

Pre-Application Report

Community Development Department Planning Division

555 Liberty Street SE/Room 305 Phone: 503-588-6173 www.cityofsalem.net/planning

Case Number / AMANDA No.PRE-AP23-25 / 23-105449-PAConference DateMarch 20, 2023ApplicantLeonard Lodder
Studio 3 Architecture
275 Court Street NE
Salem, OR 97301
leonard@studio3architecture.comRepresentativeLeonard LodderCase ManagerBryce Bishop

Mandatory Pre-Application Conference: ____ Yes X No

Project Description & Property Information				
Project Description	Proposed mixed-use development consisting of retail and residential on a portion of the former Fairview Training Center site.			
Property Address	2110 Strong Road SE			
Assessor's Map and Tax Lot Number	083W11AB03200			
Property Size	Approximately 1.08 acres			
Existing Use	Vacant lot			
Comprehensive Plan Map Designation	Mixed Use			
Zoning	FMU (Fairview Mixed-Use) and within the Fairview Refinement Plan II refinement plan			
Overlay Zone(s) / Historic Districts	None			
	The subject property is located outside the City's Urban Service Area.			
Urban Service Area	Note: When property is located outside the City's Urban Service Area an Urban Growth Preliminary Declaration is required for development of the property. Urban Growth Preliminary Declarations (Case Nos. UGA04-08 & UGA04- 08A) were previously approved for development of this portion of the former Fairview Training Center site. An Urban Growth Preliminary Declaration is therefore not required for the proposed development.			
Urban Renewal Area(s)	None			

Planning Division Comments

Proposal

Pre-application conference to discuss a proposed mixed-use development consisting of retail and residential on a portion of the former Fairview Training Center site. The subject property is approximately 1.08 acres in size, zoned FMU (Fairview Mixed-Use) within the Fairview Refinement Plan II refinement plan, and located at 2110 Strong Road SE (Marion County Assessor Map and Tax Lot Number: 083W11AB03200).

Past Land Use Applications

Staff reviewed the Planning Division's records to determine if there were any prior land use approvals for the subject property. In review of those records, the following past land use actions were found:

- Comprehensive Plan Change-Neighborhood Plan Change-Zone Change Case No. CPC-NPC-ZC03-02: Creation of a new "Mixed-Use" Comprehensive Plan designation and new "Fairview Mixed-Use" FMU Zone District and application of the new comprehensive plan designation and zone district to the 275-acre former Fairview Training Center site located at 2250 Strong Road SE.
- Urban Growth Preliminary Declaration Case No. UGA04-08: An application 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). The proposal is to develop what was known as the
 Fairview Training Center into a mixed-use center on approximately 255.81 acres in the FMU
 (Fairview Mixed-Use) zone for property located at 2250 Strong Road SE.
- Urban Growth Preliminary Declaration Case No. UGA04-08A: An application to amend the public facilities required by the Urban Growth Management Program for the development of the former Fairview Training Center into a mixed-use center in the FMU (Fairview Mixed-Use) zone for property located at 2250 Old Strong Road SE, previously 2250 Strong Road SE. The amendment changes the water requirements for the development established under the original decision (UGA04-08, dated November 15, 2004).
- Fairview Plan Case No. FP05-01: An application to adopt the Fairview Plan, a master plan for property approximately 275 acres in size; pursuant to the requirements of the Fairview Mixed Use (FMU) zone, SRC Chapter 143C, for property designated "Mixed Use" on the Salem Area Comprehensive Plan map, zoned Fairview Mixed Use (FMU), and located at 2250 Strong Road SE.
- Fairview Refinement Plan Case No. FRP09-01: An application to adopt the Fairview Refinement Plan II, a refinement plan for a portion of the former Fairview Training Center site, approximately 40 acres in size, pursuant to the requirements of the FMU (Fairview Mixed Use) zone, SRC Chapter 143C, for property designated "Mixed Use" on the Salem Area Comprehensive Plan map, zoned FMU (Fairview Mixed Use), and located at 2250 Strong Road SE (Marion County Map and Tax Lot No. 083W02 / 100 and 400 and 083W11 / 100).
- Phased Subdivision Case No. SUB09-04: An application to subdivide approximately 40 acres into 6 phases with 30 lots ranging in size from approximately 0.6 acres to 8.94 acres for property zoned FMU (Fairview Mixed Use) and located at 2250 Strong Road SE (Marion County Map and Tax Lot No. 083W02 / 100 and 400 and 083W11 / 100).
- **Tree Conservation Plan 09-05:** A tree conservation plan in conjunction with Fairview Refinement Plan Case No. FRP09-01 and Phased Subdivision Case No. SUB09-04.
- Tree Conservation Plan Adjustment No. TCPA13-08: A request to adjust Tree Conservation Plan TCP09-05 to extend the TCP boundaries to include additional trees that were inadvertently excluded from the original TCP inventory, preserve two additional trees and designate 10 additional trees for removal, one of which was proposed for preservation under TCP09-05. In combination with TCP09-05, the proposed adjusted plan will result in the preservation of 156 trees (51%) within the Lindburg Green Subdivision.

