

NOTICE OF DECISION

PLANNING DIVISION
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503-588-6173*

DECISION OF THE PLANNING ADMINISTRATOR

CLASS 3 SITE PLAN REVIEW CASE NO.: SPR24-36

APPLICATION NO.: 24-118078-PLN

NOTICE OF DECISION DATE: January 29, 2025

SUMMARY: A Class 3 Site Plan Review for the development of a new multi-tenant building for an Office and Eating and Drinking Establishment use.

REQUEST: A Class 3 Site Plan Review for the development of a new building 5,600 square-foot building for an Office and Eating and Drinking Establishment use. The subject property is 2.73-acres in size, zoned IC (Industrial Commercial) and located at 4870 Turner Rd SE (Marion County Assessor's Map and Tax Lot Number 082W07C0/ 0501/ 502/ 0503).

APPLICANT: BRAND Land Use, on behalf of Lebowski Holdings

Location: 4870 Turner Rd SE, Salem OR 97302

CRITERIA: Salem Revised Code (SRC) Chapter 220.005(b)(3) – Class 3 Site Plan Review

FINDINGS: The findings are in the attached Decision dated January 29, 2025.

DECISION: The **Planning Administrator APPROVED** Class 3 Site Plan Review Case No. SPR24-36 subject to the following conditions of approval:

- Condition 1:** Pursuant to CU-PAR-UGA-SPR-ADJ-DAP19-01, construct half street improvements along the parcel's frontage of Turner Road SE to minor arterial street standards and Kuebler Boulevard SE to parkway street standards. These improvements are eligible for a fee-in-lieu of improvements to be paid at the time of building permit issuance.
- Condition 2:** Prior to issuance of a certificate of occupancy, install street trees to the maximum extent feasible along Turner Road SE and Kuebler Boulevard SE.
- Condition 3:** At the time of building permit, the applicant shall revise the trash enclosure design to meet the minimum front opening standard to be 12 feet as required under SRC 800.055(e).
- Condition 4:** At the time of building permit, the applicant shall revise the trash enclosure and site plans to meet service access standards as required under SRC 800.055(f).

Condition 5: At the time of building permit, provide a lighting plan demonstrating the on-site pedestrian circulation system will be lighted to a level where the system can be used at night.

The rights granted by the attached decision must be exercised, or an extension granted, by February 14, 2029, or this approval shall be null and void.

Application Deemed Complete:	<u>December 6, 2024</u>
Notice of Decision Mailing Date:	<u>January 29, 2025</u>
Decision Effective Date:	<u>February 14, 2025</u>
State Mandate Date:	<u>May 6, 2025</u>

Case Manager: Jacob Brown, jrbrown@cityofsalem.net, (503) 540-2347

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m., Thursday, February 13, 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 220. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

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

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

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

IN THE MATTER OF APPROVAL OF)	FINDINGS & ORDER
CLASS 3 SITE PLAN REVIEW)	
CASE NO. SPR24-36)	
4870 TURNER RD SE)	JANUARY 29, 2025

In the matter of the application for Class 3 Site Plan Review submitted by the applicant, Brand Land Use, on behalf of the property owner, Lebowski Holdings 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 Class 3 Site Plan Review for the development of a new multi-tenant building for an Office and Eating and Drinking Establishment use.

Request: A Class 3 Site Plan Review for the development of a new building 5,600 square-foot building for an Office and Eating and Drinking Establishment use. The subject property is 2.73-acres in size, zoned IC (Industrial Commercial) and located at 4870 Turner Rd SE (Marion County Assessor's Map and Tax Lot Number 082W07C0/ 0501/ 502/ 0503).

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 September 3, 2024, an application for Class 3 Site Plan Review was submitted by the applicant. The application was deemed complete for processing on December 6, 2024. The 120-day State mandated deadline was extended at the request of the applicant by 30 days to May 6, 2025.

The applicant's proposed development plans are included as **Attachment B** and the applicant's written statement addressing the approval criteria applications 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 118078.

3. Neighborhood Association and Public Comments

The subject property is located within the boundaries of the Southeast Mill Creek Association (SEMCA).

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 August 23, 2024, the applicant contacted the Southeast Mill Creek Association via email informing them of the proposed project.

Neighborhood Association Comment: Notice of the application was provided to the Northgate 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 staff report, no comments have been received from the neighborhood association.

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

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

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 concerns.

Fire Department – Reviewed the proposal and indicated no concerns.

5. Public Agency Comments

Oregon Department of Aviation – Reviewed the proposal and commented the following:

1. In accordance with FAR Part 77.9 and OAR 738-070-0060, development at this site may be required to undergo aeronautical evaluations by the FAA and ODAV. The applicant can use the FAA's Notice Criteria Tool to determine which proposed structures warrant a notice of construction, including taller construction equipment, such as cranes or concrete pump trucks. If so, they are required to provide separate notices of construction to both the FAA and ODAV. The applicant should receive the resulting aeronautical determination letters from the FAA and ODAV prior to approval of any building permits.
2. The height of any new structures, trees, and other planted vegetation should not penetrate FAR Part 77 Imaginary Surfaces, as determined by the FAA and ODAV.

Portland General Electric (PGE) – Reviewed the proposal and commented the following:

1. There's an existing underground 7.2 kV power line that enters the site (originates at pole C8207C-82 on the west side of Turner Rd.), crosses the 4870 property, and feeds the 4880 property. The 7.2 kV power line may be under the proposed building location

(on the south side). PGE equipment cannot be placed under a building. If the locations are in conflict, either the power line or the building will need to be moved.

2. If one does not exist, PGE will need a dedicated easement to cover our facilities (conduit, vaults, transformers, etc.) both on and crossing the 4870 property. In accordance with OPUC (Oregon Public Utility Commission) Rule C, “customers should provide rights of way and easements for construction, maintenance, repair, replacement, or use of facilities necessary for the supply of electricity. Customers shall also grant PGE free and unrestricted access to the premises at all reasonable times for inspections, testing, repair, removing, or replacing existing facilities.”

