

# 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 2 DRIVEWAY APPROACH PERMIT / CLASS 1 DESIGN REVIEW CASE NO.: SPR-ADJ-DAP-DR22-10**

**APPLICATION NO.: 21-115353-RP/ 22-103491-ZO/ 21-115356-ZO/ 21-115357-DR**

**NOTICE OF DECISION DATE:** March 14, 2022

**SUMMARY:** Proposed development of a new five story multi-family apartment building containing 157 dwelling units.

**REQUEST:** A Class 3 Site Plan Review, Class 2 Driveway Approach Permit, and Class 1 Design Review for development of a new five story multi-family apartment building containing 157 dwelling units at the former Nordstrom site, with Class 2 Adjustment requests to:

- 1) Modify the required 0 or 10 building setback standard for the CB zone;
- 2) Reduce the off-street loading space requirement for the proposed multi-family use from two spaces to one space; and
- 3) Reduce the driveway spacing on a major arterial street from 370 feet to 236 feet.

For property approximately 0.69 acres in size, zoned CB (Central Business District) and within the General Retail/Office Overlay Zone, and located at 420 Center Street NE 97301 (Marion County Assessors Map and Tax Lot number: 073W22DC / 05100).

**APPLICANT:** Gene Bolante

**LOCATION:** 420 Center St NE, Salem OR 97301

**CRITERIA:** Salem Revised Code (SRC) Chapters 220.005(f)(3) – Class 3 Site Plan Review; 250.005(d)(2) – Class 2 Adjustment; 804.025(d) – Class 2 Driveway Approach Permit; 225.005(e)(1) – Class 1 Design Review

**FINDINGS:** The findings are in the attached Decision dated March 14, 2022.

**DECISION:** The **Planning Administrator APPROVED** Class 3 Site Plan Review, Class 2 Adjustment, Class 2 Driveway Approach Permit, and Class 1 Design Review Case No. SPR-ADJ-DAP-DR22-10 subject to the following conditions of approval:

- Condition 1:** Obtain a revocable license for the steel canopy and balconies encroaching into the right-of-way pursuant to SRC 76.150.
- Condition 2:** The adjusted setback, loading space, and driveway spacing standards, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development requirements, unless adjusted through a future land use action.

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>March 30, 2026</u>
Other Case Types Within Application	<u>March 30, 2024</u>

Application Deemed Complete:	<u>February 23, 2022</u>
Notice of Decision Mailing Date:	<u>March 14, 2022</u>
Decision Effective Date:	<u>March 30, 2022</u>
State Mandate Date:	<u>June 23, 2022</u>

Case Manager: Aaron Panko, Planner III, [APanko@cityofsalem.net](mailto:APanko@cityofsalem.net), 503-540-2356

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at [planning@cityofsalem.net](mailto:planning@cityofsalem.net), no later than 5:00 p.m., Tuesday, March 29, 2022. 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, 225, 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>

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

**BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM**

**DECISION**

<b>IN THE MATTER OF APPROVAL OF</b>	<b>) FINDINGS &amp; ORDER</b>
<b>CLASS 3 SITE PLAN REVIEW,</b>	<b>)</b>
<b>CLASS 2 ADJUSTMENT,</b>	<b>)</b>
<b>CLASS 2 DRIVEWAY APPROACH PERMIT,</b>	<b>)</b>
<b>AND CLASS 1 DESIGN REVIEW</b>	<b>)</b>
<b>CASE NO. SPR-ADJ-DAP-DR22-10</b>	<b>)</b>
<b>420 CENTER STREET NE - 97301</b>	<b>) MARCH 14, 2022</b>

In the matter of the application for Class 3 Site Plan Review, Class 2 Adjustment, Class 2 Driveway Approach Permit, and Class 1 Design Review applications submitted by the applicant and property owner Deacon Development, LLC represented by Steve Deacon, and the applicant's representative Studio 3 Architecture, represented by Gene Bolante, 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: Proposed development of a new five story multi-family apartment building containing 157 dwelling units.

Request: A Class 3 Site Plan Review, Class 2 Driveway Approach Permit, and Class 1 Design Review for development of a new five story multi-family apartment building containing 157 dwelling units at the former Nordstrom site, with Class 2 Adjustment requests to:

- 1) Modify the required 0 or 10 foot building setback standard for the CB zone;
  - 2) Reduce the off-street loading space requirement for the proposed multi-family use from two spaces to one space; and
  - 3) Reduce the driveway spacing on a major arterial street from 370 feet to 236 feet.
- For property approximately 0.69 acres in size, zoned CB (Central Business District) and within the General Retail/Office Overlay Zone, and located at 420 Center Street NE – 97301 (Marion County Assessors Map and Tax Lot number: 073W22DC / 05100).

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

**PROCEDURAL 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 has been requested for a new driveway approach to Center Street NE, and SRC 220.005(b)(3)(F) because Class 2 Adjustments have been requested to setback, loading space, and driveway approach development standards.

## **2. Background**

On August 24, 2021, a consolidated application for Class 3 Site Plan Review, Class 2 Driveway Approach Permit, and Class 1 Design Review was filed for the proposed development. After additional information was provided, including submission of a Class 2 Adjustment, the applications were deemed complete for processing on February 23, 2022. The 120-day state mandated decision deadline for this consolidated application is June 23, 2022.

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**.

## **SUBSTANTIVE FINDINGS**

### **3. Summary of Record**

The following items are submitted to the record and are available upon request: 1) All materials submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports; 2) any materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public; and 3) all documents referenced in this report. All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You can use the search function without registering and enter the permit number listed here: 21-115353-RP.

### **4. Neighborhood Association and Public Comments**

The subject property is located within the boundaries of the Central Area Neighborhood Development Organization (CANDO).

Applicant Neighborhood Association Contact. SRC 300.310 requires an applicant to contact the neighborhood association(s) whose boundaries include, and are adjacent to, property subject to specific land use application requests. Pursuant to SRC 300.310(b)(1), land use applications included in this proposed consolidated land use application request require neighborhood association contact. On September 21, 2021, the applicant attended a meeting at CANDO informing them of the proposed project.



Neighborhood Association Comment: Notice of the application was provided to CANDO pursuant to SRC 300.520(b)(1)(B)(v), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. As of the date of completion of this staff report, no comments have been received from the neighborhood association.

#### Homeowners Association

The subject property is not located within a Homeowners Association.

#### Public Comment

Notice was also provided, pursuant to SRC 300.520(b)(1)(B)(iii), (vi), & (vii), to all property owners and tenants within 250 feet of the subject property. One public comment was received during the comment period indicating no objections to the proposal.

### **5. 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 site concerns.

The Fire Department has reviewed the proposal and indicated that on Sheet A1.01 #10: Coil Grill Rollup Door requires fire department access (both north and south doors). Opti-com or key box/key switch. On Sheet C3.0: A post Indicator Valve will be required next to FDC if external access to the Fire Sprinkler Riser Room is not provided. Fire Department comments will be verified at the time of building permit submittal.

### **6. Public Agency Comments**

The Salem Keizer School District reviewed the proposal and provided comments which are included as **Attachment E**.

Salem-Keizer Transit (Cherriots) reviewed the proposal and commented in support of displaying transit schedules and information in the lobby and/or other areas within the building as this building is located just one block from the Downtown Transit Center. Cherriots is willing to provide whatever data and materials they can to support this. The applicant is advised to reach out to Cherriots at [planning@cherriots.org](mailto:planning@cherriots.org) for more information.

## **DECISION CRITERIA**

### **7. Analysis of Class 3 Site Plan Review Approval Criteria**

Salem Revised Code (SRC) 220.005(f)(3) provides that an application for a Class 3 Site Plan Review shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision

is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

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

**Finding:** The proposal includes demolition of the former Nordstrom building and development of a new five story 157-unit multi-family residential apartment complex. Three adjustments are requested to setbacks, off-street loading, and driveway spacing standards.

**Use and Development Standards – CB (Central Business District) Zone:**

*SRC 524.005(a) – Uses:*

**Finding:** The proposal includes development of a new five-story 157-unit multi-family apartment building classified as a multiple family use. Multiple family uses are permitted in the CB zone per Table 524-1.

*SRC 524.010(a) – Lot Standards:*

There are no minimum lot area or dimension requirements in the CB zone. All uses, other than single family, are required to have a minimum of 16 feet of street frontage.

**Finding:** The subject property is currently 0.69 acres in size and has approximately 151 feet of frontage along Liberty Street NE and approximately 203 feet of frontage along Center Street NE. The subject property is in compliance with the minimum lot standards of the CB zone.

*SRC 524.010(b) – Setbacks:*

**North:** Adjacent to the north is right-of-way for Center Street NE. Buildings and accessory structures abutting a street require a setback of either 0 feet or 10 feet. Vehicle use areas require a minimum 6-10 foot setback per Chapter 806 adjacent to a street.

**South:** Adjacent to the south is an interior lot line abutting a CB zoned property. There is no minimum building or accessory structure setback required to an interior property line. Vehicle use areas require a minimum five-foot setback.

**East:** Adjacent to the east is an interior lot line abutting a CB zoned property. There is no minimum building or accessory structure setback required to an interior property line. Vehicle use areas require a minimum five-foot setback.

**West:** Adjacent to the west is right-of-way for Liberty Street NE. Buildings and accessory structures abutting a street require a setback of either 0 feet or 10 feet. Vehicle use areas require a minimum 6-10 foot setback per Chapter 806 adjacent to a street.

**Finding:** The applicant is requesting a Class 2 Adjustment to modify the required 0 foot or 10-foot setback for buildings adjacent to a street, findings for the Adjustment are included in Section 8 of this report. The proposal is otherwise in compliance with all applicable setback requirements of the CB zone and SRC Chapter 806.

***SRC 524.010(b) – Lot Coverage, Height:***

There is no maximum lot coverage requirement or maximum height allowance in the CB zone.

**Finding:** The maximum height for the proposed five story building is approximately 76 feet in height, and the site plan indicates that the proposed building footprint is approximately 15,687 square feet for a lot coverage approximately 52.5 percent. The proposed development is in compliance with applicable lot coverage and height standards.

***SRC 524.010(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.

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

**General Development Standards SRC 800**

***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 proposal does not include an exterior solid waste service area enclosure; all trash and recycling activities occur within a designated room of the building. Receptacles will be maneuvered manually outdoors into position for servicing and afterwards will be brought back indoors. Therefore, the standards of SRC 800.055 are not applicable to this proposal.

***SRC 800.065 – Pedestrian Access.***

Except where pedestrian access standards are provided elsewhere under the UDC, all developments, other than single family, 2-4 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 do not apply to the proposed multiple family development; however, the proposal does appear to comply with the pedestrian access standards of this section.

**Off-Street Parking, Loading, and Driveways SRC 806**

***SRC 806.005(a) - Off-Street Parking; When Required.***

Off-street parking shall be provided and maintained as required under SRC Chapter 806 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.

**Finding:** The proposal includes development of a new off-street parking area located on the same development site as the proposed building.

***SRC 806.015 - Amount of Off-Street Parking.***

- a) ***Minimum Required Off-Street Parking.*** Because the subject property is located within the CSDP area, the proposed multi-family residential use does not require any off-street parking spaces per Table 806-1.
- 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.*** Table 806-2B provides that multi-family uses within the CSDP area shall have a maximum off-street parking allowance of 1.75 spaces per dwelling unit.

**Finding:** The proposal includes development of a 157-unit apartment complex. Because the property is located within the CSDP area, there is not a minimum off-street parking requirement for this use. The maximum off-street parking allowance is 275 spaces ( $157 \times 1.75 = 275$ ). Up to 75 percent of the minimum off-street parking spaces may be compact sized spaces, because there is no minimum off-street parking requirement for the proposed use, there is no limit on the number of compact spaces that may be provided. The proposed site plan indicates that 18 off-street parking spaces will be provided on site, 10 of the proposed spaces are compact size spaces consistent with the minimum and maximum off-street parking requirements.

Carpool/vanpool parking spaces are not required for the proposed use.

***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 off-street parking and vehicle use area development standards of SRC Chapter 806 are applicable to this proposal. The proposed off-street parking area is in compliance with the minimum setback requirements of SRC Chapters 524 and 806.

- d) ***Interior Landscaping.*** Interior landscaping shall be provided in amounts not less than those set forth in Table 806-5. For off-street parking areas 50,000 square

feet in size and greater, a minimum of 8 percent of the parking area interior shall be landscaped.

