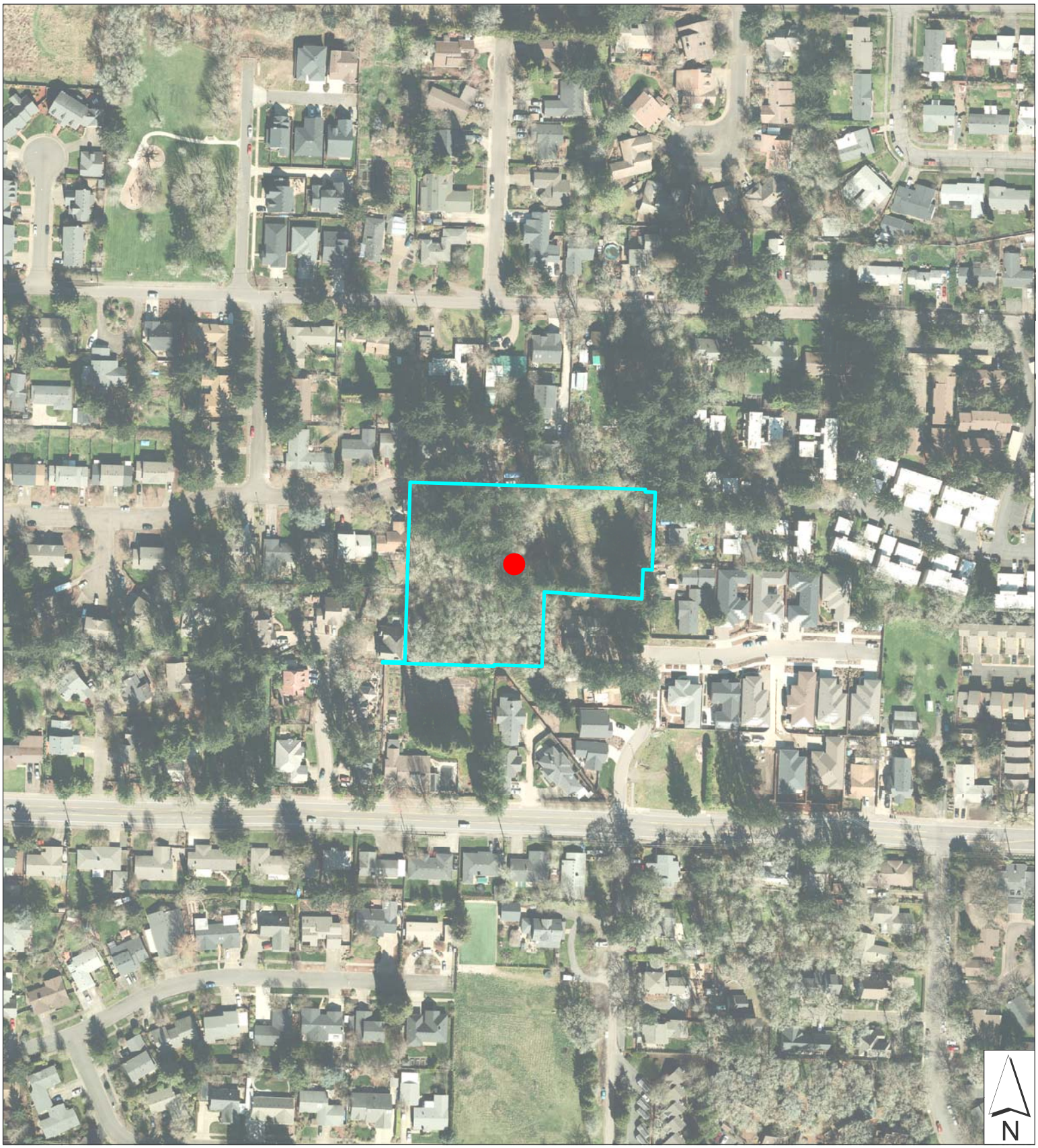
Consistent with EC 9.7330, unless the applicant agrees to a longer time period, the Eugene Hearings Official shall approve, approve with conditions, or deny a Type III application within 15 days following close of the public record. The decision shall be based upon and be accompanied by findings that explain the criteria and standards considered relevant to the decision, stating the facts relied upon in rendering a decision and explaining the justification for the decision based upon the criteria, standards, and facts set forth. Notice of the written decision will be mailed in accordance with EC 9.7335. Within 12 days of the date the decision is mailed, it may be appealed to the Eugene Planning Commission as set forth at EC 9.7650 through EC 9.7685.

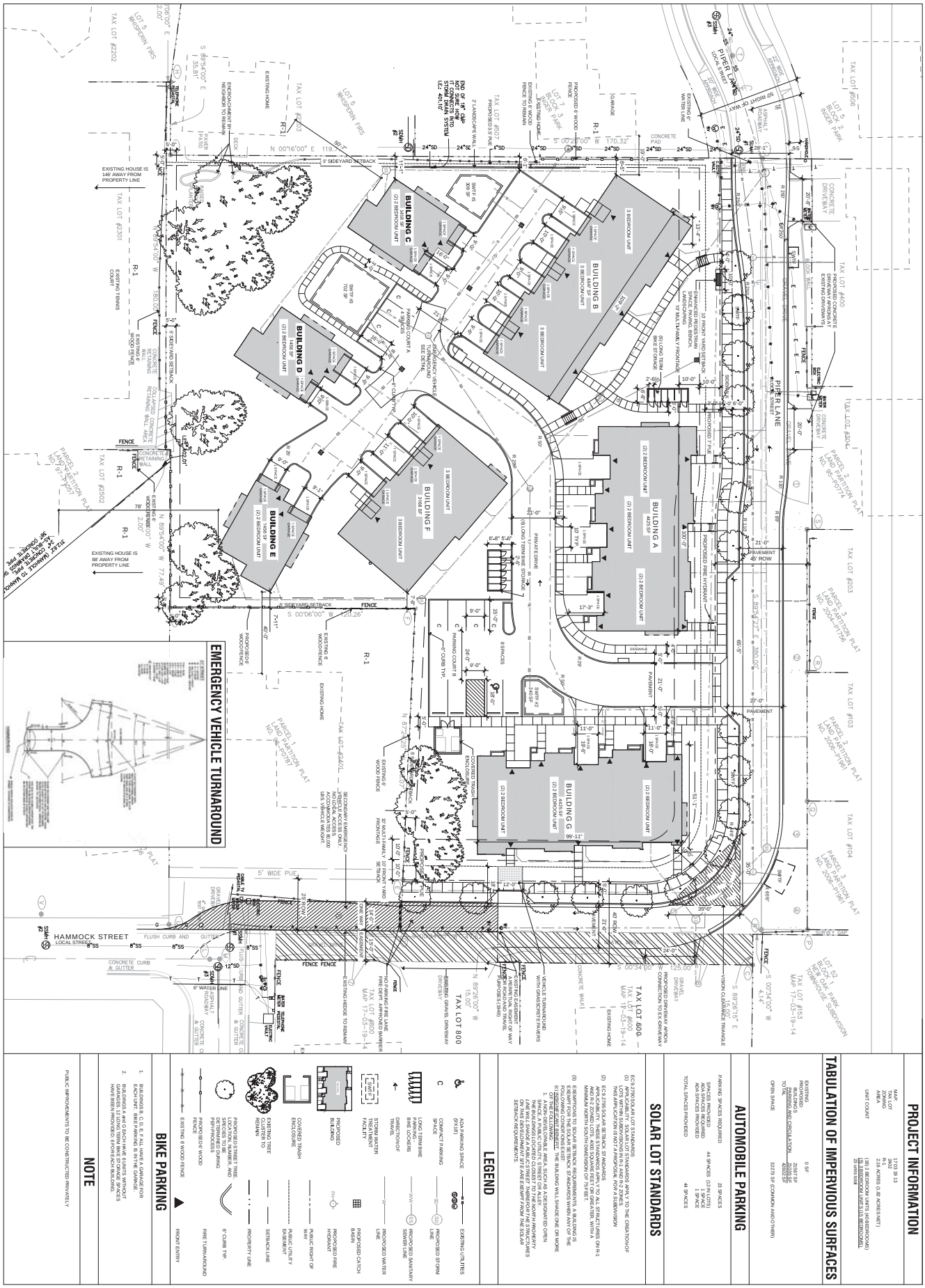
**Attachments:**
A reduced version of the applicant's site plan is attached to this report for ease of reference, however all record materials are available for review at the Planning Division including referral comments and full-sized plans. Copies or emails of these additional materials can be provided upon request. The Hearings Official will be provided a full set of the materials in the record to date, and the full application file will be made available at the public hearing.

Attachment A: Vicinity map
Attachment B: Applicant's Site Plans (Reduced)
Attachment C: Applicant's Narrative and Informational Items
Attachment D: Public Testimony

**For More Information:**
Please contact Nicholas Gioello, Assistant Planner, Eugene Planning Division, by phone at (541) 682-5453, or by e-mail, at nick.r.gioello@ci.eugene.or.us

# Piper Lane PUD - Vicinity Map (PDT 16-2 & ARA 16-1)






## PROJECT INFORMATION

| | |
|---|---|
| MAP | 1703 3B 13 |
| TAX LOT | 2602 |
| SITE AREA | 2.15 ACRES (1.68 ACRES (NET)) |
| UNIT COUNT | (38) 2 BEDROOM UNITS (40 BEDROOMS)<br>(3) 3 BEDROOM UNITS (9 BEDROOMS)<br>(3) 3 BEDROOM UNITS (UNITS SIDE BEDROOMS)<br>82 UNITS total |

## TABULATION OF IMPERVIOUS SURFACES

| | |
|---|---|
| EXISTING | 0 SF |
| PROPOSED: | |
| BUILDINGS | 21,035 SF |
| PARKING AND CIRCULATION | 21,035 SF |
| TOTAL | 42602 SF |
| OPEN SPACE | 32729 SF (COMMON AND D THEIR) |

## AUTOMOBILE PARKING

| PARKING SPACES REQUIRED | 23 SPACES |
|---|---|
| SPACES PROVIDED | |
| ADA SPACES REQUIRED | 44 SPACES (GRN/GRD) |
| ADA SPACES PROVIDED | 1 SPACE |
| | 1 SPACE |
| TOTAL SPACES PROVIDED | 44 SPACES |

## SOLAR LOT STANDARDS

EC-9.2790 SOLAR LOT STANDARDS
(1) APPLICABILITY. SOLAR LOT STANDARDS APPLY TO THE CREATION OF TWO APPLICATION IS NOT A PROPOSAL FOR A SUBDIVISION
(2) EC-9.2795 SOLAR SETBACK STANDARDS
(1) APPLICABILITY. THESE STANDARDS APPLY TO ALL STRUCTURES ON R-1 MINIMUM NORTH-SOUTH DIMENSION OF 70 FEET.
(2) EXEMPTIONS TO SOLAR SETBACK REQUIREMENTS A BUILDING IS EXEMPT FOR THE SOLAR SETBACK STANDARDS WHEN ANY OF THE FOLLOWING CONDITIONS EXIST:
(6) HANDICAP ACCESSIBILITY. THE BUILDING WILLS SHADE ONE OR MORE
1. ANON-SOLID PHASE AREA, SUCH AS A DESIGNATED OPEN SPACE, A PUBLIC UTILITY, STREET OR ALLEY, NORTH PROPERTY LINE WILL SHADE A PUBLIC STREET THEREFORE THE STRUCTURES SETBACK REQUIREMENTS STREETS ARE EXEMPT FROM THE SOLAR

## LEGEND

ADA PARKING SPACE (VAN)
COMPACT PARKING SPACE
LONG TERM BIKE LOCKERS
DIRECTION OF TRAVEL
SHORT TERM BIKE RACKS
PROPOSED 6' WOOD FENCE
EXISTING 6' WOOD FENCE
PROPOSED BUILDING
EXISTING BUILDING
PROPOSED STORM WATER TREATMENT FACILITY
PROPOSED CATCH BASIN
PROPOSED WATER LINE
PROPOSED SANITARY SEWER LINE
EXISTING WATER LINE
EXISTING SANITARY SEWER LINE
EXISTING STORM LINE
EXISTING UTILITIES
PROPERTY LINE
SETBACK LINE
PUBLIC RIGHT OF WAY
PUBLIC UTILITY EASEMENT
FRONT ENTRY
FIRE TURNAROUND
6' CURB TYP.
PROPOSED STREET TREE CLUSTER TO REMAIN
PROPOSED STREET TREE: SPECIES TO BE DETERMINED DURING PEP PROCESS
EXISTING STREET TREE CLUSTER TO REMAIN
PROPOSED 6' WOOD FENCE
EXISTING 6' WOOD FENCE

## BIKE PARKING

1. BUILDINGS B, C, E, F, ALL HAVE A GARAGE FOR BICYCLE PARKING. BUILDINGS A, D, G DO NOT.
2. BUILDINGS A AND G EACH HAVE EIGHTY (80) GARAGES. 12 LONG TERM BIKE SPACES WITHOUT HAVE BEEN PROVIDED. 6 FOR EACH BUILDING.

## NOTE

PUBLIC IMPROVEMENTS TO BE CONSTRUCTED PRIVATELY

**L2.0**

| Project Number | |
|---|---|
| Drawn By | ces |
| Checked | ces, jcs |
| Date | May 31, 2016 |
| Phase | PUD Tentative |

| Revisions | | |
|---|---|---|
| # | Date | Description |

# SITE PLAN

**PIPER LANE PUD**
PIPER LANE
EUGENE, OR

REGISTERED PROFESSIONAL ARCHITECT · OREGON · CAROL SCHIRMER · #3535 · 11-1-94

SCHIRMER SATRE GROUP
375 West 4th, Suite 201, Eugene OR 97401
**Phone: 541.686.4540** Fax: 541.686.4577
www.schirmersatre.com

# TENTATIVE PUD APPLICATION

**Piper Lane PUD**
**Eugene, OR 97401**

**Assessor's Map**
17 03 19 13

**Tax Lots**
02402

**February 17, 2016**
**Revised: May 31, 2016**

PLANNERS + LANDSCAPE ARCHITECTS + ENVIRONMENTAL SPECIALISTS

375 West 4th, Suite 201, Eugene, OR 97401
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LANDSCAPE ARCHITECTS
SCHIRMER SATRE GROUP

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| Attachment B | Air Photo: Context Map |
| Attachment C | Zoning Map: City of Eugene |
| Attachment D | Metro Plan Diagram |
| Attachment E | Legal Description |
| Attachment F | FEMA Map |
| Attachment G: | Affidavit of Posting, Affidavit of Mailing, Mailing List |
| Attachment H: | Copy of Meeting Invite |
| Attachment I: | Copy of Meeting Notes and Sign-In Sheet |
| Attachment J: | Copy of Site Plan Presented at Meeting and Statement |

Title Report (3 copies previously submitted)

Geotech Report (3 copies previously submitted)

Stormwater Analysis (3 copies revised)

February 17, 2016
Revised: May 31, 2016

**TENTATIVE PUD APPLICATION**
General Housing Criteria

PIPER LANE PUD

**PROJECT DIRECTORY**

**PROPERTY OWNER / APPLICANT**
Leland Hughes
PO Box 5332
Eugene, OR 97405

Contact: Lee Hughes
Phone : 541.954.1345

**APPLICANT'S REPRESENTATIVE**
**LAND USE PLANNER, LANDSCAPE ARCHITECT**
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Eugene, OR 97401

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Phone: 541.342.5777

**CIVIL ENGINEER**
SSW Engineers Inc.
2350 Oakmont Way
Suite 105
Eugene, OR 97401

Contact: Mike Dahrens
Email: MikeD@SSWEngineers.com
Phone: 541.485.8383

**SURVEYOR**
Roberts Surveying, Inc.
PO Box 7155
Springfield, OR 97475

Contact: Kent Baker
Email: kent@robertssurvey.com
Phone: 541.345.1112

**GEOTECHNICAL ENGINEER**
Branch Engineering, Inc.
310 5th Street
Springfield, OR 97477

Contact: Ron Derrick, P.E., G.E.
Email: RonD@branchengineering.com
Phone: 541.746.0637

The following is specific proposal information is from the Planned Unit Development Application – Tentative Stage.

**MAP and TAX LOT**

| Assessor's Map | Tax Lot | Current Zoning |
|---|---|---|
| 17 03 19 13 | 02402 | R-1 |

**AREA OF REQUEST**
94, 090 sf or 2.16 acres (approximately)
79, 279 sf or 1.82 acres (net after removal of public road from calculations)

**EXISTING USE OF THE PROPERTY**
The subject property is currently vacant.

**PROPOSED USE OF THE PROPERTY**
The client proposes to develop a residential PUD that includes a variety of housing types to accommodate opportunities for a range of economic abilities. The project will include duplexes, tri-plexes and a 6-plex for a total of 23 units in 8 buildings.

Architecturally most of the buildings appear as though they are single family attached units, as opposed to traditional multi-family that typically has more of the appearance of traditional apartment complexes.

The site has been designed to create a variety of outdoor spaces for the use and enjoyment of the residents on this development site. The outdoor spaces create functional places, provide separation between buildings and create an appealing site aesthetic. Opportunities for community gathering, private outdoor use and passive recreation are readily available.

Some of the buildings are located at a lower elevation than other buildings which helps to create a desirable change of grade for interest, variety and supports some level of privacy for both the development site and the abutting neighbors. Many of the buildings around the perimeter, where they are mostly likely to abut existing occupied properties are set at an angle. This design intention is to create larger setbacks from the property lines than would normally be required, adding to the separation and ability to buffer the properties. It is the design of the project with respect to the existing topography on site and inherent limitations of the space that affords the design team the opportunity to create a more interesting and livable environment for the people that will live here.

In addition to the buildings and the outdoor spaces other site elements include appropriate circulation (both automobile and pedestrian), carports, lighting, views through the site, bike parking, extensive landscaping and storm water management.

The property is zoned R-1.

The proposed density will be a total of 23 units on 1.83 net acres or 12.63 units per acre, well within the required maximum density on property zoned R-1. The maximum density allowed is 14 units per acre or a total of 25 units.

| | |
|---|---|
| Number of Dwelling Units (existing): | 0 buildings |
| Number of Dwelling Units (proposed): | 8 buildings<br>• 3 duplexes<br>• 2 triplexes<br>• 2 six-plex. |
| Number of lots (existing): | 1 |
| Number of lots (proposed) | 1 (No new lots proposed) |

**SITE CONTEXT**
The Cal Young Neighborhood is a comprised of a variety of uses that include residential, commercial and recreation. The residential neighborhood that is in closer proximity to the development site is comprised of single family detached homes, single family attached, duplexes and multi-family housing. This is not a neighborhood that is primarily single family detached homes. There is a nice range of housing types to rent or to own. (See Air Photo Context Map: Attachment B)

To the west of the subject property are single family homes and duplexes at the entrance to this property along Fir Crest Drive and Piper Lane. North east and abutting the subject property are Oak Park Townhouses, a project that was developed with the Planned Unit Development procedures and includes both R-1 and R-2 zoned properties for a total of 15 units per acre. To the east are some densely clustered high end single family detached designed at approximately 7 units per acre. Further east is The Farm at Cal Young, a single family attached development on R-1 property designed with the Planned Unit Development procedures. The density at that property is 14 units per acre. Immediately south are single family detached homes. Immediately north are a couple of single family homes and a couple vacant single family lots that will be buildable once the extension of Piper Lane is constructed through this proposed PUD.

**PRIOR LAND USE DECISIONS**
None

**Planned Unit Development Approval Criteria**
This application will be reviewed under the General Criteria (EC 9.8320)

**Statewide Goal 5 Inventory**
The site is not included on the City acknowledged Statewide Goal 5 Inventory.

**Does adjustment request include stormwater drainage facilities?**
No

**Pre-application conference**
December 8, 2015

**Written Statement**
Following Site Plan Requirements list below

**SITE PLAN REQUIREMENTS**

This is based on the checklist provided for the PUD application. It is included in the written package for clarity.

***Site Plan Requirements***

| | |
|---|---|
| Date, North arrow, and standard engineers scale on site plan. | Shown on Site Plan |
| Show the Assessor's Map and Tax Lot number | Shown on Site Plan |
| Vicinity Map (not to scale) | Shown on Site Plan |
| Dimensions of the plan boundary | Shown on Site Plan and Survey |
| Dimensions of proposed lots | No lots are proposed |
| Approximate square footage calculations | No lots are proposed |
| Proposed parcel lines | No lots are proposed |
| Location of parcel lines / parcels greater than 13,500 sf | No lots are proposed |
| Location of existing and proposed structures<br>Indicate remain or remove | Shown on Site Plan |
| Existing Structures | Site is vacant |
| Proposed Structures | See Site Plan |
| Provide elevation drawings that portray the scale and appearance of the proposed buildings. | Shown on Architectural Elevations in attached plan set |
| Tabulation of Site Coverage | Shown on Site Plan |
| | Impervious Surface Existing: 0 SF<br>Impervious Surface Proposed: 44,602 SF |
| | Buildings: 22,567 SF<br>Parking and Circulation: 21,035 SF |
| | Open Space: 32,273 SF (total site is 1.82 acres so open Space is 41% of the site) |
| Indicate on the map and provide a supporting written statement addressing the solar criteria This applies only to land zoned R-1 and R-2. | See Site Plan |
| Provide a cover sheet with the certification and signatures of the professional coordinator and all design team members for the project | Shown on Cover Sheet |
| Show the width and location of all existing and proposed public and private easements. | Shown on Site Plan |
| Show all contiguous property under the | Shown on Ownership Plan on Site Plan |

| | |
|---|---|
| the same ownership. | |
| Show all proposed grading for streets, building areas and other prop. development. | Shown on Grading Plan |
| Show the type and size of existing or proposed fencing and/or landscape buffering. | Shown on Site Plan |
| Show phasing boundaries | Project will not be phased |
| Include a phasing plan | Project will not be phased |
| ***Wastewater Requirements*** | |
| Location and flow line of existing public waste water at connection points | See Site Utilities Plan |
| Existing and proposed wastewater sewer layout including service to each lot. | See Site Utilities Plan |
| ***Water Supply Requirements*** | |
| Existing and proposed water main | See Site Plan and Site Utilities Plan |
| Existing and proposed fire hydrant | See Site Plan and Site Utilities Plan |
| ***Storm Drainage Requirements*** | |
| Show location and flow line elevation of existing piped public system at proposed connection point(s). | See Site Stormwater Plan |
| Tops of banks of all open waterways on and adjacent to the property. | No waterways on site or adjacent to site |
| Special Flood Hazard Area | Not in a special flood hazard zone |
| Base Flood Elevation | None necessary. Not in a flood plain |
| Watercourse alteration | No watercourses on site |
| Existing and proposed storm drainage | See Site Stormwater Plan |
| Stormwater analysis | See attached Stormwater Analysis |
| Indicate whether Stormwater system or portions thereof are proposed for public or private maintenance. | Privately maintained on site.<br>Publicly maintained in the right of way. |
| Submit a draft Operations and Maintenance Plan (private facility) and/or Operations and Maintenance Agreement (public facility) | Submitted after Completeness Review |
| ***Tree Preservation Requirements*** | |
| Tree Preservation Plan and Report include narrative description and a corresponding Site Plan | See Tree Preservation Plan, Arborist's Report and written statement in following pages |

| | |
|---|---|
| Healthy trees | See Tree Preservation Plan, Arborist's Report and written statement in following pages |
| Trees located within vegetated corridors | See Tree Preservation Plan, Arborist's Report and written statement in following pages |
| Trees that fulfill a screening function | See Tree Preservation Plan, Arborist's Report and written statement in following pages |
| Trees that provide a buffer | See Tree Preservation Plan and written statement in following pages |
| Trees located along the perimeter of the lot(s) and within building setback areas. | See Tree Preservation Plan |
| Trees and stands of trees along ridgelines | No existing ridgelines on development site |
| Trees with significant habitat value | See Tree Preservation Plan, Arborist's Report and written statement in following pages |
| Trees adjacent to public parks, open space and streets. | See Tree Preservation Plan, Arborist's Report and written statement in following pages |
| Trees along water features | No water features on development site |
| Heritage trees | No heritage trees on site. |
| Show location, size and species of existing trees on site that are 8 inches or more DBH | See Survey |
| Show "critical root zones" for trees to be preserved. | See Tree Preservation Plan |

***Natural Features Assessment and Delineation of Applicable Boundaries on Site Plan***

| | |
|---|---|
| Significant on-site vegetation, including rare plants and native plant communities. | None on site |
| All documented habitat for all rare animals species. | No documented habitat or rare animal species |
| Prominent topographic features, such as ridgelines and rock outcrops shown. | None |
| Wetlands, intermittent and perennial stream corridors, and riparian areas shown. | None |
| Natural resource areas designated in the Metro Plan diagram as 'Natural Resource'. | None |
| Mitigation Plan | No Landscape Plan and Tree Planting Plan. |

| | |
|---|---|
| ***Landscaping Requirements*** | |
| Existing Landscaping | See Survey |
| Proposed Landscaping | See Landscape Plan and Tree Planting Plan |
| Means of irrigation | See note on Landscape Plan |
| Open Space | See Open Space Plan |
| ***Contour Intervals*** | |
| Benchmark Used | Elevations for this survey are based on City of Eugene benchmark station WK 0989. Elevation = 416.15' (NGVD 1929) |
| Contour Interval | One foot contours. |
| ***Parking Area Requirements*** | |
| Location, number and dimensions of existing and proposed parking spaces. Include aisle widths, disabled parking spaces. | None existing. Parking courts proposed for project. Parking in garages and driveways. See Site Plan |
| Bicycle parking | Parking in garages and bike lockers. See Site Plan. |
| Traffic circulation pattern, width of travel lanes. | See Site Plan |
| Landscaping and screening for parking areas. | See Planting Plan |
| Means of protection for landscaped areas. | The site has 6" curbs on parking areas and drive aisles. |
| Existing lighting | None |
| Proposed lighting | See Site Plan |
| Car Pool and Van Pool | There are no employees. This is a residential development |
| ***Street and Access Way Requirements*** | |
| Traffic Impact Analysis | None required. |
| Identify street classification of all streets | See Site Plan |
| Slope easements | Site is relatively flat. |
| Proposed streets : 15% grade | No proposed streets 15% or more grade |
| Distance from centerline to centerline of all street intersections. | Curve but no intersection |
| Location and widths (ROW and paving) of all existing and proposed streets, intersections, bike and pedestrian access ways, both within and adjacent to property | See Site Plan |
| Show existing and proposed curbs and sidewalks | See Site Plan |

| | |
|---|---|
| Street connectivity | See written statement in following pages. See attached air photo and associated Site Plan |
| Show street names | See Site Plan |
| Indicate radii of all curves | See Site Plan |
| Existing transit facility | None nearby |
| Proposed transit facility | None proposed |
| Street grade over 12% | No streets proposed over 12% |
| Existing private access ways to property | See Site Plan |

***Street and Utility Improvement Requirements***

| | |
|---|---|
| Existing and proposed public and private improvements | See Site Utilities Plan and Site Stormwater Plan |
| Constructed publicly or privately | Constructed privately. |
| Existing and proposed street trees | Existing street trees are within the Piper Lane ROW<br>Proposed street tees shown schematically<br>Proposed street trees to be determined through PEPI process. |
| Existing or proposed street lights | See Survey for existing.<br>None proposed |

***Architectural Features of Proposed Buildings***

| | |
|---|---|
| Indicate general building location | See Site Plan |
| Building bulk and height | See attached architectural plans of proposed buildings. |
| Indicate key architectural features | See attached architectural plans of proposed buildings.<br>See color image of building elevations (Attachment J) and Cover Sheet |
| South Hills Study | Project is not in the South Hills |

***Supporting Documents***

| | |
|---|---|
| Geotechnical analysis | 3 copies previously submitted. |
| Preliminary title report | 3 copies previously submitted |
| Wetland determination | No wetlands present |
| Legal description | See attached (Attachment E) |

**Written Statement**
The following are the Tentative Planned Unit Development criteria as set forth in EC 9.8300, and our responses.
This information addresses the development on Piper Lane PUD site and will specifically be reviewed under the General Housing criteria. Code criterion is in plain text and responses are in italics.

**EC 9.8300 Purpose of Planned Unit Development.** The planned unit development (PUD) provisions are designed to provide a high degree of flexibility in the design of the site and the mix of land uses, potential environmental impacts, and are intended to:

*We are responding to this purpose statement in a general way. The applicant is not requesting any specific flexibility as it became clear that preservation of trees was going to override any request for flexibility. Any design elements originally considered for a request of flexibility have been revised to meet the land use code criterion.*

*The opening sentence to the purpose statement offers the possibility of flexibility in the design of the site and mix of land uses and **potential environmental impacts.** This project attempted to utilize the flexibility that would be associated with the design of the site. It was clear from the completeness review report from staff that preservation of trees (i.e. "more" was the suggestion), and a relatively poor quality collection, were going to take precedence over design.*

***Design***
*What once was a more livable lower "plaza' that had multiple uses, other than vehicular circulation, has been removed and designed strictly as circulation. Visually it looks much like a parking lot. Formerly, it was designed as a gathering space, a space where the residents could gather and be seen and the circular nature of it helped to soften and disguise its intended functional use. Preservation of "more" tress required the design team to remove the plaza and re-arrange the structures in a more linear fashion.*

***Environmental Impacts***
*It is not practical to design a housing development around the trees that are evaluated as "good" or in good condition. Unfortunately natural environment does not provide for a predictable pattern of healthy vegetation that accommodates the uses allowed in the zoning. To design a less than 2 acre housing site around healthier trees is folly.*

*Flexibility with respect to this issue was not forthcoming. Saving trees (how many is enough?) took precedence throughout the completeness review comments. Replacing trees did not appear to provide any flexibility either.*

(1) Create a sustainable environment that includes:
  (a) Shared use of services and facilities.
  (b) A compatible mix of land uses that encourage alternatives to the use of the automobile.
  (c) A variety of dwelling types that help meet the needs of all income groups in the community.
  (d) Preservation of existing natural resources and the opportunity to enhance habitat areas.
  (e) Clustering of residential dwellings to achieve energy and resource conservation while also achieving the planned density for the site.