- Property Line Adjustment Case No. PLA14-11: An application for a property line adjustment to relocate the common property line between two abutting units of land resulting in properties that are approximately 65.06 acres and 17.22 acres in size. The properties are zoned FMU (Fairview Mixed-Use) and located in the 4000 to 4200 Blocks of Pringle Road SE / 4300 Block of Battle Creek Road SE and 2250 Old Strong Road SE (Marion County Assessor map and Tax Lot Numbers: 083W11/200 and 083W11/100).
- Fairview Refinement Plan Major Amendment Case No. FRPA16-01: An application for a Major Amendment to Fairview Refinement Plan II (Lindburg Green), a refinement plan covering a portion of the former Fairview Training Center property. The proposed major amendment:
 - 1) Expands the boundaries of the refinement plan to add property for a future 27.5-acre community park;
 - 2) Expands the boundaries of the refinement plan to include land for future development to the west and northwest of the proposed park;
 - 3) Reconfigures the layout of the existing approved refinement plan to accommodate the addition of the proposed park and the land to the west and northwest of the proposed park; and
 - 4) Modifies the development standards applicable within the refinement plan area.

The subject property totals approximately 72 acres in size, is zoned FMU (Fairview Mixed-Use), and is located at 2250 Old Strong Road SE (Marion County Assessor Map and Tax Lot numbers: 083W0200100; 083W1100100; & 083W11A00100, 200, 300, 400, 500, 600, 700, 800, 900, 1000, 1001, and 1002).

- Property Line Adjustment Case No. PLA18-16: An application for a property line adjustment to relocate the common property line between two abutting units of land resulting in lots that are approximately 4.9 acres and 27.2 acres in size. The properties total a combined area of approximately 32.1 acres, are zoned FMU (Fairview Mixed-Use), and are located at 2250 Old Strong Road SE (Marion County Assessor Map and Tax Lot Numbers: 083W0200100 & 083W1100100).
- Subdivision and Fairview Refinement Plan Minor Amendment Case No. SUB-FRPA20-03: A
 consolidated application to develop approximately 25.27 acres of the former Fairview Training Center
 site pursuant to the requirements of the Fairview Mixed-Use zone and the adopted Fairview
 refinement plan for the property, Fairview Refinement Plan II. The application includes:
 - 1) A Phased Subdivision to divide the approximate 25.27-acre property into 73 single-family residential lots, ranging in size from approximately 1,780 square feet to 11,802 square feet, and five lots within the Village Center area of the refinement plan, ranging in size from approximately 23,745 square feet to 179,957 square feet; together with common open space.
 - 2) A Fairview Refinement Plan Minor Amendment to:
 - a) Reduce the minimum required residential density within the Adaptive Use (AU) Restricted area of the refinement plan from 6 dwelling units per acre to 5.2 dwelling units per acre; and
 - b) Allow for an alternative stormwater management system to be utilized for streets consisting of curbs, grassy swales, and regional water quality facilities.

The property is zoned FMU (Fairview Mixed-Use) and is located at 2250 Old Strong Road SE (Marion County Assessor Map and Tax Lot Number: 083W0200100).

Tree Conservation Plan 20-04: A Tree Conservation Plan in conjunction with Subdivision/Fairview Refinement Plan Minor Amendment Case No. SUB-FRPA20-03 proposing the preservation of 67 trees (49%) out of a total of 136 trees on the property. The subject property is approximately 25.27 acres in size, zoned FMU (Fairview Mixed-Use), and located at 2250 Old Strong Road SE (Marion County Assessor Map and Tax Lot Number: 083W0200100).

Legal Status of Property

The subject property is a lawfully established unit of land that was created as Lot 77 of the Legacy Heights subdivision plat.

