

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
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503-588-6173*

DECISION OF THE PLANNING ADMINISTRATOR

CLASS 3 SITE PLAN REVIEW / CLASS 1 ADJUSTMENT CASE NO.: SPR-ADJ24-29

APPLICATION NO.: 24-114030-PLN

NOTICE OF DECISION DATE: October 22, 2024

REQUEST: 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).

APPLICANT: AKS Engineering And Forestry

LOCATION: 3010 Kettle Ct SE, Salem OR 97301

CRITERIA: Salem Revised Code (SRC) Chapters 220.005(f)(3) – Class 3 Site Plan Review; 250.005(d)(1) – Class 1 Adjustment

FINDINGS: The findings are in the attached Decision dated October 22, 2024.

DECISION: The **Planning Administrator APPROVED** Class 3 Site Plan Review and Class 1 Adjustment Case No. SPR-ADJ24-29 subject to the following conditions of approval:

- Condition 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).
- Condition 2:** Construct all new structures a minimum of one foot above the base flood elevation pursuant to SRC 601.075.
- Condition 3:** At the time of building permit submittal, the applicant shall demonstrate the development standards of SRC 800.055 will be met, including the installation of restrainers on the enclosure gate in both the closed and open positions.
- Condition 4:** 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.
- Condition 5:** 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.

- Condition 6:** 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.
- Condition 7:** Prior to issuance of a certificate of occupancy, install private street trees to the maximum extent feasible along Kettle Court SE.
- Condition 8:** Prior to building permit approval, the applicant shall provide proof of coordination with the local electric utility to ensure the compatibility of the proposed tree canopy and root systems will not interfere with planned and existing utility infrastructure.
- Condition 9:** The adjusted development standards, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development requirements, unless adjusted through a future land use action.

The rights granted by the attached decision must be exercised, or an extension granted, by November 7, 2028, or this approval shall be null and void.

Application Deemed Complete:	<u>September 18, 2024</u>
Notice of Decision Mailing Date:	<u>October 22, 2024</u>
Decision Effective Date:	<u>November 7, 2024</u>
State Mandate Date:	<u>January 16, 2025</u>

Case Manager: Peter Domine, Planner II, pdomine@cityofsalem.net, 503-540-2311

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m., Wednesday, November 6, 2024. Any person who presented evidence or testimony at the hearing may appeal the decision. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapters 220 and 250. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

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

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

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

IN THE MATTER OF APPROVAL OF)	FINDINGS & ORDER
CLASS 3 SITE PLAN REVIEW AND)	
CLASS 1 ADJUSTMENT)	
CASE NO. SPR-ADJ24-29)	
3010 KETTLE CT SE - 97301)	OCTOBER 22, 2024

In the matter of the applications for Class 3 Site Plan Review and Class 1 Adjustment submitted by AKS Engineering, represented by Zach Pelz, AICP, on behalf of the applicant Choice Hotels International Services, the Planning Administrator, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

Summary: Development of a new hotel and associated site improvements.

Request: 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).

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

PROCEDURAL FINDINGS

1. Background

On July 8, 2024, a consolidated application for a Class 3 Site Plan Review and Class 1 Adjustment was filed for the proposed development. After additional information was provided, the consolidated applications were deemed complete for processing on September 18, 2024.

The 120-day state mandated decision deadline for this application is January 16, 2025.

The applicant's proposed site plan is included as **Attachment B**. The applicant's written statement and all other application materials are available in the record, as provided below.

SUBSTANTIVE FINDINGS

2. Summary of Record

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

and comments from public agencies, City Departments, neighborhood associations, and the public. All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You can use the search function without registering and enter the permit number listed here: 24 114030.

3. Neighborhood and Public Comments

The subject property is located within the boundaries of the Southeast Salem Neighborhood Association (SESNA).

Applicant Neighborhood Association Contact: SRC 300.310 requires an applicant to contact the neighborhood association(s) whose boundaries include, and are adjacent to, property subject to specific land use application requests. Pursuant to SRC 300.310(b)(1), land use applications included in this proposed consolidated land use application request require neighborhood association contact. On June 27, 2024, the applicant's representative contacted the SESNA Chair and Land Use Chair informing them of the proposed project in compliance with the requirements of SRC Chapter 300.

Neighborhood Association Comment: Notice of the application was provided to SESNA pursuant to SRC 300.520(b)(1)(B)(v), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. As of the date of this decision, no comments were received from the Neighborhood Association.

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

Public Comment: Notice was also provided, pursuant to SRC 300.520(b)(1)(B)(iii), (vi), & (vii), to all property owners and tenants within 250 feet of the subject property. As of the date of this decision, no comments were received from the public.

4. City Department Comments

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

Building and Safety Division – Reviewed the proposal and indicated no objections.

Fire Department – Reviewed the proposal and indicated that Fire Department access, including aerial, and water supply are required, per the Oregon Fire Code, and will be reviewed at the time of building permit plan review.

5. Public Agency Comments

Oregon Department of Aviation (ODAV) – Reviewed the proposal and provided 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 separate notices to both 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.

2. The height of any new structures, trees, and other planted vegetation should not penetrate FAR Part 77 Imaginary Surfaces, as determined by the FAA and ODAV.

DECISION CRITERIA

6. Analysis of Class 3 Site Plan Review Approval Criteria

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

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

Finding: The proposal includes development of a 115-room hotel and associated site improvements, including new parking and vehicle use areas, and landscaping. The following is a summary of the applicable use and development standards for the proposed development.

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 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)*.

SRC 553 – IP (Industrial Park) Use and Development Standards

SRC 553.005 – Uses

The permitted (P), special (S), conditional (C), and prohibited (P) in the IP zone are set forth in Table 553-1.

Finding: The proposal is for a new hotel, which is classified as a *Short-term commercial lodging* use. Per Table 553-1, *Short-term commercial lodging* is a permitted use within the IP zone.

SRC 553.010(a) – Lot Standards

There are no minimum lot area, width, or depth requirements in the IP zone; all uses other than *Single-family* require a minimum street frontage of 16 feet.

Finding: The subject property is approximately 5.11 acres in size with more than 700 feet of frontage along State Street and 360 feet of frontage along Kettle Court SE. The subject property is in compliance with the lot standards of the IP zone, and no changes are proposed to the existing lot configuration.

SRC 553.010(b) – Setbacks

North: Adjacent to the north is right-of-way for State Street, which is classified as a Major Arteria in the Salem Transportation System Plan (TSP). Buildings, accessory structures, and vehicle use areas all require a minimum setback of 20 feet.

South: Adjacent to the south is property zoned IP (Industrial Park). There is a minimum zone-to-zone setback of 10 feet for buildings and vehicle use areas.

East: Adjacent to the east is Kettle Court SE, which is a private street. Buildings, accessory structures, and vehicle use areas all require a minimum setback of 20 feet.

West: Adjacent to the west is property zoned PS (Public Service). There is a minimum zone-to-zone setback of 10 feet for buildings and vehicle use areas.

Finding: The development site includes right-of-way for Kettle Ct SE, which is a private street. The minimum setbacks for a private street are measured from the easement line of the street. Because required street improvements along Kettle Ct SE will require public access easements, the setback is measured from the future access easement line. The development plans indicate a 20-foot setback from the proposed access easement.

The development plans indicate the proposed building and vehicle use areas will be setback more than 20 feet from State Street to the north, and more than 10 feet from the south and west property lines, and are in compliance with these standards.

SRC 553.010(c) – Lot Coverage, Height

There is no maximum lot coverage for all uses in the IP zone; the allowed maximum height for buildings and accessory structures is 45 feet.

Finding: The proposal includes a new building approximately 50 feet in height to accommodate an architectural parapet that will provide screening of rooftop mechanical equipment. Because the proposed building exceeds the maximum allowed height of 45 feet by

less than 20 percent, the applicant has requested a Class 1 Adjustment to this standard, addressed in Section 7 of this decision.

