



# NOTICE of FILING

## LAND USE REQUEST AFFECTING THIS AREA

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

<b>CASE NUMBER:</b>	Type II Site Plan Review / Urban Growth Area Development Permit Case No. SPR-UGA12-11
<b>AMANDA APPLICATION NO:</b>	12-110419-RP & 12-110418-LD
<b>NOTICE MAILING DATE:</b>	August 2, 2012
<b>PROPERTY LOCATION:</b>	2500 Block of Boone Road SE / 97302
<b>PROPERTY OWNERS:</b>	PACIFIC REALTY ASSOCIATES LP & M AND T PARTNERS INC
<b>APPLICANT:</b>	M AND T PARTNERS INC
<b>REPRESENTATIVE/AGENT:</b>	W. JOSH WELLS, WESTECH ENGINEERING, INC.
<b>DESCRIPTION OF REQUEST:</b>	<p>Consolidated UGA Permit to determine the required public facilities for office and retail development and Type II Site Plan Review to develop a 15,000 square foot medical office building and 23,100 square foot medical office building on properties approximately 7.5 acres in size that lie outside the Urban Service Area (USA), are zoned CO (Commercial Office) and CR (Retail Commercial), and are located in the 2500 Block of Boone Road SE 97306 (Marion County Assessor's Map and Tax Lot 083W11D 00600 and 083W12C 00702). The Type II Site Plan Review also includes construction of an accessway on an abutting property approximately 7.5 acres in size, zoned CR (Retail Commercial), and located at 2541 Boone Road SE 97306 (Marion County Assessor's Map and Tax Lot 083W12C 01900).</p> <p>Pursuant to SRC 163.020(d), type II site plan review is required for this application because the proposed development requires a Transportation Impact Analysis pursuant to the Transportation System Plan, a Geologic Assessment, and deviation from the clear and objective standards of the Salem Revised Code and where the Planning Administrator or Director of Public Works is granted the authority to use limited discretion in deviating from the established standard. The applicant is requesting that the Planning Administrator allow deferral of construction of some of the mitigating traffic improvements imposed as a condition of approval for Zone Change Case No. 09-3 and specified in the final approval of Comprehensive Plan Change/Zone Change 06-6, pursuant to SRC 113.205(b)(11)(A).</p>
<b>CRITERIA TO BE CONSIDERED:</b>	<p><b>UGA</b></p> <p>The purpose of this process is to assure the applicant provides the major public facilities (such as major sewers, water and streets) in a manner that conforms with the Salem Urban Growth Management Program. Please note that the specific site design for the property is NOT included as the subject of this particular review process. Any site design review which may be required for development will be handled in a separate review process.</p> <p>In order to direct, control, and accommodate the growth of the city within the Urban Growth Boundary, and to insure compliance with the urban growth policies of the Salem Area Comprehensive Plan, a UGA permit is required for development proposed outside the Urban Service Area (USA), or inside the USA if development precedes city construction of required facilities. An URBAN GROWTH AREA DEVELOPMENT PERMIT must conform to the requirements of SRC 66.050 through 66.195, available online at: <a href="http://www.cityofsalem.net/Departments/Legal/Pages/SalemRevisedCodes.aspx">www.cityofsalem.net/Departments/Legal/Pages/SalemRevisedCodes.aspx</a></p>

**Site Plan Review, Type II**

Pursuant to SRC 163.070(b), approval of a TYPE II SITE PLAN REVIEW application shall be granted if:

- (1) The application has met all applicable standards of the Salem Revised Code, or the application has met all standards requiring the exercise of discretion or legal judgment necessary to grant an appropriate deviation, including approval of a concurrent zoning adjustment consistent with SRC Chapter 116;
- (2) 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;
- (3) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians; and
- (4) The proposed development will be adequately served with City water, sewer, storm drainage, and other utilities appropriate to the nature of the development.

**PUBLIC COMMENT PERIOD:**

**All written comments must be submitted to City Staff no later than 5:00 p.m., August 16, 2012.** Comments received after the close of the Comment Period will not be considered.

