

# NOTICE OF DECISION

PLANNING DIVISION  
555 LIBERTY ST. SE, RM 305  
SALEM, OREGON 97301  
PHONE: 503-588-6173  
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## DECISION OF THE PLANNING ADMINISTRATOR

### CLASS 3 SITE PLAN REVIEW / CLASS 2 ADJUSTMENT / CLASS 2 DRIVEWAY APPROACH PERMIT CASE NO.: SPR-ADJ-DAP25-03

**APPLICATION NO.:** 24-121939-PLN

**NOTICE OF DECISION DATE:** March 20, 2025

**REQUEST:** A consolidated application for a Class 3 Site Plan Review, and Class 2 Driveway Approach Permit for a new mixed-use development, consisting of 2,365 square feet of retail commercial space and a total of 32 multi-family units, with two Class 2 Adjustments to:

- 1) Eliminate the requirement for a primary building entrance facing the street for the ground floor unit abutting Bartell Drive NW (SRC 525.010(i)(1)(A)(ii)); and
- 2) Reduce the required ground floor window coverage from 65 percent to 50 percent along Moyer Lane NW (SRC 525.010(i)(1)(B)).

The subject properties are 23,950 square feet in total size, zoned WSCB (West Salem Central Business District), and located at 415 Moyer Lane NW (Polk County Assessor's Map and Tax Lot Numbers: 073W22CB / 800, 2000, 2001, and 2100).

**APPLICANT:** Landon Hattan, Skyline Builders LLC (Landon Hattan, Marc Gallegos)

**LOCATION:** 415 Moyer Ln NW, Salem OR 97304

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

**FINDINGS:** The findings are in the attached Decision dated March 20, 2025.

**DECISION:** The **Planning Administrator APPROVED** Class 3 Site Plan Review, Class 2 Adjustment and Class 2 Driveway Approach Permit Case No. SPR-ADJ-DAP25-03 subject to the following conditions of approval:

- Condition 1:** Prior to the issuance of any building permit for the proposed development, the series of Property Line Adjustments, PLA24-32, PLA24-33, and PLA24-34, shall be recorded in accordance with Salem Revised Code 205.035.
- Condition 2:** The proposed pet area shall be public and accessible to pedestrians by remaining open and unrestricted by any fence, wall, or signage.
- Condition 3:** At the time of building permit review, the applicant shall demonstrate that all proposed pedestrian connections conform with the design and material requirements of SRC Chapter 800, specifically SRC 800.065(b) and 800.065(c).

- Condition 4:** Prior to building permit approval, the applicant shall demonstrate that all bicycle parking provided on site complies with the applicable standards of SRC 806.060.
- Condition 5:** At the time of building permit review, the applicant shall provide an updated landscape plan demonstrating how the development site meets Type A landscaping, where applicable, by providing a summary of each landscape requirement, in conformance with the requirements of SRC Chapter 807.
- Condition 6:** The applicant shall provide an additional two trees on site to meet the tree replanting requirement, which shall be of either a shade or evergreen variety with a minimum 1.5-inch caliper, and identified on the landscape plan.
- Condition 7:** Prior to issuance of a building permit, provide an updated utility plan demonstrating all stormwater will drain to an approved point of discharge as required by SRC 71.075(a).
- Condition 8:** Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and Public Works Design Standards (PWDS).
- Condition 9:** Prior to issuance of a Certificate of Occupancy, convey land for dedication to equal a half-width right-of-way of 30 feet on the development side of Moyer Lane NW, including a 20-foot property-line radius at the intersection of Moyer Lane NW and Bartell Drive NW.
- Condition 10:** Prior to issuance of a Certificate of Occupancy, construct a half-street improvement along the frontage of Moyer Lane NW to local street standards as specified in the City Street Design Standards, and consistent with the provisions of SRC Chapter 803.
- Condition 11:** Prior to issuance of a Certificate of Occupancy, convey land for dedication to equal a half-width right-of-way of 30 feet on the development side of Bartell Drive NW, including a 20-foot property line radius at the intersection of Moyer Lane NW and Bartell Drive NW.
- Condition 12:** Prior to issuance of a Certificate of Occupancy, construct property line sidewalks along Moyer Lane NW and Bartell Drive NW at the new property line location after right-of-way dedication. The sidewalk along Moyer Lane NW is permitted to be up to 6.5 feet in width adjacent to the building.
- Condition 13:** Prior to issuance of a Certificate of Occupancy, install street trees to the maximum extent feasible along Moyer Lane NW and Bartell Drive NW.
- Condition 14:** Prior to issuance of any construction permits for the proposed development, the applicant shall obtain a Floodplain Development Permit in accordance with SRC Chapter 601.

**Condition 15:** Construct all new structures a minimum of one foot above the base flood elevation pursuant to SRC 601.075, except where Floodproofing has been permitted pursuant to SRC 601.075(c)(3)(A)(ii).

**Condition 16:** Prior to Issuance of a Building Permit, the applicant shall provide a Floodproofing Certificate supported by technical data for the non-residential portions of the structure, which will be floodproofed per SRC 601.075(c)(3)(A)(iv).

The rights granted by the attached decision must be exercised, or an extension granted, by April 5, 2029, or this approval shall be null and void.

Application Deemed Complete:	<u>January 28, 2025</u>
Notice of Decision Mailing Date:	<u>March 20, 2025</u>
Decision Effective Date:	<u>April 5, 2025</u>
State Mandate Date:	<u>May 28, 2025</u>

Case Manager: Jamie Donaldson, Planner III, [jdonaldson@cityofsalem.net](mailto:jdonaldson@cityofsalem.net), 503-540-2328

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at [planning@cityofsalem.net](mailto:planning@cityofsalem.net), no later than 5:00 p.m., Friday, April 4, 2025. 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, 250 and 804. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The 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 AND ORDER
CLASS 3 SITE PLAN REVIEW,	)	
CLASS 2 ADJUSTMENT, AND	)	
CLASS 2 DRIVEWAY APPROACH PERMIT	)	
CASE NO. SPR-ADJ-DAP25-03	)	
415 MOYER LN NW	)	MARCH 20, 2025

In the matter of the application for a Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit, submitted by the applicant's representative Britany Randall with Brand Land Use, on behalf of the applicant, Landon Hattan with Skyline Buildings LLC, and the property owner, Jorge Brambila, 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:** New mixed-use development with commercial retail and 32 residential units.

**Request:** A consolidated application for a Class 3 Site Plan Review, and Class 2 Driveway Approach Permit for a new mixed-use development, consisting of 2,365 square feet of retail commercial space and a total of 32 multi-family units, with two Class 2 Adjustments to:

- 1) Eliminate the requirement for a primary building entrance facing the street for the ground floor unit abutting Bartell Drive NW (SRC 525.010(i)(1)(A)(ii)); and
- 2) Reduce the required ground floor window coverage from 65 percent to 50 percent along Moyer Lane NW (SRC 525.010(i)(1)(B)).

The subject properties are 23,950 square feet in total size, zoned WSCB (West Salem Central Business District), and located at 415 Moyer Lane NW (Polk County Assessor's Map and Tax Lot Numbers: 073W22CB / 800, 2000, 2001, and 2100).

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

## PROCEDURAL FINDINGS

### 1. Background

On October 25, 2024, a consolidated application for a Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit was filed for the proposed development. After additional information was provided, the applications were deemed complete for processing on January 28, 2025. The 120-day State mandated decision deadline for this consolidated application is May 28, 2025.

The applicant's proposed site plan is 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 [You may use the search function without registering and enter the permit number listed here: 24 121939](#)

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

The subject property is located within the boundaries of the West Salem Neighborhood Association (WSNA).

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. The applicant's representative contacted the neighborhood association to provide details about the proposal on May 13, 2024.

Neighborhood Association Comment: Notice of the application was provided to the Neighborhood Association pursuant to SRC 300.620(b)(2)(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 decision, 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 300.620(b)(2)(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 decision, one comment was received from the surrounding property owners and tenants expressing concerns with the proposal which are summarized below:

- **Parking:** Comments received expressed concerns over the amount of parking for the development.

**Staff Response:** The UDC does not require a minimum amount of off-street parking for any proposed new development. Minimum parking requirements were eliminated in response to the State's Climate Friendly and Equitable Communities rules, which aim to help Oregon reduce greenhouse gas emissions. This change provides flexibility to balance demand for parking with demand for needed housing, while promoting dense urban development more conducive to alternative modes of transportation, including walking, bicycling, and transit. As described in the findings, the proposed development is not required to include a minimum

amount of off-street parking, but may provide parking within an allowed maximum, and the proposed 21 spaces are within the allowed maximum. Additionally, the West Salem Central Business District is designed to be developed in a manner that creates a walkable, thriving, and attractive central business district in West Salem. The site is in close proximity to commercial businesses along the Wallace Road NW corridor, and is within 600 feet of three bus stops. The applicant is providing 36 bicycle parking spaces on site, as well as pedestrian walkways and amenities to promote walking and the use of alternative modes of transportation, helping to reduce the need for vehicles and meeting the purpose of the zone, as well as the applicable standards of the UDC.

- **Traffic and Street Improvements:** Comments received express concerns for the existing condition of Moyer Lane NW and the additional traffic that will be generated onto the street system as part of the development. The comments also express the concerns for existing congestion along Wallace Road NW and limited on-street parking in the vicinity.

**Staff Response:** Moyer Lane NW is a local street which connects Wallace Road NW, an arterial roadway under Oregon Department of Transportation jurisdiction, and Bartell Drive NW, a local street under City of Salem Jurisdiction. At the intersection of Moyer Lane NW and Wallace Road NW left (southbound) turning movements are restricted. However, from Bartell Drive NW, traffic can access two traffic signals to make a left (southbound) turning movement onto Wallace Road NW. The first signalized intersection is located at the intersection of Taggart Drive NW and Wallace Road NW, south of the site. The second signalized intersection is located north of the site at the intersection of Glen Creek Road NW and Wallace Road NW. These existing signalized intersections are accessible to the site, from Bartell Drive NW, and will provide for safe access to the development site.

As discussed in the “Boundary Streets” section of the decision, Moyer Lane NW is an underimproved local street. As a condition of approval, the applicant is required to construct a half street improvement along the frontage of the development. Off-site improvements along Moyer Lane NW are not required as a condition of approval as there are no standards applicable to the proposal which would require an off-site improvement. Staff finds that Moyer Lane NW, with improvements required as a condition of approval, will provide for safe access to the development site.

Regarding the availability of on-street parking, parking is not required on-site or off-site for development. Due to the existing limited width of Moyer Lane NW, on-street parking is not provided along the majority of the street. Along the frontage of the development, Moyer Lane will be widened to meet the required half-width right-of-way, which will provide on-street parking on the development side of the street. Bartell Drive NW is posted as “no-parking”. While on-street parking in the vicinity may be limited, the development site has access to transit on Wallace Road NW, as well as bike and pedestrian facilities in the vicinity, as discussed above.

#### **4. City Department Comments**

Development Services Division: Reviewed the proposal and provided a memo with findings that have been incorporated and made part of this decision, and included as **Attachment C**. The memo in full can be found in the record, accessible online as indicated above.

Building and Safety Division: Review the proposal and indicated no objections.

Fire Department: Reviewed the proposal and indicated *Fire Department access and water supply are required per the Oregon Fire Code as adopted by SRC Chapter 58. Note: Aerial Fire Department access is required due to the building height.*

**Staff Response:** The applicant is responsible for addressing these comments during the building permit process. The configuration of the buildings and parking area may be modified, if necessary, to meet the Fire Department standards, provided that the modifications meet applicable development standards, design standards, and conditions of approval.

## **5. Public and Private Agency Comments**

Salem Electric: Reviewed the proposal and indicated Electric Service will be provided according to the rates and policies at the time of construction.

Salem-Keizer Public Schools: Reviewed the proposal and provided a memo which is included as **Attachment D**.

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

**Finding:** The proposal includes development of a new mixed-use building with commercial retail on the ground floor, and 32 residential units above, along with associated site improvements, on property zoned WSCB (West Salem Central Business District); therefore, the development has been reviewed for conformance with the WSCB zone under SRC Chapter 525. Two adjustments are requested for a street facing entrance of a ground floor unit, and the ground floor window coverage along one street; findings for the adjustments are included in Section 7 of this report. The proposed development conforms to SRC Chapter 525 and all other applicable development standards of the Salem Revised Code as follows.

## **ZONING AND DEVELOPMENT STANDARDS**

### ***SRC Chapter 525 – WSCB (West Salem Central Business District) Zone***

***SRC 525.005(a) – Uses.***

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the WSCB zone are set forth in Table 525-1.

**Finding:** Multiple family residential uses are allowed as a permitted use in the WSCB zone per Table 525-1.

*SRC 525.010(a) – Continued Development.*

Buildings and structures existing within the WSCB zone on June 13, 2018, which would otherwise be made non-conforming by this chapter, are hereby deemed continued development.

**Finding:** The property is currently vacant and does not contain any buildings or structures that would be considered continued development; therefore, this standard is not applicable.

*SRC 525.010(b) – Grade separated street frontage.*

Portions of property street frontage that are separated from the grade of the street with a road ramp above the grade of the property line abutting the street are exempt from setbacks abutting a street, off-street parking location, and design standards.

**Finding:** The subject property does not contain a portion of the street frontage that is separated from the grade of the street; therefore, this standard is not applicable.

*SRC 525.010(c) – Lot Standards.*

Lots within the WSCB zone shall conform to the standards set forth in Table 525-2.

**Finding:** On October 18, 2024, the development site received approval for a series of three property line adjustments to relocate and eliminate the shared property lines between the four abutting units of land, Case Numbers PLA24-32, PLA24-33, and PLA24-34, to consolidate into one parcel for the proposed development. The resulting unit of land was found to meet the applicable lot standards with review of the property line adjustment criteria. At the time of the writing of this decision, the property line adjustments have not yet been recorded with Polk County. To ensure the proposed development complies with the requirements of the Unified Development Code (UDC), the following condition of approval shall apply:

**Condition 1:** Prior to the issuance of any building permit for the proposed development, the series of Property Line Adjustments, PLA24-32, PLA24-33, and PLA24-34, shall be recorded in accordance with Salem Revised Code 205.035.

As conditioned, the resulting property meets the minimum lot standards of the WSCB zone.

*SRC 525.010(d) – Dwelling Unit Density.*

Dwelling unit density within the WSCB zone shall conform to the standards set forth in Table 525-3. In the WSCB zone, multiple family uses for developments that are exclusively residential are required to have a minimum density of 15 dwelling units per acre, with no maximum density required.

