

# NOTICE OF DECISION

PLANNING DIVISION  
555 LIBERTY ST. SE, RM 305  
SALEM, OREGON 97301  
PHONE: 503-588-6173  
FAX: 503-588-6005



*Si necesita ayuda para comprender esta información, por favor llame  
503-588-6173*

## DECISION OF THE PLANNING ADMINISTRATOR

**REPLAT TENTATIVE PLAN / CLASS 3 SITE PLAN REVIEW / CLASS 2  
ADJUSTMENT / CLASS 2 DRIVEWAY APPROACH PERMIT CASE NO.: REP-  
SPR-ADJ-DAP24-06**

**APPLICATION NO.: 24-113646-PLN**

**NOTICE OF DECISION DATE:** January 13, 2025

**REQUEST:** A Class 3 Site Plan Review, Class 2 Driveway Approach Permit for development of two new hotel buildings with associated driveways, parking and landscaping, with three Class 2 Adjustment requests:

- 1) Eliminate the setback and landscaping along the southern property boundary of Proposed Lot 1 (SRC 551.010(b)Table 551-4);
- 2) Eliminate the setback and landscaping along the southern property boundary of Proposed Lot 2 (SRC 551.010(b)Table 551-4); and
- 3) Eliminate the Pedestrian Path through a parking area greater 25,000 square feet (SRC 800.065(a)(3)).

The proposal includes a Replat application to consolidate and relocate a property line creating a 3.01 acre lot and 2.07 acre lot, zoned IC (Industrial Commercial), and located at 383-503 Farm Credit drive SE (Marion County Assessor's Map and Tax lot number: 073W36A / 2000, 2100 and 2200).

**APPLICANT:** BRAND Land Use, on behalf of Salem Land Group, LLC

**LOCATION:** 383 Farm Credit Dr SE, Salem OR 97301

**CRITERIA:** Salem Revised Code (SRC) Chapters 205.025(d) – Replat Tentative Plan; 220.005(f)(3) – Class 3 Site Plan Review; 250.005(d)(2) – Class 2 Adjustment; 804.025(d) – Class 2 Driveway Approach Permit

**FINDINGS:** The findings are in the attached Decision dated January 13, 2025.

**DECISION:** The **Planning Administrator APPROVED** Replat Tentative Plan, Class 3 Site Plan Review, Class 2 Adjustment, Class 2 Driveway Approach Permit Case No. REP-SPR-ADJ-DAP24-06 subject to the following conditions of approval:

**Condition 1:** Show all existing and proposed easements on the final plat.

**Condition 2:** 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 3:** The entire proposed development is subject to expiration date set forth in Table 300-3. Each building permit required shall meet SRC 300.850.

- Condition 4:** Prior to issuance of any development permits, the final Replat shall be recorded.
- Condition 5:** Prior to building permit issuance, Landscaping Plan shall be provided demonstrating how each building meets required overall landscaping, interior landscaping for all proposed paved areas, Climate Mitigation Standards and all other applicable landscaping standards.
- Condition 6:** Prior to building permit issuance, updated development plans shall be provided demonstrating that each solid waste service areas will be developed in compliance with all applicable development standards of SRC Chapter 800.
- Condition 7:** Prior to issuance of any development permits for each building, the applicant shall provide a lighting plan meeting the standards of SRC 800.060(a) and SRC 800.065(c).
- Condition 8:** Prior to issuance of any development permits for each building, the applicant shall provide a lighting plan meeting the standards of SRC 800.060(a) and SRC 800.065(c).
- Condition 9:** Prior to issuance of a certificate of occupancy of Building 1, the applicant shall construct a property a 5-foot-wide property line sidewalk and landscape strip along the development frontage of Farm Credit Drive SE.
- Condition 10:** Prior to issuance of a certificate of occupancy of Building 2, the applicant shall property a 5-foot-wide property line sidewalk and landscape strip along the development frontage of Farm Credit Drive SE and Kettle Court SE.
- Condition 11:** Prior to issuance of a certificate of occupancy of Building 1, the applicant shall install street trees to the maximum extent feasible along the frontage of Farm Credit Drive SE.
- Condition 12:** Prior to issuance of a certificate of occupancy of Building 2, the applicant shall install street trees to the maximum extent feasible along the frontage of Farm Credit Drive SE and Kettle Court SE.
- Condition 13:** Street Trees planted along Kettle Court SE shall be maintained in good health and replaced if damaged or dead.
- Condition 14:** Prior to issuance of a building permit, obtain a street tree removal permit pursuant to SRC Chapter 86.
- Condition 15:** The access onto Hawthorne Avenue SE shall be limited to emergency service access only.
- Condition 16:** All permits submitted shall meet standards of UDC parking area for both buildings and cannot be reviewed under a single Civil Site Work Permit unless structural permits for both buildings are submitted. Barricades (Jersey Barrier type) will be required along the new property line between the two lots to prevent parking on gravel until the remainder of the site is developed.

- Condition 17:** The applicant shall provide updated landscaping plans meeting the eight-percent standard for each building permit and the minimum amount of deciduous shade trees within the interior of the off-street parking area, meeting the standards of SRC 806.035(d).
- Condition 18:** Prior to issuance of a development permits for Building 1, the applicant shall show and provide wheel stops in parking spaces abutting required landscaping, including landscaping conditioned below.
- Condition 19:** Prior to issuance of a development permits for Building 2, the applicant shall show and provide wheel stops in parking spaces abutting required landscaping, including landscaping conditioned below.
- Condition 20:** At the time of building permit for Building 1, plans showing 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.
- Condition 21:** At the time of building permit for Building 1, plans showing 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.
- Condition 22:** Prior to building permit issuance for Building 1, updated development plans shall be provided demonstrating compliance with the provision of tree canopy standards in SRC 806.035(n)(2). If the Parking Area is reconfigured to meet this standard, a modification to this decision may be required.
- Condition 23:** Prior to building permit issuance for Building 2, updated development plans shall be provided demonstrating compliance with the provision of tree canopy standards in SRC 806.035(n)(2). If the Parking Area is reconfigured to meet this standard, a modification to this decision may be required.
- Condition 24:** Prior to building permit issuance, updated development plans shall be provided demonstrating compliance with the tree canopy standards in SRC 806.035(n)(3).
- Condition 25:** Prior to approval of landscape plans for the proposed development, the applicant shall demonstrate coordination with the local electric utility to ensure the compatibility of tree canopy and root systems with planned and existing utility infrastructure.
- Condition 26:** Prior to issuance of a development permits for Building 1, the applicant shall show and provide a minimum of four bicycle parking spaces to be installed in conformance with the requirements of SRC 806.060.
- Condition 27:** Prior to issuance of a development permits for Building 2, the applicant shall show and provide a minimum of four bicycle parking spaces to be installed in conformance with the requirements of SRC 806.060.

- Condition 28:** The development site shall not have delivery vehicle which exceeds a maximum combined vehicle and load rating of 8,000 pounds.
- Condition 29:** At the time of building permit review, the applicant shall provide a full landscape plan demonstrating how the development site meets Type A landscaping, including any other landscaping standards applicable to the development. At a minimum by providing a minimum of one plant unit per 20 square feet, with 40 percent of the plant units being trees.
- Condition 30:** Construct all new structures a minimum of one foot above the base flood elevation pursuant to SRC 601.075.
- Condition 31:** At the time of building permit, a four-foot setback (which can include a six-inch curb) and applicable landscaping shall be provided along the northern property line of Lot/Parcel 1, except where the shared drive aisles cross the property line.
- Condition 32:** At the time of building permit, a four-foot setback (which can include a six-inch curb) and applicable landscaping shall be provided along the southern property line of Lot/Parcel 2, except where the shared drive aisles cross the property line.

The rights granted by the attached decision must be exercised, or an extension granted, by the following expiration dates or this approval shall be null and void:

Replat Tentative Plan:	<u>January 29, 2027</u>
Class 2 Adjustment:	<u>January 29, 2029</u>
Class 3 Site Plan Review:	<u>January 29, 2029</u>
Class 2 Driveway Approach Permit:	<u>January 29, 2029</u>
Application Deemed Complete:	<u>November 15, 2024</u>
Notice of Decision Mailing Date:	<u>January 13, 2025</u>
Decision Effective Date:	<u>January 29, 2025</u>
State Mandate Date:	<u>March 15, 2025</u>

**Case Manager:** Olivia Dias, Current Planning Manager, [odias@cityofsalem.net](mailto:odias@cityofsalem.net), 503-540-2343

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](mailto:planning@cityofsalem.net), no later than 5:00 p.m., Tuesday, January 28, 2025. 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 205, 220, 250 and 804. 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 Planning Commission will review the appeal at a public hearing. After the hearing, the Planning Commission 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.

# BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

## DECISION

IN THE MATTER OF APPROVAL OF ) FINDINGS & ORDER  
REPLAT, CLASS 3 SITE PLAN REVIEW )  
CLASS 2 ADJUSTMENT AND )  
DRIVEWAY APPROACH PERMIT )  
CASE NO. REP-SPR-ADJ-DAP24-06 )  
383-503 FARM CREDIT DR SE ) JANUARY 13, 2025

In the matter of the application for a Replat, Class 3 Site Plan Review, Class 2 Adjustment and Class 2 Driveway Approach Permit, submitted by the applicant, Brand Land Use, on behalf of the property owner, Salem Land Group, LLC, 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:** A Replat, Class 3 Site Plan Review with Class 2 Adjustments for two proposed short-term lodging (hotel) buildings.

**Request:** A Class 3 Site Plan Review, Class 2 Driveway Approach Permit for development of two new hotel buildings with associated driveways, parking and landscaping, with three Class 2 Adjustment requests:

- 1) Eliminate the setback and landscaping along the southern property boundary of Proposed Lot 1 (SRC 551.010(b)Table 551-4);
- 2) Eliminate the setback and landscaping along the southern property boundary of Proposed Lot 2 (SRC 551.010(b)Table 551-4); and
- 3) Eliminate the Pedestrian Path through a parking area greater 25,000 square feet (SRC 800.065(a)(3)).

The proposal includes a Replat application to consolidate and relocate a property line creating a 3.01-acre lot and 2.07-acre lot, zoned IC (Industrial Commercial), and located at 383-503 Farm Credit drive SE (Marion County Assessor's Map and Tax lot number: 073W36A / 2000, 2100 and 2200).

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 June 26, 2024, a consolidated application for a Class 3 Site Plan Review, one Class 2 Adjustments and a Driveway Approach Permit was filed for the proposed development. After additional information was provided, including a Replat application, and two Class 2 Adjustment applications, the applications were deemed complete for processing on November 15, 2024. The 120-day state mandated decision deadline for this consolidated application is May 29, 2025.

The applicant's development plans are included as **Attachment B** and the applicant's written statement addressing the approval criteria can be found in the record, accessible online as indicated 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 may use the search function without registering and enter the permit number listed here: 24 113646.

### **3. Neighborhood Association and Public Comments**

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

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 24, 2024, the applicant contacted the neighborhood association to provide details about the proposal in accordance with the requirements of the SRC.

Neighborhood Association Comment: Notice of the application was provided to the Southeast Salem Neighborhood Association (SESNA) Neighborhood Association 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 completion of this report, no comments from the SESNA were received.

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 completion of this report, no public comments were received.

### **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 site concerns.

Fire Department: Reviewed the proposal and indicated that Fire Department access required, including aerial access. Fire hydrant is required within 600-feet of all portions of the buildings and 100-feet of the FDC's as measured along an approved route.

Historic and Cultural Resources: The proposed project is within Salem's Cultural Resource Protection Zone. There multiple known archaeological sites (both historic and precontact), within close proximity to the project area including a known indigenous camping site. While not required, given the high probability of potentially encountering cultural materials during construction, the City Archaeologist encourages the applicant to complete an archaeological survey of the project area prior to development to avoid costly delays. At the time of building/grading permit submittal, the applicant is required to submit an Inadvertent Discovery Plan for the project.

## 5. Public Agency Comments

No Public or Private Agency comments were received.

## DECISION CRITERIA FINDINGS

### 6. Analysis of Replat Approval Criteria

Pursuant to SRC 205.025(a), a replat is required to reconfigure lots or parcels and public easements in a recorded partition or subdivision plat, to increase or decrease the number of lots in a subdivision, or where multiple property line adjustments require a replat.

SRC 205.025(d) establishes the approval criteria which must be met in order for a replat to be approved. The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings evaluating the proposal's conformance with the criteria. Lack of compliance with the following criteria is grounds for denial of the replat, or for the issuance of certain conditions to ensure the criteria are met.

***SRC 205.025(d)(1): The tentative replat does not propose to vacate any public street or road, or any recorded covenants or restrictions.***

**Finding:** The purpose of the proposed replat is to reconfigure three existing lots into two lots in order to provide a better division of land for the existing and proposed development on the subject property.

The replat does not propose to vacate any of the public streets that abut the property or any recorded covenants or restrictions. The proposed replat meets this approval criterion.

***SRC 205.025(d)(2): The tentative replat will not create non-conforming units of land or non-conforming development, or increase the degree of non-conformity in existing units of land or development.***

**Finding:** The subject property is zoned IC (Commercial Industrial). The minimum lot size and dimension requirements applicable to the subject property based on its zoning are included under SRC 551.010(a). A summary of the applicable minimum lot size and dimension requirements are provided in the following table:

IG Zone	
<b>Lot Area</b>	None
<b>Lot Width</b>	None
<b>Lot Depth</b>	None
<b>Street Frontage</b>	Min. 16-feet

As shown on the replat tentative plan, the reconfigured lots resulting from the proposed replat are approximately 2.07 acres (proposed Lot 1), and 3.01 acres (proposed Lot 2); and will not increase the degree of non-conformity in existing units of land or development.

