

**TO:** Aaron Panko  
Community Development Department

**FROM:** Ben Haney, PE, Engineering Program Manager  
Public Works Department

**DATE:** August 7, 2020

**SUBJECT:** **ASR Site Planning Review**  
**4629 Sunnyside Road SE**  
**20-110194-RP (Class 2 Site Plan Review)**  
**Project Number 719000**

This memorandum is in response to the Planning Review Checklist, dated July 13, 2020, requesting additional information. The following summarizes a response to each item.

ITEM	COMMENT	RESPONSE
SRC 300.210(a)(1)(G) – Application Submittal, Property Owner Signature	<p>Submittal of a land use application for City property requires the City Manager's signature. Please provide a signature from Steve Powers on the application form.</p> <p>The proposal also includes development of a new driveway on abutting property owned by Ventas Realty LTD Partnership, please provide a signature from this property owner on the land use application form.</p>	<p>The City Manager's signature has been added to the application form.</p> <p>The City currently has an Access and Maintenance Easement across this property in the same location. City staff has been in contact with representatives of the adjacent property owner regarding negotiations for easement modifications. They have expressed support for modifying the easement. However, because of the ownership structure, they are not yet in a position to sign the land use application in a timely manner. We have enclosed a copy of the Access and Maintenance Easement from the title report. The City has the ability to obtain authorization to pursue condemnation for the easement if necessary, since this project is a critical water supply infrastructure project required by the Oregon Health Authority. It is required to be in operation by August 2021.</p>
SRC 300.210(a)(2) – Application Submittal, Recorded Deed	The proposal includes development of a new driveway on abutting property	The City currently has an Access and Maintenance Easement across this property in the same location.

	<p>owned by Ventas Realty LTD Partnership.</p> <p>Please provide a copy of the recorded deed/land sales contract with legal description for this property.</p>	<p>City staff has been in contact with representatives of the adjacent property owner regarding negotiations for easement modifications. They have expressed support for modifying the easement. We have enclosed a copy of the Access and Maintenance Easement from the title report. The City has the ability obtain authorization to pursue condemnation for the easement if necessary, since this project is a critical water supply infrastructure project required by the Oregon Health Authority to be in operation by August 2021.</p>
<p>SRC 800.065(b)(1)(C)  – Pedestrian Access</p>	<p>The written statement (p. 21) explains that a pedestrian pathway will be provided from the proposed water treatment building and Sunnyside Road SE, however, no details for the walkway are provided on the plans.</p> <p>Per SRC 800.065(b)(1)(C), where a walkway is located adjacent to an auto travel lane, the walkway shall be raised above the auto travel lane or separated from it by a raised curb, bollards, landscaping or other physical separation. If the walkway is raised above the auto travel lane it must be raised a minimum of four inches in height and the ends of the raised portions must be equipped with curb ramps. If the walkway is separated from the auto travel lane with bollards, bollard spacing must be no further than five feet on center.</p> <p>Please update the site plan and written statement to demonstrate how the proposed pedestrian accessway will comply with the development standards of SRC 800.065.</p>	<p>The proposed improvements include construction of a new 6-foot wide hard surface sidewalk, which would provide a direct pedestrian connection between the south building entrance of the water treatment building and Sunnyside Road via the main park access driveway, as shown on Sheets TF-C-5 and TF-C-7. Crosswalks would be 6-foot wide with ADA compliant cement concrete sidewalks to visually contrast with driveway asphalt. The new sidewalk connection would not be located adjacent to an auto travel lane from the south building entrance to the park driveway, therefore SRC 806.065(b)(1)(C) does not apply. The existing sidewalk along the park driveway is curbed.</p>
<p>SRC 806.060(a) and  (b) – Off-Street  Parking – Bicycle</p>	<p>SRC 806.060(a) provides that bicycle parking located outside a building shall be located within a convenient distance</p>	<p>See sheet TF-C-5. The project will provide four bicycle parking spaces within 50 feet of the north water</p>

