

NOTICE OF DECISION

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



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

DECISION OF THE PLANNING ADMINISTRATOR

CLASS 3 SITE PLAN REVIEW / CLASS 2 ADJUSTMENT / CLASS 1 DESIGN REVIEW CASE NO. SPR-ADJ-DR20-21

APPLICATION NO.: 20-106698-RP / 20-106701-ZO / 20-106703-DR

NOTICE OF DECISION DATE: JUNE 8, 2020

SUMMARY: A proposal for a new six-unit multi-family complex.

REQUEST: Class 3 Site Plan Review, a Class 2 Adjustment and Class 1 Design Review permit for a six-unit multi-family development. The adjustments requested are:

- 1) To reduce the minimum lot size from 9,750 (based on density) to 7,345 square feet;
- 2) To reduce the minimum setback abutting a street from 12-feet to 8-feet abutting Fairgrounds Road;
- 3) To reduce the minimum setback abutting a street from 12-feet to 8-feet abutting Winter Street.
- 4) To eliminate the on-site pedestrian path between entrances and open space and use existing public sidewalks.

For property approximately 7,345 square feet in size, zoned CO (Commercial Office), and located at 1795 Fairgrounds Road NE (Marion County Assessor Map and Tax Lot 073W23BA / 3600).

APPLICANT: Brandon Fahlman

LOCATION: 1795 Fairgrounds Road NE

CRITERIA: Salem Revised Code (SRC) Chapters 220.005(f)(3) – Class 3 Site Plan Review, 250.005(d)(2) – Class 2 Adjustment, and 225.005(e)(1) – Class 1 Design Review

FINDINGS: The findings are in the attached Decision dated June 8, 2020.

DECISION: The **Planning Administrator APPROVED** Class 3 Site Plan Review / Class 2 Adjustments / Class 1 Design Review SPR-ADJ-DR20-21 subject to the following conditions of approval:

Condition 1: At the time of building permit, four bicycle spaces shall be provided meeting the development standards of SRC 806.

Condition 2: Convey land for dedication to equal a half-width right-of-way of 36 feet on the development side of Fairgrounds Road NE and sufficient right-of-way to accommodate public infrastructure at the property corners.

Condition 3: Remove the existing sidewalk and construct sidewalk parallel to and one foot from the adjacent right-of-way along the Fairgrounds Road NE frontage of the property.

Condition 4: Provide street trees to the maximum extent feasible along all property frontages pursuant to SRC 86.015(e).

Condition 5: The north side of the proposed building shall have windows in each habitable room. The base of each window shall be no taller than five feet from the floor and at least six square feet in size.

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

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|--------------------------|----------------------|
| Class 3 Site Plan Review | <u>June 24, 2024</u> |
| Class 2 Adjustment | <u>June 24, 2022</u> |
| Class 1 Design Review | <u>June 24, 2022</u> |

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|----------------------------------|---------------------------|
| Application Deemed Complete: | <u>May 19, 2020</u> |
| Notice of Decision Mailing Date: | <u>June 8, 2020</u> |
| Decision Effective Date: | <u>June 24, 2020</u> |
| State Mandate Date: | <u>September 16, 2020</u> |

Case Manager: Olivia Dias, odias@cityofsalem.net, 503-540-2343

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division by 5:00 p.m., Tuesday, June 23, 2020. **PLEASE NOTE: Due to the COVID-19 pandemic, City of Salem Offices are closed to the public until further notice.** The notice of appeal can be submitted electronically at planning@cityofsalem.net or mailed to City of Salem Planning, Room 320, 555 Liberty Street SE, Salem OR 97301. The appeal must be received by the above date and time. 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 Chapter(s) 220, 250, and 225. The appeal must be filed in duplicate with the City of Salem Planning Division. 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 at the Planning Division office, Room 320, City Hall, 555 Liberty Street SE, during regular business hours. For access to case related documents during the closure of City Hall to the public because of the Covid-19 pandemic, please contact the Case Manager.

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

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BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

SITE PLAN REVIEW / ADJUSTMENTS / DESIGN REVIEW

CASE NO. SPR-ADJ-DR20-21

DECISION

| | | |
|--------------------------------------|----------|----------------------------------|
| IN THE MATTER OF APPROVAL OF |) | CLASS 3 SITE PLAN REVIEW |
| SITE PLAN REVIEW, ADJUSTMENTS |) | CLASS 2 ADJUSTMENTS |
| AND DESIGN REVIEW |) | AND CLASS 1 DESIGN REVIEW |
| CASE NO. SPR-ADJ-DR20-21 |) | |
| |) | |
| 1795 FAIRGROUNDS ROAD NE |) | JUNE 8, 2020 |

In the matter of the application for a Class 3 Site Plan Review, Class 2 Adjustments, and Class 1 Design Review, submitted by Brandon Fahlman, the Planning Administrator, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

Summary: A proposal for a new six-unit multi-family complex.

Request: Class 3 Site Plan Review, a Class 2 Adjustment and Class 1 Design Review permit for a six-unit multi-family development. The Adjustments requested are

- To reduce the minimum lot size from 9,750 (based on density) to 7,345 square feet;
- To reduce the minimum setback abutting a street from 12-feet to 8-feet abutting Fairgrounds Road;
- To reduce the minimum setback abutting a street from 12-feet to 8-feet abutting Winter Street.
- To eliminate the on-site pedestrian path between entrances and open space and use existing public sidewalks.

For property approximately 7,345 square feet in size, zoned CO (Commercial Office), and located at 1795 Fairgrounds Road NE (Marion County Assessor Map and Tax Lot 073W23BA / 3600).

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

DECISION

APPROVED subject to the applicable standards of the Salem Revised Code, the findings contained herein, conformance with the approved site plans, and the following conditions of approval:

- Condition 1:** At the time of building permit, four bicycle spaces shall be provided meeting the development standards of SRC 806.
- Condition 2:** Convey land for dedication to equal a half-width right-of-way of 36 feet on the development side of Fairgrounds Road NE and sufficient right-of-way to accommodate public infrastructure at the property corners.
- Condition 3:** Remove the existing sidewalk and construct sidewalk parallel to and one foot from the adjacent right-of-way along the Fairgrounds Road NE frontage of the property.
- Condition 4:** Provide street trees to the maximum extent feasible along all property frontages pursuant to SRC 86.015(e).
- Condition 5:** The north side of the proposed building shall have windows in each habitable room. The base of each window shall be no taller than five feet from the floor and at least six square feet in size.

FINDINGS

1. Class 3 Site Plan Review Applicability

Site plan review is intended to provide a unified, consistent, and efficient means to review proposed development that requires a building permit, other than single-family, duplex residential, and installation of signs, to ensure that such development meets all applicable requirements imposed by the Salem Revised Code (SRC). SRC 220.005(b)(3) requires Class 3 Site Plan Review for any development that requires a building permit, and that involves a land use decision or limited land use decision, as those terms are defined in ORS 197.015.

Class 3 Site Plan Review is required for this application pursuant to SRC 220.005(b)(3)(F) because a Class 2 Adjustment has been requested for the proposed development.

