

Pre-Application Summary

Planning Division

555 Liberty Street SE/Room 305
Phone: 503-540-6217
planning@cityofsalem.net

Case Number / AMANDA No. PRE-AP24-10 / 24-102461-PA
Conference Date February 26, 2024
Applicant Gene Bolante
Studio 3 Architecture
285 Court Street NE
Salem, OR 97301
gene@studio3architecture.com

Case Manager Aaron Panko

Mandatory Pre-Application Conference: ☒ Yes ☐ No

Project Description & Property Information	
Project Description	To discuss development of a gasoline service station, convenience store, drive-through service use, and car wash, for property approximately 1.54 acres in size.
Property Address	5100 Block of Macleay Road SE
Assessor's Map and Tax Lot Number	072W32D / 002400
Existing Use	Vacant
Neighborhood Association	Southeast Mill Creek Association (SEMCA)
Adjacent Neighborhood Association	NA
Comprehensive Plan Map Designation	Industrial Commercial
Zoning	IC (Industrial Commercial)
Overlay Zone	NA
Urban Service Area	The subject property is located outside the Urban Service Area
Urban Renewal Area	NA
Past Land Use Actions	UGA10-01, CPC-ZC12-07, SPR14-10, SPR14-10MOD1

Attendees:

Sean Mansfield, Salem Fire Department – smansfield@cityofsalem.net
Matthew O'Donnell, Building and Safety Division – modonnell@cityofsalem.net
Laurel Christian, Development Services Division – lchristian@cityofsalem.net
Aaron Panko, Planning Division – apanko@cityofsalem.net

Planning Division Comments

Proposal

A pre-application conference to discuss development of a gasoline service station, convenience store, drive-through service use, and car wash, for property approximately 1.54 acres in size, zoned IC (Industrial Commercial), and located at the 5100 Block of Macleay Road SE - 97317 (Marion County Assessors Map and Tax Lot number: 072W32D / 002400).

Prior Land Use Actions for Property

UGA10-01: To determine the public facilities required by the Urban Growth Management Program to develop the subject property that lies outside the Urban Service Area (USA) with a gas station and convenience store on property approximately 1.39 acres in size, within an IBC (Industrial Business Campus) zone, and located at the southwest corner of the intersection of Cordon Road SE and Macleay Road SE (Marion County Assessor's Map and Tax Lot number: 072W32D / 2400).

CPC-ZC12-07: To change the Salem Area Comprehensive Plan (SACP) Map designation from Industrial to Industrial Commercial and change the zone district from IBC (Industrial Business Campus) to IC (Industrial Commercial) on property approximately 1.39 acres in size, and located at the southwest corner of the intersection of Cordon Road and Macleay Road SE- 97317 (Marion County Assessor's Map and Tax Lot numbers: 072W32D I 02400).

Condition 1: At the time of development review for any proposed use on the subject property, the proposed development's average daily trips shall be calculated pursuant to the then-current Institute of Transportation Engineers (ITE) Trip Generation manual. Traffic impacts from future development on the subject property shall be limited to a maximum of 3,522 average daily trips generated by the proposed use or uses.

SPR14-10: A proposal to develop a vacant lot with two new retail buildings and a new gas station with convenience store.

SPR14-10MOD1: A request to modify conditions of approval from a previously approved Site Plan Review Decision.

This land use approval expired in March 2020.

Required Land Use Applications

The land use applications checked in the table below have been preliminarily identified as being required for development of the subject property based upon the information provided by the applicant at the time of the pre-application conference. Additional land use applications may be required depending on the specific proposal at the time of future development.

Required Land Use Applications			
Zoning		Site Plan Review	
<input type="checkbox"/>	Conditional Use (SRC 240.005)	<input type="checkbox"/>	Class 1 Site Plan Review (SRC 220.005)
<input type="checkbox"/>	Comprehensive Plan Change (SRC 64.020)	<input type="checkbox"/>	Class 2 Site Plan Review (SRC 220.005)
<input type="checkbox"/>	Zone Change (SRC 265.000)	<input checked="" type="checkbox"/>	Class 3 Site Plan Review (SRC 220.005)
<input type="checkbox"/>	Temporary use Permit – Class 1 (SRC 701.010)	Design Review	