**Finding:** The applicant's summary table indicates that the off-street parking area is approximately 9,321 square feet in size, requiring interior landscaping. A minimum of 466 square feet of interior parking area landscaping ( $9,321 \times 0.05 = 466.1$ ), the site plan indicates that 2,854 square feet of interior landscaping will be provided in this area, 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 comply with the minimum aisle width and dimensional requirements for compact and standard vehicle parking spaces established in 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 shall be provided as required by SRC Chapter 806. 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, multi-family residential uses require a minimum of 0.1 spaces per dwelling unit.

**Finding:** The proposed 157-unit multi-family residential use requires a minimum of 16 bicycle parking spaces ( $157 \times 0.1 = 15.7$ ). The applicant's summary table indicates that 22 bicycle parking spaces are proposed, exceeding the minimum requirement.

### *SRC 806.060 - Bicycle Parking Development Standards.*

- a) *Location.* SRC 806.060(a)(2) provides that 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.

**Finding:** A bicycle parking storage room with space for 22 bicycles is proposed in a secure area on the ground floor of the building within a convenient distance of the primary building entrance in compliance with the development standards of this section.

## 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.*

Multi-family uses containing between 100-199 units are required to provide a minimum of two off-street loading spaces meeting the minimum dimensional requirements in Table 806-9.

**Finding:** The proposed 157-unit multi-family residential use requires a minimum of two off-street loading spaces with a minimum width of 12 feet, minimum depth of 19 feet, and minimum overhead vertical clearance of 12 feet. The applicant has requested an Adjustment to reduce the number of required off-street loading spaces for the proposed use from two loading spaces to one, findings for the Adjustment are included in Section 8 of this report. One off-street loading space is provided in the off-street parking area meeting the minimum dimensional standards of Chapter 806.

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

**Finding:** 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:** There are no protected trees identified on the subject property.

**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.

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

**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 no mapped landslide hazard areas on the subject property.

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

**Finding:** Center Street NE and Liberty Street NE meet the right-of-way width standards for their street classification per the Salem TSP; therefore, no right-of-way dedication is required as a condition of the proposed development.

The existing configuration of Center Street NE and Liberty Street NE do not meet current streetscape standard pursuant to Public Works Design Standards (PWDS). However, streetscape improvements along the development frontages of Center Street NE and Liberty Street NE are fully funded and committed as part of a Capital Improvement Program project (PN: 682083-4); therefore, no street improvements are required as a condition of the proposed development (SRC 803.040(d)(1)).

The application materials show an overhead steel canopy structure and balconies encroaching into the right-of-way. Prior to construction, the applicant shall obtain a revocable license for encroachments pursuant to SRC 76.150.

**Condition 1:** Obtain a revocable license for the steel canopy and balconies encroaching into the right-of-way pursuant to SRC 76.150.

**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 driveway access onto Center Street NE, with approval of the spacing adjustment, provides for safe turning movements into and out of the property.

**SRC 220.005(f)(3)(D): 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, sewer, and storm infrastructure are available within surrounding streets/areas and are adequate to serve the proposed development. The applicant proposes connections to existing water, sewer, and stormwater infrastructure in Center Street NE.

The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4) and SRC Chapter 71. The applicant's engineer shall design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the PWDS and to the satisfaction of the Public Works Director.

## **8. Analysis of Class 2 Adjustment Approval Criteria**

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

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

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

**Finding:** The applicant is requesting four Class 2 Adjustments to:

- 1) Modify the required 0 or 10 foot building setback standard for the CB zone;
- 2) Reduce the off-street loading space requirement for the proposed multi-family use from two space to one space; and
- 3) Reduce the driveway spacing on a major arterial street from 370 feet to 236 feet.

*Modify the required 0 or 10 foot building setback standard for the CB zone per SRC 524.010(b), Table 524-3.*

The applicant indicates that the majority of the building has a 0-foot setback along the street facing facades; however, the applicant is seeking an adjustment because the



proposed entry doors will be recessed. The building code requires that egress doors serving more than 50 occupants cannot swing into the building, and out-swinging egress doors cannot swing over a property line onto the public sidewalk. To comply with building code requirements recessed entryways are required. Because the small area of the adjustment does not fundamentally jeopardize the purpose of the requirement for placement of buildings in the CB zone up to and adjacent to the property line, the proposal equally meets the intent of the provision in compliance with this criterion.

*Reduce the off-street loading space requirement for the proposed multi-family use from two spaces per SRC 806.075, Table 806-9, to one space.*

The proposed use requires a minimum of two off-street loading spaces. The site plan indicates that one off-street loading space will be provided for the use, however, there are also two on-street loading spaces on the streets directly adjacent to the building. The on-street loading spaces will be available for use of residents and are in close proximity to the building, therefore, the purpose of the loading space requirement is equally or better met, in compliance with this criterion.

*Reduce the driveway spacing on a major arterial street from 370 feet per SRC 804.035(d) to 236 feet.*

The applicant is requesting a Class 2 Adjustment to allow for reduced spacing between driveways less than the standard of 370 feet. The development is proposing one new mid-block driveway on Center Street NE. Pursuant to SRC 804.035(a)(2)(B), the proposed driveway is allowed because the development does not abut a Local or Collector street. Additionally, the applicant provided a written statement regarding the driveway location, identifying that the proposed driveway is located along Center Street NE as far from the intersection of Liberty Street NE and Center Street NE as possible. The center of the proposed driveway is located 236-feet from the centerline of Liberty Street NE. The proposed driveway configuration has been evaluated by the Assistant City Traffic Engineer and meets the adjustment criteria by allowing for turning movements and traffic safety equal to what would be accomplished by meeting the development standard.

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

**Finding:** The subject property is located within an CB (Central Business District) zone; therefore, the criterion is not applicable.

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

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

Any future development, beyond what is shown in the proposed plans, shall conform to all applicable development standards of the UDC, unless adjusted through a future land use action.

**Condition 2:** The adjusted setback, loading space, and driveway spacing standards, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development requirements, unless adjusted through a future land use action.

## **9. Analysis of Class 2 Driveway Approach Permit Approval Criteria**

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

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

**Finding:** The proposed driveway is located less than 370 feet from adjacent street intersections; 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.

**SRC 804.025(d)(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 driveways.

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

**Finding:** One access is proposed to an arterial street.

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

- (A) Is shared with an adjacent property; or**
- (B) Takes access from the lowest classification of street abutting the property**

**Finding:** The subject property only abuts streets which have a major arterial classification.

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

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

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

**Finding:** No evidence has been submitted to indicate that the proposed driveway will create traffic hazards or unsafe turning movements. Additionally, 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.

**SRC 804.025(d)(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.

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

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

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

**Finding:** The 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.

## **10. Analysis of Class 1 Design Review Approval Criteria**

SRC 225.005 provides that design review approval is required for development applications that are subject to design review standards and guidelines. A Class 1 design review shall be approved if all of the applicable design review standards are met.

SRC 632.015 provides that development within the General Retail/Office Overlay Zone must comply with the development standards applicable in the underlying zone.

**SRC 632.025(a): Building location, orientation, and design:**

**(1)(B) Building Setbacks Design Review Standards**

- (i) Setbacks abutting street. New buildings shall have the following setback from a street:**
  - (aa) Contiguous to the street right-of-way; or**
  - (bb) Maximum ten feet from the street right-of-way, for those portions of a building where a plaza or other outdoor space open to the public is provided between the building and the street right-of-way.**

**(cc) Portions of buildings greater than 25 feet in height may setback up to ten additional feet from the street right-of-way.**

**Finding:** Except for recessed building entrances, which will include outdoor space open to the public, the building is placed contiguous to the right-of-way of abutting streets in compliance with this standard.

**(2)(B) Building Orientation and Design**

- (i) A primary building entrance shall be provided for each building façade facing a street. If a building has frontage on more than one street, a single primary building entrance may be provided at the corner of the building where the streets intersect.**

**Finding:** The primary entrance for the building is located at the corner fronting Liberty Street and Center Street, in compliance with this design standard.

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

**Finding:** Per SRC 112.030, where a minimum percentage of windows are required on the ground floor of a building, the percentage of windows shall be calculated by either (a) dividing the total area of windows on the ground floor of the building by the area of the ground floor of the building; or (b) dividing the total width of windows along the ground floor of the building by the length of the ground floor of the building. This method of calculation may be used only if the windows have a vertical dimension that equals six feet or more in height.

The applicant has elected to use method (b) for calculating ground floor window area.

The subject property has frontage along two streets. To the north along Center Street NE the plans indicate that the ground floor building façade length is approximately 202 feet, and that approximately 138.5 feet, or 68.6 percent of the façade length, includes windows six feet or more in height. To the west along Liberty Street NE the plans indicate that the ground floor building façade length is approximately 150 feet, and that approximately 98 feet, or 65 percent of the façade length. The proposed ground floor area provided for the building exceeds the minimum requirement in compliance with this design standard.

- (iii) Upper floors of buildings shall incorporate vertical windows.**

**Finding:** The plans submitted by the applicant show that the proposed building includes vertical windows on the upper floors, in compliance with this design standard.

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

**Finding:** Awnings or canopies as well as projected patios on the upper floors provide weather protection along the abutting public sidewalks. To the north along Center Street NE the plans indicate that the ground floor length is approximately 170.5 feet and that approximately 164 feet, or 96 percent, of the ground floor facade length will include weather protection. To the west along Liberty Street NE the plans indicate that the ground floor length is approximately 150 feet and that approximately 146 feet, or 98 percent, of the ground floor facade length will include weather protection. The amount of weather protection provided for the building exceeds the minimum requirement in compliance with this design standard.

- (v) **Above grade pedestrian walkways may be provided, except that no above grade pedestrian walkway shall be provided to property located within the Salem Downtown Historic District.**

**Finding:** The subject property is the site of the former Nordstrom building, which included an above grade pedestrian walkway (skybridge) crossing Center Street NE and connecting this building to the Salem Center Mall. The proposed redevelopment will include removal of the former Nordstrom building and the existing skybridge. The proposal does not include development of a new above grade pedestrian walkway; therefore, this design standard is not applicable.

## **CONCLUSION**

Based upon review of SRC Chapters 220, 225, 250, and 804, the applicable standards of the Salem Revised Code, the findings contained herein, and due consideration of comments received, the application complies with the requirements for an affirmative decision.

## **ORDER**

Final approval of Class 3 Site Plan Review, Class 2 Adjustment, Class 2 Driveway Approach Permit, and Class 1 Design Review Case No. SPR-ADJ-DAP-DR22-10 is hereby **APPROVED** subject to SRC Chapters 220, 225, 250, and 804, the applicable standards of the Salem Revised Code, conformance with the approved site plan included as Attachment B, and the following conditions of approval:

- Condition 1:** Obtain a revocable license for the steel canopy and balconies encroaching into the right-of-way pursuant to SRC 76.150.
- Condition 2:** The adjusted setback, loading space, and driveway spacing standards, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development requirements, unless adjusted through a future land use action.

