

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
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*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 2 DRIVEWAY
APPROACH PERMIT CASE NO.: SPR-ADJ-DAP20-33**

APPLICATION NO.: 20-106981-RP / 20-110751-ZO / 20-106983-ZO

NOTICE OF DECISION DATE: September 17, 2020

SUMMARY: A Class 3 Site Plan Review, Class 2 Driveway Approach permit and a Class 2 Adjustment for the development of an outpatient medical building.

REQUEST: A Class 3 Site Plan Review, Class 2 Driveway Approach permit and a Class 2 Adjustment to driveway spacing standards, for the construction of a new outpatient medical facility and the demolition of existing structures. The proposed development is on two properties totaling 3.11 acres in size, and located at 5669 & 5600 Commercial St SE. The properties are zoned CG (General Commercial) and are within the South Gateway Overlay Zone. Marion County Assessors Map and Taxlot Numbers: 083W14CA01000 and 083W14CA01100.

APPLICANT: Sam Thomas, Lenity Architecture, on behalf of Cole Johnson, Dragonfist LLC

LOCATION: 5600 & 5669 Commercial Street SE, Salem OR 97306

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

FINDINGS: The findings are in the attached Decision dated September 17, 2020.

DECISION: The **Planning Administrator APPROVED** Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit SPR-ADJ-DAP20-33 subject to the following conditions of approval:

- Condition 1:** Prior to final building permit approval, the applicant shall obtain and record an access easement with the property owner to the north, ensuring continued access to the portions of the proposed driveway that are located on the adjacent property.
- Condition 2:** As a condition of building permit approval, the applicant shall demonstrate the pedestrian accessway from the main building entrance to Commercial Street SE meets the design and materials standards for crossing vehicle use areas provided in SRC 800.065.
- Condition 3:** Construct a half-street improvement along the frontage of Commercial Street SE to Major Arterial street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803. This improvement is eligible for a fee-in-lieu of construction pursuant to SRC 200.405.

- Condition 4:** Provide an all-weather access road and easements pursuant to PWDS for the proposed 8-inch public sewer extension. The width of the public easements shall conform with PWDS 1.8.
- Condition 5:** Design and construct a storm drainage system at the time of development in compliance with *Salem Revised Code* (SRC) Chapter 71 and *Public Works Design Standards* (PWDS).
- Condition 6:** Dedicate an open channel drainage easement along the portion of Waln Creek that is adjacent to the subject property. The easement width shall be either the 100-year floodway, 15-feet from the channel centerline, or 10-feet from the top of the recognized bank, whichever is greatest.

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

Class 3 Site Plan Review	<u>October 3, 2024</u>
Class 2 Adjustment	<u>October 3, 2022</u>
Class 2 Driveway Approach Permit	<u>October 3, 2022</u>

Application Deemed Complete:	<u>August 7, 2020</u>
Notice of Decision Mailing Date:	<u>September 17, 2020</u>
Decision Effective Date:	<u>October 3, 2020</u>
State Mandate Date:	<u>December 5, 2020</u>

Case Manager: Steven McAtee, Planner II, smcatee@cityofsalem.net, 503-540-2363

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m., Friday, October 2, 2020. 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 804. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review by contacting the case manager, or at the Planning Desk in the Permit Application Center, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

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

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BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

**SITE PLAN REVIEW / ADJUSTMENT / DRIVEWAY APPROACH PERMIT
CASE NO. SPR-ADJ-DAP20-33
DECISION**

IN THE MATTER OF APPROVAL OF)	CLASS 3 SITE PLAN REVIEW,
SITE PLAN REVIEW, ADJUSTMENT)	CLASS 2 ADJUSTMENT
AND DRIVEWAY APPROACH)	CLASS 2 DRIVEWAY APPROACH
PERMIT)	PERMIT
CASE NO. 20-33)	
5669 & 5600 COMMERCIAL ST SE)	
97306)	SEPTEMBER 17, 2020

In the matter of the application for a Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit, submitted by Sam Thomas of Lenity Architecture, on behalf of the applicant and Cole Johnson of Dragonfist LLC, 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 Class 3 Site Plan Review, Class 2 Driveway Approach permit and a Class 2 Adjustment for the development of an outpatient medical services and office building.

Request: A Class 3 Site Plan Review, Class 2 Adjustment, and a Class 2 Driveway Approach permit, for the construction of a two-story, 12,916 square foot outpatient medical and office use facility and the demolition of existing structures. The Class 2 Adjustment requests:

- 1) To reduce the driveway spacing standards established in SRC 804.035(d), from 370-feet to 150-feet between driveways and from 370-feet to 240-feet from the nearest street intersection.

For two properties approximately 3.11 acres in size, and located at 5669 & 5600 Commercial St SE. The properties are zoned CG (General Commercial) and are within the South Gateway Overlay Zone. Marion County Assessors Map and Tax lot Numbers: 083W14CA01000 and 083W14CA01100.

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:** Prior to final building permit approval, the applicant shall obtain and record an access easement with the property owner to the north, ensuring continued access to the portions of the proposed driveway that are located on the adjacent property.
- Condition 2:** As a condition of building permit approval, the applicant shall demonstrate the pedestrian accessway from the main building entrance to Commercial Street SE meets the design and materials standards for crossing vehicle use areas provided in SRC 800.065.
- Condition 3:** Construct a half-street improvement along the frontage of Commercial Street SE to Major Arterial street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803. This improvement is eligible for a fee-in-lieu of construction pursuant to SRC 200.405.
- Condition 4:** Provide an all-weather access road and easements pursuant to PWDS for the proposed 8-inch public sewer extension. The width of the public easements shall conform with PWDS 1.8.
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- Condition 6:** Dedicate an open channel drainage easement along the portion of Waln Creek that is adjacent to the subject property. The easement width shall be either the 100-year floodway, 15-feet from the channel centerline, or 10-feet from the top of the recognized bank, whichever is greatest.

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)(C) because a Class 2 Driveway Approach Permit is required and pursuant to SRC 220.005(b)(3)(F) because a Class 2 Adjustment has been requested.

2. Background

On April 15, 2020 Class 3 Site Plan Review and Class 2 Driveway Approach permit applications were submitted for a proposal to construct an outpatient medical and office use facility.

On June 29, 2020 a Class 2 Adjustment application was submitted to reduce the driveway spacing standard.

The applications were deemed complete for processing on August 7, 2020. The applicant's proposed site plan is included as **Attachment B** and the applicant's written statement addressing the approval criteria is included as **Attachment C**.

Summary of Record:

The following items are submitted to the record and are available upon request: All materials submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports; any materials and comments from public agencies, City departments, neighborhood associations, and the public; and all documents referenced in this report.

Neighborhood and Citizen Comments:

Notice of the application was sent to the South Gateway Neighborhood Association, and surrounding residents within 250 feet of the subject property. No comments were received from South Gateway Neighborhood Association, one public comment was received indicating support for the proposed development, and that it will be a positive addition to the neighborhood.

City Department 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 no concerns.

The Fire Department has reviewed the proposal and indicated Fire Department access and water supply for the new addition will be evaluated at the time of building permit.

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:

Criterion 1:

The application meets all applicable standards of the UDC.

Finding: The proposal includes the development of a two-story 12,916 square foot outpatient medical and office building, and site improvements. The subject properties are zoned CG (General Commercial). The following is a summary of the applicable development standards for the proposed development.

