

TO: Aaron Panko, Planner III
Community Planning and Development Department

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



DATE: August 15, 2024

SUBJECT: **Infrastructure Memo**
SPR-WGP-ADJ24-21 (23-110867-PLN)
102 Pine Street NE
18-unit Multi-family Development

PROPOSAL

A Class 3 Site Plan Review and Class 1 Willamette Greenway Permit for development of a new 18-unit multi-family residential building within the Willamette Greenway, and Class 2 Adjustments. The subject property is approximately 0.91 acres in size, zoned MU-R (Mixed Use-Riverfront), and located at 102 Pine Street NE 97301 (Marion County Assessors map and tax lot number: 073W15DA / 05100).

RECOMMENDED CONDITIONS OF APPROVAL – SITE PLAN REVIEW

1. Design and construct a storm drainage system at the time of development in compliance with *Salem Revised Code* (SRC) Chapter 71 and *Public Works Design Standards* (PWDS).
2. Extend an 8-inch water main from the intersection of Front Street NE and Pine Street NE, approximately 200-feet, to the subject property to serve the proposed development pursuant to Public Works Design Standards.
3. Extend an 8-inch sanitary sewer main from the intersection of Front Street NE and Pine Street NE, approximately 200-feet, to the subject property to serve the proposed development pursuant to *Public Works Design Standards*.
4. Construct a half-street improvement along the frontage of Pine Street NE to local street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803. The extent of the required improvement along the Pine Street NE frontage shall be approximately 85-feet west of the intersection of Pine Street NE and the unnamed alley.

5. Prior to issuance of a certificate of occupancy, install street trees to the maximum extent feasible along Pine Street NE.
6. Obtain any necessary street tree removal permits pursuant to SRC Chapter 86.

RECOMMENDED CONDITIONS OF APPROVAL – WILLAMETTE GREENWAY PERMIT

1. Prior to issuance of a building permit, submit a report by a certified engineering geologist or geotechnical engineer demonstrating that the standards specified in SRC 600.025(a)(2) have been met.
2. Coordinate construction activities with the Public Works Department and Building and Safety to ensure that any required erosion control or grading permits or other appropriate measures are in place to protect the topographical features of the bank and escarpment.
3. Prior to issuance of a building permit, submit a report by a registered professional engineer detailing the hydraulic and flood carrying capacity of the river to demonstrate compliance with SRC 600.025(a)(3) and SRC 600.025(a)(4).

EXISTING CONDITIONS – INFRASTRUCTURE

The existing conditions of streets abutting the subject property are described in the following table:

Streets			
Street Name		Right-of-way Width	Improvement Width
Pine Street NE (Local)	Standard:	60-feet	30-feet
	Existing Condition:	66-feet	34-feet
Unnamed Alley	Standard:	10-to-20-feet	10-to-20-feet
	Existing Condition:	15-feet	15-feet

The existing conditions of public infrastructure available to serve the subject property are described in the following table:

Utilities & Parks	
Type	Existing Conditions
Water	Water Service Level: G-0
	A 16-inch water main is located in Front Street NE, approximately 200-feet east of the subject property.
Sanitary Sewer	A 10-inch sanitary sewer main is located in Front Street NE, approximately 200-feet east of the subject property.

Storm	A 10-inch storm main is located in Pine Street NE and the Unnamed Alley abutting the subject property.
Parks	The proposed development is served by Highland Park approximately .36 miles southeast of the subject property.

CLASS 3 SITE PLAN REVIEW DECISION CRITERIA

The following Code references indicate the criteria that must be found to exist before an affirmative decision may be made. The applicable criteria and the corresponding findings are as follows:

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

Finding—As proposed and conditioned in the findings within the memo, the development meets all the applicable standards in the UDC as follows:

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.

Finding: The subject property is located inside the Urban Service Area and adequate facilities are available. No Urban Growth Area permit is required.

SRC Chapter 71 – Stormwater:

The proposed development is subject to SRC Chapter 71 and the revised Public Works Design Standards (PWDS) as adopted in Administrative Rule 109, Division 004.

