

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

CLASS 2 SITE PLAN REVIEW

APPLICATION NO.: 25-104167-PLN

NOTICE OF DECISION DATE: March 14, 2025

REQUEST: A Class 2 Site Plan Review for renovations and expansion of Grant Elementary School, for property approximately 2.59 acres in size, zoned PE (Public and Private Educational Services), and located at 725 Market Street NE (Marion County Assessor's Map and Tax Lot Number: 073W23BC / 5400).

APPLICANT: John Shirley, Anderson Shirley Architects, on behalf of Joel Smallwood, Salem-Keizer School District

LOCATION: 725 Market Street NE

FINDINGS: The findings are in the attached Decision dated March 14, 2025.

DECISION: The **Planning Administrator APPROVED** the application based upon the submitted materials and the findings as presented in the decision.

The rights granted by the attached decision, which are effective as of the date of this decision, must be exercised by March 14, 2029, or this approval shall be null and void.

Case Manager: Quincy Miller, Planner I, gmiller@cityofsalem.net, (503) 584-4676

This decision is final; there is no local appeal process. Any person with standing may appeal this decision by filing a "Notice of Intent to Appeal" with the Land Use Board of Appeals, 775 Summer St NE, Suite 330, Salem OR 97301, **not later than 21 days after March 14, 2025**. Anyone with questions regarding filing an appeal with the Oregon Land Use Board of Appeals should contact an attorney.

The following items are submitted to the record: 1) All materials and evidence submitted by the applicant, including any applicable professional studies; and 2) All materials, evidence, and comments from City Departments and public agencies. The application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. To view the materials without registering, you may use the search function and enter the permit number listed here: 25 104167.

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

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

IN THE MATTER OF APPROVAL OF) FINDINGS & ORDER
CLASS 2 SITE PLAN REVIEW)
25-104167-PLN)
725 MARKET STREET NE) MARCH 14, 2025

In the matter of the application for a Class 2 Site Plan Review, the Planning Administrator, having received and reviewed the evidence and application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

A Class 2 Site Plan Review for renovations and expansion of Grant Elementary School, for property approximately 2.59 acres in size, zoned PE (Public and Private Educational Services), and located at 725 Market Street NE (Marion County Assessor's Map and Tax Lot Number: 073W23BC / 5400).

PROCEDURAL FINDINGS

1. On February 25, 2025, an application for a Class 2 Site Plan Review was submitted for property located at 725 Market Street NE.
2. The application was deemed complete on March 5, 2025.

SUBSTANTIVE FINDINGS

1. Proposal

The proposed Class 2 Site Plan Review affects property located at 725 Market Street NE (**Attachment A**). The proposed development includes a new 46 square foot vestibule on the south side of the property, along with other interior renovations. The proposed development plans are included as **Attachment B**.

2. City Department Comments

Development Services Division – The Development Services Division reviewed the proposal and indicated that Market Street NE is subject to a Special Setback equal to 36 feet from the centerline. The existing half-width right-of-way is 33 feet; therefore, the Special Setback would extend three feet into the property. However, the proposed scope of work appears to be outside of this area.

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

Salem Fire Department – Reviewed the proposal and indicated no concerns.

DECISION CRITERIA FINDINGS

3. Analysis of Class 2 Site Plan Review Approval Criteria

The purpose of Site plan review is to provide a unified, consistent, and efficient means to review for development activity that requires a building permit, to ensure that such development meets all applicable standards of the UDC, including, but not limited to, standards related to access, pedestrian connectivity, setbacks, parking areas, external refuse storage areas, open areas, landscaping, and transportation and utility infrastructure.

Pursuant to SRC 220.005(b)(2), Class 2 Site Plan Review is required for any development that requires a building permit, other than development subject to Class 1 Site Plan Review, and that does not involve a land use decision or limited land use decision, as those terms are defined in ORS 197.015.

SRC 220.005(f)(2) provides that an application for Class 2 Site Plan Review shall be granted if:

(a) Only clear and objective standards which do not require the exercise of discretion or legal judgment are applicable to the application.

