

# NOTICE OF DECISION

PLANNING DIVISION  
555 LIBERTY ST. SE, RM 305  
SALEM, OREGON 97301  
PHONE: 503-588-6173  
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*Si necesita ayuda para comprender esta información, por favor llame  
503-588-6173*

## DECISION OF THE PLANNING ADMINISTRATOR

**CLASS 3 SITE PLAN REVIEW / CLASS 2 ADJUSTMENT CASE NO.: SPR-ADJ24-18**

**APPLICATION NO.: 24-107450-PLN**

**NOTICE OF DECISION DATE:** July 15, 2024

**REQUEST:** A Class 3 Site Plan Review for a proposed redevelopment of an existing motor vehicle services use, including a new canopy and pedestrian connection to Commercial Street SE, with two Class 2 Adjustments to:

- 1) Eliminate the five-foot required street abutting setback along Commercial Street SE (SRC 535.015(c) Table 535-3).
- 2) Eliminate the requirement to provide a pedestrian connection to one adjacent street, Hoyt Street S(SRC 800.065(a)(1));

For property approximately 0.38 acres in size, zoned Mixed Use-III (MU-III), and located at 2315 Commercial Street SE - 97302 (Marion County Assessor's Map and Tax Lot number: 073W34CB / 00100).

**APPLICANT:** Jian Koid, Double R Products

**LOCATION:** 2315 Commercial St SE, Salem OR 97302

**CRITERIA:** Salem Revised Code (SRC) Chapters 220.005(f)(3) – Class 3 Site Plan Review; 250.005(d) – Class 2 Adjustment

**FINDINGS:** The findings are in the attached Decision dated July 15, 2024.

**DECISION:** The **Planning Administrator APPROVED** Class 3 Site Plan Review, Class 2 Adjustment Case No. SPR-ADJ24-18 subject to the following conditions of approval:

- Condition 1:** At the time of building permit, the applicant shall show a minimum of four bicycle parking spaces to be installed on the development site in conformance with the requirements of SRC 806.060.
- Condition 2:** At the time of building permit review, the applicant shall provide a full landscape plan demonstrating how the development site meets Type A landscaping, including all new and existing landscaped areas, by providing a minimum of one plant unit per 20 square feet, with 40 percent of the plant units being trees.
- Condition 3:** At the time of building permit, a minimum of 54 plant units shall be proposed within the flag lot's pole in addition to the existing landscaping.
- Condition 4:** The adjusted development standards, as approved in this zoning adjustment, shall only apply to the specific development proposal

shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development requirements, unless adjusted through a future land use action.

The rights granted by the attached decision must be exercised, or an extension granted, by July 31, 2028, or this approval shall be null and void.

Application Deemed Complete:	<u>May 29, 2024</u>
Notice of Decision Mailing Date:	<u>July 15, 2024</u>
Decision Effective Date:	<u>July 31, 2024</u>
State Mandate Date:	<u>September 26, 2024</u>

Case Manager: Jacob Brown, Planner I, [jrbrown@cityofsalem.net](mailto:jrbrown@cityofsalem.net), 503-540-2347

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at [planning@cityofsalem.net](mailto:planning@cityofsalem.net), no later than 5:00 p.m., TUESDAY, July 30, 2024. Any person who presented evidence or testimony at the hearing may appeal the decision. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapters 220 and 250. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review by contacting the case manager, or at the Planning Desk in the Permit Application Center, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

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

# BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

## DECISION

IN THE MATTER OF APPROVAL OF ) FINDINGS & ORDER  
CLASS 3 SITE PLAN REVIEW, )  
CLASS 2 ADJUSTMENT, )  
CASE NO. SPR-ADJ24-18 )  
2315 COMMERCIAL ST SE - 97301 ) July 15, 2024

In the matter of the applications for Class 3 Site Plan Review and Class 2 Adjustment submitted by the applicant, Jian Koid of Double R Products, on behalf of the property owner, Merrit #1 Inc, the Planning Administrator, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

## REQUEST

**Summary:** Proposed redevelopment of a canopy for an existing motor vehicle services use.

**Request:** A Class 3 Site Plan Review for a proposed redevelopment of an existing motor vehicle services use, including a new canopy and pedestrian connection to Commercial Street SE, with two Class 2 Adjustments to:

- 1) Eliminate the five-foot required street abutting setback along Commercial Street SE (SRC 535.015(c) Table 535-3).
- 2) Eliminate the requirement to provide a pedestrian connection to one adjacent street, Hoyt Street SE (SRC 800.065(a)(1));

For property approximately 0.38 acres in size, zoned Mixed Use-III (MU-III), and located at 2315 Commercial Street SE - 97302 (Marion County Assessors Map and Tax Lot number: 073W34CB / 00100).

A vicinity map illustrating the location of the property is attached hereto and made a part of this staff report (**Attachment A**).

## PROCEDURAL FINDINGS

### 1. Background

On March 30, 2024, a consolidated application for Class 3 Site Plan Review and Class 2 Adjustments was received. After additional information was requested, the applications were deemed complete for processing on May 29, 2024. The 120-day state mandated decision deadline for this consolidated application is September 26, 2024.

The applicant's proposed site plan is included as **Attachment B** and the applicant's written statement addressing the approval criteria applications can be found in the record, accessible online as indicated below.

## SUBSTANTIVE FINDINGS

### 2. Summary of Record

The following items are submitted to the record and are available: 1) all materials and testimony submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, stormwater reports, and; 2) materials, testimony,

and comments from public agencies, City Departments, neighborhood associations, and the public. All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 24-107450.

### 3. Neighborhood Association and Public Comments

The subject property is located within the boundaries of the Southwest Association of Neighbors (SWAN) and adjacent to the South Central Association of Neighbors (SCAN).

Applicant Neighborhood Association Contact: SRC 300.310 requires an applicant to contact the neighborhood association(s) whose boundaries include, and are adjacent to, property subject to specific land use application requests. Pursuant to SRC 300.310(b)(1), land use applications included in this proposed consolidated land use application request require neighborhood association contact. On April 17, 2024, the applicant contacted the SouthWest Association of Neighbors (SWAN) and the South Central Association of Neighbors (SCAN) via email informing them of the proposed project.

Neighborhood Association Comment: Notice of the application was provided to SWAN and SCAN pursuant to SRC 300.520(b)(1)(B)(v), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. As of the date of completion of this staff report, SWAN and SCAN provided a comment indicating opposition to the Class 2 Adjustment to eliminate the requirement to provide a pedestrian connection to Hoyt Street SE. Specially, indicating that the off-street parking area along the west portion of the site's parking area should be reconfigured to create a striped pedestrian connection from building to Hoyt Street SE.