*It is our intention that through the flexibility of the PUD process, any particular design element or conflicts with code can be adjusted to reach an understanding and / or solution that will adhere to the spirit of the code. It is through our response to the purpose statement of the PUD that we find flexibility that will allow the project to be approved as designed.*

a. **Shared use of services and facilities**:
*The clustering of residential structures, coupled with the higher density achieved on this development site, where previously no dwelling units existed, is an excellent example of the sharing of services and facilities. By locating multiple units in the same approximate location,*

*existing as well as proposed services can be shared, eliminating the need for redundant or multiple systems.*

*Existing services, such as LTD and existing roads will serve more people instead of creating living areas further away from existing services and requiring an extension of those services. This development is created in direct response to the need for density and infill within the existing Urban Growth Boundary. In this manner, energy conservation goals are achieved as well.*

b. **A compatible mix of land uses that encourage alternatives to the use of the automobile**:
*The design of this development site proposes a small mix of land uses. Additionally the site exists within a greater mix of uses in the surrounding neighborhood context. While the site is designed primarily as a residential property the open space on the site provides an opportunity for passive recreation and relaxing right on the property.*
*It is highly likely that alternatives such as walking, passive recreation, and biking will provide some alternative to utilizing the automobile.*

*The location of the site in close proximity to:*
*Commercial centers / Employment Center*

- *Just over 1 mile from major commercial center a grocery store (Safeway), Pharmacy, restaurants and miscellaneous other small retail.*
- *1 mile from Valley River Center (a large regional shopping mall)*
- *1 ½ ,miles from Oakway Center (a large collection of shopping and restaurant facilities and a future hotel)*
- *2 miles from Downtown Eugene*
- *¼ mile to a small convenience store at intersection of Fir Acres and Cal Young*

*Education/Recreation*

- *Just over 1 mile from Sheldon High School*
- *¼ mile from Bond Lane Park*
- *Less than 1 mile from a public golf course*

c. **A variety of dwelling types that help meet the needs of all income groups in the community:**
*Piper Lane PUD will offer a range of housing types/building sizes. The proposed living opportunities are as follows:*

- *Single family attached townhouses with garage*
- *Duplex units designed as flats rather than row houses*
  *Some with garages some without*
- *There will be a total of (5) 3 bedroom units and (18) 2 bedroom units.*

*This variety of both unit type and building type will provide a range of rental options and prices creating opportunities for people with varying degrees of economic capabilities to live here and enjoy the development site.*
*It is the client's intent to create opportunities for a variety of income levels, thereby creating a diverse neighborhood that encourages a sense of community for families as well as individuals. The goal is to provide a quality living environment and to be all inclusive.*

d. **Preservation of existing natural resources and the opportunity to enhance habitat areas:**
*This is an urban lot, zoned for residential use. The buildings and associated circulation have been sited in such a way to preserve as much as is practical some of the existing trees on site that are either healthier, stand a chance of survival and are not in the construction path. The existing trees would be considered the habit area if any. This property is the last remaining larger piece of undeveloped property in this area. It naturally has a collection of existing trees, a great many in fair and poor condition as the Douglas Firs have grown to shade out the deciduous trees, primarily low value species such as wild cherry trees, cottonwoods, and ash trees.*

*The goals is to develop a residential project on an infill lot that has an existing remnant slough on it. Filling this slough slightly and providing for proposed development necessarily means much of the existing vegetation must be removed. Some of the nicer healthier trees exist within the proposed right of way.*

*The addition of street trees, private trees and landscaping on the site will create a habitat that is appropriate and typical of an urban infill project. The trees to remain as well as the proposed trees will all be living in a development where maintenance will be routine and the landscaping will thrive and mature into a healthy environment.*
*This is appropriate given the context of the site.*

e. **Clustering of residential dwellings to achieve energy and resource conservation while also achieving the planned density for the site.**
*The clustering of residential structures on this development site, where no homes have existed for quite some time, is an excellent example of the sharing of services and facilities. By locating multiple units in the same approximate location, existing as well as proposed services can be shared, eliminating the need for redundant or multiple systems.*

*The units have been clustered to create buildings that are described as duplexes, triplexes and 6-plexes. By joining units and sharing walls, open space is preserved. In a typical single family lot design or single family detached design there is typically 10 feet between each building. In a 10 foot width it is impossible to preserve any existing trees or create any meaningful and useful open space. Traditionally the owner of the home will install a fence between the yards leaving a 5' side yard on each side.*

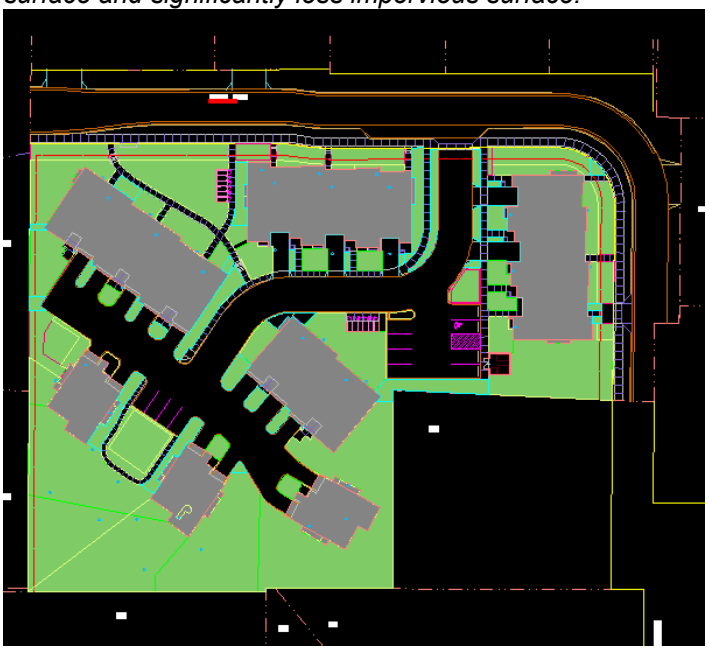
*Preserving large open spaces provides the opportunity to either preserve existing stands of trees or plant new stands of trees in the larger open spaces. Passive recreation opportunities are increased and views through and around the site are also provided, where a traditional lot by lot development does not.*

*Above is an image of a typical lot by lot single family home development directly east of the Piper Lane PUD project site. It is easy to see that the homes have 10 feet between each of them and the*

*only open space is a private patio for each home, minimal front yard and minimal back yard. There is little if any opportunity to grow trees of any significance or replace the trees that were removed as a result of this development.*
*Below is the site before the development, and yet it was approved and all the trees removed*


*Now take a look at the Piper Lane Site Plan and see the generous areas of open space (as opposed to 5' side yards), some preservation of stands of trees where practical and the addition of new trees to assist in developing a new healthy context appropriate tree canopy.*

*A figure ground image is a great way to differentiated buildings/paving from green open space. Compare the green color open space with the lack of open space on the traditional lot by lot subdivision development image on previous page. That image depicts about 18 units. By comparison the Piper Lane PUD is showing 23 units with significantly more open space/pervious surface and significantly less impervious surface.*



*Existing services, such as LTD and existing roads will serve more people instead of creating living areas further away from existing services and requiring and extension of those services. This development is created in direct response to the need for density and infill within the existing Urban Growth Boundary.*

*The clustering of residential units is not just a look at how they are clustered with respect to each other on the site but how a clustered development is planned and proposed within the greater context of the city and the UGB.*

*Resources are not just trees. The sentence says resources and is not qualified by the word "natural;". Resources can also be:*

- *the energy required to implement this project*
- *Developing near existing utilities rather than bringing utilities from a distance.*
- *Infilling vacant lots so that resource land (e.g. agricultural land) is not utilized for housing and development*
- *Providing housing near urban services to reduce vehicle miles traveled*

*The planned density for the site is indicated by a maximum rather than a minimum. The proposed density falls somewhere between the existing density of 0 units per acre and the allowed maximum of 14 units per acre. The site design is created with consideration for the multifaceted nature of any development which has to take into consideration the objectives of the Metro Plan, city of Eugene Land Use Code as well as the goals of the developer (e.g. marketability, feasibility, finance-ability, and livability). The development is in close proximity to services, employment and transportation.*

*In this manner, energy conservation goals are acknowledged and opportunities provided for the occupants to contribute to energy conservation..*

(2) Create comprehensive site plans for geographic areas of sufficient size to provide developments at least equal in quality to those that are achieved through the traditional lot by lot development and that are reasonably compatible with the surrounding area.
*As discussed above, every effort is being made through thoughtful site design, balanced with consideration for economic viability, marketability and finance-ability to create a development site that will be an attractive and varied neighborhood that will be reasonably compatible with the existing neighborhood environment. Some things that were considered were the clustering of buildings, the creation of a variety of building envelopes that preserve existing natural features such as views into the site, inclusion of a stormwater management system, and preservation of a large area of open space.*

*All of this was done in concert with accommodating on site circulation and parking, utilities, fire access and other infrastructure in a compact manner as necessary to serve a reasonable level of low-density residential development.*

*It is interesting to note that the code requires an argument that assumes that traditional single family lot by lot development is necessarily a quality environment and that any multi-family proposal has to achieve equality or greater with that single family concept. A drive through many single family neighborhoods in the city will demonstrate a range of quality development from very poor to outstanding. The higher quality single family neighborhoods typically have larger higher quality homes on them and are situated on less than traditional lots (i.e. larger than 4500 to 6000 sf). Many neighborhoods have substandard homes, 10 feet from each other with traditional 10 – 20' front yards. Is this the standard to which we are holding a PUD?*

*A look directly to the east of this project is a very high quality development, with respect to the homes only. Here is a tax lot map for that project.*


*Here is an air photo.*


*The project is dominated by 10 feet of separation between homes, small front yards, small back yards and no significant open space or tree preservation to speak of. And yet the homes are of exceptionally high quality. This is considered traditional single-family lot by lot development.*

*Different than a traditional lot by lot development the Piper Lane PUD design provides the following amenities not typically found in a traditional neighborhood:*

- *Large common open spaces*
- *Clusters of both preserved and proposed trees*
- *Separation between buildings*
- *High quality building construction and materials*

- *Circulation throughout the site (interior to the site) between units*
- *Privacy*
- *Views from and to the site.*

*In this manner the proposed Piper Lane PUD exceeds the quality of any traditional lot by lot development that does not conserve the positive qualities of the existing site, or create open space within the development. A review of a handful of recent PUD / subdivision developments would bear this out, but cannot be faulted in light of obvious residential land shortages and lack of affordable housing.*

*The Piper Lane PUD site, as it is proposed, meets the purpose of the PUD as stated above.*

**EC 9.8305 Applicability**. PUD provisions shall be applied when any of the following conditions exist:

**(3)** One or more land uses proposed for the site are subject to review and approval through the PUD process according to the zoning.
*The property is zoned R-1 and the proposal is for multi-family housing therefore the PUD criteria apply.*

**EC 9.8310 Tentative Planned Unit Development General Application Requirements.**

**(1) Ownership.** The area included in a proposed PUD shall either be under single ownership or common development control. The application shall include all contiguous property under the same ownership or development control, shall be signed by the owner of the property, and include such related information as prescribed by the planning director.. . .
*The area included in the PUD is under single ownership as well as common development control by Leland Hughes. This application includes all contiguous property under the same ownership. The application is signed by the applicant's representative representing the owner of the property.*

**(2) Project Coordinator and Professional Design Team.** The tentative PUD application shall identify the PUD project coordinator and the professional design team and certify compliance with the following:

(a) Project Coordinator. The project coordinator shall:
1. Be the liaison between the applicant and the city.
2. Ensure that the required plans are prepared and executed according to any required conditions.
3. Either be a member of the American Institute of Certified Planners or licensed in the state of Oregon to practice architecture, civil engineering, or landscape architecture.
*The project coordinator, Schirmer Satre Group, is licensed to practice landscape architecture in the State of Oregon.*

(b) Professional Design Team Designation. Unless waived by the planning director, the professional design team shall consist of at least the following professionals:
1. Oregon licensed arborist.
2. Oregon licensed architect.
3. Oregon licensed civil engineer.
4. Oregon licensed landscape architect.
5. Oregon licensed land surveyor.
*See project team on both plan sets and at beginning of this written statement.*
*We also request that the Planning Director waive the requirement to have a licensed arborist as part of the professional design team. Many of the trees are in the construction path. Some of them are estimated to be of some value and have been preserved as is practical and many more trees will be installed as a result of this project. A licensed landscape architect can meet this requirement.*

(c) Plan Certification. Certification of the services of the professionals responsible for particular drawings shall appear on those drawings. To ensure comprehensive review of all plans for compliance with the PUD provisions by the professional design team, the cover sheet shall contain a statement of review endorsed with the signatures of all designated members of the

professional design team stating that the portion of the project in which he or she was involved complies with the following:
1. Meets the standards of his or her profession.
2. Complies with the tentative PUD criteria.
*See plan sheets for Plan Certification.*

**(3) Phasing.** The tentative PUD application shall include a phasing plan that indicates any proposed phases for development, including the boundaries and sequencing of each phase. Phasing shall progress in a sequence that promotes street connectivity between the various phases of the development and accommodates other required public improvements.
*The project will not be phased.*

**(4) Density.** Dwelling unit densities for PUDs shall be consistent with Table 9.2750 Residential Zone Development Standards. The calculation of the number of dwelling units allowed shall be determined based on the following:

(a) Easement Calculations. If it is demonstrated that easements will benefit residents of the proposed PUD, residential density calculations may include areas in easements, with the exception of private streets or ingress/egress easements.
*The project contains a street dedicated to the city as right of way. The extension of Piper Lane will be a public street. The area contained in the right of way is excluded when calculating the proposed density.*

(b) Dedications. If it is demonstrated that lands dedicated to the city will benefit residents of the proposed PUD, residential density calculations may include areas dedicated to the public for recreation or open space.
*The land that is dedicated to the city of Eugene is for right of way. It is not an area dedicated to the public for recreation or open space and has therefor been excluded from the density calculation.*

(c) Cumulative Density. When final plans are to be approved in phases, at no time shall the cumulative residential density exceed the overall density per acre established at the time of tentative plan approval.
*Acknowledged. This project will be approved and constructed in one phase.*

**(5) Needed Housing.** If the proposal includes needed housing, as defined by State statutes, the written statement submitted with the PUD application shall clearly state whether the applicant is electing to use the general approval criteria in EC 9.8320 Tentative Planned Unit Development Approval Criteria- General instead of the approval criteria found in EC 9.8325 Tentative Planned Unit Development Approval Criteria- Needed Housing.
*The project is being submitted under the General Criteria.*

**EC 9.8320 Tentative Planned Unit Development Approval Criteria- General**. The hearings official shall approve, approve with conditions, or deny a tentative PUD application with findings and conclusions. Decisions approving an application, or approving with conditions shall be based on compliance with the following criteria:

**(1)** The PUD is consistent with applicable adopted policies of the Metro Plan.
**Metro Plan Diagram**
**Residential**
*Land use designations shown on the Metro Plan diagram are depicted at a metropolitan scale. This area is depicted as Low Density Residential.*

The standards contained in the Plan provide minimum guidelines in determining appropriate new and expanded sites and locations for such uses in urban site uses.

As of January 1, 1977, density of all existing residential development within the 1990 Plan projected urban service area was about 3.64 dwelling units per gross acre. For new dwelling units constructed during 1986 to 1994, the net density was 7.05 dwelling units per acre in the UGB based on the RLID

data. The estimated overall residential net density for all residential development has climbed from 5.69 dwelling units per acre in 1986 to 5.81 dwelling units per acre in 1994 This *Metro Plan,* including the *Metro Plan* Diagram, calls for an overall average of about six dwelling units per gross acre for new construction through 2015, the planning period. By realizing this goal, the community will benefit from more efficient energy use; preservation of the maximum amount of productive agricultural land; use of vacant leftover parcels where utilities are already in place; and more efficient, less costly provision of utilities and services to new areas.

*The Piper Lane PUD project is a development that proposes infilling residentially zoned property within the UGB with a variety of new residential unit types including (3) duplexes, (2) tri-plexes and (2) 6 plexes. The proposed development achieves a density of 12 units per acre.*

*In this manner the development is achieving a few important objectives: 1) infill and density within the UGB; 2) more efficient use of resources / energy; 3) use of vacant leftover parcels and 4) more efficient, less costly provision of utilities and services to the area.*

*This PUD is an appropriate infill development within the UGB.*

**Residential Land Use and Housing Element**

**Policy A.10** Promote higher residential density inside the UGB that utilizes existing infrastructure, improves the efficiency of public services and facilities, and conserves rural resource lands outside the UGB.

*The addition of 23 more units in the Piper Lane PUD project area would increase the net density from ½ unit per acre (if there was one house as allowed on the one tax lot) to 12.63 units per acre. In this manner existing infrastructure will be utilized by a higher number of residents, an efficiency will be created as to the use of public services and facilities by virtue of a greater number of people living in relative proximity to existing facilities, and rural resource lands will be conserved as more units are provided within the UGB.*

**Policies A.11** Generally locate higher density residential development near employment or commercial services, in proximity to major transportation systems or with transportation efficient nodes.

*The Piper Lane PUD project is creating a higher density on this R-1 zoned property than currently exists or is typically proposed but in keeping with local land uses regulations concerning density in this zone. This addition of residential buildings will locate a greater number of people closer to the commercial services, employment services and major transportation systems.*
*Commercial centers / Employment Center*

- *Just over 1 mile from major commercial center a grocery store (Safeway), Pharmacy, restaurants and miscellaneous other small retail.*
- *1 mile from Valley River Center (a large regional shopping mall)*
- *1 ½ ,miles from Oakway Center (a large collection of shopping and restaurant facilities and a future hotel)*
- *2 miles from Downtown Eugene*
- *¼ mile from a convenience store at intersection of Fir Acres and Cal Young*

*Education/Recreation*

- *Just over 1 mile from Sheldon High School*
- *¼ mile from Bond Lane Park*
- *Less than 1 mile from a public golf course*

*Transportation Systems*

- *A 11/2 mile drive puts occupants of this development site onto the Randy Pape Beltline Road going both east and west, a major transportation corridor for the Eugene/Springfield area.*
- *4 miles away is Interstate 5 going both north and south.*
- *A mile away is Delta Highway, a major north south transportation corridor leading to Beltline and eventually to Interstate 5 as well as Downtown Eugene*
- *A mile away is also Coburg Road, another major connector to downtown Eugene to the south and the city of Coburg to the north.*
- *LTD route #96 runs on Cal Young between Oakway and Gilham. That is the closest bus stop to the site.*

*This development site is ideally located to provide access and opportunities to commercial services, employment and major transportation systems.*

**Policy A.13** Increase overall residential density in the metropolitan area by creating more opportunities for effectively designed in-fill, redevelopment, and mixed use while considering impacts of increased residential density on historic, existing and future neighborhoods.

*See answer to Policy A.11 above.*
*In this manner the project effectively creates in-fill development in property already within the UGB.*
*The development is designed in such a way that a higher density than is typical can be achieved with multiple attached units which allows for greater open space as less impact on some of the existing trees. The unit count is relatively small and the traffic generated will be minimal (13 peak our trips). The units are compatible in bulk, height and scale with the single family homes and duplexes currently near this neighborhood.*

*Many of the existing single family homes in this neighborhood have larger footprints than some of the proposed buildings (none of the proposed buildings are single units).*

*The proposed development is of a higher quality and will be constructed of better materials than much of the existing surrounding older neighborhood.*

*Because of the properties location there are not many homes abutting it and there are still a couple of vacant lots anticipating the improvements to Piper Lane for access.*
*This is an appropriately designed infill project for this development site.*

**Policy A.17** Provide opportunities for a full range of choice in housing type, density, size, cost, and location.

*See response to EC 9.8300 (1)(c)above.*
*Housing type, size, cost and density are all considered here.*

**Policy A.20** Encourage home ownership of all housing types, particularly for low income households.

*See response to EC 9.8300 (1)(c)above.*

**Policy A.23** Reduce impacts of higher density residential and mixed-use development on surrounding uses by considering site, landscape, and architectural design standards or guidelines in local zoning and development regulations.

*This proposed project is a higher density project than the single family neighborhood that is adjacent to a portion of the project and similar to other projects that are considered*

*close to this development site (The Farm on Cal Young, Oak Park Townhouses, and the duplexes on Piper Lane).*
*The project is considered a multi-family project as there are more than 3 units on one tax lot. The City of Eugene Land Use Code provides development regulations that take into account building setback requirements, building articulation, window coverage, open space requirements, etc. Those development standards are set forth in section EC 9.5500 Multi-family Development Standards. Through adherence to these local development regulations the impact of this higher density project is reduced on surrounding uses and assumes compatibility with the neighborhood.*
*Different than a typical PUD/Subdivision all of the units have been designed for this project. The design of the units is known at the start of the land use application process. These buildings have been designed similar in character, quality and materials in order to create a sense of community and cohesiveness amongst the new units. The design is contemporary in nature and provides for quality architecturally designed homes.*
*The quality of the design of the homes and the exceptional setting of the project provides a product that is not currently available in this neighborhood.*
*The buildings are similar in bulk, height and scale to the surrounding context.*

**Economic Element**

**Policy B.2** Encourage economic development, which utilizes local and imported capital, entrepreneurial skills, and the resident labor force.

*While this policy is more likely to be referring to larger industrial / commercial developments, this project does utilize local capital as well as resident labor force to design, process, construct, and eventually maintain the finished product. In this manner the goal of this economic policy is met.*

**Environmental Design Element**

**Policy E.5** Carefully develop sites that provide visual diversity to the urban area and optimize their visual and personal accessibility to residents.

*The design team considered visual diversity within the development site throughout the process. The site could have easily been designed with all buildings being identical creating a traditional development that would be easier for the general contractor to build. Repeating a building type allows for greater efficiency of time and materials. Instead, the design team chose to develop multiple building types of varying heights and configurations making for a much more interesting site, allowing for opportunities for multiple open space configurations and adding additional site amenities for the tenants. In this manner visual diversity of structures and spaces is achieved creating a more livable and desirable development.*

**Policy E.8** Site planning standards developed by local jurisdictions shall allow for flexibility in design that will achieve site planning objectives while allowing for creative solutions to design problems.

*The property is zoned R-1. The client has chosen to design multiple family housing in R-1 thereby requiring the PUD process for approval. The PUD process will assist in the achievement of the site planning objectives and stated Metro Plan policies that seek to create density in the urban core, make efficient use of existing property, utilities and resources. All of this can be achieved with a little creativity by design team professionals in concert with the extensive experience of the City of Eugene staff and some flexibility of standards through this process.*
*Additionally, applicable multiple family development standards for the R-1 zone will ensure general compatibility with the surrounding residential area.*

**Policy E.9** Refinement plans shall be developed to address compatibility of land uses, safety, crime prevention, and visual impact along arterial and collector streets, within mixed-use areas. During the interim period before adoption of a refinement plan, these considerations shall be addressed by cities in approving land use applications in mixed use areas by requiring conditions of approval where necessary.

*The development site is located within the boundaries of the Willakenzie Area Plan (Gilham Subarea). There are no policies in the Willakenzie Area Plan Gilham Subarea that are applicable to this development site.*

**Transportation Element**

**Policy F.3** Provide for transit-supportive land use patterns and development, including higher intensity, transit-oriented development along major transit corridors and near transit stations; medium- and high-density residential development with ¼ mile of transit stations, major transit corridors, employment centers, and downtown areas; and development and redevelopment in designated areas that are or could be well served by existing or planned transit.

*The Piper Lane PUD project is creating a higher density on this R-1 zoned property than currently exists or is typically proposed but in keeping with local land uses regulations concerning density in this zone. This addition of residential buildings will locate a greater number of people closer to the commercial services, employment services and major transportation systems.*
*Commercial centers / Employment Center*

- *Just over 1 mile from major commercial center a grocery store (Safeway), Pharmacy, restaurants and miscellaneous other small retail.*
- *1 mile from Valley River Center (a large regional shopping mall)*
- *1 ½ ,miles from Oakway Center (a large collection of shopping and restaurant facilities and a future hotel)*
- *2 miles from Downtown Eugene*
- *¼ mile from a convenience store at the intersection of Piper Lane and Cal Young*

*Education/Recreation*

- *Just over 1 mile from Sheldon High School*
- *¼ mile from Bond Lane Park*
- *Less than 1 mile from a public golf course*

*Transportation Systems*

- *A 11/2 mile drive puts occupants of this development site onto the Randy Pape Beltline Road going both east and west, a major transportation corridor for the Eugene/Springfield area.*
- *4 miles away is Interstate 5 going both north and south.*
- *A mile away is Delta Highway, a major north south transportation corridor leading to Beltline and eventually to Interstate 5 as well as Downtown Eugene*
- *A mile away is also Coburg Road, another major connector to downtown Eugene to the south and the city of Coburg to the north.*
- *LTD route #96 runs on Cal Young between Oakway and Gilham. That is the closest bus stop to the site.*

*This development site is ideally located to provide access and opportunities to commercial services, employment and major transportation systems.*

**Energy Element**

**Policy J.7** Encourage medium- and high-density residential uses when balanced with other planning policies in order to maximize the efficient utilization of all forms of energy. The

greatest energy savings can be made in the areas of space heating and cooling and transportation. For example, the highest relative densities of residential development shall be concentrated to the greatest extent possible in areas that are or can be well served by mass transit, paratransit, and foot and bicycle paths.

*See answer to Policy F.3 above.*

**Policy J.8** Commercial, residential, and recreational land uses shall be integrated to the greatest extent possible, balanced with all planning policies to reduce travel distances, optimize reuse of waste heat, and optimize potential on-site energy generation.