DECISION CRITERIA FINDINGS

6. Analysis of Class 3 Site Plan Review Approval Criteria

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

SRC 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. An Urban Growth Preliminary Declaration for the site was issued in 2019 in conjunction with previous development applications on the subject property. The UGA established needed improvements to serve the property; these have been constructed. A new UGA 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.

Finding: The development is required to utilize green stormwater infrastructure to treat and detain runoff from the site per SRC Chapter 71. The property is served by an existing stormwater basin that was sized to accommodate the proposed development (21-109925-CO).

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

Finding: The proposal includes the development of a new off-street parking area and 5,600 square-foot building intended for *Office and Eating and Drinking Establishment* on a development site 2.73 acres in size and zoned IC (Industrial Commercial). The proposal is part of a development site previously approved under CU-PAR-UGA-SPR-ADJ-DAP19-01 and SPR-ADJ20-48. As proposed and conditioned in the findings in this staff report, the development meets all the applicable standards of the UDC as follows.

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 a new 5,600-square-foot building intended for an *Office* and *Eating and Drinking Establishment* use. Per Table 551-1, an *Office* and *Eating and Drinking Establishment* use is a permitted use within the IC zone. The applicant did not provide a floor plan for potential tenant spaces that will compose the building, as such future tenants of the building will be required to establish each use through a minimum of a Class 1 Site Plan Review. 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 2.73-acres in size and composed of three parcels and is served off of a shared driveway access to the south with frontage on Turner Road SE and Kuebler Boulevard SE. 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: Adjacent to the west is the right-of-way for Kuebler Boulevard SE. There is a minimum five-foot building setback adjacent to a street. Vehicle use areas are required to be setback a minimum of six to ten feet from a street per SRC 806.035(c)(2).

West: Adjacent to the west is the right-of-way for Turner Road SE. There is a minimum five-foot building setback adjacent to a street. Vehicle use areas are required to be setback a minimum of six to ten feet from a street per SRC 806.035(c)(2).

Finding: The proposed 5,600-square-foot building is setback by a minimum of 30 feet along property lines abutting both Kuebler Boulevard SE and Turner Road SE. The driveway facing Turner Road SE is setback by a minimum of 20 feet and along property line facing Kuebler Boulevard SE by a minimum of 10 feet. The proposal meet the standards

Interior Front, Side and Rear

East/South: Adjacent to the east and north are interior lot line abutting an IC zoned property. There is no minimum building or accessory structure setback required for an interior property line abutting an industrial zoned property. Vehicle use areas require a minimum five-foot setback with Type A landscaping.

Finding: The proposed building and vehicle use areas are setback by a minimum of five feet from the southern property line and interior line of the access easement that serves the development site. As indicated, the development site includes a shared driveway access with the property to the south and east with more than five feet of a landscaped setback on all sides. The proposal is in compliance with all applicable setback requirements of the IC zone and SRC Chapter 806.

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 building is less than 70 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: Under approval of SPR-ADJ20-48 for the southern parcel of the development at 4910 Turner Road SE, the applicant requested an adjustment to postpone the landscaped perimeter setbacks abutting portions of Kuebler Boulevard SE and Turner Road SE until a future phase of development. At the time of the application for SPR-ADJ20-48, the applicant had proposed under CU-PAR-UGA-SPR-ADJ-DAP19-01MOD1 a modification of a tentatively approved partition that would partition the property into three parcels rather than two parcels. The future phase in reference of SPR-ADJ20-48 is the development of the subject property, or “Future Parcel 3”, which is the subject property at 4780 Turner Road SE. Condition 8 of SPR-ADJ20-48 read as the following:

Pursuant to SPR-ADJ20-48 Condition 8: Landscaped perimeter setbacks meeting the requirements of the Salem Revised Code shall be provided abutting Kuebler Boulevard SE and Turner Road SE when the area designated on the site plan as Future Parcel 3 is developed with buildings, structures, and/or parking and vehicle use areas other than the proposed driveway.

The subject development site is 2.73-acres in size, or 118,468 square feet, requiring a total of 17,770 square feet of landscaping across the development site ($118,468 \times 0.15 = 17,770$). The development plans indicate 8,314 square feet of landscaping will be planted in all setbacks and vehicle use areas on the subject property. Previous land use approvals indicate 15,218 square feet of landscape was provided for Parcel 2 to the south, and 9,106 square feet was provided for Parcel 1 to the east, for a total of 32,638 square feet of landscape provided throughout all three parcels of the development site, also exceeding the landscape requirement. As proposed and addressed in the landscaping findings, the development meets the standards of SRC 551.010(d).

In addition, the applicant’s plans indicate all setbacks and vehicle use areas are landscaped as required. Landscape and irrigation plans will be reviewed for conformance with the requirements of SRC 807, including required plant units and trees, at the time of building permit application review.

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 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 property discharges sanitary sewer into an existing private State-owned system. 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.

As conditioned, the proposed development conforms to the public improvement standards of SRC Chapter 802.

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: Turner Road SE abuts the subject property and has adequate improvement width and adequate right-of-way according to the Salem TSP; however, Turner Road SE lacks curbs, sidewalks, street trees, and streetlights. Kuebler Boulevard SE also abuts the subject property and does not meet the current improvement standard for a Parkway Street according to the TSP. Pursuant to the previously approved partition, a fee-in-lieu of improvements to both Turner Road SE and Kuebler Boulevard SE was allowed (CU-PAR-UGA-SPR-ADJ-DAP19-01 Condition 3). A Construction Deferral Agreement was recorded with the previous Partition that required payment of the fee-in-lieu at time of Site Plan Review for the parcel abutting the intersection of Kuebler Boulevard SE and Turner Road SE (Marion County Reel 4241 Page 3). In accordance with CU-PAR-UGA-SPR-ADJ- DAP19-01 Condition 3 and the recorded deferral agreement, at time of building permit issuance, the applicant shall pay a fee-in-lieu of the required improvements for Kuebler Boulevard SE and Turner Road SE based on the fee established in the current fee schedule.