2. Background

On April 9, 2020, a Class 3 Site Plan Review, a Class 2 Adjustment, a Class 1 Design Review applications were filed for the proposed development. Additional information was requested from the applicant. After receiving additional information, the applications were deemed complete for processing on May 19, 2020. The 120-day State mandated deadline is September 16, 2020.

The subject property consists of a single, undeveloped triangle shaped, 7,345 square foot property between Fairgrounds Road NE, Madison Street NE and Winter Street NE.

The applicant's proposed site plan is included as Attachment B and a written statement by the applicant addressing the approval criteria is included as Attachment C.

Neighborhood and Citizen Comments:

Notice of the application was sent to the Grant Neighborhood Association (Grant) and all property owners and tenants of record within 250 feet of the subject property. Four comments were received from surrounding property owners and Grant during the public comment period. Comments received

Development Standards: Comments were submitted in opposition to the setback adjustments and density. Comments included that the building was too large for the lot and the density does not comply with the Grant Neighborhood Plan Policy 11.

Staff Response: The lot size is based on the number of bedrooms and units within the Multi-Family development. The applicant could build a commercial building with the same footprint without an adjustment. The site plan indicates that the proposed building footprint is approximately 2,500 square feet, for a lot coverage of approximately 34 percent, which is less than the maximum 60 percent allowance. The setback adjustment is requested in order to provide articulation of the building at the entrances, which is a development standard for multi-family developments. The Grant Neighborhood Plan was adopted on June 13, 1983 and does not take in to consideration the City conducted a Housing Needs Analysis (HNA) in 2014, which developed strategies for the community to meet housing needs through 2035 and to inform policy decision related to residential land. The HNA concluded that Salem has a projected 1,975-acre surplus of land for single-family detached housing, and that there is a deficit of approximately 207 acres of available multi-family zoned land. Both adjustments are analyzed below in Section 4.

Site Distance: Concerns about the six-way intersection of Winter, Fairgrounds, and Jefferson Streets. Specifically, vehicles traveling south on Winter are going to face obstacles in the line of sight for vehicles traveling south-west on Fairgrounds Road. The new building, landscaping, and parked vehicles all pose obstacles to the sight line and should be considered more thoroughly in the design. Setback Adjustments should not be supported.

Staff Response: The applicant has provided information on his site plan that the building will meet vision clearance standards at each intersection. Public Works staff has investigated the crash history of the surrounding area and determined improvements are not needed at this time but will continue to evaluate the need for public improvements. The proposed adjustment to setbacks abutting a street are for sections of the building over 40-feet from any intersection and will not interfere with site distance at any of the intersections.

Traffic: The existing streets are narrow, and concerns about a lack of signal light at Fairgrounds Street and Madison Street. Concerns are expressed about Vision clearance for the existing intersection.

Staff Response: The existing street system is adequate to serve the proposed development. As discussed below, dedication of right-of-way along Fairgrounds Road is required as well as reconstruction of sidewalks to meet the standards. Public Works staff has investigated the crash history of the surrounding area and will continue to

evaluate the need for public improvements. No additional improvements are required at this time for the proposed development.

Property Value: Concerns about the property values of the surrounding homes and properties will decrease.

Staff Response: The criteria for approval of the site plan review application do not require a demonstration that property values will not be adversely affected. The zoning code allows the proposed uses, provided that they are conducted in accord with the conditions of approval to reduce and mitigate the negative impacts of the proposed uses.

Parking: Comments were submitted that the lack of parking would be detrimental to the neighborhood. The proposal does not contain any parking spaces for the six proposed units, and even though there is no parking required, nor parking offered, residents of this apartment will still own cars and will need to park them on the street.

Staff Response: The 2015 Housing Needs Analysis (HNA) identifies a deficit of approximately 207 acres of land designated for multifamily residential development. Although not adopted at this time, the HNA has been accepted by City Council and serves as the basis for a three-phase work plan adopted by the City to address the identified deficit of land for multifamily housing. In March of 2020, City Council adopted an Ordinance to eliminate minimum parking requirements for new Multi-Family Developments within ¼ mile of the Core Networks for Cherriots Service. The subject property is within ¼ mile of the Core Network, therefore not requiring a minimum parking standard.

Public and Private Agency Comments:

The Public Works Department reviewed the proposal and provided a memo which is included as Attachment D.

The Building and Safety Division reviewed the proposal and indicated that there are no site issues.

The Fire Department reviewed the proposal and indicated that they will address fire department access and water supply at time of building permit plan review.

The Salem-Keizer Public Schools commented that the Planning and Property Services staff for the school district reviewed the proposal and submitted comments indicating that sufficient school capacity exists at the elementary, and middle. The high school appears to be at capacity. The subject property is within the “walk zone” of the three schools.

3. Analysis of Class 3 Site Plan Review Approval Criteria

SRC 220.005(f)(3) states: An application for Class 3 Site Plan Review shall be granted if:

Salem Revised Code (SRC) 225.005(e)(1) sets forth the criteria that must be met before approval can be granted to an application for Class 1 Design Review. Pursuant to SRC 225.005(e)(1) an application for a Class 1 Design Review shall be approved if all of the applicable design review standards are met. The design review standards are incorporated and analyzed within the Site Plan Review section below.

Criterion 1:

The application meets all applicable standards of the UDC.

Finding: The project includes a proposal to develop a six-unit multi-family complex.

Development Standards – CO (Commercial Office) Zone (SRC Chapter 521):

SRC 521.005(a) - Uses:

Except as otherwise provided in Chapter 521, the permitted, special, conditional and prohibited uses in the CO zone are set forth in Table 521-1.

Finding: Multi-family residential uses are allowed as a permitted use in the CO zone per Table 521-1.

SRC 521.010(a) – Lot standards:

Lots within the CO zone shall conform to the standards set forth in Table 521-2. Multi-family buildings are required to have a minimum lot area of 5,000 square feet, plus additional square foot for each bedroom in each unit.

Finding: Based on the proposed six-unit, one-bedroom units, the property is required to be 9,750 square feet in size. The subject property is currently 7,345 square feet. The applicant has requested an adjustment to the minimum lot standards to allow the six units, which is addressed below in Section 8. The subject property has adequate frontage along Winter Street NE, Madison Street NE and Fairgrounds Street NE that exceeds the minimum 16-foot standard.

SRC 521.010(b) – Setbacks:

Setbacks within the CO zone shall be provided as set forth in Tables 521-3.

North: Adjacent to the north is right-of-way for Madison Street NE. Buildings abutting a street require a minimum 12-foot setback per Table 521-3. Vehicle use areas require a minimum 6-10-foot setback per SRC 806.

East/South: Adjacent to the east and south is right-of-way for Fairgrounds Street NE. Buildings abutting a street require a minimum 12-foot setback per Table 521-3. Vehicle use areas require a minimum 6-10-foot setback per SRC 806.

West: Adjacent to the west is right-of-way for Winter Street NE. Buildings abutting a street require a minimum 12-foot setback per Table 521-3. Vehicle use areas require a minimum 6-10-foot setback per SRC 806.

Finding: The proposed building is contiguous with the right-of-way line for Winter Street, Fairgrounds Road and Madison Street. The proposed building is 12-feet from all three streets, except for two 14-foot sections of the building abutting Fairgrounds Road and Madison Street, which is proposed to be eight-feet from the abutting street. The applicant has requested an Adjustment to reduce the building setbacks abutting Fairgrounds Road and Madison Street. Findings are included in Section 8 of this report. There is not a proposed vehicle use area; therefore, those standards do not apply.

