

NOTICE OF DECISION

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



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

DECISION OF THE PLANNING ADMINISTRATOR

CLASS 2 SITE PLAN REVIEW

APPLICATION NO.: 24-110837-PLN

NOTICE OF DECISION DATE: May 29, 2024

REQUEST: A Class 2 Site Plan Review for development of a new concrete landing and retaining walls within an existing development on a property 25.74 acres in size, zoned PE (Public and Private Educational Services) and located at 250 Winter Street SE – 97301 (Marion County Assessors Map and Tax Lot Number 073W26BC04500).

APPLICANT: Matthew Johnson, Lift Architecture

LOCATION: 250 Winter Street SE

FINDINGS: The findings are in the attached Decision dated May 29, 2024.

DECISION: The **Planning Administrator APPROVED** the application based upon the submitted materials and the findings as presented in the decision.

The rights granted by the attached decision, which are effective as of the date of this decision, must be exercised by May 29, 2028, or this approval shall be null and void.

Case Manager: Jacob Brown, Planner I, JRBrown@cityofsalem.net, 503-540-2347

This decision is final; there is no local appeal process. Any person with standing may appeal this decision by filing a "Notice of Intent to Appeal" with the Land Use Board of Appeals, 775 Summer St NE, Suite 330, Salem OR 97301, **not later than 21 days** after **May 29, 2024**. Anyone with questions regarding filing an appeal with the Oregon Land Use Board of Appeals should contact an attorney.

The following items are submitted to the record: 1) All materials and evidence submitted by the applicant, including any applicable professional studies; and 2) All materials, evidence, and comments from City Departments and public agencies. The application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. To view the materials without registering, you may use the search function and enter the permit number listed here: 24 110837.

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

**BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM
DECISION**

IN THE MATTER OF APPROVAL OF) FINDINGS & ORDER
CLASS 2 SITE PLAN REVIEW)
24-110837-PLN)
250 WINTER STREET SE) MAY 29, 2024

In the matter of the application for a Class 2 Site Plan Review, the Planning Administrator, having received and reviewed the evidence and application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

A Class 2 Site Plan Review for development of a new concrete landing and retaining walls within an existing development on a property 25.74 acres in size, zoned PE (Public and Private Educational Services) and located at 250 Winter Street SE – 97301 (Marion County Assessors Map and Tax Lot Number 073W26BC04500).

PROCEDURAL FINDINGS

1. On May 17, 2024, an application for a Class 2 Site Plan Review was submitted for property located at 250 Winter Street SE.
2. The application was deemed complete on May 21, 2024.

SUBSTANTIVE FINDINGS

1. Proposal

The proposed Class 2 Site Plan Review affects the property located at the 250 Winter Street SE (**Attachment A**). The Class 2 Site Plan Review proposes the development of a new concrete landing and retaining walls within an existing development site. The proposed development plans are included as **Attachment B**.

2. City Department Comments

Public Works Department – Reviewed the proposal and provided no comments.

Building and Safety Division – Reviewed the proposal and provided no comments.

Salem Fire Department – Reviewed the proposal and provided no comments.

DECISION CRITERIA FINDINGS

3. Analysis of Class 2 Site Plan Review Approval Criteria

The purpose of Site plan review is to provide a unified, consistent, and efficient means to review for development activity that requires a building permit, to ensure that such development meets all applicable standards of the UDC, including, but not limited to,

standards related to access, pedestrian connectivity, setbacks, parking areas, external refuse storage areas, open areas, landscaping, and transportation and utility infrastructure.

Pursuant to SRC 220.005(b)(2), Class 2 Site Plan Review is required for any development that requires a building permit, other than development subject to Class 1 Site Plan Review, and that does not involve a land use decision or limited land use decision, as those terms are defined in ORS 197.015.

SRC 220.005(f)(2) provides that an application for Class 2 Site Plan Review shall be granted if:

(a) Only clear and objective standards which do not require the exercise of discretion or legal judgment are applicable to the application.

Finding: Only clear and objective standards apply to the proposed development. Complete findings addressing the proposal's conformance with these standards are included within the findings addressing approval criterion SRC 220.005(f)(2)(B) below. This approval criterion is met.

(b) The application meets all the applicable standards of the UDC;

Finding: The subject property is zoned Public and Private Educational Services (PE); therefore, the proposed development is subject to the use and development standards of the PE zone, SRC Chapter 542. The following is a summary of the applicable use and development standards of the MU-III zone.