Required Land Use Applications

The land use applications checked in the table below have been preliminary 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 A	pplications			
Zonin	g	Site	Plan Review			
	Conditional Use (SRC 240.005)		Class 1 Site Plan Review (SRC 220.005)			
			Class 2 Site Plan Rev	view ((SRC 220.005)	
	Comprehensive Plan Change (SRC 64.020)		(Applicable if the deve triggers for Class 2 S 220.005(b)(2)).		nent will meet the an Review under SRC	
	Zone Change (SRC 265.000)	Class 3 Site Plan Review (SRC 220.005) (Applicable if the development will meet the triggers for Class 3 Site Plan Review under S 220.005(b)(3)).			nent will meet the	
	Temporary use Permit – Class 1 (SRC 701.010)	Desi	gn Review			
	Temporary Use Permit – Class 2 (SRC 701.010)		Class 1 Design Revie	w (S	RC 225.005)	
	Non-Conforming Use Extension, Alteration, Expansion, or Substitution (SRC 270.000)		Class 2 Design Review (SRC 225.005)			
	Manufactured Dwelling Park Permit (SRC 235.010)		Class 3 Design Review (SRC 225.005)			
Land	Divisions	Historic Design Review (SRC 230.020)				
	Property Line Adjustment (SRC 205.055)		Major Commercial		Minor Commercial	
	Replat (SRC 205.025)		Major Public		Minor Public	
	Partition (SRC 205.005)		Major Residential		Minor Residential	
	Subdivision (SRC 205.010)	Wire	less Communication	Faci	lities	
	Phased Subdivision (SRC 205.015)		Class 1 Permit (SRC	703.	020)	
	Planned Unit Development Tentative Plan (SRC 210.025)		Class 2 Permit (SRC	703.	020)	
	Manufactured Dwelling Park Subdivision (SRC 205.020)		Class 3 Permit (SRC 703.020)			
	Middle Housing Land Division (SRC 205.051)		Temporary (SRC 703.100)			
	Validation of Unit of Land (SRC 205.060)		Adjustment (SRC 703.090)			
Relief						
	Adjustment – Class 1 (SRC 250.005) (Applicable when a proposed deviation from standards is within 20 percent of the standard)	Othe	er			

⊠	Adjustment – Class 2 (SRC 250.005) (Applicable when a proposed deviation from standards exceeds 20 percent of the standard)		Annexation – Voter Approval (SRC 260.035)		
	Variance (SRC 245.005)		Annexation – Voter Exempt (SRC 260.035)		
Natura	al Resources		Sign Adjustment (SRC 900.035)		
	Tree Conservation Plan (SRC 808.035)		Sign Conditional Use (SRC 900.045)		
	Tree Conservation Plan Adjustment (SRC 808.040)		Sign Variance (SRC 900.040)		
	Tree Removal Permit (SRC 808.030)		SWMU Zone Development Phasing Plan (SRC 531.015)		
	Tree Variance (SRC 808.045)		Urban Growth Preliminary Declaration		
	Willamette Greenway Permit – Class 1 (SRC 600.015)		(SRC 200.020)		
	Willamette Greenway Permit – Class 2 (SRC 600.015)		Historic Clearance Review- High Probability Archaeological Zone (SRC 230.100)		
		Ø	Fairview Refinement Plan Minor Amendment (SRC 530.035)		
			Fairview Refinement Plan Major Amendment (SRC 530.035)		
			Class 2 Driveway Approach Permit (SRC 804.025)		
			Landscaping Permit (SRC 807.020(b))		
Staff Comments					

• Fairview Refinement Plan Minor Amendment: As discussed at the pre-application conference, the residential component of the proposed use will exceed the maximum number of dwelling units currently allowed within the Fairview Refinement Plan II refinement plan. As such, an amendment to the refinement plan will be required in conjunction with the proposed development

Per <u>SRC 530.035</u>, amendments to refinement plans are either major or minor. A major amendment to a refinement plan is any amendment to the text and/or supporting documents of a refinement plan that results in a substantial change to the plan. A substantial change includes a number of different things identified under SRC 530.035(b)(2) including, but not limited to, increasing or decreasing the number of proposed residential units per acre by more than 20 percent or exceeding the maximum number of overall dwelling units permitted within the FMU zone.

Minor amendments, on the other hand, are amendments to a refinement plan that do not result in a substantial change to the refinement plan.

In the case of the proposed development, 8 to 10 dwelling units are proposed to be included within the mixed-use building. The additional 8 to 10 dwelling units proposed will exceed the maximum 457 dwelling units currently allowed in the refinement plan resulting from a previous amendment approved as part of Fairview Refinement Plan Major Amendment, Class 1 Design Review, Class 2 Site plan Review, Class 2 Adjustment, Class 1 Adjustment, and Class 2 Driveway Approach Permit Case No. FRPA-DR-SPR-ADJ-DAP21-02. However, because the additional 8 to 10 units will not increase the current maximum allowed number of dwelling units by more than 20 precent, a minor amendment, rather than a major amendment, to the refinement plan will be required.

Minor amendments are staff level decisions that require public notice and comment, but do not require a public hearing unless appealed or called up for review by the City Council. Prior to application submittal applicants are required to contact the neighborhood association to share the details of the proposal. In order for a minor amendment to be approved, it must be demonstrated that the approval criteria set forth under SRC 530.035(f)(1) are met.

- Adjustments: Depending on the final design and layout of the proposed development, not all of the
 applicable development standards of the refinement plan and SRC may be able to be met. If the proposed
 development will not meet an applicable development standard, either a Class 1 or Class 2 Adjustment will
 be required. A Class 1 Adjustment applies when a requested deviation from a development standard does
 not exceed 20 percent and a Class 2 Adjustment applies when a requested deviation from a development
 standard exceeds 20 percent.
- Archeological Review: The subject property is located within the City's <u>Historic and Cultural Resources</u> <u>Projection Zone</u> due to the possibility of archaeological resources being present on the site. Because of this, archeological review, in addition to the land use applications identified above, may also be required for the proposed development.