**TO SUBMIT COMMENTS:**

Any person wishing to express support or opposition to the proposed request may do so by submitting written comments **during the Public Comment Period**. Include case number with the written comments. Written comments may be filed with the Case Manager, Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301, or by email at the address listed below.

Subsequent to the closing of the public comment period, a decision will be issued and mailed to the applicant, property owner, everyone entitled to the initial notice of the application, anyone who submitted written comments on the application, and to any other persons otherwise legally entitled to notice of the decision.

Failure to raise an issue in writing prior to the close of the Public Comment Period with sufficient specificity to provide the opportunity to respond to the issue, precludes appeal to the Land Use Board of Appeals (LUBA) on this issue. A similar failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.

**CASE MANAGER:**

*PC* **Pamela Cole, Case Manager**, City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Telephone: 503-540-2309; E-mail: [pcole@cityofsalem.net](mailto:pcole@cityofsalem.net)

**NEIGHBORHOOD ORGANIZATION:**

South Gateway Neighborhood Association, Steve Withers, Land Use Chair; Phone: (503) 540-0442; Email: [withers5361@comcast.net](mailto:withers5361@comcast.net)

**DOCUMENTATION MATERIALS:**

Copies of the application, all documents and evidence submitted by the applicant are available for inspection at no cost at the Planning Division office, City Hall, 555 Liberty Street SE, Room 305, during regular business hours. Copies may be obtained at a reasonable cost. Please contact the Case Manager.

**ACCESS:**

The Americans with Disabilities Act (ADA) accommodations will be provided on request.

G:\CD\Planning\Case Application Files \ Site Plan Review \ 2012 \ 3 – Case Documents \ SPR-UGA12-11 \ SPR-UGA12-11 Notice of Filing.doc

**PLEASE PROMPTLY FORWARD A COPY OF THIS NOTICE TO ANY OTHER OWNER, TENANT OR LESSEE**

*It is the City of Salem's policy to assure that no person shall be discriminated against on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income, as provided by Salem Revised Code Chapter 97. The City of Salem also fully complies with Title VI of the Civil Rights Act of 1964, and related statutes and regulations, in all programs and activities. Disability-related modification or accommodation, including auxiliary aids or services, in order to participate in this meeting or event, are available upon request. Sign language and interpreters for languages other than English are also available upon request. To request such an accommodation or interpretation, contact the Community Development Department at 503-588-6173 at least three business days before this meeting or event. TTD/TTY telephone 503-588-6439 is also available 24/7*

## REQUEST FOR COMMENTS

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

**REGARDING:** Type II Site Plan Review / Urban Growth Area Development Permit  
Case No. SPR-UGA12-11  
**PROJECT ADDRESS:** 2500 Block Boone Road SE / 97302  
**AMANDA Application No.** 12-110419-RP & 12-110418-LD


**COMMENT PERIOD ENDS:** August 16, 2012

**REQUEST:** Consolidated UGA Permit to determine the required public facilities for office and retail development and Type II Site Plan Review to develop a 15,000 square foot medical office building and 23,100 square foot medical office building on properties approximately 7.5 acres in size that lie outside the Urban Service Area (USA), are zoned CO (Commercial Office) and CR (Retail Commercial), and are located in the 2500 Block of Boone Road SE 97306 (Marion County Assessor Map and Tax Lot 083W11D 00600 and 083W12C 00702). The Type II Site Plan Review also includes construction of an accessway on an abutting property approximately 7.5 acres in size, zoned CR (Retail Commercial), and located at 2541 Boone Road SE 97306 (Marion County Assessor's Map and Tax Lot 083W12C 01900).

Pursuant to SRC 163.020(d), type II site plan review is required for this application because the proposed development requires a Transportation Impact Analysis pursuant to the Transportation System Plan, a Geologic Assessment, and deviation from the clear and objective standards of the Salem Revised Code and where the Planning Administrator or Director of Public Works is granted the authority to use limited discretion in deviating from the established standard. The applicant is requesting that the Planning Administrator allow deferral of construction of some of the mitigating traffic improvements imposed as a condition of approval for Zone Change Case No. 09-3 and specified in the final approval of Comprehensive Plan Change/Zone Change 06-6, pursuant to SRC 113.205(b)(11)(A).