Parking Development Standards	<p>of, and be clearly visible from, the primary building entrance. In no event shall bicycle parking be located more than 50 feet from the primary building entrance, as measured along a direct pedestrian access route.</p> <p>In addition, SRC 806.060(b) provides that 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.</p> <p>The proposed bicycle parking location does not appear to comply with SRC 806.060(a) or (b).</p>	<p>treatment facility building entrance for users of the building.</p> <p>Bicycle parking spaces will be designed in conformance with the standards of Section 806.060 – Bicycle Parking Development Standards. People accessing the water treatment facility by bicycle would have a route unobstructed by curbs or stairs. Cyclists would need to open the gate of the fence to access the bicycle rack, as access to the water treatment facility would be limited to City staff and other authorized personnel.</p>
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MK: G:\Group\Engineering\Projects\CIP\719000 ASR Improvements\Design\Planning & Land Use\Site Plan Review\20200807 Site Plan Review Memo-tw MK.docx

Attachments:

1. Revised Application Form
2. Title Report-Existing Easement Documents
3. Revised Site Plan Sheets TF-C-5, TF-C-7

cc: Tom Walsh, PE, Walsh Consulting Group, LLC  
Ben Haney, PE, Engineering Program Manager  
Lael Alderman, Murraysmith  
File: PN 719000, Miscellaneous Vendor

## Planning/Permit Application Center

City Hall / 555 Liberty St. SE / Room 320 / Salem, OR 97301-3513

503-588-6173 \* [planning@cityofsalem.net](mailto:planning@cityofsalem.net)

If you need the following translated in Spanish, please call 503-588-6256.

Si usted necesita lo siguiente traducido en español, por favor llame 503-588-6256.

## Application type

Please describe the type of land use action requested:

Site Plan Review - Class 2 (Type I)

(For office use only)  
Permit #:

## Work site location and information

<b>Street address or location of subject property</b>	Woodmansee Park - 4629 Sunnyside Rd SE, Salem, OR 97302
<b>Total size of subject property</b>	22.33
<b>Assessor tax lot numbers</b>	Map T8S R3W 10 Tax Lot 200, 300, 400, 800, 900, 2300
<b>Existing use structures and/or other improvements on site</b>	ASR wells, cell tower, sports fields, access roadway
<b>Zoning</b>	RM2, RS, PA
<b>Comprehensive Plan Designation</b>	POS, SFR
<b>Project description</b>	Phase 1 ASR Improvements - new water treatment building, improve existing access road, new pedestrian connection, new bike and motor vehicle parking, new landscaping and stormwater

## People information

	Name	Full Mailing Address	Phone Number and Email address
<b>Applicant</b>	City of Salem, attn: Ben Haney	555 Liberty Street SE, Room 325 Salem, OR 97301	503-588-6211; <a href="mailto:bhaney@cityofsalem.net">bhaney@cityofsalem.net</a>
<b>Agent</b>	Murraysmith, attn: Lael Alderman	888 SW 5th Avenue, Suite 1170 Portland, OR 97204	503-225-9010; Lael.Alderman @murraysmith.us

## Project information

<b>Project Valuation for Site Plan Review</b>	4,400,000.00
<b>Neighborhood Association</b>	Faye Wright Neighborhood Association
<b>Have you contacted the Neighborhood Association?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>Date Neighborhood Association contacted</b>	4/8/20
<b>Describe contact with the affected Neighborhood Association</b> (The City of Salem recognizes, values, and supports the involvement of residents in land use decisions affecting neighborhoods across the city and strongly encourages anyone requesting approval for any land use proposal to contact the affected neighborhood association(s) as early in the process as possible.)	Due to COVID-19, in lieu of an in-person presentation, the City emailed a detailed information packet to the neighborhood association.
<b>Have you contacted Salem-Keizer Transit?</b>	<input type="radio"/> Yes <input checked="" type="radio"/> No
<b>Date Salem-Keizer Transit contacted</b>	
<b>Describe contact with Salem-Keizer Transit</b>	



### Authorization by property owner(s)/applicant

\*If the applicant and/or property owner is a Limited Liability Company (LLC), please also provide a list of all members of the LLC with your application.