City Infrastructure Standards: The Development Services Division reviewed the proposal for compliance with the City's public facility plans pertaining to the provision of streets, water, sewer, and storm drainage facilities and determined that such facilities are available and appear to be adequate to serve the subject property in conformance with the requirements of SRC Chapter 802 (Public Improvements) and SRC Chapter 803 (Streets and Right-of-Way Improvements). A summary of existing improvements are as follows:

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

Streets			
Street Name		Right-of-way Width	Improvement Width
<b>Farm Credit Dr SE (Local)</b>	Standard:	60-feet	30-feet
	Existing Condition:	60-feet	30-feet
<b>Kettle Ct SE (Private Local)</b>	Standard:	N/A - Easement	30-feet
	Existing Condition:	N/A - Easement	36-feet
<b>Hawthorne Ave SE (Major Arterial)</b>	Standard:	96-feet	68-feet
	Existing Condition:	100-feet	68-feet

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

Utilities & Parks	
Type	Existing Conditions
<b>Water</b>	Water Service Level: G-0
	1. An 8-inc water mains is located in Farm Credit Drive SE.
	2. A 12-inch water main is located in Kettle Court SE.
	3. A 16-inch water main is located in Hawthorne Avenue SE.
<b>Sanitary Sewer</b>	5. An 8-inch sanitary sewer main is located in Farm Credit Drive SE.
	6. A 10-inch sanitary sewer main is located in Kettle Court SE.
	7. A 12-inch sanitary sewer main is located in Hawthorne Avenue SE.



<b>Storm Drainage</b>	9. A 10-inch storm main is located in Farm Credit Drive SE.
	10. An 18-inch private stormwater main is located in Kettle Court SE.

**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.

Development Services Division staff 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 808 (Preservation of Trees and Vegetation):** The City's tree preservation ordinance (SRC Chapter 808) protects:

- 1) Heritage Trees;
- 2) Significant Trees (*including Oregon White Oaks with diameter-at-breast-height (DBH) of 20 inches or greater and any other tree with a DBH of 30 inches or greater, with the exception of tree of heaven, empress tree, black cottonwood, and black locust*);
- 3) Trees and native vegetation in riparian corridors; and
- 4) Trees on lots or parcels 20,000 square feet or greater.

There are no protected trees identified on the subject property and the proposed replat does not include removal of any trees. The tree preservation requirements of SRC Chapter 808 are therefore not applicable.

**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.

***SRC 205.025(d)(4): The tentative replat complies with all applicable provisions of ORS Chapter 92.***

**Finding:** The applicant shall provide the required field survey and subdivision replat as per Statute and Code requirements outlined in the *Oregon Revised Statutes* (ORS) and the SRC. If said documents do not comply with the requirements outlined in ORS and SRC, and pursuant to SRC 205.035, the approval of the replat plat by the City Surveyor may be delayed or denied based on the non-compliant violation. The City Surveyor will confirm ORS 92 compliance as part of the final plat mylar review.

***SRC 205.025(d)(5): The tentative replat is not prohibited by any existing City land use approval or previous condition of approval, affecting one or both of the units of land.***

**Finding:** There are no past land use decisions, or conditions of approval associated with any past land use decisions, affecting the subject property that prohibit the proposed replat. This approval criterion is met.

***SRC 205.025(d)(6): The tentative replat does not adversely affect the availability of, or access to, City infrastructure or public or private utilities or streets.***

**Finding:** Development Services has reviewed the applicant's preliminary plan for this site. The water, sewer, and storm infrastructure are existing, and appear to be adequate to serve the proposed replat. Public streets abutting the subject property are available to provide adequate street access.

The applicant's tentative replat shows existing easements. Additionally, easements for access and utilities crossing the property lines are required. The applicant's preliminary utility plan shows utilities crossing property lines which will require dedicated easements. As a condition of approval, the applicant shall show all existing and proposed easements on the final plat to ensure adequate access to public utilities and streets.

**Condition 1:** Show all existing and proposed easements on the final plat.

## **7. 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 the development two short-term lodging buildings containing 217 Rooms on a development site 5.07 acres in size and zoned IC (Industrial Commercial). As proposed and conditioned in the findings in this staff report, the development meets all the applicable standards of the UDC as follows.

### **Stormwater – SRC 71:**

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 which requires the use of green stormwater infrastructure to treat and detain stormwater generated from the development.

**Finding:** The applicant's engineer provided a preliminary stormwater management report as part of the land use application. The preliminary stormwater report does not demonstrate that the proposed stormwater management design meets the Public Works Design Standards relating to water quality-treatment. At time of building permit application, the applicant shall submit an updated stormwater report that demonstrates compliance with the Public Works Design Standards and SRC Chapter 71 relating to stormwater management. In order to comply with SRC Chapter 71 and the Public Works Design Standards, the following condition applies:

**Condition 2:** 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).

### **Expiration and extensions – SRC 300.850, Table 300-3**

Approval expiration and termination.

Unless a different period of time is established in the UDC or in the decision, all approvals of land use actions shall expire automatically upon the dates set forth in Table 300-3 unless development has commenced in compliance with the land use approval, an extension has been granted pursuant to SRC 300.850(b); or the land use approval has been revoked as provided under SRC 300.860 or is otherwise invalidated by an administrative board or court of competent jurisdiction.

Where the decision involves work for which a building permit is required, no exercise of the rights granted under the land use action shall be deemed to have commenced until a building permit has been issued. Unless otherwise extended, the approval of the land use action shall automatically expire if the approval has expired as set forth in Table 300-3, and all required building permits issued for the land use action have expired.

**Finding:** The applicant has proposed construction of each building and associated parking independently of each other and has suggested a 'Phased Site Plan Review'. Pursuant to SRC 300, there is no phasing options for a Class 3 Site Plan Review. The expiration of the Site Plan Review decision is four-years and does not allow extensions. The building permits for each building, associated civil site work and any other development reviewed below would need to be issued prior to the expiration of this decision. If building permits are expired or not issued prior to the expiration of this decision, a new application would be required to commence development.

**Condition 3:** The entire proposed development is subject to expiration date set forth in Table 300-3. Each building permit required shall meet SRC 300.850.

### **Use and Development Standards – IC (Industrial Commercial):**

*SRC 551.005(a) – Uses:*

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the IC zone are set forth in Table 551-1.

**Finding:** The proposal includes development of two short-term lodging buildings with a total of 217 rooms and 138,970 square feet. Per Table 551-1, a *Short-term Commercial Lodging* use is a permitted use within the IC zone. This criterion is met.

*SRC 551.010(a) – Lot Standards:*

Lots within the IC zone shall conform to the standards set forth in Table 551-2.

**Finding:** The development site is 5.07-acres in size. The proposal includes a replat application to eliminate a property line and to move another. The lot standards in SRC 551.010(a) are evaluated below under the replat criteria. Since the analysis is based on the applicant's proposed new property line, the following condition applies:

**Condition 4:** Prior to issuance of any development permits, the final Replat shall be recorded.

The remaining development standards are based on the proposed new property lines. The subject property is in compliance with the minimum lot standards of the IC zone. This criterion is met.

*SRC 551.010(b) – Setbacks:*

Setbacks within the IC zone shall be provided as set forth in Table 551-3 and Table 551-4.

*Abutting Street*

**North:** The development site is adjacent to Kettle Court SE to the north. Buildings shall be setback a minimum of five feet. Vehicle use areas shall be setback as set forth in SRC Chapter 806.035(c)(2).

**Finding:** The proposed buildings are greater than 100-feet from the exterior boundary of the of the private street and the proposed vehicle use area is more than ten feet from the exterior boundary of the of the private street.

**East:** The development site is adjacent to Farm Credit Drive to the east. Buildings shall be setback a minimum of five feet. Vehicle use areas shall be setback as set forth in SRC Chapter 806.035(c)(2).

**Finding:** The proposed building on the southern portion of the development site is located 12-feet from Farm Credit Drive and the proposed vehicle use area is more than ten feet from the exterior boundary of the of the private street. The proposed building on the northern portion of the site is greater than 50-feet from Farm Credit Drive.

**South:** The development site is adjacent to Hawthorne Avenue SE to the south. Buildings shall be setback a minimum of five feet. Vehicle use areas shall be setback as set forth in SRC Chapter 806.035(c)(2).

**Finding:** The proposed building on the southern portion of the development site is located 20-feet from Farm Credit Drive and the proposed vehicle use area is more than ten feet from the exterior boundary of the of the private street.

*Interior Front, Side and Rear*

**West:** Adjacent to the west is an interior lot line abutting an Industrial Park (IP) zoned property. There is no minimum building or accessory structure setback required for an interior property line abutting an IP zoned property. Vehicle use areas require a minimum five-foot setback with Type A landscaping.

**Finding:** The proposed buildings are over 30 feet from the west property lines, meeting the standard. The proposed vehicle use area is located five-feet from the western property line of the development site. The proposal is in compliance with applicable setback requirements of the IC zone and SRC Chapter 806. The applicant has not provided a landscaping plan for the entire proposal meeting Type A landscaping, therefore the following condition applies:

**Condition 5:** Prior to building permit issuance, Landscaping Plan shall be provided demonstrating how each building meets required overall landscaping, interior landscaping for all proposed paved areas, Climate Mitigation Standards and all other applicable landscaping standards.

*SRC 551.010(c) – Lot Coverage, Height:*

Buildings and accessory structures within the IC zone shall conform to the lot coverage and height standards set forth in Table 551-5.

**Finding:** There is no maximum lot coverage for buildings and accessory structures, and the allowed maximum building height is 70 feet for all uses. The proposed buildings are 50-feet in height and is in compliance with applicable lot coverage and height standards.

*SRC 551.010(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. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicular use areas, may count toward meeting this requirement.

**Finding:** The subject property is 5.07-acres in size, or 220,849 square feet, requiring a total of 33,127 square feet of landscaping across the development site ( $220,849 \times 0.15 = 33,127$ ). The development plans and written statement indicate that approximately 60,013 square feet of landscaping is located on the development site, outside of the access easements, consisting of landscaped areas. Each property will contain more than 15% landscaping, individually. As conditioned above, each lot shall meet landscaping requirements with associated building permits. As proposed and conditioned and addressed in the landscaping findings, the development meets the standards of SRC 551.010(d).

**General Development Standards SRC 800**

*SRC 800.055(a) – Applicability.*

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 site plan indicates that a solid waste and recycling service area will be provided to serve the site. The solid waste service areas will house receptacles larger than one cubic yard in size. The following is a summary of applicable design standards for the solid waste service area.

*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:** Construction plans were not provided for the solid waste enclosures. The applicant's statement indicates that construction details demonstrating compliance with the requirements of SRC Chapter 800 will be provided at the time of building permit. Prior to building permit issuance, the applicant shall provide details for the solid waste service area demonstrating compliance with all applicable standards of Chapter 800.

**Condition 6:** Prior to building permit issuance, updated development plans shall be provided demonstrating that each solid waste service areas will be developed in compliance with all applicable development standards of SRC Chapter 800.

- 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:** Construction plans were not provided for the solid waste enclosures. As conditioned, the applicant will be required to provide construction plans at the time of building permit demonstrating the solid waste service areas will be developed in compliance with all applicable development standards of SRC Chapter 800.

- 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 serving.

**Finding:** Construction plans were not provided for the solid waste enclosures. As conditioned, the applicant will be required to provide construction plans at the time of building permit demonstrating the solid waste service areas will be developed in compliance with all applicable development standards of SRC Chapter 800.

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

- 1) All permanent drop boxes shall be placed on a concrete pad that is a minimum of six inches thick. The pad shall have a slope of no more than one percent and shall be designed to discharge stormwater runoff consistent with the overall stormwater management plan for the site approved by the Director.

- 2) All permanent compactors shall be placed on a concrete pad that is structurally engineered or in compliance with the manufacturer specifications. The pad shall have a slope of no more than three percent and shall be designed to discharge stormwater runoff consistent with the overall stormwater management plan for the site approved by the Director.
- 3) Pad area. The pad area shall be a minimum of 12 feet in width. The pad area shall extend a minimum of five feet beyond the rear of the permanent drop box or compactor.
- 4) Minimum separation. A minimum separation of five feet shall be provided between the permanent drop box or compactor and any combustible walls, combustible roof eave lines, or building or structure openings.

**Finding:** Construction plans were not provided for the solid waste enclosures. As conditioned, the applicant will be required to provide construction plans at the time of building permit demonstrating the solid waste service areas will be developed in compliance with all applicable development standards of SRC Chapter 800.

*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:** Construction plans were not provided for the solid waste enclosures. As conditioned, the applicant will be required to provide construction plans at the time of building permit demonstrating the solid waste service areas will be developed in compliance with all applicable development standards of SRC Chapter 800.

*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:** Construction plans were not provided for the solid waste enclosures. As conditioned, the applicant will be required to provide construction plans at the time of building permit demonstrating the solid waste service areas will be developed in compliance with all applicable development standards of SRC Chapter 800.

- 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:** Construction plans were not provided for the solid waste enclosures. As conditioned, the applicant will be required to provide construction plans at the time of building permit

demonstrating the solid waste service areas will be developed in compliance with all applicable development standards of SRC Chapter 800.

- 3) Enclosure Gates. Any gate across the front opening of an enclosure shall swing freely without obstructions. For any enclosure opening with an unobstructed width of less than 15 feet, the gates shall open a minimum of 120 degrees. All gates shall have restrainers in the open and closed positions.

**Finding:** Construction plans were not provided for the solid waste enclosures. As conditioned, the applicant will be required to provide construction plans at the time of building permit demonstrating the solid waste service areas will be developed in compliance with all applicable development standards of SRC Chapter 800.

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

- 1) 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. Per SRC 800.055(f)(1)(A), the vehicle operation areas shall be made available perpendicular to the front of every receptacle, or, in the case of multiple receptacles within an enclosure, perpendicular to every enclosure opening.

**Finding:** Construction plans were not provided for the solid waste enclosures. As conditioned, the applicant will be required to provide construction plans at the time of building permit demonstrating the solid waste service areas will be developed in compliance with all applicable development standards of SRC Chapter 800.

- 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.