**Finding:** After the property line adjustments are recorded as conditioned above, the development site will be 0.55 acres, requiring a minimum of eight dwelling units ( $0.55 \times 15 = 8.25$ ). The proposed development includes a total of 32 dwelling units, providing a density of 58 units per acre ( $32 / 0.55 = 58.18$ ), meeting the minimum requirements. The proposal meets the standard.

*SRC 525.010(e) – Setbacks.*

Setbacks within the WSCB zone shall be provided as set forth in Table 525-4 and Table 525-5.

▪ *Abutting Street*

**South/East:** Adjacent to the south is right-of-way for Moyer Lane NW, designated as a Local street in the Salem TSP; adjacent to the east is right-of-way for Bartell Drive NW, designated as a Local street in the Salem TSP. For a multiple family use, Table 525-4 specifies that the minimum setback for all buildings abutting a street is zero feet; however, a maximum setback of up to ten feet is permitted if the space is used for pedestrian amenities. Vehicle use areas adjacent to a street require a minimum six-to-ten-foot setback per SRC Chapter 806.

**Finding:** The applicant's plans indicate the building is placed at the property line, or zero feet, abutting most of Moyer Lane NW and Bartell Drive NW. Because the property is a corner lot, there are specific vision clearance triangles that are required to remain clear for traffic at the intersection, and adjacent to the driveway entrance. In those areas, the applicant has set the building back no more than ten feet, and are proposing pedestrian amenities including benches and a pet area, meeting the maximum ten-foot setback requirement. However, because pedestrian amenities are intended to serve as places for public use to enhance activity along the street, the proposed pet area cannot be fenced or restricted to use by only the building's tenants, and shall remain open for public use to satisfy the requirement. As such, the following condition applies:

**Condition 2:** The proposed pet area shall be public and accessible to pedestrians by remaining open and unrestricted by any fence, wall, or signage.

All portions of the vehicle use areas adjacent to a street are setback at least ten feet. As conditioned, the proposal meets the applicable standards.

▪ *Interior Side and Rear*

**North/West:** Adjacent to the north and west are other properties zoned WSCB. For a multiple family use, Table 525-5 specifies that there are no setbacks required for buildings and accessory structures; vehicle use areas abutting a mixed use zone at an interior side property line require a minimum five-foot setback with Type A landscaping.

**Finding:** The proposed building is located at the south and east property lines abutting the streets, and is separated from the north and west property lines by the proposed parking lot. The applicant's plans indicate at least a five-foot landscaped setback for all areas of the vehicle use area adjacent to these property lines, meeting the minimum setback requirement. The proposal meets the applicable standards.

*SRC 525.010(f) – Lot Coverage, Height.*

Buildings and accessory structures within the WSCB zone shall conform to the lot coverage and height standards set forth in Table 525-6.

**Finding:** There is no maximum lot coverage requirement for all uses in the WSCB zone. The maximum building height allowance for multiple family buildings is 70 feet; accessory structures are limited to a maximum building height of 15 feet. The applicant's building

elevations indicate that the new building is approximately 39 feet in height at the tallest point, and has not to coverage requirements; therefore, the proposal meets the standards.

*SRC 525.010(g) – 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 Chapters 806 and 807.

**Finding:** The applicant has provided a landscape plan that demonstrating the appropriate landscaped setbacks and vehicle use area, demonstrating conformance with the standards set forth in SRC Chapter 806. Landscape and irrigation plans will be reviewed for conformance with the requirements of SRC Chapter 807 at the time of building permit application review.

*SRC 525.010(h) – Off-street Parking.*

Within a single development site, off-street surface parking areas and vehicle maneuvering areas shall be located behind or beside buildings and structures. Off-street surface parking areas and vehicle maneuvering areas shall not be located between a building or structure and a street.

**Finding:** The applicant's plans indicate the parking area for the development is located along the west and north sides of the site, which places it behind or beside the building as viewed from either Bartell Drive NW or Moyer Lane NW. This standard is met.

*SRC 525.010(i) – Design.*

Development within the WSCB zone shall conform to the design standards set forth in this subsection. The design standards included in this subsection are not design review standards and are therefore not subject to design review under SRC Chapter 225.

*(1) Building Orientation and Design.*

- (A) Primary building entrances shall be provided for each building façade facing a street as follows.
  - (i) For non-residential uses on the ground floor, a primary building entrance shall be provided for each non-residential ground floor tenant space facing a street. If a non-residential ground floor tenant space within a building has frontage on more than one street, a single primary building entrance for the non-residential ground floor tenant space may be provided at the corner of the building where the streets intersect.
  - (ii) For residential uses on the ground floor, a primary building entrance shall be provided for each building facade facing a street. If a building has frontage on more than one street, a single primary building entrance may be provided at the corner of the building where the streets intersect.

**Finding:** The proposal is for a mixed-use building that includes both residential and non-residential uses. The applicant's plans indicate a primary entrance for the ground floor retail tenant space is provided at the corner of the building where Bartell Drive NW or Moyer Lane NW intersect, meeting the primary entrance requirements for the non-residential use. For the residential uses, only one ground floor unit is on a building façade facing the street, which is

along Bartell Drive NW. The applicant is requesting an adjustment for the primary building entrance facing the street for this residential ground floor unit; findings for the adjustments are included in Section 7 of this report.

- (B) Ground floor building facades facing and adjacent to a street shall include transparent windows on a minimum of 65 percent of the ground floor facade. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum visible transmittance (VT) of 37 percent.

**Finding:** The proposal is for a mixed-use building with frontage along two streets, requiring conformance with the ground floor window coverage along both Bartell Drive NW and Moyer Lane NW. Pursuant to SRC 112.030(b), where a minimum percentage of windows are required on the ground floor of a building, the percentage of windows shall be calculated by dividing the total width of windows along the ground floor of the building by the length of the ground floor of the building, provided the windows have a vertical dimension that equals six feet or more in height. The applicant's elevations demonstrate that all ground floor windows are at least six feet in height, allowing this calculation to be used. The proposed site plan for the development illustrates a ground floor building façade approximately 60 feet in length along the Bartell Drive side, with 41.67 feet of it occupied by the total width of the windows, or 69 percent ( $41.67 / 60 = 0.69$ ), meeting the minimum standard for the building façade along Bartell Drive NW. Additionally, the proposed site plan shows a ground floor building façade 122.75 in length along the Moyer Lane side, with 61.42 feet of it occupied by the total width of the windows, or 50 percent ( $61.42 / 122.75 = 0.50$ ). As such, the applicant is requesting an adjustment to reduce the ground floor window coverage for the building facade facing Moyer Lane NW; findings for the adjustments are included in Section 7 of this report. Conformance with the minimum visible transmittance will be verified at the time of building permit review.

- (C) Weather protection, in the form of awnings or canopies, shall be provided along a minimum of 90 percent of the length of the ground floor building façade adjacent to a street. Awnings or canopies shall have a minimum depth of six feet, shall have a minimum clearance height above the sidewalk of eight feet, and may encroach into the street right-of-way as provided in SRC 76.160.

**Finding:** The applicant's plans indicate the required weather protection is provided along almost 100 percent of the building frontages for both Bartell Drive NW and Moyer Lane NW. Only an approximately 7-foot-wide area at the corner of the building does not have the same canopy, but appears to have overhead coverage by a cantilevered portion of the building from the floor above. The proposed canopy meets the minimum six-foot depth and eight-foot clearance height. This standard is met.

(2) *Site access.*

- (A) For properties with Wallace Road frontage, new driveway approaches onto Wallace Road shall not be constructed when access to parking is available from a local street.

**Finding:** The property does not have frontage on Wallace Road; therefore, this standard is not applicable.

## ***SRC Chapter 800 – General Development Standards***

### **▪ *Solid Waste Service Areas***

#### ***SRC 800.055(a) – Applicability.***

Solid waste service area design standards shall apply to:

- (1) All new solid waste, recycling, and compostable service areas, where use of a solid waste, recycling, and compostable receptacle of one cubic yard or larger is proposed; and
- (2) Any change to an existing solid waste service area for receptacles of one cubic yard or larger that requires a building permit.

**Finding:** The applicant is proposing a new solid waste service area within the building, but has indicated that no receptacles of one cubic yard or large will be used. Pursuant to SRC 800.055(c)(4), receptacles shall not be stored in buildings or entirely enclosed structures unless the receptacles are stored in areas protected by an automatic sprinkler system approved by the City Fire Marshal; or stored in a building or structure of a fire resistive Type I or Type IIA construction that is located not less than ten feet from other buildings and used exclusively for solid waste receptacle storage. While the solid waste service area design standards of this section may not apply, the applicant is still responsible for ensuring the development meets all Fire Department standards and building codes during the building permit process.

### **▪ *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.

**Finding:** The proposal includes development of a vacant parcel with a new residential and commercial uses; therefore, the pedestrian access standards of SRC Chapter 800 apply.

#### ***SRC 800.065(a) – Pedestrian Connections Required.***

The on-site pedestrian circulation system shall provide pedestrian connectivity throughout the development site as follows:

##### ***(1) Connection Between Entrances and Streets.***

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

**Finding:** The proposed building is located at the property lines abutting Bartell Drive NW and Moyer Lane NW, providing direct pedestrian access to the building from the adjacent sidewalks. Additionally, the applicant's plans indicate a pedestrian walkways along the north

and west sides of the building, providing access for all residential units of the building to both streets as well. This standard is met.

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

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

*(2) Connection Between Buildings on the same Development Site.*

- (A) Where there is more than one building on a development site, a pedestrian connection, or pedestrian connections, shall be provided to connect the primary building entrances of all of the buildings.

**Finding:** The development site does not include more than one building; therefore, this standard is not applicable.

*(3) 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 off-street parking area is less than 25,000 square feet; 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 site does not include any existing or proposed parking structures or garages; therefore, this standard is not applicable.

*(4) Connection to Existing or Planned Paths and Trails.* Where an existing or planned path or trail identified in the Salem Transportation System Plan (TSP) or the Salem Comprehensive Parks System Master Plan passes through a development site, the path or trail shall:

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

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

- (5) *Connection to Abutting Properties.* Whenever a vehicular connection is provided from a development site to an abutting property, a pedestrian connection shall also be provided. A pedestrian connection is not required, however:
- (A) To abutting properties used for activities falling within the use classifications, use categories, and uses under SRC chapter 400 listed in (i) through (vi).

**Finding:** The development site does not include any vehicular connections to an abutting property; therefore, this standard is not applicable.

*SRC 800.065(b) – Design and materials.*

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

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

**Finding:** The applicant's plans indicate all proposed pedestrian connections are at least five feet in width, and appear as sidewalks around the building. Additionally, the applicant's written statement indicate the walkway crossing the drive aisle from the ADA space will be visually differentiated with concrete; however, the plans do not demonstrate visual differentiation pursuant to SRC 800.065(b)(1)(B). Therefore, to ensure that the proposed pedestrian walkway meets the design and material standards at the time of building permit, the following condition applies:

**Condition 3:** At the time of building permit review, the applicant shall demonstrate that all proposed pedestrian connections conform with the design and material requirements of SRC Chapter 800, specifically SRC 800.065(b) and 800.065(c).

*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 application materials do not provide sufficient detail to determine compliance with this development standard. As conditioned above, the plans will be reviewed for conformance with applicable exterior lighting development standards at the time of building permit review.

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

### **▪ *Off-Street Parking***

#### ***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. The proposal includes development of a mixed use building with 32 multi-family units, which allows a maximum 1.75 times the number of units for a multi-family development, or 56 spaces ( $32 \times 1.75 = 56$ ). Additionally, a retail sales tenant is proposed for a 2,365-square-foot portion of the ground floor, allowing a maximum of one space per 200 square foot of gross floor area, or 12 parking spaces ( $2,365 / 200 = 11.83$ ). Therefore, the development allows a maximum of 68 spaces ( $56 + 12$ ). The proposed development includes a total of 21 spaces, which is less than the maximum allowance. The proposed parking meets the maximum allowed parking on site.

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

**Finding:** For the 21 off-street parking spaces provided, a maximum of 16 of the spaces may be compact ( $21 \times 0.75 = 15.5$ ); the remaining spaces must be standard size spaces. The proposal indicates 15 compact parking spaces are proposed for the development site. This standard is met.

(c) *Carpool and Vanpool Parking.* New developments with 60 or more required off-street parking spaces, and falling within the Public Services and Industrial use classifications, and the Business and Professional Services use category, shall designate a minimum of 5 percent of their total off-street parking spaces for carpool or vanpool parking.

**Finding:** No carpool/vanpool spaces are required for a multi-family development. This standard does not apply.

(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 proposal includes one building with more than five dwelling units; therefore, this standard applies. The proposed development provides a total of 21 spaces, requiring a minimum of nine spaces ( $21 \times 0.4 = 8.4$ ) that should be available for Electric Vehicle (EV) charging stations by providing EV charger conduits, as defined in ORS 455.417. The applicant's plan indicate a total of nine parking spaces will be designated to serve electrical vehicle charging. This standard is met.

▪ ***Off-Street Parking and Vehicle Use Area Development Standards***

*SRC 806.035 – For uses or activities other than single-family, two-, three-, and four-family.* Unless otherwise provided under the UDC, off-street parking and vehicle use areas, other than driveways and loading areas, for uses or activities other than single family, two family, three family, and four family shall be developed and maintained as provided in this section.

(a) *General Applicability.* The off-street parking and vehicle use area development standards set forth in this section apply to the development of new off-street parking and vehicle use areas.

(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 includes development of a vacant parcel for a multi-family use, including new parking spaces, appropriate drive-aisles and vehicle circulation, and new loading spaces; therefore, this section applies.

(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 in compliance with the minimum setback requirements of SRC Chapters 525 and 806. Perimeter landscaping will be evaluated for compliance with the applicable standards at the time of building permit review.

(d) *Interior Landscaping.* Interior landscaping shall be provided in amounts not less than those set forth in Table 806-4 for off-street parking areas 5,000 square feet or greater in size. A minimum of one deciduous shade tree shall be planted for every 12 parking spaces within an off-street parking area.

**Finding:** The applicant's written statement indicates the total proposed off-street parking area is 9,257 square feet in size. For parking areas less than 50,000 square feet in size, a minimum of five percent of the interior parking area shall be landscaped, requiring a minimum of 463 square feet of landscaping ( $9,257 \times 0.05 = 462.85$ ). The applicant's written statement indicates 554 square feet, or approximately six percent of interior parking lot landscaping will be provided, and two deciduous trees; therefore, this standard is met.

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

**Finding:** The proposed parking spaces, driveway and drive aisle for the off-street parking area meet the minimum dimensional requirements of SRC Chapter 806.

- (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 806-8. The turnaround shall conform to the minimum dimensions set forth in Table 806-6.