**Staff Response:** SRC 800.065 (a)(1) requires a development site to provide a pedestrian connection between each building and any abutting street. The standard would require the site to provide a pedestrian connection between the building and the abutting Commercial and Hoyt Street SE. As discussed below in Section 7 of this report, the applicant is seeking a Class 2 Adjustment to eliminate the required connection to Hoyt Street SE while providing a new pedestrian connection to Commercial Street SE. Currently, the site contained an existing striped pedestrian connection leading from the building to Commercial Street SE which did not meet design requirements of SRC 800.065.

In response to the comments provided by the neighborhood associations, the applicant submitted a revised site plan (**Attachment B**) correcting the dimensions of the western parking area to match the current layout of the property. Specifically, the previous plan showed that the stalls along the western edge of the property were full length 19 feet deep parking stalls and the landscaped setback being only five feet in depth when the stalls are currently compact with a depth of 15 feet and the landscaped setback is eight feet in depth. The applicant states that this reduces the capacity for the existing stalls to be modified in a way to allow the five-foot-wide pedestrian path without removing the stalls or eliminating existing established landscaping. In addition, moving the parking stalls eastward and establishing a pedestrian path between the existing landscaped setback and relocated parking stalls would project the stalls into the existing driveway approach onto Hoyt Street SE. Lastly, the applicant indicates that even with removing parking stalls, the pedestrian path would require the relocation of the existing fuel tank infrastructure. The existing overfill alarm is located within the landscaped area in northwest landscaped area and the fuel tank encompasses the area in front of the existing driveway approach and cannot be relocated.

Under SRC 800.065(a)(1)(C)(i), a corner lot is exempt from providing a pedestrian to each adjacent street if the primary building entrance is located within 20 feet of and has a pedestrian connection to at least one of the adjacent streets. The existing structure is currently 45 feet from the Right-of-Way (ROW) of Commercial Street SE with five-foot sidewalks along Hoyt and Commercial Street SE. The proposed access from Commercial Street SE provides safe access from Commercial Street SE to the building of the site without requiring a significant reconfiguration of an existing site.

Homeowners Association: The subject property is not located within a Homeowners Association.

Public Comment: Notice was also provided, pursuant to SRC 300.520(b)(1)(B)(iii), (vi), & (vii), to all property owners and tenants within 250 feet of the subject property. As of the date of completion of this staff report, no comment has been received.

#### **4. City Department Comments**

Development Services Division: Reviewed the proposal and provided a memo which is included as **Attachment C**.

Building and Safety Division: Reviewed the proposal and indicated no concerns.

Fire Department: Reviewed the proposal and indicated no concerns. Items including Fire Department access and water supply will be evaluated at time of building permit review.

#### **5. Public Agency Comments**

No comment was received by a public agency.

### **DECISION CRITERIA FINDINGS**

#### **6. Analysis of Class 3 Site Plan Review Approval Criteria**

Salem Revised Code (SRC) 220.005(f)(3) provides that an application for a Class 3 Site Plan Review shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

***SRC 220.005(f)(3)(A): The application meets all applicable standards of the UDC.***

**Finding:** The proposal includes the redevelopment of a pump station canopy serving an existing *Motor Vehicle Services* (Chevron) that projected into the Commercial Street SE ROW and within required street abutting setbacks. Per SRC 270, the building lost its nonconforming status after it was demolished and is considered new development. Because the pump locations and foundation of the canopy are still intact, the applicant proposes to rebuild on the same foundation as the original pump station outside of the ROW but within the required setback. Two Class 2 Adjustments are requested to the minimum setback for the building abutting a street and to eliminate a required pedestrian connection to Hoyt Street SE. Findings for the requested adjustments can be found in Section 7 of this report.

### **Use and Development Standards – MU-III (Mixed Use III) Zone:**

#### *SRC 535.010(a) – Uses:*

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the MU-III zone are set forth in Table 535-1.

**Finding:** The proposal includes the redevelopment of an pump station canopy associated with a *Motor Vehicle Services* use. Per Table 535-1, a *Motor Vehicle Services* that is a gasoline service station is a permitted use in the MU-III zone. This criterion is met.

#### *SRC 535.010(b) – Continued uses:*

Existing, legally-established uses established prior to August 24, 2022, but which would otherwise be made nonconforming by this chapter, are hereby deemed continued uses. Buildings or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 535.010(f). Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for that use; provided, however, conversion of the building or structure to a conforming use shall thereafter prevent conversion back to the former continued use or any other continued use.

**Finding:** Per SRC 535.010(a), Table 535-1, an *Motor Vehicle Services* that is a gasoline service station is a permitted use in the MU-III zone; therefore, the proposed use is not a continued use.

#### *SRC 535.010(c) – Adaptive Reuse of Existing Industrial Buildings and Structures:*

The use of existing industrial buildings and structures within the area shown in Figure 535-1, the adaptive reuse of industrial buildings and structures existing on August 24, 2022, is allowed as set forth in this subsection.

**Finding:** The proposal does not include the use of existing industrial buildings or structures within the area shown in Figure 535-1; therefore, this standard is not applicable.

#### *SRC 535.015(a) – Lot Standards:*

Lots within the MU-III zone shall conform to the standards set forth in Table 535-2.

**Finding:** Per Table 535-2, there is no minimum lot area, width, or depth for all uses, and any use other than single-family requires 16 feet of street frontage. The subject property is 0.38 acres in size, with 163.8 feet of street frontage along Commercial Street SE. No changes are proposed to the existing lot configuration. The standard is met.

#### *SRC 535.015(b) – Dwelling Unit Density:*

Development within the MU-III that is exclusively residential shall have a minimum density of 15 dwelling units per acre.

**Finding:** The proposal is not for residential uses; therefore, this standard is not applicable.

#### *SRC 535.015(c) – Setbacks:*

Setbacks within the MU-III zone shall be provided as set forth in Table 535-3 and Table 535-4.  
*Abutting Street*

**North, East:** Adjacent to the east is right-of-way for Commercial Street SE and adjacent to the north is Hoyt Street SE. Buildings abutting a street require a minimum setback of five feet and

maximum setback of 30 feet, provided the maximum setback area is used for a combination of landscaping and pedestrian amenities and up to the first 10 feet of the setback area can be used exclusively for pedestrian amenities and at least 50 percent of the remaining setback area is landscaped. Accessory structures require a minimum five-foot setback. Vehicle use areas require a minimum six-to-ten-foot setback per Chapter 806.

**Finding:** The proposal is for the reconstruction of a pump station canopy that was demoed. The pump station canopy is an accessory structure to the existing *Motor Vehicle Services* use. The original pump station canopy projected into the ROW of Commercial Street SE and was not setback from the eastern property line abutting the street. The applicant has requested a Class 2 Adjustment to exceed the allowed minimum 5-foot setback of the MU-III zone, addressed in Section 7 of this report. The proposed canopy will be setback 48-feet from the street abutting property line along Hoyt Street SE. The off-street parking area is considered existing nonconforming development, and no changes are proposed to the off-street parking and vehicle use areas.