Development Standards – CG (General Commercial) Zone:

SRC 523.005(a) - Uses:

The permitted, special, conditional and prohibited uses in the CG zone are set forth in Table 523-1.

Finding: The proposal includes the development of an outpatient medical and office use building and site improvements. Outpatient medical uses are allowed as a permitted use in the CG zone per SRC Chapter 523, Table 523-1.

SRC 523.010(a) – Lot Standards:

Per Table 523-2, there are no minimum lot area or dimension requirements in the CG zone. All uses are required to have a minimum of 16 feet of street frontage.

Finding: The properties are approximately 3.11 acres in size and have a combine frontage of approximately 64-ft feet along Commercial Street SE. The subject property is in compliance with the minimum lot standards of the CG zone.

Setbacks within the CG zone shall be provided as set forth in Tables 523-3 and 523-4.

North: Adjacent to the north is property zoned CG (General Commercial). There is no minimum building setback to commercial properties. Vehicle use areas require a minimum 5-foot setback adjacent to a commercial zone.

East: Adjacent to the east is right-of-way for Commercial Street SE and property zoned CG (General Commercial). Buildings and accessory structures are required to have a 5-foot setback adjacent to a street. Vehicle use areas require a minimum 6-10-foot setback adjacent to a street per SRC Chapter 806. There is no minimum building setback to commercial properties. Vehicle use areas require a minimum 5-foot setback adjacent to a commercial zone.

West: Adjacent to the west is property zoned IC (Industrial Commercial). There is a 5-foot minimum building setback to IC zoned properties. Vehicle use areas require a minimum 5-foot setback adjacent to an industrial zone.

South: Adjacent to the south is property zoned IC (Industrial Commercial). There is a 5-foot minimum building setback to IC zoned properties. Vehicle use areas require a minimum 5-foot setback adjacent to an industrial zone.

Finding: The proposed building is greater than 20-feet from the west and the north property lines, and greater than 100-feet from the south and the east property lines. There is an existing driveway serving the site which crosses the property line shared by

the neighboring property to the north. This development proposal will continue to utilize portions of the adjacent property for driveway access to the site. All other portions of the proposed off-street parking area are located on the same development site as the use that it serves. To ensure adequate and continued permissions from the neighboring property to the north, the following condition applies:

Condition 1: Prior to final building permit approval, the applicant shall obtain and record an access easement with the property owner to the north, ensuring continued access to the portions of the proposed driveway that are located on the adjacent property.

SRC 523.010(c) - Lot Coverage, Height:

Buildings and accessory structures within the CG zone shall conform to the lot coverage and height standards set forth in Table 523-5. There is no maximum lot coverage standard in the CG zone, buildings and accessory structures shall not exceed 70 feet in height.

Finding: The applicant's site plan indicates the construction of a two-story outpatient medical and office facility. The highest portion of the proposed building is 37-feet in height. Because the height is less than 70-feet, it complies with this standard.

SRC 523.010(d) - Landscaping:

- (A) **Setbacks.** Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807.
- (B) **Vehicle Use Areas.** Vehicle use areas shall be landscaped as provided under SRC Chapter 806 and SRC Chapter 807.
- (C) **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 site plan submitted for the proposed development includes adequate setback and vehicle use area landscaping to comply with SRC 807. The property is approximately 135,235 square feet in size requiring a minimum of 20,285 square feet of landscape area ($135,235 \times 0.15 = 20,285.3$). The site plan proposes approximately 23,125 square feet of landscape area, or 17 percent, exceeding the minimum requirement.

At the time of building permit review, landscape and irrigation plans shall be provided that demonstrate compliance with the requirements of SRC Chapter 807.

General Development Standards SRC Chapter 800:

SRC 800.055 - Solid Waste Service Area Development Standards

SRC 800.055(a) – Applicability.

Solid waste service area design standards shall apply to all new solid waste, recycling, and compostable services areas, where use of a solid waste, recycling, and compostable receptacle of 1 cubic yard or larger is proposed.

Finding: The site plan indicates that a new solid waste enclosure with receptacles greater than one cubic yard in size is proposed.

SRC 800.055(b) – Solid Waste Receptacle Placement Standards.

All solid waste receptacles shall be placed at grade on a concrete pad that is a minimum of 4 inches thick, or on an asphalt pad that is a minimum of 6 inches thick. The pad shall have a slope of no more than 3 percent and shall be designed to discharge stormwater runoff.

- 1) Pad area. In determining the total concrete pad area for any solid waste service area:
 - a. The pad area shall extend a minimum of 1-foot beyond the sides and rear of the receptacle.
 - b. The pad area shall extend a minimum 3 feet beyond the front of the receptacle.
 - c. In situations where receptacles face each other, a minimum four feet of pad area shall be required between the fronts of the facing receptacles.

Finding: The site plan indicates that the base of the enclosure will be a 4" thick concrete slab, consistent with these design standards. Design and materials for the trash enclosure will be reviewed for conformance with Chapter 800 at the time of building permit review.

- 2) Minimum Separation.
 - a. A minimum separation of 1.5 feet shall be provided between the receptacle and the side wall of the enclosure.
 - b. A minimum separation of 5 feet shall be provided between the receptacle and any combustible walls, combustible roof eave lines, or building or structure openings.

Finding: Adequate separation distance is provided within the enclosure. Receptacles will not be placed within 5 feet of a building or structure.

- 3) Vertical Clearance.
 - a. Receptacles 2 cubic yards or less in size shall be provided with a minimum of 8 feet of unobstructed overhead or vertical clearance for servicing.
 - b. Receptacles greater than 2 cubic yards in size shall be provided with a minimum of 14 feet of unobstructed overhead or vertical clearance for serving.

Finding: The site plan indicates an unobstructed vertical clearance in the enclosure, which meets the minimum 14 feet of vertical clearance requirement.

SRC 800.055(d) – Solid Waste Service Area Screening Standards.

- 1) Solid waste, recycling, and compostable service areas shall be screened from all streets abutting the property and from all abutting residentially zoned property by a minimum six-foot-tall sight-obscuring fence or wall; provided, however, where receptacles, drop boxes, and compactors are located within an enclosure, screening is not required. For the purpose of this standard, abutting property shall also include any residentially zoned property located across an alley from the property.

- 2) Existing screening at the property line shall satisfy screening requirements if it includes a six-foot-tall sight-obscuring fence or wall.

Finding: The subject property is located within a commercial zone, there are no residentially zoned properties in the area. An enclosure is provided for the solid waste service area that is proposed to be constructed of structural bricks which screens the solid waste service area from abutting properties and streets.

SRC 800.055(e) – Solid Waste Service Area Enclosure Standards.

When enclosures area used for required screening or aesthetics, such enclosure shall conform to the following standards:

- 1) Front Opening of Enclosure. The front opening of the enclosure shall be unobstructed and shall be a minimum of 12 feet in width.

Finding: The width of the proposed front opening for the enclosure is approximately 16 feet, exceeding the minimum standard.

- 2) Measures to Prevent Damage to Enclosure. Enclosures constructed wood or chain-link fencing material shall contain a minimum four-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the enclosure to prevent damage from receptacle impacts.

Finding: The proposed site plan indicates that the enclosure walls will be constructed of brick. A 2" x 6" bumper will be provided inside the perimeter of the enclosure walls to prevent damage from receptacle impacts.

- 3) Enclosure Gates. Any gate across the front opening of an enclosure shall swing freely without obstructions. For any opening with an unobstructed width of 15 feet or greater, the gates shall open a minimum of 90 degrees. All gates shall have restrainers in the open and closed positions.