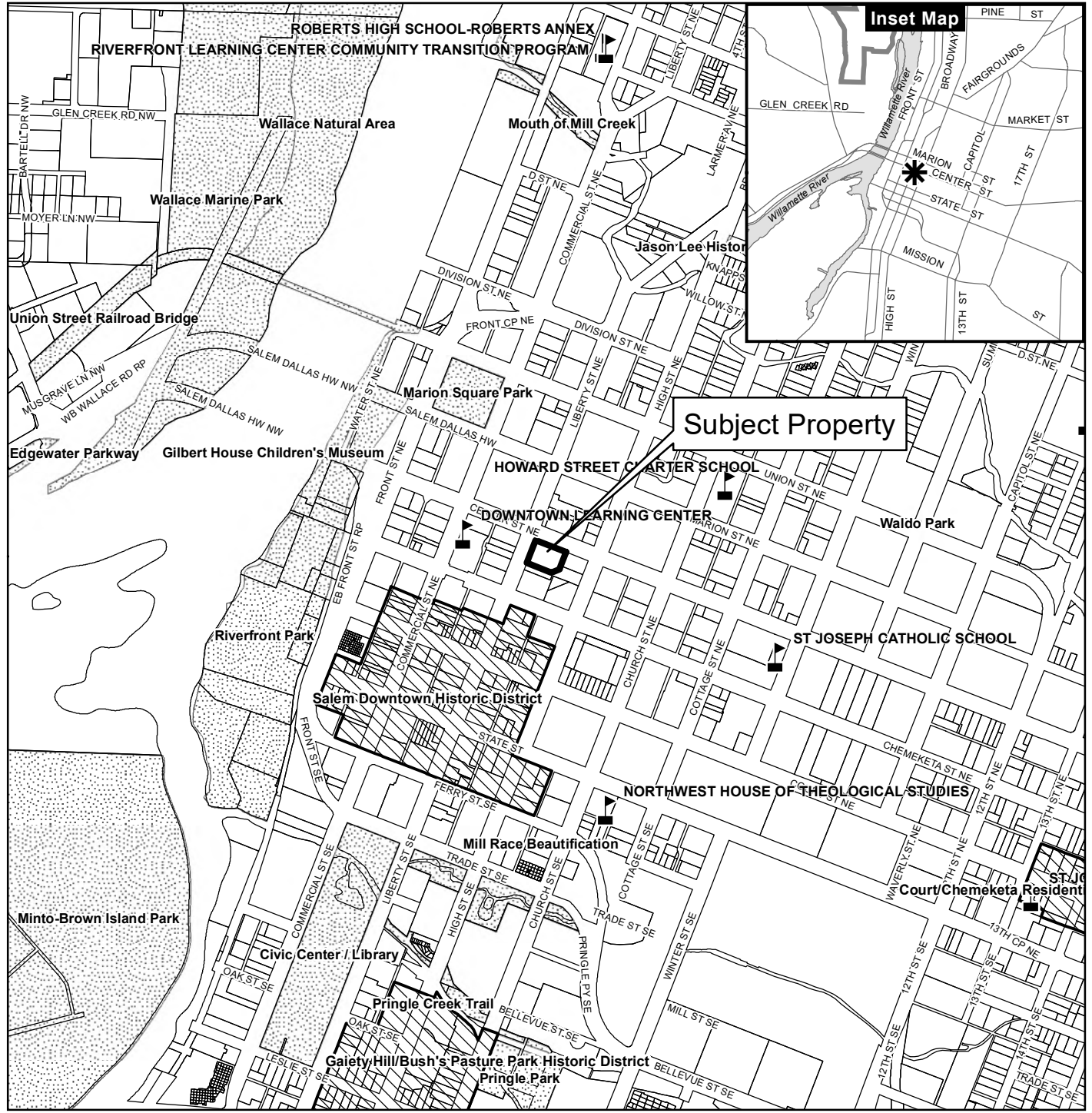


Aaron Panko, Planner III, on behalf of  
Lisa Anderson-Ogilvie, AICP  
Planning Administrator

- Attachments: A. Vicinity Map  
B. Proposed Development Plans  
C. Applicant's Written Statement  
D. Public Works Memo  
E. Salem Keizer Public Schools Memo Dated 3-3-2022

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

# Vicinity Map 420 Center Street NE



## Legend

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



Parks



0 100200 400 Feet



This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.



SITE PLAN GENERAL NOTES:

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

SITE DEVELOPMENT CODE REVIEW:

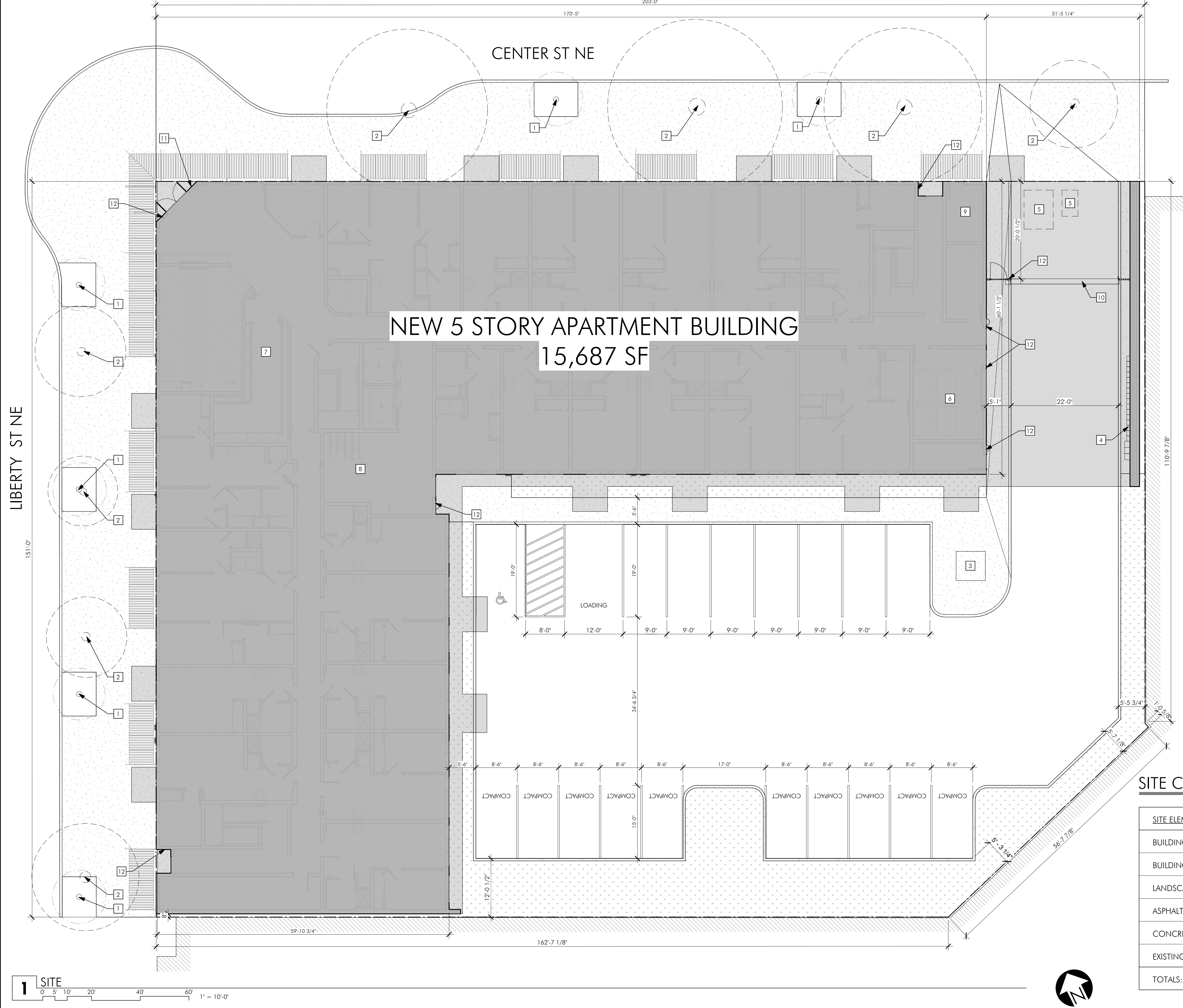
- SITE AREA: 29,880 sf = 0.685ac
- ZONING: CB Commercial Business
- BUILDING AREAS:
- LEVEL 01: 15,581 sf
  - LEVEL 02: 16,519 sf
  - LEVEL 01: 18,518 sf
  - LEVEL 02: 18,518 sf
  - LEVEL 05: 18,518 sf
  - TOTAL: 87,654 sf
- PARKING:
- RESIDENTIAL: NO PARKING REQUIRED  
18 PROVIDED
- BIKE PARKING:
- 0.1 SPACES PER DWELLING UNIT:  
0.1x157 UNITS = 16 REQ'D  
22 PROVIDED
- LOADING SPACES:
- FOR BUILDINGS BETWEEN 100-199 UNITS PROVIDE 2 SPACES:
  - LOADING SPACE SIZE: 12'-0" x 19'-0" WITH ACCESS TO STREET OR ALLEY.

SITE PLAN NOTES:

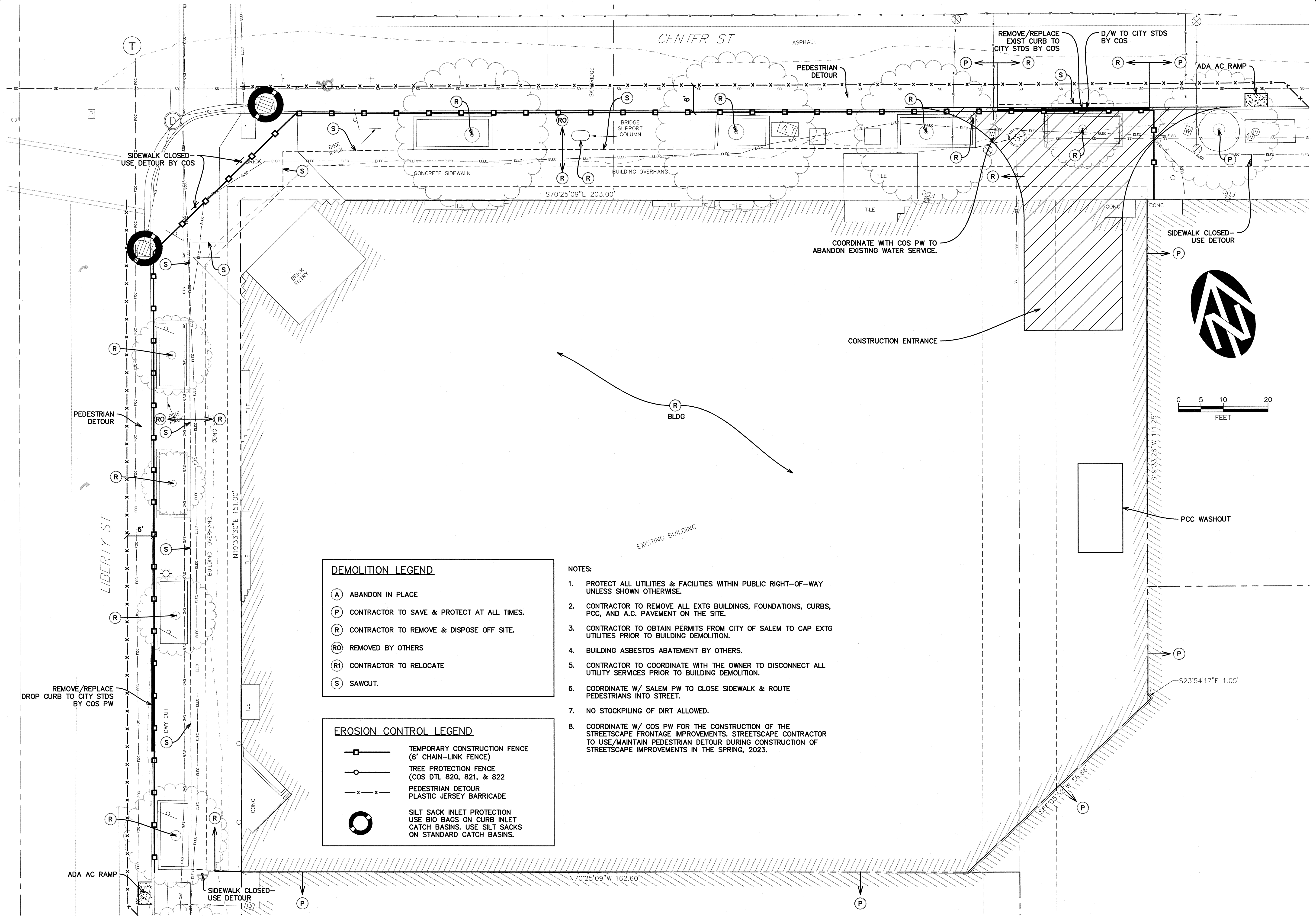
- NEW TREE.
- EXISTING TREE, TO BE REMOVED.
- TRANSFORMER.
- ELECTRICAL METERS.
- VAULT PER CIVIL DRAWINGS.
- TRASH ROOM.
- MAIL ROOM.
- BIKE STORAGE AND REPAIR STATION.
- RISER ROOM.
- 14' COIL GRILL ROLLUP DOOR.
- KNOX BOX.
- KEY FOB ENTRY ACCESS.