Because of the potential for archaeological resources being present on the site, the applicant is required to have an **Inadvertent Discovery Plan (IDP)** for the project in place in case any resources are inadvertently discovered during construction or ground disturbing activity.

Kimberli Fitzgerald, the City's Historic Preservation Officer and City Archaeologist, is available to answer any questions you may have regarding the requirements associated with the potential archeological resources on the property. 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 website at the following location:

• Site Plan Review:

https://www.cityofsalem.net/business/land-use-zoning/development-application-help/build-on-yourproperty

Adjustments:

https://www.cityofsalem.net/business/land-use-zoning/development-application-help/seek-anadjustment-to-land-use-standards

Land Use Application Fees

The applicable land use application fees for these applications can be found on the City's website at the location below. Land use application fees and descriptions start on **page 25** of the document.

https://www.cityofsalem.net/home/showpublisheddocument/1124/638041198777300000

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 shall 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.

<u>Zoning</u>

The subject property is zoned FMU (Fairview Mixed-Use) and is located within the *Fairview Refinement Plan II* refinement plan.

Development Standards

Because the subject property is zoned FMU (Fairview Mixed Use), development of the property is subject to the requirements of the FMU zone (<u>SRC Chapter 530</u>) as well as the requirements of the "Amended Fairview Refinement Plan II" refinement plan, the approved refinement plan for this portion of the former Fairview Training Center site.

FMU Zone Standards (SRC Chapter 530)

The majority of the standards applicable to the proposed development are contained in the <u>Amended</u> <u>Fairview Refinement Plan II</u> refinement plan. The FMU zone, however, includes the following additional standards which apply to development within the FMU zone:

General Development Standards (SRC 530.045):

 Nonresidential development in MI area. Except for activities falling under basic education, no building used exclusively for a nonresidential use within the MI area shall have a building footprint greater than 6,000 square feet. Activities falling under basic education located within the MI area may have a building footprint greater than 6000 square feet.

The subject property is located within the VC (Village Center) area of the refinement plan and not within the MI (Mixed-Intensity) area of the refinement plan. This FMU zone standard is therefore not applicable to the proposed development.

 Open space. A minimum of 20 acres of land within the FMU zone shall be reserved as natural open space.

Natural open space areas are identified as part of the refinement plan approval process. The subject property is not identified in the refinement plan as being part of a natural open space area. This FMU zone standard is therefore not applicable to the proposed development.

 Maximum number of dwelling units. The maximum number of dwelling units permitted in the FMU zone shall be 2000.

The number of dwelling units within the FMU zone has not yet reached the maximum limit of 2,000, but the Fairview Refinement Plan II refinement plan has reached its proportional share of the maximum overall allowed number of dwelling units.

The proposed development includes a two-story mixed-use building which includes retail use on the ground floor and the potential for eight to ten residential units on the upper floor. As discussed at the pre-application conference, because the Fairview Refinement Plan II refinement plan has reached its proportional share of the maximum overall number of dwelling units allowed within the refinement plan, a minor amendment to the refinement will be required in conjunction with the proposed development in order to increase the number of allowed units beyond the current maximum of 457.

• **FMU zone boundary setback.** All buildings and accessory structures within the FMU zone shall be set back a minimum of 20 feet from the FMU zone boundary.

The subject property is not located on the perimeter of the former Fairview Training Center site adjacent to the FMU zone boundary. This FMU zone standard is therefore not applicable to the proposed development.

Historic Preservation (SRC 530.060):

Any structure existing on December 24, 2003, identified for demolition shall, prior to issuance of a demolition permit, be documented according to the survey and inventory practices set forth by the Oregon State Historical Preservation Office.

There are no existing buildings or structures located on the subject property. This FMU zone standard is therefore not applicable to the proposed development.

Natural Resource Guidelines (SRC 530.065):

The presence of natural resources within the FMU zone helps to define the special character of the land within it. In order to maintain this character, the Fairview plan, any subsequent refinement plan, and **any development within the FMU** zone shall identify how existing natural resources will be protected and how natural hazards will be mitigated through compliance with the following:

- SRC Chapter 808 (Preservation of Trees and Vegetation);
- SRC Chapter 809 (Landslide Hazards); and
- SRC Chapter 810 (Wetlands).

Trees (SRC Chapter 808):

The City's tree preservation ordinance (SRC Chapter 808) protects:

- 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."

Because the subject property was created as part of the Legacy Heights subdivision, a tree conservation plan (*Tree Conservation Plan Case No. TPC20-04*) was approved in conjunction with the subdivision that applies to the subject property. As identified on the approved tree conservation plan, there were a total of seven trees on the property. All seven of the trees were designated for removal under the tree conservation plan and have subsequently been removed in conformance with the approved plan. As such, there are no longer any existing trees on the subject property.