*The fact that this is an infill lot reduces travel distances when compared to the same type of development proposed further outside the urban core.*

*As demonstrated above, this PUD is consistent with adopted policies of the Metro Plan.*

**(2)** The PUD is consistent with applicable adopted refinement plan policies.
*The PUD is in the Willakenzie Area Plan and as such is subject to those policies.*

**EC 9.9700 Willakenzie Area Plan Policies**

**(1) Land Use Element – General Policies**

(c) Retain existing significant vegetation whenever possible to provide buffering between residential and non-residential uses, as well as between low-density and higher density residential areas (Policy 3)
*This development site is considered low density residential and the proposed density is considered low density in R-1 zoned property. The proposed density is greater than is typical of R-1 zoned property. Clustering the housing units allowed for preservation of particular existing trees and groupings of trees in order to balance infill with tree preservation while providing some buffering between lower density housing.*

*Since the first round the Site Plan has been revised in order to save additional existing trees. The trees that have been preserved are in clusters and have the best chance of survival. Many of the trees on the site (70%) are of poor to fair quality and the trees themselves are not significant species with respect to preservation in an urban environment. (i.e. wild cherry, cottonwood, ash, Big Leaf Maple, Doug fir). Thoughtful preservation of trees, considering the underlying residential zone, is more appropriate. We have all learned from experience that preserving a tree here and there for the sake of increasing the number of trees preserved is not a practical approach to sustaining the urban forest.*

*The trees on this site are largely similar in size (131 of 175 trees are 8" – 18" DBH) which tells us that they have grown up together, are self-propagated. Their health tells us that they are not in an optimum environment, are not being maintained and are being shaded out by the few larger trees in the area.*

*The more responsible and sustainable solution to urban development with respect to tree canopy is to create a healthy growing environment and then plant new and context appropriate trees. The larger open spaces that have been created as a part of this design will allow the applicant to plant larger species of trees that over a short period of time, with appropriate soil preparation and maintenance will achieve a size and stature that mirrors the surrounding neighborhoods.*

*On this site, the buildings and required circulation and parking have been placed in such a manner as to preserve a significant cluster of trees at the southwest corner, along the south border and along the south east border.*

*There are a total of 6 single family lots that abut this property. All individual lots have been considered with respect to buffering, either through preservation of existing vegetation where practical and through the addition of new trees.*

*Additionally, the lots to the south are buffered through the significant drop in topography, placing the homes lower and somewhat out of view. Placing the homes at an angle created a large area of physical separation between properties where more trees can be planted.*

(f) Minimize land use conflicts by promoting compatibility between low-density and higher-density residential land uses as well as between residential and nonresidential land uses (Policy 6). *Planned unit development procedures are required for all multi-family residential developments in property that is zoned R-1. The intent of the PUD procedures is to promote a greater degree of compatibility and minimize land use conflicts through required setback standards, open space, landscape standards, stormwater management standards as well as the multi-family development standards.*

**(2) Land Use Element – Residential Policies**

(a) Maintain the existing low-density residential character of existing Willakenzie neighborhoods, while recognizing the need to provide housing for all income groups in the city. (Policy 1)

*This development site is located in the Gilham subarea of the Willakenzie Area Plan. The development that is proposed is designed with the intent of minimizing the impact to the site while providing housing for a variety of income types. The proposed units, in some cases are smaller in scale that many of the existing single family homes in the neighborhood. The buildings have been designed as single family attached structures which reflects many of the housing types in close vicinity: townhouses at The Farm on Cal Young, Oak Park Townhouses, and duplexes on Piper Lane.*

*By creating units that are smaller than existing single family homes, by utilizing high quality materials and by clustering the units the site achieves greater open space and greater preservation of trees than a traditional lot by lot single family development.*

*Without the parking drive aisle and the parking lot, and simply looking at the bulk and scale of the buildings, it would be difficult to tell the different between these buildings and the near by single family homes (especially to the west) and not consider this development as maintaining the low-density* ***residential character*** *(not unit count or density) of the neighborhood.*

*In addition there are very large setback from the majority of the abutting property lines. Because many of the buildings are set at an angle, where the buildings are closest to property lines they are only close at one point. The remainder of the building grows further and further away from the abutting properties.*

*Building C is 11' – 1" from the west property line at one point. That distance grows quickly to 35'.*

*Building B is 9'-5" from the property line at one point and grows to 33 feet away.*

*Building D is 33' away from the south property line at one point and then grows from there.*

*Building E is 7'-11" away from that same property line and at only one point. It grows to 29 feet away from that same property line. This same building is 23 feet away from the south property line and at one point. It grows to 44' away.*

*Building F is 7'-8" at the closets place and only at one point. It grows to a distance of 36 feet from the east property line. This is a substantial buffer area that allows for planting larger species of trees.*

*Building G is at least 33' from the property line at the closest point.*

*All of these buffer areas are significantly larger than typical buffering between developments and should serve to accommodate any amount of vegetative screening that will be necessary to create a sense of separation between the surrounding 6 single family homes and this development.*

*Something else to consider is the proximity of the houses on the 6 abutting lots and their actual locations on their own lots.*

- *Tax Lot 507 is a traditional layout with the home 5 feet from the shared property line, and yet there will be a 6' fence along that property line, half of that buildings length closest to the development site consists of garage space, and the closest any portion of the living space of that home is to the development sites buildings is 30 feet, with trees added as additional buffer.*
- *Lot 2203 unfortunately forgot to hire a surveyor and their deck is over the applicant's property line and yet their home is buffered by the large triangular area in the Piper Lane PUD southwest corner.*
- *Lot 2301 has a house that is approximately 145' from the shared property line separated by a tennis court.*
- *Lot 2502 has a house that is 50 feet away from the shared property line.*
- *Lot 2603 has a house that is 88 feet away from the shared property line.*
- *Lot 2401 has a house that is 45 feet away from each of the shared property lines.*

*Between the generous setbacks on the Piper Lane property and the locations of the existing homes, there is more separation and buffering than could ever be achieved in a traditional lot by lot single family development.*

*See existing abutting lot building locations on the Site Plan. See the air photo on the Cover Sheet.*

*There is precedent nearby for multi-family development. This is not just a single family home neighborhood. Please see Attachment B.*

(d) Encourage medium- and high-density residential uses in areas which have good access to commercial services, public open space, schools, parks, transit, and other alternative modes of transportation (Policy 5).
*Even though this is considered a low density development and is located in low density zoned property the proposed density is higher than is typical of single family detached neighborhoods. This development site has great access to:*

*Commercial services:*

- *1 mile from major commercial center containing Costco, Starbucks, Oregon Community CU, PetSmart, etc.*
- *Less than a mile from Gateway Area and the myriad of shopping/eating opportunities*
- *3/4 mile from Crescent Village (retail, residential, restaurant)*
- *¼ mile from a convenience store at intersection of Fir Acres and Cal Young*

*Public Open Space/Parks:*

- *½ mile from a Crescent Park*
- *¾ mile from Striker Field*
- *1 ½ miles from Armitage Park and the McKenzie River*

*Schools:*

- *2 ½ miles from Gilham Elementary School*
- *2 miles from Sheldon High School*

- *1 ¾ miles to Cal Young Middle School*

(g) Promote compatibility between low-density residential land uses and medium- to high-density residential land uses. (Policy 8)
*The multi-family development standards will be required to be met as a part of the Planned Unit Development application procedures for this project. These standards address building setbacks, building length, building articulation, percentage of glazing on street facing frontages, landscaping and common open space among other elements. These code requirements are in place to ensure compatibility between low-density and medium- to high-density residential uses.*

**(13) Transportation Element.**

(b) The City shall maintain and encourage the safe and efficient operation of major streets by limiting private, direct access to those streets where necessary. (Policy 2)

*The development site has 1 existing access point where the improved portion of Piper Lane terminates at the development site. The project proposes to continue Piper Lane to the east and then turn south as a continuation of Hammock Lane. This portion of Hammock and the existing portion of Hammock to the south will not connect as there is not sufficient dedicated right of way to make that connection.*

*Designing this proposed piece of Piper Lane as a dead end street will ensure that the existing Piper Lane and Fir Acres streets don't experience additional traffic cutting through the neighborhood.*

*The portion of Hammock Lane that extends north from Cal Young has been designed in such a manner to make adding more traffic to this street a concern for the existing neighbors on that street, expressed quite clearly at the required neighborhood meeting for this project. Many of the existing residents on Hammock Lane were opposed to crating this connection.*

*Without this connection through and with the design of the continuation of Piper Lane as a 21' wide street the proposed street will continue to operate in a safe and efficient manner. 13 peak hour trips are proposed to be added as a result of this development. This does not create much of an impact in terms of traffic volume on a relatively low volume street with no crash history. No additional cut through traffic will have allowed as the result of the termination of the street and the existing and proposed narrow streets are a natural traffic calming design.*

*There will be a connection made from the terminus of the proposed road and the existing Hammock Lane but this connection will be for emergency access vehicles only. This allows for the continued safe operation of Piper Lane and adequately serves the project for both circulation and emergency vehicles.*

**(3)** The PUD will provide adequate screening from surrounding properties including, but not limited to, anticipated building locations, bulk, and height.
*Unique to this property is the fact that there are not many homes currently adjacent to the property or in close proximity to property lines.*
*To the **west** are 2 tax lots each with a single family home.*
*To the **north** are 5 tax lots 3 with single family homes and 2 that are vacant lots*
*To the **east** are 2 single family lots each with homes and an apartment complex*
*To the **southeast** is a single family home on 1/3 of an acre.*
*To the **south** are 3 single family lots, 1 of which is on .88 acres and not close to the development site. The other 2 homes are either a distance from the development site or well screened.*

*See answer to **(2)** above for buffer distances and proximity of existing homes to project site.*

*The property has a natural topography that the design team used to their advantage. There is a remnant of an old slough (non-functioning) running diagonally through the site and can be seen on the Topographic Survey.*

*The ground floor of the units bordering the southwest portion of the site are approximately 6' – 9' lower (at a ground elevation of 408) than the existing homes which are at a ground elevation of approximately 414. Even though these units are designed per the land use code height limits their scale will seem a bit smaller as a result. The use of the natural topography, preservation of an existing cluster of trees, a separation that is a minimum of 33' at the closest point to the property line and the addition of new trees helps to screen the proposed development from surrounding properties.*

*No buildings exceed the maximum height allowed in the R-1 zone, Units C, D and E are essentially sited in a "hole" as a result of the natural topography and are 6' – 7' lower than if the homes were at the same elevation as the surrounding homes.*

*The buildings, whether a duplex or a 6 plex are compatible with the surrounding neighborhood when viewed from a bulk, height and scale perspective. Some of the existing single family homes in the surrounding neighborhood are 100 feet long, the approximate length of a couple of the buildings on the development site. The existing single family homes to the west are larger than most of the buildings on this project site with the exception of Building B and even that one is close. And all the units on this site are more than 1 unit each.*

*The height of the buildings does not exceed the maximum allowed in the R-1 zone.*

*The duplex units are the same size or smaller in footprint than existing duplexes and single family homes in the neighborhood. The density is well matched with other development nearby where infill lots have been utilized creatively to provide a variety of housing types.*

*The high quality design, choice of materials, creative use of existing topography, and preservation of some mature trees, pedestrian circulation and choice of intentional open space makes this a good fit for this property and surrounding neighborhood.*

*Additional trees will be added to enhance the development site for purposes of creating an attractive living environment, support and enhancement of the open space and for the express purpose of creating a quality livable neighborhood. Quite a few trees are being removed and planting the new development with additional trees seems appropriate. See Tree Planting Plan.*

*The proposed structures will be of exceptional quality and architectural character which can do nothing less than enhance the quality and the character of the existing neighborhood.*

*The development team has made concerted efforts, with the understanding that it is human nature to resist change in the form of development in existing neighborhoods, to create a development that is not typical, is of high quality and considers all adjacent home owner's desires for privacy.*

*Therefore this criterion is met.*

**(4)** The PUD is designed and sited to minimize impacts to the natural environment by addressing the following:

(a) Protection of Natural Features.

1. For areas not included on the City's acknowledged Goal 5 inventory, the preservation of significant natural features to the greatest degree attainable or feasible, including:

    a. Significant on-site vegetation, including rare plants (those that are proposed for listing or are listed under State or Federal law), and native plant communities.
    *The most significant vegetation on site are the existing trees and many of them are not of high quality or value. They have not been maintained for decades. Many have been*

*damaged by ice storms, wind and general decline. The existing conifers have outpaced and hindered the growth of the existing deciduous trees. Many of the existing ash trees and oak trees are struggling and are not in good condition.*

*Many of them are proposed to be removed as a part of the development plans. It is impossible to design and construct infill development with the associated roads, parking, drives, etc. and not affect the existing vegetated environment.*
*Many more new, healthy and site appropriate trees will be added with the proposed landscaping. See Planting Plan. See Tree Protection / Preservation Plan.*
*There are no rare plants on site or native plant communities.*

b. All documented habitat for all rare animal species (those that are proposed for listing or are listed under State or Federal law).
*There are no documented rare animal species habitats on site.*

c. Prominent topographic features, such as ridgelines and rock outcrops.
*There are no prominent topographic features. This site contains no ridgelines or rock out crops. There is a significant remnant slough that creates some topographic change in the site. See Topographic Survey. This change in topography will be utilized creatively to create screening between surrounding properties, interest within the site, and separation of units internally and to take advantage of existing conditions.*

d. Wetlands, intermittent and perennial stream corridors, and riparian areas.
*The site contain no wetlands, intermittent and perennial streams or riparian areas.*
*There are no documented or observed wetlands on site.*

e. Natural resource areas designated in the Metro Plan diagram as "Natural Resource" and areas identified in any city-adopted natural resource inventory.
*This development site is not indicated as a Natural Resource area on the Metro Plan diagram. It is not indicated on the city of Eugene Goal 5 Resources.*

2. For areas included on the City's acknowledged Goal 5 inventory:
*The development site is not on the City's Acknowledged Goal 5 inventory.*

(b) Tree Preservation. The proposed project shall be designed and sited to preserve significant trees to the greatest degree attainable or feasible, with trees having the following characteristics given the highest priority for preservation:

1. Healthy trees that have a reasonable chance of survival considering the base zone or special area zone designation and other applicable approval criteria;
*A Tree Preservation Plan has been submitted to indicate the location of the existing trees. The most significant vegetation on site are the existing trees and many of them are not of high quality or value. They have not been maintained for decades. Many have been damaged by ice storms, wind and general decline. The existing conifers have outpaced and hindered the growth of the existing deciduous trees. Many of the existing ash trees and oak trees are struggling and are not in good condition.*

*Also, the portion of this code criterion that needs due consideration is the phrase* ***"considering the base zone****". The base zone is R-1 and the property is located in a well-established developed neighborhood. The land use code and the base zone allow for residential development on this property. Whether the property were developed with standard single family lots or the design that has been submitted, many trees are in the construction path regardless of whether they are healthy or not.*

*Due consideration has been given to preserving healthy trees as is practical. The reality of any kind of development is that the roads and circulation have limited places they can be located.*

*The residential housing also is required to meet setbacks from roads, from properties lines and cannot be co-located where there is circulation. A percentage of the frontage of the proposed road is required to have proposed buildings within a certain distance from the right of way, irrespective of existing trees. That necessarily means that trees need to be removed, regardless of their condition.*

*All trees shown for removal are in the construction path.*

2. Trees located within vegetated corridors and stands rather than individual isolated trees subject to wind throw;
   *Stands of healthy trees were located and preserved on site. Some individual trees have also been preserved that did not originally exist in a stand.*

3. Trees that fulfill a screening function, provide relief from glare, or shade expansive areas of pavement;
   *There are no existing trees that will shade expansive areas of pavement. The proposed landscaping will do a great job of providing the functions listed above, as required by the land use code and as desired by the design team. See Planting Plan for proposed tree locations.*

4. Trees that provide a buffer between potentially incompatible land uses;
   *This development is a residential development. This residential land use is not be considered incompatible with the existing neighboring residential uses. The attached single family nature of the design fits well with the existing multi-family, duplex and single family detached character of this neighborhood.*
   *The proposed development will provide for adequate screening through proposed plantings as well as through the existing topography (i.e. some of the units are at lower elevations than the surrounding properties).*

5. Trees located along the perimeter of the lot(s) and within building setback areas;
   *To the extent that it is practical, trees have been preserved. Some of them are on the perimeter of the lot and are fairly healthy (south east portion of lot). The units on the east side of the development site have been located in such a manner as to preserve these trees. Additionally, the units in the northwest corner have been set at an angle to the street in order to preserve some healthy trees in this area as well.*
   *This project proposes to remove trees and install healthy, site appropriate trees that will thrive in a residential environment and provide all the advantages that trees provide to a neighborhood.*

6. Trees and stands of trees located along ridgelines and within view corridors;
   *The site contains no ridgelines nor is this within a view corridor.*

7. Trees with significant habitat value;
   *Significant habit value is not a term that is defined in the land use code so it is unclear how this might be construed. There are no endangered or threatened species that require the preservation of these trees and many of the trees themselves are not in good health or of high quality and have not been maintained.*
   *The proposed landscaping will provide new healthy trees that will thrive in this residential environment, providing habitat for birds and other living things.*

8. Trees adjacent to public parks, open space and streets;
   *There are no existing trees on the development site that are adjacent to public parks, open space and streets.*

9. Trees located along a water feature;
   *There are no water features on the site therefor none of the existing trees are located on a water feature.*

10. Heritage trees.
*There are no heritage trees on site.*

*See Tree Preservation Plan. All the trees have been evaluated for their relative health. Each tree has been numbered on the plan and there is a corresponding comment on the chart provided in the report.*
*See attached* ***Arborist Report.***

*A site visit by staff, accompanied by someone from Urban Forestry Department, would have helped with the evaluation of the trees and subsequent comments regarding tree preservation. The flavor of the comments appears to be largely based on a count of the number of trees, not whether it makes any sense to preserve the trees because of:*

- *Design intent with respect to quality of open space and livability for the neighborhood*
- *Safety : preservation of trees doesn't mean they will remain in the next wind or ice storm*
- *Opportunity to create a healthier urban canopy*

*The site has been re-designed based on staff comments to preserve more trees. As design professionals we are disappointed in the lost opportunity to have created a welcoming circular open space that connected the homes together and provided a plaza type experience. Instead, the homes now reside on a parking lot; acceptable but not exceptional.*

*There are now 37 trees that are being preserved instead of just 12. There are now 104 proposed trees (not counting the required street trees) to replace tree canopy on site, create buffers between the development site and create a quality living environmental for the future occupants of this project.*

(c) Restoration or Replacement.

1. For areas not included on the city's acknowledged Goal 5 inventory, the proposal mitigates, to the greatest degree attainable or feasible, the loss of significant natural features described in criteria (a) and (b) above, through the restoration or replacement of natural features such as:
   a. Planting of replacement trees within common areas; or
   *There will be a loss of existing trees as a result of the required public right of way development and the nature of the underlying base zone and its requirements.*
   *To the extent that trees are removed additional trees will be planted. It is the client's desire to add trees to enhance the residential character of the property, re-vegetate where existing vegetation has been lost and to provide an attractive and quality living environment for the existing and developing neighborhood.*

   *See attached Planting Plan indicating proposed trees.*

   b. Re-vegetation of slopes, ridgelines, and stream corridors; or
   *The site contains no slopes, ridgelines or stream corridors.*

   c. Restoration of fish and wildlife habitat, native plant habitat, wetland areas, and riparian vegetation.
   *This site contains no fish and wildlife habitat, native plant habitat, wetland areas or riparian vegetation.*

2. For areas included on the city's acknowledged Goal 5 inventory, any loss of significant natural features described in criteria (a) and (b) above shall be consistent with the acknowledged level of protection for the features.
   *The development site is not included in the city's acknowledged Goal 5 inventory.*

(d) Street Trees. If the proposal includes removal of any street tree(s), removal of those street tree(s) has been approved, or approved with conditions according to the process at EC 6.305.

*Street trees are proposed to be removed at the terminus of the proposed right of way and within the proposed right of way. The right of way will continue south as an emergency vehicle access only connection. In order for that access to be functional there are some street trees that need to be removed.*
*Other than those trees there are no other street trees adjacent to the property.*

**(5)** The PUD provides safe and adequate transportation systems through compliance with the following:
(a) EC 9.6800 through EC 9.6870 Standards for Streets, Alleys, and Other Public Ways (not subject to modifications set forth in subsection (11) below).
EC 9.6805 **Dedication of Public Ways** As a condition for development, the city may require dedication of public ways for bicycle and pedestrian use as well as for streets and alleys . ..
*The site design proposes dedication of right of way for the extension of Piper Lane through the site where it then terminates just north of connecting to Hammock Street. Sidewalks are proposed on the development side of the street.*

**EC 9.6810 Block Length** Block length for local streets shall not exceed 600 feet unless an exception is granted based on one or more of the following:
(1) Physical conditions preclude a block length 600 feet or less. Such conditions may include, but are not limited to, topography or the existence of natural resource areas such as wetlands, ponds, streams, channels, rivers, lakes or upland wildlife habitat area, or a resource on the National Wetland Inventory or under protection by state or federal law.
*The design of this development site is proposing the extension of Piper Lane to the degree that there is sufficient right of way to do so. The final connecting piece that would connect into Hammock Street to the south does not front the development site and therefor is not being dedicated as a part of this proposal.*
*Instead an emergency vehicle access is being provided at this time.*
*The property south and west of the development is fully developed and there is no opportunity to create a connection to Cal Yong to shorten the length of the block that is Piper Lane. See Air Photo Attachment B.*

*Therefore an exception is requested.*

(2) Buildings or other existing development on adjacent lands, including previously subdivided but vacant lots or parcels, physically preclude a block length of 600 feet or less considering the potential for development.
*The property south and west of the development is fully developed and there is no opportunity to create a connection to Cal Young to shorten the length of the block that is Piper Lane.*

(3) An existing public street or streets terminating at the boundary of the development site . .
*Piper Lane terminates at the west boundary of the development site. See answer to (1) above.*

(4) As part of a Type II or Type III process, the developer demonstrates that a strict application of the 600 foot requirement would result in a street network that is no more beneficial to vehicular, pedestrian or bicycle traffic than the proposed street network and that the proposed street network will accommodate necessary emergency access.
*See answer to (1) above.*

**EC 9.6815 Connectivity for Streets**
(2) **Street Connectivity Standards**
(a) All streets and alleys shall be public unless the developer demonstrates that a public street or alley is not necessary for compliance with this land use code or the street connectivity standards of subparagraphs (b) to (e) of this subsection.
*The extension of Piper Lane is proposed as a public street.*

(b) The proposed development shall include street connections in the direction of all existing or planned streets within ¼ mile of the development site. The proposed development shall

also include street connections to any streets that abut, are adjacent to, or terminate at the development site.
*The Piper Lane PUD is proposing to extend the existing Piper Lane to the east, turn south and terminate at the limits of the development site requirement for dedicated right of way. Due south is existing Hammock Street that is close but does not terminate at the development site.*
*Instead an emergency vehicle access connection is proposed that connects the development site's proposed public street and the existing developed portion of Hammock Lane to the south.*

(c) The proposed development shall include streets that extend to undeveloped or partially developed land that is adjacent to the development site or that is separated from the development site by a drainage channel, transmission easement, survey gap or similar property condition. The streets shall be in locations that will enable adjoining properties to connect to the proposed development's street system.
*The proposed extension of Piper Lane extends to lots that are fully developed with single family homes as well as to lots that are currently vacant. Adjoining properties will have access to connect to the proposed street. See Site Plan.*

(d) Secondary access for fire and emergency medical vehicles consistent with EC 9.6870
*Secondary emergency vehicle access has been provided at the terminus point of Piper Lane and connects through to the existing developed portion of Hammock Street south of the development site.*

(e) Except for applications proposing needed housing, all applicants shall show that the proposed street alignment shall minimize excavation and embankment and avoid impacts to natural resources, including water related features.
*The proposed street alignment is on property that is relatively flat. Excavation will be minimal and there will be no proposed embankments or disturbance of natural resources. There are not water related features on the development site.*

(f) In cases where a required street connection would result in the extension of an existing street that is not improved to city standards . . .
*The required street connection will not result in the extension of an existing street that is not improved to city standards.*

(g) In the context of a Type II or Type III land use decision, the city shall grant an exception to the standards in subsections (2)(b), (c) or (d) if the applicant demonstrates that any proposed exception are consistent with either subsection 1. or 2. below:
*No exception is requested.*

**EC 9.6820 <u>Cul-de-Sacs or Emergency Vehicle Turnarounds</u>.**

(1) Except for streets that are less than 150 feet long and streets that will be extended in the future, all streets that terminate shall be designed as a cul-de-sac bulb or an emergency vehicle turnaround.
*A secondary emergency vehicle access is proposed as part of this design. It will connect the terminus of the proposed street with the existing developed Hammock Street to the south. There is no requirement for a cul-de-sac.*

(2) If a street will be extended in the future, a temporary easement shall be provided and an emergency vehicle turnaround shall be constructed.
If Piper Lane is extended in the future then the connection will be complete and there will be no need for an emergency turn around. *A secondary emergency vehicle access is proposed as part of this design. It will connect the terminus of the proposed street with the existing developed Hammock Street to the south.*

(3) There shall be no cul-de-sacs more than 400 feet long from the centerline of the intersecting street to the radius point of the cul-de-sac bulb.
*There are no cul-de-sacs proposed.*

(4) Pubic accessways to provide safe circulation for pedestrians, bicyclists and emergency vehicles shall be required from a cul-de-sac or emergency vehicle turnaround longer than 150' in length when measured from the centerline of the intersecting street to the radius point of the cul-de-sac or to the center point of the emergency vehicle turnaround.
*There are no cul-de-sacs or emergency vehicle turnarounds longer than 150 feet.*

(5) As a part of a Type II of Type III process, an exception may be granted to the requirements of (1), (3) and (4) of this section because of the existence of one or more of the following conditions:
*No exceptions are requested at this time.*

**EC 9.6830 Intersections of Streets and Alleys**

(1) **Angles**
(a) Streets and alleys shall intersect one another at an angle as near to a right angle as practicable considering topography of the area and previous adjacent layout.
*No street or alley intersections are proposed.*

(2) **Offsets** The minimum intersection offset shall be 100 feet on a local street, 200 feet on a collector street. And 400 feet from and arterial street unless adjusted through the process for adjustments to standards EC 9.8030 (12)(c) Offsets shall be measured from the center lines of the two intersecting streets.
*No street or alley intersections are proposed.*

**EC 9.6835 Public Accessways**

(1) The city shall require within the development site the dedication to the public and improvement of accessways for pedestrians and bicyclist use to connect the development site to adjacent cul-de-sacs or to an adjacent site that is undeveloped, publicly owned, or developed with an accessway that connects to the subject site, provided the city makes findings to demonstrate consistency with constitutional requirements.
*None of these conditions exist on this site therefore there is no need for dedication to the public of accessways for pedestrian and bicyclist use.*

**EC 9.6840 Reserve Strips.**

The city manager may require the developer to dedicate a reserve strip controlling the access to a street or alley when a reserve strip is necessary to address one or more of the following:

(1) To prevent access to abutting land at the end of the street in order to assure the proper extension of the street pattern and the orderly development of land lying beyond the street.
*This condition does not exist.*

(2) To prevent access to the side of a street on the side where additional width is required to meet right-of-way standards provided in Table 9.6870 Right-of-Way and Paving Widths.
*This condition does not exist.*

(3) To prevent access to land abutting a street of the development, but not within the development itself.
*There is land abutting the proposed street of the development site however the lots are already platted. This street should provide legal access to those lots. Reserve strips are not required.*

(4) To prevent access to land unsuitable for development.
*This condition does not exist.*

(5) To prevent access prior to payment of street improvement assessments or connection charges.
*No known street improvement assessment or connection charges will be required as a result of this development.*

(6) To prevent access to an arterial or collector street when such access would be inconsistent with EC 7.420.
*Piper Lane will be considered a local street.*

**EC 9.6845 Special Safety Requirements**.
Except for applications proposing needed housing, where necessary to insure safety, reduce traffic hazards and promote the welfare of the general public, pedestrians, bicyclists and residents of the subject area, the planning director or public works director may require that local streets and alleys be designed to discourage their use by non-local motor vehicle traffic and encourage their use by local motor vehicle traffic, pedestrians, bicyclists, and residents of the area.
*The proposed Piper Lane terminates and then continues as a secondary emergency vehicle access connection to Hammock Street. This will discourage (prevent) use by any non-local traffic and encourage use only by local motor vehicle traffic, pedestrians, bicyclists and residents. Pedestrians and bicyclists will be able to utilize the secondary emergency vehicle access and connect to Hammock Street and then to Cal Young.*

**EC 9.6850 Street Classification Map**
The November 1999 Street Classification Map adopted by Ordinance No. 20181 and as amended by Ordinance thereafter, shall be the basis for determining the correct classification of a street . . .
*Piper Lane is classified as a local street.*

**EC 9.6855 Street Names.**
Wherever practical, streets that are in alignment with existing named streets shall bear the names of such existing streets. Names for streets that are not in alignment with existing streets are subject to approval by the planning director and shall not necessarily duplicate or resemble the name of any existing or platted street in Lane County.
*The proposed street is an extension of the existing Piper Lane and therefore will continue to use that name.*

**EC 9.6860 Street Right-of-Way Map.**
The November 1999 Street Right-of-Way Map is an official map adopted by the city council by ordinance No. 20181 designating the widths of street right-of-way and street paving for specific street segments.
*The proposed street rights-of-way on the Site Plan are a result of conversations with Public Works staff.*

**EC 9.6865 Transit Facilities.**
Except for applications proposing needed housing, the city manager may require provisions, including easements, for transit facilities where future transit routes are required on streets extending through or adjacent to the area of the development . .
*Piper Lane terminates at the development site. There are no current plans to extend LTD service through a local street that terminates and no physical way for the buses to turn around.*

**EC 9.6870 Street Width**
Unless an alternative width is approved through use of other procedures in this code, the right-of-way width and paving width of streets and alleys dedicated shall conform to those designated on the adopted Street Right-of- Way map.
*Piper Lane is a low volume residential street. Table 9.6870* ***Right of Way and Paving Widths****, indicates that a low volume street will have a right of way width of 45' – 55' and a paving width of 20' – 28'.*

*Piper Lane is designed as a 45' right of way where it meets the existing terminus of Piper Lane. It then tapers to a 40' right of way as it bends south and terminates. In both instances the paving width is 21'.*
*The existing portion of Piper Lane is a 50' right of way and the end of Hammock Lane that this road will connect to in the future is a 40' right of way. This is not a typical circumstance and as a result of multiple discussions with public works staff with respect to right of way design, this solution was what was agreed upon.*

**EC 9.6873 Slope Easements**
Because of terrain, slope easements may be required . .
*The one area of the site where there are slopes is at the edge of the remnant slough. In these cases the buildings have been designed to mitigate that slope by acting as retaining walls in those areas. No slope easements will be necessary.*

**EC 9.6875 Private Street Design Standards**
Private streets, when permitted . .
*The extension of Piper Lane is proposed as a public street.*

(b) Pedestrian, bicycle and transit circulation, including related facilities, as needed among buildings and related uses on the development site, as well as to adjacent and nearby residential areas, transit stops, neighborhood activity centers, office parks, and industrial parks, provided the city makes findings to demonstrate consistency with constitutional requirements. "Nearby" means uses within 1/4 mile that can reasonably be expected to be used by pedestrians, and uses within 2 miles that can reasonably be expected to be used by bicyclists.
*A series of proposed sidewalks, drives, and internal pedestrian paths more than adequately connects the development site to all proposed buildings and related uses on site and adjacent and nearby residential neighborhoods.*

(c) The provisions of the Traffic Impact Analysis Review of EC 9.8650 through 9.8680 where applicable.

**EC 9.8650 Purpose of Traffic Impact Analysis Review.**
The purpose of the Traffic Impact Analysis Review is to ensure that developments which will generate a significant amount of traffic, cause an increase in traffic that will contribute to traffic problems in the area or result in levels of service of the roadway system in the vicinity of the development that do not meet adopted levels of service standards provide the facilities necessary to accommodate the traffic impact of the proposed development. . . .