Finding: The proposed gates can swing to 90 degrees in compliance with this provision.

SRC 800.055(f) – Solid Waste Service Area Vehicle Access.

- 1) Vehicle Operation Area. A vehicle operation area shall be provided for solid waste collection service vehicles that are free of obstructions and no less than 45 feet in length and 15 feet in width. Vehicle operation areas shall be made available in front of every receptacle.

Finding: The proposed vehicle operation area meets the minimum dimensional requirements for service vehicle access.

SRC 800.065 – Pedestrian Access.

Except where pedestrian access standards are provided elsewhere under the UDC, all developments, other than single family, two family, and multiple family developments, shall include an on-site pedestrian circulation system developed in conformance with the standards in this section.

Finding: The pedestrian access standards of SRC Chapter 800 apply to the proposed development.

SRC 800.065(a)(1) – Pedestrian Connection Between Entrances and Streets.

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

Finding: The site plan proposes a pedestrian connection from the main entrance of the building to the abutting right-of-way of Commercial Street SE. This standard is met.

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

Finding: There is not a transit stop located along the street frontage of the development site, therefore this standard is not applicable.

SRC 800.065(a)(2) – Pedestrian Connection Between Buildings on the same Development Site.

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

Finding: There is only one proposed building. This standard is not applicable.

SRC 800.065(a)(3) – Pedestrian Connection Through Off-Street Parking Areas.

- (A) Surface parking areas. Except as provided under subsection (a)(3)(A)(iii) of this section, off-street surface parking areas greater than 25,000 square feet in size or including four or more consecutive parallel drive aisles shall include pedestrian connections through the parking area to the primary building entrance as provided in this subsection.

Finding: The proposed off-street parking areas is greater than 25,000 square feet in size; therefore, this standard is applicable. The applicant proposes two pedestrian access pathways, approximately 71-feet apart, that connect the off-street parking area west of the building to the building entrances. This spacing of the pedestrian access pathways exceeds the minimum spacing standard of one connection for every 250 feet and one connection every two drive aisles.

The proposed pedestrian connection to the Commercial Street SE right-of-way will serve as a pedestrian connection for the off-street vehicle use area to the east of the building. This standard is met.

- (B) Parking structures and parking garages. Where an individual floor of a parking structure or parking garage exceeds 25,000 square feet in size, a pedestrian connection shall be provided through the parking area on that floor to an entrance/exit.

Finding: The development site does not include any existing or proposed parking structures or garages; therefore, this standard is not applicable.

SRC 800.065(a)(4) – Pedestrian Connection to Existing or Planned Paths and Trails.
Where an existing or planned path or trail identified in the Salem Transportation System Plan (TSP) or the Salem Comprehensive Parks System Master Plan passes through a development site, the path or trail shall:

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

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

SRC 800.065(a)(5) – Pedestrian Connection to Abutting Properties.
Whenever a vehicular connection is provided from a development site to an abutting property, a pedestrian connection shall also be provided.

Finding: There are no existing or proposed vehicular connections between the proposed development abutting properties; therefore, this section is not applicable.

SRC 800.065(b) - Design and materials.

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

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

- (2) Wheel stops or extended curbs shall be provided along required pedestrian connections to prevent the encroachment of vehicles onto pedestrian connections.

SRC 800.065(c)- Lighting.

The on-site pedestrian circulation system shall be lighted to a level where the system can be used at night by employees, customers, and residents.

Finding: The applicant is proposing 7.5-foot wide concrete walkways for the vehicle parking area to the south of the building, which meet the minimum pedestrian access design standards. The design and materials for the walkway from the main building entrance to Commercial Street SE is not indicated and the site plan does not demonstrate how the walkway will be separated from the vehicle use area. To ensure that this pedestrian walkway meets the applicable design standards established in SRC 800.065(b), the following condition applies:

Condition 2: As a condition of building permit approval, the applicant shall demonstrate the pedestrian accessway from the main building entrance to Commercial Street SE meets the design and materials standards for crossing vehicle use areas provided in SRC 800.065.

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 each proposed new 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, or per 806.010, within nonresidential zones, required off-street parking may be within 500 feet of the development site containing the use or activity it serves.

Finding: All off-street parking provided for the use will be located on the same development site as the proposed use.

SRC 806.015 - Amount of Off-Street Parking.

- a) **Minimum Required Off-Street Parking.** The proposed development includes construction of a 40,000 square foot industrial shell building with no specific future use at this time, however, the applicant anticipates may be occupied by a combination of retail sales and services, business and professional services, construction contracting, repair, maintenance and industrial services, wholesale sales, storage and distribution, and manufacturing type uses. Each potential use has a unique off-street parking requirement per SRC Chapter 806, Table 806-1. The applicant has applied an off-street parking ratio of one space per 900 square feet of floor area to the building.
- 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 the Business and Professional Services use category, shall designate a minimum of 5 percent of their total off-street parking spaces for carpool or vanpool parking.

- 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.

Finding: The applicant indicates that the proposed building will be 12,916 square feet in size, requiring a minimum of 37 off-street parking spaces ($12,916 / 350 = 36.9$). A maximum of 64 off-street parking spaces are allowed ($37 \times 1.75 = 64$). The site plan indicates that 60 off-street parking spaces are provided. No compact spaces are proposed. No carpool/vanpool spaces are required for uses falling within the outpatient medical and office use classifications if the minimum required vehicle parking spaces is fewer than 60. The proposed development complies with the minimum and maximum number of off-street parking areas, and no carpool/vanpool spaces are required.

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, expansion or alteration of existing off-street parking and vehicle use areas where existing paved surface is replaced with a new paved surface, or the paving of an unpaved area.

Finding: The proposed development includes development of a new off-street parking area to serve the new building. The off-street parking area development standards of this section are applicable.

- b) *Location.* Off-street parking and vehicle use areas shall not be located within required setbacks.
- c) *Perimeter Setbacks and Landscaping.* Perimeter setbacks shall be required for off-street parking and vehicle use areas abutting streets, abutting interior front, side, and rear property lines, and adjacent to buildings and structures.

Finding: The proposed off-street parking area complies with all applicable location and perimeter setback requirements.

- d) *Interior Landscaping.* Interior landscaping shall be provided in amounts not less than those set forth in Table 806-5.

Finding: The applicant's statement indicates that the proposed off-street parking area is 32,617 square feet in size. Per Table 806-5, a minimum of 5 percent interior parking area landscaping is required, or 1,631 square feet ($32,617 \times 0.05 = 1,631$). The applicant indicates that the proposed off-street parking area has approximately 5,705 square feet (17.4 percent) of interior parking area landscaping, exceeding the minimum requirement.

- e) *Off-Street Parking Area Dimensions.* Off-street parking areas shall conform to the minimum dimensions set forth in Table 806-6.

Finding: The proposed off-street parking spaces and drive aisles are in compliance with the minimum dimensional requirements of Table 806-6.

f) *Additional Off-Street Parking Development Standards 806.035(f)-(m).*

Finding: The proposed off-street parking area is developed consistent with the additional development standards for grade, surfacing, and drainage. Bumper guards and wheel stops are provided for interior off-street parking spaces near or abutting pedestrian walkways. The parking area striping, marking, signage and lighting shall comply with the standards of SRC Chapter 806. Off-street parking area screening per SRC 806.035(m) is not required for the proposed parking area.

Bicycle Parking

SRC 806.045 - General Applicability.