Finding: Only clear and objective standards apply to the proposed development. Complete findings addressing the proposal's conformance with these standards are included within the findings addressing approval criterion SRC 220.005(f)(2)(B) below. This approval criterion is met.

(b) The application meets all the applicable standards of the UDC.

Finding: The proposal includes construction of a new vestibule and interior improvements for Grant Elementary School. The subject property is zoned PE (Public and Private Educational Services); therefore, the proposed development is subject to the use and development standards of the PE zone under SRC Chapter 542. The following is a summary of the applicable use and development standards of the PE zone.

ZONING AND DEVELOPMENT STANDARDS

SRC Chapter 542 – PE (Public and Private Educational Services) Zone

SRC 542.005 – Uses:

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the PE zone are set forth in Table 542-1.

Finding: The proposal includes improvements and expansion to Grant Elementary School, which is classified as a *basic education* use, and is an outright permitted use in the PE zone.

SRC 542.010(a) – Lot Standards:

Lots within the PE zone shall conform to the standards set forth in Table 542-2.

Finding: No modification of the existing property lines is proposed as part of the proposed development. Therefore, this standard is not applicable.

SRC 542.010(b) – Setbacks:

Setbacks within the PE zone shall be provided as set forth in Table 542-3 and Table 542-4.

Abutting Street

South: Adjacent to the south is right-of-way for Market Street NE, which is classified as a Minor Arterial in the Salem Transportation Plan (TSP). Buildings and accessory structures not more than 35 feet in height shall have a minimum setback of 20 feet. Vehicle use areas require a minimum six to ten-foot setback per Chapter 806 when adjacent to a street.

East: Adjacent to the east is right-of-way for Winter Street NE. Buildings and accessory structures not more than 35 feet in height shall have a minimum setback of 20 feet. Vehicle use areas require a minimum six to ten-foot setback per Chapter 806 when adjacent to a street.

West: Adjacent to the west is right-of-way for Cottage Street NE. Buildings and accessory structures not more than 35 feet in height shall have a minimum setback of 20 feet. Vehicle use areas require a minimum six to ten-foot setback per Chapter 806 when adjacent to a street.

Finding: The proposed development is approximately 39 feet from the Special Setback abutting Market Street NE. The vestibule is set within the existing building which is not being modified where it abuts Cottage Street NE and Winter Street NE. These standards are met.

Interior Front, Side and Rear

North: The subject property abuts one PA (Public Amusement) zoned parcel to the north. For interior property lines abutting public zones, there is no minimum zone-to-zone setback for buildings and accessory structures, and vehicle use areas shall be setback a minimum of five feet with Type A landscaping.

Finding: The proposed development is on the south side of the existing building and does not affect the setbacks on the north part of the property. Therefore, this standard is not applicable.

SRC 542.010(c) – Lot Coverage, Height:

Buildings and accessory structures within the PE zone shall conform to the lot coverage and height standards set forth in Table 542-5.

Finding: The subject property is approximately 2.59 acres in size, which would allow approximately 1.3 acres for 50 percent lot coverage. The applicant's development plans are well under the allowed lot coverage for the existing property, and the proposed development will not exceed the maximum 70 feet in height allowed for buildings and accessory structures. The proposed development follows the applicable lot coverage and height standards.

SRC 542.010(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.

Finding: The setbacks applicable to the proposed development do not require landscaping, and no new vehicle use areas are proposed; therefore, there are no landscaping requirements for the proposed development.

SRC Chapter 800 – General Development Standards

▪ *Solid Waste Service Areas*

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 proposed development does not include a new solid waste service area; therefore, the standards of this section do not apply.

▪ *Pedestrian Access*

SRC 800.065 – Applicability.

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

Finding: The proposed development is an approximately 46 square foot vestibule on the south part of the existing building. As the development is less than 200 square feet in floor area, the standards of this section are not applicable.