<input type="checkbox"/>	Temporary Use Permit – Class 2 (SRC 701.010)	<input type="checkbox"/>	Class 1 Design Review (SRC 225.005)
<input type="checkbox"/>	Non-Conforming Use Extension, Alteration, Expansion, or Substitution (SRC 270.000)	<input type="checkbox"/>	Class 2 Design Review (SRC 225.005)
<input type="checkbox"/>	Manufactured Dwelling Park Permit (SRC 235.010)	<input type="checkbox"/>	Class 3 Design Review (SRC 225.005)
Land Divisions		Historic Design Review (SRC 230.020)	
<input type="checkbox"/>	Property Line Adjustment (SRC 205.055)	<input type="checkbox"/>	Major Commercial
<input type="checkbox"/>		<input type="checkbox"/>	Minor Commercial
<input type="checkbox"/>	Replat (SRC 205.025)	<input type="checkbox"/>	Major Public
<input type="checkbox"/>	Partition (SRC 205.005)	<input type="checkbox"/>	Minor Public
<input type="checkbox"/>	Subdivision (SRC 205.010)	<input type="checkbox"/>	Major Residential
<input type="checkbox"/>	Phased Subdivision (SRC 205.015)	<input type="checkbox"/>	Minor Residential
<input type="checkbox"/>	Planned Unit Development Tentative Plan (SRC 210.025)	Wireless Communication Facilities	
<input type="checkbox"/>	Manufactured Dwelling Park Subdivision (SRC 205.020)	<input type="checkbox"/>	Class 1 Permit (SRC 703.020)
<input type="checkbox"/>	Validation of Unit of Land (SRC 205.060)	<input type="checkbox"/>	Class 2 Permit (SRC 703.020)
Relief		<input type="checkbox"/>	Class 3 Permit (SRC 703.020)
<input type="checkbox"/>	Adjustment – Class 1 (SRC 250.005)	<input type="checkbox"/>	Temporary (SRC 703.100)
<input checked="" type="checkbox"/>	Adjustment – Class 2 (SRC 250.005)	<input type="checkbox"/>	Adjustment (SRC 703.090)
<input type="checkbox"/>	Variance (SRC 245.005)	Other	
Natural Resources		<input type="checkbox"/>	Annexation – Without Comprehensive Plan Change and/or Zone Change (SRC 260.010)
<input type="checkbox"/>	Tree Conservation Plan (SRC 808.035)	<input type="checkbox"/>	Annexation – With Comprehensive Plan Change and/or Zone Change (SRC 260.010)
<input type="checkbox"/>	Tree Conservation Plan Adjustment (SRC 808.040)	<input type="checkbox"/>	Sign Adjustment (SRC 900.035)
<input type="checkbox"/>	Tree Removal Permit (SRC 808.030)	<input type="checkbox"/>	Sign Conditional Use (SRC 900.045)
<input type="checkbox"/>	Tree Variance (SRC 808.045)	<input type="checkbox"/>	Sign Variance (SRC 900.040)
<input type="checkbox"/>	Willamette Greenway Permit – Class 1 (SRC 600.015)	<input type="checkbox"/>	SWMU Zone Development Phasing Plan (SRC 531.015)
<input type="checkbox"/>	Willamette Greenway Permit – Class 2 (SRC 600.015)	<input type="checkbox"/>	Urban Growth Preliminary Declaration (SRC 200.020)
		<input checked="" type="checkbox"/>	Historic Clearance Review- High Probability Archaeological Zone (SRC 230.020)
		<input checked="" type="checkbox"/>	Class 2 Driveway Approach Permit (SRC 804.025)
		<input type="checkbox"/>	
Staff Comments			
<ul style="list-style-type: none"> Class 3 Site Plan Review. If you want to build on your property, you may need to submit a Site Plan Review application for approval from the Planning Division. Site plan review is intended to ensure that the development meets all applicable requirements of the Salem Revised Code (SRC), examples of issues reviewed as part of site plan review include property zoning, parking lot layout and landscaping, pedestrian connectivity, landscaping, and transportation and utility infrastructure. Class 2 Driveway Approach Permit. A Class 2 Driveway Approach permit is required for each driveway approach onto a local, collector, minor arterial, major arterial, or parkway street providing access to a 			

use other than single family, two family, three family, or four family. At the pre-application conference it was mentioned that the proposed approaches may not comply with minimum spacing and locational requirements of SRC 804.035, a Class 2 Adjustment is likely needed.