**Finding:** The applicant's site plan indicates one off-street parking area where the drive aisle terminates at a dead-end. The applicant's plans indicate an area of the correct dimensions striped and designated as no parking, meeting the appropriate turnaround area as shown in Figure 806-9. This standard is met.

- (g) *Grading.* Off-street parking and vehicle use areas shall not exceed a maximum grade of ten percent. Ramps shall not exceed a maximum grade of 15 percent.
- (h) *Surfacing.* Off-street parking and vehicle use areas shall be paved with a hard surface material meeting the Public Works Design Standards; provided, however, up to two feet of the front of a parking space may be landscaped with ground cover plants (see Figure 806-10). Such two-foot landscaped area may count towards meeting interior off-street parking area landscaping requirements when provided abutting a landscape island or planter bay with a minimum width of five feet, but shall not count towards meeting perimeter setbacks and landscaping requirements.
- (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.

- (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.

**Finding:** The site plan indicates an additional two feet of landscaped area is provided to the five-foot landscaped setback abutting the vehicle use area, allowing vehicles to hang over the extra two feet without projecting into the required five-foot landscaped setback, pursuant to SRC 806.035(h) and Figure 806-10; therefore, this standard is 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.
- (l) *Marking and signage.*

- (1) *Off-street parking and vehicle use area circulation.* Where directional signs and pavement markings are included within an off-street parking or vehicle use area to control vehicle movement, such signs and marking shall conform to the Manual of Uniform Traffic Control Devices.
- (2) *Compact parking.* Compact parking spaces shall be clearly marked indicating the spaces are reserved for compact parking only.
- (3) *Carpool and vanpool parking.* Carpool and vanpool parking spaces shall be posted with signs indicating the spaces are reserved for carpool or vanpool use only before 9:00 a.m. on weekdays.
- (m) *Lighting.* Lighting for off-street parking and vehicle use areas shall not shine or reflect onto adjacent residentially zoned property, or property used for uses or activities falling under household living, or cast glare onto the street.

**Finding:** The proposed off-street parking area is developed consistent with the off-street parking area dimension standards set forth in Table 806-6. The parking area striping, marking, signage, and lighting shall comply with the standards of SRC Chapter 806, and will be verified for conformance at the time of building permit review.

▪ ***Climate Friendly and Equitable Communities (CFEC) Standards***

*SRC 806.035(n) – Additional standards for new off-street surface parking areas more than one-half acre in size.*

When a total of more than one-half acre of new off-street surface parking is proposed on one or more lots within a development site, the lot(s) proposed for development shall comply with the additional standards in this subsection. For purposes of these standards, the area of an off-street surface parking area is the sum of all areas within the perimeter of the off-street parking area, including parking spaces, aisles, planting islands, corner areas, and curbed areas, but not including interior driveways and off-street loading areas.

**Finding:** The applicant's written statement indicates the total proposed off-street parking area is 9,257 square feet in size, or 0.21 acres; therefore, the additional standards in this subsection area do not apply to the proposed development.

▪ ***Driveway Development Standards***

*SRC 806.040 – 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:** Two-way driveways are required to have a minimum width of 22 feet. The applicant's plans indicate a single 24-foot-wide driveway for ingress and egress on the southwest side of the development, providing access to Moyer Lane NW. This standard is met.

▪ ***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 proposal is for development of a new mixed-use development; therefore, the bicycle parking requirements of this section apply.

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

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

*SRC 806.055 - Amount of Bicycle Parking.*

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

**Finding:** A multi-family use requires one bicycle parking space is provided per dwelling unit; therefore, requiring a minimum of 32 bicycle parking spaces for the proposed 32-unit multi-family units. A retail sales use requires the greater of four bicycle parking spaces, or 1 per 10,000 square feet for the first 50,000 square feet of gross floor area; therefore, the 2,365 square-foot retail space requires the four bicycle parking spaces as the greater number. The applicant's plans indicate that 32 long-term bicycle parking spaces are provided in a secured bike room on the ground floor. Additionally, the applicant is proposing two bicycle racks will be located in the planter strip within the right-of-way adjacent to the primary building entrance for the retail tenant space, providing four bicycle spaces for the commercial retail use, meeting the minimum requirement. 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 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.

**Finding:** The proposal includes four bicycle parking spaces located outside of the building and within 30 feet of the primary building entrance for the retail tenant space, meeting the standard for short-term bicycle parking location. This standard is met.

- (2) *Long-term bicycle parking.* Long-term bicycle parking shall be located within a building, or outside of a building, in a well-lighted secure location that is sheltered from precipitation and within a convenient distance of the primary entrance.

(A) *Long-term bicycle parking for residential uses.* Long-term bicycle parking areas for residential uses shall be located:

- (i) A residential dwelling unit;
- (ii) A lockable garage;
- (iii) A restricted access lockable room serving an individual dwelling unit or multiple dwelling units;
- (iv) A lockable bicycle enclosure; or
- (v) A bicycle locker.

**Finding:** The proposal includes 32 bicycle parking spaces provided in a secured bike room on the ground floor, meeting the standard for long-term bicycle parking location under item (iii). 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.

**Finding:** The bicycle parking areas have direct access to the primary building entrances and the public right-of-way through the interior stairs adjacent to the bike room, and the proposed pedestrian paths adjacent to the building. This standard is met.

- (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 access aisles conforming to the minimum widths set forth in Table 806-10. Access aisles serving bicycle parking spaces may be located within the public right-of-way

**Finding:** There appears to be room within the proposed locations to accommodate the proposed bicycle parking spaces; however, bike rack details provided did not include proposed spacing dimensions to verify conformance with the standard. Therefore, the following condition applies:

**Condition 4:** Prior to building permit approval, the applicant shall demonstrate that all bicycle parking provided on site complies with the applicable standards of SRC 806.060.

Further conformance with these standards will be evaluated at the time of building permit review.

(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 appear to be placed on a hard surface material. As conditioned above, the applicant shall provide construction details which include this information. Conformance with this standard will be verified at the time of building permit review.

(e) *Bicycle Racks.* Where bicycle parking is provided in racks, the racks may be floor, wall, or ceiling racks. Bicycle racks shall meet the following standards:

- (1) Racks must support the bicycle frame in a stable position, in two or more places a minimum of six inches horizontally apart, without damage to wheels, frame, or components.
- (2) Racks must allow the bicycle frame and at least one wheel to be locked to the rack with a high security, U-shaped shackle lock;
- (3) Racks shall be of a material that resists cutting, rusting, and bending or deformation; and
- (4) Racks shall be securely anchored.
- (5) Examples of types of bicycle racks that do, and do not, meet these standards are shown in Figure 806-10.

**Finding:** The applicant's plans indicate installation of inverted style bike racks will be provided for the short-term parking outside of the building, and a couple of different wall-mounted or raised vertical racks for the indoor long-term parking. As conditioned above, the applicant shall provide details indicating how each of the racks provided meet the applicable standards to be verified at the time of building permit review.

#### ▪ **Off-Street Loading Areas**

*SRC 806.065 – Off-Street Loading Areas; When Required.*

- (a) *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.
- (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:** The proposal is for development of a new mixed-use development; therefore, the off-street loading requirements of this section apply.

*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.

**Finding:** Retail uses under 5,000 square feet in gross floor area, and multi-family uses with less than 49 dwelling units, do not require any loading spaces on site. This standard is met.

***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:** The applicant's landscape plan indicates 3,789 square feet of landscaped area is provided for the development site. However, the preliminary landscape plans do not indicate the specific landscaping type or required plant units proposed for each of the landscape requirements, such as setbacks or interior parking lot landscaping. Additionally, the site plan was adjusted during review of the application in areas like the pedestrian amenities, which appear to include landscape plant units that have since changed. As such, the following condition applies:

**Condition 5:** At the time of building permit review, the applicant shall provide an updated landscape plan demonstrating how the development site meets Type A landscaping, where applicable, by providing a summary of each landscape requirement, in conformance with the requirements of SRC Chapter 807.

▪ ***Tree Replanting Requirements***

Pursuant to SRC 807.015(d), when existing trees, as defined under SRC Chapter 808, are proposed for removal from within required setbacks or from a development site in excess of 75 percent, replanting shall be required as provided in this subsection.

**Finding:** The applicant's existing conditions plan for the development site identified six non-significant Maple trees existing on site, as defined under SRC Chapter 808, located along the eastern boundary abutting Bartell Drive NW. The applicant has proposed removal of all six non-significant trees to accommodate the required on-site and off-site improvements, including property line sidewalks and pedestrian amenities. Although the removal of all trees appears to be in excess of 75 percent of the development site, SRC 807.015(d)(2) further states: "For

purposes of this section, existing trees within vision clearance areas, or within areas to be cleared for required roads, utilities, sidewalks, trails, or stormwater facilities, shall not be counted in the total percentage of trees removed from the development site.” Therefore, because all six trees are either within the area to be cleared for sidewalks, or within the vision clearance area for the intersection of Bartell Drive NW and Moyer Lane NW, all six trees shall not be counted in the percentage of trees removed for the development site.

Additionally, because of the right-of-way dedication required with Condition 10 below, five of the trees proposed for removal would fall within the dedicated right-of-way area, and would no longer be on the property or within the required setback. Therefore, the one 10-inch Maple tree remaining on the property after right-of-way dedication, and located within the vision clearance area, would be considered within the required setback area, and shall be replanted with two new trees for the tree’s removal. To ensure that trees are planted to meet the replacement ratio and size requirements of this subsection, the following condition applies:

**Condition 6:** The applicant shall provide an additional two trees on site to meet the tree replanting requirement, which shall be of either a shade or evergreen variety with a minimum 1.5-inch caliper, and identified on the landscape plan.

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

## **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 inside the Urban Service Area and adequate facilities are available. No Urban Growth Area permit is required.

#### **▪ *Acquisition of property, easements, and right-of-way***

SRC 200.050(d) requires that right-of-way dedicated to the City be free of encumbrances and liens.

**Finding:** As described in the analysis of SRC Chapter 803 below, right-of-way dedication is required along Moyer Lane NW and Bartell Drive NW. The applicant’s existing conditions plan does not identify any existing encumbrances which would conflict with required dedications. Compliance with SRC 200.050(d) will be verified at time of final right-of-way dedication.

### ***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 is subject to the standards in SRC Chapter 71 and the Public Works Design Standards which require the use of green stormwater infrastructure to manage runoff from the development. The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible. However, the preliminary stormwater management design shows one of the proposed rain gardens discharging to the curb along Moyer Lane NW, which is not an approved point of discharge. The approved point of discharge for the proposed development is the public storm main in Bartell Drive NW, as no public storm mains exist in Moyer Lane NW. The applicant's written statement in response to the incomplete letter indicates that the applicant's engineers will revise the plans at time of building permit review to ensure all stormwater discharges into an approved point of discharge, as required by SRC 71.075(a). In order to ensure compliance with SRC Chapter 71 and the Public Works Design Standards relating to stormwater management, the following conditions apply:

- Condition 7:** Prior to issuance of a building permit, provide an updated utility plan demonstrating all stormwater will drain to an approved point of discharge as required by SRC 71.075(a).
- Condition 8:** Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and Public Works Design Standards (PWDS).

### ***SRC Chapter 802 – Public Improvements***

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

<b>Utilities &amp; Parks</b>	
<b>Type</b>	<b>Existing Conditions</b>
<b>Water</b>	Water Service Level:
	A 6-inch water main is located in Moyer Lane NW.
	An 8-inch water main is located in Bartell Drive NW
<b>Sanitary Sewer</b>	An 8-inch sanitary sewer main is located in Moyer Lane NW and Bartell Drive NW.
<b>Storm Drainage</b>	A 24-inch storm main is located in Bartell Drive NW.
<b>Parks</b>	The proposed development is served by Wallace Park located approximately 0.30-miles northeast of the subject property.

#### **▪ *Development to be served by City utilities***

SRC 802.015 requires development to be served by City utilities designed and constructed according to all applicable provisions of the Salem Revised Code and Public Works Design

Standards (PWDS).

**Finding:** Public water, sanitary sewer, and stormwater infrastructure is available along the perimeter of the site and appears to be adequate to serve the property as shown on the applicant's preliminary utility plan. The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the PWDS and to the satisfaction of the Public Works Director.

### ***SRC Chapter 803 – Street and Right-of-way Improvements***

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

Streets			
Street Name		Right-of-way Width	Improvement Width
<b>Moyer Lane NW (Local)</b>	Standard:	60-feet	30-feet
	Existing Condition:	45-feet	30-feet
<b>Bartell Drive NW (Local)</b>	Standard:	60-feet	30-feet
	Existing Condition:	45-feet	20-feet

#### **▪ *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:** The subject property has frontage along Moyer Lane NW and Bartell Drive NW. Pursuant to SRC 803.040(a)(4), Boundary Street Improvements along these frontages are warranted. Requirements for each street are described in the following analysis.

**Moyer Lane NW** – This street is classified as a Local street according to the Salem Transportation System Plan (TSP). Moyer Lane NW has inadequate right-of-way width according to the standards set forth in Table 803-1 (Right-of-way Width), and has inadequate pavement width according to the standards set forth in Table 803-2 (Pavement Width). As a condition of approval, the applicant shall dedicate an adequate half-width right-of-way along Moyer Lane NW, including a 20-foot property line radius at the intersection of Moyer Lane NW and Bartell Drive NW. In addition, the applicant shall construct a half-street improvement along the development frontage to local street standards. In order to comply with SRC 803.040(a)(4), the following conditions apply:

**Condition 9:** Prior to issuance of a Certificate of Occupancy, convey land for dedication to equal a half-width right-of-way of 30 feet on the development side of Moyer Lane NW, including a 20-foot property-line radius at the intersection of Moyer Lane NW and Bartell Drive NW.

**Condition 10:** Prior to issuance of a Certificate of Occupancy, construct a half-street improvement along the frontage of Moyer Lane NW to local street standards as specified in the City Street Design Standards, and consistent with the provisions of SRC Chapter 803.

Bartell Drive NW – This street is classified as a Local street according to the Salem Transportation System Plan (TSP). Bartell Drive NW has inadequate right-of-way width according to the standards set forth in Table 803-1 (Right-of-way Width); however, it has adequate pavement width according to the standards set forth in Table 803-2 (Pavement Width). As a condition of approval, the applicant shall dedicate an adequate half-width right-of-way along Bartell Drive NW, including a 20-foot property line radius at the intersection of Moyer Lane NW and Bartell Drive NW. In order to comply with SRC 803.040(a)(4), the following condition applies:

**Condition 11:** Prior to issuance of a Certificate of Occupancy, convey land for dedication to equal a half-width right-of-way of 30 feet on the development side of Bartell Drive NW, including a 20-foot property line radius at the intersection of Moyer Lane NW and Bartell Drive NW.