Condition 1: Pursuant to CU-PAR-UGA-SPR-ADJ-DAP19-01, construct half street improvements along the parcel's frontage of Turner Road SE to minor arterial street standards and Kuebler Boulevard SE to parkway street standards. These improvements are eligible for a fee-in-lieu of improvements to be paid at the time of building permit issuance.

▪ **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: Turner Road SE and Kuebler Boulevard SE have right-of-way widths which exceed the minimum required for their classifications based on the Salem TSP. There is adequate space along these frontages for street tree plantings. As a condition of approval, the applicant shall provide street trees along Turner Road SE and Kuebler Boulevard SE.

Condition 2: Prior to issuance of a certificate of occupancy, install street trees to the maximum extent feasible along Turner Road SE and Kuebler Boulevard SE.

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 one cubic yard or larger is proposed.

Finding: The site plan indicates one new solid waste enclosure where a receptacle of one cubic yard or larger is proposed.

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.

(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.

(3) *Vertical Clearance.*

- (a) Receptacles 2 cubic yards or less in size shall be provided with a minimum of 8 feet of unobstructed overhead or vertical clearance for servicing.
- (b) Receptacles greater than 2 cubic yards in size shall be provided with a minimum of 14 feet of unobstructed overhead or vertical clearance for servicing.

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

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

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

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

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

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

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

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

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

- (1) *Front Opening of Enclosure.* The front opening of the enclosure shall be unobstructed and shall be a minimum of 12 feet in width.
- (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.
- (3) *Enclosure Gates.* Any gate across the front opening of an enclosure shall swing freely without obstructions. For any opening with an unobstructed width of 15 feet or greater, the gates shall open a minimum of 90 degrees. All gates shall have restrainers in the open and closed positions.

Finding: The applicant provided plans showing that the trash enclosure shall have an opening with width of 8.6 feet. As such, the applicant is conditioned to revise the trash enclosure detail to provide a minimum opening width of 12 feet. The details demonstrate conformance with a 38-inch hard bumper dock. As conditioned, the proposed the development meets the standard:

Condition 3: At the time of building permit, the applicant shall revise the trash enclosure design to meet the minimum front opening standard to be 12 feet as required under SRC 800.055(e).

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.

(2)

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

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

- (B) 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.
- (C) Vehicle operation areas shall have a minimum vertical clearance of 14 feet.
- (D) In the event that access to the vehicle operation area is not a direct approach into position for operation of the service vehicle, a turnaround, in conformance with the minimum dimension and turning radius requirements shown in Figure 800-10, shall be required to allow safe and convenient access for collection service.

Finding: The proposed plans do not demonstrate conformance with solid waste service area access standard and the applicant requested that the access standards to be conditioned. As such, the following is conditioned.

Condition 4: At the time of building permit, the applicant shall revise the trash enclosure and site plans to meet service access standards as required under SRC 800.055(f).

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.

Finding: The pedestrian access standards of SRC Chapter 800.065 apply to the proposed development.

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

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

Finding: Under approval of SPR-ADJ20-48 for the southern parcel of the development at 4910 Turner Road SE, the applicant requested an adjustment to postpone the construction of a required pedestrian connection to Kuebler Boulevard SE until a future phase of development. The future phase in reference is the development of the subject property, or “Future Parcel 3.” Condition 6 of SPR-ADJ20-48 indicated the following:

Pursuant to SPR-ADJ20-48 Condition 6: At least one pedestrian connection meeting the design and materials requirements of SRC 800.065(b) shall be completed from the buildings on the subject property [4910 Turner Road SE] to the public sidewalk on Kuebler Boulevard SE when street improvements are constructed on Kuebler Boulevard SE.

As street improvements have yet to occur along Kuebler to provide sidewalks, the applicant has proposed a partial connection crossing the driveway along the northern portion of the site for a future connection to be provided. This partial connection will allow Parcel 2 to the south to meet Condition 6, which will be connected to the public sidewalk when street improvements are constructed on Kuebler Boulevard SE. The proposed structure on the subject property has pedestrian access from an existing sidewalk starting on Turner Road SE and extending through Parcel 2 to the south to the subject property; the applicant is proposing to extend this sidewalk along the internal driveway to meet the pedestrian connection on Parcel 1 to the east. This standard is met.

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

Finding: The subject property is not adjacent to an existing or planned transit stop along the street frontage of the development site; therefore, this standard does not apply.

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: As indicated above, the applicant is proposing to extend a sidewalk along the existing driveway from Parcel 2 to the south to meet the pedestrian connection on Parcel 1 to the east, connecting all buildings on the development site. This standard is met.

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 not include any existing or proposed parking areas greater than 25,000 square feet or including four or more consecutive parallel drive aisles; therefore, this standard is not applicable.

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

Finding: The development proposal does not include a parking structure or garage; 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 that pass 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 development site does not have a vehicular connection to an abutting property; therefore, this standard does not apply.

SRC 800.065(b) – Design and materials

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

- (1) Walkways shall conform to the following:

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

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

Finding: The development plans indicate the proposed pedestrian connection is at least five feet in width and appears to meet the design and material standards above, including striping,

change in materials, and speed bumps through the proposed vehicle use area. Where the walkway is located adjacent to the driveway, the development plans indicate it will be raised above the vehicle travel lane, meeting the standards.

Further conformance with design and material standards for pedestrian connections will be reviewed at the time of building permit.

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 development plans do not include lighting details for the on-site pedestrian circulation system. To ensure the development complies with the standards, the following condition shall apply.