Attached is a copy of the proposal and any related maps. A decision for this proposal will be prepared by the planning staff from information available to the staff. You are invited to respond with information relating to this property and this request. We are interested in receiving pertinent, factual information such as neighborhood association recommendations and comments of affected property owners or residents.

**Comments received by 5:00 P.M., August 16, 2012,** will be considered in the decision process. Comments received after this date will be not considered.

**SEND COMMENTS TO:**  Pamela Cole, Case Manager  
Planning Division, City of Salem  
555 Liberty St SE, Room 305, Salem, OR 97301

**IF YOU HAVE QUESTIONS:** Please contact the Case Manager at the address listed above, by telephone at 503-540-2309, by E-Mail at [pcole@cityofsalem.net](mailto:pcole@cityofsalem.net), or by Fax at (503) 588-6005.

### PLEASE CHECK THE FOLLOWING THAT APPLY:

- ☐ 1. I have reviewed the proposal and have no objections to it.  
☐ 2. I have reviewed the proposal and have the following comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- ☐ 3. Other: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Agency: \_\_\_\_\_

Phone: \_\_\_\_\_

Date: \_\_\_\_\_

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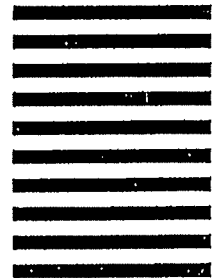
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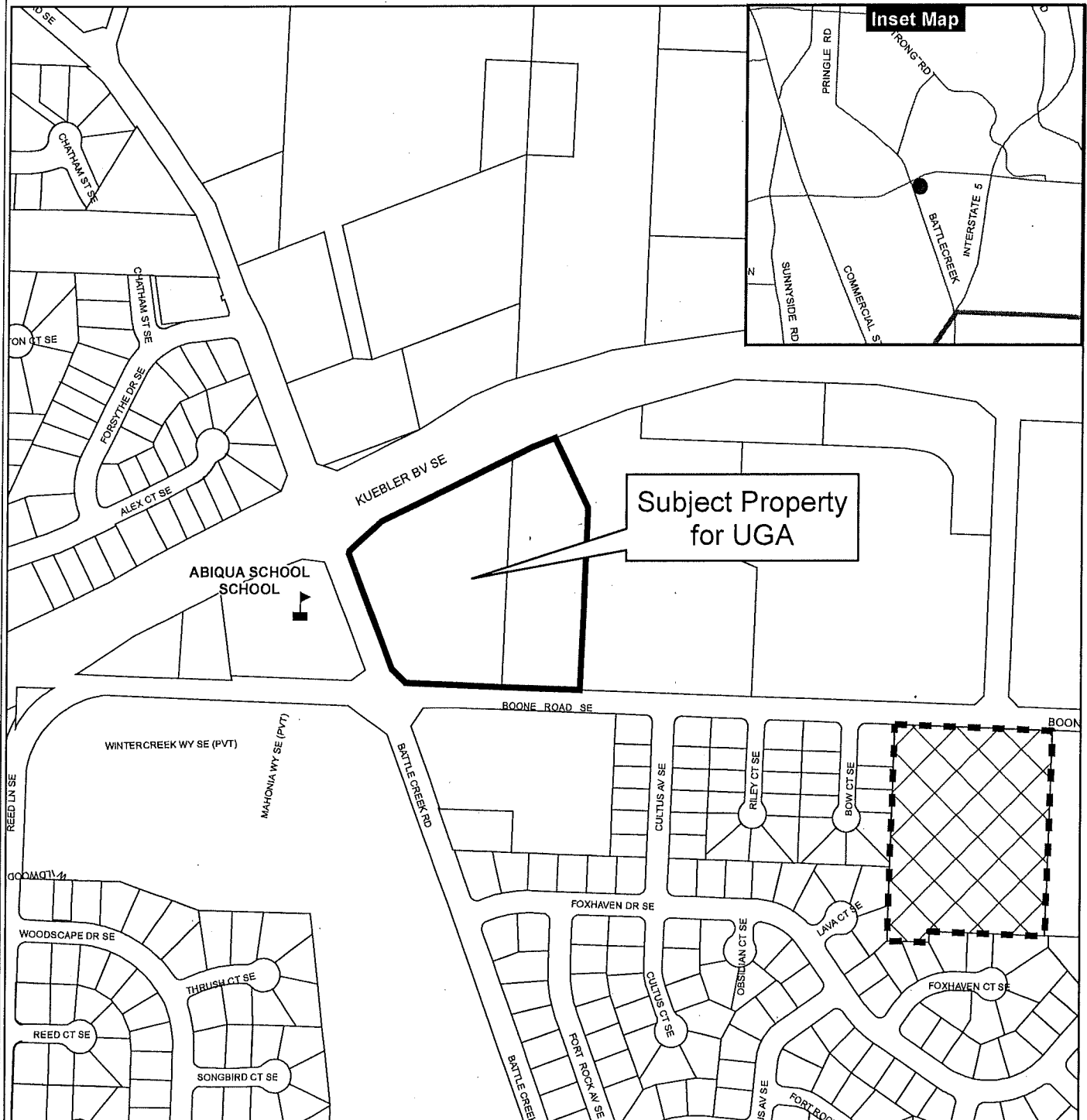
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CITY OF SALEM  
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SALEM OR 97301-9907