SITE CALCULATIONS AND LEGEND:

SITE ELEMENT DESCRIPTION:	LEGEND:	AREA: (sf)	PERCENTAGE:
BUILDINGS:		15,687 sf	54.1 %
BUILDINGS OVERHANG ABOVE:			
LANDSCAPING:		2,854 sf	9.8 %
ASPHALT PAVING:		9,321 sf	32.2 %
CONCRETE PAVING & CURBS:		1,128 sf	3.9 %
EXISTING BUILDING			
TOTALS:		28,990 sf	100.0 %







NO.	DATE	DESCRIPTION	BY
1	12/13/21	CITY COMMENTS/COORD. W/ STREETSCAPE	AR
2	11/05/21	PER CITY COMMENTS	AR
3	NO.	DATE	BY

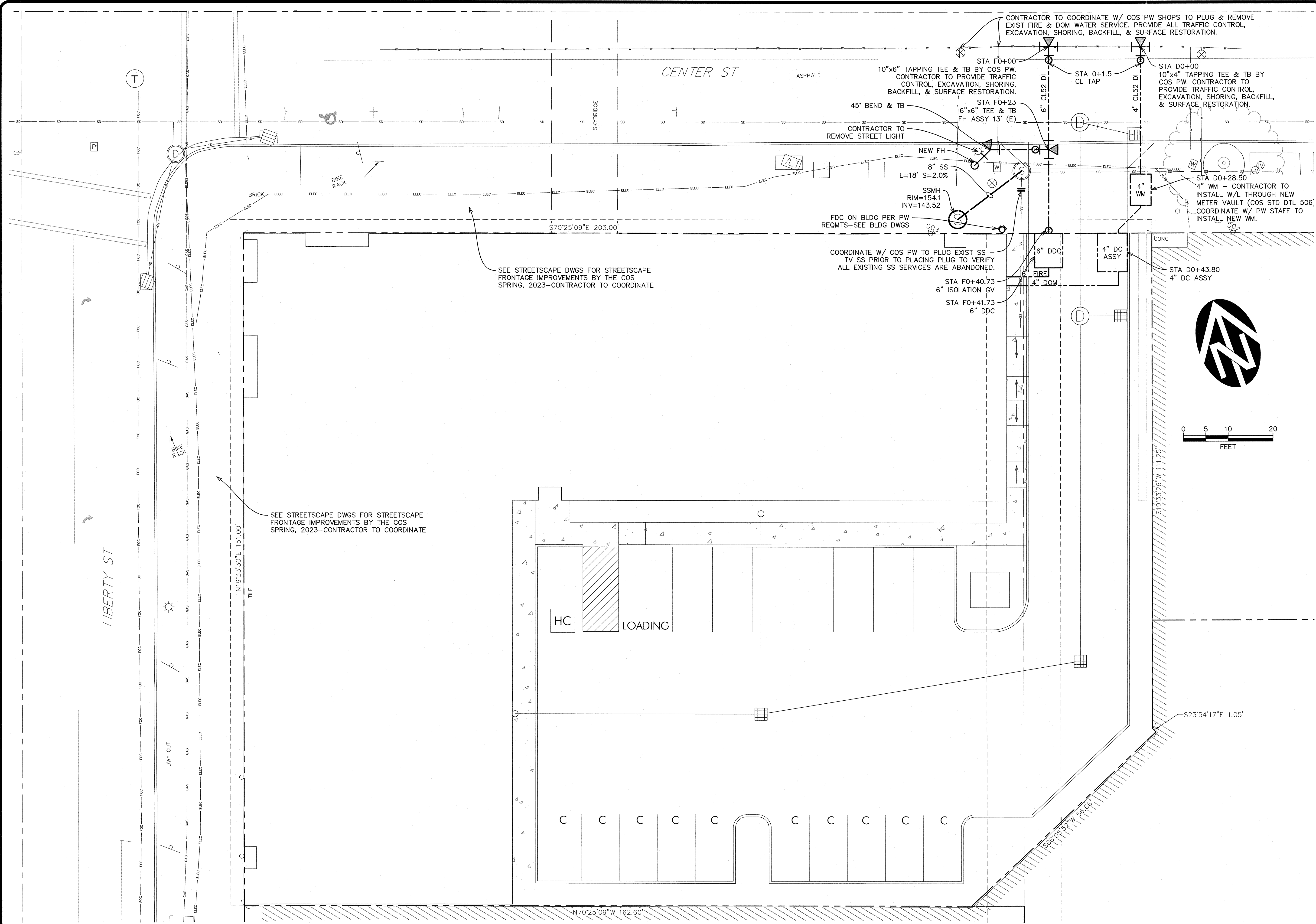
VERIFY SCALE  
BAR IS ONE INCH ON  
ORIGINAL DRAWING  
IF NOT ONE INCH ON  
THIS SHEET, ADJUST  
SCALE ACCORDINGLY

REGISTERED PROFESSIONAL  
ENGINEER  
1184  
OREGON  
JUL 16, 1988  
STEVEN A. WARR  
REVISIONS: 6/30/2022

**WE**  
WESTTECH ENGINEERING, INC.  
CONSULTING ENGINEERS AND PLANNERS  
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
Phone: (503) 585-2474, Fax: (503) 585-3966  
E-mail: westtech@westtech-eng.com

DEACON DEVELOPMENT, LLC  
CENTRAL CITY APARTMENTS  
**EXISTING CONDITIONS,  
DEMOLITION &  
EROSION CONTROL PLAN**

DRAWING  
**C1.0**  
JOB NUMBER  
3302.0000.0



DEACON DEVELOPMENT, LLC

CENTRAL CITY APARTMENTS

OVERALL UTILITY PLAN

DRAWING

C3.0

JOB NUMBER

3302.0000.0

WESTECH ENGINEERING, INC.

CONSULTING ENGINEERS AND PLANNERS

3841 Fairview Industrial Dr., Suite 100, Salem, OR 97302

Phone: (503) 595-2474, Fax: (503) 595-3986

E-mail: westech@westech-eng.com

REGISTERED PROFESSIONAL ENGINEER

1194

WESTECH ENGINEERING, INC.

CONSULTING ENGINEERS AND PLANNERS

3841 Fairview Industrial Dr., Suite 100, Salem, OR 97302

Phone: (503) 595-2474, Fax: (503) 595-3986

E-mail: westech@westech-eng.com

VERIFIED SCALE

BASED ON ONE INCH ON ORIGINAL PLOT

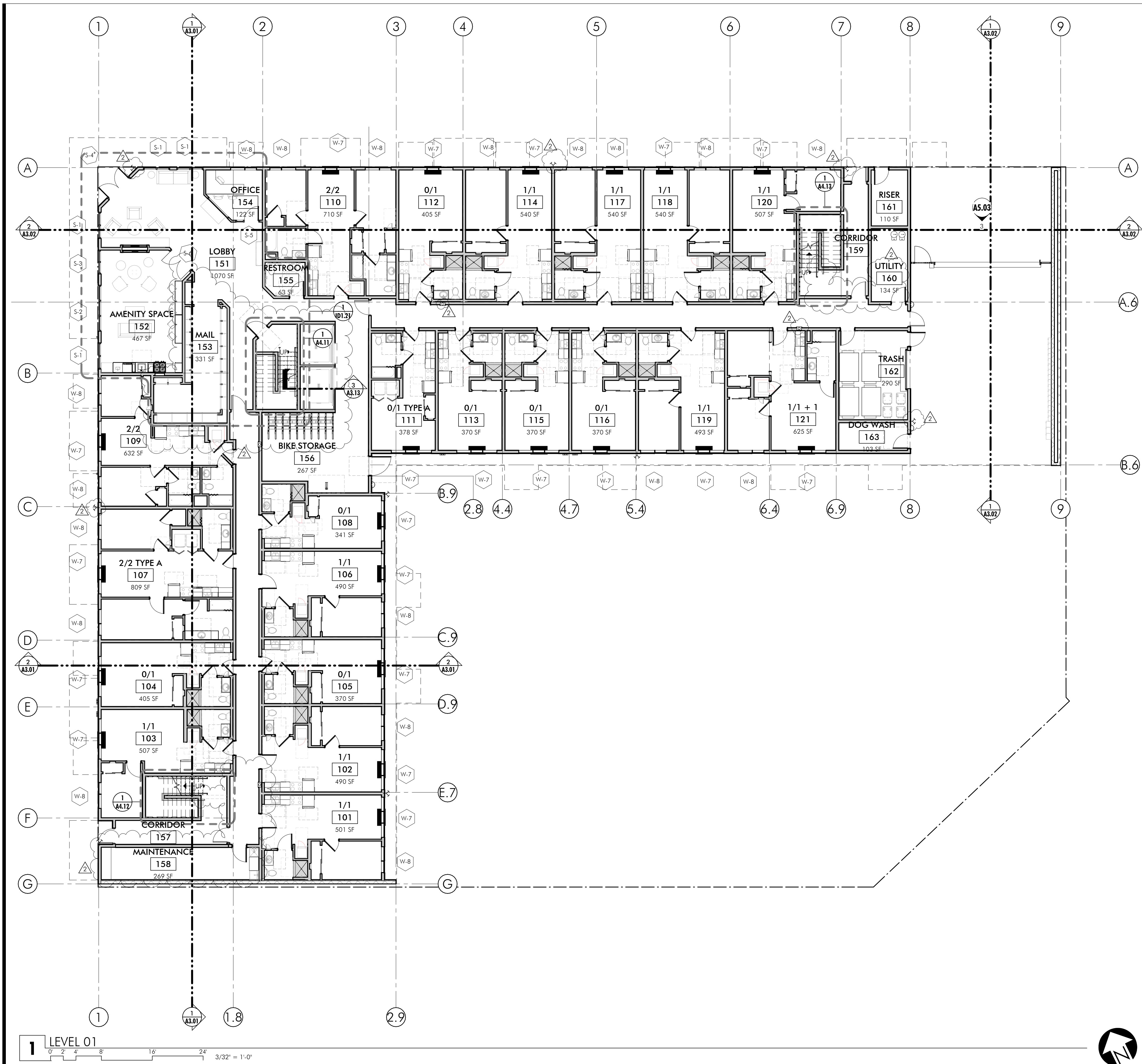
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

DATE: JUL 2021

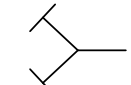
REVISIONS


NO.	DATE	DESCRIPTION	BY
1	01/20/22	ADDED FUTURE CB	AR
2	12/13/21	CITY COMMENTS/COORD W/ STREETScape	AR
3	11/05/21	PER CITY COMMENTS	AR
4			





PLAN LEGEND:

 HOSE BIB.

 SEMI-RECESSED FIRE EXTINGUISHER CABINET W/ 2A-10BC EXTINGUISHER.

STUDIO  
**3**  
ARCHITECTURE  
INCORPORATED

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

REGISTERED ARCHITECT  
1449  
GRACE O. BOLANTE  
SALEM, OREGON  
STATE OF OREGON

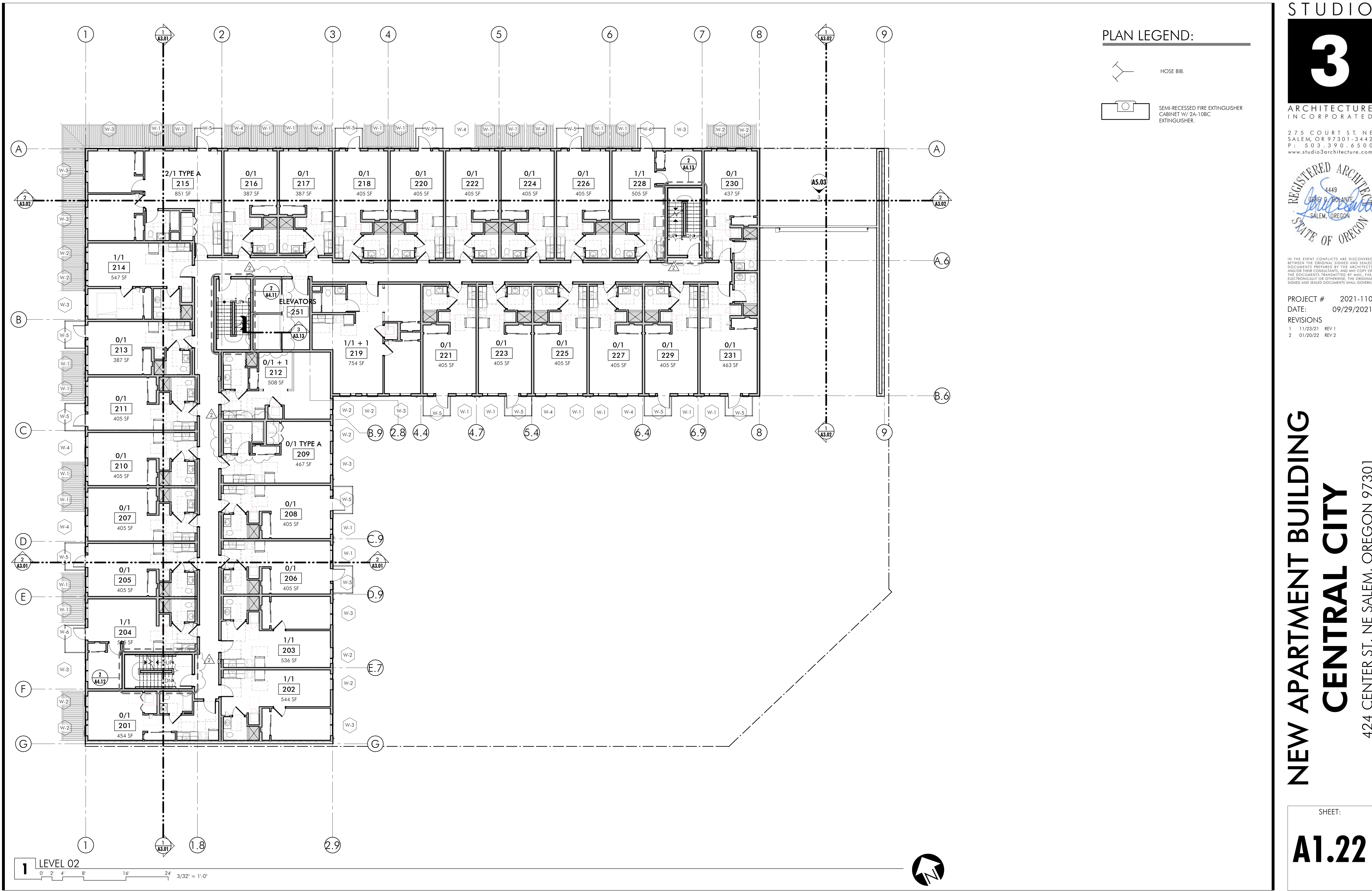
IN THE EVENT CONFLICTS ARE DISCOVERED BETWEEN THE ORIGINAL SIGNED AND SEALED DOCUMENTS PREPARED BY THE ARCHITECTS AND/OR THEIR CONSULTANTS, AND ANY COPY OF THE DOCUMENTS TRANSMITTED BY MAIL, FAX, ELECTRONICALLY OR OTHERWISE, THE ORIGINAL SIGNED AND SEALED DOCUMENTS SHALL GOVERN.