SRC 521.010(c) - Lot Coverage, Height:

The maximum lot coverage requirement for all uses in the CO zone is 60 percent. The maximum building height allowance for mixed-use buildings is 70 feet.

Finding: The site plan indicates that the proposed building footprint is approximately 2,500 square feet, for a lot coverage of approximately 34 percent, which is less than the maximum 60 percent allowance. The proposed building is approximately 30 feet in height, which is less than the maximum height allowance for multiple family buildings.

SRC 521.010(d) – Landscaping:

- (1) Setbacks. Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807.
- (2) Vehicle use areas. Vehicle use areas shall be landscaped as provided under SRC Chapter 806 and SRC Chapter 807.
- (3) Development site. A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC Chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicle use areas, may count towards meeting this requirement.

Finding: The subject property is approximately 7,345 square feet in size. A minimum of 1,102 square feet of landscaping is required for the development site ($7,345 \times 0.15 = 1,101.75$). The applicant provided 3,111 square feet of landscaping, meeting the standard.

SRC 521.010(e) – Outdoor Storage:

Within the CO zone, outdoor storage of materials and equipment is prohibited, except in conjunction with residential uses where the storage is screened from adjacent streets and properties by a sight-obscuring fence, wall, or hedge.

Finding: No outdoor storage areas are proposed; this development standard is not applicable.

Development Standards – Multiple Family Design Review Standards SRC 702

SRC 702.015 - Design review standards for multiple family development with five to twelve units.

(a) Open space standards.

- (1) To encourage the preservation of natural open space qualities that may exist on a site and to provide opportunities for active and passive recreation, all newly constructed multiple family developments shall provide a minimum 20

percent of the gross site area as designated and permanently reserved open space. For the purposes of this subsection, the term "newly constructed multiple family developments" shall not include multiple family developments created through only construction or improvements to the interior of an existing building(s). Indoor or covered recreation space may count toward this open space requirement.

- (A) To ensure usable open space, at least one common open space area shall be provided within the development that is at least 500 square feet in size and has a minimum dimension of 20 feet for all sides.

Finding: The applicant's site plan indicates that 530 square feet of open space near the southern portion of the property. The applicant has provided 20-ft dimension on all sides. The subject property is 7,345 square feet in size requiring 1,469 square feet or 20% of the site to be designate as open space. The applicant's site plan indicates that 3,111 square feet of the site will be open space.

- (B) To allow for a mix of different types of open space areas and flexibility in site design, private open space, meeting the size and dimension standards set forth in Table 702-1, may count toward the open space requirement. All private open space must meet the size and dimension standards set forth in Table 702-1.

Finding: The applicant has met the minimum open space requirement by providing common open space. Therefore, the applicant does not need to meet this requirement.

- (C) To encourage active recreational opportunities for residents, the square footage of an improved open space area may be counted twice toward the total amount of required open space, provided each such area meets the standards set forth in this subsection. Example: a 500-square-foot improved open space area may count as 1,000 square feet toward the open space requirement.

- (i) Be a minimum 500 square feet in size with a minimum dimension of 20 feet for all sides; and
- (ii) Include at least one of the following types of features:
 - a. Covered pavilion.
 - b. Ornamental or food garden.
 - c. Developed and equipped children's play area, with a minimum 30-inch tall fence to separate the children's play area from any parking lot, drive aisle, or street.
 - d. Sports area or court (e.g., tennis, handball, volleyball, basketball, soccer).
 - e. Swimming pool or wading pool.

- (D) To encourage proximity to and use of public parks, the total amount of required open space may be reduced by 50 percent for developments that are located within one-quarter mile of a publicly-owned urban, community, or neighborhood park as measured along a route utilizing public or private streets that are existing or will be constructed with the development.

Finding: The subject property is 6,970 square feet in size requiring 1,394 square feet or 20% of the site to be designate as open space. The applicant's site plan indicates that 3,111 square feet of the site will be open space. The open space requirement is reduced by 50 percent, pursuant to SRC 702.015(a)(D), so the minimum amount of open space required at this site is 697 square feet. The applicant is not proposing active recreation or private open space.

(b) Landscaping standards.

- (1) Where a development site abuts property that is zoned Residential Agricultural (RA) or Single Family Residential (RS), a combination of landscaping and screening shall be provided to buffer between the multiple family development and the abutting RA or RS zoned property. The landscaping and screening shall include the following:
 - (A) A minimum of one tree, not less than 1.5 inches in caliper, for every 30 linear feet of abutting property width; and
 - (B) A minimum six-foot tall, decorative, sight-obscuring fence or wall. The fence or wall shall be constructed of materials commonly used in the construction of fences and walls, such as wood, stone, rock, brick, or other durable materials. Chain-link fencing with slats shall not be allowed to satisfy this standard.
- (2) Multiple family developments shall comply with the landscaping standards applicable in the underlying zone in which such developments are located.

Finding: The development does not abut a Residential Agricultural (RA) or Single Family Residential (RS)zoned property. The property is zoned CO (Commercial Office) and requires a 15% landscaping standard, which is addressed above. The standard is met.

(c) Site safety and security.

- (1) Windows shall be provided in all habitable rooms, other than bathrooms, on each wall that faces common open space, parking areas, and pedestrian paths to encourage visual surveillance of such areas and minimize the appearance of building bulk.
- (2) Lighting shall be provided that illuminates all exterior dwelling unit entrances, parking areas, and pedestrian paths within the development.

Finding: The applicant has provided window in each habitable room in each unit. The windows overlook, common open space and the public sidewalks. As described below in the adjustment section, the public sidewalks will be used for pedestrian paths to solid waste disposal area and the common open space. Since the public sidewalks will be used as the pedestrian paths, the windows are to encourage visual surveillance of those areas. The windows will need to be large enough and at a height to encourage the surveillance of those areas. As conditioned below, the applicant will need to modify windows facing Madison Street to allow residents to visually survey the areas. The written statement indicates that lighting will be provided around the subject property and near the solid waste areas.

(d) Parking and site design.

- (1) To minimize the visual impact of on-site parking and to enhance the pedestrian experience, 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.
- (2) To ensure safe pedestrian access to and throughout a development site, pedestrian pathways shall be provided that connect to and between buildings, common open space, and parking areas, and that connect the development to the public sidewalks.

Finding: The proposal does not include parking; therefore, this standard is not applicable. The applicant has requested an adjustment to use the existing public sidewalks as the pedestrian pathways. The adjustment is addressed below in Section 4.

(e) Façade and building design.

- (1) Where a development site abuts property zoned Residential Agricultural (RA) or Single Family Residential (RS), buildings shall be setback from the abutting RA or RS zoned property as set forth in Table 702-2 to provide appropriate transitions between new buildings and structures on-site and existing buildings and structures on abutting sites.
 - (A) A 5-foot reduction is permitted to each required setback in Table 702-2 provided that the height of the required fence in Sec. 702.015(b)(1)(B) is increased to eight feet tall.