SRC 553.010(d) – Landscaping

- (1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807.
- (2) *Vehicle Use Areas.* Vehicle use areas shall be landscaped as provided under SRC Chapter 806 and SRC Chapter 807.
- (3) *Development site.* A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC Chapter 807.

Finding: The subject property is 5.11-acres in size, or 222,694 square feet, requiring a minimum 15 percent, or 33,404 square feet, of landscaping. Because the subject property includes areas within the floodway of Mill Creek, as well as wetlands, the development plans indicate a limited project area of 127,859 square feet, including 40,706 square feet of landscape area, or 31.8 percent of the developable area. The proposed 40,706 square feet of landscaping requires a minimum 2,035 plant units ($40,706 / 20 = 2,035$), 40 percent of which must be trees, or 814 plant units as trees ($2,035 \times 0.4 = 814$). The development plans also indicate 42,353 square feet of preserved open space. The preliminary landscaping plans indicate 2,175 plant units, including 825 plant units of trees, will be provided, more than the minimum required.

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

SRC 553.010(e) – Outdoor Storage

Within the IP zone, outdoor storage shall not be located within required setbacks, shall be enclosed by a minimum six-foot-high sight-obscuring fence, wall, or hedge, or a berm. Materials and equipment stored shall not exceed a maximum of 14 feet above grade; provided, however, materials and equipment more than six feet in height above grade shall be screened by sight-obscuring landscaping.

Finding: No outdoor storage areas are proposed; therefore, this standard is not applicable.

SRC 553.010(f) – Industrial Performance Standards

Within the IP zone, no land or structure shall be used or occupied unless maintained and operated in continuing compliance with all applicable standards adopted by the Oregon Department of Environmental Quality (DEQ).

Finding: The proposed development is required to comply with all applicable state and federal regulations, including any license and permits that may be required by DEQ.

SRC 553.010(g) – Development Standards for Continued Uses

Finding: The proposed development is not a continued use; therefore, this section is not applicable.

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

SRC 800 – General Development Standards

SRC 800.055(a) – Solid Waste Service Areas

Solid waste service area design standards shall apply to all new solid waste, recycling, and compostable services areas, where use of a solid waste, recycling, and compostable receptacle of 1 cubic yard or larger is proposed.

Finding: The proposal includes use of solid waste receptacles of greater than one cubic yard; therefore, these standards are applicable.

SRC 800.055(b) – Solid Waste Receptacle Placement Standards

All solid waste receptacles shall be placed at grade on a concrete pad that is a minimum of 4 inches thick, or on an asphalt pad that is a minimum of 6 inches thick. The pad shall have a slope of no more than 3 percent and shall be designed to discharge stormwater runoff.

(1) *Pad area.* In determining the total concrete pad area for any solid waste service area:

- (a) The pad area shall extend a minimum of 1-foot beyond the sides and rear of the receptacle.
- (b) The pad area shall extend a minimum 3 feet beyond the front of the receptacle.
- (c) In situations where receptacles face each other, a minimum four feet of pad area shall be required between the fronts of the facing receptacles.

Finding: The development plans indicate the pad will extend beyond the sides and rear of the receptable by more than one foot and beyond the front by more than three feet. This standard is met.

(2) *Minimum Separation.*

- (a) A minimum separation of 1.5 feet shall be provided between the receptacle and the side wall of the enclosure.
- (b) A minimum separation of 5 feet shall be provided between the receptacle and any combustible walls, combustible roof eave lines, or building or structure openings.

Finding: The applicant's development plans show receptacles greater than two cubic yards, with at least 1.5 feet provided between the receptacles and the side walls. The site plans show receptacles will not be placed within five feet of a building or structure. These standards are met.

(3) Vertical Clearance.

- (a) Receptacles 2 cubic yards or less in size shall be provided with a minimum of 8 feet of unobstructed overhead or vertical clearance for servicing.
- (b) Receptacles greater than 2 cubic yards in size shall be provided with a minimum of 14 feet of unobstructed overhead or vertical clearance for servicing; provided, however, overhead or vertical clearance may be reduced to eight feet where the partial roof over the enclosure does not cover more than the rear eight feet of the enclosure, as measured from the inside of the rear wall of the enclosure, or where a physical barrier is installed within, and a maximum of eight feet from the front of the opening of the enclosure, preventing the backward movement of the receptacle.

Finding: The applicant's development plans show receptacles greater than two cubic yards within an unroofed enclosure, providing unobstructed vertical clearance. These standards are met.

SRC 800.055(c) – Permanent Drop Box and Compactor Placement Standards

Permanent drop box and compactors shall meet the placement standards set forth in this section.

Finding: The proposal does not include permanent drop box or compactors. This standard does not apply to the proposed development.

SRC 800.055(d) – Solid Waste Service Area Screening Standards

- (1) Solid waste, recycling, and compostable service areas shall be screened from all streets abutting the property and from all abutting residentially zoned property by a minimum six-foot-tall sight-obscuring fence or wall; provided, however, where receptacles, drop boxes, and compactors are located within an enclosure, screening is not required. For the purpose of this standard, abutting property shall also include any residentially zoned property located across an alley from the property.
- (2) Existing screening at the property line shall satisfy screening requirements if it includes a six-foot-tall sight-obscuring fence or wall.

Finding: The development plans show the proposed solid waste service area will be within an enclosure; therefore, screening is not required. This standard is met.

SRC 800.055(e) – Solid Waste Service Area Enclosure Standards

When enclosures are used for required screening or aesthetics, such enclosure shall conform to the following standards:

- (1) *Front Opening of Enclosure.* The front opening of the enclosure shall be unobstructed and shall be a minimum of 12 feet in width.

Finding: The width of the opening of the enclosure is approximately 21 feet and unobstructed. These standards are met.

- (2) *Measures to Prevent Damage to Enclosure.* Enclosures constructed of concrete, brick, masonry block, or similar types of material shall contain a minimum four-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the enclosure, or a fixed bumper rail to prevent damage from receptacle impacts.

Finding: The development plans indicate an enclosure constructed of CMU block material and indicate that bollards are provided 12 inches from the inside of the perimeter of the enclosure walls to prevent damage from receptacle impacts, consistent with this standard.

- (3) *Enclosure Gates.* Any gate across the front opening of an enclosure shall swing freely without obstructions. For any opening with an unobstructed width of 15 feet or greater, the gates shall open a minimum of 90 degrees. All gates shall have restrainers in the open and closed positions.

Finding: The development plans include an enclosure with an opening of more than 15 feet, which open a minimum of 90 degrees. Details of restrainers are shown in the closed position but are not shown in the open position. To ensure the enclosure gate will be restrained in both the closed and open positions, the following condition shall apply.

Condition 3: At the time of building permit submittal, the applicant shall demonstrate the development standards of SRC 800.055 will be met, including the installation of restrainers on the enclosure gate in both the closed and open positions.

SRC 800.055(f)(1) – Solid Waste Service Area Vehicle Access

- (i) *Vehicle Operation Area.* A vehicle operation area shall be provided for solid waste collection service vehicles that are free of obstructions and no less than 45 feet in length and 15 feet in width. Vehicle operation areas shall be made available in front of every receptacle.

Finding: The proposed site plan shows vehicle operation areas a minimum of 45 feet in length and 15 feet in width, perpendicular to the enclosures. The proposal meets the standard.

- (B) For solid waste service areas having receptacles of two cubic yards or less, the vehicle operation area may be located:
- (i) Perpendicular to the permanent location of the receptacle or the enclosure opening (see Figure 800-8);
 - (ii) Parallel to the permanent location of the receptacle or the enclosure opening (see Figure 800-9); or
 - (iii) In a location where the receptacle can be safely maneuvered manually not more than 45 feet into a position at one end of the vehicle operation area for receptacle servicing.