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

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: There are no minimum parking standards for any development within the City, and no new off-street parking is included with the proposal; therefore, this 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 proposal does not include alteration or development of any off-street parking and vehicle use area; therefore, this section is not applicable.

▪ ***Bicycle Parking***

SRC 806.045 – Bicycle Parking; When Required.

- (a) *General Applicability.* 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.

Finding: The proposed improvements include an expansion of the school; therefore, the bicycle parking requirements of this section apply to the proposed development.

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: *Basic Education* uses require two bicycle parking spaces per classroom. As there are 19 classrooms and 40 bicycle parking spaces present, this standard is met.

SRC 806.060 – Bicycle Parking Development Standards

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

(a) *Location.*

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

Finding: No new bicycle parking spaces are required for the proposed development. Therefore, this standard is not applicable.

- (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: No new bicycle parking spaces are required for the proposed development. Therefore, this standard is not applicable.

- (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 806-9.
 - (2) *Access aisles.* Bicycle parking spaces shall be served by access aisles conforming to the minimum widths set forth in Table 806-9. Access aisles serving bicycle parking spaces may be located within the public right-of-way.

Finding: No new bicycle parking spaces are required for the proposed development. Therefore, this standard is not applicable.

- (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: No new bicycle parking spaces are required for the proposed development. Therefore, this standard is not applicable.

- (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: No new bicycle parking spaces are required for the proposed development. Therefore, this standard is not applicable.

▪ ***Off-Street Loading Areas***

SRC 806.065 – General Applicability.

- (a) 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.

(b) *Applicability to nonconforming off-street loading area.* When off-street loading is required to be added to an existing off-street loading 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.

Finding: No additional off-street loading spaces are required for the proposed development; therefore, this standard is not applicable.

SRC Chapter 807 – Landscaping

All required setbacks shall be landscaped with a minimum of 1 plant unit per 20 square feet of landscaped area. A minimum of 40 percent of the required number of plant units shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees. Plant materials and minimum plant unit values are defined in SRC Chapter 807, Table 807-2. All building permit applications for development subject to landscaping requirements shall include landscape and irrigation plans meeting the requirements of SRC Chapter 807.

Finding: As indicated above, there are no required setbacks that are applicable to the proposed development, and no new vehicle use areas are proposed; therefore, there are no landscaping requirements for the proposed development.

CITY INFRASTRUCTURE STANDARDS

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 within the Urban Service Area; therefore, no UGA permit is required.

SRC Chapter 71 – Stormwater

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

Finding: The proposed development does not require any additional or modifications to the existing stormwater infrastructure.

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: The water, sewer, and storm infrastructure are available within surrounding streets/areas and appear to be adequate to serve the proposed development.

SRC Chapter 803 – Street and Right-of-way 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: Market Street NE abuts the subject property and is classified as a Minor Arterial according to the Salem Transportation System Plan (TSP). Market Street NE does not currently meet the minimum right-of-way width and pavement width standards established in SRC 803.025 on the development side of the street. The required half-width right-of-way is 36 feet, and the current half-width right-of-way is 33 feet. However, based on the scope of work, dedication of right-of-way and construction of boundary street improvements are not required pursuant to SRC 803.040(d)(6).

The subject property abuts both Cottage Street NE and Winter Street NE, which are classified as Local Streets according to the Salem Transportation System Plan (TSP). Both streets meet the minimum right-of-way and pavement width standards established in SRC 803; therefore, additional improvements on Cottage Street NE or Winter Street NE are not required.

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: No new driveway approaches are proposed; therefore, this section is not applicable.

SRC Chapter 805 – Vision Clearance

SRC Chapter 805 establishes vision clearance standards in order to ensure visibility for vehicular, bicycle, and pedestrian traffic at the intersections of streets, alleys, flag lot accessways, and driveways.

Finding: No work is proposed within an existing vision clearance area, and no new driveways or intersections are proposed; therefore, this section is not applicable.