PROJECT # 2021-110  
DATE: 09/29/2021  
REVISIONS  
1 11/23/21 REV 1  
2 01/20/22 REV 2

NEW APARTMENT BUILDING  
**CENTRAL CITY**  
424 CENTER ST. NE SALEM, OREGON 97301

SHEET:  
**A1.21**





PLAN LEGEND:

- HOSE BIB.
- SEMI-RECESSED FIRE EXTINGUISHER CABINET W/ 2A-10BC EXTINGUISHER.

STUDIO  
**3**  
ARCHITECTURE  
INCORPORATED  
275 COURT ST. NE  
SALEM, OR 97301-3442  
P: 503.390.6500  
www.studio3architecture.com



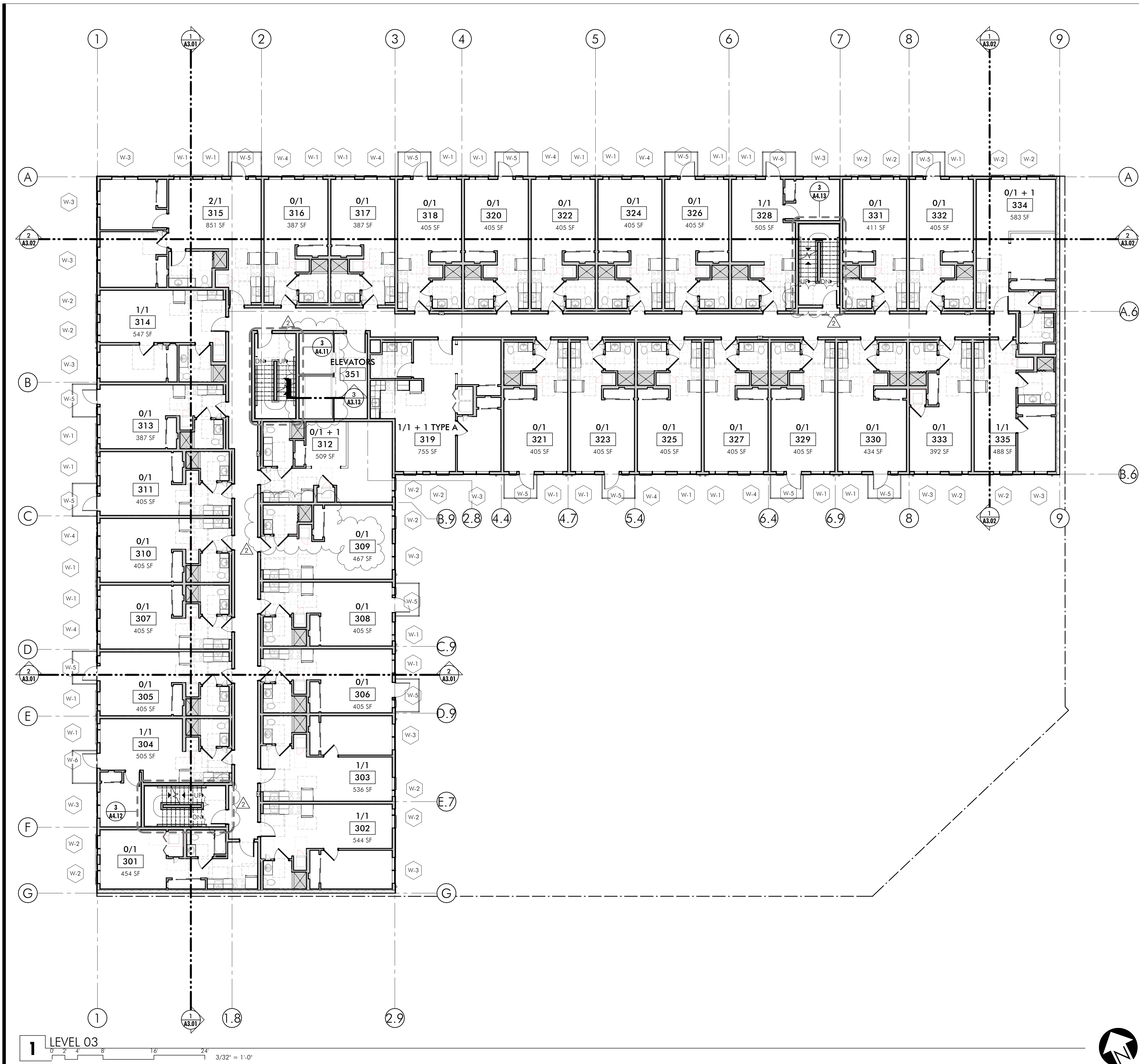
IN THE EVENT CONFLICTS ARE DISCOVERED BETWEEN THE ORIGINAL SIGNED AND SEALED DOCUMENTS PREPARED BY THE ARCHITECTS AND/OR THEIR CONSULTANTS, AND ANY COPY OF THE DOCUMENTS TRANSMITTED BY MAIL, FAX, ELECTRONICALLY OR OTHERWISE, THE ORIGINAL SIGNED AND SEALED DOCUMENTS SHALL GOVERN.

PROJECT #	2021-110
DATE:	09/29/2021
REVISIONS	
1	11/23/21 REV 1
2	01/20/22 REV 2

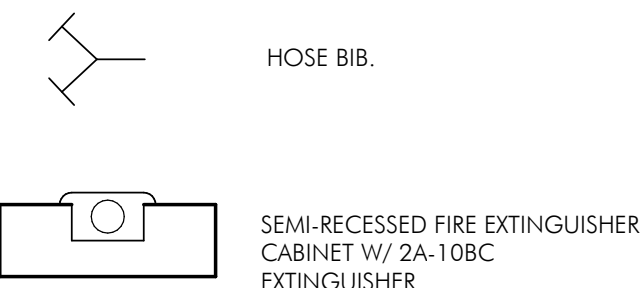
NEW APARTMENT BUILDING  
**CENTRAL CITY**  
424 CENTER ST. NE SALEM, OREGON 97301

SHEET:  
**A1.22**





PLAN LEGEND:



STUDIO  
**3**  
ARCHITECTURE  
INCORPORATED  
275 COURT ST. NE  
SALEM, OR 97301-3442  
P: 503.390.6500  
www.studio3architecture.com



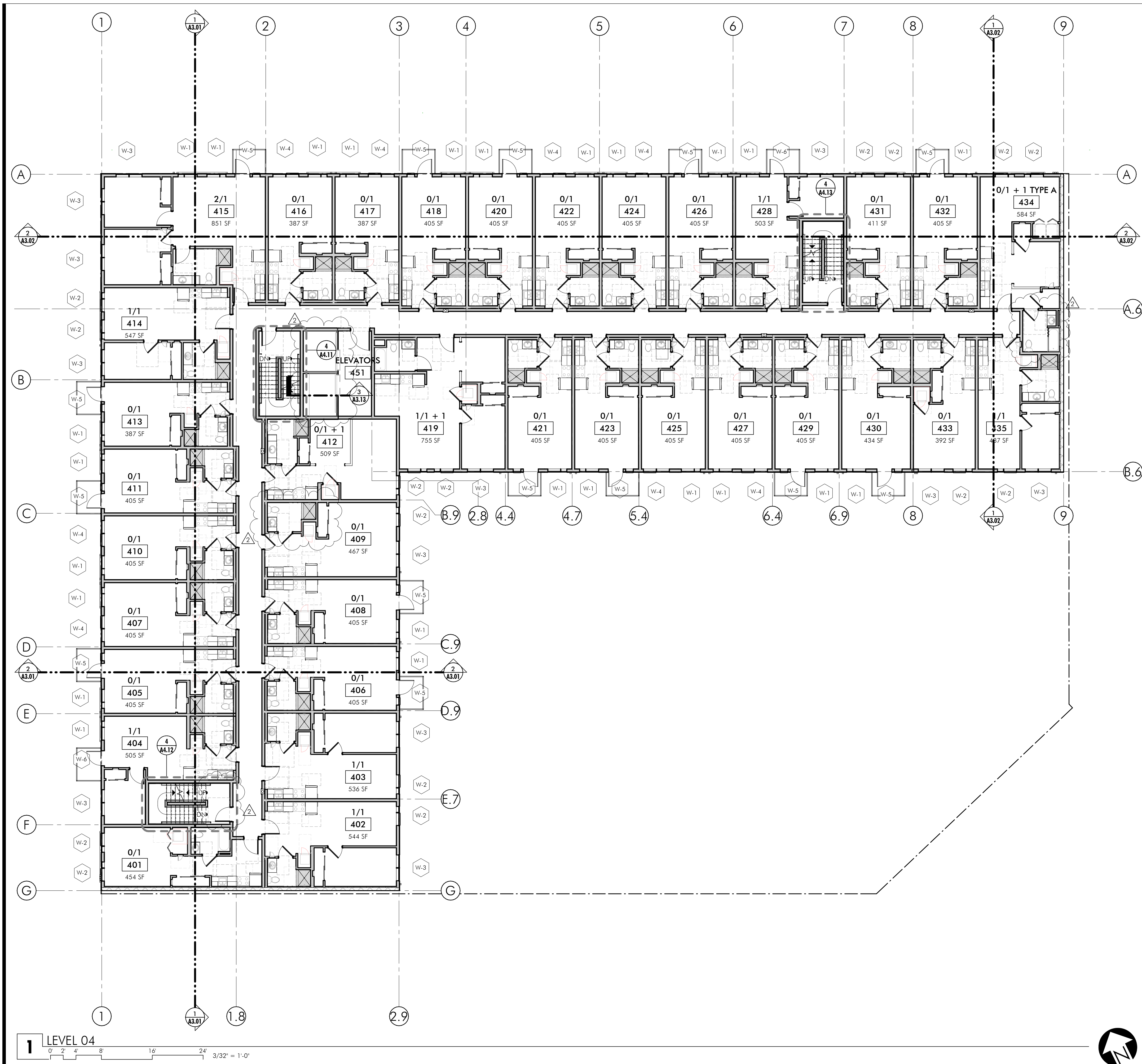
IN THE EVENT CONFLICTS ARE DISCOVERED  
BETWEEN THE ORIGINAL SIGNED AND SEALED  
DOCUMENTS PREPARED BY THE ARCHITECTS  
AND/OR THEIR CONSULTANTS, AND ANY COPY OF  
THE DOCUMENTS TRANSMITTED BY MAIL, FAX,  
ELECTRONICALLY OR OTHERWISE, THE ORIGINAL  
SIGNED AND SEALED DOCUMENTS SHALL GOVERN.

PROJECT # 2021-110  
DATE: 09/29/2021  
REVISIONS  
1 11/23/21 REV 1  
2 01/20/22 REV 2

NEW APARTMENT BUILDING  
**CENTRAL CITY**  
424 CENTER ST. NE SALEM, OREGON 97301

SHEET:  
**A1.23**





PLAN LEGEND:

HOSE BIB.

SEMI-RECESSED FIRE EXTINGUISHER CABINET W/ 2A-10BC EXTINGUISHER.