Finding: The proposal includes receptacles greater than two cubic yards in size. This standard is not applicable.

- (C) The vehicle operation area may be coincident with a parking lot drive aisle, driveway, or alley provided that such area is kept free of parked vehicles and other obstructions at all times except for the normal ingress and egress of vehicles.
- (D) Vehicle operation areas shall have a minimum vertical clearance of 14 feet.
- (E) In the event that access to the vehicle operation area is not a direct approach into position for operation of the service vehicle, a turnaround, in conformance with the minimum

dimension and turning radius requirements shown in Figure 800-10, shall be required to allow safe and convenient access for collection service.

Finding: The development plans indicate a vehicle operation area coincident with the vehicle maneuvering areas with a direct approach, and with full vertical clearance. The proposal meets the standard.

SRC 800.060 – Exterior Lighting

- (a) Exterior lighting shall not shine or reflect onto adjacent properties, or cast glare onto the public right-of-way.
- (b) Exterior light fixtures shall be located and designed so that the light source, when viewed at a height of five feet above the ground at a distance of five feet outside the boundary of the lot, shall be either:
 - (1) Completely shielded from direct view; or
 - (2) No greater than five foot-candles in illumination.

Finding: The applicant has provided a photometric plan for proposed light poles to be installed throughout the site. The photometric plan demonstrates the proposed lighting is consistent with the exterior lighting standards in this section.

SRC 800.065 – Pedestrian Access

Except where pedestrian access standards are provided elsewhere under the UDC, all developments, other than single family, two family, three family, four family, and multiple family developments, shall include an on-site pedestrian circulation system developed in conformance with the standards in this section. For purposes of this section development means the construction of, or addition to, a building or accessory structure or the construction of, or alteration or addition to, an off-street parking or vehicle use area. Development does not include construction of, or additions to, buildings or accessory structures that are less than 200 square feet in floor area.

Finding: The proposed development includes a new 115-room hotel and associated off-street parking area; therefore, the pedestrian access standards of SRC Chapter 800 apply to the proposed development.

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

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

Finding: The development plans indicate a pedestrian connection from a primary entrance on the south side the building to the sidewalk network along Kettle Ct SE and a connection from a primary entrance on the north side of the building to the sidewalk network along State Street. This standard is met.

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

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

SRC 800.065(a)(2) – Pedestrian Connection Between Buildings on same Development Site
Where there is more than one building on a development site, a pedestrian connection(s), shall be provided to connect the primary building entrances of all of the buildings.

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

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

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

Finding: The proposed off-street parking areas are greater than 25,000 square feet; however, per subsection (iv) of this section, pedestrian connections are not required through off-street parking areas with a depth of less than 124 feet in all locations. The development plans indicate parking areas less than 124 feet in depth; therefore, this section is not applicable.

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

Finding: The development site does not include any existing or proposed parking structures or garages; therefore, this standard is not applicable.

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

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

(A) Be constructed, and a public access easement or dedication provided; or

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

Finding: 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 completed. A minimum 15-foot-wide trail easement shall be dedicated to the east of the floodway boundary for future construction of the trail.

Condition 4: 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 800.065(a)(5) – Pedestrian Connection to Abutting Properties

Whenever a vehicular connection is provided from a development site to an abutting property, a pedestrian connection shall also be provided. A pedestrian connection is not required, however:

(a) To abutting properties used for activities falling within the following use classifications, use categories, and uses under SRC chapter 400:

- (i) Single-family;
- (ii) Two-family;
- (iii) Group living;
- (iv) Industrial;
- (v) Infrastructure and utilities; and
- (vi) Natural resources.

Finding: There are no existing or planned vehicular connections provided to abutting properties; therefore, this section is not applicable.

SRC 800.065(b) – Design and materials

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

(1) Walkways shall conform to the following:

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

(2) Wheel stops or extended curbs shall be provided along required pedestrian connections to prevent the encroachment of vehicles onto pedestrian connections.

Finding: The development plans indicate the proposed pedestrian connections are in compliance with the applicable design and material requirements of this section. This standard is met.

SRC 800.065(c) – Lighting

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

Finding: The applicant has provided a photometric plan for proposed light poles to be installed throughout the site. The photometric plan demonstrates the on-site pedestrian circulation

system shall be lighted to a level where it can be used at night by employees, customers, and residents. This standard is met.

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 5: 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 curbline. 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 6: 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 7: 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.

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

SRC 806.015 – Amount of Off-Street Parking

- a) *Maximum Off-Street Parking.* Pursuant to Table 806-1, the maximum off-street parking allowance for a *short-term commercial lodging* use is 1.5 spaces per guest room.
- b) *Compact Parking.* Up to 75 percent of the off-street parking spaces provided on a development site may be compact parking spaces.
- c) *Carpool and Vanpool Parking.* New developments with 60 or more required off-street parking spaces and falling within the Public Services and Industrial use classifications, and the Business and Professional Services use category, shall designate a minimum of 5 percent of their total off-street parking spaces for carpool or vanpool parking.
- d) *Required Electric Vehicle Charging Spaces.* For any newly constructed building with five or more dwelling units on the same lot, including buildings with a mix of residential and nonresidential uses, a minimum of 40 percent of the off-street parking spaces provided on the site for the building shall be designated as spaces to serve electrical vehicle charging. In order to comply with this subsection, such spaces shall include provisions for electrical service capacity, as defined in ORS 455.417.

Finding: The proposed hotel includes 115 guest rooms, allowing a maximum of 173 off-street parking spaces ($115 \times 1.75 = 172.5$). The development plans indicate 102 off-street parking spaces will be provided, less than the allowed maximum. This standard is met.

The proposal does not include a public services or industrial use; therefore, carpool/vanpool parking spaces are not required for the proposed commercial lodging use. The proposal also does not include any dwelling units; therefore, electrical vehicle charging spaces are not required for the existing uses.

SRC 806.035 – Off-Street Parking and Vehicle Use Area Development Standards

- a) *General Applicability.* The off-street parking and vehicle use area development standards set forth in this section apply to:
 - 1. The development of new off-street parking and vehicle use areas;
 - 2. The expansion of existing off-street parking and vehicle use areas, where additional paved surface is added;
 - 3. The alteration of existing off-street parking and vehicle use areas, where the existing paved surface is replaced with a new paved surface; and

4. The paving of an unpaved area.

Finding: The proposed development includes a new off-street parking area; therefore, this section is applicable.

- b) *Location.* Off-street parking and vehicle use areas shall not be located within required setbacks.
- c) *Perimeter Setbacks and Landscaping.* Perimeter setbacks shall be required for off-street parking and vehicle use areas abutting streets, abutting interior front, side, and rear property lines, and adjacent to buildings and structures.

Finding: The off-street parking and vehicle use area development standards of SRC Chapter 806 are applicable to this proposal. The development plans indicate the proposed off-street parking and vehicle use areas are not located within required setbacks, and all perimeter setbacks will be landscaped. These standards are met.

- d) *Interior Landscaping.* Interior landscaping shall be provided in amounts not less than those set forth in Table 806-5. For parking areas less than 50,000 square feet in size, a minimum of five percent of the interior parking area shall be landscaped. A minimum of one deciduous shade tree shall be planted for every 12 parking spaces within an off-street parking area.

Finding: The development plans indicate the proposed off-street parking areas total 43,018 square feet, requiring a minimum of five percent interior landscaping. The development plans indicate 4,066 square feet of interior landscaping, more than the minimum required. The proposed 102 parking spaces require a minimum of nine deciduous shade trees planted within the off-street parking area ($102 / 12 = 8.5$). The development plans indicate nine trees within the parking area. The proposed landscape islands are each more than 25 square feet and more than five feet in width. These standards are met.