# Vicinity Map

## Tax Lots 083W12C 00702 and 083W11D 00600



### Legend

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

Parks

**CITY OF Salem**  
 AT YOUR SERVICE  
 Community Development Dept.

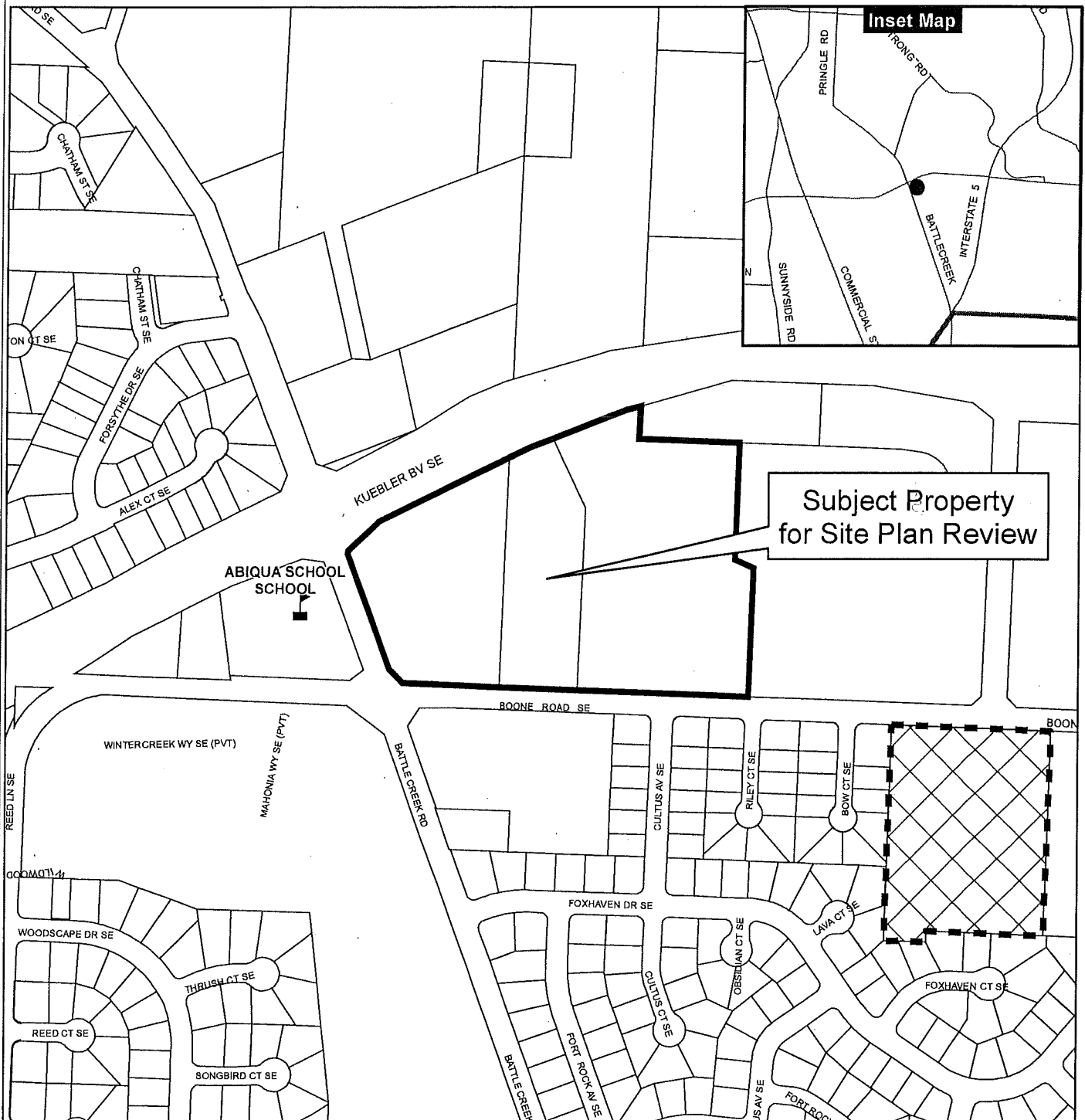
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# Vicinity Map - Tax Lots