#### *Interior Side and Rear*

**South, West:** Adjacent to the south and west are interior lot lines abutting MU-III zoned properties. There is no minimum building or accessory structure setback required to an interior property line abutting an MU-III zone. Vehicle use areas require a minimum five-foot setback with Type A landscaping.

**Finding:** The pump station canopy is setback the western and southern property lines by approximately 57 and 90 feet, respectively. The off-street parking area is considered existing nonconforming development, and no changes are proposed to the off-street parking and vehicle use areas.

#### *SRC 535.015(d) – Lot Coverage, Height:*

Buildings and accessory structures within the MU-III zone shall conform to the lot coverage and height standards set forth in Table 535-5.

**Finding:** There is no maximum lot coverage for buildings or accessory structures and the maximum height is 70 feet. The proposed height of the canopy is 19.5 feet tall, and no changes are proposed to the lot coverage. The proposal meets the standards.

#### *SRC 535.015(e) – Landscaping:*

- (1) *Setbacks.* Except setback areas abutting a street that provide pedestrian amenities, setbacks shall be landscaped. For all developments other than those for exclusively residential uses, 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.
- (4) *Gasoline stations.* In addition to the landscaping requirements set forth in this section, gasoline stations shall be required to provide a minimum of one plant unit per 16 square feet of landscaped area.

**Finding:** The proposal is for the reconstruction of a pump station associated with a gasoline station. The development site is 0.38 acres in size (16,536 square feet), requiring a minimum 2,489 square feet of landscaping ( $16,536 \times 0.15 = 2,489.4$ ), or 124 plant units ( $2,489.4 / 20 = 124$ ), 40 percent of which must be trees, or 50 plant units ( $124 \times 0.4 = 49.6$ ). The development site includes existing landscaped setback areas for the vehicle use areas and around the building perimeter totaling 2,828 square feet, or 17 percent. The applicant's preliminary landscaping plans indicate existing landscaping exceeding the minimum plant units required. No changes are proposed to the existing setbacks. The applicant's plans do not demonstrate conformance with the minimum one plant unit per 16 square feet of landscaped area; therefore, the following condition is required to meet the standard.

**Condition 1:** At the time of building permit, the applicant shall provide a landscaping plan demonstrating that a minimum one plant unit is provided per 16 feet of landscaped area.

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

*SRC 535.015(g) – Pedestrian-oriented design*

Development within the MU-III zone, excluding development requiring historic design review and multiple family development, shall conform to the pedestrian-oriented design standards set forth in this section. Any development requiring historic design review shall only be subject to design review according to the historic design review standards or the historic design review guidelines set forth in SRC chapter 230.

- (1) *Off-street parking location.* New off-street surface parking areas and vehicle maneuvering areas shall be located behind or beside buildings and structures. New off-street surface parking areas and vehicle maneuvering areas shall not be located between a building or structure and a street.
- (2) *Drive through location.* New drive throughs shall be located behind or beside buildings and structures.
- (3) *Outdoor storage.* Outdoor storage of merchandise located within 50 feet of the right-of-way shall be screened with landscaping or a site-obscuring fence or wall.
- (4) *Building entrances.* For buildings within the maximum setback abutting a street, a primary building entrance for each building facade facing a street shall be facing the street. If a building has frontage on more than one street, a single primary building entrance on the ground floor may be provided at the corner of the building where the streets intersect.
- (5) *Ground-floor windows.* For buildings within the maximum setback abutting a street, ground floor building facades facing that street shall include transparent windows on a minimum of 50 percent of the ground floor facade. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum visible transmittance (VT) of 37 percent.

**Finding:** The new pump canopy is not an enclosed building or proposes to modify the existing vehicle use areas; therefore, these standards do not apply.

**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, recycling, or compostable service area; therefore, these standards are not applicable.

*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.

**Finding:** The proposed development includes the reconstruction of a canopy exceeding 200 square feet in size; therefore, the pedestrian access standards of this section apply.

*SRC 800.065(a)(1) – Pedestrian Connection Between Entrances and Streets*

(A) A pedestrian connection shall be provided between the primary entrance of each building on the development site and each adjacent street. Where a building has more than one primary building entrance, a single pedestrian connection from one of the building's primary entrances to each adjacent street is allowed; provided each of the building's primary entrances are connected, via a pedestrian connection, to the required connection to the street.

**Finding:** The development plans indicate a new five-foot-wide pedestrian connection from the building's primary entrance to Commercial Street SE. The applicant is seeking a Class 2 Adjustment to eliminate a pedestrian connection to Hoyt Street SE which is addressed in Section 7 of this report. The standard is met.

(B) Where an adjacent street is a transit route and there is an existing or planned transit stop along street frontage of the development site, at least one of the required pedestrian connections shall connect to the street within 20 feet of the transit stop.

**Finding:** There is no existing or planned transit stop along the street frontage of the development site; therefore, this standard is not applicable.

*SRC 800.065(a)(2) – Pedestrian Connection Between Buildings on the same Development Site*

Where there is more than one building on a development site, a pedestrian connection(s), shall be provided to connect the primary building entrances of all of the buildings.

**Finding:** There is only one building on the development site; therefore, this standard is not applicable.

*SRC 800.065(a)(3) – Pedestrian Connection Through Off-Street Parking Areas.*

(A) *Surface parking areas.* Except as provided under subsection (a)(3)(A)(iii) of this section, off-street surface parking areas greater than 25,000 square feet in size or including four or more consecutive parallel drive aisles shall include pedestrian connections through the parking area to the primary building entrance as provided in this subsection.

**Finding:** The development site does not include any existing or proposed parking areas greater than 25,000 square feet; therefore, this standard is not applicable.

*(B) Parking structures and parking garages.* Where an individual floor of a parking structure or parking garage exceeds 25,000 square feet in size, a pedestrian connection shall be provided through the parking area on that floor to an entrance/exit.

**Finding:** The development site does not include any existing or proposed parking structures or garages greater than 25,000 square feet; therefore, this standard is not applicable.

*SRC 800.065(a)(5) – Pedestrian Connection to Abutting Properties*

Whenever a vehicular connection is provided from a development site to an abutting property, a pedestrian connection shall also be provided.

**Finding:** The development site does not share a vehicular connection to an abutting property; therefore, this standard is not applicable.

*SRC 800.065(a)(4) – Pedestrian Connection to Existing or Planned Paths and Trails.*

Where an existing or planned path or trail identified in the Salem Transportation System Plan (TSP) or the Salem Comprehensive Parks System Master Plan passes through a development site, the path or trail shall:

- (A) Be constructed, and a public access easement or dedication provided; or
- (B) When no abutting section of the trail or path has been constructed on adjacent property, a public access easement or dedication shall be provided for future construction of the path or trail.