Condition 5: At the time of building permit submittal, provide a lighting plan demonstrating the on-site pedestrian circulation system will be lighted to a level where the system can be used at night.

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 development site is served by an existing driveway approach onto Turner Road SE. The existing driveway approach serving the site meets applicable sections of SRC Chapter 804 and does not warrant modification.

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 and meets the vision clearance standards established in SRC Chapter 805.

Off-Street Parking, Loading, and Driveways SRC 806

SRC 806.015 – Amount of 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 purposes of calculating the maximum amount of off-street parking allowed, driveways shall not be considered off-street parking spaces.
- (b) *Compact Parking.* Up to 75 percent of the off-street parking spaces provided on a development site may be compact parking spaces.
- (c) *Carpool and Vanpool Parking.* New developments with 60 or more 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.

(d) SRC 806.015(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 is for a new 5,600 square-foot building serving a *Office and Eating and Drinking Establishment*. As the site is a development site, the uses within the buildings at 4880 and 4910 Turner Road SE contribute towards the total number of allowed off-street parking spaces. In addition, the existing off-street parking spaces will also contribute towards the total of the development site.

The building at 4880 Turner Road SE has a floor area of 4,400 square feet and is occupied by an *Office* use. As indicated under previous site plan review (22-109121-PLN), the building at 4910 Turner Road SE has a cumulative floor area of 13,500 square feet and occupied by *Outpatient Medical Services* and *Construction Contracting* uses.

Following the development of the 5,600 square-foot building, the development site will be primarily occupied by *Office* uses which allows the site to be classified as an *Office Complex* for the purposes of calculating off-street parking and bicycle parking. Under Table 806-1, an *Office Complex* is allowed one off-street parking space per 250 square feet of floor area. The cumulative floor area of the development site is 23,500 square feet thus allowing a maximum of 94 spaces across the development site. Within the proposed development, the applicant is proposing 17 new off-street parking spaces. The existing development site contains 46 off-street parking spaces resulting in a total of 63 off-street parking spaces across the development site. The maximum is not exceeded.

In addition, the development is not proposing 60 or more new spaces; therefore, no carpool or vanpool parking is required, and no residential units are proposed requiring electrical vehicle charging spaces. The standard is met.

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: The proposed off-street parking area is proposed be in compliance with the minimum setback requirements of SRC Chapters 535 and 806.

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

Finding: The proposed new off-street parking area measures roughly 6,210 square feet in size, requiring a minimum of five percent interior landscaping. The applicant's plans indicate that a minimum of 310 square feet of interior landscaping shall be provided thus meeting the standard.

- (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 806-6. 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 along the driveway abutting the northern and western portions of the proposed building, allowing vehicles to enter and exit the street in a forward motion with no backing or maneuvering within the street. The proposal meets the standard.

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

- (i) *Drainage.* Off-street parking and vehicle use areas shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.

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

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

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

- (k) *Off-street parking area striping.* Off-street parking areas shall be striped in conformance with the off-street parking area dimension standards set forth in Table 806-6; provided, however, off-street parking area striping shall not be required for:
 - a. Vehicle storage areas.
 - b. Vehicle sales display areas.
 - c. Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC Chapter 701.
 - d. Gravel off-street parking areas, approved through a conditional use permit.
- (l) *Marking and signage.*
 - a. *Off-street parking and vehicle use area circulation.* Where directional signs and pavement markings are included within an off-street parking or vehicle use area to control vehicle movement, such signs and marking shall conform to the Manual of Uniform Traffic Control Devices.
 - b. *Compact parking.* Compact parking spaces shall be clearly marked indicating the spaces are reserved for compact parking only.
 - c. *Carpool and vanpool parking.* Carpool and vanpool parking spaces shall be posted with signs indicating the spaces are reserved for carpool or vanpool use only before 9:00 a.m. on weekdays.

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

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

- (n) *Additional standards for new off-street surface parking areas more than one-half acre in size.* When a total of more than one-half acre of new off-street surface parking is

proposed on one or more lots within a development site, the lot(s) proposed for development shall comply with the additional standards of this subsection.

- a. *Climate mitigation.* Except for development that includes a public building as defined in OAR 330-135-2000, development that includes a total of more than one-half acre of new off-street surface parking shall provide one or more of the following climate mitigation measures, which may be used in combination. This requirement cannot be adjusted or varied.
 - (A) *Solar power generation.* On-site solar power generation infrastructure shall be provided with a capacity of at least 0.5 kilowatts per new off-street parking space. The solar power generation infrastructure shall be located on the lot(s) proposed for development but need not be located in parking or vehicle use areas.
 - (B) *Payment into city's equitable renewable energy fund.* A payment shall be made into the city's equitable renewable energy fund at a rate of not less than \$1,500 per parking spaced and tied to inflation.
 - (C) *Increased tree canopy coverage.* Increased on-site tree canopy area shall be provided, in conformance with the standards included under subsection (n)(3) of this section, covering at least 40 percent of new off-street parking and vehicle use areas in no more than 15 years.

Finding: The proposed new paved off-street parking area has an impervious area of approximately 6,210 square feet; therefore, this section is not applicable.

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. As shown on the site plan, vehicular access to the parking areas within the development is served by an existing 24-foot-wide two-way shared driveway from Turner Rd SE and conforms to minimum required driveway width standards. The driveway serving as through access for the off-street parking area is on-way and has a minimum width of 12 feet throughout. The proposed development meets the standard.

Bicycle Parking

SRC 806.045 – General Applicability.

- (a) Bicycle parking shall be provided as required under this chapter for each proposed new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity.
- (b) *Applicability to change of use of existing building in Central Business District (CB) zone.*
Notwithstanding any other provision of this chapter, the bicycle parking requirements for a change of use of an existing building within the CB zone shall be met if there are a minimum of eight bicycle parking spaces located within the public right-of-way of the block face adjacent to the primary entrance of the building. If the minimum number of required bicycle parking spaces are not present within the block face, the applicant shall be required to obtain a permit to have the required number of spaces installed. For purposes of this subsection, "block face" means the area within the public street right-of-way located along one side of a block, from intersecting street to intersecting street.
- (c) *Applicability to nonconforming bicycle parking area.* 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.