Required streetscape improvements along both Bartell Drive NW and Moyer Lane NW are described in the following subsections.

▪ ***Sidewalks:***

Street Standards require that all streets be improved with sidewalks. These standards also require that sidewalks shall be located parallel to and one foot from the adjacent right-of-way (SRC 803.035(l)(2)(A)) and that sidewalks be five feet in width (SRC 803.035(l)(2)(C)).

**Finding:** Sidewalks do not currently exist along Moyer Lane NW. Along Bartell Drive NW, the existing sidewalk is located along the curblin; however, the applicant will dedicate additional right-of-way along Bartell Drive NW to establish a landscape planter and property line sidewalk. As shown on the applicant's preliminary plans, the applicant proposes a 5-foot sidewalk located parallel to, and one foot from the adjacent right-of-way along Bartell Drive NW and a portion of Moyer Lane NW. The remainder of the sidewalk along Moyer Lane NW will be 5 to 6.5 feet in width, and extends to the property line where the building is constructed with no setback from the property line. The applicant requests an Alternative Street Standard pursuant to SRC 803.065, to allow the wider sidewalk located with no setback from the property line along Moyer Lane NW. Staff finds this is an acceptable Alternative Street Standard pursuant to SRC 803.065(a)(3), as the zoning of the property requires the building to be located along the property line. Constructing a sidewalk one foot from the property line adjacent to the building would create a one-foot landscape strip which is unusable. As a condition of approval, the applicant shall construct sidewalks along Moyer Lane NW and Bartell Drive NW. The following condition applies:

**Condition 12:** Prior to issuance of a Certificate of Occupancy, construct property line sidewalks along Moyer Lane NW and Bartell Drive NW at the new property line location after right-of-way dedication. The sidewalk along Moyer Lane NW is permitted to be up to 6.5 feet in width adjacent to the building.

▪ ***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:** The applicant is required to construct property line sidewalks along both Moyer Lane NW and Bartell Drive NW, which will establish a landscape planter between the curb and sidewalk along these streets. As a condition of approval, the applicant shall plant street trees along these frontages. The following condition applies:

**Condition 13:** Prior to issuance of a Certificate of Occupancy, install street trees to the maximum extent feasible along Moyer Lane NW and Bartell Drive NW.

***SRC Chapter 804 – Driveway Approaches***

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

**Finding:** The applicant proposes one new driveway approach onto Moyer Lane NW and has applied for a Class 2 Driveway Approach Permit; findings for which are provided in Section 8 below. As described in the findings below, the proposal meets the approval criteria for a Class 2 Driveway Approach Permit; therefore, the proposed development meets the applicable criteria in SRC Chapter 804 relating to driveway approaches.

***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:** Vision Clearance areas are shown on the applicant's preliminary plans, demonstrating that the proposal does not cause any vision clearance obstructions, per SRC Chapter 805.

**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 designated on the Federal Emergency Management Agency floodplain maps as a Zone "AE" floodplain. The Floodplain Administrator has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined the 100-year base flood elevation for the subject development is 141 feet. Development within the floodplain requires a Floodplain Development Permit and is subject to the requirements of SRC Chapter 601, including elevation of new structures to a minimum of one foot above the base flood

elevation. An Elevation Certificate is required to verify the new structure's elevation. The Elevation Certificate shall be submitted to the City to verify the structure's elevation prior to pouring building foundations, and again prior to final occupancy.

The applicant proposes to dry "flood-proof" portions of the building which are non-residential, in lieu of meeting the elevation requirement. Floodproofing is allowed only for non-residential portions of buildings, if the methods meet the requirements established in SRC 601.075(c)(3)(A)(ii). Pursuant to SRC 601.075(c)(3)(A)(iv), a Floodproofing Certificate is required by a professional engineer or architect to demonstrate that the design methods are in accordance the Federal Emergency Management Agency's requirements for floodproofing structures.

In order to ensure compliance with SRC Chapter 601 relating to Floodplain Development, the following conditions apply:

- Condition 14:** Prior to issuance of any construction permits for the proposed development, the applicant shall obtain a Floodplain Development Permit in accordance with SRC Chapter 601.
- Condition 15:** Construct all new structures a minimum of one foot above the base flood elevation pursuant to SRC 601.075, except where Floodproofing has been permitted pursuant to SRC 601.075(c)(3)(A)(ii).
- Condition 16:** Prior to Issuance of a Building Permit, the applicant shall provide a Floodproofing Certificate supported by technical data for the non-residential portions of the structure, which will be floodproofed per SRC 601.075(c)(3)(A)(iv).

### ***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 applicant's existing conditions plan for the development site identified six non-significant Maple trees existing on site, as defined under SRC Chapter 808, located along the eastern boundary abutting Bartell Drive NW. The applicant has proposed removal of all six

non-significant trees to accommodate the required improvements, including property line sidewalks and pedestrian amenities. There are no heritage trees, riparian trees, or significant trees on site. These standards are met.

### ***SRC Chapter 809 – Wetlands***

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

**Finding:** The Salem-Keizer Local Wetland Inventory shows that there are hydric soils mapped on the property. The applicant should contact the Oregon Department of State Lands to verify if any permits are required for development or construction in the vicinity of the mapped wetland area(s), including any work in the public right-of-way. Wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025.

### ***SRC Chapter 810 – Landslide Hazards***

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

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

***SRC 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. As conditioned, the required improvements will ensure that the street system adjacent to the development will provide for the safe, orderly, and efficient circulation of traffic to and from the development. This criterion is met.

***SRC 220.005(f)(3)(C): Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians.***

**Finding:** The applicant proposes one driveway approach onto Moyer Lane NW, a local street according to the Salem Transportation System Plan. The driveway access onto Moyer Lane NW provides for safe turning movements into and out of the property and modifications are not warranted per SRC Chapter 804 (Driveway Approaches). Additionally, as described and conditioned with the UDC analysis above, the development provides adequate spacing and dimensions of vehicles, bicycles, and pedestrian connections to facilitate safe and efficient movement into and out of the site for all modes of transportation. This approval criterion is met.

***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.

## **7. Analysis of Class 2 Adjustment Criteria**

Salem Revised Code (SRC) 250.005(d)(2) provides that an application for a Class 2 Adjustment shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

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

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

**Finding:** The applicant is requesting two Class 2 Adjustments to eliminate a street-facing entrance for the ground floor unit abutting Bartell Drive NW, and to reduce the ground floor window coverage requirement along Moyer Lane NW. The following provides a detailed analysis upon which the decision is based for each individual adjustment request:

- (1) Eliminate the requirement for a primary building entrance facing the street for the ground floor unit abutting Bartell Drive NW, per SRC 525.010(i)(1)(A)(ii).***

The proposal is for a mixed-use building that includes both residential and non-residential uses. For the residential uses, only one ground floor unit is on a building façade facing the street, which is along Bartell Drive NW. The applicant is requesting an adjustment for the primary building entrance facing the street for this residential ground floor unit. The applicant's written statement indicates that there are site constraints due to a mapped floodplain which requires the building to be elevated above the adjacent public sidewalk, and would therefore require stairs leading to the unit entrance. Because of a building code that requires a five-foot landing for the stairs, and the building's proximity to the property line due to the required setback in the WSCB zone, the applicant asserts that the stairs are not feasible without obstructing the adjacent public sidewalk.

The purpose of this design standard is to provide a pedestrian-friendly development with buildings oriented outward towards the street, proving direct pedestrian access from ground floor units to the abutting sidewalk. Instead, the applicant is proposing to exceed the minimum 65 percent window coverage on the ground floor of the Bartell Drive building façade by four percent, for a total of 69 percent window coverage, to enhance interest at the street; and to extend the canopy coverage along the entire ground floor unit as an added comfort to encourage pedestrian activity, equally meeting the intent of the standard. Additionally,

providing an entrance with stairs on the street side of the building would not meet ADA requirements. While it is not required by code to construct all ground floor units to ADA standards, the applicant wishes to make the ground floor units as accessible as possible, and has provided a sidewalk ramp connecting the public sidewalk along Bartell Drive NW to the elevated dwelling unit entrances along the north side of the building, increasing the opportunities for pedestrian use. By making the dwelling unit entrances more accessible from the adjacent street for all types of pedestrians, staff finds that the proposed development equally meets the intent to provide a pedestrian-friendly design that provides direct pedestrian access from ground floor units to the abutting sidewalk, given the site constraints, and is in compliance with this the adjustment approval criterion.

*(2) Reduce the required ground floor window coverage from 65 percent to 50 percent along Moyer Lane NW, per SRC 525.010(i)(1)(B).*

The proposal is for a mixed-use building with frontage along two streets, requiring conformance with the ground floor window coverage along both Bartell Drive NW and Moyer Lane NW. As described in the zoning analysis of SRC Chapter 525 in Section 6 above, the applicant's plans and written statement indicate that the façade along Bartell Drive NW will provide 69 percent window coverage, meeting the standard for the building façade along one street. However, the building façade along Moyer Lane NW is only providing 50 percent coverage, or 61.42 feet of total window width for the 122.75 feet of building length, due to the building's internal bicycle storage and trash rooms. As such, the applicant is requesting an adjustment to reduce the ground floor window coverage for the building facade facing Moyer Lane NW from the required 65 percent to 50 percent.

The applicant's written statement indicates the reduction is requested because the building's internal bicycle storage and trash rooms are located on the south side of the building, which make up approximately 35 feet of the building façade along Moyer Lane NW. For security reasons, the applicant is not proposing window openings for these rooms. The intent of the window coverage standard is to create an open and welcoming streetscape, generally for ground floor commercial or public spaces in a mixed-use development. On the southeast side of the building toward the corner of Bartell Drive and Moyer Lane, where the ground floor is a commercial retail space, the applicant has provided greater window coverage, including an additional four percent window coverage along the east side of the building abutting Bartell Drive NW. Additionally, the applicant is proposing a decorative wall installation comprised of artificial plants for the 35-foot portion along the southwest side of building façade, in lieu of windows where the bike and trash rooms are located, meeting the intent to provide an open and welcoming streetscape by providing a visual interest adjacent to the proposed pet area.

With the addition of the feature wall to the window calculation, the ground floor building façade coverage along Moyer Lane NW would be 96.75 feet (61.42 + 35.33), or approximately 79 percent, ( $96.75 / 122.75 = 0.788$ ), exceeding the minimum 65 percent of façade coverage for visual interest and activity along the streetscape. Therefore, staff finds that the proposed development equally or better meets the intent of providing an open and inviting ground floor setting along the streets, and is in compliance with this the adjustment approval criterion.

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

**Finding:** The subject property is located within the WSCB (West Salem Central Business District) zone; therefore, this criterion is not applicable.

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

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

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

Salem Revised Code (SRC) 804.025(d) provides that an application for a Class 2 Driveway Approach Permit shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

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

**Finding:** The applicant proposes one driveway approach onto Moyer Lane NW, which is classified as a Local Street according to the Salem Transportation System Plan (TSP); therefore, a driveway approach permit is required. As described below, the proposed driveways meet the standards for SRC Chapter 804 and Public Works Design Standards (PWDS). This criterion is met.

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

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

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

**Finding:** The proposed driveway approach accesses a local street, Moyer Lane NW. No access onto an arterial street is proposed. This criterion is met.

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

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

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

**Finding:** The subject property abuts two local streets, Moyer Lane NW and Bartell Drive NW; therefore, the proposed driveway is taken with access to the lowest classification of street abutting the property. This criterion is met.

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

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

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

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

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

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

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

**Finding:** The proposed driveway approach is located on a local street with adequate spacing between the intersection of Moyer Lane NW and Bartell Drive NW. The proposed driveway approach does not impact the functionality of adjacent streets and intersections. This criterion is met.

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

**Finding:** The subject property and surrounding area is zoned WSCB (West Salem Central Business District). The proposed driveway approach is not located in the vicinity of a residentially zoned area. The driveway will not have an effect on the functionality of the adjacent streets. This criterion is met.

## **9. Conclusion**

Based upon review of SRC Chapters 220, 250, and 804, the applicable standards of the Salem Revised Code, the findings contained herein, and due consideration of comments received, the application complies with the requirements for an affirmative decision.

### **IT IS HEREBY ORDERED**

Final approval of Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit, Case No. SPR-ADJ-DAP25-03 is hereby **APPROVED** subject to SRC Chapters 220, 250, and 804 the applicable standards of the Salem Revised Code, conformance with the approved site plan included as **Attachment B**, and the following conditions of approval:

- Condition 1:** Prior to the issuance of any building permit for the proposed development, the series of Property Line Adjustments, PLA24-32, PLA24-33, and PLA24-34, shall be recorded in accordance with Salem Revised Code 205.035.
- Condition 2:** The proposed pet area shall be public and accessible to pedestrians by remaining open and unrestricted by any fence, wall, or signage.
- Condition 3:** At the time of building permit review, the applicant shall demonstrate that all proposed pedestrian connections conform with the design and material requirements of SRC Chapter 800, specifically SRC 800.065(b) and 800.065(c).
- Condition 4:** Prior to building permit approval, the applicant shall demonstrate that all bicycle parking provided on site complies with the applicable standards of SRC 806.060.
- Condition 5:** At the time of building permit review, the applicant shall provide an updated landscape plan demonstrating how the development site meets Type A landscaping, where applicable, by providing a summary of each landscape requirement, in conformance with the requirements of SRC Chapter 807.
- Condition 6:** The applicant shall provide an additional two trees on site to meet the tree replanting requirement, which shall be of either a shade or evergreen variety with a minimum 1.5-inch caliper, and identified on the landscape plan.
- Condition 7:** Prior to issuance of a building permit, provide an updated utility plan demonstrating all stormwater will drain to an approved point of discharge as required by SRC 71.075(a).
- Condition 8:** Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and Public Works Design Standards (PWDS).
- Condition 9:** Prior to issuance of a Certificate of Occupancy, convey land for dedication to equal a half-width right-of-way of 30 feet on the development side of Moyer Lane NW, including a 20-foot property-line radius at the intersection of Moyer Lane NW and Bartell Drive NW.
- Condition 10:** Prior to issuance of a Certificate of Occupancy, construct a half-street improvement along the frontage of Moyer Lane NW to local street standards as specified in the City Street Design Standards, and consistent with the provisions of SRC Chapter 803.
- Condition 11:** Prior to issuance of a Certificate of Occupancy, convey land for dedication to equal a half-width right-of-way of 30 feet on the development side of Bartell Drive NW, including a 20-foot property line radius at the intersection of Moyer Lane NW and Bartell Drive NW.
- Condition 12:** Prior to issuance of a Certificate of Occupancy, construct property line

sidewalks along Moyer Lane NW and Bartell Drive NW at the new property line location after right-of-way dedication. The sidewalk along Moyer Lane NW is permitted to be up to 6.5 feet in width adjacent to the building.