**Finding:** There is not a planned path or trail that passes through the development site; therefore, this standard is not applicable.

*SRC 800.065(b) – Design and materials*

Required pedestrian connections shall be in the form of a walkway, or may be in the form of a plaza.

- (1) Walkways shall conform to the following:
  - (A) Walkways shall be paved with a hard-surface material meeting the Public Works Design Standards and shall be a minimum of five feet in width.
  - (B) Where a walkway crosses driveways, parking areas, parking lot drive aisles, and loading areas, the walkway shall be visually differentiated from such areas through the use of elevation changes, a physical separation, speed bumps, a different paving material, or other similar method. Striping does not meet this requirement, except when used in a parking structure or parking garage.
  - (C) Where a walkway is located adjacent to an auto travel lane, the walkway shall be raised above the auto travel lane or separated from it by a raised curb, bollards, landscaping, or other physical separation. If the walkway is raised above the auto travel lane it must be raised a minimum of four inches in height and the ends of the raised portions must be equipped with curb ramps. If the walkway is separated from the auto travel lane with bollards, bollard spacing must be no further than five feet on center.
- (2) Wheel stops or extended curbs shall be provided along required pedestrian connections to prevent the encroachment of vehicles onto pedestrian connections.

**Finding:** The proposed pedestrian connection from the building to Commercial Street SE is a striped path five feet in width with a raised 5-inch curb separating the path from vehicle use areas. The proposal meets the standard.

*SRC 800.065(c) – Lighting.*

The on-site pedestrian circulation system shall be lighted to a level where the system can be used at night by employees, customers, and residents.

**Finding:** The applicant's plans do not demonstrate conformance with the required lighting for the pedestrian paths, therefore the following condition applies:

**Condition 2:** At the time of building permit, the applicant shall provide lighting along the proposed pedestrian pathway.

**Off-Street Parking, Loading, and Driveways SRC 806**

*SRC 806.015 – Amount Off-Street Parking.*

(a) *Maximum Off-Street Parking.* 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 806-1. For the purposes of calculating the maximum amount of off-street parking allowed, driveways shall not be considered off-street parking spaces.

**Finding:** The proposal includes the redevelopment of an existing *Motor Vehicle Services use*. Per Table 806-1, an *Motor Vehicle Services use* is allowed one parking space per 600 square feet of gross building floor area. The floor area pump station of 1,060 square feet, allowing two off-street parking spaces ( $1,060 / 600 = 1.7$ ). The existing building located in the southwest corner of the site is occupied by a *Retail Sales use* which is allowed one off-street parking space per 250 square feet. The existing building 3,328 square feet which allows a maximum of 17 spaces ( $3,328 / 200 = 16.6$ ). There are an existing 14 spaces on the site and no additional off-street parking spaces are proposed. The applicant is proposing to remove one space for the addition of a pedestrian connection to the street, reducing the total to 13 off-street parking spaces.

(b) *Compact Parking.* Up to 75 percent of the off-street parking spaces provided on a development site may be compact parking spaces.

**Finding:** There are no existing compact parking spaces, and no new parking spaces are proposed.

(c) *Carpool and Vanpool Parking.* New developments with 60 or more off-street parking spaces, and falling within the Public Services and Industrial use classifications, and the Business and Professional Services use category, shall designate a minimum of five percent of their total off-street parking spaces for carpool or vanpool parking.

**Finding:** The proposal is not for development of a new Public Services or Industrial use with 60 or more parking spaces; therefore, this standard is not applicable.

- (d) *Required electric vehicle charging spaces.* For any newly constructed building with five or more dwelling units on the same lot, including buildings with a mix of residential and nonresidential uses, a minimum of 40 percent of the off-street parking spaces provided on the site for the building shall be designated as spaces to serve electrical vehicle charging. In order to comply with this subsection, such spaces shall include provisions for electrical service capacity, as defined in ORS 455.417.

**Finding:** The proposed development does not include any dwelling units; 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:
- (1) The development of new off-street parking and vehicle use areas;
  - (2) The expansion of existing off-street parking and vehicle use areas, where additional paved surface is added;
  - (3) The alteration of existing off-street parking and vehicle use areas, where the existing paved surface is replaced with a new paved surface; and
  - (4) The paving of an unpaved area.

**Finding:** The development does not include any changes to the existing off-street parking and vehicle use area; therefore, these standards are not applicable.

## **Driveway Standards**

*SRC 806.040 – Driveway development standards for uses or activities other than single family, two family, three family, or four family.*

- (a) *Access.* The off-street parking and vehicle use area shall have either separate driveways for ingress and egress, a single driveway for ingress and egress with an adequate turnaround that is always available, or a loop to the single point of access. The driveway approaches to the driveways shall conform to SRC Chapter 804.
- (b) *Location.* Driveways shall not be located within required setbacks, except where the driveway provides access to the street, alley, or abutting property; or where the driveway is a shared driveway located over the common lot line and providing access to two or more uses.
- (c) *Perimeter Setbacks and Landscaping.* Perimeter setbacks shall be required for driveways abutting streets, and abutting interior front, side, and rear property lines.
- (d) *Dimensions.* Driveways shall conform to the minimum width set forth in Table 806-8.

**Finding:** The proposal does not include any changes to the existing driveways; therefore, these standards are not applicable.

## **Bicycle Parking**

*SRC 806.045 – Bicycle Parking; When Required.*

- (a) *General Applicability.* 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.

- (b) *Applicability to change of use of existing building in Central Business District (CB) zone.* Notwithstanding any other provision of this chapter, the bicycle parking requirements for a change of use of an existing building within the CB zone shall be met if there are a minimum of eight bicycle parking spaces located within the public right-of-way of the block face adjacent to the primary entrance of the building. If the minimum number of required bicycle parking spaces are not present within the block face, the applicant shall be required to obtain a permit to have the required number of spaces installed. For purposes of this subsection, "block face" means the area within the public street right-of-way located along one side of a block, from intersecting street to intersecting street.
- (c) *Applicability to nonconforming bicycle parking area.* When bicycle parking is required to be added to an existing bicycle parking area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.

**Finding:** Per Table 806-9, a *Motor Vehicle Services* requires one space per 9,000 square feet of gross building floor area. The proposed canopy building is 1,080 square feet; therefore, no spaces are required for the proposed canopy; therefore, this section does not apply.

## 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 and dimensions not less than those set forth in Table 806-11.

**Finding:** Per Table 806-11, an *Motor Vehicle Services* less than 5,000 square feet does not require an off-street loading space.