**EC 9.8670 Applicability.**
Traffic Impact Analysis is required when one of the conditions of subsections (1) – (4) of this section exist unless the development is within an area (a) shown on Map 9.8670 Downtown Traffic Impact Analysis Exempt Area, or (b) subject to prior approved Traffic Impact Analysis and is consistent with the impacts analyzed.

**(1)** The development will generate 100 or more vehicle trips during any peak hour as determined by using the most recent edition of the Institute of Transportation Engineer's Trip generation.
*The development does not generate 100 or more vehicle trips during any peak hour. There will be 23 single family (rentals) that generate .58 trips per hour or 13 peak hour trips.*

**(2)** The increased traffic resulting from the development will contribute to traffic problems in the area based on current accident rates, traffic volumes or speeds that warrant action under the city's traffic calming program . .
*The 13 peak hour trips generated by this development site can easily be accommodated by the existing and proposed local street system.*

**(3)** The city has performed or reviewed traffic engineering analyses that indicate approval of the development will result in levels of service of the roadway system in the vicinity of the development that do not meet adopted level of service standards.
*None required.*

**(4)** For development sites that abut a street in the jurisdiction of Lane County, a Traffic Impact Analysis Review is required if the proposed development will generate or receive traffic by vehicles of heavy weight in their operations.
*The development site will not generate or received traffic by vehicles of heavy weight in their operations. The development is a residential project.*

*No Traffic Impact Analysis is required as a result of this development proposal.*

**(6)** The PUD will not be a significant risk to public health and safety, including but not limited to soil erosion, slope failure, stormwater or flood hazard, or an impediment to emergency response.
*The site for all intents and purposes is flat where it abuts the proposed public street and much of the neighboring properties.*
*Internal to the site is an elevation change creating depression internal to the site (see Survey). The buildings have been designed to act as retaining walls for the external edges of this depression. At the same time this depression will be filled with about 4' of engineered fill to raise the grade.*
*Any potential for slope failure will be mitigated with the proposed buildings. Stormwater will be handled with vegetated rain gardens and directed to the city storm system.*
*Any potential for soil erosion is mitigated with proposed site grading, building location and proposed landscaping. Emergency response has been facilitated with a secondary emergency vehicle access connection.*
*This PUD will not be a risk to public health or safety.*

**(7)** Adequate public facilities and services are available to the site, or if public services and facilities are not presently available, the applicant demonstrates that the services and facilities will be available prior to need. Demonstration of future availability requires evidence of at least one of the following:
(a) Prior written commitment of public funds by the appropriate public agencies.
(b) Prior acceptance by the appropriate public agency of a written commitment by the applicant or other party to provide private services and facilities.
(c) A written commitment by the applicant or other party to provide for offsetting all added public costs or early commitment of public funds made necessary by development, submitted on a form acceptable to the city manager.
*All public facilities and services are available to the site.*
*See attached Survey.*
*Electric is provide by EWEB.*
*Water is provided by EWEB.*
*Stormwater and sanitary sewer are provided by City of Eugene.*

**(8)** Residents of the PUD will have sufficient usable recreation area and open space that is convenient and safely accessible.
*Proposed open space throughout the site, connected by a system of pedestrian paths, drive aisles and sidewalks provides excellent passive recreation opportunities for residents.*

*Easily accessible to the development site are the following public open space/parks:*

- *Just over 1 mile from Sheldon High School*
- *¼ mile from Bond Lane Park*
- *Less than 1 mile from a public golf course*

*While not all of them are within convenient walking distance they are all within reasonable and convenient bicycling distance. This development site is well served by useable recreation areas and open space that are convenient and safely accessible. Therefore this criterion is met.*

**(9)** Lots proposed for development with one-family detached dwellings . .
*There are no one-family detached dwelling or lots proposed for this development site.*

**(10)** The PUD complies with all of the following:

(a) EC 9.2000 through 9.3915 regarding lot dimensions and density requirements for the subject zone. Within the /WR Water Resources Conservation Overlay Zone . .

*The development site is not within the /WR zone.*

*The subject Zone is R-1, beginning with EC 9.2700, Table 9.2750 Residential Zone Development Standards.*
*Minimum Net Density: no minimum*
*Maximum Net Density: 14 units per acre*

*Proposed Net Density: 12.63 units per acre (23 units on 1.82 acres) well within both the minimum and maximum net density allowed for the development site*

*No lots are being proposed therefore the lot dimension standards do not apply.*

(b) EC 9.6500 through EC 9.6505 Public Improvement Standards.

**EC 9.6500 Easements.**

**(1)** The city may require the dedication of easements for wastewater sewers and other public utilities, and for access thereto for maintenance, of a sufficient width to meet the intended use, provided the city makes findings to demonstrate consistency with constitutional requirements.
*See Site Plan for location of proposed utility easements.*

**(2)** Easements may be required along lot or parcel rear lines or side lines, or elsewhere as necessary to provide needed facilities for present or future development of the area.
*See Site Plan for location of proposed utility easements.*

**(3)** No building, structure, tree, or other obstruction shall be placed or located on or in a public utility easement. Prior to approval of a final PUD, final site review plans, or final plats, there shall appear thereon a restriction showing compliance with this subsection.
*Acknowledged and agreed.*

**EC 9.6505 Improvements - Specifications.** All public improvements shall be designed and constructed in accordance with adopted plans and policies, the procedures specified in Chapter 7 of this code, and standards and specifications adopted pursuant to Chapter 7 of this code. Additionally, all developments shall make and be served by the following infrastructure improvements:

**(1) Water Supply.** All developments shall be served by the water system of the Eugene Water & Electric Board.
*See Site Utilities Plan.*

**(2) Sewage.** All developments shall be served by the wastewater sewage system of the city, complying with provisions in Chapter 6 of this code. Public improvements will be constructed privately.
*See Site Utilities Plan.*

**(3) Streets and Alleys.**

(a) The developer shall grade and pave all streets and alleys in the development site. All paving shall be to the width specified in EC 9.6870 Street Width and provide for drainage of all such streets and alleys . . . .
*There are no streets or alleys proposed within the development site.*

(b) The developer shall pave streets and alleys adjacent to the development site to the width specified in EC 9.6870 Street Width, unless such streets and alleys are already paved to that width, provided the City makes findings to demonstrate consistency with constitutional requirements.
*Piper Lane is the public street that is proposed for this development site. The paving width for a low volume street per Table 9.8670 is 21' – 28'. Piper Lane is designed with a 21' wide paving width.*

(c) The standard at (3)(b) may be adjusted if consistent with the criteria of EC 9.8030(19).
*No adjustment requested.*

**(4) Sidewalks.** Sidewalks shall be located, designed and constructed according to the provisions of this land use code, the Design Standards and Guidelines for Eugene Streets, Sidewalks, Bikeways and Accessways, construction and design standards adopted pursuant to Chapter 7 of this code, and other adopted plans and policies.
*The proposed section of Piper Lane is being designed with sidewalks on the development side of the street only and will be designed to city standards.*

**(5) Bicycle Paths and Accessways.** Bicycle Paths and Accessways shall be designed and constructed according to provisions of this land use code, the Design Standards and Guidelines for Eugene Streets, Sidewalks, Bikeways and Accessways, construction and design standards adopted pursuant to Chapter 7 of this code, and other adopted plans and policies.
*No new bicycle paths or accessways are proposed as a result of this development.*

(c) **EC 9.6706 Development in Flood Plains** through **EC 9.6709 Special Flood Hazard Areas** - Standards.
*The project is in neither a flood plain nor a special flood hazard area.*
*FEMA Map # **41039C1129 F** indicates the development site is outside the 500 year flood zone.*
*See FEMA Map Attachment F.*

(d) **EC 9.6710 Geological and Geotechnical Analysis.**
**(2) Geological and Geotechnical Analysis Required.** *. . .a geological and geotechnical analysis, prepared by an Oregon licensed Engineering Geologist . . . is required for any of the following:*
(a) All proposed tentative planned unit development, site review, or subdivision applications on properties with slopes equal to or greater than 5%.
*See attached Geotech Report.*

(b) All proposed development that includes dedication or construction of a public street or alley or the construction of public drainage systems of public wastewater systems.
*This development site includes dedication of a public street.*
*See attached Geotech Report.*

(e) **EC 9.6730 Pedestrian Circulation On-Site.**
**(1) Purpose of Pedestrian Circulation On-Site.** These standards are intended to provide safe and efficient circulation for pedestrians within all developments.

**(2) Applicability of Standards.** As more specifically provided in this section, the standards in this section apply to any development that creates a new building entrance, but not to a building alteration or change in use.
(a) In any zone, except I-2 and I-3, on-site pedestrian paths shall be constructed in the following cases for institutional, office, commercial and industrial development:
*The property is zoned R-1 therefore this criterion does not apply.*

(b) In employment and industrial developments on E-1 zoned property, on-site pedestrian paths shall be constructed in the following cases:
*The property is zoned R-1 therefore this criterion does not apply.*

(c) In all zones, on-site pedestrian paths shall be constructed within new multiple-family residential developments with 3 or more units to insure that access is provided:

1. From every unit to all other units within the residential development.
*All units will be connected by proposed sidewalks along all the internal vehicular circulation and eventually to the individual front walks leading to the entrances of the units. See Site Plan.*

2. From every unit to all laundry, recreational and other community facilities in the residential development.
*A sidewalk connects the all units in all buildings to the proposed open space. There are no other community facilities proposed. See Site Plan.*

3. From every building located within 40 feet of a public or private street to the street right-of-way line.
*All units within 40 feet of the public right of way are connected to the street right of way line. See Site Plan.*

**(3) Design of On-Site Pedestrian Facilities.** All on-site pedestrian paths provided for the purposes of complying with this land use code shall conform with the following standards:

(a) On-site pedestrian paths shall provide direct access from public ways to building entrances.
*The public sidewalks connect directly to the internal sidewalk system that then connects to every building entrance. See Site Plan.*

(b) On-site pedestrian paths shall be constructed of concrete, a comparable hard surface material, or any properly designed pervious surface that complies with the Americans with Disabilities Act.
*All proposed on site pedestrian path materials will be constructed of concrete and will comply with the Americans with Disabilities Act.*

(c) On-site pedestrian paths shall be raised to standard curb height when adjacent to public and private streets or driveways.
*All proposed sidewalks are a minimum of 6" (standard curb height) above the internal vehicular circulation. Where they are not they are composed of a different material for visibility.*

(d) On-site pedestrian paths intersected by driving aisles shall be marked with striping or constructed with a contrasting paving material to indicate a pedestrian crossing area.
*On-site pedestrian paths will be striped and/or constructed of contrasting paving material to indicate a pedestrian crossing area. See Site Plan.*

(e) Pedestrian scale lighting in conformance with the standards in EC 9.6725 Outdoor Lighting Standards shall be provided along pedestrian facilities.
*See Site note regarding the pedestrian scale lighting.*

(f) **EC 9.6735 Public Access Required.**

(1) Except as otherwise provided in this land use code, no building or structure shall be erected or altered except on a lot fronting or abutting on a public street or having access to a public street over a private street or easement of record approved in accordance with provisions contained in this land use code.
*The development site abuts a public street and has access to the public street.*

(2) Access from a public street to a development site shall be located in accordance with EC 7.420 Access Connections – Location. If a development will increase the development site's peak

hour trip generation by less than 50% and will generate less than 20 additional peak hour trips, the development site's existing access connections are exempt from the standard.

**EC 7.420 Access Connection – Location.**

**(1) Access Connections to all Street Classifications**. Access connections to all street classifications shall be located in accordance with the following standards:

(a) No access connection shall be located to encompass a municipal utility.
*The 1 proposed access connection does not encompass a municipal utility.*

(b) . . . . .no access connection shall be located in areas where the street grade is over fifteen percent (15%) . . .
*The development site is relatively flat as is the street the development site fronts. There are no streets that are over 15%.*

(c) If a parcel has frontage on two or more streets of different street classifications . . . ..
*The development site fronts only one street and street classification.*

(d) Access connections located within five feet of an existing alley . .
*The development site does not abut an existing alley.*

**(2) Access Connections Arterial and Major Collector Streets.** In addition to the standards set forth in this EC 7.420(1), access connections to arterial and major collector streets shall be located in accordance with the following standards.
*Piper Lane is a local street.*

**(3) Access Connections to Local and Neighborhood Collector Streets.** In addition to the location standards set forth in EC 7.420(1), access connections to local and neighborhood collector streets shall be located in accordance with the following standards:

(a) Lots and parcels at intersections shall have the access connection begin no less than 20 feet from the end of the radius of the curb, or 20 feet from the property corner if there is no curb.
*The access connection to the site is located over 20 feet away from the intersection. See Site Plan.*

(b) A safety island of not less than 22 feet of full height curb shall in all cases be provided between access connections under one ownership.
*There is only one access connection therefor this does not apply.*

(g) **EC 9.6750 Special Setback Standards.**

**(2) Special Setback for Streets.**

(a) A lot or parcel of land in any zone adjoining an arterial or collector street that is not improved with curb, gutter, sidewalk, street lights and street trees shall have a special setback line. . . .
*Piper Lane is classified as a local street. The site does not adjoin an arterial or collector street.*

**(3) Special Setback for Utility Easements.** A lot or parcel of land in any zone for which there is a planned utility easement, or where extension of public infrastructure has been identified through long-range infrastructure plans or the design of existing infrastructure, shall have a special building setback line to allow for the future easement.
*There is no planned utility easement on this development site nor has extension of public infrastructure been identified through long-range infrastructure plans. No special setback is required to allow for a future easement.*

(h) **EC 9.6775 Underground Utilities.** All new on-site utilities shall be placed underground if there is a utility-owned structure immediately adjacent . ..
*All new on-site utilities will be placed underground.*

(i) **EC 9.6780 Vision Clearance Area.** Development sites shall have triangular vision clearance areas on all street corners to provide for unobstructed vision consistent with American Association of State Highway and Transportation Officials (AASHTO) standards.
*Vision clearance triangle areas will be provided on all street corners to provide for unobstructed vision consistent with AASHTO standards. See Site Plan for location of Vision Clearance areas. See Site Plan.*

(j) **EC 9.6791** through **9.6797** regarding stormwater flood control, quality, flow control for headwaters area, oil control, source control, easements, and operation and maintenance.

**EC 9.6791 Stormwater Destination.**
*The existing site is undeveloped land. Runoff from new impervious hardscapes and building roofs will surface flow to vegetated treatment facilities and then, through conveyance pipe, shall be delivered to existing public storm drain infrastructure adjacent to the property. Stormwater quantity will increase as a result of this development because impervious area is being added to the site. The site is within the Delta Pond sub-basin of the Willakenzie basin. Based on the City's study of this area, the existing storm drain system has adequate capacity to support the proposed development; therefore, detention will not be provided. This way the proposed PUD meets the provisions for stormwater destination.*

**EC 9.6792 Stormwater Quality.**
*The proposed site will generate typical stormwater runoff from building roofs and associated parking lots and pedestrian pavements. Stormwater will be treated onsite with facilities that meet City of Eugene stormwater management design standards. All storm water on site is treated through vegetated storm water treatment facilities and then piped to the public system. Treatment facilities will be sized using the City's BMP sizing tool to meet code requirements.*

*The use of this system is how our development complies with stormwater pollution reduction. See Stormwater Management report.*

**EC 9.6793 Stormwater Flow Control (Headwaters).**
*This development is exempt from these criteria because the public system to which its stormwater runoff is conveyed is not in the headwaters area, nor does said public system drain directly into a headwater stream. Additionally, existing and proposed site grades are below 500-feet in elevation.*

**EC 9.6794 Stormwater Oil Control**
*Our proposed development does not meet any of the criteria listed in the "Applicability" portion of this code section and therefore does not include design features that specifically address this issue.*

**EC 9.6795 Stormwater Source Controls**
*The solid waste storage will be in traditional rolling carts much like a single family house. There will be no separate solid waste storage areas. This development will not have any other source control pollutants to address.*

**EC 9.6796 Dedication of Stormwater Easements**
*The stormwater from the public street will be treated in stormwater treatment facilities in the right of way. These facilities will be maintained by the city. They are in the right of way so no easements will be necessary.*

**EC 9.6797 Stormwater Operations and Maintenance**
*All stormwater management measures proposed for the development are private improvements. When the project is submitted for Building Permit, the City's "Form O & M: Operations & Maintenance Plan" and "Notice of Operation and Maintenance Plan" documents will be completed; and the "Notice of Operation and Maintenance Plan" will be recorded with Lane County.*

(k) All other applicable development standards for features explicitly included in the application except where the applicant has shown that a proposed noncompliance is consistent with the purposes set out in EC 9.8300 Purpose of Planned Unit Development.

*Property is zoned R-1*

**Maximum Building Height**

| | |
|---|---|
| Main Building | 30 feet |
| *Proposed Building Height* | *Meets maximum allowed in the zone.* |

**Minimum Building Setback**

| | |
|---|---|
| Front Yard Setback | 10 feet |
| Interior Yard Setback | 5 feet minimum or 10 feet between buildings |
| *Proposed Front Yard setback* | *10 feet* |
| *Proposed interior yard setback* | *5 feet* |

**Maximum Lot Coverage**

| | |
|---|---|
| All lots | 50% of lot |
| *Proposed lot coverage* | *23,781 sf or 30% of the site* |

**Outdoor Living Area**
*See Multiple Family Development Standards EC 9.5500*

**Fences**

| | |
|---|---|
| Max Height within Interior Yard Setbacks | 6 feet |
| Max Height within Front Yard Setbacks | 42 inches |
| *Proposed Height Interior Yard* | *6 feet wood where fences are proposed* |
| *Proposed Height Front Yard* | *none* |

**EC 9.2751 Special Development Standards for Table 9.2750**
**(1) Density**

(b) For purposes of this section, "net density" is the number of dwelling units per acre of land in actual residential use and reserved for the exclusive use of the residents in the development, such as common open space or recreation facilities.
*The entire site is reserved for the exclusive use of the residents in the development. The total site (net) is 1.82 acres or 79,279 sf.*

(c) For purposes for calculating net density:
1. The acreage of land considered part of the residential use shall exclude public and private streets and alleys, public parks, and other public facilities.
2. In calculating the minimum net density required for a specific lot or development site, the planning director shall round down to the previous whole number.
3. In calculating the maximum net density allowed for specific lot or development site, the planning director shall round up to the next whole number only for:
   a. A lot or development site that is 13, 500 square feet or more in area;
   b. A lot or development site that is not abutting the boundary of, or directly across an alley from land zoned R-1; and
   c. Fractions of .75 or above.
4. At the request of the developer, the acreage described in 1. above, also may include natural or historic resources. . . . .

*Density has been calculated by using the acreage for the entire development site excluding the area dedicated for public right of way. The total development site is 2.16 acres. Excluding the dedicated right of way the net acreage is 1.82 acres. The proposed unit count is 23 units making the net density is 12.63 units per acre, well within the maximum of 14 units per acre allowed in property zoned R-1 when utilizing the PUD process.*

**EC 9.2760 Residential Zone Lot Standards**
*Table 9.2760 Residential Zone Lot Standards*
*No new lots are being created as a part of this proposal.*

**EC 9.2790 Solar Lot Standards**
**(1) Applicability.** Solar lot standards apply to the creation of lots within subdivisions in R-1 and R-2 zones.
*This application is not a proposal for a subdivision..*

**EC 9.2795 Solar Setback Standards**
**(1) Applicability**. These standards apply to all structures on R-1 and R-2 zoned lots, 4000 square feet or greater, with a minimum north-south dimension of 75 feet.

**(3) Exemptions to Solar Setback Requirements**. A building is exempt from the solar setback standards when any of the following conditions exist:
(c) Insignificant Benefit. The building will shade one or more of the following:
1. A non-developable area, such as designated open space, a public utility easement, street or alley.
*The buildings located closest to the north property line will shade a public street therefore the structures on this development site are exempt from the solar setback standards.*

**EC 9.3000 Special Area Zones**
*Development Site is not in a Special Area Zone.*

**EC 9.4000 Overlay Zones**
*Development site has no overlay zones*

**EC 9.5500 Multiple-Family Standards.**
**(2) Applicability of Multiple-Family Standards**
(a) Except for building alterations and building additions that increase the square footage of livable floor area by less than 50%, multiple family standards shall apply to all multiple family developments in all zones except commercial. . .
*The property is zoned R-1 and contains 3 or more dwelling units on 1 lot therefore multiple family development standards apply.*

**(3) Building Height.** The maximum building heights allowed are those permitted according to the applicable base zone.
*The maximum building height in R-1 is 30 feet. All of the proposed buildings meet the maximum building height allowed for the R-1 zone.*

**(4) Minimum and Maximum Building Setbacks.**
(a) Required Setbacks.
The required building setbacks are those required in the applicable base zone.
*The base zone is R-1.*

| | |
|---|---|
| Front Yard Setback | 10 feet |
| Interior Yard Setback | 5 feet minimum or 10 feet between buildings |
| *Proposed Front Yard setback* | *10 feet* |

*Proposed interior yard setback 5 feet*

(b) Street Frontage. On development sites that will result in 100 feet or more of public or private street frontage, at least 60 percent of the site frontage abutting the street (including required yards) shall be occupied by a building(s) or enhanced pedestrian space with no more than 20 percent of the 60 percent in enhanced pedestrian space within 10 feet of the minimum front yard setback line. . . .
*The frontage along Piper Lane is 445 lineal feet. Sixty percent of that is 267 lineal feet. The total amount of building length that is within 10 feet of the minimum front yard setback of 10 feet is 259 feet or 58%. An enhanced pedestrian space of at least 7' makes up the difference.*

**(5) Building Orientation and Entrances.**

(a) Building Orientation. Multiple family residential buildings located within 40 feet of a front lot line shall have their primary orientation towards the street.
*Buildings A, B and G are all located within 40 feet of a front lot line and all have their primary orientation to the street. Building B is angled away from the street to create view into the site. The front entries are oriented to the street and are all visible from the street.*

(b) Ground Floor Building Entrances. The main entrance(s) of ground floor units of any residential building located within 40 feet of a street must face the front lot line. . . . .
*The buildings with ground floor units located within 40 feet of the street are Buildings A, B and H. Buildings A and H have main entrances that face the street.*

3. For building proposed to be "side oriented" to the public streets due to access requirements and/or dimensional constraints not created by the applicant, main entries may face up to 90 degrees away from the street provided both of the following apply:
   a. They are visible from the street
   b. The building side facing the street shall not include windows or views into a parking area.

   *The residential buildings located within 40 feet of the street are Buildings A, B and G. The main entrances of the ground floor units of Building A and G are oriented to Piper Lane. The code is somewhat vague about what specifically "face the front lot line" means. If the buildings were angled at 1 degree from the street wouldn't they still be considered facing the street? Or 2 degrees, etc.*

   *The main entrances of Building B also face the street, however they are not parallel to the street nor are they specifically side oriented to the street. In the absence of a clear definition we have chosen to assume they are side oriented to the street.*

   *All 3 main entrances of Building B are visible from the street. The entry path leading from the public sidewalk also leads you visually to the location of the main entrance.*
   *In this case there are technically 2 sides of the building that face the street. Neither side includes windows or views into a parking area.*

(c) Upper Story Building Entrances. The main entrance of upper story units shall be provided from the interior of the building or from an exterior walkway that serves no more than 2 units. Stairways to upper floors shall be adequately lighted and protected from the elements. Access to upper–story units may be provided at the front, side or rear of a building.
*Building A and G are the only structures that have upper floor units and each unit has its own entry.*

**(6) Building Mass and Facade.**

(a) Maximum Building Dimension. Neither the maximum length nor width of any building within 40 feet of a front lot line can exceed 100 feet in the R-1 and R-2 zones and 150 feet in all other zones.
*The buildings within 40 feet of the front lot line (Piper Lane) are Buildings A,B and H.*

- *Building B is 109' -2" long. When viewed from the street, as it is set at an angle, it is technically 86' long. Additionally, only 52' of the building length is within 40 feet of the front lot line. None-the-less, an Adjustment Review has been submitted.*

  *As a side note it is interesting to observe that the entire length of Building B is required to be discussed with respect to building length but the entire length of Building B cannot be incorporated into the frontage calculations.*

(b) Windows. Street facades shall contain windows covering a minimum of 15% of the façade on each floor level.
*Building A, B and G are the 2 buildings considered to have street facing facades. These buildings all have 15% or more window coverage on the required facades. See attached architectural elevations in submittal package.*

(c) Criteria for Adjustment. Adjustments to the standards in this subsection may be made, based on criteria of EC 9.8030(8)(a).
*See Adjustment Review submitted concurrently with this application*

**(7) Building Articulation.**

(a) Articulation Requirement. To preclude large expanses of uninterrupted wall surfaces, exterior elevations of buildings shall incorporate design features such as offsets, projections, balconies, bays, windows, entries, porches, porticos, or similar elements.

1. Horizontal Surface. At least 2 of the design features outlined above shall be incorporated along the horizontal face (side to side) of the structure, to be repeated at intervals of no more than 40 feet.
2. Vertical Surface. At least 2 of the design features outlined above shall be incorporated along the vertical face (top to bottom) of the structure, to be repeated at intervals of no more than 25 feet.

*Note: See shadows on elevations. They are indications of recessed or offsets. These have been added for graphic clarity.*

*Each building elevation is listed below with the corresponding elements that meet this code criterion.*

***Building A***

*West Elevation:*

- *Projecting Bay: 2' deep and 13' 8 ¾" long at intervals of 39 feet horizontally and 13 feet vertically.*
- *windows*

*North Elevation:*

- *Balcony 8' – 6" deep and 18' – 9" wide at intervals of 33' horizontally and 12 feet vertically*
- *Windows*
- *Entries*

*East Elevation:*

- *Projecting Bay: 2' deep and 16'" long at intervals of 39 feet horizontally and 13 feet vertically.*
- *windows*

*South Elevation:*

- *Offsets of 2' deep and 19'-9 ½" wide at intervals of 33' horizontally and 12 feet vertically*
- *Windows*
- *Entries*

***Building B***

*West Elevation*

- *Bay projected 2' deep and 10 feet wide at n interval of 26' horizontally and 10 feet vertically*
- *Windows*
- *Recessed upper exit to balcony.*

*North Elevation*

- *2 offsets: upper floor and vertical element encompassing both floor by 24". One is 13'-1" wide and the other is 7'-3 ¼" wide at intervals horizontally of 20 feet and vertically at intervals of 13'.*
- *Windows*

*East Elevation*

- *Balcony recessed 12'-6' at 6' wide at an interval of 33 feet horizontally and 10 feet vertically.*
- *Entry*
- *Windows*

*South Elevation*

- *Multiple offsets of greater than 2' and 6' length at intervals of 16' – 20' feet horizontally and 12' feet vertically.*
- *Garage doors*
- *Entries*
- *Windows*

***Buildings C,D, and E***

*West Elevation*

- *Bay projecting 3'-2" by 13' – 9 ¼" long at an interval of 13' horizontally and 10 feet vertically.*
- *Windows*

*North Elevation*

- *east and west portion of north elevation offset greater than 2' deep and 10' wide at 16' interval horizontally and 10 foot interval vertically.*
- *Entries*
- *Garage doors*
- *windows*

*East Elevation*

- *Bay projecting 3'-2" by 13' – 9 ¼" long at an interval of 13' horizontally and 10 feet vertically.*
- *Windows*

*South Elevation*

- *east and west portion of north elevation offset greater than 2' deep and 10' wide at 16' interval horizontally and 10 foot interval vertically.*
- *windows*

***Building F***

*West Elevation*

- *bay 2' deep by 10' – 1 ½" long at an interval of 35 feet horizontally and 10 feet vertically.*
- *Windows*

- *Upper portion of building recessed back*

*North Elevation*

- *Portion of building offset by greater than 2' and 12' – 16' long at 16' – 20' interval horizontally and 12' vertically.*
- *Windows*
- *entries*

*East Elevation*

- *Balcony recessed 12'-6' at 6' wide at an interval of 33 feet horizontally and 10 feet vertically.*
- *Windows*

*South Elevation*

- *Portion of building offset by greater than 2' and 12' – 16' long at 16' – 20' interval horizontally and 12' vertically.*
- *Windows*
- *Entries*
- *garages*

***Building G***

*South Elevation:*

- *Projecting Bay: 2' deep and 13' 8 ¾" long at intervals of 39 feet horizontally and 13 feet vertically.*
- *windows*

*East Elevation:*

- *Offset of 2' deep and 18' – 9" wide at intervals of 33' horizontally and 12 feet vertically*
- *Windows*
- *Entries*

*North Elevation:*

- *Projecting Bay: 2' deep and 16'" long at intervals of 39 feet horizontally and 13 feet vertically.*
- *windows*

*West Elevation:*

- *Balcony 8' – 6" deep and 19'-9 ½" wide at intervals of 33' horizontally and 12 feet vertically*
- *Windows*
- *Entries*

(b) When offsets and projections are used to fulfill articulation requirements, the offset or projection shall vary from other wall surfaces by a minimum of 2 feet. Such changes in plane shall have a minimum width of 6 feet.
*There are a variety of unit types in this plan utilizing offsets, projections, balconies, entries, porches and windows to meet these requirements. The offset is typically a minimum of 2'. See architectural drawings in submittal package. See written discussion above.*

(c) Individual and common entry ways shall be articulated by roofs, awnings, or porticos.
*Individual and common entry ways are articulated by roofs or porticos depending on building type. See architectural drawings in submittal package.*
*Where you see a label of "entry" you will typically see a shadow being cast to indicate that the entry is recessed below the balcony or roof above which creates articulation. N comes cases you will see side entry walls as well.*

**(8) Site Landscaping.**

(a) Minimum Landscape Area. Landscaping is required according to the applicable base zone minimum landscape area standards. If there are none specified, the minimum landscape area shall be equal to the amount required as open space specified in EC 9.5500(9).
*The base zone is R-1 and there are no minimum landscape requirements found there. See EC 9.5500(9).*

(b) Compliance with Landscape Standards. Except as may be otherwise provided in this subsection (8), all required landscaping shall comply with the standards beginning at EC 9.6200 Purpose of Landscape Standards. In the event of a conflict between the standards beginning at EC 9.6200 and this subsection, the standards in this subsection shall control.