**Finding:** Construction plans were not provided for the solid waste enclosures. As conditioned, the applicant will be required to provide construction plans at the time of building permit demonstrating the solid waste service areas will be developed in compliance with all applicable development standards of SRC Chapter 800.

- D. Vertical clearance. Vehicle operation areas shall have a minimum vertical clearance of 14 feet.

**Finding:** Construction plans were not provided for the solid waste enclosures. As conditioned, the applicant will be required to provide construction plans at the time of building permit demonstrating the solid waste service areas will be developed in compliance with all applicable development standards of SRC Chapter 800.

- 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:** Construction plans were not provided for the solid waste enclosures. As conditioned, the applicant will be required to provide construction plans at the time of building permit



demonstrating the solid waste service areas will be developed in compliance with all applicable development standards of SRC Chapter 800.

- 2) Vehicle operation areas shall be designed so that waste collection service vehicles are not required to back onto a public street or leave the premises.

**Finding:** Construction plans were not provided for the solid waste enclosures. As conditioned, the applicant will be required to provide construction plans at the time of building permit demonstrating the solid waste service areas will be developed in compliance with all applicable development standards of SRC Chapter 800.

- 3) Vehicle operation areas shall be paved with asphalt, concrete, or other hard surfacing approved by the Director, and shall be adequately designed, graded, and drained to the approval of the Director.

**Finding:** Construction plans were not provided for the solid waste enclosures. As conditioned, the applicant will be required to provide construction plans at the time of building permit demonstrating the solid waste service areas will be developed in compliance with all applicable development standards of SRC Chapter 800.

- 4) Signs. "No Parking" signs shall be placed in a prominent location on the enclosure, or painted on the pavement in front of the enclosure or receptacle, to ensure unobstructed and safe access for the servicing of receptacles.

**Finding:** Although not indicated in the application materials, signage meeting the requirements of this section will be required prior to building permit issuance and final occupancy for the project.

*SRC 800.055(g) – Notice to Solid Waste Collection Franchisee.*

Upon receipt of an application to vary or adjust the standards set forth in this section, notification and opportunity to comment shall be provided to the applicable solid waste collection franchisee.

**Finding:** The applicant has not requested an Adjustment to the vehicle operation area turnaround requirements; therefore, this section is not applicable.

*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 not provided a lighting plan; therefore, the following condition applies:

**Condition 7:** Prior to issuance of any development permits for each building, the applicant shall provide a lighting plan meeting the standards of SRC 800.060(a) and SRC 800.065(c).

**Condition 8:** Prior to issuance of any development permits for each building, the applicant shall provide a lighting plan meeting the standards of SRC 800.060(a) and SRC 800.065(c).

*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.

When a development site is comprised of lots under separate ownership, the pedestrian access standards set forth in this section shall apply only to the lot, or lots, proposed for development, together with any additional contiguous lots within the development site that are under the same ownership as those proposed for development.

**Finding:** 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.

(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:** The development site is adjacent to Kettle Court SE, Farm Credit Drive SE and Hawthorne Avenue SE. The applicant has provided a Civil Site Plan (C3.1) indicating that Building 1 will connect via a seven-foot pedestrian path to Hawthorne Avenue SE and Farm Credit Drive SE. The Civil Site Plan (C3.2) indicates a seven-foot path around the parking area and a five-foot path connecting to Farm Credit Drive SE and Kettle Court SE. The subject properties are not adjacent to a transit route. Based on the site plans provided, the proposal meets this standard.

*SRC 800.065(a)(2) – Pedestrian Connection Between Buildings on the 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:** The applicant has provided a Civil Site Plan (C3.1) indicates that Building 1 will connect to Building 2 (C3.2) via a five-foot pedestrian path with the use of striping and speed bumps when crossing travel lanes.

*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 development site does include any existing or proposed parking areas greater than 25,000 square feet or including four or more consecutive parallel drive aisles. The Civil Site Plan (C3) indicates a pedestrian path through the parking area to between both Buildings, meeting the standard. The parking area south of Building 1, which is greater than 25,000 square feet in size, does not contain a pedestrian path. The applicant has requested a Class 2 Adjustment, which is addressed below.

(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:** There are no planned paths or trails passing through the development site; therefore, this standard is not applicable.

*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.

**Finding:** The applicant has provided a Civil Site Plan (C3.1) indicates that Building 1 will connect to Building 2 (C3.2) via a five-foot pedestrian path with the use of striping and speed bumps when crossing travel lanes.

*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 applicant has provided a Civil Site Plan (C3.1) indicating that Building 1 will connect via a seven-foot pedestrian path to Hawthorne Avenue SE and Farm Credit Drive SE. The Civil Site Plan (C3.2) indicates a seven-foot path around the parking area and a five-foot path connecting to Farm Credit Drive SE and Kettle Court SE. The applicant has provided a Civil Site Plan (C3.1) indicates that Building 1 will connect to Building 2 (C3.2) via a five-foot pedestrian path with the use of striping and speed bumps when crossing travel lanes. Each path will be raised sidewalk or will have speed bumps providing physical separation.

*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 not provided a lighting plan; therefore, the condition above requires SRC 800.065(c) to be met at the time of building permits.

**Public Improvements SRC 802**

SRC 802.015 - Development to be served by City utilities.

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.

**Street and Right-of-way Improvements SRC 803**

*SRC 803.025 – Right-of-way and pavement widths.*

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:** Hawthorne Avenue SE abuts the subject property and is classified as a major arterial street according to the Salem Transportation System Plan (TSP). Hawthorne Avenue SE meets the minimum right-of-way width and pavement width standards established in SRC 803.025; therefore, additional improvements along Hawthorne Avenue SE are not required.

Farm Credit Drive SE is classified as a local street according to the Salem TSP. Farm Credit Drive meets the minimum pavement width standards according to SRC 803.025 Table 803-2 (Pavement Width) and meets the minimum right-of-way width standards according to SRC 803.025 Table 803-1 (Right-of-way Width). Therefore, pavement widening and right-of-way dedication are not required as a condition of development. However, Farm Credit Drive SE lacks streetscape improvements along the frontage of the property, including sidewalks and landscape strips for street trees. The applicant's plans show two separate buildings to be constructed and indicates there would be two building permits. The applicant shall provide frontage improvements at time of each building permit for the frontage abutting the development subject to the building permit.

Kettle Court SE is classified as a private local street according to the Salem TSP. Pursuant to SRC 803.020(b)(2), private streets shall be constructed to meet the public standards established in SRC Chapter 803 and the Public Works Design Standards; therefore, improvements are required along this private street. Kettle Court SE meets the minimum pavement width standards according to SRC 803.025 Table 803-2 (Pavement Width) and meets the minimum right-of-way width standards according to SRC 803.025 Table 803-1 (Right-of-way Width). Therefore, pavement widening and right-of-way dedication are not required as a condition of development. However, Kettle Court SE lacks streetscape improvements along the frontage of the property, including sidewalks and landscape strips for street trees. The applicant's plans show two separate buildings to be constructed and indicates there would be two phases of building permits. The second phase of development has frontage along Kettle Court SE. The applicant shall provide frontage improvements at time of each building permit for the frontage abutting the development subject to the building permit.

In order to comply with SRC 803.025 – *Boundary Street Improvements*, SRC 803.035(k) – *Street Trees*, and SRC 803.035(l) – *Sidewalks*, the following conditions apply:

**Condition 9:** Prior to issuance of a certificate of occupancy of Building 1, the applicant shall construct a property a 5-foot-wide property line sidewalk and landscape strip along the development frontage of Farm Credit Drive SE.

**Condition 10:** Prior to issuance of a certificate of occupancy of Building 2, the applicant shall property a 5-foot-wide property line sidewalk and landscape strip along the development frontage of Farm Credit Drive SE and Kettle Court SE.

*SRC 803.035(k) and SRC 86.015(e) – Street Trees*

Anyone undertaking development along public streets shall plant new street trees to the maximum extent feasible.

**Finding:** As described in the written findings above, landscape strips for street trees will be constructed along Farm Credit Drive SE and Kettle Court SE. As a condition of development,

the applicant shall provide street trees along Farm Credit Drive SE and Kettle Court SE. Street trees may be provided along the development frontage of each building permit phase. There are existing landscape planters and street trees along Hawthorne Avenue SE; therefore, additional plantings are not required along Hawthorne Street SE. In order to comply with SRC 803.035(k) and SRC 86.015(e), the following condition applies:

**Condition 11:** Prior to issuance of a certificate of occupancy of Building 1, the applicant shall install street trees to the maximum extent feasible along the frontage of Farm Credit Drive SE.

**Condition 12:** Prior to issuance of a certificate of occupancy of Building 2, the applicant shall install street trees to the maximum extent feasible along the frontage of Farm Credit Drive SE and Kettle Court SE.

Kettle Court SE is a private local street. Pursuant to SRC 803.020(b)(3) private streets and related facilities, including street trees, shall be maintained by the property owner or homeowners association. In order to ensure continued maintenance of the private street trees along Kettle Court SE pursuant to SRC 803.020(b)(3), the following condition applies:

**Condition 13:** Street Trees planted along Kettle Court SE shall be maintained in good health and replaced if damaged or dead.

The applicant proposes an emergency service access along Hawthorne Avenue SE in order to meet the Fire Code Standards relating to secondary fire department access. The applicant proposed removal of one tree along Hawthorne Street SE in order to construct the proposed secondary fire access. Removal of trees located within the right-of-way requires a street tree removal permit pursuant to SRC Chapter 86. In order to comply with SRC Chapter 86, the following condition applies:

**Condition 14:** Prior to issuance of a building permit, obtain a street tree removal permit pursuant to SRC Chapter 86.

#### ***Driveway Approaches SRC 804***

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:** The applicant proposes two new driveway approach onto Farm Credit Drive SE and has applied for a Class 2 Driveway Approach Permit; findings for which are provided in this memo. As described in the findings below, the proposal meets the approval criteria for a Class 2 Driveway Approach Permit. With approval of the Class 2 Driveway approach permit, the proposed development meets applicable criteria in SRC Chapter 804 relating to driveway approaches.

The applicant proposes one access onto Hawthorne Avenue SE for emergency service access only in order to meet the Fire Code requirements relating to secondary fire access. This access does not meet the standards established in SRC Chapter 804 relating to Driveway Approaches onto Arterial Streets (SRC 804.035). As such, this access point will is not a public driveway approach nor a permitted driveway approach. The access onto Hawthorne Avenue SE shall be restricted to emergency service access only. As shown on the applicant's site plan, this access will be restricted through the use of a rolled curb and removable bollards which are

accessible to emergency service providers. As no driveway approach has been applied for or approved, the following condition applies to ensure the access onto Hawthorne is limited to emergency access only:

**Condition 15:** The access onto Hawthorne Avenue SE shall be limited to emergency service access only.

***Vision Clearance SRC 805***

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 proposal does not cause a vision clearance obstruction per SRC Chapter 805. The proposed buildings meets the vision clearance standards established in SRC Chapter 805.

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

*SRC 806.015 – Amount Off-Street Parking.*

- a) *Maximum Off-Street Parking.* Except as otherwise provided in this section, and unless otherwise provided under the UDC, off-street parking shall not exceed the amounts set forth in Table 806-1. For the purposes of calculating the maximum amount of off-street parking allowed, driveways shall not be considered off-street parking spaces.

**Finding:** The proposal includes development of a new off-street parking area. A *Short-Term Commercial Lodging* use allows a maximum of 1.5 parking space per guest room. The proposal includes a hotel with 105 guestrooms and another with 112 guestrooms, allowing 326 spaces max ( $217 \times 1.5 = 325.5$ ). The applicant has proposed a total of 220 parking spaces, 114 spaces on the southern portion (158 spaces allowed) and 106 spaces on the northern portion (168 spaces allowed) of the property. The proposal meets the standard. The applicant has indicated that the building permits for each building will be submitted independently of each other. In order to ensure the maximum parking is not exceeded, the Civil Site Work building permits and structural building permits shall only include those portions of the site being constructed. Therefore, the following condition applies to ensure the standard is met:

**Condition 16:** All permits submitted shall meet standards of UDC parking area for both buildings and cannot be reviewed under a single Civil Site Work Permit unless structural permits for both buildings are submitted. Barricades (Jersey Barrier type) will be required along the new property line between the two lots to prevent parking on gravel until the remainder of the site is developed.

- b) *Compact Parking.* Up to 75 percent of the minimum off-street parking spaces provided on a development site may be compact parking spaces.

**Finding:** The development plans indicate 220 parking spaces, allowing 165 compact parking spaces ( $220 \times 0.75 = 165$ ). The proposal indicates 51 compact parking spaces. The proposal meets the standard.

- c) *Carpool and Vanpool Parking.* New developments with 60 or more 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 five percent of their total off-street parking spaces for carpool or vanpool parking.

**Finding:** The proposal is not for a business or professional services use category; therefore, this standard is not applicable.

- 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 development does not include dwelling units, therefore this standard is not applicable.

*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 off-street parking and vehicle use area development standards of SRC Chapter 806 are applicable to this proposal.

- (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:** With completion of the replat conditioned above, the proposed off-street parking area is in compliance with the minimum setback requirements of SRC Chapters 524 and 806.

- (d) *Interior Landscaping.* Interior landscaping shall be provided in amounts not less than those set forth in Table 806-4.

**Finding:** The applicant has provided site plans that are inconsistent with each other, with one listing a minimum of five-percent interior landscaping required and another listing eight percent. The landscaping plans provided are only for the area around Building 1 and state that five percent interior landscaping will be provided, which is not the correct standard. The entire parking area across both properties is approximately 101,215 square feet, with 49,630 square feet around Building 1 and 51,585 square feet around Building 2. Each building permit will require a minimum of eight percent interior landscaping, or 3,970 square feet of landscaping ( $49,630 \times 0.08 = 3,970$ ) for Building 1 and 4,127 square feet of landscaping ( $51,585 \times 0.08 = 4,126.8$ ) for Building 2.