- e) *Off-Street Parking Area Dimensions.* Off-street parking areas shall conform to the minimum dimensions set forth in Table 806-5.

Finding: The development plans indicate that drive aisles, maneuvering areas, and parking stalls comply with the minimum dimensional standards in Table 806-5. These standards are met.

- f) *Off-Street Parking Area Access and Maneuvering.* In order to ensure safe and convenient vehicular access and maneuvering, off-street parking areas shall:
 - (1) Be designed so that vehicles enter and exit the street in a forward motion with no backing or maneuvering within the street; and
 - (2) Where a drive aisle terminates at a dead-end, include a turnaround area as shown in Figure 806-9. The turnaround shall conform to the minimum dimensions set forth in Table 806-6.

Finding: The development plans indicate an off-street parking and maneuvering area with through connections to the street for forward in and out motion, with no backing or maneuvering into the street. At the northwest corner of the development site, the off-street parking area terminates at a dead end. The development plans indicate a turnaround area meeting the minimum dimensions of Table 806-9. These standards are met.

- (g) *Grading.* Off-street parking and vehicle use areas shall not exceed a maximum grade of ten percent. Ramps shall not exceed a maximum grade of 15 percent.
- (h) *Surfacing.* Off-street parking and vehicle use areas shall be paved with a hard surface material meeting the Public Works Design Standards; provided, however, up to two feet of the front of a parking space may be landscaped with ground cover plants (see Figure 806-10). Such two-foot landscaped area may count towards meeting interior off-street parking area landscaping requirements when provided abutting a landscape island or planter bay with a minimum width of five feet, but shall not count towards meeting perimeter setbacks and landscaping requirements. Paving is not required for:
 - (1) Vehicle storage areas within the IG zone.
 - (2) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC Chapter 701.
 - (3) Gravel off-street parking areas, approved through a conditional use permit.
- (i) *Drainage.* Off-street parking and vehicle use areas shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.

Finding: The proposed off-street parking area is developed consistent with the additional development standards for grade, surfacing, and drainage. These standards are met.

- (j) *Bumper guards or wheel barriers.* Off-street parking and vehicle use areas shall include bumper guards or wheel barriers so that no portion of a vehicle will overhang or project into required setbacks and landscaped areas, pedestrian accessways, streets or alleys, or abutting property; provided, however, bumper guards or wheel barriers are not required for:
 - (1) Vehicle storage areas.
 - (2) Vehicle sales display areas.

Finding: Where parking spaces abut the walkways along the building perimeter, the walkways are seven and a half feet wide, so that parked vehicles will not overhang into the minimum five-foot perimeter setback; therefore, bumper guards or wheel barriers are not required. These standards are met.

- (k) *Off-street parking area striping.* Off-street parking areas shall be striped in conformance with the off-street parking area dimension standards set forth in Table 806-6; provided, however, off-street parking area striping shall not be required for:
 - (1) Vehicle storage areas.
 - (2) Vehicle sales display areas.
 - (3) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC Chapter 701.
 - (4) Gravel off-street parking areas, approved through a conditional use permit.
- (l) *Marking and signage.*
 - (1) *Off-street parking and vehicle use area circulation.* Where directional signs and pavement markings are included within an off-street parking or vehicle use area to control vehicle movement, such signs and marking shall conform to the Manual of Uniform Traffic Control Devices.
 - (2) *Compact parking.* Compact parking spaces shall be clearly marked indicating the spaces are reserved for compact parking only.

(3) *Carpool and vanpool parking.* Carpool and vanpool parking spaces shall be posted with signs indicating the spaces are reserved for carpool or vanpool use only before 9:00 a.m. on weekdays.

(m) *Lighting.* Lighting for off-street parking and vehicle use areas shall not shine or reflect onto adjacent residentially zoned property, or property used for uses or activities falling under household living, or cast glare onto the street.

Finding: The proposed off-street parking area is developed consistent with the additional development standards for striping, marking and signage, and lighting. These standards are met.

n) *Additional standards for new off-street surface parking areas more than one-half acre in size.* When a total of more than one-half acre of new off-street surface parking is proposed on one or more lots within a development site, the lot(s) proposed for development shall comply with the additional standards of this subsection.

(1) *Climate mitigation.* Except for development that includes a public building as defined in OAR 330-135-2000, development that includes a total of more than one-half acre of new off-street surface parking shall provide one or more of the following climate mitigation measures, which may be used in combination. This requirement cannot be adjusted or varied.

(A) *Solar power generation.* On-site solar power generation infrastructure shall be provided with a capacity of at least 0.5 kilowatts per new off-street parking space. The solar power generation infrastructure shall be located on the lot(s) proposed for development but need not be located in parking or vehicle use areas.

(B) *Payment into city's equitable renewable energy fund.* A payment shall be made into the city's equitable renewable energy fund at a rate of not less than \$1,500 per parking space and tied to inflation.

(C) *Increased tree canopy coverage.* Increased on-site tree canopy area shall be provided, in conformance with the standards included under subsection (n)(3) of this section, covering at least 40 percent of new off-street parking and vehicle use areas in no more than 15 years.

Finding: The proposed new paved off-street parking area has an impervious area of approximately 43,018 square feet; therefore, this section is applicable. The applicant has proposed option (C), Increased tree canopy coverage, as climate mitigation. The development plans indicate 18,237 square feet of tree canopy coverage will be provided, more than the minimum 40 percent of the total off-street parking area ($43,018 \times 0.4 = 17,207$). This standard is met.

(2) *Provision of tree canopy.* Development that includes a total of more than one-half acre of new off-street parking shall provide tree canopy in conformance with one or more of the following:

(A) *Trees along driveways.* Trees shall be provided along both sides of driveways in conformance with the standards included under subsection (n)(3) of this section; or

(B) *Tree canopy coverage.* On-site tree canopy area shall be provided, in conformance with the standards included under subsection (n)(3) of this section, covering at least 30 percent of new off-street surface parking and vehicle use areas in no more than 15 years.

Finding: The development plans indicate 18,237 square feet of tree canopy coverage will be provided around the perimeter of the off-street parking area, equivalent to 42 percent of the off-street surface parking and vehicle use areas, meeting Option B for this requirement. This standard is met.

(3) *Tree canopy standards.* To ensure new off-street surface parking totaling more than one-half acre in size meets minimum tree canopy coverage requirements, new trees shall be planted and/or existing trees shall be preserved in conformance with the following standards.

(A) *Expected tree canopy area.*

(i) *Expected on-site tree canopy area shall be based on the standards set forth in Table 806-7.*

(ii) *New trees that are planted shall be selected from Table 806-7, unless otherwise approved by the Planning Administrator.*

(iii) *Existing trees that are preserved may be included in expected tree canopy area, regardless of species, so long as they conform to the other standards of this subsection. Mature trees 15 years of age or older may be counted with their existing canopy area at the time of application. Immature trees shall be categorized as either small or large trees based on how their species is identified in Table 806-7, or as categorized by the Planning Administrator.*

(iv) *Each tree meeting the requirements of this subsection may be counted toward the total expected tree canopy area so long as the trunk of each tree is located within 10 feet of the parking area.*

(v) *Exclusions to expected tree canopy area. Portions of tree canopy shall not be counted as part of the expected tree canopy area where the expected tree canopy areas at 15 years will overlap by more than five linear feet, or where the expected tree canopies overlap with any portion of an existing or proposed building.*

(B) *Tree planting standards.* Trees provided to meet tree canopy coverage requirements shall meet subsections (i) through (v) of this section.

(C) *Tree Location/Utility Coordination.* Coordination shall be demonstrated with the local electric utility to ensure the compatibility of tree canopy and root systems with planned and existing utility infrastructure.