(c) Landscape Requirements. Site landscaping shall conform to the following:

1. Required Landscaping in Yards Abutting Streets. Landscaping shall be installed and maintained in yards abutting streets that complies, at a minimum with the standards in EC 9.6210(1) Basic Landscape Standards (L-1). The required landscaping shall be placed within the required front yard setback area and may be pierced by pedestrian and vehicular access ways.
*See Planting Plan in drawing set. The required front yard setback is 10 feet minimum and is only along Piper Lane. This area will be landscaped to meet the L-1 landscaping standards. Construction Document level Planting Plans will be reviewed and approved at time of building permit submittal. See attached Landscape Plans and Tree Planting Plans.*

2. Private Open Space Screening.
*None of the private patios and balconies are being counted towards the required open space therefore none of it is required to be screened or to meet the minimum standards.*

3. Street Trees. Street trees are required along the frontage of all developments abutting newly created public or private streets . . .
*The extension of Piper Lane is being created as part of this development. Street trees will be required on the development side of the new street. These street trees (size, variety and quantity) are schematic on the Site Plan. The specifics will be reviewed as a part of the required PEPI process for the public streets and utilities.*

**(9) Open Space.** Open Space that complies with Table 9.5500(9) and the standards in this subsection (9) shall be provided unless exempt under other provisions of this land use code. Required open space may be provided as common open space, or as a combination of common and private open space.

**Table 9.5500(9) Open Space Requirements**

Minimum Area Combined Common and Private Open Space
The greater area determined by the following percentages for the zone must be provided on the development site.

| Zone | R-1 | R-2 | R-3 | R-4 | C-1 | C-2 | C-3 | GO | All Other Zones |
|---|---|---|---|---|---|---|---|---|---|
| Percent of the Development Site | 20% | 20% | 20% | 20 % | 20% | 20 % | N/A | 20% | 20% |
| Percent of Livable Floor Area | 25% | 25% | 15% | 15 % | 25% | 15 % | N/A | 15% | 15% |
| Minimum Density for Exemption from Open Space Requirements by Zone | | | | | | | | | |
| Zone | R-1 | R-2 | R-3 | R-4 | C-1 | C-2 | C-3 | GO | All Other Zones |
| Dwelling Units Per Net Acre | N/A | N/A | N/A | N/A | 23 | 45 | N/A | 45 | 45 |

*As per the table above this development site, zoned R-1, is required to have 20% of the development site as open space or 25% of the livable floor area, whichever is greater.*
*The development site is 1.82 acres. 20% of 1.82 acres is 15,856 sf.*
*Total Common Open Space provided is 32,273 or 41%.*
*The livable floor area is 40,429 square feet. 15% of 40,439 sf is 6,064 sf.*
*The greater number of Common Open Space is obtained by utilizing 20% percent of the development site for the calculation.*

(a) Common Open Space. All development sites shall contain a minimum of 400 square feet of common open space. A minimum of 20 percent of the total provided common open space shall be living plant material.
1. Common open space may include any of the following:
   a. Outdoor areas incorporating:
      (1) Lawn or hard surfaced areas to be used for active or passive recreation in which user amenities such as trees, shrubs, planters, pathways, tables, benches or drinking fountains have been placed.
      *The development site contains 32,273 square feet of common open space. The majority of the common open space is comprised of landscaping and pedestrian circulation. This area is to be utilized as a common gathering space circulation and passive recreation.*

2. Outdoor common open space shall comply with all of the following:
   a. The minimum area for any single outdoor common open space shall be 225 square feet.
   *See Open Space Plan in drawing set for location and size (square feet) of common open space areas*

   b. At least one area of outdoor common open space shall be a minimum of 15 feet by 15 feet.
   *See Open Space Plan in drawing set for location and size (square feet) of common open space areas. Dimensions have not been shown however looking at the Site Plan will make it clear that minimum sizes have easily been met.*

   c. The minimum dimensions for any portion of outdoor common open space in the front yard setback shall be at least 15 feet by 15 feet. The minimum dimensions for any other portion of outdoor common open space shall be at least 10 feet by 10 feet.
   *See Open Space Plan in drawing set for location and size (square feet) of common open space areas. Dimensions have not been shown however looking at the Site Plan will make it clear that minimum sizes have easily been met.*

   d. For development in the area identified in Map 9.5500(9)(a)2.d. University Area. . .
   *The development site is not located in this area as identified in the referenced map.*

   *e.* Required setback areas and areas required to comply with perimeter parking lot landscape standards may be applied toward the minimum open space requirements when the minimum dimensions of such space meets the standards above in (a)-(c).
   *A portion of the front yard setback has been included in the common open space calculations. See Open Space Plan in drawing set.*

   *f.* Outdoor common open spaces shall not be used as parking areas.
   *No parking has been located in the common open space areas.*

(b) Private Open Space.
*The private open space is not being utilized in the open space calculations therefore whatever private open space is provided does not have to meet the minimum requirements.*

(c) Open Space Credit. An open space credit, not to exceed 25 percent of the total open space requirement, may be applied . . .
*No open space credit is requested.*

**(10) Block Requirements.**

(a) Block Structure. Multiple-family developments 8 or more acres in size . .
*This development site is less than 8 acres in size therefore this criterion does not apply.*

**(11) Site Access and Internal Circulation.**

(a) Streets. Street standards and connectivity requirements for local streets shall be applied to public and private streets within multiple-family developments. (Refer to EC 9.6815 Connectivity for Streets.).
*This development is proposing to dedicate the extension of Piper Lane. The portion of right of way that would need to be dedicated for Piper Lane to connect to Hammock Street does not front the development site therefor there is no requirement to dedicate this portion. A connection will be made to Hammock for secondary emergency vehicle access and Piper Lane will likely be extended in the future when whomever owns Tax Lot 2401 decides to develop. Until then please see discussion in EC 9.6815 above.*

(b) Driveways. Driveways and parking drives are private roadways for projects or portions of projects not served by streets. Driveways and parking drives shall be designed in accordance with the following standards.

1. Driveways. Driveways provide vehicular access to parking and dwelling units but do not provide primary pedestrian access to units. Driveways are intended to be used primarily for vehicular circulation and dwelling access and should be visually distinct from streets.

   (a) Two way driveways shall be minimum width of 20 feet, one way driveways shall be a minimum width of 12 feet.
   *The one driveway into the site is a minimum of 20 feet wide and is two way.*

   (b) The maximum driveway width is 28 feet.
   *The driveway that accesses the site is 21' wide.*

2. Parking Drives. Parking drives are driveways lined with head-in parking spaces, diagonal parking spaces, garages, or any combination thereof along a significant portion of their length. Parking drives for multiple family developments with more than 20 units shall be designed so as to permit no through motor vehicle movements.
   *See Site Plan. There is no through vehicle movement.*

**EC 9.8300 Purpose of Planned Unit Development.** The planned unit development (PUD) provisions are designed to provide a high degree of flexibility in the design of the site and mix of land uses, potential environmental impacts, and are intended to:

**(1)** Create a sustainable environment that includes:

*(a) Shared use of services and facilities.*
*The clustering of residential structures, coupled with the higher density achieved on this development site, where previously no homes existed, is an excellent example of the sharing of services and facilities. By locating multiple units in*

*the same approximate location, existing as well as proposed services can be shared, eliminating the need for redundant or multiple systems.*

*Existing services, such as LTD and existing roads will serve more people instead of creating living areas further away from existing services and requiring and extension of those services. This development is created in direct response to the need for density and infill within the existing Urban Growth Boundary. In this manner, energy conservation goals are achieved as well.*

*The units are also sharing the circulation system (drive aisles) which is a more efficient way of moving vehicles through a site. More vehicles are being moved on less pavement than if these units were dispersed in a typical lot by lot subdivision design.*

(b) A compatible mix of uses that encourage alternatives to the use of the automobile.
*The design of this development site proposes a small mix of land uses. Additionally the site exists within a greater mix of uses in the surrounding neighborhood context. While the site is designed primarily as a residential property the open space and pedestrian circulation on the site that is in close proximity to connecting sidewalks and circulation provides some opportunity for residents to consider alternatives such as walking, passive recreation and biking.*

*The location of the site in close proximity to:*
*Commercial centers / Employment Center*

- *Just over 1 mile from major commercial center a grocery store (Safeway), Pharmacy, restaurants and miscellaneous other small retail.*
- *1 mile from Valley River Center (a large regional shopping mall)*
- *1 ½ ,miles from Oakway Center (a large collection of shopping and restaurant facilities and a future hotel)*
- *2 miles from Downtown Eugene*
- *¼ mile from a convenience store at the intersection of Fir Acres and Cal Young*

*Education/Recreation*

- *Just over 1 mile from Sheldon High School*
- *¼ mile from Bond Lane Park*
- *Less than 1 mile from a public golf course*

(c) A variety of dwelling types that help meet the needs of all income groups in the community.
*Piper Lane PUD will offer a range of housing types building sizes. The proposed living opportunities are as follows:*

- *Duplex buildings with garages*
- *Tri-plex units with garages*
- *Townhouse style units (side by side design)*

- *Units designed as flats (first floor units and second floor units)*
- *3 bedroom units and 2 bedroom units*

*This variety of both unit type and building type will provide a range of rental options and prices thereby creating opportunities for people with varying degrees of economic capabilities to live here and enjoy the development site. It is the client's intent to create opportunities for a variety of income levels, thereby creating a diverse neighborhood that encourages a sense of community for families as well as individuals. The goal is to create a quality living environment and to be all inclusive.*

(d) Preservation of existing natural resources and the opportunity to enhance habitat areas
*The development of this site, **considering the base zone which is residential**, the requirement for dedicated right of way and street development, public utilities and existing topography difference (there is a deep and wide remnant slough on site) required that much of the vegetation would have to be removed in order to facilitate any development.*

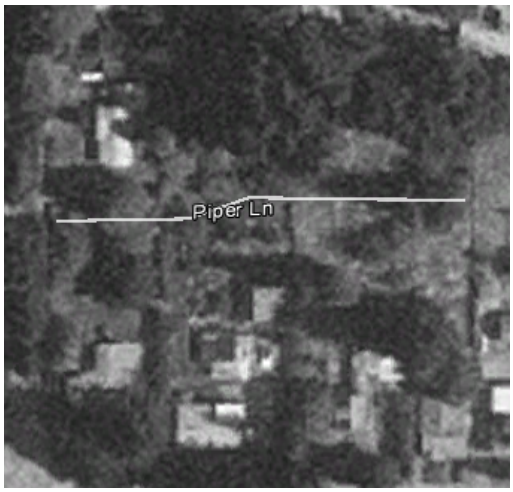
*In order to remedy the removal of the existing trees the project proposes to landscape the property with new, healthy trees appropriate to the environment that is being created. Good soil preparation, required irrigation and new site appropriate trees will ensure that within a short time space the site will have a significant tree canopy providing opportunity for renewed habitat.*

*This landscaping will by typical of any urban infill environment, as is the removal of the existing vegetation.*

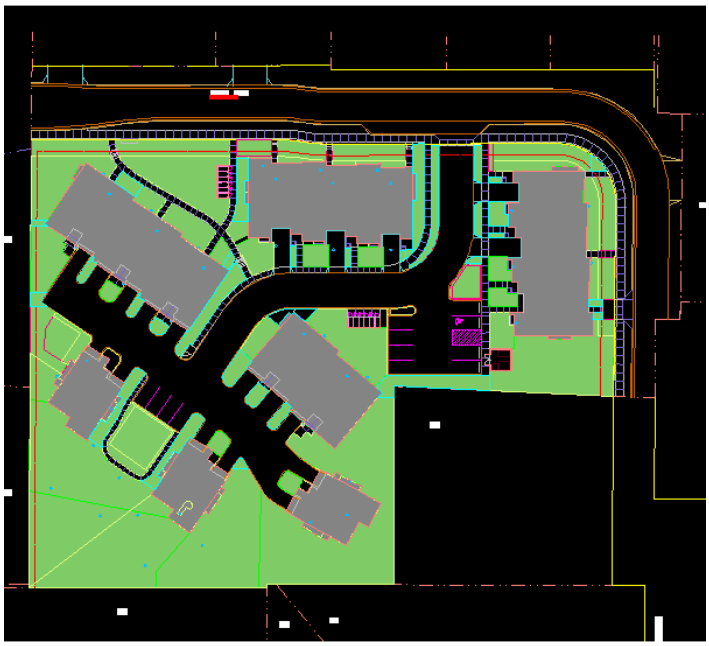
(e) Clustering of residential dwellings to achieve energy and resource conservation while also achieving the planned density for the site.
*The units have been clustered to create buildings that are described as duplexes, triplexes and 6-plexes. By joining units and sharing walls, open space is preserved. In a typical single family lot design or single family detached design there is typically 10 feet between each building. In a 10 foot width it is impossible to preserve any existing trees or create any meaningful and useful open space. Traditionally the owner of the home will install a fence between the yards leaving a 5' side yard on each side.*

*Preserving large open spaces provides the opportunity to either preserve existing stands of trees or plant new stands of trees in the larger open spaces. Passive recreation opportunities are increased and views through and around the site are also provided, where a traditional lot by lot development does not.*

*Above is an image of a typical lot by lot single family home development directly east of the Piper Lane PUD project site. It is easy to see that the homes have 10 feet between each of them and the only open space is a private patio for each home, minimal front yard and minimal back yard. There is little if any opportunity to grow trees of any significance or replace the trees that were removed as a result of this development.*
*Below is the site before the development, and yet it was approved and all the trees removed*




*Now take a look at the Piper Lane Site Plan and see the generous areas of open space (as opposed to 5' side yards), some preservation of stands of trees where practical and the addition of new trees to assist in developing a new healthy context appropriate tree canopy.*



*Existing services, such as LTD and existing roads will serve more people instead of creating living areas further away from existing services and requiring and extension of those services. This development is created in direct response to the need for density and infill within the existing Urban Growth Boundary.*

*Existing services, such as LTD and existing roads will serve more people instead of creating living areas further away from existing services and requiring and extension of those services. This development is created in direct response to the need for density and infill within the existing Urban Growth Boundary.*

*The planned density for the site is indicated by a maximum rather than a minimum. The proposed density falls somewhere between the existing density of 0 units per acre and the allowed maximum of 14 units per acre. The site design is created with consideration for the multifaceted nature of any development which has to take into consideration the objectives of the Metro Plan, city of Eugene Land Use Code as well as the goals of the developer (e.g. marketability, feasibility, finance-ability, and livability). The development is in close proximity to services, employment and transportation.*

*In this manner, energy conservation goals are acknowledged and opportunities provided for the occupants to contribute to energy conservation.*

**(2)** Create comprehensive site plans for geographic areas of sufficient size to provide developments at least equal in quality to those that are achieved through the traditional lot by lot development and that are reasonable compatible with the surrounding area.
*As discussed above, every effort is being made through thoughtful site design, balanced with consideration for economic viability, marketability and finance-ability to create a development site that will be an attractive and varied neighborhood that will fit with the*

*existing neighborhood environment. Some things that were considered were the clustering of buildings, the creation of a variety of building envelopes, inclusion of a stormwater management system that appears as though it were part of the original site, and design of open space area.*

*All of this was done in concert with accommodating on site circulation and parking, utilities, fire access and other infrastructure in a compact manner as necessary to serve a reasonable level of low-density residential development.*

*In this manner the proposed Piper Lane PUD exceeds the quality of any traditional lot by lot development that does not conserve the positive qualities of the existing site, or create open space within the development. A review of a handful of recent PUD / subdivision developments would bear this out, but cannot be faulted in light of obvious residential land shortages and lack of affordable housing.*

*It is our intention that through the flexibility of the PUD process, any particular design element or conflicts with code can be flexed to reach an understanding and / or solution that will adhere to the spirit of the code. It is through our response to the purpose statement of the PUD that we find flexibility that will allow the project to be approved as designed.*

*The Piper Lane PUD site, as it is proposed, meets the purpose of the PUD as stated above.*

(c) Alley Access.
*This development is not adjacent to an alley or proposing a new alley.*

(d) Setback Sidewalks. Setback sidewalks shall be required along any public or private street adjacent to or within the development site.
*The extension of Piper Lane includes setback sidewalks on the south and west sides of the proposed street.*

**(12)Vehicle Parking**

(a) Parking Element Types. The city shall allow on-site parking to be provided as a part of any multiple-family development project in the form of garages (private or common), carports, and open parking areas. All parking, except common garages, shall be designed as parking courts according to EC 9.5500(12)(b) Parking Courts.

(b) Parking Courts.

1. Maximum Size of Parking Courts. Individual parking courts shall be no more than 9,000 square feet in size and shall be physically and visually separated by a landscape area a minimum of 20 feet in width. No more than 3 individual parking courts may be connected by an aisle or driveway.
*There are 3 small parking areas (parking courts) none of which exceeds 2500 sf.*

2. Parking Court Width. A parking court of any length shall consist of no more than one 1 double-loaded parking aisle.
*All proposed parking courts are designed as single loaded or double loaded parking areas.*

3. Parking Court Separation. Parking islands shall be placed between parking courts to visually interrupt rows of parked vehicles and to separate individual parking courts. Planting islands between parking courts shall have a minimum width of 20 feet and a minimum area of 360 square feet. . . ..
*Each of the parking courts are separated by great distances. Parking Court A is separated from the Parking Court B by a 7' wide plant bed immediately adjacent to Parking Court A and a circular plant bed in the middle of the lower plaza that is 20' wide. Parking Court B also has an additional planting island as well. All totaled Parking Court A and B are separated by at least 20' and a minimum of 360 sf of planting. Parking Court C is separated from Parking Courts A and B by large areas of landscaping as well as buildings.*

(c) Limitations on Parking Frontage. To strengthen the presence of buildings on the street, parking and vehicle use areas and garages adjacent to any public or private street frontage shall extend across no more than 50 percent of any street frontage. No parking spaces, with the exception of underground parking, shall be placed within any required front yard area. Parking areas shall not be located between buildings and the street . . .
*This project proposes no parking or vehicle use areas on the development site street frontage.*

**(13) On-Site Pedestrian Circulation.** Multiple family developments shall provide safe on-site pedestrian circulation according to EC 9.6730 Pedestrian Circulation On-Site.

**EC 9.6730 Pedestrian Circulation On-Site.**

**(2) Applicability of Standards.** As more specifically provided on this section, the standards in this section apply to any development that creates a new building entrance. But not to a building alteration or change in use.

(c) In all zones, on-site pedestrian paths shall be constructed within new multiple family residential developments with 3 or more units to insure that access is provided:
1. From every unit to all other units within the residential development.
2. From every unit to all laundry, recreational and other community facilities in the residential development.
3. From every building located within 40 feet of a public or private street to the street right-of-way line.
*There is an extensive network of internal sidewalks throughout the site connecting all units on site with each other. All units are also connected by this circulation system to the public right of way. There are units that are connected by the paved vehicular circulation and adding pieces of sidewalks interrupted by the driveways made no practical sense. An Adjustment Review has been submitted addressing this.*

**(3) Design of On-Site Pedestrian Facilities.** All on-site pedestrian paths provided for the purposes of complying with this land use code shall conform with the following standards:

a. On-site pedestrian paths shall provide direct access from public ways to building entrances.
*The internal circulation system (pedestrian paths) connecst with the public right of way both to the north and the east.*

b. On-site pedestrian paths shall be constructed of concrete, a comparable hard surface material or any properly designed pervious surface that complies with the Americans with Disabilities Act.
*All pedestrian paths will be constructed of concrete or a comparable hard surface material that complies with ADA requirements.*

c. On-site pedestrian paths shall be raised to standard curb height when adjacent to private and public streets or driveways.

*All on-site pedestrian paths adjacent to the internal driveways are raised to standard curb height.*

d. On-site pedestrian paths intersected by driving aisles shall be marked with striping or constructed with contrasting paving material to indicate a pedestrian crossing area.
*All on-site pedestrian paths intersected by drive aisles will be marked with striping or constructed with contrasting paving material.*

e. Pedestrian scale lighting in conformance with the standards in EC 9.6725 Outdoor Lighting Standards shall be provided along pedestrian facilities.
*All pedestrian scale lighting will be in conformance with the standards in EC 9.6725 and can be reviewed at time of building permit for compliance. A note has been added to the drawing set to ensure conformance.*

**(4) Adjustment.** These standards may be adjusted if consistent with the criteria if EC 9.8030(22).
*See Adjustment Review application submitted concurrently with this application to adjust section (c) above.*

**(14)Recycling and Garbage Areas.** Multiple-family developments shall provide recycling facilities that meet EC 9.5650 Recycling-Small Collection Facility Standards, and screening for outdoor storage areas and garbage collection areas according to EC 9.6740 Recycling and Garbage Screening.
*Garbage and recycling will be handled with rolling cans provided to each individual units, much the same as a typical single family detached neighborhood. There is one proposed recycling/garbage area to be utilized by the 2 buildings (A and G) that do not have garages in which to store rolling cans.*

**Table EC 9.6105(4) Minimum Required Bicycle Parking Spaces**
*The requirement for bike parking for multiple family dwelling projects is 1 bike per unit. All the bike parking is 100% long term*
*This project has 23 units and 23 long term bike parking spaces have been provided.*
*All buildings except Buildings A and G have garages with the units. There is room for bike parking provided in the garage of each of these units. Building A and G don't have garages and these 12 units have been provided 12 bike lockers.*

**EC 9.6205 Landscape Standards**
*Required 10 foot front yard setback along Piper Lane will meet the L-1 Basic Landscape Standards.*
*Parking Courts and Parking Area Entrance will meet the L-2 Low Screen Standard.*
*Planting in the storm water treatment facilities will meet the standards outline in the Stormwater Management Manual.*
*See Planting Plan in drawing set.*

**Table EC 9.6410 Required Off-Street Motor Vehicle Parking**
*The off street motor vehicle parking requirement for multiple- family housing is 1 parking space per dwelling unit. That parking requirement has been satisfied as follow:*

| | | | |
|---|---|---|---|
| *Building A:* | *(6) 2 bedroom units* | *6 required* | *3 provided* |
| *Building B:* | *(3) 3 bedroom units* | *3 required* | *10 provided* |
| *Building C:* | *(2) 2 bedroom units* | *2 required* | *3 provided* |
| | *Plus an additional 4 car guest parking lot* | | |
| *Building D:* | *(2) 2 bedroom units* | *2 required* | *4 provided* |
| *Building E:* | *(2) 2 bedroom units* | *2 required* | *4 provided* |
| *Building F:* | *(2) 3 bedroom units* | *2 required* | *6 provided* |
| *Building G:* | *(6) 2 bedroom units* | *6 required* | *2 provided* |
| | *And an additional 8 car guest parking lot* | | |

*Total parking spaces required: 23 required*
*Total parking spaces provided: 44 provided*

**(11)** The proposed development shall have minimal off-site impacts, including such impacts as traffic, noise, stormwater runoff and environmental quality.

*This criterion has consistently been interpreted and is here interpreted to address off-site impacts of the proposed use. The standard of reasonable compatibility is construed to contemplate that a use will have some level of impact on abutting properties and the surrounding neighborhood but the level of impacts must be minimal relative to the reasonable expectation of occupiers of nearby properties given the zoning and character of the area. The term "minimal impact" recognizes that there will be some impact of uses but the impact shall be as small as possible if such use is to be allowed with the practicable level of operation as a functional use.*

*For all intents and purposes the Piper Lane PUD is a residential development. The residential use is allowed outright in the underlying zoning and the most compatible neighbor other residential neighbors could expect. This is not a proposal for a commercial or industrial development next to residential homes. The level of impact would be as anticipated by the redevelopment of vacant property to the proposed 23 dwelling units.*

*This project proposes to enhance the development site, create the type of neighborhood that many people will find attractive both from an environmental standpoint as well as aesthetic. The proposal is for a mix of dwelling types and densities creating both a visually aesthetic property (i.e. all the buildings are not identical in bulk, height and scale) and the variety of rent schedules based on building type will allow a wider range of opportunities for people of varying economic capabilities.*

*The buildings are smaller than the neighboring single family homes, and yet, they contain multiple units. By clustering the units and putting multiple units in one building, open space is preserved as are views into and out of the site.*

*The parking has been design so that there is almost double the required parking spaces. Streets have been design so there is on street parking. There is no expectation that cars will spill over into the neighboring streets to accommodate parking. Additional parking helps mitigate any potential off-site impacts.*

*Additionally this development terminates Piper Lane. There will be no cut through traffic and all traffic will be local. Impacts as a result of this development are mitigated as a result of this dead end street.*

*A traditional subdivision design for this property would have resulted in approximately 10 single family lots or 10 peak hour trips. By comparison, this multi-family development generates 13 peak hour trips. 3 more peak hour trips doesn't raise this development to the level of being incompatible or creating excessive traffic impacts. . Three additional cars over the expected 10 cars would be considered minimal by anyone's standards*

*Visually the project has been designed so that the multi-family units are more typical of single family attached homes rather than typically box apartment buildings. Visually these buildings are architecturally attractive, made of much higher quality materials than the 4 homes that can be seen from Piper Lane (all other lots are currently vacant).*

*This property is expected to generate no more noise than any other residential development. The fact that the cars and circulation are all located internally to the site and screened from view by larger buffer areas and/or proposed buildings will necessarily mitigate any noise that is generate by the cars (only 3 more trips than a single family home development). This, too, is a benefit of a multi-family development and makes this of a higher quality than a traditional lot by lot development.*

*Storm water runoff and environmental quality have been addressed previously in this written statement.*

**(12)** The proposed development shall be reasonably compatible and harmonious with adjacent and nearby land uses.

*All adjacent and nearby land uses are primarily residential in use and character. Providing residential dwellings in a residential neighborhood makes it necessarily compatible with the surroundings. See (11) above.*

***Architectural Elements***

*The units that have been designed for this project have multiple features that reduce the scale of the buildings, provide interest, and make this project compatible with the neighborhood.*

*The words compatible and harmonious have no definition in the land use code which means a discussion of these qualities is purely subjective and open to much interpretation.*

*This neighborhood is a mix, with respect to architecture and materials, low quality duplexes, unexceptional and traditional single family homes, and high quality yet very large single family homes.*

*Here are some examples of the structures that are typical to this neighborhood.*

*Duplex unit on Piper Lane with front dominated by garage and cars, minimal landscaping, and typical residential quality building materials.*

*Typical single family home on Piper Lane, front dominate by garage, traditional lap siding on the entire home.*

*Another typical single family home on Piper Lane, same materials used on the entire structure, front dominated by 2 car garage, blank wall on side of home with no articulation and minimal windows.*

*5 of the nearby neighboring single family house, all over 4000 sf on the ground plane, minimal open space, all existing trees removed, a blank garage wall facing the street, lots of paving and privacy fencing, street dominated by garages.*

*As shown above, many of the single family homes in this neighborhood are larger than the footprint of these multiple unit buildings. From that aspect these structures should be compatible with the neighborhood as they are within the range of the neighboring structures with respect to bulk, height and scale.*

*The multiple units have also been designed to appear as though they are individual single family attached homes, rather than a traditional box like multi-family apartment structures. Many of the units have garages and are designed as townhomes (side by side units with an upstairs and a downstairs).*

*There is a great degree of articulation in the facades, none of the units are dominated by a garage (snout house) which makes the buildings more pedestrian friendly from a street perspective and the front yard is not dominated by the car.*

*A variety of materials are used (i.e. the exterior materials are not designed with just one element), an excessive of 15% windows per façade creates interest, porches and balconies provide additional articulation, interest and relief from buildings appearing as monolithic boxes.*

*Roof lines vary as well, there are 4 different building sizes, the heights between buildings varies and the heights within each building varies.*

*These features and measures have been taken to mitigate the minimal impacts of this development that may be created by the following.*

- *Higher density*
  - *Buildings are no larger or taller than some of the neighbors' homes and they incorporate multiple units in each building*
  - *Parking is located within the development's core and cars do not dominate the street as is typical in these types of neighborhoods*
  - *Garages and small parking areas have been provided at almost twice the requirements to limit parking on the street and spill-over into other neighborhoods*
  - *Buildings have been designed to appear as though they are single family attached, have more windows and articulation and material variety than neighboring properties.*
  - *Open space is abundant and available to all*
  - *Pedestrian connections have been made throughout the development and connecting to all public rights of way.*
  - *The structures are oriented to the street and provide a pedestrian friendly environment for people accessing this neighborhood.*
  - *And improved and dead end street mitigates the effects pof having provided a through street*
  - *Multiple family design limits the peak trip count to only 3 more than if this were designed as a single family neighborhood.*
  - *High quality materials and design, coupled with market rents and property management will attract quality tenants.*

- *Removal of significant vegetation*
  *The word "significant" in this context is a misnomer. While it is defined as any tree with an 8" DBH or more, the definition does not take into account the health and value of the existing trees. Many of the trees are in poor or fair condition, being shaded by some of the larger conifers that have outpaced the deciduous trees, are not maintained or cared for.*
  *Removal of some of the significant vegetation that would prove to be a safety issue if not removed and would not contribute to the quality of this residential neighborhood provides the opportunity to plant new, healthy and context appropriate trees that will be maintained and thrive under these conditions.*
  *To suggest that more of this vegetation needs to be preserved is to misunderstand the context, the quality, and the nature of this remnant lot. This is not a forest. It is a left over, neglected piece of property with random vegetation, much of it self-propagated and not of any particular quality in the heart of a fully developed residential neighborhood.*

  *There were existing trees on all of the surrounding properties at one time. And these were removed in order to install homes, roads, driveways, etc. One look at an air photo of this neighborhood reveals that the neighborhood vegetation has grown back*.