## 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 is for the reconstruction of a pump station associated with a gasoline station. The development site is 0.38 acres in size (16,536 square feet), requiring a minimum 2,489 square feet of landscaping ( $16,536 \times 0.15 = 2,489.4$ ), or 124 plant units ( $2,489.4 / 20 = 124$ ), 40 percent of which must be trees, or 50 plant units ( $124 \times 0.4 = 49.6$ ). The development site includes existing landscaped setback areas for the vehicle use areas and around the building perimeter totaling 2,828 square feet, or 17 percent. The applicant's preliminary landscaping plans indicate existing landscaping exceeding the minimum plant units required. No changes are proposed to the existing setbacks. The applicant's plans do not demonstrate conformance with the minimum one plant unit per 16 square feet of landscaped area which is conditioned above to be met.

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

### **Natural Resources**

*SRC 601 – Floodplain:* Development in the floodplain shall be regulated to preserve and maintain the capability to the floodplain to convey the flood water discharges and to minimize danger to life and property.

**Finding:** The Floodplain Administrator has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

*SRC 808 – Preservation of Trees and Vegetation:* The City's tree preservation ordinance, under SRC Chapter 808, provides that no person shall remove the following trees unless undertaken pursuant to a permit issued under SRC 808.030(d), undertaken pursuant to a tree conservation plan approved under SRC 808.035, or permitted by a variance granted under SRC 808.045.

1. Heritage Trees;
2. Significant Trees (including Oregon White Oaks with diameter-at-breast-height (*DBH*) of 20 inches or greater and any other tree with a *DBH* of 30 inches or greater, with the exception of tree of heaven, empress tree, black cottonwood, and black locust);
3. Trees and native vegetation in riparian corridors; and
4. Trees on lots or parcels 20,000 square feet or greater.

The tree preservation ordinance defines "tree" as, "any living woody plant that grows to 15 feet or more in height, typically with one main stem called a trunk, which is 10 inches or more dbh, and possesses an upright arrangement of branches and leaves."

**Finding:** There are no protected trees identified on the subject property.

*SRC 809 – Wetlands:* Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. State and Federal wetland laws are also administered by the DSL and Army Corps, and potential impacts to jurisdictional wetlands are addressed through application and enforcement of appropriate mitigation measures.

**Finding:** According to the Salem-Keizer Local Wetland Inventory (LWI) the subject property does not contain any wetland areas or hydric soils.

*SRC 810 – Landslide Hazards:* A geological assessment or report is required when regulated activity is proposed in a mapped landslide hazard area.

**Finding:** According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are no mapped landslide hazard areas on the subject property.

*SRC 802 – Public Improvements, SRC 803 – Streets and Right-of-Way Improvements, SRC 804 – Driveway Approaches, and SRC 805 – Vision Clearance:* With completion of the conditions of approval, the subject property meets all applicable standards of the following chapters of the UDC.

***SRC 220.005(f)(3)(B): The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately.***

**Finding:** The subject property abuts Commercial Street SE along the eastern property boundary. Commercial Street SE is classified as a major arterial street according to the *Salem Transportation System Plan (TSP)*. Commercial Street SE is fully developed and meets the right-of-way width and pavement width standards pursuant to the Salem TSP; therefore, no additional street improvements are required as a condition of the proposed development.

The subject property also abuts Hoyt Street SE along the northern property boundary. Hoyt Street SE is classified as a collector street according to the Salem TSP and does not meet the minimum improvement width or pavement width required according to the Salem TSP and SRC Chapter 803. The proposal involves reconstructing a gas station canopy in a smaller footprint than what was previously existing. The proposal does not generate any additional traffic and is exempt from boundary street improvements pursuant to SRC 803.040(d). The existing street system is adequate to accommodate the proposal. As no right-of-way dedication is required along Hoyt Street SE for the proposal, the property is subject to a special setback equal to 30-feet from the centerline of Hoyt Street SE.

**Condition 3:** The proposed development is subject to a special setback equal to 30-feet from centerline on the development side of Hoyt Street SE.

Pursuant to SRC 86.015(e), anyone undertaking development along public streets shall plant new street trees to the maximum extent feasible. There are no landscape strips along Lancaster Drive NE to accommodate new street trees; as such, no additional street trees are required.

***SRC 220.005(f)(3)(C): Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians.***

**Finding:** The subject property is served by existing driveway approaches onto Commercial Street SE and Hoyt Street SE. The existing driveway approaches provide safe and efficient movement of vehicles in and out of the development site.

***SRC 220.005(f)(3)(D): The proposed development will be adequately served with City water, sewer, stormwater facilities, and other utilities appropriate to the nature of the development.***

**Finding:** Development Services has reviewed the applicant's preliminary plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets/areas and are adequate to serve the proposed development. The proposal is to reconstruct a gas station canopy over existing fuel service stations. No new connections to public utilities are proposed.

## **7. Analysis of Class 2 Adjustment Approval Criteria**

Salem Revised Code (SRC) 250.005(d)(2) provides that an application for a Class 2 Adjustment shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

***SRC 250.005(d)(2)(A): The purpose underlying the specific development standard proposed for adjustment is:***

- (i) Clearly inapplicable to the proposed development; or***
- (ii) Equally or better met by the proposed development.***

**Finding:** The applicant is requesting two Class 2 Adjustments to:

- 1) Eliminate the five-foot required street abutting setback along Commercial Street SE (SRC 535.015(c) Table 535-3).
- 2) Eliminate the requirement to provide a pedestrian connection to one adjacent street, Hoyt Street SE (SRC 800.065(a)(1));

***Eliminate the five-foot required street abutting setback along Commercial Street SE (SRC 535.015(c) Table 535-3).***

The applicant has requested a Class 2 Adjustment to SRC 535.015(c), Table 535-3 Setbacks. In accordance with Table 535-3, the minimum building setback abutting for an accessory structure is a minimum of five feet.

Following a 15-foot right-of-way (ROW) dedication to Commercial Street SE, the previously existing canopy projected into the ROW of Commercial Street SE by five feet. The existing structure was recently demoed thus the accessory structure lost its nonconforming status under SRC 270. The canopy is currently proposed to be reconstructed with the applicant proposing to shorten the canopy to not project into the ROW while still providing coverage for the existing pump stations facing Commercial Street SE. The proposed redevelopment of the building on the existing foundation is considered new development and is subject to all current standards of the UDC, including the setbacks of the MU-III zone. As the canopy location is dependent on the existing vehicle use area configuration and pump stations, relocation of the



canopy would require a reconfiguration vehicle circulation which currently does not conform with minimum required setback along Commercial Street SE. Given the constraints of redeveloping a nonconforming property, relocating the building is infeasible as part of this proposal.

The setback standards of the MU-III zone are intended to bring new buildings closer to the street front while providing amenities to improve the pedestrian experience. As the existing use is a gas station (*Motor Vehicle Services*), the northern portion of the site, which includes the pump stations and vehicle circulation area, is configured for vehicles and not intended for pedestrians. In the southwest corner of the site is a *Retail Sales* use which the applicant is proposing to provide a new pedestrian connection to the Commercial Street SE. Pedestrians from Hoyt Street SE will be able to access the existing *Retail Sales* use through the existing five-wide sidewalks along Commercial and Hoyt Street SE. Staff finds the proposal equally meets the intent of the standard.

