

**TO:** Peter Domine, Planner II  
Community Planning and Development Department

**FROM:** Aaron Panko, Infrastructure Planner III  
Community Planning and Development Department

**DATE:** October 22, 2024

**SUBJECT:** **Infrastructure Memo**  
**SPR-ADJ 24-29 (24-114030-PLN)**  
**3010 Kettle Court SE**  
**Hotel Development**



## **PROPOSAL**

A Class 3 Site Plan Review for the development of a new 115 room hotel and associated site improvements including off-street parking and landscaping. The consolidated application includes one Class 1 Adjustment to increase the maximum building height from 45 feet to 50 feet. The subject property is 5.11-acres in size, zoned IP (Industrial Park) and located at 3010 Kettle Court SE (Marion County Assessor's Map and Tax Lot Number: 073W25D / 1700).

## **RECOMMENDED CONDITIONS OF APPROVAL**

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. Prior to building permit approval, dedicate a minimum 15-foot-wide public access easement for recreational use for the Mill Creek Trail east of the floodway boundary along Mill Creek, in an alignment approved by the Public Works Director.
3. Prior to building permit approval, dedicate an Open Channel Drainage Easement along Mill Creek on the subject property. In accordance with PWDS, the easement width shall be either 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greater.
4. Prior to issuance of a certificate of occupancy, construct sidewalks along the Kettle Court SE frontage of the property pursuant to SRC 803.035(I)(2) as specified on the site plan.

5. Prior to issuance of a certificate of occupancy, install private street trees to the maximum extent feasible along Kettle Court SE.
6. Construct all new structures a minimum of one foot above the base flood elevation pursuant to SRC 601.075.

### **EXISTING CONDITIONS – INFRASTRUCTURE**

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

<b>Streets</b>			
<b>Street Name</b>		<b>Right-of-way Width</b>	<b>Improvement Width</b>
<b>State Street (Major Arterial)</b>	Standard:	96-feet	68-feet
	Existing Condition:	130-to-160-feet	74-feet
<b>Kettle Court SE (Local, Private)</b>	Standard:	60-feet	30-feet
	Existing Condition:	40-feet	38-feet

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

<b>Utilities</b>	
<b>Type</b>	<b>Existing Conditions</b>
<b>Water</b>	Water Service Level: G-0
	A 16-inch water main is located in State Street.
	A 12-inch water main is located in Kettle Court SE.
<b>Sanitary Sewer</b>	A 15-inch sanitary sewer main is located in State Street.
<b>Storm Drainage</b>	A 54-inch storm main is located in State Street.

### **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 outside of the Urban Service Area. Because the proposed development does not precede construction of required facilities, an UGA permit is not required.

***SRC Chapter 71 – Stormwater:***

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

**Finding:** The proposed plan demonstrates compliance with PWDS Appendix 4E related to green stormwater infrastructure by setting aside at least ten percent of the total new impervious surface area for installation of green stormwater infrastructure. The applicant's engineer shall design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

**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 800.065 – Pedestrian Access:***

▪ ***Connection to existing or planned paths and trails:***

SRC 800.065(a)(4) provides that 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 the development site, the path or trail shall either be constructed, or when no abutting section of the path or trail is constructed, a public access easement shall be provided for future construction of the path or trail.

**Finding:** The Salem Comprehensive Parks System Master Plan identifies an alignment for the Mill Creek Trail on the subject property along the bank of Mill Creek. No abutting sections have been complete. A minimum 15-foot-wide trail easement shall be dedicated to the east of the floodway boundary for future construction of the trail.

**Condition:** Prior to building permit approval, dedicate a minimum 15-foot-wide public access easement for recreational use for the Mill Creek Trail east of the floodway boundary along Mill Creek, in an alignment approved by the Public Works Director.

### ***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:** Public water, sanitary sewer, and stormwater infrastructure is available along the perimeter of the site and appears to be adequate to serve the property as shown on the applicant's preliminary utility plan. 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.