Development Standards – PE (Public and Private Educational Services) Zone:

SRC 542.005(a) – Uses:

The permitted, special, conditional, and prohibited uses in the PE zone are set forth in Table 542-1.

Finding: The proposal does not include a change of use; therefore, this standard is not applicable.

SRC 542.010(a) – Lot Standards:

For all uses, the minimum lot area is 10,000 square feet with minimum lot width and depth being 50 and 80 feet, respectively. The minimum street frontage is 80 feet.

Finding: The existing lots comply with the minimum lot standards of the PE zone and no changes to the lot size or dimensions are proposed.

SRC 542.015(c) – Setbacks:

Setbacks within the PE zone shall be provided as set forth in Table 542-3 and Table 542-4.

Abutting Street

North West and East: The subject property is adjacent to Winter Street SE to the west, 12th Street SE to the east and State Street to the north. There is a minimum setback of 20 feet for

buildings and accessory structures not more than 35 feet in height, and a minimum setback of six to 10 feet for vehicle use areas, pursuant to SRC chapter 806.

Finding: The proposed development does not alter the setbacks for the existing buildings or vehicle use areas.

Interior Side

South: The subject property is adjacent to an PE zone to the south. There is no minimum setback for buildings and a five-foot setback for vehicle use areas when abutting a public zoned property.

Finding: The proposed development does not alter the setbacks for the existing buildings or vehicle use areas.

SRC 535.015(d) – Lot Coverage & Height:

There is no maximum lot coverage requirement for all uses in the MU-III zone and the maximum building height allowance is 70 feet.

Finding: The proposed development does not alter the existing building height.

SRC 535.010(e) - Landscaping:

- (1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807.
- (2) *Vehicle Use Areas.* Vehicle use areas shall be landscaped as provided under SRC Chapter 806 and SRC Chapter 807.
- (3) *Development Site.* A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC Chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicular use areas, may count toward meeting this requirement.

Finding: As the proposed development is not expanding the existing off-street parking area and will not be reducing the existing off-street parking landscaped setbacks, the proposed development meets this standard.

General Development Standards SRC 800

SRC 800.055(a) – Applicability.

Solid waste service area design standards shall apply to all new solid waste, recycling, and compostable services areas, where use of a solid waste, recycling, and compostable receptacle of 1 cubic yard or larger is proposed.

Finding: The proposed development does not include a new solid waste service area; therefore, the standards of SRC 800.055 do not apply.

SRC 800.065 – Pedestrian Access.

Except where pedestrian access standards are provided elsewhere under the UDC, all developments, other than single family, two family, three family, four family, and multiple family developments, shall include an on-site pedestrian circulation system developed in conformance with the standards in this section. For purposes of this section development

means the construction of, or addition to, a building or accessory structure or the construction of, or alteration or addition to, an off-street parking or vehicle use area. Development does not include construction of, or additions to, buildings or accessory structures that are less than 200 square feet in floor area. Development also does not include the installation of electric vehicle charging stations in existing approved parking lots or vehicle use areas.

When a development site is comprised of lots under separate ownership, the pedestrian access standards set forth in this section shall apply only to the lot, or lots, proposed for development, together with any additional contiguous lots within the development site that are under the same ownership as those proposed for development.

Finding: For purposes of this section, development means the construction of, or addition to, a building or accessory structure or the construction of, or alteration or addition to, an off-street parking or vehicle use area. SRC 800.065 specifically excludes new structures of less than 200 square feet in floor area. According to the applicant's plans, the proposed concrete landing measures approximately 62 square feet. Since the proposed work only is limited to less than 200 square feet of floor area, there is no development requiring pedestrian access.

Off-Street Parking, Loading, and Driveways SRC 806

SRC 806 – Amount Off-Street Parking.

(a) Maximum off-street parking.

(1) Except as otherwise provided in this section, and unless otherwise provided under the UDC, off-street parking shall not exceed the amounts set forth in Table 806-2.

Finding: The proposal does not affect the existing parking and therefore this standard is not applicable.

SRC 806.035 – Off-Street Parking and Vehicle Use Area Development Standards.

(a) General Applicability. The off-street parking and vehicle use area development standards set forth in this section apply to the development of new off-street parking and vehicle use areas, expansion or alteration of off-street parking and vehicle use areas or paving of an unpaved area.