There are 220 parking spaces proposed, requiring a minimum of 18 deciduous shade trees in the interior parking area. The preliminary landscaping plans do not indicate the two required trees nor adequate interior landscaping. To ensure conformance with the interior parking area landscaping requirements of this section, the following condition shall apply.

**Condition 17:** The applicant shall provide updated landscaping plans meeting the eight-percent standard for each building permit and the minimum amount of deciduous shade trees within the interior of the off-street parking area, meeting the standards of SRC 806.035(d).

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

*(e) Off-Street Parking Area Dimensions.* Off-street parking areas shall conform to the minimum dimensions set forth in Table 806-6.

**Finding:** The proposed off-street parking spaces comply with the minimum aisle width and dimensional requirements for compact and standard vehicle parking spaces established in Table 806-6.

*(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 806-7.

**Finding:** As shown on the development plans, the new off-street parking area provides through-access to the alley abutting the property, allowing vehicles to enter and exit the alley in a forward motion with no backing or maneuvering within a street. The proposal meets the standard.

*(g) Additional Off-Street Parking Development Standards 806.035(g)-(m).*

**Finding:** The proposed off-street parking area is developed consistent with the additional development standards for grade, surfacing, and drainage. Wheel stops are provided as required. The parking area striping, marking, signage, and lighting shall comply with the standards of SRC Chapter 806. The applicant has provided plans on January 10<sup>th</sup>, 2025 which show additional interior required landscaping. With this change wheel stops will be required on those parking spaces to prevent cars from overhanging into required landscaping.

**Condition 18:** Prior to issuance of a development permits for Building 1, the applicant shall show and provide wheel stops in parking spaces abutting required landscaping, including landscaping conditioned below.

**Condition 19:** Prior to issuance of a development permits for Building 2, the applicant shall show and provide wheel stops in parking spaces abutting required landscaping, including landscaping conditioned below.

(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 in this subsection. For purposes of these standards, the area of an off-street surface parking area is the sum of all areas within the perimeter of the off-street parking area, including parking spaces, aisles, planting islands, corner areas, and curbed areas, but not including interior driveways and off-street loading areas.*

1. *Climate mitigation.* 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.
  - 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.
  - 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 \$1,500.00 per parking space and tied to inflation.
  - C. Increased tree canopy. 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 applicant's original statement and plans indicate that a payment into the City of Salem Equitable Renewable Energy Fund will be used as mitigation for the proposed off-street parking area in conformance with this standard. A summary of the percentages can be found below based on staff's review of the site plan. The plans submitted did not provide calculations of the parking area; when staff reviewed the sum of the areas within the perimeter of the off-street parking area, including parking spaces, aisles, planting islands, corner areas, and curbed areas, but not including interior driveways and off-street loading areas the total parking area for Building 1 is 49,630 square feet and Building 2 is 51,585 square feet.

## Building 1

Climate & Equity Summary (Figure 806-11)	
Area of Parking Lot	49,630 (square feet)
Number of Parking Spaces	114
Area of Tree Canopy	0 (square feet)
kW of Solar	0 (kW)
Climate & Equity Calculations	
Tree canopy % of mitigation provided.	$\left(\frac{1}{49,630 \times 0.4}\right) / \left(\frac{1}{0}\right) = 0\%$
Solar power generation % of mitigation provided.	$\left(\frac{1}{106}\right) / \left(\frac{1}{0 \times 0.5}\right) = 0\%$
Payment in lieu % of mitigation provided.	$\left(\frac{1}{114}\right) / \left(\frac{1}{114}\right) = 100\%$
Total	100%

## Building 2

Climate & Equity Summary (Figure 806-11)	
Area of Parking Lot	51,585 (square feet)
Number of Parking Spaces	106
Area of Tree Canopy	0 (square feet)
kW of Solar	0 (kW)
Climate & Equity Calculations	
Tree canopy % of mitigation provided.	$\left(\frac{1}{39,300 \times 0.4}\right) / \left(\frac{1}{0}\right) = 0\%$
Solar power generation % of mitigation provided.	$\left(\frac{1}{100}\right) / \left(\frac{1}{0 \times 0.5}\right) = 0\%$
Payment in lieu % of mitigation provided.	$\left(\frac{1}{106}\right) / \left(\frac{1}{0}\right) = 100\%$
Total	100%

After discussion, the applicant has provided more detailed canopy plans but still do not meet the 40% coverage under SRC 806.035(n)(1)(c). The applicant has indicated that the intent is to meet the 40% coverage at the time of each building permit. Therefore, the following conditions apply:

**Condition 20:** At the time of building permit for Building 1, plans showing 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.

**Condition 21:** At the time of building permit for Building 1, plans showing 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.

### 2. *Provision of tree canopy.*

1. *Trees along driveways.* Trees shall be provided along both sides of driveways in conformance with the standards included under subsection (n)(3); or
2. *Tree canopy coverage.* On-site tree canopy area shall be provided, in conformance with the standards included under subsection (n)(3), covering at least 30 percent of new off-street surface parking and vehicle use areas in no more than 15 years.

**Finding:** The proposed landscape plans only include the land area around Building 1 and do not demonstrate that trees provided are provided along both sides of a driveway in conformance with the planting standards of subsection (n)(3) nor that 30 percent tree canopy area is proposed to cover the surface parking area in conformance with the standards included under subsection (n)(3). As proposed, the development does not conform with the standards in SRC 806.035(n)(2).

**Condition 22:** Prior to building permit issuance for Building 1, updated development plans shall be provided demonstrating compliance with the provision of tree canopy

standards in SRC 806.035(n)(2). If the Parking Area is reconfigured to meet this standard, a modification to this decision may be required.

The applicant has not provided landscaping plans for the land area around Building 2 and do not demonstrate that trees provided are provided along both sides of a driveway in conformance with the planting standards of subsection (n)(3) nor that 30 percent tree canopy area is proposed to cover the surface parking area in conformance with the standards included under subsection (n)(3). As proposed, the development does not conform with the standards in SRC 806.035(n)(2).

**Condition 23:** Prior to building permit issuance for Building 2, updated development plans shall be provided demonstrating compliance with the provision of tree canopy standards in SRC 806.035(n)(2). If the Parking Area is reconfigured to meet this standard, a modification to this decision may be required.

3. *Tree canopy standards.* New trees shall be planted and/or existing trees shall be preserved in conformance with the following standards:
  1. *Expected tree canopy area.*
    - (i) Expected tree canopy area shall be based on the standards in Table 806-7.
    - (ii) New trees that are planted shall be selected from Table 806-7 or approved by the Planning Administrator.
    - (iii) Existing trees that are preserved may be included in expected tree canopy area.
    - (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 include expected overlap of tree canopy area by more than five feet and portions of expected canopy that overlap existing or proposed buildings.
  2. *Tree Planting Standards.* Trees provided to meet tree canopy coverage requirements shall be:
    - (i) Planted in such proximity that they form a continuous canopy within 15 years of planting based on the expected tree canopy area set forth in Table 806-7, except where interrupted by vehicle use areas, solid waste service areas, buildings, power lines, stormwater infrastructure, and children's play areas;
    - (ii) Planted in islands containing a minimum of three trees and the minimum required soil amount per Table 806-7;
    - (iii) Planted to ensure that no more than 20 percent of their expected canopy overlaps with existing or proposed buildings;
    - (iv) Not less than 1.5 inch caliper in size at the time of planting; and
    - (v) Planted and maintained to meet, at minimum, the standards in the 2021 ANSI A300 handbook.

**Finding:** The original landscape plans did not demonstrate that proposed tree canopy is in compliance with the canopy area and planting standards of this subsection, specifically standards (n)(3)(A)(i, ii, and iv) and (n)(3)(B)(i and ii). The applicant has provided additional landscaping plans for only Building 1, which does not show compliance for the entire site. As proposed, the development does not conform with the standards in SRC 806.035(n)(3).

**Condition 24:** Prior to building permit issuance, updated development plans shall be provided demonstrating compliance with the tree canopy standards in SRC 806.035(n)(3).

3. *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 applicant's statement and plans does not indicate that location of tree plantings has been coordinated with the local electric utility.

**Condition 25:** Prior to approval of landscape plans for the proposed development, the applicant shall demonstrate coordination with the local electric utility to ensure the compatibility of tree canopy and root systems 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 taking access abutting streets 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 each proposed new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity. When bicycle parking is required to be added to an existing bicycle parking area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.

*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.

*SRC 806.055 – Amount of Bicycle Parking.*

Unless otherwise provided under the UDC, bicycle parking shall be provided in amounts not less than those set forth in Table 806-9.

**Finding:** The development includes the development of two new building for *Short-term Commercial Lodging* use; therefore, the bicycle parking standards apply. The minimum required amount of bicycle parking spaces for a *Short-term Commercial Lodging* use is a minimum of four or one per 50 rooms, with an allowance of 75% as long-term spaces. Building 1 will contain a total of 106 rooms, requiring four bicycle parking spaces ( $106 / 50 = 2.12$ ). Building 2 will contain a total of 112 rooms, requiring four bicycle parking spaces ( $112 / 50 = 2.24$ ). The applicant's Architectural Site Plan (AS100) indicates there will be four bicycle spaces installed at each building. As such the following is conditioned to bring the site into conformance with the standard:

**Condition 26:** Prior to issuance of a development permits for Building 1, the applicant shall show and provide a minimum of four bicycle parking spaces to be installed in conformance with the requirements of SRC 806.060.

**Condition 27:** Prior to issuance of a development permits for Building 2, the applicant shall show and provide a minimum of four bicycle parking spaces to be installed in conformance with the requirements of SRC 806.060.

*SRC 806.060 - Bicycle Parking Development Standards.*

Bicycle parking areas shall be developed and maintained as set forth in this section.

- (a) *Location.* Short-term bicycle parking located outside a building shall be located within a convenient distance of, and 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, as measured along a direct pedestrian access route.
- (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
- (c) *Dimensions.* Except as provided for bicycle lockers, bicycle parking spaces shall be a minimum of 6 feet in length and 2 feet in width, with the bicycle rack centered along the long edge of the bicycle parking space. Bicycle parking space width may be reduced, however, to a minimum of three feet between racks where the racks are located side-by-side. Bicycle parking spaces shall be served by a minimum 4-foot-wide access aisle. Access aisles serving bicycle parking spaces may be located within the public right-of-way.
- (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.
- (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 a minimum of six inches horizontally apart, 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 806-10.

**Finding:** The applicant's plans indicate there will be four bicycle parking spaces installed with each building and is conditioned to install four bicycle parking spaces with each building meeting the development standards of SRC 808.060.

### **Off-Street Loading Areas**

#### *SRC 806.065 – General Applicability.*

Off-street loading areas shall be provided and maintained for each proposed new use or activity, any change of use or activity, when such a change of use or activity results in a greater number of required off-street loading spaces than the previous use or activity, or 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.*

Unless otherwise provided under the UDC, off-street loading shall be provided in amounts not less than those set forth in Table 806-11.

**Finding:** The proposal includes two buildings. Building 1 is 74,108 square feet and Building 2 is 64,862 square feet in size. Both buildings require two off-street loading spaces pursuant to SRC 806.075, Table 806-11. The applicant indicates in their written findings that the proposed use does not require a delivery vehicle which exceeds a maximum combined vehicle and load rating of 8,000 pounds. Per SRC 806.075(a), an off-street parking area may be used in place of the required off-street loading space, the proposed development is in compliance with this requirement. Therefore, to meet the standard the following condition applies:

**Condition 28:** The development site shall not have delivery vehicle which exceeds a maximum combined vehicle and load rating of 8,000 pounds.

### **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 development site is 3.25-acres in size, or 141,570 square feet, requiring 15 percent of the total development site be landscaped, or 21,235 square feet ( $141,570 \times 0.15 = 21,235$ ), for a minimum 1,062 plant units ( $141,570 / 20 = 1,061.7$  plant units). Of the required

1,062 plant units, 40 percent shall be trees, or 425 plant units ( $1,062 \times 0.40 = 424.8$  plant units of trees).

The applicant has not proposed to develop each new Lot concurrently, which will result in the development site not meeting the overall landscaping standards. Since the applicant will not be developing the west portion of the development site until later, a condition of approval is listed above requiring a barricade and limiting the use of the western portion until the structural permits for the second hotel are issued. As conditioned above Landscaping Plans shall be specific to each building shall meet required overall landscaping, interior landscaping for all paved area proposed, Climate Mitigation Standards and all other applicable landscaping standards.

The applicant's plans do not clearly show clear compliance with Type A landscaping standards. As such, the amount of landscaping required to meet the Type A standards will be more than what is provided on the plans. To ensure that the required number of plant units will be provided at the time of building permit review, the following condition applies:

**Condition 29:** At the time of building permit review, the applicant shall provide a full landscape plan demonstrating how the development site meets Type A landscaping, including any other landscaping standards applicable to the development. At a minimum by providing a minimum of one plant unit per 20 square feet, with 40 percent of the plant units being trees.

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

## 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 192-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 30:** Construct all new structures a minimum of one foot above the base flood elevation pursuant to SRC 601.075.

*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) (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:** No trees are proposed for removal; therefore, this standard does not apply.

*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 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:* A geological assessment or report is required when regulated activity is proposed in a mapped landslide hazard area.

**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 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 applicant proposes two driveway approaches onto Farm Credit Drive SE and an emergency service access only onto Hawthorne Avenue SE. The driveway access onto Farm Credit Drive SE provides for safe turning movements into and out of the property and modifications are not warranted per SRC Chapter 804 (Driveway Approaches). This criterion is met.

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

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

### **Analysis of Class 2 Adjustment Approval Criteria**

Salem Revised Code (SRC) 250.005(d)(2) provides that an application for a Class 2 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)(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 three Class 2 Adjustments to:

- 1) Eliminate the setback and landscaping along the ~~southern~~ northern property boundary of Proposed Lot 1 (SRC 551.010(b)Table 551-4);
- 2) Eliminate the setback and landscaping along the southern property boundary of Proposed Lot 2 (SRC 551.010(b)Table 551-4); and
- 3) Eliminate the Pedestrian Path through a parking area greater 25,000 square feet (SRC 800.065(a)(3)).