- **Class 2 Adjustment.** If you want to improve or build on your property but cannot meet a development standard in the *Salem Revised Code* (SRC), you can seek an adjustment. Adjustments provide an alternative way to meet the purposes of the SRC and provide flexibility to allow reasonable development of property where special conditions or unusual circumstances exist. Adjustments may be needed for the driveway development standards in SRC Chapter 804.
- **Archeological Review.** In addition to the land use applications identified above, the subject property appears to be within the Historic and Cultural Resources Protection Zone, if the project results in group disturbance, archeological review for the project may be required.

In order to determine what archeological requirements, if any, may be applicable to development of the property it is strongly recommended you contact **Kimberli Fitzgerald**, the City's Historic Preservation Officer. Kimberli can be reached at 503-540-2397 or KFitzgerald@cityofsalem.net.

Online Application Submittal Packets

The City has electronic application submittal guides for the applications identified above. The webpages include a summary of the review procedure, submittal requirements, and approval criteria. The submittal guides can be found on the City's [Land Use Applications](#) page.

Land Use Application Fees

The applicable land use application fees for these applications can be found in the City's [Fee Schedule](#). Land use application fees and descriptions start on **page 21** of the document.

Consolidated Land Use Application Procedures

When multiple land use applications are required or proposed for a development, the City's land use procedures ordinance (SRC Chapter 300) provides alternatives methods for how such applications may be processed.

The applications may be processed individually in sequence, concurrently, or consolidated into a single application. Where multiple applications proposed to be consolidated include an application subject to review by the Historic Landmarks Commission, the application subject to Historic Landmarks Commission review may be processed individually in sequence or concurrently.

Multiple land use applications consolidated into a single application shall be accompanied by the information and supporting documentation required for each individual land use action. Review of the application shall be according to the highest numbered procedure type and the highest Review Authority required for any of the land use applications proposed to be consolidated.

Multiple applications processed concurrently require the filing of separate applications for each land use action. Each application shall be reviewed separately according to the applicable procedure type and Review Authority and processed simultaneously.

Zoning

The zoning of the subject property has been identified in the table below. For specific requirements of the applicable zone(s), click on the zone(s) in the table.

Base Zones			
<input type="checkbox"/>	EFU – Exclusive Farm Use (SRC 500.000)	<input type="checkbox"/>	MU-II – Mixed Use II (SRC 534.000)

<input type="checkbox"/>	RA – Residential Agriculture (SRC 510.000)	<input type="checkbox"/>	MU-III – Mixed Use III (SRC 535.000)
<input type="checkbox"/>	RS – Single Family Residential (SRC 511.000)	<input type="checkbox"/>	MU-R – Mixed Use Riverfront (RSC 536.000)
<input type="checkbox"/>	RD – Duplex Residential (SRC 512.000)	<input type="checkbox"/>	ESMU – Edgewater/Second Street Mixed-Use Corridor (SRC 537.000)
<input type="checkbox"/>	RM-1 – Multiple Family Residential (SRC 513.000)	<input type="checkbox"/>	PA – Public Amusement (SRC 540.000)
<input type="checkbox"/>	RM-2 – Multiple Family Residential (SRC 514.000)	<input type="checkbox"/>	PC – Public and Private Cemeteries (SRC 541.000)
<input type="checkbox"/>	RM-3 – Multiple Family Residential (SRC 515.000)	<input type="checkbox"/>	PE – Public and Private Education (SRC 542.000)
<input type="checkbox"/>	CO – Commercial Office (SRC 521.000)	<input type="checkbox"/>	PH – Public and Private Health Services (SRC 543.000)
<input type="checkbox"/>	CR – Retail Commercial (SRC 522.000)	<input type="checkbox"/>	PS – Public Service (SRC 544.000)
<input type="checkbox"/>	CG – General Commercial (SRC 523.000)	<input type="checkbox"/>	PM – Capitol Mall (SRC 545.000)
<input type="checkbox"/>	CB – Central Business District (SRC 524.000)	<input type="checkbox"/>	EC – Employment Center (SRC 550.000)
<input type="checkbox"/>	WSCB – West Salem Central Business District (SRC 525.000)	<input checked="" type="checkbox"/>	IC – Industrial Commercial (SRC 551.000)
<input type="checkbox"/>	FMU – Fairview Mixed-Use (SRC 530.000)	<input type="checkbox"/>	IBC – Industrial Business Campus (SRC 552.000)
<input type="checkbox"/>	SWMU – South Waterfront Mixed-Use (SRC 531.000)	<input type="checkbox"/>	IP – Industrial Park (SRC 553.000)
<input type="checkbox"/>	MU-I – Mixed Use I (SRC 533.000)	<input type="checkbox"/>	IG – General Industrial (SRC 554.000)
Overlay Zones			
<input type="checkbox"/>	Willamette Greenway (SRC 600.000)	<input type="checkbox"/>	Chemawa-I-5 Northeast Quadrant Gateway (SRC 618.000)
<input type="checkbox"/>	Floodplain (SRC 601.000)	<input type="checkbox"/>	Superior-Rural (SRC 621.000)
<input type="checkbox"/>	Airport (SRC 602.000)	<input type="checkbox"/>	Saginaw Street (SRC 625.000)
<input type="checkbox"/>	Portland Fairgrounds Road (SRC 603.000)	<input type="checkbox"/>	McNary Field (SRC 629.000)
Staff Comments			
<ul style="list-style-type: none"> • Use and development standards for the IC zone can be found HERE. • Retail Sales and Motor Vehicle Services are allowed as a permitted use in the IC zone. • A minimum of 15 percent of the development site is required to be landscaped. • The minimum building setback requirements adjacent to a street is 5 feet and the minimum vehicle use area setback is 6-10 feet per SRC 806. 			