- Condition 13:** Prior to issuance of a Certificate of Occupancy, install street trees to the maximum extent feasible along Moyer Lane NW and Bartell Drive NW.
- Condition 14:** Prior to issuance of any construction permits for the proposed development, the applicant shall obtain a Floodplain Development Permit in accordance with SRC Chapter 601.
- Condition 15:** Construct all new structures a minimum of one foot above the base flood elevation pursuant to SRC 601.075, except where Floodproofing has been permitted pursuant to SRC 601.075(c)(3)(A)(ii).
- Condition 16:** Prior to Issuance of a Building Permit, the applicant shall provide a Floodproofing Certificate supported by technical data for the non-residential portions of the structure, which will be floodproofed per SRC 601.075(c)(3)(A)(iv).



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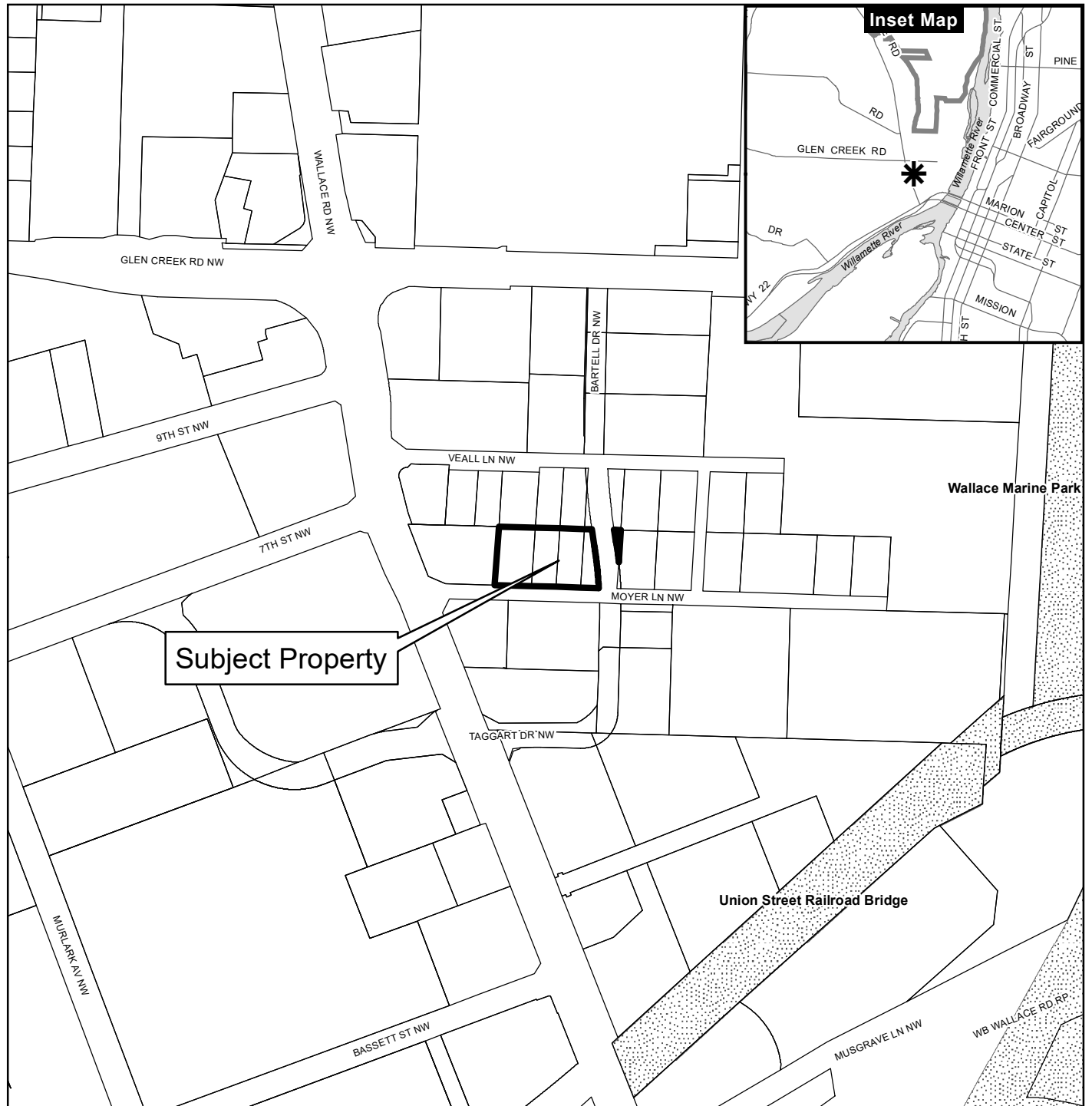
Jamie Donaldson, Planner III, on behalf of  
Lisa Anderson-Ogilvie, AICP  
Planning Administrator

- Attachments:
- A. Vicinity Map
  - B. Proposed Development Plans and Elevations
  - C. Development Services Infrastructure Memo
  - D. Salem-Keizer Public Schools Memo

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

# Vicinity Map

## 415 Moyer Lane NW



### Legend

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

- Parks

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Community Planning and Development

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0 100 200 400 Feet



SITE PLAN GENERAL NOTES:

- THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVES. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTORS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
- REFER TO CIVIL DRAWINGS FOR GRADING. SITE IS REQUIRED TO MEET THE LAWS OF FHA AND ADA. ACCESSIBLE ROUTES SHALL NOT EXCEED 5% (1 IN 20) OR CROSS SLOPES SHALL NOT EXCEED 2% (1 IN 50). ALL AT GRADE SIDEWALKS ARE ACCESSIBLE ROUTES.
- JOINTS IN CONCRETE WALKS NOTED AS E.J. ARE TO BE CONSTRUCTED AS EXPANSION JOINTS. ALL OTHER JOINTS SHOWN, TO BE TOOLED CONTROL JOINTS, SEE CIVIL.
- PROVIDE CONSTRUCTION FENCING AS REQUIRED TO SECURE SITE AND BUILDING DURING CONSTRUCTION.
- SEE LANDSCAPE DRAWINGS FOR LANDSCAPE AND IRRIGATION ELEMENTS.
- EXTREME CARE SHOULD BE TAKEN TO PRESERVE EXISTING ROOTS OF TREES TO REMAIN.
- SEE ELECTRICAL DRAWINGS FOR SITE LIGHTING.

SITE DEVELOPMENT CODE REVIEW:

SITE AREA = 19,930 SF (AFTER ROW) 100%  
BLDG FOOTPRINT = 6,856 SF 34.4%  
PAVEMENT = 9,231 SF 46.3%  
LANDSCAPED = 3,843 SF 19.3%  
FLOOD ELEVATION AT 141.0'

- BUILDING AREAS:
- TOTAL BUILDING AREA: (3 FLOORS) = 21,744 SF
  - BUILDING HEIGHT TO TOP OF PARAPET = 37'-6"
  - COMMERCIAL RETAIL AREA = 2,365 SF
  - 22 - ONE BEDROOM 519 SF AVG, 11,410 SF TOTAL
  - 10 - STUDIOS 411 SF AVG, 4,107 SF TOTAL
  - TOTAL LEASEABLE RESIDENTIAL = 15,517 SF.

PARKING SUMMARY:

VEHICLE PARKING PROVIDED = 21 SPACES TOTAL  
STANDARD (9' X 19') = 6  
COMPACT (8' X 15') = 15 (71%)  
ADA = 1 (VAN ACCESSIBLE)  
EV READY = 9 (43%)

BICYCLE PARKING PROVIDED = 36 TOTAL  
SHORT TERM = 4 HORIZONTAL NEAR COMMERCIAL ENTRANCE  
LONG TERM = 32 WITHIN BUILDING IN SECURE BIKE ROOM  
12 WALL MOUNTED VERTICAL, STAGGERED  
20 DOUBLE STACKED HORIZONTAL WITH LIFT ASSIST

SITE PLAN NOTES:

1 TBD

Attachment B

STUDIO  
**3**  
ARCHITECTURE  
INCORPORATED

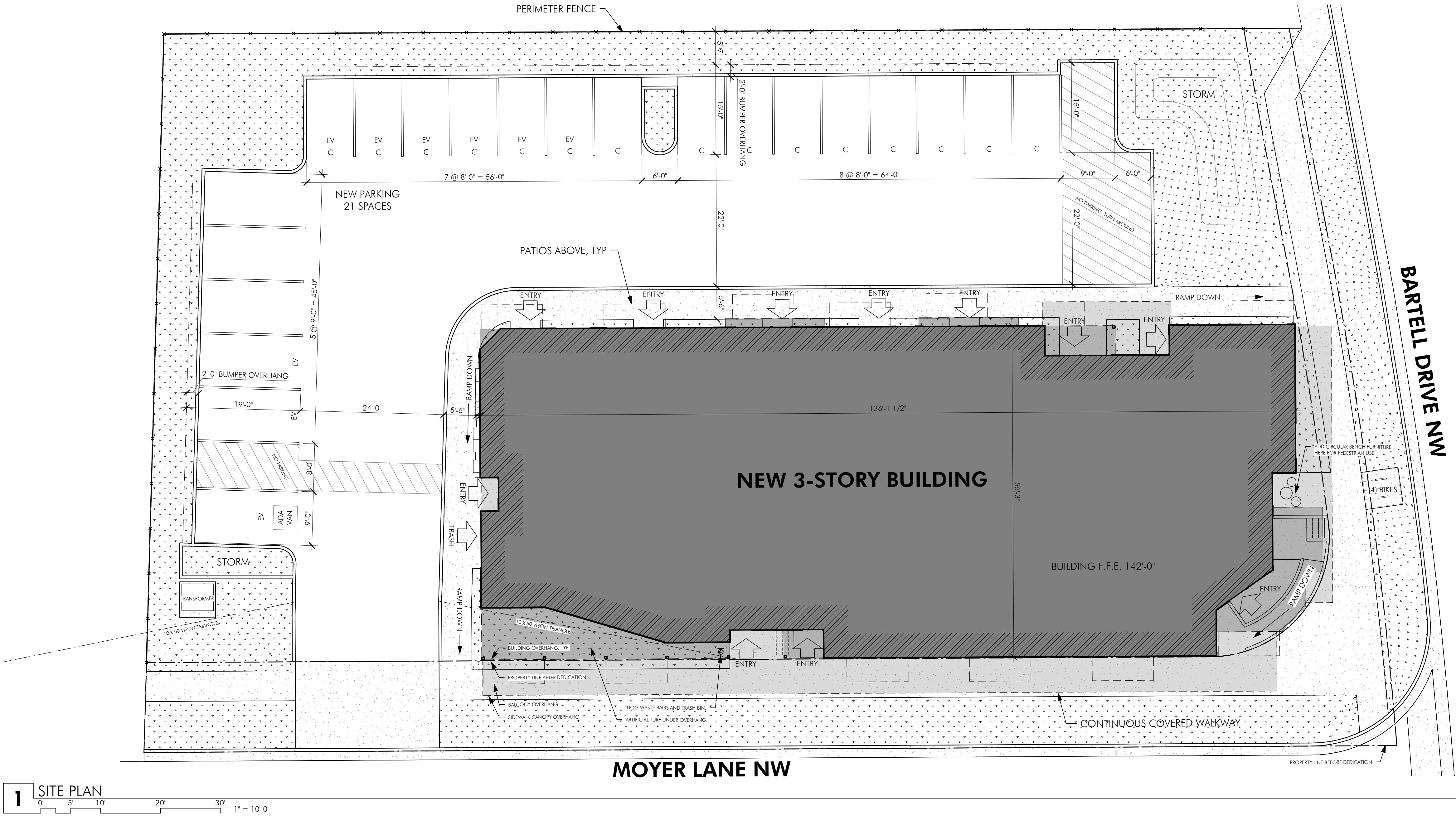
275 COURT ST, NE  
SALEM, OR 97301-3442  
P: 503.390.6500  
www.studio3architecture.com

IN THE EVENT CONFLICTS ARE DISCOVERED BETWEEN THE ORIGINAL SIGNED AND SEALED DOCUMENTS PREPARED BY THE ARCHITECTS AND/OR THEIR CONSULTANTS, AND ANY COPY OF THE DOCUMENTS TRANSMITTED BY MAIL, FAX, ELECTRONICALLY OR OTHERWISE, THE ORIGINAL SIGNED AND SEALED DOCUMENTS SHALL GOVERN.