STUDIO  
**3**  
ARCHITECTURE  
INCORPORATED

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

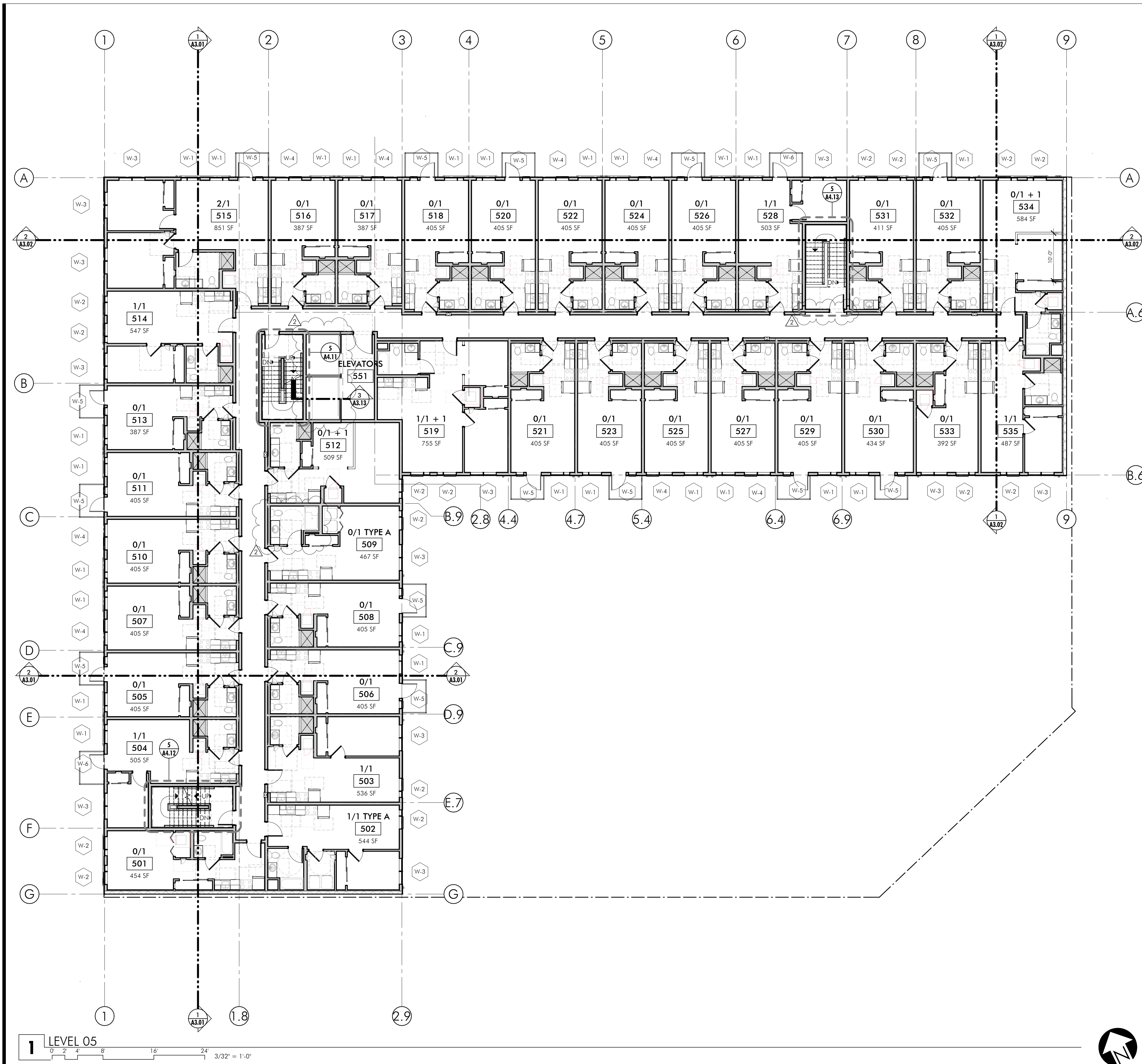
REGISTERED ARCHITECT  
14449  
GRAND O. BOLANTE  
SALEM, OREGON  
STATE OF OREGON

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

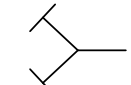
PROJECT # 2021-110  
DATE: 09/29/2021  
REVISIONS  
1 11/23/21 REV 1  
2 01/20/22 REV 2


NEW APARTMENT BUILDING  
**CENTRAL CITY**  
424 CENTER ST. NE SALEM, OREGON 97301





PLAN LEGEND:

 HOSE BIB.

 SEMI-RECESSED FIRE EXTINGUISHER CABINET W/ 2A-10BC EXTINGUISHER.

**1** LEVEL 05

0' 2' 4' 8' 16' 24' 3/32" = 1'-0"



STUDIO

**3**

ARCHITECTURE  
INCORPORATED

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



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

PROJECT # 2021-110  
DATE: 09/29/2021

REVISIONS

1	11/23/21	REV 1
2	01/20/22	REV 2

NEW APARTMENT BUILDING

**CENTRAL CITY**

424 CENTER ST. NE SALEM, OREGON 97301

SHEET:

**A1.25**



NEW APARTMENT BUILDING  
CENTRAL CITY  
424 CENTER ST. NE SALEM, OREGON 97301

SHEET:

A2.01

ELEVATION NOTES:

- 1 FIBER CEMENT PANEL. COLOR 1.
- 2 FIBER CEMENT PANEL. COLOR 2.
- 3 FIBER CEMENT PANEL. COLOR 3.
- 4 FIBER CEMENT PANEL. COLOR 4.
- 5 PROFILED, HORIZONTALLY ORIENTED METAL PANEL. COLOR 1.
- 6 PROFILED, VERTICALLY ORIENTED METAL PANEL. COLOR 1.
- 7 VERTICAL CONCRETE TILE, "BOARD FORM LOOK".
- 8 HORIZONTAL FIBER CEMENT SIDING.
- 9 SUSPENDED BALCONY W/ CABLE RAIL.
- 10 BELLY BAND.
- 11 PREFINISHED METAL CAP.
- 12 VINYL WINDOW, TYP.
- 13 ALUMINUM STOREFRONT.
- 14 CONCRETE MASONRY UNIT.
- 15 14' COIL GRILL ROLLUP DOOR.
- 16 3'-6" GATE.
- 17 ELECTRICAL METERS.
- 18 STEEL AWNING.
- 19 2X FRAMED TRIM.
- 20 PTHP GRILL.



1 NORTH ELEVATION  
0' 5' 10' 20' 40' 60'  
1/8" = 1'-0"

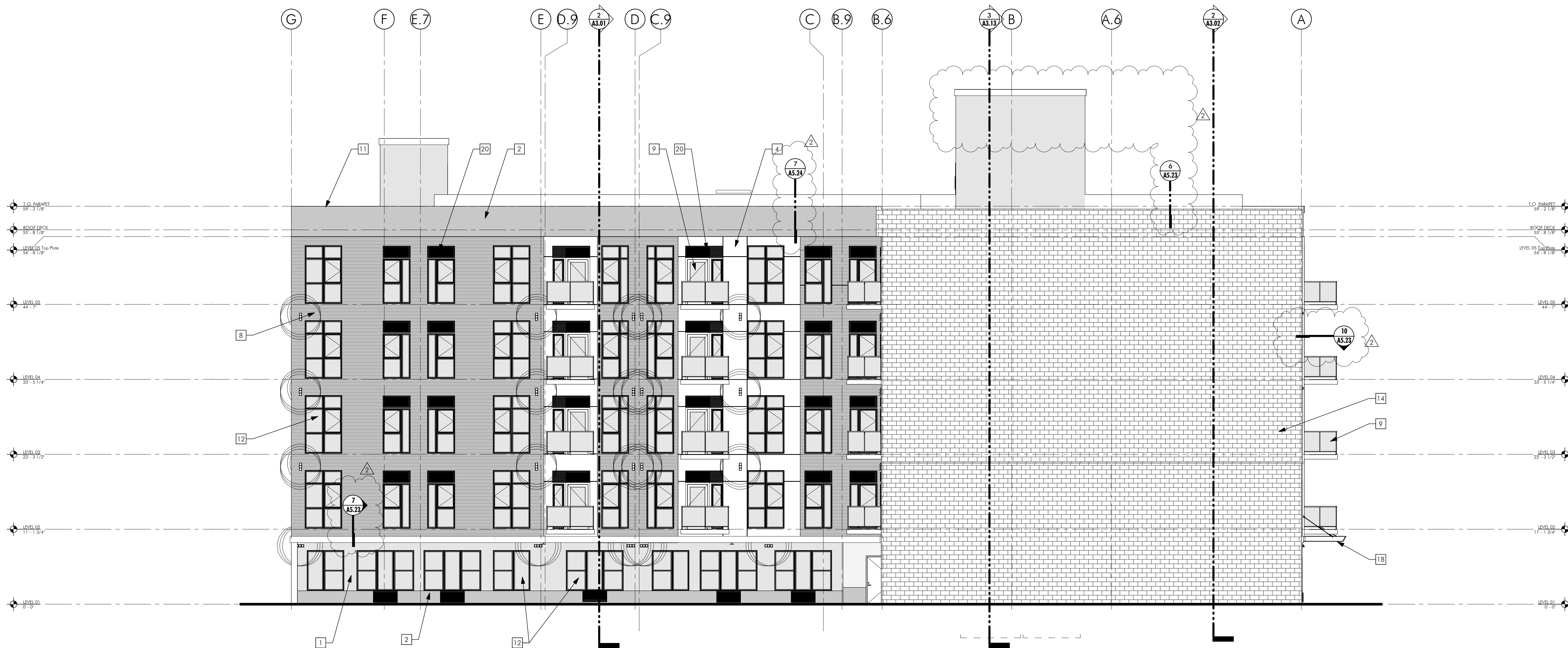


NEW APARTMENT BUILDING  
CENTRAL CITY

424 CENTER ST. NE SALEM, OREGON 97301

## ELEVATION NOTES:

- 1 FIBER CEMENT PANEL. COLOR 1.
- 2 FIBER CEMENT PANEL. COLOR 2.
- 3 FIBER CEMENT PANEL. COLOR 3.
- 4 FIBER CEMENT PANEL. COLOR 4.
- 5 PROFILED, HORIZONTALLY ORIENTED METAL PANEL. COLOR 1.
- 6 PROFILED, VERTICALLY ORIENTED METAL PANEL. COLOR 1.
- 7 VERTICAL CONCRETE TILE, "BOARD FORM LOOK".
- 8 HORIZONTAL FIBER CEMENT SIDING.
- 9 SUSPENDED BALCONY W/ CABLE RAIL.
- 10 BELLY BAND.
- 11 PREFINISHED METAL CAP.
- 12 VINYL WINDOW, TYP.
- 13 ALUMINUM STOREFRONT.
- 14 CONCRETE MASONRY UNIT.
- 15 14" COIL GRILL ROLLUP DOOR.
- 16 3'-6" GATE.
- 17 ELECTRICAL METERS.
- 18 STEEL AWNING.
- 19 2X FRAMED TRIM.
- 20 PTHP GRILL.



1 EAST ELEVATION

0' 5' 10' 20' 40' 60' 1/8" = 1'-0"

ELEVATION NOTES:

- 1 FIBER CEMENT PANEL. COLOR 1.
- 2 FIBER CEMENT PANEL. COLOR 2.
- 3 FIBER CEMENT PANEL. COLOR 3.
- 4 FIBER CEMENT PANEL. COLOR 4.
- 5 PROFILED, HORIZONTALLY ORIENTED METAL PANEL. COLOR 1.
- 6 PROFILED, VERTICALLY ORIENTED METAL PANEL. COLOR 1.
- 7 VERTICAL CONCRETE TILE, "BOARD FORM LOOK".
- 8 HORIZONTAL FIBER CEMENT SIDING.
- 9 SUSPENDED BALCONY W/ CABLE RAIL.
- 10 BELLY BAND.
- 11 PREFINISHED METAL CAP.
- 12 VINYL WINDOW, TYP.
- 13 ALUMINUM STOREFRONT.
- 14 CONCRETE MASONRY UNIT.
- 15 14' COIL GRILL ROLLUP DOOR.
- 16 3'-6" GATE.
- 17 ELECTRICAL METERS.
- 18 STEEL AWNING.
- 19 2X FRAMED TRIM.
- 20 PTHP GRILL.



1 SOUTH ELEVATION  
0' 5' 10' 20' 40' 60' 1/8" = 1'-0"



ELEVATION NOTES:

- 1 FIBER CEMENT PANEL. COLOR 1.
- 2 FIBER CEMENT PANEL. COLOR 2.
- 3 FIBER CEMENT PANEL. COLOR 3.
- 4 FIBER CEMENT PANEL. COLOR 4.
- 5 PROFILED, HORIZONTALLY ORIENTED METAL PANEL. COLOR 1.
- 6 PROFILED, VERTICALLY ORIENTED METAL PANEL. COLOR 1.
- 7 VERTICAL CONCRETE TILE, "BOARD FORM LOOK".
- 8 HORIZONTAL FIBER CEMENT SIDING.
- 9 SUSPENDED BALCONY W/ CABLE RAIL.
- 10 BELLY BAND.
- 11 PREFINISHED METAL CAP.
- 12 VINYL WINDOW, TYP.
- 13 ALUMINUM STOREFRONT.
- 14 CONCRETE MASONRY UNIT.
- 15 14' COIL GRILL ROLLUP DOOR.
- 16 3'-6" GATE.
- 17 ELECTRICAL METERS.
- 18 STEEL AWNING.
- 19 2X FRAMED TRIM.
- 20 PTHP GRILL.