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 806-8.

Finding: The proposed development is for a new 5,600 square-foot building serving a *Office and Eating and Drinking Establishment*. As the site is a development site, the uses within the buildings at 4880 and 4910 Turner Road SE contribute towards the total number of required bicycle parking spaces. In addition, the existing bicycle spaces will also contribute towards the total of the development site.

The building at 4880 Turner Road SE has a floor area of 4,400 square feet and is occupied by an *Office* use. As indicated under previous site plan review (22-109121-PLN), the building at 4910 Turner Road SE has a cumulative floor area of 13,500 square feet and occupied by *Outpatient Medical Services* and *Construction Contracting* uses.

Following the development of the 5,600 square-foot building, the development site will be primarily occupied by *Office* uses which allows the site to be classified as an *Office Complex* for the purposes of calculating off-street parking and bicycle parking. Under Table 806-9, an *Office Complex* is required to provide a minimum of one bicycle parking space per 3,500 square feet of floor area. The cumulative floor area of the development site is 23,500 square feet thus requiring a minimum of seven spaces across the development site. Within the proposed development, the applicant is proposing six new bicycle parking spaces. The existing development site contains ten bicycle parking spaces resulting in a total of 16 off-street bicycle spaces across the development site. The minimum required amount is met.

SRC 806.060 – Bicycle Parking Development Standards

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

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

Finding: The site plan indicates the proposed bicycle parking spaces are within 50 feet of a primary entrance of the proposed new building; therefore, this standard is met.

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

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

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

Finding: The proposed bicycle parking spaces meet the dimensional standards of Table 806-9 and are served by a minimum four-foot access aisle, meeting the standard.

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

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

- (e) *Bicycle Racks.* Where bicycle parking is provided in racks, the racks may be floor, wall, or ceiling racks. Bicycle racks shall meet the following standards.
 - (1) Racks must support the bicycle frame in a stable position, in two or more places without damage to wheels, frame, or components.
 - (2) Racks must allow the bicycle frame and at least one wheel to be locked to the rack with a high security, U-shaped shackle lock;
 - (3) Racks shall be of a material that resists cutting, rusting, and bending or deformation; and
 - (4) Racks shall be securely anchored.

(5) Examples of types of bicycle racks that do, and do not, meet these standards are shown in Figure 806-11.

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

Off-Street Loading Areas

SRC 806.065 – General Applicability.

Off-street loading areas shall be provided and maintained for each proposed new use or activity; any change of use or activity, when such 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 and dimensions not less than those set forth in Table 806-11.

SRC 800.080 – Off-street Loading and Development Standards

Unless otherwise provided under the UDC, off-street loading shall be developed and maintained as set forth in this section.

- (a) *Off-street parking used for loading.* An off-street parking area meeting the requirements of this chapter may be used in place of a required off-street loading space when the use or activity does not require a delivery vehicle which exceeds a maximum combined vehicle and load rating of 8,000 pounds and the off-street parking area is located within 25 feet of the building or the use or activity that it serves.

Finding: Loading area standards are triggered by the proposed use; however, the applicant has indicated within their written statement that the existing off-street parking space shall be used as the site will not require delivery vehicles exceeding 8,000 pounds and the parking area is within 25 feet of the building that loading will serve.

Landscaping

SRC 807 – Landscaping and Screening

The provisions of this chapter apply to all required landscaping and screening under the UDC. Unless otherwise provided in the UDC, required landscaping and screening shall conform to the standards set forth in this section.

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

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

Finding: The subject development site is 2.73-acres in size, or 118,468 square feet, requiring a total of 17,770 square feet of landscaping across the development site ($118,468 \times 0.15 = 17,770$). The development plans indicate 8,314 square feet of landscaping will be planted in all setbacks and vehicle use areas on the subject property. Previous land use approvals indicate 15,218 square feet of landscape was provided for Parcel 2 to the south, and 9,106 square feet was provided for Parcel 1 to the east, for a total of 32,638 square feet of landscape provided throughout all three parcels of the development site, also exceeding the landscape requirement. As proposed and addressed in the landscaping findings, the development meets the standards of SRC 551.010(d).

Within the proposed 8,314 square feet of landscaped area, a minimum of 416 plant units ($4,157 / 20 = 415.7$) will be required to be installed. Of the required 416 plant units, 40 percent shall be trees, or 166 plant units ($416 \times 0.40 = 166.3$ plant units of trees). Landscape and irrigation plans will be reviewed for conformance with the requirements of SRC 807, including required plant units and trees, 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 was removed from the AE floodplain through a Letter of Map Revision Based on Fill Determination (18-111214-FD). No floodplain development permits are required.

SRC 808 – Preservation of Trees and Vegetation: The City's tree preservation ordinance, under SRC Chapter 808, provides that no person shall remove the following trees unless 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.

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

The tree preservation ordinance defines “tree” as, “any living woody plant that grows to 15 feet or more in height, typically with one main stem called a trunk, which is 10 inches or more *dbh*, and possesses an upright arrangement of branches and leaves.”

Finding: There are no protected trees identified on the subject property.

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 wetlands laws are also administered by the DSL and Army Corps, and potential impacts to jurisdictional wetlands are addressed through application and enforcement of appropriate mitigation measures. SRC Chapter 809 establishes requirements for notification of DSL when an application for development is received in an area designated as a wetland on the official wetlands map.

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

SRC 810 – Landslide Hazards: The City's landslide hazard ordinance (SRC Chapter 810) establishes standards and requirements for the development of land within areas of identified landslide hazard susceptibility.