Development Standards

The proposed development will be primarily subject to the provisions of the chapters identified in the table below. For specific requirements, click on chapters in the table.

Development Standards			
<input type="checkbox"/>	Special Use Provisions (SRC 700.000)	<input checked="" type="checkbox"/>	Off-Street Parking, Loading and Driveways (SRC 806.000)
<input checked="" type="checkbox"/>	General Development Standards (SRC 800.000)	<input checked="" type="checkbox"/>	Landscaping and Screening (SRC 807.000)
<input checked="" type="checkbox"/>	Public Improvements (SRC 802.000)	<input checked="" type="checkbox"/>	Preservation of Trees and Vegetation (SRC 808.000)
<input checked="" type="checkbox"/>	Streets and Right-Of-Way Improvements (SRC 803.000)	<input checked="" type="checkbox"/>	Wetlands (SRC 809.000)

<input checked="" type="checkbox"/>	Driveway Approaches (SRC 804.000)	<input checked="" type="checkbox"/>	Landslide Hazards (SRC 810.000)
<input checked="" type="checkbox"/>	Vision Clearance (SRC 805.000)	<input type="checkbox"/>	
Staff Comments			
<ul style="list-style-type: none"> A tributary of the West Middle Fork of the Little Pudding River, classified as a mapped waterway, flows across the subject property. The riparian corridor boundary is measured 50 feet horizontally from the top of bank on each side of a waterway. Per SRC 808.020, no person shall remove any tree or native vegetation in a riparian corridor, unless the removal is undertaken pursuant to a tree and vegetation removal permit. <p>The proposed site plan shows development encroaching into the riparian corridor. With the Site Plan Review application, the applicant will be required to provide a statement from a certified arborist or landscape architect that no trees or native vegetation within the riparian corridor will be impacted by the proposed development.</p> <ul style="list-style-type: none"> Per SRC 806.015, the maximum off-street parking allowance for a retail sales use is one space per 200 square feet of floor area, and the maximum off-street parking allowance for a motor vehicle services use is one space per 600 square feet of floor area. Per SRC 806.055, the minimum bicycle parking requirement for a retail sales use is the greater of four spaces, or one space per 10,000 square feet of floor area. For motor vehicle services uses, the minimum bicycle parking requirement is one space per 9,000 square feet of floor area. 			