Finding: The proposal does not abut Residential Agricultural (RA) or Single Family Residential (RS) zoned property.

- (2) On sites with 75 feet or more of buildable width, a minimum of 40 percent of the buildable width shall be occupied by building placed at the setback line to enhance visual interest and activity along the street. Accessory structures shall not apply towards meeting the required percentage.

Finding: The building is located at the setback line or closer. The applicant has requested an adjustment to have a section of the building located eight feet from the property line, which meets this standard.

- (3) To orient buildings to the street, any ground-level unit, cluster of units, or interior lobbies, or portions thereof, located within 25 feet of the property line abutting a street shall have a building entrance facing the street, with direct pedestrian access to the adjacent sidewalk.

Finding: The site plan indicates a shared entrance facing Fairgrounds Road NE and Winter Street NE. The standard is met.

- (4) A porch or architecturally defined entry area shall be provided for each ground level dwelling unit. Shared porches or entry areas shall be provided to not more than four dwelling units. Individual and common entryways shall be

articulated with a differentiated roof, awning, stoop, forecourt, arcade or portico.

Finding: The applicant has two shared entry areas for all six units. Each entry is articulated 4-feet and defines the entry, therefore meeting the standard.

- (5) Roof-mounted mechanical equipment, other than vents or ventilators, shall be screened from ground level view. Screening shall be as high as the top of the mechanical equipment and shall be integrated with exterior building design.

Finding: The applicant has provided mechanical equipment on the ground level, which is proposed to be screened.

- (6) To reinforce the residential character of the neighborhood, flat roofs, and the roof ridges of sloping roofs, shall not exceed a horizontal length of 75 feet without providing differences in elevation of at least four feet in height. In lieu of providing differences in elevation, a cross gable or dormer that is a minimum of four feet in length may be provided.

Finding: The proposed building is approximately 90-feet in length and has two 14-foot sections that provide more than five-foot elevation change.

General Development Standards SRC 800

SRC 800.050 – Fences

Fences and walls within non-residential zones shall not exceed a maximum height of 12 feet; provided, however fences and walls within a front, side, or rear yard abutting a street shall not exceed a maximum height of 8 feet when located within 10 feet of a property line abutting a street; provided, however, any portion of the fence or wall above 30 inches in height shall be less than 25 percent opaque when viewed at any angle at a point 25 feet away from the fence or wall.

Finding: The applicant is not proposing a fence along all property lines.

SRC 800.055 - 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 1 cubic yard or larger is proposed; and
- (2) Any change to an existing solid waste service area for receptacles of 1 cubic yard or larger that requires a building permit.

Finding: The applicant is not proposing a solid waste service area greater than one cubic yard; therefore, the standard is not applicable.

Off-Street Parking, Loading, and Driveways SRC 806

SRC 806.005 - Off-Street Parking; When Required.

Off-street parking shall be provided and maintained for any intensification, expansion, or enlargement of a use or activity.

SRC 806.010 - Proximity of Off-Street Parking to Use or Activity Served.

Required off-street parking shall be located on the same development site as the use or activity it serves and within commercial, mixed-use, public, and industrial and employment zones, other than the CB, WSCB, and SWMU zones, required off-street parking may be located within 500 feet of the development site containing the use or activity it serves.

SRC 806.015 - Amount of Off-Street Parking.

- a) *Minimum Required Off-Street Parking.* The minimum off-street parking requirement for uses in multi-family development is one space per unit for development consisting of 5 to 12 dwelling units, unless within the CSDP area or one quarter-mile of the Core Network.
- b) *Compact Parking.* Up to 75 percent of the minimum off-street parking spaces required under this Chapter may be compact parking spaces.
- 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 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.
- d) *Maximum Off-Street Parking.* Unless otherwise provided in the SRC, off-street parking shall not exceed the amounts set forth in Table 806-2 or if non minimum off-street parking is required amounts set forth in Table 806-2B.

Finding: The subject property is within one-quarter mile of the Core Network, therefore no parking is required. No carpool or vanpool parking is required. The proposed development contains six units. A maximum of 11 off-street parking spaces ($6 \times 1.75 = 10.5$) are allowed for the development.

The proposed site plan indicates no off-street standard parking spaces, which meets the minimum and maximum parking standards.

SRC 806.035 - Off-Street Parking and Vehicle Use Area Development Standards.

- a) *General Applicability.* The off-street parking and vehicle use area development standards set forth in this section apply to the development of new off-street parking and vehicle use areas.
- 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 applicant is not proposing an off-street parking area; therefore, these standards are not applicable.

Bicycle Parking

SRC 806.045 - General Applicability.

Bicycle parking shall be provided and maintained for any intensification, expansion, or enlargement of a use or activity.

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 is serves.

SRC 806.055 - Amount of Bicycle Parking.

Multiple Family development are required to provide a minimum of four bicycle spaces or 0.1 bicycle space per dwelling unit.

Finding: The proposed development contains six units, requiring a minimum of four bicycle spaces. The applicant's site plan indicates four bicycle parking spaces provided near the front entrance of the building.

SRC 806.060 - Bicycle Parking Development Standards.

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

- a) **Location.** Bicycle parking located outside a building shall be located within a convenient distance of, and be clearly visible from, the primary building entrance. In no event shall bicycle parking areas be located more than 50 feet from the primary building entrance, as measured along a direct pedestrian access route.
- b) **Access.** Bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance that is free of obstructions and any barriers, such as curbs or stairs, which would require users to lift their bikes in order to access the bicycle parking area
- c) **Dimensions.** Except as provided for bicycle lockers, bicycle parking spaces shall be a minimum of 6 feet in length and 2 feet in width, with the bicycle rack centered along the long edge of the bicycle parking space. Bicycle parking space width may be reduced, however, to a minimum of three feet between racks where the racks are located side-by-side. Bicycle parking spaces shall be served by a minimum 4-foot-wide access aisle. Access aisles serving bicycle parking spaces may be located within the public right-of-way.
- d) **Surfacing.** Where bicycle parking is located outside a building, the bicycle parking area shall consist of a hard surface material, such as concrete, asphalt pavement, pavers, or similar material, meeting the Public Works Design Standards.
- e) **Bicycle Racks.** Where bicycle parking is provided in racks, the racks may be floor, wall, or ceiling racks. Bicycle racks shall meet the following standards:

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

Finding: The site plan indicates a bicycle rack with four spaces within 50 feet of a building entrance, but the rack does not appear to meet the current standards in Figure 806-10. The following condition ensures that the minimum bicycle parking requirement of four spaces shall be met at the time of building permit.

Condition 1: At the time of building permit, four bicycle spaces shall be provided meeting the development standards of SRC 806.

Off-Street Loading Areas

SRC 806.065 - General Applicability.

Off-street loading areas shall be provided and maintained for intensification, expansion, or enlargement of a use or activity.

SRC 806.075 - Amount of Off-Street Loading.

Off-street loading spaces are not required for Multiple Family buildings between five-49 dwelling units.

Finding: The proposed building is for a six-unit multi-family complex; therefore, no loading spaces are required and meets the minimum required standards.