NATURAL RESOURCES

SRC Chapter 601 – Floodplain

Development in the floodplain shall be regulated to preserve and maintain the capability to the floodplain to convey the flood water discharges and to minimize danger to life and property.

Finding: The subject property is not located within a designated floodplain; therefore, this section is not applicable.

SRC Chapter 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: The proposed development will not modify or otherwise required additional trees; therefore, this section is 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: No wetlands or hydric soils are mapped for the subject property. Therefore, this section is not applicable.

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 maps, there are no mapped landslide hazards on the property; therefore, this section is not applicable.

4. Conclusion

Based on the conformance with the preceding requirements the Planning Administrator certifies that the proposed Class 2 Site Plan Review is in conformance with the UDC and the approval criteria provided in SRC 220.005(f)(2), provided compliance occurs with any applicable items noted above.

Please Note: Findings included in this decision by the direction of the Salem Fire Department are based on non-discretionary standards. Fire Code related findings are intended to inform the applicant of the clear and objective Fire Prevention Code standards of SRC Chapter 58 that will apply to this development proposal on application for building permit(s). Additional or different Fire Prevention Code standards may apply based on the actual building permit application submitted.

If a building permit application has not already been submitted for this project, please submit a copy of this decision with your building permit application for the work proposed.

IT IS HEREBY ORDERED

The proposed Class 2 Site Plan Review is consistent with the provisions of SRC Chapter 220 and is hereby **APPROVED** subject to the applicable standards of the Salem Revised Code and the findings contained herein.