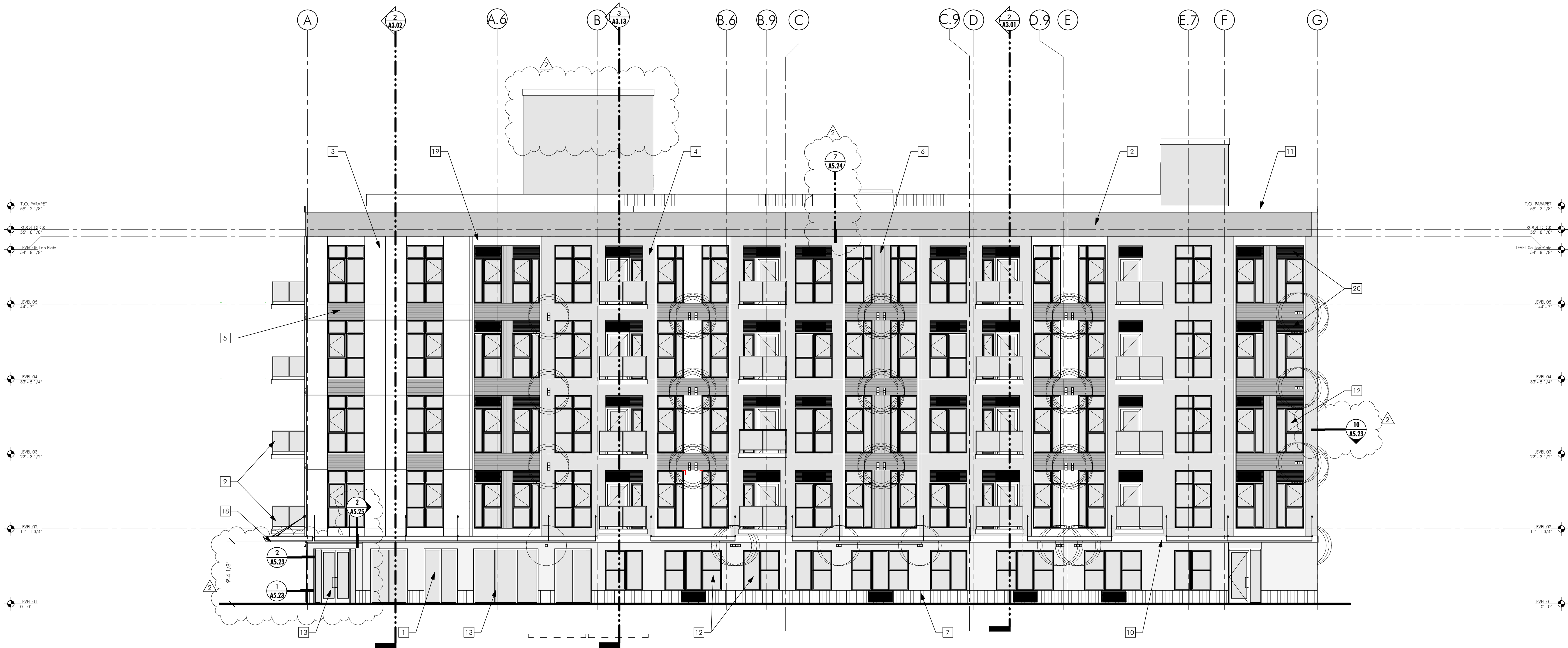
IN THE EVENT CONFLICTS ARE DISCOVERED  
BETWEEN THE ORIGINAL SIGNED AND SEALED  
DOCUMENTS PREPARED BY THE ARCHITECTS  
AND/OR THEIR CONSULTANTS, AND ANY COPY OF  
THE DOCUMENTS TRANSMITTED BY MAIL, FAX,  
ELECTRONICALLY OR OTHERWISE, THE ORIGINAL  
SIGNED AND SEALED DOCUMENTS SHALL GOVERN.

PROJECT # 2021-110  
DATE: 09/29/2021  
REVISIONS  
1 11/23/21 REV 1  
2 01/20/22 REV 2

NEW APARTMENT BUILDING  
CENTRAL CITY  
424 CENTER ST. NE SALEM, OREGON 97301

SHEET:

A2.04



1 WEST ELEVATION





1 NW CORNER

STUDIO

3

ARCHITECTURE  
INCORPORATED

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

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

PROJECT # 2021-110  
DATE: 09/29/2021  
REVISIONS

NEW APARTMENT BUILDING  
CENTRAL CITY

424 CENTER ST. NE SALEM, OREGON 97301

SHEET:

G3.01





**1** NORTH ELEVATION

STUDIO

**3**

ARCHITECTURE  
INCORPORATED

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

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

PROJECT # 2021-110  
DATE: 09/29/2021  
REVISIONS

**NEW APARTMENT BUILDING  
CENTRAL CITY**

424 CENTER ST., NE SALEM, OREGON 97301

SHEET:

**G3.02**



NEW APARTMENT BUILDING  
**CENTRAL CITY**  
424 CENTER ST. NE SALEM, OREGON 97301

SHEET:

**G3.03**





NEW APARTMENT BUILDING  
CENTRAL CITY

424 CENTER ST., NE SALEM, OREGON 97301

SHEET:

G3.04



1

INTERIOR CORNER



## CHAPTER 524. - CB—CENTRAL BUSINESS DISTRICT

### Sec. 524.005. - Uses.

- (a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the CB zone are set forth in Table 524-1.

*The proposed development consists of multifamily housing with tenant amenity spaces permitted within the CB zone.*

### Sec. 524.010. - Development standards.

Development within the CB zone must comply with the development standards set forth in this section.

- (a) *Lot standards.* Lots within the CB zone shall conform to the standards set forth in Table 524-2.

*Within the CB zone there are no minimum lot area and dimension requirements. There is a 16' minimum street frontage requirement for non-single-family uses, the proposed design meets this requirement.*

- (b) *Setbacks.* Setbacks within the CB zone shall be provided as set forth in Table 524-3.

*The CB zone has no interior front, interior side, or interior rear setbacks. The required abutting street setback is 0 ft or 10 ft. The proposed design has the building constructed contiguous to the street right-of-way property lines abutting Liberty and Center streets as preferred within the General Retail/Office overlay. There are however entry doors that cannot be placed at the property line or 10' in, therefore we have requested an adjustment to address these doors.*

- (c) *Lot coverage; height.* Buildings and accessory structures within the CB zone shall conform to the lot coverage and height standards set forth in Table 524-4.

*There is no maximum lot coverage requirement or building height limit established for buildings or accessory structures within the CB zone.*

- (d) *Landscaping.* Landscaping within the CB zone shall be provided as set forth in this subsection.

- (1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC [chapter 807](#).

*Requirement will be met.*

- (2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters [806](#) and [807](#).

*Requirement will be met.*



## CHAPTER 632. - GENERAL RETAIL/OFFICE OVERLAY ZONE

### Sec. 632.025. - Design review guidelines and design review standards.

(a) *Building location, orientation, and design.*

(1) *Building setbacks.*

(A) *Design review guidelines.*

- (i) Building setbacks from the street shall be minimized (see Figure 632-1). Buildings constructed contiguous to the street right-of-way are preferred.

*The proposed building is constructed contiguous to the property lines abutting Liberty Street and Center Street as preferred.*

(2) *Building orientation and design.*

(A) *Design review guidelines.*

- (i) Buildings shall create safe, pleasant, and active pedestrian environments.

*The proximity of the proposed building to the property line establishes a visual and physical connection between pedestrians and the building while coverings provided above entries and by bump-outs on upper levels provide a safe and pleasant environment for pedestrians.*

- (ii) Weather protection, in the form of awnings or canopies appropriate to the design of the building, shall be provided along ground floor building facades adjacent to a street in order to create a comfortable and inviting pedestrian environment.

*The proposed building entries are recessed to provide weather protection. Awnings or canopies as well as the projected patios above are included to provide weather protection along the public right of way.*

- (iii) Above grade pedestrian walkways shall not be provided to property located within the Salem Downtown Historic District.

*The existing walkway over Center Street from the mall to this will be removed by others. No new above ground pedestrian walkways are proposed.*

(B) *Design review standards.*

- (i) A primary building entrance shall be provided for each building facade facing a street. If a building has frontage on more than one street, a single primary building entrance may be provided at the corner of the building where the streets intersect (see Figure 632-2).

*The proposed primary entry is located at the corner of the building fronting Liberty Street and Center Street.*

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

*The ground floor street facing facades include a minimum of 65% transparent windows with a minimum visible transmittance of 37 percent..*

*North Elevation Calculations:*

Window Calculation

Facade Length: 201'-10"

Linear Window/Opening Length: 138'-6" or 68.6% of Facade Length

*West Elevation Calculations:*

Window Calculation

Facade Length: 150'-4"

Linear Window/Opening Length: 98'-4" or 65.4% of Facade Length

- (iii) Upper floors of buildings shall incorporate vertical windows.

*Vertical windows are incorporated on upper floors.*

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

*The proposed building entries are recessed to provide weather protection. Awnings or canopies as well as the projected patios above are included to provide weather protection along the public right of way. Provided overhead coverings meet minimum clearance height and length above sidewalks.*

*North Elevation Calculations:*

Awning/Balcony Calculation:

Ground Floor Length: 170'-5"

Linear Awning/Balcony Length: 164.17' or 96.33% of Facade Length

*West Elevation Calculations:*

Awning/Balcony Calculation:

Ground Floor Length: 150'-4"

Linear Awning/Balcony Length: 146.08' or 98.18% of Facade Length

- (v) Above grade pedestrian walkways may be provided, except that no above grade pedestrian walkway shall be provided to property located within the Salem Downtown Historic District.

*The proposed redevelopment includes the removal of the existing above ground pedestrian walkway over Center Street. No new above ground pedestrian walkways are proposed.*

## **CHAPTER 702. – MULTIPLE FAMILY DESIGN REVIEW STANDARDS**

*Though the proposed development is a multifamily development, multiple family design review, per SRC Chapter 702, is not required for multiple family development within either the CB zone or the General Retail/Office Overlay Zone.*

## **CHAPTER 806. - OFF-STREET PARKING, LOADING AND DRIVEWAYS**

### **Sec. 806.005. - Off-street parking; when required.**

*There is no minimum off-street parking required for the proposed 157 multiple family dwelling units. The current proposal provides 18 off-street parking spaces.*

*Compact parking – SRC 806.015(b) allows for the utilization of compact parking stalls to satisfy up to 75% of off-street parking. Compact parking currently accounts for 56% of provided parking.*

### **Sec. 806.035. - Off-street parking and vehicle use area development standards for uses or activities other than single family, two family, three family, and four family.**

*Parking and Vehicle Use Area Setback Adjacent to Buildings and Structures – SRC 806.035(c)(4) requires parking and vehicle use areas adjacent to buildings and structures to be setback from the exterior wall of the building or structure by a minimum 5-foot-wide landscape strip, planted to Type A landscaping standards, or a minimum 5-foot-wide pedestrian walkway. As shown on the proposed site plan, a pedestrian walkway in excess of 5 feet is provided between the proposed parking area and the building. The proposal therefore conforms to this standard.*

*Parking Stall & Parking Lot Drive Aisle Dimensions – SRC 806.035(e), Table 806-6, establishes minimum parking stall and parking lot drive aisle dimension standards. Parking stall and parking lot drive aisle dimensions are based upon the angle of the parking stalls and whether the stalls are standard or compact in size.*

*The dimension requirements for standard sized, 90-degree parking stalls are 9 ft. x 19 ft. The dimension requirements for compact sized, 90-degree parking stalls are 8 ft. x 15 ft.*

*Parking lot drive aisles serving all standard-sized, or a combination of standard and compact-sized, 90-degree stalls are required to have a minimum aisle width of 24 feet. Parking lot drive aisles serving only compact-sized, 90-degree parking stalls are required to have a minimum width of 22 feet.*

*Proposed parking stalls, drive aisles, and driveways meet applicable dimension requirements.*

## **Sec. 806.040. - Driveway development standards for uses or activities other than single family, two family, three family, or four family.**

*SRC 806.040(a) requires off-street parking and vehicle use areas to be accessed by either:*

- *Separate driveways for ingress and egress;*
- *A single driveway for ingress and egress within an adequate turnaround that is always available; or*
- *A loop to a single point of access.*

*The proposed parking lot is designed with a loop to a single point of access to Center Street in conformance with the standard.*

*Interior Landscaping Requirements – Interior landscaping is required for off street parking areas 5,000 square feet or greater in size. A minimum of 5 percent of the parking area must include interior landscaping.*

*The proposed parking area is approximately 9,321 square feet in size. 2,854 square feet of required landscaping is provided.*

*SRC 806.035(d)(3) requires a minimum of one deciduous shade tree to be planted within the parking lot for every 12 parking spaces. Based on the 18 parking spaces provided, a minimum of 2 deciduous trees will be provided within the parking area.*

*Driveways – SRC 806.040(d) establishes the minimum driveway width of a two-way driveway is 22 feet.*

*The driveway in the proposed site plan is 22 feet in width.*

## **Sec. 806.045. - Bicycle parking; when required.**

*SRC Chapter 806 establishes the minimum bicycle parking for multifamily uses as the greater of 4 spaces or 0.1 space per dwelling unit.*

*The proposed 157 dwelling units require a minimum of 16 bicycle parking spaces. 22 bicycle parking spaces are provided.*

### **Sec. 806.075. - Amount of off-street loading.**

SRC Chapter 806 requires 2 loading spaces for multifamily developments between 100-199 dwelling units.