Finding: It is unclear from the information provided whether or not the proposed development is subject to the requirements of SRC Chapter 71 relating to green stormwater infrastructure (GSI) for management of stormwater generated from the site. The applicant submitted preliminary civil plans and a revised architectural plan which do not match. The revised architectural plan does not set aside any area for GSI not has the applicant provided a stormwater management report that demonstrates compliance with PWDS Administrative Rule 109, Division 004 and SRC Chapter 71 relating to GSI. Modifications to the site plan may be required to accommodate GSI for the development as no area on-site is currently set aside. At time of building permit, the applicant shall be required to submit a stormwater management design that demonstrates compliance with the standards.

Condition: Design and construct a storm drainage system at the time of development in compliance with *Salem Revised Code* (SRC) Chapter 71 and

Public Works Design Standards (PWDS).

SRC 802 – Public Improvements:

▪ **Development to be served by City utilities:**

SRC 802.015 requires development to be served by City utilities designed and constructed according to all applicable provisions of the Salem Revised Code and Public Works Design Standards (PWDS).

Finding: In summary, the proposed development will be served adequately by City water, sewer, and stormwater infrastructure upon completion of the conditions described in the analysis provided for each utility type. The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the PWDS and to the satisfaction of the Public Works Director. The applicant is advised that a sewer monitoring manhole may be required, and the trash area shall be designed in compliance with Public Works Standards.

Water – There are no existing public water mains in Pine Street NE along the property frontage. The nearest public water main is located at the intersection of Pine Street NE and Front Street NE, approximately 200-feet east of the subject property. In order to provide public water service to the proposed development, and comply with SRC 802.015, the applicant shall be required to extend a minimum 8-inch public water main in Pine Street NE to the subject property.

Condition: Extend an 8-inch water main from the intersection of Front Street NE and Pine Street NE, approximately 200-feet, to the subject property to serve the proposed development pursuant to *Public Works Design Standards*.

Sanitary Sewer – There are no existing public sanitary sewer mains in Pine Street NE along the property frontage. The nearest public sanitary sewer main is located at the intersection of Pine Street NE and Front Street NE, approximately 200-feet east of the subject property. In order to provide public sanitary sewer service to the proposed development, and comply with SRC 802.015, the applicant shall be required to extend a minimum 8-inch public sanitary sewer main in Pine Street NE to the subject property.

Condition: Extend an 8-inch sanitary sewer main from the intersection of Front Street NE and Pine Street NE, approximately 200-feet, to the subject property to serve the proposed development pursuant to *Public Works Design Standards*.

Stormwater – There is an existing public stormwater main located in Pine Street NE available to serve the proposed development. No stormwater main extensions are required as a condition of approval.

SRC 803 – Street and Right-of-way Improvements

▪ ***Boundary Street Improvements***

Pursuant to SRC 803.025, except as otherwise provided in this chapter, right-of-way width and pavement width for streets and alleys shall conform to the standards set forth in Table 803-1 (Right-of-way Width) and Table 803-2 (Pavement Width). In addition, SRC 803.040 requires dedication of right-of-way for, and construction or improvement of, boundary streets up to one-half of the right-of-way and improvement width specified in SRC 803.025 as a condition of approval for certain development.

Finding: The subject property abuts Pine Street NE along the northern property boundary. Pine Street NE is classified as a local street according to the Salem Transportation System Plan (TSP). Pine Street NE along the property frontage meets the minimum standards for right-of-way width but has inadequate pavement width along the frontage of the property. The street lacks adequate pavement, curbs, sidewalks, and planter strips along the property frontage. Pine Street NE terminates approximately 85-feet west of the intersection of Pine Street NE and the unnamed alley. As a condition of approval, the applicant shall construct a half street improvement along Pine Street NE from. The improvement shall extend from the unnamed alley to approximately 85-feet west along the property frontage of Pine Street NE.

Condition: Construct a half-street improvement along the frontage of Pine Street NE to local street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803. The extent of the required improvement along the Pine Street NE frontage shall be approximately 85-feet west of the intersection of Pine Street NE and the unnamed alley.

▪ ***Street Trees***

Pursuant to SRC 803.035(k) and SRC 86.015(e), anyone undertaking development along public streets shall plant new street trees to the maximum extent feasible.

Finding: The required half street improvement will provide a planter strip along Pine Street NE which can accommodate street trees along the frontage of the property. As a condition of approval, street streets shall be provided in order to comply with SRC 803.035(k) and SRC 86.015(e).