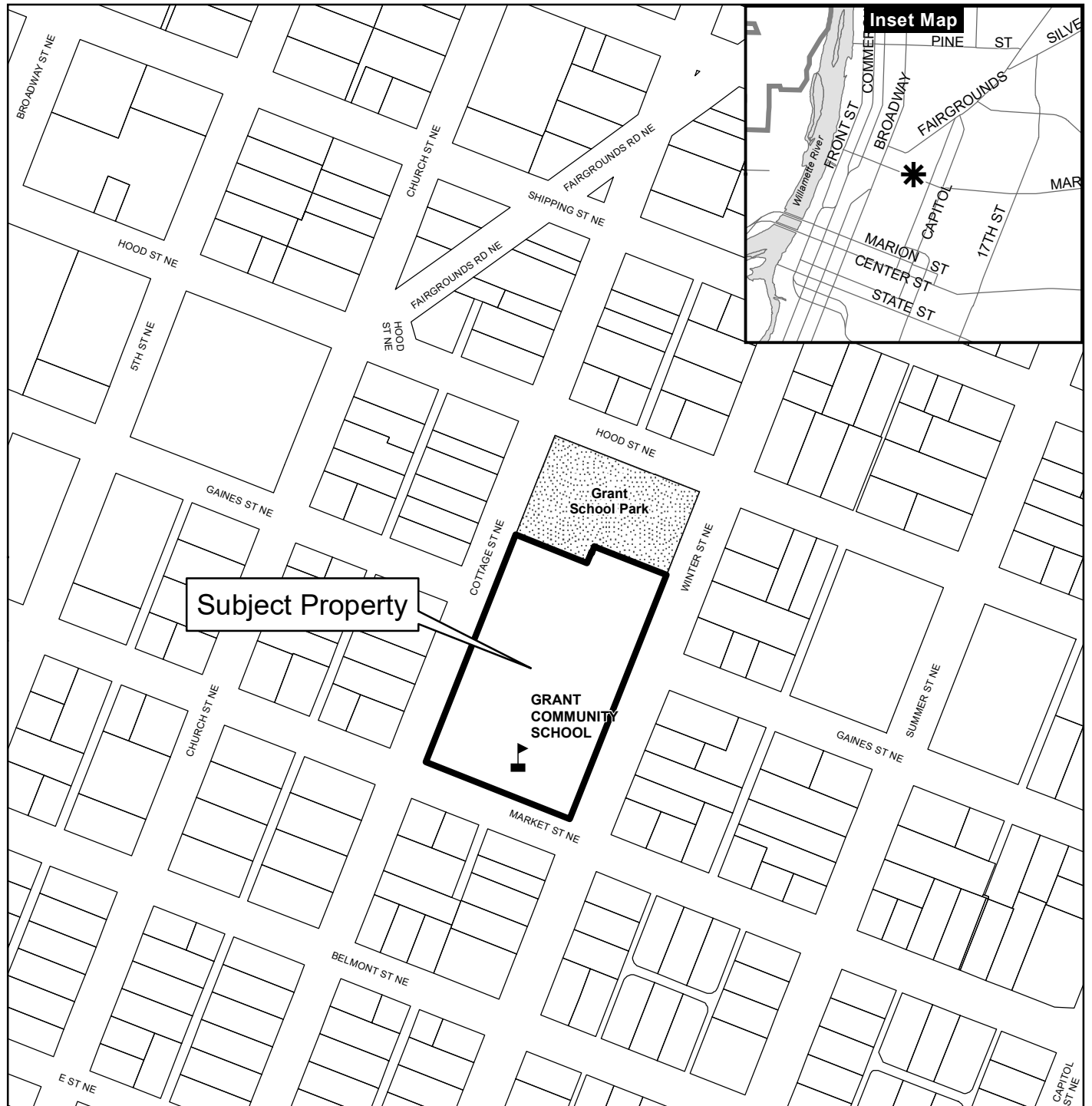


Quincy Miller, AICP, Planner I, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

Attachments: A. Vicinity Map
 B. Proposed Development Plans

Vicinity Map

725 Market Street NE



Legend

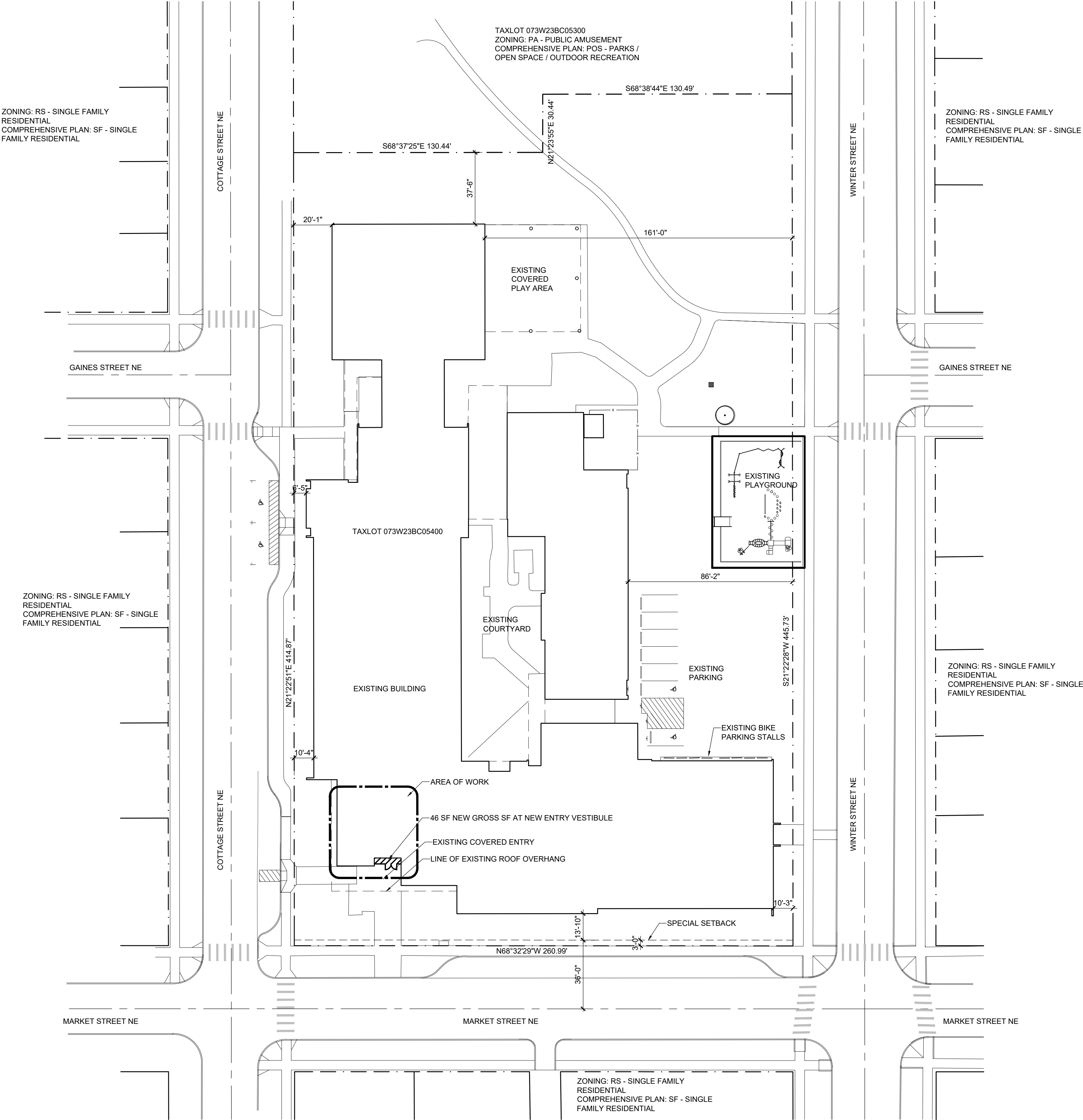
- Taxlots
- Urban Growth Boundary
- City Limits
- Outside Salem City Limits
- Historic District
- Schools
- Parks