Finding: The proposal only includes a limited restriping of an existing off-street parking within existing spaces for ADA and does not propose to alter the layout of the vehicle use area. Therefore, this section does not apply.

Bicycle Parking

SRC 806.045 – General Applicability.

(a) Bicycle parking shall be provided as required under this chapter for each proposed new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity.

SRC 806.050 – Proximity of Bicycle Parking to use or Activity Served.

Bicycle parking shall be located on the same development site as the use or activity it serves.

SRC 806.055 – Amount of Bicycle Parking.

Unless otherwise provided under the UDC, bicycle parking shall be provided in amounts not less than those set forth in Table 806-9.

Finding: The proposed development does not include a change of use or increase in floor area of an existing use; therefore, this standard is not applicable.

Off-Street Loading Areas

SRC 806.065 – General Applicability.

Off-street loading areas shall be provided and maintained for each proposed new use or activity; any change of use or activity, when such change of use or activity results in a greater number of required off-street loading spaces than the previous use or activity; or any intensification, expansion, or enlargement of a use or activity.

SRC 806.070 – Proximity of Off-Street Loading Areas to use or Activity Served.

Off-street loading shall be located on the same development site as the use or activity it serves.

SRC 806.075 – Amount of Off-Street Loading.

Unless otherwise provided under the UDC, off-street loading shall be provided in amounts not less than those set forth in Table 806-11.

Finding: No additional off-street loading spaces are required for the proposed development.

Landscaping

All required setbacks shall be landscaped with a minimum of 1 plant unit per 20 square feet of landscaped area. A minimum of 40 percent of the required number of plant units shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees. Plant materials and minimum plant unit values are defined in SRC Chapter 807, Table 807-2.

All building permit applications for development subject to landscaping requirements shall include landscape and irrigation plans meeting the requirements of SRC Chapter 807.

Finding: The proposal does not affect an existing landscaping area; therefore, this standard is not applicable.

Landscape and irrigation plans will be reviewed for conformance with the requirements of SRC 807 at the time of building permit application review.

4. Conclusion

Based on the conformance with the preceding requirements the Planning Administrator certifies that the proposed Class 2 Site Plan Review is in conformance with the UDC and the approval criteria provided in SRC 220.005(f)(2), provided compliance occurs with any applicable items noted above.

Please Note: Findings included in this decision by the direction of the Salem Fire Department are based on non-discretionary standards. Fire Code related findings are intended to inform the applicant of the clear and objective Fire Prevention Code standards of SRC Chapter 58 that will apply to this development proposal on application for building permit(s). Additional or different Fire Prevention Code standards may apply based on the actual building permit application submitted.

If a building permit application has not already been submitted for this project, please submit a copy of this decision with your building permit application for the work proposed.

IT IS HEREBY ORDERED

The proposed Class 2 Site Plan Review is consistent with the provisions of SRC Chapter 220 and is hereby **APPROVED** subject to the applicable standards of the Salem Revised Code and the findings contained herein.