Bicycle parking shall be provided and maintained for each proposed new 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 it serves.

SRC 806.055 - Amount of Bicycle Parking.

Per SRC Chapter 806, Table 806-8, outpatient medical services and office uses both require the greater of four bicycle parking spaces or a minimum of one bicycle parking space per 3,500 square feet of floor area.

Finding: The proposed development includes the construction of a 12,916 square foot outpatient medical and office use building, which requires four bicycle parking spaces ($12,916 / 3,500 = 3.69$). The site plan proposed for this development indicates four bicycle parking space are provided; therefore, this standard is met.

SRC 806.060 – Bicycle Parking Development Standards.

- (a) Location. Except as otherwise provided in this section, bicycle parking shall be located outside a building.
 - (1) 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 be located more than 50 feet from the primary building entrance, as measured along a direct pedestrian access route.
 - (2) Where bicycle parking cannot be located outside a building, it may be located inside a building within a convenient distance of, and accessible from, the primary building entrance.
- (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 in subsection (f) of this section, bicycle parking areas shall meet the following dimension requirements:
 - (1) Bicycle parking spaces. Bicycle parking spaces shall be a minimum of six feet in length and two 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.
 - (2) Access aisles. Bicycle parking spaces shall be served by a minimum four-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: A minimum of four bicycle parking spaces are required for the proposed development. The site plan submitted for this development proposal shows four bicycle parking racks that are in compliance with the design and development standards established in SRC 806.060.

Off-Street Loading Areas

SRC 806.065 - General Applicability.

Off-street loading areas shall be provided and maintained for each proposed new use or activity.

SRC 806.070 – Proximity of Off-Street Loading Areas to use or Activity Served.

Off-street loading shall be located on the same development site as the use or activity it serves.

SRC 806.075 - Amount of Off-Street Loading.

A minimum of one off-street loading space is required for outpatient medical and office uses with a gross floor area between 5,000-60,000 square feet in size. However, pursuant to SRC 806.075(a), an off-street parking area meeting the requirements of this chapter may be used in place of a required off-street loading space when the use

or activity does not require a delivery vehicle which exceeds a maximum combined vehicle and load rating of 8,000 pounds and the off-street parking area is located within 25 feet of the building or the use or activity that it serves.

Finding: The proposed 12,916 square foot outpatient medical and office use development requires a minimum of one off-street loading space, however, the applicant indicates that the proposed uses do not require deliveries from vehicles which exceed a maximum combined vehicle and load rating of 8,000 pounds. The applicant proposes to use an off-street vehicle parking space located no farther than 25-feet from the building for off-street loading pursuant to SRC 806.075(a). This standard is met.

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 site plan indicates that approximately 23,125 square feet of landscape area will be provided requiring a minimum of 1,156 plant units ($23,125 / 20 = 1,156.3$). Of the required plant units, a minimum of 462 plant units shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees ($1,156 \times 0.4 = 462.4$).

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 601 - Floodplain Overlay Zone: 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.

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.

Finding: The Salem-Keizer Local Wetland Inventory shows that there are wetland channels and/or hydric soils mapped on the property. The applicant should contact the Oregon Department of State Lands to verify if any permits are required for development

or construction in the vicinity of the mapped wetland area(s). No protected riparian trees or significant trees have been identified on the site plan for removal.

SRC 810 - Landslide Hazards: A geological assessment or report is required when regulated activity is proposed in a mapped landslide hazard area.

Finding: According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are mapped 2-point landslide hazard areas on the subject property. The proposed activity of a commercial building adds 3 activity points to the proposal, which results in a total of 5 points. Therefore, the proposed development is classified as a moderate landslide risk and requires a geological assessment. The applicant's engineer submitted findings demonstrating that the proposed development is a low landslide hazard risk based on SRC Chapter 810.

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 configuration of Commercial Street SE does not meet current standards for its classification of street per the *Salem Transportation System Plan*. The applicant shall construct a half-street improvement to Major Arterial street standards as specified in the Public Works Design Standards and consistent with the provisions of SRC Chapter 803. Commercial Street SE is currently a turnpike section along the frontage of the subject property. Due to limited property frontage and construction limitations north and south of the property, the improvements are eligible for a fee-in-lieu of construction pursuant to SRC 200.405.

Condition 3: Construct a half-street improvement along the frontage of Commercial Street SE to Major Arterial street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803. This improvement is eligible for a fee-in-lieu of construction pursuant to SRC 200.405.

Criterion 3:

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

Finding: The proposed driveway access onto Commercial Street SE is shared with the adjacent property to the north and provides for safe turning movements into and out of the property.

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 plan for this site. The water and storm infrastructure are available within surrounding streets/areas and are adequate to serve the proposed development. The applicant is

proposing extension of an 8-inch public sewer main that is consistent with the *Salem Wastewater Management Master Plan*. The applicant shall construct the public sewer improvements to PWDS standards and dedicate pipeline easements in widths that conform with PWDS 1.8. An all-weather access road in conformance with PWDS is required for access and maintenance of the proposed public sewer manholes. To ensure compliance, the following condition applies:

Condition 4: Provide an all-weather access road and easements pursuant to PWDS for the proposed 8-inch public sewer extension. The width of the public easements shall conform with PWDS 1.8.

The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4)(b) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible. To ensure compliance, the following condition applies:

Condition 5: Design and construct a storm drainage system at the time of development in compliance with *Salem Revised Code* (SRC) Chapter 71 and *Public Works Design Standards* (PWDS).

Condition 6: Dedicate an open channel drainage easement along the portion of Waln Creek that is adjacent to the subject property. The easement width shall be either the 100-year floodway, 15-feet from the channel centerline, or 10-feet from the top of the recognized bank, whichever is greatest.

A private stormwater detention facility is located within an easement at the northwest corner of the subject property. This facility was designed and constructed to serve the northerly abutting property. No buildings or structures are allowed within this easement pursuant to PWDS and the terms of the easement. The site plan indicates the existing stormwater detention facility and easement will be modified to accommodate the proposed building footprint. To ensure compliance, the following condition applies:

4. Analysis of Class 2 Adjustment 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 Adjustment to reduce the driveway spacing standards established in SRC 804.035(d), from 370-feet to 150-feet between driveways and from 370-feet to 240-feet from the nearest street intersection.

In a written statement, the applicant explains that the frontage of 5669 Commercial Street SE contains an existing driveway to Commercial Street SE. Because of the

property's substandard frontage, to create a wider and more accessible driveway, the applicant proposes to use the commonly owned property to the south, and are procuring an easement with the property to the north, to provide the subject property with a 30-foot wide driveway, and therefore provide a safer and more accessible driveway.

The applicant further explains that because the proposed driveway is the only location that provides the subject property with access to the right-of-way, there is no way to meet the minimum driveway spacing standards established in SRC 804.035(d), elsewhere on the site.

Staff concurs with the applicant that, due to the location and orientation of the subject properties, there is no alternative location to provide access to Commercial Street SE. Additionally, the existing driveway is substandard and unable to adequately and safely serve the property. By widening the driveway and providing pedestrian access to Commercial Street SE, staff finds that the applicant has met the intent of the code.

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; therefore, this criterion is not applicable.

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: The applicant is seeking only one adjustment. This criterion is not applicable.

5. Analysis of Class 2 Driveway Approach Permit Criteria (SRC 804.025(d)):

Criterion 1: The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards (PWDS).