## 083W12C 00702, 083W11D 00600, 083W12C 01900



### Legend

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

- Parks

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**SITE PLAN REVIEW FOR PACIFIC REALTY ASSOCIATES (PACTRUST)  
BOONE ROAD AT BATTLE CREEK ROAD OFFICE DEVELOPMENT**

**Overview**

Pacific Realty Associates (PacTrust) is preparing to build two office buildings on the Commercial Office (CO) zoned portion of its "Kuebler Blvd." commercial property. The CO area occupies the southwest corner of the property, situated at the corner of Boone Road and Battle Creek Road SE. The CO area totals 3.86 acres, and is currently part of Tax Lot 600 on Assessor's Map T8S R3W Section 11D and Tax Lots 702 and 1900 on Assessor's Map T8S R3W Section 12C. The land is currently vacant.

The planned buildings include one of approximately 23,100 squ. ft. along the Boone Road frontage, and another of approximately 15,015 squ. ft. along the Battle Creek Road frontage. The Boone Road building is shown as 280'x 82.5', and the Battle Creek building is 182'x 82.5'.

The intended use of the Boone Road building is a medical clinic. The Battle Creek building will provide general office space, but likely occupants may include medical services or related uses. The CO zone, SRC Chapter 150, includes medical offices and other health services as permitted uses in section 150.020(f)(15-20), SIC 801-804, 807, 8095.

Initial access to the site will be provided by a driveway to Boone Road. This is one of the site access drives approved in CPC/ZC 06-6. The intersection of the driveway with Boone Road will be determined as provided in condition of approval no. 8 of CPC/ZC 06-6.

Parking will be located in the interior of the site, north and east of the buildings. Parking for health services, and most types of office uses, is required to be provided at a ratio of 1 space/350 squ. ft. of building floor area, per SRC Table 133-1 nos. 9, 11, 15. Based on the total of the building square footages a minimum of 109 parking spaces are required, and a maximum of 191 can be allowed (133.100(b)). 191 spaces are shown on the site plan. One off-

street loading space for each building is required, per section 133.180, and one is shown near the front entry of each building.

A small number of the required parking spaces will be located to the north of the smaller building, in the CR-zoned area that adjoins the CO zone. Parking in the CR area for these buildings is permitted, as provided in 133.050(a)(2), and (b). Health services are permitted uses in the CR zone, SRC 152.020(g)(20-22), as are office uses in general, e.g. 152.020(f) and (h).