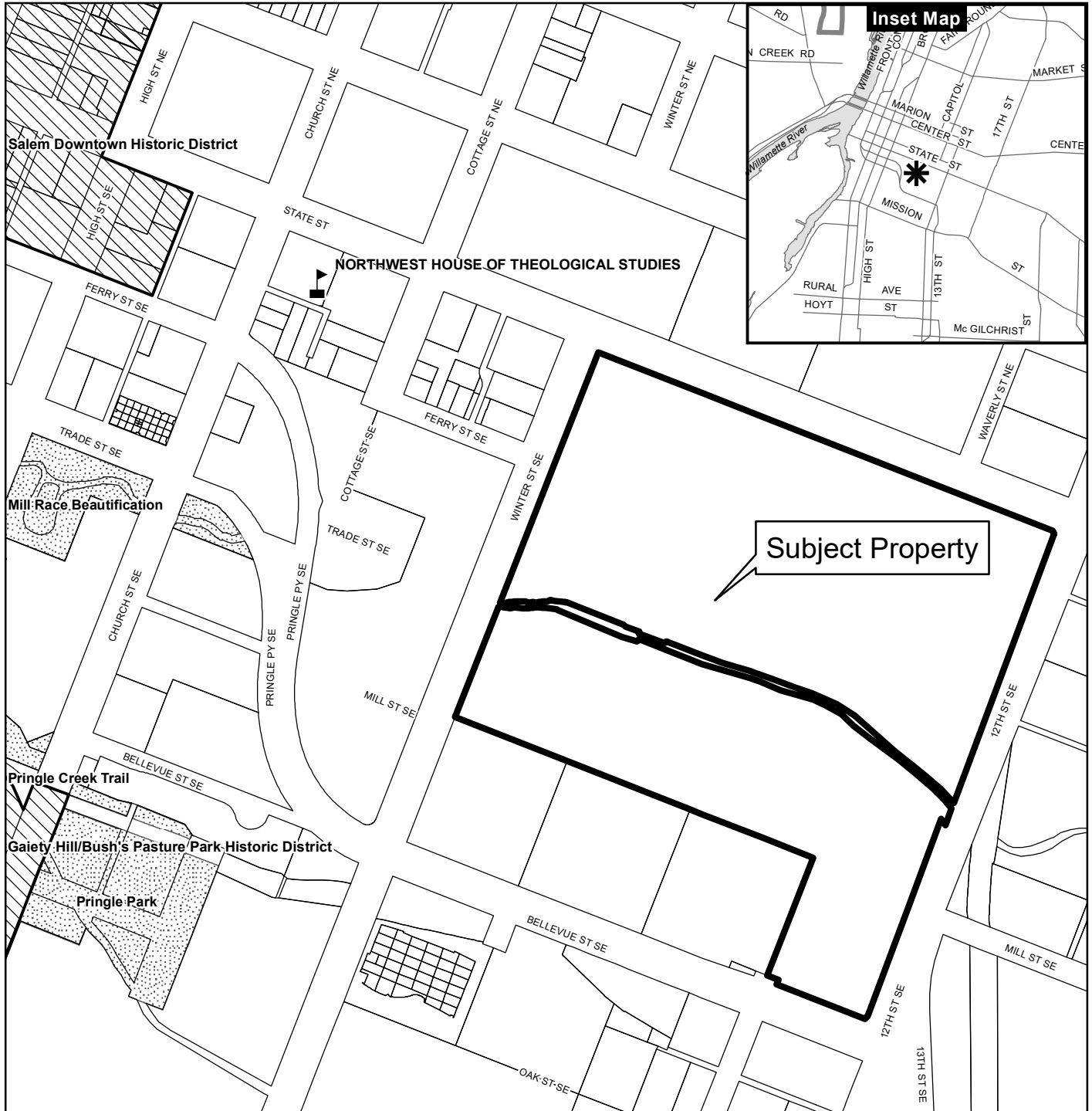


Jacob Brown, Planner I, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

Attachments: A. Vicinity Map
 B. Proposed Site Plan

Vicinity Map

250 Winter Street SE



Legend

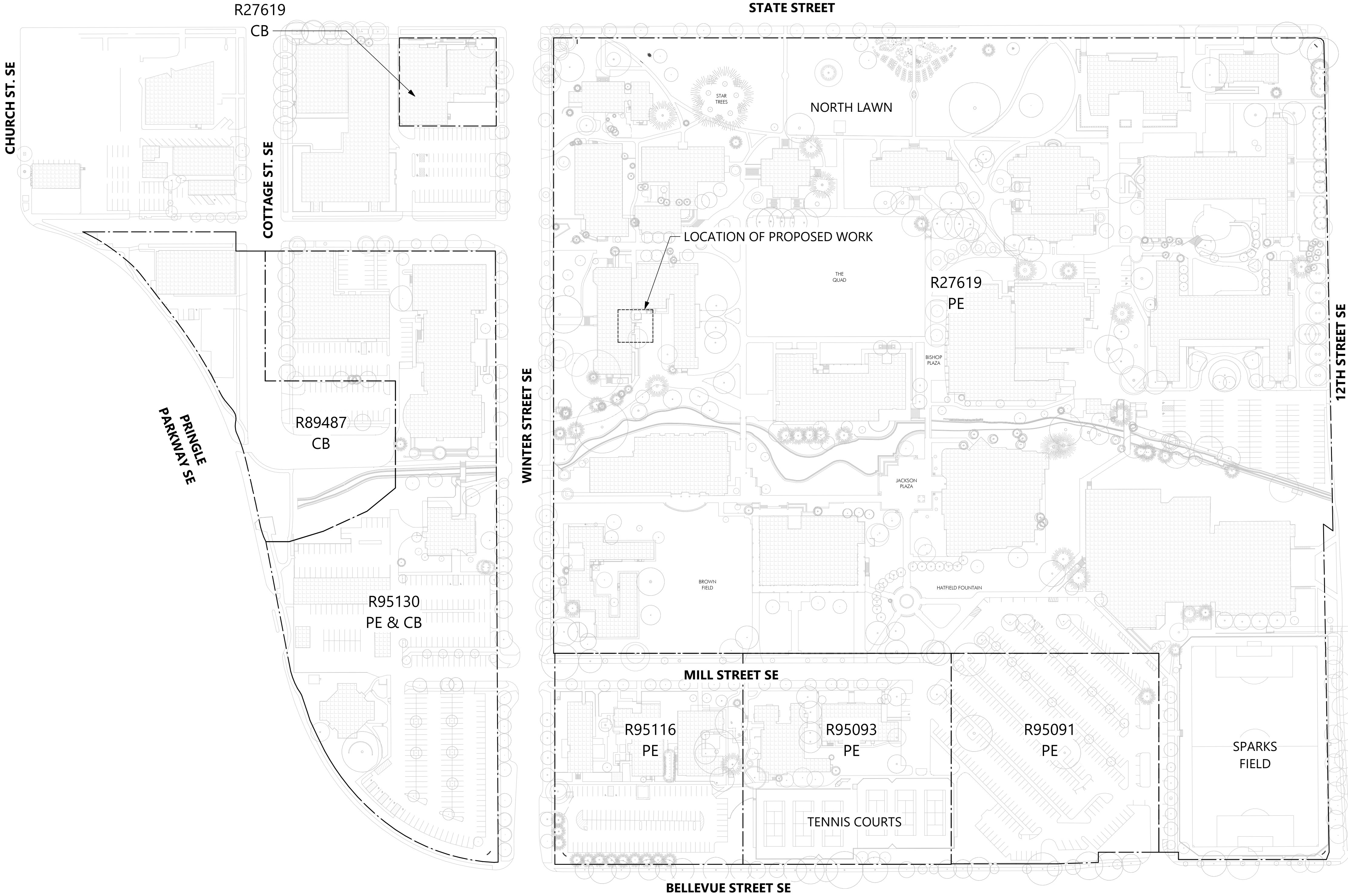
- Taxlots
- Urban Growth Boundary
- City Limits
- Outside Salem City Limits
- Historic District
- Schools
- Parks

0 100 200 400 Feet



CITY OF Salem
AT YOUR SERVICE
Community Planning and Development

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SITE PLAN INFO:

TAX LOTS:			
• R27619	1,121,234.4 sf	= 25.74 ac	← APPLICABLE TAX LOT
• R95091	126,759.6 sf	= 2.91 ac	
• R95093	129,373.2 sf	= 2.97 ac	
• R95116	117,176.4 sf	= 2.69 ac	
• R95130	312,325.2 sf	= 7.17 ac	
• R89487	108,900 sf	= 2.50 ac	
• R95117	24,829.2 sf	= 0.57 ac	
TOTAL		1,940,598 sf	= 44.55 ac
ZONING:		PE & CR	

LIFT

ARCHITECTURE

1130 Liberty St SE Suite 230 | Salem, OR 97302

REGISTERED ARCHITECT

MATTHEW D. JOHNSON

Matthew D. Johnson

SALEM, OREGON 97302

STATE OF OREGON

DOOR REPLACEMENT

LAUSANNE HALL

250 WINTER ST. NE, SALEM, OR 97301

REVISIONS:

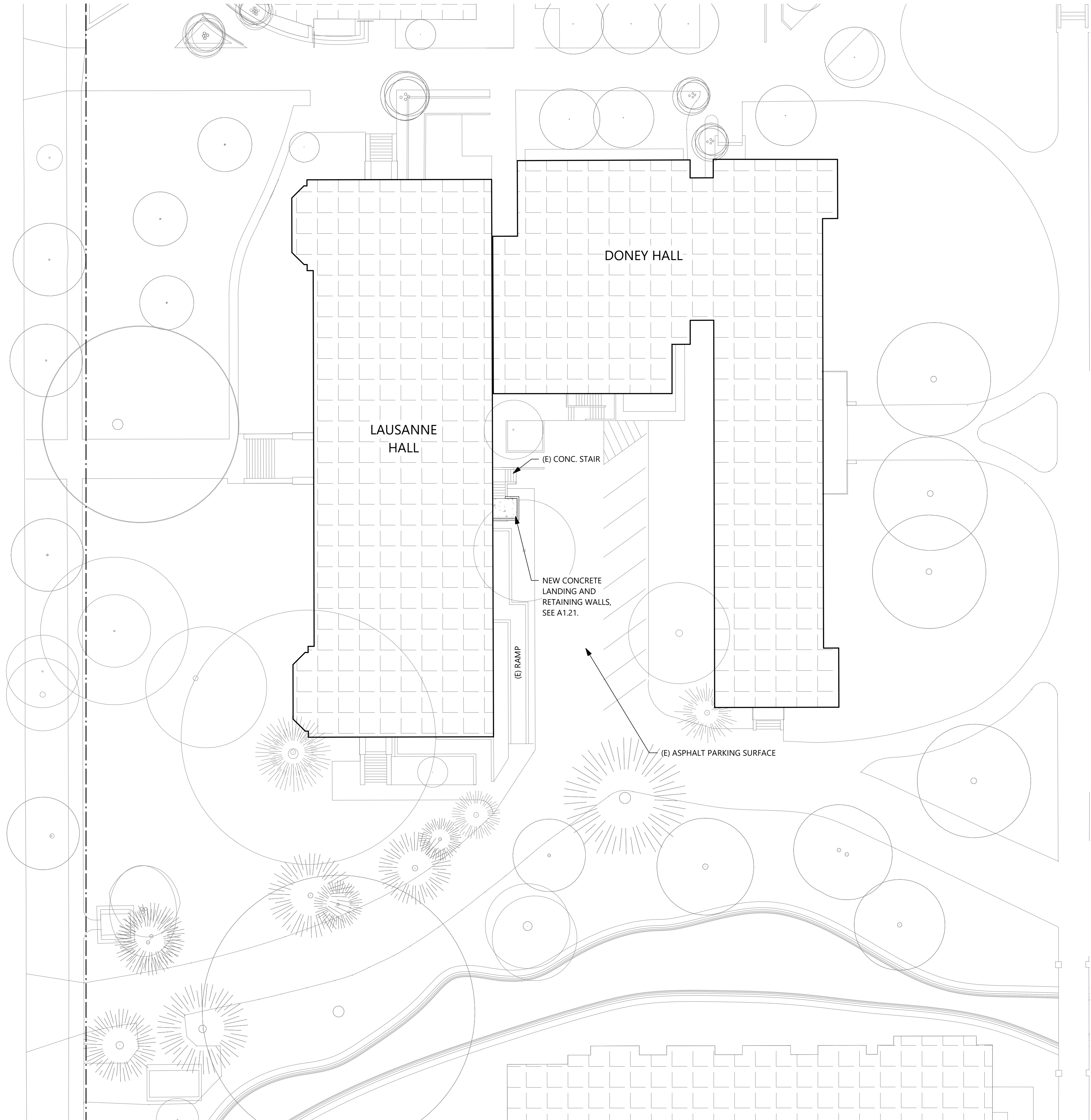
SHEET:

A1.01

OVERALL SITE
PLAN/EXISTING
CONDITIONS

PROJECT #2024-004

DATE:5/9/2024

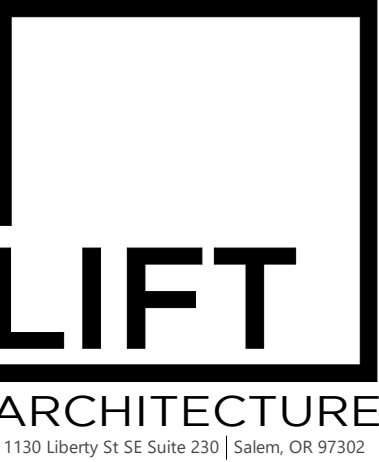


WINTER STREET SE

1

PARTIAL SITE PLAN

SCALE: 1" = 20'-0"



DOOR REPLACEMENT
LAUSANNE HALL
250 WINTER ST. NE, SALEM, OR 97301

REVISIONS:

SHEET:

A1.02

PARTIAL SITE PLAN

PROJECT # 2024-004

DATE: 5/9/2024