#### **▪ *Watercourses:***

SRC 802.030 requires dedication of public improvement and maintenance easements for watercourses.

**Finding:** A portion of Mill Creek runs along the western property boundary. Pursuant to SRC 802.030(b) and the PWDS 1.8(d), the application is subject to open channel drainage easements to be dedicated along the creek, allowing for access and maintenance. The easement width shall be either 15-feet from the channel centerline, or 10-feet from the top of the recognized bank, whichever is greatest.

**Condition:** Prior to building permit approval, dedicate an Open Channel Drainage Easement along Mill Creek on the subject property. In accordance with PWDS, the easement width shall be either 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greater.

### ***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:** State Street abuts the subject property and is classified as a major arterial street according to the Salem Transportation System Plan (TSP). State Street meets

the minimum right-of-way width and pavement width standards established in SRC 803.025; therefore, additional improvements along State Street are not required.

Kettle Court SE abuts the subject property and is classified as a local (private) street according to the Salem Transportation System Plan (TSP). Kettle Court meets the minimum pavement width standards established in SRC 803.025; therefore, additional pavement widening is not required along Kettle Court SE. As Kettle Court SE is a private street; no right-of-way dedication is required for the private street.

- ***Sidewalks***

Street standards require that sidewalks shall be located parallel to and one foot from the adjacent right-of-way (SRC 803.035(l)(2)(A)).

**Finding:** There are currently no sidewalks located along the Kettle Court SE frontage. The applicant proposes sidewalks along Kettle Court SE that meander between property line, as required by SRC 803.035(l)(2)(A), and curblin. This is due to a conflict with an existing underground power line and limitations from the public utility easement that prohibit planting trees. If the sidewalk is constructed with a landscape strip, as required by the street standards, street trees could not be planted in the landscape strip due to existing franchise utility infrastructure. Therefore, the sidewalk may meander along the curb line as needed to reduce conflicts between the existing underground power line and proposed street trees pursuant to SRC 803.035(l)(2)(B).

**Condition:** Prior to issuance of a certificate of occupancy, construct sidewalks along the Kettle Court SE frontage of the property pursuant to SRC 803.035(l)(2) as specified on the site plan.

- ***Street Trees***

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

**Finding:** There are existing street trees meeting the requirements of SRC Chapter 803 and SRC Chapter 86 along State Street. Currently there are no street trees along the subject property's frontage of Kettle Court SE. Street trees shall be planted to the maximum extent feasible along Kettle Court SE and shall be considered private street trees per SRC 803.020(b)(3). Street trees shall be provided behind the meandering sidewalk along Kettle Court SE as there will be no landscape strip due to utility conflicts.

**Condition:** Prior to issuance of a certificate of occupancy, install private street trees to the maximum extent feasible along Kettle Court SE.

***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:** A new driveway approach is proposed to serve the development site from Kettle Court SE, a private local street. A driveway approach permit is not required for access to a private street.

***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 proposed development does not cause a vision clearance obstruction at the intersection of State Street and Kettle Court SE or at the proposed driveway entrance to Kettle Court SE.

***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 subject property is designated on the Federal Emergency Management Agency floodplain maps as a Zone “AE” floodplain. The Floodplain Administrator has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined the 100-year base flood elevation for the subject development is 189-feet. 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. An Elevation Certificate is required to verify the new structure’s elevation. The Elevation Certificates shall be submitted to the City to verify each structure’s elevation prior to pouring building foundations and again prior to final occupancy.

**Condition:** Construct all new structures a minimum of one foot above the base flood elevation pursuant to SRC 601.075.

***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 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—** Access to the proposed development will be provided by the network of existing public and private streets that surround the property. 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 proposed driveway access onto Kettle Court SE provides for safe turning movements into and out of the property and while a Driveway Approach Permit is not required for access to a private street, the proposed access is in compliance with applicable development standards of SRC Chapter 804 (Driveway Approaches).

**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 proposed development, subject to the conditions of approval established in this decision. This approval criterion is met.

Prepared by: Aaron Panko, Infrastructure Planner III  
cc: File