*Eliminate the requirement to provide a pedestrian connection to one adjacent street, Hoyt Street SE(SRC 800.065(a)(1));*

The applicant has requested a Class 2 Adjustment to eliminate the requirement to provide a pedestrian connection to Hoyt Street SE.

The purpose of the standard is to provide pedestrian connectivity throughout the development site and streets for ease of access to off-site locations and transportation routes. The subject property is a corner lot abutting Commercial Street SE to the east and Hoyt Street SE to the north. The development site contains an existing *Motor Vehicle Services* (Gasoline Station) and *Retail Sales* (Convenience Store) use. As required, the applicant is providing a direct pedestrian connection from the existing convenience store use to Commercial Street SE along the southern portion of the site.

Under SRC 800.065(a)(1)(C)(i), a corner lot is exempt from providing a pedestrian to each adjacent street if the primary building entrance is located within 20 feet of and has a pedestrian connection to at least one of the adjacent streets. The existing structure is currently 45 feet from the Right-of-Way (ROW) of Commercial Street SE with five-foot sidewalks along Hoyt and Commercial Street SE. The proposed access from Commercial Street SE provides safe access from Commercial Street SE to the building of the site without requiring a significant reconfiguration of an existing site. Since the existing building is greater than 20-feet from both abutting streets a connection to each street is required. Therefore, the applicant is requesting an adjustment to eliminate the connection to Hoyt Street.

The proposal does not include reconfiguration of the vehicle use area or construction of the convenience store. The proposed development is for an accessory structure (Canopy), which will be located within 20-feet of either street. The proposed construction would meet the exemption for the additional pedestrian connection, if not an accessory structure. The nature of the development can be adequately served by a single connection due to the proximity to the street and the nature of the corner lot, which equally meets the intent of the standard.

In addition, to provide a pedestrian connection to Hoyt Street SE would require a reconfiguration of the northern parking area and pump station vehicle circulation while also requiring a relocation of fuel tank infrastructure. In response to the comments provided by the

neighborhood associations, the applicant provided a revised site plan correcting the dimensions of the western parking area to match the current layout of the property and adding additional details for the fueling tank infrastructure. Specifically, the previous plan showed that the stalls along the western edge of the property were full length 19 feet deep parking stalls and the landscaped setback being only five feet in depth when the stalls are currently compact with a depth of 15 feet and the landscaped setback is eight feet in depth. The applicant states that this reduces the capacity for the existing stalls to be modified in a way to allow the five-foot-wide pedestrian path without removing the stalls or eliminating existing established landscaping. In addition, moving the parking stalls eastward and establishing a pedestrian path between the existing landscaped setback and relocated parking stalls would project the stalls into the driveway approach onto Hoyt Street SE.

Lastly, the applicant indicates that even with removing parking stalls or changing the configuration to angled parking, the pedestrian path would require the relocation of the existing fuel tank infrastructure or shorten the existing driveway approach to below standard. The existing overfill alarm is located within the northwest landscaped area and the fuel tank encompasses the area in front of the existing driveway approach with access points on each end of the driveway approach. If the pedestrian path were to be located around the overfill alarm, the pedestrian path would need to also navigate around the access points and shorten the driveway approach from the existing 24 feet to 18 feet which does not meet the minimum required driveway way width of 22 feet per SRC 806.040.

Staff agrees that there are site constraints to providing a pedestrian connection to Hoyt Street SE and that the proposed connection provides pedestrian connectivity throughout the development site and streets for ease of access to off-site locations and transportation routes. The adjustment request equally or better meets the stated purpose and intent of this provision and is therefore in compliance with this criterion.

***SRC 250.005(d)(2)(B): If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.***

**Finding:** The subject property is located within an MU-III (Mixed Use) zone; therefore, this criterion is not applicable.

***SRC 250.005(d)(2)(C): If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.***

**Finding:** Two separate Class 2 Adjustments have been requested with this development. Each of the adjustments has been evaluated separately for conformance with the Adjustment approval criteria. The cumulative impact of the adjustments results in an overall project which is consistent with the intent and purpose of the zoning code. Any future development, beyond what is shown in the proposed plans, shall conform to all applicable development standards of the UDC, unless adjusted through a future land use action.

**Condition 4:** The adjusted setback and window coverage standards, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development requirements, unless adjusted through a future land use action.

## 8. Conclusion

Based upon review of SRC Chapters 220, 250, and the applicable standards of the Salem Revised Code, the findings contained herein, and due consideration of comments received, the application complies with the requirements for an affirmative decision.

### **IT IS HEREBY ORDERED**

Final approval of Class 3 Site Plan Review and Class 2 Adjustment Case No. SPR-ADJ24-18 is hereby **APPROVED** subject to SRC Chapters 220, 250, and the applicable standards of the Salem Revised Code, conformance with the approved site plan included as Attachment B, and the following conditions of approval:

- Condition 1:** At the time of building permit, the applicant shall provide a landscaping plan demonstrating that a minimum one plant unit is provided per 16 feet of landscaped area.
- Condition 2:** At the time of building permit, the applicant shall provide lighting along the proposed pedestrian pathway.
- Condition 3:** The proposed development is subject to a special setback equal to 30-feet from centerline on the development side of Hoyt Street SE.
- Condition 4:** The adjusted setback and window coverage standards, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development requirements, unless adjusted through a future land use action.