PROJECT # 2023-152  
DATE: 01/10/2025  
REVISIONS

MIXED USE - MULTI FAMILY  
**NEW DEVELOPMENT**  
415 MOYER LANE NW SALEM, OR 97304

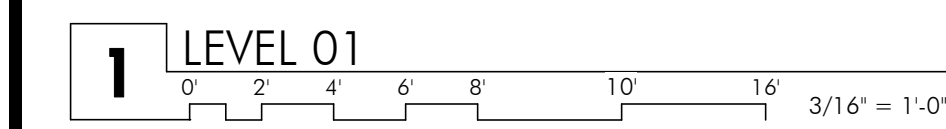
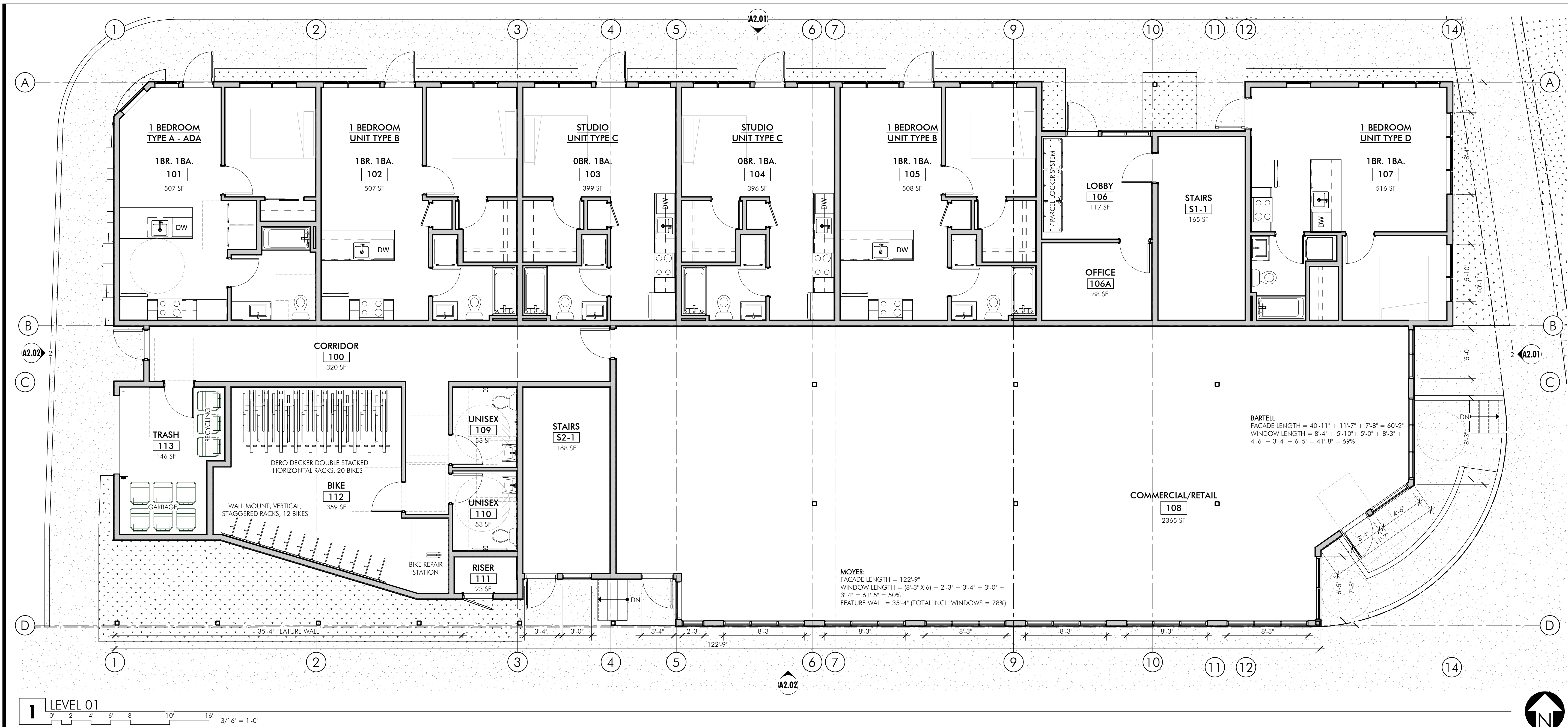
SHEET:  
**A1.01**



1 SITE PLAN  
0' 5' 10' 20' 30' 1" = 10'-0"

MOYER LANE NW





GENERAL PLAN NOTES:

- GENERAL NOTES APPLY TO ALL DRAWINGS.
- DRAWINGS ARE DIAGRAMMATIC ONLY AND SHOULD NOT BE SCALED. NOTIFY ARCHITECT OF ANY DISCREPANCIES IMMEDIATELY UPON DISCOVERY. OBTAIN CLARIFICATION OF DIMENSIONS OR DISCREPANCIES PRIOR TO PROCEEDING WITH AREA OF REQUIRED WORK.
- DIMENSIONS ARE TO FACE OF FRAMING. DIMENSIONS STATED AS CLEAR ARE TO FACE OF FINISH.
- SEE WALL SECTIONS FOR DESCRIPTION OF EXTERIOR WALL MATERIALS.
- ALL INTERIOR PARTITIONS TO RECEIVE GLASS FIBER INSULATION, FULL HEIGHT.
- COORDINATE LOCATION OF RECESSED OR SEMI-RECESSED ITEMS TO AVOID BACK TO BACK INSTALLATION AND TO REDUCE NOISE TRANSFER THROUGH PARTITIONS.
- INSTALL WALL BACKING FOR ALL WALL MOUNTED ITEMS, INCLUDING BUT NOT LIMITED TO THE FOLLOWING: DOOR STOPS, FIXTURES, WALL CABINETS, SHELVING, COUNTERS, TOILET ACCESSORIES, SECURITY EQUIPMENT, TACK BOARDS AND MARKER BOARDS, HAND RAILS AND WINDOW COVERING TRACKS.
- SEPARATE AREAS IN WHICH WORK IS BEING CONDUCTED FROM OTHER AREAS THAT ARE STILL OCCUPIED.
  - PROVIDE, ERECT, AND MAINTAIN TEMPORARY DUSTPROOF PARTITIONS OF SUITABLE CONSTRUCTION IN LOCATIONS INDICATED ON DRAWINGS OR AS DIRECTED.
- PROTECT EXISTING WORK TO REMAIN.
  - PREVENT MOVEMENT OF STRUCTURE; PROVIDE SHORING AND BRACING IF NECESSARY.
  - PERFORM CUTTING TO ACCOMPLISH REMOVALS NEATLY AND AS SPECIFIED FOR CUTTING NEW WORK.
  - REPAIR ADJACENT CONSTRUCTION AND FINISHES DAMAGED DURING REMOVAL WORK.
  - PATCH AS SPECIFIED FOR PATCHING NEW WORK.
- REMOVE DEBRIS, JUNK, AND TRASH FROM SITE.
- REMOVE FROM SITE ALL MATERIALS NOT TO BE REUSED ON SITE; DO NOT BURN OR BURY.
- LEAVE SITE IN CLEAN CONDITION, READY FOR SUBSEQUENT WORK.
- CLEAN UP SPILLAGE AND WIND-BLOWN DEBRIS FROM PUBLIC AND PRIVATE LANDS.
- WORK SHOWN ON THESE DRAWINGS IS TO BE SUPPLIED, FURNISHED, CONSTRUCTED, INSTALLED ALL AS PER THE GENERAL CONDITIONS AND THE SPECIFICATIONS; EXCEPTIONS AS DESCRIBED BY THE FOLLOWING ABBREVIATIONS:
  - CFCI CONTRACTOR FURNISHED - CONTRACTOR INSTALLED.
  - OFCI OWNER FURNISHED - CONTRACTOR INSTALLED.
  - OFOI OWNER FURNISHED - OWNER INSTALLED.
  - NIC OR N.I.C. NOT IN CONTRACT OR NOT A PART OF THIS CONTRACT.

PLAN LEGEND:

FLOOR PLAN NOTES:

1 SAMPLE PLAN NOTE

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3

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SALEM, OR 97301-3442  
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PROJECT # 2023-152  
DATE: 01/10/2025  
REVISIONS

MIXED USE - MULTI FAMILY  
NEW DEVELOPMENT

415 MOYER LANE NW SALEM, OR 97304

SHEET:

A1.21



**1** LEVEL 02  
0' 2' 4' 6' 8' 10' 16' 3/16" = 1'-0"

### GENERAL PLAN NOTES:

- GENERAL NOTES APPLY TO ALL DRAWINGS.
- DRAWINGS ARE DIAGRAMMATIC ONLY AND SHOULD NOT BE SCALED. NOTIFY ARCHITECT OF ANY DISCREPANCIES IMMEDIATELY UPON DISCOVERY. OBTAIN CLARIFICATION OF DIMENSIONS OR DISCREPANCIES PRIOR TO PROCEEDING WITH AREA OF REQUIRED WORK.
- DIMENSIONS ARE TO FACE OF FRAMING. DIMENSIONS STATED AS CLEAR ARE TO FACE OF FINISH.
- SEE WALL SECTIONS FOR DESCRIPTION OF EXTERIOR WALL MATERIALS.
- ALL INTERIOR PARTITIONS TO RECEIVE GLASS FIBER INSULATION, FULL HEIGHT.
- COORDINATE LOCATION OF RECESSED OR SEMI-RECESSED ITEMS TO AVOID BACK TO BACK INSTALLATION AND TO REDUCE NOISE TRANSFER THROUGH PARTITIONS.
- INSTALL WALL BACKING FOR ALL WALL MOUNTED ITEMS, INCLUDING BUT NOT LIMITED TO THE FOLLOWING: DOOR STOPS, FIXTURES, WALL CABINETS, SHELVING, COUNTERS, TOILET ACCESSORIES, SECURITY EQUIPMENT, TACK BOARDS AND MARKER BOARDS, HAND RAILS AND WINDOW COVERING TRACKS.
- SEPARATE AREAS IN WHICH WORK IS BEING CONDUCTED FROM OTHER AREAS THAT ARE STILL OCCUPIED.
  - PROVIDE, ERECT, AND MAINTAIN TEMPORARY DUSTPROOF PARTITIONS OF SUITABLE CONSTRUCTION IN LOCATIONS INDICATED ON DRAWINGS OR AS DIRECTED.
- PROTECT EXISTING WORK TO REMAIN.
  - PREVENT MOVEMENT OF STRUCTURE; PROVIDE SHORING AND BRACING IF NECESSARY.
  - PERFORM CUTTING TO ACCOMPLISH REMOVALS NEATLY AND AS SPECIFIED FOR CUTTING NEW WORK.
  - REPAIR ADJACENT CONSTRUCTION AND FINISHES DAMAGED DURING REMOVAL WORK.
  - PATCH AS SPECIFIED FOR PATCHING NEW WORK.
- REMOVE DEBRIS, JUNK, AND TRASH FROM SITE.
- REMOVE FROM SITE ALL MATERIALS NOT TO BE REUSED ON SITE; DO NOT BURN OR BURY.
- LEAVE SITE IN CLEAN CONDITION, READY FOR SUBSEQUENT WORK.
- CLEAN UP SPILLAGE AND WIND-BLOWN DEBRIS FROM PUBLIC AND PRIVATE LANDS.
- WORK SHOWN ON THESE DRAWINGS IS TO BE SUPPLIED, FURNISHED, CONSTRUCTED, INSTALLED ALL AS PER THE GENERAL CONDITIONS AND THE SPECIFICATIONS; EXCEPTIONS AS DESCRIBED BY THE FOLLOWING ABBREVIATIONS:
  - CFCI CONTRACTOR FURNISHED - CONTRACTOR INSTALLED.
  - OFCI OWNER FURNISHED - CONTRACTOR INSTALLED.
  - OFOI OWNER FURNISHED - OWNER INSTALLED.
  - NIC OR N.I.C. NOT IN CONTRACT OR NOT A PART OF THIS CONTRACT.

### PLAN LEGEND:

### FLOOR PLAN NOTES:

**1** SAMPLE PLAN NOTE

# MIXED USE - MULTI FAMILY NEW DEVELOPMENT

415 MOYER LANE NW SALEM, OR 97304

SHEET:

**A1.22**



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### PLAN LEGEND:

### FLOOR PLAN NOTES:

- 1 SAMPLE PLAN NOTE

STUDIO

3

ARCHITECTURE  
INCORPORATED

275 COURT ST., NE  
SALEM, OR 97301-3442  
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PROJECT # 2023-152  
DATE: 01/10/2025  
REVISIONS

# MIXED USE - MULTI FAMILY NEW DEVELOPMENT

415 MOYER LANE NW SALEM, OR 97304

SHEET:

A1.23



1 NORTH ELEVATION



2 EAST ELEVATION

MIXED USE - MULTI FAMILY  
NEW DEVELOPMENT  
415 MOYER LANE NW SALEM, OR 97304



**1** SOUTH ELEVATION



**2** WEST ELEVATION

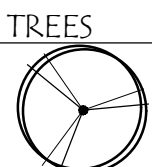
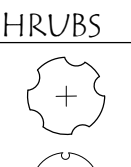
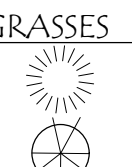
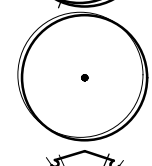
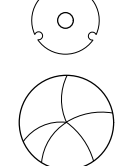
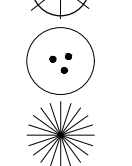
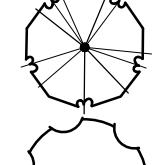
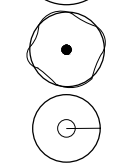

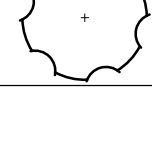
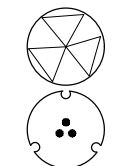
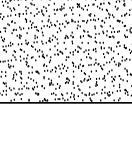
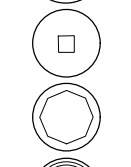

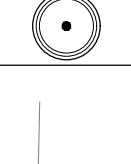


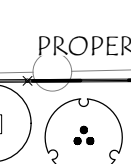


**MIXED USE - MULTI FAMILY  
NEW DEVELOPMENT**

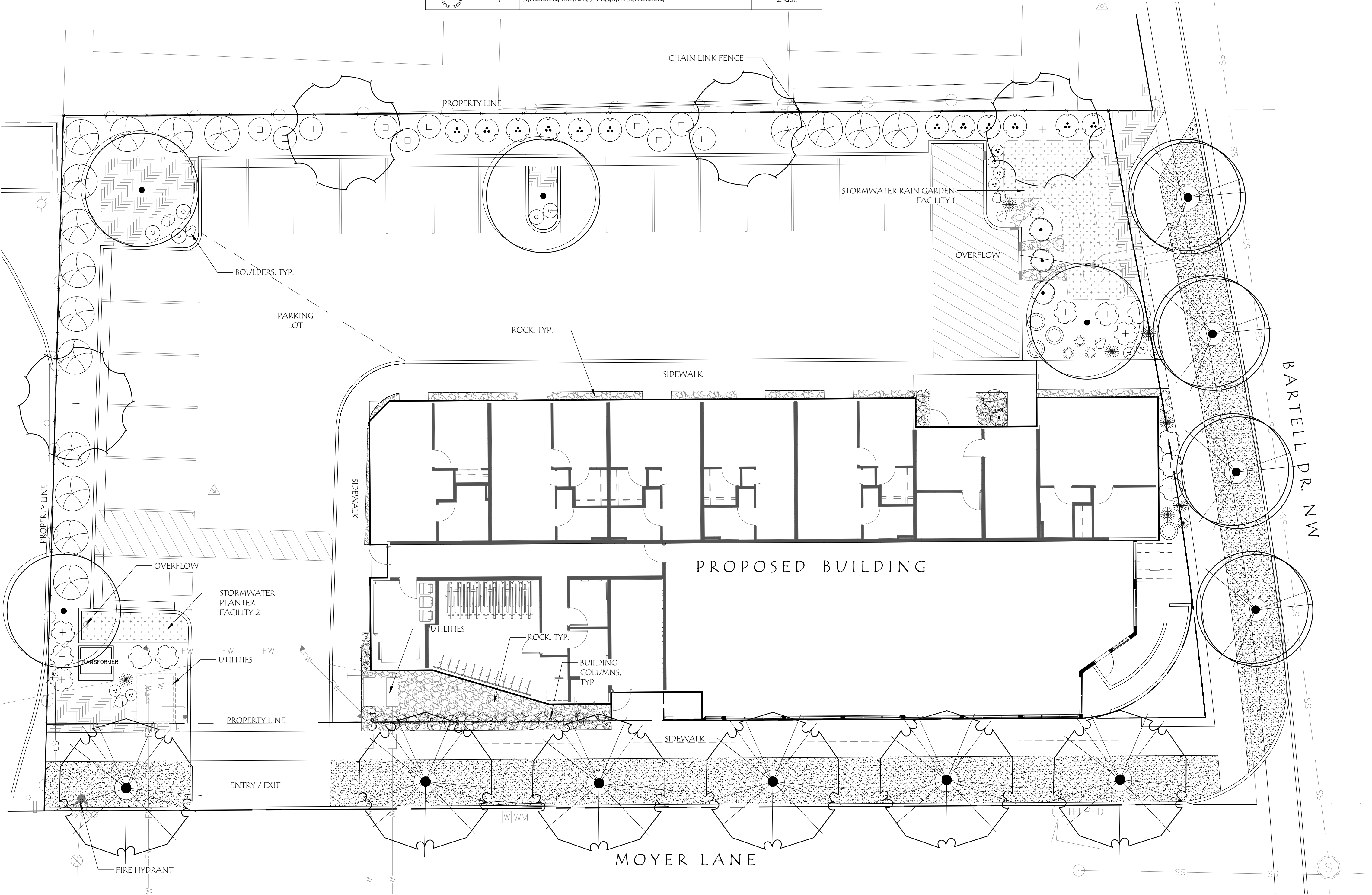
415 MOYER LANE NW SALEM, OR 97304

SHEET:


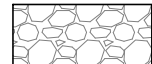
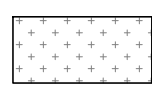
**A2.02**

Preliminary Plant Schedule

TREES	QTY	BOTANICAL / COMMON NAME	SIZE	SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE	GRASSES	QTY	BOTANICAL / COMMON NAME	SIZE
	4	Cladrastis kentukea / American Yellowwood (Street Tree)	1 1/2" Cal., B&B		12	Abelia x grandiflora 'Sherwoodii' / Sherwood Glossy Abelia	2 Gal.		19	Calamagrostis x acutiflora 'Karl Foerster' / Karl Foerster Feather Reed Grass	1 Gal.
	4	Nyssa sylvatica 'Wildfire' / Wildfire Tupelo	1 1/2" Cal., B&B		7	Ilex crenata 'Sky Pencil' / Sky Pencil Japanese Holly	24"-30" Ht.		2	Hakonechloa macra 'Albovariegata' / Variegated Japanese Forest Grass	1 Gal.
	6	Platanus x acerifolia 'Bloodgood' / Bloodgood London Plane Tree (Street Tree)	1 1/2" Cal., B&B		17	Ligustrum japonicum 'Texanum' / Texas Japanese Privet	5 Gal.		9	Hemerocallis Spp. / Daylily	1 Gal.
	4	Quercus robur 'Fastigiata' / Skyrocket English Oak	1 1/2" Cal., B&B		3	Mahonia aquifolium / Oregon Grape	2 Gal.		8	Pennisetum alopecuroides 'Hameln' / Hameln Dwarf Fountain Grass	1 Gal.
					14	Nandina domestica 'Firepower' / Firepower Heavenly Bamboo	2 Gal.		32	Rubus calycinoides 'Emerald Carpet' / Emerald Carpet Creeping Raspberry	1 Gal.
					1	Prunus laurocerasus 'Mount Vernon' / Mount Vernon Laurel	2 Gal.		2,130 sf	ProTime pt301 Water Smarter Fescue (Or Equal)	Seed at rate of 7-10 lbs per 1,000 sf
					12	Prunus laurocerasus 'Otto Luyken' / Otto Luyken English Laurel	2 Gal.				
					10	Raphiolepis umbellata 'Snow White' / Yedda Hawthorn	2 Gal.				
					4	Rosa x 'KO Double' / Pink Double Knockout Rose	2 Gal.				
					1	Sarcococca confusa / Fragrant Sarcococca	2 Gal.				



Legend:

-  BOULDERS
-  2"-6" ROUND ROCK, GRAY, 6" DEPTH
-  STORMWATER FACILITY

General Notes:

- DRAWINGS ARE PRELIMINARY, NOT FOR CONSTRUCTION OR BIDDING.
- SEE ARCHITECTURAL DRAWINGS FOR SITE PLAN, AREA CALCULATIONS AND COMMON AREAS.
- SEE CIVIL DRAWINGS FOR GRADING, UTILITIES, AND STORMWATER INFORMATION.
- PLANTS TO BE SIZED ACCORDING TO CITY OF SALEM STORMWATER PLATING REQUIREMENTS. PLANTS TO BE SELECTED FROM APPROVED PLANT LIST AND DESIGN STANDARDS.
- STORMWATER FACILITY PLANTINGS TO FOLLOW SALEM STORMWATER PLATING REQUIREMENTS. PLANTS TO BE SELECTED FROM APPROVED PLANT LIST AND DESIGN STANDARDS.
- STREET TREES SELECTED FROM SALEM APPROVED STREET TREE LIST FOR PLANTERS 8" WIDE.
- LANDSCAPE TO BE IRRIGATED BY AN AUTOMATIC UNDERGROUND SYSTEM.

Site Information:

DEVELOPED SITE AREA: 20,042 SF  
TOTAL LANDSCAPING: 3,789 SF

Stormwater Planting Requirements

FACILITY NUMBER	FACILITY SF	SMALL TREES/ LARGE SHRUBS	SMALL SHRUBS	GROUND COVERS
1	342 SF	TBD	TBD	TBD
2	86 SF	TBD	TBD	TBD

Requirements per 100 SF  
1 Tree -OR-  
4 Large Shrubs -OR-  
6 Small Shrubs  
Grasses, Sedges, or Rushes at least 75% of facility  
Herbs and Forbs balance of facility  
2" Pea Gravel Zone 1

Landscape Planting Requirements

REQUIRED PLANTS:	1 PLANT PER 20 SQUARE FEET = 1 PLANT UNIT (PU)
1 MATURE TREE = 15 PU	
1 SHADE TREE = 10 PU	
1 EVERGREEN TREE = 5 PU	
1 ORNAMENTAL TREE = 2 PU	
1 LARGE SHRUB = 2 PU	
1 SMALL/MEDIUM SHRUB = 1 PU	
LAWN/GROUND COVER = 1 PU PER 50 SF	

LANDSCAPE SQUARE FOOTAGE = 3,789 SF NUMBER OF REQUIRED PUs = 190 PU 40% PU REQUIRED AS TREES =76 PU		
Plants	# of Plants	Plant Units
Mature Tree	-	-
Shade Tree	8	80
Evergreen Tree	-	-
Ornamental Tree	-	-
Large Shrubs	17	34
Small / Medium Shrubs	64	64
Lawn / Groundcover	1,449 sf	29
Total Plant Units		207

Laurus Designs, LLC



1012 Pine Street  
Silverton, Oregon 97381

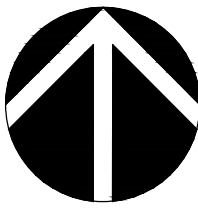
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MOYER APARTMENTS

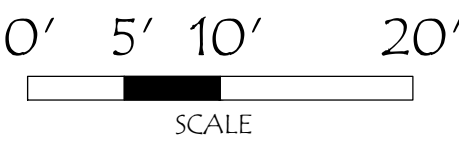
415 MOYER LANE NW  
SALEM, OREGON



PRELIMINARY PLANTING PLAN



SCALE: 1" = 10' - 0"



OCTOBER 24TH, 2024

REVISIONS

# DATE NOTES INITIALS

L1.1

SHEET 1 OF 1

PROJECT #: 1654R



# MEMO

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

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

**DATE:** February 27, 2025

**SUBJECT: Infrastructure Memo**  
**SPR-ADJ-DAP25-03 (24-121939-PLN)**  
**415 Moyer Lane NW**  
**Mixed-use Development**

## **PROPOSAL**

A consolidated application for a Class 3 Site Plan Review, and Class 2 Driveway Approach Permit for a new mixed-use development, consisting of 2,365 square feet of retail commercial space and a total of 32 multi-family units, with two Class 2 Adjustments. The subject properties are 23,950 square feet in total size, zoned WSCB (West Salem Central Business District), and located at 415 Moyer Lane NW (Polk County Assessor Map and Tax Lot Numbers: 073W22CB / 800, 2000, 2001, and 2100).

## **RECOMMENDED CONDITIONS OF APPROVAL**

1. Prior to issuance of a building permit, provide an updated utility plan demonstrating all stormwater will drain to an approved point of discharge as required by SRC 71.075(a).
2. Design and construct a storm drainage system at the time of development in compliance with *Salem Revised Code* (SRC) Chapter 71 and *Public Works Design Standards* (PWDS).
3. Prior to issuance of a Certificate of Occupancy, convey land for dedication to equal a half-width right-of-way of 30 feet on the development side of Moyer Lane NW, including a 20-foot property line radius at the intersection of Moyer Lane NW and Bartell Drive NW.
4. Prior to issuance of a Certificate of Occupancy, construct a half-street improvement along the frontage of Moyer Lane NW to local street standards as specified in the City Street Design Standards, and consistent with the provisions of SRC Chapter 803.

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

5. Prior to issuance of a Certificate of Occupancy, convey land for dedication to equal a half-width right-of-way of 30 feet on the development side of Bartell Drive NW, including a 20-foot property line radius at the intersection of Moyer Lane NW and Bartell Drive NW.
6. Prior to issuance of a Certificate of Occupancy, construct property line sidewalks along Moyer Lane NW and Bartell Drive NW at the new property line location after right-of-way dedication. The sidewalk along Moyer Lane NW is permitted to be up to 6.5 feet in width adjacent to the building.
7. Prior to issuance of a Certificate of Occupancy, install street trees to the maximum extent feasible along Moyer Lane NW and Bartell Drive NW.
8. Prior to issuance of any construction permits for the proposed development, the applicant shall obtain a Floodplain Development Permit in accordance with SRC Chapter 601.
9. Construct all new structures a minimum of one foot above the base flood elevation pursuant to SRC 601.075, except where Floodproofing has been permitted pursuant to SRC 601.075(c)(3)(A)(ii).
10. Prior to issuance of a Building Permit, the applicant shall provide a Floodproofing Certificate supported by technical data for the non-residential portions of the structure which will be floodproofed per SRC 601.075(c)(3)(A)(iv).

### **EXISTING CONDITIONS – INFRASTRUCTURE**

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

<b>Streets</b>			
<b>Street Name</b>		<b>Right-of-way Width</b>	<b>Improvement Width</b>
<b>Moyer Lane NW (Local)</b>	Standard:	60-feet	30-feet
	Existing Condition:	45-feet	30-feet
<b>Bartell Drive NW (Local)</b>	Standard:	60-feet	30-feet
	Existing Condition:	45-feet	20-feet

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

<b>Utilities &amp; Parks</b>	
<b>Type</b>	<b>Existing Conditions</b>
<b>Water</b>	Water Service Level:

	A 6-inch water main is located in Moyer Lane NW.
	An 8-inch water main is located in Bartell Drive NW
<b>Sanitary Sewer</b>	An 8-inch sanitary sewer main is located in Moyer Lane NW and Bartell Drive NW.
<b>Storm Drainage</b>	A 24-inch storm main is located in Bartell Drive NW.
<b>Parks</b>	The proposed development is served by Wallace Park located approximately 0.30-miles northeast of the subject property.

### **SITE PLAN REVIEW DECISION CRITERIA**

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

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

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

##### ***SRC Chapter 200 – Urban Growth Management:***

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

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

##### ***SRC Chapter 200.050(d) – Acquisition of property, easements, and right-of-way:***

SRC 200.050(d) requires that right-of-way dedicated to the City be free of encumbrances and liens.

**Finding:** As described in the analysis of SRC Chapter 803 below, right-of-way dedication is required along Moyer Lane NW and Bartell Drive NW. The applicant's existing conditions plan does not identify any existing encumbrances which would conflict with required dedications. Compliance with SRC 200.050(d) will be verified at time of final right-of-way dedication.

##### ***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 is subject to the standards in SRC Chapter 71 and the Public Works Design Standards which require the use of green stormwater infrastructure to manage runoff from the development. The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible. However, the preliminary stormwater management design shows one of the proposed rain gardens discharging to the curb along Moyer Lane NW, which is not an approved point of discharge. The approved point of discharge for the proposed development is the public storm main in Bartell Drive NW, as no public storm mains exist in Moyer Lane NW. The applicant's written statement in response to the incomplete letter indicates that the applicant's engineers will revise the plans at time of building permit review to ensure all stormwater discharges into an approved point of discharge, as required by SRC 71.075(a). In order to ensure compliance with SRC Chapter 71 and the Public Works Design Standards relating to stormwater management, the following conditions apply:

**Condition:** Prior to issuance of a building permit, provide an updated utility plan demonstrating all stormwater will drain to an approved point of discharge as required by SRC 71.075(a).

**Condition:** Design and construct a storm drainage system at the time of development in compliance with *Salem Revised Code* (SRC) Chapter 71 and *Public Works Design Standards* (PWDS).

### ***SRC 802 – Public Improvements:***

#### **▪ *Development to be served by City utilities:***

SRC 802.015 requires development to be served by City utilities designed and constructed according to all applicable provisions of the Salem Revised Code and Public Works Design Standards (PWDS).

**Finding:** Public water, sanitary sewer, and stormwater infrastructure is available along the perimeter of the site and appears to be adequate to serve the property as shown on the applicant's preliminary utility plan. The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the PWDS and to the satisfaction of the Public Works Director.

### ***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:** The subject property has frontage along Moyer Lane NW and Bartell Drive NW. Pursuant to SRC 803.040(a)(4), Boundary Street Improvements along these frontages are warranted. Requirements for each street are described in the following analysis:

*Moyer Lane NW* – This street is classified as a local street according to the Salem Transportation System Plan (TSP). Moyer Lane NW has inadequate right-of-way width according to the standards set forth in Table 803-1 (Right-of-way Width), and has inadequate improvement width according to the standards set forth in Table 803-2 (Pavement Width). As a condition of approval, the applicant shall dedicate an adequate half-width right-of-way along Moyer Lane NW, including a 20-foot property line radius at the intersection of Moyer Lane NW and Bartell Drive NW. In addition, the applicant shall construct a half-street improvement along the development frontage to local street standards. In order to comply with SRC 803.040(a)(4), the following conditions apply:

**Condition:** Prior to issuance of a Certificate of Occupancy, convey land for dedication to equal a half-width right-of-way of 30 feet on the development side of Moyer Lane NW, including a 20-foot property line radius at the intersection of Moyer Lane NW and Bartell Drive NW.