- *Additional glare from lighting*
  *No more additional glare is generated from these units than if this were a traditional lot by lot subdivision. As a matter of fact there will be less with the preservation of existing trees, the addition of more trees, the fact that many of the faces of the buildings are located so they face each other rather than outward to other properties, the fact that some of the units are 6 feet below the surrounding grade of abutting properties so the elevation change screens the lighting*

*The building footprints total 22,500 sf and mostly 2 story.*
*The neighboring houses have 4000 sf footprints. It would only take 5 of those homes to equal the light cast by all 23 of these units. If we were to do a single family development with 10 units (average 5 per acre on this 2 acre development), and the homes averaged 2500 sf footprint and were 2 story, then the light emitted would be almost equal.*
*This project is not going to provide additional glare than would be anticipated of a residential development.*

- *Storm drainage*
  *The handling of the storm drainage is regulated by the land use code and will meet that code. In that context there are no issues here. All storm water is carried to vegetated swales where the stormwater quality is treated. Then the stormwater is carried to the city stormwater system. There are no additional impacts created by this development with respect to stormwater.*

  *The land use code provides for compatibility when a development meets the criterion. That is why it has been written in to the code.*

**(13)** If the tentative PUD application proposes a land division, nothing in the approval of the tentative application exempts future land divisions from compliance with state or local surveying requirements.
*The tentative PUD application does not propose a land division.*

**(14)** If the proposed PUD is located within a special area zone, the applicant shall demonstrate that the proposal is consistent with the purpose(s) of the special area zone.
*The proposed PUD is not in a Special Area Zone.*

**(15)** For property with the /SR Site Review Overlay Zone . .
*The property does not have /SR overlay.*

**Flexibility**
It is the intent of the client and the design team to ensure that the project is executed as per plans. For the sake of clarity and full disclosure of the finished product for a thorough review by both the City staff and neighbors, quite a bit of detail has been included. However, we would like to preserve our right to exercise the option to revise the elements of the project that are either not a code requirement or not a requirement in the specific form in which they are shown.

Typically, the reasons for these revisions are in large part due to budget constraints. Not until there is a complete set of documents, as has been submitted to the City of Eugene for this application is there a complete cost analysis done on the project. It is at this point that decisions need to be made in order to make the project feasible and cost effective, while at the same time producing a quality product. So, there may be need for revisions even after the plans have been submitted and approved.

The changes are typically not considered of any substance. They are not changes to building size or quantity. Those areas where we would typically look for flexibility, and the right to revise the documents submitted for this application would be in the following areas (but not limited to these);

- Planting on site not required by code (e.g. : additional trees, shrubs, and groundcovers)
- Plant sizes not required by code (e.g. : we might reduce 2" caliper trees to 1 ½" caliper)

Again, if any changes are made to the plans during this 'value engineering' phase of the project, the plans will still comply with all requirements in the City of Eugene Land Use Code for this type of project as well as the conditions of this PUD.

**In Conclusion**
The Piper Lane PUD is an exceptional project, meeting the implicit intent of the City of Eugene land use code to develop land with infill projects to increase density within the UGB and to its full potential. This project is the appropriate type of residential project to infill the R-1 site located within a neighborhood that is comprised of residential homes as well as lots zoned for employment.

The scale of the buildings, the presence of other residents ('eyes on the street'), the preservation of open spaces that are pedestrian oriented, and its proximity to open space and various modes of transportation and recreation, combine to make this project a welcome addition to the existing neighborhood as well as a pedestrian friendly experience on many levels.

The development of this property will enhance the aesthetic quality of this neighborhood as well as add a presence that precludes the use of this property for unlawful activities or otherwise unwelcome activities in this neighborhood.

The goal of this project is to create a livable community within the larger context of the city. The number of units, the range of costs, the range of living opportunities, and the inclusion of passive recreation opportunities clearly meets this objective. The invaluable contributions of all the design team collaborating on the design of this project, as well as valuable city staff input, have made this project and the results, exceptional.

We believe that the quality of this project will only serve to enhance the value of the existing neighborhood.

We look forward to your review and comments, and trust that the design of this site meets the intent of the code and serves to enhance to quality of life in Eugene.

If you have any questions or need additional clarification please do not hesitate to call.

Sincerely,
Schirmer Satre Group

Carol E. Schirmer
Principal

cc: Piper Lane LLC (client)

# ADJUSTMENT REVIEW APPLICATION

**Piper Lane PUD**
**Eugene, OR 97401**

**Assessor's Map**
17 03 19 13

**Tax Lots**
02402

**February 17, 2016**
**Revised March 31, 2016**

PLANNERS + LANDSCAPE ARCHITECTS + ENVIRONMENTAL SPECIALISTS

375 West 4th, Suite 201, Eugene, OR 97401
**Phone: 541.686.4540** Fax: 541.686.4577
www.schirmersatre.com

LANDSCAPE ARCHITECTS
SCHIRMER SATRE GROUP

February 17, 2016
Revised: March 31, 2016

The following is the written statement and application for an Adjustment Review for the Piper Lane PUD.

**ADJUSTMENT REVIEW APPLICATION**
General Housing Criteria

PIPER LANE PUD

**PROJECT DIRECTORY**

**PROPERTY OWNER / APPLICANT**
Leland Hughes
PO Box 5332
Eugene, OR 97405

Contact: Lee Hughes
Phone : 541.954.1345

**APPLICANT'S REPRESENTATIVE**
**LAND USE PLANNER, LANDSCAPE ARCHITECT**
Schirmer Satre Group
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**CIVIL ENGINEER**
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**SURVEYOR**
Roberts Surveying, Inc.
PO Box 7155
Springfield, OR 97475

Contact: Kent Baker
Email: kent@robertssurvey.com
Phone: 541.345.1112

**GEOTECHNICAL ENGINEER**
Branch Engineering, Inc.
310 5th Street
Springfield, OR 97477

Contact: Ron Derrick, P.E., G.E.
Email: RonD@branchengineering.com
Phone: 541.746.0637

The following is specific proposal information is from the Planned Unit Development Application – Tentative Stage.

**MAP and TAX LOT**

| Assessor's Map | Tax Lot | Current Zoning |
|---|---|---|
| 17 03 19 13 | 02402 | R-1 |

**Code Sections Proposed for Adjustment**

EC 9.5500 (6)(a) Maximum Building Dimension
EC 9.5500 (13) **On-Site Pedestrian Circulation**
EC 9.6730 Pedestrian Circulation On-site

**Does adjustment request include storm drainage facilities?**
No

**Does request include an adjustment of internal vehicle stacking at Eugene Code Section 9.6703(3)(a)?**
No

**Associated pending Land Use Applications or Building Permit numbers.**
none

**Written Statement**
The following are the sections of the Eugene Land Use Code that will require adjustment as the result of this development proposal. For clarity the code section is in plain text and *responses are in italics*.

**Code section to adjust**

**EC 9.5500 Multiple-Family Standards**
(6) **Building Mass and Façade.**
(a) Maximum Building Dimension. Neither the maximum length nor width of any building within 40 feet of a front lot line can exceed 100 feet in the R-1 and R-2 zones and 150 feet in all other zones.

*Building B: exceeds the maximum building length by 9' -2", however it is set at an angle to the street and technically creates a visual building length of only 87'.*

*It is important to note that because of this angle and the buildings proximity from the front lot line the applicant was not allowed to count the building in order to meet the street frontage requirements, and yet the entire length of the building is being used to require an Adjustment Review. It seems that the building length should either be considered or not considered applicable to the code but not become a discretionary decision as to when it applies and when it doesn't.*

(d) Criteria for Adjustment. Adjustments to the standards in this subsection may be made, based on the criteria of EC 9.8030(8)(a).

**Adjustment Review Approval Criteria**

**EC 9.8030 (8) Multiple-Family Standards Adjustments.** Where this land use code provides that the multiple-family standards may be adjusted, the standards may be adjusted upon finding that the design achieves all of the following:

(a) Maximum Building Dimension. The requirements set forth in EC 9.5500(6)(a) may be adjusted if the proposals creates building massing and/or facades that:

1. Create a vibrant street façade with visual detail.
2. Provide multiple building entrances to building or yards.

*Articulation of the façade along Piper Lane provides definition of the different units, clearly delineating where individual units or front entryways begin and end. This articulation will also be emphasized, while not evident in the attached elevations, by the addition of texture and color as the building progresses through the design process.*

*There are multiple windows, opening, insets, and overhangs along the horizontal face. Vertically are also a variety of surface plans as well as roof heights and pitches.*

*Room is also allocated along the façade for planting areas which will create pedestrian scale spaces and help to soften the edges of the building.*

*There is no code definition of vibrant street façade or what constitutes visual detail, however, Webster's Third New International Dictionary defines vibrant as "pulsating with life, vigor, or activity: ALIVE, VITAL", and we interpret visual detail as any architectural design gestures that create interest and variety through the use of form, scale, repetition and texture.*

*The deep articulations on the facades of these buildings (6' – 9') provide visual interest and opportunity for additional planes for windows, texture and interest. The recesses will cast shadows and serve to break up the building massing.*

*Articulation of the façade creates a variety of surfaces for patterns of light to play giving life to a façade built of inanimate materials. The addition of porches provide spaces for tenants to interact with the space on Piper Lane and with other individuals/neighbors on the public street.*

*Additionally, the building roof lines create another level of interest so that the building will not be perceived as visually uninteresting or massive in scale. Essentially this buildings are comprised of multiple single family attached.*

*Each building has multiple entrances further articulating the separateness and interest of the individual units. All these elements: color, texture and articulation serve to communicate to someone viewing the project from the street that these are single family attached buildings as opposed to a monolithic structure.*

*The building has less impact from the standpoint of building length than the same building oriented parallel to the street and within 20 feet of the right of way line. The angling of this building, by its very location on the site with respect to pedestrians and views from the right of way, reduces the scale of the building. Additional plantings and trees go a step further to support the pedestrian scale of this project.*

**EC 9.5500 Multiple-Family Standards**

(13) **On-Site Pedestrian Circulation.** Multiple-family developments shall provide safe on-site pedestrian circulation according to EC 9.6730 Pedestrian Circulation On-site.

**EC 9.6730 Pedestrian Circulation On-Site.** These standards are intended to provide safe and efficient circulation for pedestrians within all developments.

**(3) Design of On-Site Pedestrian Facilities.** All on-site pedestrian facilities fall conform with the following standards:

(c) On-site pedestrian paths shall be raised to standard curb height when adjacent to public and private streets or driveways.

*We are requesting an adjustment to this standard for the pedestrian path. We originally had a solution that was acceptable when there was a well-articulated, pedestrian friendly circular plaza at the bottom of the entry drive. Required revisions to the plan in order to preserve additional trees caused the re-design of the lower area to more resemble a parking lot in an effort to reduce the size of the pavement.*

*Providing driveway (parking) for the units and circulation for both pedestrians and cars is constrained by the limits of the size of the site. Raising the pedestrian area as shown on the Site Plan to standard curb height would require an interruption of that sidewalk by the multiple driveways that front that area. Very little of the pedestrian circulation path would be left at standard curb height as to make this requirement impractical.*

*The site is mainly accessed by residents and guests (there is no through traffic) and as is typical of any constrained dead end the traffic will be minimal and the travel speeds will be slow. There is great visibility in this area and cars and pedestrians will easily co-exist with very little concern for safety.*

*Using the circulation surface to access the desired buildings in that lower area creates little if any safety concerns. This is not a typical parking court as seen in much larger multiple family projects where there are dozens of cars maneuvering..*

**(4) Adjustment.** These standards may be adjusted if consistent with the criteria of EC 9.8030(22).

**Adjustment Review Approval Criteria**

**EC 9.8030 (22) Pedestrian Circulation On-Site Adjustment.** Where this land use code provides that the on-site pedestrian circulation may be adjusted, the standards may be adjusted upon finding that, considering the site constraints or practical difficulties, the proposed design provides adequate pedestrian connections:

(a) Between building entrances and streets or accessways;

*All building entrances are connected with on-site circulation that leads to the public right of way and the sidewalks there. (Sidewalks are proposed as a part of the development of the extension of Piper Lane.) See Site Plan.*

(b) Between new and existing buildings on the development site, including recreation and community facilities;

*There are no existing buildings or community facilities on site. All the proposed buildings connect with each other.*

(c) From proposed employment and industrial, commercial and institutional uses to adjacent parcels having similar existing or planned uses;
*There are no proposed employment and industrial, commercial and institutional uses on this project.*

(d) To nearby transit stops, parks and other recreation facilities; and
*All proposed pedestrian paths connect to the public right of way which connects to nearby transit on Cal Young, parks and recreation facilities via the connected street and sidewalk system.*

(e) Between parking lots and main buildings.
*The main buildings are residential. The parking lots are few, however each parking lot does connect to all the buildings through the connected pedestrian circulation system.*

Thank you in advance for your review of this adjustment to the code. Please call if you have any questions or need clarification.

Sincerely,
Schirmer Satre Group

Carol Schirmer

CC: Piper Lane LLC (client)

May 31, 2016

Nick Gioello
City of Eugene
Planning and Development
99 W 10th Avenue
Eugene, OR 97401

RE: Piper Lane PUD
PDT 16-2 and ARA 16-1

Nick:

Thanks for staffs' review of the project. Here are the responses to the Completeness Review items. The City items are in regular typeface and our *responses are in italics.*

**Tentative Planned Unit Development**
**PLANNING DEPARTMENT**
**General Comments**
Please refer to Attachment A for detailed comments from the Planning Division. Please refer to Attachment B for detailed comments from the Land Use Team.

*See attached Attachments A and B and our responses.*

**Written Statement**

1. Details written statement that describes the proposed use of the property and how the proposed planned unit development satisfies all applicable approval criteria (Section 9.8300 – 9.8310 and 9.8320 or 9.8325 of the Eugene Code).

   Please refer to Attachment A for detailed comments from the Planning Division. Please refer to Attachment B for detailed comments from the Land Use team. Based on the comments in Attachments A and B, a number of specific criteria in critical areas have not been met.

   *See attached Attachments A and B and our responses.*

**Site Plan Requirements**

19. Provided a cover sheet with the certification and signatures of the professional coordinator and design team members for the project. Each drawing is stamped and signed by the licensed professional responsible for preparing the plans.

    The cover sheet has been provided, however signatures of all team members required. The Topographic Survey sheet has not been stamped/signed by Roberts Surveying, Inc. Drawing 001 – Building G was not stamped/signed by Richard Shugar, Architect.

    *All drawings have been stamped and signed. The cover sheet contains all signatures.*

23. Type and size of existing or proposed fencing and/or landscape buffering shown.

    There is no indication of any fencing along the perimeter to act as a screen; staff is requesting verification of whether fencing is proposed or not. Although a landscape plan was submitted showing locations of trees, there are no details on quantity or

species were provided, therefore staff cannot adequately address the degree of buffering and screening provided.

*See Site Plan. The property is surrounded by existing 6' wood fences (as shown on Site Plan) or will propose 6' wood fences where no fences exist except in the southwest portion of the site where Lot 2203 has existing encroachments. This provides adequate screening. There is no practical reason to add a fence on the development site if an existing fence exists between the properties. If a neighbor decides to remove this fence they are making the conscious decision to remove screening.*

*A new 6' wood fence will be provided on the west property line to the extent possible without disturbing the existing encroachments (patio, deck and walled gardens) located on tax lot 2203.*

*The quantity of trees is the quantity shown. It is not a matter of tree count but location of trees with respect to property lines. Species are now shown but applicant is uncertain why species matters at this juncture. Any and all trees will provide a screening function no matter the species, especially when clustered in groupings. See plans for tree locations, count and species.*

*Also, see the Site Plan for actual locations of existing buildings.*
*Something else to consider is the proximity of the houses on the 6 abutting lots and their actual locations on their own lots.*

- *Tax Lot 507 is a traditional layout with the home 5 feet from the shared property line, and yet there will be a 6' fence along that property line, half of that buildings length closest to the development site consists of garage space, and the closest any portion of the living space of that home is to the development sites buildings is 30 feet, with trees added as additional buffer.*
- *Lot 2203 unfortunately forgot to hire a surveyor and their deck is over the applicant's property line and yet their home is buffered by the large triangular area in the Piper Lane PUD southwest corner.*
- *Lot 2301 has a house that is approximately 146' from the shared property line separated by a tennis court.*
- *Lot 2502 has a house that is 50 feet away from the shared property line.*
- *Lot 2603 has a house that is 88 feet away from the shared property line.*
- *Lot 2401 has a house that is 45 feet away from each of the shared property lines.*

*See Site Plan for approximate locations of existing homes. Between the generous setbacks on the Piper Lane property and the locations of the existing homes, there is more separation and buffering than could ever be achieved in a traditional lot by lot single family development.*

27. Location, number, and dimensions of bicycle parking spaces, including long-term and short-term bicycle parking shown.

    Long term indoor bike parking spaces are discussed in the narrative but not shown on the plans (see Attachment B for more information)

    *Long term bike parking is planned for each of the garages. See attached elevations for locations of garages. Buildings A and G are the only units without garages. Each of those buildings have 6 units and 6 long term bike parking space (lockers) have been provided for each of those buildings and are shown on the Site Plan.*

30. Means of protections for landscaped areas (i.e. curbs) shown.

    Show curbing dimensions or others means of landscape protection in parking areas that abut landscape areas.

    *Graphically curbs are shown as double lines. A few of these have been labeled for your convenience. All curbs are 6" higher than the paved areas.*

**Landscaping Requirements**

34. Location, species, and size of existing and proposed landscaping shown.

    The species and size of trees are not indicated. The species of shrubs are not indicated.

    *Typically at Tentative PUD or Site Review staff has allowed applicant to label required planting areas as L-1, L-2, L-3 etc. and not create a construction document level planting plan for the very reason that the site plan changes. Planting plans have been deferred to building permit for a very long time now. Why has this requirement changed on this application?*

    *See Planting Plans for plant size and species.*

**Tree Preservation Requirements**

37. Provided a tree preservation plan prepared by a certified arborist or approved equivalent. Included both a narrative description and a corresponding site plan to address tree preservation criterion.
39. Trees located within vegetated corridors and stands rather than individual isolated trees subject to windthrow.
40. Trees that fulfill a screening function, provide relief from glare, or shade expansive areas of pavement.
41. Trees that provide a buffer between potentially incompatible uses.
44. Trees with significant habitat value
45. Trees adjacent to public parks, open space and streets.
47. Heritage trees
    *There are by definition no heritage trees on this site nor are any trees on this site listed on any records as heritage trees.*

    The Director does not support the applicant's request to waive the arborist requirement. An arborist report is required to assess the health of the trees on site and also assist in evaluating compliance with the tree preservation criteria.

    *See attached Arborist report.*

**Natural Features Assessment and Delineation of Applicable Boundaries on Site Plan**

48. Significant on-site vegetation, including rare plants (those that are proposed for listing or are listed under State and Federal law), and native plant communities shown.
49. All documented habitat for all rare animal species (those that are proposed for listing or are listed under State and Federal law) are shown.
    *Brian Meiering, a biologist and wildlife specialist on staff at Schirmer Satre Group, and qualified to determine if there are any rare animal species on site or any habitat for rare animal species has*

*visited the site, researched applicable State and Federal resources and determined that this site has not been documented as a habitat for rare animals that don't even inhabit this area.*

53. If disturbance of natural features, a mitigation plan was submitted, in accordance with 9.8320(4)(c).
*There are no natural features on site therefor there is no mitigation required. There is however new trees proposed to mitigate for the loss of existing trees.*

    Although a topographic survey and tree preservation plan were submitted, an arborist report will detail any of the above missing details are present on the site. Also, see Attachment A for additional comments regarding natural resources and habitats.
*See attached Arborist Report.*

**Architectural Features of Proposed Buildings**

54. Indicate general building locations, bulk and height.
55. Indicted key architectural features of proposed buildings (concept drawings ok).

    See Attachment A for comments on architectural elements (comments for page 49 – (12).
See Attachment B for comment on building mass, building height and building articulations. Staff is not supportive of Adjustment review to increase the building length.

*See comments on Attachments A and B and revised written statement.*

**PUBLIC WORKS**
**General Comments**
Please include certified signatures and statements of the professional design team (i.e. licensed surveyor signed stamp). Also note that the civil engineer listed on the cover does not match the name/stamp on the civil plans.

*The statement has been added to the cover sheet and all professionals have signed the cover sheet. The name of the civil engineer has been corrected.*

Please label easements as existing or proposed, public or private.

*The easements have all been labeled existing or proposed. Easements were already labeled as p.u.e. which means public utility easement. If there is no label of "pue" then it is private because the "P" in PUE means public.*

Provide parking stall dimensions and include clear aisle widths. The written statement (page 47 of 51) indicates that there are double loaded parking areas although that does not seem consistent with the site plan; please clarify.

*All parking stalls were labeled and aisles widths were labeled on the Site Plan. Perhaps you did not receive the entire set. Parking Court C (now Parking Court B) is a double loaded parking area, meaning cars on both sides of the parking lot with a drive aisle in between.*

Show a detail of the turn arounds and provide dimensions (including radii) to demonstrate they meet standards.

*See dimensions on site plan*

**Street and Utility Improvement Requirements**

4. Note on the plat the location, size, and species of existing and proposed street trees.

   Please identify and clearly label the existing street trees on the plans, as well as the street trees proposed to be removed.

   *This is not a proposal for a Plat. The existing street trees have been shown on the Tree Preservation Plan. They are the ones located in the proposed right of way so technically they are street trees. The ones to be removed have been marked with an 'x' in their center and that symbol is also shown in the legend.*

   *Proposed street trees will be determined through the PEPI process.*

**Water Supply Requirements**

6. Include a diagram (including diameter) of existing and proposed water mains

   What is the diameter of the existing water main?

   *There is an existing water main where Piper Lane abuts the west property line and an existing water main in Hammock Street. They are both 6" and have been shown on the Site Plan.*

**Contour Intervals**

9. Note on the plans the City Bench Mark used.

   Please use NAVD88.

   *The application checklist nor the land use code specify which datum to be used. A conversation with the surveyor indicates that converting all the information to another datum is a considerable amount of work. The requirement is for a city benchmark to be used therefor this requirement is met.*
   *If the city is going to require that NAVD88 is used for purposes of land use then it should be on the application checklist so the surveyor has that information at the beginning of doing the work.*

**Storm Drainage Requirements**

11. Show existing and proposed flood control facilities, including collection, conveyance, and treatment of stormwater in compliance with SW Management Manual, within and adjacent to development site.

14. Application proposed construction of public streets; provide stormwater treatment plan for public streets based on infiltration, filtration, or mechanical priority and include sizing calculations that demonstrate whether treatment of runoff from adjoining lots will be on-site or in public infiltration or filtration facility in right of way.

16. Application (CUP/SR/PUD) includes impervious surface area to be constructed with a future development permit; provide stormwater treatment plan and analysis for run off from impervious surface area based on infiltration, filtration or payment priority.

18. Submit three copies of stormwater analysis that demonstrate compliance with stormwater drainage provisions at EC 9.6790 – 9.6795
    *Three copies were submitted with the original submittal along with a PDF on a CD.*

    The stormwater basin master plan did not model the receiving 24" pipes; please demonstrate capacity of that system to the nearest modeled pipe, or alternatively, consider flow control techniques

to retain/detain runoff, to predevelopment levels. Provide a stormwater management proposal for the runoff from the public street and include this on the stormwater or utility plans.
*There is a stormwater management proposal for the runoff from the public streets. It is shown on both the Site Plan and the civil engineering plans. The stormwater treatment facility are labeled (SWTF) and the pipes are shown connecting to the city storm system.*

*See attached revised Stormwater Management Plan, Page 13, for modeling of 24" pipe.*

Address the applicable stormwater quality standards in the written statement.
*Please see written statement. Applicable storm water quality standards were addressed.*

The written statement indicates that "this development site does not propose any city maintained stormwater management facilities"; please clarify if this statement is true as it appears there may be facilities proposed adjacent to the right-of-way.

*This has been corrected in the written statement. There are proposed stormwater management facilities in the right of way but they will be maintained by the city.*

Additionally, please discuss the proposed solution for the public stormwater pipe in question at the south end of the subject property per the email correspondence between Ed Haney and Carol Schirmer most recently dated January 11, 2016.

*There are 6 lots that potentially connect to this stormwater pipe. The pipe is plugged at one end and during a storm event no water was observed leaving the end of the pipe exposed on the development site.*

*The addresses of the 6 lots that potentially connect to this pipe are as follows:*

*1385 Cal Young (built 1999)*
*1387 Cal Young (built 1999)*
*1389 Cal Young (built 1999)*
*1410 Hammock Street (built 2010)*
*1430 Hammock Street (built 2010)*
*1440 Hammock Street (built 1941)*

*The three homes with Cal Young addresses all are share a driveway. This driveway slopes towards Cal Young so that the stormwater from that driveway ends up in Cal Young. All three homes have stormwater connections to Cal Young through weep holes in the curb. These 3 homes do not connect to the stormwater pipe that daylights on the development site.*

*1410 and 1430 Hammock Street were built fairly recently (2010), have driveways that slope towards Hammock Street and have weep holes in the curb to Hammock Street. These homes do not connect to the stormwater pipe that daylights on the development site.*

*1440 Hammock Street is the only home that could potentially connect to this pipe. It is not feasibly for the design team to determine if there is or is not a connection so we will assume there is. A facility on the site has been sized to accommodate any potential stormwater discharge from this home site to this pipe.*

*Additionally, the consultants conducted an on-site investigation of the existing 24" concrete storm pipe, identified on the as-builts as 36" that enters the development site in the SE corner.*

*We witnessed that the concrete pipe was filled with sediment for approximately 75% of pipe with no indication of storm flow at the end of the pipe or the low area around the end of the pipe. Historically the condition at the end of this pipe has been a low area with no connection to an off-site storm system. The current PUD plan does not impact or alter this condition.*

22. Level 1 Geotech . . .
    Please indicate who prepared the geotechnical analysis.

    *See page 2 of Geotech report submitted with application for signature and name of licensed professional preparing the report, Ron Derrick, PE, GE, Branch Engineering.*

**Street and Public Accessway Requirements**

31. Show location and widths (right-of-way and paving width) of all existing and proposed streets, intersections, and bike and pedestrian access ways, both within the plat and adjacent to the plat.

    *All dimensions were shown on Site Plan*

35. Indicate radii of all street curves on plans.

    *All radii have been shown*

    Please provide a cross section of Piper Lane extension

    *A cross section has been added to the civil plans.*

    Item 42 per PDD

    *Land use has approved the adjustment to the pedestrian circulation plan.*

Please call if you have any questions, comments or are in need of any additional information. I believe this responds to all incomplete items and issues.

Sincerely,
Schirmer Satre Group

Carol Schirmer

May 31, 2016

Nicholas Gioello
Associate Planner
Planning and Development
99 W 10th Avenue
Eugene, OR 97401

Re: Piper Lane PUD (PDT 16-2, ARA 16-1)

Dear Nick:

Thanks for staffs' thorough review of this Tentative PUD Application submittal. Many of these responses have been included in the revised written statement and we have also taken a careful look at the existing site conditions, trees and site plan. The staffs' comments are in plain text and our *responses are in italics for clarity.*

**Attachment A**

**Planning Completeness Review PDT 16-2 Piper Lane PUD– areas of concern**

Staff is unclear why the narrative includes an analysis of EC 9.8300 Purpose of Planned Unit Developed. The narrative should only discuss these purpose statements only if flexibility under development standards is being requested. Your narrative is unclear where specific flexibility is being requested and should clearly itemize the requested areas of flexibility. The following comments regarding EC 9.8300 are assuming that these areas have some flexibility being requested in the proposal. However, staffs comments regarding 9.8300 should be considered and are applicable in the appropriate narrative sections listed under 9.8320 Tentative Planned Unit Development Approval Criteria – General.