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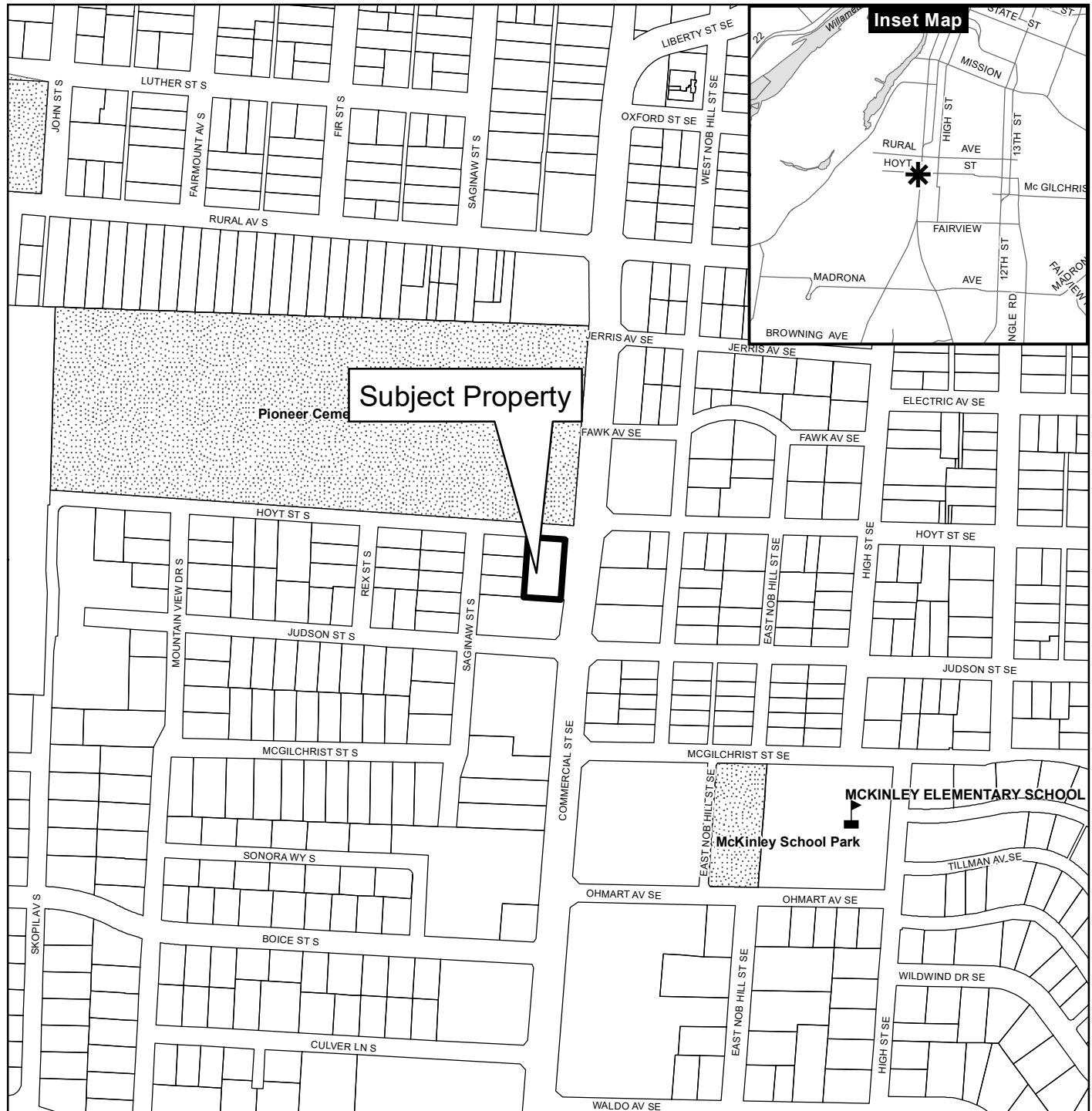
Jacob Brown, Planner I, on behalf of  
Lisa Anderson-Ogilvie, AICP  
Planning Administrator

Attachments: A. Vicinity Map  
B. Proposed Development Plans  
C. Development Services Memo

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

# Vicinity Map

## 2315 Commercial Street SE



### Legend

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

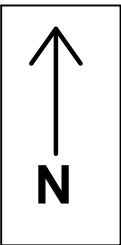
Parks

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Community Planning and Development

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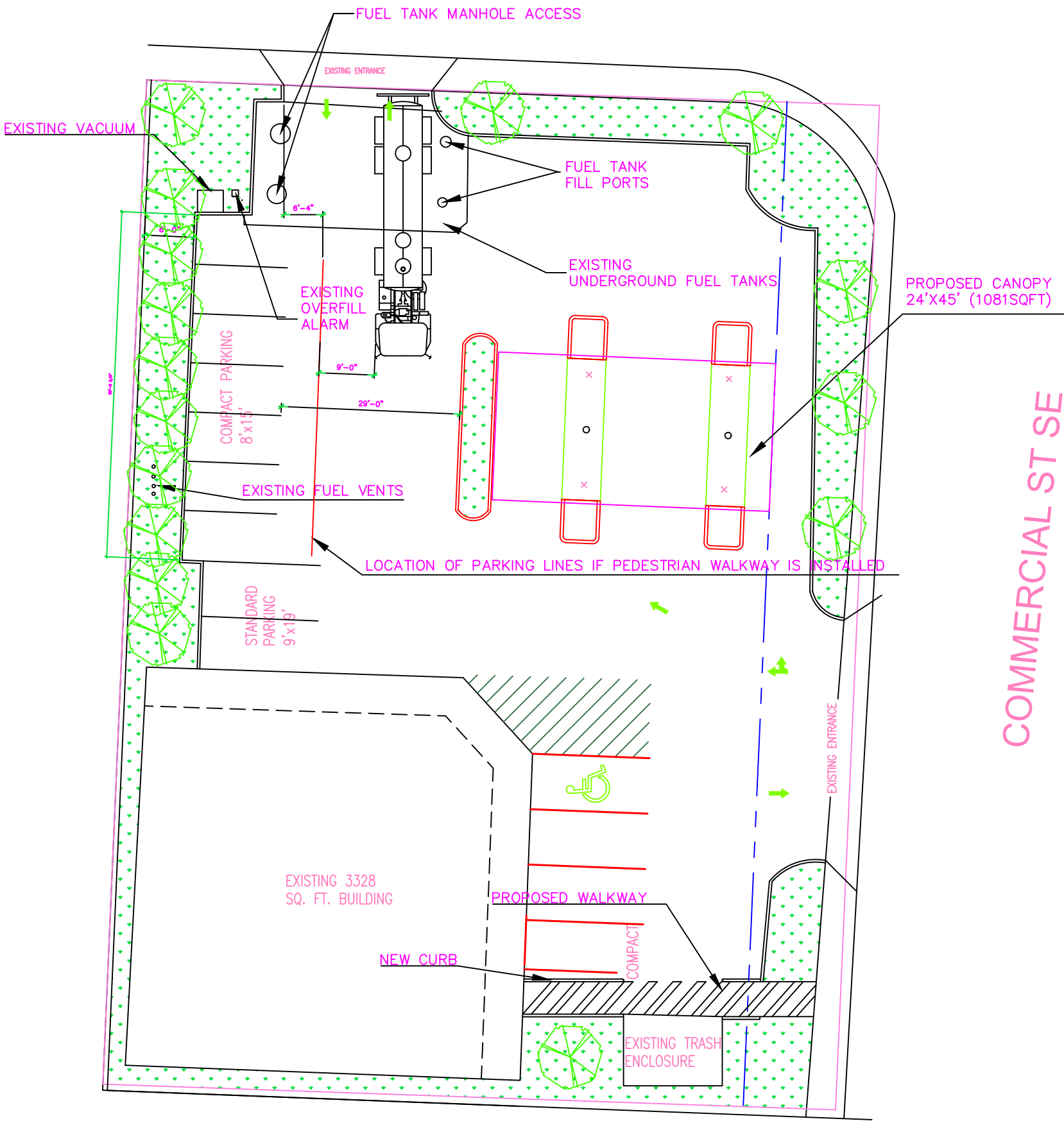
0 100 200 400 Feet