Finding: The proposed driveway is located less than 370 feet from adjacent driveways and from the nearest intersection; therefore, a Class 2 adjustment is required for driveway spacing. Otherwise, the proposed driveway meets the standards for SRC 804 and PWDS. Findings for the Driveway Spacing Adjustments can be found in Section 4 of this report.

Criterion 2: No site conditions prevent placing the driveway approach in the required location.

Finding: There are no site conditions prohibiting the location of the proposed driveway.

Criterion 3: The number of driveway approaches onto an arterial are minimized.

Finding: One access is proposed to the arterial street. The property does not have frontage abutting a lower street classification.

Criterion 4: The proposed driveway approach, where possible:

- a) Is shared with an adjacent property; or
- b) Takes access from the lowest classification of street abutting the property.

Finding: The subject property abuts only one street, which has a major arterial classification. A shared driveway approach with the neighboring property to the north is proposed.

Criterion 5: The proposed driveway approach meets vision clearance standards.

Finding: The proposed driveway meets the PWDS vision clearance standards set forth in SRC Chapter 805.

Criterion 6: The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access.

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

Criterion 7: The proposed driveway approach does not result in significant adverse impacts to the vicinity.

Finding: Staff analysis of the proposed driveway and the evidence that has been submitted indicate that the location of the proposed driveway will not have any adverse impacts to the adjacent properties or streets.

Criterion 8: The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections.

Finding: The proposed driveway approach is located on a Major Arterial street and does not create a significant impact to adjacent streets and intersections.

Criterion 9: The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.

Finding: The proposed driveway approach is not located in the vicinity of a residentially zoned area. The driveway will not have an effect on the functionality of the adjacent streets.

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

ORDER

Final approval of Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit Case No. 20-33 is hereby **APPROVED** subject to SRC Chapters 220, 250, 804 and the applicable standards of the Salem Revised Code, conformance with the approved site plan included as Attachment B, and the following conditions of approval:

- Condition 1:** Prior to final building permit approval, the applicant shall obtain and record an access easement with the property owner to the north, ensuring continued access to the portions of the proposed driveway that are located on the adjacent property.
- Condition 2:** As a condition of building permit approval, the applicant shall demonstrate the pedestrian accessway from the main building entrance to Commercial Street SE meets the design and materials standards for crossing vehicle use areas provided in SRC 800.065.
- Condition 3:** Construct a half-street improvement along the frontage of Commercial Street SE to Major Arterial street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803. This improvement is eligible for a fee-in-lieu of construction pursuant to SRC 200.405.
- Condition 4:** Provide an all-weather access road and easements pursuant to PWDS for the proposed 8-inch public sewer extension. The width of the public easements shall conform with PWDS 1.8.
- Condition 5:** Design and construct a storm drainage system at the time of development in compliance with *Salem Revised Code* (SRC) Chapter 71 and *Public Works Design Standards* (PWDS).
- Condition 6:** Dedicate an open channel drainage easement along the portion of Waln Creek that is adjacent to the subject property. The easement width shall be either the 100-year floodway, 15-feet from the channel centerline, or 10-feet from the top of the recognized bank, whichever is greatest.



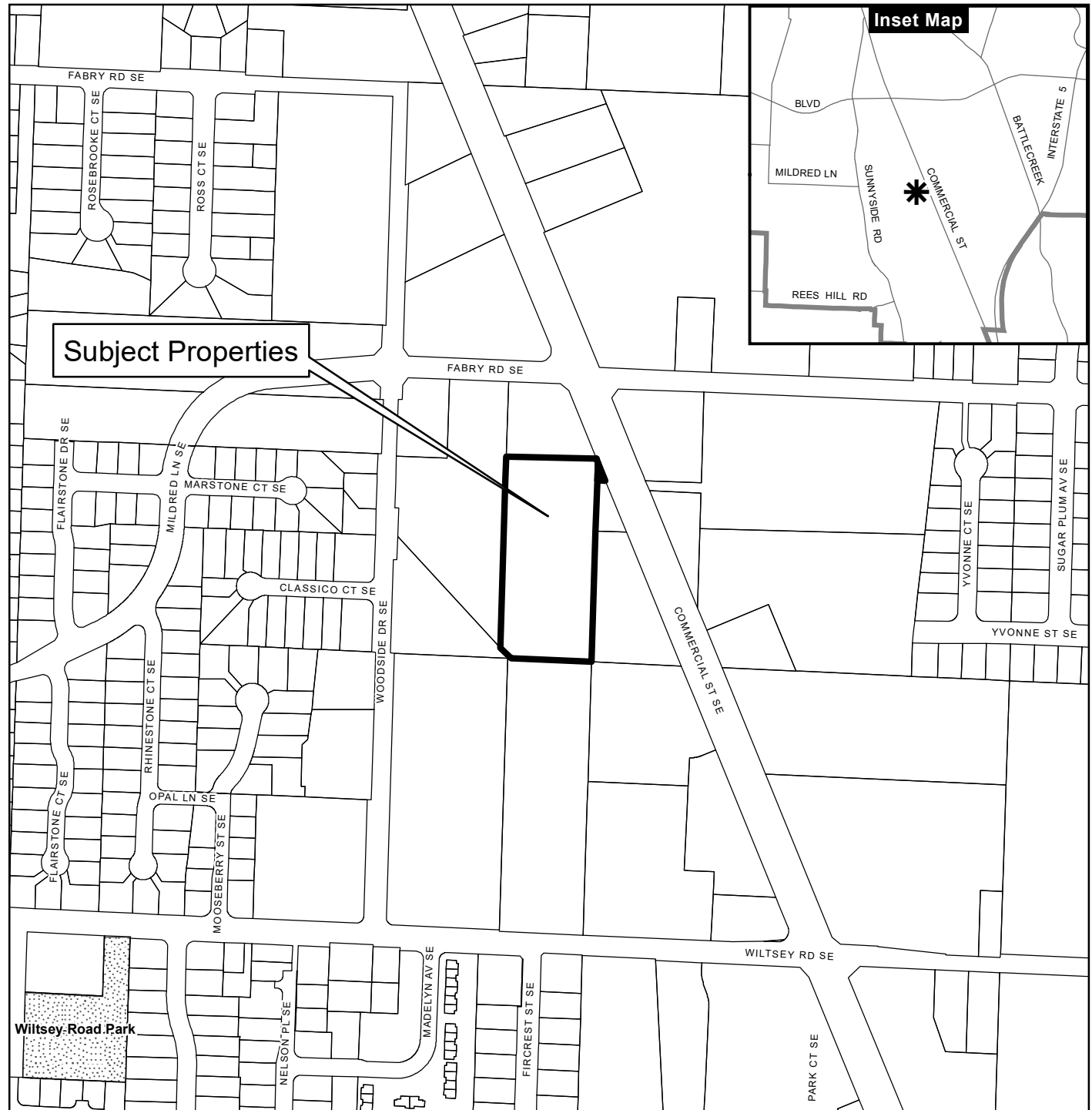
Steven McAtee, Planner II, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

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

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

Vicinity Map

5669 Commercial Street SE and adjacent Tax Lot 083W14CA01200



Legend

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

Parks

CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

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0 100 200 400 Feet



CLASS III SITE PLAN REVIEW

5669 COMMERCIAL ST SE, SALEM, OR 97306

Attachment B

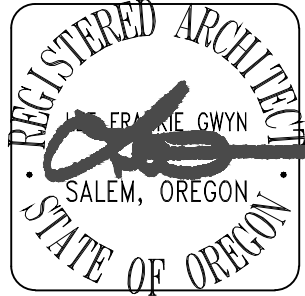
PROJECT TEAM:

OWNER
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Salem, OR 97306

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NEW BUILDING
FOR JOHNSON FAMILY
ORTHODONTICS

5669 COMMERCIAL ST SE SALEM, OR 97306

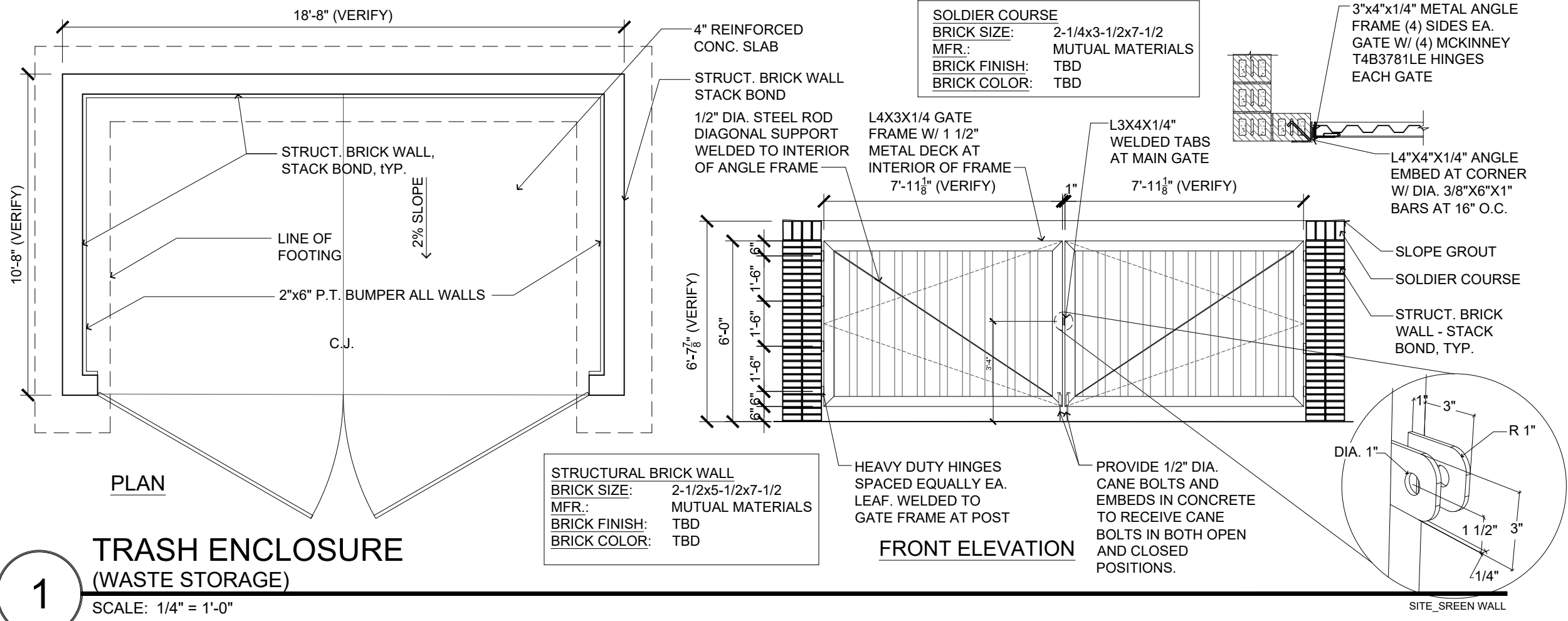
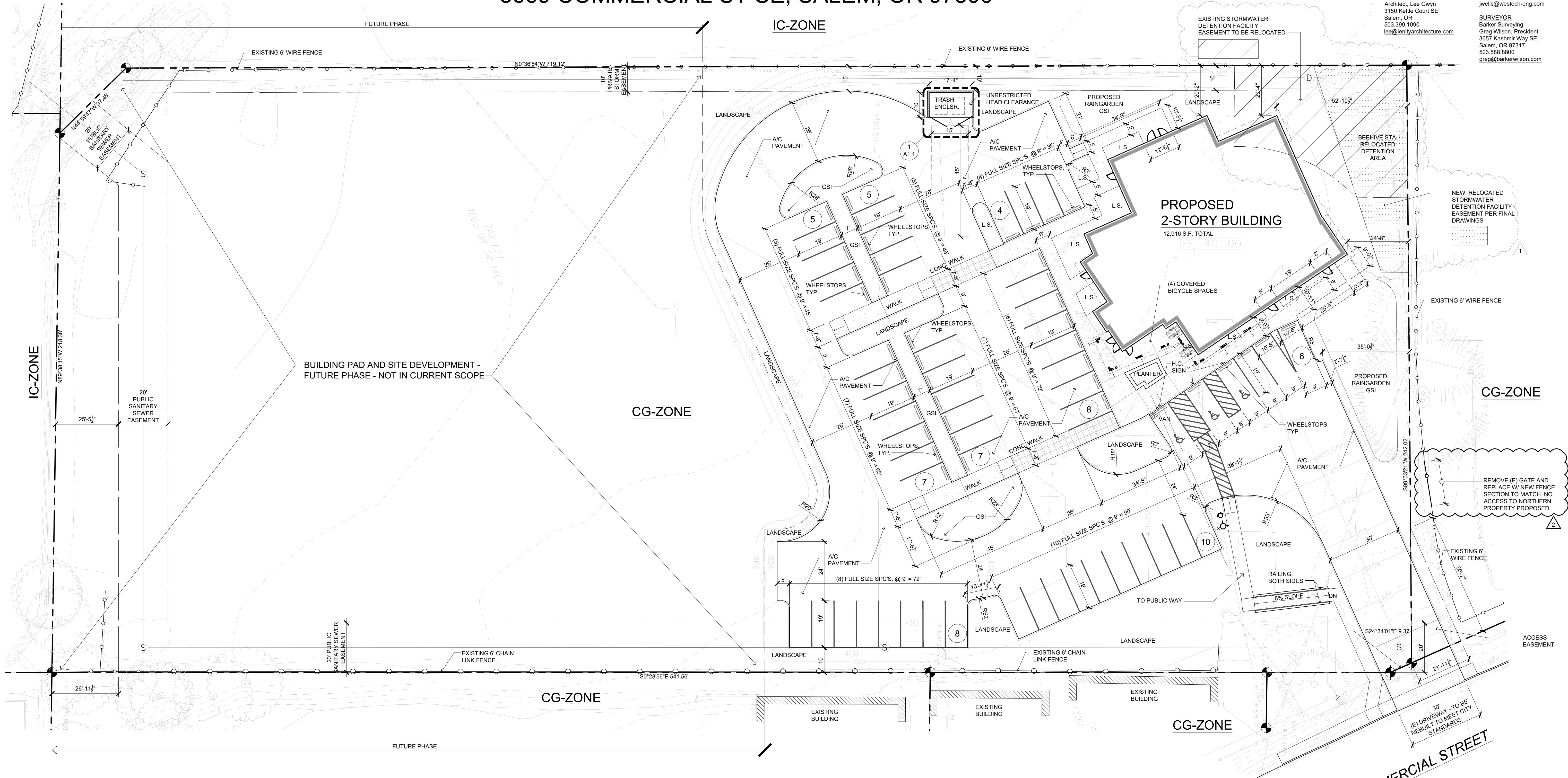
SITE
PLAN REVIEW
CLASS III