Condition: Prior to issuance of a certificate of occupancy, install street trees to the maximum extent feasible along Pine Street NE.

The applicant's preliminary civil plans show removal of an existing City-owned street tree in Pine Street NE. Removal of trees located within the right-of-way requires a street tree removal permit pursuant to SRC Chapter 86. As a condition of approval, the applicant shall obtain any necessary street tree removal permits prior to issuance of building permits that would necessitate removal of the City-owned tree.

Condition: Obtain any necessary street tree removal permits pursuant to SRC Chapter 86.

SRC Chapter 804 – Driveway Approaches:

SRC 804 establishes development standards for driveway approaches providing access from the public right-of-way to private property in order to provide safe and efficient vehicular access to development sites.

Finding: The development does not include a driveway approach or off-street parking. As such, the provisions in SRC Chapter 804 are not applicable to the development proposal.

SRC Chapter 805 – Vision Clearance:

SRC Chapter 805 establishes vision clearance standards in order to ensure visibility for vehicular, bicycle, and pedestrian traffic at the intersections of streets, alleys, flag lot accessways, and driveways.

Finding: The applicant's architectural site plan shows no fencing or other obstructions in the vision clearance area for the intersection of the unnamed alley and Pine Street NE. Fencing and other obstructions are not permitted within vision clearance areas. At time of building permit, vision clearance will be confirmed.

Natural Resources:

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

Finding: A portion of the subject property is designated on the Federal Emergency Management Agency (FEMA) floodplain maps as a Zone "AE" floodway. Development within the floodplain requires a floodplain development permit and is subject to the requirements of SRC Chapter 601, including elevation of new structures to a minimum of one foot above the base flood elevation. The new structure is not being constructed in the floodplain area.

SRC Chapter 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 wetlands 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. SRC Chapter 809 establishes requirements for notification of DSL when an application for development is received in an area designated as a wetland on the official wetlands map.

Finding: The Salem-Keizer Local Wetland Inventory shows that there are wetland channels and/or hydric soils mapped on the property. The applicant should contact the Oregon Department of State Lands to verify if any permits are required for development or construction in the vicinity of the mapped wetland area(s), including any work in the public right-of-way. Wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025.

SRC Chapter 810 - Landslide Hazards: The City's landslide hazard ordinance (SRC Chapter 810) establishes standards and requirements for the development of land within areas of identified landslide hazard susceptibility.

Finding: According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are mapped 2-point landslide hazard areas on the subject property. The proposed activity of a multi-family adds 2 activity points to the proposal, which results in a total of 4 points. Therefore, the proposed development is classified as a low landslide risk and no additional information is required to satisfy SRC Chapter 810.

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— Access to the proposed development will be provided by the network of existing public streets that surround the property. As conditioned, the required improvements will ensure that the street system in and adjacent to the development will provide for the safe, orderly, and efficient circulation of traffic to and from the development. This criterion is met.

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 proposal does not include new driveway approaches or off-street parking areas. No off-street parking is proposed to serve the development. This criterion is not applicable.

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— The Development Services division reviewed the proposal and determined that water, sewer, and storm infrastructure are available and appear to be adequate to serve the lots within the proposed development, subject to the conditions of approval established in this decision. This approval criterion is met.

CLASS 1 WILLAMETTE GREENWAY PERMIT DECISION CRITERIA

SRC 600.015(e)(1) indicates the criteria that must be found to exist before an affirmative decision may be made. The applicable criteria and the corresponding findings are as follows:

Criteria: SRC 600.015(e)(1)(A) The proposed intensification, development, or change of use is consistent with:

(i) The Willamette River Greenway Plan;

Finding—Not applicable to Development Services review.

(ii) The Willamette Greenway Riparian Buffer Enhancement Guide;

Finding— Not applicable to Development Services review.

(iii) The applicable standards of this chapter;

Finding—SRC 600.015(d) establishes minimum submittal requirements in order to demonstrate the proposal complies with the applicable standards in the chapter. The applicant has not provided the minimum submittal requirement, as described below.