Finding: The development plans indicate 24 Accolade Elm trees with a caliper of two inches and an expected 15-year tree canopy diameter of 50 feet will be planted within ten feet surrounding the perimeter of the parking area, meeting the standards of Table 806-7. Each of the trees are proposed to be planted within groups of at least three trees per planter island and with at least 1,500 cubic feet of soil at a minimum of two feet in depth. The trees do not overlap more than 20 percent of existing or proposed buildings. It is unclear whether the proposed trees will conflict with any planned or existing utility infrastructure. To ensure this standard is met, the following condition shall apply.

Condition 8: Prior to building permit approval, the applicant shall provide proof of coordination with the local electric utility to ensure the compatibility of the proposed tree canopy and root systems will not interfere with planned and existing utility infrastructure.

▪ **Driveway Standards**

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

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

Finding: Pursuant to SRC 806.040(d), Table 806-8, one-way driveways are required to have a minimum width of 12 feet and two-way driveways are required to have a minimum width of 22 feet. The development plans indicate a two-way driveway onto Kettle Ct SE that is 24 feet wide and is in conformance with the driveway development standards of this section.

▪ ***Bicycle Parking***

SRC 806.045 – General Applicability

Bicycle parking shall be provided and maintained for any intensification, expansion, or enlargement of a use or activity.

SRC 806.050 – Proximity of Bicycle Parking to use or Activity Served

Bicycle parking shall be located on the same development site as the use or activity it serves.

Finding: The proposal includes the development of a new *Short-term commercial lodging* use; therefore, the bicycle parking standards of this section are applicable.

SRC 806.055 – Amount of Bicycle Parking

Per SRC Chapter 806, Table 806-9, a short-term commercial lodging use requires the greater of four spaces or one space per 50 rooms, 75 percent of which may be long term spaces.

Finding: The proposed development includes 115 rooms, requiring a minimum of four bicycle parking spaces, per Table 806-9. The development plans indicate four short-term bicycle parking spaces in the form of two staple-style racks will be provided. This standard is met.

SRC 806.060 – Bicycle Parking Development Standards

Unless otherwise provided under the UDC, bicycle parking areas shall be developed and maintained as set forth in this section.

- (a) *Location.* Short-term bicycle parking areas shall be located within a convenient distance of, and shall be clearly visible from, the primary building entrance. In no event shall bicycle parking areas be located more than 50 feet from the primary building entrance.
 - (1) *Short-term bicycle parking.* Short-term bicycle parking shall be located outside a building within a convenient distance of, and clearly visible from, the primary building entrance. In no event shall bicycle parking be located more than 50 feet from the primary building entrance, as measured along a direct pedestrian access route.

Finding: The development plans indicate four short-term bicycle parking spaces in the form of two staple-style racks will be located within 50 feet of and clearly visible from the primary entrance. These standards are met.

- (b) *Access.* Bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance that is free of obstructions and any barriers, such as curbs or stairs, which would require users to lift their bikes in order to access the bicycle parking area.

Finding: As shown on the site plan, each bicycle parking area has direct access to a primary building entrance and the public right-of-way, free of obstruction or barriers, in conformance with the requirements of SRC 806.060(b).

- (c) *Dimensions.* All bicycle parking areas shall meet the following dimension requirements:
- (1) *Bicycle parking spaces.* Bicycle parking spaces shall conform to the minimum dimensions set forth in Table 806-10.
 - (2) *Access aisles.* Bicycle parking spaces shall be served by a minimum four-foot-wide access aisle. Access aisles serving bicycle parking spaces may be located within the public right-of-way.

Finding: Bicycle parking spaces are required to be a minimum of six feet in length and one and half feet in width when the proposed bicycle racks are placed side-by-side. For horizontal spaces, the bike rack shall be centered along the long edge of the bicycle parking space. The development plans indicate the proposed bicycle parking spaces are arranged with adequate dimensions to provide pedestrian passage for all four of the proposed spaces; the length of each proposed stall is at least six feet, with at least one and a half feet width between the side-by-side spaces, meeting the standards.

- (d) *Surfacing.* Where bicycle parking is located outside a building, the bicycle parking area shall consist of a hard surface material, such as concrete, asphalt pavement, pavers, or similar material, meeting the Public Works Design Standards.

Finding: The proposed bicycle parking spaces are placed on a hard surface material, meeting the standard.

- (e) *Bicycle Racks.* Where bicycle parking is provided in racks, the racks may be floor, wall, or ceiling racks. Bicycle racks shall meet the following standards.
- (1) Racks must support the bicycle frame in a stable position, in two or more places without damage to wheels, frame, or components.
 - (2) Racks must allow the bicycle frame and at least one wheel to be locked to the rack with a high security, U-shaped shackle lock;
 - (3) Racks shall be of a material that resists cutting, rusting, and bending or deformation; and
 - (4) Racks shall be securely anchored.
 - (5) Examples of types of bicycle racks that do, and do not, meet these standards are shown in Figure 806-11.

Finding: The site plan indicates staple-style bike racks will be provided. The proposed bike racks conform to material requirements of SRC 806.060(e).

▪ **Off-Street Loading Areas**

SRC 806.065 – General Applicability

Off-street loading areas shall be provided and maintained for any intensification, expansion, or enlargement of a use or activity.

SRC 806.070 – Proximity of Off-Street Loading Areas to use or Activity Served.

Off-street loading shall be located on the same development site as the use or activity it serves.

SRC 806.075 – Amount of Off-Street Loading

Per Table 806-11, off-street loading spaces for education services and religious assembly uses are based on the floor area of the building.

Finding: Per Table 806-11, a *Short-term commercial lodging* use between 5,000 and 60,000 square feet requires a minimum of one off-street loading space. The development plans indicate a drop-off area in front of the primary entrance will be used as a loading space.

SRC 806.080 – Off-street Loading Development Standards

Off-street loading shall be developed and maintained as set forth in this section.

Finding: The development plans indicate an off-street loading area more than 12 by 30 feet. The off-street loading area is located within the off-street parking and vehicle use area and not located within a required setback. The development plans indicate the area is of sufficient size to accommodate the safe operation of a delivery vehicle, including sufficient turn radiuses around the building. These standards are met.

SRC 807 – Landscaping

All required setbacks shall be landscaped with a minimum of 1 plant unit per 20 square feet of landscaped area. A minimum of 40 percent of the required number of plant units shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees. Plant materials and minimum plant unit values are defined in SRC Chapter 807, Table 807-2.

All building permit applications for development subject to landscaping requirements shall include landscape and irrigation plans meeting the requirements of SRC Chapter 807.

Finding: The subject property is 5.11-acres in size, or 222,694 square feet, requiring a minimum 15 percent, or 33,404 square feet, of landscaping. Because the subject property includes areas within the floodway of Mill Creek, as well as wetlands, the development plans indicate a limited project area of 127,859 square feet, including 40,706 square feet of landscape area, or 31.8 percent of the developable area. The proposed 40,706 square feet of landscaping requires a minimum 2,035 plant units ($40,706 / 20 = 2,035$), 40 percent of which must be trees, or 814 plant units as trees ($2,035 \times 0.4 = 814$). The development plans also indicate 42,353 square feet of preserved open space. The preliminary landscaping plans indicate 2,175 plant units, including 825 plant units of trees, will be provided, more than the minimum required.

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

SRC 808 – Preservation of Trees and Vegetation

The City's tree preservation ordinance, under SRC Chapter 808, provides that no person shall remove a significant tree (Oregon White Oak greater than 20 inches in diameter at breast height or any other tree with a DBH 30 inches or greater, but excluding tree of heaven [*Ailanthus altissima*], empress tree [*Paulownia tomentosa*], black cottonwood [*Populus trichocarpa*] and black locust [*Robinia pseudoacacia*]) (SRC 808.015) or a tree or native vegetation in a riparian corridor (SRC 808.020), unless the removal is excepted under SRC 808.030(a)(2), undertaken pursuant to a permit issued under SRC 808.030(d), undertaken pursuant to a tree conservation plan approved under SRC 808.035, or permitted by a variance granted under SRC 808.045.