*Eliminate the setback and landscaping along the ~~southern~~ northern property boundary of Proposed Lot 1 (SRC 551.010(b)Table 551-4);*

The proposed development includes construction of a shared parking area between two separate properties. The applicant has chosen the location of the property line as part of the Replat application above. SRC 806.035(c)(3) requires a minimum five-foot vehicle use area setback along interior property lines for new off-street parking and vehicle use areas. The applicant has requested a Class 2 Adjustment eliminate the required setback on either side of the property line chosen by the applicant. The applicant's written statement indicates that the setback standard is clearly inapplicable because the properties are proposed to be developed as a campus with site circulation and shared amenities like pedestrian paths, parking, and patio spaces. The applicant's findings go on to state the purpose of this standard is to buffer abutting development sites from neighboring parking areas and therefore is not applicable since the development is intended to be a campus. Staff disagrees that the standard is solely to buffer separate developments on separate properties and that the standard does not apply to a development site or campus.

Staff contends that the purpose of this standard extends beyond merely buffering adjacent developments on separate properties. The intent of the five-foot setback is to ensure adequate separation along property lines—potentially involving multiple property owners—to provide landscaped areas between properties and parking facilities, enhance the visual character of the area, and contribute to open space, landscaping, and tree canopy coverage. Furthermore, in light of new Climate Mitigation regulations, this setback is crucial in preventing the creation

of heat islands, reducing carbon emissions, and minimizing climate pollution. Therefore, the standard is clearly applicable to the proposed development and the subject properties.

The applicant has not met the burden of proof to demonstrate that the standard is clearly inapplicable and did not attempt to address the approval criteria of equally or better meeting the intent of the standard. However, staff has analyzed the proposal against the approval criteria.

The proposed development involves the construction of a shared parking area between two distinct properties. The applicant has delineated the property line as part of the above Replat application. According to SRC 806.035(c)(3), a minimum five-foot setback for vehicle use areas along interior property lines is required for new off-street parking and vehicle use areas. The applicant seeks a Class 2 Adjustment to waive this required setback on both sides of the chosen property line.

The applicant's proposal encompasses multiple components, notably the drive aisles and the remainder of the property line. In addressing the sections of the property line where a drive aisle traverses for shared circulation and parking, staff concludes that permitting the drive aisle without the standard setback effectively meets the intent of the regulations, provided that the remainder of the property line meets the standard.

This application could provide for alternatives, such as landscaping, barriers, or other features, which fulfill the intended purpose of visual separation and environmental sustainability along the remainder of the property line, akin to what the setback would achieve by delineating the parking areas on-site in such a manner but has chosen not to. While the properties have shared parking, this does not diminish the requirement for substantial landscaping solutions throughout the site.

As described above the intent of the setback is to provide separation between vehicle use areas, break up the mass of new paved surfaces with landscaping contributing to the visual character of the area and allowing for open space. Lastly, with the adoption of new 'Climate Mitigation' rules the five-foot standard supports the need to eliminate and not create new heat islands, lower carbon emissions and reduce climate pollution. Given the desire and practicality of shared driveway access, parking and the need to access by drive aisle over the property line the proposal for elimination of the five-foot setback in the areas of the proposed drive aisle equally or better meets the code by reducing the need for additional driveways and new paved areas to serve the development site.

The remainder of the property line, not encompassed by drive aisle can support the required setback which would minimize the overall adjustment to the areas required to provide circulation on site and still meeting the intent of the standard by having landscaping on either side of the property line for 75% of its length.

The applicant is indicating two rows of standard parking spaces along the property line with zero setback, as discussed above to equally or better meet the intent of the code a setback and landscaping will be required between the two rows. This can be accomplished by providing compact parking spaces on either side, which will still meet the overall maximum compact spaces allowed on site and not create a redesign of the drive aisle surrounding the spaces. Based on the findings above, a condition to provide a four-foot setback (which can include a six-inch curb) to the southern property line, except where the share drive aisle is

shown, shall apply. As such, the proposal equally meets the intent of the provision and is in compliance with the approval criterion.

**Condition 31:** At the time of building permit, a four-foot setback (which can include a six-inch curb) and applicable landscaping shall be provided along the northern property line of Lot/Parcel 1, except where the shared drive aisles cross the property line.

As conditioned, the adjustment request equally or better meets the stated purpose and intent of this provision and is therefore in compliance with this criterion as conditioned.

*Eliminate the setback and landscaping along the southern property boundary of Proposed Lot 2 (SRC 551.010(b)Table 551-4);*

The proposed development includes construction of a shared parking area between two separate properties. The applicant has chosen the location of the property line as part of the Replat application above. SRC 806.035(c)(3) requires a minimum five-foot vehicle use area setback along interior property lines for new off-street parking and vehicle use areas. The applicant has requested a Class 2 Adjustment to eliminate the required setback on either side of the property line chosen by the applicant. The applicant's written statement indicates that the setback standard is clearly inapplicable because the properties are proposed to be developed as a campus with site circulation and shared amenities like pedestrian paths, parking, and patio spaces. The applicant's findings go on to state the purpose of this standard is to buffer abutting development sites from neighboring parking areas and therefore not applicable since the development is intended to be a campus. Staff disagrees that the standard is solely to buffer separate developments on separate properties and that the standard does not apply to a development site or campus.

Staff contends that the purpose of this standard extends beyond merely buffering adjacent developments on separate properties. The intent of the five-foot setback is to ensure adequate separation along property lines—potentially involving multiple property owners—to provide landscaped areas between properties and parking facilities, enhance the visual character of the area, and contribute to open space, landscaping, and tree canopy coverage. Furthermore, in light of new Climate Mitigation regulations, this setback is crucial in preventing the creation of heat islands, reducing carbon emissions, and minimizing climate pollution. Therefore, the standard is clearly applicable to the proposed development and the subject properties.

The applicant has not met the burden of proof to demonstrate that the standard is clearly inapplicable and did not attempt to address the approval criteria of equally or better meeting the intent of the standard. However, staff has analyzed the proposal against the approval criteria.

The proposed development involves the construction of a shared parking area between two distinct properties. The applicant has delineated the property line as part of the above Replat application. According to SRC 806.035(c)(3), a minimum five-foot setback for vehicle use areas along interior property lines is required for new off-street parking and vehicle use areas. The applicant seeks a Class 2 Adjustment to waive this required setback on both sides of the chosen property line.

The applicant's proposal encompasses multiple components, notably the drive aisles and the remainder of the property line. In addressing the sections of the property line where a drive aisle traverses for shared circulation and parking, staff concludes that permitting the drive aisle without the standard setback effectively meets the intent of the regulations, provided that the remainder of the property line meets the standard.

This application could provide for alternatives, such as landscaping, barriers, or other features, which fulfill the intended purpose of visual separation and environmental sustainability along the remainder of the property line, akin to what the setback would achieve by delineating the parking areas on-site in such a manner but has chosen not to. While the properties have shared parking, this does not diminish the requirement for substantial landscaping solutions throughout the site.

As described above the intent of the setback is to provide separation between vehicle use areas, break up the mass of new paved surfaces with landscaping contribute to the visual character of the area and allowing for open space, and lastly with the adoption of new 'Climate Mitigation' rules the five-foot standard supports the need to eliminate and not create new heat islands, lower carbon emissions and reduce climate pollution. Given the desire and practicality of shared driveway access, parking and the need to access by drive aisle over the property line the proposal for elimination of the five-foot setback in the areas of the proposed drive aisle equally or better meets the code by reducing the need for additional driveways and new paved areas to serve the development site.

The remainder of the property line, not encompassed by drive aisle can support the required setback which would minimize the overall adjustment to the areas required to provide circulation on site and still meeting the intent of the standard by having landscaping on either side of the property line for 75% of its length.

The applicant is indicating two rows of standard parking spaces along the property line with zero setback, as discussed above to equally or better meet the intent of the code a setback and landscaping will be required between the two rows. This can be accomplished by providing compact parking spaces on either side, which will still meet the overall maximum compact spaces allowed on site and not create a redesign of the drive aisle surrounding the spaces. Based on the findings above, a condition to provide a five-foot landscaped setback to the southern property line, except where the share drive aisle is shown, shall apply. As such, the proposal equally meets the intent of the provision and is in compliance with the approval criterion.

**Condition 32:** At the time of building permit, a four-foot setback (which can include a six-inch curb) and applicable landscaping shall be provided along the southern property line of Lot/Parcel 2, except where the shared drive aisles cross the property line.

As conditioned, the adjustment request equally or better meets the stated purpose and intent of this provision and is therefore in compliance with this criterion as conditioned.

Eliminate the Pedestrian Path through a parking area greater 25,000 square feet (*SRC 800.065(a)(3)*):

A pedestrian path is required by SRC 800.065(a)(3) for parking areas greater than 25,000 square feet or wider than 124-feet. The intent of the standard is to provide safe pedestrian access across multiple drive aisles. Generally, a parking area more than 25,000 square feet will have multiple drive aisles and exceed 124-feet in width. Given the restricted width, the likelihood of conflict between vehicles and pedestrians is diminished. The intent behind requiring pedestrian paths is to enhance the safety and experience of pedestrians in high-traffic areas. In this scenario, the compact design allows for reasonable pedestrian movement and safety, thus achieving the underlying intent of the regulations without necessitating a defined path.

This configuration supports the argument that providing distinct pedestrian pathways may not substantially enhance safety in this context. The design of the parking lot takes into consideration effective circulation patterns. Adequate signage, sight lines, and vehicle speeds are encouraged to ensure pedestrians can traverse the area safely, relying more on natural pathways formed by foot traffic rather than formalized paths. Since the parking area is less than 124-feet in width and designed to ensure pedestrian safety, the adjustment request equally or better meets the stated purpose and intent of this provision and is therefore in compliance with this criterion.

***SRC 250.005(d)(2)(B): If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.***

**Finding:** The subject property is located within a IC (Industrial Commercial) zone; therefore, the criterion is not applicable.

***SRC 250.005(d)(2)(C): If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.***

**Finding:** Three separate Class 2 Adjustments have been requested with this development. Each of the adjustments has been evaluated separately for conformance with the Adjustment approval criteria. The cumulative impact of the adjustments results in an overall project which is consistent with the intent and purpose of the zoning code.

## **8. Analysis of Class 2 Driveway Approach Permit Approval Criteria**

Salem Revised Code (SRC) 804.025(d) provides that an application for a Class 2 Driveway Approach Permit 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 804.025(d)(1): The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards.***

**Finding:** The proposed driveways meets the standards for SRC Chapter 804 and Public Works Design Standards (PWDS). This criterion is met.

***SRC 804.025(d)(2): No site conditions prevent placing the driveway approach in the required location.***

**Finding:** There are no site conditions prohibiting the location of the proposed driveways.

***SRC 804.025(d)(3): The number of driveway approaches onto an arterial are minimized.***

**Finding:** The proposed driveways access Farm Credit Drive SE, which is classified as a local street. Direct public access onto an arterial street is not proposed. This criterion is met.

***SRC 804.025(d)(4): The proposed driveway approach, where possible:***

***(A) Is shared with an adjacent property; or***

***(B) Takes access from the lowest classification of street abutting the property***

**Finding:** The subject property has frontage on two local streets (Farm Credit Drive SE and Kettle Court SE) and on a major arterial street (Hawthorne Avenue SE). The driveway approaches are onto Farm Credit Drive SE and take access to the lowest classification of street abutting the property. This criterion is met.

***SRC 804.025(d)(5): The proposed driveway approach meets vision clearance standards.***

**Finding:** The proposed driveway meets the PWDS vision clearance standards set forth in SRC Chapter 805. This criterion is met.

***SRC 804.025(d)(6): The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access.***

**Finding:** No evidence has been submitted to indicate that the proposed driveway will create traffic hazards or unsafe turning movements. Additionally, staff analysis of the proposed driveway indicates that it will not create a traffic hazard and will provide for safe turning movements for access to the subject property.

***SRC 804.025(d)(7): The proposed driveway approach does not result in significant adverse impacts to the vicinity.***

**Finding:** Staff analysis of the proposed driveway and the evidence that has been submitted indicate that the location of the proposed driveway will not have any adverse impacts to the adjacent properties or streets.

***SRC 804.025(d)(8): The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections.***

**Finding:** The subject property has frontage on two Local Streets (Farm Credit Drive SE and Kettle Court SE) and on a Major Arterial Street (Hawthorne Avenue SE). The applicant is proposing driveways to the lower classification of street and they meet the spacing requirements of SRC Chapter 803. By complying with the requirements of this chapter the applicant has minimized impacts to the functionality of adjacent streets and intersections. This criterion is met.

***SRC 804.025(d)(9): The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.***

**Finding:** The proposed driveway approach is not located in the vicinity of a residentially zoned area. The driveway will not have an effect on the functionality of the adjacent streets.

## 9. Conclusion

Based upon review of SRC Chapters 205, 220, 250 and 804, 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 Replat, Class 3 Site Plan Review, Class 2 Adjustment and Class 2 Driveway Approach Permit, Case No. REP-SPR-ADJ-DAP24-06 is hereby **APPROVED** subject to SRC Chapters 205, 220, 250 and 804, 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:** Show all existing and proposed easements on the final plat.
- Condition 2:** 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 3:** The entire proposed development is subject to expiration date set forth in Table 300-3. Each building permit required shall meet SRC 300.850.
- Condition 4:** Prior to issuance of any development permits, the final Replat shall be recorded.
- Condition 5:** Prior to building permit issuance, Landscaping Plan shall be provided demonstrating how each building meets required overall landscaping, interior landscaping for all proposed paved areas, Climate Mitigation Standards and all other applicable landscaping standards.
- Condition 6:** Prior to building permit issuance, updated development plans shall be provided demonstrating that each solid waste service areas will be developed in compliance with all applicable development standards of SRC Chapter 800.
- Condition 7:** Prior to issuance of any development permits for each building, the applicant shall provide a lighting plan meeting the standards of SRC 800.060(a) and SRC 800.065(c).
- Condition 8:** Prior to issuance of any development permits for each building, the applicant shall provide a lighting plan meeting the standards of SRC 800.060(a) and SRC 800.065(c).
- Condition 9:** Prior to issuance of a certificate of occupancy of Building 1, the applicant shall construct a property a 5-foot-wide property line sidewalk and landscape strip along the development frontage of Farm Credit Drive SE.