- **General Development Standards**

SRC 600.015(d)(5) requires a report by a certified engineering geologist or geotechnical engineer demonstrating that the standards specified in SRC 600.025(a)(2) have been met. This report ensures that the proposed development will not adversely affect the stability of the land area between the ordinary low water line and the Willamette Greenway Boundary. The application does not include required report by SRC 600.015(d)(5) or any information that demonstrates the development standards have been met. In order to comply with SRC 600.015(d)(5) and SRC 600.025(a)(2), the following condition applies:

Condition: Prior to issuance of a building permit, submit a report by a certified engineering geologist or geotechnical engineer demonstrating that the standards specified in SRC 600.025(a)(2) have been met.

To ensure that necessary measures are in place to reduce existing or potential bank and escarpment erosion related to the proposed construction and development activities, staff recommends the following condition:

Condition: Coordinate construction activities with the Public Works Department and Building and Safety to ensure that any required erosion control or grading permits or other appropriate measures are in place to protect the topographical

features of the bank and escarpment.

SRC 600.015(d)(6) requires a report by a registered professional engineer detailing the hydraulic and flood carrying capacity of the river. This ensures that development standards of SRC 600.025(a)(3) and SRC 600.025(a)(4) are met. Specifically, the report shall ensure the hydraulic effect of the Willamette River on the bank are considered and that the flood carrying capacity of the river is not negatively impacted. The applicant does not include the report required by SRC 600.015(d)(6) or any information that demonstrates the development standards have been met. In order to comply with SRC 600.015(d)(6), SRC 600.025(a)(3) and SRC 600.025(a)(4), the following condition applies:

Condition: Prior to issuance of a building permit, submit a report by a registered professional engineer detailing the hydraulic and flood carrying capacity of the river to demonstrate compliance with SRC 600.025(a)(3) and SRC 600.025(a)(4).

▪ **Public Access**

SRC 600.025(h) requires dedication of right-of-way or easements for public access to the Willamette River. The Salem Transportation System Plan and Parks System Master Plan identify the Riverfront off-street bike path will run along Front Street NE in this area rather than along the riverfront due to the steepness of the riverbank. In addition, the right-of-way for Pine Street NE extends to the Willamette River and can provide public access. As such, public access easements to the river are not required as part of the development proposal.

(iv) Where applicable, the stormwater runoff water quality standards adopted and administered by the Public Works Department.

Finding— The proposed development is subject to the requirements of SRC Chapter 71 relating to green stormwater infrastructure (GSI) for management of stormwater generated from the site. The applicant submitted preliminary civil plans and a revised architectural plan which do not match. The revised architectural plan does not set aside any area for GSI nor has the applicant provided a stormwater management report that demonstrates compliance with PWDS Administrative Rule 109, Division 004 and SRC Chapter 71 relating to GSI. Modifications to the site plan may be required to accommodate GSI for the development as no area on-site is currently set aside. Conditions of approval on the Site Plan Review application will ensure that the proposed development complies with stormwater water quality standards established in the PWDS Administrative Rule 109, Division 004 and SRC Chapter 71.

Criteria: SRC 600.015(e)(1)(B) The proposed intensification, development, or change of use complies with all applicable development standards in the UDC.

Finding— With conditions of approval established in this decision, the application

complies with the applicable development standards in the UDC.

RESPONSE TO COMMENTS

- 1. On-street Parking:** Comments received express concerns for the additional needs for on-street parking in the vicinity of the site. Additional comments request restricting on-street parking on Pine Street NE to accommodate large vehicle maneuvering along Pine Street NE.

Staff Response: Pine Street NE is classified as a local street, the minimum improvement width for a local street is 30-feet. Pine Street NE along the property frontage is approximately 34-feet in width which can accommodate parking on both sides of the street; however, “no-parking” signs are posted along the development side of the street. This is likely due to the two existing driveway curb cuts and the alley curb cut along Pine Street NE, which does not leave room for on-street parking. Closure of one driveway approach onto Pine Street NE is required as a condition of approval, which may allow for additional parking along the frontage upon completion of the project. Currently, on-street parking is available on the north side of Pine Street NE. Typically, on a street with a width of 34-feet, on-street parking is not restricted. At time of project completion, staff may evaluate on-street parking impacts and determine if additional “no-parking” signs are warranted along the north side of Pine Street NE.

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