Finding: The development plans include a tree inventory which indicates 26 trees will be preserved and three trees removed from the development site. The three trees identified for removal are not considered Significant Trees, riparian corridor trees, or Heritage Trees.

SRC 809 – Wetlands

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

Finding: 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 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.

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.

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).

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

Finding: 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.

7. Analysis of Class 1 Adjustment Approval Criteria

Salem Revised Code (SRC) 250.005(d)(1) provides that an application for a Class 1 Adjustment shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

SRC 250.005(d)(1)(A): The purpose underlying the specific development standard proposed for adjustment is:

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

Finding: The applicant has requested one Class 1 Adjustment to exceed the maximum building height of 45 feet to 50 feet, or eleven percent, in order to accommodate architectural parapets along the roofline of the building and provide screening of rooftop mechanical equipment. Because the proposed deviation is less than 20 percent, a Class 1 Adjustment is applicable. The applicant's written statement indicates the subject property does not abut any residentially zoned properties or viewsheds, and that the increased height will not impact any provisions of the Airport Safety Overlay Zone. The development plans indicate that the majority of the building is 45 feet in height except at the edges where the proposed parapets are included. The applicant's written statement indicates the parapets provide visual interest by the inclusion of differentiation in the building's vertical mass, similar to other development standards for other uses in other zones. As the increased height is mostly superficial and does not significantly increase the building height, the proposed development clearly satisfies the intent of the standard, and is in conformance with this approval criterion.

SRC 250.005(d)(1)(B): The proposed adjustment will not unreasonably impact surrounding existing or potential uses or development.

Finding: The proposed development is setback from any property line or nearby development by hundreds of feet. The requested adjustment to increase the maximum height will not unreasonably impact any surrounding existing or potential uses or development. The proposed

Adjustment is consistent with this criterion. To ensure the allowed increase in maximum height does not impact any other future development, the following condition shall apply.

Condition 9: The adjusted development standards, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development requirements, unless adjusted through a future land use action.

8. Conclusion

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

IT IS HEREBY ORDERED

Final approval of Class 3 Site Plan Review and Class 1 Adjustment Case No. SPR-ADJ24-29 is hereby **APPROVED** subject to SRC Chapters 220 and 250, the applicable standards of the Salem Revised Code, conformance with the approved site plan included as Attachment B, and the following conditions of approval:

- Condition 1:** 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).
- Condition 2:** Construct all new structures a minimum of one foot above the base flood elevation pursuant to SRC 601.075.
- Condition 3:** At the time of building permit submittal, the applicant shall demonstrate the development standards of SRC 800.055 will be met, including the installation of restrainers on the enclosure gate in both the closed and open positions.
- Condition 4:** 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.
- Condition 5:** 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.
- Condition 6:** 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.

- Condition 7:** Prior to issuance of a certificate of occupancy, install private street trees to the maximum extent feasible along Kettle Court SE.
- Condition 8:** Prior to building permit approval, the applicant shall provide proof of coordination with the local electric utility to ensure the compatibility of the proposed tree canopy and root systems will not interfere with planned and existing utility infrastructure.
- Condition 9:** The adjusted development standards, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development requirements, unless adjusted through a future land use action.



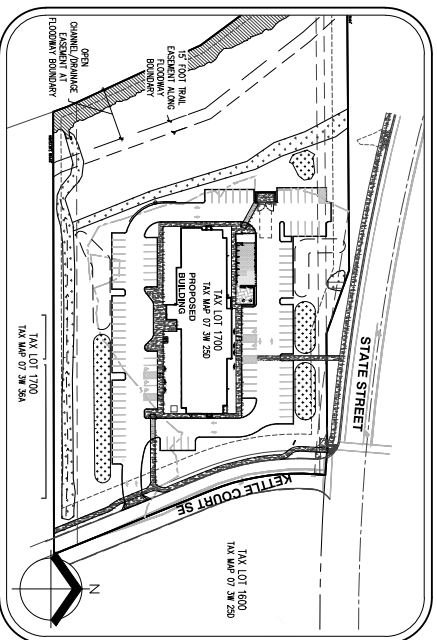
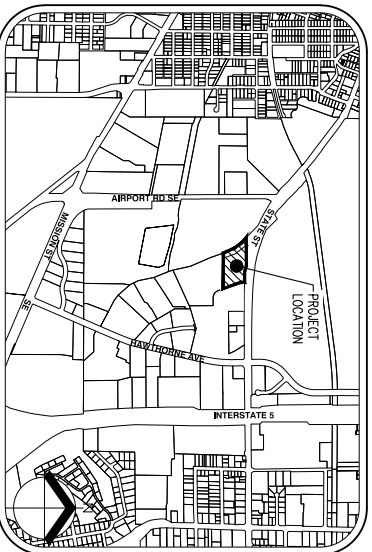
Peter Domine, Planner II, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

- Attachments: A. Vicinity Map
B. Proposed Site Plan
C. Development Services Memo Dated October 22, 2024

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

EVERHOME SUITES

PRELIMINARY LAND USE PLANS



**CIVIL ENGINEERING,
SURVEYING/LAND USE
PLANNING/LANDSCAPE
ARCHITECTURE FIRM**

AKS ENGINEERING & FORESTRY, LLC
CONTACT: TYLER ROHR, PE
3700 RIVER RD N, STE 1
KEIZER, OR 97303
PH: 503.400.6028
WWW.AKS-ENG.COM

ARCHITECT

PARKWAY CONSTRUCTION & ARCHITECTURE
CONTACT: MATTHEW HOEADLY, AIA, NCARB
1000 CIVIL CIRCLE
LEWISVILLE, TX 75067
PH: 469.757.2233

GEOTECHNICAL FIRM

PARTNER ENGINEERING AND SCIENCE, INC.
CONTACT: ANDREW W. AIRY, PE
2150 NORTH 107TH ST, STE 475
SEATTLE, WA 98133

APPLICANT

HIGHSHOE COMPANIES, LLC
CONTACT: BEN COHEN
7800 E. UNION AVE, STE 910
DENVER, CO 98133

SHEET INDEX

- P1 COVER SHEET
- C002 EXISTING CONDITIONS PLAN
- C003 EXISTING CONDITIONS PLAN
- P4 PRELIMINARY DEMOLITION PLAN
- P5 PRELIMINARY TREE PRESERVATION AND REMOVAL PLAN
- P6 PRELIMINARY SITE PLAN
- P7 PRELIMINARY GRADING AND DRAINAGE PLAN
- P8 PRELIMINARY COMPOSITE UTILITY PLAN
- P9 PRELIMINARY KETTLE COURT STREET IMPROVEMENT PLAN
- P10 PRELIMINARY LANDSCAPE PLAN
- P11 PRELIMINARY TREE CANOPY AND SOIL VOLUME PLAN
- P12 PRELIMINARY LANDSCAPE NOTES & DETAILS