- Condition 10:** Prior to issuance of a certificate of occupancy of Building 2, the applicant shall property a 5-foot-wide property line sidewalk and landscape strip along the development frontage of Farm Credit Drive SE and Kettle Court SE.
- Condition 11:** Prior to issuance of a certificate of occupancy of Building 1, the applicant shall install street trees to the maximum extent feasible along the frontage of Farm Credit Drive SE.
- Condition 12:** Prior to issuance of a certificate of occupancy of Building 2, the applicant shall install street trees to the maximum extent feasible along the frontage of Farm Credit Drive SE and Kettle Court SE.
- Condition 13:** Street Trees planted along Kettle Court SE shall be maintained in good health and replaced if damaged or dead.
- Condition 14:** Prior to issuance of a building permit, obtain a street tree removal permit pursuant to SRC Chapter 86.
- Condition 15:** The access onto Hawthorne Avenue SE shall be limited to emergency service access only.
- Condition 16:** All permits submitted shall meet standards of UDC parking area for both buildings and cannot be reviewed under a single Civil Site Work Permit unless structural permits for both buildings are submitted. Barricades (Jersey Barrier type) will be required along the new property line between the two lots to prevent parking on gravel until the remainder of the site is developed.
- Condition 17:** The applicant shall provide updated landscaping plans meeting the eight-percent standard for each building permit and the minimum amount of deciduous shade trees within the interior of the off-street parking area, meeting the standards of SRC 806.035(d).
- Condition 18:** Prior to issuance of a development permits for Building 1, the applicant shall show and provide wheel stops in parking spaces abutting required landscaping, including landscaping conditioned below.
- Condition 19:** Prior to issuance of a development permits for Building 2, the applicant shall show and provide wheel stops in parking spaces abutting required landscaping, including landscaping conditioned below.
- Condition 20:** At the time of building permit for Building 1, plans showing 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.
- Condition 21:** At the time of building permit for Building 1, plans showing 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.

- Condition 22:** Prior to building permit issuance for Building 1, updated development plans shall be provided demonstrating compliance with the provision of tree canopy standards in SRC 806.035(n)(2). If the Parking Area is reconfigured to meet this standard, a modification to this decision may be required.
- Condition 23:** Prior to building permit issuance for Building 2, updated development plans shall be provided demonstrating compliance with the provision of tree canopy standards in SRC 806.035(n)(2). If the Parking Area is reconfigured to meet this standard, a modification to this decision may be required.
- Condition 24:** Prior to building permit issuance, updated development plans shall be provided demonstrating compliance with the tree canopy standards in SRC 806.035(n)(3).
- Condition 25:** Prior to approval of landscape plans for the proposed development, the applicant shall demonstrate coordination with the local electric utility to ensure the compatibility of tree canopy and root systems with planned and existing utility infrastructure.
- Condition 26:** Prior to issuance of a development permits for Building 1, the applicant shall show and provide a minimum of four bicycle parking spaces to be installed in conformance with the requirements of SRC 806.060.
- Condition 27:** Prior to issuance of a development permits for Building 2, the applicant shall show and provide a minimum of four bicycle parking spaces to be installed in conformance with the requirements of SRC 806.060.
- Condition 28:** The development site shall not have delivery vehicle which exceeds a maximum combined vehicle and load rating of 8,000 pounds.
- Condition 29:** At the time of building permit review, the applicant shall provide a full landscape plan demonstrating how the development site meets Type A landscaping, including any other landscaping standards applicable to the development. At a minimum by providing a minimum of one plant unit per 20 square feet, with 40 percent of the plant units being trees.
- Condition 30:** Construct all new structures a minimum of one foot above the base flood elevation pursuant to SRC 601.075.
- Condition 31:** At the time of building permit, a four-foot setback (which can include a six-inch curb) and applicable landscaping shall be provided along the northern property line of Lot/Parcel 1, except where the shared drive aisles cross the property line.
- Condition 32:** At the time of building permit, a four-foot setback (which can include a six-inch curb) and applicable landscaping shall be provided along the southern property line of Lot/Parcel 2, except where the shared drive aisles cross the property line.



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Olivia Dias, Current Planning Manager  
on behalf of  
Lisa Anderson-Ogilvie, AICP  
Planning Administrator

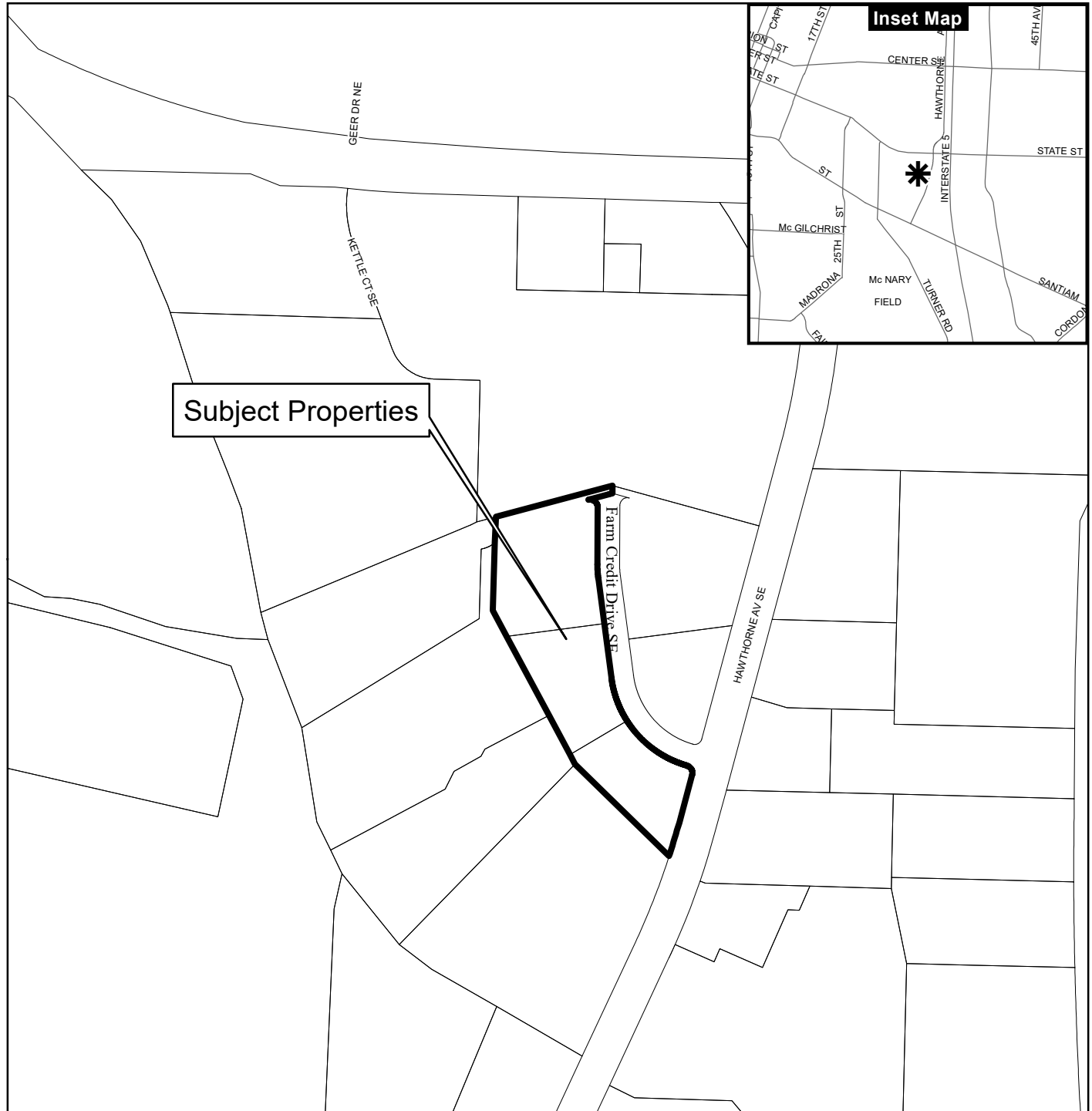
Attachments: A. Vicinity Map  
B. Proposed Development Plans  
C. Development Services Memo

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

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Decisions\REP-SPR-ADJ-DAP24-06.oed.docx

# Vicinity Map

## 383-503 Farm Credit Drive SE



### Legend

- |                       |                           |
|-----------------------|---------------------------|
| Taxlots               | Outside Salem City Limits |
| Urban Growth Boundary | Historic District         |
| City Limits           | Schools                   |

Parks

**CITY OF Salem**  
AT YOUR SERVICE  
Community Planning and Development

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0 100 200 400 Feet





## CONSTRUCTION DOCUMENTS

The site plan illustrates the layout for the SHS Hotel (Phase 1) and the Future Hotel (Phase 2). The SHS Hotel (Phase 1) is located in the upper right corner, with a parking area of 47,782 SQ FT. The Future Hotel (Phase 2) is located in the lower left corner, with a parking area of 47,537 SQ FT. The total parking area for both phases is 95,319 SQ FT. The plan also shows the required and provided landscaping for each phase and the total. The required landscaping for Phase 1 is 3,823 SQ FT (8%), and the provided landscaping is 6,473 SQ FT (13%). The required landscaping for Phase 2 is 3,803 SQ FT (8%), and the provided landscaping is 33,671 SQ FT (70%). The total required landscaping is 7,626 SQ FT (8%), and the total provided landscaping is 40,144 SQ FT (42%).

**PHASE 1:**  
 PARKING AREA: 47,782 SQ FT  
 REQ LANDSCAPE: 3,823 SQ FT (8%)  
 PROV LANDSCAPE: 6,473 SQ FT (13%)

**PHASE 2:**  
 PARKING AREA: 47,537 SQ FT  
 REQ LANDSCAPE: 3,803 SQ FT (8%)  
 PROV LANDSCAPE: 33,671 SQ FT (70%)

**TOTAL:**  
 PARKING AREA: 95,319 SQ FT  
 REQ LANDSCAPE: 7,626 SQ FT (8%)  
 PROV LANDSCAPE: 40,144 SQ FT (42%)

SCALE: 1" = 50'-0"

PHASE 1:  
PARKING AREA: 47,782 SQ FT  
REQ LANDSCAPE: 3,823 SQ FT (8%)  
PROV LANDSCAPE: 6,473 SQ FT (13%)

PHASE 2:  
PARKING AREA: 47,537 SQ FT  
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TOTAL:  
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TOTAL:  
PARKING AREA: 95,319 SQ FT  
REQ LANDSCAPE: 7,626 SQ FT (8%)  
PROV LANDSCAPE: 40,144 SQ FT (42%)

## DEVELOPMENT INFORMATION

### AREA MATRIX

ZONING: IC

PHASE 1 SITE AREA: 1.99 ACRES (86,902 SQ FT)  
PHASE 2 SITE AREA: 2.92 ACRES (127,195 SQ FT)  
TOTAL COMBINED SITE AREA: 4.91 ACRES (214,097 SQ FT)  
PHASE 1 LANDSCAPE AREA: 23% / 0.45 ACRES (19,813 SQ FT)  
PHASE 2 LANDSCAPE AREA: 37% / 1.09 ACRES (47,319 SQ FT)  
TOTAL COMBINED LANDSCAPE AREA: 33% / 1.54 ACRES (67,132 SQ FT)

**BUILDING TOTALS**

PHASE 1 BUILDING HEIGHT: 53' 9 5/8" (4-STORY)  
PHASE 2 BUILDING HEIGHT: 50'-0" ± (4-STORIES)

"SHORT TERM COMMERCIAL LODGING" (HOTEL) OCCUPANCY: R-  
PHASE 1 GROSS BUILDING AREA: 74,108 SQ FT  
PHASE 2 GROSS BUILDING AREA: 64,862 SQ FT

**DEVELOPMENT PARKING**

PARKING STALLS MAX: 1.5 (218 UNITS) = 327 MAX STALLS  
 PARKING STALLS PROVIDED: 220 STALLS (114-PHASE 1 / 106-PHASE 2)  
 STANDARD STALLS - 170 STALLS (90-PHASE 1 / 84-PHASE 2)  
 COMPACT STALLS - 50 STALLS (24-PHASE 1 / 26-PHASE 2) (23%)

REQUIRED BIKE PARKING: 6 STALLS (3-PHASE 1 / 3-PHASE 2)  
PROVIDED BIKE PARKING: 8 STALLS (4-PHASE 1 / 4-PHASE 2)

PHASE 1 OFF-STREET PARKING AREA: 44,298 SQ FT  
PHASE 1 PARKING LANDSCAPE: 14.5% (6,476 SQ FT) (MIN REQ'D 8%)

PHASE 2 OFF-STREET PARKING AREA: 42,472 SQ FT  
PHASE 2 PARKING LANDSCAPE: 27% (11,505 SQ FT) (MIN REQ'D 8%)

## SITE LEGEND

Diagram illustrating the components of a road cross-section:

- SETBACK
- EASEMENT
- PROPERTY LINE
- FENCE
- ACCESSIBLE ROUTE

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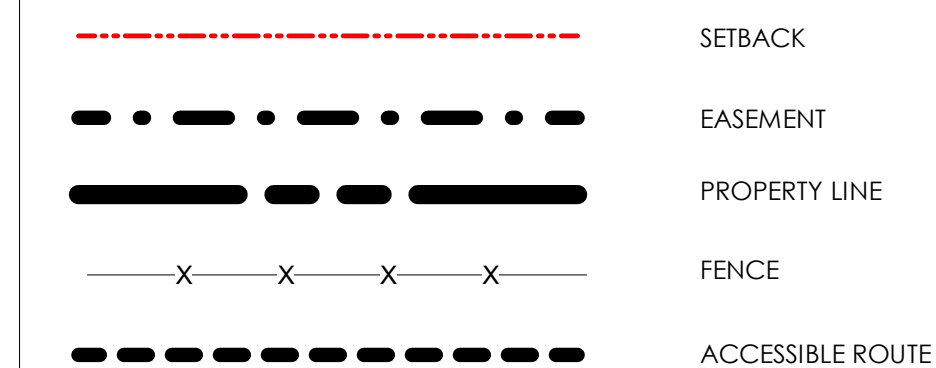


## DESIGN DEVELOPMENT

## DEVELOPMENT PLAN

## AS100

## SITE LEGEND



## DEVELOPMENT INFORMATION

**AREA MATRIX**  
ZONING: IC

PHASE 1 SITE AREA: 1.99 ACRES (86,902 SQ FT)  
PHASE 2 SITE AREA: 2.92 ACRES (127,195 SQ FT)  
TOTAL COMBINED SITE AREA: 4.91 ACRES (214,097 SQ FT) --4.92  
PHASE 1 LANDSCAPE AREA: 23% / 0.45 ACRES (19,813 SQ FT)  
PHASE 2 LANDSCAPE AREA: 37% / 1.09 ACRES (47,319 SQ FT)  
TOTAL COMBINED LANDSCAPE AREA: 33% / 1.54 ACRES (67,132 SQ FT)

**BUILDING TOTALS**

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PHASE 2 BUILDING HEIGHT: 50'-0"± (4-STORIES)

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PHASE 1 GROSS BUILDING AREA: 74,108 SQ FT  
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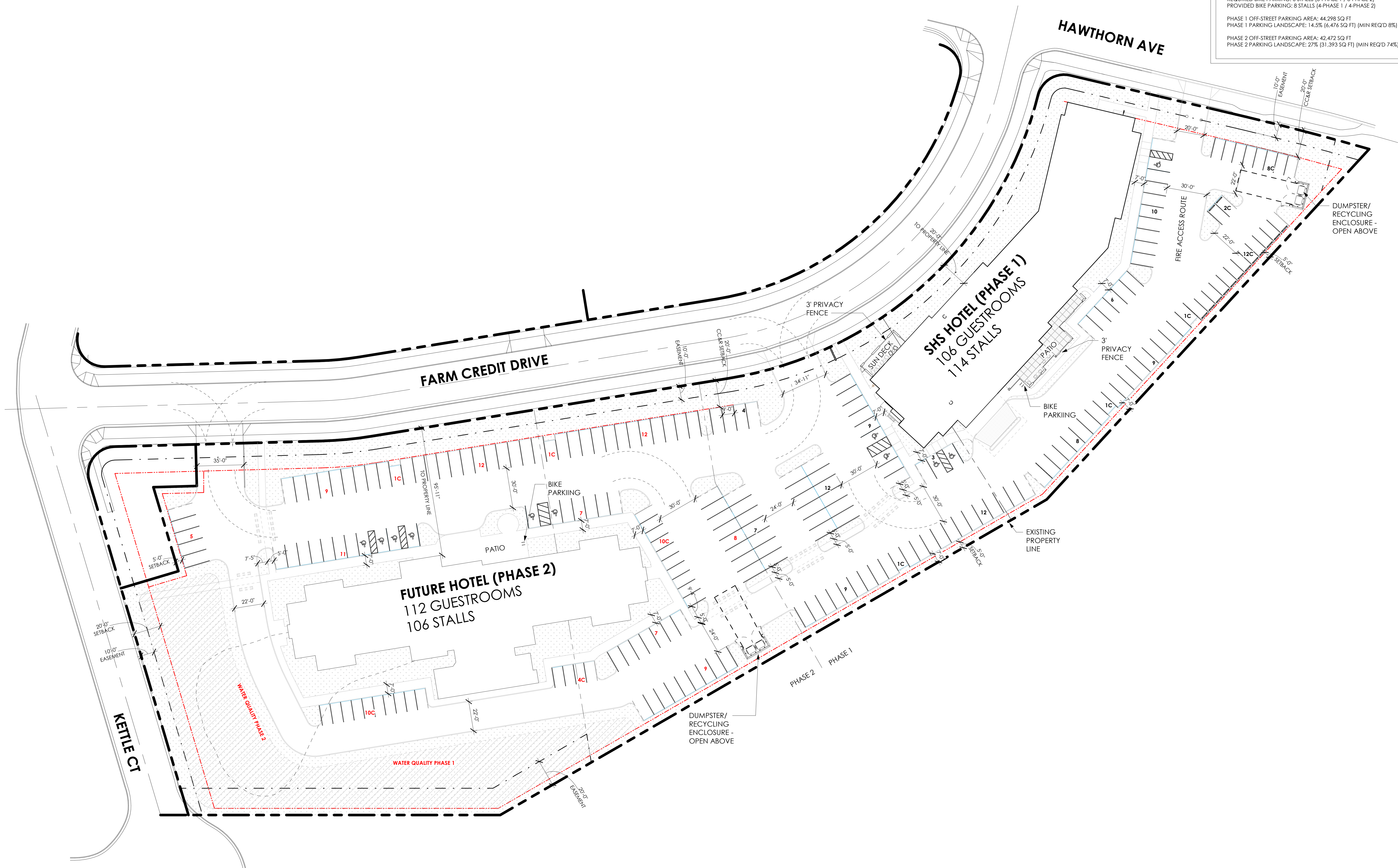
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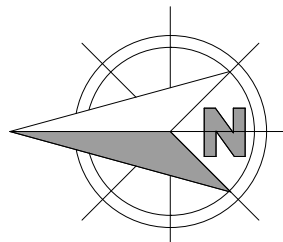
PHASE 1 OFF-STREET PARKING AREA: 44,298 SQ FT  
PHASE 1 PARKING LANDSCAPE: 14.5% (6,476 SQ FT) (MIN REQ'D 8%)

PHASE 2 OFF-STREET PARKING AREA: 42,472 SQ FT  
PHASE 2 PARKING LANDSCAPE: 27% (31,393 SQ FT) (MIN REQ'D 74%)



**2 DEVELOPMENT PLAN**  
AS100 SCALE: 1" = 30'-0"

SCALE: 1" = 30'-0"





PROPOSED REPLAT SITE PLAN

FARM CREDIT ACRES LOTS 3, 4, & 5  
LOCATED IN THE N.E 1/4 OF SEC. 36, T. 7 S., R. 3 W., W.M  
CITY OF SALEM, MARION COUNTY, OREGON

OWNER  
SALEM LAND GROUP, LLC, 40%  
JOGINDER P. BUGHRAJA, 60%  
115 W JACKSON ST, STE 2D  
RIDGELAND, MS 39157

SITE ADDRESS  
N/A

TAX LOTS  
07 3W 36A  
2000, 2100, 2200

TOTAL AREA  
5.07 ACRES

ZONING  
IC - INDUSTRIAL COMMERCIAL

FEMA  
ZONE AE - BASE FLOOD  
ELEVATION ESTABLISHED

SURVEYOR  
GREGORY L. WILSON  
BARKER SURVEYING  
3657 KASHMIR WAY SE  
SALEM, OR 97317  
greg@barkerwilson.com

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

PRELIMINARY

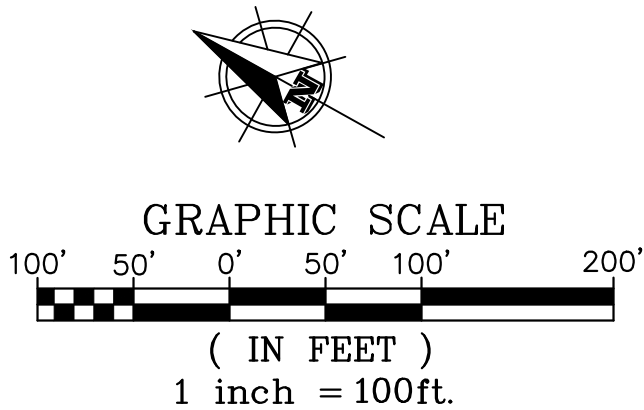
O R E G O N  
JULY 19, 1994  
GREGORY L. WILSON  
2687

EXPIRES: 6/30/2024

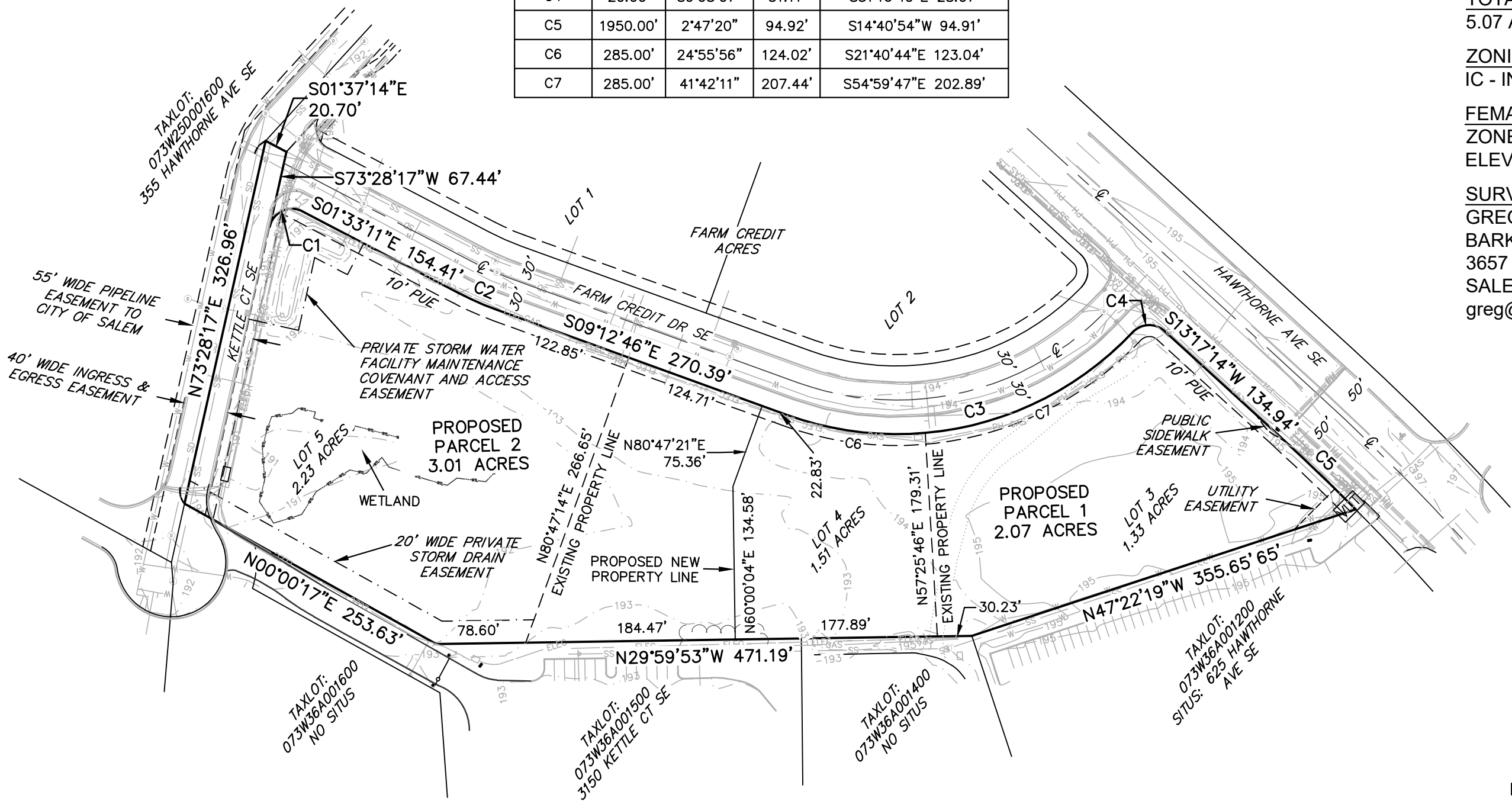


BARKER  
SURVEYING

3657 KASHMIR WAY SE  
SALEM, OREGON 97317  
PHONE (503) 588-8800  
FAX (503) 363-2469  
EMAIL: GREG@BARKERWILSON.COM



CURVE TABLE				
CURVE #	RADIUS	DELTA	LENGTH	CHORD BEARING & DIST.
C1	20.00'	104°58'32"	36.64'	S54°02'27"E 31.73'
C2	285.00'	7°39'35"	38.10'	S05°22'58"E 38.07'
C3	285.00'	66°38'07"	331.46'	S42°31'49"E 313.09'
C4	20.00'	89°08'07"	31.11'	S31°16'49"E 28.07'
C5	1950.00'	2°47'20"	94.92'	S14°40'54"W 94.91'
C6	285.00'	24°55'56"	124.02'	S21°40'44"E 123.04'
C7	285.00'	41°42'11"	207.44'	S54°59'47"E 202.89'





# MEMO

**TO:** Olivia Dias, Current Planning Manager  
Community Planning and Development Department

**FROM:** Laurel Christian, Infrastructure Planner III  
Community Planning and Development Department

**DATE:** November 27, 2024

**SUBJECT:** Infrastructure Memo  
**REP-SPR-ADJ-DAP24-06 (24-113646-PLN)**  
**383 Farm Credit Drive SE**  
**Hotel Developments**

## **PROPOSAL**

A Class 3 Site Plan Review, Class 2 Driveway Approach Permit for development of two new hotel buildings with associated driveways, parking and landscaping, with three Class 2 Adjustment requests. The proposal includes a Replat application to consolidate and relocate a property line creating a 3.01 acre lot and 2.07 acre lot, zoned IC (Industrial Commercial), and located at 383-503 Farm Credit drive SE (Marion County Assessors Map and Tax lot number: 073W36A / 2000, 2100 and 2200).