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 is providing approximately 50% of the site in landscaping and open space. A minimum of 1 plant unit is required per 20 square feet of landscape area. A minimum of 40 percent of the required plant units shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental

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

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

Natural Resources

SRC 808 - Preservation of Trees and Vegetation: The City's tree preservation ordinance, under SRC Chapter 808, provides that no person shall remove a significant tree (Oregon White Oak greater than 24 inches in diameter at breast height) (SRC 808.015) or a tree or native vegetation in a riparian corridor (SRC 808.020), unless the removal is excepted under SRC 808.030(a)(2), undertaken pursuant to a permit issued under SRC 808.030(d), undertaken pursuant to a tree conservation plan approved under SRC 808.035, or permitted by a variance granted under SRC 808.045.

No protected trees have been identified on the site plan for removal.

SRC 809 - Wetlands: Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. State and Federal wetland laws are also administered by the DSL and Army Corps, and potential impacts to jurisdictional wetlands are addressed through application and enforcement of appropriate mitigation measures.

According to the Salem-Keizer Local Wetland Inventory (LWI) there are no wetlands on the subject property. The applicant should contact the Department of State Lands to verify if permits are required for the proposed development.

SRC 810 - Landslide Hazards: The subject property does not contain mapped landslide hazards. The proposed development is assigned 3 activity points. A total of 3 points indicates a low landslide hazard risk.

Criterion 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.

Finding: The existing condition of Fairgrounds Road NE does not meet current right-of-way standards for its classification of street per the Salem Transportation System Plan. Dedication a half-width right-of-way up to 36 feet to Minor Arterial street standards and adequate right-of-way at the property corners as specified in the Public Works Design Standards.

An alternative street standard for the street improvement width of Fairgrounds Road NE has been approved pursuant to SRC 803.065(a)(2). However, the existing sidewalk does not meet accessibility standards, and the applicant shall be required to construct sidewalk parallel to and one foot from the adjacent right-of-way along the Fairgrounds Road NE frontage of the property. In addition, the street is lacking street trees;

therefore, the applicant shall provide street trees to the maximum extent feasible pursuant to SRC 86.015(e) along the Fairgrounds Road NE frontage. To ensure the transportation system is safe the following conditions apply:

Condition 2: Convey land for dedication to equal a half-width right-of-way of 36 feet on the development side of Fairgrounds Road NE and sufficient right-of-way to accommodate public infrastructure at the property corners.

Condition 3: Remove the existing sidewalk and construct sidewalk parallel to and one foot from the adjacent right-of-way along the Fairgrounds Road NE frontage of the property.

The existing configuration of Madison Street NE meets or exceeds the current standards for its classification of street per the Salem Transportation System Plan. Therefore, no additional improvements are required along the Madison Street NE frontage.

The existing configuration of Winter Street NE meets or exceeds the current standard for its classification of street pursuant to the Salem TSP, with the exception of street trees. The applicant shall provide street trees to the maximum extent feasible pursuant to SRC 86.015(e) along the Winter Street NE frontage. To ensure standards for all three streets are met the following condition applies:

Condition 4: Provide street trees to the maximum extent feasible along all property frontages pursuant to SRC 86.015(e).

Criterion 3:

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

Finding: The proposal does not include a driveway to the subject property, therefore this criterion is not applicable.

Criterion 4:

The proposed development will be adequately served with City water, sewer, stormwater facilities, and other utilities appropriate to the nature of the development.

Finding: The Public Works Department has reviewed the applicant's preliminary utility plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets/areas and appear to be adequate to serve the proposed development. The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the Public Works Design Standards and to the satisfaction of the Public Works Director.

The applicant's engineer submitted a statement demonstrating compliance with Stormwater Public Works Design Standards Appendix 004-E(4)(a)-or-(b) and SRC

Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible.

4. Analysis of Class 2 Adjustment Approval Criteria

SRC Chapter 250.005(d)(2) provides that an applicant for a Class 2 Adjustment shall be granted if all of the following criteria are met:

Criterion 1:

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 a Class 2 Adjustments for the proposed development to:

- To reduce the minimum lot size from 9,750 (based on density) to 7,345 square feet;

Reduce minimum lot size in the CO zone: The CO zoning code indicates that the total lot area for a 6-unit multifamily building consisting of 1-bedroom units must be at least 9,500 Square Feet in size. At present, the site is approximately 7,345 Square Feet. The Public Works department has indicated a six-foot section of Right of Way along Fairgrounds Rd NE must be dedicated to the City of Salem. This further reduces the size of the site to approximately 6,194 Square Feet. The recent "Salem Housing Needs Analysis and Economic Opportunities Analysis" completed by ECONorthwest indicates that the City of Salem look for more ways to provide affordable multifamily housing by "encouraging redevelopment of underutilized lands". This site has remained vacant since 1962. ECONorthwest also wrote in their Analysis that Salem "has a significant affordability gap. This gap suggests that the region needs more lower cost housing, which in turn may be addressed through higher density and smaller housing types." The applicant indicates that six units for this site is the appropriate increase in density when considering the use of the available underutilized public street parking. The applicant has proposed a two story building (as opposed to three stories) mitigates the impact to the privacy the neighbors currently enjoy their properties.

- To reduce the minimum setback abutting a street from 12-feet to 8-feet abutting Fairgrounds Road;
- To reduce the minimum setback abutting a street from 12-feet to 8-feet abutting Winter Street.

Reduce the Setback Required abutting a street: The applicant is requesting a reduction to minimum 12-foot setback abutting a street in order to construct the entrances facing each street eight-feet from the property line abutting Winter Street NE and Fairground Road NE. Without the adjustment, the applicant would have to construct the building with a flat wall with no articulation of the building. The articulation will meet the development standards of SRC 702, provide depth and

character to the building. The adjustment is for a small percentage of liner distance along the respective abutting street, approximately 15-feet or 15% of the building frontage. The remainder of the building meets setbacks of the Commercial Office zone. Since the building will meet the design standards and is located on a small lot, the proposal equally or better meets the standard.

- To eliminate the on-site pedestrian path between entrances and open space and use existing public sidewalks.

Eliminate on-site pedestrian path instead of sidewalks: The applicant explains that building is placed at the setback line which is close to the public right of way and sidewalks. The entrances to the proposed building provide sidewalks to the public sidewalks for Winter Street and Fairgrounds Street NE. The public right-of-way is able to provide pedestrian access to both the common open space and solid waste disposal area. Since the multiple family design chapter provides for crime prevention standards for windows overlooking the on-site sidewalks a condition of approval to ensure windows meet these standards for the Public Sidewalk.

Staff finds that as conditioned, the existing public sidewalk adjacent to the building provides pedestrian access from the building entrance to common opens space and solid waste area that equally or better meets the intent of the pedestrian access standard, and the Adjustment therefore meets this criterion.

Condition 5: The north side of the proposed building shall have windows in each habitable room. The base of each window shall be no taller than five feet from the floor and at least six square feet in size.

Criterion 2:

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 not located within a residential zone.

Criterion 3:

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: Four separate 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.

Any future development, beyond what is shown in the proposed plans, needs to conform to the driveway development requirements of SRC Chapter 804 and the vehicle use area setback requirements of SRC Chapter 806, unless adjusted through a

future land use action. To ensure compliance with this requirement, Condition 7, as conditioned above, is necessary.