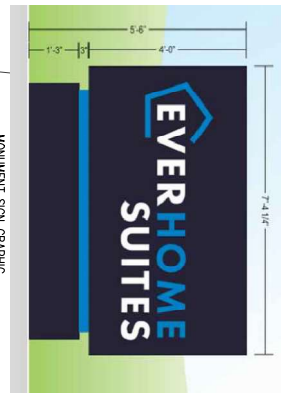
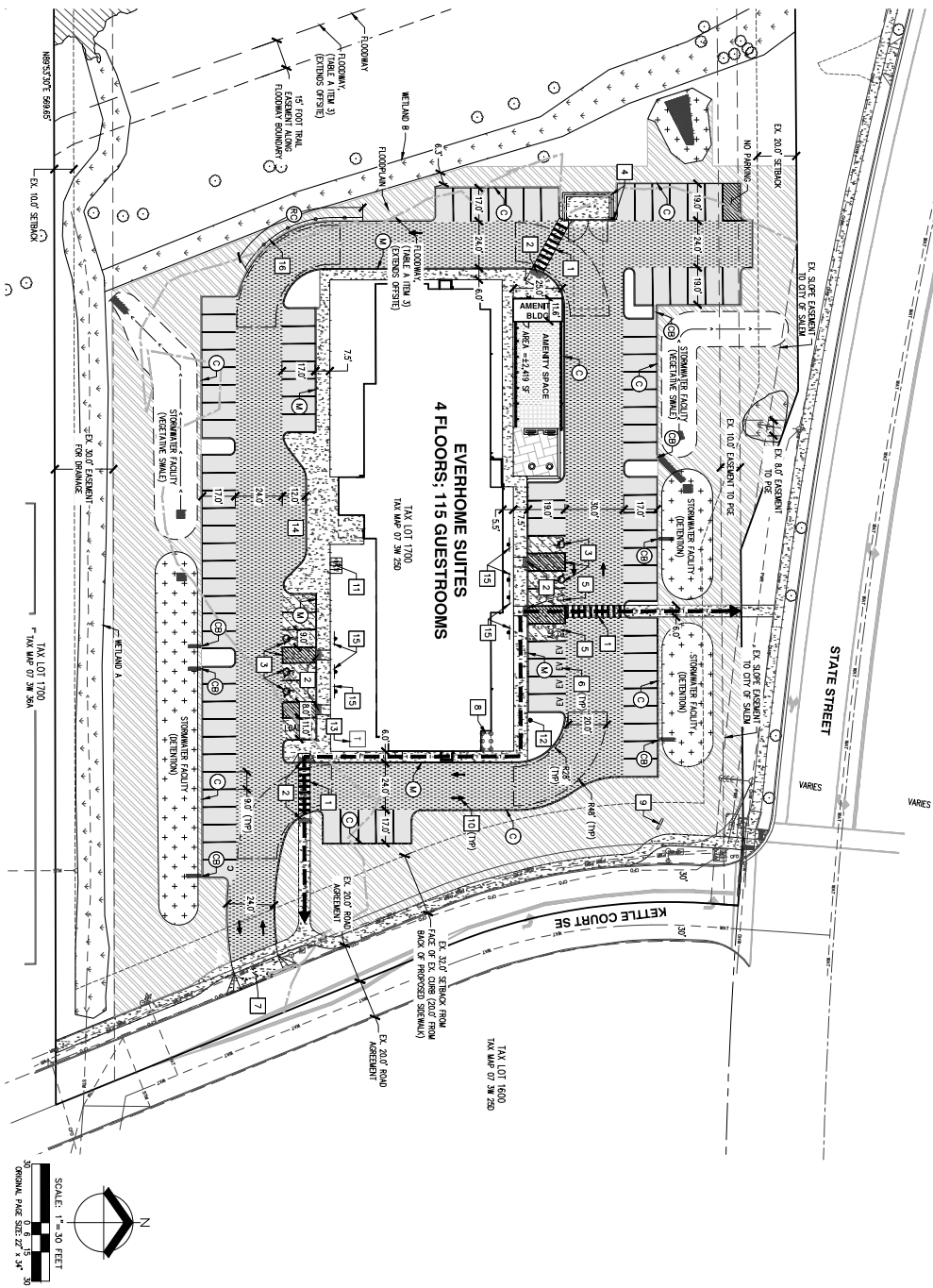
EXISTING	PROPOSED	EXISTING	PROPOSED
DECIDUOUS TREE		STORM DRAIN CLEAN OUT	
CONIFEROUS TREE		STORM DRAIN CHECK BASIN	
FIRE HYDRANT		STORM DRAIN WASH BASIN	
WATER ELECTRIC		STORM DRAIN MANHOLE	
WATER VALVE		GAS VALVE	
WATER METER		GUY WIRE ANCHOR	
DOCKET CHECK VALVE		UTILITY POLE	
WATER MAIN CLEAN OUT		POWER VAULT	
SHUTTER STICK CLEAN OUT		POWER JUNCTION BOX	
SHUTTER STICK MANHOLE		POWER PRESSURE	
STREET LIGHT		COMMUNICATIONS VAULT	
MANHOLE		COMMUNICATIONS JUNCTION BOX	
		COMMUNICATIONS RISER	

EXISTING	PROPOSED
RIGHT-OF-WAY LINE	
BOUNDARY LINE	
PROPERTY LINE	
CONCRETE	
DITCH	
CURB	
EDGE OF PAVEMENT	
EDGE OF PAVEMENT	
ESSENTIAL	
EDGE LINE	
GRAVEL EDGE	
POWER LINE	
OVERHEAD WIRE	
COMMUNICATIONS LINE	
RIVER OPTIC LINE	
GAS LINE	
STORM DRAIN LINE	
SAFETY SENSITIVE LINE	
WATER LINE	
RECLAIMED WATER LINE	

PROPERTY DESCRIPTION
MARION COUNTY TAX MAP 07 3W 25D
TAX LOT 1700
CITY OF SALEM, OREGON

VERTICAL DATUM
ELEVATIONS ARE BASED ON NGS BENCHMARK DET450,
LOCATED AT THE INTERSECTION OF LANCASTER DRIVE NE AND
AMBER STREET. ELEVATION = 216.73 FEET (NAVD88) THEN
ADJUSTED TO NAD029 WITH A VERTICAL SHIFT OF -3.37 FEET,
SETTING THE NAD029 ELEVATION AT 213.36 FEET.

PROPERTY LOCATION
PROPERTY LOCATED ON THE
SOUTHWEST CORNER OF STATE ST
AND KETTLE CT.
NEW ADDRESS TO BE DETERMINED



SILT PLAN DATA		TOTAL PLAN (SQ)	
ZONE	=	14,719 SF (15% OF TOTAL UNDEVELOPED AREA)	
TOTAL SIF AREA	=	422,684 SF (44.11 ACRES)	
PRODUCT AREA	=	117,289 SF (12.33 ACRES)	
PROVIDED	=	51 ROOMS	
<p>PARKING SUMMARY</p>			
REQUIRED PARK SPACE	=	14,719 SF (15% OF TOTAL UNDEVELOPED AREA)	
PROVIDED PARK SPACE	=	42,610 SF	
<p>REAR SPACE PROVIDED</p>			
REQUIRED REAR SPACE PROVIDED	=	11,975 SF (14.5% OF TOTAL UNDEVELOPED AREA)	
PROVIDED REAR SPACE PROVIDED	=	102,975 SF (INCLUDES 7 ACCESSIBLE SPACES)	
<p>LOADING DOCKS</p>			
REQUIRED DOCKS	=	1 DOCK (ONE OF 1 OR 1/20 ROOMS)	
PROVIDED DOCKS	=	1 DOCK (20'x30')	
<p>SEABOARD JP ZONING DISTRICT</p>			
RETAILING STREET BUILDING	=	20 FT	
VEHICLE USE AREA	=	10 FT	
SIDE REAR YARD	=	10 FT	
REAR YARD	=	10 FT	
REAR YARD OF AREA	=	10 FT	