Wetlands (SRC Chapter 809):

According to the Salem-Keizer Local Wetland Inventory (LWI) there are no mapped wetlands or waterways located on the subject property.

Landslide Hazard Susceptibility (SRC Chapter 810):

According to the City's adopted landslide hazard susceptibility maps, the subject property contains an area of two mapped landslide hazard susceptibility points *(identified by the green area shown on the image provided below)*. Pursuant to the requirements of the City's landslide hazard ordinance (SRC Chapter 810), there are three activity points associated with building permit applications for commercial developments. The cumulative total of five points, between that which is associated with the land and that which is associated with the proposed development activity, indicates a moderate landslide hazard susceptibility risk. A geologic assessment is therefore required in conjunction with the proposed development.



Refinement Plan Standards

Because the subject property is located within the boundaries of the *Fairview Refinement Plan II* refinement plan, the proposed development is also subject to the development standards included in this refinement plan. The refinement plan can be found on the City's website at the following location:

https://www.cityofsalem.net/home/showpublisheddocument/5292/637800279958370000

In order to further regulate use and development within the FMU zone and within individual refinement plans, the FMU zone is broken down into the following four overlay areas which are further described under <u>SRC 530.010</u> and include:

- Low-Intensity Residential (LI)
- Mixed-Intensity (MI)
- Adaptive Use (AU)
- Village Center (VC)

As shown on the below overlay areas map included in the Fairview Refinement Plan II refinement plan, the portion of the Fairview site where the subject property is located falls within the VC (Village Center) overlay area of the FMU zone and refinement plan.



SRC 530.010(d) describes the Village Center area as comprising, "...the most intense and pedestrianoriented residential, commercial, employment, and public services uses. Residential uses will have densities of no less than 16 dwelling units per net acre. Nonresidential uses include a mix of large and small-scale commercial establishments, which cumulatively will be limited to not more than approximately 80,000 square feet of pedestrian-oriented retail. Office uses are encouraged."

Because the subject property is located within the VC area of the refinement plan, development of the property is subject to the allowed uses and development standards applicable to that area of the refinement plan.

Use: Section 2 of the refinement plan (Permitted Land Uses) identifies the land uses that are allowed and defers to the list of allowed uses included in the FMU Zone (<u>SRC 530.040, Table 530-1</u>). Pursuant to SRC 530.040, Table 530-1, both residential uses and a variety of commercial uses, including, but not limited to, Retail Sales, Eating and Drinking Establishments, and Office, are permitted in the VC area.

The applicant indicated at the pre-application conference that the ground floor retail use proposed to be included within the building is a convenience store. This use would be classified as a Retail Sales use under SRC 400.045(b) and is permitted in the VC area of the refinement plan.

In regard to residential uses, Section 3 of the refinement Plan (General Allocation and Identification of Major Proposed Land Uses) indicates that:

"The FMU zoning does not set a minimum number of residential units, but sets the maximum at 2,000 units. The Fairview Plan states an expectation of 1,600 units. It is anticipated that this refinement area will have units for about 280 families. Combined with those expected in other approved refinement plans the total is about 1,200. This leaves a wide range for the 14 acres of "Woods" and the 60+ acres owned by Simpson Hills that have not yet been planned."

As discussed at the pre-application conference and explained in this summary report, the previous maximum 280 dwelling units allowed within the refinement plan was increased to 457 with the approval of Fairview Refinement Plan Major Amendment, Class 1 Design Review, Class 2 Site plan Review, Class 2 Adjustment, Class 1 Adjustment, and Class 2 Driveway Approach Permit Case No. FRPA-DR-SPR-ADJ-DAP21-02. The additional 8 to 10 dwelling units included in the proposed development will exceed the maximum 457 dwelling units currently allowed in the refinement plan and will therefore require a minor amendment to the refinement plan.

 Development Standards: Standards applicable to development within the VC area of the refinement plan are included in Section 7 of the refinement plan (Development Standards). Please see included site plan for staff's comments concerning the proposed development's conformance with the applicable standards.

Off-Street Parking, Loading, & Driveways

Off-street parking, loading, and driveways must conform to the requirements SRC Chapter 806 (Off-Street Parking, Loading, & Driveways) except where different standards are established under the refinement. Plan.

The current **minimum** off-street parking requirement for the proposed development is based on the minimum off-street parking requirements included under Section 7 of the refinement plan. Pursuant to the refinement plan requirements the following minimum off-street parking requirement applies:

- * Residential: Min. 1 space per dwelling unit
- Non-Residential: Min. 1 space per 500 square feet

The current **maximum** off-street parking applicable to the proposed development is based on the requirements of SRC Chapter 806, specifically SRC 806.015(e)(1), Table 806-2A, because a maximum off-street parking requirement is not included in the refinement plan. The maximum allowed parking under SRC 806 is based on the minimum number of spaces required and is either 2.5 times the minimum number of spaces required (*applicable when the minimum number of spaces required is 20 or less*) or 1.75 times the minimum number of spaces required (*applicable within the minimum number of spaces required is more than 20 spaces*).