S HOYT ST

COMMERCIAL ST SE



SITE PLAN

SCALE: 1" = 20'-0"

REVISION

OF 1

1

SHEET

DATE

SITE  
PLAN

PROJECT:  
NEW CANOPY  
24'X45'  
2303 COMMERCIAL ST  
SALEM OR

CLIENT:



901 NORTHWEST E  
GRANTS PASS, OR 97526  
Phone: 541-476-1387 Fax: 541-474-2528  
CCB #40432

VERIFY SCALE:  
THIS BAR  
MEASURES 1/2" ON  
ORIGINAL DRAWING  
0 1/2"



# MEMO

**TO:** Jacob Brown, Planner II  
Community Planning and Development Department

**FROM:** Laurel Christian, Infrastructure Planner III  
Community Planning and Development Department

**DATE:** July 1, 2024

**SUBJECT:** **Infrastructure Memo**  
**SPR-ADJ24-18 (24-107450-PLN)**  
**2315 Commercial Street SE**  
**Gas Station Canopy**

## **PROPOSAL**

A Class 3 Site Plan Review for a proposed redevelopment of an existing motor vehicle services use, including a new canopy and pedestrian connection to Commercial Street SE, with two Class 2 Adjustments. For property approximately 0.38 acres in size, zoned Mixed Use-III (MU-III), and located at 2315 Commercial Street SE - 97302 (Marion County Assessors Map and Tax Lot number: 073W34CB / 00100).

## **RECOMMENDED CONDITIONS OF APPROVAL**

1. The proposed development is subject to a special setback equal to 30-feet from centerline on the development side of Hoyt Street SE.

## **FACTS**

### **Streets**

1. Commercial Street SE
  - a. Standard—This street is designated as a major arterial street in the Salem TSP. The standard for this street classification is a 68-foot-wide improvement within a 96-foot-wide right-of-way.
  - b. Existing Conditions—This street has an approximate 72-foot improvement within a 96-to-100-foot-wide right-of-way abutting the subject property.

Code authority references are abbreviated in this document as follows: *Salem Revised Code* (SRC); *Public Works Design Standards* (PWDS); *Salem Transportation System Plan* (Salem TSP); and *Stormwater Management Plan* (SMP).

## 2. Hoyt Street SE

- a. Standard—This street is designated as a collector street in the Salem TSP. The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Conditions—This street has an approximate 32-foot improvement within a 40-foot-wide right-of-way abutting the subject property.

## **Storm Drainage**

### 1. Existing Conditions

- a. A 15-inch storm main is located in Commercial Street SE.
- b. A 10-inch storm main is located in Hoyt Street SE.

## **Water**

### 1. Existing Conditions

- a. The subject property is located in the S-1 water service level.
- b. 6-inch water mains are located in Commercial Street SE and Hoyt Street SE.
- c. A 12-inch water main is located Commercial Street SE.

## **Sanitary Sewer**

### 1. Existing Conditions

- a. An 8-inch sewer main is located in Commercial Street SE.
- b. A 7-inch sewer main is located in Hoyt Street SE.

## **CRITERIA AND FINDINGS—SITE PLAN REVIEW**

Analysis of the development based on relevant criteria in SRC 220.005(f)(3) is as follows:

**Criteria: SRC 220.005(f)(3)(A) The application meets all applicable standards of the UDC (*Unified Development Code*)**

**Finding**—The subject property meets all applicable standards of the following chapters of the Unified Development Code (UDC): 200 – Urban Growth Management; 601 –

Floodplain Development; 802 – Public Improvements; 803 - Street and Right-of-way Improvements; 804 – Driveway Approaches; 805 – Vision Clearance; 809 – Wetlands; 810 – Landslide Hazards.

SRC Chapter 200 (Urban Growth Management): SRC Chapter 200 (Urban Growth Management) requires issuance of an Urban Growth Preliminary Declaration (UGA) prior to development of property located outside the City's Urban Service Area. The subject property is located inside the Urban Service Area and adequate facilities are available. No Urban Growth Area permit is required.

SRC Chapter 601 (Floodplain): The Floodplain Administrator has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

SRC 804 (Driveway Approaches): The development site is served by existing driveway approaches onto Commercial Street SE and Hoyt Street SE. The existing driveway approach serving the site meets applicable sections of SRC Chapter 804 and does not warrant modification.

SRC 805 (Vision Clearance): The proposal does not cause a vision clearance obstruction per SRC Chapter 805. The proposed gas station canopy is unenclosed and meets the vision clearance standards established in SRC Chapter 805.

SRC Chapter 809 (Wetlands): According to the Salem-Keizer Local Wetland Inventory (LWI) the subject property does not contain any wetland areas or hydric soils.

SRC Chapter 810 (Landslide Hazards): According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are no mapped landslide hazard areas on the subject property.

**Criteria: SRC 220.005(f)(3)(B) The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately**

**Finding—** The subject property abuts Commercial Street SE along the eastern property boundary. Commercial Street SE is classified as a major arterial street according to the *Salem Transportation System Plan (TSP)*. Commercial Street SE is fully developed and meets the right-of-way width and pavement width standards pursuant to the Salem TSP; therefore, no additional street improvements are required as a condition of the proposed development.

The subject property also abuts Hoyt Street SE along the northern property boundary. Hoyt Street SE is classified as a collector street according to the Salem TSP and does not meet the minimum improvement width or pavement width required according to the



Salem TSP and SRC Chapter 803. The proposal involves reconstructing a gas station canopy in a smaller footprint than what was previously existing. The proposal does not generate any additional traffic and is exempt from boundary street improvements pursuant to SRC 803.040(d). The existing street system is adequate to accommodate the proposal. As no right-of-way dedication is required along Hoyt Street SE for the proposal, the property is subject to a special setback equal to 30-feet from the centerline of Hoyt Street SE.

**Condition:** The proposed development is subject to a special setback equal to 30-feet from centerline on the development side of Hoyt Street SE.

**Criteria: SRC 220.005(f)(3)(C) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians**

**Finding—**The subject property is served by existing driveway approaches onto Commercial Street SE and Hoyt Street SE. The existing driveway approaches provide safe and efficient movement of vehicles in and out of the development site.

**Criteria: SRC 220.005(f)(3)(D) The proposed development will be adequately served with City water, sewer, storm drainage, and other utilities appropriate to the nature of the development**

**Finding-** Development Services has reviewed the applicant's preliminary plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets/areas and are adequate to serve the proposed development. The proposal is to reconstruct a gas station canopy over existing fuel service stations. No new connections to public utilities are proposed.

Prepared by: Laurel Christian, Infrastructure Planner III  
cc: File