The CO area adjoins the CR zoning to the north. It does not adjoin any land in a residential zone or use. The planned uses are classified as “light impact” for bufferyard purposes, SRC 132.220, Table 132-1. The adjoining CR land is vacant. No bufferyard is required along the boundary of the CO and CR zoning.

### **SITE PLAN REVIEW, SRC 163**

The criteria for a Type II site plan review are provided in SRC 163.070(b), and are addressed as follows:

(1) *The application has met all applicable standards of the Salem Revised Code...*

The site development plan demonstrates the relationship of the design to the requirements of the Code. The site design conforms to the development standards for lot coverage, building height, property line setbacks, driveways width, parking, and landscaping, among others. These features are displayed on the site plan.

The development standards of the CO zone include the following:

#### **150.060. Height. Within a CO district:**

The height standard for non-residential buildings is found in (c) *Other uses. All other buildings and structures erected, altered, or enlarged may be built to a height of 70 feet.*  
The buildings will be not more than 35 feet in height.

#### **150.070. Lot Area and Dimensions. Within a CO district:**

The lot area standard for nonresidential use is found in (c) *Lot area, nonresidential. The minimum lot area for all other uses except those specified in SRC 150.020(g) is 6,000 square feet unless otherwise specifically provided in this zoning code.*

The lot areas are 115,302 s.f. for Property A (the Boone Road building), and 211,030 s.f. for Property B (the Battle Creek building). Property B will be re-divided in the future, to

separate the CR area from the CO area. However, as evidenced by the building size of 15,000 squ. ft., the reduced lot will remain well in excess of the 6,000 s.f. minimum.



(e) *see SRC 130.260 for street frontage requirements*

**130.260 Street Frontage.** *Except for single-family dwellings, all uses shall be located on lots having at least 16 feet of frontage.*

Property A has 326.52 feet of frontage on Boone Road. Property B has 116.53 feet of frontage on Boone Road, and 386.82 feet of frontage on Battle Creek Road (including corner radius).

**150.080. Yards Adjacent to Streets.** *Within a CO district:*

(a) *Along the full extent of each front lot line and lot line adjacent to a street there shall be a required yard twelve feet in depth, and all required bufferyards and vehicular use areas shall be landscaped and screened as required in SRC Chapter 132.*

The yard along Boone Road is 27.8' in depth, and the yard along Battle Creek Road is 23' in depth.

**SRC 132.230 Parking Lot and Vehicular Use Areas**

(a) *Required parking areas shall be separated from the exterior wall of a structure by a 5' wide landscaped strip...*

The site plan shows the parking area separated by 25' from the north wall of the larger building, by 30' from the west wall of the larger building, by 19' from the north-east corner of the smaller building, and by a minimum of 12' from the east wall of the smaller building. These areas will be landscaped.

(b) *Wheel stops shall be provided...*

Wheel stops will be provided to prevent vehicle overhangs from protruding into required landscaped yards.

(d)(3) *Interior yard vehicular use areas*

(A) *...interior parking lot landscaping is required for any vehicular use area of 12 parking spaces or 5,000 square feet of pavement, whichever is greater.*

(B) *The minimum amount of required landscaping is based on the total size of the parking lot as follows: 50,000 square feet and over - 8%.*

Based on its size and the number of spaces, 8% of the parking lot is required to be landscaped. 8% of the parking lot area totals 6,741 sq. ft. The area of the parking lot to be landscaped totals 7,149 sq. ft., which is greater than 8%.

(b) and (c) *Setbacks for accessory structures.*

There are no accessory structures.

(d) *Parking areas shall have a minimum required yard adjacent to a street of 12 feet.*

All parking areas exceed this requirement. The small parking area south of the Battle Creek building is set back 20' from the street, which is the closest of any parking area.