Finding: According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are no mapped landslide hazard areas on the subject property.

SRC 220.005(f)(3)(B): *The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately.*

Finding: Access to the proposed development will be provided by the network of existing public 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 site is served by an existing driveway approach onto Turner Road SE. The driveway access onto Turner Road SE provides for safe turning movements into and out of the property and modifications are not warranted per SRC Chapter 804 (Driveway Approaches).

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

Finding: The Development Services division reviewed the proposal and determined that water, sewer, and storm infrastructure are available and appear to be adequate to serve the lots within the proposed development, subject to the conditions of approval established in this decision. This approval criterion is met.

7. Conclusion

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

IT IS HEREBY ORDERED

Final approval of Class 3 Site Plan Review, Case No. SPR24-36 is hereby **APPROVED** subject to SRC Chapter 220 and the applicable standards of the Salem Revised Code, conformance with the approved site plan included as Attachment B, and the following conditions of approval:

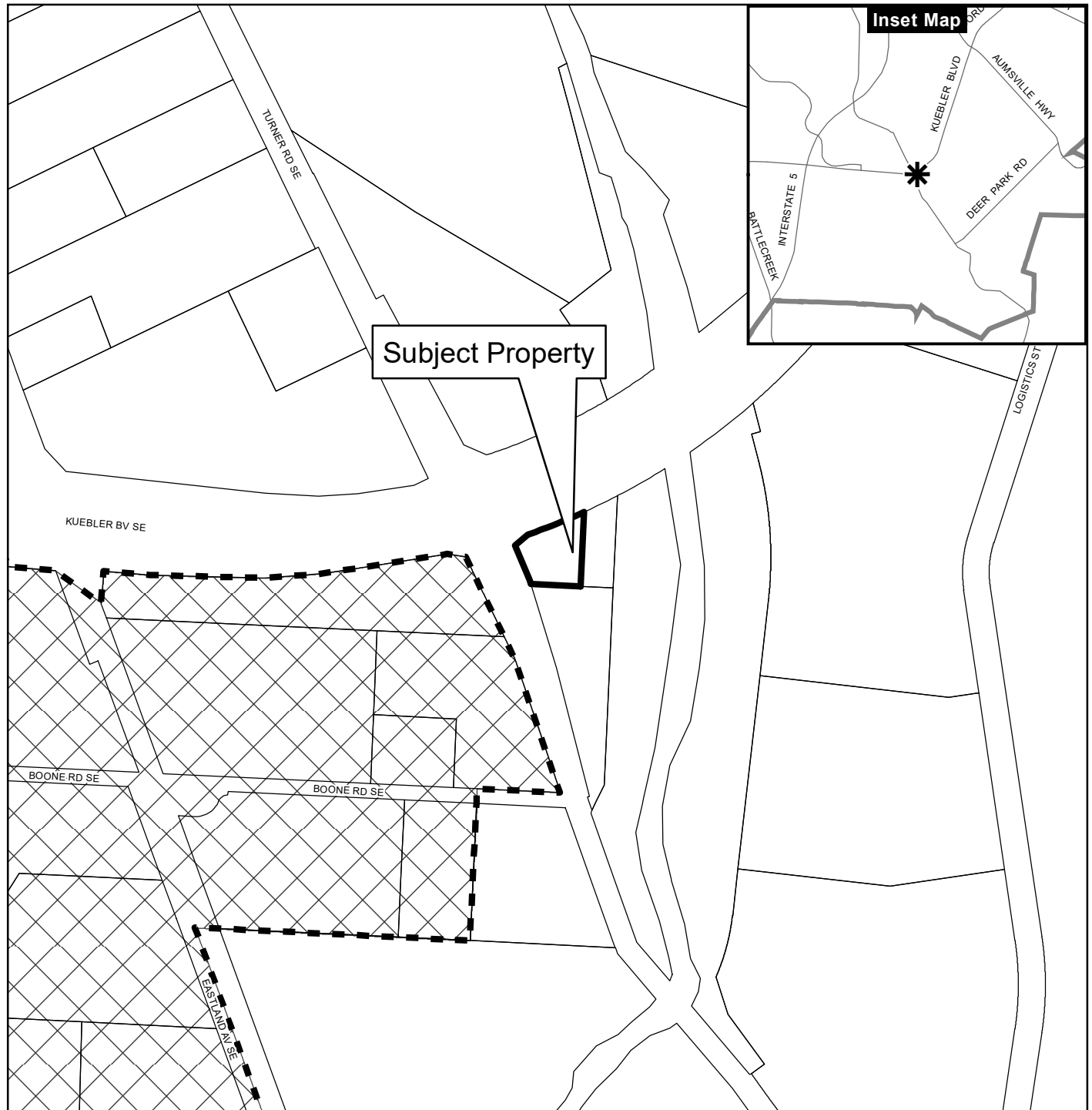
- Condition 1:** Pursuant to CU-PAR-UGA-SPR-ADJ-DAP19-01, construct half street improvements along the parcel's frontage of Turner Road SE to minor arterial street standards and Kuebler Boulevard SE to parkway street standards. These improvements are eligible for a fee-in-lieu of improvements to be paid at the time of building permit issuance.
- Condition 2:** Prior to issuance of a certificate of occupancy, install street trees to the maximum extent feasible along Turner Road SE and Kuebler Boulevard SE.
- Condition 3:** At the time of building permit, the applicant shall revise the trash enclosure design to meet the minimum front opening standard to be 12 feet as required under SRC 800.055(e).
- Condition 4:** At the time of building permit, the applicant shall revise the trash enclosure and site plans to meet service access standards as required under SRC 800.055(f).
- Condition 5:** At the time of building permit, provide a lighting plan demonstrating the on-site pedestrian circulation system will be lighted to a level where the system can be used at night.