**Copyright release for government entities:** I hereby grant permission to the City of Salem to copy, in whole or part, drawings and all other materials submitted by me, my agents, or representatives. This grant of permission extends to all copies needed for administration of the City's regulatory, administrative, and legal functions, including sharing of information with other governmental entities.

**Authorizations:** Property owners and contract purchasers are required to authorize the filing of this application and must sign below.


- All signatures represent that they have full legal capacity to and hereby do authorize the filing of this application and certify that the information and exhibits herewith submitted are true and correct.
- I (we) hereby grant consent to the City of Salem and its officers, agents, employees, and/or independent contractors to enter the property identified above to conduct any and all inspections that are considered appropriate by the City to process this application.
- I (we) hereby give notice of the following concealed or unconcealed dangerous conditions on the property:

**Electronic signature certification:** By attaching an electronic signature (whether typed, graphical or free form) I certify herein that I have read, understood and confirm all the statements listed above and throughout the application form.

**Authorized Signature:** Benjamin Haney Digitally signed by Benjamin Haney  
DN: C=US, E=bhaney@cityofsalem.net, O=City of Salem, OU=Public Works Engineering, CN=Benjamin Haney  
Date: 2020.06.16 08:43:14-0700

**Print Name:** Steve Powers, City Manager **Date:** 6/16/20

**Address (include ZIP):** 555 Liberty St SE; Room 325; Salem, OR 97301

**Authorized Signature:** 

**Print Name:** Steve Powers, City Manager **Date:** 6/16/20

**Address (include ZIP):**

(For office use only)		
Received by	Date:	Receipt Number:

**Not using Internet Explorer?**

Save the file to your computer and email to [planning@cityofsalem.net](mailto:planning@cityofsalem.net).

ACCESS AND MAINTENANCE EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that VENTAS REALTY LIMITED PARTNERSHIP, a Delaware limited partnership, ("Grantor") for the consideration of -----\$17,500.00----- dollars to it paid, the receipt whereof is hereby acknowledged, do forever grant unto the CITY OF SALEM, OREGON, a municipal corporation, ("Grantee") a permanent, non-exclusive easement ("the Easement") over and along the full width and length of the premises described as follows, to-wit:

The Northerly 15 feet of the South 25 feet of that tract of land described in that instrument recorded in Reel 1390, Page 75, Marion County Records, being in Section 10, Township 8 South, Range 3 West of the Willamette Meridian, City of Salem, Marion County, Oregon.

Containing 6,150 square feet or 0.141 acres of land, more or less.

TO HAVE AND TO HOLD the above-described Easement unto said Grantee in accordance with the conditions and covenants as follows:

The Easement shall include the right to the said Grantee, its contractors and agents to vehicular ingress and egress over said above-described premises at any and all times and for the purpose of initially constructing and subsequently maintaining or reconstructing the road located within the limits of the Easement. Grantee shall complete any and all required construction within six (6) months of the inception of such construction.

Grantor shall at all times, upon reasonable notice from Grantee, remove any surface obstructions or open gates which would otherwise prevent the ingress or egress of vehicles; provided, however, Grantor shall not at any time be required to pave or otherwise apply any other form of surface material to the Easement.

Grantee will indemnify and hold harmless Grantor and its assigns from claims for injury to person or property as a result of the negligence of Grantee, its agents or employees in the use of the permanent easement. Grantee shall maintain the Easement at its sole cost and expense and shall keep such road in a good and clean condition at all times. Grantor shall have no maintenance obligation with respect to the Easement.