ORDER

Final approval of Class 3 Site Plan Review, Class 2 Adjustment, and Class 1 Design Review Case No. 20-21 is hereby **APPROVED** subject to SRC Chapter 220, 225, and 250 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:** At the time of building permit, four bicycle spaces shall be provided meeting the development standards of SRC 806.
- Condition 2:** Convey land for dedication to equal a half-width right-of-way of 36 feet on the development side of Fairgrounds Road NE and sufficient right-of-way to accommodate public infrastructure at the property corners.
- Condition 3:** Remove the existing sidewalk and construct sidewalk parallel to and one foot from the adjacent right-of-way along the Fairgrounds Road NE frontage of the property.
- Condition 4:** Provide street trees to the maximum extent feasible along all property frontages pursuant to SRC 86.015(e).
- Condition 5:** The north side of the proposed building shall have windows in each habitable room. The base of each window shall be no taller than five feet from the floor and at least six square feet in size.



Olivia Dias, Planner III, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

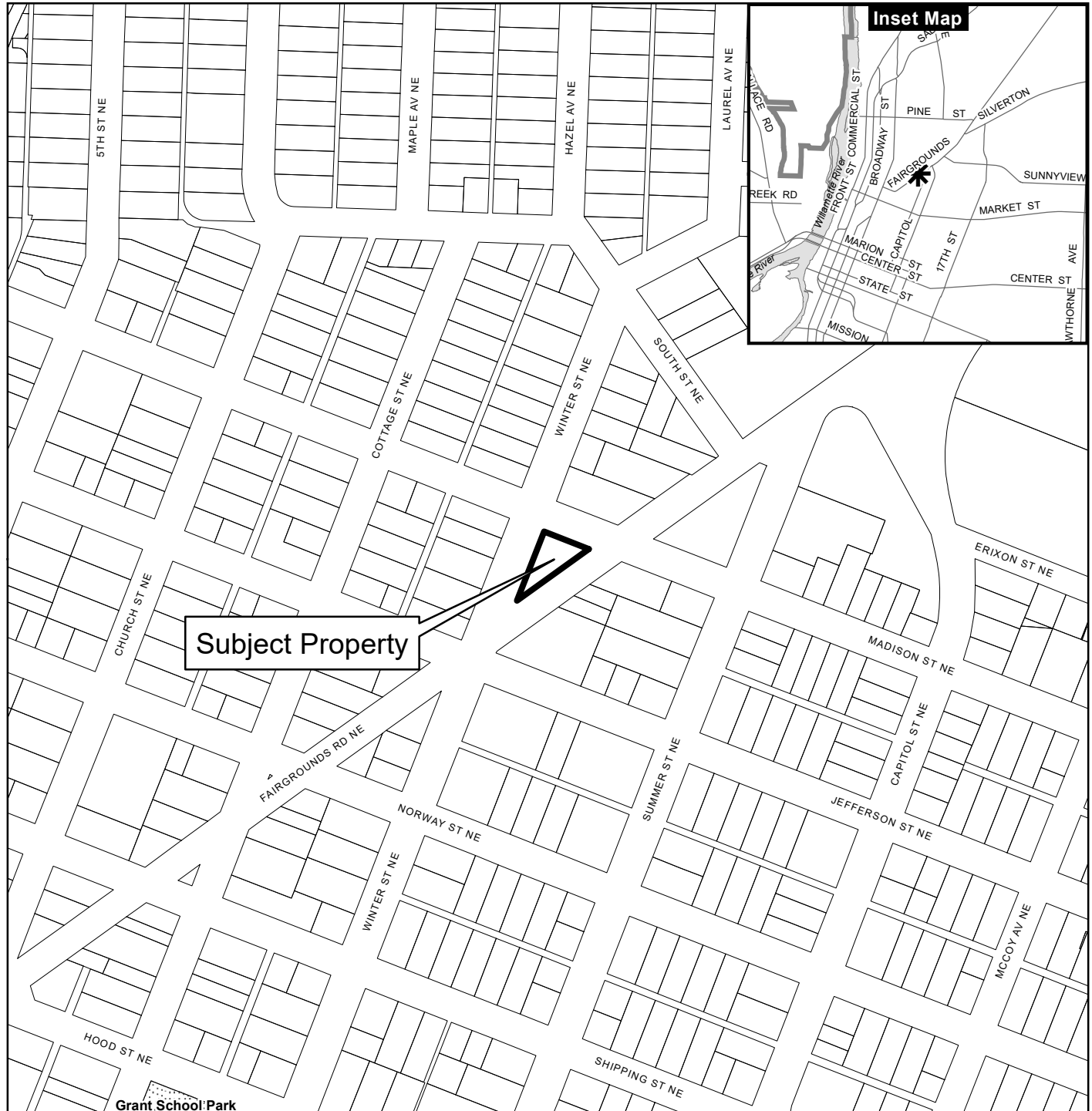
Prepared by Olivia Dias, Planner III

- Attachments:
- A. Vicinity Map
 - B. Site Plan
 - C. Applicant's Statement
 - D. Public Works Memo

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

Vicinity Map

1795 Fairgrounds Street NE



Legend

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

0 100 200 400 Feet



CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

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295 PATTERSON ST NW
SALEM, OR 97304

SITE ADDRESS

1795 Fairgrounds Rd NE
Salem, OR 97301

Project Name

TRIANGLES

Contact Information

Brandon Fahlman
503-930-2786
bfahlman@gmail.com

Page Title

Proposed Site Plan

KEY

- ex. = existing
- Existing Property Lines
- Property Line after ROW
- New Electrical Service
- New 4" PVC Sanitary Sewer
- New 3" PVC Rain Drains
- ① Landscaped Areas (Type A)
- ② New Pedestrian Paths