Jacob Brown, Planner II, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

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

Vicinity Map 4870 Turner Road SE



Legend

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

Parks

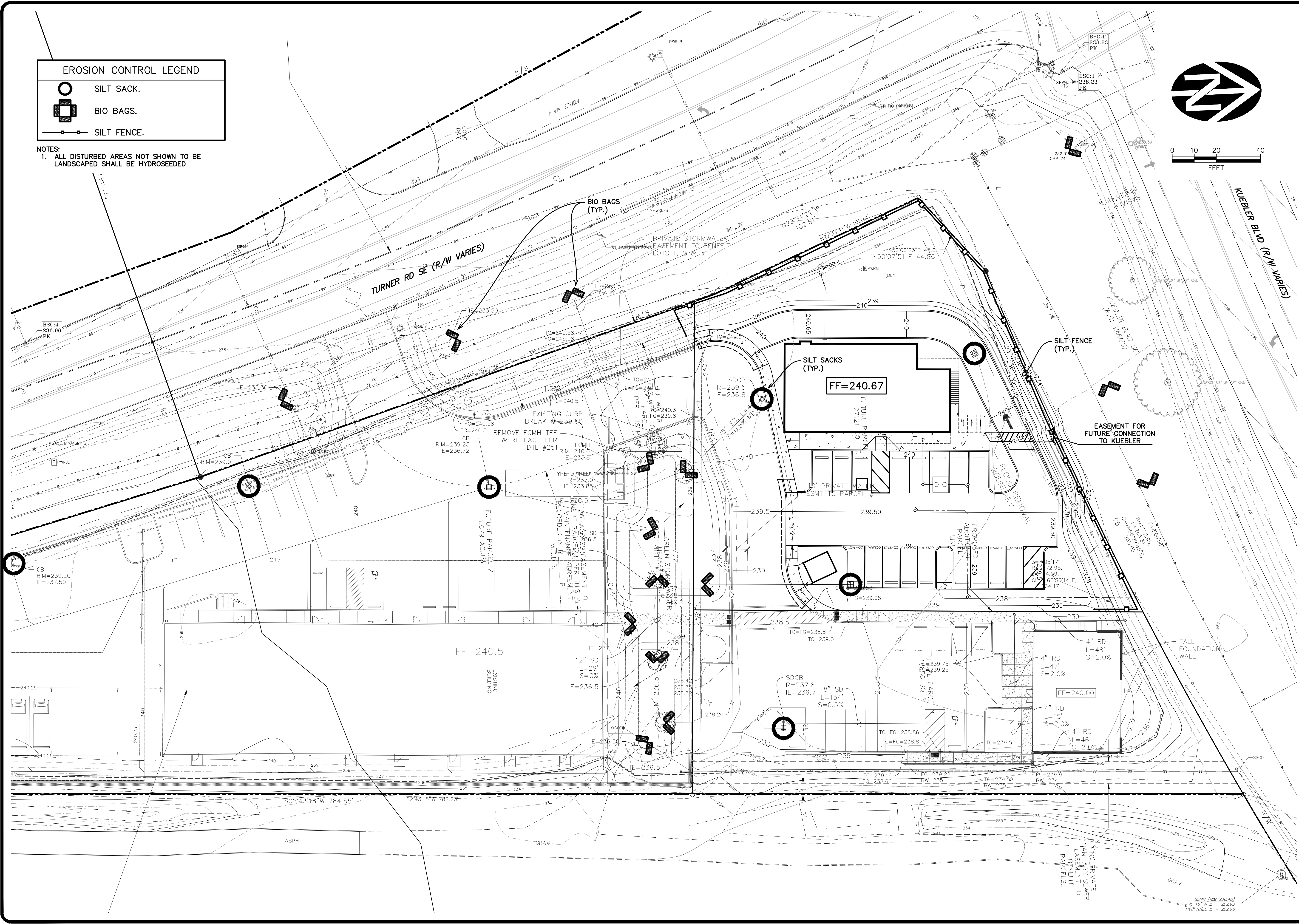
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Community Planning and Development

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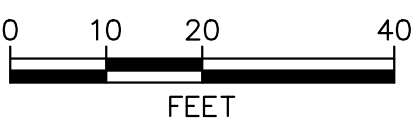
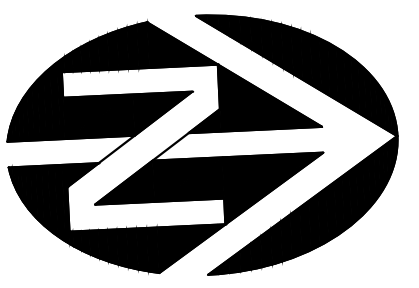
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EROSION CONTROL LEGEND

	SILT SACK.
	BIO BAGS.
	SILT FENCE.

NOTES:
1. ALL DISTURBED AREAS NOT SHOWN TO BE LANDSCAPED SHALL BE HYDROSEEDING



VERIFICATION SCALE		DATE: NOV 2022	
0	1"	NO.	DATE
IF NOT ONE INCH ON ORIGINAL DRAWING, SCALES ACCURACY		1	
DSN.	JW	DRN.	JW
BY		DESCRIPTION	
		REVIEWS	

REGISTERED PROFESSIONAL ENGINEER
NOV 12, 2008
WILLIAM J. WELLS
RENEW: 6/30/2028

REVIEW

WESTECH ENGINEERING, INC.
CONSULTING ENGINEERS AND PLANNERS

WE

3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302
Phone: (503) 585-2474 Fax: (503) 585-3986
E-mail: westech@westech-eng.com

CLUTCH INDUSTRIES
YETI

POST-DEVELOPED EROSION CONTROL PLAN


DRAWING C1.1

JOB NUMBER 3426.0000.0



MEMO

TO: Jacob Brown, Planner III
Community Planning and Development Department

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

DATE: January 29, 2025

SUBJECT: Infrastructure Memo
SPR24-36 (24-118078-PLN)
4870 Turner Road SE
Commercial Building

PROPOSAL

A Class 3 Site Plan Review for the development of a new building 5,600 square-foot building for an Office and Eating and Drinking Establishment use. The subject property is 2.73-acres in size, zoned IC (Industrial Commercial) and located at 4870 Turner Rd SE (Marion County Assessor's Map and Tax Lot Number 082W07C0/ 0501/ 502/ 0503).