*The original submittal requested flexibility for building height. This sentence is found on Page 11. That is why this application addressed the purpose statement of the PUD.*

*"We are asking for flexibility in building height and for only 2 of the 8 buildings (Buildings B and G)."*

*Since that time, and with this revised submittal, the heights of all the buildings now meet the building height maximum allowed in property zoned R-1. We are no longer requesting flexibility for building height through the purpose statement, or any other standard.*

**Page 12 and page 45- (d.) Preservation of existing natural resources and the opportunity to enhance habitat areas.**

The narrative states, "The buildings and associated circulation have been sited in such a way to preserve as much as is practical some of the existing trees on site that are either healthier, stand a chance of survival and are not in the construction path" and "It naturally has a collection of existing trees, a great many in poor condition". Staff has concerns that this part of the narrative is not supported by the application. The Tree Preservation Plan identifies 226 trees on the site, of which 109 are listed as good condition (48%), 86 are listed in fair condition (38%) and the remaining 31 trees are listed as poor, dead or snag (14%). Staff believes it is not accurate to state, "a great many [trees] in poor condition" and "all trees shown for removal are either in poor condition or in the construction path" since 86% of the trees are listed in good to fair condition.

*The narrative has been amended to include information as to the goal of the project development and the overall character and condition of all the trees on the property. This includes not just an individual rating of each tree, but the relationship of all the trees on the property to the properties adjoining this proposed PUD. The narrative also includes information related to the intent of new planting to provide new, high value tree canopy, screening, clustered reforestation areas and habitat zones for the property following PUD development.*

*The developer and the design team have also reviewed the density, building types, and building relationship to the existing trees to help reinforce the amended narrative.*

*The trees have been evaluated by a licensed Arborist (Kyle King) and the condition of the trees have been revised accordingly. There are 215 trees total on the development site. Some dead trees were found as part of the inventory and have been removed from the plans thus reducing the original total. Of those 215 trees 46 are being removed as a result of the requirement to install a public road as part of this application. The condition of those trees are shown on the plans however the condition was not taken into consideration with respect to evaluating the tree percentages overall as the applicant has no choice about removing or retaining these trees. The road is required as part of the development so either evaluating the health of the trees or counting how many there are is of no value in this decision making process.*

*There are 169 trees on the site (outside of the right of way). They have been evaluated as follows:*
*Good Condition: 42 trees (25%)*
*Fair Condition: 63 trees (37%)*
*Poor Condition: 64 trees (38%)*

*Of the 169 trees on the site 131 trees (77%) range from 8" caliper to 18" caliper and are low value trees in a dense urban setting (i.e. Oregon Ash, wild cherry, Douglas Fir trees, Cottonwood). What this clustering of caliper size tells us is that all of these trees self-germinated (i.e. were not planted by humans) at roughly the same time. This is not a mature forest or mature habitat. It is a remnant lot within a developed urban neighborhood that has been left undeveloped and unmaintained just long enough for many trees to take root and grow to a certain size. Currently some of the larger Douglas Firs both on and off the property are shading the deciduous trees, preventing them from establishing themselves as healthy trees in good condition.*

*Of the 169 trees on site 127 (75%) are considered in fair or poor condition. We have learned many lessons from trying to save trees on projects simply because the number of trees being removed is is weighted more heavily with respect to the project as a whole than evaluating the health of the trees and looking at the trees in context. Trees that are left in place simply to satisfy the requirement to save trees at any cost typically results in saving trees that fall on site and/or on structures as a result of Eugene's random ice storms or wind storms.*

*It is far more prudent both from a safety/liability viewpoint as well as from a healthy urban forest objective to plant new heathy context appropriate trees.*

*This argument would further be supported if the City of Eugene staff would visit the site (at time of Completeness Review no one from staff had walked the site to observe the poor quality environment and condition of the trees) and be accompanied by someone from the Urban Forestry Department; the city experts in healthy urban forest environments. An evaluation of the merits of the project was based arbitrarily and heavily weighted towards a tree count with a bias towards preserving trees.*

**Page 12 and page 45 - (e) Clustering of residential dwellings to achieve energy and resource conservation while also achieving the planned density for the site.**
The narrative is unclear how the clustering of the proposed units on the site achieves resource conservation. The narrative should be able to explain how the proposal, by clustering dwelling units, would provide more resource conservation than if the proposed site were to develop as a standard single family subdivision, similar to the size of properties in the immediate vicinity.

*The narrative has been amended to provide clarity related to the clustering of the proposed units and the value of the clustering related to open space area and integrity as compared to a standard single family subdivision.*

*The developer and the design team have also reviewed the cluster building relationship to help reinforce the amended narrative.*

*The clustering of residential units is not just a look at how they are clustered with respect to each other on the site but how a clustered development is planned and proposed within the greater context of the city and the UGB.*

*Resources are not just trees. The sentence says resources and is not qualified by the word "natural;". Resources can also be:*

- *the energy required to implement this project*
- *Developing near existing utilities rather than bringing utilities from a distance.*
- *Infilling vacant lots so that resource land (e.g. agricultural land) is not utilized for housing and development*
- *Providing housing near urban services to reduce vehicle miles traveled*

**Page 13 and page 45 & 46 - (2) Create comprehensive site plans for geographic areas of sufficient size to provide developments at least equal in quality to those that are achieved through the traditional lot by lot development and that are reasonably compatible with the surrounding area.** As discussed above, staff is unclear how the proposal meets this objective. More discussion in the narrative is needed that can show how this proposal will be "at least equal in quality" to a traditional single-family lot by lot development and how this proposal is compatible with the surrounding area, which consists mainly of single-family homes. Since your proposal is a higher density then what would typically develop as single-family residential units, your narrative needs to address how any increased density impacts to the surrounding neighborhoods are mitigated through the "quality" of your development.

*The narrative has been amended to provide additional information to explain how the proposed development will be at least equal in quality to a traditional single-family development. The narrative also includes more information related to the context of the proposed development in relationship to the existing development to the west.*

*The immediate neighborhood and surround area does not consist of mainly single family homes as asserted by staff. See Attachment to this revised submittal that was also submitted during the first round (Attachment B Air Photo: Context Map).*

- *To the west on Piper Lane are a collection of 12 duplexes whose property footprint is similar in size to this proposal. There are 12 duplexes in that neighborhood consisting of 11 units per acre.*
- *Directly east is Oak Park Townhouses, a large multifamily development consisting of 15 units per acre and approximately 3 times the acreage of Piper Lane PUD.*
- *On the northwest corner of Norkenzie and Cal Young is The Farm, a 14 unit per acre multi-family PUD on a 2 acre lot.*

These 3 sites constitute approximately 12 acres or 32% of the property bounded by Bond Lane to the North, Cal Young to the South, Fir Acres to the west and Norkenzie to the east.

Look again to the development to the east. The average density there is 6 units per acre and yet, there is no open space of any significance. The 3 acres is dominated by roofs, driveways, fire truck turnaround, and roads. It looks denser than the proposed Piper Lane PUD. Why is that? Many of those single family houses measure approximately 90' x 45' (4050 sf for 1 unit) on the ground. Many of the Piper Lane units are more compact, take up less of the ground plane per unit and therefor a good portion of the site is preserved not only as open space but as an opportunity to add to the urban tree canopy because there are large enough spaces to accommodate larger species of trees.

Here are the measurements (footprint) of the buildings on Piper Lane:

| | | | |
|---|---|---|---|
| Building A | 6 units | 44' x 100' | (4400 sf for 6 units) |
| Building B | 3 units | 45' x 109' | (4905 sf for 3 units) |
| Buildings C, D and E | 2 units each | 43' x 38' footprint | (1634 sf for 2 units) |
| Building F | 2 units | 45' x 72' | (3240 sf for 2 units) |
| Building G | 6 units | 44' x 100' | (4400 sf for 6 units) |

**Page 19 – (1) Land Use Element – General Policies, (c) Retain existing significant vegetation whenever possible to provide buffering between residential and non-residential uses, as well as between low-density and higher density residential areas (Policy 3).**
As previously discussed above (page 12 (d)) Staff is concerned that the proposal does not save significant vegetation. As also discussed, it may be feasible for buildings to be relocated and the vehicular driveway reconfigured so that more trees could be preserved and provide additional buffering to the neighbors. The amount of parking spaces should be reviewed and if possible reduced if additional trees can be saved. Buffering is seen as an important issue by staff since, as your narrative states numerous times *"the proposed density is greater than typical of R-1 zoned property".* Buffering of this higher density development is critical for the surrounding lower density neighborhood. Also, requesting an adjustment to create longer building lengths is not supportable since it leads to greater impacts on the retention of significant vegetation and trees and potentially reduces the amount of buffering between the abutting properties of lower density.

*Two of the buildings that were part of the Adjustment Review were only 4 feet longer than allowed. The narrative has been amended to provide clarity related to the clustering of the proposed units and the value of the clustering related to open space area, pervious land areas and the overall integrity and quality of the open space as compared to a standard single family subdivision. Furthermore, the buildings that are longer in length than the approved length of 100', vary between four to 9 feet great then the approved 100' length. This additional length does not create a condition on site that would require more trees to be removed. The same number of trees would be removed for each of the buildings if they were 100'.*

*Reducing the footprint by 4 feet did not, in fact preserve any more trees, but the footprint has been reduced none the less. Building length and tree preservation are not necessarily connected, especially at such a small distance. To assume that preserving more trees, without actually having seen the trees, presumes that counting the quantity of trees saved takes precedence over:*

- *Replanting more context appropriate and healthy trees*
- *A quality living environment through appropriate Site Design (some of the elements that made this project more exceptional have been removed just to save a few more trees)*
- *Additional housing in an already limited housing market*

*To suggest denial of an Adjustment Review with a heavy handed emphasis on tree preservation seems to be at cross purposes with the long stated goals of the City of Eugene with respect to infill, density and preservation of the existing UGB. Especially when reducing the structure did not preserve any more trees, the trees on the site are of such poor and fair quality and many of the tree species are of low value in an urban environment. (i.e Cottonwood, wild cherry)*

*A site visit would have assisted city staff with respect to evaluating the existing trees and the assumed priority of preserving trees at any cost over housing.*

*The building that is 109'-2" in length has not been reduced in length and the Adjustment Review has been submitted with revision. For all practical purposes that building, when viewed from the street, since it resides at an angle is technically 87 feet in length. An Adjustment Review is being submitted none the less. The shortening of this building also would not preserve any additional trees.*

*Shortening what is now Building C from 104' to 100' did not save trees but did increase the buffer between the one single family house it is closest to. Instead of being 79 feet away from the nearest home it is now 83 feet away. A large distance by any standard in an urban environment.*

*Shortening what is now Building A did not create any larger buffer as the building is interior to the site and a great distance from edges of the property in the direction of the length of the building.*

*Building B is 8'-5" away from the nearest property line and only at one point. It is placed on the site at an angle and it grows in distance away from the one neighbor. Soon it is 33 feet away from the west property line. This is a significant buffer by any standards, with preserved trees and trees to be added. The one single family home closest to this building will have a significant separation from this building.*

*A site visit would have quickly revealed that there is a large distance between all buildings and the surrounding few single family homes, both as a result of the thoughtful site design, conversations with those neighbors, existing topography and the location of the neighboring buildings.*

*To assist staff in understanding the context in which this project sits, existing building footprints have been added to the Site Plan as well as distances from those buildings to the development site property boundaries that will all have 6' wood fences. The air photo on the Cover Sheet will also prove informative.*

*The developer and the design team have also reviewed the clustered building relationship to help reinforce the amended narrative.*

**Page 20 – (2) Land Use Element – Residential Policies, (a) maintain the existing low-density residential character of existing Willakenzie neighborhoods, while recognizing the need to provide housing for all income groups in the City (Policy 1); (g) Promote compatibility between low-density residential land uses and medium- to high density residential land uses (Policy 8).**
The narrative needs to address in more detail how the proposal maintains the existing low density character of the surrounding area. What details have been included in the design that help mitigate the increased density on the site, such as increased buffering or setbacks?

*The narrative has been amended to provide additional information as to the density directly adjacent to this property and the density and character in the surrounding area, which does include townhomes, multi family and single family with minimal setbacks and extremely limited pervious areas/open space.*

**Page 21 – (3) The PUD will provide adequate screening from surrounding properties including, but not limited to, anticipated building locations, bulk, and height.**
The narrative indicates that existing mature vegetation on surrounding properties will help screen the development. However, this cannot be relied on to provide screening for your development. Also, the preservation of mature trees on the site will help screen the project. However, staff notes that only six trees are proposed to be retained near buildings D, E, and F, which seems inadequate for screening purposes. The narrative also states that someone offsite to the south will see *"only a one story building as the entire first floor is below the grade of the surrounding properties"*. Staff is concerned with the height of several buildings at 40 feet and is uncertain how these buildings will appear as a one-story. In order to assess this assertion, staff requests graphic representations of the purported views from off site in order to assess the visual impacts of the proposal. The retained trees and proposed landscaping should be included in these representations. Staff is trying to assess the layout and design of the project in relation to the visual impact to the neighboring properties. Graphic simulations the show what neighbors should expect to see will facilitate staff's assessment of the proposal and allow the public to also anticipate what

they can expect to see from their houses. The narrative should discuss retaining as much as possible any perimeter trees, which may mean increasing building setbacks from the property perimeter in order to achieve adequate screening and buffering to surrounding neighbors. Additional landscaping screening may be necessary along the perimeter where visual openings exist in order to improve screening.

*Nowhere in the narrative or on the drawings does it state that any buildings are 40 feet tall. At most a couple of the buildings were 35 feet tall.*
*That distance was measured from down at what was once an elegant circular place to join the units in a common gathering area. The current site plan has revised this area to be more of a parking lot configuration. The finished grade of that area is approximately 408 feet in elevation. If you look to the south property line you will see that the natural grade of the abutting properties is about 414 feet in elevation. That means that the proposed units are 6' lower than the abutting neighbors' homes.*

*That being said, all buildings have been revised to meet the maximum building height allowed in the R-1 zone. No graphic representations or modeling will be necessary.*

*Graphic simulations would be impossible and add unnecessary costs to the project. It would require contacting and gaining permission from all abutting neighbors to access their [properties. Even then the vegetation is so dense on some of the neighbors properties that nothing would be seen or proven with visual simulations since staff does not agree that existing vegetation offsite contributes to screening the proposed project.*

*A site visit would clear this up. The attached air photos clearly show distances from prosed project to existing homes. There are 6' wood fences surrounding the property and where a fence is missing it will be added.*

*It is relevant where neighbor's homes reside on their lots. There are large distances from most of the abutting neighbors' homes to the property line. This, in fact, does create a natural separation from the project. It is to the projects advantage that the existing homes are not a minimum setback of 5'.*
*This fact should not be excluded from the discussion with respect to screening and buffering.*

*Many of the proposed buildings are set at an angle to the property lines so units are in closer (yet the minimum required distance) proximity at only 1 point of the building and the setback grows from there. There is more than adequate screening. A Planting Plan with proposed trees has been submitted to supplement this discussion.*

**Page 22 – (4)(a)(1) For areas not included on the City's acknowledged Goal 5 inventory, the preservation of significant natural features to the greatest degree attainable or feasible.**
As previously discussed, staff is concerned that most of the existing vegetation and trees are proposed to be removed. Staff believes it is feasible for buildings to be relocated and/or a reduction in the number of units in ways that can preserve more trees. It is also possible that additional areas of trees could be preserved with alternative building clustering and changes to the interior vehicular driveway and parking configuration. Also, requesting an adjustment to create longer building lengths is not supportable since it leads to greater impacts on the natural features of the site.

*We have responded to this concern in a number of places in the revised written statement.*

**Page 23 – (4)(b) Tree Preservation. The proposed project shall be designed and sited to preserve significant trees to the greatest degree attainable or feasible…**
As previously discussed, the narrative describes most of the trees on site as not of *"high quality or value"*, however the Tree Preservation Plan identifies 226 trees on the site, of which 109 are listed as good condition (48%), 86 are listed in fair condition (38%) and the remaining 31 trees are listed as poor, dead

or snag (14%). Staff is concerned that a high number of viable trees are proposed for removal with no intent to save the best trees through careful site design. Also, only 12 trees are proposed to remain and it is uncertain if most of those trees will survive since the plan indicates 7 trees will have a critical root zone impact over 30%. Also, requesting an adjustment to create longer building lengths is not supportable since it leads to less trees being preserved and greater impacts on the critical root zones of remaining trees.

Staff has analyzed the submitted tree preservation plans and compared the current proposed layout with the conceptual plan submitted during the Project Consultation meeting (12/8/2015). It is apparent that the initial conceptual plan potentially would have retained well over 20 trees. However, the current plan, with the same number of units and similar layout is only proposing to retain 12 trees. It is also uncertain that most of those trees will survive since the plan indicates 7 trees will have a critical root zone impact over 30%. It is important that the proposal adhere to EC 9.8320(4)(a) Protection of Natural Resources which states *"the preservation of significant natural features to the greatest degree attainable or feasible"* and EC 9.8320(4)(b) Tree Preservation which states, *"The proposed project shall be designed and sited to preserve significant trees to the greatest degree attainable or feasible"*. Staff believes it is feasible for buildings to be relocated in ways that can preserve more trees as previously shown in the first iteration. The applicant should also consider reducing the number of units in order to retain more areas with significant trees on them. It is also possible that additional areas of trees could be preserved with alternative building clustering and changes to the interior vehicular driveway configuration and the elimination of excess parking spaces.

*A site visit by staff, accompanied by someone from Urban Forestry Department, would have helped with the evaluation of the trees and subsequent comments regarding tree preservation. The flavor of the comments appears to be largely based on a count of the number of trees, not whether it makes any sense to preserve the trees because of:*

- *Design intent with respect to quality of open space and livability for the neighborhood*
- *Safety : preservation of trees doesn't mean they will remain in the next wind or ice storm*
- *Opportunity to create a healthier urban canopy*

*The site has been re-designed based on staff comments to preserve more trees. As design professionals we are disappointed in the lost opportunity to have created a welcoming circular open space that connected the homes together and provided a plaza type experience. Instead, the homes now reside on a parking lot; acceptable but not exceptional.*

*There are now 31 trees that are being preserved instead of just 12. There are now 104 proposed trees (not counting the required street trees) to replace tree canopy on site, create buffers between the development site and create a quality living environmental for the future occupants of this project.*

*Shortening the 2 buildings by 4' did not, in fact, preserve any more trees. To assume that this would be true was a disservice to the project. Also, to assume that housing, and circulation for cars, can automatically be designed a random pattern of healthy or unhealthy trees is presumptuous and unfairly weights the decision with respect to this issue towards tree preservation at all costs at the expense of much needed housing.*

**Page 40 – (7) Building Articulation**

The narrative needs to explain how the listed articulation elements achieve the desired effects, and the importance of each element in visually breaking up large uninterrupted walls and masses. Simply listing the elements and then referring to the architectural drawings is inadequate. Staff is seeking clarification and specifics on all proposed architectural articulation elements and a commitment from the applicant to adhere to incorporating such elements into the project, possibly through conditions of approval.

*This narrative has been revised in the written statement.*

**Page 49 – (11) The proposed development shall have minimal off-site impacts, including such impacts as traffic, noise, stormwater runoff and environmental quality.**
The narrative should discuss all potential off-site impacts in addition to those listed. Visual impacts, noise impacts, and increased density impacts are impacts that should be discussed. Also, for example, any potential impacts to the critical root zones of neighboring mature trees on other properties should be evaluated and discussed with protective measures proposed where needed.

*The standard in subsection (11) does not include tree impacts, either on-site or off-site, because the standard relating to trees is set out in subsection (4)(b). Reading (11) and (4) together means that (11) does not relate to trees. With respect to trees, the applicant's obligation is to generate the data required by (4), based on the city's application information sheet, and then to meet the priorities listed in (4)(b). The applicant is doing that based on its arborist report.*

*Second, looking to the tree standard in subsection (4), the focus under that section is silent about trees on adjacent property. Information about off-site trees is not required for an application; the applicant has no way to collect data reliably.*

**Page 49 – (12) The proposed development shall be reasonably compatible and harmonious with adjacent and nearby land uses.**
To simply provide a conclusory statement such as *"Providing residential dwellings in a residential neighborhood makes it necessarily compatible with the surroundings"* is inadequate for this criteria. For example, providing details on specific architectural elements that indicate how such elements will reduce the bulk and apparent height of buildings and how these architectural elements will contribute to the proposal's ability to blend in with the surrounding neighborhood is one way to discuss how the development is compatible and harmonious with nearby land uses. Also the placement of vegetation for screening related to vehicle headlights in parking and maneuvering areas is another way to discuss being compatible and harmonious with nearby land uses.
Staff is concerned with the height of several buildings at 40 feet and how these buildings are compatible with surrounding single-family homes, since it is unlikely any of the surrounding homes are of the same height. The narrative needs to address these building heights and how specific tree varieties were chosen and placed for screening purposes to mitigate the appearance of tall multi-family buildings adjacent to single-family residences.
The narrative needs to address how the proposal for a multi-family development in the middle of single-family homes is harmonious and compatible. What features or measures have been proposed that will limit the impacts associated with higher density, taller buildings, removal of significant vegetation, increased vehicular traffic, additional glare from lighting, and storm drainage?

*None of the buildings proposed are 40 feet tall or were ever proposed as 40 feet tall.*
*All proposed buildings have been reduced to meet the maximum height limitations of property zoned R-1. They are not tall multi-family buildings. They are multi-family buildings that meet the code criterion. No flexibility or exceptions are requested with respect to building height.*

*All other mitigating measures are discussed in the revised written statement and are provided in the answer to #11. The written statement says "See answer to 11 above". The narrative discusses these impacts and how they are mitigated. The qualities that reduce impacts are some of the same qualities that make the project compatible with the neighborhood.*

*The planting requirements for parking lots is the code criterion that does make these parking areas compatible with off-site properties with respect to screening. This code criterion has been met. Additionally the neighbor to the south of Parking Court B has a 6' wood fence creating screening and separation in addition to the L-3 planting that will be provided for that parking court.*

*Parking Court A is 6' below the grade of the abutting neighbors and has preserved trees providing additional screening. The neighbors south of that parking court lives over 100 feet away from the property line and the property line has a 6' wood fence on it.*

*The multi-family development is not in the middle of single family development. There are single family homes adjacent to the property but within close proximity to this development are multi family developments and multiple duplex units.*

*All but one of these structures is larger than the large single family homes immediately to the east in the fairly new development off Hammock Street. By extension, the bulk, height and scale of these structures is completely compatible with existing structures.*

*These features and measures have been taken to mitigate the minimal impacts of this development that may be created by the following.*

- *Higher density*
  - *Buildings are no larger or taller than some of the neighbors' homes and they incorporate multiple units in each building*
  - *Parking is located within the development's core and cars do not dominate the street as is typical in these types of neighborhoods*
  - *Garages and small parking areas have been provided at almost twice the requirements to limit parking on the street and spill-over into other neighborhoods*
  - *Buildings have been designed to appear as though they are single family attached, have more windows and articulation and material variety than neighboring properties.*
  - *Open space is abundant and available to all*
  - *Pedestrian connections have been made throughout the development and connecting to all public rights of way.*
  - *The structures are oriented to the street and provide a pedestrian friendly environment for people accessing this neighborhood.*
  - *And improved and dead end street mitigates the effects of having provided a through street*
  - *Multiple family design limits the peak trip count to only 3 more than if this were designed as a single family neighborhood.*
  - *High quality materials and design, coupled with market rents and property management will attract quality tenants.*

- *Removal of significant vegetation*
  *The word "significant" in this context is a misnomer. While it is defined as any tree with an 8" DBH or more, the definition does not take into account the health and value of the existing trees. Many of the trees are in poor or fair condition, being shaded by some of the larger conifers that have outpaced the deciduous trees, are not maintained or cared for.*
  *Removal of some of the significant vegetation that would prove to be a safety issue if not removed and would not contribute to the quality of this residential neighborhood provides the opportunity to plant new, healthy and context appropriate trees that will be maintained and thrive under these conditions.*
  *To suggest that more of this vegetation needs to be preserved is to misunderstand the context, the quality, and the nature of this remnant lot. This is not a forest. It is a left over, neglected piece of property with random vegetation, much of it self-propagated and not of any particular quality in the heart of a fully developed residential neighborhood.*

  *There were existing trees on all of the surrounding properties at one time. And these were removed in order to install homes, roads, driveways, etc. One look at an air photo of this neighborhood reveals that the neighborhood vegetation has grown back.*

- *Additional glare from lighting*
  *No more additional glare is generated from these units than if this were a traditional lot by lot subdivision. As a matter of fact there will be less with the preservation of existing trees, the addition of more trees, the fact that many of the faces of the buildings are located so they face each other rather than outward to other properties, the fact that some of the units are 6 feet below the surrounding grade of abutting properties so the elevation change screens the lighting*
  *The building footprints total 22,500 sf and mostly 2 story.*
  *The neighboring houses are have 4000 sf footprints. It would only take 5 of those homes to equal the light cast by all 23 of these units. If we were to do a single family development with 10 units (average 5 per acre on this 2 acre development), and the homes averaged 2500 sf footprint and were 2 story, then the light emitted would be almost equal.*
  *This project is not going to provide additional glare than would otherwise be anticipated by a residential development.*

- *Storm drainage*
  *The handling of the storm drainage is regulated by the land use code and will meet that code. In that context there are no issues here. All stroma water is carried to vegetated swales where the stormwater quality is treated. Then the stormwater is carried to the city stormwater system. There are no additional impacts created by this development with respect to stormwater.*

  *The land use code provides for compatibility when a development meets the criterion. That is why it has been written in to the code.*

*Finally, see architectural elevations. Especially the 3-D elevation on the cover sheet which clearly shows articulation, bulk, height, scale, windows, railings, suggestions of materials, balconies, character, garage doors, etc.*

**Attachment B**

**Land Use Completeness Review Comments**
**Piper Lane**
**PDT 16-2, ARA 16-1**
**3/9/16**
**Mike McKerrow**

I have reviewed the most recent plans for this potential project for completeness review.

The following items do not meet the code but an adjustment review has been submitted for the City's review.

1. **Building Mass** – Buildings A, B and H are longer than the maximum 100' wall length allowed per EC 9.5500(6)(a). The land use staff does not support this Adjustment Review as communicated to the applicant at the project consultation meeting.
   *Buildings A and H (now G) have been changed to be 100 feet long maximum. Building B is 108' – 10" and technically, when viewed from the street is only 86 feet long.*
   *The applicant will resubmit a revised Adjustment Review. There is no logical reason why one of these building, set at an angle from the street, can't be approved through an Adjustment Review. There has been no other flexibility requested. As a matter of fact, no flexibility seems approvable when one reads the Completeness Review and staff comments and yet this is a PUD, the whole purpose of which is to provide some flexibility so that rigid standards don't prevent creativity.*

2. **On-Site Pedestrian Circulation –** The applicant has applied to adjust these standards. Land Use staff supports this adjustment.
   *Ok.*

The following items do not meet the development standard and additional information is needed.

3. **Building Height –** Some structures are over the maximum height requirement of 30'. However if the difference in height from the highest point of the building perimeter (measured 5' from the wall) from the lowest point is 10' or more, then the height can be up to 40' measured from the low point. Several buildings show only a 9' grade difference to get this bonus 10' to compensate for slope. It is likely that finished grade could be at least 10' difference to resolve this issue.
   *Building heights have all been changed to be 30' maximum and/or meet the requirement for an exception due to 10 foot grade change. See attached elevations.*

4. **Building Articulation –** The following facades do not meet the articulation standards based on the site and elevation plans. Building A: East and West, Building B: West, Building G: West and Building H: North and South. Windows are used in all of these facades but the different siding, textures and colors are not considered similar elements to those listed at EC 9.5500(7). This standard can be adjusted but land use staff does not support the general idea of an adjustment at this time.
   *All buildings have been changed to meet the articulation requirements. See attached building elevations and plans and revised text in the written statement.*

5. **Bike Parking –** The applicant states that Building G has garages where bikes can be stored on the ground floor. However, neither the site plan nor the elevation plan shows garages. It appears that an additional two long term bike spaces need to be added to the existing four spaces located south of the building to comply with the long term bike parking space standards at EC 9.6105(3)(a).

*See attached floor plans. Garage doors have been labeled on the elevations. Bike parking has been added for the units that do not have garages. 6 long term bike parking spaces (lockers) have been provided for the 6 units in Building A and 6 long term bike parking spaces (lockers) have been shown for the 6 units in Building G.*

6. **Recycling and Garbage Areas –** Roll cans are specified for all the units with a garage. It is unclear how this use will be provided at Building G where there does not appear to be garages. *A trach enclose has been shown on the plans.*

**Kyle W. King,** *Certified Arborist*
Kyle King Tree Service, Inc.
P.O. Box 5607
Eugene, Oregon 97405
541 345-4597 CCB #164843

May 26, 2016

John Schmidt
Schirmer Satre Group
375 West 4th Avenue, Suite 201
Eugene, OR 97405

Re: Piper Lane P.U.D., Eugene, Oregon

Dear John:

Thanks for asking me to help with the tree issues at Piper Lane.

I recently assessed the health and condition of all the trees on this property. The results are listed on the Tree Preservation Row, L3.1. In my opinion most of the trees are in poor condition or not suitable to be included in a residential setting.

Many of the tall, healthy firs are along the northern boundary in the path of the city's planned road and will be removed. I recommend a cluster of five healthy cottonwood trees be removed because of their reputation for healthy limbs breaking and doing damage. Frankly, I believe they don't belong close to residences.