DATE
04/06/2020

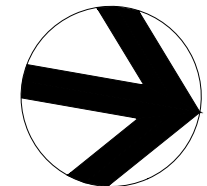
REVISED DATE

SHEET
A1.1

SITE PLAN REVIEW CLASS 3



PROJECT DATA/ SUMMARY TABLE			
SITE DATA:			
ADDRESS	5669 COMMERCIAL ST SE		
MAP TAX LOT:	083W14CA 01000		
PROPERTY AREA:	3.1 A.C. 135,235 SQ. FT.		
UNDERLYING ZONE:	CG (GENERAL COMMERCIAL)		
OVERLAY ZONE:	SOUTH GATEWAY OVERLAY ZONE		
PROPOSED USE:	2ND FLOOR - PUBLIC SERVICES - HEALTH SERVICES - OUTPATIENT MEDICAL SERVICES AND LABORATORIES 1ST FLOOR SHELL - BUSINESS & PROFESSIONAL SERVICES - OFFICE		
1			
SITE AREA BREAKDOWN:		PROPOSED	REQUIRED/ ALLOWED
OFFICE BUILDING	(2) STORY 12,916 S.F.	(2) STORY 18,000 S.F.	
BLDG. FOOTPRINT/ LOT COVERAGE	6,458 S.F. (0.5%)	NO MAX	
BUILDING HEIGHT:	37 FT.	70 FT. MAX	
TRASH ENCLOSURE STRUCTURE:	256 S.F. (0.5%)	15 FT. MAX	
TRASH ENCLOSURE HEIGHT:	6' FT.		
SETBACKS:			
BUILDING SETBACK:			
STREET:	150 FT.	5 FT.	
INTERIOR FRONT:	N/A	NONE	
SIDE:	N/A	NONE	
REAR:	20'-2"	5 FT. TYPE "A"	
ACCESSORY STR. SETBACK:			
STREET:	N/A	5 FT.	
INTERIOR FRONT:	N/A	NONE	
SIDE:	N/A	5 FT. TYPE "A"	
REAR:	10'-0"	5 FT. TYPE "A"	
VEHICLE USE SETBACK:			
STREET:	N/A	10 FT. TYPE "A"	
INTERIOR FRONT:	10'-0"	5 FT. TYPE "A"	
SIDE:	35'-0"	5 FT. TYPE "A"	
REAR:	N/A	NONE	
SITE AREA BREAKDOWN - cont'd:			
		PROPOSED	REQUIRED/ ALLOWED
LANDSCAPING AREA:		23,125 S.F. (17%)	20,285 S.F. (15.0%)
PATIOS / WALKS:		4,027 S.F. (2.9%)	
INTERIOR DRIVES:		5,788 S.F. (4.2%)	
PARKING AREA (INC. INT. L.S.):		32,617 S.F. (24.1%)	
INTERIOR LANDSCAPE AREA:		5,705 S.F. (17.4%)	1,631 S.F. (5.0%)
IMPERVIOUS AREA:		91,480 S.F. (68%)	
PERVIOUS AREA:		43,755 S.F. (32%)	
PARKING BREAKDOWN (1/350 S.F.):			
OPEN STANDARD SPACES	57 (9' x 19')	35 MIN. 62 MAX (175%)	
COMPACT SPACES	0 (8' x 15')	26 MAX (75%)	
ACCESSIBLE SPACES	3 (9' x 19')		
TOTAL SPACES	60		
LOADING SPACES:		NONE	EXEMPT 806.075(a)
BICYCLE PARKING (1/3,500 - 4 MIN.):		4 (6' x 2')	(4) SPACES REQ'D.



SITE PLAN

SCALE: 1" = 20'-0"



SHAREHOLDERS

Daniel Roach
Architect
Marcus Hite
Kristin Newland

BOARD OF DIRECTORS

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Architect / President
Aaron Clark
Architect
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Architect
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Architect
Robert J. Hazleton, Jr.
Engineer
Brian Lind
Landscape Architect

JOHNSON FAMILY ORTHODONTICS – 5669 COMMERCIAL ST SE

SITE PLAN – CLASS 3 & DRIVEWAY APPROACH PERMIT

WRITTEN STATEMENT

June 8, 2020

Project Description:

Lenity Architecture, Inc. is assisting Dr. Cole Johnson with land use planning and architectural services, including demolition of several existing structures, a new office/orthodontics clinic building, and a new off-street parking area with pedestrian connections. The subject property consists of approximately 3 acres and is within the Commercial General zone (CG) and South Gateway Overlay Zone.

The proposed structure will consist of a new 2-story building. The first floor will accommodate a future office tenant. The 2nd floor will accommodate the orthodontics clinic.

The subject property is currently under the ownership of Dragonfist LLC. Dr. Cole Johnson is the sole member of Dragonfist LLC. A copy of the Articles of Organization have been included for Dragonfist LLC showing Dr. Cole Johnson as the sole owner.

About Johnson Family Orthodontics:

Johnson Family Orthodontics has an existing clinic at 2755 Commercial St SE, Suite 200 but is looking to move the practice to the proposed location to better serve their patients.

Below are responses to the applicable review and decision criteria.

Site Plan - Class 3 Criteria:

- 1) The application meets all applicable standards of the UDC;

Applicant Response: This proposal meets all applicable standards of the UDC.

- 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;

Applicant Response: A single driveway would provide ingress and egress to the site. The parking areas, internal driveways, and pedestrian connections have been designed to provide safe, orderly, and efficient

circulation of vehicles, bicycles, and pedestrians into and out of the proposed development. Negative impacts to the transportation system are mitigated to the extent possible.

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

Applicant Response: The proposed development is currently, and will continue to be, adequately served with City Water, sewer, and storm drainage, and other utilities appropriate to the nature of the development. A preliminary grading and drainage plans have been provided in Sheet C.20. A preliminary utility plan provides additional details, see Sheet C3.0.A.

Adjustment – Class 2:

SRC 250.005(d)(2):

The purpose underlying the specific development standard proposed for adjustment is:

Clearly inapplicable to the proposed development; or

Clearly satisfied by the proposed development.

Applicant Response: SRC 804.035(d) specifies that driveways onto minor or major must be spaced no less than 370 feet, measured center-line to center line. The proposed development would utilize an existing driveway to access Commercial St SE and provide access to the site. The proposed development only has approximately 8 feet of frontage to access Commercial St. An access easement will be sought to construct a widened 30-foot driveway as shown on the Site Plan, A1.1. Driveway improvements would be constructed to provide access that meets City of Salem design standards.

The driveway is located approximately 150 feet from the nearest neighboring driveway to the south. The driveway is also located about 240 feet from the Fabry Rd/Commercial St SE intersection. The proposed driveway location is the only portion of the property that provides access to the development.

If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.

Applicant Response: The proposed development is zoned Commercial General (CO) and is within the South Gateway Overlay Zone. The proposed development is not located within a residential zone.

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.

Applicant Response: The proposed adjustment for the driveway spacing reduction is the only adjustment being sought by this application.

If you have any questions or need any additional information, please contact me at (503) 399-1090 or by e-mail at samt@lenityarchitecture.com. Thank you for your time and attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Samuel A. Thomas". The signature is fluid and cursive, with the first name "Samuel" being more prominent.