**Condition:** Prior to issuance of a Certificate of Occupancy, construct a half-street improvement along the frontage of Moyer Lane NW to local street standards as specified in the City Street Design Standards, and consistent with the provisions of SRC Chapter 803.

*Bartell Drive NW* – This street is classified as a local street according to the Salem Transportation System Plan (TSP). Bartell Drive NW has inadequate right-of-way width according to the standards set forth in Table 803-1 (Right-of-way Width); however, it has adequate pavement width according to the standards set forth in Table 803-2 (Pavement Width). As a condition of approval, the applicant shall dedicate an adequate half-width right-of-way along Bartell Drive NW, including a 20-foot property line radius at the intersection of Moyer Lane NW and Bartell Drive NW. In order to comply with SRC 803.040(a)(4), the following condition applies:

**Condition:** Prior to issuance of a Certificate of Occupancy, convey land for dedication to equal a half-width right-of-way of 30 feet on the development side of Bartell Drive NW, including a 20-foot property line radius at the intersection of Moyer Lane NW and Bartell Drive NW.

Required streetscape improvements along both Bartell Drive NW and Moyer Lane NW are described in the following sections.

- **Sidewalks**

Street Standards require that all streets be improved with sidewalks. These standards also require that sidewalks shall be located parallel to and one foot from the adjacent right-of-way (SRC 803.035(l)(2)(A)) and that sidewalks be five feet in width (SRC 803.035(l)(2)(C)).

**Finding:** Sidewalks do not currently exist along Moyer Lane NW. Along Bartell Drive NW, the existing sidewalk is located along the curbline; however, the applicant will dedicate additional right-of-way along Bartell Drive NW to establish a landscape planter and property line sidewalk. As shown on the applicant's preliminary plans, the applicant proposes a 5-foot sidewalk located parallel to, and one foot from the adjacent right-of-way along Bartell Drive NW and a portion of Moyer Lane NW. The remainder of the sidewalk along Moyer Lane NW will be 5 to 6.5 feet in width, and extends to the property line where the building is constructed with no setback from the property line. The applicant requests an Alternative Street Standard pursuant to SRC 803.065 to allow the wider sidewalk located with no setback from the property line along Moyer Lane NW. Staff finds this is an acceptable Alternative Street Standard pursuant to SRC 803.065(a)(3), as the zoning of the property requires the building to be located along the property line. Constructing a sidewalk one foot from the property line adjacent to the building would create a one-foot landscape strip which is unusable. As a condition of approval, the applicant shall construct sidewalks along Moyer Lane NW and Bartell Drive NW. The following condition applies:

**Condition:** Prior to issuance of a Certificate of Occupancy, construct property line sidewalks along Moyer Lane NW and Bartell Drive NW at the new property line location after right-of-way dedication. The sidewalk along Moyer Lane NW is permitted to be up to 6.5 feet in width adjacent to the building.

- **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:** The applicant is required to construct property line sidewalks along both Moyer Lane NW and Bartell Drive NW, which will establish a landscape planter between the curb and sidewalk along these streets. As a condition of approval, the applicant shall plant street trees along these frontages. The following condition applies:

**Condition:** Prior to issuance of a Certificate of Occupancy, install street trees to the maximum extent feasible along Moyer Lane NW and Bartell Drive NW.

***SRC Chapter 804 – Driveway Approaches:***

SRC 804 establishes development standards for driveway approaches providing access

from the public right-of-way to private property in order to provide safe and efficient vehicular access to development sites.

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

***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:** Vision Clearance areas are shown on the applicant's preliminary plans. As shown on the plans, the proposal does not cause a vision clearance obstruction per SRC Chapter 805.

***Natural Resources:***

***SRC 601 – Floodplain:*** Development in the floodplain shall be regulated to preserve and maintain the capability to the floodplain to convey the flood water discharges and to minimize danger to life and property.

**Finding:** The subject property is designated on the Federal Emergency Management Agency floodplain maps as a Zone "AE" floodplain. The Floodplain Administrator has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined the 100-year base flood elevation for the subject development is 141 feet. Development within the floodplain requires a floodplain development permit and is subject to the requirements of SRC Chapter 601, including elevation of new structures to a minimum of one foot above the base flood elevation. An Elevation Certificate is required to verify the new structure's elevation. The Elevation Certificate shall be submitted to the City to verify the structure's elevation prior to pouring building foundations, and again prior to final occupancy.

The applicant proposes to dry "flood-proof" portions of the building which are non-residential, in lieu of meeting the elevation requirement. Floodproofing is allowed only for non-residential portions of buildings, if the methods meet the requirements established in SRC 601.075(c)(3)(A)(ii). Pursuant to SRC 601.075(c)(3)(A)(iv), a Floodproofing Certificate is required by a professional engineer or architect to demonstrate that the design methods are in accordance the Federal Emergency Management Agency's requirements for floodproofing structures.

In order to ensure compliance with SRC Chapter 601, relating to Floodplain Development, the following conditions apply:

**Condition:** Prior to issuance of any construction permits for the proposed development, the applicant shall obtain a Floodplain Development Permit in accordance with SRC Chapter 601.

**Condition:** Construct all new structures a minimum of one foot above the base flood elevation pursuant to SRC 601.075, except where Floodproofing has been permitted pursuant to SRC 601.075(c)(3)(A)(ii).

**Condition:** Prior to issuance of a Building Permit, the applicant shall provide a Floodproofing Certificate supported by technical data for the non-residential portions of the structure which will be floodproofed per SRC 601.075(c)(3)(A)(iv).

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

**Finding:** The Salem-Keizer Local Wetland Inventory shows that there are hydric soils mapped on the property. The applicant should contact the Oregon Department of State Lands to verify if any permits are required for development or construction in the vicinity of the mapped wetland area(s), including any work in the public right-of-way. Wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025.

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

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

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

**Finding—** Access to the proposed development will be provided by the network of existing public streets that surround the property. As conditioned, the required improvements will ensure that the street system adjacent to the development will

provide for the safe, orderly, and efficient circulation of traffic to and from the development. This criterion is met.

**Criteria: SRC 220.005(f)(3)(C) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians**

**Finding—**The applicant proposes one driveway approach onto Moyer Lane NW, a local street according to the Salem Transportation System Plan. The driveway access onto Moyer Lane NW 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.

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

Salem Revised Code (SRC) 804.025(d) provides that an application for a Class 2 Driveway Approach Permit shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

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

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

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

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

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

**Finding:** The proposed driveway approach accesses a local street, Moyer Lane NW. No access onto an arterial street is proposed. This criterion is met.

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

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

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

**Finding:** The subject property abuts two local streets, Moyer Lane NW and Bartell Drive NW. The proposed driveway is taken with access to the lowest classification of street abutting the property. This criterion is met.

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

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

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

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

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

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

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

**Finding:** The proposed driveway approach is located on a local street with adequate spacing between the intersection of Moyer Lane NW and Bartell Drive NW. The proposed driveway approach does not impact the functionality of adjacent streets and intersections. This criterion is met.

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

**Finding**—The subject property and surrounding area is zoned WSCB (West Salem Central Business District). The proposed driveway approach is not located in the vicinity of a residentially zoned area. The driveway will not have an effect on the functionality of the adjacent streets. This criterion is met.

## **RESPONSE TO PUBLIC COMMENTS**

1. **Traffic and Street Improvements:** Comments received express concerns for the existing condition of Moyer Lane NW and the additional traffic that will be generated onto the street system as part of the development. The comments also express the concerns for existing congestion along Wallace Road NW and limited on-street parking in the vicinity.

**Staff Response:** Moyer Lane NW is a local street which connects Wallace Road NW, an arterial roadway under Oregon Department of Transportation jurisdiction, and Bartell Drive NW, a local street under City of Salem Jurisdiction. At the intersection of Moyer Lane NW and Wallace Road NW left (southbound) turning movements are restricted. However, from Bartell Drive NW, traffic can access two traffic signals to make a left (southbound) turning movement onto Wallace Road NW. The first signalized intersection is located at the intersection of Taggart Drive NW and Wallace Road NW, south of the site. The second signalized intersection is located north of the site at the intersection of Glen Creek Road NW and Wallace Road NW. These existing signalized intersections are accessible to the site, from Bartell Drive NW, and will provide for safe access to the development site.

As discussed in the “Boundary Streets” section of the decision, Moyer Lane NW is an underimproved local street. As a condition of approval, the applicant is required to construct a half street improvement along the frontage of the development. Off-site improvements along Moyer Lane NW are not required as a condition of approval as there are no standards applicable to the proposal which would require an off-site improvement. Staff finds that Moyer Lane NW, with improvements required as a condition of approval, will provide for safe access to the development site.

Regarding the availability of on-street parking; parking is not required (on-site or off-site) for development. Due to the existing limited width of Moyer Lane NW, on-street parking is not provided along the majority of the street. Along the frontage of the development, Moyer will be widened to meet the required half-width right-of-way which will provide on-street parking on the development site of the street. Bartell Drive NW is posted as “no-parking”. While on-street parking in the vicinity is limited, the development site has access to transit on Wallace Road NW as well as bike and ped facilities in the vicinity.

Prepared by: Laurel Christian, Infrastructure Planner III  
cc: File



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Andrea Castañeda, Superintendent

February 5, 2025

Jamie Donaldson, Planner  
 Planning Division, City of Salem  
 555 Liberty Street SE, Room 305  
 Salem OR 97301

RE: Land Use Activity Case No. SPR-ADJ-DAP25-03, 415 Moyer Ln NW

The City of Salem issued a Request for Comments for a Land Use Case as referenced above. Please find below comments on the impact of the proposed land use change on the Salem-Keizer School District.

### **IDENTIFICATION OF SCHOOLS SERVING THE SUBJECT PROPERTY**

The School District has established geographical school attendance areas for each school known as school boundaries. Students residing in any residence within that boundary are assigned to the school identified to serve that area. There are three school levels, elementary school serving kindergarten thru fifth grade, middle school serving sixth thru eighth grade, and high school serving ninth thru twelfth grade. . The schools identified to serve the subject property are:

School Name	School Type	Grades Served
Harritt	Elementary	K thru 5
Walker	Middle	6 thru 8
West Salem	High	9 thru 12

*Table 1*

### **SCHOOL CAPACITY & CURRENT ENROLLMENT**

The School District has established school capacities which are the number of students that a particular school is designed to serve. Capacities can change based on class size. School capacities are established by taking into account core infrastructure (gymnasium, cafeteria, library, etc.) counting the number of classrooms and multiplying by the number of students that each classroom will serve. A more detailed explanation of school capacity can be found in the School District's adopted Facility Plan.

School Name	School Type	School Enrollment	School Design Capacity	Enroll./Capacity Ratio
Harritt	Elementary	498	577	86%
Walker	Middle	554	1,007	55%
West Salem	High	1,572	2,100	75%

Table 2

### POTENTIAL ADDITIONAL STUDENTS IN BOUNDARY AREA RESULTING FROM APPROVAL OF LAND USE CASE

The School District anticipates the number of students that may reside at the proposed development based on the housing type, single family (SF), duplex/triplex/four-plex (DU), multi-family (MF) and mobile home park (MHP). The School District commissioned a study by the Mid-Willamette Valley Council of Governments in 2021 to determine an estimate of students per residence, for the Salem-Keizer area, in each of the four housing types. Since the results are averages, the actual number of students in any given housing type will vary. The table below represents the resulting estimates for the subject property:

School Type	Qty. of New Residences	Housing Type	Average Qty. of Students per Residence	Total New Students
Elementary	32	MF	0.164	5
Middle			0.085	3
High			0.096	3

Table 3

### POTENTIAL EFFECT OF THIS DEVELOPMENT ON SCHOOL ENROLLMENT

To determine the impact of the new residential development on school enrollment, the School District compares the school capacity to the current enrollment plus estimates of potential additional students resulting from land use cases over the previous two calendar years. A ratio of the existing and new students is then compared with the school design capacity and expressed as a percentage to show how much of the school capacity may be used.

School Name	School Type	School Enrollment	New Students During Past 2 yrs	New Student from this Case	Total New Students	School Design Cap.	Enroll./Cap. Ratio
Harritt	Elem.	498	8	5	13	577	89%
Walker	Mid.	554	4	3	7	1,007	56%
West Salem	High	1,572	28	3	31	2,100	76%

Table 4

### ESTIMATE OF THE EFFECT ON INFRASTRUCTURE – IDENTIFICATION OF WALK ZONES AND SCHOOL TRANSPORTATION SERVICE

Civic infrastructure needed to provide connectivity between the new residential development and the schools serving the new development will generally require roads, sidewalks and bicycle lanes. When developing within one mile of school(s), adequate pathways to the school should be provided that would have raised sidewalks. If there are a large number of students walking, the sidewalks should be wider to accommodate the number of students that would be traveling the

path at the same time. Bike lanes should be included, crosswalks with flashing lights and signs where appropriate, traffic signals to allow for safe crossings at busy intersections, and any easements that would allow students to travel through neighborhoods. If the development is farther than one mile away from any school, provide bus pullouts and a covered shelter (like those provided by the transit district). Locate in collaboration with the District at a reasonable distance away from an intersection for buses if the distance is greater than ½ mile from the main road. If the distance is less than a ½ mile then raised sidewalks should be provided with stop signs where students would cross intersections within the development as access to the bus stop on the main road. Following is an identification, for the new development location, that the development is either located in a school walk zone or is eligible for school transportation services.

School Name	School Type	Walk Zone or Eligible for School Transportation
Harritt	Elementary	Eligible for School Transportation
Walker	Middle	Walk Zone
West Salem	High	Eligible for School Transportation

Table 5

## ESTIMATE OF NEW SCHOOL CONSTRUCTION NEEDED TO SERVE DEVELOPMENT

The School District estimates the cost of constructing new school facilities to serve our community. The costs of new school construction is estimated using the Rider Levett Bucknall (RLB) North America Quarterly Construction Cost Report and building area per student from Cornerstone Management Group, Inc. estimates. The costs to construct school facilities to serve the proposed development are in the following table.

School Type	Number of Students	Estimate of Facility Cost Per Student*	Total Cost of Facilities for Proposed Development*
Elementary	5	\$92,105	\$460,525
Middle	3	\$113,211	\$339,633
High	3	\$134,316	\$402,948
<b>TOTAL</b>			<b>\$1,203,106</b>

Table 6

\*Estimates based on average of Indicative Construction Costs from “RLB Construction Cost Report North America Q4 2024”

Sincerely,

David Fridenmaker  
Business and Support Services

c: Robert Silva, Chief Operations Officer, David Hughes, Director of Operations & Logistics, T.J. Crockett, Director of Transportation