There are several groups of trees along the southern boundary anchored by a number of healthy, large oaks that are worth saving. They have a reasonable chance of survival because of their good condition and because they are clustered together. There are two cottonwood trees included in these groups that should be removed to reduce future risk. Another group of trees with some maples, cherry trees and fir are at the far southeast corner. The maples and some cherry trees are healthy and the firs are in fair condition. It looks like their roots will be impacted, but when left as a group they have a reasonable chance of surviving.

The above mentioned trees are located within vegetated corridors and stands rather than as individual isolated trees. These trees also provide a screening function located along the southern boundary.

There are no building lots at Piper Lane PUD, but rather one big lot, and the trees along the southern boundary are on the perimeter of the lot. There are no ridge lines or view corridors, and no public parks and open space to contend with. Water features and heritage trees don't exist at this site. The large oaks and other trees along the southern boundary provide significant habitat value.

This site presents a difficult challenge because so many trees are in poor health and condition. In my opinion, the proposed development seems to preserve significant trees to the greatest degree feasible.

Call me if you need anything else.

Yours truly,

Kyle W. King
*Certified Arborist*

## GIOELLO Nick R

**From:** PHYLLIS LEWIS <jllandpdl@msn.com>
**Sent:** Tuesday, July 12, 2016 9:54 AM
**To:** GIOELLO Nick R
**Subject:** Piper Lane

Attn:
Nick Gioello

I am writing as a concerned citizen when I learned about the plan for a possible extention of Piper Ln. The entry off Cal Young to Hammock is very narrow & an accident waiting to happen. Plus Hammock is narrow & only parking on one side. Why would you even need a fire lane on an extended Piper Ln. when you have 2 good streets - Fir Acres & Bond Ln. to get into the new development ?
We hope you will keep the street as it is & will save some beautiful trees.
Thank you,
Phyllis Lewis
1443 Piper Ln.
Eugene, OR. 97401

**GIOELLO Nick R**

**From:** Ken Bliss <kenobliss@gmail.com>
**Sent:** Tuesday, July 12, 2016 9:22 AM
**To:** GIOELLO Nick R
**Subject:** Piper Lane PUD PDT 16-2?ARA 16-1

Mr. Gioelli,

Many concerns have already been raised about how the proposed development on the western section of Piper Lane would affect the nature of the neighborhood. Even though we live on the eastern end of the eastern portion of Piper Lane and would not likely see the development, if the two sections of Piper were eventually joined, the trees in front of the Ness residence would be removed, thus exposing the new development.

However, an overriding concern should be safety. As you must know, Hammock Lane on the north side of Cal Young Road is very narrow, including the entrance. Every time we are approaching the entrance, we hope there is no one behind us. Because of the narrow entry, the exit from Cal Young must be made slowly. We also know many drivers tend to tailgate even when a person has the directional lights on and is pumping the brakes. Recently I was ready to exit Cal Young with a car very close behind me, but as I was starting to turn onto Hammock, a large flatbed wrecker was waiting to exit Hammock. I had three choices. One was to risk being hit from behind, another was to continue going west rather than turning, and the third was to drive over the curb and sidewalk. I chose the latter, only to face two garbage cans in front of the first house on the east side. At present 22 households use Hammock as an egress/ingress, and eight of those residences house one car only. If Piper were to be connected, development or not, the potential danger would be exacerbated with considerably more vehicles using Hammock every day. Even though the west side of Hammock is posted as "no parking," people have on occasion violated that prohibition, again increasing the congestion.

It is our sincere hope all concerns will be duly considered before a final decision is reached. It seems rather prejudicial that the desires of a very small number of people to have financial gain should take precedence over the quality of life and the safety of existing residents.

Thank you, Ken and Norma Bliss
1466 Piper Lane, Eugene, OR 97401

## GIOELLO Nick R

**From:** russellfamily01@comcast.net
**Sent:** Monday, July 11, 2016 4:41 PM
**To:** GIOELLO Nick R
**Subject:** Piper Lane PUD

Attn: Planning Division, City of Eugene

We wish to address some concerns that we have about the Piper Lane PUD that is proposed for our neighborhood:

We are very concerned about the traffic that will be generated by this proposed apartment complex. We are opposed for Hammock being used for any more vehicle access, either emergency or private vehicles. It is currently a very narrow entry from Cal Young and residents are parking on one side, making necessary for cars to stop to allow access for another vehicle. When leaving or entering Hammock from Cal Young, cars frequently must stop and yield due to the narrow opening. This street is currently carrying all the traffic that should be allowed. Emergency vehicles do not belong on this very narrow street.

We request that no access be allowed on any of the currently unimproved part of Hammock, either foot traffic or bicycle that will cause further congestion. One access to the PUD is all that is necessary.

We will not be in town to attend the public hearing and request that our concerns be addressed

Maureen and Scott Russell
1434 Piper Lane
Eugene, OR 97401

## GIOELLO Nick R

**From:** Rich Truett - EXEC <Rich.Truett@bimart.com>
**Sent:** Monday, July 11, 2016 11:07 AM
**To:** GIOELLO Nick R
**Subject:** RE: Piper Lane PUD (sdt16-2/ARA 16-1

Nick,

Thanks for your reply, it helps a lot. Presently there is street parking on one side of Hammock and it's really congested as Hammock is very narrow. Pedestrian and bike traffic shouldn't be an issue, but car traffic would be a real problem. Thanks for getting back to me.

Take Care,

Rich

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**From:** GIOELLO Nick R [mailto:Nick.R.Gioello@ci.eugene.or.us]
**Sent:** Monday, July 11, 2016 10:40 AM
**To:** Rich Truett - EXEC
**Subject:** RE: Piper Lane PUD (sdt16-2/ARA 16-1

Rich,

Sorry it took this long to reply. I was going through the public comments and realized I had not responded to you. Yes the connection to Hammock is emergency only access for vehicles with some type of bollard or gate to secure the access. Public Works is requiring that pedestrian and bicycle access to Hammock be provided.

If you have any other questions, please contact me,
Nick

Nicholas R. Gioello, M. Adm.
Associate Planner | Planning Division
City of Eugene
Planning & Development
99 West 10th Avenue
Eugene Oregon 97401

p 541.682.5453
f 541.682.5572
nick.r.gioello@ci.eugene.or.us

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**From:** Rich Truett - EXEC [mailto:Rich.Truett@bimart.com]
**Sent:** Thursday, June 30, 2016 9:17 AM
**To:** GIOELLO Nick R <Nick.R.Gioello@ci.eugene.or.us>
**Subject:** Piper Lane PUD (sdt16-2/ARA 16-1

Good Morning Nick

I recently received a hearing notice for a proposed development on Piper Lane (PUD 16-2/ARA 16-1). On the site plan I received it appears that emergency access to the development is going to be provided via Hammock Street. It looks like it's labeled "emergency access only". My question is will there be a means of ensuring that it's only used by fire/life/safety? On the copy of the site plan I received the detail is too small for me to read.

Because Hammock would be the quickest way to access the property for individuals coming from Coburg Rd. via Cal Young it's my belief that signage restricting access will not be sufficient. Can you send me some information detailing how access will be restricted?

Sincerely,

Rich Truett

## GIOELLO Nick R

**From:** Mary & Jeff Miller <jeffandmary1969@comcast.net>
**Sent:** Monday, July 11, 2016 9:17 AM
**To:** GIOELLO Nick R
**Subject:** Proposed Piper Lane Apartments

Dear Nick,

Last week we did mail you comments about the Piper Lane PUD. At that point, we were addressing access for a Fire Lane and the potential of opening up our side of Piper Lane for the PUD. We have been made aware that the developer also intends for there to be bike and foot traffic from the PUD to Hammock Street along the proposed fire lane. Even though auto traffic at this point would not have direct access to the PUD, this access would encourage auto traffic to be able to park along Hammock and our section of Piper and walk to the apartments which have limited parking on site. Please know that we already have difficulties in our area with parking and this would only add to our problem. We ask that you do not allow any access at all from the south and require the developer to build a fence stopping access and therefore elimination of additional traffic.

Sincerely,

Mary and Jeff Miller
1453 Piper Lane
Eugene, OR 97401

Hearings Official
c/o Nick Gioello, Associate Planner
Eugene Planning Division
99 West 10th Avenue
Eugene, OR 97401



Re: Piper Lane Proposed Apartments

July 7, 2016

Dear Nick,

We are aware of the Piper Lane proposed apartments. We are writing with concern about connecting the two sections of Piper Lane and strongly disagree that this should happen. We live in the new section of Piper Lane. We access Cal Young by way of a short section of Hammock. The design of the street has a very narrow opening with Cal Young which often creates congestion with cars entering and leaving the area. It is already a difficult situation with the 21 family units that use the opening daily. Adding 23 more units from the proposed development would double the problem that already exists. There appears to be sufficient access from the NW for the proposed apartments.

Putting in a fire lane and extending Piper from the property's NE corner to the SE corner are both things that will encourage this connection to eventually happen, even if not immediately. Further, we feel we must protect established trees. If Public Works puts the utilities through from our side, it will damage trees of historical significance which we all value.

Thank you for your consideration.

Sincerely,

Mary and Jeff Miller

Mary and Jeff Miller
1453 Piper Lane
Eugene, OR 97401

**GIOELLO Nick R**

**From:** David Sparks <bothsparks@gmail.com>
**Sent:** Sunday, July 10, 2016 5:19 PM
**To:** GIOELLO Nick R
**Subject:** Fwd:
**Attachments:** IMG_0745.JPG; IMG_0744.JPG; IMG_0742.JPG

Mr. Gioello:

Please add our comments to your file regarding Piper Lane PUD (PDT 16-2/ARA 16-1).

We live on the southern, existing stretch of Piper Lane. The only route to and from our home and approximately 15 others in our neighborhood is off Cal Young, North on Hammock and then most go East on Piper Lane. We are deeply concerned about the proposed PUD adding any traffic, be it truck, auto, bicycle or foot, to a difficult stretch on Hammock. While I assume you already have sufficient data on this project, I've attached three photos for your reference. Our major concern is driven by Hammock being too narrow.

Having Hammock so narrow occasionally causes a serious hazard at the intersection of Cal Young and Hammock when a car entering our development meets a car waiting to exit onto Cal Young. Often one vehicle will be required to come to a complete stop on busy Cal Young to allow the other vehicle to exit Hammock. Causing the heavy traffic generally traveling 40 mph on Cal Young to come to an abrupt halt has resulted in several near misses and a lot of horns honking. It is nearly impossible to navigate that intersection when one of the vehicles is a truck or a pickup pulling a trailer. More traffic on Hammock caused by the proposed development will increase this hazard.

At least two or three vehicles are parked along the East side of Hammock at all times and occasionally, many more. Just one car parked on Hammock creates a single lane for traffic. Two cars cannot pass. Garbage trucks find it difficult to traverse the curved part of Hammock alone if any cars are parked on Hammock. The occasional landscaping truck parked on Hammock makes the street nearly impassible. Several parked cars on Hammock can cause a single lane tunnel effect that is made more difficult by having vehicles on our stretch of Piper beginning to turn left and South onto Hammock only to meet another vehicle coming North. Everything comes to a halt until the decision is made regarding which vehicle must back up. More traffic on Hammock will increase this hazard and inconvenience.

While the development drawings indicate there will only be emergency vehicles allowed on our stretch of Hammock, the drawings suggest and occasional comments from engineers and utility contractors indicate making that stretch open for full public access to and from the new development is seen as inevitable. Why? Do our fire and police departments require that? Is there an option of ending the new development's street with a turn-around on the Northeast corner of the new development?

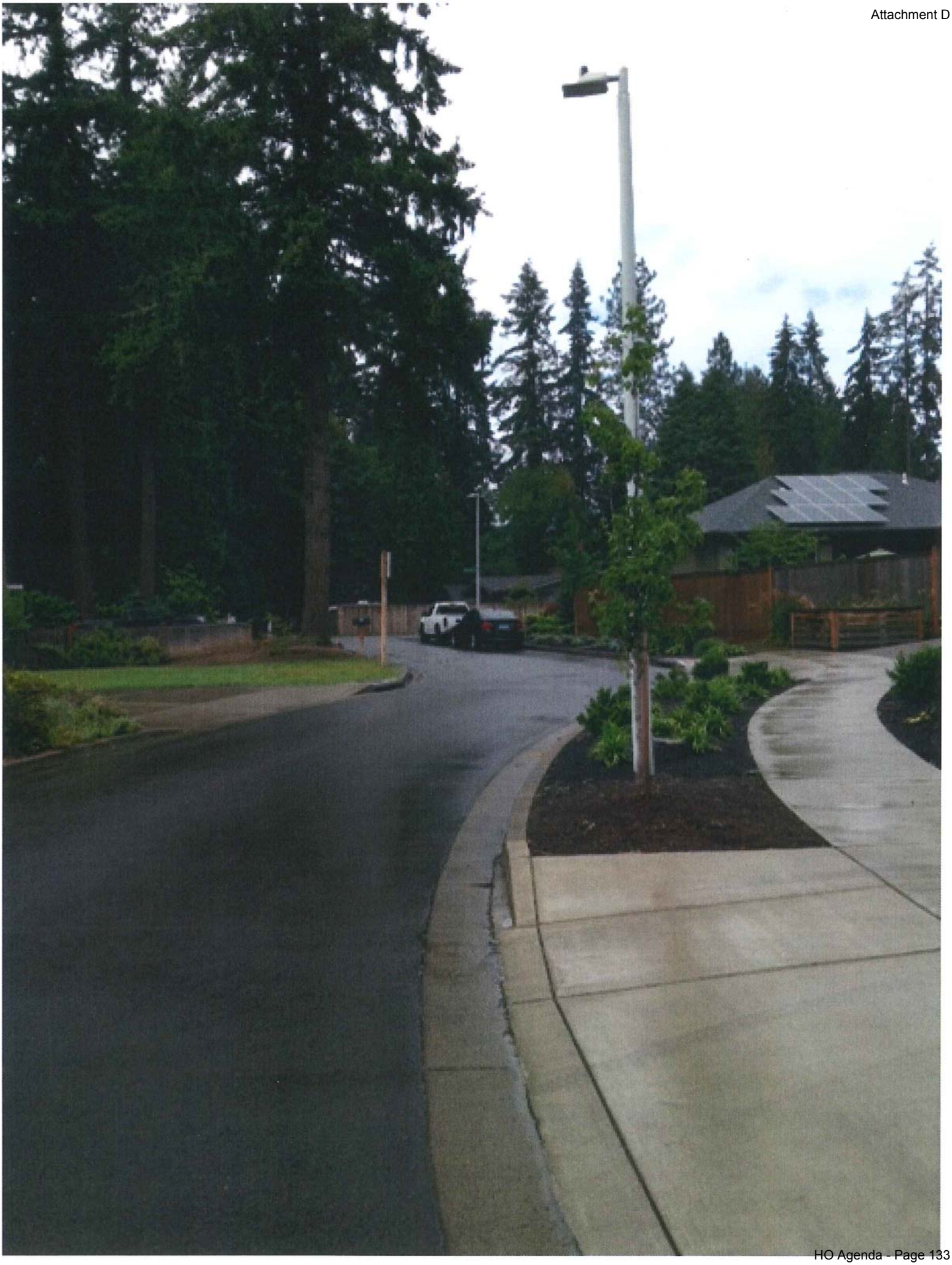
The new development's maps indicate paring will be tight for their occupants. Households in the proposed development that have more than one car will be tempted to park their second car on our streets and walk to / from their homes if bike and pedestrian paths lead to our development. Again, that will cause more traffic along the choke point on Hammock and more cars will be parked in our already crowded streets. We're hoping such bike and pedestrian paths wont exist. They aren't needed and a fence separating our developments would be desirable.

We recognize the need for infill in Eugene. Our current development is an example. While we wish our new neighbors would be homeowners and not tenants, we recognize the need for additional housing of all levels in our city. But we appeal to you and our city officials to not exacerbate the traffic woes in our neighborhood by adding additional traffic without there being a justifiable need to do so.

Thank you for the opportunity to be a part of the public record on this hearing.

Dave & Annette Sparks
1431 Piper Lane

Sent from my iPhone




STOP

**GIOELLO Nick R**

**From:** Jennifer Di Francesco <jendifran@gmail.com>
**Sent:** Sunday, July 10, 2016 11:29 AM
**To:** GIOELLO Nick R
**Subject:** Piper Lane PUD (PDT 16-2/ARA 16-1)

Hello Nick,

I am writing about the proposed 23 lot development by Leland Hughes. Tax lot 17-03-19-13/02402. I live in the current cul de sac at the end of Piper Lane. I have several concerns about this planned development.

My first concern is that the planned development appears to be for 7 large buildings and multiple apartments that will be between our single family homes at the end of Piper Lane and and adjacent to the other single family homes neighborhood with Piper Lane addresses that exist currently off of Cal Young near this currently empty lot.

If the land is to be developed it makes much more sense to keep with the current developments and create fewer single family homes instead of a large apartment complex. We would like to keep our quiet essentially traffic free neighborhood intact.

My second concern is that I assume the trees at the end of the cul de sac will be removed to make room for a large apartment complex. Those trees currently serve as a natural screen that we can see from our back yard and add to the beauty of the neighborhood. If there were to be buildings in that area I would request that the trees be maintained. I do not want to see tall apartment buildings from my backyard.

My third concern is regarding noise and traffic. As mentioned above we now live on a cul de sac that is very quiet. I am not happy that the complex will be apartments as that means that 23-over 50 more cars could be driving down my street drastically increasing the traffic noise. Again, single family homes makes much more sense for our neighborhood and would be much quieter. My bedroom is on the street and I dread having car traffic going by my window while trying to sleep. Also if development should go in I would request speed bumps so people can not drive quickly though the neighborhood.

My fourth concern is that having an apartment complex at the end of my street will drastically lower the value of my home should I choose to sell at some point.

In summary I believe that this proposal is inappropriate for our Piper Lane neighborhood. Apartments or town homes will be out of character for our cul de sac neighborhood, would increase general noise and traffic and ruin the beauty of the trees that we currently see from our streets and front and back yards.

I would request that the area be either maintained as a natural area or if development must happen that they be single family homes maintaining the trees on the boundary.

Thank you for your consideration of this important matter and your time.

Sincerely Jennifer Di Francesco and Alan Ott owners of 1312 Piper Lane, Eugene OR. 97401

**GIOELLO Nick R**

**From:** JEFF <jwilson2000@comcast.net>
**Sent:** Friday, July 08, 2016 1:30 PM
**To:** GIOELLO Nick R
**Cc:** Wilson, Debra
**Subject:** Piper Lane PUD

Dear Mr. Gioello,

My wife Debra and I live at 1452 Piper Lane. While we aren't particularly excited about the prospect of this new construction in our neighborhood, we can accept it as an appropriate and practical use of the property. What we do not accept is making existing infrastructure accommodate usage it was not intended or designed for. In particular, we do not think Hammock Street in its current form is capable of providing access to the property and we think that, accordingly to city code, it legally cannot. The street can barely accommodate two-way traffic for the limited number of homes it currently serves, especially at the access point to Cal Young. Opening it to not only the new development but everyone on old Piper Lane and beyond who believes it will provide faster access to Cal Young will make it impractical and unsafe. If the city intended for this street to service old Piper Lane, it should have required a bigger street to be constructed in the first place. If the city intends this now, it should require the property owner who will benefit pay for the necessary improvements.

We are also concerned that the city will not require the property owner to provide adequate parking on-site and that our streets will make up for the shortage.

We will be following the process closely and plan to hire an attorney to represent our interests in the matter.

Sincerely,

Jeff and Debra Wilson
1452 Piper Lane

**GIOELLO Nick R**

**From:** JEFF <jwilson2000@comcast.net>
**Sent:** Friday, July 08, 2016 1:30 PM
**To:** GIOELLO Nick R
**Cc:** Wilson, Debra
**Subject:** Piper Lane PUD

Dear Mr. Gioello,

My wife Debra and I live at 1452 Piper Lane. While we aren't particularly excited about the prospect of this new construction in our neighborhood, we can accept it as an appropriate and practical use of the property. What we do not accept is making existing infrastructure accommodate usage it was not intended or designed for. In particular, we do not think Hammock Street in its current form is capable of providing access to the property and we think that, accordingly to city code, it legally cannot. The street can barely accommodate two-way traffic for the limited number of homes it currently serves, especially at the access point to Cal Young. Opening it to not only the new development but everyone on old Piper Lane and beyond who believes it will provide faster access to Cal Young will make it impractical and unsafe. If the city intended for this street to service old Piper Lane, it should have required a bigger street to be constructed in the first place. If the city intends this now, it should require the property owner who will benefit pay for the necessary improvements.

We are also concerned that the city will not require the property owner to provide adequate parking on-site and that our streets will make up for the shortage.

We will be following the process closely and plan to hire an attorney to represent our interests in the matter.

Sincerely,

Jeff and Debra Wilson
1452 Piper Lane

## GIOELLO Nick R

**From:** Laura Winner <laurawinner2468@gmail.com>
**Sent:** Monday, June 27, 2016 7:00 PM
**To:** GIOELLO Nick R
**Subject:** PUD at Piper & Hammock

Nick,

We received notice of this development. Can you tell me if These are condos or apartments & is it a 2 story development ?

Thank you,
Laura Winner
1388 Bond Lane

Sent from my iPhone

Friday, July 8, 2016

Nick Gioello, Associate Planner
City of Eugene Planning Division
99 W. 10th Avenue
Eugene, OR 97401

Dear Nick,

Thank you for speaking with me regarding the proposed Piper Lane PUD PDT 16-2/ARA 16-1. We appreciate the attention you are paying to this application and how it may affect those of us in the neighborhood.

After careful review of the 137 page application, several items have come to our attention that we feel need to be addressed. These issues have to do with both the viability of the neighborhood and livability and value of our personal residence.

First of all, we see that a fire lane is proposed to run from the newest section of Piper Lane to the PUD. After speaking with members of the Eugene City Council, specifically Chris Prior and Mike Clark, we have concerns that this fire lane may not be necessary. Councilor Prior pointed out that there are other larger PUDs in within the City that only have one point of access and this has not proven to be a problem. We also understand that the fire department questioned the need for this fire lane and we anticipate their true conclusions regarding this. We request that, instead of this fire lane, the site adjust the plan to provide a turnaround at the NE corner of the PUD site and not continue the road along the eastern border of the property. This adjustment would also provide the additional benefit of saving a number of healthy mature trees currently targeted for removal to accommodate this fire lane.

Another reason for our concern regarding this fire lane is that it will, in all likelihood, damage a beautiful mature cedar tree currently living along the western edge of this fire lane. This also brings up the potential extension of City services along this route as any digging/trenching in this area will severely damage the root system of this tree and others, causing its eventual death. This cedar is over 100 years old and is being proposed as a heritage tree (research is currently being done to establish any historical relevance.) One of the best known features of our neighborhood is our beautiful statuesque trees. Just last month a magnificent fir whose root system was severely damaged by the Hammock/Piper expansion 8 years ago had to be removed as it was dying and threatening nearby homes. We cannot allow the continued destruction of our ecosystem simply for the sake of expansion, especially when that destruction isn't absolutely required and there are other alternatives.

Obviously we are concerned about the establishment of this urban-looking PUD as it will alter the character of our neighborhood, one of single family homes of traditional style. Our farmhouse home has been on this site since 1930 and was originally part of the 2.5 acres this PUD was subdivided from. We are concerned that the construction of rental

apartments of 2 and 3 stories will compromise our privacy and reduce the value of our property. While we appreciate that the buildings will not be placed as close to our northern property line as we were originally told in the fall of last year, it is apparent from the submitted plans that one of the changes is to put the PUD garbage bins along our property line. This will be directly across the fence from our patio area where we spend our summers entertaining and enjoying the outdoors. We are concerned that this change is a result of our objection to this PUD and is retaliatory in nature. We request that the garbage area be moved away from our property line.

We also request that the buildings along our western property line be moved farther away, especially considering these may be 3 story buildings. We have an apartment over our garage that looks out towards the west, and the SE building in particular will be looking directly into this apartment. Therefore we also request that this SE building be adjusted to face farther to the south so it doesn't compromise the privacy of our apartment.

We note in the application that accommodation has been made to attempt to save some trees on the property. We highly value mature trees as you've noticed earlier in this letter. However, some of the trees they are attempting to save are not viable. Along our western property line there are at least 2 maples that are listed as in fair condition that are leaning heavily towards our property. At some point these trees will fall over, damaging our property. The same is true for at least one maple along our northern property line. Several times we have had branches fall and create damage, and have had to remove branches hanging over onto our property to prevent further damage. The developer doesn't appear to have sufficiently evaluated the trees and their long term effects. Therefore we request that they remove these trees that will cause us damage and replace them with specimens that will add to the character, privacy and ecosystem of our neighborhood and specifically our livability.

Of great concern to our entire neighborhood is the extension of the new section of Piper Lane to connect with the northern section of Piper Lane. If you've traveled down Cal Young Road and attempted to turn onto Hammock Street you will have noticed the size of Hammock is not very accommodative to 2 cars traveling at the same time. There is barely enough room, and we all have had to stop on Cal Young to allow a driver exiting Hammock to do so before we enter Hammock. Adding more traffic to this street, whether for utilities, bikes or foot traffic, will continue to add to this problem. We understand that this developer is not currently proposing the connection except as a fire lane, but noticed in several places in the application that they mention the eventual extension. We request that the City abandon this concept and accept that the extension of the northern section of Piper Lane into the PUD will be sufficient, both now and in the future. We will also entertain the possibility of purchasing this strip of land from the City and reincorporating it onto our tax lot.

Along these same lines we understand the developer intends for there to be bike and foot traffic from the PUD to Hammock Street along the proposed fire lane. Obviously, regardless of their statement that it won't, this access will encourage auto traffic to

approach the proposed apartments from this side as they will be able to park along both Hammock and the new section of Piper Lane and walk to the apartments which will have limited parking on site. Again we ask you to keep in mind that any increase in traffic to this side of Piper and to Hammock will add to the difficulties homeowners already experience, and we ask you to not allow any access at all from the south and to require the developer to build a fence stopping access and therefore eliminating additional traffic.

Approximately 20 years ago our home underwent a substantial remodel and upgrade. It is a beautiful home, and our gardens have been recognized as some of the finest in the community. We have put numerous hours and great expense into making our home a sanctuary, and have been honored to host several events in our home and garden to benefit the neighborhood and the community. In fact, our garden was just featured on the Eugene Symphony Guild "Music in the Garden" tour, and we were told repeatedly that ours was the best on the tour. It was stated in the application that the homes surrounding this proposed PUD are of inferior quality. While we can't speak for the other homes mentioned, we know that our home doesn't fit this description. Any attempt by the developer to minimize the value of our home and property should be completely discounted. We love our home and neighborhood, and plan to live there for many years to come. The application refers on page 50 to our future plan to develop our property, possibly to subdivide, but we assure you we have absolutely no plans to do that at any time, either now or in the future. We consider our home unique and special, and feel it is our duty to preserve it for the benefit of future generations and our neighborhood.

Last, the application states that fences currently in place will remain and new fences will be built where none currently exist. The fence along our northern and western property line are aged and in need of replacement. While we do not expect the developer to pay the entire cost of building a new fence, we do ask that a new fence be built along our common property lines and that we equally share the expense. We also request that the City allow it to be taller than code currently allows preserving the privacy of our outdoor living space.

We look forward to the public hearing currently scheduled for Wednesday July 27th and to have the opportunity to have our concerns and those of our neighbors heard. Thank you so much for your attention to these matters, and for your work in service to our community.

Sincerely,

Elizabeth and Scott Ness
1420 Piper Lane
Eugene, OR 97401

## JANISCH Amy C

**From:** GIOELLO Nick R
**Sent:** Friday, July 08, 2016 2:07 PM
**To:** JANISCH Amy C
**Subject:** FW: Piper Lane PUD

Amy, please add this to the public record for PDT 16-2 Piper Lane.

Nick

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**From:** JEFF [mailto:jwilson2000@comcast.net]
**Sent:** Friday, July 08, 2016 1:30 PM
**To:** GIOELLO Nick R <Nick.R.Gioello@ci.eugene.or.us>
**Cc:** Wilson, Debra <dwils2004@aol.com>
**Subject:** Piper Lane PUD

Dear Mr. Gioello,

My wife Debra and I live at 1452 Piper Lane. While we aren't particularly excited about the prospect of this new construction in our neighborhood, we can accept it as an appropriate and practical use of the property. What we do not accept is making existing infrastructure accommodate usage it was not intended or designed for. In particular, we do not think Hammock Street in its current form is capable of providing access to the property and we think that, accordingly to city code, it legally cannot. The street can barely accommodate two-way traffic for the limited number of homes it currently serves, especially at the access point to Cal Young. Opening it to not only the new development but everyone on old Piper Lane and beyond who believes it will provide faster access to Cal Young will make it impractical and unsafe. If the city intended for this street to service old Piper Lane, it should have required a bigger street to be constructed in the first place. If the city intends this now, it should require the property owner who will benefit pay for the necessary improvements.

We are also concerned that the city will not require the property owner to provide adequate parking on-site and that our streets will make up for the shortage.

We will be following the process closely and plan to hire an attorney to represent our interests in the matter.

Sincerely,

Jeff and Debra Wilson
1452 Piper Lane