*One (12'Wx19'Lx12'H) loading space is provided is provided on site, discussions occurred with the City to maintain an existing loading stall off Liberty Street that would count as the second loading space.*

### **Sec. 800.055. - Solid waste service areas.**

Solid Waste Service Areas – Pursuant to SRC 800.055(f)(1), a vehicle operation area a minimum of 15 feet in width and 45 feet in length is required in front of every receptacle in a solid waste service area in order to ensure adequate access by trucks for servicing. However, pursuant to SRC 800.055(f)(1)(B), the vehicle operation area does not need to be provided directly in front of the receptacles if they are 2 cubic yards or less in size and the vehicle operation area is in a location so the receptacles can be safely maneuvered manually not more than 45 feet into position for servicing at one end of the vehicle operation area.

*An internal solid waste facility is provided on the ground floor, the space is provided with exterior trash removal access. The trash room will be provided with 3 yard containers and recycling containers.*

### **Sec. 800.065. – Pedestrian access.**

Pedestrian connections are required:

- (1) Between building entrances and streets;
- (2) Between buildings on the same development site;
- (3) Through off-street parking areas greater than 25,000 square feet in size or including four or more consecutive parallel drive aisles;
- (4) To existing or planned paths and trails; and
- (5) To abutting properties.

Pedestrian connections are required to be a minimum of 5 feet in width and paved with a hard-surface material meeting Public Works Design Standards.

*Minimum 5 feet pedestrian access is provided at all locations of instances listed above.*



## Request for Adjustment:

Date: February 3, 2022

**Subject: Central City**  
**424 Center Street**  
**Salem, Oregon 97301**

### Standard

Table 524 – CB-Central Business District  
Table 524-3 Setbacks  
Buildings: 0ft or 10ft

### Proposed:

1. Per the 2019 OSSC, egress doors serving greater than 50 occupants cannot swing into the building. The required out-swinging egress doors also cannot swing over the property line. An adjustment is requested to allow the egress doors to be recessed as necessary to meet building code requirements while striving to meet the 0' setback requirement.

### Sec. 250.005. - Adjustments.

#### *(d) Criteria.*

*(2) An application for a Class 2 adjustment shall be granted if all of the following criteria are met:*

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

*(i) Clearly inapplicable to the proposed development; or*

*(ii) Equally or better met by the proposed development.*

*The proposed doors that are required to be recessed still fall between 0' and 10'. They are recessed only as far back as required by building code. All other building faces have a 0' setback along the street facing façades.*

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

Not applicable.

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

The adjustments requested do not fundamentally jeopardize the overall purpose of the zone and have no impact on the character or quality of the standards set forth in the SRC.

**Request for Adjustment:**

Date: February 3, 2022

**Subject: Central City**  
**424 Center Street**  
**Salem, Oregon 97301**

Standard

Sec. 806.075 Amount of Off-Street Loading  
Table 809-9 Minimum Off-Street Loading; Dimensions  
Multiple Family – Spaces Required=2

Proposed:

1. One loading space is located on-site in the rear of the lot. An adjustment is requested to provide the second required loading space on-street.

Sec. 250.005. - Adjustments.*(d) Criteria.*

*(2) An application for a Class 2 adjustment shall be granted if all of the following criteria are met:*

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

*(i) Clearly inapplicable to the proposed development; or*

*(ii) Equally or better met by the proposed development.*

*Two loading spaces are still provided directly adjacent to the building. The requested location of the on-street loading does not compromise proximity or ease of use of the loading space in service to the building.*

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

Not applicable.



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

The adjustments requested do not fundamentally jeopardize the overall purpose of the zone and have no impact on the character or quality of the standards set forth in the SRC.



## Request for Adjustment:

Date: February 3, 2022

**Subject: Central City**  
**424 Center Street**  
**Salem, Oregon 97301**

### Standard

Sec. 804.035 Access onto Major and Minor Arterials

(d) *Spacing.* Driveway approaches providing direct access to a major or minor arterial shall be no less than 370 feet from the nearest driveway or street intersection, measured from centerline to centerline.

### Proposed:

1. We have positioned the driveway along Center St as far as possible from the intersection of Liberty Street and Center Street. The center of the proposed driveway is located 236'-0" from the centerline of Liberty Street.

### Sec. 250.005. - Adjustments.

*(d) Criteria.*

*(2) An application for a Class 2 adjustment shall be granted if all of the following criteria are met:*

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

*(i) Clearly inapplicable to the proposed development; or*

The property width along Center street is 203' feet therefore the standard is inapplicable.

*(ii) Equally or better met by the proposed development.*

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

Not applicable.

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

The adjustments requested do not fundamentally jeopardize the overall purpose of the zone and have no impact on the character or quality of the standards set forth in the SRC.



# MEMO

**TO:** Aaron Panko, Planner III  
Community Development Department

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

**DATE:** March 10, 2022

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS  
SPR-ADJ-DAP-DR22-10 (21-115353)  
420 CENTER STREET NE  
MULTI-FAMILY APARTMENT BUILDING**

## **PROPOSAL**

A Class 3 Site Plan Review, Class 2 Driveway Approach Permit, and Class 2 Adjustment for the development of a new five-story multi-family apartment building containing 157 dwelling units at the former Nordstrom site. The property is approximately 0.69 acres in size, zoned CB (Central Business District) and within the General Retail/Office Overlay Zone, and located at 420 Center Street NE 97301 (Marion County Assessors Map and Tax Lot number: 073W22DC / 05100).

## **RECOMMENDED CONDITIONS OF APPROVAL**

1. Obtain a revocable license for the steel canopy and balconies encroaching into the right-of-way pursuant to SRC 76.150.

## **FACTS**

### **Streets**

1. Center Street NE
  - a. Standard—This street is designated as a Major Arterial street in the Salem TSP. The standard for this street classification is a 68-foot-wide improvement within a 96-foot-wide right-of-way.
  - b. Existing Conditions—This street has an approximate 60-foot improvement within a 100-foot-wide right-of-way abutting the subject property.

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

2. Liberty Street NE

- a. Standard—This street is designated as a Major Arterial street in the Salem TSP. The standard for this street classification is a 68-foot-wide improvement within a 96-foot-wide right-of-way.
- b. Existing Conditions—This street has an approximate 60-foot improvement within a 96-foot-wide right-of-way abutting the subject property.

**Storm Drainage**

1. Existing Conditions

- a. A 36-inch storm main is located in Center Street NE.

**Water**

1. Existing Conditions

- a. The subject property is located in the G-0 water service level.
- b. A 10-inch water main is located in Center Street NE.
- c. A 12-inch water main is located in Liberty Street NE.

**Sanitary Sewer**

1. Existing Conditions

- a. An 8-inch sewer main is located in Center 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 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.

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.

**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**—Center Street NE and Liberty Street NE meet the right-of-way width standards for their street classification per the Salem TSP; therefore, no right-of way dedication is required as a condition of the proposed development.

The existing configuration of Center Street NE and Liberty Street NE do not meet current streetscape standards pursuant to PWDS. However, streetscape improvements along the development frontages of Center Street NE and Liberty Street NE are fully funded and committed as part of a Capital Improvement Program project (PN: 682083-4); therefore, no street improvements are required as a condition of the proposed development (SRC 803.040(d)(1)).

The application materials show an overhead steel canopy structure and balconies encroaching into the right-of-way. Prior to construction, the applicant shall obtain a revocable license for encroachment pursuant to SRC 76.150.

**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 Center Street NE, with approval of the spacing adjustment, 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, sewer, and storm infrastructure are available within surrounding streets/areas and are adequate to serve the proposed development. The applicant

proposes connections to existing water, sewer, and stormwater infrastructure in Center Street NE.

The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4) and SRC Chapter 71. The applicant's engineer shall design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the PWDS and to the satisfaction of the Public Works Director.

**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 street intersections; therefore, a Class 2 adjustment is required for driveway spacing as described below. Otherwise, the proposed driveway meets the standards for SRC Chapter 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 an Arterial street.

**(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 only abuts streets that have a Major Arterial classification.

**(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 driveways less than the standard of 370 feet. The development is proposing one new mid-block driveway on Center Street NE, which is a one-way street within the vicinity of the proposed development. Pursuant to SRC 804.035(a)(2)(B), the proposed driveway is allowed because the development does not abut a Local or Collector street. Additionally, the applicant provided a written statement regarding the driveway location, identifying that the proposed driveway is located along Center Street NE as far from the intersection of Liberty Street NE and Center Street NE as possible. The center of the proposed driveway is located 236 feet from the centerline of Liberty Street NE. The proposed driveway configuration has been evaluated by the Assistant City Traffic Engineer and meets the adjustment criteria by allowing for turning movements and traffic safety equal to what would be accomplished by meeting the development standard.

Prepared by: Matt Olney, Program Manager  
cc: File



DAVID FRIDENMAKER, Manager  
 Facility Rental, Planning, Property Services  
 3630 State Street, Bldg. C ● Salem, Oregon 97301-5316  
 503-399-3335 ● FAX: 503-375-7847

Christy Perry, Superintendent

March 3, 2022

Aaron Panko, Planner  
 Planning Division, City of Salem  
 555 Liberty Street SE, Room 305  
 Salem OR 97301

RE: Land Use Activity Case No. SPR-ADJ-DAP-DR22-10, 420 Center St NE

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

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

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

School Name	School Type	Grades Served
Bush	Elementary	K thru 5
Leslie	Middle	6 thru 8
South Salem	High	9 thru 12

*Table 1*

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

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

School Name	School Type	School Enrollment	School Design Capacity	Enroll./Capacity Ratio
Bush	Elementary	273	322	85%
Leslie	Middle	769	944	81%
South Salem	High	2,258	2,248	100%

Table 2

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

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

School Type	Qty. of New Residences	Housing Type	Average Qty. of Students per Residence	Total New Students
Elementary	157	MF	0.164	26
Middle			0.085	13
High			0.096	15

Table 3

### POTENTIAL EFFECT OF THIS DEVELOPMENT ON SCHOOL ENROLLMENT

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

School Name	School Type	School Enrollment	New Students During Past 2 yrs	New Student from this Case	Total New Students	School Design Cap.	Enroll./Cap. Ratio
Bush	Elem.	273	7	26	33	322	95%
Leslie	Mid.	769	38	13	51	944	87%
South Salem	High	2,258	188	15	203	2,248	110%

Table 4

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

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



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

School Name	School Type	Walk Zone or Eligible for School Transportation
Bush	Elementary	Eligible for School Transportation
Leslie	Middle	Eligible for School Transportation
South Salem	High	Eligible for School Transportation

Table 5

## ESTIMATE OF NEW SCHOOL CONSTRUCTION NEEDED TO SERVE DEVELOPMENT

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

School Type	Number of Students	Estimate of Facility Cost Per Student*	Total Cost of Facilities for Proposed Development*
Elementary	26	\$64,220	\$1,669,720
Middle	13	\$76,882	\$999,466
High	15	\$89,544	\$1,343,160
TOTAL			\$4,012,346

Table 6

\*Cornerstone Management Group, Inc. estimates based on RLB cost index average, 2021 Fourth Quarter.

Note: We recommend a bus pullout to allow a school bus to load from the sidewalk on the right side of the bus. This would allow students to load onto the bus without a red light bus stop.

Sincerely,



David Fridenmaker, Manager  
Planning and Property Services

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