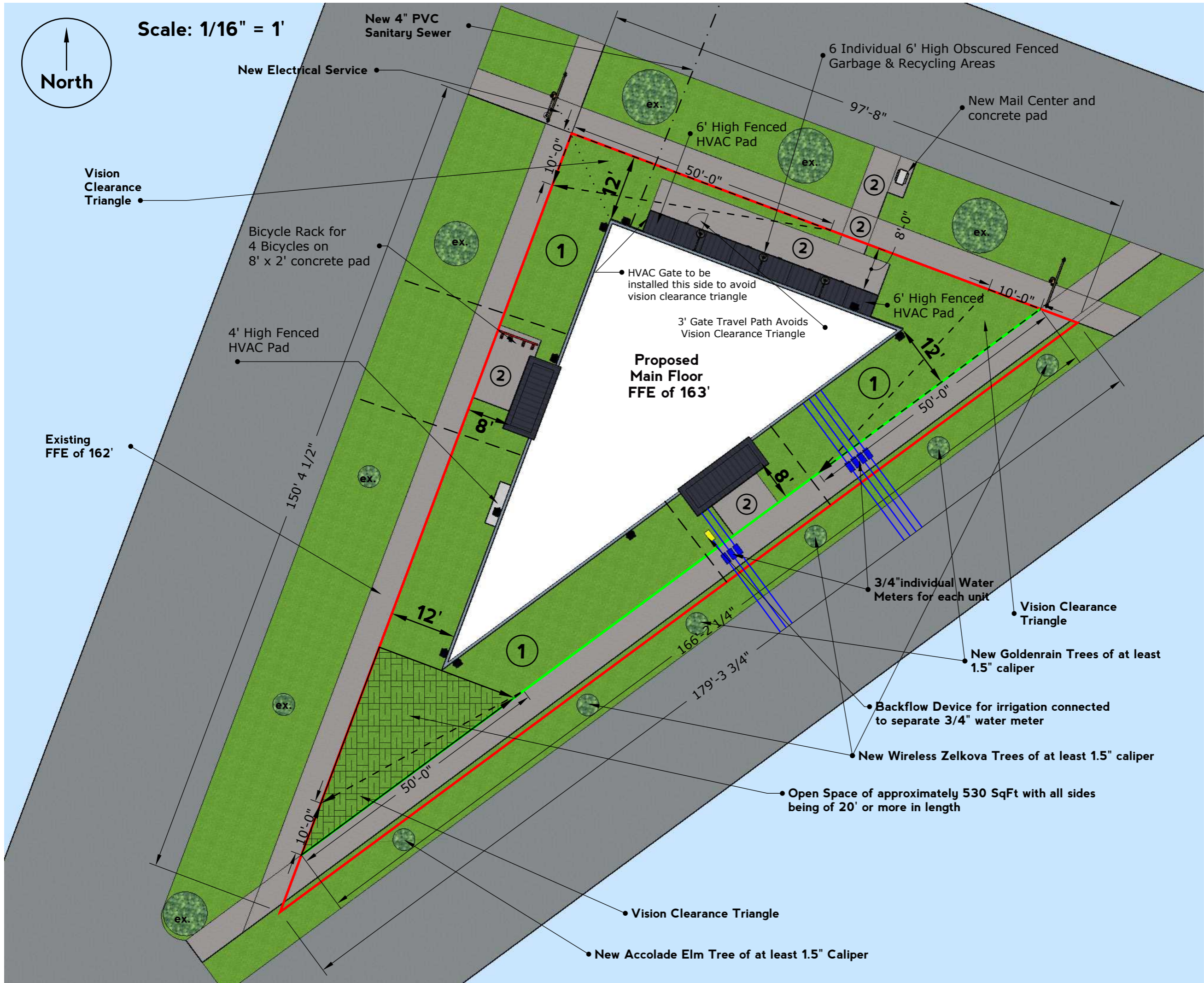
Existing Conditions

Total Site Area: 7,345 SqFt
Use: Vacant Land
NOT located in a flood plain

Proposed (After ROW Dedication)

Total Site Area: 6,194 SqFt
Landscaped Areas: 3,111 SqFt
Percent Landscaped Open
Space: 50%

A1.01



Scale: 1/8" = 1'



SITE ADDRESS

1795 Fairgrounds Rd NE
Salem, OR 97301

Project Name

TRIANGLES

Contact Information

Brandon Fahlman
503-930-2786
bfahlman@gmail.com

Page Title

Main Floor

Scale: 1/8" = 1'



| SITE ADDRESS |
|---|
| 1795 Fairgrounds Rd NE Salem, OR 97301 |
| Project Name |
| TRIANGLES |
| Contact Information |
| Brandon Fahlman 503-930-2786 bfahlman@gmail.com |
| Page Title |
| Second Floor |

Scale: 1/16" = 1'



Fairgrounds Rd Elevation



Winter St Elevation



Madison St Elevation

SITE ADDRESS

1795 Fairgrounds Rd NE
Salem, OR 97301

Project Name

TRIANGLES

Contact Information

Brandon Fahlman
503-930-2786
bfahlman@gmail.com

Page Title

Elevations



295 PATTERSON ST NW
SALEM, OR 97304

SITE ADDRESS

1795 Fairgrounds Rd NE
Salem, OR 97301

Project Name

TRIANGLES

Contact Information

Brandon Fahlman
503-930-2786
bfahlman@gmail.com

Page Title

Written Statement

It is my intent to construct a six-unit apartment complex on the site located at 1795 Fairgrounds Rd NE, Salem, OR 97301. Multifamily is a permitted use within the Commercial Office zone (CO). I believe that my site plan and design meet the current written Salem Revised Code standards applicable to the site with the exception of three Adjustments to the written standards.

The first Adjustment is specific to the building setback lines along Fairgrounds Rd NE and Winter St NE. The minimum setback lines which makeup the potential buildable footprint for the site total approximately at 246 lineal feet. I am requesting a setback reduction from 12' to 8' for a 14' portico along Fairgrounds Rd and a setback reduction from 12' to 8' for a 12' portico along Winter St NE. This specific request is an Adjustment to approximately 10.6% of the minimum setback lines. The remaining 220 lineal feet of the building shall meet current code. The purpose for this Adjustment is to create aesthetically pleasing and interesting building elevations along these streets while meeting the 4' differentiation in roof line elevation along a horizontal roof line of 75' or more (see SRC Sec. 702.015(e)(6)). These two porticos will provide shared access for six total units (three units per shared access) and will also address the code requirement found in SRC 702.015(e)(4). Because these two shared access porticos provide access to six units it is not necessary to provide a third shared access along Madison St NE despite the code indicating all building frontages within 25 feet of the property line are required (see SRC 702.015(e)(3)). The intent of SRC 702.015(e)(3) is to orient buildings or ground level units to the street. The two shared access porticos orient all six units (not just the ground level units) to the street and exceed the code standard of 4 units per access. I have included a preliminary site plan and street elevations to illustrate the request.

The second Adjustment is specific to the unit density allowed within the CO zone. CO zoning code indicates that the total lot area for a 6-unit multifamily building consisting of 1-bedroom units must be at least 9500 SqFt in size. At present, the site is approximately 7345 SqFt. The Public Works department has indicated a 6' section of Right of Way along Fairgrounds Rd NE must be dedicated to the City of Salem. This further reduces the size of the site to approximately 6194 SqFt. The current code misses an opportunity to provide lower cost housing to the City of Salem. The recent "Salem Housing Needs Analysis and Economic Opportunities Analysis" completed by ECONorthwest indicates that the City of Salem look for more ways to provide affordable multifamily housing by "encouraging redevelopment of underutilized lands". This site has remained vacant since 1962. ECONorthwest also wrote in their Analysis that Salem "has a significant affordability gap. This gap suggests that the region needs more lower cost housing, which in turn may be addressed through higher density and smaller housing types." I believe that 6 units for this site is the appropriate increase in density when considering the use of the available underutilized public street parking. I believe that a two story building (as opposed to three stories) mitigates the impact to the privacy the neighbors currently enjoy.

The unique size and shape of the parcel does not allow for efficient development of a Commercial use. It would be financially impractical to place a new commercial building of adequate size and meet the on-site parking requirements of the site without elevating the building above a parking area. The most recent multifamily code updates point to multifamily development as being the highest and best use for this site.

I do not plan to provide parking for this project. The recent update to the Multifamily Design Standards provides that any multifamily project located within 1/4 mile of Cherriot's Core Network need not provide parking. When considering this design standard I also considered the impact to the immediate neighborhood. On-street parking is the cause of many disputes among neighbors. The unique characteristics of this site allow for street parking on all three sides of the site for a total of over 370 lineal feet of street parking (17 total available 20' long spaces). I have taken over two dozen photos of the site, since February 2020, at different times on different days of the week including weekends and evenings. Not once has there been a vehicle parked along any of three available street frontages other than my own vehicle. I believe that the available street parking on this site will heavily mitigate any potential problems with the immediate neighbors.