**150.090. Interior Side and Rear Yards.** *Within a CO district:*

(a) *Along the full extent of each side and rear lot line there shall be a required yard the greater of the following:*

(1) *Five feet for a building, structure not more than 35 feet in height, or development;*

*(2) For buildings or structures exceeding 35 feet in height the minimum required interior side yard shall be five feet plus one foot for each one foot of additional height or fraction thereof, but need not exceed 20 feet in depth; or*

*(3) The bufferyard setbacks required in SRC 132.220.*

The buildings will not exceed 35'. The required yard is provided along the east line of Property A, the site of the larger building. Common parking areas and aisles are located along the other interior lot lines. No bufferyard is required.

*(e) Driveways shall not be located within required side yards or rear yards, except those driveways that provide direct ingress or egress from or onto the street or alley. Those driveways that provide access to two or more uses and are located on a common lot line are exempt.*

Driveways are located along the common property lines between Properties A and B

**150.100. Lot Coverage.** *Within a CO district total lot coverage shall not exceed 60 percent. The lot coverage on Property A is 20% ( $23,100 \div 115,302$ ). The lot coverage on Property B is 7% ( $15,015 \div 211,030$ ).*

**150.110. Landscaping.** *All required yards in a CO district, except rear and side yards abutting an alley, and all required bufferyards and vehicular use areas shall be landscaped and screened as required in SRC Chapter 132.*

The yard areas required along the streets will be landscaped. The landscaping in the vehicular use area will exceed the 8% standard.

*(2) 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.*

The development site is served by Kuebler Blvd, a Parkway; Battle Creek Road, a Minor Arterial, Boone Road, a Collector; and 27<sup>th</sup> Avenue, a Collector; as shown on the Salem Transportation System Plan (STSP) Street Map. Initial driveway access to the development site will be from Boone Road. The Traffic Impact Analysis (TIA) that was approved and adopted as part of CPC/ZC 06-6 considered the total planned commercial retail and office use of the contiguous 28 acre site, of which this office development is a part. Improvements to the transportation system required for development of the contiguous 28 acre site were specified and adopted in the City's approval decision. The required transportation improvements were found to provide for the safe, orderly, and efficient circulation of traffic into and out of the proposed development at build-out, and to adequately mitigate the projected impacts to the transportation system. Improvements to the transportation system that were identified in the TIA will be made in conjunction with the office development. shown on the site development plan. These improvements will occur on Boone Road and on Battle Creek Road, and include street widening, turn lanes, and frontage improvements including sidewalks. The improvements are proportionate to the impacts of the office development. By making improvements that are proportionate to the impacts of the development that is proposed at this time the safe, orderly, and efficient circulation of traffic into and out of the proposed development will be provided, and negative impacts to the transportation system will be mitigated.

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

The parking areas and driveways are designed to provide for convenient and proximate access to