## **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 issuance of a certificate of occupancy the Phase 1 Building, the applicant shall construct a property a 5-foot-wide property line sidewalk and landscape strip along the development frontage of Farm Credit Drive SE.
3. Prior to issuance of a certificate of occupancy the Phase 2 building, the applicant shall property a 5-foot-wide property line sidewalk and landscape strip along the development frontage of Farm Credit Drive SE and Kettle Court SE.
4. Prior to issuance of a certificate of occupancy, install street trees to the maximum extent feasible along Farm Credit Drive SE and Kettle Court SE.

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 street trees to the maximum extent feasible along Farm Credit Drive SE and Kettle Court SE.
6. Prior to issuance of a building permit, obtain a street tree removal permit pursuant to SRC Chapter 86.
7. The access onto Hawthorne Avenue SE shall be limited to emergency service access only.
8. Construct all new structures a minimum of one foot above the base flood elevation pursuant to SRC 601.075.
9. Show all existing and proposed easements on the final plat.

### **EXISTING CONDITIONS – INFRASTRUCTURE**

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

<b>Streets</b>			
<b>Street Name</b>		<b>Right-of-way Width</b>	<b>Improvement Width</b>
<b>Farm Credit Dr SE (Local)</b>	Standard:	60-feet	30-feet
	Existing Condition:	60-feet	30-feet
<b>Kettle Ct SE (Private Local)</b>	Standard:	N/A - Easement	30-feet
	Existing Condition:	N/A - Easement	36-feet
<b>Hawthorne Ave SE (Major Arterial)</b>	Standard:	96-feet	68-feet
	Existing Condition:	100-feet	68-feet

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

<b>Utilities &amp; Parks</b>	
<b>Type</b>	<b>Existing Conditions</b>
<b>Water</b>	Water Service Level: G-0
	An 8-inc water mains is located in Farm Credit Drive SE.
	A 12-inch water main is located in Kettle Court SE.
	A 16-inch water main is located in Hawthorne Avenue SE.
<b>Sanitary Sewer</b>	An 8-inch sanitary sewer main is located in Farm Credit Drive SE.
	A 10-inch sanitary sewer main is located in Kettle Court SE.
	A 12-inch sanitary sewer main is located in Hawthorne Avenue SE.

<b>Storm Drainage</b>	A 10-inch storm main is located in Farm Credit Drive SE.
	An 18-inch private stormwater main is located in Kettle Court SE.

### **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 revised Public Works Design Standards (PWDS) as adopted in Administrative Rule 109, Division 004 which requires the use of green stormwater infrastructure to treat and detain stormwater generated from the development.

**Finding:** The applicant's engineer provided a preliminary stormwater management report as part of the land use application. The preliminary stormwater report does not demonstrate that the proposed stormwater management design meets the Public Works Design Standards relating to water quality-treatment. At time of building permit application, the applicant shall submit an updated stormwater report that demonstrates compliance with the Public Works Design Standards and SRC Chapter 71 relating to stormwater management. In order to comply with SRC Chapter 71 and the Public Works Design Standards, the following condition applies:

**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 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.

***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:** Hawthorne Avenue SE abuts the subject property and is classified as a major arterial street according to the Salem Transportation System Plan (TSP). Hawthorne Avenue SE meets the minimum right-of-way width and pavement width standards established in SRC 803.025; therefore, additional improvements along Hawthorne Avenue SE are not required.

Farm Credit Drive SE is classified as a local street according to the Salem TSP. Farm Credit Drive meets the minimum pavement width standards according to SRC 803.025 Table 803-2 (Pavement Width) and meets the minimum right-of-way width standards according to SRC 803.025 Table 803-1 (Right-of-way Width). Therefore, pavement widening and right-of-way dedication are not required as a condition of development. However, Farm Credit Drive SE lacks streetscape improvements along the frontage of the property, including sidewalks and landscape strips for street trees. The applicant's plans show two separate buildings to be constructed and indicates there would be two phases of building permits. The applicant shall provide frontage improvements at time of each building permit for the frontage abutting the development subject to the building permit.

Kettle Court SE is classified as a private local street according to the Salem TSP. Pursuant to SRC 803.020(b)(2), private streets shall be constructed to meet the public

standards established in SRC Chapter 803 and the Public Works Design Standards; therefore, improvements are required along this private street. Kettle Court SE meets the minimum pavement width standards according to SRC 803.025 Table 803-2 (Pavement Width) and meets the minimum right-of-way width standards according to SRC 803.025 Table 803-1 (Right-of-way Width). Therefore, pavement widening and right-of-way dedication are not required as a condition of development. However, Kettle Court SE lacks streetscape improvements along the frontage of the property, including sidewalks and landscape strips for street trees. The applicant's plans show two separate buildings to be constructed and indicates there would be two phases of building permits. The second phase of development has frontage along Kettle Court SE. The applicant shall provide frontage improvements at time of each building permit for the frontage abutting the development subject to the building permit.

In order to comply with SRC 803.025 – *Boundary Street Improvements*, SRC 803.035(k) – *Street Trees*, and SRC 803.035(l) – *Sidewalks*, the following conditions apply:

**Condition:** Prior to issuance of a certificate of occupancy the Phase 1 Building, the applicant shall construct a property a 5-foot-wide property line sidewalk and landscape strip along the development frontage of Farm Credit Drive SE.

**Condition:** Prior to issuance of a certificate of occupancy the Phase 2 building, the applicant shall property a 5-foot-wide property line sidewalk and landscape strip along the development frontage of Farm Credit Drive SE and Kettle Court SE.

▪ ***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:** As described in the written findings above, landscape strips for street trees will be constructed along Farm Credit Drive SE and Kettle Court SE. As a condition of development, the applicant shall provide street trees along Farm Credit Drive SE and Kettle Court SE. Street trees may be provided along the development frontage of each building permit phase. There are existing landscape planters and street trees along Hawthorne Avenue SE; therefore, additional plantings are not required along Hawthorne Street SE. In order to comply with SRC 803.035(k) and SRC 86.015(e), the following condition applies:

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

Kettle Court SE is a private local street. Pursuant to SRC 803.020(b)(3) private streets and related facilities, including street trees, shall be maintained by the property owner or homeowners association. In order to ensure continued maintenance of the private street

trees along Kettle Court SE pursuant to SRC 803.020(b)(3), the following condition applies:

**Condition:** Street Trees planted along Kettle Court SE shall be maintained in good health and replaced if damaged or dead.

The applicant proposes an emergency service access along Hawthorne Avenue SE in order to meet the Fire Code Standards relating to secondary fire department access. The applicant proposed removal of one tree along Hawthorne Street SE in order to construct the proposed secondary fire access. Removal of trees located within the right-of-way requires a street tree removal permit pursuant to SRC Chapter 86. In order to comply with SRC Chapter 86, the following condition applies:

**Condition:** Prior to issuance of a building permit, obtain a street tree removal permit pursuant to SRC Chapter 86.

#### ***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:** The applicant proposes two new driveway approach onto Farm Credit Drive SE and has applied for a Class 2 Driveway Approach Permit; findings for which are provided in this memo. As described in the findings below, the proposal meets the approval criteria for a Class 2 Driveway Approach Permit. With approval of the Class 2 Driveway approach permit, the proposed development meets applicable criteria in SRC Chapter 804 relating to driveway approaches.

The applicant proposes one access onto Hawthorne Avenue SE for emergency service access only in order to meet the Fire Code requirements relating to secondary fire access. This access does not meet the standards established in SRC Chapter 804 relating to Driveway Approaches onto Arterial Streets (SRC 804.035). As such, this access point will is not a public driveway approach nor a permitted driveway approach. The access onto Hawthorne Avenue SE shall be restricted to emergency service access only. As shown on the applicant's site plan, this access will be restricted through the use of a rolled curb and removable bollards which are accessible to emergency service providers. As no driveway approach has been applied for or approved, the following condition applies to ensure the access onto Hawthorne is limited to emergency access only:

**Condition:** The access onto Hawthorne Avenue SE shall be limited to emergency service access only.

#### ***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 proposal does not cause a vision clearance obstruction per SRC Chapter 805. The proposed buildings meets the vision clearance standards established in SRC Chapter 805.

***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 192-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 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 applicant proposes two driveway approaches onto Farm Credit Drive SE and an emergency service access only onto Hawthorne Avenue SE. The driveway access onto Farm Credit Drive SE provides for safe turning movements into and out of the property and modifications are not warranted per SRC Chapter 804 (Driveway Approaches). This criterion is met.

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

## **CLASS 2 DRIVEWAY APPROACH PERMIT DECISION CRITERIA**

Salem Revised Code (SRC) 804.025(d) provides that an application for a Class 2 Driveway Approach Permit 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.

The applicant proposes two driveway approaches onto Farm Credit Drive SE, classified as a local street according to the Salem TSP. Both driveway approaches meet the applicable approval criteria according to SRC Chapter 804. As described in the following analysis:

***SRC 804.025(d)(1): The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards.***

**Finding:** The proposed driveways meets the standards for SRC Chapter 804 and Public Works Design Standards (PWDS). This criterion is met.

***SRC 804.025(d)(2): No site conditions prevent placing the driveway approach in the required location.***

**Finding:** Development Services has reviewed the proposal and determined that no site conditions existing prohibiting the location of the proposed driveways. This criterion is met.

***SRC 804.025(d)(3): The number of driveway approaches onto an arterial are minimized.***

**Finding:** The proposed driveways access Farm Credit Drive SE, which is classified as a local street. Direct public access onto an arterial street is not proposed. This criterion is met.

***SRC 804.025(d)(4): The proposed driveway approach, where possible:***

***(A) Is shared with an adjacent property; or***

***(B) Takes access from the lowest classification of street abutting the property***

**Finding:** The subject property has frontage on two local streets (Farm Credit Drive SE and Kettle Court SE) and on a major arterial street (Hawthorne Avenue SE). The driveway approaches are onto Farm Credit Drive SE and take access to the lowest classification of street abutting the property. This criterion is met.

***SRC 804.025(d)(5): The proposed driveway approach meets vision clearance standards.***

**Finding:** The proposed driveway meets the PWDS vision clearance standards set forth in SRC Chapter 805. This criterion is met.

***SRC 804.025(d)(6): The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access.***

**Finding:** No evidence has been submitted to indicate that the proposed driveway will create traffic hazards or unsafe turning movements. Additionally, Development Services analysis of the proposed driveway indicates that it will not create a traffic hazard and will provide for safe turning movements for access to the subject property. This criterion is met.



***SRC 804.025(d)(7): The proposed driveway approach does not result in significant adverse impacts to the vicinity.***

**Finding:** Development Services' analysis of the proposed driveway and the evidence that has been submitted indicate that the location of the proposed driveway will not have any adverse impacts to the adjacent properties or streets. This criterion is met.

***SRC 804.025(d)(8): The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections.***

**Finding:** The subject property has frontage on two local streets (Farm Credit Drive SE and Kettle Court SE) and on a major arterial street (Hawthorne Avenue SE). The applicant is proposing driveways to the lower classification of street and they meets the spacing requirements of SRC Chapter 803. By complying with the requirements of this chapter the applicant has minimized impacts to the functionality of adjacent streets and intersections. This criterion is met.

***SRC 804.025(d)(9): The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.***

**Finding—**The proposed driveway approach is not located in the vicinity of a residentially zoned area. The driveway will not have an effect on the functionality of the adjacent streets. This criterion is met.

## **REPLAT DECISION CRITERIA**

SRC 205.025(d) indicates 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 205.025(d)(1) The tentative replat does not propose to vacate any public street or road, or any recorded covenants or restrictions.***

**Findings—**The replat does not propose to vacate any of the public streets that abut the property or any recorded covenants or restrictions. This criterion is met.

***SRC 205.025(d)(3) The tentative replat complies with the standards of this Chapter and with all applicable provisions of the UDC.***

**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 802 – Public Improvements:***

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:** Development Services has reviewed the proposal for compliance with the City's public facility plans pertaining to the provision of water, sewer, and storm drainage facilities and determined that such facilities are available and appear to be adequate to serve the subject property in conformance with the requirements of SRC Chapter 802 (Public Improvements).

***SRC Chapter 803 – Street and Right-of-way Improvements:*** Pursuant to SRC Chapter 803.040, replat applications do not trigger boundary street improvements or right-of-way dedications. Development Services has reviewed the proposal for compliance with the City's public facility plans pertaining to the provision of streets and determined that such facilities are available and appear to be adequate to serve the subject property in conformance with SRC Chapter 803 (Streets and Right-of-Way Improvements). Improvements to the boundary streets abutting the property subject to the replat are conditioned with the associated Site Plan Review application.

**SRC 205.025(d)(4)—The tentative replat complies with all applicable provisions of ORS Chapter 92.**

**Findings—** The applicant shall provide the required field survey and subdivision replat as per Statute and Code requirements outlined in the *Oregon Revised Statutes* (ORS) and the SRC. If said documents do not comply with the requirements outlined in ORS and SRC, and pursuant to SRC 205.035, the approval of the replat plat by the City Surveyor may be delayed or denied based on the non-compliant violation. The City Surveyor will confirm ORS 92 compliance as part of the final plat mylar review.

**SRC 205.025(d)(6)—The tentative replat does not adversely affect the availability of, or access to, City infrastructure or public or private utilities or streets.**

**Findings—**Development Services has reviewed the applicant's preliminary plan for this site. The water, sewer, and storm infrastructure are existing, and appear to be adequate to serve the proposed replat. Public streets abutting the subject property are available to provide adequate street access.

The applicant's tentative replat shows existing easements. Additionally, easements for access and utilities crossing the property lines are required. The applicant's preliminary utility plan shows utilities crossing property lines which will require dedicated easements. As a condition of approval, the applicant shall show all existing and proposed easements on the final plat to ensure adequate access to public utilities and streets.

**Condition:** Show all existing and proposed easements on the final plat.

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cc: File