***PLEASE NOTE:

As discussed at the pre-application conference, the City is currently in the process of amending the code to address the Climate-Friendly and Equitable Community (CFEC) administrative rules adopted by the State of Oregon to meet the State's climate pollution reduction targets while providing more housing and transportation choices and improving equity. A component of the adopted rules require cities to address minimum and maximum off-street parking requirements. In order to implement the new State administrative rules, the City is proposing to amend the development code to **eliminate minimum off-street parking requirements** and generally reduce the maximum number of off-street parking spaces allowed.

As identified at the pre-application conference, the **proposed maximum** allowed off-street parking requirement for the development under the amendments will be as follows:

- Residential (Two Family, Three Family, & Four Family): Max. 1.75 spaces per dwelling unit.
- Residential (Multiple Family): Max. 1.2 spaces per dwelling unit (applicable to studio units); and Max. 1.75 spaces per dwelling unit (applicable to all other multiple family dwelling units)
- Retail Sales: Max. 1 space 200 square feet
- Eating and Drinking Establishments: Max. 1 space 175 square feet
- Office: Max. 1 space 250 square feet

On March 13, 2023, the City Council conducted first reading of the ordinance for the proposed amendments and a public hearing to consider them will follow. Additional questions concerning the proposed amendments and their adoption timeline can be directed to Eunice Kim, the City's Long-Range Planning Manager, at 503-540-2308 or <u>EKim@cityofsalem.net</u>.

Multiple Family Design Review

Pursuant to Section 7, Table 2 (*Fairview Alternative Multi-Family Design Standards*), of the refinement plan, multi-family developments of more than five units are required to be reviewed for conformance with the multiple family design review standards of SRC Chapter 702 except where those standards are specifically modified by the Fairview Alternative Multi-Family Design Standards.

While the development is proposed to include eight to ten residential dwelling units, the units will be provided in the context of a mixed-use building. Mixed-use building is defined under SRC 111 as, "a building that is two or more stories in height and which contains a combination of residential and non-residential use where at least 75 percent of the ground floor area of the building is occupied by non-residential use and residential use is included on the upper floors.

Based on the plans provided, the proposed building will be two-stories in height, include 100 percent nonresidential use on the ground floor, and will include residential uses on the upper floor; therefore meeting the definition of a mixed-use building.

Pursuant to SRC 702.005(b)(B), multiple family design review under SRC Chapter 702 is not required for multiple family development within a mixed-use building. Because the proposed dwelling units are within a mixed-use building, multiple family design review under SRC 702 is not applicable to the development.

Solid Waste Service Areas

Solid waste service areas are required to provide for the safe and convenient collection of solid waste, recyclable, and compostable materials by the local solid waste collection franchisee. Pursuant to SRC 800.055(a), the solid waste service area standards included under SRC 800.055 apply to:

- (1) All new solid waste, recycling, and compostable service areas, where use of a solid waste, recycling, and compostable receptacle one cubic yard or larger is proposed, and
- (2) Any change to an existing solid waste service area for receptacles one cubic yard or larger that requires a building permit.

The trash/recycling area provided to serve the proposed development will need to conform to the requirements of SRC 800.055, including, but not limited to, ensuring that sufficient area is provided on site to allow the franchised hauler to enter onto the site to service the receptacles.

As discussed at the pre-application conference, the location of vehicle operation area for the proposed trash enclosure will require the truck to back out onto the private street and leave the premises. SRC 800.055(f)(2) requires that vehicle operation areas shall be designed so that waste collection service vehicles are not required to back onto a public street or leave the premises. Because the location of the solid waste service area requires the trucks to leave the premises in order service the trash enclosure, a Class 2 Adjustment is required to this standard. If an adjustment is requested to any of the solid waste service area standards of SRC 800.055, notice of the requested adjustment(s) is required to be provided to the franchised hauler for their review and comment.

It is therefore strongly recommended that you contact the franchised hauler that serves the area to determine their support for any adjustments that might be requested and to ensure that the trash/recycling area(s) proposed to be provided will be sufficient to serve the development and that their location and design are sufficient to allow unrestricted access and maneuvering space for servicing by the haulers.

The contact information for the franchised trash hauler for this area of the City can be obtained through the Mid-Valley Garbage & Recycling Association website at the following location:

https://mrtrashrecycles.com/

Salem-Keizer Transit Comments

The Salem-Keizer Transit District (Cherriots) reviewed the proposal and provided comments pertaining to the need for a transit stop abutting the property on Strong Road to correspond to the stop that is required to be installed on the other side of the street. As discussed at the pre-application conference, the required bus stop will need to be designed to be able to bridge the existing stormwater swale facility within Strong Road and Cherriots indicates that the stop will need to be located approximately 10 feet from the storm drain closest to the corner as indicated by the blue dot in the below screenshot in order to ensure the bus will be able to serve the stop without running over the drain and potentially damaging it.