RECOMMENDED CONDITIONS OF APPROVAL

1. Pursuant to CU-PAR-UGA-SPR-ADJ-DAP19-01, construct half street improvements along the parcel's frontage of Turner Road SE to minor arterial street standards and Kuebler Boulevard SE to parkway street standards. These improvements are eligible for a fee-in-lieu of improvement to be paid at the time of building permit issuance.
2. Prior to issuance of a certificate of occupancy, install street trees to the maximum extent feasible along Turner Road SE and Kuebler Boulevard SE.

EXISTING CONDITIONS – INFRASTRUCTURE

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

Streets			
Street Name		Right-of-way Width	Improvement Width
Turner Rd SE (Minor Arterial)	Standard:	72-feet	46-feet
	Existing Condition:	126-feet	46-feet
Kuebler Blvd SE (Parkway)	Standard:	120-feet	80-feet
	Existing Condition:	240-feet	60-feet

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).

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

Utilities & Parks	
Type	Existing Conditions
Water	Water Service Level: G-0
	An 8-inch water main is located in Turner Road SE.
Sanitary Sewer	An 18-inch sewer main crosses Kuebler Boulevard SE approximately 135 feet east of the subject property.
	A private sanitary sewer system is located adjacent to the subject property in Kuebler Boulevard SE.
Storm Drainage	An open channel and culvert drainage system is located along the east side of Turner Road 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. An Urban Growth Preliminary Declaration for the site was issued in 2019 in conjunction with previous development applications on the subject property. The UGA established needed improvements to serve the property; these have been constructed. A new UGA 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.

Finding: The development is required to utilize green stormwater infrastructure to treat and detain runoff from the site per SRC Chapter 71. The property is served by an existing stormwater basin that was sized to accommodate the proposed development (21-109925-CO).

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 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 property discharges sanitary sewer into an existing private State-owned system. 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.

As conditioned, the proposed development conforms to the public improvement standards of SRC Chapter 802.

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: Turner Road SE abuts the subject property and has adequate improvement width and adequate right-of-way according to the Salem TSP; however, Turner Road SE lacks curbs, sidewalks, street trees, and streetlights. Kuebler Boulevard SE also abuts the subject property and does not meet the current improvement standard for a Parkway street according to the TSP. Pursuant to the previously approved partition, a fee-in-lieu of improvements to both Turner Road SE and Kuebler Boulevard SE was allowed (CU-PAR-UGA-SPR-ADJ-DAP19-01 Condition 3). A Construction Deferral Agreement was recorded with the previous Partition that required payment of the fee-in-lieu at time of Site Plan Review for the parcel abutting the intersection of Kuebler Boulevard SE and Turner Road SE (Marion County Reel 4241 Page 3). In accordance

with CU-PAR-UGA-SPR-ADJ- DAP19-01 Condition 3 and the recorded deferral agreement, at time of building permit issuance, the applicant shall pay a fee-in-lieu of the required improvements for Kuebler Boulevard SE and Turner Road SE based on the fee established in the current fee schedule.

Condition: Pursuant to CU-PAR-UGA-SPR-ADJ-DAP19-01, construct half street improvements along the parcel's frontage of Turner Road SE to minor arterial street standards and Kuebler Boulevard SE to parkway street standards. These improvements are eligible for a fee-in-lieu of improvements to be paid at the time of building permit issuance.

▪ ***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: Turner Road SE and Kuebler Boulevard SE have right-of-way widths which exceed the minimum required for their classifications based on the Salem TSP. There is adequate space along these frontages for street tree plantings. As a condition of approval, the applicant shall provide street trees along Turner Road SE and Kuebler Boulevard SE.

Condition: Prior to issuance of a certificate of occupancy, install street trees to the maximum extent feasible along Turner Road SE and Kuebler Boulevard SE.

SRC Chapter 804 – Driveway Approaches:

SRC 804 establishes development standards for driveway approaches providing access from the public right-of-way to private property in order to provide safe and efficient vehicular access to development sites.

Finding: The development site is served by an existing driveway approach onto Turner Road SE. The existing driveway approach serving the site meets applicable sections of SRC Chapter 804 and does not warrant modification.

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 and 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 was removed from the AE floodplain through a Letter of Map Revision Based on Fill Determination (18-111214-FD). No floodplain development permits are required.

SRC Chapter 809 – Wetlands: Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. State and Federal wetlands laws are also administered by the DSL and Army Corps, and potential impacts to jurisdictional wetlands are addressed through application and enforcement of appropriate mitigation measures. SRC Chapter 809 establishes requirements for notification of DSL when an application for development is received in an area designated as a wetland on the official wetlands map.

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

SRC Chapter 810 - Landslide Hazards: The City's landslide hazard ordinance (SRC Chapter 810) establishes standards and requirements for the development of land within areas of identified landslide hazard susceptibility.

Finding: According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are no mapped landslide hazard areas on the subject property.

Criteria: SRC 220.005(f)(3)(B) The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately

Finding: Access to the 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 site is served by an existing driveway approach onto Turner Road SE. The driveway access onto Turner Road SE provides for safe turning movements into and out of the property and modifications are not warranted per SRC Chapter 804 (Driveway Approaches).

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

Finding: The Development Services division reviewed the proposal and determined that water, sewer, and storm infrastructure are available and appear to be adequate to serve the lots within the proposed development, subject to the conditions of approval established in this decision. This approval criterion is met.

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cc: File