0 100 200 400 Feet



CITY OF Salem
AT YOUR SERVICE
Community Planning and Development

This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.



BUILDING INFORMATION
TAXLOT 073W23BC5400 - AREA OF WORK
SITE AREA: 112,291 SF - NO CHANGE
BUILDING (ROOF): 51,450 SF - NO CHANGE
PAVED SURFACE: 23,983 SF - NO CHANGE
LANDSCAPE: 36,858 SF - NO CHANGE
ZONING: PE - PUBLIC SERVICE / EDUCATION SERVICE / BASIC EDUCATION
COMPREHENSIVE PLAN: CSE - COMMUNITY SERVICE EDUCATION

BUILDING INFORMATION
EXISTING HEIGHT: 27'-4" - NO CHANGE
EXISTING GROSS FLOOR AREA: 42,255 SF
PROPOSED NEW FLOOR AREA: 46 SF (NEW ENTRY VESTIBULE)
PROPOSED GROSS FLOOR AREA: 42,301 SF
EXISTING CLASSROOMS: 19 - NO CHANGE

EXISTING PARKING SPACES: NO CHANGE TO USE OR ACTIVITY
FULL SIZE - 7 SPACES (2 ACCESSIBLE)
COMPACT - 0 SPACES
TOTAL - 7 SPACES

EXISTING BICYCLE PARKING: NO CHANGE TO USE OR ACTIVITY
EXISTING SPACES - 40 (NON-CONFORMING RACKS)

ASA

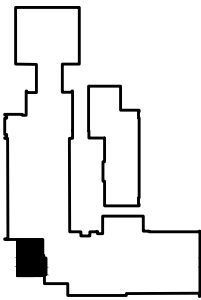
ANDERSON SHIRLEY ARCHITECTS

695 COMMERCIAL ST. SE SUITE 5 SALEM, OR 97301
OFFICE: 503-371-1140 FAX: 503-364-6751

CONSULTANT

REVISIONS

KEY PLAN



DESC. SECURE VESTIBULE REMODEL

PROJECT GRANT ELEMENTARY SCHOOL

ADDRESS 725 MARKET ST NE
SALEM, OR 97301

STAMP



JOB 2426 DWG 3 OF 10
DRAWN: ASH DATE: 02-14-2025

TITLE SITE PLAN
NEW

SHEET A0.03
ISSUE CD BID SET