Samuel A. Thomas

Senior Land Use Specialist



MEMO

TO: Steven McAtee, Planner II
Community Development Department

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

DATE: September 3, 2020

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS
SPR-ADJ-DAP 20-33 (20-106981-RP)
5669 COMMERCIAL STREET SE
OUTPATIENT MEDICAL FACILITY**

PROPOSAL

A Class 3 Site Plan Review, Class 2 Driveway Approach permit, and a Class 2 Adjustment to driveway spacing standards, for the construction of a new outpatient medical facility and the demolition of existing structures. The proposed development is on two properties totaling 3.11 acres in size, and located at 5669 and 5600 Commercial Street SE. The properties are zoned CG (General Commercial) and are within the South Gateway Overlay Zone. Marion County Assessors Map and Tax Lot Numbers: 083W14CA01000 and 083W14CA01100.

RECOMMENDED CONDITIONS OF APPROVAL

1. Construct a half-street improvement along the frontage of Commercial Street SE to Major Arterial street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803. This improvement is eligible for a fee-in-lieu of construction pursuant to SRC 200.405.
2. Provide an all-weather access road and easements pursuant to PWDS for the proposed 8-inch public sewer extension. The width of the public easements shall conform with PWDS 1.8.
3. Dedicate an open channel drainage easement along the portion of Waln Creek that is adjacent to the subject property. The easement width shall be either the 100-year floodway, 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greatest.

FACTS

Streets

1. Commercial Street SE

- a. Standard—This street is designated as a Major Arterial street in the Salem TSP. The standard for this street classification pursuant to Table G-1 in the Salem TSP is a 68-foot-wide improvement within a 100-foot-wide right-of-way.
- b. Existing Conditions—This street has an approximate 68-foot turnpike improvement within a 100-foot-wide right-of-way abutting the subject property.

Storm Drainage

1. Existing Conditions

- a. A 24-inch storm main is located in Commercial Street SE.
- b. Waln Creek flows adjacent to the southwest boundary of the subject property.
- c. A private stormwater facility is located within an easement at the northwest corner of the subject property.

Water

1. Existing Conditions

- a. The subject property is located in the S-2 water service level.
- b. A 12-inch water main is located in Commercial Street SE. Mains of this size generally convey flows of 2,100 to 4,900 gallons per minute.

Sanitary Sewer

1. Existing Conditions

- a. An 8-inch sewer main is located in Commercial Street SE. The sewer main is approximately 5 feet deep and is too shallow to serve the subject property.
- b. The nearest adequate linking facility is an existing 21-inch sewer main located within an easement on the adjacent property at the southwest boundary of the subject property. This sewer main is separated from the subject property by Waln Creek.

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 and approval of the adjustment for driveway spacing, the subject property 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.

The Salem-Keizer Local Wetland Inventory shows that there are wetland channels and/or hydric soils mapped on the property. The applicant should contact the Oregon Department of State Lands to verify if any permits are required for development or construction in the vicinity of the mapped wetland area(s).

According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are mapped 2-point landslide hazard areas on the subject property. The proposed activity of a commercial building adds 3 activity points to the proposal, which results in a total of 5 points. Therefore, the proposed development is classified as a moderate landslide risk and requires a geological assessment. The applicant's engineer submitted findings demonstrating that the proposed development is a low landslide hazard risk based on SRC Chapter 810.

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 configuration of Commercial Street SE does not meet current standards for its classification of street per the Salem TSP. The applicant shall construct a half-street improvement to Major Arterial street standards as specified in the PWDS and consistent with the provisions of SRC Chapter 803. Commercial Street SE is currently a turnpike section along the frontage of the subject property. Due to limited property frontage and construction limitations north and south of the property, the improvements are eligible for a fee-in-lieu of construction pursuant to SRC 200.405.

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 driveway access onto Commercial Street SE is shared with the adjacent property to the north and provides for safe turning movements into and out of the property.

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 and storm infrastructure are available within surrounding streets/areas and are adequate to serve the proposed development. The applicant is proposing extension of an 8-inch public sewer main that is consistent with the *Salem Wastewater Management Master Plan*. The applicant shall construct the public sewer improvements to PWDS standards and dedicate pipeline easements in widths that conform with PWDS 1.8. An all-weather access road in conformance with PWDS is required for access and maintenance of the proposed public sewer manholes.

The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4)(b) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible.

A private stormwater detention facility is located within an easement at the northwest corner of the subject property. This facility was designed and constructed to serve the northerly abutting property. No buildings or structures are allowed within this easement pursuant to PWDS and the terms of the easement. The site plan indicates the existing stormwater detention facility and easement will be modified to accommodate the proposed building footprint.

Criteria—A Class 2 Driveway Approach Permit shall be granted if:

- (1) The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards;**

Finding—The proposed driveway is located less than 370 feet from adjacent driveways; therefore, a Class 2 adjustment is required for driveway spacing as described below. Otherwise, the proposed driveway meets the standards for SRC 804 and PWDS.

- (2) No site conditions prevent placing the driveway approach in the required location;**

Finding—There are no site conditions prohibiting the location of the proposed driveway.

(3) The number of driveway approaches onto an arterial are minimized;

Finding—One access is proposed to the arterial street. The property does not have frontage abutting a lower street classification.

(4) The proposed driveway approach, where possible:

- i. **Is shared with an adjacent property; or**
- ii. **Takes access from the lowest classification of street abutting the property;**

Finding—The subject property abuts only one street, which has a Major Arterial classification. The proposed driveway approach is shared with the neighboring property to the north.

(5) Proposed driveway approach meets vision clearance standards;

Finding—The proposed driveway meets the PWDS vision clearance standards set forth in SRC Chapter 805.

(6) The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access;

Finding—No evidence has been submitted to indicate that the proposed driveway will create traffic hazards or unsafe turning movements. Additionally, staff analysis of the proposed driveway indicates that it will not create a traffic hazard and will provide for safe turning movements for access to the subject property.

(7) The proposed driveway approach does not result in significant adverse impacts to the vicinity;

Finding—Staff analysis of the proposed driveway and the evidence that has been submitted indicate that the location of the proposed driveway will not have any adverse impacts to the adjacent properties or streets.

(8) The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections; and

Finding—The proposed driveway approach is located on a Major Arterial street and does not create a significant impact to adjacent streets and intersections.

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

Finding—The proposed driveway approach is not located in the vicinity of a residentially zoned area. The driveway will not have an effect on the functionality of the adjacent streets.

CRITERIA AND FINDINGS—Class 2 Adjustments

Analysis of the proposed Class 2 adjustment based on relevant criteria in SRC 250.005(d)(2) is as follows:

Criteria—The purpose underlying the specific development standard proposed for adjustment is:

1. Clearly inapplicable to the proposed development; or
2. Equally or better met by the proposed development.

Finding—The applicant is requesting a Class 2 adjustment to allow for reduced spacing between the nearest driveway and street intersection that is less than the standard of 370 feet. The subject property has less than 10 feet of frontage abutting Commercial Street SE, which is its only available access to a public street. The applicant indicates an access easement will be sought to construct a widened 30-foot driveway that will be shared with the neighboring property to the north and provide vehicular access to the site. There is an existing driveway at this location that is approximately 240 feet to the nearest intersection and has not presented known traffic safety issues in its existing configuration. Pursuant to SRC 804.035(a)(2)(C), the proposed driveway is allowed because the development cannot be feasibly served by access onto a Local or Collector street. The proposed driveway configuration meets the adjustment criteria by allowing for turning movements and traffic safety equal to what would be accomplished by meeting the development standard.

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