Attached for reference are photos provided by Cherriots showing different examples of stormwater swale bridge designs that could be incorporated into the design of the required transit stop. Cherriots' standard bus stop designs are also included for reference. Additional questions about the required transit stop can be addressed by Jolynn Franke with Cherriots. Jolynn's contact information is as follows:

Jolynn Franke (Cherriots): jolynn.franke@cherriots.org / 503-361-7505

Oregon Department of Aviation Comments

The Oregon Department of Aviation (ODAV) reviewed the proposal and provided comments indicating that the proposed development is required to undergo aeronautical evaluations by the Federal Aviation Administration (FAA) and the ODAV. The comments provided by the ODAV are included with this summary for your reference.

Open House / Neighborhood Association Contact Information

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. For specific requirements, see <u>SRC 300</u>.

	Pre-Sub	mitta	al Requirement	
	Neighborhood Association Contact (SRC 300.310)		Open House (SRC 300.320)	
Staff Comments				

Neighborhood Association Contact is required for Fairview Refinement Plan Minor Amendments and Class 3 Site Plan Review applications. Please refer to <u>SRC 300.310</u> for requirements for contacting the neighborhood association(s).

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.

Neighborhood Association Information

For your convenience, contact information for the neighborhood association(s) is provided below. Please note that the identified neighborhood association chair(s) and land use 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 City's website at the following location:

https://www.cityofsalem.net/community/neighborhoods/neighborhood-associations

Applicable Neighborhood Association(s):	Meeting Date, Time, & Location	Neighborhood Association Chair(s) & Land Use Chair(s)
	Meetings are held on the second	Chair(s)
Morningside Neighborhood	Wednesday of each month at 6:30 p.m.	Pamela Schmidling sidrakdragon@live.com
Association	*Note: Please check the calendar	Land Use Chair(s)
	here for specific dates and meeting location.	Geoffrey James geoffreyjames@comcast.net

Salem Revised Code Available Online

The entire Salem Revised Code can be accessed online through the City's website at:

https://www.cityofsalem.net/government/laws-rules/salem-revised-code



SITE PLAN GENERAL NOTES:

 THE LOCATIONS OF EXISTING UNDERGROUND AND HAVE NOT BEEN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THI OWNER OR ITS REPRESENTATIVES. THE CONTRACTOR SWALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTORS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

- EXTREME CARE SHOULD BE TAKEN TO PRESERVE EXISTING ROOTS OF TREES TO REMAIN.
- REFER TO CIVIL DRAWINGS FOR GRADING. SITE IS REQUIRED TO MEET THE LAWS OF FHA AND ADA. REQUIRED TO MEET THE LAWS OF FHA AND ADA. ACCESSIBLE ROUTES SHALL NOT EXCEED 5% (1 IN 20) OR CROSS SLOPES SHALL NOT EXCEED 2% (1 IN 50). ALL AT GRADE SIDEWALKS ARE ACCESSIBLE ROUTES.
- JOINTS IN CONCRETE WALKS NOTED AS E.J. ARE TO BE JOINTS IN CONCRETE WALKS NOTED AS E.J. ARE TO CONSTRUCTED AS EXPANSION JOINTS. ALL OTHER JOINTS SHOWN, TO BE TOOLED CONTROL JOINTS, SEE CIVIL.
- SEE LANDSCAPE DRAWINGS FOR LANDSCAPE AND IRRIGATION ELEMENTS.
- SEE ELECTRICAL DRAWINGS FOR SITE LIGHTING.

SITE DEVELOPMENT CODE REVIEW:

FMU/MI Fairview Mixed Use - Medium

9,000 sf 9,000 sf

1/350sf REQ'E 1/UNIT

FOR BUILDINGS BETWEEN 5,000 sf TO 60,000 sf PROVIDE 1 SPACE: LOADING SPACE SIZE: 12'-0" x 19'-0" WITH ACCESS TO STREET OR ALLEY.

SITE AREA CALCULATIONS AREA sf PERCENT REMARKS

	0.00	0.00%	
3	0.00	0.00%	
NG	0.00	0.00%	
STRUCTURES	0.00	0.00%	TRASH ENCLOSURE
IDEWALKS	0.00	0.00%	
URBS	0.00	0.00%	
aving and misc ads	0.00	0.00%	
DUS	0.00	0.00%	
	0.00	0.00%	

CANOPY AREA CALCULATIONS COVER DESCRIPTION COVER AREA sf PERCENT COVER REMARKS

IERE	0.00	0.00%	
anopies	0.00	0.00%	
VER CANOPIES	0.00	0.00%	
	0.00	0.00%	

SITE PLAN NOTES:

Strong & Lindburg Road Building Frontage:

Min. 70 percent of lot frontage required to be occupied by buildings placed at the setback line along Strong Road and Lindburg Road.