After recording, return to:  
City Recorder  
555 Liberty Street SE, Room 200  
Salem OR 97301-3503

ACCESS AND MAINTENANCE EASEMENT - Page 1

APR 05 2001

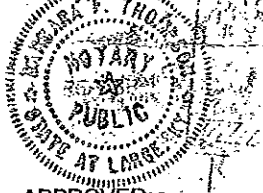
Grantee, upon the initial construction and upon each and every occasion that the Easement is used, shall restore the premises of Grantor and any improvements disturbed by Grantee to as good a condition as they were prior to any such installation or work including the restoration of pavements, gravel areas, topsoil and lawn.

VENTAS REALTY, LIMITED PARTNERSHIP  
BY: VENTAS, INC., ITS GENERAL PARTNER

BY: T. Richard Riney  
T. RICHARD RINEY  
ITS: EXECUTIVE VICE PRESIDENT

STATE OF KENTUCKY )  
COUNTY OF JEFFERSON )

This instrument was acknowledged before me on October 30, 2000, by T. Richard Riney, Executive Vice President of Ventas, Inc., General Partner of Ventas Realty, Limited Partnership.



Barbara F. Thompson  
Notary Public, State at Large, Kentucky  
My Commission Expires: December 9, 2002

APPROVED:

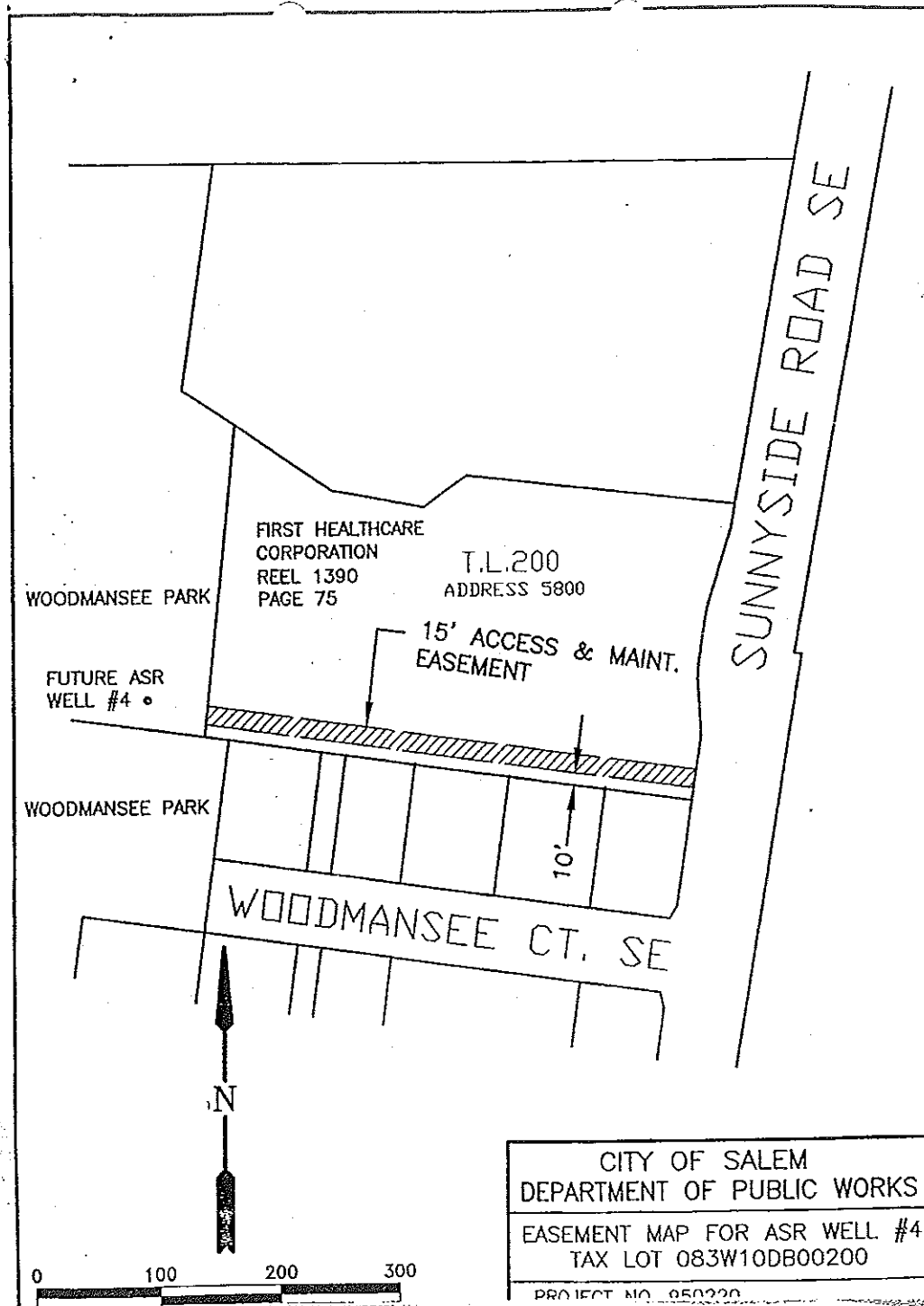
By: Chris Anderson  
Public Works Department

