

TO: Jamie Donaldson, Planner III
Community Planning and Development Department

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

DATE: December 18, 2024

SUBJECT: Infrastructure Memo
SPR-ADJ 24-32 (24-119550-PLN)
2025 Broadway Street NE
Highland Park Improvements



PROPOSAL

A Class 3 Site Plan Review to upgrade the existing tennis court at Highland Park, with three Class 2 Adjustment requests to:

- (1) Increase the maximum allowed height for a fence within ten feet of the property line abutting a street from eight feet to ten feet (SRC 800.050(a)(1)(B)(i));
- (2) Increase the maximum allowed opacity for portions of the fence above 30 inches, and within ten feet of the property line abutting a street, from 25 percent to 78 percent opaque (SRC 800.050(a)(1)(B)(i)); and
- (3) Allow alternative vision clearance standards for a fence with windscreens located within a portion of the required vision clearance triangle for a controlled intersection (SRC 805.005(a)(2)).

The subject properties are approximately 0.5 acres in total size, zoned PA (Public Amusement), and located at 2025 Broadway Street NE (Marion County Assessor Map and Tax Lot numbers: 073W14CB / 12500 & 073W14CC / 14700).

RECOMMENDED CONDITIONS OF APPROVAL

1. The property is subject to a special setback of 36 feet measured from the centerline of Broadway Street NE.

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
Broadway Street NE (Class)	Standard:	72-feet	46-feet
	Existing Condition:	66-feet	43-feet
Academy Street NE (Local)	Standard:	60-feet	30-feet
	Existing Condition:	66-feet	30-feet
Columbia Street NE (Local)	Standard:	60-feet	30-feet
	Existing Condition:	66-feet	30-feet

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

Utilities & Parks	
Type	Existing Conditions
Water	Water Service Level: G-0
	A 6-inch water main is located in Columbia Street NE.
	An 8-inch water main is located in Broadway Street NE.
	An 8-inch water main is located in Academy Street NE.
Sanitary Sewer	An 8-inch sanitary sewer main is located in an abutting public alley.
	An 8-inch sanitary sewer main is located in Columbia Street NE.
Storm Drainage	An 8-inch storm main is located in Broadway Street NE.
	A 20-inch storm main is located in Columbia Street NE.

SITE PLAN REVIEW DECISION CRITERIA

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

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

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

SRC Chapter 200 - Urban Growth Management:

SRC Chapter 200 (Urban Growth Management) requires issuance of an Urban Growth Preliminary Declaration (UGA) prior to development of property located outside the City's Urban Service Area.

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

SRC Chapter 71 – Stormwater:

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

Finding: SRC Chapter 71 requires the use of green stormwater infrastructure (GSI) for projects which include more than 10,000 square feet of new or replaced impervious surfaces according to the definitions in SRC Chapter 70. The applicant's engineer submitted a statement that demonstrates the proposal is not considered a large project which would require the use of GSI. The applicant shall be required to design and construct a storm drainage system at the time of development. The applicant shall provide an evaluation of the connection to the approved point of discharge for new areas of impervious surface per SRC 71.075.

SRC Chapter 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.

SRC Chapter 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: Columbia Street NE and Academy Street NE are fully developed and meet the right-of-way width and pavement width standards for a local street pursuant to the Salem TSP; therefore, no additional street improvements are required for these streets.

The existing condition of Broadway Street NE does not meet current standards for its classification of street per the *Salem Transportation System Plan* for right-of-way width or improvement width. The existing street system is adequate to serve the proposed development and the development is not proposing a building addition subject to 803.040(a); therefore, no right-of-way dedication or street improvements are required. Pursuant to SRC 800.040(b), the proposed development is subject to a special setback equal to 36-feet from centerline on the development side of Broadway Street NE pursuant to SRC 800.040(b).

Condition: The property is subject to a special setback of 36 feet measured from the centerline of Broadway Street NE.

▪ ***Street Trees***

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

Finding: There are existing mature street trees along the Academy Street NE and Columbia Street NE frontage. In addition, existing street trees are located north of the sports court on the Broadway Street NE frontage. Due to the narrow width of the planter strip between the sports court and the sidewalk along Broadway Street NE, street trees cannot be planted in this area, no additional street trees are warranted with this development.

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: Highland Park does not have an off-street parking area and there are no existing or proposed driveway approaches serving the development site; therefore, this section is not applicable.

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 development proposal includes upgrades to the existing multi-use sports courts at Highland Park, near the intersection of Academy Street NE and Broadway Street NE. The existing fencing for the sports court will be removed and replaced with a new 10-foot-tall vinyl coated chain-link fence and will include a windscreen. The applicant has requested a Class 2 Adjustment to allow the proposed fence with

windscreens to be placed within the vision clearance area established in SRC Chapter 805, findings for the Class 2 Adjustment are included below.

Natural Resources:

SRC Chapter 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: Floodplain Administrator has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

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: According to the Salem-Keizer Local Wetland Inventory (LWI) the subject property does not contain any wetland areas or hydric soils.

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 subject property is provided by the network of existing public 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— Highland Park does not have any existing or proposed off-street parking areas or driveway access to abutting streets; therefore, this criterion is not applicable.

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

Finding— The Development Services division reviewed the proposal and determined that water, sewer, and storm infrastructure are available and appear to be adequate to serve the subject property. This approval criterion is met.

CLASS 2 ADJUSTMENT DECISION CRITERIA

Analysis of the proposed Class 2 adjustment based on relevant criteria in SRC 250.005(d)(2) is as follows:

SRC 250.005(d)(2)(A): The purpose underlying the specific development standard proposed for adjustment is:

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

Finding: The applicant is requesting a Class 2 adjustment to allow alternative vision clearance standards for a fence with windscreens located within a portion of the required vision clearance triangle for a controlled intersection. SRC 805.005(a)(2) provides that for a stop-controlled intersection the vision clearance area shall have a 10-foot leg along the controlled street and a 50-foot leg along the uncontrolled street.

SRC 805.015 allows the adoption of alternative vision clearance standards that are consistent with recognized traffic engineering standards, where a vision clearance area meeting the standards of SRC 805 cannot be provided because of physical characteristic of the property or street, or where the property has historic neighborhood characteristics, including, but not limited to established vegetation and mature trees.

The applicant has provided findings from an engineer stating that the alternative vision clearance standards requested are consistent with adopted engineering standards established by the American Association of State Highway and Transportation Officials (AASHTO). To comply with the standards in Chapter 805, the existing sports court would need to be shifted further west, impacting existing trees and vegetation, and requiring additional paving and impervious surface. The alternative allows preservation of existing trees in Highland Park and retains the existing footprint for the sports court.

The applicant's statement provides that per AASHTO adopted standards, the required intersection sight distance is measured from the driver's perspective at the stop-controlled intersection, not the property line as required under the Salem Revised Code,

which provide a more accurate representation of real-world driving situations. The applicant's findings include a site plan which shows the 290-foot by 14.5-foot alternative vision clearance area using the AASHTO adopted standard, illustrating the proposed fence and screening do not encroach into the alternative vision clearance area.

The proposed alternative vision clearance standards requested have been reviewed by the Assistant City Traffic Engineer and are found to be consistent with recognized traffic engineering standards and therefore meets the adjustment criteria by providing traffic safety equal to what would be accomplished by meeting the development standard.

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