-Min. 1 per unit (Residential): 9 units x 1 = Min. 9 spaces

-Min. 1 per 500 ft.² (Non-Residential): 9,908 ft.2 / 500 ft.2 = 19.8 or

-Total Min.: Min. 29 spaces

-No bike parking spaces currently identified on plan.

STUDIO



275 COURT ST. NE 2 7 3 COURT ST. NE SALEM, OR 97301-3442 P: 503.390.6500 www.studio3architecture.com

PROJECT # 2023-032 DATE: 03/08/2023 REVISIONS

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A1.01

SHEET:















NOTES:

- 1. CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3000 P.S.I. AT 28 DAYS.
- 2. EXPANSION JOINTS
 - 2.A. TO BE PROVIDED:
 - 2.A.1. AT EACH POINT OF TANGENCY OF THE CURB.
 - 2.A.2. AT EACH COLD JOINT.
 - 2.A.3. AT EACH SIDE OF THE INLET STRUCTURES.
 - 2.A.4. AT EACH END OF DRIVEWAYS.
 - 2.A.5. AT LOCATIONS NECESSARY TO LIMIT SPACING TO 45 FEET.
- 3. CONTRACTION JOINTS:
 - 3.A. SPACING TO BE NOT MORE THAN 15 FEET.
 - 3.B. THE DEPTH OF THE JOINT SHALL BE AT LEAST $1-\frac{1}{2}$ INCHES.
- 4. BASE AGGREGATE TO BE 1 $\frac{1}{2}$ "-0" OR $\frac{3}{4}$ "-0" COMPACTED TO 95% OF AASHTO T-99 AND SHALL BE TO SUBGRADE, STREET STRUCTURE, OR 4" IN DEPTH, WHICHEVER IS GREATER.

C	HER	RRIOTS		DARD JRB	<u>(</u> 2
REV #	DATE	DESCRIPTION	BY EGW	CHECKED RDV	
			DATE 03/03/22	DATE 03/03/22	











NOTES:

- 1. CHERRIOTS TO PROVIDE INFORMATION REGARDING BUS TYPE, LENGTH, AND QUANTITY OF BUSES TO BE SERVICED BY BUS STOP.
- 2. FOR MULTIPLE BUSES BEING SERVED AT ONE STOP:
 - 2.A. ADD 50 FEET FOR EACH ADDITIONAL STANDARD 40-FOOT BUS.
 - 2.B. ADD 70 FEET FOR EACH ADDITIONAL 60-FOOT ARTICULATED BUS.
- 3. BUS STOP ZONE SHALL BE SIGNED AS A NO PARKING ZONE PER STANDARDS OF LOCAL JURISDICTION.
- 4. X = 10' MINIMUM FROM EDGE OF CROSSWALK OR END OF RADIUS, WHICHEVER IS FURTHER FROM THE INTERSECTION.

LEFT TURN (FT)					
POSTED SPEED		LANE CH	HANGES		
LIMIT	1	2	3	4	
30 MPH OR LESS	430	610	790	970	
35 MPH	625	875	1125	1375	
40 MPH	780	1080	1380	1680	
45 MPH	1080	1430	1780	2130	
50 MPH	1415	1865	2135	2765	
55 MPH	1830	2380	2930	3480	

MINIMUM DISTANCE BETWEEN A BUS STOP AND

C	IEF	RRIOTS	AT INTER	NG ZONES SECTIONS TAIL	<u>C</u> 8
REV #	DATE	DESCRIPTION	BY EGW	CHECKED RDV	
			DATE 09/22/22	DATE 09/22/22	



REV # DATE DESCRIPTION BY EGW CHECKE	
BT EGW CHECKE	
DATE 09/27/22 DATE 0	09/27/22



C10







Bryce Bishop

From:	PIKE Brandon <brandon.pike@odav.oregon.gov></brandon.pike@odav.oregon.gov>
Sent:	Wednesday, March 15, 2023 2:52 PM
То:	Bryce Bishop
Subject:	ODAV Comments on City of Salem File No. PRE-AP23-25

Hi Bryce,

Thank you for providing the opportunity for the Oregon Department of Aviation (ODAV) to comment on file number(s): PRE-AP23-25.

ODAV has reviewed the proposal and prepared the following comments:

1. In accordance with FAR Part 77.9 and OAR 738-070-0060, the proposed development is required to undergo aeronautical evaluations by the FAA and ODAV. The aeronautical evaluations are initiated by the applicant providing notice to the FAA and ODAV to determine if the proposal poses an obstruction to aviation safety. The applicant should receive the resulting aeronautical determination letters from the FAA and ODAV prior to approval of any building permits.

Please reach out if you have questions or concerns.

Best,

BRANDON PIKE OREGON DEPARTMENT OF AVIATION AVIATION PLANNER



OFFICE 503-378-2217 CELL 971-372-1339 EMAIL brandon.pike@odav.oregon.gov 3040 25TH STREET SE, SALEM, OR 97302 WWW.OREGON.GOV/AVIATION

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