APPROVED AS TO FORM:

By: [Signature]  
Assistant City Attorney

Checked by: \_\_\_\_\_  
Project Number: 950220  
December 18, 1997

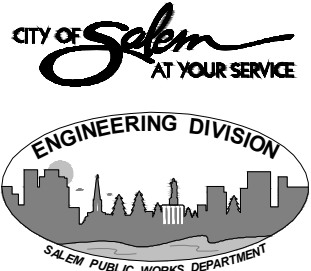
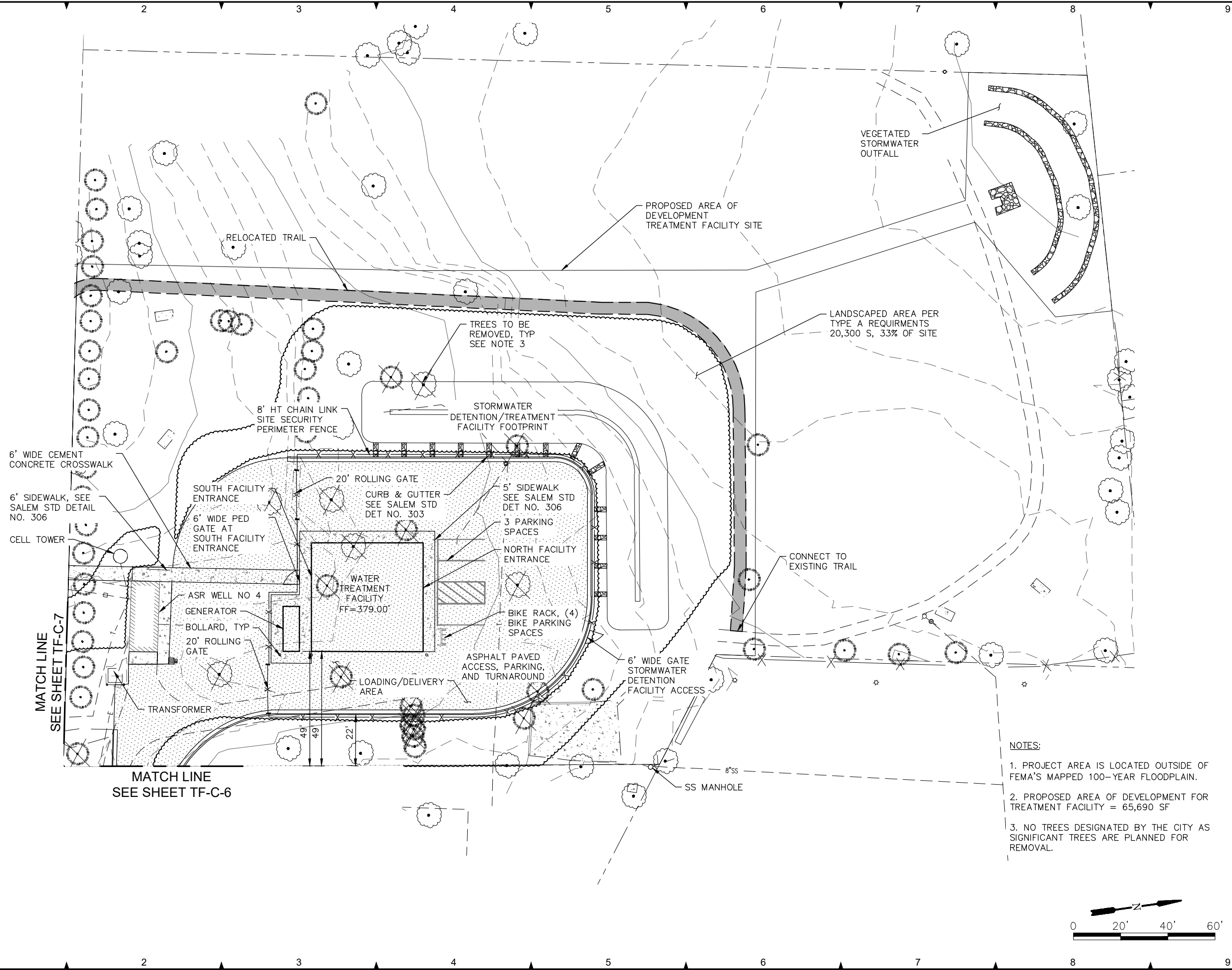
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SHEET PREPARED BY:

**murraysmith**

888 SW 5TH AVENUE, SUITE 1170  
PORTLAND, OREGON 97204  
P 503.225.9010

**PERMIT  
REVIEW SET  
REVISED 8/3/2020**

**PRELIMINARY ONLY**  
DO NOT USE FOR CONSTRUCTION

JULY 2020

**Murraysmith**  
www.murraysmith.us

SIGNED:

**IMPROVEMENTS TO THE AQUIFER  
STORAGE AND RECOVERY  
FACILITY**

REVISIONS			
NO.	DESCRIPTION	DATE	BY

**PN:XXXXXXX**

HORIZ DATUM: NAD 83-SPCS  
VERT DATUM: NGVD 1929 (47)  
HORIZ SCALE: AS SHOWN  
VERT SCALE:      

DESIGN: LRC  
DRAWN: CAD  
CHECKED: XXX

APPROVED: XXX

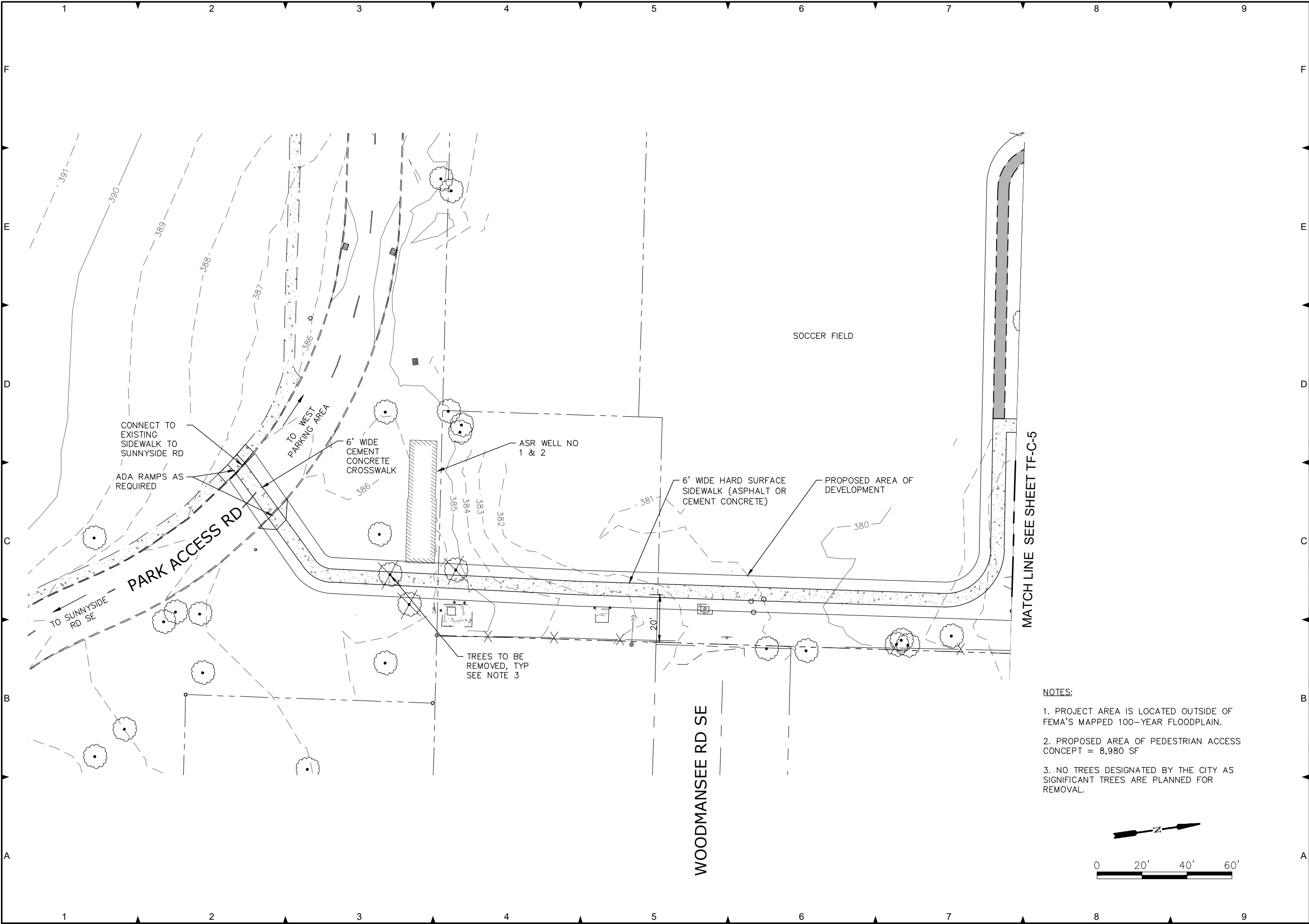
SHEET TITLE

**SCHEDULE A  
TREATMENT FACILITY  
SITE LAYOUT PLAN**

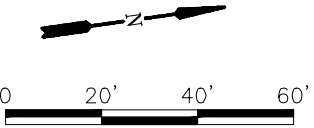
**TF-C-5**

SHEET ---- OF

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- NOTES:
1. PROJECT AREA IS LOCATED OUTSIDE OF FEMA'S MAPPED 100-YEAR FLOODPLAIN.
  2. PROPOSED AREA OF PEDESTRIAN ACCESS CONCEPT = 8,980 SF
  3. NO TREES DESIGNATED BY THE CITY AS SIGNIFICANT TREES ARE PLANNED FOR REMOVAL.



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HORIZ SCALE: AS SHOWN  
VERT SCALE:

DESIGN: LRC  
DRAWN: CAD  
CHECKED: XXX

APPROVED: XXX

SHEET TITLE

**SCHEDULE A  
TREATMENT FACILITY  
PED CONNECTION  
LAYOUT PLAN**

**TF-C-7**

SHEET ---- OF