Natural Resources

Trees: There are trees present on the subject property. The City's tree preservation ordinance (SRC Chapter 808) protects Heritage Trees, Significant Trees (*including Oregon White Oaks with diameter-at-breast-height of 20 inches or greater and any other tree greater than 30 inches in dbh except Tree of heaven (Ailanthus altissima), Empress tree (Paulownia tomentosa), Black cottonwood (Populus trichocarpa), and Black locust (Robinia psuedoacacia)*), trees and native vegetation in riparian corridors, and trees on lots and parcels greater than 20,000 square feet. 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."

Trees and native vegetation within the riparian corridor are protect under SRC Chapter 808. The applicant's development plans should be revised to comply with all applicable waterway setback requirements and riparian area protections. Buildings and vehicle use areas may encroach into the riparian corridor with findings from a certified arborist or landscape architect indicating that no trees or native vegetation will be impacted.

Wetlands: According to the Salem-Keizer Local Wetland Inventory (LWI) there are areas of mapped wetlands present on the subject property. The applicant is advised that the City will provide notification of any development applications to the Department of State Lands who may require additional wetland studies of the subject property.

Landslide Hazard Susceptibility: According to the City's adopted landslide hazard susceptibility maps the subject property does not contain areas of mapped landslide hazards. Commercial and industrial land development is assigned 3 activity points. A total of 3 points indicates a low landslide risk, a geological assessment is not required.

Neighborhood Association Contact and Open House

Applicants are required to contact the applicable neighborhood association for certain types of land use applications prior to application submittal. For a limited number of application types, an open house or

presentation at a neighborhood association meeting is required. This allows the neighborhood association to be involved early in the process and helps to identify any potential issues that might arise.

The table below indicates if the proposed development must meet either the neighborhood association contact requirement or open house/neighborhood association meeting requirement prior to application submittal.

Pre-Submittal Requirement	
<input checked="" type="checkbox"/> Neighborhood Association Contact (SRC 300.310)	<input type="checkbox"/> Open House (SRC 300.320)
Staff Comments	
<ul style="list-style-type: none"> Neighborhood association contact is required prior to submittal of a Class 3 Site Plan Review application. 	

Neighborhood Association Contact

When a land use application requires neighborhood association contact, the applicant must contact the City-recognized neighborhood association(s) whose boundaries include, and are adjacent to, the subject property via e-mail or letter.

The e-mail or letter must be sent to **both** the Neighborhood Association Chair(s) and Land Use Chair(s) of the applicable neighborhood association and contain the following information:

- 1) The name, telephone number, and e-mail address of the applicant;
- 2) The address of the subject property;
- 3) A summary of the proposal;
- 4) A conceptual site plan, if applicable, that includes the proposed development; and
- 5) The date on which the e-mail or letter is being sent.

Note: Land use applications requiring neighborhood association contact will not be accepted unless they are accompanied by a copy of the e-mail or letter that was sent to the neighborhood association and a list of the e-mail or postal addresses to which the e-mail or letter was sent.

Open House

When a land use application requires an open house, the applicant must arrange and attend one open house to share the development proposal with the neighborhood and surrounding property owners and residents prior to application submittal.

The open house must be within the boundaries of the City-recognized neighborhood association in which the subject property is located or within two miles of the subject property. The applicant must provide written notice of the open house to the applicable neighborhood association(s) and the Planning Administrator and must post notice of the open house on the subject property. **Note: Applicants can choose to present their proposals at a neighborhood association meeting in-lieu of arranging and attending an open house.**

Neighborhood Association Information

For your convenience, neighborhood association(s) contact information is included below. Please note that the identified neighborhood association chair(s), and their corresponding contact information, is current as of the date of the pre-application conference, but this information is subject to change if the chair(s) or their contact information has changed subsequent to the date of the pre-application conference.

Up-to-date contact information for neighborhood representatives may also be obtained by visiting the [Neighborhood Association page](#) on the City's website or by contacting the City's Neighborhood Program Coordinator at 503-540-2303.

Applicable Neighborhood Association(s):	Meeting Date, Time, & Location	Neighborhood Association Chair(s)
Southeast Mill Creek Association (SEMCA)	2 nd Tuesday each month @ 10:00 AM <i>See calendar for specific dates and meeting locations</i>	Cory Poole (<i>Chair</i>) elna@saalemneighbors.org Alan Rasmussen (<i>Land Use Chair</i>) alan@rasmussenlegacygroup.com

Salem Revised Code Available Online

The entire [Salem Revised Code](#) can be accessed online through the link.