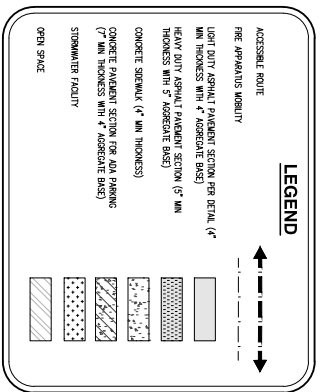
SITE KEYED NOTES

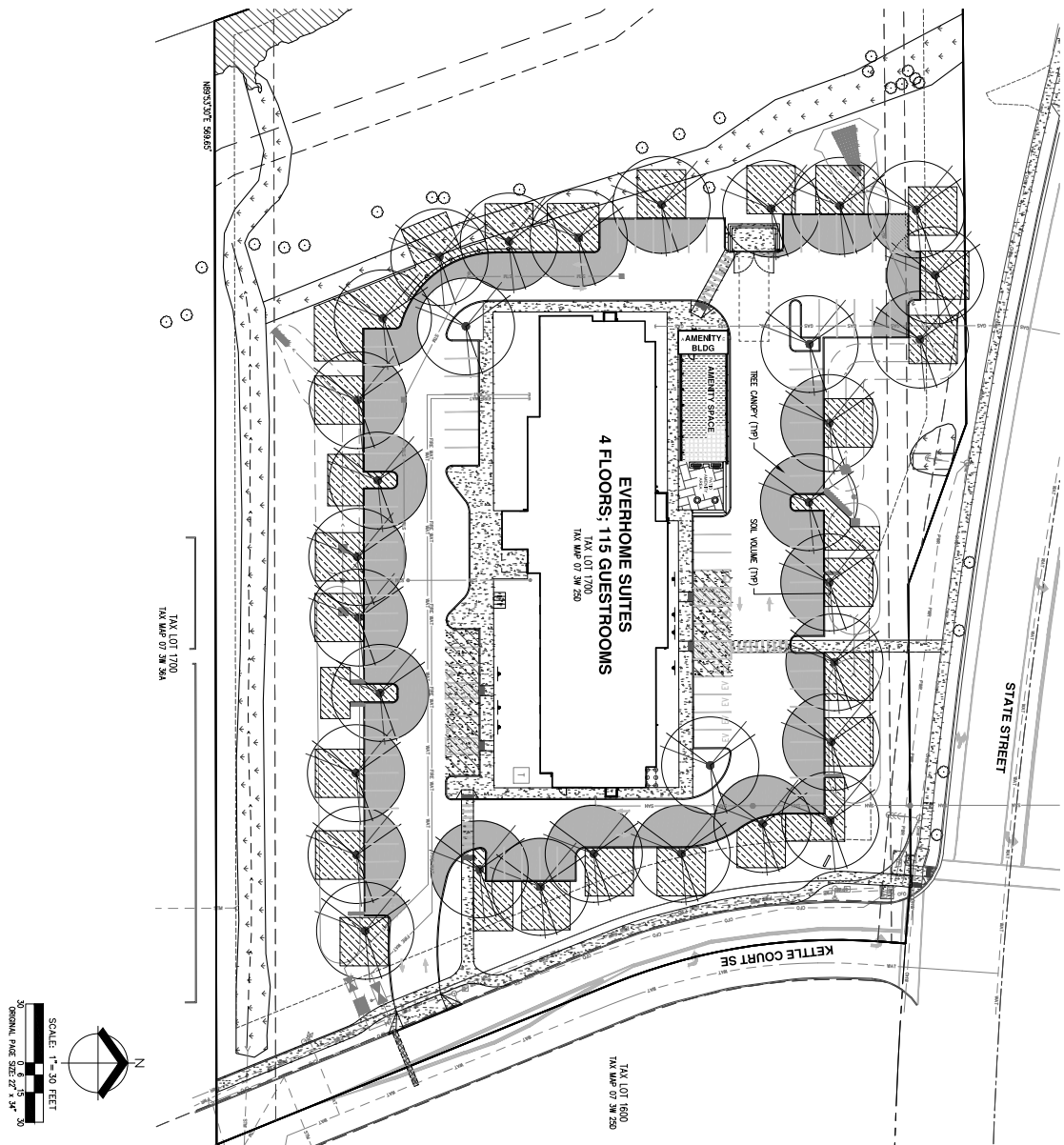
1. PRACTICAL DESIGN (CONCRETE SURFACE MATERIAL).
2. ACCESSIBLE CURB RAMP AND DETECTABLE WARNING SURFACE.
3. ACCESSIBLE PARKING SPOTS AND AIDING STRIPS.
4. TRUCK EXCLUSIVE WITH "NO PARKING" SIGN, SEE ARCHITECTURAL PLANS FOR DETAILS.
5. ACCESSIBLE DETECTABLE STRIP (BY PAVING), COORDINATE WITH ELECTRICAL DESIGNER TO PROVIDE POWER TO AFFIXED DETECTABLE STRIPS.
6. ELECTRICAL STRIP (BY PAVING), COORDINATE WITH ELECTRICAL DESIGNER TO PROVIDE POWER TO AFFIXED DETECTABLE STRIPS. VERIFY CHARGING STATIONS MEET MANUFACTURER'S CLIMATE REQUIREMENTS.
7. COMERCIAL BREAKFAST APPROVAL PER CITY STANDARDS.
8. PREPARED SHADING SHELTER, SEE ARCHITECTURAL PLANS.
9. MOUNTAIN SIGN, SEE GRAPHIC GUIDE FOR MOUNTAIN DIMENSIONS.
10. DIRECTIONAL ARROW STRIP.
11. BEE PAVING.
12. PET WASTE STATION, SEE ARCHITECTURAL PLANS.
13. CONCEPTUAL TRANSFERRED CORTINA.
14. DROP OFF AREA TO FUNCTIONALLY MEETING CITY LOADING SPACE REQUIREMENTS.
15. ACCESSIBLE PARKING SIGN.
16. VEHICLE BARBER 2-FT TAIL FENCE.

KEY READY NOISE

40% OF PARKING STALLS ARE REQUIRED TO BE EV READY PER STATE REQUIREMENTS. FINAL EV READY STALL LOCATION AND CONDUIT PLACEMENT WILL BE COORDINATED WITH PROJECT ELECTRICIAN AT THE TIME OF BUILDING PERMIT SUBMITTAL.

OFF-DIAGNOSIS AND ILLUSTRATION IN ALL FOUR CASES





LEGEND



TREE CANOPY AND SOIL VOLUME DATA

TOTAL PARKING/MANUEVING AREA = 44,018 SF
 TREE CANOPY REQUIRED = 41,527 SF (93% OF PARKING/MANUEVING AREA)
 TREE CANOPY PROVIDED = 41,527 SF (93% OF PARKING/MANUEVING AREA)
 SOIL VOLUME REQUIRED (75% CANOPY TREE) = 41,500 CUFT
 SOIL VOLUME PROVIDED (75% CANOPY TREE) = 41,500 CUFT
 TOTAL SOIL REMOVED: 41,500 SF X 2.5 FT = 41,500 CUFT
 TOTAL SOIL PROVIDED: 41,500 SF X 2.5 FT = 41,500 CUFT

PRELIMINARY TREE CANOPY AND SOIL VOLUME PLAN EVERHOME SUITES

SALEM, OR

AKS ENGINEERING & FORESTRY, LLC
 3700 RIVER RD N, STE 1
 KODAK, OR 97303
 503.405.6028
 WWW.AKS-ENG.COM



ENGINEERING • SURVEYING • NATURAL RESOURCES
 FORESTRY • PLANNING • LANDSCAPE ARCHITECTURE



MEMO

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.

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

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:

Streets			
Street Name		Right-of-way Width	Improvement Width
State Street (Major Arterial)	Standard:	96-feet	68-feet
	Existing Condition:	130-to-160-feet	74-feet
Kettle Court SE (Local, Private)	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:

Utilities	
Type	Existing Conditions
Water	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.
Sanitary Sewer	A 15-inch sanitary sewer main is located in State Street.
Storm Drainage	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