The third Adjustment is specific to the access provided from the units to the common open space and for the access from the units to the garbage/recycling areas. Access to these areas will be provided via the new public pedestrian pathways to be installed by the developer. It is impractical to install parallel private pedestrian pathways to connect the open space, mail center, building entrances, and garbage/recycling areas. Lighting will be provided on the exterior of the building and will illuminate the common building entrances, the public pedestrian pathways which connect the common open space to the main building entrances and the public pedestrian pathways which connect the main building entrances to the garbage, recycling, and mail areas.

Approximately 50% of the site is to be landscaped open space with Type A landscaping. The landscaping plan will be submitted later, prior to the issuance of final permitting. A triangular common open space of approximately 530 square feet is provided at the Southern end of the development to satisfy the requirement found in SRC 702.015(a)(1)(A).

Garbage or recycling areas are separately provided for each tenant with lockable fenced concrete pads with direct pedestrian pathway access to Madison St NE. Initial conversations with Republic Services have been positive regarding the proposed setup. Each tenant will be able to order their own garbage or recycling service. The 6' high fences are outside of the required vision clearance triangles as detailed on the site plan.


There are two common main building entrances provided to a well-lit common hallway. Stair access is provided to the upper three units and the main floor units take access from the common hallway. All main level units will be built to be ADA adaptable. Building entrances, garbage areas, mail center and pad, and new pedestrian pathways are to be ADA compliant and will be illuminated.

Four bicycle spaces are provided on a 2' by 8' concrete pad at the Winter St main entrance to the proposed building.



MEMO

TO: Olivia Dias, Planner III
Community Development Department

FROM: Glenn J. Davis, PE, CFM, Chief Development Engineer 
Public Works Department

DATE: June 4, 2020

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS
SPR-ADJ-DR20-21 (20-106698-RP)
1795 FAIRGROUNDS ROAD NE
6-UNIT MULTI-FAMILY DEVELOPMENT**

PROPOSAL

Class 3 Site Plan Review for a six-unit multi-family development on property approximately 7,345 square feet in size, zoned CO (Commercial Office), and located at 1795 Fairgrounds Road NE (Marion County Assessor Map and Tax Lot 073W23BA / 3600).

RECOMMENDED CONDITIONS OF APPROVAL

1. Convey land for dedication to equal a half-width right-of-way of 36 feet on the development side of Fairgrounds Road NE and sufficient right-of-way to accommodate public infrastructure at the property corners.
2. Remove the existing sidewalk and construct sidewalk parallel to and one foot from the adjacent right-of-way along the Fairgrounds Road NE frontage of the property.
3. Provide street trees to the maximum extent feasible along all property frontages pursuant to SRC 86.015(e).

FACTS

Streets

1. Fairgrounds Road NE
 - a. Standard—This street is designated as a Minor Arterial street in the Salem TSP. The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way.

- b. Existing Conditions—This street has an approximate 44-foot improvement within a 60-foot-wide right-of-way abutting the subject property.

2. Madison Street NE

- a. Standard—This street is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Conditions—This street has an approximate 30-foot improvement within a 66-foot-wide right-of-way abutting the subject property.

3. Winter Street NE

- a. Standard—This street is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Conditions—This street has an approximate 30-foot improvement within a 75-foot-wide right-of-way abutting the subject property.

Storm Drainage

1. Existing Conditions

- a. An 18-inch storm main is located in Fairgrounds Road NE.
- b. A 36-inch storm main is located in Madison Street NE.

Water

1. Existing Conditions

- a. The subject property is located in the G-0 water service level.
- b. A 2-inch water main is located in Fairgrounds Road NE. Mains of this size generally convey flows of 30 to 100 gallons per minute.
- c. 8-inch water mains are located in Madison Street NE and Winter Street NE. Mains of this size generally convey flows of 900 to 2,200 gallons per minute.

Sanitary Sewer

1. Existing Conditions

- a. 18-inch sewer mains are located in Fairgrounds Road NE and Madison Street NE.

CRITERIA AND FINDINGS

Analysis of the development based on relevant criteria in SRC 220.005(f)(3) is as follows:

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

Finding—With completion of the conditions above, the proposed development meets all applicable standards of the following chapters of the UDC: 601 – Floodplain; 802 – Public Improvements; 803 – Streets and Right-of-Way Improvements; 804 – Driveway Approaches; 805 – Vision Clearance; 809 – Wetlands; and 810 - Landslides.

Public Works staff has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

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

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. The proposed development is assigned 3 activity points. A total of 3 points indicates a low landslide hazard risk.

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—The existing condition of Fairgrounds Road NE does not meet current right-of-way standards for its classification of street per the Salem TSP. The applicant shall convey for dedication a half-width right-of-way up to 36 feet to Minor Arterial street standards and adequate right-of-way at the property corners as specified in the PWDS. The Director has authorized an alternative street standard for the street improvement width of Fairgrounds Road NE pursuant to SRC 803.065(a)(2). However, the existing sidewalk does not meet accessibility standards, and the applicant shall be required to construct sidewalk parallel to and one foot from the adjacent right-of-way along the Fairgrounds Road NE frontage of the property. In addition, the street is lacking street trees; therefore, the applicant shall provide street trees to the maximum extent feasible pursuant to SRC 86.015(e) along the Fairgrounds Road NE frontage.

The existing configuration of Madison Street NE meets or exceeds the current standards for its classification of street per the Salem TSP. Therefore, no additional improvements are required along the Madison Street NE frontage.

The existing configuration of Winter Street NE meets or exceeds the current standard for its classification of street pursuant to the Salem TSP, with the exception of street trees. The applicant shall provide street trees to the maximum extent feasible pursuant to SRC 86.015(e) along the Winter Street NE frontage.

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 proposed development does not include a driveway approach or onsite parking areas.

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 Public Works Department has reviewed the applicant's preliminary plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets/areas and are adequate to serve the proposed development. However, the applicant has proposed to connect new water meters to the existing 2-inch main in Fairgrounds Road NE, which is not adequate to serve the proposed development. New water meters shall be taken from either the 8-inch water main in Madison Street NE or the 8-inch water main in Winter Street NE.

The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to PWDS and to the satisfaction of the Public Works Director. The applicant is advised that the trash area shall be designed in compliance with PWDS.

RESPONSE TO CITIZEN COMMENTS

1. Crash history: A citizen response expressed concern regarding safety of the street layout and abutting intersections to the subject property. Public Works staff has investigated the crash history of the surrounding area and will continue to evaluate the need for public improvements. No additional improvements are required at this time for the proposed development.
2. Vision clearance: A citizen expressed concern regarding visibility for drivers at intersections surrounding the proposed development because of parked cars. On-street parking is allowed with the vision clearance area pursuant to SRC 805.010(a)(3), and it is not prohibited on Fairgrounds Road NE except within 50 feet of a STOP sign.

Prepared by: Jennifer Scott, Program Manager
cc: File