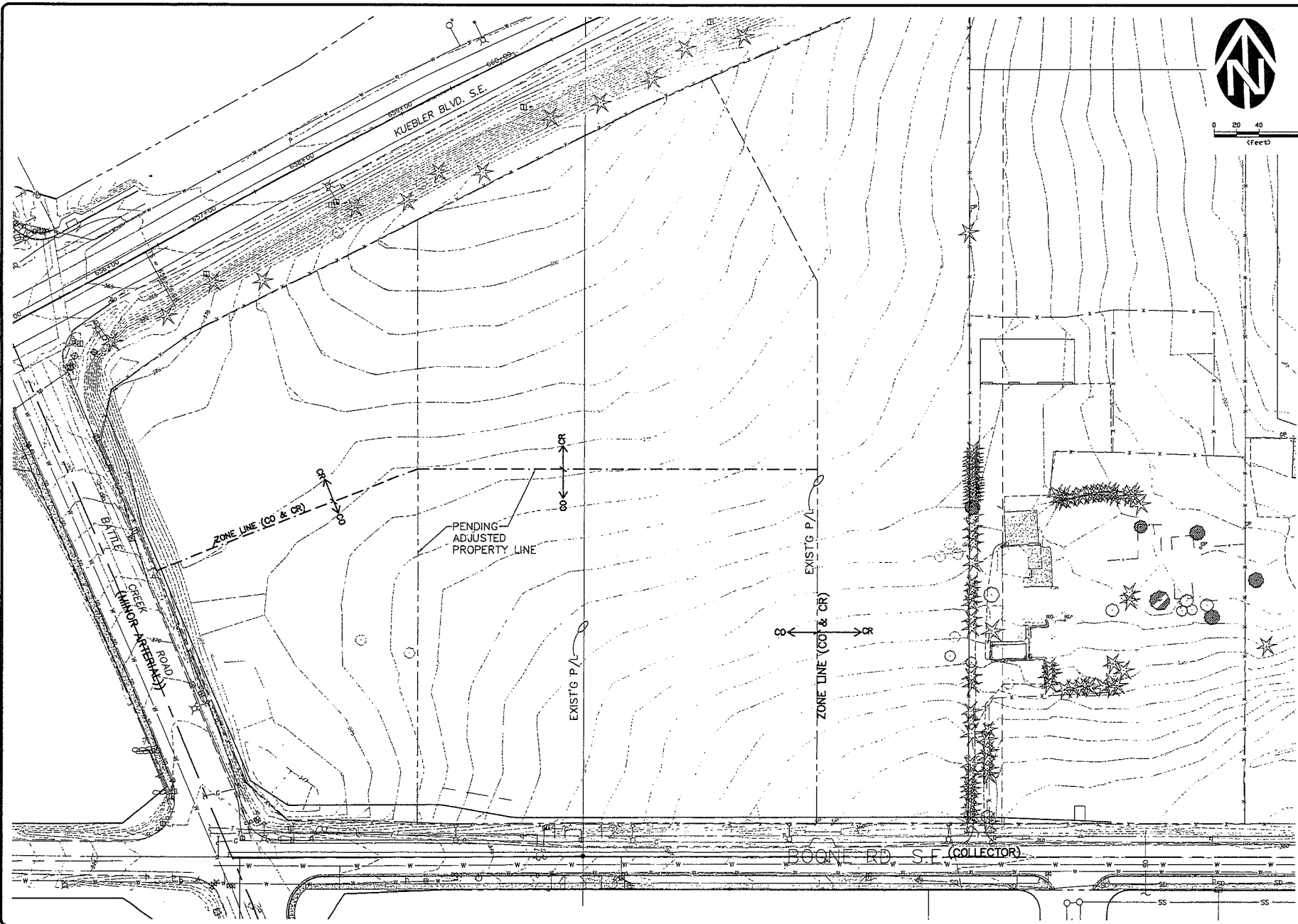
both buildings. The access drive from Boone Road will include a sidewalk along its west side to provide for pedestrian access from the street. The access will be at the location specified by the City for spacing from existing street intersections and driveways in the area. The internal driveways provide circulation access for vehicles and bicycles to the main entries of the buildings. Parking spaces are located adjacent to each building, which eliminates the need to cross driveways and parking aisles; and then in rows that extend from 50' to 150' from the larger building, and within 30' of the smaller building. These distances provide for safe, convenient and efficient pedestrian access to the buildings. The parking spaces, aisles, and driveways are designed to meet Code requirements for length and width. Bicycle parking is provided for each building as required by the Code. Based on these factors the design of the parking areas and driveways will facilitate the safe and efficient movement of vehicles, bicycles and pedestrians.

*(4) The proposed development will be adequately served with City water, sewer, storm drainage, and other utilities appropriate to the nature of the development.*

All required City services and utilities are available at adequate levels to serve the proposed development. The site is within a fully urbanized part of the city and all necessary services are available and can be provided. The developer will install the required utilities on the site. The public facility and service requirements will be further specified in the UGA review.

Because the site design conforms to the Code standards that apply to the type of development that is planned, because the site is served by streets in the appropriate Transportation System Plan classifications, because improvement requirements will provide for the safe, orderly and efficient movement of vehicles, bicycles and pedestrians and avoid negative impacts to the transportation system, because the parking areas and driveways have been designed to facilitate safe and efficient movement of traffic through the site; and because the development will be adequately served by City utilities and facilities, the criteria for a Type II site plan review are satisfied.

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